

State of Israel
Ministry of Justice
Office of the State Attorney
Department of International Affairs



מדינת ישראל
משרד המשפטים
פרקליטות המדינה
המחלקה הבינלאומית

December 9, 2019

Mr. Scott Renner, Director
Office of Children's Issues
United States Central Authority
tel.: +1 (202) 485 6262
By E-mail: AbductionQuestions@State.gov and Regular Mail

**Re: Application pursuant the Hague Convention on the Civil Aspects of
International Child Abduction for the return of abducted children – on behalf
of Mr. Nir Velozny**
(Our Ref.: 28/19/9a)

Dear Sirs,

Please find enclosed an Application pursuant to the 1980 Hague Convention on the Civil Aspects of International Child Abduction on behalf of Mr. Nir Velozny, seeking to the return to Israel of his children R ■ V ■ ■ ■, N ■ ■ V ■ ■ ■ and E ■ V ■ ■ ■. The original and attachments shall follow by mail.

According to Mr. Velozny, on September 27, 2019 the mother left Israel with the children without his knowledge or consent and took them to the United States (where the mother's parents live). According to the father, since the abduction the mother has not allowed him any contact with his children.

The father has requested that your Central Authority contact the mother to inquire as to whether she would agree to voluntarily return the children to Israel, failing which he wishes that proceedings be instituted in the authorized court for the return of the children.

The father claims that he is financially incapable of hiring an attorney in the United States, and therefore requests representation through a pro bono attorney. He has filled out a request for legal assistance, which is attached hereto.

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We would be grateful if you could confirm receipt of the application and supporting documentation.

Should you have any questions, please do not hesitate to contact us.

Yours truly,
Chana Leib for:
Chana Leib, Adv.

Department of International Affairs
Office of the State Attorney
Ministry of Justice
State of Israel



STATE OF ISRAEL

משרד המשפטים

MINISTRY OF JUSTICE

**בקשה לפי אמנת האג בדבר ההיבטים האזרחיים של חטיפת
ילדים בינלאומית**

**REQUEST PURSUANT TO THE HAGUE CONVENTION ON
THE CIVIL ASPECTS OF INTERNATIONAL CHILD
ABDUCTION**



STATE OF ISRAEL

REQUEST FOR RETURN OF ABDUCTED CHILDREN

HAGUE CONVENTION OF 25 OCTOBER 1980 ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

FROM THE CENTRAL AUTHORITY FOR THE STATE OF ISRAEL
TO THE CENTRAL AUTHORITY FOR THE UNITED STATES OF AMERICA

I. Details of the Child and Parents

1. Children

1.1. Child

First and last name(s)	R ■ V ■■■■■
Date and place of birth	■■■■■ Israel
Nationality	Israeli + American
Habitual residence	Kehilat Yasi 10, Tel Aviv, Israel
Passport number	Israeli passport no: 14548675
Physical description:	See attached pictures

1.2. Child

First and last name(s)	N ■ V ■■■■■
Date and place of birth	■■■■■ Israel
Nationality	Israeli + American
Habitual residence	Kehilat Yasi 10, Tel Aviv, Israel
Passport number	Israeli passport no: 13214937
Physical description:	See attached pictures

1.3 Child

First and last name(s)	<u>E V [REDACTED]</u>
Date and place of birth	<u>[REDACTED] Israel</u>
Nationality	<u>Israeli + American</u>
Habitual residence	<u>Kehilat Yasi 10, Tel Aviv, Israel</u>
Passport number	<u>Israeli passport no: 23222501</u>
Physical description:	<u>See attached pictures</u>

2. Parents

2.1 Mother

First and last name(s)	<u>Tal Velozny</u>
date and place of birth	<u>12 March, 1977 Nicaragua</u>
Nationality	<u>Israeli + American</u>
Occupation	<u>Not employed</u>
Habitual residence	<u>Kehilat Yasi 10, Tel Aviv, Israel</u>
Passport number	<u>Israeli Passport no: 14548674</u>

2.2 Father

First and last name(s)	<u>Nir Velozny</u>
Date and place of birth	<u>3 November, 1978, Israel</u>
Nationality	<u>Israeli</u>
Occupation	<u>Designer</u>
Habitual residence	<u>Kehilat Yasi 10, Tel Aviv, Israel</u>
Passport number	<u>Israeli passport no: 14246883</u>

2.3 Date and Place of Marriage	<u>23 August, 2002, New York (civil ceremony)</u> <u>28 November, 2002, Israel (religious ceremony)</u>
Date and Place of Divorce	<u>The parents are not divorced.</u>

II. Details of the Applicant

First and last name	<u>Nir Velozny</u>
Address	<u>Kehilat Yasi 10, Tel Aviv, Israel</u>
Nationality	<u>Israeli</u>
Occupation	<u>Designer</u>
Passport number	<u>Israeli passport: 14246883</u>
Relationship to the children	<u>Father</u>
Name, address and telephone number Of legal adviser, if any	<u>Lawyer in Israel: Ravit Ben Saruk Velozny, Tel: +972-54-4613907</u>

III. Details of the Whereabouts of the Children

3.1. Details of the person alleged to have removed or retained the children.

First and last name(s)	<u>Tal Velozny</u>
Date and place of birth	<u>8 March, 1977 Nicaragua</u>
Nationality	<u>Israeli + American</u>
Occupation	<u>Not employed</u>
Last known address after removal or retention of children	<u>Columbus Circle Street 63C, Manhattan, New York</u>
Passport number	<u>Israeli Passport no: 14548674</u>
Physical description of mother:	<u>See attached pictures</u>

3.2 Address of the children (if different from that stated in 3.1)

3.3 Names, addresses and telephone numbers of other persons who might be able to supply additional information relating to the whereabouts of the children.	<u>Uri Kolnesher - The mother's father: Tel: 1-516-503-6622 Naomi Kolnesher - the mother's mother: Tel: 1- 516-503-6122 Mother's parents' home telephone number: 1-212-8236285</u>
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IV. Time, date, place and circumstances of the wrongful removal or retention.

According to the father, the parents have resided together in Israel since 2004. The three children were born and raised in Israel since birth. Recently, the parents decided to get divorced, and had started negotiating an arrangement.

On September 28, 2019, the father discovered that the mother and children were missing and he contacted the Israel police. The police informed him that on September 27, 2019 the mother had left Israel with the children and had taken them to the United States (where the mother's parents live). The father states that the removal of the children by the mother was done without his knowledge or consent.

According to the father, since the abduction the mother has not allowed him any contact with his children.

V. Factual and Legal Background Justifying This Request

1) Habitual Residence is Israel

According to the father, the children were born and raised in Israel. In addition, the children attended school and kindergarten in Israel until the abduction. Therefore, Israel is the children's habitual residence.

2) The requesting party has Custodial Rights under Israeli Law

Pursuant to sections 14 and 15 of Israel's Capacity and Guardianship Law 1962 (enclosed), parents are the joint legal guardians of their minor children, and this includes the right to custody and the right to determine the children's place of residence. Therefore, the father has custodial rights under Israeli Law.

3) The Requesting Party Exercised His Custodial Rights Prior to The Wrongful Removal/Retention

The father states that prior to the removal the children were living together with him and the mother and that he has been involved in their care since birth. Until that time, he had been exercising his custodial rights on a daily basis.

Therefore, the mother's removal of the children from Israel to the United States without the father's knowledge or consent was done in violation of the his custodial rights that he was exercising at the time, and thus constitutes a wrongful retention within the meaning of Article 3 of the Hague Convention.

4) Civil proceedings in progress between the parties.

The father applied for a dispute settlement in the Rabbinical Court. A hearing that was scheduled for 3 October, 2019 did not take place due to the mother's absence.

VII. Children are to be returned to:

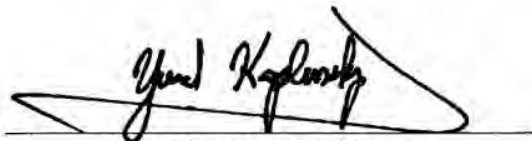
First and last names	<u>Nir Velozny</u>
Date and place of birth	<u>3 November, 1978, Israel</u>
Address	<u>Kehilat Yasi 10, Tel Aviv, Israel</u>
Telephone number	<u>+972-54300-3322</u>
Proposed arrangements for the return of the child	<u>If the mother does not intend to return with the children, the father is prepared to travel to return them.</u>

VIII. Other remarks

IX. List of Documents Attached (with translations, where relevant)

- 1) A copy of the children's birth certificates
- 2) A copy of the parents' marriage certificate.
- 3) Confirmation of children's enrollment in educational institutions in Israel.
- 4) Application for Legal Aid
- 5) A voluntary access letter acknowledgment In which the father is interested in sending a voluntary letter to the mother
- 6) Pictures of the children, mother and father
- 7) Relevant sections of Israel's Capacity and Guardianship Law, 1962
- 8) Authorization pursuant to Article 28 of the Hague Convention.

Signature



**Yuval Kaplinsky, Director
Department of International Affairs
Office of the State Attorney
on behalf of the
Central Authority for the
State of Israel**

Date: December 9, 2019