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## Appointment of Official for Salvadoran National Police Stirs Controversy

*by LADB Staff*

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On Aug. 30, Public Security Minister Hugo Barrera announced the long-awaited appointment of a new inspector general for the National Civilian Police (Policia Nacional Civil, PNC). However, changes made by Barrera and President Armando Calderon Sol in the internal organization of the PNC have politicized the debate over the controversial police force and renewed demands for a purge of its ranks. The 1992 peace accords, signed by the government and the Farabundo Marti para la Liberacion Nacional (FMLN) ending the civil war of the 1980s, dissolved the three existing police organizations: the Policia Nacional, the Policia de Hacienda, and the Guardia Nacional (see NotiSur, 01/06/95).

All three which were run by the military were widely accused of massive human rights violations and of having links to death squads during the civil war. The PNC was created to replace them as a civilian security force completely separated from the military, and its makeup was to be carefully balanced. Twenty per cent of the recruits were to come from the former Policia Nacional, 20% from the former FMLN guerilla forces, and the remainder were to be newly chosen civilian recruits.

Since its inception, however, the PNC has come under repeated attacks for corruption, ineptitude, and human rights violations. In July, a PNC commander was arrested and charged with membership in the Sombra Negra death squad, which was blamed for the murder of numerous common criminals and street children (see NotiSur, 08/04/95). In September, the PNC was roundly criticized for teargassing and beating demonstrators during a strike of social security (Instituto Salvadoreño del Seguro Social, ISSS) workers (see NotiSur, 09/21/95).

Also in September, 25 PNC officers were suspended in connection with the beating death of a medical student, Adriano Vilanova. Former PNC officer Carlos Romero faces extradition from the US for the 1993 murder of former guerrilla leader Francisco Velis. And recently, PNC officers created international incidents by making incursions into Honduras and Guatemala in pursuit of suspects. "These are not isolated incidents," said FMLN leader Shafick Handal, "and when they are repeated so often in a short time they become policy." He blamed many of the PNC blunders, such as the mistaken arrest of a former president of the legislature, on poor training and lack of supervision.

Problems of insufficient funding, training, and experience are recognized deficiencies that were noted by a UN official during a recent visit to check on the progress of the peace accords (see NotiSur, 09/08/95). But many critics think the PNC problems run deeper and stem from its leadership, organization, and political orientation. Critics on the left say the PNC is being "militarized." Entire units from the old army-run Policia Nacional, said FMLN leader Salvador Samayoa, were incorporated into the PNC. Samayoa argues that many of the key administrative jobs in the PNC are held by former members of the Policia Nacional who have unsavory human rights

records. One of the PNC advisors is retired Col. Francisco Elena Fuentes, who was dismissed from the armed forces in 1993 for his part in the 1989 assassination of six Jesuit priests, their housekeeper, and her daughter. Jorge Villacorta, a legislative deputy of the opposition party Convergencia Democratica, asked the legislature to call Barrera to answer questions about the appointment of former Policia Nacional officers to administrative jobs in the PNC.

Another opposition deputy, Norma Guerra, said that unless something is done about the PNC's defects, the "outrages and arbitrary actions" of the old "repressive police forces" will return. The increasing volume of criticism heaped on the PNC does not come solely from the left. Newly appointed archbishop Fernando Saenz, a conservative who promised to keep out of politics, has called for a purge of corrupt PNC officers (see NotiSur, 05/05/95). Barrera has admitted that there are corrupt officers in the PNC and has joined those calling for a housecleaning. But both he and President Calderon Sol argue that internal mechanisms continuously monitor the PNC and weed out unfit officers. "We are absolutely vigilant," said Barrera, "so that as soon as any infraction is detected in one of the [PNC] members, that person will be expelled from the force, punished, or sent to the courts."

The president of the Supreme Court, Jose Domingo Mendez, has also called for a purge, "given the failures we have seen in the way [the PNC] enforces the law and in its own conduct." President Calderon Sol, Vice President Enrique Borgo Bustamante, and PNC director Rodrigo Avila have all explicitly recognized that the PNC needs reform. However, despite the polemic caused by the administration's reforms of the PNC, the appointment of a new inspector general, Victor Valle, has aroused relatively little comment about his character and public record on human rights.

Critics of the PNC have looked to the appointment of a new inspector general to carry out an internal housecleaning. By law, the inspector general is charged with seeing that police follow established human rights guidelines. To insure the independence of the inspector general, appointments to the post require the approval of the attorney general and the human rights commissioner. The PNC has been without an inspector general since April, when Teofilo Guerra was dismissed from the office for mismanagement. Barrera then nominated Francisco Bertrand Galindo, but he was vetoed by human rights commissioner Victoria Marina de Aviles.

The long delay in naming a new candidate was the result of a political standoff between the left and right over the question of how much independence from the government and governing party an inspector general should have. De Aviles apparently vetoed Galindo's nomination because of his ties to the governing Alianza Republicana Nacionalista (ARENA). To hurry the appointment process along, human rights groups announced a mock nomination of leftist politician Eduardo Molina in August. The symbolic appointment and the angry response that it caused from the right clearly underlined the partisan nature of the battle over the PNC appointment. If his previous nominee was too close to the right, some charge that Barrera's current nominee has leftist credentials. Valle was a member of the leftist Movimiento Nacional Revolucionario (MNR) and was later associated with the FMLN. Earlier this year he joined dissidents of the FMLN to form the Partido Democratico (PD). Despite his political affiliations, however, Valle is accused by many on the left of being an ARENA collaborator after the PD joined with ARENA to get an unpopular tax increase through the legislature (see NotiSur, 08/10/95).

Valle's appointment has yet to be accepted by the attorney general and the human rights commissioner. The human rights group Comision de Derechos Humanos and other groups have largely confined their reaction to the Valle appointment to asking him to consider whether his political ties will prevent him from acting independently. The Valle nomination has put the left and the human rights activists in a quandary. As long as they block his appointment, the duties of the inspector general's office will be carried out by an official installed by Barrera. In a decree approved by President Calderon Sol, Barrera created the post of associate inspector general and claimed the right to appoint to that post without the concurrence of the attorney general or the human rights commissioner. Barrera's appointee as associate inspector general is Rudy Medina, who, until his appointment, was legal adviser to legislative committees.

Some opposition parties have attacked Medina, charging that he works on behalf of ARENA, most recently they allege, offering bribes to induce legislators to vote for the tax increase. Beyond the debate over Valle's appointment, the government's changes to the PNC have caused considerable concern. The impact of the government's reforms of the PNC on its internal operations effectively reduces the inspector general's control over his own subordinates and limits the independence of the office. For example, under the new rules, the inspector general's reports on the PNC's behavior must be submitted to the Minister of Public Safety (Barrera) for approval. Jose Simeon Canas, of the Jesuit-run Central American University (Universidad Centroamericana, UCA), sees the reforms as solidifying the PNC into "an almost omnipotent and absolute organization."

"The government moved some of the most important functions to the associate inspector general's office, and he will have the real power," he said. Other critics said that the reforms subvert the peace accords that set up the PNC. "We are convinced...that this is a set of regulations full of ideas rammed through by the president of the Republic and his ministers," said Manuel Orlando Quinteros of the FMLN. "Armando Calderon Sol does not understand or does not want a real inspector general's office," he said, and promised to take the case to the Supreme Court.

The Central American University's human rights institute (IDHUCA) issued a report on Oct. 4 arguing that the decree creating the post of associate inspector general is void because it was not published in the Diario Oficial as required and therefore the subsequent appointment of Medina is unconstitutional. "Given this error, the reforms of the inspector general's post do not apply and therefore, the appointment of an associate inspector is illegal because he was appointed by the minister without any input from the inspector general, a requirement under the old regulations," reads the report. "Since Victor Valle has yet to be confirmed as inspector general, Barrera has managed to get Medina to run the inspector general's office illegally for over a month." [Sources: Flor de Izote Weekly Report (El Salvador), 09/05/95- 09/11/95; Inter Press Service, 09/21/95; Agencia Centroamericana de Noticias Spanish News Service, 09/19/95, 09/20/95, 09/21/95, 09/25/95; Agence France-Presse, 09/16/95, 09/25/95, 09/27/95; Inforpress Centroamericana (Guatemala), 09/08/95, 09/28/95; Central American Report (Guatemala), 09/29/95; Proceso (El Salvador), 09/27/95, 10/04/95]

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