El Salvador Takes “Extraordinary Measures” to Tackle Gang Violence

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The government of El Salvador is hailing a recent decline in murder numbers as evidence that its gloves-off crackdown on criminal street gangs, known locally as “maras” or “pandillas,” is working. But others say the maras themselves are responsible for the homicide dip, and worry that without better safeguards in place, authorities could end up exacerbating the tiny country’s massive security problem.

An explosion of violence resulted in more than 6,600 killings last year, pushing El Salvador’s per capita murder rate to nearly 104 per 100,000 inhabitants, presumably the highest of any country in the world not technically involved in an armed conflict (NotiCen, Jan. 21, 2016). The terrible tally—a post-civil war (1980-1992) milestone for the troubled nation—marked a 70% increase over the 2014 total of 3,912 homicides, itself a staggering number for a country of just 6.4 million people. By way of comparison, New York City, with a larger population than El Salvador, had fewer than 350 murders in 2015.

The killings have continued apace so far this year, with 2,460 murders as of May 9, the Policía Nacional Civil (PNC) reported. If the current rate (19 per day, on average) holds up, El Salvador could finish 2016 with an even longer list of victims than it had last year. The one encouraging thing to be gleaned from the horrific homicide figures is that as of late March, when gangs announced a unilateral cease-fire, the rhythm of violence has significantly slowed. For April, the PNC reported 352 murders, far fewer than the 740, 630, and 603 killings registered in January, February, and March respectively. Early May numbers—approximately 160 killings in the first two weeks—show a similar pattern.

The government of President Salvador Sánchez Cerén, ignoring the supposed cease-fire, sees the slowdown in killings as a sign that its “mano dura” (iron-fisted) approach to the maras is beginning to pay dividends. “We cannot tolerate these groups dictating the terms of security for families,” Sánchez Cerén’s vice-president, Óscar Ortiz, said during a May 12 press conference. The official went on to say that authorities would “stop and reverse” the dismal security situation within a year. “We have to find them, pursue them, and crush them,” Ortiz said. “That is our mission in these next 12 months.”

More soldiers, tougher rules

The vice-president’s statements came just weeks after authorities presented a pair of new anti-gang commando units: the Fuerzas de Intervención y Recuperación Territorial (FIRT), an 800-strong joint force deployed in the country’s 10 most gang-plagued municipalities; and the Fuerzas Especiales de Reacción (FER), made up of 600 soldiers and 400 police and tasked with handling “specific operations” throughout the country.

Earlier in the month the government implemented a package of “extraordinary measures” for the handling of jailed gang members. Among other things, the new rules restrict visiting rights, prohibit
inmates from leaving prisons even for court dates, and allow for the transfer of some 300 jailed gang leaders to maximum security prisons, where they are now being held in isolation. Authorities made changes to the criminal code as well, reclassifying gang-related crimes as terrorism, and outlawing any kind of negotiation or dialogue with the pandillas.

The zero-tolerance approach has even been extended to people involved in the experimental “tregua” of 2012-2014, a tenuous truce that the government of then-President Mauricio Funes (2009-2014) helped broker between El Salvador’s rival Mara Salvatrucha, or MS-13, and Barrio 18 gangs (NotiCen, June 27, 2013). In early May, police arrested approximately 20 people involved in the tregua, including its most outspoken proponent, Raúl Mijango, a former guerrilla fighter and later congressman with the governing Frente Farabundo Martí para la Liberación Nacional (FMLN). Mijango and Bishop Fabio Colindres, a military chaplain, served as lead mediators for the politically untenable truce, which brought homicide numbers down from about 4,000 to roughly 2,500 per year (for 2012 and 2013) but fell apart in the lead-up to the 2014 general elections (NotiCen, April 24, 2014).

“Our strategy is not to enter in a dialogue, nor in any communication or negotiation, with criminal groups in any way,” government spokesperson Eugenio Chicas told the Thomson Reuters Foundation, the charitable arm of the Thomson Reuters news agency, earlier this month. “What [the gangs] seek through a process of dialogue is to gain political space and legitimacy, and to control more territory.”

**Radical policy shift**

Critics say the zero-dialogue approach is hypocritical given the current government’s close links to the previous administration, which not only backed the now vilified tregua, at least in the beginning, but is assumed to have helped orchestrate it. President Sánchez Cerén served as Funes’ vice-president and education minister. The current defense minister, Gen. David Munguía Payés, was security minister when the truce first went into effect. Munguía initially denied direct government involvement in the tregua but later said it was part of his “strategy” (NotiCen, July 12, 2012).

The independent news site El Faro recently uncovered evidence, furthermore, that Interior Minister Aristides Valencia met with MS-13 and Barrio 18 gang members prior to the 2014 runoff election, which Sánchez Cerén won by fewer than 6,400 votes over Norman Quijano, a congressional deputy and former San Salvador mayor from the hard-right Alianza Republicana Nacionalista (ARENA) party. Weeks earlier, El Faro reported that ARENA Deputy Ernesto Muyshondt, speaking on Quijano’s behalf, had also lobbied gang leaders for support before the neck-and-neck election contest.

Observers like Jeannette Aguilar, head of the Instituto Universitario de Opinión Pública at the Universidad Centroamericana José Simeón Cañas in San Salvador, accuse the government of flip-flopping for purely political reasons. “The lack of security is a huge concern for citizens, who are desperate for a quick response. The risk for the government is that if it doesn’t appear to be strong, it risks losing votes in the 2019 presidential elections,” she told the Thomson Reuters Foundation. The result, Aguilar went on to say, “is a military response to a social problem.”

Raul Mijango, the recently arrested tregua mediator, agrees, and warns that by using only repressive tactics against the gangs, without any possibility of negotiation, the government could end up fanning the flames. “[Sánchez Cerén] is acting worse than the right-wing governments, with even
more repressive attitude, because he has been misreading the problem,” Mijango said in a recent interview with The Washington Post. “To militarize the prisons, to move prisoners—we’ve already done this in our country. It didn’t work.”

**Acting outside the law**

Others defend the government’s policy shift, calling it a necessary and understandable response to increased violence on the part of the gangs, which not only stepped up their attacks on regular citizens and against each other, but have also targeted state security forces, even going after family members in some cases. In 2013, 14 police offices were killed, according to the PNC. Last year there were 63 police victims. Gangs also killed a number of soldiers and prison guards.

“The first duty of the state is to guarantee the security and protect the property of the people. All of the other functions vary depending on the ideology in place at different points in history. But the state is first and foremost there to guarantee security,” Salvador Samayoa, a former guerrilla fighter who later served in the administration of the late President Francisco Flores (1999-2004), a conservative, argued in an April interview with El Faro. “If the gang members have decided to do what they do, I see it as the state’s duty to crack down on them.”

But Samayoa also warned that the crackdown could lead to human rights violations. A number of news reports over the past year suggest those kinds of abuses are already taking place. Last July, El Faro published a scathing exposé of a supposed police/gang shootout that took place in March 2015 on a farm in the department of La Libertad. Eight people died. Police described the victims as “members of a criminal structure.” But El Faro’s reporters discovered that one of the victims had no gang affiliation whatsoever, and that another was a gang member’s teenage girlfriend. They also came to the conclusion that the incident was not so much a back-and-forth firefight, as the police claimed, but a commando-style raid with summary executions and evidence-planting (NotiCen, Aug. 13, 2015).

Five months later, five gang members were killed in another “shootout” in which “government agents may have acted outside the law,” David Morales, El Salvador’s human rights ombudsman, said in a late April press conference. In both case, there was “serious, objective, clear evidence that points to executions,” he added. “The government cannot act as bad or worse than the criminals.”

Samayoa, in his El Faro interview—published two weeks before the Morales revelations—issued a similar warning. “If we allow the PNC to become a force that doesn’t respect laws or human rights, it will become a cancer that will be difficult to remove,” he said.

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