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Chiapas Prosecutor Files Manslaughter Charges Against Former Gov. Pablo Salazar Mendiguchía

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The two most recent governors of Chiapas are viewed very differently in the public eye, especially regarding the manner in which they used public resources to benefit the citizens of one of the poorest states in Mexico. Juan Sabines Guerrero, the current governor of Chiapas, has received international acclaim for his effective efforts to reduce extreme poverty and hunger and improve access to education and health care. In contrast, Pablo Salazar Mendiguchía, who served from 2000-2006, was recently incarcerated on various charges that included embezzlement, abuse of authority, and manslaughter. The latter charge stems from breaching obligations imposed by the federal Constitution and the state's health laws, resulting in the deaths of many children.

But some political observers see Salazar Mendiguchía as the target of a political vendetta by the former governing Partido Revolucionario Institucional (PRI) and the victim of a double standard in Mexican politics. They believe that Sabines Guerrero, who is said to have major differences with Salazar Mendiguchía, readily agreed to lead the prosecution of the ex-governor. Others suggest, however, that Salazar Mendiguchía's transgressions should be prosecuted as an example of how Mexico should deal with political corruption.

Salazar Mendiguchía and Sabines Guerrero have one thing in common—they both left the PRI, which had governed Chiapas for generations, for the opportunity to represent a coalition of parties in the Chiapas gubernatorial elections. Salazar managed to put together a broad coalition that included the conservative Partido Acción Nacional (PAN) and the Partido Verde Ecologista de México (PVEM) as well as all the center-left parties, to win the election handily and end decades of PRI rule ([SourceMex, Aug. 23, 2000](#)). Sabines was mainly the candidate of the center-left parties and won the election by an extremely narrow margin against a very popular PRI candidate, Sami David, who was also backed by the PAN and the PVEM ([SourceMex, Aug. 23, 2006](#)).

More than five years after he left office, Salazar Mendiguchía is facing serious charges, including manslaughter, for a political decision he made while in office. The ex-governor is being held without bail in El Amate prison in Chiapas on charges of breaching obligations under the federal Constitution and state health laws.

Chiapas state attorney general Raciél López Salazar alleges that Salazar Mendiguchía repeatedly failed to take appropriate action and allocate funds when reports surfaced in 2002 and 2003 that harmful bacteria had infected the public Hospital K in the city of Comitán de Domínguez, near the border with Guatemala. The negligence resulted in charges of manslaughter against the ex-governor because of the deaths of 35 children, including twin newborns Jesús and Gerardo Morales. López Salazar said he would ask for a prison sentence of as long as 20 years for Salazar Mendiguchía.

The state's attorney general's office (Procuraduría General de Justicia del Estado, PGJE) heard testimony from more than 40 former officials and several hospital employees, including ex-attorney general Mariano Herrán Salvatti, before deciding to file charges against Salazar Mendiguchía.

Herrán Salvatti said the ex-governor ordered him to halt an investigation when complaints about problems at the hospital surfaced. "[The governor] insisted that I immediately cease all investigations and that I avoid any type of legal action related to this matter," said Herrán Salvatti. "And he informed me that, as governor, he had not authorized any funds for purchasing equipment and medication that this hospital required."

Hospital K director Raul Belmonte Martínez also testified that the former governor had promised to allocate resources but later said the budget had been cut and that there were no funds for the hospital.

The problems at the hospital had been under investigation by the federal Comisión de Derechos Humanos (CNDH), which in 2004 issued a report citing numerous irregularities at the hospital including a lack of medicines, medical instruments, and equipment.

Chiapas state health secretary James Gómez Montes said the Sabines government has taken steps to correct the health problems in Comitán, although the hospital is not out of the woods yet. "The previous administration devoted only 20 million pesos [US\$1.5 million] to health expenditures in the area, while the Sabines administration has allocated 400 million pesos [US\$29.8 million] in the past five years," said Gómez Montes.

The manslaughter case is separate from charges, filed in June of this year, that Salazar Mendiguchía embezzled 104 million pesos (US\$7.7 million) in federal funds intended for reconstruction projects in the aftermath of Hurricane Stan in October 2005 ([SourceMex, Nov. 2, 2005](#)) and ([Nov. 9, 2005](#)).

Sabines recognized for anti-poverty efforts

In contrast to the political misfortunes of Salazar Mendiguchía, Sabines Guerrero has received wide acclaim for his efforts as governor to fight poverty. In October 2010, the UN awarded Sabines the "Más Naciones Unidas en México" award for programs implemented during his administration to meet several of the Millennium Development Goals (MDGs), including education, child nutrition, maternal health, and poverty alleviation. Working with the state legislature, the Chiapas governor succeeded in amending the state constitution to require that Chiapas set the MDGs as a goal.

"There are many constitutions that are aligned with the Universal Declaration of Human Rights," said Magdy Martínez, who at that time was the UN resident coordinator in Mexico. "But none of these are aligned with the objectives of the Millennium Development Goals."

Sabines Guerrero has backed his verbal support for the MDGs with actions, allocating a large percentage of the budget for programs that support the state's efforts to meet the MDGs.

"This could mean sacrificing other campaign promises to allow us to meet the MDGs in a very concrete manner," Sabines said in 2009. "That's why I am directing expenditures to the 28 poorest municipalities in Chiapas, which are also among the poorest in Mexico."

And the efforts have yielded results. Earlier this year, the Consejo Nacional de Evaluación (CONEVAL) reported that Chiapas reduced its poverty rate by 2.2% in 2010. The success has won UN recognition.

"Chiapas has become the role model for other states; therefore, we have to exchange experiences so that other governments, in Mexico and Latin America, mimic the effective actions implemented by

the current administration," said Maria del Carmen Sacasa, coordinator of the UNDP governance program.

Sabines has gone to great lengths to distinguish his administration from that of his predecessor. For example, when he announced plans to direct a large share of the state's budget toward anti-poverty programs, he said expenditures would be "10 times higher than those in the preceding administration.

Many detractors suggest that Sabines might be waging a political witch-hunt against Salazar Mendiguchía, even though the ex-governor's transgressions are very real. Some observers said Sabines was under pressure from the PRI, which has remained an influential political force in Chiapas despite losing two successive gubernatorial elections.

"A group of politicians put pressure on Sabines to extract political revenge [on Salazar], to put him through an investigation and ensure that he spent time in jail, as did some officials from the administration of interim Gov. Roberto Albores Guillén, who served from 1998 to 2000," Isaín Mandujano, a reporter for magazine said in an interview with Radio Fórmula.

Mandujano said Sabines has yielded to the pressure from the PRI and moved forcibly against Salazar. "This means that Salazar has become public enemy number one during five long years of the Sabines administration," said the reporter.

The irony of the charges against Salazar is that the ex-governor made enemies with his former political party because he dared to move against the corrupt practices put in place by his predecessors ex-Govs. Julio César Ruiz Ferro (1995-1998) and Albores Guillén.

"Upon his election, Salazar began the titanic, dangerous, and sometimes frustrating task of dismantling the huge apparatus that led to the PRI's dominance of the state," said nationally syndicated columnist Miguel Ángel Granados Chapa. "This meant fighting corruption and prosecuting officials and powerful interests, many of which relied on not-so-small bribes."

"Without a doubt, Salazar made some mistakes, but many times he was able to fix them, some immediately and others later," said Granados Chapa. The syndicated columnist noted that Salazar Mendiguchía was one of the early political supporters of Juan Sabines, who eventually became mayor of the Chiapas capital of Tuxtla Gutiérrez before ascending to the governorship.

Some analysts pointed to a double standard in Mexican politics, where powerful politicians like ex-Tijuana mayor Jorge Hank Rhon elude corruption charges while others who wield less influence are unable to escape similar charges. Hank was detained briefly on weapons charges but was released because of insufficient evidence ([SourceMex, June 22, 2011](#)).

"Pablo Salazar Mendiguchía dared to attempt to dismantle its power structures and is now paying for that indiscretion," said Granados Chapa. "I consider him a political prisoner." [Peso-dollar conversions in this article are based on the Interbank rate in effect on Sept. 21, 2011, reported at 13.41 pesos per US\$1.00.]

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