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FEATURED Q&A

What Is the Future of Amnesty Laws Across the Region?

Q Uruguay's Congress on Oct. 27 revoked a longstanding amnesty for military officials charged with human rights abuses that occurred during the nation's dictatorship, a move that will likely bring the impunity measure, twice defeated in popular referendums, to the Supreme Court. During the same week, neighboring Brazil and Argentina were also in the headlines for taking new steps against officials dating back to their military dictatorships. Why has popular support for rolling back impunity laws been lacking to date? Do activists pushing for action on impunity now have the upper hand? How will the debate play out across the Southern Cone in the coming months?

A Genaro Arriagada, member of the Advisor board and nonresident senior fellow at the Inter-American Dialogue: "What to do about past human rights abuses is one of the major issues of any transition to democracy. The response of some has been nothing, namely impunity and amnesty. The reasoning is that they seek reconciliation and look to the future rather than the past. The argument is wrong since it is difficult to look ahead if there is no common vision of the past and the country remains divided between those who call those crimes necessary acts and those that condemn them for what they are: murders, kidnappings, rights violations and torture. A society cannot be made up of a part that

never forgets and a part that never remembers. Memory that serves the development of the nation is that which understands the past, bears its errors and faults, and in this way creates the conditions for a real reconciliation. It is also unrealistic to assume that a parliamentary solution or a plebiscite can be a 'stop law' or a new amnesty. This never works. But there is another consideration which is both necessary and bitter. A peaceful transition from a dictatorship and democracy is not a judicial matter. It is a matter where politics

Continued on page 3



Mexican Soldiers Capture Alleged Sinaloa Cartel Leader

Mexican authorities announced Thursday that soldiers had captured Ovidio Limón Sánchez, an alleged leader of the Sinaloa drug cartel. The United States had offered a reward of as much as \$5 million for his capture. See story on page 2.

File Photo: Mexican Government.

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NEWS BRIEFS

Correa Appoints Top Economic Officials in Cabinet Reshuffle

Ecuadorean President Rafael Correa on Thursday appointed new top economic officials as part of a cabinet reshuffle, Reuters reported. Correa named Jeannette Sánchez as political economy minister. Previously, she was social development minister and headed government anti-poverty efforts. Correa also appointed Pedro Delgado, who has lengthy experience in the banking sector, as central bank president. In all, Correa named 15 officials, including Santiago León as production minister. He replaces Nathalie Cely, who was named ambassador to the United States.

Argentina Hikes Electricity Rates for Some Industries

The Argentine government is reducing subsidies for some industries beginning next month, thereby doubling electricity rates for the biggest commercial users, Bloomberg News reported. The hike comes amid other moves to stem a widening budget deficit. According to Planning Minister Julio De Vido, the rates will rise for banks, insurance companies, casinos, airport operators, mobile phone companies and miners.

Credit Firm Beats Forecasts on Strong Latin America Growth

Credit information firm Experian said profits for the first half of the year grew by 20 percent, beating forecasts, Bloomberg News reported. Sales in Latin America were up 31 percent. "I wouldn't go so far as to say we're immune from any further trouble in the eurozone but because of the small footprint of the business we're not overly concerned or taking any drastic action," said Chief Executive Don Robert.

Political News**Mexican Soldiers Arrest Alleged Leader of Sinaloa Cartel**

Mexican soldiers have captured an alleged leader of the powerful Sinaloa drug cartel, the Associated Press reported Thursday. Ovidio Limón Sánchez, one of Mexico's most-wanted drug cartel fugitives, is accused of "importing and distributing hundreds of tons of cocaine into the United States within the last two decades," said the U.S. State Department, which had offered a reward of as much as \$5 million for his capture. Mexican army spokesman Col. Ricardo Trevilla called Limón Sánchez "one of the most important operators" for the Sinaloa cartel, which is headed by Joaquín "El Chapo" Guzmán. Soldiers detained Limón Sánchez in a raid Wednesday in Culiacán, the capital of Sinaloa state. No shots were fired during the carefully planned raid, said Trevilla. The State Department's reward notice for Limón Sánchez added he "organizes, manages, and distributes multi-ton quantities of cocaine from Mexico into his distribution hubs located in southern California; from there his drug trafficking organization distributes cocaine throughout the United States." In 2009, he was indicted in California on charges of delivering 40 kilograms of cocaine to a distributor and also instructing the distributor to deliver 100 kilograms of the drug to a customer.

Economic News**Peru's Central Bank Keeps Benchmark Interest Rate Unchanged**

The seven-member board of Peru's central bank on Thursday kept its benchmark interest rate unchanged at a two-year high of 4.25 percent as concerns about inflation overshadow worries about slowing global growth, Bloomberg News reported. The action of the bank's board, led by central bank chief Julio Velarde, was in line with forecasts of all 16 economists in a Bloomberg survey. "There continues to be a heightened uncertainty in interna-

tional financial markets and the potential negative impact on global growth," the bank said in a statement. Fears about economic stagnation in the United States and Europe has led to concerns in Peru, which depends on commodities exports. Commodities prices rose more than expected in October and forecasts for inflation are within the range that the central bank targets.



File Photo: Peruvian Government.

Company News**China's Sinopec Buys Galp Asset for \$3.54 Billion**

China's state-owned Sinopec Group has agreed to buy a 30 percent stake in a Brazilian deep-sea oil asset of Portugal's Galp Energia for \$3.54 billion, Reuters reported today. The Chinese oil company's announcement is the Asian country's latest effort to acquire assets to help feed

“For Sinopec, there are not many opportunities to grow in the traditional domestic upstream oil and gas sector—overseas acquisition is an area to find growth.”

— Yan Shi

its growing economy. "For Sinopec, there are not many opportunities to grow in the traditional domestic upstream oil and gas sector—overseas acquisition is an area to find growth," Yan Shi, an analyst at UOB Kay Hian told Reuters. "It will benefit Sinopec on upstream reserves, and reduce risks in its money-losing downstream operation." Sinopec said the acquisition will help it expand its foreign oil and gas operations and also increase its oil and gas production growth.

Featured Q&A*Continued from page 1*

must arbitrate between numerous objectives that are conflicting at times. One of these objectives is justice regarding past human rights abuses. While that is a key goal, it is not the only one. There is also political stability and creating a climate

“Memory that serves the development of a nation is that which understands the past, bears its errors and faults, and in this way creates the conditions for a real reconciliation.”

— Genaro Arriagada

that is conducive to economic development and social progress. This is to forge a rapprochement between two irreconcilable positions, which means to say that it is not a black-and-white matter; either amnesty or complete justice. There is a middle ground that is much more fruitful: full truth, reparations, truth commissions and the most justice that is possible, which is not to say full justice."

A Francesca Lessa, post-doctoral research assistant at the Latin American Centre at the University of Oxford: "After over two decades of widespread impunity, Law 18,831 finally re-established Uruguay's punitive capacity in relation to aberrant crimes that had been committed during the country's dictatorship. These crimes had previously fallen under the remit of the Ley de Caducidad of December 1986, an amnesty law 'in disguise' which had declared the state's punitive capacity for past human rights crimes 'expired.' Law 18,831 further declares that the crimes committed during state terror were 'crimes against humanity,' thus clarifying that no statutes of limitation could apply. As in

neighboring Argentina and Chile, struggles against impunity in Uruguay date back many decades. While the 1989 referendum was unsuccessful, periodic attempts endeavored to undermine impunity. All of these efforts have occurred against a sustained backdrop of policies of silence and oblivion championed by Uruguay's democratic governments from 1985 to 2005. Since 2005, an increasing convergence of interests has developed between Frente Amplio governments and civil society and victims' organizations; in fact, several important prosecutions against past human rights abuses have recently begun. Nonetheless, civil society and victims' groups remained the main driving force against impunity in Uruguay. In the coming months, four trends can be expected. First, there will be a surge in prosecutorial activity relating to previously judicially archived human rights cases, which have now been re-opened. Further, new denunciations will occur: over the past two weeks, almost 200 new cases of torture, rape, illegal detention and kidnapping have been presented. Second, military and police officials will question the constitutionality of Law 18,831 in court and demand the application of statutes of limitations to past crimes. Third, the judiciary—the Supreme Court in particular—will have to tackle the question of the constitutionality of Law 18,831 and whether the crimes of the dictatorship constitute 'crimes against humanity.' Lastly, the struggle against impunity by civil society and victims' organizations will continue: other facets of impunity still need to be addressed, including access to the dictatorship's archives, the location of the human remains of the disappeared and a comprehensive policy of reparations for victims."

The Advisor welcomes reactions to the Q&A above. Readers can write editor Gene Kuleta at gkuleta@thedialogue.org with comments.

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