

# United States Senate

WASHINGTON, DC 20510-2307

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January 18, 2008

The Honorable Alvaro Colom  
President, Republic of Guatemala  
Casa Presidencial  
6 Avenida, 4-18 Zona 1  
Ciudad de Guatemala, GUATEMALA

Dear President Colom,

I would like to offer my greetings and congratulate you on your recent inauguration as President of Guatemala. I support the emphasis that you have placed on social justice issues in Guatemala, including bringing your country's adoption process into compliance with Hague Convention on Intercountry Adoption. As a member of the Senate Foreign Relations Committee and a Co-Chair of the U.S. Congressional Coalition on Adoption, I am writing to seek your support in pushing forward the reform process relating to the adoption system.

As you know, the United States strongly supports Guatemala's membership in the Hague Convention on Intercountry Adoption, which was recently recognized by Guatemala's Congress. In light of the obligations set forth by the Hague Treaty, I was very pleased that the Congress of Guatemala passed adoption legislation on December 11<sup>th</sup>, 2007 that reformed various aspects of the Guatemalan adoption system. Very importantly, this legislation contained a "grandfather" provision which stated that adoptions that were initiated prior to December 31<sup>st</sup>, 2007 under the old adoption system of Guatemala will be allowed to be completed under that system. This provision was critical for protecting an estimated 4,000 adoption cases involving U.S. families that were underway when the Hague Treaty went into effect.

Although the "grandfather" provision that was included in the December adoptions law has provided some measure of comfort to families whose adoption cases are already underway, questions still remain as to how to proceed. The primary reason for concern among these adoptive parents at the moment relates to the requirement in the adoptions law to register with the new Central Authority created to oversee the adoptions process in Guatemala. The law states that in order for families to qualify for protection under the "grandfather" provision, and therefore be allowed to complete their adoptions under the old system, they must register their case with the new Central Authority within 30 business days of the implementation of the adoptions law (which went into effect on December 31<sup>st</sup>). The problem is that it is near the end of January, and there has been no official announcement by the Central Authority with instructions as to how the registration process is to proceed with the Central Authority. In fact, it is not clear that the composition of the Central Authority has been finalized. As you can imagine, families are very nervous that they will miss the deadline for registration set out by the adoptions law due to the fact that the Central Authority is not prepared to register them.

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SPECIAL COMMITTEE ON AGING

For thousands of American families who already consider Guatemalan children to be part of their families, any effort to help clarify and implement a registration process with the Central Authority as soon as possible would be greatly appreciated. As the new President in your country, you can offer much-needed assistance in ensuring that the Central Authority is able to register families with adoption cases underway before the deadline set out by the adoptions law is reached. Otherwise, some alternative would need to be devised for the families if the Central Authority is not prepared to register them before the stated deadline. If not, the adoption of several thousand Guatemalan children who have been matched with American families would be in jeopardy. I am sure you would agree with me that the ideal situation is one in which these children who are in need of loving families be united with them as quickly as possible.

Thank you very much for taking the time to consider this important matter. I would be deeply grateful for any assistance you could offer on my request, and I look forward to hearing from you. I hope this is the beginning of a strong friendship, and offer my good offices as a U.S. Senator to assist you in your efforts to reform the adoption system in Guatemala.

Sincerely,

A handwritten signature in black ink that reads "Norm Coleman". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Norm Coleman  
United States Senate