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Refusal to Extradite Paraguayan Politicians Causes Tension in MERCOSUR

by LADB Staff

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When he was forced to step down last March, former Paraguayan president Raul Cubas Grau, his mentor, former Gen. Lino Cesar Oviedo, and other high-ranking officials fled to neighboring countries. The refusal of Argentina and Uruguay to grant extradition has seriously damaged relations in the region. Oviedo fled Paraguay following the March 23 assassination of vice president Luis Maria Argana and the subsequent killing of eight demonstrators (see NotiSur, 1999-03-26, 1999-04-09).

Argentine President Carlos Saul Menem quickly granted Oviedo political asylum. Cubas Grau went to Brazil, and his defense minister, Gen. Jose Segovia Boltes, went to Uruguay. Both were granted asylum.

Since his arrival in Argentina, Oviedo has caused his host country serious difficulties. While he evidently has strong support from Menem, he is accused of using his asylum status to foster discontent in Paraguay.

In early August, Paraguay formally requested Oviedo's extradition, charging him with being the intellectual author of Argana's assassination and with being responsible for the deaths of the protesters (see NotiSur, 1999-08-20). On Aug. 5, Paraguay requested that Uruguay extradite Segovia Boltes on charges that he absconded with US\$450,000 in public funds. Paraguay argues that a person charged with murder cannot be granted political asylum, nor are common criminals eligible for asylum.

Fallout hits MERCOSUR

In early September, Argentina and Uruguay rejected the extradition requests from Asuncion, arguing that the right to asylum was enshrined in local and international law. The ensuing diplomatic row has further weakened the Southern Cone Common Market (MERCOSUR) which includes Argentina, Brazil, Paraguay, and Uruguay.

Despite the heightened tensions, Argentina and Uruguay said they were not going to put the bloc at risk by breaking off relations with Paraguay. But on Sept. 3, the Paraguayan government called home its ambassadors to Uruguay and Argentina, although it made clear it was not cutting diplomatic ties. The deputy foreign minister said the recall was done to demonstrate Paraguay's displeasure with its neighbors. "The embassies in Buenos Aires and Montevideo will not be closed because that would be a very serious step," said Carlos Mateo Balmelli.

The governments of Uruguay and Argentina responded in kind by bringing their ambassadors home. "I don't want to call this summons a recall because that is one step before suspending

relations, and that is not what this is about," said Uruguay's Foreign Minister Didier Opertti. On Sept. 4, Paraguay's Foreign Minister Miguel Abdon Saguier resigned as a result of failing to win the extraditions. Saguier said Gonzalez Macchi asked him to resign because of pressures from relatives of Argana.

On Sept. 7, Jose Felix Fernandez Estigarribia, a 58-year-old senator, was named the new foreign minister. Menem cancels meeting over perceived insults After a war of words by politicians and government officials in the various countries, a meeting was set up between Menem and Gonzalez Macchi. As groundwork for the meeting, the Argentine government agreed to move Oviedo from the outskirts of Buenos Aires to the Patagonia in southern Argentina to curtail his ability to orchestrate destabilizing political activities in his home country.

In return, Paraguay agreed to publicly stress the friendship between the two countries and to put its extradition request on hold until the next Argentine administration takes office Dec. 10. Menem, however, also wanted an apology for what he considered insults by Paraguayan political leaders. Among those Menem felt had insulted him was Paraguayan Defense Minister Nelson Argana, son of the slain former vice president, who called Menem a scoundrel. "We understand the political situation and the tension the leaders of that country are undergoing, but we are not going to accept gratuitous insults to President Carlos Menem, which seem unjust and excessive," said Interior Minister Carlos Corach.

Jose Emilio Argana, brother of the defense minister and president of the state Banco Nacional de Fomento (BNF), said his family would "never" apologize to Menem. "Menem, not the Argentine people, is protecting a common delinquent," he said. "Menem is the one who should be apologizing, because that man [Oviedo] assassinated our father and eight other people." When the Paraguayan government refused to apologize, Menem cancelled the meeting and stopped the plans to move Oviedo out of Buenos Aires.

On Sept. 11, Paraguayan Foreign Minister Fernandez said relations between his country and Argentina were "virtually frozen." He said that he ordered the Paraguayan Embassy in Buenos Aires to reduce contacts with Argentine diplomatic authorities to a third level. Oviedo becomes a campaign issue in Argentina Meanwhile, the issue has spilled over into the presidential campaign in Argentina, with the leading candidates calling for Oviedo to leave the country.

The opposition Alianza strongly criticized Menem and said if it wins the presidency in the October elections, it will cancel Oviedo's asylum. Alianza candidate Fernando de la Rúa said he would "prefer that Oviedo leave and go to another country." Alianza leaders called the decision to grant Oviedo asylum "an impunity pact" between Menem and Oviedo. They were particularly angry that the extradition requests were handled by the Foreign Ministry rather than through the courts.

The criticism has not been confined to the opposition. The candidate of Menem's Partido Justicialista-peronista (PJ), Eduardo Duhalde, also distanced himself from Menem's support for Oviedo, saying Oviedo should go to Germany, where he has dual citizenship, or to some other country. Oviedo in Germany would likely be the preferred solution for the Paraguayan government as well, but the general shows little inclination to move so far from his political allies.

Argentine government forced to examine Oviedo's activities

On Sept. 13, a leader of the Argentina opposition party Union Civica Radical (UCR) said Oviedo had met with 30 political supporters from his faction of the Partido Colorado (Asociacion Nacional Republicana, ANR), some arriving directly from Paraguay, on the night of Sept. 11.

"With this meeting, Oviedo broke the conditions of asylum, which prohibit holding political meetings," said Sen. Leopoldo Moreau. "Now, the government should act immediately, approving the extradition request from Paraguay or sending Oviedo to a third country." The UCR filed a court complaint to have the asylum declared unconstitutional. On Sept. 14, the Argentine government admitted for the first time that Oviedo was possibly carrying out political activities. "We are very concerned about some of Oviedo's activities, clearly political, which do not conform to political asylum," said Foreign Relations Minister Guido di Tella. He said Argentina would "demand total compliance with the conditions of asylum."

Foreign Minister Corach said on Sept. 15 that Oviedo had been given a "final warning" about the conditions of his asylum and about refraining from any political or "conspiratorial" activities. The tense situation was not helped when a hand grenade exploded outside the residence of the Argentine ambassador to Paraguay in Asuncion on Sept. 13. No one has claimed responsibility and no one was hurt, but the police attribute the incident to a "destabilizing band."

Next week, the foreign ministers of MERCOSUR will meet in New York to analyze issues affecting the trade bloc. They are expected to use the meeting to discuss the political tensions surrounding the extradition issue and try to reduce them. Argentina and Uruguay are using a different interpretation of the international norms regarding asylum. They defend the primacy of granting asylum, while Paraguay contends that bringing those accused of nonpolitical crimes to justice takes precedence.

The principal beneficiary of this dispute is Oviedo, who continues to live outside Buenos Aires and maintain close contact with his supporters, both in Argentina and in Paraguay. Some critics say Menem's intention was to divert the public's attention to supposed insults against Argentina by Paraguayan officials, leaving Oviedo relatively unrestricted. [Sources: CNN, 09/04/99; Notimex, 08/02/99, 08/11/99, 09/10/99; El Nuevo Herald (Miami), 09/10/99, 09/11/99; Reuters, 09/02/99, 09/04/99, 09/13/99; Associated Press, 09/04/99, 09/07/99, 09/13/99; Xinhua, 09/04/99, 09/06/99, 09/11/99, 09/15/99; Spanish news service EFE, 09/08/99, 09/11-15/99; Clarin (Argentina), 09/10/99, 09/11/99, 09/13/99, 09/15/99]

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