

A VERY COMPLICATED SITUATION INDEED, NIELSON SÁNCHEZ STEWART

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Nielson Sánchez Stewart, Dean of the Málaga Bar Association, believes that events in Málaga, including the current high profile corruption investigation, show a serious failure in Spain's political and administrative system.

Nielson Sánchez Stewart, decano del Colegio de Abogados de Málaga, opina sobre los últimos eventos acaecidos en la provincia malagueña, tales como el caso de corrupción que implica a altos cargos políticos, su investigación y la postura adoptada por los abogados locales. A su parecer, los últimos capítulos de corrupción demuestran que ha habido serios errores dentro del sistema administrativo y político español.

Once again, Marbella has made the front pages of most newspapers in the last weeks, and not because it is a wonderful place to live and work, nor because of its good weather, friendly people,

nice sea, superb hills or countryside.

No. Once again, Marbella is on the news agenda because of the criminal proceedings that have been instigated against people of some prominence.

Last year it was a firm of lawyers who were purportedly dealing with money laundering. Now, it is the Mayoress and the City Council who are being blamed for acting incorrectly.

Is there in fact a "Marbella vice"? If my own experience is any good, as I have been living and working in Marbella for the last 35 years, I can say that this is definitely not the case.

Unfortunately, irregularities happen everywhere, including of course a wonderful city like Marbella. But while Marbella has a certain character that makes anything occurring within its boundaries a little out of the ordinary, it is wrong to blame everyone in general for what has been happening.

It is true that in the early 90s an influential group extended their political influence, with the consent and applause of the vast majority of the citizens, by taking over the City Council and imposing a very aggressive policy of wealth creation.

It is also true that from the very beginning, the procedures they used appeared to everyone as rather strange, and it was not long before criminal and administrative proceedings started against them.

However, the political and administrative system of the country failed, and was unable to put an end to the unusual events that were taking place.

Although public prosecutors and the Courts of Justice, the Tribunal de Cuentas as well as the regional authorities, tried to remedy the situation, the whole matter went on and on, and election after election the local government kept their majority and the ability to continue their activities.

While this was all happening before the public eye, it seemed that no one really cared. There was money to be made, and very many nationals and foreigners came to invest, as the value of property was increasing and there were fantastic opportunities for everyone.

Papers published years ago showed the new wealth of those that were dealing with the zoning regulations, and no one appeared to react.

Now it appears as if the wrongdoings have been discovered by chance, using evidence obtained by telephone recordings. However, the situation is not that simple.

Only time will tell why the opportunity is being taken now to show these misconducts which, if they were as severe as it is being said, should have been investigated a long time ago.

Though again, as happened last year, everyone that has been involved has been presumed guilty, instead of being presumed innocent and, as before, there is a parallel judgement by the media. Matters have been conducted in such a way that the media have been automatically informed about everything taking place.

Again, as last year, Lynch appears to be on the first line sitting beside the sweet ladies knitting at the bottom of the guillotine.

Practising lawyers in Marbella have tried during these last years to put order in a situation where there has been no planning regulation, advising clients who were anxious to invest and take risks. It has not been easy I can tell. And so far, no lawyers practising in Marbella have been involved in the proceedings.

Nielson Sánchez Stewart is the Dean of the Málaga Bar Association and the founder of Sánchez Stewart Abogados. His many commendations include the Order of San Raimundo de Peñafort, the highest award for lawyers awarded by the Spanish government (e-mail abogados@sanchez-

