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More Gang Arrests as US Attorney General Visits El Salvador

by Benjamin Witte-Lebhar

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Authorities in El Salvador are pushing ahead with their no-holds-barred crackdown on street gangs and point to a substantial dip in homicide numbers as evidence that the strategy is working. But the bloody crime war is also something of a political minefield for the Salvadoran leadership, which faces new questions about its past dealings with the maras, as the gangs are known locally.

In its latest show of strength, Salvadoran police announced the arrests, on Aug. 15, of more than 70 alleged members of the notorious MS-13 street gang, also known as Mara Salvatrucha. El Salvador's other leading mara is Barrio 18, which is divided into two factions: the Sureños and the Revolucionarios. The two offshoots share the same origin but now operate, for all intents and purposes, as separate gangs, analysts say.

The sweep was part of a joint operation with law enforcement in the US, where authorities in the states of Ohio and Indiana nabbed 14 presumed MS-13 affiliates the same day. The coordinated arrests showcased a new level of partnership between the two countries and came less than three weeks after US Attorney General Jeff Sessions traveled to El Salvador personally to speak with his local counterpart, Attorney General Douglas Meléndez, and President Salvador Sánchez Cerén, among others. The meetings "served as an opportunity to address the importance of regional cooperation in the fight against transnational organized crime, drug trafficking, and corruption," the US Embassy in San Salvador explained in a July 28 press release ([NotiCen, Aug. 31, 2017](#)).

The US government is particularly focused on MS-13, as President Donald Trump himself made clear that same day in a fiery speech in Long Island, New York. "They kidnap, they extort, they rape, and they rob," the US leader said of Mara Salvatrucha. "They have transformed peaceful parks and beautiful quiet neighborhoods into blood-stained killing fields." MS-13 is believed to have originated in Latino immigrant neighborhoods in California before being exported, via deportations, to Central America.

Critics accuse Trump of using the ultra-violent street gang as an excuse for stepping up immigration enforcement in general. "Trump was on Long Island to conflate undocumented immigrants with crime once again and to use demonization to try to justify his administration's harsh and inhumane deportation policies," attorney Raúl A. Reyes wrote in an opinion piece published July 29 on the CNN website. Others worry that the US president's rhetoric could actually help Mara Salvatrucha's recruiting efforts, and note with curiosity that the Trump administration seems to be ignoring MS-13's historic rival, Barrio 18, which has a similar origin and is also present throughout the US.

For authorities in El Salvador, however, Washington's apparent interest in tackling the maras—whether it be MS-13, Barrio 18, or any other gang—is welcome news. The tiny, cash-strapped country is eager for any help it can get against a crime epidemic that has cost tens of thousands of lives and remains a major obstacle to development.

In a show of enthusiasm for greater US involvement, Salvadoran police conducted a series of raids late last month—just ahead of the visit by Sessions—that resulted in more than 600 arrests of suspected gang members. The US attorney general applauded the move, according to news reports, and one of his Justice Department associates, Robert Hur, said during a White House briefing that the arrests were “very significant blows to MS-13.”

Hard-hitting tactics

The raids are part of an overall, gloves-off approach to the gangs that the Sánchez Cerén government has employed since early 2015, when the collapse of an experimental tregua (truce) between El Salvador’s principal maras sent murder numbers soaring.

That year proved to be the deadliest since the El Salvador civil war (1980-1992). According to the Policía Nacional Civil (National Civil Police, PNC), a staggering 6,657 people were killed, approximately 70% more than in 2014, when Sánchez Cerén, a guerrilla commander during the civil war, took office, ([NotiCen, Jan. 21, 2016](#)). The per capita homicide rate in 2015 was 103 per 100,000 inhabitants, the highest in the world for a country not technically involved in an armed conflict.

Since then, murder numbers have fallen somewhat. Last year’s tally was 5,278, a 20% decrease compared to 2015 but still appallingly high for a country that, in terms of both population and land area, is roughly the size of the Massachusetts—which had 135 murders in 2016, *The Boston Globe* reported ([NotiCen, Jan. 5, 2017](#)). So far this year (as of mid-August), Salvadoran authorities have registered approximately 2,300 killings, 37% fewer than during the same period in 2016.

For the PNC, its crime-fighting partners in the military, and the Sánchez Cerén administration, the downtick in murder numbers is proof positive that their *mano dura* (iron fist) practices are working. As part of the crackdown, authorities began deploying special anti-gang commando units composed of both police and military personnel. The government—with bipartisan approval in the legislature—also introduced a series of “emergency measures” aimed at tightening control over imprisoned gang members.

Among other things, the measures restrict visiting rights for convicted gang members, allow certain gang leaders to be held in isolation, and prohibit inmates from leaving prisons even for court dates ([NotiCen, May 26, 2016](#)). The temporary rules changes went into effect in 2016 and were extended earlier this year.

Deadly shootouts

Critics say the heavy-handed tactics have led to numerous human rights abuses by police and military law enforcement personnel. The independent, award-winning news site *El Faro* has reported on a number of specific cases involving what appear to be extra-judicial killings by police and soldiers ([NotiCen, Aug. 13, 2015](#)). And the Observatorio de Derechos Humanos Rufina Amaya, a Salvadoran rights group, found that there has been a significant increase in the number of deadly shootouts between law enforcement and suspected gang members. In 2014, there were 256 such enfrentamientos (face-offs) with 112 victims, the organization determined. In 2015, there were 676 shootouts with 459 victims, and in 2016—although the number of shootouts dropped significantly, to 407—the number of people killed, 618, actually went up.

The Procuraduría para la Defensa de los Derechos Humanos (PDDH), El Salvador’s ombudsman’s office, points to an increase in rights abuses as well. In a report released in early July, the PDDH

noted that when the government's emergency measures went into effect last year, the number of complaints registered against police and military personnel jumped immediately: from 59 in March 2016 to 137 the next month. There has also been a sharp increase in tuberculosis cases in El Salvador's grossly overcrowded prisons since the measures were first implemented. Cases of the disease are up 400%, according to the PDDH report.

And yet, as *El Faro* noted in a July 6 analysis of the report, the current head of the PDDH, Raquel Caballero, still supports the Sánchez Cerén administration's crime-fighting policies. For other rights defenders, Caballero's position is contradictory. How, they want to know, can she come out in support of an approach that, according to her own researchers, has a tendency to violate people's rights? The answer, it would seem, is that for Caballero—and many others in a country that has been terrorized for so long by the mara menace—the end justifies the means, however ugly those means may be.

Cash for votes?

It's perhaps for that reason that—with the exception of some news reports and complaints by rights groups—Sánchez Cerén hasn't really been taken to task for the human rights implications of his security policies. But the president could face trouble ahead for some behind-the-scenes maneuvers that associates in the governing party, the Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front, FMLN), allegedly made before he was elected.

Those dealings received new attention in recent days because of a court case brought against 18 mid-level officials involved in the gang truce of 2012-2014. The experimental "cease fire" was controversial from the outset. But it was also effective: annual homicide numbers went from roughly 4,000 to 2,500 during a two-year stretch. Still, in the buildup to the 2014 presidential election, the tregua fell apart. Former President Mauricio Funes (2009-2014), whose administration helped broker the deal, turned his back on it, as did Sánchez Cerén, who served as Funes' vice-president and education secretary ([NotiCen, April 24, 2014](#)).

Prosecutors argued that while the truce was in effect, people like Raúl Mijango, one of the principal mediators, and Nelson Rauda, the country's prisons director at the time, repeatedly broke the law by procuring cell phones and other illicit items for jailed gang leaders. The case against them went to trial earlier this month and culminated Aug. 29, when the presiding judge exonerated all the defendants.

The ruling brought an end to one of the stranger legal spectacles in the country's recent history. But it didn't resolve some of the larger questions hovering over the process, including why Attorney General Meléndez opted to go after Mijango, Rauda, and 16 other mid-level officials, but chose not to pursue the higher ups, namely Defense Minister David Munguía Payés, who was justice and security minister at the time, and ex-President Funes, who is currently in Nicaragua, avoiding prosecution on corruption charges ([NotiCen, March 2, 2017](#)). Witnesses say Munguía and Funes were both actively involved in setting the truce in motion by providing jailed gang leaders with improved living conditions in exchange for their participation.

The other pending question from the trial stems from testimony provided by a gang leader with the Barrio 18 Revolucionarios faction. Carlos Eduardo Burgos Nuila, or "Nalo de Las Palmas," as the witness is known, claimed during the proceedings that prior to the 2014 presidential election, representatives from both the FMLN and the leading opposition party, the hard-right Alianza

Republicana Nacionalista (Nationalist Republican Alliance, ARENA), had given MS-13 and the two Barrio 18 groups a total of US\$350,000 in exchange for votes. He also said that the gangs used much of the money to buy weapons.

“Did Sánchez Cerén know—as a candidate and then as president—what his colleagues were talking about with the gangs?” journalist Héctor Silva Ávalos wrote in a recent report for Insight Crime, a non-profit news site focused on crime issues in various Latin American countries. “So far, the president has not said a word about Nalo’s testimony or the trial, but the traditional top-down command within the FMLN suggests that these decisions passed through the main leaders of the party, including the president.”

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