

Costa Rica's Attorney General weighs in on CAFTA deadlines

By Gillian Gillers
Tico Times
February 18, 2008

Costa Rica can enter a free-trade agreement with the United States now, then spend up to three months passing laws that put the country in compliance with the treaty, the Government Attorney's Office said Friday.

Two government advisers confirmed President Oscar Arias' thesis that March 1 is the deadline for entering the Central American Free-Trade Agreement with the United States (CAFTA).

But, contrary to what Arias has said, Costa Rica can enter the treaty now – before passing laws to implement it – by notifying the Organization of American States (OAS), according to the Government Attorney's advisers. CAFTA was approved here by referendum in October.

The Arias administration put together a package of 11 bills that would implement CAFTA, and various ministries are working on a 12th. Two of the bills have been passed, while the others face filibuster tactics by the Citizen Action Party (PAC), which opposes the treaty.

Because the treaty takes effect in Costa Rica 90 days after the country notifies the OAS, lawmakers would have to act before May 30 to shield the country from costly lawsuits, the advisers said.

Presidency Minister Rodrigo Arias, the president's brother, said he accepts the nonbinding opinion by the Government Attorney's Office. But because lawmakers cannot pass all the implementing laws by May 30, he said, Costa Rica will seek an extension of the March 1 deadline for entering the treaty.

Foreign Minister Marco Vinicio Ruiz will travel to Washington, D.C., in late February to formally ask for an extension from the U.S. Trade Office representative. Ruiz said he has already spoken with other CAFTA signers – the United States, Guatemala, Honduras, El Salvador, Nicaragua and the Dominican Republic – and is confident they will agree to grant Costa Rica more time.

Rodrigo Arias said Costa Rica might ask for four or five more months to enter the treaty. Then another 90 days would elapse before CAFTA takes effect here, unless the Legislative Assembly approves an amendment allowing it to take effect immediately.