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Andrés Gaudán

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Paraguay’s Push To "Clean Up" Corrupt Judiciary Slow To Advance

by Andrés Gaudín

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A quarter century after the end of the last and bloody civic-military dictatorship, Paraguay is putting its still-fragile institutional structure to the test by promising impeachment proceedings against four of nine justices in the Corte Suprema de Justicia (CSJ) and one of three in the Tribunal Superior de Justicia Electoral (TSJE).

The high court magistrates are accused of numerous crimes, including involvement with drug trafficking. This "necessary act of democratic cleansing," as Sen. Miguel López Perito of the progressive Frente Guasú called it, follows the double murder last October of journalists Pablo Medina and Antonia Almada, correspondents with the Asunción-based newspaper ABC Color (NotiSur, Nov. 21, 2014). The victims had been investigating drug-trafficking operations in areas along the Paraguay-Brazil border.

The actions being taken against the five top-level justices were preceded by multiple allegations against Paraguay’s overall political leadership. Twenty lawmakers have been formally accused of crimes and two congressional deputies stripped of their immunity (NotiSur, Jan 17, 2014).

All this is taking place in a country whose primary institutions—the executive, legislative, and judicial branches of government, along with the armed forces, political parties, and even the Catholic Church—have long been suspected and sometimes directly accused of being riddled with corruption (NotiSur, Sept. 26, 2014).

Lawmakers decided last November to subject the four CSJ judges and the president of the TSJE to a political trial that was widely expected to result in their dismissal. Formal proceedings were to begin on Dec. 11. The idea was to move quickly to "clean up" the judiciary once and for all. Two months later, however, proceedings still haven't begun—ostensibly because of recess periods first in the legislature and then in the judiciary. In the meantime, two of the judges in question resigned to avoid the humiliation of appearing before all 125 members (80 deputies and 45 senators) of Congress, many of whom are also suspected of corruption.

Fear and complicity

The delay contrasts sharply with how authorities handled Paraguay’s last impeachment, which took place June 22, 2012, and resulted in the ousting of constitutional President Fernando Lugo (2008-2012). The parliamentary coup took a few hours to complete, beginning and ending on the same day (NotiSur, July 13, 2012).

Fear may be one of the reasons the hearings are stalled. Luis Rojas, who heads the Secretaría Nacional Antidroga (SNA), says Paraguay’s political leadership is scared of possible reprisals. "We’re receiving threats, warnings from the underworld," he told reporters late last month. "It’s all part of a dirty war launched by the drug traffickers."

Observers also point to an apparent pact between the country’s two dominant political parties: the governing Partido Colorado (PC) and marginally oppositional Partido Liberal Radical Auténtico
(PLRA). Two of the four CSJ justices in question belong to the PC. The other two are members of the PLRA. Of the two who resigned on Dec. 2, one is from the PC; the other from the PLRA. The same goes for the two deputies stripped of their legislative immunity because of ties to drug traffickers. The division, in equal parts, is also apparent regarding the mayors and city council members who were implicated or are on the lam following the murders of Medina and Almada.

Although there is a general consensus among legislators and society as whole that corruption has undermined the judiciary, the decision to conduct a political trial against the top-level judges came specifically from the PC and PLRA. They did so at the behest of President Horacio Cartes (PC), who before assuming leadership of the country was accused by the newspaper ABC Color of crimes related to contraband and money laundering (NotiSur, Jan. 18, 2013).

"We know that the CSJ is corrupt. But we want a structural reform that does more than just change the names [of the court’s members]," Sen. Rafael Filizzola of the Partido Demócrata Progresista (PDP) told the Associated Press (AP) news agency. "We’re willing to go along with a political trial because we’re all responsible for evaluating the trajectory of the judges. But not just four of them. Two and two. Two Colorados and two liberals. [We must look at] all nine of them!"

Sen. López Perito, who served as secretary to the presidency during the Lugo administration, believes there is clear complicity between governmental, legislative, judicial, political party, military, and police authorities, on the one hand, and drug traffickers on the other. He also agrees that people are frightened. "For the simple reason that they’re scared of the traffickers, nobody is trying to find out who killed Medina and Almada," the Frente Guasú senator said. "Likewise, nobody is pushing to move quickly on a political trial that the two majority parties say is vital for the moral health of the republic."

Marijuana production

The journalist killings in the northeastern department of Canindeyú, approximately 400 km from Asunción, the capital, exposed a reality that had until then only been intuited: that corruption, which previously involved contraband and money-laundering channels institutionalized during the Gen. Alfredo Stroessner-led dictatorship (1954-1989), is now related more and more to the production and shipment of marijuana, primarily to Brazil.

The AP, citing a UN agency report published in 2014, estimates that Paraguay cultivates some 8,000 hectares of cannabis and produces 60,000 tons of marijuana per year. Not only does that make Paraguay the leading producer in South America, it also makes it one of the top marijuana growers in the world, just behind Afghanistan and Morocco, which each have approximately 10,000 ha of the drug under cultivation.

Production, furthermore, is increasing year by year, according to the SNA’s Luis Rojas. "In 2013 we destroyed plantations in large forests in the Amambay, Alto Paraná, and Canindeyú departments and in other areas near the border with Brazil. [Our efforts] cost the drug traffickers more than US $800 million. But that’s only a minor sum for them," he said.

Much of the growing is done by small-scale farmers who are switching from legal crops. In the aforementioned AP investigation, various national and local officials said the "absence of the state" in those areas is largely to blame. Impoverished campesinos "prefer to focus on marijuana rather
than on other crops," said José Martínez, the PC mayor of the Canindeyú town of Villa Ygatimi. Approximately 80% of the community’s 20,000 residents grow marijuana. Martínez said the reasons are simple: "It can be harvested three times per year. They don’t need to pay for the seeds they use because the traffickers provide them. The plants grow all by themselves. And sales are guaranteed."

Martínez explained that the traffickers pay US$10 per day to the people who look after the plantations and US$60 per day to the person in charge of drying and pressing the plants. "These are fantastic, incredible amounts of money in rural zones where a campesino normally earns no more than US$6 per day to work someone else’s land," he said.

Marijuana has thus become an essential part of the local economy. "The state forgot about the rural workers. They were told to grow sesame, for export to Japan. They did so willingly, but then the Japanese threw it all in the sea because they said it was contaminated. In these conditions, it’s better to grow marijuana," Martínez told the AP.

"Anything can happen"

Corruption is so widespread in Paraguay that digital artist Dave Mac went so far recently as to open a "museum" on the subject. Mac launched the virtual Museo de la Corrupción on Dec. 9, a date the UN General Assembly designated in 2003 as International Anti-Corruption Day.

"In this completely lawless environment, where even the president is accused of being corrupt, of using his company Tabacalera del Este to move contraband cigarettes and his Banco Amambay to launder drug money, anything can happen," said Sen. Filizzola, referring to the museum. "These kinds of ingenious projects may seem funny, but they’re the result of pain."

Visitors to the Web site are allowed to leave comments and even report instances of corruption —"provided they’re documented." The goal is to help "society recover its collective and historic memory and not forget about those who rob the state coffers with impunity." There is also a humorous aspect to the site, which features caricatures of corrupt leaders along with a proposal for building a "pocketless pants" factory to thwart thieves.

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