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Prison Sentence for Gen. Lino Oviedo Casts Doubt on Paraguay Presidential Vote

by LADB Staff

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Time is the most important issue in Paraguay's presidential elections, scheduled for May 10. The governing party candidate, Gen. Lino Oviedo, remains in jail, sentenced by a panel of five military judges to 10 years in prison for rebellion and insubordination. The Partido Colorado (Asociacion Nacional Republicana, ANR) tried to register a new candidate, but the electoral tribunal refused to grant an exception to the May 4 filing deadline.

Meanwhile, if elections go forward, the ANR in power for 51 years is clearly threatened, and some leaders are determined to postpone the voting regardless of the cost. On March 9, the Tribunal Militar Extraordinario sentenced Oviedo to 10 years in prison and dishonorably discharged him from the army for "insubordination" relating to the unsuccessful coup attempt in April 1996 (see NotiSur, 05/03/96 and 09/26/97).

In full-page ads in the daily newspaper ABC Color, Oviedo said he is the victim of political persecution and is being unjustly detained. He said he will govern the country from prison, if necessary. After the verdict was announced, the Partido Colorado filed a petition with the Supremo Tribunal de Justicia Electoral (STJE) to allow it to name as provisional candidates Oviedo's running mate Raul Cubas Grau and party president Luis Maria Argana. The petition said the party would then call a special convention to name new candidates. Cubas Grau made it clear, however, he has no intention of taking Oviedo's place. The STJE turned down the ANR petition, saying the deadline had passed, and the court "rejects the request as untimely and inadmissible."

Cloud of uncertainly hangs over campaign

Meanwhile, Oviedo's lawyers have appealed his sentence with the Corte Suprema de Justicia, whose decision is expected in "30 to 90 days." At the moment, he is still the candidate. The military tribunal's verdict does not annul Oviedo's candidacy, which can only be done by the Supreme Court. The retired general could even be elected president in prison, which would be a first for Paraguay.

If the Supreme Court upholds the military court sentence before the election, Oviedo will be ineligible to run for office, his candidacy will be annulled, and the Partido Colorado will have to find a new candidate. If the court rejects the appeal after the election but before Aug. 15 the date of the inauguration of the president-elect he will be disqualified, and Cubas Grau will assume the presidency. As elections near, the judicial and electoral timetables cross to create more uncertainty for the governing party and for the democratic process. The head of the court, Raul Sapena Brugada, has said it is difficult to know how long the decision will take, although he has said he is confident that it will be resolved before the elections. The clock is ticking, and the uncertainty regarding Oviedo's candidacy has brought the campaign almost to a standstill.

Sociologist and political analyst Jose Nicolas Morinigo said adherence to the timetable established by the Constitution undoubtedly favors the opposition Alianza Democratica. While there "is not the slightest doubt" this period of not knowing favors the opposition, "it also presents other very radical alternatives," said Morinigo. If Oviedo's candidacy is upheld, the reaction of the military is very much in doubt. If his sentence is upheld, the doubt then shifts to the reaction of Oviedo's significant popular base of support.

Economic factors also come into play, said Morinigo, since the Alianza does not have the financial resources to carry out its campaign for an additional two months. Luis Alberto Mauro of the Partido Encuentro Nacional (PEN) said what is really at stake, and what is driving the ANR leadership to postpone the election rather than risk losing, is not power but the billions of dollars that flow through Ciudad del Este and other border cities from money laundering, arms trafficking, and black marketing.

Popular support despite ostracism by party

Oviedo continues to have strong support. In a poll by the Universidad Catolica in Asuncion published March 13, 45% of those responding supported Oviedo, while 37% supported Alianza candidate Domingo Laino. Oviedo won the party primary last September despite strong opposition from President Juan Carlos Wasmosy and other party leaders, who want the elections postponed so the party can nominate a new candidate. But each rumor of any change in the electoral calendar brings opposition within the country and quick expressions of concern from Paraguay's MERCOSUR neighbors and from the US. Wasmosy assured Jose Chea, head of a delegation of Organization of American States (OAS) observers, that he would "do everything possible" to guarantee that elections were held as scheduled.

The head of parliament, Rodrigo Campos Cervera, said he opposes any postponement. No "constitutional loophole" could allow the president's term to be extended "for even one second," or to reschedule the elections, he maintained. Other efforts to delay vote In addition to the case before the Supreme Court, several other petitions could affect the elections. The ANR has asked the courts to force the STJE to review voter-registration lists, a request analysts called another attempt to delay the elections. STJE president Carlos Mojoli said the institution does not even have funds to organize the elections, and he said the Finance Ministry had not transferred funds to pay salaries.

Also pending are investigations into charges filed by Attorney General Anibal Cabrera that ballots were falsified in all the parties primaries. If the charges are substantiated, it could annul the primaries, forcing the suspension of the May elections. The opposition Alianza Democratica said it will not accept a rescheduling of the elections.

Alianza candidate Laino has called on the Corte Suprema to make its ruling as quickly as possible and end the political "anxiety" in the country. The opposition fears that the continuing uncertainty about Oviedo's candidacy will be used as an excuse to postpone the elections. "This lack of resolution is one cause of the anxiety that exists and is felt in many sectors," said Laino. "We cannot continue with this amount of uncertainty that overshadows the electoral panorama."

"If the Colorados are left without a candidate, I am deeply sorry," said Campos Cervera of the Alianza. "But that would not justify an extension of Wasmosy's term, which would violate the Constitution."

Meanwhile, Laino, of the Partido Liberal Radical Autentico (PLRA), and his running mate, Carlos Filizzola, of the PEN the two parties making up the Alianza have presented their proposal for governing, which includes significant state reforms. The platform's four priorities include sustainable economic growth with employment, curbing corruption and insecurity, reducing poverty and social exclusion, and economic integration with dignity and national identity.

Catholic bishops try hand at mediating

As the election date looms with the crisis unresolved, Paraguay's Catholic bishops (Conferencia Episcopal Paraguaya, CEP) invited Paraguay's leading politicians to a meeting to look for solutions. On March 16, church officials said they had invited Wasmosy, the Supreme Court president, and leaders of the five political parties. "We don't want to be mediators or judges of the situation, but we want to offer a space for people to come together and take decisions," said Monsignor Celso Yergos. [Sources: CNN, 03/09/98; Notimex, 03/04/98, 03/09/98, 03/10/98; Associated Press, 03/05/98, 03/09/98, 03/10/98; BBC News, Clarin (Argentina), Inter Press Service, 03/10/98; Reuter, 03/04/98, 03/11/98; Agence France-Presse, 03/13/98; Spanish news service EFE, 03/10/98, 03/12/98, 03/17/98]

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