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Controversy Follows Suggestion that Government Strike Deal with Cartels

by LADB Staff

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Federal Deputy Jesus Humberto Martinez de la Cruz set off a controversy when he suggested that the best way to deal with Mexico's seemingly uncontrollable drug-trafficking problems would be to strike a deal with the major cartels. Martinez, a member of the former governing Partido Revolucionario Institucional (PRI), represents Tamaulipas, one of the states hit by the recent escalation in drug-related violence resulting in part from a turf war between the Gulf and Sinaloa cartels (see SourceMex, 2005-01-12, 2005-06-22 and 2005-12-14).

The violence has included the murders of several journalists and elected officials (see SourceMex, 2005-04-20 and 2006-02-15). Dealt with cartels as member of Matamoros city council In making the suggestion, Martinez confessed that, when he was a member of the Matamoros city council, he made some pacts with drug traffickers in which he basically agreed to stay out of their way as long as they did not cause too much trouble. "When I was in the city council, I simply spoke directly to the drug traffickers and said, 'Go right ahead and do your business, just please don't bother us.'"

Martinez suggested that the Fox administration adopt the same strategy in the hope that it would reduce the seemingly uncontrollable drug-related violence in Tamaulipas. "This means staying in contact with them and coming to an ongoing agreement because this is better than admitting that we can't do anything to address the situation," said Martinez. "If I were to negotiate with the cartels, I would ask them not to sell drugs," he said later.

The Tamaulipas legislator acknowledged that his proposal was controversial and open to criticism but said the government had offered no real solution to the problem of drug trafficking. "If my proposal is considered the worst proposal ever, then I'm waiting for the federal government to present the best proposal ever," said Martinez.

Government, Congress reject proposal

As expected, Martinez' plan was rejected by the federal government. "The Mexican state will never make any pact with drug traffickers," said Public Safety Secretary Eduardo Medina Mora. Medina acknowledged that the fight against drug trafficking was difficult, but said President Vicente Fox's administration was being proactive in addressing the problem. "We will follow all the necessary procedures [in the fight against drug trafficking]," said Medina. "First, we will allocate all the necessary resources and then we will proceed with extraditions."

The option to extradite drug traffickers to the US is a fairly new tool for the Mexican government. In February of this year, Mexico's high court removed a couple of obstacles, making the extradition process easier (see SourceMex, 2006-02-22). Some legislators urged the Fox government to proceed cautiously with extraditions. "We risk a surge in violence as a backlash to sending drug lords to US

jails," said Deputy Pablo Alejo Lopez Nunez, one of the floor leaders for the governing center-right Partido Accion Nacional (PAN) in the lower house. He urged Medina and the Procuraduria General de la Republica (PGR) to conduct "surgical" and "intelligent" anti-drug operations.

Other legislative leaders acknowledged that the drug trade has become a major economic force in Mexico, providing employment for about 3 million citizens. "Drug trafficking, the informal economy, and emigration are the principal escape valves for many of our citizens who cannot make a living any other way," said Deputy Marcela Gonzalez Salas in an interview with the Mexico City daily newspaper La Cronica de Hoy.

Gonzalez Salas, a member of the center-left Partido de la Revolucion Democratica (PRD), is the speaker of the Chamber of Deputies. Still, Gonzalez Salas and other party leaders in the Chamber of Deputies rebuked Martinez for proposing that the government negotiate with drug cartels. "Neither the federal government nor the Chamber of Deputies should negotiate the public or private safety of Mexicans," said Gonzalez Salas. "To do so would be tantamount to accepting the existence of a fourth power that is above the state," she said.

Alejandro Saenz Garza, the PAN leader in Tamaulipas state, did not mince words when linking Martinez's comments to the longstanding practice of some PRI officials of working with drug traffickers. The list of high-profile PRI members who have been linked to the drug trade includes former Quintana Roo governor Mario Villanueva (see SourceMex, 2001-05-30 and 2002-01-30). Raul Salinas de Gortari, brother of former President Carlos Salinas de Gortari, is also said to have used his high-level connections to launder drug profits (see SourceMex, 1998-10-28). "This declaration, all it confirms to me is that PRI officials and functionaries have been mixed up in narcotics trafficking, that they have had a relationship with them [the cartels]," said Saenz Garza.

At least one PAN politician has also been linked to the drug trade, Morelos Gov. Sergio Estrada Cajjal. Estrada is said to have looked the other way while members of the Juarez cartel used the state as a transshipment point for drugs originating in Colombia (see SourceMex, 2004-04-21).

The PRI kept a relatively low profile following Martinez's statements. However, Tamaulipas Gov. Eugenio Hernandez Flores and the PRI delegation in the lower house each issued statements emphatically condemning Martinez's comments.

Controversy arises over summons procedures

The statements attracted some attention in the government's organized crime office (Subprocuraduria de Investigacion Especializada en Delincuencia Organizada, SIEDO), a unit of the PGR. SIEDO officials immediately summoned the federal legislator to explain his comments. When Martinez failed to respond to the summons, the SIEDO dispatched six agents to the deputy's office at the San Lazaro legislative building.

The SIEDO officers did not find Martinez in his office, but the incursion into the legislative building created a separate controversy. The six SIEDO agents were allowed into the San Lazaro building because they apparently misled authorities about the purpose of their visit. Agents said they were

going to visit members of the transparency committee (Comite de Transparencia), and instead went straight to Martinez's office.

Legislative leaders, who said the SIEDO agents had no business looking for Martinez in the San Lazaro building, accused the PGR of violating Article 61 of the Mexican Constitution, which spells out the separation of powers in Mexico, including the integrity of the spaces allocated for the legislative branch. "These agents entry into San Lazaro was illegal," said Deputy Jose Gonzalez Morfin, who heads the PAN delegation in the lower house.

The Chamber of Deputies lodged a protest with the PGR, urging authorities to punish the six SIEDO agents. Attorney General Daniel Cabeza de Vaca said his office would conduct a thorough investigation but acknowledged that the initial evidence was that the SIEDO agents made a mistake.

The controversy regarding the PGR summons caused Martinez de la Cruz to step forward with a new statement in which he retracted his previous comments that he had negotiated an agreement with the drug cartels. "I have apologized to the citizens of my state [for these misleading statements]," said Martinez. "My intent was to bring discussion about this matter to a different level."

The PGR said it would continue to seek testimony from Martinez de la Cruz. The legislator, however, continues to refuse to appear before prosecutors. He went so far as to suggest that Gonzalez Salas had ordered him not to testify to the PGR. Gonzalez Salas denied having given such an order. "The only thing I told him was to keep us apprised in cases where there was a question that involved the constitutional separation of powers," said the legislative leader. (Sources: La Cronica de Hoy, 03/02/06; www.Mexidata.info, 03/06/06; The Herald-Mexico City, 03/26/06; El Universal, 03/01/06, 03/25/06, 03/27/06; Agencia de noticias Proceso, Fuerza Informativa Azteca, 03/27/06; Notimex, 03/24/06, 03/26/06, 03/28/06; El Financiero, El Diario de Mexico, 03/28/06; La Jornada, 03/25/06, 03/29/06; El Economista, La Crisis, 03/29/06; Milenio Diario, 03/29/06, 04/03/06; Noticieros Televisa, 04/07/06)

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