

Legislación Economía

Panama: again, in the gray
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Accusatory Penal System
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bad?



In this edition

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ACCUSATORY PENAL SYSTEM
(SPA), ALMOST THREE YEARS OF
ITS IMPLEMENTATION. GOOD OR
BAD?



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Editorial

Panama: again, in the gray list of the FATF

After so much effort that deploy this government and that demanded the different sectors of financial, corporate and regulatory activity, the financial action group has put us back on the gray list along with the following countries and jurisdictions:

- Bahamas
- Botswana
- Cambodia
- Ethiopia
- Ghana
- Pakistan
- Sri Lanka
- Syria
- Trinidad and Tobago
- Tunisia
- Yemen

For more than four years the country undertook a task that has now proved fruitless in complying with the list of more than forty deficiencies that had been detected by these international controllers which reflected in their unilateral judgment that there were weaknesses to prevent, among other crimes such as money laundering, financing of terrorism and proliferation of weapons of mass destruction. The last modification of a legal nature was recently issued to classify tax evasion as a crime and also to incorporate it as a precedent of money laundering.

Now it is clear that what the FATF intends is that Panama will serve as a pawn so that from here you can have information and a sentence to pursue extra-territorial tax evasion.

Many of these actions of mere obedience that have been carried out in our country start from the premise of a tax system of world income and that we don't follow the criterion of source and territory since many of these norms are unconstitutional since they have formed an aberrant quota that has had to be paid to avoid a total suffocation of our financial and tax system that corresponds to a sovereign decision which has repeatedly given in.

Nothing has been said for example of all jurisdictions and European countries that have tax reduction practices or tax agreements that allow American and European multinational companies artificially deposit income in these jurisdictions and countries taking advantage of negligible or nominal taxation.

In the same order of ideas, it occurs with digital or electronic commerce that accommodates its taxation to tax benefits and nobody thinks of linking this behavior to money laundering, to the financing of terrorism or the proliferation of weapons of mass destruction.

It is therefore a rampant hypocrisy and that we have been given a stranglehold list to affect our image as an attractive jurisdiction for foreign investment.

It is then this opportune moment so that from the Ministries of Economy and Finance and of External Relations a professional team is articulated that can defend us of so many attacks and that implies an intelligence to know with all depth and seriousness the jurisdictions comparable to ours and to take a belligerent rather than a servile position and from that platform articulate a policy of true defense of national interests.

In this team, those who have a conflict of interest in their professional activity must be eradicated so that the orientation has sufficient strength to be fruitful over time. It has been a decade lost due to ignorance or inability to identify in an accurate way what is happening in the world with the issue of international taxation.

It is not a case of cronyism or party chairs or juicy consulting contracts to continue selling our sovereignty or behaving like mere ostriches before a reality that deserves a deep, serene and pragmatic cause.

The normative framework issued in recent years is the best proof of improvisation and the lack of a solid will to claim our status as a sovereign country in tax matters.

This is one of the unavoidable challenges of this government.

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

Invited Writer

THE CONSTITUTIONAL AND LEGAL ENABLING OF TAX ARBITRATION IN PANAMA - PART II



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S ummary

The purpose of this paper is to carry out a constitutional, legal, jurisprudential and doctrinal analysis on the authorization of tax arbitration in Panama in compliance with Article 202 of the Political Constitution of Panama and the general principles of Procedural Tax Law, as well as the constitutional mandate directed to the Panamanian deputies so that they elaborate procedural laws that are inspired by principles that pursue the simplification of the procedures, the procedural economy and the absence of formalities, in accordance with Article 215 of the Political Constitution of Panama.

....

Continuing with the second part of the article, we move on to the next

chapter.

Chapter 4 Rules of Public Order versus the Rights and Guarantees of Taxpayers.

One of the fundamental aspects on which those who consider that Tax Arbitration is unconstitutional is based on the fact that they relate the tax matter as part of the tax law, without distinguishing any of the characteristics that have been granted to the tax law autonomy within the branch of public law.

In this regard, it is important in this investigation to make clear the evolution of the tax law of public fiscal or financial law.

The Tax Law is an autonomous branch that is

located within Public Law and specifically in the branch of Public Financial Law (Public Finance) that establishes and bases the principles that underpin the tax regulatory system; understanding it as the set of legal and non-legal rules, jurisprudence, doctrine, principles and customs related to the existence of the tribute to the compulsory relationship of a legal nature that this economic institute generates.

Valdés Costa states in his work: "Tax Law Institutions" the following with respect to the autonomy of Tax Law: "The term autonomy must be used in the sense of particular characteristics of certain sets of rules, or sectors of positive law, which they serve to differentiate them from each other, within the unity of the law".

In attention to its structural autonomy, the tax law is divided into different branches such as material or substantive tax law, administrative tax law, procedural tax law, criminal tax law, constitutional tax law, international tax law.

The relationship that exists between recognition of autonomy of tax law and rules of public order, as well as rights and guarantees of the taxpayers as taxpayers of the tax legal relationship, is based on the fact that when it is stated that the "tax matter" or the "fiscal right" are norms of public order and therefore, not susceptible to arbitration is committing an important dogmatic error, every time, except in the generally accepted doctrine was not recognized the autonomy of the tax law would make sense said affirmation.

This is so, since the doctrine generally recognizes such autonomy of the tax law, therefore, be-

fore indicating so lightly that "the tax matter" or the "fiscal right" are rules of public order, it must be specified that part of the tax matter or part of the tax law, corresponds to rules of public order, as indeed it is, which regulates the constitutional tax law and refers specifically to the original power to create taxes that the State has to obtain the necessary income to fulfill social purposes.

However, when the part of the tax law corresponds to the material or substantive tax law where what is in debate is the birth of the tax obligation for the effective realization of the taxable or taxable event by the taxpayer, a particular taxpayer is understood, we are facing the application due or undue by the State in its role as creditor of the taxes, and if such action is unduly we would be against the violation of subjective rights of a particular taxpayer.

Coupled with this, procedural tax law, as we have already seen, regulates the processes by means of which conflicts between the State and taxpayers can be resolved, understood as taxpayers, under the principle of the control of legality in governmental channels, by means of which the State itself may hear its own administrative acts in order to correct or maintain them, and likewise the control of legality in the judicial process is admitted, in the case of Panama, through the third room of administrative litigation and since 2004, the political constitution of Panama, admits such competition in the hands of individuals through alternative means of conflict resolution such as arbitration.

Having said that, it is important to point out that the part of the tax law that corresponds

to material or substantive tax law, as well as procedural tax law are not public order rules, since we are facing role of the State as creditor of taxes and not as a creator, therefore the principle that prevails is the tax principle of equality between the parties, whereby the fact that the State has the power to create taxes, in the face of disputes over the application of taxes with taxpayers not must enjoy abusive advantages and a procedural equality is recognized when resolving such conflicts.

The rights and guarantees of taxpayers are covered by the American Convention on Human Rights (also called the Pact of San José de Costa Rica) was signed, after the Inter-American Specialized Conference on Human Rights, on November 22, 1969 in the city of San José in Costa Rica and entered into force on July 18, 1978, of which Panama is part.

Specifically, article 8 of said convention indicates:

Article 8. Judicial guarantees

“Everyone has the right to be heard, with due guarantees and within a reasonable time, by a competent, independent and impartial judge or tribunal, established previously by law, in substantiation of any criminal accusation against him, or for determination of their rights and obligations of a civil, labor, fiscal or any other nature.”

That is, in the determination of tax rights and obligations, corresponds what within

the tax law regulates the material or substantive tax law and the procedural tax law.

Chapter 5

Constitutionality or unconstitutionality of Tax Arbitration in Panama.

From our point of view, since 2004, through the constitutional reforms of that year in Panama, when arbitration was introduced within the procedural rules, as excluding the judiciary and as an alternative means of conflict resolution, without restriction. of which subjects could be submitted arbitrations and which not, and in response to the constitutional mandate described in Article 215 of the Political Constitution of Panama, with Article 202 of the Constitution, this possibility of judicial protection or effective judicial protection of an administrative entity of justice of the judicial organ, as it is the third room of the administrative contentious to a particular entity, as they are the arbitral tribunals, is perfectly constitutional, every time, that the only thing that was pending was the development of the provisions of a Law , like this case, law 76 of 2019 that created the new Tax Code of Panama.

Constitution of Panama.

ARTICLE 202. *“The Judicial Organ is constituted by the Supreme Court of Justice, the courts and the courts established by the Law. The administration of justice may also be exercised by the arbitral jurisdiction as determined by law. The arbitral tribunals may hear and decide for*

themselves about their own jurisdiction."

The jurisdiction being an expression of the sovereignty of the State, of the access to an effective judicial protection consecrated as a fundamental guarantee of the contributing citizen in the Political Constitution is not only achieved through the specially instituted organs of the Judicial function, but also said Constitutional guarantee covers the resolutions adopted by the particular justice granted by the arbitrators in accordance with Article 202 of the Political Constitution of Panama.

The Political Constitution of the Panamanian State gives an explicit recognition to arbitration as an alternative method to state justice to resolve disputes "Inter-parties", by expressing in Article 202 that the administration of justice may also be exercised by the arbitration jurisdiction, as determine the Law, because we remember in front of a conflict by the demand of a tribute the State acts in its role of creditor of the tributes, not in its role of created of the tributes.

This recognition is also established in the Law, when the same Judicial Code in its article 3 indicates the following:

Judicial Code of the Republic of Panama.

Article 3. "The judicial administration of justice is exercised in a permanent manner by the Supreme Court of Justice, Superior Courts of Justice, Circuit Judges, Municipal Judges, Juvenile Court, Maritime Courts, Superior Labor Courts, Sectional Labor Courts and any other tribunals that are created within the Judicial Organ. It is also exercised in special cases, by individuals

who, as jurors, arbitrators or arbitrators, or by reason of any other charges of this nature, participate in jurisdictional functions, without including such persons as part of the Organ. Judicial. The agents of the Public Prosecutor's Office participate in the administration of justice as investigative officers through the exercise of criminal action. They will also have the representation of national, municipal and social interests, in the cases indicated by the law."

That is, the exercise of jurisdictional power doesn't correspond exclusively to the judges and courts determined by the laws according to the rules of jurisdiction and procedure that they establish, since also the arbitrators administer justice, and regarding the participation of the Public Ministry or the Administration Procurator's Office will only participate when the Law so indicates, without losing sight of the fact that the nature of the arbitration is precisely to depart from the judicial system.

To regulate the arbitration, deputies have had to base themselves on the respect of certain superior values of the legal order, such as due process and equality, forcing the public powers to respect those principles.

These principles of due process and equality enshrined as fundamental rights by the Political Constitution in articles 19 and 32, allow citizens not only to dispose and enjoy them, but also to choose the way in which they can be restored in case they are restored. see disturbed, which means that the citizen who is injured in their subjective rights can demand full satisfaction or compensation for their in-

terests, not only through direct access to state justice but also resorting to extrajudicial or alternative mechanisms of solution of conflicts, such as arbitration and mediation or other equivalent alternative systems based on the autonomy of the will that, in turn, is a principle, equally protected by the Fundamental Charter.

Access to justice, means then, access to the right to obtain judicial protection that the Constitution enshrines in Article 32, 52, 54 and 202.

ARTICLE 32. *"No one shall be tried, except by competent authority and in accordance with legal procedures, and not more than once for the same criminal, administrative, police or disciplinary case."*

ARTICLE 52. *"No one is obligated to pay taxes or taxes that are not legally established and whose collection is not made in the manner prescribed by law."*

ARTICLE 54. *"Any person against whom is issued or executed, by any public servant, an order to do or not to do, that violates the rights and guarantees that this Constitution consecrates, shall have the right to have the order revoked upon request yours or anyone else's. The appeal for protection of constitutional guarantees referred to in this article will be processed by summary procedure and will be the competence of the judicial courts."*

Signing or accepting an arbitration agreement does not imply the renunciation of the parties to their fundamental right of judicial protection enshrined in the Political Constitution, but qui-

te the opposite, hence the method regulated in the new Tax Procedure Code opts for the forced method of such way, that the Tax Administration can not deny this right to taxpayers to access the Tax Arbitration, since in the same way the reason of being of the contentious administrative justice is to avoid the abuses of the State through administrative acts.

Indeed, the so-called right to judicial protection established in the aforementioned Article 54, is a concept that encompasses not only the protection of citizens' rights determined in the same Political Charter and in the other national laws through the traditional method of going to ordinary judges, but also includes the right of every citizen to seek that same protection or protection through the alternative systems provided by private justice as provided in Article 202, when you intend to collect a tax in the manner not described in the Law.

On the other hand, regarding the legitimacy to act and the availability of the tax credit in the arbitration process once requested by the taxpayer, we must point out that the Tax Administration, based on Article 184 of the Political Constitution of Panama, enjoys all the powers to act since they are delegated since the Minister of Economy and Finance appoints the director of income on duty, therefore, to resolve these disputes through arbitration in tax matters don't apply the provisions of numeral 4 of Article 200 of the Constitution, since the conflicts referred to in this article are different in nature from those arising from the legal tax relationship.

ARTICLE 200. *"They are functions of the Cabi-*

net Council:

...

4. To agree with the President of the Republic that the latter may compromise or submit to arbitration the litigious matters in which the State is a party, for which the favorable opinion of the Attorney General of the Nation is necessary."

ARTICLE 184. "They are attributions exercised by the President of the Republic with the participation of the respective minister:

1. ...

5. Monitor the collection and administration of national revenues."

Faced with the position that the tax matter should be available, it should be noted that the law that regulates tax arbitration introduced the extinguishment modality of the tax obligation through the tax transaction method, which reiterates the availability of the tax credit for part of the Tax Administration, being the tax transaction an agreement that negotiates and subscribes the Tax Administration with the taxpayer, tending to the commitment on the tax debt requirement and its amount, to resolve a conflict between both as a consequence of the lack of payment of the tax.

Both cases, both access to common justice or private justice, are covered by the Fundamental Charter of Panama since 2004, therefore, the first note of the right to judicial protection is precisely the free power of the plaintiff in an arbitration process to initiate

the pertinent action and submit the defendant for the purposes of this, in this case the State in its role as creditor party of the taxes.

Chapter 6

Tax Arbitration in Panama, According to the New Tax Code of Procedure.

The Tax Arbitration in Panama is regulated from article 357 to 375 of the new Tax Procedure Code of Panama, which was created by Law 76 of 2019, based on Article 165 of the Political Constitution of the Republic, which It establishes that the laws will be proposed by the Ministers of State, by virtue of the authorization of the Cabinet Council, which will come into force as of January 1, 2020.

It is described in this chapter under the following headings: Alternative methods for resolving conflicts; Tax transaction; Notification of transaction proposal; Notification of transaction proposal; Tax arbitration; Institutionalized or ad hoc arbitration; Effect of the notification; Notification of the award; Waiver of the right to object; Arbitration agreement; Form of constancy of the agreement; Arbitral tribunal; Persons prevented from being arbitrators; Choice of arbitrators; Process; Start of the procedure; Testing practice; Tax arbitral award; Challenge, recognition and enforcement of the arbitration award.

Alternative methods for conflict resolution.

Disputes over the additional tax assessment of an administrative nature, international taxation issues and transfer prices that arise with the Tax Administration for amounts

exceeding one hundred thousand balboas (B / .100, 000.00), including surcharges and interest, may be resolved through the transaction or the tax arbitration, for which purpose they will be sent to an arbitration center that the two parties will agree accordingly with what the regulation establishes.

The procedure for the resolution of disputes in tax matters may be initiated only by the taxpayer, after the gubernatorial route has been exhausted.

Issues related to the application of sanctions can not be resolved under the tax arbitration method.

Tax transaction. The tax obligation may be extinguished through the transaction.

The tax transaction is an agreement negotiated and signed by the Tax Administration with taxpayer, tending to the commitment on tax debt requirement and its amount, to resolve a conflict between both as a result of the lack of payment of the tax.

The offer will include any kind of taxes, as well as interest and surcharges.

The tax transaction is of a transactional nature different from the transaction envisaged in the Civil Code and for its effectiveness, the requirements set forth in the Tax Procedure Code must be met.

The transaction may be executed at any time before the Tax Administration is-

sues the resolution that ends the process.

Transaction proposal notification. The taxpayer will notify its proposal to the Administration, which will have a period of fifteen working days to accept or reject it.

The tax transaction will last up to three years. During its validity it may be modified or denounced by mutual agreement when new elements of judgment arise.

The provisions established in the transaction agreement will be considered definitive and prevent the transaction from being challenged through a contentious procedure.

In case of breach of the transaction by the taxpayer, the Tax Administration will revoke it.

Tax arbitration. The General Directorate of Revenue is empowered to initiate tax arbitration.

The General Directorate of Revenues and taxpayers may submit to an independent tax arbitration and law, which will be subject to disputes arising or that may arise, in the opinion of one or more arbitrators, who decide definitively by means of a judgment of *res judicata*.

The tax arbitration will be in law and when the tax arbitration is established, the arbitrators should be suitable lawyers of the Republic of Panama.

The public servants of the General Directorate of Revenue can not be arbitrators.

Institutionalized or ad hoc arbitration. Tax arbitration can be institutionalized or ad hoc. Ad

hoc arbitration is that practiced according to the rules of procedures specially established by the General Directorate of Income and the taxpayer for the specific case, without reference to pre-established regulations and, in any case, with submission to this Code.

Institutionalized arbitration is that practiced by an arbitration institution authorized in accordance with Panamanian laws on arbitration and that has been chosen by the General Directorate of Revenue and the taxpayer in the arbitration agreement or subsequent to it. The arbitration institution designated by the General Revenue Directorate and the taxpayer shall be bound to the administration of this, in the manner provided in its statute or regulation.

Authorized arbitration institutions are those that meet the following qualities:

1. Accredited moral and technical solvency.
2. Capacity for the organization and effective administration of arbitrations.
3. Specific attribution for the administration of arbitrations in its statutes or regulations.

In the interpretation of this Code, the need to promote the uniformity of its application and good faith should be taken into account. Issues relating to tax arbitration that are not expressly resolved therein shall be settled in accordance with the general principles of arbitration.

Effect of notification. Any notification or communication shall be deemed to have been made on the day it was personally delivered

to the recipient or in which it was delivered to his home, habitual residence, establishment or address.

In the event that, after a reasonable inquiry, none of these places is found, it will be considered received on the day it was delivered or attempted to be delivered, by certified mail or any other means that leaves a record, at the last address, habitual residence, address or establishment known to the recipient.

The terms established in this Code shall be computed from the day following the reception of the notification or communication.

Notification of the decision. The decision will be notified to the General Revenue Directorate and the taxpayer in the form that they have agreed directly or through the applicable regulation. Failing that, the decision shall be notified by the secretary of the Arbitral Tribunal, if there is one or, failing that, by the president of the Arbitral Tribunal, sending a copy thereof to the General Revenue Office and to the taxpayer, by certified mail or any other another technological means of written communication, which allows to prove the veracity of its content.

Within a period of five working days from the notification of the decision, if the General Directorate of Revenue and the taxpayer haven't arranged otherwise, any of them may request the Arbitral Tribunal to correct any error of an arithmetical or typographical type, as well as as a clarification or interpretation on aspects of the decision. The arbitrators will resolve within

a non-extendable period of fifteen business days.

With the notification of the decision to the General Revenue Directorate and the taxpayer and its subsequent clarification or correction, the arbitration jurisdiction ceases.

The decision has the effect of *res judicata* and no appeal will be against it, except for the cancellation of conformity.

Waiver of the right to object. It is considered a waiver of the right to object when the tax arbitration continues with the knowledge that some provisions of this Code or with some requirement of arbitration agreement or with a provision of the applicable arbitration regulation haven't been met, and no objection has been expressed. to such breach.

Arbitration agreement. The arbitration agreement is the means through which the General Revenue Office and the taxpayer decide to submit to arbitration any disputes that arise or that may arise between them in a legal-tax relationship.

Tax arbitration is valid with respect to the administrative acts that in tributary matter issue the General Direction of Revenues and that the taxpayer requests for the alleged violation of his rights.

To submit a tax issue to arbitration between the General Revenue Office and taxpayers, only the request of the taxpayer will be requi-

red, in which case the General Revenue Office will be obliged to settle the matter through tax arbitration.

The taxpayer may invoke tax arbitration:

1. When the Administration issues an additional liquidation to the taxpayer on any type of tax, including surcharges or interest, for amounts exceeding one hundred thousand balboas (B/. 100,000.00).
2. When it comes to transfer prices and international taxation.

Form of constancy of the agreement. The arbitration agreement must be in writing.

The effects of agreeing an arbitration agreement are substantive and procedural.

The substantive effect obliges the Directorate General of Revenues and the taxpayer to comply with the decision and to formalize the constitution of the Arbitral Tribunal, collaborating with their best efforts for the development and finalization of the arbitration procedure.

The procedural effect consists in the decline of the competence on the part of the General Directorate of Revenue, as the case may be, in favor of the arbitration jurisdiction and the immediate transfer of the file to a center or arbitration tribunal. The arbitration agreement will consist of a unilateral declaration of submitting to arbitration by the taxpayer, in the event the taxpayer requests it, followed by a subsequent adhesion of the other party or parties involved in the conflict.

Arbitral tribunal. The Arbitral Tribunal may be formed by a single arbitrator. However, the parties may freely determine the number of arbitrators, provided that an agreement is reached. In the absence of agreement, it will be a single expert arbitrator in tax matters.

In proceedings in which the amount is greater than one hundred thousand balboas (B/. 100,000.00) the Court may be composed of a single arbitrator, and when the dispute is for amounts exceeding two hundred and fifty thousand balboas (B/. 250,000.00), the Court will be composed of three arbitrators.

When the Arbitral Tribunal is composed of three arbitrators, one will be designated by the taxpayer, the other will be designated by the Directorate General Income and a third independent arbitrator who will act as president and settler. All must be experts in tax matters.

In arbitrations with a plurality of taxpayers, they must agree on the designation of the third arbitrator.

When the parties do not agree on the appointment of the third arbitrator, they will abide by the provisions of the applicable regulation or, failing that, the current arbitration law.

Persons prevented from being arbitrators.

The following persons may not be appointed arbitrators or continue with the proceedings:

1. Those that have seriously undermined the Code of Ethics of each authorized arbitration

institution.

2. Those that have been declared criminally responsible for crimes of prevarication, falsehood or fraud.

3. Those who have incurred or are incurring in any of the causes of abstention or recusal of the judges, as provided in the Judicial Code.

4. Those that are delinquent with the treasury in any tax, rate or contribution, or that are omitted with the Tax Administration.

Choice of arbitrators. The General Directorate of Revenue and the taxpayer elect the arbitrators, either by themselves or through the applicable regulations, according to their will or in accordance with the procedure established by the Arbitral Tribunal, in the cases that are appropriate in accordance with the following article.

In the absence of agreement on the appointment of the arbitrators in the form and if there is no precise rule in this respect in the regulation, proceed as follows:

1. In case of multiple taxpayers and when the dispute must be submitted to the decision of three arbitrators, if the parties fail to jointly appoint an arbitrator in accordance with the provisions of this article, or if the two arbitrators can't agree on the third arbitrator, or if the parties could not agree on the method to constitute the Arbitral Tribunal, at the request of either party, an arbitration institution may appoint each member of the Arbitral Tribunal and designate one of them to act as president.

2. When, in an appointment procedure agreed

by the parties, a party fails to act in accordance with the procedure, or parties or two arbitrators can't reach an agreement under the aforementioned procedure, or a third party, including an institution, doesn't comply with the function that is conferred. Any of the parties may request an arbitration institution, national or international, in accordance with its own regulations, to adopt the necessary measure, unless other means to achieve it are provided in the agreement on the appointment procedure. If any of the parties didn't appoint an arbitrator within a period of fifteen working days from the time the request was made by the other party, or if the appointed arbitrators didn't agree on the third arbitrator, within a period of fifteen working days from Upon acceptance, the appointing authority will make the appointment directly at the request of one of the parties, within a period of another fifteen working days from that request.

3. The Arbitral Tribunal shall take into account in the appointment of the arbitrators the criteria of specialization in tax matters, subject to arbitration and impartiality and independence.

4. In the case of ad hoc arbitration, if one of the parties fails to comply with the appointment within the established period, the arbitration shall be conducted with the arbitrator appointed by one of the parties.

5. When the arbitrator, for any reason, shall cease to exercise his functions, a substitute shall be appointed in the manner provided by the parties or by the applicable regula-

tions for the appointment of the arbitrators and, failing that, by intervention of designation authority in accordance with this Code.

6. The substitution of the referees will not give rise to a retroaction of actions carried out, except as regards the evidence, unless the substitute referee is given as instructed in view of the documented actions.

Any person proposed as an arbitrator must inform the parties of the grounds for disqualification.

Any proposed arbitrator must reject the appointment or abstain, after having accepted it, when it recognizes that there are grounds for disqualification or that there may be doubts about its impartiality or independence. The referees will be challenged for the same reasons as the judges. A party may only challenge arbitrator appointed by it, or in whose appointment it has participated, for any reason of which it became aware after the appointment was made. They may also be challenged for previous reasons or that have been known later.

The challenged arbitrators may accept the challenge, in which case they must inform the parties and separate immediately, or on the contrary declare their decision not to accept the challenge and continue with the arbitration process.

In such case, the party that has alleged the grounds for disqualification may, within a period of three business days, promote an incident of recusal before the court itself, which shall establish peremptory deadlines for the presentation

of the reasons of each of the parties in the incident, and will decide unappeachably on this.

However, the grounds for recusal may be reproduced and alleged in the procedure corresponding to the annulment of the award or in the process of recognition and enforcement of the judgment, as the case may be.

The tax arbitration process will be suspended while the disqualification of the arbitrator is resolved for a period of one month.

Process. The procedure will be adjusted as determined by the parties or in accordance with the applicable regulation. Failing this, the procedure will be established and developed as determined by the Arbitral Tribunal.

The Arbitral Tribunal shall have the power to interpret, apply or supplement the rules of procedure applicable or established according to the will of the parties expressly. In case of discord, it will be obeyed to what the president of the Arbitral Tribunal determines.

The arbitration procedure will address the equality of the parties, giving each party the opportunity to assert their rights.

The arbitration proceedings will be presided over by the principles of contradiction, ex officio impulse and loyal collaboration of parties in development of the process.

The mere inactivity or rebellion of any of them, judicial proceedings, where appropriate, about

the validity of the agreement or the incompetence of the Arbitral Tribunal or any other action related to the controversy subject to arbitration, shall not prevent the follow-up of the proceedings. arbitration until the award is rendered.

In no case may the parties file an incident before the ordinary courts during the course of the arbitration process.

Designation of the place of arbitration. The parties may designate in the arbitration agreement the place of arbitration. In case they did not do so, it will be designated in accordance with the regulations of the administrative institution, if the arbitration is institutionalized, or by decision of the Arbitral Tribunal, if it is ad hoc.

Likewise, the Arbitral Tribunal will decide the place where some specific actions are carried out, duly notifying the parties in advance. The language will always be Spanish. The original documents that are in the English language must be translated into Spanish.

The parties will designate an address for notifications. Failing that, those made at the domicile of the parties or that of their representative will be valid.

Start of the procedure. The procedure will begin on the date on which any of the parties makes the request to submit a certain dispute between them to arbitration or as established by the applicable regulation. In cases in which the General Directorate of Revenue makes the request after the taxpayer requests this

method of conflict resolution, the procedure will start when the taxpayer has accepted it.

In the arbitration process no exception can be adduced in the form of an incident of prior and special pronouncement.

Within the period agreed by the parties or determined by the applicable regulation, and, failing that, by order of the Arbitral Tribunal, the taxpayer must formulate the statement of allegations with an explanation of the facts underlying his claim, the points in dispute and the object of the claim. Once the transfer has been made to the defendant, he will answer on the same points.

The parties may attach to their respective writings the documents they deem pertinent for the success of their claim, or make precise indications of files or other evidence that they will present.

Unless otherwise agreed, in the course of the arbitration proceedings the parties, at the request of one of them or by order of the Arbitral Tribunal, may expand or modify their respective pleadings, unless the Arbitral Tribunal deems it inadmissible.

Practice of tests. The Arbitral Tribunal will perform the tests proposed by the parties that are admissible, or ex officio, subject to the principle of contradiction and hearing. For this purpose, the Court shall summon the parties or their representatives at least five business days in advance. The Arbitral Tribunal, with the consent of the parties, may also determine that the

evidence is based solely on documents.

The Arbitral Tribunal will also determine the number of experts or witnesses or other evidence in order to avoid unjustified delays in the development of the process.

With regard to the administration of the evidence, the provisions of the parties, the applicable regulations or as determined by the Arbitral Tribunal shall govern, or, in the case of foreign evidence, the law of its creation.

The Arbitral Tribunal will practice all the tests that have been admitted, leaving evidence of the actions taken.

Unless otherwise agreed by the parties, the Arbitral Tribunal may, at the request of one of them, adopt the provisional or precautionary measures it deems appropriate in order to ensure the object of the process. The Arbitral Tribunal may require any of the parties to grant appropriate guarantees. For the execution of the measures, the Arbitral Tribunal can assist with the Fourth Room, of General Businesses, of the Supreme Court of Justice, without need of distribution, which will have to practice these measures in a term of ten working days.

Tax arbitration award. The Arbitral Tribunal shall render the award within a maximum period of two months, counted from the closing arguments, unless the parties or the applicable regulations establish a different term.

The term may be extended in the manner agreed

upon by the parties or determined by the applicable regulations.

The awards shall be in writing and shall be signed by all the members of the Arbitral Tribunal.

When there is more than one referee, there will be a pronouncement by the majority. If there is no majority agreement, the award will be dictated by the presiding arbitrator.

The arbitrator who is not satisfied with the vote of the majority shall express in the award his / her dissenting will. All awards must be motivated. The award shall contain, as a minimum, the identification of the parties, the arbitrators and the controversy; the recognition and scope of the competence of the Arbitral Tribunal; the place and other circumstances of the arbitration and a systematized relation of the evidence practiced, the allegations of the parties, their legal basis and the decision or ruling adopted by the Court. The arbitrators shall decide in the award on the costs of the arbitration, which shall include all the expenses incurred and their imputation to the parties in the manner they deem convenient, if the agreement of the parties or the applicable regulation does not prevent it in a manner different.

At any time during the arbitration proceedings, the parties may reach a settlement of the dispute, thereby putting an end to the litigation. The transaction may adopt the form and have the effectiveness of the award, if the parties so request.

of the arbitration award. Against the arbitral award only the appeal for annulment may be filed for the following reasons:

1. When the party filing the appeal proves:
 - a. That the arbitration agreement was vitiated by any of the causes of nullity established in this Code.
 - b. That the constitution of the Arbitral Tribunal, the development of the arbitration procedure or the issuance of the award has not been adjusted to the procedural agreement concluded between the parties or in accordance with the provisions of this Code, or has not been one of the parties notified in due form of the initiation of the arbitration or of any procedure of the procedure.
 - c. That the award refers to a dispute not contained in the arbitration process, or that contains decisions that exceed its scope or scope.
 - d. The annulment will only affect the issues referred to in the preceding paragraphs that can be separated from the others contained in the award.
2. That the court verifies that the object of the controversy is not arbitrable according to the Panamanian tax law, or that the award is contrary to Panamanian public order.

The appeal for annulment will be heard before the Fourth Chamber of General Business of the Supreme Court of Justice. The appeal will be filed by writing within a period of fifteen working days, counted

from the notification of the award or the date on which the clarifications or rectifications of the award are estimated or rejected. The appeal and its challenge, in any case, will be presented to the Arbitral Tribunal by practicing lawyers. In the brief filing the appeal, the reasons for the challenge will be explained, proposing the relevant evidence and accompanying documents justifying the arbitration agreement and the ruling issued duly notified, in accordance with the Tax Procedure Code.

The competent Arbitral Tribunal will transfer the brief of the appeal to the other parties in the process, which may contest it within a period of fifteen business days.

The tests will be carried out, if this were to take place, within a period of fifteen working days.

The Arbitral Tribunal will send the document and an authenticated copy of the file to the Fourth Chamber of General Businesses of the Supreme Court of Justice, which will issue a ruling within fifteen working days, counted from the last procedure indicated, which is not susceptible of any resource.

Simultaneously with the filing and substantiation of the appeal for annulment, the parties may address the Fourth Chamber of the Supreme Court of Justice, which understands said cause in request of precautionary measures for the assurance of the object of the procedure, which shall be granted by this Room, in accordance with the provisions in this regard in the Judicial Code.

The final arbitral award will be subject to execution by the substantiating judge of the Third Chamber, of the Contentious-Administrative, of the Supreme Court of Justice, corresponding to the place where it was issued, by the procedure established for final judicial sentences.

To the writing requesting the execution, an authentic copy of the agreement of the award will be attached.

The substantiating judge of the Third Chamber, of the Contentious-Administrative, of the Supreme Court of Justice will send to the other part of this letter with his copies, within a period of fifteen working days, who may oppose the execution requested, alleging only the pendency of the appeal for annulment. In your case, providing the filing brief or the existence of a judgment of annulment, with an authentic copy of said judgment.

Apart from these cases, the substantiating magistrate of the Third Chamber, the Contentious-Administrative Division, of the Supreme Court of Justice will decree the execution. No writ of the substantiating magistrate of the Third Chamber in this phase shall be subject to appeal.

If the award issued in Panamanian territory had the consideration of international, in accordance with the Tax Procedure Code, and the parties had waived, by itself or through the applicable regulation, the filing of the annulment action will be necessary for its execution to obtain of exequatur by the Fourth Chamber of General Business, of the Supreme Court of Justice,

in the manner provided for foreign awards.

CONCLUSIONS

1. The Tax Arbitration is necessary for decongestion, of processes in judicial way, and that the same ones are solved by tributary controversies within real, practical and efficient terms, which translates into security and legal certainty
2. The specialization of the arbitration professionals in charge of knowing this type of conflicts would enrich the national tax jurisprudence.
3. Venezuela and now Panama, are among the few countries that in Latin America have adopted, which seems to be a trend, this method of conflict resolution, as well as the case of Argentina that has a method similar to arbitration, which is based in mediation and conciliation, however, in European countries such as the case of Portugal it is already considered a success to resolve tax disputes through arbitration.
4. Considering that the processes in which tax conflicts would be known would present a notable increase in their collection when the resolution was in their favor.
5. For Taxpayers, Tax Arbitration would be another tool for the protection of their rights and fundamental guarantees, since the reduction of the time in which they resolve their tax situation would grant greater legal security. *L&E*



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Cyberphysical systems, capable of communicating with each other and with humans, are at the center of the fledgling revolution.

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THE RECENT INDUSTRIAL REVOLUTION AND THE PROSPECTIVE AS A STRATEGY FOR THE USE OF APPROPRIATE TECHNOLOGIES AND THE MANAGEMENT OF PRODUCTIVE EMPLOYMENT

The processes that involve large technological transformations and changes in the global industrial structure don't deserve to be treated as a simple engineering phenomenon, but as a complex social development that includes technical, economic, social, organizational, cultural, political and institutional factors in a space of mutual interactions. Inventions and isolated innovations, apart from this shared synergy, are not enough to generate transformations in industrial ecosystems; it is the processes of diffusion and appropriation by the agents of the industrial systems that achieve the substantive modifications. The mere invention of

a new product or processes is not enough to conclude that we are facing a technological revolution. Moreover, one can move from the phase of the invention to innovation and remain as an event or an isolated product without social appropriation. The fact that it has the most far-reaching social consequences is validated in the phase of legitimization and massive adoption of the goods and services generated during the cycle of said innovations.

In addition to the common places of the different technological revolutions, each of them acquires its own specificities. In the current

process, for example, one of the key features consists in the vertiginous increase in the number of discoveries for the applicability in work processes; the shortening of the time between these discoveries and their concrete application in the sphere of production, with the consequent multiplication of goods and services; the loss of importance of raw materials supplanted by science and technology; and the spectacular development of new sources of energy (nuclear, solar, wind, geothermal, biomass, tidal). Other particularities to be highlighted are the new forms of organization of production

and work based on the information society (it is about the society in which the technologies that facilitate the creation, distribution and manipulation of information play an essential role in the activities economic, social and cultural); flexible automation (means that produces a variety of products - or parts - with no or little waste of time for changes between the product and the next); and flexible production (the worker must have multi-skilled or multi-specialized capacity, it is a work situation in which a team or group of workers collaborate and have complex responsibility for a complex product).



Un esquema de la internet de las cosas (IoT, en inglés) sobre la que se apoya la transformación

Hence, a strategic task arises aimed at establishing a correlation between the Industrial Revolution 4.0 (Biotechnology, Robotics, 3D printing, New materials, Internet of Things, Transmission, storage and capture of energy, Artificial Intelligence, Block chain, New computational technologies, and virtual and augmented reality) with the structures and platforms organizations required in the new industry, with the appropriate use of technologies for innovative management and the profile of professionals that demand the emerging productive system.



Industry 4.0 will be based on people and technology

A response to these demands, specifically in the use of appropriate technologies and professional profile to meet the demands of jobs, we find in the models of technological and occupational prospective. The main issue is to identify training needs based on projections of demand for professional training, establish changes in professional profiles, determine changes in curricular designs, identify changes in the offer of professional training, while establish educational strategies.

The experience in these processes of anticipation to the technological tendencies and occupations suggests to define a time horizon of 5 to 10 years by virtue of the speed in which the productive models are being modified; It is also convenient to work on identifying the future technological and organizational dynamism in the sectors of the economy, in addition to determining the impacts on the structure of work organization and specific professional training; the monitoring of the technological and organizational

diffusion will make it possible to establish in a more secure way those that will have greater diffusion and greater impact in the occupations. A response to these demands, specifically in the use of appropriate technologies and professional profile to meet the demands of jobs, we find in the models of technological and occupational prospective. The main issue is to identify training needs based on projections of demand for professional training, establish changes in professional profiles, determine changes in curricular designs, identify changes in the offer of professional training, while establish educational strategies. the experience in these processes of anticipation to the technological tendencies and occupations suggests to define a time horizon of 5 to 10 years by virtue of the speed in which the productive models are being modified; It is also convenient to work on identifying the future technological and organizational dynamism in the sectors of the economy, in addition to determining the impacts on the structure of work organization and specific professional training; the monitoring of the technological and organizational diffusion will make it possible to establish in a more secure way those that will

have greater diffusion and greater impact in the occupations. El modelo contemplaría 6 fases:

The model would contemplate 6 phases: Technological Prospecting, Organizational Prospection, Analysis of Occupational Impacts, Analysis of Occupational Trends, Identification of Educational Gaps and Thematic Antenna. The Technological Prospection contemplates the purpose of identifying Specific Emerging Technologies (TEEs), which will have a degree of diffusion of up to 70% of the user market in a horizon of 5 to 10 years. The method used for the technological prospection is the Delphi research, which is carried out together with a group of specialists (Delphi Panel). The Organizational Prospection aims to identify possible changes in the organizational structure of the sector considered, in the same time horizon defined in the technological prospection, that is, from 5 to 10 years. The method used for organizational prospection is also a Delphi investigation. The Analysis of Occupational Impacts is a means to identify and evaluate, before the agents of the productive sector and universities, the probable changes in the professional profiles resulting from the introduction of Specific Emerging Technologies (TEEs) and the organizational changes identified. The Occupational Trends Analysis allows to project the labor demand of the labor market by sector and occupation and is based on two sets of methodological procedures: Input-Output Matrix (to calculate the territorial impacts on employment by sector) and estimates of the variations in demand in the different sectors of the economy. The Identification of Educational Gaps is identified by the comparative analysis between the levels of student capacity and the required profiles. In the Thematic Antenna all the results obtained in the previous stages are discussed and, in addition, it allows to generate recommendations addressed to the decision makers. ducto (para calcular los impactos territoriales en el empleo por sector) y estimaciones de las variaciones de demanda en los diversos sectores de la economía. La Identificación de Brechas (Gaps) Educativas son identificadas por el análisis comparativo entre los niveles de capacidad de los estudiantes y los perfiles requeridos. En la Antena Temática se discuten todos los resultados obtenidos en las etapas anteriores y, además, permite generar recomendaciones dirigida a los tomadores de decisiones. *L&E*

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Norms of INTEREST



CRUISE TOURISM PROMOTION INCENTIVES

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The Ministry of Commerce and Industries, through Executive Decree No. 35 of June 12, 2019, establishes an incentive for tourism promotion to cruise lines that establish their base port for cruises in Panama, consisting of assuming payment of the toll cost corresponding to a transit through the canal established in the official rate of the Cleaning Authority.

The Decree will be understood as the port of em-

barkation and disembarkation of passengers, where the cruise begins or ends and which will correspond to the Tourism Authority to establish the necessary procedures to make the reimbursement to the cruise lines once the invoice is presented. original.

On the other hand, the incentive will be implemented for cruise lines that meet the established requirements, starting in the second half of 2020. *L&E*



NATIONAL CENTER OF SECURITY AND EMERGENCY OPERATIONS

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By means of Executive Decree No. 236 of June 10, 2019, the C5 National Security and Emergency Operations Center of Panama was created as an inter-institutional body, attached to the Ministry of Public Security at its level of auxiliary support, with autonomy in its internal regime and in the management of its patrimony and independence in the exercise of its functions.

The mission of the Center is to coordinate command, control, computation, communications and collaboration in the face of daily security incidents, emergency situations and the handling of massive events.

It has been established that C5 aims to be a platform, through technology and innovation, to gather the necessary information to facilitate coordination, cooperation and communica-

tion among all institutions that, in accordance with national legislation, are responsible for the management of security and emergency situations throughout the national territory.

The Decree in reference gives the C5 among others the following attributions: 1. Install and manage video surveillance systems, road arches, facial recognition systems, field sensors and other technological tools that allow improving the response of institutions related to security and emergencies 2. Analyze and process all digital information obtained for the identification and recognition of persons linked to criminal acts and allow their proper delivery to the authorities. 3. Serve as liaison and collection center that supports the intelligence and operational work of citizen security of all the security forces and the national security council. *L&E*



NATIONAL CLIMATE CHANGE STRATEGY

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The Ministry of the Environment issued Cabinet Decree No. 34 of May 24, 2019, approving the 2050 National Climate Change Strategy, which must have an Action Plan for its implementation at a national level that includes objectives of nationally determined contributions, strategic goals and expected investment lines that will be executed based on constant monitoring and evaluation, to keep at the forefront the dynamics that must be executed at a precise moment.

The National Strategy has as a vision that the Panamanian productive sector generates green jobs, contributes to socio-ecological and economic well-being, nationally and globally, through the production of ecosystem goods and services, the supply of environmental goods and

services and the fight against climate change. Among the objectives of the Strategy are the following: **1. Promote the use of low carbon fuels. 2. Increase investments in alternative energies such as solar, wind and biofuels. 3. Design the operating system of the emissions trading scheme and define the methodologies applicable and validated by Mi Ambiente and the regulator of the national emissions market. 4. Integrate multimodal transport systems and build infrastructures for non-motorized users.**

Finally, the 2050 National Climate Change Strategy will be valid until the year 2050; However, it must be reviewed, classified and adapted every five (5) years. *L&E*



MODIFY RETENTION OF PROPERTY TAX FOR GENERAL LICENSE BANKS ACTING AS RETENTION AGENTS

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Executive Decree No. 50 of June 3, 2019, modifies Article 8 of Executive Decree No.362 of 2018, which establishes the withholding mechanisms for real estate taxes on which real estate and improvements, which have been financed, are subject. through loans or mortgage loans or mortgage loans or that are guaranteed by guarantee trusts and securities issuance.

Modifications to Article 8 Real estate tax withholding mechanisms for general license banks that act as withholding agents, focus on the fact that it is specified that tax withholdings will be made through debits on available bal-

ances in current savings accounts or current accounts, new or existing, maintained and designated by the person responsible for payment, as withholding accounts. Before the reform, the withholding could be made on the available balances in the withholding accounts.

Another aspect to mention is that the tax withholdings will be made quarterly by the regulated institutions, complying with the schedule established by the General Directorate of Income. It is reaffirmed that the balances caused before the entry into force of Law 66 of 2017 may not be subject to the withholding of this property tax. *L&E*

MODIFY WORK PERMITS

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Recently the Ministry of Labor and Labor Development issued Executive Decrees No. 20, 21 and 22 of May 28, 2017 that modify the Executive Decree No.17 of 1999 by which articles 17 and 18 of the Labor Code are regulated .

Articles 17 and 18 are those that regulate the hiring of foreign personnel in Panama, so we consider it important to refer in detail to what the reforms consist of.

- **EXECUTIVE DECREE No. 20**

The Decree in reference, relates to the work permit for the foreign worker with spouse of Panamanian nationality, foreign worker within ten percent of the national staff, skilled or technical foreign

worker within 15% of the ordinary personnel, temporary technician, worker alien in a company that has less than ten (10) workers “Marrakesh Agreement” and a foreign worker as a refugee.

The reform focuses mainly on the extension of the term of the work permit, so we have that for foreigners with a Panamanian spouse the permit will be granted for the term of two years the first time and the extension every three (3) years.

Foreigners within 10% and 15%, will be granted for the term of two (2) years extendable for the same time. On the other hand, for the expert or temporary technician, it is established that it may be granted for a term of three months up to one year.

For the foreigner in a company with less than

ten (10) workers, it has been established that the company must have a minimum of three (3) national workers on their payroll and there can't be more foreigners on payroll.

Finally, it is allowed to access the work permit as a refugee, to that foreigner identified as an applicant for refugee status admitted for processing, that is, who is in process and will be granted for the term of one (1) year.

• EXECUTIVE DECREE No. 21

Through Executive Decree 21, foreign workers who have a temporary humanitarian resident permit for protection or with a permanent resident permit, may opt for a work permit prior to meeting the established requirements.

The work permit as a temporary humanitarian alien shall be extended for a term of one (1) year, renewable for the same term, and the work permit as a permanent resident shall be granted for a term of three (3) years extendable by the Same term.

• EXECUTIVE DECREE No.22

The work permit for professional foreigners, as provided in Executive Decree 22, will be granted for a term of two (2) years first time and extendable every three (3) years.

In the last years of its administration, the outgoing Government through the issuance of the

aforementioned Decrees has substantially modified the granting of work permits to foreign personnel, we could even consider that they contravene Articles 17, 18 of the Labor Code.

Given that Article 18 provides that the work permit or authorization will be extended for the term of one extendable year, from there it becomes that the work contract is for a definite time and it is not mentioned that the article in reference is modified.

Article 74 of the Labor Code, tells us that the maximum term of a defined contract is for one year, this being one of the requirements to submit a work permit application either within ten (10) or fifteen (15) percent, then means that the contract would be defined as two (2) years.

On the other hand, is the work permit for permanent residents, which creates confusion, since it does not establish who could opt for such permission, leaving the door open that any foreigner who has a permanent residence opts for such permission.

On this point, it would have been necessary to indicate that it was applicable to permanent residents who can't opt for another work permit, as in the case of dependents of permanent residents.

As we indicated at the beginning and although the Executive Decrees are in force, we will have to wait for the new authorities of the Ministry of Labor to assume the charges, to know what will be the fate of these Decrees. *L&E*



NEW MIGRATORY CATEGORIES

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Following the line of the Ministry of Labor and Labor Development, of issuing last-minute decrees, the Ministry of Public Security issued Executive Decrees No. 181 and 182 of May 28, 2019, 237 and 238 of June 10, 2019 and the 250 of June 24, 2019, through which migratory subcategories are established and modify the requirements that must be met by foreigners who choose certain migratory categories.

• EXECUTIVE DECREE No. 181 OF MAY 28, 2019

With the approval of Executive Decree 181, the Visa of Non-Resident Visa is created within the non-resident visa category for nationals of the United States of America, who enter the national territory with the purpose of establishing a temporary or permanent residence, but with the intention of carrying out studies, investment, temporary and/

or technical work or by labor transfer, for the term of one (1) extendable up to five (5) years.

EXECUTIVE DECREE No. 182 OF MAY 28, 2019

Through Executive Decree 181, the migratory subcategory of Temporary Resident as aviation companies based in Panama is created within the temporary resident migratory category and will be granted for a validity of two (2) years.

It should be mentioned that Executive Decree 181 repealed Executive Decree No.449 of October 2009 that established the migratory subcategory of Temporary Resident as aviation companies based in Panama.

In turn, Executive Decree 181 was amended by Executive Decree No. 237 of June 10, 2019, regarding the term of the permit, establishing

that once approved it will be valid for six (6) years and after this period, permanent permanence can be requested. Before the amendment was granted for (2) years and after the two could request the extension of two (2) years, to complete the total period of six (6) years of temporary residence, ie, that the extension is eliminated and after the term is decided directly by the permanent permanence.

Another issue is that it was introduced that the dependent can apply with the main foreigner within this migratory subcategory, complying with the general requirements, plus proof of kinship that can be demonstrated with the marriage or birth certificate. It also contemplates that in the case of being married, the sworn declaration of free union issued by the country of origin may be presented.

• **EXECUTIVE DECREE No.249 OF JUNE 10, 2019**

Executive Decree No. 249 provides that foreigners who have obtained the renewal of the renewal card ten (10) years of their permission of the processes of extraordinary immigration regulation or have obtained the renewal of their six-year ID card provisionally, through the process of general migration regulation.

In such a way that once the ten (10) years of renewal of their permit for extraordinary immigration regulation or the six years (6) of general migratory regulation have elapsed, the foreigner may request the permanent resident's permit, following the fulfillment of the requirements established.

The final permanence procedure can be presented personally by the applicant or be accompanied by a lawyer and the costs will depend on the foreigner's nationality; however,

children under 12 years of age, those over 80 years of age, foreigners suffering from terminal illnesses, with profound disabilities and for humanitarian reasons, the latter with prior evaluation and report by the Office, are excepted from payment. of Humanitarian Affairs of the National Migration Service.

Decree 249 came into force on June 13, 2019 when it was promulgated in the Official Gazette, we hope that this is one of the issues that are urgently reviewed by the new Director of the National Service.

• **EXECUTIVE DECREE No.250 OF JUNE 24, 2019**

By means of Executive Decree 250 of June 24, 2019, the tourism card is created for Dominican Republic nationals whose purpose is to enter the national territory to conduct shopping and sightseeing tourism.

The Executive Decree establishes that the tourism card can be purchased at the consulate of Panama in the Dominican Republic and the places that are determined for that purpose and will be of entry into the national territory for a term of thirty (30) calendar days.

Within the requirements, it is established that those nationals of the Dominican Republic will be granted upon verification of their criminal records and that the Dominican national will be able to request this card, provided that it shows that the Republic of Panama has previously traveled to a third country.

Finally, the tourist card is not necessary for those who have visas stamped by the consulate which will continue to be issued. *L&E*

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ACCUSATORY PENAL SYSTEM (SPA), ALMOST THREE YEARS OF ITS IMPLE- MENTATION. GOOD OR BAD?

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ANTECEDENTS AND IMPLEMENTATION OF THE SPA, IN THE REPUBLIC OF PANAMA

The implementation of the accusatory criminal system in Panama has been one of the most important changes that the country has adopted, which has required an important effort with a view to improving the justice system.

In his book, Panamanian Criminal Procedural Law, the jurist Armando Fuentes, points out that since the mid-1990s, in Latin America, a current of changes in criminal procedural systems has begun, in a gradual step of the traditional inquisitive system, which we inherited from Spain, towards the adversary court system that developed in the United States of America.

In March 2005, our Criminal Justice System was involved with multiple complaints of corruption, slowness, favoritism and vehement

criticism within the judiciary, including its highest structures, for which, the Executive decided jointly with society the creation of the State Commission for Justice, preceded by the signing of a State Pact for Justice, to find formulas that would optimize the administration of justice and regain social respect. That is why by Executive Decree No.541 of November 17, 2005, the Technical Committee is established, who would be responsible for reviewing the recommendations of the Commission and prepare the final draft of the Criminal Code and the Criminal Procedure Code.

In 2006 the National Assembly approved Law No.14 of 2007 of the Penal Code, which came into force on May 22, 2008, it should be noted that the authorities did not feel the same empathy for the original project of the Code of Criminal Procedure submitted to the National Assembly; therefore, the Judicial

Branch and the Public Ministry create a work team and prepare an alternative document to the Criminal Procedure Code Project, which was based on orality, thus establishing the system of hearings throughout the structure of the criminal process, document that replaced

the original project of the State Pact for Justice and ended up being Law 63 of August 28, 2008. It is in this point, according to the Panamanian jurist, Delia A. De Castro that really starts all the work related to the implementation of the new regulations of a criminal procedural nature.

COMPARATIVE TABLE OF BOTH SYSTEMS

INQUISITIVE SYSTEM	ACCUSATORY CRIMINAL SYSTEM
Predominantly written procedure	Oral procedure
The System violates the rights of the accused and the victims	System of guarantees and respect for Human Rights
System that establishes and promotes privileges	Elimination of privileges. Equality of the parties
Disrespect the presumption of innocence	The innocence of the accused is presumed

CONCEPT OF THE ACCUSATORY PENAL SYSTEM

The Accusatory Penal System (SPA) is a system of criminal procedure that seeks to resolve criminal acts in less time, in which there is equality of the parties. In this system, the prosecutor, the defense and the victim have equal opportunities to be heard and decisions are made by an impartial and independent judge.

This system allows, through alternative methods of conflict resolution, such as conciliation and mediation, to complete the process without having to go to trial, thus avoiding the congestion or stagnation of the processes and the so-called overcrowding in the precincts. prison of the country, one of the key points for which the change of the penal system was necessary.

INTERVENTIONS OF THE ACCUSATORY PENAL SYSTEM

1. The victim, who is the person directly affect-

ed by the crime.

2. The Prosecutor, in charge of directing the investigation and supervising the investigators.

3. The lawyer who represents the victim when the victim becomes a complainant, which may be private or public

4. The Defendant Advocate for the Defendant, which may be private or public.

5. The judges, first the judge of Guarantees intervenes, if there are judges of Oral Judgment and finally the judges of Compliance.

PRINCIPLES THAT FUNDAMENTAL THE ACCUSATORY PENAL SYSTEM

a) Principle of Contradiction: it consists in that the parties, whether Public Ministry, complainant and defense, have the right to know, to controvert or to confront the evidence, as well as to intervene in their formation and to oppose in the

allegations of the other intervening parties.

b) Inmediation Principle: This principle consists in that all the evidence must be practiced and produced by the parties before the judge, in a public, oral and contradictory trial.

c) Principle of Presumption of Innocence: This principle is based on Article 22 of the Political Constitution of the Republic of Panama, which implies that every person must be treated and considered innocent during investigation.

PHASES OF THE ACCUSATORY PENAL SYSTEM

Research phase

It begins when the Public Prosecutor's Office becomes aware that a criminal act has been committed, through a complaint, complaint or ex officio. Within this context, it is important to point out that, the investigative phase is divided into 2 stages, considered as follows:

1. Preliminary investigation stage: where the initial proceedings are carried out to clarify the facts, however, there is not yet formally a person linked to the fact

2. Second stage of investigation: this stage begins with the formulation of the imputation in a hearing before the judge of guarantees and from the formulation of the imputation, there is a formal link to the process.

Intermediate Phase

In the intermediate or immediate phase, the Public Prosecutor's Office, based on the elements of conviction, may request a dismissal of the case or, failing that, may make the accusation, clearly identifying the criminal act that it considers was committed and who allegedly committed it. he executed it, as well as the

tests that will help prove the intended. In this stage the victim is present with the adhesion of the accusation or autonomous and the Restorative Action, which seeks the restitution of the thing and the compensation or reparation of the damages caused by the punishable act.

ADVANCES OF THE ACCUSATORY PENAL SYSTEM

Duration of the processes: In the Mixed Inquisitorial system, from the moment of entering the court to the first instance resolution, the duration was 296.3 days, that is to say almost 10 months to know the outcome of the criminal proceedings, in the Accusatory Penal System, from when begins the process or the first request in the Judicial Branch until when the first resolution of first instance is known by the judges of guarantees, has been reduced considerably to 46 days, showing a positive advance of the new system, in comparison to its predecessor.

Processes performed by guarantee judges: Since the implementation of the Accusatory Penal System on September 2, 2011, up to December 31, 2017, a total of 136,345 audiences have been made, maintaining the tendency to register in numbers of audiences since 2012 was 5% and in 2017 showed a significant increase of 43%.

Session by type of crime: 29% of the total sessions held in the Accusatory Penal System correspond to crimes against the economic heritage, 23% to crimes against the family legal order or marital status, 17% to crimes against Collective Security, 12 % correspond to crimes against Life and Personal Integrity and 8% against Freedom and Sexual Integrity, as the main crimes that are held in the SPA.

Types of Judgments in Oral Trial: From Sep-

tember 11, 2011 to December 31, 2017, 692 judgments have been issued throughout the country before the Court of Oral Trial, in which 409 convictions (59%), 269 acquittals (39%) and 14 mixed (2%).

EVALUATION OF OPERATORS AND USERS OF ACCUSATORY PENAL SYSTEM

At the level of the operators and users interviewed, they indicated that the Accusatory Penal System is more efficient than the Mixed Inquisitive System, being evaluated excellent by the judges and in a good or satisfactory manner by the Prosecutors and Defenders. Of the 70 interviewees, 94% see the system as more efficient than the Mixed system, 3% less efficient than the Mixed system and 3% say that both systems are equal.

FACTORS THAT AFFECT THE FUNCTIONING OF THE ACCUSATORY PENAL SYSTEM

There is a latent reality nowadays even when the Accusatory Penal System was implemented, which affects its effectiveness, and it is the evident overcrowding in the prisons, where we find a high percentage of inmates who have more than a year of preventive detention without that the measure be modified without being charged a charge; the figure is around 16,996 incarcerated throughout the country, of which 7,537 have more than a year in preventive detention, breaking the principle of justice in reasonable time, this alarming figure leaves in evidence the flaws of an accusatory court system. In relation to the mixed inquisitive system, since the previous measures were not taken and to improve the latter, having these two systems currently functioning results in the misapplication of the benefit of change of precautionary measure of some people over others, interpreted as a violation of the con-

stitutional mandate of equality before the law.

For Judge Miguel A. Espino G., the new procedure of criminal prosecution does not entail any positive change in the criminal indices, considers that it is not an efficient instrument for social pacification and control of violence; not even for the moderation of the crime index. In his book "The Accusatory System of Criminal Prosecution from a Critical Perspective" makes a comparison with countries in Latin America where, from the implementation of the new accusatory procedure, there was a sustained increase in intentional homicides.

It considers that the blame for the lack of interest in reporting the crime lies in the accusatory system, due to its complex and harmful operating structure for witnesses and victims. Although it qualifies orality in trials as the strengthening of the guarantor system where the principles of immediacy and contradiction prevail, it reflects on this element that doesn't necessarily contradict the value of the deed of the process.

Esteem that in Panama there is a percentage higher than 65% of cases in which the testimonial evidence is appropriate to establish the conviction, but that different studies have revealed that the weakness of criminal justice in Central America is the deficiency in criminal investigation, and specifically in the quality of the test. This is due to precarious financial or human resources that make it difficult to take advantage of scientific and forensic advances to identify criminals and establish the circumstances of the commission of the crime. And that, therefore, the evidence is based on testimony, which is mostly fragile, because it comes from witnesses who are not informed or from other criminals in search of benefits or because the legislation and the institutional apparatus are not able to protect the witnesses and victims of the crime, which

in the end translates as an increase to crime.

LATENT PROBLEM OF PREGNANT YOUNG PEOPLE IN PANAMA

In Panama, crimes against freedom and sexual integrity have increased specifically against minors, from 2014 to the present. Where the lack of sexual education predominates both in homes and in the same educational centers. These unwanted pregnancies have been increasing in recent years in an alarming way, bringing as a consequence another serious problem for society and for the system.

The government should be more concerned about these real problems that affect the country, and to achieve a general awareness in this area should seek to invest in education that covers not only schools and homes of 4 million people, but also educate the population in general on these crimes based on the prevention that for our concept is a more powerful tool to avoid this and any type of crime.

We as a society have immunized ourselves against the consequences of our own actions, by not intervening timely, for this reason we urge the different associations and unions that are also an important part for the advancement of the country to create campaigns to combat this evil that today affects and that if we do not act tomorrow we will not be able to control it, since every day it is more common to see a pregnant minor than an average woman between 18 and 35 years old.

RECOMMENDATIONS

The accusatory criminal system implemented in Panama in recent years is good for all the parties involved, as seen in the previous interviews and the percentages made in the study of (Operation-

al Monitoring of the Accusatory Criminal System in the Republic of Panama) but like everything, it is necessary to improve important aspects, for a world-class effectiveness, as a first point within these recommendations it is vital that:

1. Raise the Accusatory Penal System to constitutional rank, Taking advantage of the existing situation, in reference to the modifications or adjustments that are intended to be made to the Constitution in the new five-year period, it is of vital importance that, considering the constitutional status of the new penal system hosted by the country, we will see examples in other latitudes that also implemented this system and the first thing that was done was to give it constitutional force, countries like Colombia, Mexico, Argentina, Peru, among others, made these modifications to its Magna Carta, so that the accusatory court system entered with force, since in these moments we are prey to that saying of grandparents and we have put "cart ahead of the oxen".
2. Greater connectivity with the interveners, What we want to say is that the Accusatory Penal System, can flow harmoniously from the filing of the complaint or complaint, with all the people involved, be called Prosecutor, defender of victims, judges, public defenders among others, since, the difficulty that the defender or the victim has many times, is to maintain a direct contact with the investigative interveners and this last one limits the actions to the defenders, leaving aside the principle of equality between the parties.
3. Digital access is precarious, it is vital for the system to work in an orderly manner, so that the parties involved, most of them private defense or public defenders, can operate a system at the web page level intuitively, given that the current page of the Accusatory Penal System is little friendly, not only that, but the officials responsible for feeding the carpets

digitally speaking, do not do so in a timely manner, forcing the intervening parties to be forced to personally verify the folder in the offices of prosecutors, depriving investigators of valuable time to carry out their work in an appropriate manner, as established in the Code of Criminal Procedure, specifically in Article 24.

4. Specialized experts: The Achilles heel of both the Inquisitorial Mixed System and the Accusatory Penal System, the intervention of the experts in the criminal proceedings is of fundamental importance, because an opportune expert opinion can make the difference within a criminal process and therefore. In general, the lack of qualified forensic experts or their due scarcity, results in the entire structure of the Institute of Forensic Medicine and Forensic Sciences (IML-CF), being collapsed by the demands of expert opinions, since in some cases a department sees all the related cases in the country, such as DNA tests performed by Biomolecular experts.

5. Increase in hiring of officials: In practice we can see that prosecutors handle a considerable amount of files, that at the time of carrying out the investigation there are cases in which it becomes precarious, due to lack of time and tools, for an efficient operation of this system. must invest more in infrastructure as well as in trained personnel to fulfill these functions.

6. Access to Jurisprudence or Judgments of the Accusatory Penal System: In this particular case, the Judicial Body that is in charge of the Accusatory Penal System, did not take into consideration that, the judgments issued orally by the Magistrates of the Court of Appeals are study material for other cases and that may have as a reference judgments. specific in criminal matters, leaving losing this invaluable resource, since a palpable record of such judgments

is not kept; It is true that the audios of the judgments can be requested, but there is no record of what type of hearing was held and of which criminal matter was debated, which is why the legal study is obstructed due to the lack of a registration to be made. can make an effective search of these legal references.

7. Capacitation of Personal: Public entities provide their workers with a series of training in the Accusatory Penal System in a constant and updated manner, speaking of the educational part, but not in the management of personnel and attention to the victim or the private defender, since in many cases we see highly trained personnel educatively speaking, but with a treatment to those involved in the deplorable process, call yourself a public or private defender or victim, usually.

8. Update based on technological advances: Technology advances on a daily basis, with this advance being made by criminal organizations, therefore, constant training is needed on current and future issues in technological matters that can be applied in the system, among others.

In our personal experience, we believe that the figure of the Prosecutor should be more attached to the equality of the parties and to carry out impartial investigative actions that truly lead to the discovery of the truth; This goes hand in hand with the investment that the State must make so that the auxiliary institutions of the Public Prosecutor's Office, such as the Institute of Legal Medicine, have sufficient infrastructure and personnel to handle all cases at the level of the Republic and avoid delays in the different diligences and in our concept, each Judicial District should have its coadjutant institution. *L&E*



PANAMA, JOINS THE WORLD INITIATIVE FOR THE ERADICATION OF PLASTIC GARBAGE

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It is estimated that approximately 8 million tons of plastic are dumped into the oceans each year, “which is equivalent to every minute a garbage truck is thrown into the sea”, as revealed by figures from the United Nations (UN) Plastic is one of the waste, which affects the oceans and therefore the organisms that live in it, since they consume polymer and the effects can cause damage to the human organism, which is a global problem, which is facing, though, regional action plans to eliminate this garbage. Figures show that Chile is the country in the region that generates the most garbage, very often from Panama.

In August 2016, the National Assembly of Depu-

ties, welcomes an initiative in this regard, Bill 492, which seeks to solve the big problem caused by plastic trash, was dubbed as an initiative rarely consulted with the business sector and non-governmental organizations environmentalists, but that required a great dissemination effort and a viable operational framework to achieve its implementation. That’s right, published in the Official Gazette, on January 19, 2018, LAW 1, which prohibits the use of polyethylene plastic bags in supermarkets, supermarkets, warehouses or shops in general to transport products or merchandise, which will enter to govern on July 20, 2019. This Act, provides that supermarkets, pharmacies and retailers will have 18 months

from its promulgation, to proceed with the replacement of the bags; the warehouses and wholesalers, 24 months to make the change and it will not be applied when it has to be used for food and wet inputs prepared or pre-made and can not be used a product to replace and be consistent with less impact on the environment. The Acodeco, will be responsible entity for its application and inspection. Merchants can choose whether or not to charge reusable bags as long as they are inspected to be sold at cost. If the Law is not complied with, sanctions will be determined and the revenues collected by the fines will go through thoroughly with which recycling and teaching programs will be created on topics related to polluting materials. My Environment, will have the task of developing campaigns of diffusion and national awareness on the rational use of the non-degradable and non-biodegradable material, as well as of the advantages for the environment of the use of reusable bags or of materials friendly to the environment. The General Directorate of Standards and Industrial Technology of the MICI, will be the body in charge of supervising that the exchanges covered by this law comply with the regulations described in this new legislation.

Panama, has been working on various projects aimed at solving the issue of plastic, since June 2012 and becomes the first country in Central America to prohibit the use of disposable polyethylene plastic bags and reduce the

use of plastics by 2022, incorporates to the list of about 10 countries, with this wide-ranging commitments, since the useful life of a plastic bag is of few minutes, but the degradation time, can be around 400 years and depending on the mode of manufacture and density of the material, could reach up to 1000 years. There is also the issue of the impact on the economy, that is why the Association of Manufacturers of Plastic Products (Asfappplas) points out that the conservation of the environment must be safeguarded, but that the problem of one resource must not be transferred to others, which can affect the closing of distributors and manufacturers of bags and therefore the loss of jobs, therefore, they launch a series of recommendations such as the use of plastic bags with additives for biodegradation, bags with thickness standards (caliber) that are reusable and add a tax to the bags in the establishments, which is used for recycling campaigns.

The mishandling of garbage is a problem of education and awareness, despite the efforts that are made and the great work of the cleaning agents, sometimes poorly equipped or remunerated. We must stop to reflect a moment and ask ourselves, in what we are converting our natural sources and that we are going to inherit our families. Appreciating the present regulation, it seems to be a small step to try to correct the destructive course that we take. *L&E*



THE PROTECTION OF COPYRIGHT IN A SONG

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Many composers or authors when it comes to music, do not know very well what copyright is. What they should do, what benefits they get from the protection of their artistic work, whether or not they have an international recognition and if they can have an economically stable life thanks to it.

The answer is yes.

Creating a song:

In the creation of a song, the author of the lyrics and music intervene. It is "the one who does", "creates" the lyrics and the music of the song

That person who is dedicated to composing songs is called composer. In the case that a person only writes the lyrics of a song, it is called specifically author; when he is also in charge of the harmony, melo-

dy and rhythm of the composition, he is called, in a wider way, composer of songs. When listening to a song that is transmitted on the radio, we listen to the interpretation of the lyrics and music through the interpreter (singer), the protection for the interpreter is known as Related Rights.

Let's think, in a song that airs on the radio. Once the authors (because the music, lyrics, interpreter must be included) create the song, that song is performed by singers and musicians, recorded by a producer of phonograms, and broadcast by a station. The interpretation, recording and issuance of the works requires a great investment of time and money. In order to allow the recovery of this investment and for a high availability of works for the public, national laws (Law 64 of 2012) grant special rights to artists, phonogram producers and broadcasters.



But, what is copyright?

Copyright is the protection that international conventions (Berne Convention) and national laws (Law 64 of 2012) give to creations expressed by the author in literary or artistic works (letters, music, etc.). This right is included in a broader branch of law, such as Intellectual Property, which is no more than the one in charge of regulating the protection of the intangible heritage that allows the author and / or right holders to have that privilege of exclusivity of his work, trademarks and invention patents, which is known as Intellectual Property laws.

For my criterion, the fundamental rule for copyright is the originality that a work must fulfill in order to be protected, it doesn't have to be interesting, pleasant, spectacular, or even valuable to be protected, because no matter what its quality they are also protected. And its protection is automatic at the moment of its creation.

What rights does the author of a song have?

The author has a set of rights, but I will mention two of them for me are the important ones:

- **Moral rights:** the personality of the author translated in his work, is his materialized thought, hence it is inalienable, unattachable, inalienable and imprescriptible.

- **Patrimonial rights:** they are those that have to do with all the different ways in which they can use or exploit economically musical works, and unlike moral rights these can be transferable. There are many authors who recognize all benefits you can get to that creation and have a better life, use this resource as a source of income, of course with due advice because, although we believe that we know everything we always lack know other things

Let's return to the theme of the song.

But, how to exercise the rights of your song?

Keep in mind that the author of the lyrics, music and the performer can not control the exploitation of the song alone, that is a reality, which often leads to failure that activity as a way of life.

Take as an example, the singer-songwriter Carlos Isaías Morales Williams, known artistically as SECH. We understand that he is the creator of the song "Otro trago" (reggaeton), which currently has a reproduction (listening) of more than 50,000 daily. How it charges the royalties that the use of its work (exploitation) produces. He just can not, he must use an organization that is responsible for charging for him in Panama and anywhere in the world where his song is heard.

This is achieved, through a Collective Management Society, which are organizations that bring together the authors, composers and interpreters of the songs, which are intertwined worldwide and charge the fees for the use of songs (works). They collect and send the royalty holders those royalties, through the collective management society to which the author belongs.

This is how the Copyright Law works, so that the authors live on their creations. *L&E*



Urban artist Sech
Source: www.shazam.com

Politics

REMEMBERING THE CONTROVERSIAL GENERAL ESTEBAN HUERTAS

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One of the controversial characters of our national history is represented by General Esteban Huertas López, son of humble peasants, born on May 28, 1876 in Umbita, a Colombian municipality located in the Province of Márquez, in the Department of Boyacá.

At just eight years of age he escaped from a convent, where he had been left by his parents, to voluntarily join the Colombian army in Battalion 10 of SOACHA, playing the role of auxiliary in providing food for the military. Years later, during his military career, he climbed little by little. Initially as Cabo in 1888 at 12 years of age. Two years later he was trans-



ferred to Valencey Battalion in the Department of Panama, arriving in Panamanian territory for first time in 1890, at age of 14, where he had the opportunity to link up with different social classes prevailing in the isthmus.

Huertas López was characterized by his discipline and by his skill in the use of weapons. He was a man of small stature, impulsive and brave. Due to his perseverance and his successful participation in different battles, he quickly promoted grade by grade. In 1894 he was promoted to Sergeant First. On January 9, 1895, Sergeant Primero Esteban Huertas López was promoted to effective Second Lieutenant of the Republic and was assigned to the 4th. Company of the Colombian Battalion No. 11 stationed in Panama. On July 19, 1895, Lieutenant was promoted and assigned as an Assistant to the Military Command in Panama.

On November 8, 1897, Lieutenant Esteban Huertas López is promoted to an effective Captain of the Army and assigned to the 6th. Company of the Colombian Battalion No. 23, stationed in Panama. Due to his distinguished behavior in the action of arms in the town of Guapi, Captain Huertas is promoted to the rank of effective Sergeant Major of the Army of the Republic. On December 20, 1900, he was promoted to Lieutenant Colonel for the services he has rendered to the "holy cause of order and religion." On December 13, 1901, Lieutenant Colonel Esteban Huertas López is promoted to Colonel on instructions from the Executive Branch. At the end of 1902 he reached the rank of General Commander in Chief of the Colombia Battalion at 26 years of age.

Forming part of the Colombia Battalion during the War of a Thousand Days, he had his first military confrontation under the command of his superiors, Colonels Sotomayor and Guerrero, on November 2, 1899, in Penonomé. As a corollary of his participation in some combats in the War of a Thousand Days in Colombia, he lost his right hand as a result of an overheated cannon that shot backwards and since then they began calling

him "Mocho Huertas". When he returned to the Isthmus of Panama he also continued to intervene in different battles during the conflict of the War of a Thousand Days, a civil war in Colombia between October 17, 1899 and November 21, 1902, between liberals and nationalist conservatives, which led to an economic devastation of the nation and approximately one hundred thousand dead.

It is important to remember that General Esteban Huertas López was linked to the Isthmus of Panama and its population by very deep ties. He arrived at the Department of Panama at a very young age, fourteen years old, practically a child, alone and without family. He married on the isthmus with a Panamanian, Joaquina Ponce Fierro and had a Panamanian son, born on October 5, 1903, which undoubtedly caused the territory of the Isthmus to become his real home and inspired in him a deep love. In the Department of the Isthmus it was where he sowed his permanent friendly relations and comradeships that made him feel Panamanian.

It is also objective to remember a controversial attitude assumed by General Esteban Huertas López, for his participation in presiding over the Council of War that judged the Venezuelan leader and guerrilla fighter Victoriano Lorenzo for various crimes, who was sentenced to death by a quick and unanimous verdict and shot at 5 in the afternoon of May 15, 1903 in the Plaza de Armas.

The most important performance of the career of General Esteban Huertas López was his decisive and essential collaboration so that the Department of the Isthmus achieved its independence from Colombia on November 3, 1903.

As Head of the Colombia Battalion and the long years spent in Panama, he had excellent affectionate ties with the separatist movement's confabulations, such as Dr. Manuel Amador Guerrero, who was the first president of the emerging Republic of Panama, and who was his personal physician and the soldiers of the Colombia Battalion. Likewise, he had a friendship with José Agustín Arango, a hero of Panamanian independence and President of the Provisional Junta of the new republic, who reminded him that he had formed his home in Panama, had married a Panamanian and had a son Panamanian, having established deep and close ties with the Isthmus of Panama and with other conspirators such as General Domingo Díaz - Veteran of the Liberal Armies - Pedro A. Díaz, General Nicanor A. de Obarrio, Federico Boyd, Manuel Espinosa Batista, Tomás and Ricardo Arias, Carlos C. Arosemena among others.

Other reasons that most influenced General Huertas to increase his support for the separatist movement were the intuition of his possible transfer to Colombia and the support of Panamanian General Domingo Díaz. A prominent role to incorporate General Huertas was also played by his close friend and compadre Pastor Jiménez, who approached him in order to support the separatist rebellion at the time of deciding the Panamanians.

It is also true that at the beginning, General Esteban Huertas didn't show much interest in the rebellion and always acted with some prudence until at the appropriate time, he made the decision.

A difficult moment for all the conspirators occurred on November 2, when unexpectedly arrived at Colon, at approximately 11:50 at night, the war steamer Cartagena and the

English merchant Alexander Bixio with the Tiradores (Shooters) Battalion, composed of 466 soldiers with the mission of replacing the Colombian Battalion established in Panama and its Commander, General Esteban Huertas. The Tiradores Battalion was led by Generals Juan B. Tovar and Ramón Anaya, who came to take charge of civil and military government, that is, to relieve José Domingo de Obaldía, Governor of the Isthmus Department, and the Head of the Colombian Battalion. , General Esteban Huertas, in whom he no longer trusted in Colombia.

Initially the unexpected occurrence of the presence of the Shooters Battalion was reason for discouragement to those who protected secessionist feelings. In those crucial moments there arises the magnificent idea of Doña María Ossa de Amador to suggest to her husband, Dr. Amador Guerrero, to convince the Assistant Superintendent of the Railroad, the North American Herbert G. Prescott, to talk with Colonel Shaler in Columbus and agreed with him that only moved to Colón to Panama only General Tovar and his staff. It is also unavoidable to refer at that time the voice of encouragement and spirit of spirit that distinguished Doña María Ossa de Amador and the solid and energetic position of General Domingo Díaz, who gave strength in a conjuncture of discouragement that the conspirators had.

The summit opportunity of General Huertas arises when General Tovar arrives in Panama with his delegation and were received by Governor José Domingo de Obaldía and administrative members of his government, and General Huertas with a squadron of the Colombian Battalion, which then honored the newcomers. After several formal visits and the presence of General Tovar and his entourage in the Chiriqui Barracks, they were captured by

orders of General Huertas, news that caused the crowd of Panamanians to congregate in the Plaza de Santa Ana and shortly after, approximately At six o'clock in the afternoon, the independence of Panama was proclaimed.

On November 5, 1903, General Esteban Huertas was promoted to Commander-in-Chief of the Army of the Republic, "as the main factor of the moment of November 3, 1903, which resulted in the separation of the Department of Panama from the Republic of Colombia." By Decree No. 1 signed by Nicanor A. de Obarrio, Esteban Huertas is appointed General Commander of the Army of the Republic, composed at that time by 250 units.

Then, once the independence of Panama was achieved, and the new government of the nascent Republic of Panama was installed, under the presidency of Dr. Manuel Amador Guerrero, our first Constitutional President, less than a year after his administration, an attempt of coup d'état by General Esteban Huertas. The situation against the government of Amador Guerrero is caused due to the malaise of the Liberal Party, which wanted to have greater importance in the government and, through General Esteban Huertas López, head of the Panamanian Army, requested the dismissal of the secretaries (ministers) Tomás Arias, Secretary of Government and External Relations and of Nicolás Victoria Jaén, Secretary of Public Instruction and Justice, both belonging to the Conservative Party. Faced with this demand, President Amador Guerrero decided to remove only Tomas Arias, supplanting him by General Santiago de la Guardia, also of the Conservative Party, and kept Dr. Nicolás Victoria Jaén in his position. This partial fulfillment of the request caused General Esteban Huertas to launch a proclamation against President Amador Guerrero and sought the

support of the liberal Dr. Pablo Arosemena, first appointed to the presidency of the republic (first vice president), who flatly rejected such plans coup plotters revealing the plot to overthrow the constitutional government.

In view of the previously described situation of unrest, the US representation in Panama supported the government of Amador Guerrero and suggested the dismissal of the Army Chief and order the dissolution of the army, events that were carried out on November 18 and 20, 1904. It was thus the first attempted coup in our nascent republic, which in the end did not materialize.

The Colombians consider that General Esteban Huertas López was a traitor because of his condition of having been born in Colombia and his position of having supported the secessionist movement of 1903 and having sold the Isthmus of Panama. However, the truth is that not only General Huertas López but many other members of the Colombian Battalion supported the independence of Panama from Colombia and many illustrious Colombian-born characters, such as Dr. Manuel Amador Guerrero, born in Turbaco, Cartagena de Las Indias, who from a very young age settled in the isthmus, married Panamanian, María Ossa de Amador, had a Panamanian son, Manuel E. Amador, one of the managers of the independence of Panama and it was precisely Dr. Manuel Amador Guerrero the First Constitutional President of the Republic of Panama.

Another among the conspicuous characters who joined the separatist movement was Dr. Eusebio Antonio Morales, born in Sincelejo, Department of Bolivar, Colombia, who joined the Provisional Governing Board and who, incidentally, wrote a manifesto justifying the separation of Panama, whose The text states

that “with the narrow criterion that, in earlier times, the European nations applied to their colonies: the people and the Isthmian territory were a source of fiscal resources and nothing more”. This was observed in the contracts and negotiations of the railroad and the canal, as well as the national sales collected in the isthmus, which produced Colombia “substantial sums”, of which our territory had not received “the benefit of a bridge for any of its numerous rivers; nor that of the construction of a road between their towns, nor that of a public building, nor that of a school; nor has he seen any interest in promoting his industries, nor has he used the most insignificant part of those flows in favor of his prosperity “, highlighting as the most notorious example of this attitude what happened with the Herrán-Hay Treaty, whose improbation it caused the isthmus “irreparable and perpetual damage”. Dr. Eusebio A. Morales faithfully portrayed the precarious situation through which he crossed the Isthmus of Panama while remaining united with Colombia.

Another distinguished citizen born in Cartagena de Indias, Colombia, central character of the conspiracy for the independence of Panama, Mr. Manuel Espinosa Batista, was an integral member of the Provisional Board of Government of Panama.

In such a way that not only the mentioned characters but others also born in Colombian territory, due to their close ties with the Department of the Isthmus, supported the secessionist movement that wanted the independence of the Isthmus Department of the Republic of Colombia. It is also said, without known evidence, that General Esteban Huertas received some sum for his collaboration with separation of Panama.

The truth, however, is that Colombian government, through the Thompson-Urrutia Treaty, received \$ 25 million in compensation from United States for the separation of Panama and the Republic of Panama had no participation in the negotiation of the aforementioned treaty. .

With the passage of time General Esteban Huertas López offered his services in the War of Coto, conflict occurred in 1921 between the Republic of Costa Rica and the Republic of Panama. Ten years later, he sympathized with the civic-political movement better known as Community Action, which led to the coup d'état of January 2, 1931, which overthrew President of the Republic Florencio Harmodio Arosemena.

One of the last activities carried out by General Huertas López was parading in the patriotic parades of 1932, accompanying the group of veterans called Soldiers of the Independence. The outstanding General Esteban Huertas López died in the late afternoon of July 31, 1943 at the age of 67 in the city of Panama.

In his commemoration there is a beautiful walk that bears his name and is located in Las Bóvedas in the Plaza de Francia in the city of Panama. The walk begins in the Plaza de Francia, climbing a staircase and ends next to what was the first seat of Club Unión.

The controversial general was undoubtedly a decisive and key factor in actively participating in the movement and act of independence of Panama from Colombia, which culminated in the founding of the Republic of Panama. The Panamanians will feel eternal gratitude for such a great benefactor, Father of the Nation and Prócer of Independence, for whom we commemorate the 76th anniversary of his death. *L&E*

Panamanian ECONOMY

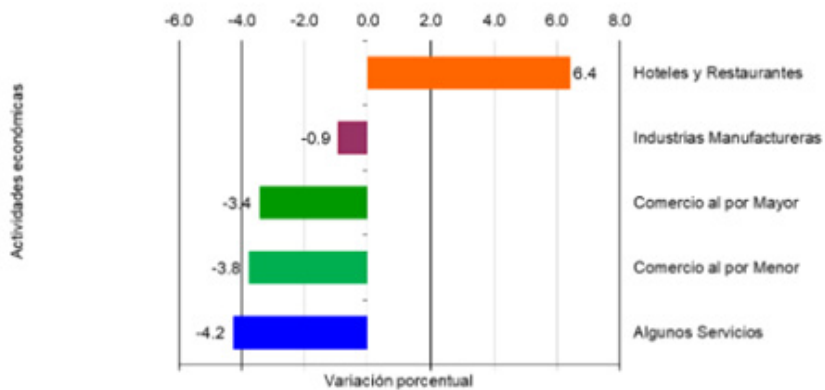
QUARTERLY ECONOMIC SURVEY (EET): JANUARY -MARZO 2018-19

Source: Comptroller General of the Republic

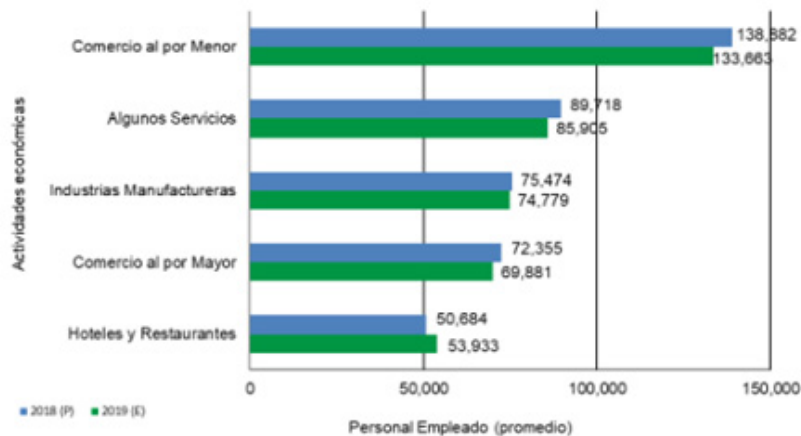
The EET from January to March 2019, with respect to previous year, in the Employee variable, reflected an increase in Hotels and Restaurants of 6.4%; while the rest of the

economic activities decreased in: Manufacturing Industries 0.9%, Wholesale Trade 3.4%, Retail Trade 3.8% and Some Services 4.2%.

Gráfica 1. VARIACIÓN PORCENTUAL DEL PROMEDIO DEL PERSONAL EMPLEADO, EN LA REPÚBLICA, SEGÚN ALGUNAS ACTIVIDADES ECONÓMICAS: ENERO - MARZO 2018-19



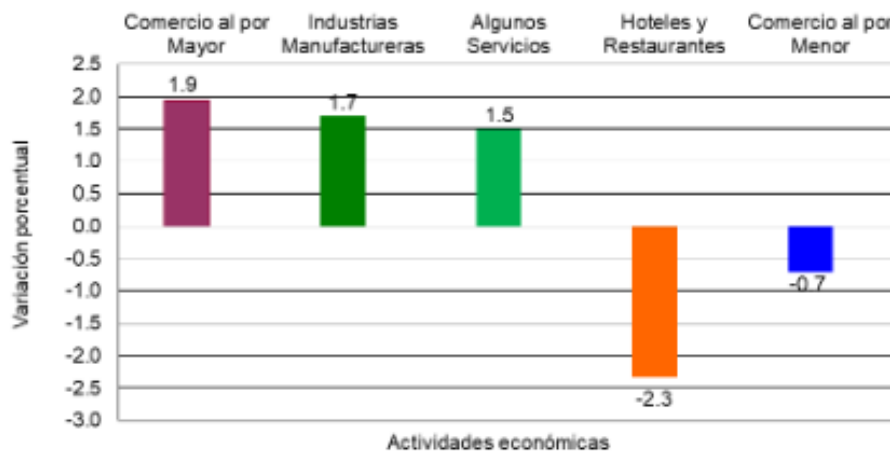
Gráfica 2. PROMEDIO DE PERSONAL EMPLEADO EN LA REPÚBLICA, SEGÚN ALGUNAS ACTIVIDADES ECONÓMICAS: ENERO - MARZO 2018-19



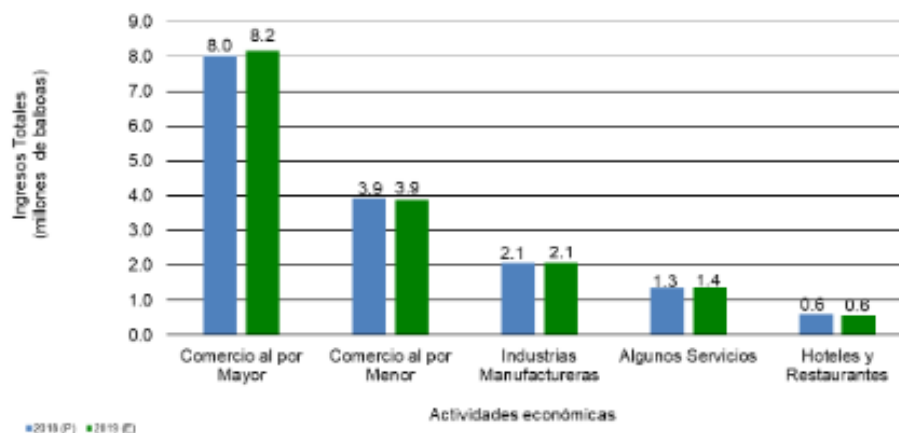
From January to March 2019, compared to the previous year, the economic activities that registered positive variations in Paid Remuneration were: Hotels and Restaurants 7.1%, Manufactur-

ing Industries 3.8% and Wholesale Trade 2.5%; while some Services and Commercial Retail decreased by 2.9% and 1.3%, respectively.

Gráfica 5. VARIACIÓN PORCENTUAL DE LOS INGRESOS TOTALES EN LA REPÚBLICA, SEGÚN ALGUNAS ACTIVIDADES ECONÓMICAS: ENERO - MARZO 2018-19



Gráfica 6. INGRESOS TOTALES EN LA REPÚBLICA, SEGÚN ALGUNAS ACTIVIDADES ECONÓMICAS: ENERO - MARZO 2018-19



II. Comments according to economic activity

1. Manufacturing industries

In the EET, Personnel Employed in Manufacturing Industries, at the level of the Republic, from January to March of 2019, compared to 2018, presented a decrease of 0.9%, reaching an average of 74,779 employed persons, of which 52,052 were concentrated in the Province of

Panama and 22,728 in the Rest of the Country.

The Paid Remuneration, at level of the Republic, grew 3.8% from January to March 2019, compared to 2018. In province of Panama an increase of 6.5% was registered and in the Rest of the Country it decreased by 4.3%. Total Revenues, at the level of the Republic, grew by 1.7%, from January to March 2019, compared to 2018.

In the province of Panama an increase of 3.9% was registered, while the Rest of the Country presented a decrease of 6.5%.

2. Wholesale

From January to March 2019, compared to the same period of the previous year, according to the EET, this economic activity at the level of the Republic, presented a decrease of 3.4%, with an average of 69,881 people employed, of which 64,811 were concentrated in the Province of Panama and 5,069 in the Rest of the Country.

The Paid Remuneration, at the level of the Republic, presented, at the level of the Republic, a growth of 2.5%, due to the increases in the province of Panama of 2.6% and the Rest of the Country 2.0%.

The Total Income presented, at the level of the Republic, a growth of 1.9%, due to the increase in the Province of Panama of 2.2%; however, the Rest of the Country decreased by 5.6%.

3. Retail trade

During January to March 2019, compared to its 2018 average, the average employed Personnel, at level of the Republic, presented a 3.8% decrease in this economic activity, with an average of 133,663 employed persons, of which 117,191 were concentrated in province of Panama of 3.8% and 16,472 in Rest of the Country.

The Paid Remuneration decreased by 1.3%, at the level of the Republic, due to the losses presented in the Province of Panama and the Rest of the Country of 1.2% and 2.0%, respectively. From January to March of 2019, with respect to 2018, the Total Revenues, at the level of the Republic, showed a decrease of 0.7% in the Republic, due to the decrease in the Rest of the Country of 9.4%; while the province

of Panama presented an increase of 0.6%.

4. Hotels and Restaurants

Personnel employed in the activities investigated by this sector, from January to March 2019, at the level of the Republic, presented positive variations of 6.4%, compared to the same period of the previous year, with an average of 53,933 employed persons, of which 43,855 were concentrated in the province of Panama and 10,077 in the Rest of the Country.

The Paid Remuneration, at the level of the Republic, increased by 7.1%, due to the increases of the province of Panama of 8.9% and the Rest of the Country of 0.2%. Total Income, from January to March 2019, at the level of the Republic, showed a decrease of 2.3% in the Republic, compared to the same period of the previous year, due to the fact that the Province of Panama presented a decrease of 3.5%; while the Rest of the Country increased 2.0%.

5. Some Services:

The average of the Personnel employed from January to March 2019, presented decrease, at the level of the Republic, of 4.2%, compared to the same period of the previous year, with an average of 85,905 employed persons, of which 75,001 were concentrated in the province of Panama and 10,904 in the Rest of the Country.

The Paid Remuneration, at the level of the Republic, reflected a decrease of 2.9%, due to the decrease in the Province of Panama of 4.7%; despite the growth in the Rest of the Country of 9.7%. Total Income showed an increase of 1.5%, reflected in the province of Panama with 2.3; On the other hand, the Rest of the Country presented a decrease of 4.4%. *L&E*

GROSS INTERNAL PRODUCT QUARTERLY AT PRICES OF 2007: FIRST QUARTER OF 2019

The performance of the Panamanian economy in the first quarter of 2019, measured through the Quarterly Gross Domestic Product (GDPT), presented an increase of 3.1%, with respect to the similar period of the previous year.

The GDPT valued at 2007 prices (in chained volume measurements), recorded an amount of B/. 10,598.8 million for the estimated period, which corresponds to an increase of B/. 315.6 million compared to the same quarter of 2018.

The activities related to the internal economy performed well in this period, transportation and communications, financial intermediation; electricity and water supply, construction and government services.

Among the aggregate values generated by activities related to the rest of the world that showed an increase, the Panama Canal stands out, port services, agricultural sector items, such as banana, watermelon and melons. For its part, the Colon Free Zone, fishing and air transport showed decreases.

Next, the evolution of the different productive activities is presented:

1. Agriculture, livestock, hunting and forestry:

The Gross Value Added of agricultural sector registered an increase of 2.4%, due to the behavior of activities such as: production of fruits that are commercialized in the rest of the world, among them the banana, watermelon and melons, showed increases of 24.6%, 36.7% and 125.4%, observed in their exports, the production of sugarcane and vegetables that registered increases of 8.8% and 5.2% respectively, reflected in the hectares sown and harvested. The growth of the sector in this period slowed the production of rice with a fall of 1.8% and corn of 8.8%, linked to the sown area; in turn, pineapple fell 17.8%, associated with its exports.

For its part, the livestock sector showed an increase in cattle breeding by 5.5% and that of birds by 1.7%. Meanwhile, slaughter of pigs registered a fall of 6.5%. As for animal

by-products, the production of poultry eggs registered growth of 4.1%, while the purchase of natural milk decreased by 13%.0%.

2. Fishing:

The quarterly fishing activity registered a fall in its Added Value of 39.9%, reflected in the lower catch of commercial marine species.

Similarly, exports of shrimp and fresh, chilled and frozen fish decreased by 66.0% and 48.1%, respectively, and that of other seafood by 47.6%.%

3. Mining and quarrying:

The mining activity showed an increase in quarterly value added of 4.5%, mainly due to the use of basic material, especially stone and sand, consumed by the construction sector, in the execution of infrastructure projects, developed by the public and private sectors.

4. Manufacturing industries:

In the first quarter the category of manufacturing economic activity, presented a decrease in its Added Value of 0.9% compared to the same period of the previous year, some activities that registered fall were: the manufacture of cement, lime and gypsum, production of ready-mix concrete, production, processing and preservation of meat and fish, given the lower slaughter of pigs and capture of fish and shrimp; likewise the elaboration of beverages, mainly malted drinks and malts, soft drinks and mineral water bottling.

However, there were positive rates in the production of other food products, including: sugar manufacture, preparation of prepared feed and production of mill products; another activity with a positive trend was the production of liqueurs.

5. Supply of electricity, gas and water:

The Added Value of this activity reached a growth of 5.6% for compiled quarter, explained by thermal generation that increased by 161.0%, benefited by new generation plant from natural gas, while generation of renewable energy fell in 38.3%. In turn, electricity transmission increased by 3.9% and electrical distribution by 0.9%.

On the other hand, the production of potable water increased by 2.5%, favored by the higher billing of residential and industrial customers.

6. Building:

The construction industry presented a sector growth of 4.5% for the first quarter of the year, motivated by public and private infrastructure works, mainly roads, ports, mining and natural gas projects, among others.

7. Wholesale and retail trade, repair of motor vehicles, motorcycles, personal effects and household goods:

Commercial activities showed a 1.9% quarterly growth. Wholesale trade increased, influenced by the volume of textiles, clothing and footwear, personal effects and various products for the consumer.

Retail trade, on the other hand, showed an increase, due to sales of food, beverages and tobacco, automotive fuels, textiles and garments, and others in specialized stores.

Wholesale activities developed in the Colon Free Zone, recorded a decrease in re-exports of products from the chemical industries and electrical machines and appliances; recording or reproduction of sound and image equipment.

8. Hotels and restaurants:

The sector as a whole, showed an increase of 2.0% in its Added Value, explained by the activity developed by the hotels and to a lesser extent the restaurant sector, associated with the greater affluence of international travelers.

9. Transportation, storage and communications:

The transport, storage and communications activity category showed a growth of 4.3%, explained by the increase in operations of the Panama Canal, ports and land transportation. The operations of the Panama Canal reported positive results in 6.3%, given the increase in revenues from tolls in 4.6% (current prices) and the services provided by the Canal to the vessels by 1.1%, thanks to the operation of the expanded canal.

The port system increased its Added Value by 4.2% and the indicators associated with activity that showed growth are: movement of TEU's containers in 3.8%, general cargo 51.9% and bulk cargo in 3.2%. On the other hand, telecommunications and air transport activities presented a reduction for the quarter referred to.

10. Financial intermediation:

The Added Value of financial intermediation increased by 4.7%, due to the good performance of the financial services of the International Banking Center, which recorded a growth of 4.3%.

There was an increase in internal loans to the private sector, which favored portfolio balances, in lines such as personal consumption and trade. The activity of insurance companies reported an increase of

8.2%, due to the increase in net premiums.

In turn, the value generated by the financial auxiliaries grew by 4.3%.

11. Activities, real estate, business and rental:

For this quarter, Gross Value Added of this economic category registered a growth of 3.0%; given the greater real estate activity of own final use (property of housing) in 3.3%, driven by the construction of residential buildings in previous periods.

On the other hand, the real estate market activities registered a growth of 2.8%, due to the contribution of advertising and architecture services, but slowed down the rental of commercial premises, legal services and other business.

12. Private education services:

Private education showed an increase of 0.9%, due to an increase in higher education, and in pre-school and primary education.

13. Activities of social services and private health:

The activity of private health showed a quarterly growth of 2.7%, as a result of increase registered in the activity of hospitals, medical consultations and other health services.

14. Other community, social and personal services activities:

The Gross Value Added of this category of economic activity decreased by 2.6%, influenced by the activities of casinos that had dropped their bets.

Other activities that reported negative behavior

were the production of films, production and broadcasting of radio and television; and sports activities.

On the other hand, the activity of the lottery showed growth.

15. Private households with domestic service:

The provision of domestic services to households showed a positive quarterly performance of 9.1%, given the increase in the respective employed personnel.

16. General Government (Other non-market production):

The Value Added by the General Government, for the first quarter, presented an increase of 7.2%, due to the increase in salaries in government entities related to education, public safety and health services.

17. Taxes on net products of subsidies:

Taxes on products net of subsidies decreased by 3.1%, due to the low collection of taxes on products and imports. *L&E*

República de Paraná
CONTABILIDAD GENERAL DE LA REPÚBLICA
 Instituto Nacional de Estadística y Censos
Cuadro 6. PRODUCTO INTERNO BRUTO TRIESTRIMESTRAL EN LA REPÚBLICA, SEGÚN CATEGORÍA DE ACTIVIDAD ECONÓMICA, AÑO 2017 - 1º Y PRIMER TRIMESTRE 2019

Categoría de actividad económica	Descripción	Producto Interno Bruto Trimestral (en millones de dólares)										
		2017 (C)					2018 (E)					2019 (F)
		Total	Trimestres				Total	Trimestres				Trimestre
			Primer	Segundo	Tercer	Cuarto	Total	Primer	Segundo	Tercer	Cuarto	Primer
	Producción de mercado											
A	Agricultura, ganadería, caza y silvicultura	784.3	177.4	185.1	226.9	184.0	798.6	176.4	193.4	231.9	194.0	182.7
B	Pesca	833.8	28.1	63.0	58.8	45.1	198.5	37.7	43.9	44.2	32.8	22.7
C	Explotación de minas y canteras	716.3	195.9	199.0	183.2	198.2	738.0	175.4	165.2	186.9	215.1	183.4
D	Industrias manufactureras	2,121.4	542.4	552.1	608.6	627.8	2,149.2	547.3	558.8	518.8	523.2	542.6
E	Suministro de electricidad, gas y agua	1,010.0	347.4	405.2	413.2	429.7	1,030.0	399.9	428.8	418.4	418.2	421.3
F	Construcción	6,151.5	1,584.4	1,402.9	1,579.1	1,525.2	6,340.0	1,670.9	1,441.5	1,611.7	1,694.3	1,747.8
G	Comercio al por mayor y al por menor	7,212.8	1,731.8	1,800.8	1,834.9	1,826.1	7,462.8	1,835.8	1,862.2	1,896.5	1,892.7	1,874.2
H	Hoteles y restaurantes	966.8	258.5	232.5	239.0	266.8	916.1	242.8	229.1	231.1	260.0	248.9
I	Transporte, almacenamiento y comunicaciones	5,284.4	1,328.4	1,263.9	1,307.2	1,385.0	5,668.0	1,360.1	1,411.6	1,432.1	1,420.1	1,452.9
J	Intermediación financiera	2,957.9	720.5	732.8	744.4	760.6	3,038.1	748.3	738.0	771.2	803.5	783.5
K	Actividades inmobiliarias, empresariales y de alquiler (contabilidad, jurídica e inmobiliaria)	2,980.2	680.2	787.4	769.7	863.0	3,051.5	689.1	816.7	727.5	818.2	828.6
M	Servicios de información privados	427.0	120.0	132.7	99.0	194.6	448.4	126.8	100.5	104.2	110.9	128.8
N	Actividades de servicios sociales y de salud privados	476.1	150.1	118.9	127.2	118.9	505.1	115.7	125.6	134.6	139.2	116.8
O	Otras actividades secundarias, sociales y personales de servicios (salud, deporte y otras)	639.2	184.0	171.4	181.1	172.8	683.6	198.8	170.4	186.2	169.2	164.2
	Producción no de mercado (1)											
P	Construcción	560.8	142.7	138.7	151.7	159.0	611.9	151.8	136.8	154.7	169.4	157.0
K	Actividades inmobiliarias (propiedad de vivienda)	2,373.7	589.7	589.3	591.4	589.5	2,416.7	608.2	609.2	608.4	619.3	608.7
P	Juegos privados con servicios domésticos	165.5	41.7	41.7	41.6	41.5	174.4	42.3	43.1	44.0	44.9	49.2
	Otra producción no de mercado (1)	2,806.4	679.4	675.4	699.7	760.9	3,042.8	747.5	741.8	748.3	835.1	801.7
	Valor Agregado Bruto en valores básicos	38,486.3	9,475.2	9,487.1	9,616.8	9,688.7	39,867.7	9,880.5	9,755.7	10,372.8	10,236.5	10,185.7
-	Ítem: Impuestos a los productos netos de subvenciones	1,787.7	455.0	442.7	452.9	447.5	1,702.1	412.4	416.4	432.1	435.7	436.2
	PRODUCTO INTERNO BRUTO A PRECIOS DE COMPRADOR	40,274.1	9,930.4	9,929.8	10,069.7	10,136.2	41,569.8	10,292.9	10,172.1	10,804.9	10,672.2	10,621.9

NOTA: A precios de comprador, en unidades de volumen encadenadas, con año de referencia 2007.

La discrepancia entre el total y la suma de sus componentes se debe a la diferencia estadística que proviene de utilizar estructuras de precios base móvil, de conformidad con la metodología sugerida en el Sistema de Cuentas Nacionales 1993 (SCN93).

(1) Incluye el Gobierno General y los Instituciones Sin Fines de Lucro que sirven a los hogares (ISFLSH).

- Datos no aplicable al grupo o categoría.

(E) Cifras estimadas.

República de Panamá
 CONTRALORÍA GENERAL DE LA REPÚBLICA
 Instituto Nacional de Estadística y Censo

Cuadro 6. COMPOSICIÓN PORCENTUAL DEL PRODUCTO INTERNO BRUTO TRIMESTRAL, EN LA REPÚBLICA: AÑOS 2017 - 2018, PRIMER TRIMESTRE DE 2019

Categoría de actividad económica	Descripción	Composición porcentual del Producto Interno Bruto Trimestral										
		2017 (B)					2018 (C)					2019 (D)
		Total	Trimestres				Total	Trimestres				Trimestre
	Primer	Segundo	Tercer	Cuarto		Primer	Segundo	Tercer	Cuarto	Primer		
	Preservación de moneda											
A	Agricultura, ganadería, caza y silvicultura	2.0	1.8	1.8	2.2	1.9	1.9	1.7	1.9	2.2	1.8	1.7
B	Minería	0.4	0.3	0.4	0.5	0.4	0.4	0.4	0.4	0.4	0.3	0.2
C	Explotación de minas y canchales	1.8	1.7	1.7	1.8	1.8	1.7	1.7	1.6	1.8	2.0	1.7
D	Industrias manufactureras	5.3	5.5	5.8	5.0	5.1	5.1	5.3	5.5	4.9	4.9	5.1
E	Suministro de electricidad, gas y agua	4.0	3.9	4.1	4.1	4.0	4.0	3.9	4.1	4.0	3.9	4.8
F	Construcción	15.3	16.0	14.8	15.7	14.8	16.2	16.3	14.1	15.4	15.1	16.5
G	Comercio al por mayor y al por menor	17.2	16.8	16.2	17.9	17.7	17.8	17.8	18.3	18.2	17.3	17.7
H	Hotelería y restaurantes	2.6	2.6	2.5	2.4	2.8	2.7	2.4	2.2	2.2	2.4	2.3
I	Transporte, almacenamiento y comunicaciones	13.1	13.4	13.1	13.0	13.1	13.8	13.5	13.8	13.7	13.3	13.7
J	Información financiera	7.4	7.3	7.4	7.4	7.4	7.4	7.3	7.4	7.4	7.5	7.4
K	Actividades inmobiliarias, empresariales y de alquiler (rentabilidad, jurídica e inmobiliaria)	7.4	6.9	6.8	7.0	7.3	7.3	6.7	6.9	7.0	7.8	6.7
M	Servicios de educación privada	1.1	1.2	1.0	1.0	1.0	1.1	1.2	1.0	1.0	1.1	1.2
N	Actividades de servicios sociales y de salud privada	1.2	1.1	1.2	1.3	1.2	1.2	1.1	1.2	1.3	1.2	1.1
O	Otras actividades comunitarias, sociales y personales de servicios (casinos, lotería y otros)	1.7	1.7	1.7	1.8	1.7	1.7	1.6	1.7	1.8	1.8	1.9
	Producción para uso final grupal											
F	Construcción	1.5	1.4	1.4	1.3	1.5	1.5	1.5	1.3	1.5	1.5	1.5
K	Actividades inmobiliarias (propiedad de vivienda)	5.0	5.0	5.0	5.9	5.8	5.9	5.9	6.0	5.8	5.9	5.9
P	Hogares privados con servicios domésticos	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
	Otra producción no de mercado (1)	7.0	6.8	6.8	6.9	7.4	7.2	7.2	7.2	7.2	7.3	7.6
	Valor Agregado Bruto en valores básicos	96.8	96.8	95.9	95.5	95.7	95.7	95.9	95.8	95.4	95.4	96.1
-	Más: Impuestos a los productos netos de subvenciones	4.4	4.2	4.3	4.3	4.3	4.3	4.1	4.4	4.1	4.5	3.8
	PRODUCTO INTERNO BRUTO A PRECIOS DE COMPRADOR	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

NOTA: A precios de comprador, en medidas de valores encadenados, con año de referencia 2007.

La discrepancia entre el total y la suma de sus componentes, se debe a la éntica estadística que precisa de utilizar en las bases de datos, de conformidad con la metodología aplicada en el Sistema de Cuentas Nacionales 1995 (SCN95).

(1) Incluye el Gobierno General y las Instituciones Sin Fines de Lucro que sirven a los Hogares (ISFLSH).

- Datos no aplicable al grupo o categoría.

(C) Datos estimados.

FOREIGN DIRECT INVESTMENT BY B/. 1,648.3 MILLION

Source: Ministry of Economy and Finance

Foreign Direct Investment (FDI) in Panama totaled B/. 1,648.3 million in the first quarter of 2019, exceeding B/. 253.7 million or 18.2% compared to the same period of the previous year, summarizes a report from the Directorate of Economic and Social Analysis of the Ministry of Economy and Finance (MEF), according to figures from the National Institute of Statistics and Census (INEC).

It reflects that the amount of investment represented 10.1% of the total of the Gross Domestic Product (GDP) during the same period. In 2018, FDI reached the figure of B/. 5,548.5 million, 21.4% more than in 2017.

It is worth noting that from 2014 to 2018 the Republic of Panama received B/. 23,998.2 million direct foreign investment, being financial and insurance activities, wholesale and retail trade, transportation, storage and mail, and export of mines and quarries, which stand out in attracting this investment.

The amount of FDI in this period is significantly greater than the previous five-year period, B/. 10,085.2 million additional.

According to the MEF analysis, the results confirm the confidence of investors in the Panamanian economy, the profitability they

obtain, product of a stable macroeconomic environment, public policies for attracting investment, the central geographic position in the region and the competitive advantages of the financial center and logistics conglomerate.

The document emphasizes that, by type of items, in the first quarter of 2019, the most dynamic component was the so-called other investment, which grew B/. 358.9 million or 90.5%. This type of investment adds the financing of the parent companies to the subsidiaries established in the national territory, which for the first quarter of 2019 amounted to B/. 755.4 million or 45.8% of the total FDI.

He points out that the reinvested earnings are the most significant component when adding B/. 938 million, representing 56.9% of the total FDI. Increased reinvestment in general and international license banks and in companies located in the Colon Free Zone.

The study emphasizes that by type of capital, non-financial companies based in the country received direct investments for B/. 1,389.9 million. In order of amount invested, the received by the banks of general license by B/. 111.8 million, the companies established in the Colon Free Zone by B/. 97.3 million and international license banks for B/. 49.3 million. *L&E*

PANAMA CANAL PUBLISHES PROPOSAL FOR MODIFICATION IN THE STRUCTURE OF TOLLS

Source: ACP

The Panama Canal published its proposal to modify the current tolling structure for the dry bulk segments, passengers, container ships, vehicle carriers and RoRo, chemical tankers, tankers, liquefied petroleum gas (LPG) ships, liquefied natural gas (LNG) vessels), the tourism sector of the local maritime conglomerate, and the tolls to smaller vessels. As of this Friday, the Panama Canal opens a consultation period to formally receive comments on the proposal until July 15, 2019.

The proposed modifications are intended to continue providing a world class service to clients and the global maritime community while optimizing the management of resources in order to improve competitiveness.

For the dry bulk segment, the proposal suggests equating the tolls of the Neopanamax ships loaded with iron ore, with the tolls established for the grains and “other dry bulk”. In the same way, it is proposed to increase the rate of neopanamax bulk ships transiting in ballast.

In addition, the proposal aims to increase transparency in the structure of tolls for passenger ships by adopting the charge based on the maximum passenger capacity that the ship can carry. In this sense, it is proposed to modify the unit of measurement from “per bunk” to “per passenger”, facilitating the transfer of costs between the cruise lines and their customers.

For the container ship segment, the main user of the Panama Canal, the proposed modifications aim to retain and encourage greater volumes of cargo through the interoceanic route. The proposal includes changes to the Loyalty Program through the incorporation of new levels that offer more attractive rates for customers that place between 2 and 3 million TEUs per year; and a greater incentive for those that exceed 3 million TEU. In addition, the incentives implemented in October 2017 for return trips will remain in force.

To add transparency to the tolling structure of the vehicle carrier segment and RoRo, a new tariff applicable to neopanamax ships

is introduced. Slight adjustments are also proposed to the tolls applicable to panamax vessels, as well as adjustments in the ranges by ship size.

The toll structures for tankers and chemical tankers, as well as the LPG and LNG ships remain unchanged, however, adjustments are proposed to the rates to align them more closely with the value of the route.

The tolls for the smaller vessels and for the tourism sector of the local maritime conglomerate are subject to upward revisions to contemplate the costs, the water used to transit these smaller vessels and the resources associated with the transit, as well as the complexity of accommodating these vessels inside the chambers of the Panamax locks. The last adjustments for smaller vessels were applied in 2012.

Finally, and based on the comments sent by clients during the consultation and public hearing process carried out in 2017, the Canal proposes to review tolls for vessels that transport containers on deck, and that don't belong to the container ship segment, with the purpose of allowing differentiated charges applicable to empty, dry or refrigerated containers.

The complete proposal is available at www.pancanal.com/peachas. All interested parties are invited to participate in the consultation process, as well as in the public hearing that will be held in Panama City, on July 24 at 9:00 a.m. (local time). In accordance with the established rules, the Panama Canal will consider all correspondence received before 4:15 p.m. (local time) of July 15, 2019, as well as the comments and opinions presented during the public hearing.

After a careful evaluation and analysis of comments received and, once the relevant changes are incorporated, the modification of the tolls set by the Board of Directors will be submitted to the Cabinet Council of the Republic of Panama for final approval. The implementation date of the toll structure is scheduled for January 1, 2020. *L&E*

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World ECONOMY

WORLD GROWTH WILL WEAKEN AND COME TO 2.6% IN 2019; CONSIDERABLE RISKS ARE OBSERVED



Source: World Bank

According to forecasts, global economic growth will be reduced to 2.6% in 2019, a lower percentage than expected, before rising slightly to 2.7% in 2020. Growth in emerging and developing economies is expected to stabilize next year as some countries leave behind periods of financial stress. However, the economic momentum will continue to be weak.

The growth of emerging and developing economies is limited by the lack of dynamism in investment, and the risks are oriented towards

the economic slowdown. According to the World Bank report Global Economic Prospects: Heightened Tensions, Subdued Investment of June 2019, these risks include the increase of trade barriers, new financial tensions and the steepest deceleration than expected in several of the major economies. The structural problems that lead to unduly assigning or discouraging investment also influence growth prospects.

“Stronger economic growth is essential to reduce poverty and improve living stan-

dards," said World Bank Group President David Malpass. "Currently, the economic momentum remains weak, while the high levels of debt and the low growth of investment in developing economies are preventing countries from achieving their potential. It is urgent that the countries carry out important structural reforms to improve the business climate and attract investment. They must also prioritize the management and transparency of the debt, so that the new debt contributes to growth and encourages investment. "

In 2019, lower growth of the advanced economies as a whole is anticipated, particularly in the euro zone, due to the decrease in exports and investment. US growth is projected to fall to 2.5% this year and will slow to 1.7% in 2020. Growth in the euro zone could reach around 1.4% in 2020-21 and, Despite the continued support of monetary policies, the weakening of trade and domestic demand could affect economic activity.

Growth in emerging and developing economies is expected to fall to 4% in 2019, the lowest level in four years, before recovering and reaching 4.6% in 2020. Several economies are facing the impacts of financial tensions and political uncertainty. It is anticipated that these problems will diminish and the growth of world trade - which in 2019 would reach the

lowest level since the financial crisis that occurred a decade ago - will recover to some extent.

Download the report on the global economic outlook of June 2019. (i)

"While almost all economies face adverse factors, the poorest countries face the most difficult challenges due to fragility, geographical isolation and entrenched poverty," said the vice president of Equitable Growth, Finance and Institutions of the World Bank Group, Ceyla Pazarbasioglu "Unless they can follow a faster growth path, the goal of reducing poverty to less than 3% by 2030 will remain unattainable."

- Analytical chapters of the report address important current issues:

- Public debt has increased considerably in emerging and developing economies, as reductions in public debt ratios achieved with such difficulty before financial crisis have been largely reversed. Emerging and developing economies must achieve a careful balance between contracting debt to promote growth and avoid the risks associated with over-indebtedness.
- Growth rates in low-income countries are projected to increase from 5.4% in 2019 to 6.0% in 2020, but this is still insufficient to significantly

reduce poverty. Although several low-income countries moved to the category of middle-income countries between 2000 and 2018, the rest of the low-income countries face more complicated challenges to achieve a similar advance. Many are poorer than countries that have reached higher income levels and, in addition, are fragile, disadvantaged by their geographical conditions and heavily dependent on agriculture.

- Growth in investment in emerging and developing economies is expected to remain weak and below historical averages, slowed by slow global growth, limited fiscal space and structural constraints. A sustained recovery of investment growth is needed to achieve the fundamental development goals. The reforms that generate a more favorable climate for business can help to encourage private investment.

- Abrupt currency depreciations are more common in emerging and developing economies than in advanced economies, and central banks often have to respond to these fluctuations to maintain price stability. The impact of exchange rates on inflation is lower when central banks establish viable inflation targets, operate under a flexible exchange rate regime and have independence from the central government. “In the current environment of low interest rates and weak growth, additional public indebtedness may seem an attractive option to finance

growth-promoting projects,” said the director of the Development Outlook Analysis Group of the World Bank, Ayhan. Kose. “However, as the long history of financial crises has repeatedly demonstrated, debt comes at a price.”

- Regional perspectives:

East Asia and the Pacific: According to projections, growth in the East Asia and Pacific region will decrease from 6.3% in 2018 to 5.9% in 2019 and 2020. This will be the first time since the Asian financial crisis in 1997-98 that growth will fall below 6%. In China, growth is expected to decrease from 6.6% in 2018 to 6.2% in 2019 on the basis of a slowdown in world trade, stable commodity prices, favorable global financial conditions, and the capacity of Authorities calibrate fiscal and monetary support policies to address external challenges and other adverse factors. In the rest of the region, growth will moderate to reach 5.1% in 2019, and then rebound moderately to reach 5.2% in 2020 and 2021, as world trade stabilizes.

Europe and Central Asia: it is projected that, as a result of Turkey’s recovery after a severe slowdown, regional growth will stabilize and increase from 1.6% this year - the lowest level in four years - to 2.7% in 2020. Excluding Turkey, regional growth of 2.6% is expected in 2020, slightly above this year’s 2.4%, with modest growth in

domestic demand and a small burden imposed by net exports. In Central Europe, fiscal stimulus and the resulting increase in private consumption will begin to weaken next year in some of the major economies of the subregion, while growth in Eastern Europe could recover slightly to 2.7%, and moderate in Central Asia to reach 4%. It is anticipated that growth in the Western Balkans will increase to 3.8% in 2020.

Latin America and the Caribbean: regional growth is projected to diminish, reaching only 1.7% in 2019, reflecting the difficult conditions in several of the main economies, to rise to 2.5% in 2020, with the help of a rebound of fixed investment and private consumption. In Brazil, a weak cyclical recovery will gain momentum, increasing growth from 1.5% in 2019 to 2.5% next year. In Argentina, there will be positive growth again in 2020 as the effects of pressures on financial markets diminish, while in Mexico it is expected that a reduction in policy uncertainty will contribute to a moderate upturn in growth until reaching 2% next year.

Middle East and North Africa: growth is forecast to reach 3.2% in 2020, driven in large part by the rebound in the growth of oil-exporting countries. It is expected that the growth of these countries will recover to reach 2.9% in 2020, driven by capital investments in countries of Gulf Cooperation Council (GCC) and

further growth in Iraq. The increase in growth in oil-importing economies will be based on the progress made in regulatory reforms, as well as positive prospects in the tourism sector.

South Asia: the outlook for the region is favorable, with growth increasing to 7% in 2020 and 7.1% in 2021. It is expected that domestic demand growth will remain strong, supported by fiscal policies and monetary, specifically in India. Growth in India will accelerate to 7.5% in the 2019-2020 financial year, which begins April 1. In Pakistan, growth will slow further to reach 2.7% in the 2019-2020 fiscal year, which begins on July 16.

Sub-Saharan Africa: according to forecasts, regional growth will accelerate to 3.3% in 2020, assuming that investors' interest in some of the region's main economies will increase, that oil production in the The main exporting countries will recover, and strong growth in economies that do not require a large amount of resources will be based on solid and continuous agricultural production and sustained public investment. While it is expected that GDP per capita will increase in the region, this will not be enough to reduce poverty significantly. It is anticipated that, in 2020, growth in South Africa will increase to 1.5%, in Angola it will recover to 2.9%, and in Nigeria it will rise slowly to reach 2.2%. *L&E*



Oficina Internacional del Trabajo

ADOPTED A NEW INTERNATIONAL NORMATIVE TO CONFRONT VIOLENCE AND HARASSMENT AT WORK

Source: ILO

The Convention on Violence and Harassment, 2019, and the Recommendation on Violence and Harassment, 2019, were adopted by the delegates on the last day of the Centennial International Labor Conference, held in Geneva. 439 votes were cast in favor of the approval of the Convention and 7 against, and there were 30 abstentions. The Recommendation was approved with 397 votes in favor, 12 against and 44 abstentions.

The Convention recognizes that violence and harassment in the world of work “may constitute a breach or non-observance of human rights ... and jeopardize equality of opportunity, and that they are unaccept-

able to achieve decent work, and incompatible with this.” “Violence and harassment” are defined as behaviors, actions or threats “that are intended to cause or are likely to cause physical, psychological, sexual or economic harm.” On the other hand, Member States are reminded that they have the responsibility to promote a “general environment of zero tolerance”.

The aim of the new international labor standard is to protect workers and employees, regardless of their contractual situation, including those who carry out training activities, internships and professional training, workers whose contracts have been terminated, persons performing work of volunteering or looking for work, and job seek-

ers. Under the rule it is recognized that “individuals who exercise the authority, functions or responsibilities of an employer” may also be subject to cases of violence and harassment. The norm covers violence and harassment in the workplace; the places in which a worker is remunerated, breaks at work to rest or eat, or uses sanitary, washing or change of clothing facilities; trips, trips, training programs, events or social activities of a professional nature; work-related communications (in particular through information and communication technologies), places of accommodation provided by the employer; and travel to and from the workplace. The norm also recognizes that third parties may participate in cases of violence and harassment.

Guy Ryder, Director General of the ILO, welcomed the approval of this standard. He noted that “within the framework of the new norms recognizes the right of all people to a work environment free of violence and harassment.” He added: “The next stage will be the application of these protection measures, in order to foster a better, safer and decent work environment for women and men. I am convinced that, given the cooperation and solidarity we have found in this regard, and the public interest manifested in the adoption of measures, there will be a rapid and widespread ratification to carry out the pertinent actions.”

The Director of the ILO’s Work and Quality Department, Manuela Tomei, commented that “without respect, there is no dignity in work

and, without dignity, there is no social justice. Adopt a Convention and Recommendation on violence and harassment in the world of work, which has allowed us to reach a consensus on a definition of violence and harassment We know what measures need to be taken to avoid and address this problem, and who should adopt them. that the new norms contribute to forge the future of the work that we all yearn for.”

The Convention will enter into force 12 months after two Member States have ratified it. The Recommendation, which is not legally binding, provides guidelines on how to implement the Convention.

This is the first new Convention approved by the International Labor Conference since 2011, the year in which the Convention on Domestic Workers was adopted, 2011 (No. 189). Conventions are legally binding international instruments, while recommendations provide advice and guidance.

The ILO, the United Nations agency responsible for issues related to the world of work, commemorates its 100th anniversary in 2019.

The Centennial Conference, which was the 108th Meeting of the Conference, had the participation of more than 5,700 delegates, representing governments, workers and employers of the 187 Member States of the ILO. The Conference is expected to adopt a landmark ILO Centennial Declaration, emphasizing a human-centered approach to the future of work. *L&E*



Environmental CAPSULE

CLIMATE CHANGE AND STRATEGIES FOR WATER RESERVOIRS

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Climate change, population growth, inappropriate use of land, disproportionate water consumption, are factors that have increasingly complicated the availability of water for consumption by the population, the operation of the Panama Canal and the development of field and home activities.

In recent days, the Environment Forum on “Water Security and Climate Change” was organized by the Panamanian Association of Business Executives to discuss the problem of water management and quality in Panama. The first speaker at this important event was the Minister of the Environment, Emilio Sempris, who started his conference on the National Strategy on Climate Change, linking

energy, water, forests and food to the year 2050.

He initiated the same indicating that four framework documents have been developed that aim to present a photograph of what we should be in environmental matters within the process of transformation that the country is experiencing, which covers the following points:

1. **Water resources**
2. **Biodiversity**
3. **Forest sector**
4. **Climate change**

They were developed under the leadership of officials of the Ministry of Environment and it is recommended that they be updated every five years as they

are long-term working documents, Sempris said.

Continuing his conference, he pointed out that there is a lot of talk about the irresponsible consumption of water, however, it is considered that this represents only 0.32% of the problem. There has always been talk of the Panama Canal, however, I think we have two: The Canal that has existed since the last century and the Expanded Canal and this aggravates the problem since both work with the water volume of the same basin, said the Minister.

As for the subject of discussion if the reservoirs are made with Rio Indio or Bayano? He indicated that he thinks that both should be done, since 85% of the GDP is concentrated in the metropolitan area, the protected natural areas are to the north, the Pacific Ocean to the south, the Bridge of the Americas to the west and the bridge to the west. Centennial, and on the other side, the only human settlement growth space is to the East, which is where the Bayano Hydroelectric Plant is located.

Finally, Minister Sempris indicated that we should reforest in spaces that generate income at the community level and, in turn, expand forest cover.

Work should be done on projects that involve three main components such as forest restoration, agroforestry and ecotourism.

Sempris invited the listeners to visit the virtual library of MI AMBIENTE in which they will be able to locate all the strategies that have been assembled and the official documents that have been made in the history of INRE-

NARE, ANAM and MI AMBIENTE and which can serve them as primary material for making decisions for environmental management either at home or at your company level.

Later, Carlos Vargas, Vice-president of water and environment of the ACP, presented the topic Water Capacity of the Panama Canal and new reservoirs, the challenges of water management and ecosystems in the face of climate change.

In the same three issues with greater relevance were handled:

1. Climate change
2. Increase in drinking water consumption
3. Watershed management

We are facing the biggest climate risk in the world. The reports indicate that from 2015 to 2018 they have been the warmest 4 years. So far in 2019 we have a 50% deficit with respect to the averages (winds in different seasons above average, radiation above average which means a really extreme evaporation) as it rains little, the rivers bring little water and the evaporation is extreme then the net flow of water that arrives decreases, Vargas said. Water consumption is disproportionate, watersheds must be conserved and managed in a sustainable manner, invest in technology, radar, database, models, data collection system, etc. Between December 2018 and May 2019, there was a deficit in the average rainfall recorded in the Panama Canal basin, making this semester the driest of the 106 years of record.

The Canal has no draft and that is not good

for Panama because it reduces our reliability.

The increase in drinking water consumption is extreme. We have to stop this because we are at a country level with the highest water consumption. The issue of drought, has generated that to date six adjustments have been made draft and a seventh made on June 26, 2019.

We have to work on two water topics: Water to drink and water for the Canal. We must take advantage of it and this forces us to start working urgently in water reservoirs, said the Vice President of water and environment of the ACP.

On the other hand, Daniel Muschett, Project Manager of Water Capacity of the ACP, presented his conference based on the studies that are being done at the country level to have an increasing demand for water for human consumption. As a result of the phenomenon of the child that we faced in 2015-2016, the Executive established high-level commissions and work so that as a State we would be better prepared to handle such extreme events caused by climate changes, said Muschett. Between August 2015 and 2016 the State convened a national level, including the regions, a strategy to obtain information from civil society about what they wanted to see on the subject of water security and how they perceived it. Some comments that emerged among the population, are the following:

- That it was not another plan.
- What if a plan was carried out, at what level and who would follow up?
- Who monitored the follow-up?

It is sought that these projects not only satisfy the consumption of drinking water, but also have the potential for irrigation, tourism, navigation because the population around these projects is expected to have a benefit. The objective of these infrastructures is that the water that falls we can retain it in some way to cover the demand for consumption that places Panama among the countries that demand more of the resource, explained Muschett. Between the months of September and October the alternatives for the water reservoirs in the Bayano Hydroelectric Plant will be presented with the operational and financial costs. The purpose is to provide a future with a water supply and to be able to attend the productive activities of the area, indicated the Water Capacity Project Manager of the ACP. Muschett finished his presentation reiterating that the contract is precise, with well-defined environmental and social impact studies, the technical part of costs, compensation commitments and ensuring that the decision that is taken has all the livelihoods so that it can be carried out in a viable and sustainable manner. The heat, temperature that is felt, the increase in the level of energy demand since it is used more air conditioning and fans, are some of the effects we are experiencing as consequences of what is climate change. Similarly, farmers with their crops that have been affected by the calendar since the phenomena have altered them. All these issues require urgent measures to face the great effects that are causing us the high inadequate consumption of drinking water, climate changes and poor management of water reserves. *L&E*

Illustrious PEOPLE

ALFREDO DE SAINT MALO (1898-1984)

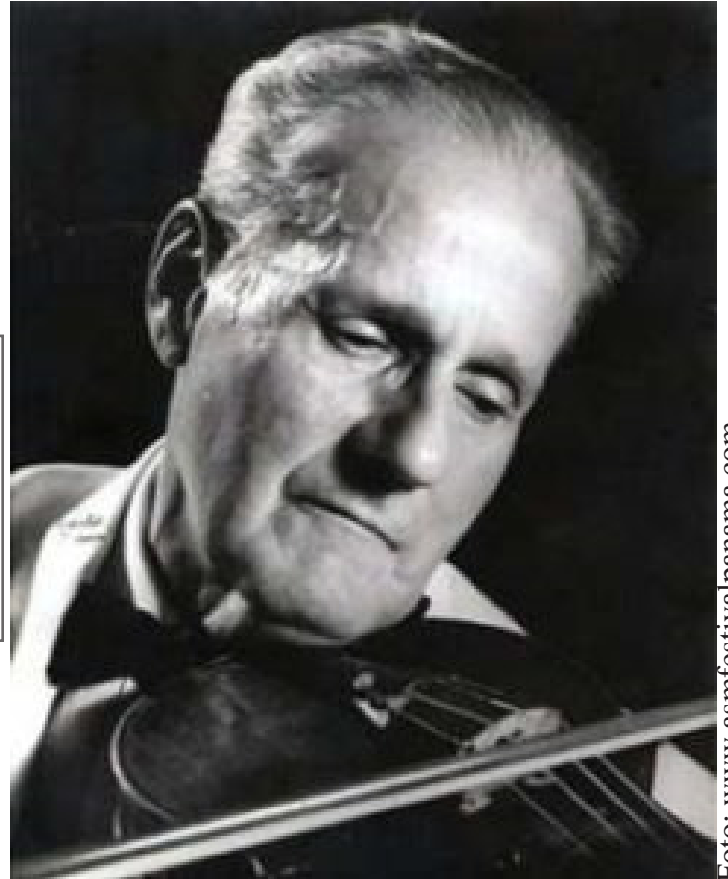


Foto: www.asmfestivalpanama.com

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Alfredo de Saint Malo was born on December 13, 1898 in a family of musicians and member of the Panamanian social elite of the late nineteenth century, son of Rodolfo de Saint Malo Bierman, violinist and consul of Sweden in Panama, and Clementina Orillac distinguished lady of

Panamanian society, had 5 brothers named Augusto, Alberto, Guillermo, Rodolfo and Elena.

The development of the musical career of Alfredo Saint Malo can be described from a historical perspective, separating the story of his life in three periods: a stage that inclu-

des the first years of his life; the following one of formative character which develops in the today Conservatory of Music of Paris including a race like concertista; and finally as a teacher, trainer and promoter in the teaching of music.

Alfredo began his musical training at an

early age under the tutelage of his father and then continued in 1907 in the School of Music that the government of Panama had established at the dawn of the Republic under the teaching of the teacher Narciso Garay, who considered as the most important musician of Panama at the end of

the XIX century.

The family of Saint Malo-Orillac fit in perfectly with the families of Panamanian society who had contact with the outside culture and who possessed a certain musical culture that contributed to the formation of Alfredo Saint Malo. By then the artistic manifestations in Panama were very deficient; Most of the musicians did not have musical training, they were empirical professionals who willingly supplied the absences of a formal apprenticeship.

In 1906 Alfredo stopped receiving instruction from his father and was exposed as a student under the formal guidance of Narciso Garay, who was organizing at that time the first string quartet of Panama. Alfredo with his cousin Adriana Orillac, his father Rodolfo Saint Malo and Walter Myers joined this quartet, this quartet was the first musical group where Alfredo participated. Later, Narciso Garay promoted the Philharmonic Circle of Panama and the "Mondays of the Conservatory", an event where young Alfredo participated where he is exposed and remains motivated.

Alfredo de Saint Malo received from his home a European education and a musical training from his father violinist and his colleague Koppcke. For the year 1915 Saint Malo received his violin diploma at the Panamanian conservatory with the first place of honor, which is why, the following year, the government of Panama, presided by Belisario Porras, granted him a scholarship to continue his studies at the Conservatory of Music of Paris, where with only 17 years old, on November 3, 1916, he entered the conservatory of Paris as a student.

During his stay at the conservatory Alfredo was under the tutelage of Professor Edouard Nadaud and the director of the conser-

vatory was Gabriel Faurè, one of the greatest French musicians of the twentieth century. His learning process began by successively climbing the diplomas of the second violin accésit in 1917 to the first runner-up in 1918.

In the year 1919, Alfredo won the first prize in the violin competition and the gold medal of the Conservatory of Music of Paris considered the highest coveted and prestigious distinction in the musical world, a fact that immediately launched him as a virtuoso to the main concert halls of Europe and America. In this concert he was accompanied on the piano by Faurè, thus marking his path of recognition that opened the doors to the musical world. He subsequently performed at the Gaveau Hall in Paris and at the Sarah Bernhardt Theater with the Gaston Poulet orchestra, thus beginning a dizzying musical career in the great stages of the world.

Years later he married Constancia Müller de la Espriella, daughter of Carlos W. Müller, a Panamanian businessman. Constancia was informally recognized as the artistic promoter De Saint Malo, who as a dowry received from her father-in-law the Guarnerius violin. With this instrument he was able to sustain his home and accompany him during his artistic triumphs around the world.

The European critique reviewed the performances of Saint Malo with high qualifying standards. Emile Vuillermoz celebrated Parisian critic described the presentation in Paris of Saint Malo as "outstanding qualities, purity of style and its intelligent and distinguished interpretation. His technique is pure, precise and his phrasing always well balanced. " On the stages of Berlin, Vienna, Rome, London and Edinburgh he shone as one of the virtuosos of the violin.

At the end of the year 1926 he traveled to the United States for the first time where he made five

concerts and a successful tour of the main cities of that country. In the Symphony Hall of Boston was chosen by the composer Ravel for the premiere of his work Sonata in G, in whose presentation the same Ravel accompanies him to the piano. In Los Angeles at the Hollywood Bowl, he played a solo, under the direction of Bernadino Molinari. The race of Alfredo de Saint Malo was news in the great musical halls of the world. From there he continued his career through the Caribbean to Puerto Rico; throughout Central America and South America to Buenos Aires.

After his success in America, he returned to Europe where he was received by Benito Mussolini for a private audition at his residence in Villa Torlonia. In 1929 he made a concert tour of Italy, where he performed in the Sala Sgambati, in many others and in the Vatican, before Pope Pius XI, and later before his successor, Pope Pius XII.

In 1939, he was invited to present a concert at the White House in Washington D.C. for the president of the United States, Franklin D. Roosevelt and his wife, Eleanor Roosevelt. More than twenty years of triumphs in the old and the new continent, sometimes only with his companion, and others as soloist of great orchestras, define the imprint of the great violinist who was Alfredo de Saint Malo.

As a soloist, Saint Malo performed with the Orchestra of the Paris Conservatoire, the Hollywood Bowl Orchestra (1929), the Manhattan Symphony Orchestra (1930), the Paris Poulet Symphony Orchestra (1931), the Boston Pops Orchestra, Arthur Fiedler (1939), the Symphony Orchestra of Colombia (1938 and 1947), the Symphony Orchestra of the University of Mexico (1947), the Symphony Orchestra of El Salvador (1947), the Costa Rican Symphony Orchestra (1947), and the Orchestra Symphony of Panama in innumerable occasions.

Alfredo recorded records for the Columbia label, alternating with musicians such as Nicolas Slonimsky on piano, works by Heitor Villa-Lobos, Domingo Santa Cruz, Lorenzo Fernández, Andrés Sas and Guillermo Uribe Holguín, Fritz Magg and Olga Averino.

In 1929 Alfredo returned to Panama to give a series of concerts where he received from the hands of the Panamanian people the warmest and delirious welcome, the golden crown of laurels to the wizard of the violin, the only award given to a national artist. The Workers' Federation also handed him a medal, the only recognition of the missing labor organization. He offered concerts in the National Theater, in the city of Colón, in the church of Aguadulce and in Balboa, Canal Zone.

In 1936 Alfredo Saint Malo offered a concert at the Bella Vista theater directed by Eduardo Charpentier Herrera.

In 1946 the magazine "Harmony" affirmed that Saint Malo without any discussion was "the most famous violinist that Latin America has produced."

Records "The Flight of the Bottles" by Rimsky-Korsakov, "Capriccio en Minor" by Wieniaswki with Andre Kostelanetz on the piano, recordings reproduced in New York in 1974 under the album Augmented History of the Violin on Records (1920-1950), edited by Thomas L. Clear, of which only 250 copies were made.

When Arnulfo Arias Madrid won the elections he offered the teacher Saint Malo the opportunity to lead the National Conservatory of Music and Declamation in the second government attempt to establish the teaching of music.

Under this presidential designation Saint Malo made the decision to leave the scenarios of the great theaters of the world and to assume the

call of the motherland to insert itself in the task of training Panamanian musicians. Saint Malo convened high quality foreign and national teachers and directed the conservatory towards an educational philosophy that aspired to raise the artistic levels of the entire Panamanian society. The professors, and then the students, showed up constantly at evenings, recitals and concerts, not only in the city of Panama, but also in Colón and in the interior of the republic. In the middle of the century the Conservatory of Music and Declamation of Panama reached to have forty professors in the diverse disciplines, and more than a thousand of students.

During these years Alfredo also directed the Society for Musical Art under which the first seasons of tickets were made in Panama with billboards of international musicians like Henryk Szeryng, of Polish origin and naturalized Mexican, recognized as one of the greatest violinists of international standing . During this same period by Decree 65 of May 27, 1941, the Symphony Orchestra was created.

The tasks of the teacher Saint Malo in relation to the promotion and musical teaching were never exhausted. He created his first string quartet consisting of Frances Deck (second violin), William Carbone (viola), Mosa Chavivi (violoncello) and he as the first violin. In its second period, the quartet was integrated by Alexander Feinland (second violin), Ernst Baker (viola), Elizabeth Feinland (cello) and continuing as the first violin and with this began the radio broadcasts on Radio Miramar, the first and only initiative of spread the values of classical music on the radio and developed the first musical artistic tours to the interior of the country to towns such as Antón, Santiago, Penonomé, Aguadulce and Ocú.

The environment rarefied by the Second World

War did not overshadow the musical production of the maestro in Panama; Alfredo de Saint Malo with the Czech musician Eric Landeveré offered concerts at the University of Panama with compositions by Schumann and Debussy.

When Saint Malo was stripped of all responsibilities and tasks of musical training due to the new organization of the musical formative instances in 1953, he felt a great disappointment and that's when he accepted an offer from the University of Texas, as guest of the department of Music from the Faculty of Fine Arts where he stayed for the next twenty-nine years.

In 1960 he returned to Panama and offered concerts with the National Symphony Orchestra and in the following years he reappeared in some halls and theaters of the Panamanian capital.

He was awarded the order Vasco Núñez de Balboa in the degree of Grand Officer in 1963. During his artistic and professional life he was awarded honors by the Government of Haiti and Brazil. He also received the Order of the Academic Palms of the French Republic and the Eloy Alfaro Order of Ecuador.

The seeds that Alfredo de Saint Malo planted in that society still bear fruit, an example of which is the Alfredo de Saint Malo International Music Festival, which was created by the Sinfonía Concertante Foundation of Panama, founded in 2008 by professors Isaac Miguel Casals and Luis Casals.

Alfredo died in Austin, Texas in 1984 at 86 years old person who with his art and professionalism took the name of the country to the most significant musical halls in America and Europe, work that has not yet been fully understood or evaluated in its true dimension artistic in Panama. *L&E*

Sports Capsule



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In sport, growing by merit is the most basic, as well as to go to a qualification, a championship, or any competition. And as athletes is what you want, have more playing time to show the level you have.

For all this we must work hard, put all the dedication and commitment. Because if you don't work on yourself with constancy, we lose conditions, we get away from being able to obtain recognition and we risk giving a bad representation, therefore, the performance reference will be low.

The key to everything is perseverance, we can have good intentions, but if we do not carry out these actions, everything will be nothing.

On the other hand, we are glad that the Roberto Kelly Sports Complex has opened in Don Bosco, which has two baseball stadiums (junior and senior), multipurpose courts, an administrative building, and a pedestrian path that runs through the four-hectare sports facility. Only that it is necessary that with the entry of the new government define who will take charge of the administration of this. *L&E*

SOCCER

U-20 World Cup

The XXII edition of the U-20 World Cup in Poland, which started on Thursday May 23, ended on Sunday, June 15, crowned champion the Ukrainian team, which closed the tournament without knowing the defeat.

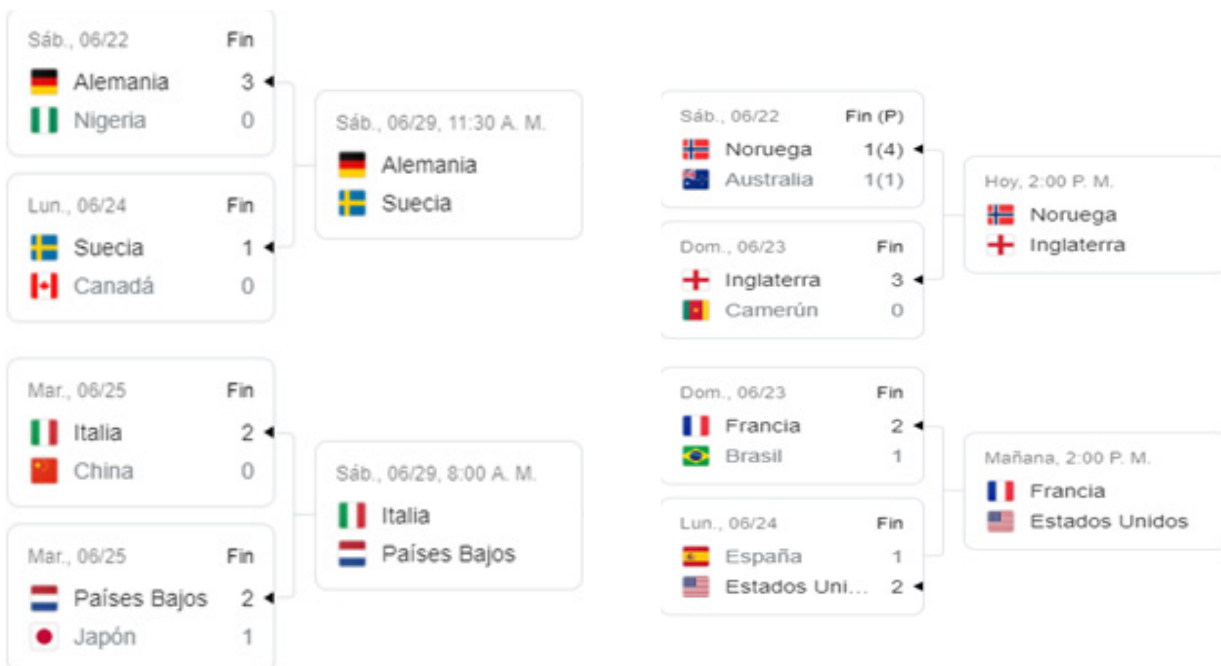
This final, which was played between Ukraine and South Korea, was historic, as neither team had reached the end of previous world U20

On the Panamanian side, they managed to progress to the second round, however, the Ukrainian side prevailed against Panama, taking the 4-1 victory.



Women's World Cup

The Women's World Cup France 2019, has been amazing, full of talent. It is currently in the quarterfinal phase.



Closure Tournament 2019

The Independent Athletic Club was crowned champion of the Closing League 2019, after prevailing over San Francisco in penalty shootout, won 4-0.

America Cup

This Copa América Brazil 2019 has been full of emotions in its round of groups and quarters.

Where Ecuador, selection directed by coach Hernán Darío Gómez, didn't perform well.

We see a Brazil that seeks to enforce its home, against a Paraguay that has passed a very quiet round of groups, a Venezuela that has been growing, that hand in hand with coach Rafael Dudamel, is a strong team that has put tremble even the albiceleste in friendly matches.

On the other hand, there is the duel between



Colombia, which has been strong with re-sounding 9 points in the group round, and Chile, good opponent, this could be the most interesting match we will have in this phase of the tournament. And we can see the last key of Uruguay, great favorite to be champion and Peru, which comes from a big fall after his match with Brazil 5-0.

Here we leave the dates, and the only thing we can ask is that they give us a good football:



Gold Cup

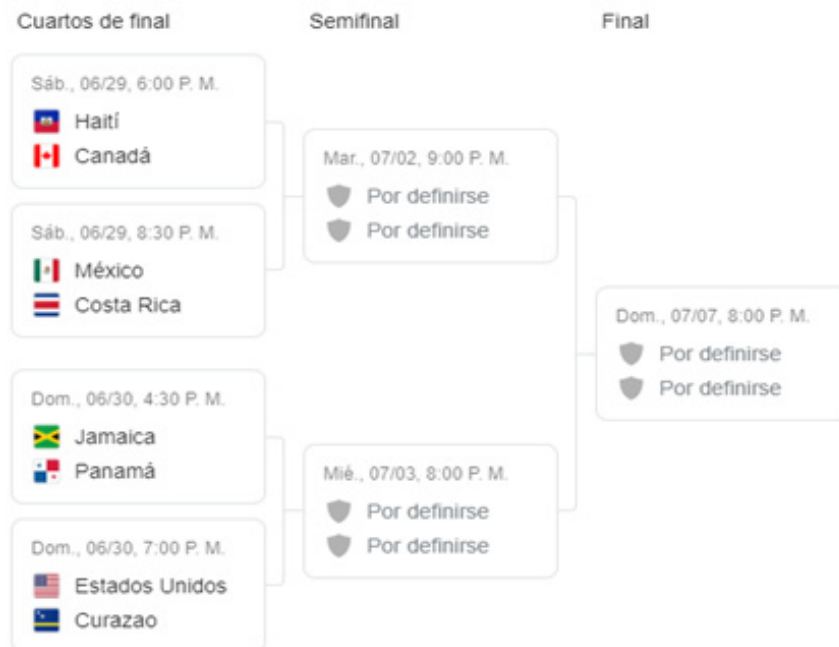
The Panamanian national team has had a good run at the time of the Gold Cup, if measured by historical data, that Panama has led 16 consecutive games without losing in a Gold Cup, as with this would be 8 consecutive tournaments that go to fourth, since 2005 that we went runners up.

Despite this, the reaction of the Panamanian team was delayed in their first matches against Trinidad and Tobago, they had a 2-0 victory and when they faced Guyana they won by a resounding 2-4, which had not affected them until the end of the first half. encounter with the United States, in which the first 45 minutes, the US team dominated the ball, then after a second time see Panama attacking much more, but after the goal by Jozy Altido-

re made changes, placing Yoel Bárcenas and Michael Murillo with whom he had more depth. It is necessary to take into account that the United States team was changed to the 11 players with respect to previous games and on the Panamanian side 9 players were changed.

With Panama falling to the United States 1-0, it is up to Panama to face Jamaica with second place in the group and the United States with Curaçao for being a group leader.

The latter, Curazao, surprises when they go into the quarterfinals by drawing a 1-1 draw with Jamaica as the Honduran team, despite being eliminated from the Cup, prevailed against El Salvador and took the victory 4-0, going from this group: Jamaica, with 5 points and Curaçao, with 4, leaving El Salvador by goal difference. *L&E*



BASEBALL

The ninth of Panama West was proclaimed champion in National Baseball Tournament of category Sub14 with 2 runs to 1.

On the other hand, Mariano Rivera showed off at 73 ° 'Old Timers Day', held at Yankee Stadium. Wherein addition to connecting a homerun of legs inside the stadium, he caught a fly ball to the center field and in passing he returned to pitch. *L&E*



SWIMMING

A Panamanian delegation of 22 swimmers will participate in the tournament of the Central American and Caribbean Confederation of Swimming Fans (CCCAN). *L&E*



Panamá cuenta con representación de tres atletas, en el primer Mundial Junior de Gimnasia Artística, que se desarrolla en Gyor, Hungría.

Esta delegación está conformada por Hilary Heron, Karla Navas y Joseph Putaturo, quienes están acompañados por sus entrenadores Andrés Llanos y Yin Álvarez.

Se espera una buena representación ya que servirá de práctica para los Juegos Centroamericanos y del Caribe 2022, donde Panamá es sede. *L&E*



GYMNASIICS

PANAMERICAN GAMES LIMA 2018

From July 26 to August 11, the Pan American Games Lima 2019 takes place, with the presence of 41 countries, Panama being one of these.

At the moment, there are more than 76 athletes in 14 different disciplines, waiting for confirmation, since they were in a qualifying period such as athletics, boxing, among others. *L&E*



OLYMPIC GAMES TOKIO 2010

For the Olympic Games of Tokyo 2020 will have additional games, such as climbing, skateboarding and surfing, as well as baseball/softball, and will be part of a “monitoring program”.

The International Olympic Committee (IOC) unanimously validated the list of four sports that will become part of the Olympic program in the Olympic Games of Paris-2024, namely, breakdancing, climbing, skateboarding and surfing, however, It is awaiting a final review by the executive committee in December 2020.

The breakdance, which will not be present in Tokyo, has only been part of the Olympic Youth Games in Buenos Aires last October. *L&E*



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INFLUENCERS: EFFECTIVE OR DECEPTIVE PUBLICITY?

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Social networks are what we know today as a set of applications linked to the Internet, through which we can communicate and in a certain way connect with other people, even so, they are on the other side of the world.

The term social networks, is not new, much less has always had the same meaning, for sociology, which is the science of human society, the term, has a different context, existing long before the emergence of the Internet, being the networks of relationships that we establish and through which we form our personality, we express our identity and we participate in social interactions.

Now, it is true that social networks in the begin

ning, were aimed at connecting people, however, within marketing, social networks have been included as tools to enhance brands, are an easy and fast way to reach a large number of audiences, more than anything, young audiences, who are the ones who most use social networks.

It is demonstrated that, nowadays, it is worth more the opinion of third parties regarding a product or service, than the trajectory of a brand, we can say that thanks to that need to take a specific product or service by word of mouth, they have been emerging what we know today as "influencers", in Spanish, something like brand influencers.

But... What are influencers?

First of all, if you search for the word **"influencer"**, in the dictionary of the RAE, you will not find a meaning, because the word as such, is not recognized by the Royal Academy of the Spanish Language. If we look for it in the widely used Google Translator, you will probably find that it is a French word, whose meaning is to influence and yes, basically, that is the most accurate meaning of that word.

If we go to the language of marketing, you will notice that a person considered a brand influencer or influencer, is nothing more than that person who generates constant content on social networks, mainly Instagram and likewise YouTube, the latter called **"youtubers"**. It should be noted that they are not usually famous or known in the media, they simply have the ability to viralize, as it were, certain contents, thus obtaining thousands of followers, including millions, who follow closely each of their publications and even tend to identify with them.

The fact of sharing on various topics in social networks, makes them experts, so to speak, are people who set trends and generate changes in consumer habits.

How does an influencer arise?

A clear way to explain how these people arise would be as follows, let's say that a girl is passionate about the subject of makeup and personal care, she in their social networks, begins to share makeup tutorials, from there is generating content and therefore, getting followers, then, begins to share reviews of products used to care for their skin, their favorite brands of makeup and the products they have tried but haven't worked, probably their followers are duplicated and more and more are seeing in it an example or a model to follow, because they are passionate about the same thing.

Different companies or brands, as well as entrepreneurs who start their businesses, will see in it an easy way to reach more people, therefore, they will start giving her products, inviting her to launches, among others, so that she considers herself to be influential, promote these brands, you will get a benefit for it and at the same time it generates a benefit for the company.

Pampered children of marketing

Nowadays, experts refer to them as the new spoiled children of marketing, mainly because they receive products or services for free, often without generating the expected sales, basically for an influencer to promote something, companies opt for give them products or offer their services, in this way the influencer, mentions them in their account, the label (in the case of Instagram) and so it becomes known.

This mode is widely used in our country by restaurants, clothing brands and entrepreneurs who, in search of publicizing their products, entrust advertising to these influencers.

Can it be considered a job?

Incredible as it may seem, many of these people live on what generates them being influencers in social networks. Despite the fact that many came about simply because they share their interests or their day to day, over time they became professionals, even without looking for it, since there are even fees, for the simple fact of mentioning a brand, a product, a service, to its thousands of followers.

In a certain part, this can also clash with the ethics of a person, the fact of appearing in photos or videos, with a certain product and talking about beauties of the same, shows that he is being disinterested or by his own conviction, however, We all know that there are profits beyond.

Why do companies seek them?

In my case, when I want to know something about a product, I look for it in Google, there you can find many reviews, both positive and negative of the product in question, let's not be deceived, in this era so dominated by technologies and information, we let ourselves be carried away by the opinions of others, before making an investment.

That is why, brands have decided to turn traditional marketing and adapt it to new generations, which seek in the opinions of third parties, the acceptance or not, of a product or service.

Misleading advertising

And, as everything in this life is not the color of roses, the use of influencers also has its dark nuances, some companies and brands, are carried away by the number of followers when using these influencers, serious error, number of followers is not a guarantee of purchase, a clear example is that of an Instagram influencer named Aii, which launched its line of shirts in conjunction with a company dedicated to making clothes, the girl has 2.6 million followers, without However, it didn't reach the minimum goal established by the company, to continue manufacturing its clothing line, the goal was only to sell 36 shirts. Sadly, the young woman didn't reach that percentage of sale, she lost the contract with the company and in the same way, the time and money invested.

Definitely that the use of these people as promotional tools, are clearly the decision of brands and companies, however, we must be careful and choose who actually drive sales, remember that not everyone who generates content in networks social, it is famous, even today it is easy to buy followers and comments, therefore, it is better to ensure the veracity of these accounts and avoid investing money that will not recover in the future. *L&E*

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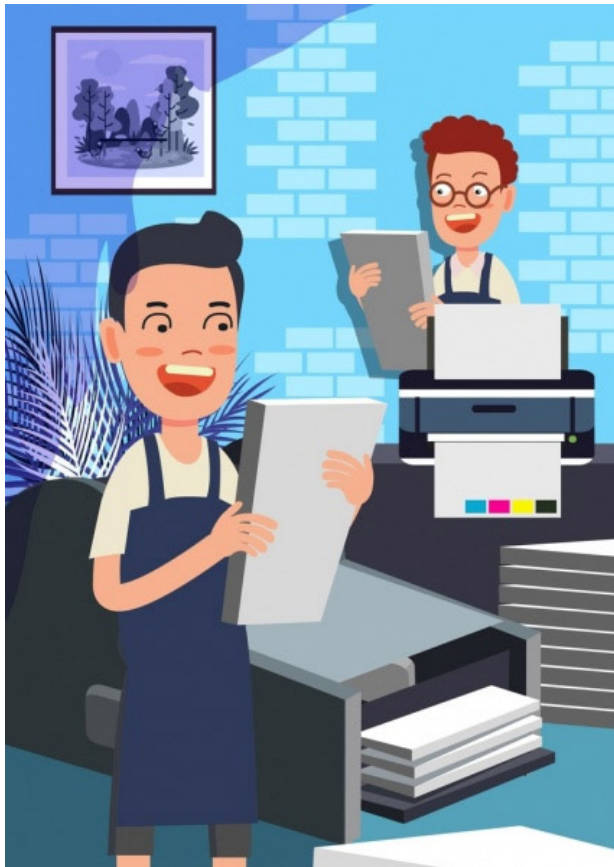
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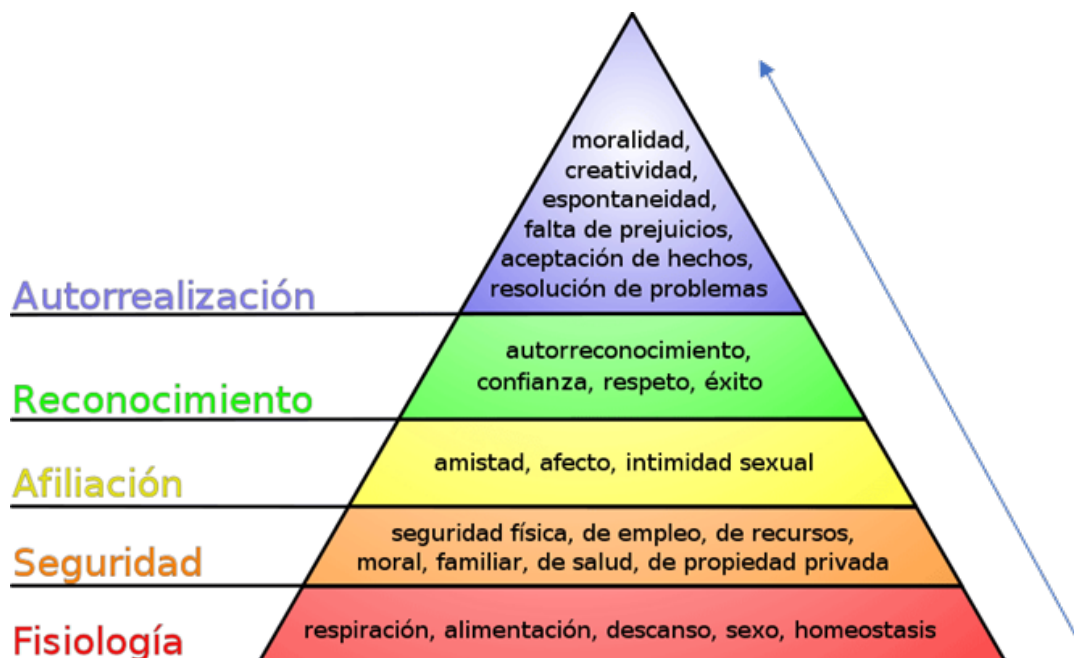


A MOTIVATED PARTNER, IS A PRODUCTIVE COLLABORATOR

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The energy that keeps us driven to perform some task or activity in our day to day is what we call motivation. Many people, when they hear the word motivation, only think about personal aspects, and do not take into ac-

count that it also affects their working life. One of the most prominent motivational theories is the "Maslow Pyramid" (Abraham Maslow in his work: "A Theory on Human Motivation" of 1943) that indicates that human



needs are structured in five levels, where he indicates that, if we satisfy the most basic needs we can go developing rational and superior needs.

Following this and other theories, it should be noted that there are three types of motivations that Human Resources management should take into account:

1. The Extrinsic Motivation: This motivation is more than anything external. It has nothing more and nothing less than the objective of rewarding employees for their performance through some economic incentive or some other benefit, with this it is intended that company obtain satisfactory results from their team.

2. The Intrinsic Motivation: This is internal; that is, it is born from the collaborator himself. With this the collaborator seeks to feel self-fulfilling, striving to do his job properly to receive praise and recognition; but, for this effort, factors such as having a good working environment, adequate tools for carrying out their work, among others.

3. The merger between the Extrinsic and Intrinsic motivation: If we keep the employee motivated, it will encourage the employee to make an effort to keep their internal motivation active and thus benefit third parties.

Motivation in the workplace is a subject that I consider very sensitive. Many companies think that the only thing that drives employees is compensation; but they do not visualize their surroundings and they evaluate that there are other methods to motivate an individual.

The motivation is only the engine of the company; therefore, the company must work to

not have a demotivated team, of course this will only be achieved if both parties contribute.

These are some motivation tips that companies could take into consideration:

- Modern and healthy offices (Good lighting, furniture in good condition, useful, among others.).
- Organization of motivational talks or workshops (Rope Workshops).
- Lunch days.
- Field or sports activities.
- Birthday celebration and activities related to the month.
- Celebration of recognition for some personal improvement.
- Recognize the effort of the collaborators.
- Give feedback of the tasks.

These are tips that at first glance seem simple, but it is likely that these actions help to increase the motivation and at the same time the productivity of each collaborator. But we must not forget the most important thing, communication, this plays an essential role in motivation, knowing how to communicate effectively avoids misunderstandings, creates trust and establishes links that generate enthusiasm.

I invite you to answer the following question: **What do I do to keep my team motivated?** *L&E*



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OF BRANDS AND DESIGNERS

The latest boom on the internet and we can say that fashion involves nothing more and nothing less than a recognized brand of a French house and a Mexican lawyer.

In these new times we have seen how the law firms have adapted to the new trends and explored in order to stay ahead of the curve and bring our legal services to more people through social networks, such was the case of a law firm. lawyers located in Mexico, which became overnight in a meme, the reason? In his publication of the social networks the logo of the law firm attracted attention since it is as-

simulated with the French fashion house Louis Vuitton; The publication also read sarcastic comments that the law firm was dedicated to trademark registration, which the firm denied and said it advised on civil and family matters.

On the one hand, the law firm has taken it in a funny and relaxed way, at the same time the exposure they have had for free would not have been possible

- 🇫🇷 Louis Vuitton
- 🇺🇸 Louis Vuitton
- 🇲🇽 Louis Vuitton
- 🇩🇪 Louis Vuitton
- 🇲🇽 Licenciado Valeriano

Traducir Tweet



Fuente: Twitter

without the creation of the memes; the reason for the choice of signing a logo very similar and easy to confuse with the fashion house is striking; For its part, the fashion house has not given the greatest importance or relevance.



Source: Twitter



Source: Twitter

Also, another case that has caused a stir has been the fashion firm of CH Carolina Herrera

with its latest collection Resort 2020, the international firm said that the collection had been created from its admiration and respect for the culture of Mexico, since the fashion house has always been proud of its Latin roots, however, many among them the same Mexican country considered that the designs are a plagiarism and not a tribute.

The Mexican government and critics argued that the designs were a cultural appropriation of Mexico and there should be compensation for that.

After the controversy was unleashed, the pertinent investigations were made with the Municipal Cultural Institute of Saltillo in Mexico, which indicated that Saltillo's serape design can be used, given that, although the Saltillo serape has the industrial property registry, which protects the rights of the process called serape fino, the creative work remains unsupported, for which no legal action would be taken against the international fashion firm.

The director of the Municipal Institute of Cultural del Saltillo, Iván Márquez, expressed the following:

"More than a criticism is a possibility that has so that both the federal government and other agencies involved can implement a standard with which the same artisans, in this case the master weavers, can register their designs."

It was concluded that the designs made by the CH Carolina Herrera is a similarity with the design and not with the protected process (thin sarape).

While some artisans complain that the identity of Mexico is being used without their permission, others have taken this action as an opportunity for cultural promotion, and appreciate that there is international interest in Mexican designs.

At the same time, they are requesting a revision of Mexican laws regarding the protection of intellectual property in terms of handicrafts and even traditions that must be protected.

Last but not least is the case involving our

own indigenous Gunas, who denounced the unauthorized use of molas in Nike shoes.



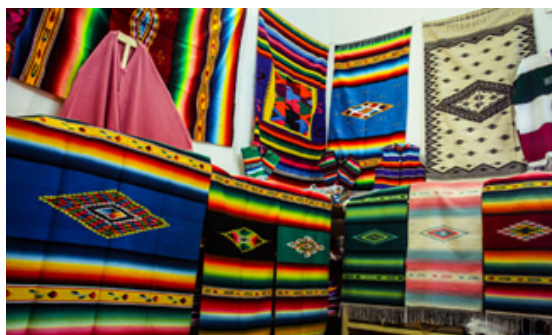
The controversy arose when Nike announced a special edition of shoes in honor of Puerto Rico with a design very similar to mola, an ancestral textile art of the indigenous Guna.

In a press conference organized by the Guna National Congress, attorney Aresio Valiente said the following:

“There was already damage because our design was used, which is part of the spirituality of the Guna people. Therefore, it has to indemnify the company (Nike) because it was an illegal copy of our designs.”

The Indians demanded compensation from the US multinational for the use of the symbol or that the sports shoes should not go on sale.

The gunas stated that Panamanian law recognizes mola as their intellectual property, so they demanded that Nike compensate them for using the design without their permission.



Mexican Sarape Saltillo



Collection Resort 2020 by Carolina Herrera

"The case of mola guna is not the only one in the world, but thousands of designs and ancestral knowledge of indigenous peoples are being pirated by multinational companies," said Zaila (cacique), Belisario López, at a press conference.

Nike had originally announced the presentation of the controversial footwear for June 6, 2019. The gunas, in addition to demanding a response from the company, had also asked consumers not to buy that footwear if it finally went on the market without their consent.

In response, Nike canceled the launch of the new model shoe after the angry claim of indigenous guna of Panama.

The sportswear giant announced that the challenged shoe wouldn't be released to the market.

"We apologize for the incorrect representation of the design origin of the Nike Air Force 1 Puerto Rico. As a result, this product will no longer be available," said a Nike spokesperson.

The mola is protected in Law 20 of June 26, 2000 implemented by the Ministry of Commerce and Industries (MICI), for the protection and defense of its cultural identity.

Molas are designs inspired by sacred places of the Guna belief, made and worn by indigenous women in their skirts, shirts and dresses.

The National Government and the original authorities work together for the nomination and promotion of the mola as intangible cultural heritage of Unesco. *L&E*

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Cultural Capsule

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THEATER

- La Plaza Theater: Give me Like on July 1 and 8.
- La Plaza Theater: Deep Fried Comedy in Spanish on 4,5,6,11,12 and July 13.
- La Plaza Theater: By the hair of July 18 to 27.
- El Ángel Theater: La abuelazón “The syndrome of loving too much” during July.
- El Ángel Theater: Single and Successful Seeking the Perfect Boyfriend until July 7.
- El Angel Theater: Vicky and the small world, on July 14.
- Aba Theater: Penne a la Carta, new chefs from June 27 to August 4.
- La Estacion Theater: My Friend the Dragon until July 14.
- La Estacion Theater: Married without children from June 26 to July 31.
- Teatro Theater: Aladino until July 14
- En Circulo Theater: “Confessions of Desperate Moms” from July 10 to 14.

MOVIES

- SpiderMan: far from home
- The Lion King

EVENTS AND FESTIVALS

- Panama Sushi Fest in the Sortis Panama from July 18 to 20.
- Panama Ballet Festival at the Anayansi Theater on July 28.
- Full Moon Drums: July 15 to be defined.
- National Festival of the Pollera (Las Tablas-Los Santos) from July 19 to 23, Contest of the Pollera “Margarita Lozano Medal”
- 5th Dragon Boat Festival on the Amador Causeway on Saturday 27 and Sunday 28 July 2019.
- The Israel Philharmonic Orchestra at the Anayansi-Atlapa Theater on July 25.
- Notes on the ridiculous loves in Xielo Panama on July 11.
- Tipisalsa 2019 at the Hotel Panama on July 12.
- Archdiocesan Campaign since Sunday, July 28 and returning them from Sunday, September 15, 2019.

FAIRS, EXPOSITIONS AND SEMINARIES

- Great wine fair around the world 2019 at the Hotel Riu on July 11 and 12.
- Postgraduate Auditorium of the USMA
 - o Saturday, July 13: Seminar Workshop: Exceptional customer service.
 - o Saturday, July 20: Seminar Workshop: Ready for adventure
- Expo F 2019: at the Atlapa Convention Center from July 25 to 27.

- InterLumi Panama 2019 at the ATLAPA Convention Center from July 25-27.
- CRS Training, Acobir from July 2 to 5.
- Taller Vivir para contarla (literary workshop) Simón Bolívar Interamerican Library (UP) on July 6.
- Expo Franchise 2019, at the Real Intercontinental Hotel on July 18 and 19.
- National Fair of Dairy Cattle in Monagrillo, Herrera from July 11 to 14.

- Museums:

Biomuseo:

- Spicy Night on July 13

MAC:

- "Cruz-Diez The color being made" from June 23 to August 18.

IMPORTANT DATES

- July 3: Free International Day of Plastic Bags.
- July 4: Independence Day of the United States of America.
- July 7: Soil Conservation Day.
- July 11: Foundation of the National Library Ernesto J. Castellero.
- July 11: World Population Day.
- July 14: Anniversary of the Taking of the Bastille (France).
- July 16: Patron Saint Festivities of the Virgen del Carmen.
- July 16: Day of the child and the girl.
- July 20: Festivity of Santa Librada.
- July 24: Boirth of Simón Bolívar.
- July 25: Driver's Day.
- July 25: Santiago Apóstol.
- July 26: International Day for the defense of the Mangrove Ecosystem.
- July 26: Grandparents' Day.
- July 27: World Hepatitis Day. *L&E*



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