

# ***MESOAMERICA***

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## **COSTA RICA**

### **Campaigning and Conflict Underway for Upcoming CAFTA Referendum**

The campaign to swing Costa Rican voters either for or against the Dominican Republic-Central American Free Trade Agreement with the US (DR-CAFTA) is in full force in Costa Rica, with a national vote on the treaty approaching.

Costa Rica will be the first nation to decide the fate of a proposed free-trade agreement through a popular vote, set tentatively for 7 Oct. It will also be the first time Costa Rica has ever employed a referendum.

One unknown factor stands on the horizon, however, which is the pact's constitutionality. Opponents of DR-CAFTA have long claimed that several legal changes implied in the treaty are unconstitutional, and had requested that the Supreme Electoral Tribunal (TSE) send the treaty to the Constitutional Chamber of the Supreme Court (Sala IV) for review prior to the popular vote.

When the TSE announced in Apr that the treaty was eligible for a referendum, it also said it could not legally ask the high court to review DR-CAFTA; however, it added that either the Legislative Assembly or the country's Ombudswoman, Lisbeth Quesada, could make that request.

Although the Sala IV told the Assembly's Technical Services Department—which did solicit a review—that it could not review legislation unless it has been voted on, it changed its position this month.

On 11 May, the Sala IV announced that not only would it review select sections of the treaty, as requested by the Ombudswoman, but also that the justices would have their opinion ready within a month of Quesada's turning over the 2,000-page text of the agreement, which her office did on 16 May. The ruling, however, would not be binding, and it is unclear what the effect would be on an eventual referendum if the justices rule that the treaty is unconstitutional.

Alfredo Volio, President Oscar Arias' former Minister of Production, who stepped down to lead the campaign in favor of DR-CAFTA, said the uncertainty around the Sala IV's ruling is already having an effect on his campaign's fundraising efforts. Apparently, many businesses are waiting to see the

results of the court's study of DR-CAFTA to decide whether to help fund the campaign in favor of the treaty, or not.

The issues of campaign funding got unsurprisingly heated as the pro- and anti- camps kicked into gear. While opposition party leader Ottón Solís (of the Citizen Action Party, PAC) went door-to-door handing out anti-DR-CAFTA materials, rumors surfaced and implied that anti-DR-CAFTA unions would receive donations from the like-minded governments of Cuba and Venezuela. By law, foreigners are prohibited from making campaign donations, but they can donate money for "training and research."

Union leaders, however, have offered to open their books if the business chambers do the same. In a letter sent to the Union of Private Sector Chambers and Associations (UCCAEP), union leaders offered an agreement whereby both sides would open their donation records to the public, which would be overseen by some international organization, like Transparency International.

The UCCAEP responded that it would be glad to open its records, but only if the TSE asks them to do so.

### **Costa Rica Shows It is a Friend to Whales**

It was the vote that almost wasn't.

Costa Rica's Minister of the Environment and Energy, Roberto Dobles, made the long trek to Anchorage, Alaska, in late May to vote against lifting the moratorium on whale hunting in the world's seas.

The trip was possible thanks to protests and pressure from environmentalists, after it was revealed in Feb that Costa Rica was behind—very behind—in its dues to the International Whaling Commission and was, therefore, ineligible to vote.

Costa Rica had not voted at the commission in 22 years, and owed nearly \$1 million in unpaid membership fees. Delinquent in its dues, Costa Rica was ineligible to vote when the commission members would decide whether to renew the 21-year old ban on whaling (except for scientific research).

However, after environmentalists lugging an enormous inflatable whale staged protests around the country, gathering signatures, raising funds and requesting President Oscar Arias to save the whales, part of the debt was paid off.

Thanks largely to private donors, enough money was raised between the activists and the government to pay enough of Costa Rica's tab so that Dobles would be allowed to attend.

"With this vote, Costa Rica regains its leadership role in environmental conservation worldwide," Minister Dobles said the day before he departed north.

Costa Rica was one of 71 countries that showed up for the vote, and officials had announced well in advance that they would be voting in favor of maintaining the whaling moratorium. Costa Rica was among a minority that announced its decision beforehand, and going into the vote the outcome was unclear.

Last year, the commission had approved a symbolic resolution saying the ban was meant to be temporary and essentially was no longer needed. Member countries did not heed those sentiments during the vote this year, however, and voted to maintain the ban.

Pro-whaling countries like Japan led a strong campaign in favor of repealing the moratorium, and environmentalists worried that generous aid to nations like Costa Rica might have been aimed at swaying the vote in their favor.

In an editorial published in Costa Rica's prominent daily *La Nación*, Japanese Ambassador Yoshihiko Sumi said, "excessive protection of whales is harming the marine ecosystem."

In Costa Rica, whales are a cash cow of sorts, drawing thousands of tourists every year to the Osa Peninsula, in the country's Southern Zone. In the Golfo Dulce, formed by the peninsula, at least five species of whales from both hemispheres both feed and breed, providing much entertainment for eager whale watchers.

Whale conservationist Sierra Goodman, of the Vida Marina research center, said whale tourism generated more than \$4 million for Costa Rica in '04.

### **Activist Priest Convinces Arias to Withdraw from US Military School**

The Western Hemispheric Institute for Security Cooperation (WHINSEC), better known as the former School of the Americas (SOA), will no longer be hosting Costa Rican officials for specialized security training.

President Arias decided in mid-May to stop sending police officials to the institute, which has been accused of being a training ground for some of Latin America's worst human rights abusers. Almost 2,600 *Ticos* have been trained at WHINSEC and the SOA, now located in Georgia but originally founded in '46 in Panama.

Arias' decision has been cheered by members of a staunch camp of activists that have long fought to get the SOA shut down. The president had some help making up his mind, however, from a man of the cloth.

US Catholic priest Roy Bourgeois met with Arias during a stopover on a Latin American tour aimed at getting other countries to do just what Arias has done. Bourgeois, who has paid for his efforts with a total of four years in jails and prisons in both the US and Latin America because of his protests, has managed to persuade Argentina, Uruguay and (not surprisingly) Venezuela to stop sending their police and military officials to the school.

WHINSEC is the US military's primary institution for training Latin American police and military, paid for by US tax dollars. Much of that training is now focused on drug interdiction, as part of the US War on Drugs. Its focus on counter-insurgency in previous decades, however, made it many enemies and led to the nickname "School of the Assassins."

Among its graduates, the SOA counts Roberto D'Aubusson, leader of the infamous death squads in El Salvador; Gen. Manuel Noriega, former military ruler of Panama; six Peruvian officials tied to the murders of students and a professor; and 19 Salvadoran soldiers accused of involvement in the '89 killing of six Jesuit priests.

SOA officials defend the school, saying crimes by graduates do not reflect on the training they received, and have contested reports that an instruction manual for torture was once part of the school's curriculum.

Three Costa Rican police officer trainees and one police instructor are currently at WHINSEC, but will be the last Costa Ricans sent by this government for training, if President Arias follows through on his promise. One of those four *Ticos* currently in Georgia is the former director of Costa Rica's National Police, Walter Navarro, who is wanted in Costa Rica for questioning regarding the disappearance of \$21,000 earmarked for the construction of a police station that never happened.

—*Leland Baxter-Neal*