



Panama Position Paper

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I. Background Information on Country

Panama, officially known as the Republic of Panama, is a Central American country bordered by Costa Rica to the west, Colombia to the southeast, the Caribbean Sea to the north, and the Pacific Ocean to the south. It is internationally recognized for the Panama Canal, a critical cornerstone of global maritime transportation. Politically, Panama is a democratic republic containing a presidential system, and its economy is based mainly on the tourism and services sector.

Regarding the **Advisory Panel on the Question of South America (APQSA)**, Panama's relevance to the issues around its region changes. Panama has maintained diplomatic and economic relationships with countries across Latin America, promoting trade and political dialogue.

Analyzing the specific topic of **maintaining judicial independence and accountability in Bolivia**, Panama does not have direct involvement or a significant role. Panama has not been notably active in the Bolivian judicial context nor in interventions related to judicial reforms or oversight in Bolivia.

Panama's role in the territorial dispute between Venezuela and Guyana has been modest. Panama takes a neutral stance on territorial disputes in South America. Panama, as a member of regional organizations such as the Organization of American States (OAS), Panama may advocate for peaceful resolutions and diplomatic engagement, but it has no significant or direct involvement in mediating or influencing any part of the particular conflict.

Panama's significance to the ELN conflict in Colombia is modest. Panama has a border with Colombia, and due to its geographical proximity, the country may be affected by spillover effects from Colombian conflicts, notably those involving the ELN. Potential cross-border difficulties include displaced people seeking asylum, as well as illegal activity such as smuggling and trafficking. Panama has not played a significant role in the direct resolution or active mediation of the ELN conflict. The country's involvement is usually linked to broader regional security and stability measures caused by the problems that have been listed above, rather than specific engagement with insurgent groups like the ELN.



II. Past Achievements and Attempts of Country/Organization on the Issues

A. Maintaining judicial independence and accountability in Bolivia:

- Panama does not have a direct connection or involvement in the issue of maintaining judicial independence and accountability in Bolivia. Consequently, Panama has neither initiated specific measures or have made any notable contributions directly addressing Bolivia's judicial system nor made any clear statements regarding this topic. While Panama is committed to principles of justice and accountability in general, it has not played an active role in Bolivia's judicial matters nor developed policies targeting judicial reform or positive change in the country. Panama does not possess any urgency to do so as well.

B. Eliminating the possibility of armed conflict between Venezuela and Guyana:

- Panama does not have any direct achievements specifically related to eliminating the possibility of armed conflict between Venezuela and Guyana. While Panama's main goal is to promote peace and neutrality in the region, it has not taken any particular actions or initiatives focused on this specific dispute near its region. Instead, Panama's contributions have been more wide-spread, involving support for diplomatic processes through organizations like the OAS and advocacy for peaceful resolutions under international law. Consequently, Panama's role in this issue remains indirect and mainly centered on promoting regional stability rather than direct involvement in this conflict.

C. Tackling the ELN insurgency in Colombia:

- Panama's achievements regarding the ELN insurgency in Colombia have been indirect, focusing primarily on securing its own borders and managing humanitarian aid and supply rather than engaging directly or combating the insurgent group. By strengthening its border with Colombia, Panama has worked to prevent the movement of ELN operatives and illegal activities from spreading over into its own territory. Additionally, Panama has offered asylum and basic aid to refugees affected by Colombia's internal conflict, contributing to stability and providing humanitarian support for the ones affected by the conflict. Furthermore, Panama has consistently supported peace efforts in Colombia, backing organizations aimed at reducing armed conflict across the region.



Objectives, Aims and Possible Solutions Proposed by Country/Organization on the Issues

A. Maintaining judicial independence and accountability in Bolivia:

- Panama believes that an independent judiciary is vital to preserving democracy and protecting human rights in Bolivia. We support initiatives that strengthen Bolivia's judicial system by increasing transparency, reducing political interference, and enhancing public trust. Panama advocates for the formation of an "Independent Judicial Review Commission" under the guidance of the United Nations (UN) and the Organization of American States (OAS), which would provide oversight and ensure the judiciary operates without bias. Additionally, we encourage Bolivia to adopt transparent processes for appointing judges and evaluating their performance. Drawing from previous UN recommendations, Panama also supports measures such as anonymous reporting systems and public awareness campaigns to reinforce accountability and integrity within the judicial system with all due respect to the relevant countries' sovereignty.

B. Eliminating the possibility of armed conflict between Venezuela and Guyana:

- Panama is extremely worried about the possibility of a confrontation between Guyana and Venezuela and how it would affect regional stability. With a neutral mediation procedure overseen by the UN to guarantee justice and impartiality, we fervently urge both countries to commit to continued diplomatic efforts. Panama suggests creating a Joint Diplomatic Commission to oversee this matter under UN supervision. This commission's main objectives would be to resolve border disputes, promote mutual trust, and enable frequent, structured contact between Guyana and Venezuela. Establishing a framework for talking about territorial issues while emphasizing amicable communication and conflict avoidance could be the responsibility of the Joint Diplomatic Commission. This platform would provide open dialogue under UN supervision, enabling both countries to freely express their concerns and strive toward a



C. Tackling the ELN insurgency in Colombia:

- Panama shares Colombia's concern regarding the ELN (National Liberation Army) insurgency, which poses security risks across borders. As Colombia's neighbor, Panama is particularly invested in supporting a peaceful resolution to this issue, which affects both local populations and regional stability. Panama advocates for renewed peace negotiations between the Colombian government and the ELN, backed by regional and international support to address the root causes of insurgency, including economic disparity and lack of infrastructure. We encourage Colombia to implement reintegration programs for former insurgents, coupled with rural development initiatives in affected areas to reduce the appeal of armed groups. Panama also calls for enhanced cross-border cooperation among neighboring countries to control the movement of insurgents and arms, as well as intelligence-sharing to prevent the spread of ELN activities beyond Colombia.

III. Bibliography

"Bolivia - Access to Justice and Social Inclusion." OAS, cidh.oas.org/countryrep/Bolivia2007eng/Bolivia07cap2.eng.htm. Accessed 13 Nov. 2024.

Laserna, Roberto. "Can Bolivian Courts Render Impartial Justice?" *The Dialogue*, 18 Oct. 2021, www.thedialogue.org/analysis/can-bolivian-courts-render-impartial-justice/.

Adruse, Aziz. "International Principles on the Independence and Accountability of Judges, Lawyers and Prosecutors - Practitioners' Guide, No. 1: ICJ." International Commission of Jurists, 9 May 2024, www.icj.org/no-1-international-principles-on-the-independence-and-accountability-of-judges-lawyers-and-prosecutors/.

Elena, Sandra. "Global Best Practices:" *IFES RULE OF LAW WHITE PAPER SERIES*, www.csm.org.pt/wp-content/uploads/2017/12/authemaandelena2004judicialcouncilslessonslearnedeuropelatinamerica.pdf. Accessed 13 Nov. 2024.

