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President Bolanos' Anti-corruption Questioned

by LADB Staff

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While Nicaraguan President Enrique Bolanos showed early progress in fighting corruption in Nicaragua, his commitment to continue the anti-corruption battle has recently come into question. The recent firing of anti-corruption prosecutor Alberto Novoa has caused concern about the government's level of commitment to root out corruption.

Upon taking office, Bolanos moved quickly to fulfill a major campaign promise to combat corruption (see NotiCen, 2002-05-09). This brought him into conflict with former President Arnaldo Aleman (1997-2002), many of whose colleagues and former Cabinet members have been arrested on corruption charges. Novoa represented the Bolanos administration in the first phase of trials against members of the Aleman administration for their embezzlement of US\$1.35 million from a state television station that is now bankrupt. The case also involved defrauding the government's tax department (Direccion General de Ingresos, DGI) of nearly US\$1 million. Novoa's work led to the incarceration of six ex-functionaries of the Aleman administration.

Prosecutor fired for investigating church

Novoa was fired in May for making comments in a newspaper interview about alleged irregular operations of a Catholic nongovernmental organization (NGO), the Comision de Promocion Social Arquidiocesana (COPROSA). Novoa had said that COPROSA should turn over its accounting books to the government and that its exemptions from taxes should be revoked. The state auditor's office (Contraloria General de la Republica, CGR) had requested a report from the customs department (Direccion General de Aduanas, DGA) about the vehicles COPROSA had imported duty free. Many press accounts indicated that Novoa's comments angered Nicaragua's Catholic Church hierarchy, prompting church authorities to lobby the government to fire Novoa. Novoa said the only thing that he was guilty of was "taking seriously the words of Enrique Bolanos when he said that the government was getting to the bottom of corruption," regardless of whom it brought down.

Former head of the CGR Agustin Jarquin, who was jailed in 1999 for attempting to investigate the source of then President Aleman's personal wealth (see NotiCen, 1999-11-11), has suggested that Novoa's firing represents an abandonment of the government's struggle against corruption.

Hugo Torres, a retired Nicaraguan army officer, remarked, "I am like the majority of the population perplexed, disbelieving, because we trusted that President Bolanos was going to keep his word to get to the bottom of corruption." The Coordinadora Civil para la Reconstruccion (CER), an umbrella organization representing more than 300 NGOs, shared popular discontent at the firing of Novoa. CER publicly advocated Novoa's reinstatement. Some observers said that Novoa's fall was no more than the conclusion to a "theatrical" scene that the government had created to shield Aleman from further investigation into his corruption scandals. The Bolanos administration denies that it

has abandoned the anti-corruption fight, claiming that Novoa was fired for expressing judgments prematurely.

President Bolanos denies that Novoa's firing came as a result of the administration's fear of pursuing corruption allegations against the Catholic Church and says COPROSA is still on the list to be investigated. Bolanos said there are no "untouchables" in the fight against corruption. Nicaraguan Cardinal Miguel Obando y Bravo also denies that the Catholic Church interceded to secure Novoa's firing. Bolanos, who served as Aleman's vice president, claims that there is no going back in the fight against corruption and that Novoa's replacement, former judge Jose Eduardo Boza, is as good if not better than Novoa.

Aleman uses parliamentary immunity to resist prosecution

Meanwhile, Aleman, who is now president of the National Assembly, has resisted calls to renounce his parliamentary immunity and face the allegations in court. The business group Consejo Superior de la Empresa Privada (COSEP) says Aleman should submit to justice in the interest of ridding the country of impunity. COSEP suggests that, if Aleman considers himself innocent of the accusation that he participated in the embezzlement of US\$1.3 billion from the state television station, he should mount a proper defense in a court of law.

But Aleman has refused to give up his immunity, arguing that any court case against him would be politically motivated. He complains that he is being singled out for wrongdoing and says other Nicaraguan politicians have also used their parliamentary immunity to avoid prosecution, pointing to the case of Sandinista leader Daniel Ortega, whose step-daughter accused him of sexual abuse (see NotiCen, 2002- 01-10). Using similar arguments, the executive board (junta directiva) of the National Assembly decided to shelve a court petition to remove Aleman's immunity.

Every member of the junta who voted in Aleman's favor belongs to the governing Partido Liberal Constitucionalista (PLC). Jorge Matamoros, the only member of the Partido Conservador (PC) in the Assembly, said many members of the PLC "do not want to fight against corruption." The Sandinistas have announced they will file an appeal with the Corte Suprema de Justicia (CSJ), claiming that the junta's decision to shelve the petition violates the immunity law.

Miguel Lopez, a dissident member of Aleman's party, agrees that the junta directiva has broken the law. Aleman says that PLC members who accuse him of corruption are "traitors and ingrates." President Bolanos' Secretary of Communication, Alejandro Fiallos, claims that Aleman's backing within the PLC is "minimal." Fiallos said the administration hoped a rupture would not develop within the PLC between Bolanos and Aleman sympathizers, but he has also said that "President Bolanos is prepared to govern with the backing of the majority of the people who voted for him."

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