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U.S. Requests Extradition of Guatemala’s Former Vice President

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A formal request by the US to extradite Roxana Baldetti, the former Guatemalan vice president, on drug trafficking charges has brought to light details of her alleged ties to the Zetas Mexican drug cartel.

On June 7, the Attorney General’s Office (Ministerio Público, MP), said in a press release that it had received a request from the US Department of Justice for Baldetti’s extradition for “criminal association and conspiracy to traffic drugs” (NotiCen, July 14, 2016). The disgraced former vice president, who was indicted in the US District Court for the District of Columbia in February, has denied the charges.

Baldetti served under the administration of President Otto Pérez Molina (2012-2015), who was impeached in Congress over corruption charges (NotiCen, July 2, 2015, and Sept. 3, 2015). Amid a wave of nationwide protests, Pérez Molina and Baldetti were forced to step down in 2015 and were charged with masterminding a massive customs fraud network known as “La Linea,” a scheme that allowed them to receive millions of dollars in kickbacks. The two are incarcerated and face trial for their alleged involvement in the “La Linea” case, among other corruption scandals.

When Baldetti was indicted in February, she issued a statement through her attorney, Gustavo Juárez, in which she referred to the charges as “one more of the lies in the persecution I have suffered since 2015.”

The extradition request issued by the US Department of Justice states that Baldetti “accepted money and gifts from drug traffickers during her electoral campaign for vice president in 2011, in exchange for the promise of using her influence as vice president to allow drug traffickers to operate with impunity in Guatemala.”

Baldetti’s agreement with the Zetas cartel included “limiting law enforcement activities to allow drug traffickers who contributed to her campaign to use land, air, and maritime routes to transport drugs in and across Guatemala,” the request says.

Payments from the Zetas
The extradition request further says that a number of witnesses testified that Baldetti met with members of the Zetas on several occasions and agreed to receive payments from the cartel.

One of the most incriminating statements was made by an individual referred to as “Witness 1,” who claims he or she gave money and gifts to Baldetti’s guards hoping she would use her influence to allow the Zetas to transport cocaine across the country. “Between November of 2011 and January of 2012, Witness 1 paid more than US$250,000 to Baldetti Elías as part of the agreement,” the document says.
“Witness 1” also testified to having requested that Baldetti remove an individual belonging to a rival Mexican drug cartel. Baldetti’s reply, according to the witness, was that a warrant for the arrest of that individual had already been issued, a measure that would “solve the problem.”

Guatemalan authorities arrested three high-profile drug traffickers in 2012. The first was Horst Walther Overdick Mejía, arrested in April 2012 and extradited to the US in December. He was accused of transporting 200 kilos of cocaine into the country. The second was Mexican drug trafficker Ramón Antonio Yáñez Ochoa, who was arrested in September 2012 with a Guatemalan collaborator and given a 28-year prison sentence in October 2016 for drug trafficking, money laundering, and illicit association for criminal purposes. The third was Luis Fernando Castillo Velásquez, arrested in December 2012, who was allegedly linked to a drug cartel led by Carlos Rubio Parra, known as “El Canche” (the blond man), who was arrested in Mexico in 2016 and is wanted by the US authorities to face drug trafficking charges. Rubio Parra is also accused of involvement in 12 murders in Guatemala.

Baldetti’s ties to drug trafficker Marlóry Chacón Rossell, known as “La Reina del Sur” (The Queen of the South), had already fueled suspicions of her dealings with drug cartels long before the US District Court for the District of Columbia released Baldetti’s indictment in.

Chacón Rossell pleaded guilty to drug trafficking charges in a Miami court in December 2014, but her court file reveals she had been collaborating with the Drug Enforcement Agency (DEA) since 2012 in exchange for a reduced sentence. The US Treasury accuses Chacón Rossell of acting as a supplier for various Mexican drug cartels and describes her as “the most active money launderer in Guatemala” and one of Central America’s most powerful drug traffickers.

For several years, a number of Guatemalan media outlets such as El Periódico newspaper revealed the alleged ties between Chacón Rossell and former Vice President Baldetti, including accusations that Chacón Rossell and her accomplices gave Pérez Molina and Baldetti’s party, the Partido Patriota, US$2 million to fund their 2011 election campaign.

**Extradition process could take years**

On June 15, a Guatemalan court approved the request to extradite Baldetti. The former vice president, who attended the hearing via video link from Santa Teresa women’s prison in Guatemala City, did not oppose the extradition request. Although her lack of opposition would help to expedite the process, under the terms of the extradition treaty signed by the US and Guatemala, Baldetti can only be extradited once she has stood trial in Guatemala.

According to Guatemalan lawyer David Pineda, who defended former President Alfonso Portillo (2000-2004) when he was extradited to the US in 2013 on money laundering charges (NotiCen, June 2, 2011, and June 26, 2014), for Baldetti to be extradited right now, the Guatemalan Attorney General’s Office would have to drop the charges against her, which would set “a negative precedent for Guatemalan justice.”

Carmen Aida Ibarra, the leader of Movimiento Pro Justicia, a civil society organization that promotes justice and transparency, told LADB that while Thelma Aldana, Guatemala’s attorney general, remains in her position and the UN-sponsored International Commission Against Impunity in Guatemala (Comisión Internacional contra la Impunidad en Guatemala, CICIG) continues its work in Guatemala, the corruption charges against Baldetti are unlikely to be dropped.
However, President Jimmy Morales is due to appoint a new attorney general in mid 2018. Should he choose to replace Aldana with a less independent attorney general who is not as committed to the fight against corruption in Guatemala as Aldana is, it is possible that the case against Baldetti could fall apart, especially bearing in mind the country’s lack of judicial independence and the fact that other high impact cases—such as the 2013 genocide trial against Guatemala’s former president, retired Gen. Efraín Ríos Montt (NotiCen, April 4, 2013, May 9, 2013, Jan. 23, 2014), and the Portillo case—have fallen apart based on technicalities.

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