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El Salvador: President Mauricio Funes To Fight Crime With Guns, Phone Taps, And More Police

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When former television journalist Mauricio Funes assumed El Salvador's presidency last June (NotiCen, June 04, 2009), he inherited responsibility for one of the country's most violent nations. Since then, the killings have only increased, forcing the leftist leader, the first for El Salvador in two decades, to employ a series of strong-arm tactics that include more police, more guns, and telephone eavesdropping. Last year, 4,365 people, an average of 12 per day, were murdered in El Salvador, the Policía Nacional Civil (PNC) reported. The staggering figure represents a 34% increase from the previous year, when a study released in October 2009 by the UN Development Programme (UNDP) reported that El Salvador's murder rate, 52 per 100,000 residents, was already nearly six times the world average (nine per 100,000) and more than double the overall rate in Latin America (25 per 100,000). A pair of massacres last month hammered home the problem and raised concerns that "death squads," in operation during the country's 1980-1992 civil war, may once again be surfacing in El Salvador. On Feb. 2, seven suspected gang members were gunned down near Suchitoto, a town some 50 km northeast of San Salvador. Four days later, five more people were slain, this time near the city of Tonacatepeque. Police are investigating possible links between the two cases. "The recent massacres," Funes said on Feb. 11, "reveal a new and certainly alarming panorama. They were massive, high-impact killings committed by criminals who have at their disposal the kind of sophisticated, high-caliber weapons normally reserved for special security forces."

Funes increases role of military in fighting crime

The bloody ambushes occurred at a time when Funes, a member of the leftist Farabundo Marti para la Liberacion Nacional (FMLN), had been busy trying to rally support for his recently unveiled National Justice, Public Security, and Coexistence Policy. The president's plan places a heavy emphasis on law enforcement and promises more police, better equipment, and a greater role for the military. Specifically, the military will supply weapons, provide barrack space for new divisions of on-call police, and help control the flow of drugs, money, and weapons across the country's border. Since Funes announced the plan, the armed forces have already loaned the PNC some 700 M-16 machine guns. Funes has been contemplating greater military involvement in internal policing since early in his presidency (NotiCen, October 29, 2009). As it stands, the Constitution prohibits the military from engaging in domestic crime-fighting directly. Currently some 2,000 soldiers are involved in auxiliary roles, supporting the PNC through units called Grupos de Ayuda Comunitarios. The troops do not, however, have the right to arrest or pursue criminals directly. But the Constitution also contains a clause allowing the president to give the armed forces extraordinary powers if ordinary means are deemed insufficient for maintaining "domestic peace, tranquility, and public safety." Thanks to a law approved Feb. 19 by the unicameral Asamblea Legislativa (AL), authorities will also have the right to intercept phone calls and other forms of electronic communication. Eighty-three of the AL's 84 deputies voted in favor of the law, which also enjoys President Funes' backing. "This law is going to contribute precisely to the investigation of those criminal groups that are dedicated fundamentally to organized crime," FMLN Deputy Benito
Lara told Reuters. Authorities in the US applauded the new law and authorized personnel from both the Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) to help El Salvador set up a phone-tapping center. The new facility is expected to be up and running before the end of the year.

**Increased sentences for juveniles**

The Asamblea also recently approved a bill to stiffen punishments for juveniles. The law, which focuses specifically on youths aged 16-18, upped sentences from seven years to 15 years for those convicted of murder and some other serious crimes. In late February, however, Funes vetoed the law, citing it as "unconstitutional" and in violation of El Salvador's commitments as a signatory to the UN's Convention on the Rights of the Child. Members of the conservative Alianza Republicana Nacionalista (ARENA) party criticized the veto as evidence Funes is too soft on crime. While opting for a heavy-handed approach to the issue, President Funes also acknowledges the limitations of treating the violent-crime epidemic with more, better-equipped police alone. During a meeting last week with US Secretary of State Hillary Clinton, the Salvadoran leader said law-enforcement efforts will have only a limited impact if El Salvador and its Central America neighbors which share many of the same crime issues cannot alleviate the root cause: poverty. The meeting took place March 5 in Guatemala, where Funes was joined by his fellow Central American heads of state. "The structural cause of organized crime, [street] crime, and violence in our region is the problem of poverty," said Funes, who stressed the need for capital resources, specifically loans, through the Inter-American Development Bank (IDB) that allow El Salvador and its neighbors to spend more of their internal revenue on social programs. For that reason, the new crime-fighting plan is more than just a heavy-handed law-enforcement scheme, the Funes administration insists. Security Minister Manuel Melgar described the plan as "integral," not only because it was devised with input from various sectors, including church and business leaders, but also because it calls for social programs for the 100 Salvadoran communities deemed most violent. "It's not just about security forces repressing and controlling crime but also participation by communities, municipalities, and other government institutions," said Melgar.

Critics say the government also needs to do something about El Salvador's severely overburdened jail system. The Direccion General de Centros Penales (DGCP) says the country has 19 prisons that together have beds for about 8,300 prisoners. The current prison population, however, is roughly 20,000. About one-third are members of violent gangs, known as maras. In an interview last year with Colombia's El Espectador newspaper, the Salvadoran Director General de Centros Penales Douglas Moreno described the country's prison system as "a totally unsatisfying situation." "It should be shut down," he said, shortly after being named to the position and conducting a first-hand visit of 10 jails. Family members of the country's inmates agree. On March 3, some 1,500 family members marched to the AL to demand better treatment for inmates and to seek the annulment of Article 103 of the Penitentiary Law. The article, which applies to prisoners in El Salvador's high-security facilities, allows authorities to monitor phone calls, keep prisoners in special cells, and restrict visits. Critics say the article violates prisoner's rights. "We're asking the deputies and the Funes government to implement real rehabilitation programs for our family members locked up in prisons and to improve [jail] conditions," Julia Santos, one of the protestors, told Agence France-Presse. "They're all stuffed in there and poorly fed."
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