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NICARAGUA

Polls Show Tight Race

Two competing voter-intention polls released during the final week of May show the upcoming 6 Nov presidential election is a tight three-way race and that no candidate appears to have enough support to win in the first round.

A poll published on 29 May by the Nicaraguan firm M&R Consultants shows Liberal dissident Eduardo Montealegre, of the upstart Nicaraguan Liberal Alliance (ALN), and former revolutionary president Daniel Ortega, of the Sandinista National Liberation Front (FSLN), locked in a technical tie for first place, with 27%. The two are followed closely by former Mayor of Managua and Sandinista maverick, Herty Lewites, of the Sandinista Renovation Movement (MRS), with 17.9%.

However, a second poll released the next day by the Lewites campaign, and conducted by US firm Greenberg Quinlan Rosner, suggests that Lewites, Montealegre and Ortega are locked in a three-way technical tie for first place, with 28, 27 and 26 points respectively.

The M&R poll, conducted 16-22 May with 4,227 personal interviews, claims a margin of error of 1.5 percentage points. The Greenberg poll, which surveyed 1,000 adults between 29 Apr and 9 May, claims a margin of error of 3.6%.

Both polls show the candidate of the incumbent Liberal Constitutional Party, José Rizo, in a distant fourth place, with about 14%. Eden Pastora, a former FSLN guerrilla hero who later became head of the Southern Front during the anti-Sandinista insurrection, is running on the ticket of a minority Evangelical party that recently renamed itself the Alternative for Change (AC), is in last place with less than two percentage points.

According to Nicaragua's Electoral Code, a candidate must get at least 35% of the vote, plus have a five-point advantage over the second-place finisher, to win the election in the first round. If that does not happen, a runoff election is held between the top two candidates.

In the case of a second round, the M&R poll suggests that Montealegre would be the favorite to win, defeating Ortega by 17 points or Lewites by nine.

The Greenberg poll, however, suggests that Lewites would be the favorite to win a runoff against either Montealgre or Ortega. That poll is also the first to indicate that Ortega would beat Montealgre in a runoff, 60% to 36%.

The M&R poll also revealed that most Nicaraguans consider this year's elections to be equally important or more important than the '90 elections, which ended the Sandinista government after eight years of defending itself in a grinding counter-revolutionary war.

Takin' it to The Streets

University and high-school students protesting an illegal \$.03 increase in inner-city bus fares took their gripes to the streets on 23 May by donning masks, carrying homemade weapons and attacking bus routes, while terrorizing users trying to get to work or to market.

Bands of students blocked-off major sections and thoroughfares in Managua, throwing rocks through the windows of passing busses and hijacking others, pulling the passengers out the back door before setting the vehicles ablaze. Riot police were eventually deployed and the situation became even harrier as students and police exchanged fire with mortar rounds and tear gas, converting sections of the capital into urban-war battle zones.

A 26 May effort to negotiate a solution fell flat when the government refused to attend the talks.

President Enrique Bolaños, whose administration is already clearing out their desks with six months to go before the Nov elections, washed his hands of the issue by saying that transportation problems are an issue for the municipal government, run by Sandinista Mayor Nicho Marengo. The president ignored the fact that the problem also has to do with citizen security, property destruction and widespread civil unrest in the capital.

On 31 May, an undercover cop dressed in civilian clothes, backpack and mask attempted to infiltrate the student demonstrators and was discovered and taken hostage inside the university. For several hours the students held the policeman hostage and attempted to negotiate a "prisoner exchange" for nine students who had been arrested by police the same day. The officer was later released unharmed.

On 2 June, a state vehicle belonging to the Highway Maintenance Fund was stopped in the road near the university by unidentified assailants who dragged the driver out and burned the truck in the middle of the road. That brought to four the number of vehicles burned in the street in two weeks of protesting.

While students protest the energy crisis in the streets, another growing group of citizens is fighting back against the private Spanish energy-distribution company Unión Fenosa, which has been sending the country into daily power blackouts, complaining it cannot afford to keep the country lit (Vol. 24, No. 10).

Citizens held a march against Unión Fenosa on 6 June, and another demonstration in front of the company's Managua headquarters on 9 June. The Citizen Consumer Defense League is calling on Nicaraguans to withhold paying their electrical bills until the power distribution and billing situation is normalized.

Criminal Trials Approaching for Alemán

Former President Arnoldo Alemán may have convinced the Nicaraguan court system to commute his 20-year jail sentence to the ample confines of a house arrest with free movement within the Department of Managua, but the Liberal Constitutional Party boss' legal problems are just beginning overseas.

A Panamanian judge ruled on 18 May that there is enough evidence to move ahead on the criminal trial of Alemán, and issued an arrest warrant for the former Nicaraguan president, his wife, father-in-law and former tax chief on money laundering charges.

The Panamanian detention order will not be executed in Nicaragua, since Alemán technically is already under arrest. Nicaragua does not extradite its own citizens, especially not former presidents who argue double immunity from the law.

Panamanian judge Adolfo Mejia wrote in his decision that after reviewing the evidence he found "sufficient indications of links" between Alemán; his wife, Maria Fernanda Flores de Alemán; her father, José Antonio Flores; and Alemán's former internal revenue director, Byron Jerez.

State prosecutors in Panama accused the former Nicaraguan president and the other suspects on 30 Mar of laundering about \$58 million in public funds through Panamanian banks.

Panama's anti-corruption prosecutor, Mercedes de León, said at a preliminary hearing that Alemán, and the others diverted \$58.2 million from the national coffers to accounts in a dozen Panamanian banks, using about 60 public companies created in Panama to cover up the transfers.

"The Nicaraguan government funds were transferred from one [Panamanian bank] account to another," De León said, adding that a portion of the money was later sent to third countries.

Panamanian prosecutors first opened the investigation of Alemán and the others accused in the case in '02.

Meanwhile, a separate money-laundering case against Alemán and company is scheduled to move ahead in a Florida District Court in June.

Environmental Crimes Law Implemented

Nicaragua's new Environmental Crimes Law took effect on 14 May, carrying maximum penalties of \$100,000 and five years in jail for serious offenses against the environment, such as polluting water bodies or clearing forests on protected land.

The problem of illegal logging has become severe in Nicaragua, where about 12,000-hectares of primary forest are cut each year and a "lumber mafia" has infiltrated government institutions in the North and South Atlantic Autonomous Regions (RAAN and RAAS, respectively) on the Caribbean coast.

Unable to get a handle on the situation, on 3 May President Enrique Bolaños declared an Economic State of Emergency throughout the forested border-regions and in the RAAN and RAAS, thereby stopping all logging activity dead in its tracks.

The 180-day emergency decree has halted all cutting, transportation and export of precious woods until the government can sort out who is operating legally and who is not. The decree is being enforced by the military, police and other government agencies.

“This is a bitter, but necessary drink to swallow,” said Lísandro D’ Leon, the country’s chief prosecutor for environmental crimes. “The country was losing lots of money and forest cover due to the irrational and illegal cutting of trees. We need to review every logging company and all forestry plans to see which ones are legal, and which are operating on the margin of the law.”

Most of the illicit logging is blamed on corruption, loopholes in the law and poor government enforcement, claim D’Leon and Environment Minister Cristobal Sequeira. D’Leon says he thinks the logging industry should be cleaned up and normalized by the end of June.

—*Tim Rogers*