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GUATEMALA

Adoption Rules Tightened

Congress overwhelmingly approved stricter adoption regulations on 11 Dec, following months of hotly debated allegations that lawyers stole babies or paid mothers to give birth, then handed over their children for adoption to foreigners.

More than 3,700 pending adoptions—mostly involving US couples—were exempted from the new rules, easing widespread fears among prospective parents who had bonded with babies while waiting months for their adoptions to be approved.

Adoptions have long been handled by a network of private notaries and lawyers. But the new law gives full control of the adoption process to the government and will reduce the price of adoptions from an average of \$30,000 a child to between \$500 and \$750, according to congressman Francisco Rolando Morales.

“The business of selling babies in Guatemala is completely coming to an end,” said Morales, the most vocal supporter of a bill proposing the new regulations.

Guatemala has one of the world’s highest adoption rates and sends more children to the US—more than 4,100 last year alone—than any country except China. But the Guatemalan adoption industry came under scrutiny in the past year after a series of news reports about allegations of infant trafficking. Some of those reports have been disputed by adoptive parents, many of whom have argued that the allegations were overblown or simply untrue.

The measure, which President Oscar Berger is expected to sign into law soon, allows adoptions only for parents in nations that have approved standards of care included in the Hague Convention on Intercountry Adoption, which the US is expected to join also.

A national commission composed of representatives from the Supreme Court, Foreign Ministry and Social Services Ministry will oversee adoptions. The government will pay for foster care during the adoption process, Morales said, continuing a practice that appealed to parents who consider Guatemalan babies to be healthier and better adjusted than infants in large, state-run orphanages in nations such as China.

Morales said the expected decrease in adoption fees would have to be supplemented by the government in order to cover administration and foster-care expenses, though he did not know how much the new adoption program would cost. He also said he believed the adoption rate would decline.

Low Rating for President Berger

According to a CID-Gallup public opinion poll taken during Oct and Nov, President Berger had the lowest favorable rating (18%), and the highest unfavorable rating (43%), of any Central American president, based on a minimum of 1,200 interviews conducted in each of the respective countries.

“What has most affected the public opinion ... is the lack of capacity of Berger and his administration to control crime and delinquency,” stated the CID-Gallup report.

President Oscar Arias Sánchez of Costa Rica had the highest favorable rating (60%), followed by Antonio Saca of El Salvador (37%), Manuel Zelaya of Honduras (34%), Martín Torrijos of Panama (29%) and Daniel Ortega of Nicaragua (28%).

Congress Approves '08 Budget

On 27 Nov, Congress approved the government's '08 budget of US\$5.6 billion (Q42,535,455,246). Among the principal expenditures will be the Ministries of Education (Q6,500 million); Public Health and Communications, with Q3,000 million each; Government with Q2,610 million; Agriculture with Q1,231 million; and Defense with Q1,265.3 million. The other secretariats and dependencies of the Executive Branch will receive a total of Q2,020 million.

Among the last modifications to the budget proposal was an additional Q50 million for the Public Ministry, which now has a budget of Q621 million; another Q20 million for the International Commission against Impunity in Guatemala (CICIG), now with a budget of Q30 million; and Q58 million was added to the Ministry of Defense budget.

The budget was approved by the ruling Grand National Alliance party with the support of the Patriotic Party and the Unionist Party. However, Roxana Baldetti, congressional leader of the Patriotic Party, criticized Congress for giving “a blank check” to the next administration of President-elect Alvaro Colom of the National Union of Hope Party by approving an amendment that permits the Executive Branch to freely modify the budget allocations by means of transfers between public entities and other legal mechanisms.

UNDP Report: No Improvement in Human Development since '05

Guatemala continues to occupy next to last place in Latin America in terms of the Human Development Index, according to a report by the United Nations Development Program (UNDP), which was presented on 27 Nov in Brasilia, Brazil.

Guatemala is now ranked 118, one less than it was ranked in '05 in the previous UNDP report. Last place in the rankings goes to Sierra Leona at 177, while the three highest rankings were given to Iceland, Norway and Australia, respectively.

In the Americas, Canada was ranked 4th and the US was ranked 12th on the world scale, while Argentina (38) and Costa Rica (48) also received relatively high rankings. Only Haiti (146) was ranked lower than Guatemala.

European Parliament Concerned about Human Rights Situation

The European Parliament's subcommission on Human Rights, headquartered in Brussels, Belgium, expressed its concern on 26 Nov regarding the terrible situation of human rights in Guatemala.

"The situation [in Guatemala] continues to be worrisome, especially the issue of impunity, which is generalized," according to French deputy H el ene Flautre, who is the subcommission's president.

She called attention to the bad performance of the Guatemalan judicial system and the role of the Minister of Defense, "who continues to be an obstacle for the clarification of human rights violations," such as the rampant problem of femicide (the gender-based murder of women).

In addition, socialist deputy Wolfgang Kreissl-Dorfler called attention to the fact that 3,700 people were murdered in Guatemala during the first six months of '07, mainly attributed to juvenile gangs and drug-trafficking. "In general, the problem is that these criminals are never punished: if two in 100 are convicted then this is called a "success," stated the German diplomat.

Spanish deputy Fernando Fern andez, mentioned "the scandalous business of adoptions of Guatemalan children" and commented that US and European couples often pay \$25,000 to adopt an infant while the natural mother only receives \$200-400.

Martin Wolpold-Bosien, a representative of CIFCA, CIDSE and Grupo SUR, manifested that "despite the efforts of international cooperation, the lack of political will of the successive governments and other entities in Guatemala has diminished the completion of the Peace Accords. The structural causes that impede a just and durable peace in Guatemala continue intact: impunity, violence, hunger, unequal distribution of the land and income, racism and discrimination against the Indigenous people."

International Day against Violence to Women Celebrated

More than 100 organizations participated on 26 Nov in a march to commemorate the International Day against Violence to Women, and to demand an end to this affliction.

According to Giovanna Lemus, a member of the "Coordinadora 25 de Noviembre," the situation of violence and aggression that the female population of Guatemala endures continues, without State institutions assuming a real commitment to stop these social evils.

Although, today, there more denunciations by women and greater sensitivity on their part, the justice system continues to uphold male chauvinist (*machista*) and patriarchal attitudes, which on many occasions provides more support to the male aggressor than to the female victim.

After the march, the participating organizations presented a list of petitions to the Supreme Court, the Ministry of Government, the Public Ministry, the Constitutional Court, the Congress of the Republic and the Presidential Secretariat for Women.

The Minister of Government received the petitions, which included the creation of centers for victims of abuse, the protection of sex workers from abuse by members of the National Civil Police, and the guarantee of safeguards for the integral security of all Guatemalans.

Similar marches and demonstrations were held in Quetzaltenango City; Coatepeque, Quetzaltenango; Antigua Guatemala, Sacatepéquez; Cobán, Alta Verapaz; Chimaltenango, Chimaltenango; Palín, Escuintla; and in the departmental capitals of Sololá, San Marcos and Huehuetenango.

Also, Congress approved Resolution 15-2007 in commemoration of the International Day against Violence to Women that condemned femicide and acts of violence, sexual abuse and rape of women.

—*Clifton L. Holland*