

Human Rights Violations in Costa Rica, Property Taken, US Investors Falsely Accused of Crimes by the Government.

Mr. Jovan Damjanac was falsely charged with a crime because he wouldn't provide false testimony, as requested by Mr. Luis Martinez, a criminal prosecutor

LOS ANGELES, CA, UNITED STATES, February 8, 2018 /EINPresswire.com/ -- In an interview with Mr. Jovan Damjanac, Las Olas Sales and Marketing Manager, and witness in the David Aven vs Costa Rica CAFTA Case, he stated that he was falsely charged with cutting down a forest in the Las Olas project. However, Costa Rica's head environmental agency, SETENA, determined in numerous resolutions that there was no forest on the site.

Mr. Damjanac stated he was victimized by a corrupt Criminal Prosecutor, Mr. Luis Martinez, and falsely charged with a crime because he refused Mr. Martinez's demand that he testify against Mr. Aven. Aven was an investor and project manager for Las Olas. Mr. Damjanac stated that his job was strictly sales and marketing for the project, and he had nothing to do with construction or development. Mr. Martinez tried to get Damjanac to give false testimony about David Aven. When Mr. Damjanac refused, Mr. Martinez in revenge, criminally charged Damjanac with a crime as well.



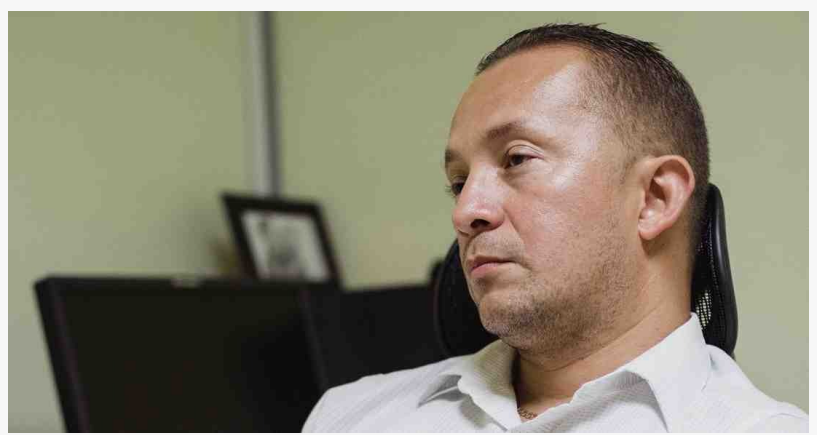
Mr. Damjanac giving testimony at ICSID hearing, stated It's appalling that in Costa Rica, a country that touts itself as being a friendly and safe democracy to live and invest in, has allowed me to suffer these types of human rights abuses."

According to Mr. Damjanac, the Las Olas Project had all required approvals and permits and was nine months into infrastructure construction when Martinez went rogue and refused to comply with SETENA resolutions that he was required by law to comply with. Martinez, on his own, decided there were wetlands on the project site.

Mr. Damjanac and Mr. Aven both stated in their witness statements that in the latter part of August 2012, Mr. Christian Bogantes, the director of the MINAE office in Quepos, asked Mr. Aven for a bribe at the Las Olas office, in the presence of Mr. Damjanac. Mr. Aven refused to pay that bribe because it was a crime to bribe Government officials, and also a crime for Government officials to ask for, or accept, bribes. Although Mr. Aven reported the attempted bribery to the prosecutor, Mr. Martinez, he

refused to conduct an investigation or even question Mr. Bogantes.

According to Mr. Damjanac, shortly thereafter, MINAE, after three years of writing reports stating that there were no wetlands, (the last report being in July of 2010), suddenly, discovered wetlands at Las Olas. In February of 2010, Mr. Bogantes's boss, Mr. Luis Picardo, the director of the MINAE's office in Puriscal, sent Mr. Aven a shutdown notice for the Las Olas project, claiming there were wetlands on the project site. At that point, Picardo broke the law by not complying with a number of SETENA Resolutions, all stating that there were no wetlands on the site, and that the project approvals were valid.



Luis Martinez, Costa Rica Criminal prosecutor failed to follow the law and falsely charged Mr. Dmajanc with a crime without proof and no intent.

According to Mr. Damjanac, and other legal experts in the case, SETENA Resolution Environmental determinations are Government orders requiring all public and private persons to comply with them. The very first non-compliant act was carried out by Mr. Picado when he sent an illegal shut down notice to Mr. Aven in January of 2011, claiming there were wetlands. However, a MINAE report just six months before, in July of 2010, clearly stated there were no wetlands. So according to Mr. Picado, a wetland appeared between July of 2010 and February of 2011.

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Costa Rican President Luis Guillermo Solis is under fire for corruption for accelerating the legal process of Chinese cement imports in favor of businessman and Cementazo owner, Juan Carlos Bolaños.”
Telesur tv, Costa Rica

According to Las Olas's attorneys, Mr. Picado's shutdown notice was illegal since MINAE cannot countermand SETENA resolutions which stated there were no wetlands. According to

Mr. Damjanac, that illegal MINAE shut down notice formed the basis for Mr. Martinez illegal criminal investigation. Neither Mr. Martinez nor Mr. Picardo contacted SETENA about about resolutions they issued for the Las Olas project, all stating there were no wetlands. Costa Rica law required that both Mr. Picardo and Mr. Martinez comply with those SETENA Resolutions.

Mr. Aven and Mr. Damjanac were both charged criminally in late 2011. Their first trial ended in what would have been a “not guilty” outcome for both, but Martinez and the Judge engineered a mistrial, that required a new trial be conducted. Mr. Aven did not appear at the 2nd trial, but Mr. Damjanac did and was found “not guilty”. However, Mr. Martinez again went “Rogue” and appealed the not guilty verdict, requiring Mr. Damjanac to go through a third trial.

At the CAFTA hearing, Costa Rican expert attorneys Luis Ortiz, and Nestor Morera, testified that the Costa Rica Government violated basic human rights of a right to a speedy trial, due process and free enterprise. This was in direct contradiction to Costa Rica's projected image as a country that respects human rights. Mr. Damjanac stated that human rights are always abused by corrupt Governments.

To this day, 7 years after Mr. Damjanac was falsely accused of a crime, his new trial date has not yet been set. His basic human rights to a speedy trial, and due process have been violated and totally disregarded by Costa Rica. Mr. Damjanac stated he has had to endure the stress and uncertainty of not knowing whether his right to liberty would be denied and has lived in fear that he would arbitrarily

be thrown in jail, without proof of a crime, like his friend Mr. Pat Hundley of Jaco Beach. There have been personal safety concerns as well for Mr. Damjanac. Mr. Aven suffered an assassination attempt, and Mr. Damjanac was also threatened.

In November of 2011, the government put an injunction on the property and that injunction is still in place 7 years later. That's another violation of the law since Costa Rica is not permitted to injunct a property perennially. Yet another glaring example of human rights violations, and an illegal taking of property by the government.

Mr. Damjanc concluded by saying "It's appalling that in Costa Rica, a country that touts itself as being a friendly and safe democracy to live and invest in, has allowed me to suffer these types of human rights abuses." This has caused his health to suffer and he is currently in the US being treated for a serious health condition. He stated that he didn't experience "Pura Vida" in Costa Rica, but rather a "Puro Infierno" experience.



Legal Expert and Constitutional Law Professor, stated Luis Martinez, and other Government employees, failed to follow the law by not complying with legally issued SETENA Resolutions. Mr. Ortiz also stated Costa Rica's conduct were Human Rights Violations.

[Click to see testimony video from the CAFTA hearing at the World Bank.](#) Watch more corruption reports and visit [our website crbuzz.com](http://ourwebsitecrbuzz.com)

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