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Political Scandals Continue; Morelos Governor Linked to Drug Trafficker

by LADB Staff
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Scandal continues to taint elected officials in Mexico, with new allegations of misconduct surfacing on a regular basis. Several instances of major political corruption have already become public this year, including separate bribery cases involving the leader of the Partido Verde Ecologista Mexicano (PVEM) and a leader in the state legislature (Asamblea Legislativa del Distrito Federal, ALDF), along with the allegations of embezzling of public funds by a high-level official from Mexico City Mayor Andres Manuel Lopez Obrador's administration (see SourceMex, 2004-03-10).

The latest corruption case involves the administration of Morelos Gov. Sergio Estrada Cajigal of the governing center-right Partido Accion Nacional (PAN). At the heart of the scandal, which broke in early April, are allegations that Gov. Estrada allowed the powerful Juarez drug cartel to use Morelos state as a collection and distribution site for cocaine arriving from Colombia. The Morelos operations are said to have been directed by Juarez cartel lieutenants Juan Jose Esparragoza Moreno and Vicente Carrillo Leyva. Carrillo is the nephew of Vicente Carrillo Fuentes, considered the leader of the cartel.

Estrada's connection to the drug-trafficking organization remains under investigation, but the federal organized crime investigating agency (Investigacion Especializada en Delincuencia Organizada, SIEDO) has already filed charges against Morelos judicial police officer Jose Agustin Montiel, his top aide Raul Cortes, and five other state police officers. According to SIEDO, top officials of the state judicial police accepted bribes in exchange for protecting airfields, aircraft, warehouses, and individuals linked to drug-trafficking activities in Cuernavaca and other Morelos communities.

SIEDO, a unit of the Procuraduria General de la Republica (PGR), also implicated a handful of members of the federal police force (Policia Federal Preventiva, PFP). The PFP officers worked closely with the Morelos police and drug traffickers, alerting them about federal surveillance operations and surprise inspections at checkpoints, SIEDO said. Juarez cartel operates in state Estrada's response to the scandal was to promptly dismiss 552 members of the judicial police and to announce a restructuring of the entire force. "We want our agents to be fully trained in criminal investigation...respecting a code of ethics in strict compliance with the law and human rights," Estrada told reporters.

The governor, however, has not escaped suspicion, even though allegations of his involvement in the scheme have not been proven. A key issue in the investigation is Estrada's close friendship with Nadia Esparragoza, daughter of Juan Jose Esparragoza, commonly known as El Azul. Nadia Esparragoza has played a key role in ensuring the smooth movement of drugs in and out of Morelos, said the Mexico City daily newspaper El Universal. The PGR issued a statement exonerating Estrada, but even that statement attracted criticism.
The PGR said an initial SIEDO investigation found no evidence that Estrada was directly involved with the activities of the Morelos state police. "A year ago we launched an investigation into reports linking the governor to the Juarez cartel, but we did not find evidence of such a link," Attorney General Rafael Macedo de la Concha told reporters.

Opposition parties immediately criticized Macedo for being too quick in exonerating Estrada, especially given some allegations that the Morelos governor and state attorney general Guillermo Tenorio Avila had acted as liaisons in payments from the Juarez cartel to state and federal officials. In mid-April, legislators from all parties except the PAN approved a resolution in the federal Chamber of Deputies calling on Macedo to offer a clear and convincing explanation of why Estrada was "exonerated in secret."

The center-left Partido de la Revolucion Democratica (PRD) also accused the PGR of playing politics by favoring a PAN governor while going full speed with its investigation of the corruption cases in Mexico City. Just days after Macedo's statements, SIEDO's chief prosecutor Jose Luis Santiago Vasconcelos confirmed to reporters that his agency was continuing to investigate Estrada, especially his relationship with Nadia Esparragoza. Vasconcelos said SIEDO is considering testimony of a protected witness who was a former lieutenant of Esparragoza.

**Estrada's top aides resign**

The scandal has already forced the resignation of two key members of the Estrada administration, state attorney general Tenorio Avila and state secretary Eduardo Becerra. Becerra has been the governor's second in command. The resignations followed demands by nongovernmental organization Foro Morelense and opposition parties in the Morelos state legislature for Estrada to step down, at least until his role in the drug scandal was clarified.

Estrada has refused to leave his post and has gone to great lengths to profess his innocence. "I categorically deny any link with drug trafficking and invite anyone to present proof of those accusations," said the governor. If Estrada declines to resign, the Congress has threatened to call for a political trial against the governor.

Some legislators drew parallels to the case of former Morelos Gov. Jorge Carrillo Olea, who was impeached by the state legislature for abuse of power. Carrillo was accused of promoting human rights violations because he allowed members of an anti-kidnapping squad to torture and even murder suspects (see SourceMex, 1998-04-22, 1998-05-20, and 2000-07-05).

Some analysts say the use of Morelos for transshipments is part of a new strategy by the large drug-trafficking organizations to counter the Fox administration's anti-drug operations in northern states. "We may be seeing in Mexico what we saw in Colombia in the mid-1990s, the smashing of huge Medellin and Cali cartels but their replacement by 10, 20, or 50 smaller cartels," said drug-trafficking expert Jorge Chabat of the Centro de Investigaciones y Docencia Economica (CIDE). The drug cartels over the years traditionally worked with elected officials from the former governing Partido Revolucionario Institucional (PRI), but the rise of the PAN and PRD to power at local and state levels has made officials from the two parties fair game. "It doesn't matter who is in power," says Luis Astorga, an expert on drug trafficking at the Universidad Nacional Autonoma de Mexico (UNAM).
"The organizations adapt. They are modifying their ways of operating. Now there are smaller groups than before, but there are more of them. There hasn't been any decrease in drug production or trafficking."

**Government investigating drug role in Mexico City cases**

SIEDO is also investigating whether drug trafficking organizations may have played some role in the recent Mexico City bribery scandal involving Carlos Ahumada Kurtz and former Mexico City legislative leader Rene Bejarano. "We are investigating whether there is a link with any criminal organization, be it the Juarez cartel or the Gulf cartel or another group," said Santiago Vasconcelos. "This is definitely an element of our investigation." While the drug links are not yet clear in the Mexico City case, SIEDO officials say they have sufficient evidence to tie Ahumada to money-laundering operations through the financial institutions HSBC and Bancomer.

Ahumada's activities are also under investigation by other agencies. The Mexico City attorney general's office (Procuraduria General de Justicia del Distrito Federal (PGJDF) is investigating construction companies owned by Ahumada for allegations they collected 31 million pesos (US$2.74 million) in government funds for work that was never completed. Additionally, the federal electoral agency (Instituto Federal Electoral, IFE) has opened an investigation into whether any of the bribes collected by Ahumada were used for political campaigns.

One allegation is that Ahumada helped finance the gubernatorial campaign of Michoacan Gov. Lazaro Cardenas Batel in exchange for obtaining favorable contracts for his conglomerate Grupo Quart. Cardenas won the gubernatorial race in 2001 with 42% of the vote (see SourceMex, 2001-11-14). Ahumada fled to Havana in late February shortly after the scandal broke and just before Mexican authorities issued a warrant for his arrest. The arrest warrant issued by Mexico City Judge Casiano Carlos Morales Garcia is only for fraud, but SIEDO officials said a second warrant may be issued for money laundering.

Cuban authorities have detained Ahumada at the request of the Mexican government and are holding him in prison pending extradition. Ahumada's close associate Antonio Martinez Ocampo is also being held in a Cuban jail. Scandals continue to hammer Mexico City mayor The Ahumada scandal has inflicted some political damage on Mexico City Mayor Lopez Obrador because of his association with Bejarano. Lopez Obrador, who is widely expected to seek the PRD nomination in the 2006 presidential race, has seen a major decline in his approval ratings both in Mexico City and throughout the country.

The greater problem for Lopez Obrador, however, remains the political fallout from an earlier case involving ex-Mexico City treasurer Gustavo Ponce Melendez, who was caught on tape spending huge amounts of money at casinos, hotels, and restaurants in Las Vegas. Ponce, who made a modest salary, is under investigation for embezzling city money to fund his trips. Lopez Obrador, who promptly dismissed Ponce after the scandal broke, insists that he was unaware of the frequent gambling trips.

The Mexico City mayor, unable to shake off the effect of the Ponce scandal, has shown signs of frustration. He has gone as far as to accuse President Vicente Fox's administration and the US
government of conspiring to bring down the Mexico City government. At a press conference, Lopez Obrador displayed confidential documents related to a joint Mexican-US investigation of Ponce's activities in Las Vegas.

"The information and filming of Gustavo Ponce in Las Vegas did not really have the aim of fighting an alleged crime of corruption but of politically affecting the city administration and, in particular, the mayor," Lopez Obrador told reporters. The mayor said the Fox government has secretly placed Ponce, whose whereabouts are unknown, under special protection, a charge the administration denied.

In contrast to Lopez Obrador's charges, PAN federal Deputy Federico Doring of Mexico City accused the mayor of allowing Ponce to flee the country before authorities had a chance to detain him. Doring, one of the Mexico City mayor's harshest critics, was one of the first legislators to push for a federal investigation of the Ahumada and Ponce cases. The mayor's decision to release the documents could prove more harmful than helpful because he may have violated the Constitution in the process.

Respected constitutional scholar Ignacio Burgoa Orihuela said Lopez Obrador violated Article 122 of the Mexican Constitution, which clearly defines the rights of each branch of government. "The Mexican Constitution does not give the Mexico City mayor the power to release any document related to an ongoing federal investigation," said Burgoa Orihuela. The mayor has also taken on the Fox administration directly. At the press conference, the mayor demanded a meeting with Fox to show him evidence "he probably did not know about." The request was denied because it was not the president's job to accept evidence or become involved in legal complaints, a presidential spokesperson said.

Fox's decision not to meet with Lopez Obrador caused the PRD to rally behind the Mexico City mayor. Party leaders, at a meeting in Morelos state, issued a statement saying that the PRD would no longer cooperate with the administration until it ended a "smear campaign" against the PRD and Lopez Obrador. "There are no conditions for dialogue, we don't know when there will be, but we won't talk with them, much less the Secretaria de Gobernacion or the PGR, until we see more balanced treatment," said party president Leonel Godoy.

Shortly after his party issued the statement, Lopez Obrador took a more conciliatory stance toward the Fox government. "I respect the institution of the presidency and always will," he said. "I don't want conflict with the president." Lopez Obrador aide Marti Batres later said Fox was probably not aware that fellow members of the PAN were involved in the conspiracy to discredit Lopez Obrador.

Batres said he has filed a criminal complaint against PAN Sen. Diego Fernandez de Cevallos, whom he accused of engineering the release of the videotapes of Ahumada bribing Bejarano. Ex-PRD leader Rosario Robles also in hot water Other current or former PRD members have been affected directly by the Ahumada scandal, including Mexico City comptroller Bertha Lujan and prosecutor Bernardo Batiz, who are accused of covering up information related to the case. The two officials have been summoned to testify before a special committee of the Chamber of Deputies.
The most serious consequences of the political scandals are affecting former party president Rosario Robles Berlanga, a former Mexico City mayor. Robles, who has been linked romantically to Ahumada, was accused by both Bejarano and former Mexico City legislator Carlos Imaz of masterminding the bribe operations. Imaz was also caught on videotape accepting bribes from Ahumada. To back his allegations, Bejarano held a press conference in which he presented supposed bank documents for accounts handled by Robles's co-workers.

The authenticity of the documents has not been verified, however. Bejarano's press conference prompted Robles, who has since resigned her PRD membership, to file a defamation lawsuit against her accuser. "I cannot accept this," Robles told the daily newspaper El Universal. "He makes claims without any proof when everyone has seen that he was the one taking the money. I ask the authorities, where is that money now?" [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on April 21, reported at 11.30 pesos per US$1.00] (Sources: Excelsior, 04/06/04, 04/07/04; Reuters, 04/12/04; Associated Press, 03/30/04, 04/12/04, 04/15/04; El Independiente, 03/31/04, 04/01/04, 04/06/04, 04/07/04, 04/13/04, 04/15/04, 04/16/04; The Houston Chronicle, 04/18/04; Notimex, 03/30/04, 03/31/04, 04/05-07/04, 04/12-15/04, 04/19/04; Unomasuno, 03/31/04, 04/01/04, 04/06-08/04, 04/13/04, 04/15/04, 04/20/04; Agencia de noticias Proceso, 03/30/04, 04/01/04, 04/07/04, 04/12-14/04, 04/19/04, 04/20/04; Spanish news service EFE, 03/31/04, 04/01/04, 04/05/04, 04/07/04, 04/12-15/04, 04/17/04, 04/19/04, 04/20/04; Milenio Diario, 03/31/04, 04/02/04, 04/12/04, 04/19/04, 04/20/04; Los Angeles Times, 04/20/04; La Jornada, 03/31/04, 04/01/04, 04/02/04, 04/05-08/04, 04/13-15/04, 04/20/04, 04/21/04; The Herald-Mexico City, 03/31/04, 04/01/04, 04/02/04, 04/05/04, 04/06/04, 04/08/04, 04/12/04, 04/13/04, 04/15/04, 04/19-21/04; La Cronica de Hoy, 03/31/04, 04/01/04, 04/02/04, 04/06/04, 04/07/04, 04/13/04, 04/15/04, 04/19-21/04; El Sol de Mexico, 03/31/04, 04/01/04, 04/05-08/04, 04/13-15/04, 04/20/04, 04/21/04; El Universal, 03/31/04, 04/01/04, 04/02/04, 04/06-08/04, 04/12-16/04, 04/19-21/04; El Financiero, 04/01/04, 04/02/04, 04/06/04, 04/13-16/04, 04/19-21/04)