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Mexico Asks Canada to Extradite Union Leader Napoleon Gomez Urrutia

by LADB Staff

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The Mexican government has requested the extradition of Napoleon Gomez Urrutia, the embattled leader of Mexico's largest mine union (Sindicato Nacional de Trabajadores Mineros, Metalurgicos y Similares de la Republica Mexicana (SNTMMSRM)). Gomez Urrutia, who is accused of misappropriating about US\$55 million in union funds, fled to Vancouver, Canada. The Secretaria de Relaciones Exteriores (SRE) made the extradition request to the Canadian government based on an arrest order presented by Federal District Judge Santa Adelina Flores Montoya in late July.

Flores' arrest order followed a similar action by Judge Jesus Ubando Lopez of Mexico City in mid-July. "Mine workers have presented more than 7,000 labor and legal complaints against [Gomez Urrutia] because they have not received a single peso from the fund," said Labor Secretary Francisco Salazar Saenz. Salazar said the government has traced at least US\$35 million of the funds Gomez Urrutia is alleged to have embezzled to bank accounts in the Cayman Islands and New York. "We don't have an exact figure because it has been very difficult to trace the money," Salazar said in testimony before the Chamber of Deputies in July.

Treaty could make extradition difficult

The Canadian government has not made a formal reply to the extradition request, but bringing him back to Mexico could prove difficult. An extradition treaty negotiated by Mexico and Canada prohibits detaining or extraditing any individual charged with political crimes. Mexico and Canada negotiated the extradition treaty as a parallel accord to the North American Free Trade Agreement (NAFTA), said Mariano Albor, Gomez Urrutia's lawyer. Albor said the extradition request may not progress because union leaders and other members of the SNTMMSRM executive committee are "being persecuted as a consequence of political decisions made by Labor Secretary Salazar."

Salazar was the one who made the decision to withdraw recognition from Gomez Urrutia as secretary-general of the SNTMMSRM earlier this year. The STPS instead recognized retired union leader Elias Morales Hernandez, even though a majority of rank-and-file members still consider Gomez Urrutia the union's true leader, despite the embezzlement charges (see SourceMex, 2006-03-01). In interviews from Vancouver, Gomez Urrutia has also questioned the legality of the arrest order by Judge Flores Montoya, which he said was issued without giving him or his representatives the benefit of a hearing.

Gomez Urrutia's supporters accuse the government of usurping their right to select their leader. "We have to continue fighting for our union," said Carlos Pavon, the union's secretary for political affairs. The union leader's strongest support has come from members who are on strike against the Siderurgica de Lazaro Cardenas-Las Truchas (SICARTSA), owned by Mexico's Grupo Villacero. The facility was the site of a violent clash between union members and state and federal authorities in

early April. Authorities intervened in an attempt to dislodge members of SNTMMSRM Section 271 (see SourceMex, 2006-05-03).

The SICARTSA workers, who remained on strike as of mid-August, called Morales Hernandez "a false leader who only works to benefit the interests of the Fox government and the large [mining] consortia." Gomez Urrutia accused of electoral crimes Morales has attempted to turn the table on his critics, saying that Gomez Urrutia is not fit to head a union because he has betrayed SNTMMSRM members. "He is disqualified by the fact that he defrauded 10,000 workers of US\$55 million," he said.

Furthermore, Morales has accused Gomez Urrutia of committing electoral fraud by creating a false political action committee known as Cambio Democratico Nacional A.C. (CADENA). He said Gomez Urrutia, Pavon, and several associates used the committee to launder money, including public funds. Morales asked the Instituto Federal Electoral (IFE) and the government's electoral-crimes prosecutor Maria de los Angeles Fromow to conduct a formal investigation of CADENA. (Sources: El Universal, La Cronica de Hoy, 07/14/06; La Crisis, 07/27/06; Notimex, 07/30/06; Reforma, 07/27/06, 08/07/06; Agencia de noticias Proceso, 07/26-28/06, 08/14/06; Excelsior, 07/14/06, 07/27/06, 07/28/06, 08/08/06, 08/16/06; El Economista, 07/14/06, 07/27/06, 07/31/06, 08/15/06, 08/16/06; La Jornada, 07/14/06, 07/28/06, 08/03/06, 08/15/06, 08/16/06; Milenio Diario, 07/17/06, 07/18/06, 07/31/06, 08/03/06, 08/16/06)

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