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Truth Commission Faces Obstacles

by LADB Staff

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The truth commission (Comision de la Verdad) inquiring into human rights abuses committed during the 1968-1989 military dictatorship has encountered difficulty investigating disappearance and assassination cases because of insufficient funds and slow progress uncovering new evidence. It has, however, received promises of assistance from the US, which has given the commission a document that says Gen. Omar Torrijos worked as a "confidential informant" for US military intelligence from 1955 to 1969.

In July, the Partido Revolucionario Democratico (PRD) sponsored various events to commemorate the 20th anniversary of the death of Gen. Torrijos, who was killed in a plane crash July 31, 1981. Torrijos, regarded by many as a nationalist reformer, ousted President Arnulfo Arias in a coup in 1968 and set up a military regime that lasted until the US invasion in 1989. The observation of Torrijos' passing took place against the backdrop of a national argument over the general's responsibility for disappearances and other human rights abuses.

In January, President Mireya Moscoso set up the truth commission, which quickly compiled a list of 189 people killed or disappeared during the military dictatorship. The commission continues investigating clandestine grave sites as Torrijos' son Martin Torrijos accuses Moscoso and the commission of using the human rights issue for political gain. Moscoso, who married Arias after the 1968 coup, took over the Partido Arnulfista and defeated Martin Torrijos in the 1999 presidential election (see NotiCen, 2001-01-18).

Pentagon reports Torrijos spied for US

Responding to a commission request for information concerning the military dictatorship, the US Defense Department released a declassified 1997 report to the White House summarizing Gen. Torrijos' work as a paid informant for US military counterintelligence. The report said that US agents recruited Torrijos in 1955 and paid him US\$25 per month to supply the US military with information on the Panamanian National Guard, student and labor activities, and Chinese and Soviet penetration in Panama. The document said Torrijos accepted the assignment to pay for his liquor bill and relationships with women. At the time, Torrijos was a junior officer in the National Guard commanding a guard unit stationed at the Tocumen International Airport outside the capital.

By 1960, he was commander of the Zona Militar Atlantica in the port city of Colon and later commanded the Zona Norte headquartered in Chiriqui. His monthly pay for information was then US\$300. Shortly after the 1968 coup, Torrijos gave up his informant's salary as unbecoming an officer of such high rank, though he accepted two further payments in 1969 and continued sending his reports. His successors, including Manuel Noriega and 24 other guard officers, were also paid confidential informants of US military intelligence.

Martin Torrijos denied the general had spied for the US. Ruben Dario Paredes, who succeeded Torrijos and whom the document listed as an informant, suggested the declassified documents were full of errors, hard to confirm, and of little value. "All of Panama knows that I am incapable of accepting payoffs," he said. Others mentioned in the report as informants also denied they supplied information to the US. Carlos Duque, honorary president of the PRD, agreed that the declassified documents were unreliable and said, "We don't know that the president [Moscoso] isn't a member of the CIA and that they pay her with two suits a week." Meanwhile, the commission has been teetering on the edge of collapse.

In January, PRD president Balbina Herrera threatened to ask the courts to strike down Moscoso's decree setting up the truth commission. Herrera said the decree was unconstitutional because it infringed on the authority of the attorney general to investigate crimes. Though the commission has not yet had to face a court challenge, it has faced budgetary and other problems. At first, Moscoso refused to give the commission office space or a budget to carry out its work. Commission members used their private offices for meetings. The commission had requested a US\$500,000 budget from the government, but in February, Moscoso informed the members that she would not supply money as long as commission member Osvaldo Velasquez complained publicly that without resources the commission could not function. Moscoso said she would seek funding abroad because she did not want the commission to be seen as a partisan operation of the government.

Velasquez said the commission members never understood that there would be no government funding, and he reminded Moscoso that truth commissions in other countries spend large sums of government money. "To find out the truth, you need money," he said. After a meeting in February with Jose Miguel Vivanco, executive secretary of Human Rights Watch (HRW), Moscoso agreed to give the commission US\$200,000. The Ministry of Interior and Justice promised to supply computers and other equipment. The funds are supposed to be spent mostly on the exhumation of remains from clandestine graves at Los Pumas de Tocumen military base near the international airport, the Enrique Malek airport in David, Chiriqui province, and other sites. Commission president Alberto Almanza said Moscoso changed her mind about funding after Vivanco convinced her that government resources do not necessarily imply that the government would influence the commission's findings.

In March, a staff member of the US Senate Foreign Relations Committee said he would ask the State Department to provide additional funding and technical assistance to the commission. The idea has the backing of Elliot Abrams, senior director of the National Security Council's office for democracy, human rights, and international operations. Despite promises of funding, the commission was still without a budget in mid-April and was reportedly ready to collapse. With little money to hire forensic experts, the commission could not uncover new evidence. Almanza said April 9 that the commission would suspend operations but that it expected to resume work since it had received US\$70,000 of the promised government funds. Commission work has been further hampered by difficulties in getting government documents.

In June, the Comité de Familiares de Desaparecidos de Panama Hector Gallego (COFADEPA-HG) reported that the commission could not go on with its investigation of two disappearances because the courts had lost the case files. The attorney general's office has yet to report on DNA tests of

remains found last year at Los Pumas. The tissue samples were sent to a laboratory in the US in January, but the attorney general has not responded to queries about the test results.

Truth commission investigates nine new grave sites

In July, a team of US forensic anthropologists using a trained dog discovered new grave sites and bone fragments in nine sites around the country. On Aug. 4, the team found partial remains of a person believed to have been assassinated by the military in 1969 near the Costa Rican border in David. Two days later, the team discovered more remains at Los Pumas. The commission has also received information that the remains of US citizen Ebert Kimberd might be buried near the David airport. Panamanian military authorities had accused Kimberd of spying for the US. He disappeared in 1969, the last year that Gen. Torrijos spied for the US.

In early August, the commission announced it would seek additional declassified information from the US on the list of disappeared and dead. Almanza traveled to Washington Aug. 6 after receiving a favorable response from the State Department indicating its readiness to cooperate with the commission.

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