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# Government and Farc seal new peace accord

Colombia might soon emerge from what President Juan Manuel Santos has described as "a dangerous and risky limbo". Six weeks after the Colombian public narrowly rejected a peace accord with the Fuerzas Armadas Revolucionarias de Colombia (Farc) in a national referendum, government and guerrilla negotiators in Cuba agreed on a series of revisions. Many of the objections of those who spearheaded the 'no' campaign were incorporated into the new accord in some form, but although they amounted to more than "tweaks" they fell short of the "profound revisions" demanded by the most visible figurehead of the 'no' vote, former president Alvaro Uribe (2002-2010).

Government and guerrilla negotiators in Cuba went into "conclave mode" on 4 November and emerged eight days later with a new accord. Agreements were reached on 56 of the 57 "thematic sections" into which the myriad proposals from the 'no' camp had been condensed. The adjustments and clarifications were integrated into the original peace accord, requiring a methodical re-reading of the text, which was expanded from 297 to 310 pages, to isolate them.

The political participation of Farc leaders was the only one of the 57 sections upon which no agreement could be reached over proposed revisions. The Farc will be guaranteed five seats in each of the 166-seat lower chamber and the 102-seat senate for the 2018 and 2022 elections in order to become established as a political party irrespective of whether it surpasses the electoral threshold. Uribe has been adamant that "convicted terrorists" should not be granted elected posts. He wanted Farc leaders guilty of serious abuses to be imprisoned and blocked from taking up congressional seats. But President Santos was unperturbed by the failure to renegotiate this point: "The reason for all peace processes in the world is precisely so that guerrillas down their weapons and are able to participate in politics legally."

Some significant changes to the composition and function of the transitional justice system were made but Uribe's proposal that this should be scrapped was never entertained. There will be no foreign judges with sentencing power on the transitional justice tribunal; it will be made up exclusively of Colombian judges with some foreign assistant judges. The remit of the transitional justice system, which would stretch for 10 years, has been watered down. Its scope would be limited to prosecute third parties suspected of financing illegal armed groups, such as the paramilitary Autodefensas Unidas de Colombia (AUC), while businessmen accused of financing or deriving benefits from any of the illegal armed groups would not have to be appear in civilian courts. These both constitute a compromise from the Farc.

#### **US** support

The US Secretary of State John Kerry described the revised peace accord as "an important step forward" and stressed that the US would "continue to support full implementation". In a statement Kerry added that "After 52 years of war, no peace agreement can satisfy everyone in every detail". The concern for President Santos is that US support for the peace accord, both rhetorical and (crucially) financial, will not endure when president-elect Donald Trump takes office next January. Santos did speak to Trump on 11 November, however, thanks to the intercession of the former mayor of New York, Rudy Giuliani. Santos said that he had agreed with Trump "to strengthen the strategic and special relationship between Colombia and the US".

Under the new accord, the vaguely defined "restriction of liberty" for members of the Farc who confess to crimes and are sentenced by the transitional justice system was clarified. Those convicted will receive lenient sentences and will be detained in rural encampments no larger than the 'concentration zones' in which guerrillas are poised to demobilise.

In a televised address to the nation in which he sought to highlight the additional concessions extracted from the Farc, Santos also hailed the fact that the guerrilla group had promised to present a full inventory of all of its financial resources and assets within 180 days in order to provide compensation for victims of the armed conflict. It is worth noting, however, that just 24 hours before the referendum vote, almost as an afterthought, the Farc announced that it would provide such an inventory. The Farc might have won over many more voters if this had not come so late in the day. The Farc had previously said it lacked the financial means to contribute to post-conflict reconstruction.

Elsewhere, the new accord includes a change to the wording of the original accord on land reform, saying that the authorities would have the final say on land redistribution of some 3m hectares, while local communities would participate in the process but not control it. It insists that "nothing in the accord should affect the constitutional right to private property". This should go some way towards appeasing the 'no' campaign. Uribe, a major landowner himself, had demanded reassurances that the proposed land reform would not result in legitimately acquired land being handed over to *campesinos* as part of the redistribution.

The new accord also empowers the government to resort to manual eradication of coca crops, and crop spraying, if no agreement can be reached with communities over voluntary substitution of coca crops. It obliges all those appearing before the court to provide full details of their involvement in the drug trade.

The new accord sets in motion a special process of information gathering between the government, the Farc and victims' organisations about the 'disappeared' in the conflict. Finally, it seeks to remove concerns about so-called 'gender ideology'. The evangelical vote contributed around 2m votes against the original accord in the national referendum, according to leaders of Colombia's protestant churches because of the (unfounded) belief that it privileged the lesbian, gay, bisexual, trans and intersex (LGBTI) community.

#### Dispute

"This is a genuinely new accord. It is definitive...There is no room for a new negotiation," the government's chief negotiator, Humberto de la Calle, argued. In a private meeting with Santos, Uribe had appealed to the government to submit the revised accord to further observation and modification. But the government maintains that many of the proposed changes have been incorporated into the new accord and that there is massive popular support for peace; NGOs and victims' organisations coordinated a march in Bogotá on 15 November.

While Uribe's right-wing Centro Democrático is keen to drag its heels to study, revise and analyse the new accord in its own time, the government wants to move swiftly to end the current uncertainty. The government has made it emphatically clear that there will be no further modifications, but it has not revealed what will happen next. Implementing the revised accord directly through congress is the most likely course, being far less risky than a second referendum. Congress would have a short space of time to ratify the accord before going into recess in December, but it ought to be plain-sailing given the resounding support of the constituent parties in the ruling coalition and the left-wing opposition. Santos should then be able to receive his Nobel peace prize in December with the accord formally ratified.

#### ANDEAN COUNTRIES

#### **BOLIVIA | POLITICS**

#### CGI

In its Global **Competitive Index** (GCI) 2016-17, released on 4 October, the World Economic Forum (WEF) found Bolivia to be the second least competitive country in Latin America, ranking it 121 out of 138 countries worldwide, ahead of Venezuela (130). Bolivia had ranked 117 in the previous annual report. The WEF report - which prompted an angry response by the Morales government, cited corruption as the biggest problem when doing business in Bolivia. This was followed by inefficient government bureaucracy; restrictive labour laws; tax rates; tax laws; and an inadequately educated workforce.

#### Back on defensive over corruption

Bolivia's defence minister Reymi Ferreira was compelled to deny last week that corruption was endemic in the Bolivian armed forces (FFAA). Ferreira's remarks were in response to the attorney general's announcement that two former top military officials had been arrested for corruption. It follows other signs that the Movimiento al Socialismo (MAS) government led by President Evo Morales is struggling in its efforts to address public corruption. The issue was widely considered a key factor in Morales' unprecedented electoral defeat in the February 2016 referendum on whether to reform the 2009 constitution to allow him to run for a third consecutive presidential term (under the current constitution) in 2019 [WR-16-08].

Ferreira made his remarks on 7 November, just over a week after La Paz departmental prosecutor Edwin Blanco Soria revealed that former FFAA commander (2015) Omar Salinas and ex financial administration director of the army (2014) Winston Celis had been arrested on 26 October for the alleged crimes of dereliction of duty and anti-economic conduct.

The charges relate to the construction of a military outpost 'Gastón Velasco', in Aniceto Arce province, in the south-eastern department of Tarija. A 27 October statement by the attorney general's office cites an investigation that it carried out which determined the contracting process for the construction of the outpost (at a cost of B\$2.1m/US\$304,000) to be "irregular and illegal".

The case dates back to December 2013 when then general commander of the army Fernando Zeballos, who went on to serve as deputy defence minister (2014-2015), signed nine contracts with the construction company Asociación Accidental Integración del Chaco' with funds from Morales' flagship government programme, 'Bolivia Cambia, Evo Cumple', but these works were never actually carried out. Zeballos has been detained since July 2016. He stands accused of dereliction of duty, influence-trafficking, and signing contracts damaging to the state.

#### Military corruption scandals

The latest scandal follows other corruption-related problems which have embroiled the military. Back in September 2015, the government was compelled to declare bankrupt the state-owned army construction company Empresa Constructora del Ejercito (ECE), which ended up costing the state some B\$60m in losses.

ECE was set up in 2012. In July 2016, the state news media *Cambio* reported that 18 people had been called to testify in relation to the case which centred on six infrastructure projects. These include construction of the Río Grande gas plant (Santa Cruz department) and overhaul of the Unduavi-Chulumani highway (La Paz department).

#### **Public concern**

That public corruption remains a widespread concern was suggested in an opinion poll released in September by Mercados y Muestras for the opposition daily *Página Siete*. In the survey – which, it is worth pointing out, only covered urban areas, where support for Morales is weakest – a total of

#### Cabello and Trump

Diosdado Cabello, number two in the ruling Partido Socialista Unido de Venezuela (PSUV), has suggested that the Caracas government might ask the incoming US president Donald Trump to deport certain Venezuelans in the US wanted for corruption at home. He mentioned two former bankers, Eligio Cedeño y Nelson Mezerhane, as well as Rafael Isea y Hebert García, two former Venezuelan government officials turned whistleblowers, who are living under US protection. Cabello also said that Trump was being subjected to the same kind of "media attacks" that the Venezuelan government "has had to live with daily for the past 18 years". Trump himself has made clear his disapproval of the Maduro administration.

44% of respondents cited corruption and narco-trafficking as the government's main problem.

The survey also noted at least 10 major corruption cases since the Morales administration took office for the first time in 2006. These include the scandal in the government's indigenous development fund (Fondioc), which broke back in February 2015 [WR-15-12]. In addition to this, the survey noted the case involving the Chinese company CAMC, which made headlines a year afterwards. This followed claims that a manager at the local CAMC branch, Gabriela Zapata Montaño, had been involved in a relationship with Morales, which began in 2005 but ended two years later after the two had a child that subsequently died.

The CAMC scandal, which the MAS directly blamed for Morales' unexpected electoral defeat in the February referendum, led the political opposition to accuse Morales of using his influence to get Zapata the job. This, in turn, fanned concerns regarding influence-trafficking in the awarding of state contracts to CAMC. A congressional investigative commission subsequently cleared Morales of any wrongdoing but the damage had already been done.

#### VENEZUELA | POLITICS & ECONOMY

#### Positive words but little else so far

The permanent council of the Organization of American States (OAS) on 16 November held an extraordinary meeting to discuss the latest dialogue effort in Venezuela, which is being mediated by the Vatican with the support the Union of South American Nations (Unasur). After the debate the council issued a statement, as proposed by Argentina, Brazil, Canada, Honduras, Mexico, Peru and the United States.

Reiterating an earlier declaration (dated 1 June last) about the situation in the Venezuela, the OAS said that the Council had agreed:

1. To welcome and support the establishment of the national dialogue in the Bolivarian Republic of Venezuela and recognise the commitment of both parties to peaceful, respectful and constructive coexistence and the decision to put the common good of Venezuela above any differences between parties.

2. To encourage the Government and the opposition Mesa de la Unidad Democrática to achieve concrete results within a reasonable timeframe to end the difficult situation facing Venezuela and to stress the need for the constitutional authorities and all political and social actors to act with prudence and avoid any act of violence or threats to the ongoing process.

3. To support the Vatican's important accompaniment of this process, and reiterate its support for the efforts of three the former presidents José Luis Rodriguez Zapatero, Leonel Fernández and Martin Torríjos [acting as the Unasur mediators].

And finally, the Council reiterated its readiness to support these efforts.

Separately, the OAS secretary general, Luis Almagro, put out his own statement, in which he said that he would like to convey his "gratitude to the delegations for the negotiating efforts that have concluded with the adoption of the declaration of the Permanent Council in support of the Venezuelan dialogue. "As a man of laws and of principles I believe that the path of negotiation and dialogue constitutes the main tool for reaching solutions to the problems of the region", Almagro continued. "In this framework, and as I have expressed repeatedly, we hope that the mediation of the Vatican in Venezuela restores the separation of powers, the electoral rights of the people and respect for the Constitution. I reiterate that the prompt liberation of all political prisoners is imperative, as is the expediting of electoral processes, putting the right of the people to vote and the implementation of a humanitarian channel first. Trusting that the efforts of the Permanent Council will be fruitful in this sense, I reiterate to the Chair the assurances of my highest consideration", he concluded.

Almagro has all year sought to get the region to focus on Venezuela, earning him some harsh criticism from the Maduro government, which accused him of interference. Thanks to its petro-diplomacy, Venezuela has managed to maintain a solid bloc of allies in Central America and the Caribbean that back it at the OAS, hindering Almagro's efforts. But the shift in the balance of power in South America in Argentina and Brazil has changed the tone at the OAS, with the Argentinian representation in particular taking a much tougher stance on Venezuela, backed by Brazil, Peru and others.

That Venezuela is now becoming more isolated in the region is clear. Costa Rica's former president and Nobel Peace laureate, Oscar Arias (1986-1990, 2006-2010), has told Germany's *Deutsche Welle* that Venezuela is "a narco state". "Many of the senior officials have been involved in drug trafficking and they know what awaits them when they leave power...That is the fundamental reason to deny the recall [presidential] referendum in that country", Arias observed. Arias added that Venezuela would need "international support, just as we did 30 years ago", in reference to the Central American Peace Accords.

Meanwhile, back in Caracas tensions remain high, with both sides still acting provocatively despite making pledges to tone things down in support of the dialogue process. The MUD-controlled national assembly on 16 November declared Rafael Ramírez, the former head of the state oil company Pdvsa, "politically responsible" for the loss of an estimated US\$11bn in funds to corruption during his decade-long tenure (2004-2014). The assembled MUD deputies voted unanimously to approve a newly finalised report into corruption at Pdvsa and called for a judicial investigation of Ramírez, now Venezuela's UN representative in New York. Venezuela's supreme court last month approved an injunction against the assembly's investigation, apparently at Ramírez's request.

Deputy Freddy Guevarra of the hard-line opposition party Voluntad Popular (VP), who is the president of the assembly's comptroller's commission, didn't mince his words. "When today we see a Venezuelan eating from the trash, it's because delinquents like Rafael Ramírez stole money and did not do anything to stop the pillage of Venezuela's main industry...Rafael Ramírez was involved, and directly responsible, for the biggest corruption case in Venezuela's history", he declared.

Ramírez replied on Twitter: "The dirtiest people in politics, the coupmongering fascists, hate us for returning our oil to the people. I'll always be proud of having fulfilled the most important of duties at the head of PDVSA. Long live Chávez!"

"[Venezuela is] a narco state.... Many of the senior officials have been involved in drug trafficking and they know what awaits them when they leave power.... That is the fundamental reason to deny the recall [presidential] referendum in that country."

Costa Rica's former president and Nobel Peace laureate, Oscar Arias

#### ECUADOR | POLITICS & ECONOMY

#### Petroecuador submerged in scandal

President Rafael Correa has admitted that a scandal centred on kickbacks for contracts at the state oil company Petroecuador "is probably the most serious" in the 10 years of his left-wing government. Local media are dubbing it Ecuador's 'Lava Jato' in reference to the massive kickbacks scandal at Brazil's state oil company Petrobras. The timing could scarcely be worse for the ruling left-wing Alianza País (AP) ahead of general elections in February next year.

According to Ecuador's attorney general, Galo Chiriboga, to date some US\$3.8bn in funds derived from corruption linked to Petroecuador have been found stashed in Panama. Ecuador has requested the return of the funds and is currently awaiting a second report on the matter from the Panamanian authorities. Chiriboga has also stated that Ecuador will request the extradition from the US of the former energy minister implicated in the case, Carlos Pareja Yannuzzelli.

Speaking on 7 November at the Universidad de Especialidades Espíritu Santo (UEES), Chiriboga said that Ecuador would request Pareja's extradition "at an opportune moment". "We have requested a revision of US policy towards Ecuador with regard to the handover of people with detention orders or extradition requests and we have emphasised the cooperation that we provide when they ask us," Chiriboga said. Clearly, the US is not cooperating as fast as Quito would like.

Chiriboga also referred to the alleged links of Vice President Jorge Glas to the case. Glas is running on the AP ticket in next February's elections, alongside his predecessor Lenín Moreno, the AP's presidential nominee. A Panamanian daily, *La Estrella*, has alleged that Panamanian authorities have a report implicating Glas in the Petroecuador case. Chiriboga said that his office would ask the paper to produce the evidence. "What we have said is that there is no evidence in the 'Panama Papers' that corroborate what this newspaper has mentioned. This newspaper must prove what it says and publishes," he said.

Around a dozen people are currently under investigation for alleged kickbacks – mostly relating to the refurbishment of Petroecuador's Esmeraldas refinery between 2008 and 2015. The judge investigating the case this week ruled that four of the accused (including Pareja's brother and sister) must be taken into custody while the investigation continues. The judge ruled that the four, which also comprise Ramiro Luque (from Galileo Energy, one of Petroecuador's suppliers) and Sonia Calero (from Grupo Azul, another supplier) had failed to comply with a 21 October ruling that required them to present themselves before a judge several times a week.

Although the four were also required to remain in Ecuador, it appears that all four have fled to the US. Ecuadorean authorities have thus been obliged to ask Interpol to add them to the existing list of individuals wanted for possible involvement in the scandal, including Pareja.

The apparent flight of individuals implicated in the case to the US is embarrassing for the Ecuadorean authorities, since it is not the first time that they have been unable to prevent high-profile suspects from leaving the country: cousin of the president and former central bank governor Pedro Delgado fled to the US while under investigation for embezzling public funds in 2012. Given that Ecuador extradites suspected criminals to the US only infrequently, it may be difficult to secure the extradition of the accused from the US.

#### Chiriboga

The attorney general, Galo Chiriboga, himself is under scrutiny over allegations that he was too slow to react to the 'Panama Papers', perhaps deliberately. Chiriboga said he was ready to go before the national assembly's audit commission to give testimony. "We are ready and I think it will be an opportunity for the country to learn in more detail about all the information that the attorney general has produced in this case," he said.

#### **ARGENTINA | POLITICS**

#### The struggle for electronic voting

Argentina's President Mauricio Macri has met with a group of nine provincial governors from opposition parties, as part of the government's efforts to push through a package of political reforms before the end of the year. A key element of the package is the introduction of the 'boleta única electrónica' (BUE) or electronic voting system, which Macri wants to put in place before the October 2017 mid-term legislative elections.

The federal lower chamber of congress has already approved a political reform package and a slightly different bill is still up for discussion in the senate. The government is seeking to get senate approval and, additionally, to consolidate the two bills, which will require another vote in the lower chamber, so that a definitive version can be written into law.

One element of the reform package appears to have overwhelming support in both chambers and across the main parties: equality of representation by gender. Existing legislation already requires that a minimum of 30% of congressional representatives be women. In fact, that quota was met in the country's last legislative elections held in October last year. A total of 38.5% of the lower chamber and 41.7% of the senate are women.

The new law takes this a step further. Political parties taking part in the October 2017 mid-term elections will need to ensure a 50-50 split between male and female candidates (*see sidebar*).

The overall package of reforms was passed in a 125-75 vote in the lower chamber in October, and a 54-2 majority approved the gender equality component on its own in a separate senate vote. These numbers suggest the gender equality provision will be easily approved in any subsequent votes.

Electronic voting, on the other hand, has proved more controversial. Electronic voting systems have already been successfully introduced in the city of Buenos Aires and in Salta province, but there is a fierce debate over the pros and cons of a national system.

Supporters of electronic voting, including the government, say it will reduce opportunities for electoral fraud and provide a quicker, more efficient and reliable vote-counting system. In particular, they say it will avoid the frequent problem where printed ballot papers – long lists of a party's candidates in preferential order – run short at polling stations. This has long been considered an area of electoral fraud – ensuring your opponent's printed ballots "go missing" is one way of manipulating voting results. Many in the opposition, on the other hand, are suspicious of electronic voting and believe it too might be open to tampering for the purpose of fraud.

#### Courting the governors

Macri's meeting with the governors was designed to persuade them to throw their support behind the approach favoured by the government. Although officials said the meeting was likely to deliver the votes of 15 opposition senators, sources suggested a number of governors remained to be convinced of the benefits of electronic voting. These were said to include Governor Juan Manzur of the northern province of Tucumán, even though in last year's general elections there were marked claims of fraud in the region, including the theft of ballot papers and the burning of ballot boxes.

#### Gender equality

Argentina's political parties will have to ensure that men and women are alternated in the order of priority in which they appear on preferential voting candidate lists. This is to prevent a situation where male candidates are concentrated at the top of the list and therefore win a disproportionately high number of the available seats.

The federal interior minister, Rogelio Frigerio, said the matter was urgent because the government wants to get electronic voting approved, to issue tenders for equipment providers, and to train electoral tellers and monitors, all in time for next year's mid-terms. Politicians from the main opposition Partido Justicialista (PJ, Peronists) have resisted the use of an electronic 'chip', arguing that it might be possible to hack the system. Officials have responded that an electronic system could be designed to print out physical ballot papers, meaning that votes could be counted both electronically but also physically as a back-up.

Frigerio said the law would not specify the technology in fine detail, but that any system would have to be signed off by the electoral authorities (CNE). Federal opposition senators Juan Manuel Abal Medina and Omar Perotti, both from the Frente para la Victoria (FPV, Kirchneristas) faction of the PJ, have submitted a rival bill where an electronic system is used only to select and print out ballots, which the voter then places in the ballot box – this system relies on a manual vote-counting process.

Government sources say they will push to get the reform approved by the end of December, and if necessary will call for additional congressional sessions before the end-of-year break, to allow a vote to be taken. They also say further political reform proposals will be made next year, including the possibility of new legislation on the funding of political parties and electoral campaigns.

#### BRAZIL | ECONOMY & POLITICS

# Fully opening up the 'pre-salt' to private exploitation

Brazil's federal congress has given final approval to a new bill that reduces the pivotal role that the state-owned oil firm, Petrobras, will play in the exploitation of the country's vast 'pre-salt' Atlantic deep-water oil fields. The initiative promoted by the government led by President Michel Temer is designed to help boost national oil production, stimulate domestic economic growth, and help ease Petrobras's financial difficulties. But the initiative is controversial, not least because it replaces legislation that the previous administration argued would ensure that Brazil fully benefitted from its pre-salt deposits.

Back in 2007 the Partido dos Trabalhadores (PT) administration led by former president Lula da Silva (2003-2011) passed legislation stipulating that Petrobras must have a 30% participation in all pre-salt hydrocarbon exploration and exploitation ventures. The Lula administration argued that this provision would ensure that the exploitation of the pre-salt fields produced wealth and economic benefits for all Brazilians by placing these resources under the close control of the state-owned oil firm. The reasoning was that in this way the state would be able to take the wealth produced by Petrobras' exploitation of the pre-salt fields and redistribute it among Brazilians.

For a few years the plans appeared to work, as foreign firms flocked to try to secure pre-salt oil concessions and investors ploughed capital into Petrobras. This led to Petrobras briefly becoming one of world's most valuable firms. But this began to change in 2013 as it became clear that Petrobras was ill prepared to lead the development of the pre-salt fields due to its lack of expertise, and the exploitation of these became seriously delayed. Meanwhile, as the 'Operation Car Wash' investigations into corruption at

Government sources say they will push to get the reform approved by the end of December, and if necessary will call for additional congressional sessions before the end-of-year break, to allow a vote to be taken. They also say further political reform proposals will be made next year, including the possibility of new legislation on the funding of political parties and electoral campaigns."

## Efice an example to follow

Further praising the 'Omega project', Uruguay's industry, energy & mining minister, Carolina Cosse, said that the Efice's investment plans set an example for other local firms to follow. Cosse said that other Uruguayan firms could emulate Efice if "they plan well and take advantage of opportunities". Meanwhile, Efice president Néstor Gómez Alcorta remarked that the Omega project shows that "it is not necessary to be a large multinational to develop an investment project of such magnitude", noting that this is "the largest industrial investment project carried out by a 100% Uruguayan-owned firm".

Petrobras have revealed, much of the money raised by the government during Petrobras's brief boom was not redistributed among all Brazilians, but much of it was siphoned-off by the country's political and business elite.

The colossal level of graft uncovered at Petobras not only deprived ordinary Brazilians of the significant wealth that the state-owned oil firm produced, but it also left the firm in a precarious financial position. Petrobras is now considered to be one of the world's most indebted firms, as oil production at the pre-salt fields remains stagnated and the value of Petrobras' assets has sharply fallen in recent years. Indeed, Petrobras' latest financial results, released on 10 November, show that the firm posted R\$16.4bn (US\$4.8bn) in losses in the third quarter (bringing the year-to-date losses to R\$17.33bn), on the back of the low price of oil in international markets and due to the revaluation of Petrobras' assets (the total value of which was reduced by some US\$4.46bn).

The release of Petrobras' poor financial results prompted the federal chamber of deputies to give final approval (by 292 to 101 votes) to a bill eliminating the Petrobras pre-salt participation requirement. Proponents of the bill, drafted by Foreign Minister José Serra, said that this provision had made the development of the pre-salt fields economically unviable to the ultimate detriment of Petrobras and Brazil. They argued that opening up the pre-salt fields to increased private participation would on the contrary promote its development and produce greater economic benefits for the country. However, opponents of bill, which included many PT and other left-wing legislators, expressed concerns that the opening up of the pre-salt deposits to more private participation could pave the way for the full privatisation of Petrobras and Brazil's entire oil industry. Such an outcome could prove to be deeply unpopular given that securing national ownership of Brazil's natural resources is not only supported by the Left but by many Brazilians.

#### **TRACKING TRENDS**

URUGUAY | Efice investment. On 10 November Uruguayan chemical firm Efice announced plans for a US\$300m investment in a new chemical industrial complex and wind energy farm in the southern department of San José. Efice president Néstor Gómez Alcorta said that the so-called 'Omega project' will allow the firm to triple its production of bleach, caustic soda, and other derivatives, with half of the new complex's production going to supply the domestic market and the rest to be exported to other countries in the region. Gómez added that the project would "impact the national economy in a positive way", noting that it represents the single largest investment in the country by a Uruguayan-owned firm. According to an Efice statement, the Omega project will comprise an industrial complex with 24 interconnected factories and a wind farm with a 60MW generation capacity that will provide clean and renewable energy to the complex. In addition, the statement says that the project also contemplates the construction of two riverine barges that will help to transport the complex's products to markets abroad. Gómez said that the project would also interest the increasingly relevant national pulp and paper industry, as pulp mills use large quantities of caustic soda. In fact, Gómez said that the Omega project would be able to supply 50% of the caustic soda used by Uruguay's three major pulp mills, which currently import all of it and face "huge logistical problems and costs". The project was also celebrated by industry, energy & mining minister Carolina Cosse, who attended the presentation of the project along with President Tabaré Vázquez. "This is a very big project that covers a number of chemical industry areas and incorporates innovation, scientific research, and technology, all of which is fundamental for national production", Cosse said. She added that Uruguay's chemical industry's output last year reached US\$1.3bn.

### MEXICO & NAFTA

MEXICO | POLITICS & DIPLOMACY

#### **Bracing for deportations**

Under a Donald Trump presidency, more undocumented Mexican citizens are likely to be deported than ever before from the US back to their country of origin. But exactly how many will be affected, and how fast this will happen, remains unclear, despite additional statements by the presidentelect. The net result is that the Mexican government has a major, but still unquantified, problem of reabsorption and resettlement hanging over it.

Since June 2015 Trump's presidential campaign focused remorselessly on promises to build a border wall and deport undocumented Mexicans back to their country of origin. Some form of accelerated deportation programme therefore seems inevitable. But Trump's first comments on the subject since winning the election have failed to give Mexico a clear indication of what to expect.

Speaking on the *60 Minutes* TV programme on 13 November Trump confirmed that the deportations would be one of his top priorities, saying "What we are going to do is get the people that are criminal, have criminal records, gang members, drug dealers – we have a lot of these people, probably two million, it could even be three million – we're getting them out of our country or we are going to incarcerate."

Taking the top line number, it would appear that Mexico could therefore face the return of up to 3m deportees in the next four years. The administration led by President Barack Obama deported 2.7m undocumented residents (of all nationalities) between 2008 and 2015 (an annual average of 386,000). This was the highest number of deportations in recent US history. If Trump were to deport 3m over the next four years, that would suggest a much higher annual average of 750,000 a year – double the previous rate, and possibly even higher initially, if the programme is "front loaded" in the first years of his presidency.

But the issue is complex. The real number of deportations could end up being lower. In the first place, the numbers used by the president-elect are contested. According to an estimate by the Pew Research Center think tank, there were 11.1m undocumented immigrants, of all nationalities, in the US in 2014. It has often been estimated that around half of them are Mexicans.

On the other hand, however, the number of undocumented immigrants with criminal convictions is estimated by the Migration Policy Institute to be 820,000, much lower than the 2m-3m suggested by Trump. Of those 820,000 more than half are thought to have convictions for relatively minor crimes, such as traffic offences, while 300,000 are felonies, the most serious crimes. This means that if the incoming US government wants to prioritise exclusively those with criminal convictions, it may have to deport fewer people, or if it wants to focus on the 2m-3m number, it will have to widen the criteria for deportation (*see sidebar*).

There are other obstacles to a much higher volume of deportations. According to Muzzaffar Chishti of the Migration Policy Institute, the logistics of deporting such large numbers would require a huge expansion of law enforcement staff, along with more immigration judges and prosecutors, given that the immigration court system is already clogged up with a backlog of around 500,000 cases.

#### Deportations

Clarissa Martínez de Castro of Hispanic lobby group La Raza says that to achieve the 2m-3m figure he has mentioned president-elect Donald Trump will have to cast "a very broad dragnet". Michelle Mittelstadt, also of the Migration Policy Institute, says "at present, and for the last number of years, Congress has essentially given the Department for Homeland Security enough money to identify, detain, and deport around 400,000 people annually. To ramp up this enforcement and detention and deportation machinery will require significant additional resources." US law requires all deportees, whether with or without criminal records, to be given due legal process, and that too could be time consuming.

There is a further problem posed by around 300 cities and towns in the US which have declared themselves to be "sanctuary cities" that will not cooperate with the deportation operations of US Immigration and Customs Enforcement (ICE). Although as a candidate Trump threatened to cut off their federal funding if they do not comply, some remain defiant. Mayor Betsy Hodges of Minneapolis has argued "witnesses and victims of crimes won't come forward if they think our police officers will question or detain them about their immigration status". She has reiterated that Minneapolis police "will not do the work of the federal government and ICE regarding immigration status".

A similar stance has been taken in Los Angeles where police chief Charlie Beck says up to half a million residents of the city may be undocumented, adding "This is a population we police by creating partnerships, not by targeting them because of their immigration status".

While taking this into account, seen from Mexico's position the fact remains that Trump campaigned and won the US presidential elections on a platform that promised large-scale deportations. The balance of probabilities therefore has to be that despite some checks and balances, he will be able to push through this policy.

Jorge Castañeda, a former Mexican foreign minister, has commented "if Obama, who campaigned for full immigration reform, and who never promised to expel undocumented workers, actually deported more than two million Mexicans and Central Americans during his eight years in the presidency it should not be surprising if Trump, who did make a promise to expel them, does just that. He may not deport all undocumented workers, but he will deport a significant number."

The question then becomes how should Mexico respond? Castañeda's answer is that the Mexican government should increase the resources available to the country's 50 consulates across the US, to enable them to defend the legal rights of Mexican citizens, whether they are undocumented or not. It should also, he says, use all legal means to resist any attempt by Trump to dismantle the North American Free Trade Agreement (Nafta), while seeking opportunities to increase economic integration elsewhere in Latin America. Rather than "give sermons on Mexico's importance to the US" the government should, Castañeda said, follow an active policy in defence of Mexican interests.

Government officials, on the other hand, initially have had relatively less to say on what they will do, possibly because they are still trying to assess the real size of the problem that will be thrown at them. Nevertheless, President Enrique Peña Nieto has said he will maintain a dialogue with the US and "work with enormous pragmatism".

The Mexican foreign ministry this week announced a series of measures designed to step up support for its citizens in the US, using its consulates to provide more appointments for migrants to get passports, birth certificates, and consular identification cards. It also advised Mexicans in the US to "avoid any conflict situation" and stay out of trouble with the law.

The "northern triangle" Central American republics (El Salvador, Guatemala, and Honduras) who also face the threat of mass repatriation of migrants, have said they will seek to forge a joint response with Mexico.

#### Shielding immigrants

New York mayor Bill de Blasio has said that president-elect Donald Trump's plans will not work "in the ultimate city of immigrants" and that he will attempt to shield undocumented immigrants from deportation.

#### New Turn in Veracruz soap opera

#### Financial crisis

Veracruz continues to struggle to cope with a major financial crisis. Javier Duarte is accused of having emptied its coffers on a gigantic scale. The 212 municipalities in the state are facing payment arrears of around M\$2bn (US\$96.6m), and many mayors had occupied the state government headquarters in protest. Teachers and doctors have also gone on strike and occupied government buildings in protest at not being paid. The state finance minister resigned on 15 November and has been replaced by a member of the incoming governor's transition team.

The impending handover of power on 1 December in the state of Veracruz, when Miguel Angel Yunes Linares, elected in June this year at the head of an opposition alliance between the centre-right Partido Acción Nacional (PAN) and the left-wing Partido de la Revolución Democrática (PRD) is due to be sworn in, is looking increasingly chaotic.

The incoming governor had been due to take over from the previous incumbent, Javier Duarte of the Partido Revolucionario Institucional (PRI). But on 12 October the deeply unpopular Duarte asked for leave of absence and stepped down, just ahead of being formally charged by the federal prosecutor's office, which accused him of money laundering and links to organised crime. With Duarte on the run, Flavino Ríos, also of the PRI, was appointed interim governor, readying himself for the handover to Yunes. The transition was already looking difficult because Duarte appears to have misappropriated or otherwise diverted much of the state's funds.

However on 14 November a letter, purportedly written by Duarte, was delivered to the state congress, announcing his intention to cut his leave of absence short and reclaim the governorship for the few final days of his term. Legal experts said that even though he faces federal prosecution, technically Duarte cannot be barred from taking up his post again. But state congress leader María Elisa Manterola said it was not clear whether the letter was genuine: she set a deadline for Duarte to appear in person to uphold his claim to reinstatement. Duarte failed to appear before the specified time, leaving many local politicians perplexed as to whether they had been hoaxed.

#### **TRACKING TRENDS**

MEXICO | **Unemployment continues to fall.** On 14 November Mexico's national statistics institute (Inegi) released new figures that show that the national unemployment rate in the third quarter of the year had reached 4% (or 2.2m people).

This year's third-quarter national unemployment figure is lower than the 4.6% unemployment rate registered in the comparable period of 2015. All of this suggests that although Mexico's GDP continues to show subdued levels of growth, the domestic economy continues to create jobs. This is encouraging for the government led by President Enrique Peña Nieto as it demonstrates that the domestic economy remains resilient despite external shock factors such as the persistently low price of oil in international markets, weaker global demand for Mexican goods, and the depreciation of the Mexican peso against the US dollar. Indeed, the Inegi report that found the level of underemployment (those that are currently working fewer hours than they would like, which traditionally tends to be high in Mexico) also fell in the third quarter. Inegi reported that the national underemployment rate in the third quarter was 7.8%, lower than the 8.5% rate registered in the preceding quarter. Yet on a more negative note, the lnegi report also shows that the proportion of workers employed in the informal sector of the economy increased in the third guarter of the year. According to Inegi, 57.4% of all Mexican workers were employed in the informal sector in the third quarter of the year, 1.8 percentage points higher than the proportion of informal workers recorded in the third guarter of 2015. The challenge for Mexico's economy and the Peña Nieto administration will be to continue the downward trend in the unemployment rate in the midst of the expected slowdown in the domestic economy following the election of Donald Trump as the US's new president in the 8 November general elections. The economic protectionist and anti-North American Free Trade Agreement (Nafta) stances exhibited by Trump during the electoral campaign have led economists to revise down Mexico's GDP growth forecast next year from a previous consensus of 2%-2.3% to a new consensus forecast of 1%-1.8%. If this forecast is fulfilled, it would be the lowest economic growth rate posted by Mexico since the 2009 global financial crisis.

#### NICARAGUA | POLITICS

#### **Complaints grow over elections**

Saturnino Cerrato, the presidential candidate for the small opposition Alianza Liberal Nicaragüense (ALN), has denounced irregularities in the general elections staged on 6 November which produced a sweeping (72.5%) victory for President Daniel Ortega and his ruling Frente Sandinista de Liberación Nacional (FSLN) [WR-16-44]. In keeping with other opposition candidates, Cerrato has accepted the result. However, his claims follow other concerns regarding both voting day and the electoral process which was administered by FSLN-controlled electoral authorities (CSE) and, on orders from President Ortega, in the absence of independent international observers.

In a press conference on 10 November, Cerrato, who came a distant fourth in the election with 4.3% of the vote, gave as examples of these irregularities: the CSE's refusal to release the figures concerning absentee voters; and annulled ballot papers. Cerrato also cited acts of intimidation which took place at polling stations – particularly in those where the ALN had fielded candidates and including the one in which he himself voted. He also reiterated claims of widespread abstention, contrary to the CSE's official line that abstention was 31.8%.

Cerrato's claims come the day after Ciudadanos por la Libertad (CxL), one of two separate recently formed opposition coalitions, along with Frente Amplio por la Democracia (FAD), released a report on the elections, which was hugely critical of the process, and accused the authorities of misconduct. The CxL – which put abstention at 76.2% – also pointed to the intimidation of voters, particularly those who receive state benefits; the use of state funds in the FSLN campaign; and the deliberate manipulation of electoral statistics.

CxL accused the FSLN government of helping people to travel between voting stations to vote on multiple occasions, as well as manipulating the electoral register to create 545,161 'ghost' voters, thus significantly inflating the number of people who voted. By the CxL's calculations 1.034m people voted, compared to the CSE's figure of 2.58m.

#### Panorama Electoral report

A group of local organisations known as 'Panorama Electoral' (*see sidebar*), which sent 650 observers to voting centres around the country, released a similarly damning report on 7 November into the general elections. Overall, the report found that "the 2016 elections have failed to meet basic standards of electoral integrity and have represented an even further step back from three previous elections that were not credible."

Panorama Electoral reported 211 instances of intimidation or violence, noting that on voting day itself, three people were killed in the community of Magdalena, Ciudad Antigua municipality, in the northern department of Nueva Segovia. The local human-rights group, Centro Nicaragüense de Derechos Humanos (Cenidh), has since reported that the relatives of three killed have denied police reports that the deaths were the result of clashes between drug traffickers. Instead, the relatives maintain that the individuals were the victims of political persecution.

#### **Panorama Electoral**

The group of local organisations 'Panorama Electoral' comprises Grupo Cívico Ética y Transparencia [EyT]; Instituto de Liderazgo de las Segovias; Movimiento de Mujeres Chinandega; and Asociación de Voluntarios para el Desarrollo Comunitario).

The Panorama Electoral report cited multiple areas of concern both in relation to voting day itself and also the entire electoral period: irregularities in voter registration; the rulings by the CSE and supreme court (CSJ) against the main opposition Partido Liberal Independiente (PLI), which ended up third in the presidential vote, with 4.5%; the imbalance in financial aid for parties and the misuse of state funds and facilities; the lack of transparency on the part of the CSE; and the blanket ban on observers. This last factor prevented Panorama Electoral or anyone else from being able to observe the tallying of votes, casting further doubt on the elections."

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#### **Police deployment**

A deployment of national police (PN) officers was sent to Bilwi, the departmental capital of the North Atlantic Autonomous Region (Raan) on the remote, largely indigenous, Caribbean coast, on 8 November to re-establish order after violence broke out the previous day, the local media reported.

The clashes, which left 19 people hospitalised, took place between FSLN supporters and members of the regional indigenous party, Yatama, a former FSLN ally, after the latter called a march to celebrate the election of its leader Brooklyn Rivera to the 92-member unicameral national assembly.

The local press, which reported that the demonstrations were also staged in protest at the CSE's silence regarding the finalised electoral results, also noted that at least 20 shops in Bilwi were ransacked by mobs and local government premises were attacked with stones.

#### HONDURAS | FOREIGN RELATIONS

#### "Re-planting" relations with the US

Speaking to the Latin American Business Council (Ceal) in Miami, Florida, President Juan Orlando Hernández acknowledged that the victory of the radical Republican candidate Donald Trump in the US presidential election would put pressure on Honduras and its Central American neighbours.

Addressing the Ceal's 27<sup>th</sup> assembly, Hernández stated: "Without a doubt, after what we have seen at the end of the election campaign in the US, it is necessary to replant our relation with that market. I believe that there is no need to wait until 20 January, we must start now." Hernández argued that regional politicians and business leaders needed to make clear to the incoming Republican administration that stronger relations would be good for both sides.

In 2014, the Barack Obama administration launched the Plan of Alliance for Prosperity (PAP) in conjunction with the Northern Triangle (Honduras, El Salvador and Guatemala). The plan aimed to tackle the root causes of the unaccompanied child migrant crisis from Central America. Some US\$750m in aid under the plan was approved by the house of representatives earlier this year and is pending approval in the senate. Ahead of the US election, Hernández expressed optimism that irrespective of who won, the US would continue supporting the PAP. The anti-free-trade stance of Donald Trump, however, and his hostile attitude towards immigrants, has caused clear alarm in the region.

Like its neighbours, Honduras has long depended on the US not only as the country's principal trade and investment partner (with a sizeable and mostly US-owned maquila business in the country), but also for close security cooperation. The US military's Southern Command (SouthCom) has a strong presence in Honduras, with a main forward operating base for its Joint Task

Force Bravo at the Soto Cano airbase, outside Tegucigalpa, along with three remote forward operating bases in drug-trafficking hot-spots in the country. The US Drug Enforcement Administration (DEA) operates members of its elite Foreign-Deployed Advisory Support Team (FAST) out of some of the Honduran bases. The US military has also part funded a relatively new naval base on the Bay Islands.

There are an estimated 1.2m Honduran migrants in the US, legal and illegal, on Honduran government estimates. They send home the equivalent of 20% of GDP every year in remittances to relatives. Hernández declared that "at base", Honduras and the US have "the same objectives". "If you talk about migration, no-one wants people to leave their country, and so what we are concerning ourselves with is opportunities", he stressed. "We in the Northern Triangle are seeking to generate opportunities with our brothers in El Salvador and Guatemala, and soon with Nicaragua, Costa Rica and Panama; and why not with the whole continent". The illegal migration of Central Americans to the US could be braked with employment and investment, so that regional economies can grow, he said. "To reduce poverty, resources are required, and capital produces that" he emphasised, noting that Honduras should also be able to attract investment from Asia, thanks to its qualified labour force and a privileged geographic position, in the very centre of the Americas.

Hernández commented that in conversation with the Republican leadership of congress he had told them, "Look, we are neighbours. You are going to be the North and we are going to be in the South. It's not going to be any other way. Neighbours have to get along, and have to consider themselves as family, my father used to say.... If we look at each other differently, we are going to have problems."

"We need to have a strong presence in Washington now, so as to identify the new leaders of the administration and talk to them", he urged. The Ceal elected a Honduran businessman, Camilo Atala, as new president at its assembly. Atala heads up the largest bank in Honduras, Fichosa.

Meanwhile, it has been announced that the current Honduran ambassador to the US, Jorge Milla, will leave his post and return to the foreign relations ministry in Tegucigalpa. A new ambassador has yet to be named but the government's secretary for general coordination, Jorge Ramón Hernández, said that the change was in response to the change of government in the US in January and that President Hernández would shortly take a decision as to a new representative in Washington.

#### Ambassadorial clarification

The US ambassador in Tegucigalpa, James Nealon, issued a statement clarifying the position on Hernández's decision to seek re-election in November 2017 under a controversial supreme court move to strike out the longstanding ban on re-election. The statement came after the US State Department appeared to suggest that the department was not supportive of the Hernández decision.

"It is clear that remarks made by the spokesman about the electoral process in Honduras have been misinterpreted. Media and others are interpreting the spokesman's remarks as opposing the candidacy of President Hernandez for re-election in Honduras. The US Government does not oppose President Hernandez or others from presenting themselves for re-election according to Honduran democratic processes. It is up to the Honduran people to determine their political future through their democratic institutions and processes. Strong democratic institutions produce successful democracy, and presidential term limits, which we understand President Hernandez has called for, reinforce this principle", the ambassador's statement noted.

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#### Quotes of the week

"I had said that the 26 September agreement was the best possible...today I humbly recognise that this deal is better." Humberto de la Calle, the head of the Colombian government's peace negotiating team with the Farc, on the revised peace accord signed by the two sides.

Just as with the sea, we usually see the waves but have no idea what is happening with the waters below, how the currents are moving. So, politicalsocial phenomena have a surface and deeper meanings." Uruguay's former president José Mujica (2010-2015) on the US presidentelect Donald Trump.

"I'm going to prove I'm innocent. This shows my good faith and willingness to prove it. This sets a precedent." Mexico's Guillermo Padrés (2009-2015), the former governor of Sonora.

### POSTSCRIPT

#### El Salvador averts default

It took six weeks of crisis talks but El Salvador's polarised political parties finally struck a fiscal pact on 10 November which lays to rest the fear of a default – for now. The ruling left-wing Frente Farabundo Martí para la Liberación Nacional (FMLN) and the main opposition party, the right-wing Alianza Republicana Nacionalista (Arena), had traded diatribes but little in the way of proposals. The FMLN has been pushing for the approval of a US\$1.2bn bond emission; Arena eventually granted less than half of this amount (US\$550m).

"This fiscal accord marks a precedent," Arena's president Mauricio Interiano said. "We managed to put the interests of the nation above any political interest." There was plenty of politicking, however, before the accord was reached. Accusing the government of profligacy and waste, Arena conditioned its legislative backing for the bonds upon the approval of a fiscal responsibility law. The government led by President Salvador Sánchez Cerén also had to commit to present a budget for next year based on more realistic income and expenditure, and to request a standby arrangement with the International Monetary Fund (IMF).

Of the US\$550m total, US\$307m will go towards converting local short-term debt (Letes) into eurobonds with longer maturity; US\$82m to pay the economic and social development fund (Fondes) owed to the country's mayoralties since September; US\$65m to pay public sector salaries; US\$50m to repay government suppliers; and US\$46m for energy subsidies.

The bond emission was approved by 73 of the 84 deputies in the legislative assembly. Approval of bond emissions needs a two-thirds majority of 56, requiring the support of Arena, which has 35 deputies.

Sánchez Cerén said that the fiscal accord could have been better but was the best that could be achieved. FMLN and Arena negotiating teams will now continue talks over the remaining US\$650m of bonds sought by the government. Arena is reluctant to approve any bond emissions that would grant the Sánchez Cerén administration additional spending power.

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