

1-27-1999

## Judge Finds Raul Salinas Guilty of Plotting Murder of PRI Rival

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/sourcemex>

---

### Recommended Citation

LADB Staff. "Judge Finds Raul Salinas Guilty of Plotting Murder of PRI Rival." (1999). <https://digitalrepository.unm.edu/sourcemex/4027>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact [amywinter@unm.edu](mailto:amywinter@unm.edu).

## Judge Finds Raul Salinas Guilty of Plotting Murder of PRI Rival

by LADB Staff

Category/Department: Mexico

Published: 1999-01-27

On Jan. 21, federal Judge Ricardo Ojeda Bohorquez found Raul Salinas de Gortari guilty of ordering the assassination of Jose Francisco Ruiz Massieu in September 1994. Ruiz Massieu, then secretary general of the governing Partido Revolucionario Institucional (PRI), was gunned down in Mexico City as he emerged from a PRI fund-raising event (see SourceMex, 10/05/94). Judge Ojeda sentenced Salinas to 50 years in prison, the maximum sentence allowed under Mexican law.

The ruling concluded one of the longest and most dramatic high-profile criminal trials in Mexican history. Salinas was convicted on the basis of circumstantial evidence, since prosecutors lacked a confession or direct evidence linking former president Carlos Salinas de Gortari's brother to Ruiz Massieu's assassination. But Judge Ojeda said the circumstantial evidence was too strong to ignore. Ojeda, who said the verdict was based on "absolute impartiality, honesty, and independence," gave particular credence to testimony from Fernando Rodriguez Gonzalez, a top aide to former PRI federal legislator Manuel Munoz Rocha.

Rodriguez said Munoz Rocha, acting on the wishes of Raul Salinas, ordered Ruiz Massieu's assassination. Rodriguez said he hired Daniel Aguilar Trevino to perform the murder. Federal prosecutors linked Munoz Rocha to the assassination through telephone records, credit-card receipts, and a payment of US\$80,000 received from Raul Salinas. But authorities were unable to question Munoz Rocha, who disappeared shortly after the murder. Prosecutors believe the former legislator is dead. Aguilar Trevino, serving a life sentence for his role in the crime, also implicated Raul Salinas.

In an exclusive interview with the US weekly magazine Time, Aguilar Trevino said Ruiz Massieu was killed because he knew too much about Raul Salinas' corrupt and illegal activities, including embezzlement from the state-run foodstuffs company Compania Nacional de Subsistencias Populares (CONASUPO) in Guerrero state and protecting drug traffickers in exchange for bribes. Ruiz Massieu was said to be intimately familiar with these operations through his marriage to Adriana Salinas, sister of Raul and Carlos Salinas.

Sources said Raul Salinas also resented Ruiz Massieu because of a power struggle regarding CONASUPO operations in Guerrero state. Ruiz Massieu, Guerrero governor in 1987-1993, questioned several CONASUPO transactions while Raul Salinas was head of the agency. The Procuraduria General de la Republica (PGR) and a special legislative commission have used records of these transactions to bring charges of illegal enrichment against Raul Salinas (see SourceMex, 05/21/97, 11/19/97).

Raul Salinas has also been the target of a money- laundering investigation by law-enforcement authorities in at least 10 countries. In October 1998, the Swiss government confiscated more than

US\$114 million from Raul Salinas' bank accounts in Switzerland and the London branch of a Swiss bank. The Swiss action followed a three-year investigation that showed Salinas used the Swiss accounts to deposit payments obtained from drug traffickers (see SourceMex, 10/28/98). Ruling elicits mixed reactions Reactions to Judge Ojeda's verdict were mixed.

Legislators from the three major political parties, including the PRI, praised the ruling as "consistent with the rule of law," although PRI president Mariano Palacios Alcocer promised that all complaints of irregularities in the trial would be investigated. "The message of this prosecution is clear," The Washington Post said in an editorial. "If one of the highest and most politically protected figures of the land can be brought to justice and dealt with honestly and severely, then theoretically anyone in the land can be treated similarly."

Some political observers said Judge Ojeda's verdict was somewhat surprising because prosecutors had failed to obtain a confession or direct evidence to convict Raul Salinas. "Even with the government's entire bureaucratic apparatus against him, it is not a remote possibility that Raul Salinas will soon regain his freedom," said columnist Pascual Salanueva Camargo in the Mexico City daily newspaper Excelsior the day before the ruling was handed down.

But the judge's decision to base the ruling solely on the circumstantial evidence raised some questions about whether Raul Salinas had received a fair trial. Some questioned the credibility of the witnesses, who were legally allowed to receive payment in exchange for their testimony. "For a judge to convict with no motive, with no evidence, based on testimony from witnesses who were paid off by the prosecution, marks the destruction of the judicial system," said Maria Teresa Jardi, a lawyer and human rights leader who has worked for the Roman Catholic Church.

In an interview with the weekly news magazine Proceso, three members of the Mexican bar association (Barra Mexicana Colegio de Abogados) raised concerns that the ruling could set a precedent for Mexican courts to rely increasingly on circumstantial evidence. "It is no longer necessary that we have direct evidence," bar-association member Alberto Zinser told Proceso. "It is now sufficient to compile a number of assumptions, which together form the truth that is being sought." But Luis Linares Zapata, a columnist with the daily newspaper La Jornada, argued that Mexico's legal system allows wide latitude for the courts to interpret evidence.

"That manner of interpreting and linking evidence is consistent with the law, is correct, and is even mandated by our legal system," said Linares. As expected, Raul Salinas' chief attorney Eduardo Luengo Creel filed an appeal asking that the ruling be overturned because of the unreliability of key witness Rodriguez Gonzalez. "He is a person who is accustomed to telling lies," said the document filed by Salinas' legal team. The appeal, which will be heard by Judge Tomas Hernandez Franco in Mexico state, also argues that Judge Ojeda's ruling violated several provisions in the federal penal code (Codigo Federal de Procedimientos Penales).

In a short statement to the official news agency Notimex, Judge Hernandez said the decision on the appeal will take some time, since he has to review more than 150,000 pages of trial documents.

Critics question Zedillo's role in final verdict President Ernesto Zedillo's role in the case against Raul Salinas also came into question. Some political observers suggested that Judge Ojeda ruled against Raul Salinas on orders from Zedillo. "By ordering a guilty verdict despite a weak case, Zedillo has acted as arbitrarily and imperiously as any of his predecessors," said Denise Dresser, a visiting fellow at the Pacific Council on International Policy in Los Angeles. "The Mexican president has proved, once again, that he is willing to bend the law to suit his political purposes."

Among those accusing Zedillo of orchestrating the guilty verdict was Mario Ruiz Massieu, brother of the victim. "Zedillo had already dictated a guilty verdict (against Raul Salinas) when he took office in December 1994," said Ruiz Massieu in a letter to La Jornada. "Today he has completed his revenge." Mario Ruiz Massieu, the first federal prosecutor appointed to investigate the murder of his brother, was subsequently accused of torturing witnesses and suppressing evidence to conceal the role of Raul Salinas in the assassination. Mario Ruiz Massieu fled to the US in March 1995 after learning he would be prosecuted for obstruction of justice (see SourceMex, 03/08/95). He is under house arrest in New Jersey, pending a ruling on an extradition request from the Mexican government.

Some political observers said Raul Salinas' conviction may have widened the rift between Zedillo and former president Carlos Salinas. "The clash between Salinas and Zedillo will reach a 100% intensity level," independent Sen. Adolfo Aguilar Zinser said in an interview with The Miami Herald. "Before the verdict, Carlos Salinas had held his fire...but now he will have to take a look at some of the cards he holds." Carlos Salinas, who lives in self-imposed exile in Ireland, is believed to hold a wealth of potentially damaging information about top members of the Zedillo administration, which he could make public at any time. Many of these officials also served in the Salinas administration in 1988- 1994.

La Jornada reported that Carlos Salinas recently traveled to Cuba to help coordinate his brother's defense and is now working on the appeal. "We are getting close to a process of presidential succession whose outcome is still very uncertain," said columnist Jorge Fernandez Menendez of the daily newspaper El Financiero. "If Carlos Salinas decides to destabilize the process, he won't find it too difficult." Two of Zedillo's Cabinet, Social Development Secretary Esteban Moctezuma and Interior Secretary Francisco Labastida, have been widely mentioned as potential presidential candidates for the PRI in 2000. But Salinas is said to hold enough influence to turn the PRI selection process in favor of Puebla Gov. Manuel Bartlett Diaz. Bartlett is reported to have engineered enough electoral fraud to give Carlos Salinas the victory over rival Cuauhtemoc Cardenas in the 1988.

Still, Zedillo could strike back by releasing information implicating Carlos Salinas in the murder of Jose Francisco Ruiz Massieu. The PGR's chief witness, Rodriguez Gonzalez, reportedly testified that funds for the assassination "originated directly" from the office of former president Carlos Salinas de Gortari. (Sources: Reuters, Notimex, 01/21/99; Spanish news service EFE, 01/14/99, 01/21/99, 01/22/99; The Boston Globe, The Chicago Tribune, 01/22/99; Proceso, 01/23/99; The Dallas Morning News, The Washington Post, The Miami Herald, 01/22/99, 01/23/99; The New York Times, 01/14/99, 01/22/99; Agence France-Presse, 01/24/99; El Universal, 01/15/99, 01/22/99, 01/23/99, 01/25/99; Associated Press, 01/16/99, 01/22/99, 01/25/99; Los Angeles Times, El Economista, 01/22/99, 01/25/99; Excelsior, 01/20/99, 01/22/99, 01/23/99, 01/25/99; Novedades, 01/22/99, 01/23/99, 01/25/99, 01/26/99; La Jornada, 01/19/99, 01/20/99, 01/22/99, 01/23/99, 01/25-27/99)

-- End --