

Autopsy of Corrupt Costa Rica CAFTA Arbitration Ruling

Mr. Alvaro Diaz, a Costa Rican, who wrote his autopsy Report, used the following statement by a US Federal Judge as the standard to Judge the Arbitrators Ruling.

CHICAGO, ILLINOIS, UNITED STATES, October 3, 2018 /EINPresswire.com/ -- "A US Federal Judge recently said, "Our ruling needs to be accurate and correct because they affect peoples' lives. The Ruling must be clearly explained so that both parties, even the losing party, understands how we came to our decision and that it was a just and fair Judgment."

However, according to Alvaro Diaz, in his report. "Autopsy of a Corrupt Costa Rica CAFTA Arbitration Ruling" he said this, "The Arbitration ruling, in this instant case, clearly shows, by the Arbitrators own words, that inadmissible evidence was proffered by the State. Instead of being disallowed, these hearsay attorney's assertions were treated as factual evidence and embraced by the arbitration panel in order to rule against the Claimants. In this Arbitration proceeding the attorneys for Costa Rica made the incredulous argument that the claimant, David Aven, duped all the of the key environmental agencies (SETENA, MIANE, SINCA and INTA) into granting permits for the Las Olas project. These were conclusory statements not supported with factual evidence."

Mr. Alvaro continued, "The Costa Rica State made a decision not to obtain direct testimony from any of the above mentioned key Environmental agencies. This was in light of the fact that these very same agencies did a number of on-site inspections of the property, writing a number of reports, all of which said there were no wetlands on the Las Olas project site. Furthermore, at the hearing, Mr. Aven testified, under oath, to the fact that he did not dupe these agencies and asked the panel where was SETENA's statement saying that he duped them. Instead, the panel just ignored Mr. Aven's statement and question, made under oath. Without any direct testimony from any of the key Environmental agencies, the Arbitrators accepted the conclusory hearsay statements by the State's attorneys and disregarded all of the key agencies EV permits and inspection reports all stating there were no wetlands."



Arbitrator Eduardo Siqueiros, Mexico City



Arbitrator Perdo Nikken from Caracas, Venezuela

By way of example, Mr. Diaz used the Arbitrators to clearly expose their corrupt ruling in saying this, "In Paragraph 558 of their ruling the arbitrators said:" "If Claimants had submitted in their D1 Application the information relating to the existence of potential wetlands as described in the so-called Protti Report, it is more likely than not that SETENA would have exercised its powers and verify the conditions on site prior to issuing the Environmental Viability and perhaps SETENA would have subject the Las Olas Project to some limitations in its development to protect the potential wetlands identified.

"Again, SETENA makes an appearance in the Arbitrators Ruling without ever providing any direct evidence. This is probably one of the more, alarming and revealing speculative statements made by the arbitrators that shows a biased and corrupt ruling."



Arbitrator Mark Baker, Houston, Texas

"In looking at Arbitrators words and their use of, "potential wetlands, more likely than not, perhaps SETENA would, likely have". The entire Paragraph is made up of speculative words, not words of facts and evidence. The arbitrators end the Paragraph with a definitive speculative

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Anyone considering moving to Costa Rica, should think seriously before taking that leap. Many people who have lost all their money, possessions, property and even their lives.”

Alvaro Diaz

statement, “but the Parties would not be involved in this case.” That statement is an unknowing prognostication by the arbitrators, since it wasn’t based on any facts or evidence. Did the Arbitrators have a crystal ball allowing them to look into the future to see that “the Parties would not be involved in this case” at a future date?” This is just more non-factual conclusory hearsay statements on the part of the Arbitrators that has no place in a legal ruling. Coupled with all the other speculations throughout their ruling, it presents “prima facie” evidence revealing their ruling was bias and corrupt”.

Alvaro Continues, "What is clear as a bell, is that it was incumbent upon the Costa Rican State to obtain witness statements from SETENA, confirming all of the speculative allegations and assertions being made by the Costa Rican Attorneys against the Claimants. It was incumbent on the Arbitrators to tell Costa Rica they were derelict in their duty for not getting those important witness statements from key Government agencies, therefore the State could not now proffer hearsay evidence on behalf of those agencies."

Alvaro concludes by saying this, "Did the Judges/Arbitrators in this case, by their own words in 768 Paragraphs in 239 pages even remotely parallel the above standard? Quite the opposite, it appears the arbitrators actions are darkened by both their conduct and their words. Their darkened conduct brings embarrassment and condemnation upon our entire legal community and specifically on International arbitrators who are expected to render just and fair Rulings and not biased and corrupt ones." END OF ALVARO'S STATEMENTS.

You can read Mr. Alvaro Diaz's full Autopsy Corruption report at <http://crbuzz.com/autopsy-of-a-corrupt-cafta-icsid-ruling/>

While the arbitrators each made \$650,000 for their corrupt ruling, the US Investors lost \$90,000,000 (90 Million USD) to Costa Rica's organized crime family. Every year Costa Ricans and foreigners lose billions of dollars via Government and non-Government corruption. Rather than Siqueiros, Nikken, and Baker standing as white Knights against this massive corruption, they instead were seduced and ate from its poisoned tree. As part of their Machiavellian scheme, the Arbitrators ordered Claimants to pay Costa Rica \$1,000,000 USD to defray the money that Costa Rica had to pay for their favorable ruling. The corruption between the Costa Rica State and the arbitrators can be clearly seen throughout their corrupt Arbitration ruling against the US Investors.

However a real smoking gun for this corruption can also be seen when Costa Rica "RECENTLY" refused to condemn Venezuela for human rights violations, along with Canada, Argentina, Chile, Colombia, Paraguay and Peru. Was it just a mere coincidence that Costa Rica's arbitrator, Pedro Nikken, was from Venezuela? Is it evidence of a payback to Venezuela for their help in obtaining a favorable ruling?

See video below by Bruce Werner. Just one of the tens of thousands of stories how foreigners get ripped off every year by the Costa Rican Government and even murdered. We advise not to even visit this criminal country and don't even think about moving there.

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