

3-2-2000

Guatemalan Congress Suspends Controversial Child Protection Law

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/noticen>

Recommended Citation

LADB Staff. "Guatemalan Congress Suspends Controversial Child Protection Law." (2000). <https://digitalrepository.unm.edu/noticen/8658>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.

Guatemalan Congress Suspends Controversial Child Protection Law

by LADB Staff

Category/Department: Guatemala

Published: 2000-03-02

A child-protection law (Codigo de la Ninez y la Juventud) that has been languishing in Congress for four years was suspended indefinitely Feb. 24 by a congressional committee dominated by the governing right-wing Frente Republicano Guatemalteco (FRG). Supporters of the law said they would take their case to international organizations. But the law already has international support.

In 1999, UN relator Ofelia Calcetas-Santos said she found evidence that lawyers, judges, and military officers were involved in the illegal adoption of children. During an 11-day visit to Guatemala to investigate the condition of children, Calcetas-Santos said there were indications that children were "objects of sale and that in some parts of the country were deeply involved in prostitution." She urged the government to adopt a law code that would protect them from abuse and regulate adoptions to eliminate trafficking in children.

Official government figures indicate that 2,000 Guatemalan children are adopted every year. Most go to Canada, Europe, and the US, and most are illegal adoptions carried out for profit. After several years of discussion, Congress approved a bill in 1996 with support from the conservative governing Partido de Avanzada Nacional (PAN), the left, human rights organizations, as well as the United Nations Children's Fund (UNICEF) and other international organizations.

The legal code, with dozens of articles, was to go into effect in 1998 but was postponed several times until March 2000. Meanwhile, various sections of the bill came under fire from the right and from some religious groups, especially evangelical denominations. The chief complaint was that the law undermined family values and the traditional role of the father.

Opponents also claimed the bill was marred by foreign influences. The law's fate was sealed when the FRG took power along with President Alfonso Portillo in January, and retired Gen. Efraim Rios Montt became president of Congress (see NotiCen, 2000-01-20). Rios Montt, an evangelical Christian, met with Jose Rolando Quesada, president of the Corte Supremo de Justicia, who said enforcement of the law would require 700 new courts.

In view of the cost, Rios Montt proposed a government-run family institute to replace the legal code. He said his idea was that the state would provide some financial support and the churches would be responsible for ministering to the needs of "youth, widows, orphans of the street, and if necessary, we would create a family institute."

Supporters of the law say the cost of implementation was greatly exaggerated. They say the existing courts could handle cases brought under the new law and that the judicial and bureaucratic systems already in place can manage the load with little or no additional expense to taxpayers. But FRG

legislators quickly seized upon Rios Montt's substitute proposal, blocking implementation of the law in a committee vote.

FRG deputies Rudio Leosan Merida and Zuri Rios proposed indefinite suspension of the law, and even though the law had already been approved, argued that it lacked support in the current legislature. The suspension went into effect after approval by the seven-to-five majority of FRG deputies on the legislative committee. The FRG majority said implementation of the law would worsen social tensions that its passage had already produced.

But human rights advocates said the suspension meant the continued exploitation of children. The suspension does not kill the law but merely postpones implementation once again until a consensus is reached in Congress. However, some supporters of the law said it would be better to drop it altogether than spend another four years in debate. Deputy Nineth Montenegro of the Alianza Nueva Accion (ANN) agreed. "I think that if they can't agree after months of debate, they aren't going to fix anything with another suspension." [Sources: Notimex, 07/27/99, 07/29/99, 02/20/00; Prensa Libre (Guatemala), 02/01/00, 02/13/00, 02/17/00, 02/19/00, 02/25/00]

-- End --