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New Murder Milestones for El Salvador as Gang Conflict Rages On

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El Salvador continues to be engulfed by a deluge of deadly violence that has already claimed more lives this year than in all of 2014 and, late last month, prompted the Corte Suprema de Justicia (CSJ) to classify the warring street gangs responsible for much of the mayhem as "terrorist" groups.

The CSJ’s Sala de lo Constitucional issued the ruling on Aug. 24, establishing that the pandillas, or maras, as the gangs are also known, can be pursued under the country’s Ley Especial Contra Actos de Terrorismo (LECAT), an anti-terrorism law that gives special powers to police and prosecutors and stiffens prison sentences for convicted perpetrators. "The gangs known as Mara Salvatrucha or MS-13 and Pandilla 18 or Mara 18, along with any other gang or criminal organization that seeks to assert powers belonging to the state, are terrorist groups," the decision reads.

The ruling also targets "collaborators, apologists, and financiers" of the gangs and makes it a crime for groups or individuals to enter into any kind of negotiation with the maras, as the government of former President Mauricio Funes (2009-2014) did by brokering an experimental tregua (truce) between MS-13 and Pandilla 18 (also known as Barrio 18) that went into effect in March 2012 and lasted more than two years (NotiCen, July 12, 2012). During that time, El Salvador’s homicide numbers fell by roughly 40% (NotiCen, April 24, 2014).

Ghastly figures
The CSJ decision came amid a wave of killings that included the massacre, two days earlier, of 14 inmates at a prison in Quezaltepeque, north of San Salvador. Authorities described the murders as an internal Barrio 18 "purge." Barrio 18, the longtime rival of MS-13, is divided into two factions, revolucionarios and sureños, which also contain competing elements.

Earlier in the month, the Policía Nacional Civil (PNC) reported 125 murders in the course of just three days (Aug. 16-18), the deadliest such span since the end of the country’s dozen-year civil war (1980-1992). Forty people were murdered on Aug. 16, a single-day record that was broken the very next day (42 homicides) and again the day after that (43). "August is going to close with more than 700 deaths, not all attributable to the gangs, but [the number] gives an idea of the scale of the problem we have in El Salvador," journalist Roberto Valencia of the online Salvadoran news site El Faro told BBC Mundo at the time.

Valencia’s prediction, as dire as it was, proved to be optimistic. By month’s end, more than 900 people had been killed, including a record 51 on Aug. 28, a new murder milestone for a country still shocked by the earlier record homicide figures of 641 in May and 677 in June (NotiSur, July 30, 2015). Analysts say El Salvador could end the year with a per capita homicide rate in excess of 90 per 100,000 inhabitants and thus supplant neighboring Honduras as the world’s deadliest country not technically engaged in war. The per capita homicide rate in the US, by contrast, is 4.7 per 100,000, according to the UN Office on Drugs and Crime (UNODC).
To date, some 4,200 people have been murdered this year in El Salvador, more than in all of 2014, when an estimated 3,915 were killed. That same year in New York City, which has a greater population than El Salvador (8.5 million versus 6.5 million), 328 people were killed. Among US cities, only Chicago (407) reported more murders in 2014, according to US law-enforcement statistics.

"Declaration of war"

President Salvador Sánchez Cerén of the left-wing Frente Farabundo Martí para la Liberación Nacional (FMLN) applauded the high court terrorism ruling, saying it facilities the state’s efforts to pursue the pandillas. "The gangs now are terrorists and all the force of the law will be applied against them," he said.

The comments echo statements Sánchez Cerén, a guerrilla commander during the civil war, made in late July, when the maras caused a de facto bus strike in San Salvador, the capital, with a string of attacks that killed at least seven drivers in the span of just a few days. "I want to tell these murderers, these criminals, that they won’t break the will of the government and the Salvadoran people," he said. "At no time is our government prepared to negotiate with these criminals. ... We are going to hunt them down, capture them, and put them on trial."

Plenty of people see the president’s tough talk as justified given the critical situation in El Salvador, which was among the world’s most dangerous countries even before this year’s homicide surge began (NotiCen, June 30, 2011). But others—including the pandillas—say the government’s policy regarding the gangs greatly contributed to the problem.

Sánchez Cerén, who served as Funes’ vice president and education minister, distanced himself from the politically untenable gang truce (as did Funes) in the months leading up to last year’s presidential elections. In January, after keeping quiet on the gang issue during the first six months of his presidency, he unveiled a US$2 billion plan to tackle the problem with prevention-oriented infrastructure and education investments (NotiCen, Jan 29, 2015). But he also made it clear he would not negotiate with the gangs, as the Funes administration has originally done. And, in February, he had a number of jailed gang leaders moved from low-security facilities—a privilege they had been granted as part of the 2012-2014 truce deal—to the maximum-security Centro Penal de Seguridad Zacatecoluca, also known as Zacatraz.

Gangs interpreted the government’s actions as a "declaration of war," according to former guerrilla fighter Raúl Mijango, who served as lead mediator during the now defunct truce (NotiCen, Dec. 20, 2012). The maras retaliated by stepping up attacks on police and military—to date some 50 police and soldiers have been killed this year—which prompted authorities to respond with even more force. "This country is bleeding and it urgently needs a tourniquet," Mijango told The Guardian last month. "Now we have a war between the state and the gangs."

Forced displacements

The violence is having an incalculable impact on the country’s economy and on the social and psychological well-being of its citizens. Among other impacts is an increase in the dropout rate among Salvadoran school children. The number of dropouts who listed "insecurity" as their reason for leaving school jumped 120% between 2009 and 2014, according to a recent El Faro report.

People are also being physically displaced by the presence of pandillas. Fleeing for their lives, or to protect their children from being forcibly recruited (in the case of boys) or sexually assaulted (in the
case of girls), families have had to abandon their homes, taking refuge where they can, or migrating out of the country, if possible.

"I'm aware of the existence of the phenomenon of people being displaced by violence," Salvadoran Human Rights Ombud David Morales said Aug. 19 during a joint press conference with various civil-society organizations. "We know because as an institution, and as organizations, we're receiving family groups that are leaving their normal places of residence because of the violence and even look, in some cases, to migrate. In these groups there are, in general, various boys and girls."

Morales is also one of the few public figures in El Salvador to speak out against a perceived increase in human rights violations being committed by state security forces. At the start of the year, Vice President Óscar Ortiz raised eyebrows when he said publicly that police, in cases where they feel threatened, are free to shoot gang members "without any fear of suffering consequences." Some law-enforcement offices appear to have taken the message as a license to kill with impunity, as evidenced by a "confrontation" that took place in late March on a rural coffee plantation, where eight people, including a teenage girl, were killed in a supposed exchange of gunfire with police (NotiCen, April 16, 2015).

In a scathing exposé published in July, El Faro painted a very different picture of the March massacre, suggesting that police launched what was essentially a commando-style raid that involved summary executions and possible evidence planting (NotiCen, Aug. 13, 2015). Morales, in a July 23 interview with El Faro, defended the integrity of the controversial article and said he has been privy to similar cases of extralegal killings by police. "I share the opinion that [authorities] need to be firm in denouncing and investigating these cases," he said.

Jeannette Aguilar, director of the Instituto Universitario de Opinión Pública (IUDOP) of the Universidad Centroamericano (UCA) in San Salvador, agrees. Allowing security forces to act without accountability is "very dangerous because it legitimizes the actions of the police department," she told The Guardian. "It normalizes the abuse of rights. This motivates gangs to fight and become part of an insurgent movement. We are waking a big monster."

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