
Mexico's weak laws hinder case against 'El Chapo'

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"Mexico is a weak state that has yet to form a political will around the implementation of such laws," said lawyer Edgardo Buscaglia, who has addressed the Mexican Senate on asset forfeitures.

Mexico: Injured drug lord 'El Chapo' on the run

One issue is a 2009 law that was meant to give authorities broader powers to seize drug cartel members' assets. Instead, the law allows only the attorney general — as opposed to local prosecutors — to confiscate assets, meaning that federal authorities are overburdened and cases routinely slip through the net.

The overall result is far fewer successfully prosecuted cases against organized crime — a total of 43 in the past six years in Mexico, about the same number neighboring Guatemala achieves each year, according to a Mexican Senate report.

The law also requires property owners to be sentenced before authorities can take their assets, delaying seizures by months or even years. Many cases collapse.

"Attacking criminal groups financially by pursuing the properties and firms that provide them with financial and logistical support is an essential part of the fight against organized crime," said Antonio Mazzitelli, Latin American representative of the U.N. Office on Drugs and Crime. "In Mexico, they put a criminal in jail, and nothing happens."

Since 2007, the U.S. Treasury Department has banned 95 Mexican companies and hundreds more individuals linked to El Chapo's drug empire from operating in the U.S. All continue to operate freely in Mexico, however.

Last year, an American grand jury indicted Ignacio Muñoz Orozco, the owner of a Mexican clothing chain, on

money laundering charges related to the Sinaloa Cartel. Orozco served as a higher-level official in the federal Social Development Ministry in the mid-2000s and has yet to be charged with a crime in Mexico.

"There are thousands of such cases that Mexican prosecutors decline to pursue," Buscaglia said.

Guzman's case also underscores the nature of corruption in the country, where watchdog group Transparency International reports criminals have "captured" public institutions.

The drug kingpin escaped from maximum security prison in July using a one-mile long tunnel. Police have arrested the prison governor and several guards in connection with the breakout.

It was the second time Guzman had slipped through the Mexican prison system. Before he was arrested last year, he had been on the run for 13 years after breaking out of another prison.

Alejandro Hope, an independent security analyst and former Mexican intelligence official based in Mexico City, said the country doesn't have enough resources to tackle the country's vast corruption and organized crime problems.

"Corruption is certainly rife in Mexico," Hope said. "But we also lack police and prosecutors with the experience to carry out these kinds of investigations."
