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Paraguayan Court to Decide Fate of Gen. Lino Oviedo's Presidential Candidacy

by LADB Staff

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On Feb. 4, a special military tribunal changed the status under which Gen. Lino Cesar Oviedo is being detained, upgrading his detention from protective custody to formal arrest. In late January, when Oviedo's release seemed imminent, the military sent tanks into the streets, setting off rumors of an impending coup. Although calm has returned, the complicated political situation is adversely affecting the country.

Meanwhile, the future of Oviedo's bid to become a candidate for president in the May elections is in the hands of the Supreme Court. Last October, President Juan Carlos Wasmosy ordered Oviedo's arrest for insulting the presidency. Oviedo went into hiding, saying he feared for his safety (see NotiSur, 12/05/97).

Oviedo finally turned himself in on Dec. 12. Although he completed the 30-day disciplinary sentence, he was not released. Wasmosy had formed a special military tribunal to investigate charges of sedition stemming from Oviedo's unsuccessful coup attempt in 1996, and the military held him in protective custody while it investigated. His lawyers filed a writ of habeas corpus, and a judge ruled in the general's favor on Jan. 29 (for background on Oviedo and his ongoing dispute with Wasmosy and the military, see NotiSur, 05/30/96, 08/09/96, 04/11/97)

Rumors of a coup abound after military brings out tanks

When it looked as if Oviedo was about to go free, the military went into action. Troops and tanks were conspicuously moved about the city, while planes and helicopters flew over Asuncion. The movements sent rumors flying that a coup was imminent. Oviedo had angered the military with remarks that he might dismiss the military high command if he becomes president. Although the fear of a coup has subsided, some military analysts say another crisis is only a matter of time. "This is only the beginning," said retired Col. Alejandro Davalos. "What happened last week was either a demonstration that the executive has lost authority over the armed forces or proof that it will resort to force to impose its will."

Most analysts agree that the longer the legal uncertainty regarding Oviedo goes unresolved, the greater the likelihood of another crisis. Political analyst Carlos Martini called Oviedo "a political delinquent" who appears to be enjoying impunity "because the governing party did not throw him out when it could have, the justice system did not respond in a timely way, and the military authorities did not seem to realize early on that they could try him."

Economists are also concerned that the political crisis is adversely affecting the country. Sources in the Secretaria Tecnica de Planificacion and private sector economists were quoted in the economic paper El Dia saying they fear the uncertainty will continue through the May elections. This could

scare off foreign investments, aggravating the problems caused by fallout from the Asian financial crisis, which is expected to lower trade with MERCOSUR partners Argentina, Brazil, and Uruguay. Oviedo's detention could prevent his candidacy. The military tribunal decided to upgrade Oviedo's detention after accusing him of insubordination and "crimes against the security of the armed forces and the state." Oviedo has twice refused to testify before military authorities, on both occasions citing health problems. The president of the military tribunal, Gen. Juan Evaristo Gonzalez, also head of the army, said the tribunal could reach a verdict without Oviedo's testimony.

If convicted, and if the conviction is upheld, Oviedo could be sentenced to between five and 25 years in jail. Julio Vasconsellos, lawyer for President Wasmosy, said "normally the sentence is half the maximum, in this case 12 years." The decision by the military tribunal is another step toward preventing Oviedo from participating in the May 10 general elections, when voters will choose a president, vice president, 45 senators, and 80 deputies, plus state and local officials. Just the day before the military tribunal's decision, the Tribunal Electoral confirmed Oviedo as the governing Partido Colorado (Asociacion Nacional Republicana, ANR) candidate for president, despite opposition from the party leadership, the military, and President Wasmosy. Raul Cubas Grau was confirmed as Oviedo's running mate.

Oviedo won the party primary in September with the support of his Union Nacional de Colorados Eticos (UNACE) faction, but the party refused to recognize Oviedo as its candidate (see NotiSur, 09/26/97). Supreme Court must sort out the issues Oviedo's fate is now in the hands of the Supreme Court, which must untangle several issues: the legality of the military's detention of Oviedo; the candidate's writ of habeas corpus; his contention that the military court has no authority to try him; his petition that several Supreme Court judges be recused; and the merits of various legal charges, including sedition.

Oviedo's supporters, including Vice President Angel Roberto Seifart, claim Oviedo is a victim of political persecution led by President Wasmosy. Oviedo says that, if necessary, he will conduct his campaign from jail. He said if he is not released he will name a representative to take his place in the elections. "We would do what Juan Domingo Peron did when he was in exile," said Oviedo. "He designated a representative to be the candidate. In that instance, all the Peronists knew they were voting for Peron even though he was in exile. After he returned to the county, they turned over power to him."

Meanwhile, the opposition Alianza Democratica, which is made up of the Partido Liberal Radical Autentico (PLRA) and the Partido Encuentro Nacional (PEN), has begun its campaign. Running mates Domingo Laino and Carlos Filizzola see the crisis with Oviedo as the opportunity to end 50 years of Partido Colorado control of government. [Sources: Inter Press Service, 01/07/98; Associated Press, 01/10/98, 01/25/98; Nuevo Herald, 01/12/98, 02/02/98; Reuter, 01/21/98, 02/03/98; CNN, 02/03/98; Notimex, 01/06-08/98, 01/20/98, 02/05/98; Spanish news service EFE, 01/07/98, 01/12/98, 01/21-23/98, 01/30/98, 02/03-05/98; Clarin (Argentina), 02/02/98, 02/05/98; ABC Color (Paraguay), Noticias On-line (Paraguay), 02/04/98, 02/05/98]

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