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Carlos Navarro

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Critics Question Mexican Government’s Role in Freeing of former Coahuila Governor Humberto Moreira from Spanish Jail

by Carlos Navarro

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The arrest of Humberto Moreira in Spain on charges of money laundering and corruption in January (SourceMex, Jan. 27, 2016) set off alarms for President Enrique Peña Nieto’s administration, which reportedly pulled out all the stops to gain the release of the former governor of Coahuila.

Moreira held the Coahuila governor’s office from 2005 until 2011 and left under a dark cloud, amid charges that he grossly mismanaged the state’s finances and left Coahuila in severe debt (SourceMex, Oct. 12, 2011). There were allegations he borrowed heavily to fund ambitious public works programs, many of which were unsustainable. There are also allegations that Moreira, who also served as president of the governing Partido Revolucionario Institucional (PRI), incurred debt to fund various electoral campaigns for the PRI.

According to an investigation by the Spanish daily newspaper El País, Mexico’s Attorney General Arely Gómez González spoke with her Spanish counterpart, Consuelo Madrigal, about the case the day before Moreira was scheduled to appear before Spanish judicial authorities. Gómez González was attempting to learn more details about the case and the arguments the Spanish prosecutors were planning to present.

“[Madrigal] told Gómez González that the case was under seal by order of the court; that we could not give her any details; and that the prosecutors’ position was for him to remain in jail because the crimes he committed were very serious,” said a spokesperson for Spain’s prosecuting agency (Fiscalía General del Estado, FGE).

While Gómez González was making contact with Madrigal, Mexico’s foreign relations ministry (Secretaría de Relaciones Exteriores, SRE) ordered Mexico’s ambassador to Madrid to find the best lawyers in Spain to handle Moreira’s defense.

“The entire embassy was involved in the Moreira case in a way that has never occurred with other prisoners,” El País reported, citing a source close to the case.

The Peña Nieto administration’s all-out effort to defend a disgraced politician attracted strong criticisms at home. Many wondered what embarrassing information would come to light for the PRI if Moreira were to face a public trial.

“We do not remember any administration going this far to save a politician accused by authorities of another country of embezzlement, money laundering, and bribery,” columnist Francisco Garfias wrote in the daily newspaper Excélsior.

“Whether guilty or not, this ‘exemplary’ soldier had to be rescued, because the only task at hand was to gain his freedom, clear his name and that of the party, regardless of the cost,” columnist Rita Varela Mayorga wrote in Sinembargo.mx.
“There has been much speculation on how [Moreira] used the money that he obtained with the debt he incurred (...) and that some of the money might have been devoted illegally to the presidential campaign of Enrique Peña Nieto and some of the states that had elections,” columnist Marcelo Torres Cofiño wrote in the daily newspaper Milenio.

Torres Cofiño added that the reaction of the government to Moreira’s arrest had raised suspicion.

““There is no explanation other than conspiracy,” he wrote. “We now understand why none of the charges against Moreira have been investigated, and the reason why justice is sought only overseas. Other nations fight corruption at all costs (...) but that is not the case here in Mexico.”

**Administration defends decision**

Despite the criticisms, administration sources went out of their way to defend the decision to seek Moreira’s freedom. Gómez González pointed out that it is usual for prosecutors to stay in communication. “In my one year as attorney general, I have been in constant contact with my counterparts on issues of mutual interest. This is an opportunity to discuss any matters that are open,” she said.

The Mexican embassy in Madrid also denied that the Spanish judicial process had been circumvented. “The Secretaría de Relaciones Exteriores (SRE) and its representatives overseas are respectful of the judicial process and of decisions made in other countries,” the embassy said in a statement.

Similarly, Interior Secretary Miguel Ángel Osorio Chong rejected the notion that the Mexican government had made any special arrangements for Moreira. “We take interest in the cases of any Mexican overseas,” Osorio said.

Critics wondered why the Mexican government had not advocated with the same zeal for tens of thousands of Mexicans who are detained in the US after having crossed the border without documents. “The good thing is that thousands of Mexicans who are detained without papers in the US, put in jail, and then deported, receive equal support from the Mexican government,” columnist Enrique Galván Ochoa commented sarcastically in a piece in the daily newspaper La Jornada.

“Despite numerous accusations of corruption, Mexico appears to have done little to investigate Moreira’s shady activities,” said InSight Crime. “Moreira’s detention in Spain is an embarrassment for Mexico’s political and judicial system, and highlights the continued impunity government officials receive when facing allegations of corruption and malfeasance.”

**Spanish judge cites lack of jurisdiction**

Despite the intent of Spanish authorities to keep Moreira behind bars, Spanish Judge Santiago Pedraz ordered his release on the grounds that Spain did not have jurisdiction over a case involving violations of the law that occurred primarily in the US and Mexico. Spanish authorities had detained Moreira because some of the illicit funds allegedly obtained from money-laundering activities had been deposited in Spanish banks.

Pedraz made the decision despite the issuance of an international arrest warrant against Moreira on the part of US federal prosecutors in San Antonio, Texas.
A few days after Pedraz ordered Moreira’s release, the FGE announced plans to appeal the decision. José Grinda and Juan José Rosa, prosecutors with Spain’s Fiscalía Anticorrupción, handled the appeal. The two prosecutors—who were invited by US authorities to listen to three hours of surveillance conversations that implicated Moreira in illicit activities in the US—said they did not agree with Pedraz’s ruling. The Spanish judge, who also listened to the recordings, had said that they did not provide sufficient evidence to keep Moreira behind bars.

By the time the appeal was filed, however, Moreira and his family had already returned to Mexico. “He left without his cell phone and his iPad, which were still in the hands of the police,” said a source at the FGE. “He seemed to be in quite a hurry to leave.”

Even though Spanish prosecutors were unable to retain custody of Moreira, the former Coahuila governor lost access to his bank accounts in Spain, which the Spanish government froze. These accounts, which together hold more than 217,000 euros (US$238,000), reportedly contain the funds that Moreira laundered from businesses in the US.

**Zetas connection**

Along with the charges of money laundering, authorities in the US and Spain are investigating the connections that Moreira had to the Zetas criminal organization.

The Spanish investigation initially centered on whether the funds in Moreira’s accounts were legitimate or embezzled. As the investigation moved forward, authorities discovered that the money was linked to the Zetas, Mexico’s hyper-violent criminal group.

According to the Spanish daily newspaper El Español, the Fiscalía Anticorrupción has proof that Moreira was a “subordinate” and a money launderer for the Zetas.

Moreira has tended to be somewhat of a maverick, and this worked against him in his relationship with the Zetas. In 2012, the criminal organization gunned down his son, José Eduardo Moreira, 25. Moreira attempted to explain the murder as retaliation for the federal government’s killing of a Zetas leader during his governorship. However, El Español cited sources saying that the Zetas killed Moreira’s son to send the governor a message for laundering money without the consent of cartel leaders.

**Congress demands answers**

Opposition legislators in Congress demanded explanations from the Peña Nieto administration for the intense diplomatic efforts to gain Moreira’s release from the Spanish jail. “The embassy was put at the service of Moreira, which is unacceptable,” said Sen. Fernando Yunes Márquez. “We have to investigate the SRE, the embassy and the officials who intervened.”

Independent Sen. Alejandro Encinas also criticized the PGR’s intervention in the case. Encinas—who collaborates with the two center-left parties, the Partido de la Revolución Democrática (PRD) and the Movimiento Regeneración Nacional (Morena)—said the administration’s strong interest in freeing Moreira from jail was to try to keep information from surfacing that would directly link Moreira to the financing of Peña Nieto’s presidential campaign.

Similarly, PAN Sen. Gabriela Cuevas lamented the Mexican government’s actions to “internationalize” the levels of corruption that exist in Mexico. She also questioned the favorable
treatment of Moreira, given that Mexicans in many other countries, particularly in the US, are facing legal problems and do not receive the same level of assistance.

Moreira is just one of a handful of former PRI governors from northern states who have not faced justice in Mexico after allegedly colluding with criminal organizations. Tomás Jesús Yarrington Ruvalcaba and Eugenio Hernández Flores, both former governors of Tamaulipas, have been under investigation for money laundering, drug trafficking and racketeering, but the probe has dragged on for years (SourceMex, Feb. 29, 2012, and May 30, 2012).

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