

**A LEGAL ANALYSIS OF PARENTAL CHILD ABDUCTION IN
MALAYSIA AFTER THE HAGUE CONVENTION ON THE
CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION**



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1. Letter of Report Submission

BAHAGIAN A : MAKLUMAT KETUA PROJEK	
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Tajuk Projek:	A Legal Analysis of Parental Child Abduction in Malaysia after the Hague Convention on the Civil Aspects of International Child Abduction.
BAHAGIAN B : MAKLUMAT PROJEK PENYELIDIKAN	
No Rujukan Projek RMI :	600-RMI/SSP/DANA 5/3 Dsp (70 / 2011)
Tarikh Mula Projek :	FEBRUARI 2011
Tarikh Tamat Projek :	NOVEMBER 2012
BAHAGIAN C : HASIL PENYELIDIKAN	
Penerbitan Berindeks (Tajuk dan Penerbit)	-
Harta Intelek (No Patent/No IP)	-
Pelajar yang di latih (Nama, KP, Kod Program)	-
Tandatangan Ketua Projek :	Tarikh :
Pengesahan RMI :	Tarikh :

2. Letter of Offer (Research Grant)



Ruj. Kami : 600-RMI/SSP/DANA 5/3/Dsp (70/2011)
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Puan

KELULUSAN PERMOHONAN PELANJUTAN TEMPOH PENYELIDIKAN KALI PERTAMA

Tajuk Projek	A Legal Analysis Of Parental Child Abduction In Malaysia After The Hague Convention On The Civil Aspects Of International Child Abduction
Kod Projek	600-RMI/SSP/DANA 5/3/Dsp (70/2011)
Ketua Projek	Pn Sarirah Che Rose

Dengan segala hormatnya, perkara di atas adalah dirujuk.

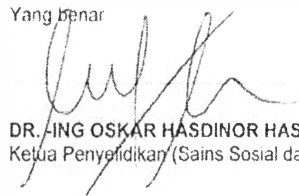
2. Institut Pengurusan Penyelidikan (RMI) telah menerima dan meluluskan permohonan pelanjutan tempoh penyelidikan kali pertama daripada puan mulai 31 Januari 2012 sehingga 31 Mei 2012 selama empat (4) bulan sahaja. Oleh yang demikian, puan diminta menyiapkan dan menamatkan projek penyelidikan di dalam tempoh tersebut.

3. Disamping itu juga, puan perlu berusaha untuk membentang dan menerbitkan kertas kerja di dalam prosiding atau jurnal yang berindeks Scopus / ISI atau mempatenkan kerja penyelidikan puan sebagai salah satu hasil utama penyelidikan.

4. Sehubungan itu, RMI berharap pihak puan dapat memberikan kerjasama untuk menamatkan dan menyempurnakan projek penyelidikan serta menggunakan keseluruhan peruntukan perolek penyelidikan dengan penuh kebijaksanaan dengan mengikut mengikut garis panduan yang telah ditetapkan dalam surat kelulusan RMI sebelum ini.

Sekian, harap maklum dan terima kasih.

Yang benar


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5.2 Enhanced Executive Summary

Globalisation has exposed people to interact between nationalities of different states. Marriage of cross-nationality is not a new phenomenon and it becomes more common now. However, when such marriage fails, a losing parent in custody may be tempted to abduct their children to his or her own country. The removal of children by unlawful parent to another jurisdiction is not a new trend in Malaysia as it has gained greater importance following the highly exposed case involving Raja Bahrin and his children. The Hague Convention of October 25, 1980 on the Civil Aspects of International Child Abduction came into force on December 1, 1983. The Hague Convention aims to protect children from unlawful removal from their respective countries and to establish procedures to ensure the children's prompt return to the State of their habitual residence, as well as to secure protection for rights of access for respective parents. Malaysia has not acceded to the Hague Convention, unlike 82 countries worldwide and as such the question arises as to the legal position of the respective parents in cases of parental child abduction. Therefore, this study will focus on the aims and objectives of the Hague Convention on the Civil Aspect of International Child Abduction. Besides, this study will seek to examine the practices and relevant provisions in Malaysia in dealing with the issue of parental child abduction. At the end of the discussion, a recommendation will be made whether Malaysia should accede to the Hague Convention and to suggest any best solutions to curb this issue.