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## Guatemala

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### Notice: Update on Intercountry Adoptions in Guatemala

The following is an update on issues and developments in Guatemalan adoptions. We also take this opportunity to remind adopting parents and others that the U.S. government is not a party to these pending adoption cases and cannot represent the interests of parties in private legal matters. Thus, we may not be informed of or be entitled to receive information pertaining to proceedings in specific cases.

#### *Joint USCIS-State Delegation to Guatemala October 23-25*

From October 23-25, a joint USCIS-Department of State delegation traveled to Guatemala to meet with government officials from the *Ministerio Publico* (MP), the *Procuraduría General de la Nación* (PGN), the **Guatemalan National Council on Adoption (CNA)**, and the Ministry of Foreign Affairs. In case-by-case discussions of the "Universal List" of all known pending grandfathered adoptions of Guatemalan children by U.S. citizen prospective adoptive parents, the visiting delegation encouraged Guatemalan officials to quicken resolution of all these cases in the best interests of the children, and to complete those cases while the PGN still has additional investigators funded through the end of 2012.

During these discussions, Guatemalan authorities reiterated that some of the *notario* cases may not be able to proceed under the *notario* process when the investigation reveals that the case does not fall within the parameters of the relevant law. However, if a judge makes a finding of adoptability for the child, such a case may be considered eligible under the CNA's *acuerdo* process. USCIS and the Department of State continue to work closely with Guatemalan authorities to bring pending cases to resolution.

#### *CNA Acuerdo Update*

Since January 2012, the CNA has referred 17 cases to the U.S. Embassy for final adoption processing as *acuerdo* cases, and has identified others that it considered eligible to move through the *acuerdo* process.

**Note:** *Only the CNA can determine whether cases are eligible under the CNA Acuerdo. The Office of Children's Issues, USCIS, and the U.S. Embassy, if informed in a specific case, can only comment on whether or not the CNA has initiated the case, and if so, what documents the CNA requires. The Office of Children's Issues can also provide general information on the CNA process.*

#### *Other News*

The PGN and CNA have informed the U.S. Embassy of approximately 85 children who are no longer available for adoption because the child was either reunited with the biological family or placed in domestic adoption. Upon receiving written confirmation of this from the Guatemalan government, USCIS informed the U.S. families associated with those cases.

#### *Visas statistics*

From May 1, 2012, until today, the U.S. Embassy in Guatemala has issued five IR-3 adoption visas. These visa statistics represent only the cases which have completed all processing steps with Guatemalan authorities, USCIS Guatemala, and the Consular Section of the U.S. Embassy.

