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Panama To Become Second Central American Country To Leave Central American Parliament

by LADB Staff

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The institution has a reputation as a refuge, in many cases a last refuge, of scoundrels. Yet, outgoing Panamanian President Martin Torrijos has stated his intention to take his legally guaranteed seat in the Parlamento Centroamericano, PARLACEN. In doing so, Torrijos would wrap himself in the mantle of immunity from offenses while in office that membership bestows, although no specific charges have been leveled against him. That is why Magaly Castillo of Alianza Ciudadana Pro Justicia (ACPJ) wants the investigation to start now, before the presidential sash passes to President-elect Ricardo Martinelli and the current president takes his place in impunity heaven with other ex-chief executives, Panamanian and not. As political analyst Edwin Cabrera pointed out, "This is an organization that has become the refuge of other former heads of state, like [former Panamanian Presidents] Ernesto Perez Balladares (1994-1999) and Mireya Moscoso (1999-2004)." Moscoso has been involved in a number of allegedly corrupt incidents, among them freeing international fugitive Luis Posada Carriles from jail and pardoning him, the "hard-dollars incident" involving stashing large amounts of cash in the freezer of one of her assistants, and accusations of funneling state money to a sister for home repairs. Perez Balladares' corruption allegations include charges by a former attorney general that he had received kickbacks in a scandal involving a government agency that oversees port and waterway services. Other PARLACEN deputies, too numerous to list, are sitting out indictment under PARLACEN immunity. But, for Torrijos, the matter might become moot. Martinelli to pull the plug on PARLACEN President-elect Martinelli takes over July 1, 2009, and has every intention of following neighboring Costa Rica right out of PARLACEN. He is exceedingly scornful of the institution and its members. "In Panama, PARLACEN has no 'value-added,'" he has said. "All the Panamanian deputies have automobile-tax exemptions, and they go around selling them to third parties. It has been a cave of immunities, of persons taking refuge there to protect themselves." At other times, the president-elect has said, "Whenever we have a scandal it involves someone from PARLACEN." PARLACEN is something of a roach motel; once in, it is hard to get out. Martinelli has said he would favor being kicked out by not paying Panama's dues to the organization. He had also, during the campaign, brought up the possibility with his de facto party Cambio Democratico (CD) the possibility of not running any candidates. The question resolved itself when the Tribunal Electoral (TE) nullified candidates because of improper procedures used in nominating them. Panama, like all member countries, sends 20 deputies to PARLACEN. The nonpayment strategy has received sharp criticism. Hector Aleman, president of the foreign relations committee in the Asamblea Nacional (AN), said there was a steep downside to the plan, which abrogates an international agreement just because the country finds it "inconvenient." He said that international law obligates the member countries to full compliance with ratified treaties and covenants. Costa Rica points the way out. However true Aleman's view may be, Costa Rica provides a precedent for a spontaneous walkout. PARLACEN was created as part of compliance with the Esquipulas II agreements that were designed to end armed conflict in Central America. The final text was passed Oct. 2, 1987, and signed by Presidents Daniel Ortega (1979-1990) for Nicaragua, Vinicio Cerezo (1986-1991) for Guatemala, Oscar Arias (1986-1990) for Costa Rica, Jose

Azcona Hoyo (1986-1990) for Honduras, and Jose Napoleon Duarte (1984-1989) for El Salvador. Soon after the historic signing, Costa Rica withdrew from PARLACEN and has gone it alone ever since except when it has been convenient to appear united with the rest of Central America. The ongoing negotiations with the European Union (EU) provide a case in point of Costa Rica's on-again, off-again unity with the neighbors, and it also cuts a path for Panama to follow. The EU has insisted on a unified Central America to bargain with and has urged Costa Rica to rejoin PARLACEN to get that feeling of togetherness and as a forum for conflict resolution as will be called for by the agreement. At the opening of the seventh round of negotiations in April, EU political negotiator Petros Mavromichalis told the Central Americans, "Regional integration remains a subject of great importance for us. We're not talking about philosophical considerations but rather a practical analysis of the tangible effects on our agreement to the free movement of goods, services, and investment in Central America and Europe. This for us is of paramount importance." Prior to that statement, the Costa Ricans had closed the door to re-entry with decisions by both the AN and the Corte Suprema de Justicia (CSJ) to the effect that membership would constitute an impermissible breach of national sovereignty. Foreign Minister Bruno Stagno told reporters in February that his country had hinted at a return to the parliament at the Vienna Convention in 2006 but only on condition that membership not be obligatory to join the EU association accords. Europe gave up its insistence on Costa Rican PARLACEN membership and acceded to an alternative wherein Costa Rica would be represented in interparliamentary dialogue by an AN deputy.

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