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Central American Governments Debate Measures to Confront Rising Crime

by LADB Staff

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Central American governments and their critics are debating the causes of the dramatic increase in crime, while legislatures are debating laws to impose heavier prison sentences and to spend more money on police. In May, the annual report of the human rights organization, Comision para la Defensa de los Derechos Humanos en Centroamerica (CODEHUCA), condemned the alarming rise in violent crime registered in the region during 1997, especially in El Salvador, Guatemala, and Honduras.

In Honduras, the report noted an increase in organized crime, drug trafficking, violence in prisons, summary executions, and disappearances. The picture is much the same in Costa Rica, where assaults and property-related crimes nearly doubled between 1983 and 1991.

White-collar crime has also risen sharply. A survey conducted this year by KPMG Peat Marwick revealed that 58% of the businesses queried said they were victims of embezzlement, theft, or fraud in 1997. Between 1995 and 1997, these kinds of crimes increased by more than 17%, according to the Economic Crimes Section of the Organismo de Investigacion Judicial (OIJ). However, the survey showed that only 25% of businesses victimized reported the incidents to the police.

In El Salvador, violent crimes have made the country one of the most dangerous in Latin America. Homicides reached 8,281 in 1997, compared with 8,019 in 1996. During the armed conflict of the 1980s, the annual loss of life was 6,330. The CODEHUCA report on 1997 statistics showed that more people had lost their lives as a result of violent crime since the 1992 peace agreement than during the 12 years of warfare.

CODEHUCA reported a mixed picture in Guatemala. Since the end of the civil war in 1996, human rights violations have lessened as state-sponsored violence decreased. Still, 1,059 cases of human rights violations were reported in 1997. The degree of criminality is hotly debated in Guatemala. In March, Interior Minister Rodolfo Mendoza said the crime rate had fallen because of joint military-police patrols. The government denies private reports that more than 500 kidnappings took place in the first half of 1998, saying the figure is more like 12.

Still, business associations complain that robberies and other crimes against business are hurting the economy, and a study by the Facultad Latinoamericana de Estudios Sociales says that 20,000 criminals organized in 600 bands are roaming the country. Police chief says crime is out of control. Police chiefs in the region complain they do not have adequate budgets to hire enough police and in many cases organized gangs are better armed than police.

At a September conference of police chiefs (II Foro Regional de Jefes de Policías de Centroamérica y el Caribe) in Managua, Gerardo Arce, head of the Nicaraguan police, said, "Crime is out of control.

In Nicaragua, we have 13 police officers per 10,000 population, and, according to UN data, we should have 95." Figures given out at the conference show that Guatemala has one police officer for every 1,850 inhabitants, Honduras has one for every 1,200 inhabitants, Nicaragua one for every 769, and El Salvador one for every 400. An official of the Salvadoran National Civil Police, Oscar Fernandez, measured the scale of crime by the number of police officers killed on the job. In the last six years, 279 officers have been killed in El Salvador "a scandalous number," he said. "We can't allow that rate of police killings to continue."

But some experts also say that ineffective or corrupt police and judicial systems are part of the problem. CODEHUCA reported that the Panamanian justice system suffers from a lack of independence for judges and prosecutors, slow procedures, and lengthy preventive detentions of suspects. Police forces, such as Honduras' Fuerza de Seguridad Pública (FUSEP), which was controlled by the Honduran Armed Forces and shared in the military's human rights abuses of the 1980s, have had trouble reorganizing, purging the ranks of officers involved in past abuses, and restaffing with properly trained civilian officers (see NotiCen, 04/12/97).

Much of the debate on the causes of the crime wave centers on the influence of the civil conflicts of the 1980s that left thousands of former combatants with no usable skills and that flooded the region with weapons. The children of many civilians who fled to the US joined gangs there and later returned to Central America to start replicas such as the Los Angeles Mara Salvatrucha gang that now operates in El Salvador. "Truthfully, what we're suffering from is a transition," said Rodrigo Avila, chief of El Salvador's National Civilian Police. "What we're experiencing is a trauma, a trauma of passing to a new system of government, a new system of openness."

Other observers point out that the trend has affected Costa Rica and Panama, the two nations least directly involved in the wars. Left-of-center political parties in Guatemala and El Salvador argue that the roots of the problem lie in poverty and irrational spending priorities. Some observers in Costa Rica find the sources of increased crime rates in the increased poverty rates under the neoliberal economic policies of the last three administrations and a judicial system skewed in favor of the accused. A study by academic researcher Manuel Mora Salas portrays contemporary Costa Rica as a "real jungle."

Mora argues that the government has no strategy for improving public security, consequently, the current policy is one of "improvisation." "There has been no consistent state investment to supply security agencies with the technical means and the tools to confront the present crime menace," said Mora.

Governments move toward tougher sentences

Government reaction to the crime problem has been to promise ambitious programs to reduce poverty and increase spending on social programs such as health and education. In Honduras, a special advisory group, Foro Nacional de Convergencia (FONAC), gave President Carlos Flores a long list of far-reaching reform proposals to combat crime. Some were specific, such as revising

the system of immunities from prosecution that protects official corruption, gun control legislation, and hiring more police. But other suggestions, aimed at the roots of crime in social conditions, were so general as to be of little help to the president. These included developing a strategy for poverty eradication, job creation, assisting the business community, and greater economic production.

But financially strapped governments all over the region have relied less on government initiatives that would force radical shifts in spending priorities than on economic restructuring and integration into the global market to generate employment and raise standards of living. For the short term, governments are trying to combat crime with beefed-up police presence, stiffer prison sentences, and speedier judicial processes.

Salvadoran President Armando Calderon Sol has pressed the legislature to impose the death penalty which currently exists only within the military law code for rape, kidnapping, and premeditated murder. But many legal experts say little evidence supports the premise that harsher sentences will have any effect on crime. Reforms in the Salvadoran penal code that went into effect in April have frustrated police, who say the new rules are inconsistent and even hamper police work. Some legal experts say parts of the reform may be unconstitutional.

One change allows for oral proceedings to speed up the judicial process and clear the enormous backlog of cases that leaves suspects in prison for years awaiting trials. But opponents argue that the oral procedures will lead to prosecutorial abuses. The most controversial reform was designed to reduce prison populations by permitting the early release of prisoners convicted of major crimes. It resulted in the release in June of former national guardsmen convicted of the murder of four US churchwomen in 1980 (see NotiCen, 07/09/98).

In some cases, stronger measures to combat crime may have resulted in an increase in state-sponsored crime. CODEHUCA reported an increase in government violations of civil rights in Costa Rica as a consequence of greater police presence, heavier armament, and a get-tough policy. Since the crackdown, "there are more reports of arbitrary arrests, abuse of authority, physical aggressions, corruption, and other crimes by police officers," said the report. The CODEHUCA report also noted a decline in press freedom in Honduras in the 1990s, and an "accelerated deterioration" in 1997 that included mistreating journalists.

Meanwhile, vigilantism and death-squad activities have been reported, particularly in Honduras and Guatemala. In March, six alleged criminals were lynched by townspeople in San Marcos department who said the men were members of a band of thieves. In 1997, 34 people were lynched in vigilante actions in Guatemala. In July, Honduran human rights organizations said nearly 50 suspected criminals had been executed by organized bands during the first half of 1998. Human rights leaders said the practice was similar to "social cleansing" murders and disappearances carried out in the 1980s by military and police forces.

An organization representing victims from that era, the *Comite de Familiares de Detenidos Desaparecidos de Honduras* (COFADEH), suggested police had links to private vigilante groups such as *Comando Papa*, which recently threatened to kill gang members. (Sources: Spanish News

Service EFE, 03/19/98; Associated Press, 06/03/98; Notimex, 04/10/98, 05/06/98, 05/22/98, 05/24/98,
07/11/98, 09/05/98; El Tiempo (Honduras), Honduras This Week, 09/08/98]

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