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Panama: On Claims For Damages Against U.S. Government Result Of December Invasion & Related Issues

by Deborah Tyroler

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* The US Southern Command's official death toll, released Jan. 11, said that the Dec. 20 invasion and ensuing looting and chaos claimed the lives of 314 Panamanian military, 202 Panamanian civilians and 23 US troops. Juan Mendez, director of Americas Watch, told the Washington Post: "The military casualties were relatively low. There was very little resistance. These people didn't really fight...I think the bulk of the dead were civilians." In June, the Panamanian Medical Legal Institute (government's official coroner) told the Southern Command that it had identified 63 military fatalities, and the remains of 157 civilians; 47 other bodies had not been identified. The families of Panamanian Defense Force soldiers killed in action are eligible for \$5,000 payments through a Panamanian insurance company. Tomas Valverde, assistant manager of the company, was cited by the Washington Post as saying that thus far, only 68 families have come forward to collect benefits. * Virtually all allegations of misconduct by US soldiers have been dismissed. Last month, an Army sergeant who was court-martialed on murder charges for killing a Panamanian at a roadblock Dec. 23 was acquitted. In cases in which the army has acknowledged tragic errors, officials generally say that troops fired warning shots before shooting to wound or kill. * Micheal Pierce, a US lawyer, is handling 32 cases of civilians mistakenly killed by US troops at barricades. One of the claims is that of relatives of Otilia Lopez de Perea, 21, and Ismael Lopez de Perea, 25. Shortly after midnight on Dec. 24, Otilia went into labor. Her husband, mother-in-law and a neighbor helped her into a car to drive to the hospital. Flying a white flag, the four Panamanians stopped at a US military roadblock on the Transisthmian Highway, where they requested an escort. They were told that with their white flag, no escort was necessary. As they continued along the road, less than 500 yards later, troops at a second checkpoint opened fire on their Volkswagen. Ten seconds later, the checkpoint's commander ordered a cease-fire. Lopez de Perea and her husband were killed. The neighbor, who was driving, was seriously injured, but survived. The mother-in-law was not injured. In a letter, the US Army denied compensation to the victims' families. Another of Pierce's cases involves that of Luis Alberto Riano and Grettel Riano, who drove their Volvo into Paitilla airport early Dec. 22 to check on a shop they owned. US Rangers had earlier seized the airport in heavy fighting. The Rangers opened machine-gun fire on the Volvo and blasted it with an anti-tank weapon. Luis Alberto was killed and Grettel was was injured. The soldiers claim they fired warning shots; Grettel Riano says they did not. Pierce said that in none of the 32 cases he is handling were the victims armed, nor were they dangerous. He added, "They, the incidents, were just mistakes." * Last week, Panamanians harmed in the invasion filed a class action suit in US District Court in Washington. They asked that the US Army adjudicate and pay claims to relatives and victims. * A lawsuit by a group of businesspersons asks \$432 million to compensate for damages and theft from looting in the aftermath of the invasion. The Foreign Claims Act prohibits the payment of claims arising from US combat operations. Washington has made exceptions to that in the past, paying \$1.8 million in claims to about 900 families in Grenada after the 1983 US invasion. (Basic data from Washington Post, 10/06/90)

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