

9-26-2002

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## Recommended Citation

LADB Staff. "Nicaraguan Legislature Purges Leadership." (2002). <https://digitalrepository.unm.edu/noticen/9010>

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## Nicaraguan Legislature Purges Leadership

by LADB Staff

Category/Department: Nicaragua

Published: 2002-09-26

A majority in the Nicaraguan Asamblea Nacional (AN) found a long-sought solution to its institutional logjam on Sept. 19 by replacing the membership of its Junta Directiva. The old junta represented the faction of the ruling Partido Liberal Constitucional (PLC) loyal to ex-President Arnoldo Aleman. The election placed control in the hands of the faction led by President Enrique Bolanos, which had made common cause with the Frente Sandinista de Liberacion Nacional (FSLN). It also placed Aleman's head squarely on the chopping block.

The junta was his first line of defense against a judiciary primed to try him for a litany of crimes against the state. Among its first official acts, the new leadership formed commissions to study petitions submitted by judicial order and private parties to strip Aleman of his privileges of legislative immunity.

Bolanos' group, called Azul y Blanco, control only nine seats in the AN, far fewer than those belonging to the PLC of which it is a splinter (see NotiCen 2002-07-18). But by teaming up with the FSLN's 38 delegates, it was able to wrest power from the PLC with a majority of the chamber's 92 seats. Aleman had been president of the junta, a position from which, according to Gabriel Solorzano, he was able to block legislative attempts to use provisions of the Immunity Law to remove him from office so that he could face corruption charges.

Solorzano is president of the electoral watchdog group Etica y Transparencia. "The former Junta Directiva transformed parliamentary immunity into impunity, and could have saved the people of Nicaragua months of suffering, poverty, and lack of political accords if the people who have been accused, who allege their innocence, had presented themselves in a timely fashion to the courts and not wasted all these months through a series of legal artifices to try to retard this process," Solorzano said (see NotiCen, 2002-04-04).

### *Tensions abound during leadership change*

The change of leadership took place dramatically, in an atmosphere crackling with tension. Riot police surrounded the legislative building; the national police took charge of the offices and interior of the building on orders of the new junta. The new junta president, Jaime Cuadra Somarriba, ordered the cast-out members to turn over their offices and all documents pertaining to their seven months of tenure or face police intervention. In addition, said Cuadra, they would have to "give an accounting of the budget assigned by this Assembly, and they must do so immediately, because they're not directors anymore, they're deputies, nothing more."

The new junta is composed of three Liberals of the Azul y Blanco faction, three FSLN members, and one from the Partido Conservador. Azul y Blanco Jaime Cuadra replaced Aleman as president. Newly appointed third secretary of the Assembly Jorge Matamoros said, by way of consolidating

the change, "We have the backing of the executive and of the authorities of the National Police." President Bolanos was in Miami at a meeting of the Consejo de Planificacion Economica y Social (Conpes), from where he sent a message of approval. The international community gave their opinion as well.

Vice President Jose Rizo told the press, "Just a few minutes ago we met in an informational session with the international community, and I can tell you that the ambassador of the United States of America gave her firm support, the support of the United States to this decision of the National Assembly this morning." Rizo made the announcement in the presence of representatives of the four state powers, Conpes, and the private sector, plus the deputies of the new junta, who, he said, "have written a historic page."

The Organization of American States (OAS), through its secretary general Cesar Gaviria, also registered its approval. Gaviria's statement was of special importance because it signaled that the OAS would not look kindly upon any challenge to the legality of the AN's action that it might receive. One day after the election, Aleman said that he would take the matter to the OAS because, in his view, the action represented a coup. Gaviria pointedly explained that the OAS Carta Democratica, approved by the member states in September 2001, affirms the right of the peoples of the hemisphere to democratic systems of government and spells out OAS action in cases of "alteration of constitutional order."

Gaviria explained in an interview published in La Prensa, "The carta speaks of the separation and independence of public powers, but this cannot be invoked to impede the action of judges, or to block the work of the executive. I'm convinced that the American community of nations repudiates acts that destabilize a democratic constitutional government."

Further clarifying the issue Gaviria ventured, "Immunity cannot be used to place oneself above the law." Gaviria also said the OAS would not take a position on the new junta's forming commissions for the specific purpose of depriving Aleman and others of their immunity in order that they be forced to stand trial. "I don't imagine that the OAS will get involved in a fight of this nature, but I want to leave one thing clear: the criterion of respect for the action of judges is very important in the OAS," said the secretary general.

Apparently anticipating that Aleman still believes he has cards to play, Bolanos called upon the population to remain calm and the legislature to put aside its internecine battles. "I insist, this is not the time for parties, but time to think about Nicaragua," said Bolanos. The deposed ex-president will very likely continue his fight to retain the immunity he will continue to enjoy unless he loses his legislative seat. But outside his own party, he has no support anywhere.

Representatives of the fifteen nations of the European Union (EU) accredited in Nicaragua have communicated their support for the new legislative regime, as have the ambassadors of Mexico, Costa Rica, Colombia, Venezuela, Panama, Cuba, El Salvador, Brazil, and The Dominican Republic. Within the country, a majority of the members of the Consejo de Managua have given legal recognition to the reform.

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