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PANAMA

Banana Workers Block Border

More than 2,000 Panamanian banana workers shut down the border with Costa Rica on 16 Mar, demanding that the Panamanian government review a contract governing the sale of bananas.

The contract in question sets the price of bananas at \$5 a box and gives Chiquita Brands the exclusive right to purchase them. Chiquita signed the 10-year contract with the Multiple Services Cooperative of Port Armuelles (COOSUPEMAR) in '03 after selling its Panamanian assets to the cooperative.

Representatives of COOSUPEMAR and the affiliated Chiriquí Land Company Workers' Union (SITRACHILCO) claim that the cost of production has risen so dramatically since they signed the contract that the cooperative now loses a dollar on every box of bananas sold.

The stand-off at the border ended on 18 Mar—following 18 hours of negotiations—when an agreement was signed by union representatives and Labor Minister Reynaldo Rivera, which opened the possibility for the suspension of the Chiquita-COOSUPEMAR contract.

Union lawyers based the legality of such a suspension on article 1161A of the Civil Code, which establishes the possibility of suspending a contract if extraordinary events make the cost of production too onerous.

SITRACHILCO Secretary General Salustiano de Gracia indicated that the banana workers' union would give Chiquita only until the end of Mar to respond. "If Chiquita doesn't answer our petitions to pay a higher price per box and contribute new funds for the reactivation of plantations, then the investors who do want to develop production are waiting for their turn to enter the game."

Representatives from two companies interested in purchasing Panamanian bananas met with union directors on 26 Mar. One company reportedly offered \$6.50 per box of bananas.

“The government has the last word. The transnational must understand that the people will no tolerate more suffering. If [Chiquita] cannot continue with the deal, then it will pass to someone who can,” stated de Gracia.

Liborio García Sworn in as Ombudsman Amid Protests

Liborio García was sworn in as the new ombudsman of Panama in a hasty ceremony on 3 Apr, amid shouts of “We don’t want him” and “Leave.”

The swirl of controversy surrounding García began hours after the National Assembly elected him on 23 Mar, when another candidate for ombudsman reported to a radio station that García’s wife, Hilda Lorena Moreno, had charged García with domestic violence two years earlier.

On 30 Mar, representatives from more than 50 women’s organizations handed in a petition to the National Assembly demanding that it annul García’s election. “The Assembly did not evaluate the part of the Constitution ... that establishes that in order to be ombudsman one must have moral solvency and recognized prestige. Therefore, the Assembly did not bring into account the candidates’ personal histories relative to acts contrary to human rights and with respect to human dignity,” the petition read.

García blamed the criticism on “atheists in the newspapers, who don’t think it suitable that a committed Catholic be ombudsman.” He called the conflict in his family a private matter, refusing to discuss it further.

García’s characterization of family conflict—with the implication being domestic violence—as “private” particularly irked those who asked for his removal. Mercedes Eleta de Brenes, president of Fundamujer, remarked that García “has proved that he has an inexcusable lack of knowledge of law by saying that domestic violence is a private matter.”

Moreno, meanwhile, stated that the people who claim to defend her rights by protesting her husband’s election have violated the privacy of the couple.

Prosecutor Asks for Trial of Former Nicaraguan President

In the most recent act of a years-long drama, former Nicaraguan President Arnoldo Alemán and former Nicaraguan Director of Income Byron Jerez were brought to a preliminary hearing in Panama City on 30 Mar for charges of money laundering during Alemán’s administration (’97-’02).

The primary anticorruption prosecutor of Panama, Mercedes De León, alleged that Alemán and Jerez used Panamanian banks and corporations to hide “their dirty plunder”—\$58.2 million obtained through “acts of corruption” in Nicaragua. De León asked the judge presiding over the hearing, Adolfo Mejía, to try Alemán and Jerez, as well as Alemán’s wife, María Fernanda Flores de Alemán; Alemán’s father-in-law, José Antonio Flores Lovo; Jerez’ wife, Ethel González de Jerez; and Jerez’ daughter, Valeria Jerez González.

Judge Mejía announced that he may need more than a month to review the records of the case before deciding whether to bring the accused to trial.

In '04, Alemán was sentenced by a Nicaraguan court to 20 years in jail for money laundering, fraud, embezzlement, misappropriation of public funds, and association to commit an offense to the detriment of the Nicaraguan Treasury. He has spent all but three months since his sentencing “recovering from finger surgery or sprawled out under house arrest at his spacious family ranch” (Vol. 24, No. 8).

—*Emily Heinlein*