

Why adopting in Guatemala is getting harder

Second only to China for Americans seeking children, Guatemala is tightening its rules.

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Guatemala City - American parents cradle their new babies in cotton blankets and feed them bottles of formula. They clog the lobby of the Marriott Hotel in Guatemala City with strollers. Penny Conner, from Medfield, Mass., says she cannot wait to bring her 9-month-old boy home. It's a joyous scene: Guatemala is one of the most popular places to adopt for American families – second only to China.

But across town, Angelica Lopez cries and can't stop. A year ago, three women kidnapped her 2-month-old baby daughter, she says. Her story is the underbelly of the country's multimillion-dollar adoption industry.

When it comes to red tape, Guatemala is one of the easiest places to adopt a child in the world. And depending on who you ask, the adoption program is either a godsend for thousands of needy children, or a nefarious business that has given rise to kidnappings, coercion, and mothers reproducing for compensation. In either case, 95 percent of the babies end up in the US.

Now Guatemala is moving to more strictly regulate the adoption process, under internal and international pressure. Due to lack of government oversight and emerging problems, the US government announced earlier this year that it no longer recommends that US parents adopt from Guatemala. As a result, Guatemala is set to implement the Hague Convention on Intercountry Adoption Dec. 31, which sets international standards for adoptions and could greatly limit the program.

Critics, including adoption agencies and Guatemalan lawyers, say that tighter regulations will leave thousands of babies without safe homes in this Central American nation, in which 80 percent of residents live in poverty and the infant-mortality rate is one of the highest in the hemisphere. But many others say that more restrictions on the process is crucial to the children's well-being.

"We are not against adoption. On the contrary, we believe that in our country, a poor one, it is very important and necessary," says Guatemala's Attorney General Mario Gordillo. "But we need stricter control in finding our children a family and not the inverse – finding a child for the families."

The rate of adoption in Guatemala has outpaced that of any other country, growing tenfold over the past decade. This nation of 12 million people has the world's highest per capita adoption rate. At the Marriott Hotel, alongside the tourist trinkets, the gift store sells formula and diapers. Competing hotels have "Adopting a Child" packages that offer guests with sterilized bottles and baby bathtubs.

Last year, US parents adopted more than 4,000 babies from Guatemala. Katie Nyblom was one of them. She and her husband, Mark, who have two biological children, adopted twins who had been abandoned. They relocated to Guatemala for eight months to care for the babies, and brought them back to South Carolina in February.

"My heart just always went to Guatemala," says Ms. Nyblom. "I didn't know much about process; all I knew was that the babies were beautiful."

Many adoptive parents choose Guatemala because of its relative ease: the process has averaged six months (but is now stretching to nine months, the US Embassy here says), half the time of what it takes in other countries, experts say. That is because there is no central state authority that oversees the process. Instead, it is run by private lawyers or notaries who work with brokers, foster mothers, and adoptive parents. The average adoption here costs \$27,000, according to the US State Department.

But that could soon change. In March, the US State Department said it was concerned that all parties involved were not being protected, including mothers being financially induced to relinquish custody of their children. In August, the US Embassy in Guatemala mandated a second DNA test to finalize the adoption and further safeguard the process.

That has already made it a longer wait, say parents and adoption agencies, but bigger changes are to come when the Hague Convention, ratified by Guatemala on May 21, goes into effect. It calls for a state authority – not a network of notaries – to oversee international adoptions.

Some in Guatemala, including the attorney general's office, are pushing for a law to complement the process. The law would mandate that adoptions be decided by a judge and would prohibit any kind of economic incentive, says Mr. Gordillo. "Now we only have control after the paperwork arrives, but we don't know what the will of the mother was, or if her will was violated," he says.

Some say the program's reputation has been undermined by a few corrupt players. Laura Beauvais-Godwin, director of Carolina Hope Christian Adoption Agency in Greenville, S.C., says she is not against more controls if they are carried out expeditiously, but that the media has overstated the problem – to the detriment of Guatemalan children. "It's not fair to close the whole country program because a few people are doing it incorrectly," she says. "It's such a poor, poor country ... [and] a lot of this needs to be addressed."

The Guatemalan lawyers feel particularly under attack. "The adoption system is safe, efficient, and relatively rapid," says an adoption lawyer who did not want his name

published because he says his profession is unfairly judged in the media. "I believe it's the best adoption program in the world."

Others claim that, while many adoptive parents and their US agencies are working in good faith, the industry is so riddled with corruption that legitimacy cannot be guaranteed. Norma Cruz runs a women's rights organization called "Survivors" and last year began helping a handful of mothers who reported their children were kidnapped.

This June, her organization, working with local authorities, helped find a newborn boy who had been taken from his mother and grandmother by two armed gunmen who had stormed the tortilla shop where they worked. The baby was found a month later in a foster home with falsified papers and a new name, Ms. Cruz says. "It is so easy that a child is stolen, and then they have new parents."

They kidnapped my baby

Cruz is helping Ms. Lopez, who says her baby, Alene, was kidnapped a year ago. Three women knocked on her front door. Lopez had left Alene with her grandmother while she went to retrieve a baby walker from a friend's house. The three women snatched her baby from Lopez's mother's arms. She has scoured foster homes across Guatemala City but has not found her. She says the justice system has done nothing to help. Officials, she says, suggest that she sold her baby. "Every day my anguish is greater. Babies change day by day," she says sobbing. "But I have not lost hope that I will find her."

The prospective American parents interviewed at the Marriott say they are working with legitimate agencies and support tighter regulations. Ms. Conner, who received custody of her son in March and is still waiting for approval from Guatemala's attorney general's office to bring him home, says that already the process has slowed down. But she adds that the wait is worthwhile. "You hear some stories of selling or stealing; you want to make sure it works well," she says.

But some doubt the situation will change significantly with a new law. "[The lawyers] are getting more and more powerful. They say they are helping poor people," says Anders Kompass, head of the UN Office of the High Commissioner for Human Rights in Guatemala. "They are fomenting an illegal, terrible business. They force poor people to make children. It's disgusting."

Mr. Kompass doesn't expect the US to put too much pressure on Guatemala since it is under pressure itself from adoptive parents. In a recent case, Guatemalan officials raided an adoption home near the city of Antigua, saying they wanted to make sure the children were not taken illegally. Since then, American adoptive parents who had babies in that home have desperately posted messages on adoption websites and flooded the US Embassy with calls, saying the raid was politically motivated, he says.

Cruz, who has received anonymous threats since she began handling kidnapping cases, also worries that real change is not going to come because the industry wield such clout. "We will get a new law," she says, "but not the one we need."

