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Nicaragua: Recent Debate Surrounding Property Confiscated By Sandinista Government

by Deborah Tyroler

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May 22: In Managua, former president Daniel Ortega spoke to a crowd of hundreds who oppose the return of confiscated property to former owners associated with the regime of Anastasio Somoza. Most of Ortega's statements were focused on criticizing legislation proposed in April that would remove items from the Constitution which regulates transfer of private property to the government and subsequent redistribution. Between July 1979 and April 1990, the Sandinista government confiscated property from 26,000 persons. May 25: President Violeta Barrios de Chamorro released a statement in Managua asserting that confiscated property would be returned to former owners, with the exception of land distributed to agricultural workers. She said, "Agricultural workers who benefitted from agrarian reform will receive title to their land, and those whose property was unjustly confiscated will be compensated." The Supreme Court of Justice recently declared "partially unconstitutional" legislation which called for creation of the governmental Confiscations Review Commission, which is under the jurisdiction of the Attorney General's office. The court found that Articles 7 and 11 of the decree overstepped judicial authority. Consequently, the commission's resolutions should be considered as recommendations to the president and not binding. Article 7 orders "return of property or recognition of some rights" thereto with the support of "the public (security) forces if necessary." Article 11 establishes that the decision to return property to a former owner "will serve as sufficient title to exercise full rights over property." The president said she would reassign the commission's functions, and determine which government institutions could act to return disputed properties to former owners. May 26: In a letter to Duilio Baltodano, head of the Confiscations Review Commission, and reprinted in daily newspaper La Prensa, Mexican Ambassador to Nicaragua Ricardo Galan requested return of a house owned by Mexican citizen Amparo Vazques de Morales and currently occupied by former president Ortega. Vazques is married to banker Jaime Morales Carazo, accused of being a Somocista following a six-month absence from the country. The ambassador asked for information on the status of a claim submitted to the review commission on Oct. 11, 1990 by Vazques. Ortega has repeatedly asserted that he and his family will not vacate the house, because such action would send a message to the government leading to the eviction of thousands of beneficiaries of real estate distribution. The home, located on a one-hectare lot, was valued in 1979 at over \$1 million. Morales Carazo recently ran a paid ad in La Prensa providing details of how his wife acquired the house, and requesting that the government return it to her. He said that Ortega purchased the house from the state-run housing bank for a ridiculous price one day prior to leaving office. [The distribution of confiscated properties among former Sandinista leaders is known in Nicaragua as the "pinata."] In response, Ortega pointed out that Morales Carazo has obtained highly lucrative loans from state-run banks, and has run up \$16,000 in arrears. May 28: In statements to reporters, former vice president and Sandinista party leader Sergio Ramirez criticized Ambassador Galan's letter as undiplomatic, since it is inappropriate for an ambassador to meddle in domestic affairs. Ramirez said, "This is not a legal case, but rather a political one. It is an act of aggression against the former president." According to

Ramirez, fraud charges may be brought against Vazquez for illegal acquisition of the house. (Basic data from ACAN-EFE, 05/22/91, 05/26/91, 05/28/91; AFP, 05/25/91, 05/28/91)

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