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## FEATURED Q&A

# Is Duque Able to Change Colombia's Peace Accord?



Colombian President Iván Duque has criticized the country's 2016 peace deal with the FARC, saying it is too lenient on the rebels. // File Photo: Colombian Government.

**Q** Colombian President Iván Duque, who was elected on promises to rework the country's 2016 peace accord with the Revolutionary Armed Forces of Colombia, or FARC, rebels, is asking Congress to review parts of the deal that regulate the tribunal that is tasked with handling war crimes. Duque has long argued that the peace deal is too lenient toward the FARC. Does Duque have enough support among lawmakers to make changes to the peace deal? Would new talks have to be opened with the FARC? What would happen long-term if the government makes changes unilaterally? Is it even possible for Colombia's Congress to change agreements in the accord, given that they are already codified in law, endorsed by Colombia's constitutional court and enshrined in the country's Constitution?

**A** Peter DeShazo, visiting professor of Latin American, Latino and Caribbean Studies at Dartmouth College and former deputy U.S. assistant secretary of state for Western Hemisphere affairs: "No aspect of Colombia's 2016 peace agreement with the FARC has generated more controversy than the concept of a 'Special Jurisdiction for Peace' (JEP in Spanish). The JEP deals with the thorniest issues of the agreement: investigation and judgment of major crimes committed on all sides, advocacy/reparations for victims and follow-up/enforcement, including extradition. Former President Uribe has strongly criticized the JEP, claiming it promotes impunity for FARC crimes, a position Iván Duque took as a candidate for president in 2018. A considerable slice of public opinion shares this view. Rather than signing

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The South American country's poverty rate rose six percentage points as compared to a year earlier. The economy has been battered by high inflation and a currency crisis.

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The government of Venezuelan President Nicolás Maduro banned National Assembly President Juan Guaidó from holding office for 15 years. Guaidó, who is internationally recognized as the country's acting president, dismissed the ban, saying Maduro's government is illegitimate.

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Guaidó // File Photo: Venezuelan National Assembly.

## POLITICAL NEWS

## Venezuelan Gov't Bans Guaidó From Holding Office

The government of Venezuelan President Nicolás Maduro on Thursday banned opposition leader Juan Guaidó, who is internationally recognized as the country's acting president, from holding office for 15 years, the Associated Press reported. Guaidó, the president of Venezuela's elected National Assembly, which Maduro has sidelined, shrugged off the ban, saying it would not stop his efforts to oust Maduro. State comptroller Elvis Amoroso, a close ally of Maduro, announced the ban, citing alleged irregularities in Guaidó's financial records. Guaidó has failed to explain who paid for foreign trips he has made as a legislator, said Amoroso, Reuters reported. Last month, Guaidó traveled to other Latin American countries with the aim of gaining more support for his efforts to force Maduro from office. The ban came amid tightening pressure against the opposition by Maduro's government, which earlier this month arrested Guaidó's chief of staff, Roberto Marrero, and accused him of involvement in a "terrorist" plot to topple the government, the AP reported. "We're going to continue in the streets," Guaidó said after Amoroso announced the ban on state-run television. Guaidó also dismissed the ban and Amoroso, saying Maduro's government is illegitimate. "The only body that can appoint a comptroller is the legitimate parliament," said Guaidó, Reuters reported. The U.S. government also dismissed the ban. "That's rich, and that's ridiculous," said State Department spokesman Robert Palladino. During a meeting in Ecuador, representatives of a group of Latin American and European countries, which says it is working to peacefully restore democracy in Venezuela, also blasted the Maduro government's move. "Such a political decision without regard to due process is yet another demonstration of the arbitrary nature of judicial procedures in the country," the International Contact Group on Venezuela said in a statement, the AP report-

ed. The escalating struggle over Venezuela's disputed presidency came as the country has been suffering multiple widespread power outages over the past month. On Thursday, Communications Minister Jorge Rodríguez said electricity had been restored to most areas of the country following blackouts earlier in the week. However, experts warn the country's electrical system is prone to continued disruptions. Public offices and schools remained closed on Thursday, but more people were in the streets of Caracas as compared to earlier in the week, and many were able to make electronic payments again for the first time in days. "It's a moment of happiness in the middle of this tragedy, to see that my card worked," Caracas resident María Isabel Vera told the AP after purchasing medicine in a pharmacy. [Editor's note: See related [Q&A](#) in Thursday's Advisor.]

## ECONOMIC NEWS

## China Open to New Trade Deals With Brazil: Ambassador

China is willing to negotiate new trade and investment agreements with Brazil, including a double tax treaty, as it seeks to boost engagement with Latin America's largest economy, new Chinese Ambassador to Brazil Yang Wanming said, Bloomberg News reported Thursday. "We're willing to study, together with the Brazilian side, measures to facilitate and liberate trade and investments, negotiate agreements to protect investments and avoid double taxation," Yang told Bloomberg News. Brazilian President Jair Bolsonaro, who took office on Jan. 1, had blasted China on the campaign trail but has since scaled back his critical comments. Yang denied a deterioration in Chinese ties with Brazil under Bolsonaro, saying "pragmatic cooperation is the touchstone in the relations" of the two countries. "The new government has been clear that it will follow the spirit of contract law and guidance of the market to promote even more trade and

## NEWS BRIEFS

## Ecuador's Top Prosecutor Decides Against Investigating Correa

Ecuador's chief prosecutor will not investigate allegations that former President Rafael Correa received some \$281,000 from Venezuela to destabilize the government of current Ecuadorian President Lenín Moreno, the prosecutor's office said Thursday, the Associated Press reported. Authorities said that records show no indication of illegal activity, adding that the prosecutor wouldn't have jurisdiction over a case involving Venezuela. Ecuador's anti-corruption secretary had sought an investigation against Correa, delivering an official complaint on Wednesday.

## Mexico's Central Bank Holds Rates Unchanged

The board of Mexico's central bank on Thursday voted unanimously to keep interest rates unchanged at 8.25 percent but did not rule out increases in the next meeting, given the bank's goal of getting inflation down to 3 percent, The Wall Street Journal reported. A slowdown in the Mexican economy, as well as easing inflation and the forecast that the United States won't raise interest rates this year, have driven expectations that the Bank of Mexico would start cutting interest rates later this year from the current 10-year high.

## Brazil's Rumo Wins Auction to Build Freight Railway

With a bid of 2.7 billion reais (\$694 million), Brazilian logistics company Rumo won a government contract to construct and operate a new freight railway for 30 years, Reuters reported. The 1,537-kilometer Norte-Sul Railway, which could open in two years, would primarily be used to move agricultural products, though it would also be used to transport fuel and bauxite, said Rumo CEO Julio Fontana.

investment between Brazil and China," he said, Bloomberg News reported. China is Brazil's top trade partner, with the total amount of goods traded between the two countries reaching \$113 billion last year, in addition to more than \$70 billion in Chinese investments in the South American country's infrastructure, logistics, agriculture and energy, according to the report. In January, Brazil's government announced it would resume high-level trade talks with China later this year with the first meeting of the China-Brazil High-Level Coordination and Cooperation Committee, or Cosban, since 2015, Reuters reported. [Editor's note: See related [Q&A](#) in the Feb. 14 issue of the Advisor.]

## Argentina's Poverty Rate Jumps to 32%: Statistics Agency

Argentina's poverty rate in the second half of last year jumped to 32 percent, six percentage points higher than the same period a year earlier, according to data that national statistics agency INDEC released Thursday, La Nación reported. Nearly 13 million people in Argentina are now considered poor, with almost 2.6 million people falling below the poverty line during 2018, a year marked by sky-high inflation, a currency crisis and a severe drought in the first quarter that plunged the South American country into a recession. The percentage of citizens living in extreme poverty reached 6.7 percent, according to INDEC figures, the Buenos Aires Times reported. According to the survey, almost nine million people in the 31 largest urban centers in Argentina were living below the poverty line. INDEC does not measure poverty in rural areas. Unemployment currently stands at 9.1 percent, but it is expected to reach double digits later this year, the Buenos Aires Times reported. "We reiterate that we will continue to prioritize the reduction of poverty," Health and Social Development Minister Carolina Stanley said Thursday, according to the report. "[The government] thought we could lower inflation faster, and clearly, inflation impacts the poverty figure," she added. [Editor's note: See related [Q&A](#) in the Feb. 7 issue of the Advisor.]

## TECHNOLOGY BRIEFS

### Millicom Launches Data Center in Nicaragua

International telecommunications company Millicom on Tuesday announced the launch of a data center in Nicaragua, the latest addition to a total of 10 such centers in Latin America, Millicom said in a statement. By the end of this year, the Luxembourg-based company expects to have six new data centers in Nicaragua, El Salvador and Honduras. It already has data facilities in Colombia, Paraguay and Bolivia, in addition to data centers in Panama that it acquired as part of its purchase of Cable Onda. With the latest Nicaragua center, Millicom's total investment in data infrastructure in the region amounts to more than \$68 million, according to the company. The data centers "provide increased data protection measures, increased energy efficiency and integrated services such as cloud servers, applications [and] storage," as well as cybersecurity and the Internet of Things, the statement said. Millicom provides cable and mobile servers to more than 48 million customers, mainly under the Tigo brand, in emerging markets, including Latin America and Africa.

### Etecsa, Google Reach Deal to Improve Connectivity in Cuba

Cuba's telecommunications monopoly Etecsa and Google on Thursday signed a deal to work together with the aim of improving Internet traffic exchange between their two networks and connectivity on the Caribbean island, Reuters reported. Under the agreement, Google and Etecsa will begin the negotiation of a so-called "peering agreement" that would create a cost-free and direct connection between their two networks. This would improve access to content hosted on Google's servers and reduce costs for Cuba, where Internet connections remain slow and expensive.



Díaz-Canel // File Photo: Cuban Government.

"The implementation of this Internet traffic exchange service is part of the strategy of Etecsa for the development and computerization of the country," the companies said in a joint statement, which was read at a news conference in Havana, Reuters reported. Cuban President Miguel Díaz-Canel has made connectivity a priority, introducing mobile Internet in December for the first time in the island's history. [Editor's note: See related [Q&A](#) in the Sept. 11 issue of the Advisor.]

### Argentina, China's ZTE Strike Telecom Deal

ZTE and the Argentine province of Jujuy have reached an agreement worth \$28 million for the Chinese telecommunications company to build fiber optic cable systems in the region, Deputy Finance Minister Félix Martín Soto told Chinese daily the Global Times on Wednesday. Under the deal, ZTE will provide "a whole package service" to the province, which would include the fiber optic cable, cameras and control software, as well as emergency response alerts, according to the report. The project is expected to start in the coming weeks, Martín Soto said.

## FEATURED Q&amp;A / Continued from page 1

the enabling legislation passed by Congress that governs the structure, function and jurisdiction of the JEP, Duque has objected to six articles in the legislation and sent it back to Congress. Colombia's constitutional court will (again) review the legislation once Congress has considered Duque's objections. Duque may be hard-pressed to muster enough votes in Congress to change legislation that had been approved after a long process of debate and judicial review. Also unclear is Duque's motive for making these 11th-hour objections to the legislation. Regardless, the JEP debate must not divert the attention of policymakers from the pressing security, economic and social development challenges that the country confronts nor set back the full and timely implementation of the peace agreement, which is central to the national interest of Colombia."

**A** **Gimena Sánchez-Garzoli, director for the Andes at the Washington Office on Latin America:** "On March 7, President Iván Duque remanded crucial legislation that establishes Colombia's transitional justice system. In particular, he is proposing six key changes of the 159 peace provisions that are key to the Special Jurisdiction for Peace (JEP). These changes are a serious blow to the already fragile peace process his government has only tepidly supported due to international pressure. The idea that the peace deal is too lenient toward the FARC is not accurate. The accord is in line with internationally established standards for transitional justice. By proposing revisions to the JEP, Duque will affect the 9,587 FARC ex-combatants and 1,938 members of the Colombian armed forces who already agreed to tell the truth before the tribunal. Additionally, the Colombian Congress and constitutional court equivocally affirmed the JEP's constitutionality. Therefore, Duque is creating chaos and confusion, undermining rule of law and sending a message to victims that their right to truth, justice, repa-

rations and non-repetition do not matter. He is unlikely to get all the changes proposed. However, it will win the candidates he supports in the October elections some votes."

**A** **Fernando Cepeda Ulloa, professor of political science at Universidad de los Andes in Bogotá and a former Colombian interior minister:** "Only 18 percent of Colombia's registered voters went to the polls to support the peace accord in October 2016, a referendum in which just 37 percent of voters participated. In the vote, the following were clear: first, the rupture of political consensus on a fundamental issue; second, the fragility of the agreement; and third, that the political conflict around the accord would be the main issue of the following presidential campaign. All of these factors are still present in Colombia's politics, and the triumph of those who rejected the accord reinforced them. Given the characteristics of Colombia's political system, it is no coincidence that Iván Duque won the presidency with nearly 54 percent of the vote, the highest vote in our history. The chief negotiator of the peace agreement, Humberto de la Calle, received just 2 percent of the vote in the first round. President Duque doesn't have a majority in Congress. Although he could construct one by resorting to clientelism and patrimonialism—serious sources of mega-corruption—he refuses to do so. He would rather have a separation of powers and democratic debate. The democratic triumph of the voters who rejected the accord should give way to some changes. It's nearly impossible because a constitutional and legal framework has been constructed that makes changes difficult. Thus, the rupture of consensus deepens, ungovernability increases and distrust grows. Building consensus on the peace agreement is urgent."

*The Advisor welcomes comments on its Q&A section. Readers can write editor Gene Kuleta at [ekuleta@thedialogue.org](mailto:ekuleta@thedialogue.org).*

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