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**CUBA**

**Criticism for Naming of Cuba to Panel that will Advise U.N. Human Rights Commission**

Cuba was named on January 25 to join the U.N. action panel on human rights, which works with the U.N. Human Rights Commission. Cuba's appointment was approved by the 11 Latin American nations that are among the 53 members of the Human Rights Commission. As a member of the panel, Cuban diplomats will have a say in alleged violations the commission will investigate and will be the first to represent the Latin American region when recently formed panel has its first meeting on February 7.

The appointment provoked comments from Cuba critics. José Miguel Vivanco, executive director of the Americas division of Human Rights Watch in Washington, D.C., called the appointment "shameful," and said, "A government as recalcitrant as the Cuban

government should not be rewarded with membership of any kind. It clearly undermines the legitimacy or credibility of institutions that are supposed to be supervising and monitoring human rights.”

Another critic of the appointment, an unnamed official from the U.S. State Department, said, “It’s very unfortunate that the Latin America contingency could not come up with a slate which doesn’t include one of the principal human rights abusers in the world and the worst human rights abuser in the hemisphere.”

Mexico will serve as coordinator of the panel when the U.S. Human Rights Commission meets later this year. The other nine Latin American countries on the panel, Argentina, Brazil, Costa Rica, Dominican Republic, Ecuador, Guatemala, Honduras, Paraguay and Peru, will also be in the rotation to represent the panel in future meetings.

In the first session in February, the panel will also have a representatives from Zimbabwe, to speak for the African nations, from Hungary, in the name of the European nations, and from China, to represent Asia.

In 2004, the U.S. Human Rights Commission came close to passing a resolution urging Cuba to protect its people’s “fundamental rights” and to allow a U.N. human rights inspector to visit the nation, which Cuba has thus far refused to do.

During the four-day meeting in February, the panel will evaluate human rights accusation they have received, and will decide which complaints will be passed on the U.N. Human Rights Commission, and whether they should be dealt with publicly or privately. Complaints may be submitted by governments and non-governmental organizations as well as by private individuals. According to one U.N. official, the panel will have to review 85 complaints, including complaints against the U.S. for its 2003 invasion of Iraq, and complaints against the governments of New Zealand and Australia, for alleged abuses against those countries’ indigenous populations. (Miami Herald, 1/26/05; El Nacional, Santo Domingo, 1/25/05)

### **Cuban Dissidents Hope to Hold Congress in Havana**

Cuban dissident leaders announced that they hope to hold a congress in Havana to plan for a political transition toward democracy. Marta Beatriz Roque, a Cuban dissident economist who leads the Assembly for the Promotion of Civil Society, informed Cuban president Fidel Castro of the plans in a written document, saying they plan to use their “right of freedom to meet and to associate peacefully.”

“We are aiming to meet in this capital on May 20 next, with the purpose of holding a general meeting of our coalition,” said the document sent to Castro. Roque said some 60 political personalities from outside Cuba have been invited to come to the congress. She said, “We now have in process a slow but palpable transition that we must make a social, economic and political transition.” The Assembly’s secretary, attorney René Gómez

Manzano, said he thought it would be difficult to get permission to hold the congress. (El Nuevo Herald from AFP, Miami Herald, 1/24/05)

## **EL SALVADOR**

### **U.S. Backs Former Salvadoran President to Head OAS**

John Maisto, the U.S. Ambassador to the Organization of American States (OAS), announced on January 27 that the U.S. fully supports former Salvadoran president Francisco Flores in his candidacy for the presidency of that regional organization. Flores is also supported by U.S. Deputy Secretary of State for Western Hemispheric Roger Noriega. The other two candidates for the post are Mexican Foreign Minister Luis Ernesto Derbez, and Chilean Interior Minister José Miguel Insulza.

Flores said he believes the OAS must work to help small countries and must take greater action to fight poverty. He suggested that the OAS could serve to coordinate international aid for nations that suffer natural disasters and as the moving force to promote regional integration. "During my period of government, El Salvador was the leader in regional integration. For me it is not theory or speculation to construct a vision of integration, awake enthusiasm for it, create the necessary credibility in the developed countries and make it concrete," said Flores. Maisto said Flores' work plan provides "a practical and realizable solution to poverty." He said the plan "is very important for our hemisphere" and that "former president Flores is a democratic and multilateral leader."

The U.S. State Department had earlier announced that it would support a Central American candidate for the post of OAS president, "especially a former president." In addition to the U.S., Flores is supported by the governments of Costa Rica, Nicaragua, El Salvador, Guatemala and the Dominican Republic.

Flores says he also has the support of some Caribbean nations, although he would not specify which nations have told him in private that they back his candidacy.

Flores has been criticized by some Latin American countries, particularly Venezuela, for his close relationship with the U.S. During his administration, the Salvadoran government signed on as a U.S. ally in the war on terrorism and the illegal invasion of Iraq. (Univisión from AP, Los Angeles, 1/28/05; El Diario de Hoy, San Salvador, 1/28/05)

### **Citizen Initiative Says Three Political Parties Are Enough**

A Salvadoran civil movement, Citizen Initiative, has rejected a decree approved by the Salvadoran Legislative Assembly that would allow for three minor political parties, the Party of National Conciliation (PCN), the Christian Democratic Party (PDC) and the United Democratic Center (CDU), to continue to be recognized as legal political parties, despite the fact that they did not get the required percentage of votes in the last election. Marlon Anzora, the Movement's coordinator for San Salvador, said that the arguments

used for continuing the existence of those parties is an attack on democracy and a state of law.

Anzora said that with the existence of the two principal political parties -- the ruling rightist National Republican Alliance (ARENA), and the left-wing Farabundo Martí Front for National Liberation (FMLN) -- plus a third party registered with the Supreme Electoral Tribunal but that did not participate in the last elections, the democratic system in El Salvador is being upheld. "We believe the country has been polarized for a long time, but none of these three [minor] parties has represented for the people a viable option to end the polarization," said Anzora.

In addition, he said, were the decree allowed to go into effect, any other political party would be able to ask for recognition even if it did not achieve the required percentage of votes in an elections.

Interestingly, the Citizen Initiative allied itself with the CDU in the most recent elections, and some of its candidates won positions in the Legislative Assembly and as municipal mayors. (El Diario de Hoy, San Salvador, 1/27/05)

### **Police Deny Use of Torture on Murder Suspects**

On January 25, Ricardo Menesses, director of the Salvadoran National Police, went before a legislative commission to deny charges that police agents had used torture on suspects being held in the case of the murder of a labor union organizer, José Gilberto Soto. "We do not use torture. We respect human rights and protect the human rights of victims and criminals," Menesses told members of the justice and human rights commission.

Soto, who lived in the U.S. but was originally from El Salvador, was visiting his family in Usulután when he was killed in November of last year. Two men, Santos Sánchez Ayala and Herbert Joel Ramírez Gómez, are currently being held as suspects in the murder.

Alam Hernández, the investigator in the Soto case, also denied the use of torture. "This kind of retrograde tool [torture] is totally dismissed by the Police and the Prosecutors' Office," he said.

Salvadoran Human Rights Defender Beatrice Alamanni de Carrillo also appeared before the commission, and gave the legislative deputies a report that she said reveals the tortures used on the two suspects. "The violation of the right to personal integrity through acts of torture was established," said Carrillo.

The legislative commission agreed to continue its debate until it can reach a resolution regarding whether or not torture is being used on the suspects. (La Prensa Gráfica, San Salvador, 1/26/05)

## **President Saca Gives Final Approval for Trade Agreement with U.S.**

Salvadoran president Elías Antonio Saca on January 24 authorized the Central American Free Trade Agreement (CAFTA) with the U.S., which had been approved by the Salvadoran legislature in December of last year.

Speaking at a factory that produces natural drinks just outside of San Salvador, President Saca said, “The Free Trade Agreement with the U.S. represents a historic moment for El Salvador, since it is through this that our country joins the largest market in the world, opening opportunities.” He said that through the agreement Salvadoran products may be sold “to more than 290 million people in the U.S., with a gross domestic product per capita of \$37,800, which means access to buyers with high economic capacity.”

Saca added, “The treaty will allow us to be integrated into the trade and investment for more than 2.4 million Salvadoran brothers and sisters who live in the U.S., who, in addition to demanding Salvadoran products for their consumption, will have the opportunity to become vital links for the commercialization and distribution” of Salvadoran products. About half of Salvadoran products are aimed at the U.S. market.

“The CAFTA will not resolve all of the problems,” Saca concede, adding, however, that “it is an extraordinary tool to generate employment.” He dismissed those who opposed the treaty, saying it is not ideological, but rather, it means jobs.

Saca said that El Salvador, “being the first country to ratify” the agreement, will attract businesspeople to that country, because they will be able to trade with the U.S. without having to pay heavy import and export taxes.

The Network of Salvadoran Citizens in the Exterior put a damper on the celebration, having taken out a paid ad in the Salvadoran daily newspaper La Prensa Gráfica, protesting the CAFTA, saying it reinforces the conditions that create poverty, and that it benefits only large-scale transnational corporations and domestic monopolies. The ad said that for those sectors El Salvador will be a “fiscal paradise” but for the rest of the population it will be “a social hell.” (La Nación from ACAN-EFE, Costa Rica, 1/25/05)

## **GUATEMALA**

### **Rumors of Armed Campesinos on Occupied Farms Increase Tensions**

The Guatemalan Interior Ministry issued a report saying that campesinos on 68 of 102 occupied farms around the country are armed, which makes it difficult for police to carry out judges’ orders to remove the campesinos from the farms. According to a police report, the campesinos on the farms in Alta Verapaz, Baja Verapaz, Retalhuleu, San Marcos, Quiché and El Progreso have weapons, including AK-47s.

According to the report, on one farm in San José Los Encuentros, campesinos have rifles and mortars, among other weapons. “When they attempted to carry out the judicial order,

some three thousand armed people gathered to stop the eviction, which could have lamentable consequences,” the report said.

Daniel Pascual, head of the National Coordinating Committee of Campesino Organizations (CNOC), said that on the 40 farms where his organization is involved in negotiations with the farm owners, there are no weapons. “If they have the information, it would be good to say where these groups are,” he said. He said that CNOC has made complaints about paramilitary groups infiltrating the campesino groups occupying the farms, indicating that it is those groups, and not the campesinos, who are armed. He complained that police have done nothing so far to arrest the members of the paramilitary groups.

Pascual said the assertion that campesinos occupying the farms are armed is part of a campaign to justify taking violent action against them. “We do not have this information, and we believe that what they are trying to do is to criminalize the demand for land that has not been satisfied...” Pascual said.

One of the problems, according to Human Rights Ombudsman Sergio Fernando Morales Alvarado, is that there is not enough gun control in Guatemala. “The lack of adequate control over ownership of weapons in Guatemala is one of the causes that could influence the increase in armed campesino groups in the country. One can see how the agrarian problem keeps growing. However, the presence of arms must be controlled, to avoid a tragic confrontation,” he said.

Carlos Enrique Zúñiga, president of the Chamber of Agriculture, said, “We are concerned about the presence of armed campesinos, and we can do nothing more in the face of this than wait for the eviction orders to be carried out.” At the same time, he said there are peaceful ways to resolve the land conflict. (Prensa Libre, Guatemala City, 1/27/05)

### **Street Gangs Cited for Murder and Dismembering of Unidentified Woman**

Street gangs that have become notorious in Honduras and El Salvador appear to be plying their violent trade in Guatemala as well. According to Guatemalan authorities, street gangs were responsible for the killing of a woman whose decapitated head was found on a bus, and whose detached limbs were thrown into the street.

The woman’s head was found by a bus driver on January 22. Her limbs were found in a public walkway in a poor sector of Guatemala City on the morning of January 23. The remainder of the woman’s body has not yet been found.

Carlos Calju, a Guatemalan police spokesman, said one of the arms had a tattoo of three dots, which he said indicated she was a member of a gang. He added that the area in which she was found, Carolingia, was a “red zone for the Mara 18,” one of the many street gangs that have plagued Central America in recent years.

Guatemala has one of the world's highest levels of violent crime, with a homicide rate of some 36 killings per 100,000 people. Killings have been recently blamed mostly on the Mara 18 and Mara Salvatrucha gangs.

The bus on which the head was found ran along a route where drivers stopped working in the light of threats by gang members demanding increased "protection" money.

Some observers believe that gangs are the result of the country's 36-year-long internal armed conflict, which ended in 1996, combined with widespread poverty, easy access to weapons and corrupt authorities. However, others say the gangs came out of Los Angeles, where Latin Americans fled the violence and poverty of their own countries, and where many youths became members of gangs, and then brought the gang culture back to their homes when many were deported from the U.S. in the 1990s. (Washington Post from Reuters, 1/24/05)

## **HONDURAS**

### **Women Demand a Greater Share of Power on Honduran Women's Day**

On January 25, Honduras' National Women's Day, Honduran women demonstrated to demand at least one-half of the power in running the country. The demonstrators marched in the capital city of Tegucigalpa, and held a rally outside of the Congress building. The day commemorates the fiftieth anniversary of the right of women to vote in Honduras, and the 21st anniversary of the foundation of the Visitación Padilla Committee of Women for Peace.

"We don't want politicians to continue to play with us," said the committee's president, Gladys Lanza. Among the demonstrators were women leaders of various organizations, political candidates, and campesino women from all over the country. Among the party's represented were the Liberal Party, the Democratic Unification Party and the Innovation and Unity Party.

In a communiqué, leaders of the Collective of Women Against Violence asked the Supreme Electoral Tribunal to fulfill its function and guarantee fair elections, including strengthening Honduran democracy by making sure that a minimum of 30 per cent of public posts are held by women. The National Women's Institute reiterated the collective's slogan, "More women in power."

The message of the demonstration was, "Fifty years are more than sufficient to say, enough, we are going to destroy myths, taboos, with which they have kept us submissive, docile and obedient. We must be rebellious women. We must change this cruel, unfair and undignified system that has made all of humanity so unhappy. The hour has come to begin to walk the path of democracy." (Tiempo, San Pedro Sula, 1/26/05)

## **NICARAGUA**

## **Panama Brings Charges Against Former Nicaraguan President Arnoldo Alemán**

Former Nicaraguan president Arnoldo Alemán may have to face charges of money laundering in Panama, where a case has been opened against him involving US\$74.7 million. Among the charges is that Alemán attempted to hide \$4 million by putting it into an account for the so-called Nicaraguan Democratic Foundation (FDN), saying it was a donation from Taiwan. The checks for the “donations” were given to Alemán’s wife, María Fernanda Flores, by Banco Aliado.

Nicaraguan Prosecutor General Alberto Novoa went to the home of Alemán, the estate of El Chile, located in El Crucero, just outside of Managua, where Alemán is serving what is supposed to be a 20-year prison sentence for embezzlement, money laundering and other crimes of corruption. He was sentenced in December 2003, but has spent little time actually in a prison cell. Novoa went to his estate to notify the former president of the indictment, but neither Alemán nor his wife, María Fernanda, would meet with him.

In addition to notifying Alemán and his wife that charges are being brought in Panama, Novoa said he would be notifying Alemán’s father-in-law, José Antonio Flores Lovo, Alemán’s ally, Byron Jerez and his wife, Ethel González de Jerez, and their daughter, Valeria Jerez González. Alemán’s brother, Álvaro Alemán Lacayo; Alemán’s former personal secretary, Alfredo Fernández García; and Esteban Benito Duque, former Treasury and Public Credit Minister, are also on the list of people who will be charged in Panama.

Alemán’s attorney Mauricio Martínez said Novoa does not have the authority to serve Alemán with the charges being brought by the Panamanian authorities, and that is why Alemán did not receive the Nicaraguan prosecutor. According to international judicial agreements, the attorney said, the charges must be presented by the Attorney General’s Office or to the Public Ministry.

Novoa, for his part, said the treaty for mutual assistance in criminal matters is a Nicaraguan law, and that in accordance with that law, he is within his jurisdiction to present the Panamanian charges against Alemán. He said Panama and Nicaragua have cooperated in this manner in at least forty cases. This has been the law since 2002, he said.

In the end, a nephew of Alemán, Augustín Alemán, who is also his attorney, formally received the notice of the charges and the request by the Panamanian government to question Alemán and his wife. However, Nicaraguan Attorney General Julio Centeno said on January 26 he was nullifying the notice, since, in his view, Novoa stepped outside of his jurisdiction and carried out actions that are the responsibility of the Attorney General’s Office. He said that the Prosecutor had these responsibilities prior to 2002 but that they were transferred to the Attorney General’s Office during that year.

Centeno said he would interview Alemán and others on the list provided by the Panamanian government, but that the questioning would not be in the form of an

interrogation. He did not give a date for the interview. (La Prensa, Managua, 1/26/05; La Nación from ACAN-EFE, Costa Rica, 1/26/05)

## **PUERTO RICO**

### **Controversy Over Death Penalty in Trial of Two Charged with Murder in Puerto Rico**

On January 24, a jury was chosen for the trial of Lorenzo Catalán Román and Hernando Medina Villegas, in San Juan, Puerto Rico. The two are accused of the March 27, 2002 murder of Gilberto Rodríguez Cabrera, a 31-year-old security guard who was transporting currency to a bank in an armored car at the time of the killing. If found guilty, the two men could face the death penalty, although it has been prohibited in Puerto Rico since 1927.

The 12-member jury will be selected out of a group of 250 people who were asked to fill out questionnaires regarding their opinions on the death penalty and on whether Puerto Rico should become a full state of the U.S., keep its current status as commonwealth, or free associated state, or become an independent country, reported Humbert García, head of federal prosecutors for Puerto Rico. The questionnaires were turned in on January 26. The prosecutors and the defense attorneys will meet on February 9 to review the questionnaires and choose potential jurors.

The death penalty was last applied in Puerto Rico in 1927, when Pascual Ramos was hanged for the beheading of his boss with a machete. It was prohibited by the Puerto Rican legislature in 1929. Currently in the U.S. only 12 states, the District of Columbia and Puerto Rico prohibit the death penalty.

Despite the fact that the death penalty is prohibited in Puerto Rico, the federal prosecutor in this case is asking for the death penalty, basing the request on a 1994 law that broadened the use of the death penalty for federal crimes. However, defense attorney Héctor Deliz said, "It is a lesson in the sense that the laws of a people and the constitution of a people should be respected, when they say that in Puerto Rico they do not want the death penalty."

The Puerto Rican Supreme Court found in 2000 that the death penalty violates the Puerto Rican constitution. However, the First Circuit Federal Appeals Court in Boston reversed that decision, saying that Puerto Rico, while not a state, is still subject to federal law.

If Catalán and Medina are found guilty and are sentenced to death, the executions will not be carried out in Puerto Rico. On August 1, 2003, a jury in Puerto Rico found not guilty two men who would have faced the death penalty if they had been convicted of the 1998 murder and dismembering of a tradesman.

Three alleged accomplices of the two accused men, Quester Sterling Suárez, David Morales and Pablo Sánchez, will not face the death penalty if they are found guilty. (El Nuevo Herald from AP, Miami, 1/24/05)

## **REGION**

### **Central American Heads of Police to Consider Regional Police Force**

Central American chiefs of police meeting in Guatemala agreed on January 28 to create a commission to study the possibility of creating a Central American regional police force. Guatemalan police head Erwin Sperenssen said the proposal, which he presented, was “well accepted” by his regional colleagues. “We agreed to create a commission to carry out a legal analysis so that we can look at ways to create [the regional force] during our next meeting,” said Sperenssen. Participants in the meeting, which began on January 26, included heads of police from Guatemala, Belize, Costa Rica, El Salvador, Honduras, Nicaragua, Panama and the Dominican Republic.

The regional force would be able to carry out law enforcement across borders, because, said Sperenssen, “crime does not have borders and it is more integrated than we [Central American countries] are.”

Honduran Public Safety Commissioner Coralia Rivera said that prior to making any definitive decision on the issue, its viability must be studied, particularly in regard to how such a force will be funded. “First its structure must be defined, its headquarters, its integration and its financing,” said Rivera.

Jorge Rojas, director of the Costa Rican Judicial Investigative Police, said his country would support the initiative, if and when it is “a police like Interpol [International Police] or Europol, which would coordinate operations” for the security of the Central American region. (La Nación from ACAN-EFE, Costa Rica, 1/28/05; Univisión from AP, Los Angeles, 1/28/05)