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Editorial

Health and Work: What do we do?

We enter the final stretch of the year 2020 with two great challenges for the country: 1) Reduce the rising curve of infections and 2) Seek a formula to extend the legislation on suspended contracts and the reduction of working hours.

In recent weeks, the number of people who have tested positive in the daily tests they take has increased, both the authorities, private companies and the citizens themselves who submit to them.

There are various theories that explain this increase, among which the fact stands out that after a long period of confinement and a reduction in the number of cases, people have lowered their guard in terms of

prevention measures and also in the physical contact of people who are not part of the family bubble. The use of certain medications that have proven effective in reducing viral load in first few days that person is infected has also been too restrictive. Another important fact is that a very wide expectation has been created about the eminence of a vaccine that would be applied during the month of December and this has generated a false belief that this application of the vaccine will solve the problem immediately.

We have seen that several pharmaceutical companies have asked the official entities that have the responsibility to approve the use of these vaccines, that urgent procedures be applied to

bring these products to market, which, as indicated, have a high percentage of fighting the virus. This confusing environment has caused an increase in infections worldwide, and in the particular case of our country, we have returned to worrying levels.

However, the foregoing, we must also emphasize that the "Todos Unidos por Panamá" program has had excellent results in the different districts in which it has been applied, reducing the number of infected and in particular the number of people who reach the hospitals. This program deserves, not only recognition, but a decided support from the entire community so that it can be applied throughout the country.

The authorities of the Ministry of Health have been threatening citizens with a return to the period of confinement or quarantine, and this has also had a counterproductive effect because many people are taking advantage of the weekend periods for leisure activities, which a sometimes they are out of control.

It must be recognized that our ancestral customs are based on close contact, kisses, hugs, family gatherings, public and private shows, dances and all this implies the non-existence of social distancing. Therefore, it is complex and exhausting to obey these practices contrary to the nature of modern societies. Also, it must be recognized that our population has a high percentage of young people who, although they can be infected, do not necessarily suffer the attacks of the so-called comorbidities and, therefore, can resist contagion.

Another issue that is taking away sleep of citizens, concerns what will be the labor outlook as of December 31, 2020? When legislation issued at the beginning of pandemic that suspended contracts, ordered closure of thousands of companies and reduced the hours of other companies, which have had the opportunity to maintain their operations with great limitations. As we know, any solution to

this state of affairs requires a law of formal meaning, and therefore, the participation of the Assembly of Deputies, an entity that is orphaned of a good public appreciation and that has not demonstrated the ability to address in a manner transparent and profound the serious problems that the country is going through.

I believe that the executive faces a short-term and long-term career to achieve a frank and direct dialogue with the sectors of workers and employers, particularly due to the fact that more than 90% of the country's business fabric is made up of micro, small and medium-sized companies, many of which have become extinct or have very serious financial situations to face their commercial, banking and labor commitments.

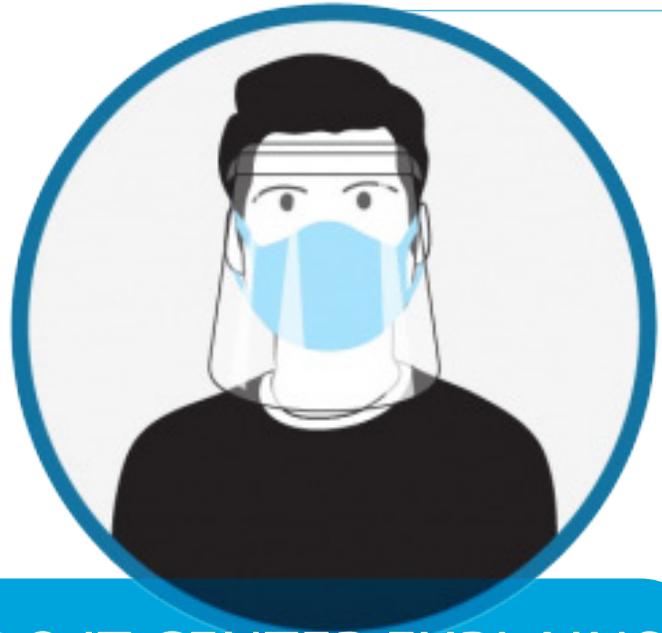
Precisely, in the issue of this magazine corresponding to November, we highlight a resounding drop, not only in gross domestic product, but also in a multiplicity of commercial activities and services that are reflecting a huge drop in demand, prices and generate great uncertainty.

This December period will be radically different from what we are used to, unless the Executive and Legislative Branch assume their historical responsibility and have a permanent session with the workers and employers sector to seek a national understanding that avoids a social crisis. An ingredient that should be present at any negotiating table has to do with accountability, State spending, particularly operating expenses, which has been made with the multimillion-dollar sums that have been obtained by the government during the period of the pandemic and how to reactivate the economy.

The country requires great leadership from the Executive and Legislative Organ and extensive consultation on health and labor issues.

It will dawn and we will see...L&E

Invited Writer



IVÁN COHEN FROM DO IT CENTER EXPLAINS: HOW TO REINVENT YOURSELF?

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According to the statistics that have been published recently, Panamanian economy turned out to be one of the most affected in this year 2020, as a result of pandemic and strict mobility measures decreed by the National Government.

If we see events as disruptive as this one that Panama has gone through before, we can hope that the country will soon return to the path of growth and economic well-being for most of its inhabitants.

How do we get back on track for growth?

There must be more than one way to do it, but I share this one that seems easy and fast.

The first thing is to recognize the risk of contagion to

Covid 19 and to take all the sanitary measures not to get sick, which has been a real challenge, considering the high rate of infections that our country has, one of the highest in the world per 100,000 population.

Once we can control the current excessive contagion, Panamanians must recognize that only through hard work and high productivity will this country begin to emerge from the great recession in which we have fallen.

Many companies that restarted operations with a limited staff found that it was possible to carry out their productive activities with a lower number of workers than they had before, which directly translates into a higher productivity index for those companies, which entails challenges important because of the large number of people who will lose their jobs during 2021.

While this may represent a problem in the short term, it may spell the beginning of a stronger and more productive economy for Panamanians. All these unemployed people are capable and intelligent so they will not stand idly by and will develop, if they have not already done so, ventures that will generate income equal to or greater than in their previous jobs.

In this way, new sources of income will be created in Panamanian households that will energize our development. As a result of this increase in working capital in the hands of these Panamanians and the signals that this sends to investors, the current stopped capital investments will resume. Once the direct local investment begins to capture this new income in the hands of these new Panamanian entrepreneurs, foreign investment, new credits, reduction of interest rates will also come, which in the end translates into confidence, development and productivity per capita greater than ever before in the history of this country.

I think this is possible because something very similar happened after the 1989 invasion, when then Panama reinvented its economy and had 30 years of the highest economic growth in its history. *L&E*



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ASIA MAKES A WAY, WESTERN LOOKS AT THE BELLY

S ummary

The world is in a process of rapid geopolitical transformation: Asia emerges to regain its lost centrality in human history after five centuries; China could displace the USA as the leading global power in a couple of decades and the Fourth Industrial Revolution, which Asia faces very favorably, also promises great alterations in the social and economic premises that we know. The coronavirus crisis that Asian nations have faced with much better results than Western ones has confirmed the good star of the former.

All of this occurs at a time when humanity's great challenges are global, multilateral mechanisms are weakening, and the West seems to have lost the strength and self-confidence that have made it so unique. Security strategies can no longer ignore this true revolution on the global scene and will have to adapt to the new Asian leadership.

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Introduction

In mid-February, just before COVID-19 became a global concern, the 2020 Munich Security Conference proclaimed the de-Westernization of the world, recognizing the end of a long five-century period in which the international community has been westernizing at the rate that the planet was globalizing. In the last century, this process has also been carried out by identifying the democratic and liberal model as a reference of modernity..

The reason for this de-westernization process, although it also responds to elements of internal crisis in the West, is fundamentally due to the rise of Asia, the continent that is home to more than half of the world's population, and to the clear will of the Chinese Communist Party to modernize their country by rejecting the liberal-democratic model. Today, Asia is the fastest growing region in the world and

¹ Munich Security Report 2020, Westlessness. Disponible en https://securityconference.org/assets/user_upload/MunichSecurityReport2020.pdf

² LEE, Hsien Loong. "The Endangered Asian Century. America, China, and the Perils of Confrontation", Foreign Affairs, julio/agosto de 2020.

during this decade its economy will surpass all others combined. The center of gravity, not only quantitative, of human activity is shifting to the east and the Pacific Ocean has replaced the Atlantic as the main route of trade, returning Asia to the place it has occupied for most of history. On the other hand, the West, as a whole, is aging and losing a percentage of the global population. Only the US has reasonable demographic health. In a globalized world, demographics are gaining geopolitical weight by leaps and bounds.

The deep crisis produced by the current pandemic has also highlighted how the most advanced nations of the Asian continent have been able to react faster and with better results than the old leaders of the West, taking the witness of excellence, until recently, monopoly of the nations of European roots and reaffirming themselves as their own models and not only as good imitations of the nations that, in their day, were the colonial powers.

This uneven performance, so favorable to Asians, is leading many Western intellectuals to make harsh judgments of their own states. Thus, the British historian, Niall Ferguson, who in 2011 in his famous book *The West and the Rest* predicted the unstoppable resurgence of Asia, "is being extremely critical of Western governments for their late response, and in many cases even stupid (in historian's words), in the face of the pandemic "and often recalls how, in January this year, at the Davos meeting, he was surprised by the scant attention paid to the danger of a pandemic arising from the Chinese outbreak of the coronavirus and how all the attention turned to climate change and young Greta Thunberg.

At present, the growing confrontation between Washington and Beijing is, without a doubt, the

main strategic concern and the great element that is rearranging the international order. But this circumstance wouldn't have such a revolutionary and transformative nature of the geopolitical order if it were not accompanied by the rise of Asia as a whole. In two or three decades the great global decisions will probably be made in the capitals of that continent and not in those of the West, as was the case until very recently.

This document defends that the rise of Asia supposes a gradual but profound transformation of the global panorama, the most important long-term vector of geopolitical change, that the Thucydides Trap is attracting disproportionate attention, partially shielding the relevance of the global Asian phenomenon, and that the West can no longer expect the world to continue accommodating itself to its criteria and leadership. Maintaining old strategic approaches will increase tensions between the powers and will only make us live in a more dangerous world and the final "bump" will probably be greater.

Asia Comes of Age

Until the 16th century, with the arrival of European sailors to the shores of Asia, this continent was the world's center of gravity and acted as an international system through economic and cultural exchanges. From then on, European nations dominated the oceans and innovation in virtually every area, until they came to lord it over every continent through their colonial empires. Asia's regions began to trade and receive more influence from Europe than these regions interacted with each other.

At the end of 19th century, an Asian nation, Japan, entered club of most developed industrial nations. In

³ EBERSTADT, Nicholas. "With Great Demographics Comes Great Power. Why Population Will Drive Geopolitics", *Foreign Affairs*, julio/agosto de 2019.

⁴ FERGUSON, Niall. Entrevista en *El País*, 2 de agosto de 2020. Disponible en: <https://elpais.com/ideas/2020-08-01/niall-ferguson-la-segunda-guerra-fria-ha-llegado-para-que-darse.html>

⁵ KHANNA, Parag. *The Future is Asian: Commerce, Conflict and Culture in the 21st Century*, Simon & Schuster, 2019.

⁶ PARDO DE SANTAYANA, José. ¿Qué mundo es el que se acaba? Documento de Análisis IEEE 23/2019, 4 de septiembre de 2019. Disponible en: http://www.ieee.es/Galerias/fichero/docs_analisis/2019/DIEEEA23_2019JOSPAR_mundo.pdf

World War II, United States wiped it off the map, but it soon re-emerged from the hand of Washington; threat of the communist powers demanded it. The end of colonialism and the Cold War has allowed Asia's dependence on Western powers to be reversed and Asian regions now trade and interact with each other more than they do with the West. Since 2016, the volume of intra-Asian trade exceeds that of the continent with the rest of the world. The coronavirus pandemic, by promoting a more regionalized globalization, is further strengthening the economic system of the great Indo-Pacific area, causing that continent to further reduce its dependence on abroad, with the exception of the import of raw materials that, logically, it does not stop growing.

This process has occurred through successive waves of economic development. The first was started in Japan between the 50s and 70s of the 20th century. In just three decades, Japan surpassed Germany and positioned itself as the second largest economy in the world. Later, in the 1970s and 1980s, inspired by the example of Japan, came the wave of development of the so-called "Asian tigers" (South Korea, Taiwan, Hong Kong and Singapore). In the last two decades of the last century, the third wave of Asian development allowed China to make the great leap. The already developed countries in the previous two waves made it enormously easier thanks to their enormous investment drive. Now, since the beginning of this century, the states of South and Southeast Asia, with their 2.5 billion inhabitants - one third of the world's inhabitants, the youngest population on the continent, and countries with very high economic growth (Table 1) - are immersed in the fourth wave of development⁸. Progressively, these latter regions of Asia will gain global prominence.

The first two waves had a lesser impact on the global economy because the population of all those nations together was equivalent to two thirds of that of the United States, however, the third - that of China, with

one sixth of the world's population. In the first decade of this century, it ended up generating a sustained period of global growth, as well as a rise in the price of raw materials that had a very positive effect on the economies of the exporting regions of these goods, such as Latin America, Africa and the Middle East. Another phenomenon that has been decisive in the configuration of the globalized order, as the Asian giant became the factory of the world, has been the expansion of value chains on a planetary level. Most trade flows are now linked to complex production processes, in which goods can cross international borders several times before reaching their final destination in the market. The World Bank estimates that more than two-thirds of total trade occurs through these global value chains that support cross-border production.

All this has contributed to a rise in world merchandise trade from 16.7% of world GDP in 1960 to 46.1% in 2018. Including services, the value of total trade amounted to almost 60% of world GDP in 2018. As the world has integrated, economic activity has become less concentrated in North America and Europe, while the countries of East and South Asia, especially China, account for an increasing share of world production. The U.S. share of world GDP fell from 40% in 1960 to 24% in 2019, while in the case of China it quadrupled, from 4% to 17% in the same period of time.

The fourth wave of economic development in Asia may have an even greater impact than the previous one. It is not only the demographic issue already mentioned, as this region is home to one in three inhabitants of the planet, with a young and expanding population. The great Chinese project of the New Silk Road is mobilizing there unprecedented resources of all kinds and weaving an extraordinarily dynamic network of connectivity. For the Fourth Industrial Revolution, the Indian subcontinent has the advantage of the excellence of its population in the mathematical and

⁷ KHANNA, Parag. *The Future is Asian: Commerce, Conflict and Culture in the 21st Century*, Simon & Schuster, 2019.

⁸ Ibidem.

⁹ GERSTEL, Dylan, SEGAL, Stephanie. *Allied Economic Forum, Lessons Learned*. CSIS Brief, agosto de 2020, pp. 2. Disponible en: file:///C:/Users/Jose/Downloads/200805_Economics_Allied-Forum_v5_FINAL.pdf

computer fields. As their states improve in percentages of quality education, the relevance of that uniqueness will be ever greater. In addition, in the technological transformation of the world, the most advanced nations of Asia already dominate many of its key vectors, offering the less developed countries of the continent models of imitation and success, by way of a great Asian osmosis that with the regionalization of the new globalization is even more favored.

The combination of this economic growth, with geopolitical stability and technocratic pragmatism characteristic of Asian governments has given rise to a new properly Asian ambition in relation to global order. The Asian nations see their return to leadership of history as a natural destiny and no longer accept tutelage of the West. On the contrary, they have full confidence in potential of their peoples and want their States to be increasingly governed by their own civilizational references, taking from the West what suits them. In 2014, Chinese President Xi Jinping told a meeting of Asian leaders in Shanghai: "It is up to the people of Asia to manage Asian affairs, solve Asian problems and defend Asia's security." His neighbors fear China's meteoric rise and ambitions, but they share Xi's sentiment. Asians also want to play a part in the rules of the game that, until now, have been dictated by foreign powers. On the other hand, it cannot be ignored that liberal international order based on norms that until recently served as a reference to the international order is a Western construct in all its aspects..

An added advantage of Asian nations is that they have greater strategic patience and look to the long term as a priority, while Western nations seem prey to immediacy. In Asia, there is also talk of properly Asian values: work ethic, primacy of the collective over the individual, trust in the State, technocratic governance, mixed capitalism and social conservatism, all with a certain Confucian

paternalism. Values would justify different approaches to international relations and set the tone in Asian time.

The success achieved in the fight against COVID-19 seems to confirm this point of view. Certainly, Asian nations have relied on the experience gained from the previous SARS pandemics in 2003 and MERS in 2015 that affected them to a much greater extent than western countries. However, the staggering difference in the data of deaths per million inhabitants in the current crisis between the most advanced nations of both groups of States - in the West: Belgium 868, United Kingdom 704, Spain 597, Italy 583, Sweden 568 and USA 516; in Asia: India 36, Indonesia 23, Japan 9, South Korea 6, Singapore 5 and China 314 - although they are to be taken with some skepticism, it has reinforced the self-confidence of Asian nations. Their economies also seem to be better off from the shock caused by this pandemic. Francis Fukuyama argues that the coronavirus crisis can make the countries that strengthen their influence and prestige to be those that are perceived as effective in the fight against COVID-19, the type of regime (liberal democracy or authoritarianism) would matter less than speed with which solutions are adopted.

As Asia looks ahead to the future, Western nations are showing clear signs of civilizational fatigue. The great American nation is fracturing into two opposing souls and in the EU the original project has stalled; In addition to Brexit, anti-European parties and those at the ends of the political arc proliferate. On the other hand, their societies are consumed in sterile debates, demolishing statues and questioning the divine and the human to the point of absurdity, in an act of extreme rebellion against human nature, ignoring the invaluable contributions of all kinds from the root nations. European to universal history. All this diverts attention from the great process of geopolitical evolution that will alter many of the premises on

¹⁰ Ibidem, pp. 2 y 3.

¹¹ PARDO DE SANTAYANA, José. Geopolítica de Asia, el nuevo centro de gravedad del mundo. Panorama Estratégico 2020, IEEE, marzo de 2020, p. 135. Disponible en http://www.ieee.es/Galerias/fichero/panoramas/Panorama_Estrategico_2020.pdf

¹² ROJAS, Enrique. Tener perspectiva. Tercera de ABC, 1 de agosto de 2020.

¹³ What's Happening with South Korea's Pandemic Response. CSIS video. Disponible en: <https://www.youtube.com/watch?v=QW0Q8cSBpUA>

which the world we know was built up to now.

The world turns faster and faster

If there is no cataclysm that stops the transformation of the world, in a couple of decades it will hardly resemble the current one: China will be the nation with the largest economy, according to all indicators, Asia will have become the center of gravity of the human activity as a whole, technological transformation will have become more evident in Asia than in any other continent; in short: as in the imaginary of Christopher Columbus, the monsoon lands will once again have become synonymous with unparalleled wealth and vital exuberance.

The convergence of these three great agents of geopolitical change, each of them revolutionary in nature: the replacement of the US by China as the leading global power, the shift of the world's center of gravity from the West to Asia and the Fourth Industrial Revolution, makes let us live in an international order of Heraclitian inspiration, where permanent transformation is the very essence of order. But, unlike the previous reconfigurations of the global order, those produced by the world wars, the fall of the Berlin Wall or 9/11, this time it is not a sudden change, but a gradual process that weakens the mechanisms reaction.

The attitude of Beijing, which shows an increasingly determined stance in the pursuit of its geopolitical objectives, as well as its clear refusal to accept the liberal international order based on American-inspired norms, focuses the strategic attention of the Western powers and makes not enough attention is paid to all the

complexity of the strategic landscape and that it is still interpreted with a Western-centered perspective. That one power yields to another the position of primacy in the Olympus of world power does not stop responding to the cycles of history and sooner or later it will have to happen. Certainly, this circumstance generates strong tensions and pushes the confrontation between the parties involved, as Graham Alison indicates, when referring to the Thucydides Trap. But the essential thing, as the American political scientist also proposes, is to prevent this trap from being consumed.

On the other hand, the rise of China has its limits and it is not foreseeable that we will go from an American hegemonic world to a Chinese one, nor that Washington will cease to be a center of strategic decision of the first order. The US will continue to be a great strategic and economic power, since it has some not inconsiderable advantages: it is located between the two great oceans, the Atlantic and the Pacific, which give it security, allow it to choose its alliances and facilitate access free to the great routes of world trade. It is, at present, the first economy and industry in the world. It has a superior scientific-technological sector; it has the most advanced Armed Forces, with a global network of military bases; has a large national territory and is rich in natural resources.

The global panorama is likely to evolve towards a complex and variable multipolar system. Not only is the world moving in that direction, Asia, in particular, too. In this decade, India will surpass China in population both in total number and, above all, in proportion of citizens of working age and, if at present China has the demographic advantage over United States of four to

¹⁴ El País, La crisis del coronavirus, situación global. Consultado el 15 de agosto. Disponible en: https://el-pais.com/sociedad/2020/06/29/actualidad/1593428011_709853.html?rel=friso-portada

¹⁵ FUKUYAMA, Francis. "The Thing That Determines a Country's Resistance to the Coronavirus", The Atlantic, 30 de marzo de 2020. Disponible en: <https://www.theatlantic.com/ideas/archive/2020/03/thing-determines-how-well-countries-respond-coronavirus/609025>

¹⁶ PARDO DE SANTAYANA, José. La revolución de Heráclito, todo fluye y nada permanece en el orden global multipolar. Documento de Análisis 05/2020 IEEE, 26 de febrero de 2020. Disponible en: http://www.ieee.es/Galerias/fichero/docs_analisis/2020/DIEEEA05_2020JOSPAR_multipolar.pdf

¹⁷ ALISON, Graham. "The Thucydides Trap: Are the U. S. and China Headed for War? The Atlantic, 24 de septiembre de 2015. Disponible en: <https://www.theatlantic.com/international/archive/2015/09/united-states-china-war-thucydides-trap/406756>

one, by end of this century this could be reduced to just two and a half, with a much older Chinese population.

The role of the North American power will continue to be decisive in the Asian continent, because it continues to be the State with the most powerful military force deployed in the Indo-Pacific space and because it is essential in the system of regional balances. Furthermore, its military presence remains vital. Without it, Japan and South Korea would be forced to contemplate the development of the nuclear weapon.

However, from the perspective of most Asian political and academic elites, Washington's engagement with Asia during Trump's tenure is largely confined to Korean peninsula and China, with everything else taking a back seat. By turning its back on alliance-building, it has weakened the management framework required to inhibit military escalation in Asia at a time of complex interactions between high-end weapons systems. Mutual trust and implicit understandings that united the US with its allies in Asia have been seriously diluted.

Strategic response

In some instances in Washington and in the allied capitals a great front of democracies is proposed to oppose China, the authoritarian power. The battlefield would be primarily economic-technological in nature. This strategic design aims to continue with the complicity and at the expense of the most favorable Asian powers, the Anglo-Saxon strategic leadership of the world. This would require the determined participation of Asian democracies and it does not seem that these are very favorable. Most Asian states do not want the US to drag them into its confrontation with China. His continent would be the main theater of the conflict and would suffer the most serious

consequences, endangering the resurgence of Asia.

Lee Hsien Loong, Prime Minister of Singapore, puts it this way: "Asia has prospered because since the end of World War II the Pax Americana provided a favorable strategic context. But now, the troubled relationship between the US and China raises profound questions about the future of Asia and the shape of the emerging international order. Southeast Asian countries are especially concerned as they live at the intersection of the interests of several major powers and must avoid being caught in the middle or forced to make hateful decisions.».

On the other hand, while geopolitical tensions in the world grow and multilateral mechanisms weaken, the great concerns that grieve humanity, such as sustainable development, climate change or health security, require approaches of understanding and collaboration that a world divided into antagonistic fronts would make it very difficult.

In the future, it will be necessary to develop imaginative and different security strategies that adapt to the rapidly changing geopolitical landscape, that include the views of Asian powers, and that enforce China's containment of the plurality of powers that naturally join forces. They associate to resist the emerging regional hegemon, while seeking spaces for agreement to address the great challenges of the common agenda. This would require a strong Europe that truly delved into its external and security dimensions, but left room for its old internal nations to not further ignite nationalist passions. The relationship with Moscow is also key, because if its link with Beijing weakens, China will be forced to moderate its strategic expectations.

Conclusions

¹⁸ EBERSTADT, Nicholas. "With Great Demographics Comes Great Power. Why Population Will Drive Geopolitics", *Foreign Affairs*, julio/agosto de 2019.

¹⁹ LEE, Hsien Loong. "The Endangered Asian Century. America, China, and the Perils of Confrontation", *Foreign Affairs*, julio/agosto de 2020.

²⁰ KAPLAN, Robert. "Asia's Coming Era of Unpredictability", *Foreign Policy*, 1 de septiembre de 2019. Disponible en: <https://foreignpolicy.com/2019/09/01/asias-coming-era-of-unpredictability>

²¹ LEE, Hsien Loong. "The Endangered Asian Century. America, China, and the Perils of Confrontation", *Foreign Affairs*, julio/agosto de 2020.

The global geopolitical panorama is being transformed by the convergence of three great revolutions –the emergence of both Asia and China, its main power, and the Fourth Industrial Revolution– that place this continent increasingly at the center of international development. In a couple of decades the process will have been completed, but as it is gradual, it is not generating the perception of profound change that derives from it. It is not just about the passage from one international model to another, transformation is the very essence of a Heraclitian global order where “everything changes and nothing remains.”

The old inertias make the West want to continue with strategic logics that have already been overcome. In addition, the rivalry between Washington and Beijing is partially hiding the importance of the other two vectors of alteration of the world order. However, in the great Asian continent, which is home to more than half of the world's population, it is fully aware that its time has come - or simply that after five centuries it has returned to normality -, the best results in the face of the coronavirus crisis have confirmed to their nations that it is time to shake off the tutelage of the West. The perception of crisis in European-based societies also makes it easier.

Progressively, Western values and models will cease to be the only global references. In the areas of security, we are seeing the emergence of multiple power poles with their own ambitions. The US will go from being the great referee to one more actor, without a doubt of the highest order, but with a very reduced moral authority. The main strategic designs will focus on the great Indo-Pacific area, but in the plurality of the international order there will be much room to defend legitimate values and interests and preserve as much as possible the great legacy of the West.

Europe must not be left out of all this. Betting on a great front of the democracies against China, the leader of the authoritarian powers, is a very dangerous bet, as well as a losing one; Asian nations are not going to accept this game: they would be the biggest losers and they don't want to perpetuate hierarchies established in the colonial era. If the EU doesn't seriously deepen its integration in foreign and security matters, it can become a zero left or a “theme park”, as Minister Josep Piqué indicates. In any case, we must accept and adapt to the new Asian leadership in a complex and variable multipolar order where the future of humanity will depend on the ability to preserve peace and address the great common challenges.*L&E*

Mundial	China	Bangladesh	Camboya	Vietnam	Nepal	Filipinas
2,5 %	6,1 %	8,2 %	7,1 %	7 %	7 %	6 %
India	Indonesia	Laos	Malasia	Myanmar	Tailandia	Pakistán
5 %	5 %	4,7%	4,3 %	2,9 %	2,4 %	1 %

Tabla 1. Crecimiento del PIB en 2019 por países. Fuente: Banco Mundial.

²² PIQUE, Josep. El Mundo que nos viene. Retos, desafíos y esperanzas del siglo XXI: ¿un mundo post-occidental con valores occidentales? Editorial Deusto, mayo de 2018.

Norms of INTEREST

INTEGRAL GRATITUDE IN HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS

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With the approval of Law 177 of November 13, 2020, comprehensive gratitude is established in preventive care, curative and social care for children under five years of age in all public health establishments.

Law 177 establishes that the establishments of the public health system will be in charge, at the national level, of offering primary care, which must include the activity of promotion, prevention and health diagnosis for school-age children and minor adolescents. of nineteen years, abiding by the ethical principle of respect, with the due consent of them or in the case

of minors, of their legal representative, guardian or guardian in the exercise of parental authority. It provides that the public health system will promote the strengthening of all relevant actions for the promotion of good health, disease prevention, both at the national, family or community level, as well as the performance of health controls, at least two times a year following the standards of care of the programs and keeping the appropriate records.

It should be noted that Law 177 must be regulated by the executive body. *L&E*

DISEASE TREATMENT ASSISTANCE FUND

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In recent days, Law 178 of November 13, 2020 was enacted, which creates the Economic Assistance Fund for the Treatment of Diseases, in order to provide support with the costs of transportation, treatment, operation and recovery of people with limited resources who suffer from diseases whose treatment, operation or cure is not presented or performed in health institutions in the country, whether public or private.

The Fund will be constituted by the initial contribution of the National Government for its operation, the resources assigned to it in the General State Budget through the Ministry of Health, the contributions or donations that are granted by natural or legal persons and entities or national or international, public or private organizations and any other contribution that the law establishes.

Law 178 in comment indicates that any person diagnosed with a disease by a suitable doctor and whose treatment has to be carried out abroad will be previously evaluated by social work service of the Ministry of Health, in order to determine their economic situation and so that we can grant this assistance or help.

We must point out that any contribution or donation made to the Fund, whether of a natural or legal person, will be considered a deductible expense from the donor's income tax.

Law 178 must be regulated by the Executive Branch through the Ministry of Health, as the entity in charge of the implementation and execution of the Fund. *L&E*

FINANCIAL LEASE OF REAL ESTATE

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In recent days, Law 179 of November 16, 2020 that regulates the financial leasing of real estate was enacted, which aims to regulate the activity of financial leasing of real estate defined as the operation in which a party, called the financial lessor, celebrates, according to the indication of the other party, called the financial lessee, a contract by virtue of which the financial lessee acquires the right to use and enjoy a real estate, through the payment of rents for a defined term, at the end of the which can execute a purchase option.

The Superintendency of Banks of Panama will have the exclusive competence to regulate and supervise the companies authorized to carry out the business of financial leasing of real estate.

Law 179 contemplates the scope of the financial leasing of real estate, having the following characteristics: 1. It may have as its object existing or future assets. 2. The acquisition of the present or future real estate is the responsibility of the financial lessor by virtue of real estate financial lease contract. 3. Maximum price to be paid for acquisition of the good must be established, which will depend on the purchase price for the acquisition or the technical reference appraisal of similar sales in the project. 4. It may fall on the addition of homes, on commercial and industrial

premises, including galleys and office spaces.

Another aspect to mention is that real estate previously encumbered or on which there are domain limitations may not be the object of a financial lease contract, unless the creditor or lien holder expressly authorizes the conclusion of the contract in writing.

On the other hand, it has been provided that unless otherwise agreed, the financial lessee of real estate will be subrogated in the rights of the financial lessor against the contractor of the work, promoter, seller or any other person or supplier that intervenes in the promotion and construction of the property, which derive from the promise of sale contracts, as well as the rights that derive from the regulations on sanitation for hidden defects, eviction, construction defects and the like, established in the civil regulations of consumer protection as applicable.

Regarding the sale or judicial or extrajudicial transfer of the property subject to the lease for reasons attributable to the financial lessor, the contract will not be terminated nor will the rights of the financial lease be affected, leaving the new financial lessor acquiring the real estate obliged to respect said contract, as long as the financial

lessee fulfills the obligations incumbent on him.

It should be noted that the financial leasing of real estate is excluded from the application of Law 93 of 1975, on leases and its amendments and the provisions on leasing contained in the Civil Code, in everything that is contrary to the nature of the provisions of Law 179 in reference.

Regarding the judicial declaration of liquidation of the financial lease, Law 179 establishes that the judicial declaration of liquidation and other similar procedures of which the financial lessee is the object will have the effect of terminating the contract by right. In such a way that the asset will be excluded from the mass of assets and will be immediately delivered to the financial lessor, who may recover it in the manner provided by law.

Law 179 also provides that in the event of reorganization of the financial lessee, the opening of the insolvency process according to Law 12 of 2016 will not suspend the obligations to pay the rents and other considerations agreed under the financial leasing contracts of real estate. Rentals and other considerations under a lease will be considered as administrative expenses or debts of the mass of assets of the financial lessee and will be paid first within a reorganization process with those assets that are not specially affected in favor of a creditor.

Within this order of ideas, assets subject to a real estate financial lease contract may not be seized or seized or be subject to action or precautionary measure by third parties against the financial lease.

For tax purposes, the Law in reference indicates that the interest and rents paid during the financial lease of the real estate will be taxable income for the financial lessor. However, the interests and the portion of the rents corresponding to interests that are paid by reason of financial leases may be deducted, provided that the lessor and taxpayer, be a natural or legal person, is the joint debtor of the guaranteed obligation and the annual amount to deduct doesn't exceed fifteen thousand dollars.

However, in the case of real estate units whose

sale price is less than US \$ 200,000.00, up to 15% of the capital component linked to the monthly rent may be deducted, during the first five years since the financial lease is perfected. Likewise, the rents paid under financial leasing of real estate will not be taxed with the tax on the transfer of personal property and the provision of services for a period of five years from the entry into force of this Law. In the case of financial leases of real estate or trust in guarantee located in the Historic Monumental Complex of the Old Town of the city of Panama, they will enjoy the benefits provided in Law 136 of 2013, for preferential loans for the rehabilitation and implementation of value of the Historic Monumental Complex of the Old Town.

Law 179 provides, establishes that they may exercise the business of financial leasing of real estate, with prior authorization from banks, trust companies and legal entities authorized by the Superintendency of Banks. In this regard, companies that request authorization to operate the real estate financial leasing business will maintain a minimum paid capital, net of losses of US \$ 750,000.00, which will be reviewed periodically by the Superintendency of Banks.

Finally, we can comment that in everything not provided for in Law 179, the financial leasing contract of real estate and its effects will be governed by the pertinent legal provisions, however, in case of conflict with other regulations, the Law in reference and the parties may agree to the use of an arbitration clause to settle disputes in the execution of their real estate financial leasing contract.

The Law that regulates the financial leasing of real estate, must be regulated by the Executive Body. *L&E*

HORIZONTAL PROPERTY REGIME

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Through Law 180 of November 16, 2020, Law 31 of 2010 is modified, which regulates the Horizontal Property Regime, with the modifications in articles 5, 50, 51, 53, 64 and 65.

Law 180 adds numeral 36 to article 5 that contains the definition of terms, by including the term owner per day, which is one that having one or more real estate units in the same property registered in the Public Registry in his name, has paid the common expenses quotas of all those real estate units in the current month.

Another of the reforms falls on article 50 by including that. 1. For the convening of the meetings of the owners' assembly, the notification will be valid when it is communicated through any written document to the real estate unit or by any technological means directed to the electronic address or digital data that each owner has indicated. 2. The real estate units will be safe and sound, when they are up to date in the payment of the common expenses fees, the other financial obligations are eliminated. 3. The minimum requirements that the calls to the board of directors meetings must contain are established, among which we can mention, among

others, the class, the place or technological means.

On the other hand, article 51 contemplates that the owners' assembly is considered legally constituted with the assistance of more than half of the owners in person or by technological means. Before the reform, only physical presence was considered. Regarding the power or authorization, it may be granted through a physical, public or private document or electronically. A paragraph is added that provides that any provision regarding meetings held by technological means will be regulated by the Ministry of Housing and Land Management through a ministerial resolution.

Article 53 deals with the formalities of the minutes of decisions adopted by the owners' assembly, numerals 3, 4 and 5 are modified by introducing the technological middle term when the meeting is held in this way, the list of participants and the quorum. It is added that the minutes must be issued within a period of no more than 10 calendar days, counted from the date of the meeting and when it is held through technological means, the secretary of the board of directors must keep a digital copy, as proof unequivocal of this. *L&E*

PACORA RIVER WATER BASIN PROTECTED AREA

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Through Law 181 of November 17, 2020, the upper part of the hydrographic basin of the Pacora River is declared a hydrological reserve, so the Ministry of the Environment will incorporate the reserve into the National System of Protected Areas, allocating the necessary funds to carry out the protection, management plan and training of the population.

The norm in reference provides that the Ministry of Agricultural Development, in coordination with the Ministry of the Environment, must establish a transformation plan for existing activities in upper part of Pacora river basin, to guarantee that activities

are compatible with Management Plan for the Pacora River Hydrological Reserve and the Territorial Environmental Management Plan for said basin.

With enactment of Law 181, it is prohibited to grant new mining concessions within hydrographic basin of the Pacora River and the extensions are suspended until the approval of the Land Use Plan and the Land Management Plan of the Watershed, taking into consideration the Plan National of Climate Change.

The Executive Branch will be responsible for the regulation of Law 181. *L&E*

SPECIAL FUEL TRANSPORTATION

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Law 183 of November 20, 2020, modifies and adds articles to Law 18 of 2018 that regulates the special transport of fuel for agricultural machinery, in the sense of adding that the special transport of fuel must be done according to the nature of the corresponding public and private roads in order to facilitate the transit of fuel required for their daily activities in moderate quantities that do not represent a risk to the safety of the population.

Within this context, Article 8-A is added, which establishes that vehicles that transport up to 10 gallons of gasoline and up to 150 gallons of diesel for agricultural purposes are exempt from carrying the special fuel transportation permit. However, the driver must have a Type C or higher license and a certification from the Ministry of Agricultural Development stating that he is an agricultural producer. *L&E*

RETURN TO WORK OF PEOPLE VULNERABLE TO THE COVID-19 SPREAD

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Through Executive Decree No. 1360 of November 25, 2020, measures are established for the return to work of vulnerable people, that is, people over sixty years of age, with chronic or degenerative diseases and women in a state of pregnancy, contagious by COVID-19.

Article 1 establishes that public servants with more than sixty years or more, those suffering from chronic diseases, pregnant women who are not taking maternity leave, will return to their jobs in compliance with biosafety health measures, such as the use of masks, frequent hand washing, physical distancing and others indicated by the health authority for the population in a state of vulnerability due to Covid 19.

With regard to workers in the private sector of the economy over sixty years old, those suffering from chronic or degenerative diseases and pregnant women who are not taking maternity leave, will return to their jobs under the conditions and modality agreed between the

parties, complying with sanitary biosafety measures.

Under these parameters, the return to jobs is authorized, in person, of up to 100% of the workers who work in the private sector, the employer having to ensure the physical distance of two meters between the workers.

It has been established that if the physical distance of two meters between workers cannot be complied with, the use of dividing screens and the use of plastic face shields are established as a protection measure, without limiting measures being considered, and companies may incorporate stockings additional to those already established.

The Decree concludes by stating that the return process will be carried out in a responsible manner, individualizing each case, in order to define the risks and the basic environmental conditions that work spaces must comply with, to minimize the risk of contagion. *L&E*

SPECIAL ACADEMIC SECRETARY

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The Ministry of Education through Executive Decree No. 969 of November 23, 2020, creates the Special Academic Technical Secretariat, attached to the Technical Development Commission, which will be the custodian of the contingency plan and all the academic documentation that must be delivered the university authorized by the State, when they cease to function.

The Ministry of Education will be responsible for the appointment of a Special Academic Secretary, who will have, among others, the following functions:

1. Receive, file and register, in an organized and systematic manner, the academic and administrative documentation from the universities authorized by the State that have closed.
2. Ensure the preservation of academic and administrative documents received in custody.
3. Certify the information contained in the files and the validity of the academic and administrative documents from the authorized universities that are in their custody.
4. Establish and maintain an effective custodial documentation system.

EXTENDED VALIDITY OF LABORATORY OPENING AND OPERATING PERMITS

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The Technical Council of the Ministry of Health, through Resolution No. 21 of November 18, 2020, extends the validity of the Opening and Operation Permits of the clinical laboratories and the water

and food laboratories located in throughout the national territory, which have expired during the period of State of National Emergency. *L&E*

EXTEND VALIDITY OF RESIDENT PERMITS

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Through Resolution No. 15909 of October 30, 2020, the National Migration Service extends until January 31, 2021, the residence permits of foreigners, which expire as of March 13, 2020.

The procedures that are extended include a permit card in process, provisional permits, non-resident visas, a judicial stay card, an immigration

regularization card, and stay as a tourist.

The Resolution also orders to extend until January 31, 2021, the period in which permanent residents, who are outside the national territory, can remain like this, without this situation leading to the sanction of the cancellation of the permit for staying outside the country for more than the allowed time. *L&E*

VALIDITY OF PERSONAL IDENTITY CARDS

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The Electoral Tribunal (TE) issued Decree 48 of November 24, 2020, which modifies articles 3 and 5 of Decree 1 of February 1, 2017, modified by Decree 21 of May 28, 2020, by means of which adopt various provisions on the validity of the personal identity card:

1. The date the personal identity card of citizens over 70 years of age will be valid indefinitely.

2. Those over 70 years of age may only carry out the renewal process if the document is lost, they are victims of theft, robbery, or make any changes to their data that warrant the issuance of a new document.

3. For the rest of the Panamanian citizens it will

be valid for 15 years.

4. The permanent resident card of foreigners will have a duration of 10 years.

5. The resident card will only be processed in the Electoral Court by authorization of the National Migration Service (SNM) for the first time and those who must obtain it due to expiration, deterioration, loss, loss or theft must document the request according to Decree Law 3 of 2008, regulated by Executive Decree 320 of 2008.

6. Those who face the special situations described in Law 25 of 2008, the Electoral Court will determine the issuance of the document within the term that is set.*L&E*

Politics



CHRONICLE OF A VICTORY THAT I ANNOUNCED

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The five articles I published in this magazine, Legislation and Economics, entitled **WHAT IS WAITING FOR PRESIDENT TRUMP? DONALD TRUMP LOSE THE ELECTIONS? JOE BIDEN TOWARDS THE PRESIDENCY ?, REFERENDUM OF NOVEMBER 3: BIDEN OR TRUMP** and the **Lastly, BIDEN-HARRIS, THE WINNING BINOMIUM**, are the chronicle of a presidential victory that I announced over triumph of the presidential payroll by the Democratic Party in US presidential elections that just took place on November 3 of this year. I have always maintained that a political analyst is that individual who observes, studies and analyzes different situations related to a certain area of politics, among others, breaking down each fact, event and antecedent to understand it and then, obviously, provide his point of view, that includes conclusions and predictions about the outcome of a possible political defeat or victory in a future electoral tournament. Without the above, political analyst wouldn't have his great importance. Your success will depend on your successes and not on your mistakes.

On November 9, 2016, Donald Trump won the presidency through the Electoral College system,

which as a candidate he reproached and called rigged in preparation of the ground in case of losing the elections. His opponent in these elections, Hillary Clinton, obtained almost three million popular votes more than him, but he acceded to the presidency through that system, according to him rigged. In those elections all minorities without exception voted against him and the reasons were confirmed by his actions during his four years in office.

During his first year in office, he did not fulfill many of his electoral promises and, as expected, he generated constant controversy with the media, whom he called traitors to the country because the media not controlled by Trump had him in their sights. and they reported the president's false statements and versions daily, confirming the suspicions of many Americans that their president was a total liar.

His lack of experience in government affairs and the fact that he is accompanied by highly conflictive characters highlight the danger he represents for political stability and democracy of the country and good performance of the government. The inability, lack

of coordination and improvisations are immediately reflected in the staff with whom he surrounds himself, which causes, very soon, an alarming number of changes and resignations of his main collaborators.

From the very beginning of the Trump administration, it has generated international mistrust as a consequence of the withdrawal of the Pacific Alliance in the commercial sphere and of the Paris Agreement regarding climate change, turning the most powerful country in the world into an economically isolated nation and militarily. With his usual clumsiness, President Trump creates disputes with his traditional allies and with his own intelligence agencies, and even causes his country to lose influence in some areas, paving the way for other powers to gain more space and influence in the country and the world every day.

Faster than he could have imagined, another serious problem arises for President Trump, with the possible links between the Trump campaign and Russia, an issue that haunted the Trump administration during his four years of administration. On Friday, December 13, 2019, the important Legal Committee of the United States Congress approved the charges of Abuse of Power and Obstruction of Congress against President Trump, thus opening a process of impeachment. On December 18, the United States House of Representatives approved subjecting President Donald Trump to impeachment, making him the third American president to be formally indicted under the last resort indicated in the Constitution for Serious Crimes and Misconduct. As announced by the Senate Majority Leader, Republican MITCH MCCONNELL, said majority acquitted Trump for individual and partisan interests, however, the majority of US citizens were convinced that President Trump violated the Constitution, thus putting national security at risk, in addition to hindering the work of Congress by refusing to collaborate with the investigation. However, no one would prevent his image from being affected for life by bearing the indelible mark of a political trial in his presidency.

The so-called Intermediate Elections or "Midterm Elections", held on November 6, 2018, in my opinion constituted the first national referendum of the Trump Administration. Until November 6, 2018, both

legislative chambers were controlled by the Republican Party, to which President Trump belongs. The possibility of the Democratic Party taking control of the House of Representatives for many at that time would be practically impossible. However, in those midterm elections, the Democratic Party regained control of the House of Representatives by obtaining a majority of seats, thus losing the Trump administration part of the control of the Legislative Branch, constituting a test of the wear and tear of the Trump administration and the lack of popularity of the president.

In early 2020, 25 presidential pre-candidates emerge in the Democratic Party primaries for November 3 general election, all top party leaders. In the end, former Vice President Joe Biden was chosen to be official Democratic Party Presidential Candidate and face Republican President Trump in his bid for reelection.

The winning candidate of the Democratic Party primaries, Joe Biden, promised to choose a woman as vice president to accompany him on the presidential payroll for the elections on November 3 of this year. Already committed to choosing a woman as vice president among the possible dozen that aspired and sounded like, I suggested in the edition titled JOE BIDEN TOWARDS THE PRESIDENCY? as the "most suitable for the fierce primarista candidate, former prosecutor and current Senator for California, KAMALA HARRIS.

Kamala would be an excellent woman vice president, she would be of African-American ethnic group that promoted-rescued candidacy of Biden, who has the moral authority, intelligence and capacity to lead ". Indeed, as it was on Tuesday, August 11, 2020, achieving a historic milestone, Joe Biden formally announced that Senator Kamala Harris would be the first African-American woman of Asian descent to run for the vice presidency of the United States. Kamala Harris is, without a doubt, intelligent, combative and determined, in addition to having served on multiple very important committees in the US Senate.

On Thursday, August 20, Joe Biden and Kamala Harris accept their Democratic Party candidacy for President and Vice President respectively, and Joe Biden calls for the unity of Americans during the

health and economic crisis, promising to “turn the page of the fear and division. She emphasized the importance of the unity of an abysmally divided country, as Americans fight against the health and economic risk produced by the pandemic and a new national awakening on racial injustice.

At the same time, the popularity of President Trump dissipates by leaps and bounds since the beginning of the pandemic, since he did not take the required measures to confront the coronavirus, in addition to his unfortunate expressions about the epidemic where downplaying the virus they transmitted messages of confusion and disorder.

Many hold him responsible to the large number of Americans who have been contaminated and died in this fatal pandemic, which has made the United States the country in the world with the highest number of deaths and infected by COVID-19. The health and social drama was compounded by the strong impact on the economy, with millions of Americans losing their jobs and thousands of businesses forced to close.

His errors and mistakes increase in the face of the death of the African American George Floyd before the pain and anger of the population, manifested in the different protests in 50 cities of the United States. In rare demonstrations, former Presidents Bush, Carter, Clinton and Obama censured President Trump for his administration's response to the protests.

Unfortunately in the great northern nation divisionism and racism have increased, which the whole world has been able to observe through the media in the continuous protests in dozens of cities as a result of President Trump's ineptitude in addressing this issue, worrying situation.

The mismanagement of the pandemic by the Trump administration has had devastating effects on the US economy, both health and social.

Equally problematic, in his four years in office, President Trump failed in his foreign policy, mainly before his traditional allies on every continent in the world. Trump government has left a void in many parts of

the world that is being filled by other world powers and the great northern power has lost global leadership.

On Tuesday, November 3, 2020, the general election was held in the United States and Democratic candidate Joe Biden triumphs over Republican candidate and President Donald Trump in his bid for a second presidential term, placing Trump on a short list of US presidents who sought re-election and failed. The last case was in 1992 with the defeat of fellow Republican George H.W. Bush versus Democrat Bill Clinton.

The victory of the Joe Biden - Kamala Harris pairing also implies that it is the first time that a woman has held the vice presidency of the United States. The high number of votes that Biden achieved places him as the President-Elect with the most popular votes in the country's history.

This election in part led to a punishment vote for Trump as a referendum on his management, not only for his poor handling of the coronavirus crisis, which at the time of writing this article daily breaks records in the number of people affected, number of hospitalizations and deaths. but because of an infinity of nonsense and continuous and numerous errors already described.

We cannot forget that the Democrats regained ground in their favor in what was, in my opinion, the first referendum on the Trump administration in the midterm elections of November 6, 2018. There were also many Republicans disenchanted and many independents and Democrats motivated to remove Donald Trump from the White House, fed up with the Trump administration. No doubt Joe Biden and Kamala Harris managed to bring together a diverse coalition of this motivated electorate under their umbrella. As in the 2016 elections, in 2020 the minorities again favored the Democratic candidate, but in greater numbers than the support Hillary Clinton received in 2016.

Unsurprisingly, President Trump alleges fraud to justify any kind of defeat he may suffer. It is enough to remember that during the 2016 campaign, when he thought he would not win, he prepared the ground to justify his loss by pointing out that the polling station system was corrupt and rigged.

But there were no claims when he became President of the United States through that polling station system. Because Hillary Clinton obtained three million more votes than Trump in public votes, Trump pointed out that there had been between three and five million fraudulent votes of undocumented people that went to her electoral rival, which is totally false.

One of the many falsehoods he repeated ad nauseum in the 2020 campaign was that China preferred Biden for president. Clearly this stems from a desire to divert attention from Russia's preference for him to be re-elected.

When he accepts the Republican candidacy to seek reelection, Trump follows his already crystal clear modus operandi indicating that the Democrats were preparing an electoral fraud and alerted his electoral base to closely monitor the Postal Service, which 'coincidentally' takes actions that made voting difficult by mail, as he sensed that Democrats would vote by mail in large numbers.

In short, before, during and after the 2016 and 2020 elections, President Trump used the proverbial lie of electoral fraud told a thousand times that was believed by his electoral base. The thief judges by his condition every time someone ascribes to another what actually applies to himself. Or, as Nazi leader Joseph Goebbels pointed out, "a lie repeated a thousand times becomes a truth."

Presidential candidate Biden and his vice president Kamala Harris achieve electoral triumph by surpassing 270 electoral votes and by establishing a difference in popular votes over Trump and Pence, thus becoming the President-Elect of the United States of America.

For his part, Trump is shown as an authoritarian leader promoting a confrontational style with the institutions of his country, pointing out without any proof that the

election was stolen from him and logically his desperate attempts before the courts were unsuccessful and, as expected, he also did not provide data beyond saying that Democrats "behaved in a way that suggests fraud."

Obviously, for the whole world, the attitude of President Trump and many of his illiterate followers, in addition to his performance during the exercise of his four years of failed government, makes him in our opinion the worst president that the United States has had in its history national, far above former Presidents Andrew Johnson and James Buchanan.

On January 20, 2021 Joe Biden and Kamala Harris will take office as President and Vice President respectively of the United States of America, having ahead of them a job that will be hard and obviously an easy presidency does not await them, as they will have to face difficult and complex circumstances related to the recovery of the economy after the pandemic left and clumsily encouraged by Trump and rebuilding a large part of the relations with the organizations and other nations, mainly the traditional allies that have deeply deteriorated with the Trump administration. As for international relations there will be a greater change, seeking greater proximity to Europe and Latin America.

Looking to the future, we are sure that the United States will overcome the consequences of this terrifying Trump Administration that not only deeply harmed this great nation but also the entire Western world.

Undoubtedly there is new hope for a new future, or as the 46th future President of the United States, Joseph Robinette Biden, Jr., better known as Joe Biden, said: "I will be an ally of the light, not of the dark."^{L&E}

Consult Doctrine and JURISPRUDENCE

CAIR APPLICATION: TAXPAYER MUST ATTACH EVIDENCE SUPPORTING THEIR COSTS AND DEDUCTIBLE EXPENSES

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COMPETITION: CORTE SUPREMA DE JUSTICIA – SALA DE LO CONTENCIOSO ADMINISTRATIVO

MAGISTRATES: CARLOS ALBERTO VAZQUES
CECILIO CEDALISE
LUIS RAMÓN FABREGA

DATE: 5 DE OCTUBRE DE 2020

Through resolution No. 201-234, issued by the General Directorate of Revenue where it decided to reject the request for Non-application of the Alternate Income Tax Calculation (CAIR). Submitted by the taxpayer for the 2013 fiscal period.

The legal representative of taxpayer states that formal request for Non-application of Alternate Calculation of Income Tax CAIR for 2013 period was submitted to the General Directorate of Revenue, since taxpayer incurred a loss for the sum of B/. 151,318.38. Said claim is based on paragraph 1 of article 699 of Fiscal Code and articles 133b and 133d of executive decree No. 170 of 1993. Therefore, the legal representative states that the taxpayer is not obliged to apply Alternate Calculation of

Income Tax CAIR in income statements corresponding to the fiscal period 2013 and for the following period of 2014, therefore, the General Directorate of Revenue must eliminate any additional debits included in the taxpayer's statement of account. It also states that the taxpayer is responsible for calculating his or her income tax in a traditional way, since the taxpayer complies with the legal requirements to avail himself of the request for Non-application of the Alternate Calculation of Income Taxes CAIR period 2013.

The forensic firm representing the Taxpayer filed a Contentious Administrative Demand of Full Jurisdiction, in order to declare NULL, as illegal the content in Resolution No. 201-234,

issued by the General Directorate of Income of the Ministry of Economy and Finance.

Within the lawsuit presented by the legal firm, the General Director of Revenues of the Ministry of Economy and Finance was asked for an explanatory report of his actions within the request for Non-application of the Alternate Calculation of Income Taxes CAIR period 2013 of the taxpayer .

The Director General of Revenues of the Ministry of Economy and Finance states that once the request was received by the taxpayer, an analysis, review and verification of the information received by the taxpayer was carried out, the costs for local purchases by the amount of B/. 17,406,091.50, and other expenses in the amount of B/. 89,105.92. The aforementioned objected sums are based on Executive Decree No. 170 of 1993 by virtue of the fact that the activities of the taxpayer is the development and promotion of projects, it indicates that the taxpayer did not provide the detailed information that would allow the tax administration to be able to accept said costs.

The Director General of Income of the Ministry of Economy and Finance indicates that in the report of other expenses for the sum of B/. 89,105.92 in the income tax return it was not possible to verify said amount since the taxpayer did not present annex 94 (details of other costs and other expenses) nor did he include the detail of other expenses in the financial statement notes, in the same way he failed to comply with Article 19 of Executive Decree 170 of 1993, resulting in a taxable income for this reason, it was recommended to reject the request for Non-Application of the Alternate Calculation of CAIR Income Tax.

OPINION OF THE ADMINISTRATIVE ATTORNEY

The Procurator of the Administration, requested the Third Administrative Litigation Chamber of the Supreme Court of Justice to declare the accused Administrative act NOT ILLEGAL and consequently the claims of the plaintiff are dismissed, it indicates that the action

of the plaintiff company has the intention to try to remedy a technical deficiency within the application.

ROOM DECISION

The Chamber indicates that the decision of the tax entity to deny the request for Non-application of the Alternative Calculation of Income Taxes CAIR period 2013, arises after the General Directorate of Revenues verified that the taxpayer did not comply with the requirements demanded by the Decree No. 170 of October 27, 1993 and its modifications.

We must point out that the analysis and technical review to authorize or not the request for Non-Application of the Alternative Calculation of CAIR Income Tax depends on the determination of the income. It is also noted that within the Administrative file it was observed that the taxpayer did not fully comply with the requirements, which is why it motivates the lack of support of the documentation required by article 133e of Executive Decree 170 of October 27, 1993 .

At the time that the taxpayer presented his Appeal for Reconsideration, he did not provide evidence that would allow to reliably prove the deductibility of the declared costs, the taxpayer had to present all the means of evidence recognized by the general administrative procedure established in Law 38 of 2000, together with the brief of Appeal for Reconsideration.

It is important to state that the taxpayer had the opportunity to provide the corresponding documentation and information to evaluate the request for Non-application of the Alternate Calculation of CAIR Income Taxes, even so he did not provide annex 94 Nor did he provide the financial statements in the declaration of income for the period 2013, which motivated the Court to discard the plaintiff's argument in which it indicated that the Court did not take into consideration the evidence provided.

The Third Administrative Litigation Chamber of the Supreme Court of Justice DECLARES THAT Resolution

No. 201-234 issued by the General Directorate of Revenues of the Ministry of Economy and Finance IS NOT ILLEGAL and DENIES the rest of the claims of the lawsuit.

OPINION

When submitting a request for Non-application of the CAIR Alternate Income Tax Calculation or any other type of request, we must take into account every detail about it, since the request is not enough if the correct documentation is not provided. and requested by the institution where the procedure is presented.

In this sense, in application submitted by the taxpayer, it can be observed that it lacks fundamental evidence within application, since it didn't include documentation requested in article 133e of Executive Decree 170 of 1993, where it indicates that it is not optional. It's MANDATORY to include documentation requested there.

That is why the General Directorate of Income of the Ministry of Economy and Finance, resolves to reject said request as it did not find fundamental elements to be able to evaluate the request and corroborate that the taxpayer had really had losses as mentioned in their request for No application of the Alternate Income Tax Calculation (CAIR).

We must take into account a very important point, which is to give due follow-up to the procedures, since we can find out if the institution requests to correct both the writing and the test documents and thus have the opportunity to correct in order to obtain results favorable within our requests. *L&E*



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SUPERIOR COURT OF APPEALS REVERSES JUDGMENT IN FAVOR OF RICARDO MARTINELLI BERROCAL

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From the core of the two annulment appeals that were admitted by the appeals court in the case of Ricardo Martinelli Berrocal, we will analyze each one separately: the first one filed by the Public Ministry that indicates that, due to a legal error in the Appreciation of the test, which would have influenced the device of the failure and which support under six (6) reasons, a faulty test is considered. This means that it is a transgression of evidentiary norms that vitiate the evaluation of the evidence in terms of its legal validity, which in turn can be due to a false judgment of legality, when legal validity is denied to a legally produced evidence or is granted a merit that does not meet the requirements of the standard; or by false conviction judgment, it is when the sentencing court deviates from the legal value of a certain test, which cannot be specified in the criminal process since there are no legal test fees.

OF THE ANALYSIS OF MOTIVES OF THE PUBLIC MINISTRY.

First Motive

The Public Ministry points out that there was an

erroneous assessment of the statement given in court by ISMAEL PITTÍ, former member of the National Security Council, who served as protected witness No. 8430145, by not giving him sufficient credibility as a suspicious witness and considering that his deposition lacked peripheral corroboration items.

It indicates that the rules of logic, reason, common sense and experience were not used, nor was the principle of evidentiary unity used, that if those techniques had been used plus the other elements practiced in the oral trial, specifically the NSO Group, Ltd equipment purchase certifications, the testimonies of Ángel Coronel, Nicolás Escudero and Jesús González, the minutes of eye inspections to the National Migration Service and Hotel Miramar and the testimonies of the victims, would have convinced that their testimony was fully reliable and confirmed the commission of the crime of interception of telephone communications ordered by the former President of the Republic Ricardo Alberto Martinelli Berrocal, and, consequently, a guilty verdict was issued against him.

For its part, the defense indicated that this first

ground contained serious inconsistencies in the statement of the protected witness, which consists of 39 pages of the sentence, where sudden changes are observed in the way the witness tells his story during the cross-examination, saying he does not remember their own sayings.

Additionally, it pointed out that the sentencing court confronted the statements of the protected witness with the testimonies of Nicolás Escudero, Ángel Coronel and Jesús González, from which information different from that expressed by the witness came to light, without clarifying this aspect. Regarding the certifications related to the company NSO Group, Ltd. and the records of inspections made to the National Migration Service and Hotel Miramar, contrary to what was stated by the appellant, he considers that they were correctly analyzed by the trial court, since they were not how these documents arrived at the case, as expressed in the sentence. On the other hand, regarding the confrontation with the testimony of the victims, the defense explained that in cross-examination the victims responded that they were not aware that Ricardo Martinelli intervened or ordered that their communications intervened, therefore, the evidence was evaluated according to law.

They continue to indicate that a large part of the sentence was dedicated to examining this witness on the occasion of verifying the verification of the objective and subjective aspects of the crime of interception of telecommunications without judicial authorization, where it falls to the conclusion of qualifying him as a suspicious witness, since According to the defense, pages were dedicated for such purposes that are reducing the credibility of his saying. They mention that the witness timidly said his name, which also detracts from his credibility and they consider that he was distressed and that when asked about his functions in the National Security Council since 2009, he completely changes and acquires precision and empowerment to narrate, asking himself questions and giving himself answers.

Of everything raised by the protected witness, the Judgment was cruel to reduce credibility to him, calling him a suspicious witness, which is far from

an objective assessment, and that when analyzing other documentary testimonial evidence that was evacuated in court (Elvin Ortiz González, Elvys Moreno, Iris González, Ángel Coronel, Nicolás Escudero, Jesús González, eye inspections, Carmen Salinas, Júbilo Graell, Javier Quiroz and the testimonies of the victims), concludes that irregular situations have been narrated that in the Security Council National activities were carried out outside of Executive Decree 236 of March 19, 2010, but doubts arise that were not resolved through interrogation techniques or because the means of conviction were not validly incorporated, which limits the court to consider configured the aspect objective of the crime under analysis (interception of telecommunications without judicial authorization or use of technical devices of wiretapping, transmission, recording or reproduction) on the sole basis of the testimony of Ismael Pittí, constituting the testimony in an insufficient indication to violate the state of innocence of the accused, at the same time that fundamental principles of due process were violated that did not allow give value to other evidence.

The Court considers that witness Ismael Pittí addressed relevant issues during the interrogation, which were not analyzed in the sentence. That the protected witness is usually the subject of great debate at the jurisprudential and doctrinal level, due to the reserved nature of his identity that prevents a fully contradictory exercise; But in order to achieve a better procedural balance in the release of evidence, the Panamanian procedural law provided in articles 404 in accordance with 394 of the Criminal Procedure Code, the mechanisms to prevent that this reservation doesn't affect the right of defense and the principle of contradiction.

In addition to the relevant fact that after five years of remaining under protection or reserve, the witness himself voluntarily decides to strip off his veil to face the court and the parties, so that his statement would be weighed without the natural reserves endorsed to the protected witness.

The same confirms, without his status as a protected witness, having been part of a closed group of three people (along with William Pittí and Rony Rodríguez) who worked in Building 150 of the National

Security Council and that by instructions from Rony Rodríguez, who responded directly to number 1, President of the Republic and of Security Council, participated in telephone interception tasks during years 2012-2014, to detriment of a plural number of people fully identified by him, including politicians, journalists, union members and businessmen.

The Court explains that the state of emotion expressed by the protected witness at the beginning was typical of the peculiarities that derive from this condition, so they consider that this is the main explanation, and that it was necessary for the court that emphasized this aspect. As a factor generating suspicion, he would have done it in a reasoned manner, consistent with sound criticism and experience, which would result in shyness or distress shown as suspicious, without ruling out other possible explanations.

Therefore, the Court considers that what is stated in the judgment has no firm or objective basis to categorically discard his account and that there was no violation of the right to non-self-incrimination to the detriment of the witness in stages prior to the process, as stated the sentence, since at that time he was not subject to an investigation for criminal, correctional or police matters, and it did not prove to be the basis for an investigation against him.

The Court points out that judgment lacks an objective appreciation pertaining to evidence, so that Ismael Pittí's testimony could be subject of a better evaluation, and not be cruel to alleged threats that Mr. Pittí denied throughout the process.

As it was possible to demonstrate the existence of the technological equipment called "Pegasus", it was pertinent to assess the content of the test without putting the discrepancies that arose with the other testimonies before it, since in doing so it ended up detracting from the content of the test by emphasizing the absence of evidence and that ultimately could affect the operative part of the sentence.

They conclude that unsubstantial aspects were taken when weighing the evidence that do not affect the core of the testimony, and impressions of third

parties that were clarified in a timely manner by the witness, from which it is not possible to clearly extract how it is that for the trial court the testimonial loses credibility in attention to nonessential details. And that a conclusion was reached without specifying it in a legally understandable, logical and reasoned manner; Therefore, they consider that it is well worth repeating the relief of the evidence in question and the assessment exercise, in order to correct the error of not having objectively assessed the testimony in its entirety and detract from it without factual reasons of impact, which affected the judgment device.

Second Motive

The Public Ministry questioned the erroneous assessment of Júbilo Graell's testimony, by questioning the lack of credibility of his account regarding the existence in Building 150 of a rack that was part of the technical wiretapping device and his mobilization towards the presidency of the Republic and then to the administrative offices of the Super 99 in Monte Oscuro, as well as their statements regarding the monitoring and surveillance carried out against Mauro Zúñiga, Castalia Pascual, Balbina Herrera, Mitchell Doens, Juan Carlos Varela, Juan Carlos Navarro and others, without Order of the competent authority, following the guidelines of Rony Rodríguez, who told him that such activities were requested by number 1 of the National Security Council, Ricardo Alberto Martinelli Berrocal.

They point out that the rules of the Healthy Criticism and the principle of evidentiary unity were not applied, since it coincides with the testimonies of Javier Quiroz and Ismael Pittí, that if it had been correctly assessed, the trial court would have concluded a different decision since it would have been accredited the crimes of yore and the guilty condition of Ricardo Martinelli Berrocal.

For its part, the defense explains that even if it could be determined that a rack or shelf left Security Council as indicated by Ismael Pittí, objective conditions of perception of given way and place are questionable, which are diminishing the credibility due to defects in their testimonies, the trial court having to determine if the events occurred as declared and if they deposited by direct perception.

To which the appeal court states that Júbilo Graell indicated that he was not able to accurately describe the rack that he transported, because he did not pay much attention to it, although he indicated that it was large and heavy, but Javier Quiroz assured this fact by making a further description of the furniture.

The Court agrees that in judgment there is no substantive explanation of the objective non-credibility of Graell's testimony, and that for this purpose it was necessary for the court to rule out that contradictions that produced disbelief when confronting the testimony of Júbilo Graell, with those of Javier Quiroz and Ismael Pittí, didn't come from situations other than lack of direct perception or interest in being untrue, such as the time elapsed between the occurrence of the narrated event (2014) and the date on which it is rendered the testimony (2019).

For what is even more disastrous, the claim of the Court of trial when considering that the testimonies lack credibility because they do not coincide in all the details with that of Javier Quiroz, which would be totally suspicious, since each witness relate their experiences by relating their own memories. Therefore, when evaluating this testimony, a more measured examination had to be carried out, and the lack of depth in the analysis that was made of its content in aspects that was important is evident.

The court considers that there should not be an absolute concordance between the testimonies of different people, but because of the existence or not of external data that corroborate it, or because objective reasons arise to think that the witness provides implausible information, or because what has been expressed doesn't fit to the rules of logic and experience.

Third Motive

The plaintiff denounced the incorrect assessment of the evidence related to the seven booklets identified as documentary evidence No.46, which contains printed files extracted from the email brad.pty507@gmail.com, with private telecommunications of victims for the years 2012-2014.

They indicate that in the absence of an expert opinion on the aforementioned email, despite the victims acknowledging their private conversations printed in said booklets and that it is documentary evidence obtained from the email address of the protected witness 8430145, the inspection report described ocular of August 14, 2014 and introduced by reading at the hearing of March 25, 2019, as documentary evidence No.4, which details the technical procedure carried out by the expert Luis Rivera Calles of the Forensic Informatics Section, it was deducted probative value.

The latter corroborated the veracity of the documents to which the defense objected, indicating that it was an expert evidence not recognized by the trial court but not documentary evidence, so it was not read, and that By not being able to link the person responsible for said email, a void was constituted in the theory of the prosecution's case.

For its part, the Court points out that it seems confusing given that it is not possible to clearly specify what evidence is that the alleged error denounced falls, for which this reason was rejected.

Fourth Motive

On this occasion, the Public Ministry indicates that there is an error in the assessment of documentary evidence No. 4, Eye inspection of August 14, 2014, carried out by the Department of Forensic Informatics of the Institute of Legal Medicine and Forensic Sciences, to inspect the email brad.pty507@gmail.com, belonging to Ismael Pittí, indicating that its value is dismissed because visual inspection diligence was carried out in flagrant violation of defendant's right to defense, since a defender wasn't present, affecting his constitutional guarantees.

In this sense, the defense indicates that there is a contradiction in the motive in that first the censor refers to a problem of illegality, but later, he refers to the rules of sound criticism, and that the visual inspection was carried out with the presence of a public defender, but that the communication of the accused or his defenders is not recorded, but since he was not constituted as a defendant, he only

appeared as an accused or a possible investigated.

To which the Court rejects this reason, since the ruling did not attribute any value to the evidence, but the formal reasons why the Trial Court considered that it could not address its content were explained.

Fifth Motive

The Public Ministry also challenged the way in which the sentencing court considered the testimony of Erasmo Pinilla, a victim in the process, and even when it assured that communications extracted email brad.pty507@gmail.com were his and that were in the possession of third parties to whom they were not addressed, he didn't grant evidentiary force to demonstrate the criminal execution and criminal responsibility of the accused, due to the lack of technical expertise to determine the primary source of electronic messaging.

And even when the protected witness affirmed that Erasmo Pinilla was one of the targets of those who intervened his communications without judicial authorization, the execution of the crime, the responsibility of the accused, would have been clearly noted there.

The defense pointed out that at the time of the cross-examination, the victim assured that he was not aware that Ricardo Martinelli Berrocal had ordered or executed the interception of his communications.

In another sense, the Court of Appeals asserts that the conditions of recognition of the printed conversations of Mr. Erasmo Pinilla cannot be ignored, and that they do not detract from his testimony since they indicated that they were private conversations in the hands of third parties, but that due to the absence of expertise in said email, it was not possible to determine the primary source of those emails, nor their route.

Therefore, they consider that the lack of a specific value judgment of the account of that witness, which coincides with the information of the protected witness regarding the statement of what happened regarding the intelligence activity of interception

of unauthorized communications, allows them conclude without much effort that the valuation error reported in the motive was proven, and that it may have influenced the mechanism of the failure.

Reiterating the need to carry out a new exam, in order to guarantee the exercise accordingly, analyzing the tests in their integral content and in harmony with the rest of the pieces, using reason.

Sixth Motive

Finally, the Public Ministry announced the incorrect assessment of the testimony of Mauro Zúñiga, to whom the sentence did not grant the evidentiary force that it entails to delay the criminal execution or the criminal responsibility of the accused, due to the fact that he did not present complaints from the surveillance and illegal pursuits of which he was a victim, nor did he take a photograph of the car that was guarding him.

For its part, the defense indicated the same as in the previous reason, the witness assured not to be aware that Ricardo Martinelli had intercepted an orderly intercept of his communications.

The Court of Appeals considers that the presentation of photographic views or the requirement of a complaint is not essential to prove the veracity of the victim's account, since it coincides with the accounts of Mauro Zúñiga and Júbilo Graell.

Analysis of the Court of Appeals

They consider that the judges should exhaustively examine the testimonial evidence presented, putting the aspect that relates to the person or emotions of the witness before the assessment of the knowledge transmitted as a source of information and that may be relevant for the clarification of the accused facts.

Regarding the sentence attacked, it is clear that a large part of the reasoning with which the testimonial evidence is individually devalued is related to this dysfunctional aspect, without payment of a substantial support that detracts from the quality of

the testimonies due to lack of consistency, coherence or absence of external corroborating elements.

Complainant's Appeal for Annulment

The second Appeal for annulment was presented by the forensic firm CONSORCIO DE ASESORES LEGALES DE PANAMÁ, on behalf of Rosendo Enrique Rivera Botello, Rubén Darío Polanco Castro and Juan Carlos Navarro. Those who argue that the sentencing court committed errors that make up the cause described in paragraph 5 of article 172 of the Criminal Procedure Code; and that such errors produced infringements on procedural norms that influenced the mechanism of the ruling because, had such errors not been committed, Mr. Ricardo Martinelli Berrocal would have been criminally responsible.

For its part, the defense states that the appeal for annulment does not comply with the requirements for the presentation of the same since it does not indicate which is the solution that it seeks, and that it is not clear regarding the regulatory infringement, that the extremes of logic and healthy criticism not complied with or at least explain what inferences the court should have made when confronting specific phrases of the testimonies whose assessment it attacks.

First Motive

The testimony of Ismael Pittí is considered to be affected with partiality, because he held a meeting with Juan Carlos Varela and was sent to carry out diplomatic tasks abroad under license and with the salary of the position he held, which is insufficient to doubt the partiality of the witness and justify a disintegrated evidence analysis and, therefore, far from sound criticism.

For its part, the defense indicates that from charges against judgment it is not inferred (because it is not explained), the evaluative error that the complaint announces through arguments of how Ismael Pittí's testimony should have been valued, nor what were the principles of logic (sufficient reason, contradiction, identity and excluded third party) and sound criticism that are considered transgressed.

The court considers that the foregoing is limited to an enunciation of what was said by the witness Ismael Pittí, without explaining how it should have been assessed in relation to other evidence, without describing the common thread of the analysis required of the trial court, without indicating peripheral evidence that support or reinforce what was said by the witness; for this reason they reject the first motive.

Second Motive

They point out that the court diminishes the value of Luis Rivera Calle's testimony due to the statement he makes when he says that no expert opinion was carried out on compact discs, CD's and DVD's and hard drives containing the material from the telephone interceptions and images of the target that were given follow-up, the trial court having to know about the matter resulting from the illegal interceptions through the testimony of Rivera Cales, who as a technical witness could introduce it as allowed by the Criminal Procedure Code in article 421. And that it should have estimated that digital evidence conforms to the logic, experience and comprehensively.

To which it is also rejected because the assessment of sound criticism cannot be carried out without deploying arguments that fix the conditions of application of the evaluative error and also establish the link or analysis that leads to the solution it seeks, and must be justified with an explanation that lead the court of appeals to notice the deficient application of some rule of sound criticism. They emphasize that this deficiency is present in the **third, fourth, fifth and seventh motives.**

Sixth Motive

They point out that there was a limited and non-concatenated weighting of the certified copies of the unfinished investigation, consisting of authenticated copies from the criminal process where Gustavo Pérez and Alejandro Garúz were convicted as primary accomplices, for crimes against the inviolability of secrecy and the right to the privacy where Ricardo Martinelli appears as accused. Where they indicate that a concatenated assessment of all the means

of evidence was not made, that if the documentary evidence had been estimated, according to logic and experience, taking into account the rest of the probative material, the trial court would have warned that the The evidence transferred revealed that it was the criminal proceeding in which Messrs. GARUZ Y PÉREZ were convicted as primary accomplices, which constitutes evidence that the National Security Council was effectively violating constitutional rights and that in this case they are being prosecuted. to the person who presided over that unit.

To which the appeals court indicates that the sentence when ruling on this evidence gives it the character of transferred evidence, concluding that it was inadmissible, therefore, when the limited weighting of the copies of uncompleted research copies is attacked, such As we anticipated when analyzing the fourth reason for the appeal supported by the Public Ministry, said statement is inaccurate given that the sentencing court determined the inadmissibility of that evidence, hence it is clear that it didn't assess it, a question other than weighing it in a limited way.

Eighth Motive

They indicate that the sentencing court subtracted the evidentiary force of seven (7) booklets of approximately 2,300 pages, which constitute the paper support of the information contained in the computer media, an error that arose when it was indicated in the judgment that this evidence was revealed at the defense until the trial, as the defense attorneys had access during the intermediate hearing stage and for a reasonable time to this evidence, it also makes objections to the sentence when it is sure that there is no certainty of the source of the emails and the images, due to the fact that no expertise was practiced on the victims' phones or computers and considers that, if this evidence had been assessed jointly with the testimony of the victims, the testimony of Ismael Pittí and other evidence produced in court, the court that sanctioned the author of the illegal interceptions and monitoring. So that evidence should have been assessed.

The Court of Appeals considers that it is not clear

from the wording of the objection that is made that, if it is directed against the sentence or against the action of the court, therefore it does not prosper. Therefore, it has not been possible to verify the alleged errors of assessment in the sentence and they reject the appeal presented by the complaint.

OF WHAT IS RESOLVED

The Court of Appeals welcomes those expressed in the annulment appeal presented by the Public Ministry annulling Sentence No. 136 / TJ-J of August 26, 2020 issued by the Oral Trial Court of the First Judicial Circuit of Panama and orders to the realization of a new trial of Mr. Ricardo Alberto Martinelli Berrocal for the crimes of interception of telecommunications without judicial authorization and monitoring, prosecution and surveillance without judicial authorization; the new trial court is designated as the court of the First Judicial Circuit of the province of Panama, made up of three judges other than those who handed down the annulled sentence.

OF THE VOTE SALVAGE.

Partial Vote Salvage

Judge Diego M. Fernández, agreed with the Court of Appeals in rejecting the annulment appeal presented by the forensic firm CONSORCIO DE ASESORES LEGALES DE PANAMÁ, representing Rosendo Enrique Rivera Botello, Rubén Darío Polanco Castro and Juan Carlos Navarro but it considers that there are other reasons for the rejection of the appeal presented, and it is that it indicates that the appellant doesn't explain what rule of sound criticism or logic he refers to and what is the joint and harmonious assessment that the Court of Trial, indicates that it doesn't indicate what solution it intends to reach.

Regarding the Voting Rescue presented by the same magistrate Fernández on the appeal presented by the Second Superior Specialized Prosecutor against Organized Crime, it should be noted that it differs with the approach of the Superior Court of Appeals of the First Judicial District of Panama because in the first

Second, it considers that it does not explain exactly what rules of logic and reason should have been taken into account when assessing Ismael Pittí's testimony, in addition to the fact that it was clear to him that the Court of Trial did not make known to the witness of his constitutional right not to incriminate himself.

It indicates that in none of the three statements that Ismael Pittí gave as a protected witness before the Assistant Prosecutor's Office is Mr. Ricardo Martinelli mentioned as one of the people who had to do with the punctures, unlike the interrogation. Additionally, it considers that the testimony of Ismael Pittí is suspicious, and failing that, it agrees with the assessment made by the Trial Court at the time, noting that the appellant does not indicate why he should have been credited and why he shouldn't be considered a witness suspect.

It indicates that when referring to the testimony of Júbilo Graell, it is not specified which are the rules of sound criticism that should have been taken into account.

It concludes agreeing with Court of Trial in that it doesn't detract from testimonies that the victims made regarding the recognition of their printed conversations, that as there is no expertise from the indicated email, this case is not clarified either, so it is not determines the primary source of these emails or their path. Therefore, it considers that the appeal presented should have been concise in terms of the propositions noted, with clear grounds for the reasons stated.

OUR OPINION

This process has created a legal precedent in our country, we have seen throughout all the setbacks it has suffered, we must be clear and present the most important principles when assessing a test such as that of Healthy Criticism, legality and congruence. Although it is true that the Judgment that acquits Mr. Ricardo Martinelli lacks an exhaustive examination regarding the assessment of some evidence, it can be seen that these shortcomings could have inferred the device of the ruling, together with the fact that there was a partial examination by the trial Judges who in my opinion made subjective assessments forgetting the objectivity of the evidence.

Now, what is imperative to highlight is the much questioned constitutionality of the mandate emanating from the Judgment of Annulment that we are examining today, and that is that the double trial is questioned, but although the viability of the Appeal for Annulment is not unconstitutional, we cannot make an abstract interpretation of the norm. Our Code of Criminal Procedure establishes in its article 179 that, by availing itself of the appeal, a new trial will be ordered.

The Public Ministry has been emphatic in its motivation regarding the appeal presented, but it is also true that there are some elements with legal gaps throughout this trial against Mr. Martinelli Berrocal. But we must highlight the effectiveness of this Institution because it is a high-profile case, where it has been exhausted until the last instance for creating this precedent and that unfortunately does not happen in day-to-day or low-profile crimes.

On the other hand, we cannot ignore that this process has a political setback that in a certain way may or may not have influenced this new action, on this premise it is necessary to highlight that from the beginning of the process mechanisms have been used by the accused of origins politicians, rules have been interpreted at the convenience of particular situations that in themselves have created confusion throughout this trial.

It remains to await the new trial with the new collegiate court, since this mandate must be respected, once it is the same for Mr. Ricardo Martinelli Berrocal, he will have one token to move to maintain this Annulment sentence, which will be to go before the Inter-American Court Human Rights to support what is considered a violation of their rights with the result of this new trial. *L&E*

CIVIL ROOM I RESOLVES APPEAL FOR MARRIAGE WITHIN THE PROCESS DECREES THE ENFORCEMENT OF JUDGMENT RELATED TO THE NON-CONTENTIOUS LITIGATION OF INSPECTION ON MEASURES AND BOUNDARIES OF PROPERTY LOCATED IN PROVINCE OF COCLÉ

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Supreme Court, hears the Appeal of Cassation proposed by BIENES RAÍCES FARALLÓN, S.A., within the Executive Process of Greater Amount that follows URBANIZADORA FARALLÓN, S.A. The appeal is filed against the Resolution of December 21, 2017, issued by the Superior Court of the Second Judicial District, which confirms Order No. 732 of June 15, 2016, issued by the First Civil Court of the Judicial Circuit of Coclé.

BACKGROUND

This is the executive process presented by the company BIENES RAÍCES FARALLÓN, S.A. against the company URBANIZADORA FARALLÓN, S.A., processed by the First Civil Court of Coclé, which dictates Order No. 636 of August 17, 2010, which decrees the execution of the Judgment of December 21, 2005, with reason for a non-contentious inspection process on measures and boundaries, proposed by INVERSIONES ATALAYA, S.A.

The ruling orders a term of thirty days to URBANIZADORA FARALLÓN, S.A., to remove a perimeter fence and exempts execution of default damages at its expense,

in the order of fifty thousand balboas. The decision is appealed by the executed party and the Superior Court of the Second Judicial District, who hear the appeal, dictates the Resolution of November 29, 2011, which REFORMS Order No. 636, in the sense of annulling the release of execution for default damages, decision is challenged via cassation appeal, by the executing party and declared inadmissible by the Resolution of June 6, 2012. The executed one submits a request for the obligation to be fulfilled, providing and achieving the celebration of a series of tests, Therefore, the request for interrogation of experts is denied by Order No. 468 of April 21, 2016, It is subject to reconsideration, through Order No. 732 of June 15, 2016 and the appeal for reconsideration is denied, declaring that the obligation to do contained in Order No. 636 has been fulfilled and orders the filing of the process. The decision is appealed by BIENES RAÍCES FARALLÓN, S.A., culminating in the Resolution of December 21, 2017, which CONFIRMS Order number 732 of June 15, 2016.

REMEDY OF CASSATION

The company BIENES RAÍCES FARALLÓN, S.A., formalizes its appeal against the Order of December 21, 2017, invoking the underlying cause related to an error of fact regarding the existence of the evidence. The rebuttal is based on two reasons: It does not take into account the reports of the Court's expert, who indicates that in Order # 636 of August 17, 2010, it was not complied with as regards globe "B", referring to the land areas that must be reverted to Farm No. 1147 of Coclé, that is, the Judgment of December 21, 2005 is not complied with. The action contained in the Exception notebook of the absence of the thing, which indicates in the Judgment of December 26, 2014, the existence of the three globes of land object of this execution is judicially recognized, which resolves the sentence challenged by URBANIZADORA FARALLÓN, SA, and the decision that URBANIZADORA FARALLÓN, revert to farm N ° 1147, the three aforementioned globes of land.

ROOM EXAM

The censorship indicates that elements of conviction weren't taken into account based on the expert reports practiced by the court's experts and the parties in the process in question. It is recorded that Order No. 636 of August 17, 2010 was not complied with by the one executed, with regard to the areas of land that must be reverted to Farm No. 1147 of Coclé, as it was not complied with with the Judgment of December 21, 2005, which decreed the execution that is not fully carried out. Another element of the evidence is that it is stated that the notebook containing the exception of non-existence of the thing, indicated in the judgment of November 26, 2014, was not taken into account in the second instance ruling. To ignore this resolution, that judicially recognizes the existence of the three globes of land that are the object of this execution, due to the existence of an enforceable judicial decision, the Ad quem did not notice the prior judicial recognition, regarding the existence of the three aforementioned globes of land, same as URBANIZADORA FARALLÓN, SA , refuses to return to its counterpart. Being configured the underlying cause invoked, error of

fact regarding the existence of the evidence, the appropriate thing is to match the appealed resolution, according to the provisions of article 1195 of our Code of Civil Procedure. The opposing party pronounces indicating that what is claimed by its counterpart, through the present execution process, falls only on the globe A of land, which affected an easement, and not on other areas of a particular nature. The effect is the recognition of the existence of three globes of land, those that URBANIZADORA FARALLÓN, S.A., refuses to return to the pretensioner, a fact that motivates the executive process. Thus, since it cannot be established that URBANIZADORA FARALLÓN, S.A. complied with all of the obligation imposed on it, through Order No. 636 of August 17, 2010, it corresponds to revoke the first level resolution, declare the obligation contained in the said order not fulfilled, and order the costs of both Instances to the one executed, so that the First Civil Chamber, TO CASSATE the resolution of December 21, 2017, issued by the Superior Court of the Second Judicial District, REVOKES Order No. 732 of June 15, 2016, issued by the First Civil Court of Coclé and instead proceeds to issue a replacement resolution that resolves: DECLARES NOT FULFILLED THE TOTALITY OF THE OBLIGATIONS contained in Order No. 636 of August 17, 2010, which decrees the execution of the sentence of August 21, December 2005. The A quo is ORDERED to continue with the executive process, regarding the other repayment obligations, ordered by the Judgment of December 21, 2015, regarding the part referring to the appeal for reconsideration for moved against Order No. 468, the decision to deny said means of challenge is maintained.

VOTE SALVATION OF JUDGE ANGELA RUSSO DE CEDEÑO

Judge Angela Russo, exposes her disagreement that the resolution that decides this appeal, is of the opinion that it was appropriate not to match the appealed resolution, since the resolution of December 21, 2017, appealed, Confirms Civil Order No. 732 of June 15, 2016, which declared the obligation to do contained in Order No. 636 of August 17, 2010 (executive order)

fulfilled and the filing of the process was ordered. "Infringement of Substantive Norms of Law as a Factual Error on the existence of the evidence" is invoked, on the expert opinions and the action that appears in the notebook of the exception of nonexistence of the thing, indicating that in this Judgment it is acknowledged the existence of three globes of land, subject to enforcement and that if the appealed resolution had taken this judgment into account, it would have been realized that the Executive Order had not been fully complied with. It is evident that in order to elucidate whether the fact of not having taken into account the Judgment of November 26, 2014 influences the decision, it is essential to determine which or which are the obligations set forth in said Executive Order, it is estimated that nowhere of the resolution that accompanies this vote salvage, it is analyzed which are the obligations whose fulfillment was ordered in Order No. 636 of August 17, 2010. It should be concluded that in Order No. 636, the only obligation whose fulfillment is orders is to remove said fence. Now, if due to the fact that in the motive part of the Judgment of November 26, 2014, the Civil Chamber alludes to some globes of land that URBANIZADORA FARALLÓN, S.A. must return to BIENES RAÍCES FARALLÓN, SA, it means that the Chamber considered that the Executive Order includes an order to return said globes of land, this in nothing can change the provisions of that Executive Order, since it is unacceptable to give the motivated party of a resolution the effect of reforming another resolution, and less when that one was not even issued as a result of an appeal against the resolution on which that effect is being given. Accepting the above not only entails the violation of procedural principles, but also violates legal security, putting you in a worse situation than you would have had if you had not made use of your right to defense, because now you have to comply with additional obligations to the specified in said Executive Order.

SEPARATE OPINION OF JUDGE OLMEDO ARROCHA OSORIO

Judge Olmedo Arrocha is of the opinion that the legal

basis of the controversy raised in this appeal is the execution of the judicial recognition of the measures and boundaries of the property owned by the executor-appellant. In this sense, the Resolution of December 21, 2005 was provided as an executive title. A judicial decision dating from 2005 is enforceable to date, that is, more than fourteen years have elapsed and has not been complied with due to certain legal criteria dictated by the judicial authorities of first and second instance, which have prevented, in their opinion, compliance with a court order, causing uncertainty and confusion to the winning party. It is clear that prior to this process, the perpetrator-appellant promoted an executive process because the party obliged to do has not complied with removing the dividing line and with the other mandates. It corresponds to act according to what is fair, as indicated in article 215 of the Political Constitution that indicates the procedural Laws that are approved will be inspired, among others, by the following principles: Simplification of procedures, procedural economy and absence of formalities and the object of the process is the recognition of the rights consigned in the substantial Law. Facing the dilemma between "formality vs the effectiveness of law". In any case, if there was any doubt, the Judge had to act, in our opinion, with greater judicial activism, as allowed by the content of article 465 of the Judicial Code to direct the process. Without ignoring that article 469 of this same legal exception that reproduces the principle of substance or efficiency of the administration of justice. Thus, the concept of due process must be accompanied by a behavior attached to due justice, which guarantees the effectiveness of decisions. 14 years have elapsed since the plaintiff applied for and attended the public service of administration of justice and 5 years since he has his declared and recognized right. A decision that implies NOT TO CASSATE, would mean raising the judicial drama and putting justice in a mode of uncertainty and disbelief, it is inappropriate to have ordered the filing of the present process.

From the foregoing, we observe that, in matters of administration of justice, in this case in the civil jurisdiction, as well as in the rest of other jurisdictions,

it takes years to resolve controversies that arise in these processes and we are currently facing instances that They take years to resolve appeals filed, which not only represents a collapse in the judicial system, but a belated justice. The procedures given by certain courts are not in accordance with reality and a comprehensive reform is necessary. Further expediting is required in the cases that are submitted for consideration by the courts of justice and in this way guaranteeing the rights of those who go to these courts, seeking to recognize their rights.*L&E*



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Panamanian ECONOMY

PANDEMIC AND GLOBAL CRISIS IMPACTED THE GDP OF THE FIRST HALF OF 2020 IN PANAMA

Source: GCRP

In the first semester from January to June of this year, the coronavirus and the global economic crisis it triggered, impacted the economic activity of Panama, which contracted by -18.9%, compared to the same period of 2019.

However, logistics and financial infrastructure has not deteriorated and Panama, unlike other countries in the region, maintains its investment grade due to the confidence of risk rating agencies that the country's recovery will be much faster in comparison with other economies also impacted by the COVID-19 pandemic.

In Panama, during the first semester of 2020, relevant activities have sustained the performance of the national economy and marked positive

dynamics, such as: government services, private health services and agricultural activity.

In the first half of 2020, government services grew 8.4%, with accumulated growth due to the hiring of collaborators in the health sector, necessary to address the health crisis; private health services with growth in these six months of 3.6%, while agricultural activity showed an increase of 4.3%, highlighting in a relevant way the cultivation of bananas with 43.0% and the production of eggs in 8.9% and less measure the crop of legumes with 2.5%.

Other activities related to the rest of the world that showed increases were: port services; rice and corn in the agricultural sector, fishing and within the exploitation of

mines and quarries, the export of copper concentrate.

The figures generated by the INEC are published at a time when the country is experiencing a gradual reopening of blocks that will contribute to the national economic reactivation, including the rise of new operations such as electronic commerce and home delivery service, a product of adaptation of supply and demand in the face of a new reality.

The negative impact between January and June was reflected in the decrease in operations or the total closure of activities that impacted the Panama Canal, the Colon Free Zone, air transport, personal services, commerce, construction, hotels, restaurants, business services, manufacturing industry, electricity, education and financial intermediation.

The published figures of the Quarterly Gross Domestic Product of the main Central Banks and Statistical Institutes of the region demonstrate the adverse effect of the health emergency resulting from the outbreak of the new coronavirus (COVID-19). The accumulated impact in the same period for the United States was -19.0%, for Colombia it was -7.5% and for Costa Rica it was -4.1%, among others, with significant drops, mainly in the second quarter of the year, which marks a drop in widespread economic activity.

As in Panama, these institutions support economic behavior due to the effect of the global pandemic and the actions taken by their governments in matters of public health, such as mobility restrictions and total quarantine. *L&E*



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como:**

**Rivera, Bolívar y
Castañedas**

MAIN MONTHLY ECONOMIC INDICATORS: JANUARY-SEPTEMBER 2019-20

Source: GCRP

The changes in the health measures established by COVID-19 and the opening of the economic blocks on August 31, 2020 (August 26, economic activities were opened), generated a positive impact on the collection and dissemination of data.

Even with the measures adopted in the face of the state of health emergency, the statistical data will continue to be published, and as the economic activities open, the data from the sectors that are needed will be incorporated.

1. Transport:

a. Panama Canal Authority:

The total revenue from the Panama Canal toll for January-September 2020, compared to the same period in 2019, presented a negative variation of 0.1%; of these, those of Panamax vessels decreased by 7.7%; however, the Neopanamax increased by 7.1%. For its part, the transit of Neopanamax vessels grew by 6.3%, as did net tons and cargo volume by 3.8% and 10.3%, respectively.

b. National Port System:

The movement of TEU containers (container equivalent to 20 feet), increased for the period

by 5.3%. Total cargo movement increased by 7.9%, with bulk cargo standing out by 5.8% and containerized by 10.8%. On the other hand, there was a negative variation in the general load of 47.1%.

c. Road corridors and passengers transported by the Panama Metro and MiBus:

Passengers transported by the Panama Metro decreased by 61.5% and those by MiBus by 54.2%.

2. Foreign trade:

a. CIF value of imports of goods:

The CIF value of imports of goods decreased by 40.4%, due to significant decreases in consumer goods by 38.7%, intermediate goods by 31.8% and capital goods by 51.2%.

b. Net weight of goods imports:

The net weight of imports of goods registered a negative variation of 33.5%, with a drop in consumer goods by 40.1%, intermediate goods by 25.9% and capital goods by 45.4%.

c. FOB value of goods exports:

The total FOB value of goods exports showed a

negative variation of 10.4%, these were: pineapple 24.3%, shrimp 48.4%, fishmeal and fish oil 32.2%, coffee 13.8%, clothing 58.8%, steel waste, copper and aluminum 41.8% and wood in 29.7%.

On the contrary, good performance was observed in the categories of banana 4.7%, fish and fish fillet (fresh, refrigerated and frozen) 23.6%, unrefined sugar 9.0% and beef in 40.1%.

d. Weight of goods exports:

The weight of exports of goods was reduced by 5.7%. The items that reported decreases were: pineapple in 27.8%, shrimp 40.9%, fish meal and oil 37.3%, coffee 4.3%, clothing 55.2%, waste of steel, copper and aluminum 16.2% and wood in 29.2%.

Bananas presented positive changes of 13.5%, fish and fish fillet (fresh, refrigerated and frozen) 20.6%, unrefined sugar 0.4% and beef cattle in 50.4%.

e. Zona Libre de Colón:

Information available until August 2020.

3. Internal trade.

a. Sale of fuels for national consumption:

The sale of fuels for national consumption was reduced by 38.7%, with a greater decrease in the categories of: gasoline by 32.7%; mainly, the 91 octane 34.8%; low sulfur diesel 29.3% and bunker C 69.4%. Likewise, the sale of liquefied petroleum gas fell by 5.0%.

b. Sale of marine fuel in ports, according to coastline:

The sale of marine fuel (bunkering) in ports, measured in metric tons, reported a positive variation of 3.7%, registering an increase in the Pacific Coast of 5.0%; in contrast, in the Atlantic it decreased by 2.7%.

c. Sale of marine fuel through barges and ships serviced:

The sale of fuel (bunkering), through barges, decreased by 10.3% and as part of this, the Atlantic Coast by 27.3% and the Pacific Coast by 6.0%. The total number of ships attended fell by 5.3%.

d. New cars registered:

Number of new cars registered in Unique Vehicle Registry decreased by 57.4%, specifically, regular cars by 58.6%, luxury cars and SUV'S by 59.2%, minivans 59.0%, panels 45.2%, pick-ups 52.1%, buses 47.4% and trucks at 53.8%.

4. Construction:

a. Cost of constructions registered by the main municipalities:

The total cost of constructions, additions and repairs decreased by 56.6%, the greatest impact originated in residential works by 60.5%. The most affected districts were: Panama 55.4%, Colón 75.5%, Arraiján 56.0% and Aguadulce, Chitré, David, La Chorrera and Santiago, grouped in 53.6%.

b. Construction area (m2) in the main municipalities:

The construction area in m2 decreased by 64.1%, of these, residential works by 65.8% and non-residential by 60.2%. The districts that reported negative variations were: Panama in 62.7%, Colón 65.1%, Arraiján 55.4% and grouped (Aguadulce, Chitré, David, La Chorrera and Santiago) in 68.1%.

c. Other indicators related to construction:

Cement imports, measured in metric tons and CIF value, were reduced by 45.2% and 52.0%, respectively.

5. Financial intermediation:

a. National Banking System:

The liquid assets of the National Banking System (at the end of the period) increased by 67.6% and total deposits by 11.2%. For its part, the total loan portfolio was reduced by 3.4%. Bankliquidity increased by 50.7%.

b. Stock market indicators:

The volume traded (in thousands of balboas), for the total market of the Panama Stock Exchange (BVP), increased by 9.1% and the greatest impact was produced in the secondary market with growth of 58.9%.

The volume traded (in thousands of balboas) of the stock market in the BVP, was reduced by 40.9%; however, the number of shares rose 18.5%. The calculated BVP index presented a negative rate of 19.1%.

c. Insurance:

The value of written premiums (in thousands of balboas) decreased by 4.1% specifically, the segments: automobiles 20.9%, personal accidents 43.4% and technical lines by 50.1%. On the other hand, positive variations were reported in: bonds 10.4%, fire and multi-peril 5.5% and health in 5.4%.

d. Loans approved by the Banco de Desarrollo Agropecuario:

Loans approved by the Banco de Desarrollo Agropecuario (BDA) increased by 5.7%, especially those directed to agriculture by 51.9% and livestock by 19.0%. However, loans for fishing and other items decreased by 10.2% and 36.6%, respectively.

6. Leisure Activities:**a. Gross bets:**

The gross sale of the draws of the National Charity Lottery decreased by 69.5%. The report of the total gross bets of the Gaming Control Board, registered a negative rate of 75.9%; and as part of these: type "A" slot machines in 76.7%, gaming tables 76.4%, sports event betting rooms 43.2%, racetrack 74.8% and bingo rooms in 77.0%.

b. Net bets:

Net sale of lottery draws decreased by 72.6%. The total net bets registered by the Gaming Control Board were reduced by 73.4%, of which type "A" slot machines fell by 75.3%, sports betting rooms 36.5%, gaming tables

77.7%, racetrack 74.2% and bingo halls at 68.5%.

Electricity and water:**a. Electricity supply:**

The supply of electricity (kilowatts / hour) registered by the Commercial Measurement System (SMEC), fell by 4.8%, given that thermal energy was reduced by 45.1%, however, the renewable energy generated increased by 33.4% and from this, the hydraulic in 39.7%. Self-generation decreased by 48.7%, while imports increased by 152.4%.

b. Destination of electricity:

Electricity billing fell 11.6%, mainly due to lower demand from industrial customers at 29.5%, commercial customers 26.6% and Government 7.1%; however, a positive variation of residential properties was observed in 6.6%.

In turn, there were increases in the billing of large customers by 22.0%, generators 58.5% and exports by 43.7%.

c. Water:

The billing of drinking water (in thousands of gallons) in the Republic showed a reduction of 0.1%.

The sectors that contributed to this result are broken down: commercial, which decreased 6.7%, industrial 9.3% and Government 0.06%; for its part, the residential sector rose by 1.4%.

8. Manufacturing industries:

The slaughter of pigs increased 2.4% for the period in question; however, decreases in the slaughter of cattle and chicken meat production were reported in 3.9% and 11.8%, respectively.

The production of evaporated, condensed and powdered milk grew by 43.8%; in the same sense, pasteurized milk in 17.0%, natural milk for the production of related products 0.7% and tomato

derivatives in 14.7%. There were decreases in the production of alcoholic beverages in 39.2%, soft drinks 20.1% and rectified alcohol in 7.1%.

9. Hotels and travelers entrance:

a. Hotels:

Available until February 2020.

b. Entry of travelers and their expenses:

The entry of travelers was reduced by 77.6%, of these, tourists by 74.1%, excursionists 72.3%, cruise passengers 40.7%; The same behavior was observed in the direct transit and crew through the Tocumen Airport in 80.8% and in cruise ships in 41.3%. Tourist spending decreased by 75.3%.

10. Public Sector Finance:

a. Current income of the Central Government:

The current revenues of the Central Government decreased in the period from January to September 2020 by 30.6% and of these, the tax revenues by 31.3%, with direct and indirect revenues at 24.3% and 39.6%, respectively. Non-taxpayers presented a decrease of 25.2%.

11. Other related:

a. Work contracts registered in the Mitradel:

The work contracts registered at the Headquarters of the Ministry of Labor and Labor Development (Mitradel), were reduced by 74.6% and at its regional headquarters 62.6%.

b. Non-horizontal and horizontal properties listed:

The registered non-horizontal properties decreased by 43.6% and specifically, mortgages by 48.3%, as well as horizontal properties by 45.3% and of these, mortgages by 50.6%.

c. Anonymous and common companies:

The total number of companies in the Public Registry decreased by 32.1% and of its components, the anonymous by 31.7% and the common by 43.5%.*L&E*

MONTHLY INDEX OF ECONOMIC ACTIVITY (IMAE): AUGUST 2020

Fuente: GCRP

The Monthly Index of Economic Activity (IMAE) for August 2020 in the Republic decreased by 29.17%, compared to its similar for the previous year, based on preliminary information, due to the effect of the COVID-19 pandemic.

The accumulated IMAE for January-August 2020 registered a decrease of 17.79%, compared to the same period of 2019. This index decreased significantly, due to the contraction in some economic activities.

Among the sectors that were affected were: Hotels and Restaurants, Construction, Mining, Other community, social and personal service activities, Shops, Manufacturing Industries, among others.

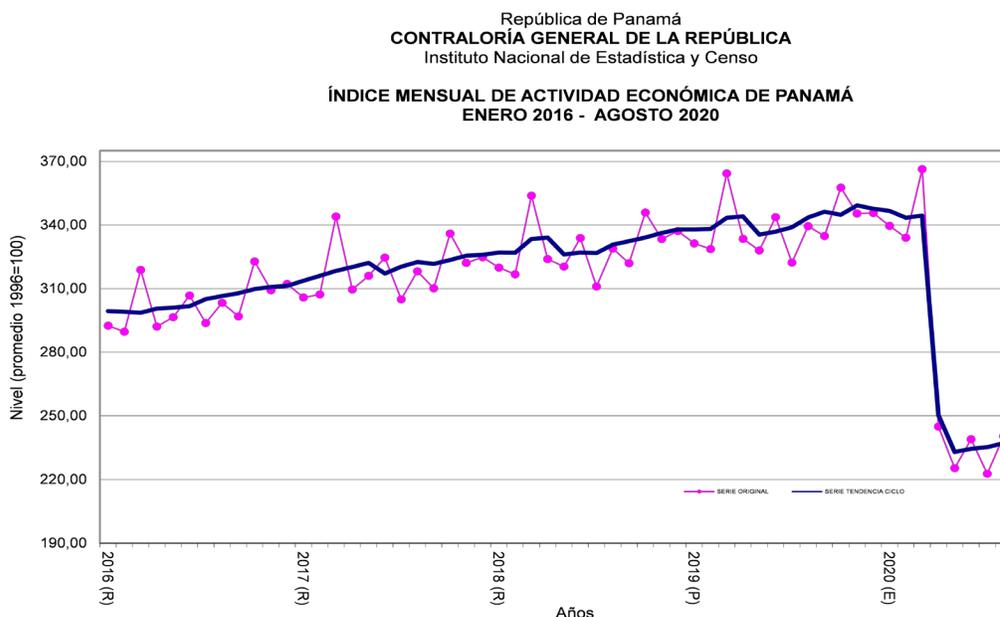
And on a smaller scale were Transportation, Storage and Communications, Financial Intermediation, Real Estate, Business and Rental Activities, and Electricity and Water.

In turn, there were activities that showed a positive

behavior such as: the movement of containers, telecommunications, the generation of hydraulic electricity, fish and fish fillet (fresh, refrigerated and frozen), the production of milk and its derivatives, as well like private health services.

The current health crisis has imposed a challenge on the collection of statistical data that are the source for the preparation of the IMAE and in this sense, the National Institute of Statistics and Census (INEC) has made enormous efforts with the producers of the basic data, to minimize the impact on the quality of these statistics. It is important to point out that the figures are subject to revision, if there are changes, they will be published in a timely manner on the Institution's website, in the next publications of the indicator.

In relation to this, the estimates were updated in the months of June and July 2020. *L&E*



UNCTAD HIGHLIGHTS RESILIENCE OF THE PANAMA CANAL IN THE IMPACT OF THE PANDEMIC

Source: ACP

The United Nations Conference on Trade and Development (UNCTAD, for its acronym in English) highlighted the resilience and capacity of the Panama Canal to adapt to the reality imposed by the pandemic, in order to protect its human team and guarantee operations. of the road.

“The Panama Canal is as resilient as its personnel, and it adapted to the new normal quickly, including new security protocols, challenges related to teleworking and, in particular, uncertainty,” indicates UNCTAD in its Report Maritime for 2020, focused on the effects of the pandemic.

The report includes the Panama Canal as one of the organizations analyzed with lessons learned during the pandemic, and whose case shows that “everything is subject to constant and continuous improvement. A fluid situation requires frequent adjustments ”.

“The pandemic has been anything but predictable. All procedures and measures have had to be constantly reviewed for improvement, and firm and humane leadership has been necessary in order to make difficult and timely decisions with limited information, ”the document adds. UNCTAD mentions that Panama Canal uses innovation and communications as key tools to maintain continuity of operations and even the spirit of the workforce.

“The Panama Canal maintained regular communications with clients to keep them up-to-date with the situation in Panama and used various

channels to send information to employees regarding operational and administrative matters, share methods and advice to prevent community transmission, and to provide support. psychological, “says the report.

UNCTAD was created in 1964 for matters related to trade, investment and development, it is the main organ of the UN General Assembly. It is made up of 195 members and supports developing countries in their incorporation into the global economy.

Among the innovations implemented, UNCTAD highlights the routines of exercises and virtual concerts disseminated by the organization through digital media such as social networks, as well as a travel application that made it possible to monitor employees who use the internal transport system.

The report reflects actions taken in the Panama Canal to ensure well-being of the human team, which implies measures to mitigate the risk of contagion.

“At the same time, the arrival of ships continued to be high and such measures were key to guaranteeing the safety and availability of the workforce, while maintaining efficient and smooth operations for customers,” the United Nations agency highlights. Among the transit operations, UNCTAD recalls the transit of the Zaandam and Rotterdam cruise ships last March amid the pandemic, which was authorized for humanitarian reasons and following strict biosafety protocols. *L&E*

World ECONOMY

THE LACK OF LIQUIDITY, THE BIGGEST PROBLEM THAT COMPANIES MUST FACE DURING THE COVID-19 CRISIS

Source: ILO

Micro and small businesses have been particularly affected by the COVID-19 pandemic, according to the results of a survey of 4,500 companies in 45 countries.

A new report on the effects of the COVID-19 pandemic on companies ensures that the greatest difficulties they have faced have been the lack of liquidity to maintain their personnel and operations, the disruption of supplier activity and access to raw materials.

With companies already facing great competitive pressure before the crisis, government and health restrictions and the economic effects of the COVID-19 pandemic have been an added challenge for many companies..

The results of the study show that the disturbance of the lack of liquidity (cash flows) has been the greatest

difficulty. In more than 85% of the cases, it was noted that the pandemic had had a high or medium level economic impact on business activity. Only a third of the companies indicated that they had sufficient funds for their recovery. Micro and small businesses (those with 99 or fewer employees) were the most affected.

In the survey, conducted by various business organizations (EBMO), more than 4,500 companies from 45 countries participated. The EBMOs collected data on their members from March to June 2020. The questions asked of the companies dealt with business continuity, financial strength and workforce.

Seventy-eight percent of the companies surveyed said they had modified their operations to deal with the COVID-19 pandemic, and three-quarters managed to continue their activity

despite measures taken as a result of government restrictions. 85% of companies implemented measures to protect their staff against the virus.

Almost 80% of companies, particularly the largest ones, said they planned to keep their staff. However, about a quarter of companies said they expected to lose more than 40% of their staff.

Looking ahead, it is important to underline the need to prepare for unforeseen circumstances and mitigate the risks associated with business disruption. Less than half of the companies surveyed, particularly micro and small businesses, had a business continuity plan in place when the pandemic emerged. On the other hand, only 26% of the companies participating in the survey stated that they were fully insured, while 54% did not have any coverage. Medium-sized companies (those with 100 to 250 employees) were the most likely to have full or partial coverage.

Strong government support measures for companies is essential for their recovery. Four out of ten companies indicated that they did not have the financial funds to facilitate their recovery, while two thirds stated that their financing was insufficient. Of the sectors analyzed, tourism and hospitality, and to a lesser extent, trade and retail, are the ones that showed the greatest financing deficit. *L&T*



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After so much time in quarantine, taking care of ours and ourselves, we have passed to the new normal, in which sports practices have been restarted in recent months, with biosecurity measures.

This was a big step, as physical activity was fair and necessary. Both for body and mental health.

Similarly, to prepare for the upcoming competitions.

However, it is very important to maintain all biosecurity measures and take good care of yourself. In fact, in Venezuela, for example, more than 70 soccer players were recently infected with Covid-19 in a period of 48 hours. *L&E*

S CCER

November looked good for canal football. And it is that Panama came from not having lost any game so far in 2020, after beating the Ticos last month, despite not playing with their first frame. In February they won 2-0 away in Guatemala and drew a goalless draw in El Salvador.

Technical director Thomas Christiansen said before

game with Japan: "You have to put your feet on ground and not have expectations above reality. It was nice to beat Costa Rica, for me it was a good start, but you have to know that the road is long, we will face better rivals and we are going to win or lose in that way".

"Many games with higher-level teams will help us. Against Japan, and the other if it is the United States,

they will be two interesting games that will help me to see the reality where we are and to see more closely the players who are in Europe," said the Spanish-Danish, who added that in these clashes Panama will see high-level rivals. Indeed, at the beginning of November Panama had a friendly match with its Japanese counterpart, the latter took the victory with a 1-0 scoreline with a penalty goal, due to lack of goalkeeper Manotas.

Despite not obtaining the victory in this match, Panama lived up to it, without losing its cool against Japan, a "top" country, which was about to go to the Round of 16 in the World Cup, only remaining for the Belgium team, in overtime.



This friendly was the third test of the Spanish-Danish coach, Thomas Christiansen, who considers that Panama presented itself strengthened, since it had not lost any game so far in 2020.

After this meeting, Panama faced the United States in another friendly, which produced a bulky result in favor of the United States, with a score of 6-2, with a totally renewed team.

The two goals that Panama managed to score were for the player Fajardo. In at least 4 of the opposing scores there were big errors by the Panamanian defense and the goalkeeper, which could have been avoided. To top it off, the changes came a little late in the game, after having already conceded 3 goals.

Experts and fans attribute the poor results to the change of the line-up by the director of the National Team, Thomas Christiansen.

The Hispanic-Danish man recognized him at

a press conference: "I admit that I was wrong. My intention was to find the result and that is why I made the changes. In the second half we were better, we created several chances".

These games are trial and error, and it is very important to learn from them and that these goals are not allowed again. This was the time to test the players and better plan the lineups for the big challenges to come, stay focused and avoid demotivation on the playing field.

This game concludes current European tour of both teams, which are preparing to compete next year in Gold Cup and in the qualifying rounds for Qatar-2022 World Cup. Players must be mentally prepared and maintain the state of mind with the commitment to win the games and not go for the minimum.

Currently, Panama is ninth in the CONCACAF ranking and 78 in the FIFA ranking.

The qualifying rounds for Qatar continue, the leader, Brazil, continues its perfect march in the South American qualifier by defeating Uruguay 2-0 in Montevideo, chaining its fourth consecutive victory, on a day in which Argentina, of Messi, in good company, caught a 2-0 victory over Peru in Lima and follows in the footsteps of his archrival with 10 points.

The surprises marked the other matches of the fourth date of the qualifying round to Qatar 2022: Ecuador swept Colombia 6-1; Venezuela defeated Chile 2-1 and Paraguay didn't go beyond the 2-2 draw against bottom Bolivia.

Among other news, football loses one of its stars, Diego Armando Maradona, leaving only Pele alive from the soccer legends.

Maradona had turned 60 in October, just a week after Pelé reached 80, both celebrated with all kinds of tributes.

Maradona's death is still being investigated, as it is intended to accuse the doctor who treated him, Leopoldo Luque, of manslaughter or involuntary

manslaughter, for allegedly hastily discharging him after a surgery in which a clot was removed from his head. The doctor, who published his last photo with him on his networks, has defended himself by saying that the only thing he is responsible for is 'extending his life'.

On the other hand, unfortunately, the Panamanian soccer player Franklin Moreno died after being run over in Costa Rica, where the Foreign Policy Directorate of the Foreign Ministry and the Embassy of Panama in Costa Rica are following up on the investigation. The death occurred on November 19 in the Costa Rican town of Liberia. Moreno, who was a member of the second division of Tico soccer,



was run over on November 9 when he was walking with a friend in this town of Guanacaste. Ten days later he died in circumstances that have not yet been clarified, as his family argues that he was disconnected at the hospital without authorization..

In a statement from the Ministry of Foreign Affairs, it was reported that communication is maintained with Moreno's relatives and with the Association of Professional Footballers of Panama, to offer all consular assistance and manage the transfer of the player's mortal remains.

Similarly, it is highlighted that the Costa Rican authorities reported that a criminal investigation was opened for the crime of culpable homicide for this fact.

The FIFA The Best Award

Fifa The Best nominated the Argentine Leo Messi, the Brazilian Neymar and the Spanish Sergio Ramos and Thiago Alcántara, as well as the Polish Robert Lewandowski, winner of the UEFA award after winning the Champions League with Bayern

Munich, the Portuguese Cristiano Ronaldo, the Spanish Thiago Alcántara, the Senegalese Sadio Mané, the Egyptian Mohamed Salah and the Dutch Virgil van Dijk, from Paris SG, Kylian Mbappé, for Manchester city, the Belgian Kevin De Bruyne are among the eleven finalists for this distinction.*L&E*

BASKETBALL

FIBA AmeriCup 2022

Panama fell to Uruguay 74-67 in a duel that took place at the Estadio de Club Obras Sanitarias in Buenos Aires, Argentina in the framework of the qualifying tournament for the FIBA AmeriCup 2022 One day earlier, on Friday, November 17, they faced another

defeat against their similar of Brazil by board of 77-71.

This group B is led by Brazil, who is undefeated, 4-0, followed by Uruguay and Panama tied for second place, 2-2 and Paraguay, 0-4.

This knockout phase culminates in February 2021 when the Panamanian quintet has to face Brazil and Uruguay again.

It was reported that according to the established competition format, the three best teams in each group (A, B, C and D) advance to the FIBA AmeriCup 2022. *L&E*



Ariel Luzcando from Panama. Photo: Courtesy / FIBA.

CYCLING

XL version of the International Cycling Tour of Chiriquí

Panama managed to retain the title of the International Cycling Tour of Chiriquí, on the pedals of Chorrerano Christofer Jurado, who became champion in the XL version, which this year was shorter in terms of the number of stages and under strict biosecurity measures.

The Panamanian Jurado, from the Aeronaval Service team, managed to make an accumulated time in the 5 days of the race of 12:42:37 hours, followed by the Tico Gabriel Rojas, who was runner-up at 1:20 minutes and third came the Chiricano Franklin Archibold (National Team - Claro Panama) at 3:32 minutes.

The maximum event of Panamanian cycling started

with a 124-kilometer stretch leaving from the Kenny Serracín stadium facilities (9:00 a.m.) towards the eastern sector of Chiriquí. During the journey, two flying goals were disputed (km 33.6 and 82), in addition to a third category mountain award (km 99).

It was the Guatemalan Mardoqueo Vásquez, who rose as Champion of the Mountain, while the Panamanian Franklin Archibold triumphed in the circuit through the main routes of David.

A total of 130 cyclists divided into 19 teams represented Guatemala, Colombia, Costa Rica and Panama. *L&E*



Christofer Jurado (foreground) during one of the laps of the 91.9-kilometer closed circuit that was run this Saturday in the city of David. Photo: My Diary / Eduardo Espinosa.

ARCHERY

Central American archery

La arquera panameña Alexandra Cleghorn obtuvo la medalla de bronce en la categoría de arco compuesto femenino junior, del Primer Torneo Online Centroamericano de tiro con arco, que finalizó este domingo.

Cleghorn's bronze has a taste of gold, because her score with which she beat the Costa Rican Mariana Castro by 143 to 141 points, in the dispute for third place, was better than that of the category winner, the Salvadoran Paola Corado, who defeated her compatriot Camila

Alvarenga, 141-137. Panamanian Lineth Lou also saw action, who lost to Costa Rican Auxiliadora Argüello, in a duel for third place in the women's compound bow.

This competition was organized by the Panama National Archery Association (ANTAP), with the support of the World Archery Americas, the Olympic Committee of Panama and Pandeportes. About 100 archers participated in the tournament representing Honduras, Guatemala, El Salvador, Costa Rica and Panama, each one made their shot in their country. *L&E*



BASEBALL

El equipo chiricano de béisbol obtuvo el 15avo trofeo del Campeonato Nacional Mayor de béisbol.

Isaías Velázquez, quien fue pieza fundamental en la victoria, comentó que la unión del equipo fue

clave," cuando perdíamos nos reuníamos para meditar en lo que había pasado y luego salíamos a ganar, les decía que había que darlo todo y fue lo que se dio, fue un torneo duro", aceptó el pelotero.



The players and the trophy were transported in a truck through the main avenues of the province. Photo: Corprensa / Mi Diario. Eduardo Espinosa



THE CURRENT

ORGANIZATIONAL BEHAVIOR

Part II

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In the previous issue, we talked about many important aspects of organizational behavior, such as definitions, importance and key phases. Now, we are going to learn a little about how to apply organizational behavior within the labor market.

First, we are going to know what the objectives of organizational behavior are:

- 1. Describe. In this step we must study how people behave under certain conditions.**
- 2. Understand. What causes this behavior and how to analyze possible solutions.**
- 3. Predict. How certain collaborators will behave, once we study and understand how they feel, we can identify what is the next step for each**

collaborator.

4. Control. Keeping behavior in check, at least partially.

The organization is like people's first home, because technically it is where people spend most of their lives, performing various functions, either acquiring various products or services. This means that organizations need people to function and achieve outright success, although we cannot deny that people also need the organization to survive. Let's say it is 50% and 50% that is why the organizations behavior becomes a key factor to achieve organizational goals.

There is no organization without people, even though we are in the Information Technology era, technology always needs someone to operate them properly.

In general, today, organizations look for many characteristics in people such as: Vision to the future, focus on the client, commitment, talented, skills, professional growth, ethics among many other qualities.

Knowing about Organizational Behavior is extremely essential to maintain existing organizations or why not, create new ones and know how to direct them.

Now we are going to know how to apply strategies so that organizational behavior is improved?

The behavior of an organization is based on attitude of members, due to this (according to my criteria) studies of human behavior should be carried out, even annually, with this we can have a margin to analyze attitude of collaborator, if it corresponds to themselves or this conditions the job, with them we can make decisions about the staff. Since we are talking about the fact that employees spend more time in their jobs than in their homes, organizations must condition work so that it is much better than the daily life of the individual. Regularly, a collaborator spends between 8 and 10 hours in her job, and it is not only about that, it is also about that they are understood and the working climate is pleasant.

How can I improve organizational behavior?

Maintain assertive communication:

The directors or leaders of the companies must recognize that if they dedicate themselves to communicating orders, strategies, tasks, etc. Without meaningful content, surface barrier will make your communication ineffective and inefficient.

Leaders must design an organizational culture that generates a transmission of ideas, feelings and opinions that are capable of transforming words into real and concrete facts that improve the productive and competitive capacity of organizations.

Seek feedback with collaborators:

This attributes to the fact that employees do not feel like just another number within the organization. People like to feel integrated and have their opinions taken into account. You have to spend time listening to the team.

Recognition towards employees:

When a job well done is not recognized, and we focus on only highlighting errors, the work climate can progressively deteriorate, for which it is important that the organization employs a system of recognition of achievements. Remember that people like to feel valued and encouraged.

Workplace in optimal conditions:

Keeping workplaces decorated can help create a pleasant atmosphere with a homey feeling, you must have good lighting, presence and always keep equipment and work tools always available.

We can also include TEAM BUILDING in the strategies:

Team building is a collective term to define a set of activities that seeks to form high-performance teams and improve interpersonal relationships within a group. Carrying out activities outside of business space can reinforce teamwork and increase camaraderie, this is an easy way to relieve some stress. Integration is essential to improve organizational climate and commitment to the organization.

Leaders must be people capable of positively affecting the conduct of work teams, transmitting and receiving orders appropriately, reflecting loyalty, honesty, a sense of belonging and the ability to respond to positive and negative things.

Having said all this, it is clear that administrative strategies to improve organizational behavior depend on the degree of training of leaders within the



companies, their level of commitment, their ability to design motivation and governance mechanisms.

Now, a good work environment is not only the responsibility of managers or leaders, we employees also have our tasks that lead the organization to success. While it is true, we employees are the ones who create that value for the company, we must be aware of the need for the organization and we must be able to create our strategies to be more competitive.

One of the main strategies on which we must focus is on customer-oriented work, where we must be able to anticipate their needs, and not only that, but also adapt to all the technological trends that are growing worldwide.

Employees must work to develop and strengthen their skills and with this always get the best out of each task they carry out. If you want to become a better contributor, I will give you some recommendations.

How to be a high performance collaborator for the organization?

1. Offer your time: Yes, as you read it, I know that many will not agree with this point, since we focus on our starting time and we are not willing to go the extra mile; But if an emergency arises? It must be at your disposal, resolve it before going home.

2. Communicate with your superiors: Communication is a very important point, it is said that in every relationship there must be good communication with superiors. Many times they ignore what is happening around them, and communication will generate a certain degree of trust.

3. Constantly learn: Train yourself in everything you can and open your horizons to new challenges, it is possible that this can help you with the next point.

4. Seek to grow within the organization: Sitting around and waiting for this to happen on its own is highly unlikely, but you can create your own career within the organization.

5. Work in team: For me, this is one of the biggest challenges within an organization, or even in the university, since not all people work in the same rhythm or tune and we all have a different way of thinking, teamwork is an art that at the end of the road can bring many benefits not only for you, but also to the organization.

6. Have initiative and responsibility: This is a very sensitive point, since many people feel alluded to when hearing people say that they do not have these two qualities, they should try to take charge and make decisions (as long as the environment allows them to do so) in the tasks assigned to you without They need to be reminding you what to do, it is clear that it is a bit difficult, but with a good organization it can be achieved.

7. Commit to the organization: It is not just arriving, sitting down, doing your work and going home, you can also develop a sense of belonging and empathy in the company, this will definitely help you and the organization to constantly evolve.

A successful organizational behavior entails a lot of commitment, responsibility and why not, a bit of ambition, but by taking the correct reins we can achieve an environment of peace and harmony, only if managers, leaders and collaborators put a grain of sand so that the organization is successful in all its aspects. *L&E*

Alianzas alrededor del Mundo

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