



Home Office

Country Policy and Information Note

El Salvador: Gangs

Version 4.0

December 2022

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the [Introduction](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into 2 parts: (1) an assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note - that is information in the COI section; refugee/human rights laws and policies; and applicable caselaw - by describing this and its inter-relationships, and provides an assessment of, in general, whether one or more of the following applies:

- a person is reasonably likely to face a real risk of persecution or serious harm
- that the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within [paragraphs 339C and 339CA\(iii\) of the Immigration Rules](#) / Article 3 of the [European Convention on Human Rights \(ECHR\)](#)
- that the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within [paragraphs 339C and 339CA\(iv\) of the Immigration Rules](#)
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a claim is likely to justify granting asylum, humanitarian protection or other form of leave, and
- if a claim is refused, it is likely or unlikely to be certifiable as 'clearly unfounded' under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case's specific facts.

Country of origin information

The country information in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

The structure and content of the country information section follows a [terms of reference](#) which sets out the general and specific topics relevant to this note.

All information included in the note was published or made publicly available on or before the 'cut-off' date(s) in the country information section. Any event taking place or report/article published after these date(s) is not included.

All information is publicly accessible or can be made publicly available. Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate and balanced, which is compared and contrasted where appropriate so that a comprehensive and up-to-date picture is provided of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote. Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information
Independent Chief Inspector of Borders and Immigration
5th Floor
Globe House
89 Eccleston Square
London, SW1V 1PN
Email: chiefinspector@icibi.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

Contents

Assessment.....	7
1. Introduction	7
1.1 Basis of claim	7
2. Consideration of issues	8
2.1 Credibility	8
2.2 Exclusion	8
2.3 Convention reason(s).....	9
2.4 Risk.....	10
2.5 Protection	13
2.6 Internal relocation.....	15
2.7 Certification	15
Country information	16
3. Background material in country guidance case of EMAP	16
4. Definition of gang ('mara')	16
5. Gangs' origins.....	16
6. Main gangs	18
7. Gang structure	19
7.1 Mara Salvatrucha (MS13).....	19
7.2 Barrio 18 (B-18).....	20
8. Gangs' size and reach.....	21
8.1 Size.....	21
8.2 Territorial control and capability.....	22
8.3 Gangs links with government and politicians	23
9. Characteristics of gang members	26
9.1 Gang membership profile	26
9.2 Recruitment strategies and reasons for joining.....	27
9.3 Leaving gangs.....	29
9.4 Appearance	30
10. Gangs' activities and impact	31
10.1 Overview.....	31
10.2 Control of territory	33
10.3 Extortion	35
10.4 Definition of homicide and femicide.....	39
10.5 Homicide: numbers	39
10.6 Homicide: geographical trends	41

10.7 Homicide: demographic trends.....	42
10.8 Homicide: profiles of victims	42
10.9 Homicides committed by gangs.....	43
10.10 Causes in decline of homicides.....	43
10.11 Disappearances.....	45
10.12 Displacement	46
10.13 Other criminal activities	49
10.14 Socio-economic costs.....	51
10.15 COVID-19.....	52
11. Targets of gang violence	55
11.1 Overview.....	55
11.2 Current and former gang members	56
11.3 People working in businesses and professions	57
11.4 Religious groups	58
11.5 Public sector workers.....	58
11.6 Informants, witnesses and victims of crimes.....	60
11.7 Women and girls	61
11.8 Lesbian, gay, bisexual, trans and intersex persons.....	64
11.9 Journalists and human rights defenders	66
11.10 Persons perceived to break or resist rules authority'	67
11.11 Children and youths.....	68
11.12 People living in gang areas	68
12. Persons returning to El Salvador	69
13. Government anti-gang policy and law.....	70
13.1 Overview - security policies: 2003 – 2019.....	70
13.2 Territorial Control Plan	73
13.3 Social Fabric Reconstruction Unit	76
13.4 Anti-gang laws.....	77
14. Effectiveness of law enforcement agencies	78
14.1 Police and armed forces overview.....	78
14.2 Police effectiveness	79
14.3 Judiciary	82
14.4 Assistance for women and other vulnerable groups.....	82
14.5 Witness protection.....	83
15. Freedom of movement	83
Terms of Reference	85
Bibliography	86

Sources cited	86
Sources consulted but not cited	90
Version control	93

Assessment

Updated on 19 December 2022

1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution and/or serious harm by a gang.

[Back to Contents](#)

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

[Back to Contents](#)

2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 2.1.3 In cases where there are doubts surrounding a person's claimed place of origin, decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

[Back to Contents](#)

2.2 Exclusion

- 2.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 2.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

[Back to Contents](#)

2.3 Convention reason(s)

- 2.3.1 In the country guidance case of [EMAP \(Gang violence, Convention Reason\)](#), heard on 27 April and 9 June 2022 and promulgated on 16 November 2022, the Upper Tribunal (UT) considered whether persons who fear a gang fall within the scope of the Refugee Convention on the grounds of political opinion and membership of a particular social group (PSG).
- 2.3.2 With regard to political opinion, the UT held:
- ‘... Individuals who hold an opinion, thought or belief relating to the gangs, their policies or methods hold a political opinion about them.
- ‘... Whether such an individual faces persecution for reasons of that political opinion will always be a question of fact. In the context of El Salvador it is an enquiry that should be informed by the following:
- ‘(a) The major gangs of El Salvador [MS-13 and Barrio 18] must now be regarded as political actors;
- ‘(b) Their criminal and political activities heavily overlap;
- ‘(c) The less immediately financial in nature the action, the more likely it is to be for reasons of the victim’s perceived opposition to the gangs.’
- (Headnote, paragraphs ii and iii)
- 2.3.3 The UT in [EMAP](#) provided further analysis of the applicability of political opinion in paragraphs 112 to 122 of the determination. The UT considered that there are a range of reasons why a gang (or gangs) target a person, not all of which will fall within the Refugee Convention.
- 2.3.4 With regard to PSGs, the UT held in [EMAP](#) that the following are:
- women
 - LGBTI persons
 - former gang members
 - those who make a public or visible stand against the gangs (paragraphs 123 to 124)
- 2.3.5 However, ‘[t]hose who privately, discreetly oppose the gangs are not [a PSG], and... their claims would fail [in demonstrating a link to the Refugee Convention].’ (paragraph 124)
- 2.3.6 Decision makers must note that the UT in [EMAP](#) considered whether the definition of a PSG required a ‘disjunctive’ or ‘conjunctive’ interpretation. The UT held ‘As the law stands at present, so taking the disjunctive approach, those fearing gang violence in El Salvador may be considered to be members of a particular social group where they can demonstrate that they share an innate characteristic, a common background that cannot be changed, or a characteristic so fundamental to their identity or conscience that they should not be forced to renounce it.’ (Headnote, paragraph (iv)). In other words, a group does not also need to be distinct within a society to meet the definition of a PSG.
- 2.3.7 However, the [Nationality and Borders Act 2022](#) (NBA 2022) which became law on 28 June 2022 states that a PSG is formed **only** where it meets

‘... **both** of the following conditions.

... The first condition is that members of the group share—

‘(a)an innate characteristic,

‘(b)a common background that cannot be changed, or

‘(c)a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it.

‘(4)The second condition is that the group has a distinct identity in the relevant country because it is perceived as being different by the surrounding society.’ (Part 2, Interpretation of Refugee Convention, Section 33, paragraphs 2 to 4)

2.3.8 Decision makers must apply the ‘conjunctive’ definition of a PSG as set out in the NBA 2022, not the ‘disjunctive’ approach proposed by the UT in [EMAP](#).

2.3.9 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.4 Risk

2.4.1 A person living in an area controlled by or where gangs have an influence may face harassment and demands for money but such treatment is not, by itself, likely to be sufficiently serious by its nature and/or its frequency to establish a real risk of persecution or serious harm.

2.4.2 However, a person who is able show they are one or more of the following is likely to face treatment by its nature and/or repetition that amounts to persecution or serious harm in their home area:

- considered to be a threat to a gang
- associated with someone who is considered to be a threat
- has not complied with a gang’s rules or demands
- belong to a particularly vulnerable group, such as being female or a LGBTI person

2.4.3 However, each case will need to be considered on its facts, with the onus on the person to demonstrate a risk of persecution or serious harm.

2.4.4 A number of criminal gangs operate in the country but 2 dominate: Mara Salvatrucha 13 (MS-13) and Barrio 18 (B-18) (see [Main gangs](#)).

2.4.5 Sources estimate that gangs have over 60,000 members (around 1% of the population) and up to 700,000 (around 11% of the population) others connected to them, some of whom may be involuntarily linked, including family members and friends. Gang members are usually youths/young men aged between 15 and 25 from poor backgrounds with little formal education or previous employment. Gangs recruit and use children to act as looks-outs or collect ‘rent’ from as young as 11 years old, though sometimes younger. Some children join voluntarily though later find they are not able to leave, while others are coerced through intimidation and threats of violence against

them and their families. Boys are the main target of forcible recruitment but girls may be compelled to join too. Girls may also be forced into situations of sexual and domestic slavery as 'girlfriends' of gang members (see [Main gangs](#), [Gangs size and reach](#), [Characteristics of gang members](#), [Recruitment strategies and reasons for joining and Leaving gangs](#)).

- 2.4.6 Gangs are organised into geographical units. The smallest, neighbourhood units known as 'clicas' in MS-13 or 'canchas' in Barrio 18; regional level groups known as 'programmas' (MS-13) or 'tribus' (Barrio 18); and are headed by a senior leadership, or 'ranfla', many of whom are in, and run the gangs from, prisons (see [Main gangs](#) and [Gang structure](#)).
- 2.4.7 Gangs are usually based in poor or lower middle-class urban and rural areas but are able to exert influence throughout the country and are present in over 90% of municipalities although they may not control all of these areas (see [Gangs' size and reach](#)). Gangs control and restrict entry to and movement within, as well as other aspects of people's daily lives in, the territories they control (see [Control of territory](#) and [Freedom of movement](#)).
- 2.4.8 The main activity and source of revenue of gangs is extortion, or 'rent', of individuals and businesses. This is estimated to be in the hundreds of millions of pounds a year. However, gangs are involved in various other criminal activities including robbery, drug dealing, gun sales, carjacking, kidnapping, prostitution, human trafficking, sexual violence, forced recruitment of children and murder (see [Gangs' activities and impact – Overview](#) and [Extortion](#)).
- 2.4.9 El Salvador has one of the highest rates of homicide in the world for both men and women, although there are large variations by age and gender. The large majority of victims are young men. However, homicide rates have been steadily falling since 2015 – when there were 103/104 per 100,000 – to around 36 per 100,000 in 2019. Rates continued to fall in 2020 with the monthly totals at the end of 2020 reportedly the lowest for almost 30 years. Sources provide possible explanations for the decrease in homicides, which includes the government's Territorial Control Plan, its main policy to curb gang violence, but also an informal understanding between the M13 and Barrio 18 with the government to stop killings in order to maintain territorial control and avoid conflict with security forces (see [Homicide numbers](#)).
- 2.4.10 Sources, however, observe that the number of disappearances have increased positing that these may in fact be unaccounted for murders and that official figures no longer include instances involving confrontations with security forces further diminishing numbers. Gangs are estimated by some sources to be responsible for around two-thirds or more – so approximately 1,200 to 1,600 of the estimated 2,383 reported homicides in 2019. By comparison in England and Wales there were 671 homicides, equivalent to 1.1 people per 100,000, in England and Wales in the year ending March 2019. See Office for National Statistics, '[Homicide in England and Wales: year ending March 2019](#)', 13 February 2019. The use of intimidation, violence and targeted killing is integral to gangs' exercise of control and power (see [Homicide numbers](#)).

- 2.4.11 Gangs are reported to have a deliberate strategy of using harassment, intimidation and violence, including murder, against persons who they consider are a threat or do not comply with their demands. Persons targeted include rival gang members and their families, those who have collaborated or are perceived to have collaborated with the security forces, such as informants and witnesses, and public sector workers, including police, military personnel, and members of the judiciary. Persons who refuse to join a gang, try to leave or refuse to comply with a gang's demands may also be vulnerable to violent reprisals (see [Targets of gang violence, Overview](#)).
- 2.4.12 Sources observed that women and girls can play a variety of roles within the gangs. However, they are generally not permitted to be gang members but may be forced to assist gangs by, for example, collecting money or delivering drugs. They may also choose or be forced to be wives and girlfriends of gang members, including being compelled into sexual slavery, and considered to be the gang's 'property'. Women who refuse to co-operate may face violent reprisal. Wives, girlfriends or sisters of gang members may be targeted for rape or murder by rival gangs or by their partner's own gang if he is perceived to betray them. Women who are not linked to gangs but live in areas controlled by them may also be vulnerable to violence and intimidation, including kidnapping and sexual violence (see [Characteristics of gang members](#), [Targets of gang violence](#), [Women and girls](#)).
- 2.4.13 LGBTI persons, particularly trans persons, are vulnerable to discrimination, violence and hate crimes from state actors and society generally. Gangs are also reported to coerce LGBTI persons to assist them to carry out their criminal activities and subject them to violence (see [Lesbian, gay, bisexual, trans and intersex persons](#)). In the reported case [Mx M \(gender identity – HJ \(Iran\) - terminology\) El Salvador \[2020\] UKUT 00313 \(IAC\)](#), heard 30 September 2020 and promulgated on 22 October 2020, the Upper Tribunal, while not issuing country guidance, found on the evidence before it '... that a transwoman, or someone perceived as such, who tries to live openly in El Salvador would face persecution which may include murder, rape and other sexual violence, physical assault and coercion into criminal activities.' (paragraph 47)
- 2.4.14 In a February 2020 report, Human Rights Watch claimed to have documented killings and violence against around 200 of people who were deported to El Salvador between 2013 and 2019, particularly those with an association or link with gangs or who were known to be informants/witnesses to gang crimes. During this period, however, over 200,000 people were 'deported' to El Salvador from Mexico and the US. In this context, the relatively low number of documented cases of returnees facing problems does not establish that a person is likely to face persecution simply by returning to El Salvador (see [Informants, witnesses and victims of crimes](#) and [Persons returning to El Salvador](#))
- 2.4.15 Whether a person is at risk from a gang will depend on:
- their profile and actions
 - the area the person usually resides
 - the reason for the gang's interest

- the gang's intent
- the size, reach and capability of the gang

2.4.16 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.5 Protection

- 2.5.1 In general, given the weaknesses in the criminal justice system and the size, capability and influence of MS-13 and B-18, while the state is likely to be willing it is unlikely to be able to provide effective protection. However, each case will need to be considered on its facts, taking into account the nature, capability and intent of the gang and the profile of person.
- 2.5.2 El Salvador has a framework of laws to combat organised crime, including anti-terrorism law amended in 2016 so gangs may be defined as terrorist organisations and thus allow the government to adopt 'special measures' and harsher sentencing (see [Government anti-gang policy and law](#)).
- 2.5.3 Since the early 2000's, successive governments have adopted a 'mano dura' (iron fist) strategy against the gangs which, apart from a 2-year truce between 2012 and 2014, have followed a similar pattern: mass arrest and detention of suspected gang members and militarization of the police (see [Overview – security policies: 2003 – 2019](#)).
- 2.5.4 The current government's 7-stage Territorial Control Plan (TCP) introduced in June 2019 is similar to previous anti-gang strategies and has included the deployment of police supported by the military to high crime communities and mass detentions, the disruption of communication between gangs and the gang leaders in jail, and targeting gangs' revenue streams. Alongside the TCP the government has created a 'Unit for the Reconstruction of the Social Fabric' which aims to 'restore' social and community cohesion, for example by preventing young people from joining gangs through scholarships, football camps and job training programmes (see [Territorial Control Plan and Social Fabric Reconstruction Unit](#)).
- 2.5.5 As an indicator of the overall levels of crime, homicides halved between 2015 and 2018, and continued to fall in 2019, with the highest rates of decline in areas where the Safe El Salvador Plan (PESS) was implemented. Similar measures to the PESS have been adopted under the TCP, and the country has continued to see a decline in documented levels of violence. However, crime rates remain high and gangs continue to exert influence over the country. Sources suggest that part of the reduction in violence is a result of a pact or some level of collusion between the main gangs and the government (see [Gangs links with government and politicians](#), [Homicide: numbers](#) and [Overview – security policies: 2003 - 2019](#)).
- 2.5.6 The government's anti-gang strategies sit within a wider framework of the existing criminal justice system. The Civilian National Police (PNC), which has around 25,000 officers, is responsible for maintaining public order and includes specialised teams such as an anti-gang unit and has a separate oversight body. In addition, thousands of soldiers are routinely deployed to support the territorial control plan (see [Territorial Control Plan and](#)

[Effectiveness of law enforcement agencies](#)).

- 2.5.7 The government also operates a witness protection scheme for victims and witnesses during a trial. However, protection is only offered during the trial and sources suggest there are problems with its effectiveness at protecting those on the scheme (see [Witness protection](#)).
- 2.5.8 The PNC, while receiving ‘significant’ cash support and training from the US and other international partners, lacks resources and equipment, and adequate training. Officers are poorly paid, while corruption and impunity are problems which further hinder performance. Some sources suggest the lack of resources and high volume of cases mean that many complaints are not fully investigated, and when they are the investigations are lengthy and inefficient. Some people are reluctant to file complaints to the PNC for fear of reprisal or retaliation from gangs and lack of confidence in the state institutions (see [Effectiveness of law enforcement agencies](#)).
- 2.5.9 While the government has introduced laws and measures to protect women and girls, some sources indicate these have not been fully or effectively implemented, and they face a ‘cultural’ bias in obtaining protection. Sources report that LGBTI persons, despite laws and policies in place to protect them, face harassment and discrimination from the police (see [Effectiveness of law enforcement agencies](#), and [L, G, B, T and I persons](#)).
- 2.5.10 There is a functioning judiciary but its effectiveness is undermined by inefficiency and corruption leading to a high level of impunity (see [Judiciary](#)).
- 2.5.11 While the government has undertaken mass arrests of suspected gang members the overall criminal conviction rate for complaints raised by victims is estimated to be less than 5% of cases, with lower rates for homicides. However, a low number of convictions may not, in itself, indicate an ineffective criminal justice system. For example, in the year to December 2019 there were around 5 million criminal offences recorded in England and Wales. Of these, 7.1% resulted in a charge or summons (not necessarily a conviction) and rates varied according to the crime with summons/charges lowest for rape at 1.5% and highest for possession of weapons offences at 35.1% (see [Home Office, Crime outcomes in England and Wales, year to December 2018: data tables, 23 April 2019](#)). Sources also do report hundreds of convictions of gang members for various crimes including homicide, extortion, trafficking and conspiracy to kill police officers (see [Effectiveness of law enforcement agencies](#)).
- 2.5.12 With regards to (actual or perceived) trans women, the UT in the reported case of [Mx M \(gender identity – HJ \(Iran\) - terminology\) El Salvador \[2020\] UKUT 00313 \(IAC\)](#) held that such a person who tries to live openly is particularly vulnerable to ill-treatment and violence from gangs and the state is in general unlikely to be able to provide effective protection (para 47).
- 2.5.13 For more detailed information on the criminal justice system, law enforcement agencies and guidance on protection, see the Country Policy and Information Note, [El Salvador: Actors of Protection](#). For further guidance on assessing state protection see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.6 Internal relocation

- 2.6.1 In general, internal relocation is unlikely to be reasonable but each case will need to be considered on its facts.
- 2.6.2 El Salvador is a relatively small country (about the same size as Wales) with a population of 6 million, and many communities are close-knit. Gangs control territory across the country and are able to exert influence over most of it. Some gangs reportedly able to track a person throughout the country (see [Gangs' size and reach](#)).
- 2.6.3 Gangs monitor movement into areas they control and are reported to check people moving from one gang-controlled area to another, generally not allowing this. LGBTI persons and women and girls, without support networks, may be particularly vulnerable to abuse and may find it difficult to support themselves in areas of relocation. Conversely, single men who have experienced limited difficulties, are educated with independent financial means may be more able to relocate safely (see [Gangs' size and reach](#), [Women and girls](#), [Lesbian, gay, bisexual, trans and intersex persons](#), [Displacement, Freedom of movement](#)).
- 2.6.4 Decision makers must consider the profile of the person, their previous experiences, if the gang which has an interest in them, the reasons why they are of interest to a gang, and the size, capability and reach of the gang that they fear.
- 2.6.5 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

[Back to Contents](#)

2.7 Certification

- 2.7.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 2.7.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

[Back to Contents](#)

Country information

Section 3 updated: 19 December 2022

3. Background material in country guidance case of EMAP

- 3.1.1 The Upper Tribunal in the country guidance case of [EMAP \(Gang violence – Convention Reason\)](#), heard on 27 April and 9 June 2022, promulgated on 16 November 2022 and published on 15 December 2022, considered a wide range of country information, with the main documents listed at paragraph 6 of the determination.
- 3.1.2 The UT also provided a useful summary of the background information about the gangs in the its section ‘The Gangs: History and Content’¹.

[Back to Contents](#)

Section 4 updated: 7 January 2021

4. Definition of gang (‘mara’)

- 4.1.1 The UNHCR Guidance note on Refugee claims relating to victims of organized gangs, March 2016, (UNHCR guidelines 2016) stated: ‘...the term “gang” refers to the relatively durable, predominantly street-based groups of young people for whom crime and violence is integral to the group’s identity. The term is also used to refer to organized criminal groups of individuals for whom involvement in crime is for personal gain (financial or otherwise) and their primary “occupation.”’²
- 4.1.2 The Insight Crime and Center for Latin America and Latino Studies (CLALS) report on MS13 of February 2018 observed:

‘The word gang is [a] loaded term with multiple definitions that can be used for political purposes... we define a gang as: A group of people – usually young and from a low socioeconomic background – that is made up of relatively autonomous cells, each with a clearly identifiable leader. These cells define themselves, in part, around constant, reciprocal violence against other groups of youths. It is this conflict that makes them a cohesive organization, and that is the means for establishing internal hierarchies and awarding status and power.’³
- 4.1.3 See also [Congressional Research Service – Gangs in Central America, 29 August 2016](#)

[Back to Contents](#)

Section 5 updated: 16 December 2020

5. Gangs’ origins

- 5.1.1 Ámparo Marroquín Parducci, ‘Gangs in Central America’s Northern Triangle: narratives and journeys’, in David James Cantor and Nicolas Rodríguez Serna (eds.), *The New Refugees: Crime and Forced Displacement in Latin America*, 2016 noted:

¹ UK UTIAC, ‘[EMAP \(Gang violence. Convention Reason\)](#)’ (paragraphs 6 to 49), 16 November 2022

² UNHCR ‘[Guidance Note on Refugee Claims Relating to Victims of Organized...](#)’, 31 March 2010

³ Insight Crime-CLALS, [MS13](#) (p11), February 2018

'Gangs are not a new phenomenon in Central America. Rather, in their earliest forms, they were often structured as youth organisations. In the case of El Salvador, some studies place their origin in the 1980s, while others go even further back. Cruz and Santacruz, for instance, look at the rivalry between youth organisations in the 1950s and 1960s, when student groups from different schools fought each other. Win Savenije [co-author of [Compitiendo en bravuras. Violencia estudiantil en el área metropolitana de San Salvador](#)], on the other hand, places their origin in fights between rival students in 1940...

'After a period of accommodation, two main gangs came to dominate territorial and media attention in Central American countries: the MS-13, also known as the Mara Salvatrucha, and the Mara 18, names taken from gangs created in the neighbourhoods of Los Angeles, California. As many other commentators have already noted, the 18, initially known as the Clanton Street Gang, is the older of the two, having emerged in the 1960s as part of a complex movement by the Hispanic minority to defend itself from racist attacks and attempts at "social cleansing". Most of its members were Chicanos and Mexicans. The MS13 came into being in the 1980s, when the Salvadorian minority sought to create different spaces to express its own cultural identity. In this context, "mara" means gang and "salvatrucha" is a fusion of the term "Salvadorian" and ponerse trucho o trucha, which means to smarten up or stay alert.'⁴

5.1.2 International Crisis Group (ICG), in a November 2018 report, commented

'After Washington toughened immigration laws, it deported thousands of mareros [gang members] to their home country in the late 1990s and early 2000s. Soon MS-13 and Barrio 18 had expanded across El Salvador, Guatemala and Honduras.

'In El Salvador, gangs found fertile ground for recruitment with the country roiled by post-war political upheaval and mired in economic stagnation. Thousands of adolescents were roaming the streets with no jobs and little else to do. The sense of belonging offered by the gangs was too much for many of them to resist.'⁵

5.1.3 The UN Special Rapporteur for human rights of internally displaced persons in her report of April 2018 (UN SR for IDPs report 2018) documenting her visit to El Salvador in August 2017 observed that sources she met emphasized:

'... that poverty, economic underdevelopment, marginalization and social deprivation are important factors leading to the structures and activities of gangs. The most affected neighbourhoods and communities are commonly also the poorest and low income localities. Poverty is consequently a key cause of gang membership and it is a sad reality that, as one interviewee described it, "the poor are displacing the poor". These neighbourhoods, in which opportunities are limited, jobs are few and incomes are low, are fertile recruiting grounds for the gangs. Consequently, solutions must go beyond security responses, be holistic and long-term, involving important

⁴ Ámparo Marroquín Parducci, '[Gangs in Central America's Northern Triangle...](#)' (p16-18), 2016

⁵ ICG, '[Life Under Gang Rule in El Salvador](#)' (p9), November 2018

developmental and economic measures, including job creation, in the short, medium and long terms.’⁶

5.1.4 A Congressional Research Service (CRS) report from July 2020 described the origins of gangs as:

‘The major gangs operating in El Salvador (and across Central America) with ties to the United States are the Mara Salvatrucha (MS-13) and two divisions of the 18th Street gang, the Revolutionaries and the Southerners. The 18th Street gang was formed in the 1960s by Mexican youth who were not accepted into existing Hispanic gangs in the Rampart section of Los Angeles. It was the first Hispanic gang to accept members from all races and to recruit members from other states. MS-13 was created during the 1980s by Salvadorans in Los Angeles who had fled the country’s civil conflict. Both gangs later expanded their operations to Central America but remain active in the United States.

‘The expansion of MS-13 and 18th Street presence in Central America accelerated after the United States began deporting illegal immigrants, many with criminal convictions, back to the Northern Triangle region of Central America after the passage of the Illegal Immigrant Reform and Immigrant Responsibility Act (P.L. 104-208) of 1996. Many observers contend that gang deportees “exported” a Los Angeles gang culture to Central America (where local gangs were already present). Gangs have recruited new members from among vulnerable youth in poor neighborhoods and in prisons; forcible recruitment is common. Studies have shown that, as happened in the United States, gang leaders in Central America have used prisons to increase discipline and cohesion among their ranks. Estimates of gang membership in Central America vary widely, but all suggest that El Salvador has the highest concentration of gang members and those dependent on gang revenue in the region.’⁷

[Back to Contents](#)

Section 6 updated: 16 December 2020

6. Main gangs

6.1.1 ICG in a December 2017 report, described MS-13 as one of the largest and most violent “Maras”⁸. The same report described the 2 rival factions of Barrio 18 (the 18th Street gang) – the Revolutionaries and the Southerners – as ‘one of the largest “Maras” [alongside MS-13]’⁹. Insight Crime’s February 2018 report ‘MS13 in the Americas’ described MS-13 as ‘one of the largest gangs in the world’. The same paper also described the MS-13’s ‘main enemy’ as Barrio 18¹⁰.

6.1.2 According to a February 2017 research by Florida International University (FIU), which was based on ‘a survey with a combination of a convenience and purposive sample of 1,196 respondents with record of gang membership and 32 in-depth interviews’, ‘[t]he two most powerful gangs are Mara

⁶ UNHRC, [SR report on IDPS 2018](#) (para 62), 23 April 2018

⁷ CRS, ‘[El Salvador: Background and US relations](#)’ (p7), updated 1 July 2020

⁸ ICG, ‘[El Salvador’s Politics of Perpetual Violence](#)’ (p8), Dec 2017

⁹ ICG, ‘[El Salvador’s Politics of Perpetual Violence](#)’ (p8), Dec 2017

¹⁰ Insight Crime-CLALS, ‘MS13 [How the world’s most notorious gang...](#)’ (p7&14), February 2018

Salvatrucha (also known as MS-13) and the 18th Street Gang (Barrio 18), which today is divided into two rival factions: The Revolucionarios (Revolutionaries) and Sureños (Southerners).¹¹

6.1.3 The FIU research paper explained that '[a]pproximately 50% of the subjects interviewed in the survey belong—or have belonged—to Mara Salvatrucha (MS-13); 23% expressed their loyalty to the 18th Street Gang Sureños; while only 11% mentioned they were part of the 18th Street Revolucionarios. The rest of the interviewees indicated past or present membership in peripheral gang groups: Mirada Locos, Mara Máquina, Mao-Mao, etc.'¹²

6.1.4 John P Sullivan, Juan Ricardo Gómez Hecht and Robert J. Bunker, 'Third Generation Gangs Strategic Note No. 11: MS-503—Mara Fragmentation and Murder', Small Wars Journal, 4 October 2018 stated:

'On Thursday 1 March 2018 at approximately 1600 hours, Carlos Humberto Rodríguez Burgos, alias "Shyboy," a marero most recently affiliated with the breakaway Mara Salvatrucha (MS-13) faction known as MS-503 was gunned down by two sicarios on a motorcycle in the Mexico City neighborhood of Colonia Portales. "Shyboy" who was formerly associated with the Ninth Street Locos clique was the spokesperson for the dissident MS-503 (Revolucionarios) which seeks to supplant existing MS-13 leadership (la ranfla histórica) in El Salvador.'¹³

6.1.5 See also:

- [Insight Crime, 'Tensions Rise over Dissident MS13 Faction in El Salvador', 28 April 2017](#)
- [Insight Crime, "Shyboy," the Mysterious Spokesman of El Salvador's MS503', 29 December 2017](#)

[Back to Contents](#)

Section 7 updated: 16 December 2020

7. Gang structure

7.1 Mara Salvatrucha (MS13)

7.1.1 The FIU research paper explained that 'Across the survey and in-depth interviews, MS-13 emerged not only as the largest gang organization but also as the most structured and regulated national group.'¹⁴

7.1.2 The paper went on to note:

'MS-13's structure includes different levels of management, which typically start with the clique as its lowest operational level (i.e. at the neighborhood level). Some cliques have managed to expand beyond their original neighborhood structure, to what they call "sectores," which function as a franchise of the initial clique. The next organizational level is the "programas," which operate at the regional level. Finally, the top level in the organization is the national "ranfla." The "ranfla" includes a group of leaders

¹¹ FIU, '[The New Face of Street Gangs: ...](#)' (p4 and 13), February 2017

¹² FIU, '[The New Face of Street Gangs: ...](#)' (p17), February 2017

¹³ John P. Sullivan et al, '[Third Generation Gangs Strategic Note No. 11:...](#)' 4 October 2018

¹⁴ FIU, '[The New Face of Street Gangs: ...](#)' (p4), February 2017

who manage the entire gang structure and serve as a decision-making board. According to some informants, the “ranfla” is divided into two sub-structures: one that is formed by leaders serving time in the national prisons, and the other which is comprised of principals operating on the street.’¹⁵

7.1.3 Insight Crime’s February 2018 report ‘MS13 in the Americas’

‘The MS13 is a social organization first, and a criminal organization second. The MS13 is a complex phenomenon. The gang is not about generating revenue as much as it is about creating a collective identity that is constructed and reinforced by shared, often criminal experiences, especially acts of violence and expressions of social control. The MS13 draws on a mythic notion of community, Major Findings Picture by Luis Romero/AP Images InSight Crime and CLALS / MS13 in the Americas 4 a team concept, and an ideology based on its bloody fight with its chief rival, the Barrio 18 (18th Street) gang, to sustain a huge, loosely organized social and criminal organization...

‘The MS13 has guidelines more than rules, which are subject to varying interpretations. The diffuse nature of the organization has widespread implications for how it operates. The gang has guidelines more than rules. These guidelines are subject to haphazard interpretations and application. In other words, this internal justice is not necessarily a strict system and often depends more on who the leader is and who is being judged, rather the actual transgression or the circumstances surrounding it. This inconsistent application of the rules leads to constant internal and external conflicts and is the cause of widespread violence wherever the gang operates.’¹⁶

7.1.4 Insight Crime and CLALS report provided a graphic of MS-13 structure.¹⁷

7.1.5 See also

- [Farah and Babineau, ‘The Evolution of MS 13 in El Salvador and Honduras’ \(p59\), 14 September 2017](#)
- [Insight Crime, ‘Inside MS-13 Clique’s campaign of terror at the Honduras-El Salvador border’, 5 June 2020](#)

[Back to Contents](#)

7.2 Barrio 18 (B-18)

7.2.1 The UNHCR guidelines 2016 explain that:

‘[Barrio 18] B-18 is believed to be slightly smaller than its arch-enemy, the MS, but it is also considered to be less sophisticated and more undisciplined, “trigger-happy” and unpredictable. Even so, B-18 reportedly has a loose hierarchy in which its imprisoned palabreros (or tabos or ranfleros) coordinate the criminal activities of the gang and give the orders to the palabreros on the street and authorize relevant activities, such as increases in extortion demands.’¹⁸

¹⁵ FIU, [‘The New Face of Street Gangs: ...’](#) (p5), February 2017

¹⁶ Insight Crime-CLALS, [‘MS13 How the world’s most notorious gang...’](#) (p3-4), February 2018

¹⁷ Insight Crime-CLALS, [‘MS13 How the world’s most notorious gang...’](#) (p33), February 2018

¹⁸ UNHCR, [‘Eligibility Guidelines’](#) (p14), March 2016

- 7.2.2 The Immigration and Refugee Board of Canada (IRBC) Information Gathering Visit report of September 2016 (IRBC IG report 2016) based on interviews with a range of sources in El Salvador, explained that 'The Barrio 18's lowest organizational unit are the canchas, and these are organized into tribus. The top echelon of the gangs is called the ranfla, who is usually in prison, as prisons are gangs' operations centres where the leadership is located.'¹⁹
- 7.2.3 International Crisis Group report 'Miracle or Mirage? Gangs and Plunging Violence in El Salvador' from July 2020 stated: 'The 18th Street Southerners faction maintains a more hierarchical criminal structure [compared to other groups], with historical leaders in jails still having an important role'²⁰

[Back to Contents](#)

Section 8 updated: 16 December 2020

8. Gangs' size and reach

8.1 Size

- 8.1.1 The UNHCR guidelines 2016 observed, based on a number of sources, that 'Each local gang is reported to have its own active membership that can range in size from a handful to a hundred or more initiated "soldiers" under the leadership of senior members (palabreros).'21 It also estimated that '[a]cross most of the departments that make up the territory of El Salvador, many hundreds of local street gangs are reported to operate in both urban and rural zones, with between 30,000 and 60,000 active members in total'.²²
- 8.1.2 The same UNHCR report explained that 'The gangs are reportedly assisted by many "anonymous" voluntary or involuntary collaborators in the territories where they operate, including family members and younger children from the neighbourhood, who are not gang members but act as lookouts, help to collect and launder extortion money and perform other tasks, and who sometimes collect a salary from the gang'.²³
- 8.1.3 The UN Special Rapporteur on extrajudicial execution summary or arbitrary executions in a report of her visit to El Salvador between 25 January and 5 February 2018 (UN SR extrajudicial, summary and arbitrary killing report 2018) stated:
- 'There are two main gangs operating in the country, with an unverified, estimated total of 60,000 members, mostly young men: the Mara Salvatrucha, comprising an estimated two thirds of gang members, and two factions of 18th Street (Barrio 18). A possible reorganization of the gang landscape appears to be under way with the emergence of splinter groups. Some sources suggest that the support base of the gangs includes some 500,000 people (almost 8 per cent of the total population). However, the

¹⁹ Canadian IRB, '[Information Gathering Mission Report - Part 1](#)', September 2016

²⁰ ICG, '[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)' (p28), 8 July 2020

²¹ UNHCR, '[Eligibility Guidelines](#)' (p11), March 2016

²² UNHCR, '[Eligibility Guidelines](#)' (p10), March 2016

²³ UNHCR, '[Eligibility Guidelines](#)' (p11-12), March 2016

Special Rapporteur was also told that anyone living in gang territory has little choice but to cooperate with them.²⁴

- 8.1.4 International Crisis Group, in a November 2018 report caveated their estimated numbers of gang members by adding ‘many more people – some 500,000 all told – depend on the gangs for their livelihood.’²⁵ Adding that ‘The gang social support base rises to 500,000 people – almost 8 per cent of total population – including sympathisers and former members, or calmados (gang lexicon for those who have desisted from gang activities).’²⁶
- 8.1.5 Foreign Policy in a November 2019 article stated: ‘The country’s defense ministry estimates that as many as 500,000 Salvadorans are involved in gangs—in a country of 6.5 million—either through direct participation or through coercion and extortion by relatives, amounting to 8 percent of the population.’²⁷
- 8.1.6 International Crisis Group report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated: ‘Authorities estimate that 60,000 active gang members operate in 94 per cent of the country’s municipalities, with each member counting on a network of at least six people, either relatives or collaborators... ‘MS-13 is by far the largest gang, double the size of the two 18th Street gang factions together.’²⁸
- 8.1.7 ICG also stated: ‘National authorities estimate that gangs are responsible for around 50 per cent of murders and total 60,000 active members, although the tally reportedly goes up to 400,000 people if collaborators and close relatives are included... Official figures show that roughly one third of gang members are in jail (around 18,000), including most long-time leaders, or ranfleros.’²⁹

[Back to Contents](#)

8.2 Territorial control and capability

- 8.2.1 In an article published in March 2019, National Geographic commented ‘Gangs, though present in nearly all the country’s municipalities, gravitate toward urban areas where commerce concentrates and extortion opportunities are greater.’³⁰ While in a November 2018 report, International Crisis Group described gangs as being active in 94% of El Salvador’s 262 municipalities³¹.
- 8.2.2 Insight Crime in an introduction to a series of investigations from October 2020 stated:

‘In San Salvador’s bustling Historic Center, nothing gets done without going through the gangs.

²⁴ UNHRC, [SR extrajudicial execution report 2018](#) (para 64), 7 December 2018

²⁵ ICG, [‘Life Under Gang Rule in El Salvador’](#) (p.4), November 2018

²⁶ ICG, [‘El Salvador’s Politics of Perpetual Violence’](#) (p.8), Dec 2017

²⁷ FP, [‘A nation held hostage’](#), 30 November 2019

²⁸ ICG, [‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p2&6), 8 July 2020

²⁹ ICG, [‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p2&6), 8 July 2020

³⁰ National Geographic, [‘Inside El Salvador...’](#) March 2019

³¹ ICG, [‘Life Under Gang Rule in El Salvador’](#) (p3), November 2018

‘The notorious Mara Salvatrucha (MS13) and Barrio 18 street gangs have steadily tightened their grip on almost all aspects of life in a city center housing the heart of El Salvador’s informal urban markets – a gold mine for extortion, contraband, drug-peddling, and more.

‘This two-year InSight Crime investigation chronicles how the gangs, with their ever-increasing control of territory and criminal revenue, have used their stranglehold on the Historic Center to expand their power in El Salvador.’³²

8.2.3 InSight Crime in an October 2020 article stated

‘Salvadoran authorities recently claimed that an anti-gang campaign has led to thousands of weapons being seized. But the numbers and types of weapons seized are unlikely to make a real difference to gangs and do nothing to halt the flow of weapons entering El Salvador.

‘In early October [2020], El Salvador’s police announced the seizure of 2,026 firearms, including 1,371 pistols and other small arms. All of the guns were seized this year as part of the Territorial Control Plan (Plan de Control Territorial) launched in June 2019, which saw a greater security presence deployed in the country’s most violent areas...

‘Gangs obtain their weapons both through legal sales and from the black market, according to security analyst Jeannette Aguilar.

“‘Since mano dura [iron fist] policies began, the gangs increased their firepower ... one of the major changes was an increase in the use of heavy, military-grade weaponry and a reduction in the use of small arms,” she told InSight Crime.

‘For Aguilar, the lack of attention paid to illegal weapons trafficking or to regulating the legal market has left almost half a million firearms in the hands of civilians in El Salvador. “Even legally owned and registered weapons are commonly used by gangs when committing crimes. Often, the same weapon is used in a number of criminal acts by various people,” she said.’³³

8.2.4 See also [Control of territory](#)

[Back to Contents](#)

8.3 Gangs links with government and politicians

8.3.1 The UNHCR Guidelines 2016, based on a range of sources, stated: ‘The gangs reportedly have their own infiltrators in the police and the military, including certain elite units and the General Staff, who warn them about anti-gang operations and with access to intelligence, weapons and uniforms.’³⁴

8.3.2 InSight Crime in a report from November 2017 stated:

‘The relationship between gangs and politicians is mutually beneficial by nature; the gang expands or maintains its influence over a certain area, while the politician gains or maintains local power. This partly explains why this dynamic is frequently observed in El Salvador.

³² InSight Crime, ‘[Gangs, vendors and Political capital in downtown San Salvador](#)’, 20 October 2020

³³ InSight Crime, ‘[El Salvador seizing thousands of guns but flow of weapons...](#)’, 29 October 2020

³⁴ UNHCR, ‘[Eligibility Guidelines](#)’ (p23), March 2016

‘But while the police chief’s comments focused on illicit ties at the municipal level, this type of mutually beneficial relationship has also been observed in national politics.

‘Several videos have shown El Salvador’s two main political parties, the Farabundo Martí National Liberation Front (Frente Farabundo Martí para la Liberación Nacional – FMLN) and Nationalist Republican Alliance (Alianza Republicana Nacionalista – ARENA), agreeing to pay gangs millions of dollars in exchange for support during the country’s last presidential elections in 2014.’³⁵

- 8.3.3 Human Rights Watch in their 2020 World Report, covering events of 2019 stated: ‘Numerous security and elected officials have collaborated with gangs in criminal operations, media report, and all political parties have negotiated with them on daily operations, campaigns, and voting.’³⁶
- 8.3.4 Human Rights Watch in a February 2020 report stated: ‘Allegations of security and elected officials collaborating with gangs in criminal operations have been reported by the press and all political parties have negotiated with gangs according to consistent allegations reported, but not substantiated by, the UN special rapporteur.’³⁷
- 8.3.5 Insight Crime in an introduction to a series of investigations from October 2020 stated: ‘The center is crucial to the gang’s political awakening – a reality which has brought with it a host of alliances and negotiations with politicians of all parties, from municipal officials to the halls of Nayib Bukele’s presidential palace.’³⁸
- 8.3.6 The BBC in a report from September 2020 noted:
- ‘The government of El Salvador has allegedly granted favours to the imprisoned leaders of street gangs in return for support in elections, according to a media report.
- ‘Online newspaper El Faro said the gang leaders were asked to reduce violence and support President Nayib Bukele.
- ‘The report said the favours ranged from better food to the reversal of a decision to house members of rival gangs in the same cells.
- ‘Mr Bukele has rejected the allegations.
- ‘The president, who came to office in June 2019, has repeatedly portrayed his administration as tough on El Salvador’s gangs...
- ‘[El Faro alleged that the government had secret talks](#) with the leaders of the country’s main street gangs, including the notorious Mara Salvatrucha, also known as MS-13.
- ‘Citing a large number of official documents, El Faro claims that Mr Bukele’s administration has made concessions to the gang leaders in prison in exchange for a reduction in violence and backing at the polls.

³⁵ Insight Crime, ‘[El Salvador Police Chief Warns of Gang Infiltration in...](#)’, 1 November 2017

³⁶ HRW, [World report 2020 \(El Salvador\)](#), January 2020

³⁷ HRW, ‘[Deported to Danger](#)’, (p67), February 2020

³⁸ Insight Crime, ‘[Gangs, vendors and Political capital in downtown San Salvador](#)’, 20 October 2020

'The report said the favours ranged from small luxuries in terms of improved food and the removal of the most repressive guards to bigger steps like reversing the recent high-profile decision to house members of rival gangs in the same cells.'³⁹

8.3.7 Similarly Insight Crime in its report from October 2020 stated:

'El Salvador's President Nayib Bukele has vehemently denied swapping favors with gangs, but a slew of government officials and a person working directly with the government say there is an informal pact between parts of the government and the gangs.

'Bukele's public insistence that his government is not working with gangs followed a report in [El Faro published on September 3](#). The report drew from government documents and interviews to show government representatives had met with gang members inside and outside of the prison system to foment greater trust and trade favors, among them political access for Bukele's political party, Nuevas Ideas, in gang-dominated areas to campaign for legislative and municipal elections set for February 2021. El Faro called the talks "negotiations."

'The El Faro story came just months after a July [report](#) by the International Crisis Group (ICG), which said a substantial drop in homicides in El Salvador could be due to what it called a "fragile informal understanding," which could include a "non-aggression deal" between parts of the government and the gangs. Since Bukele became president in June 2019, the ICG noted in a deep analysis of the homicide rates, murder in El Salvador had dropped by as much as 60 percent.'⁴⁰

8.3.8 The InSight Crime article further observed:

'Parallel to those investigations [by El Faro into the government's engagement with gangs], InSight Crime was doing its own reporting to chronicle the ways the gangs had used their dominance in what is known as the Historic Center of San Salvador to expand their power. Part of that reporting process covered a period of time in which Bukele was mayor of San Salvador (2015-2018). As mayor, Bukele worked to revitalize the center, for which he deployed teams of people to negotiate with gang proxies, as well as at least one intermediary who dealt directly with the gangs themselves. The revitalization effort had success and helped propel him to the presidency in elections in February 2019.

'... InSight Crime consulted a half-dozen Salvadoran police officials and police intelligence officers, one advisor to the government on development and security projects, an advisor to the police, two counter-gang security agents and one government official that works in gang-ridden neighborhoods and has direct knowledge of the government's interactions with the gangs to ask how Bukele – who took office in June 2019 – was dealing with gangs now that he was president.

'All of these sources said there was an informal pact between some parts of the government and the gangs. The sources were reluctant to qualify the

³⁹ BBC, '[El Salvador granted favours to gang leaders, report says](#)', 4 September 2020

⁴⁰ Insight Crime, '[The El Salvador President's Informal pact with the gangs](#)', 2 October 2020

arrangement as a truce, the moniker given to an earlier armistice that began in 2012 between the country's three major gangs and led to a brief respite in homicides but eventually unraveled in bloody fashion. But they all said that, at its heart, this is an effort to lower homicides; that it is led by a government agency that is keeping its dealings with the gangs in the shadows; that it is contingent on improving communications between the gang leaders in the prison system and the leaders on the outside; and that it includes some promises to allow campaigning in areas where the gangs hold influence.

'No one qualified anything as illegal, but they were troubled by the lack of transparency.'⁴¹

8.3.9 See also: Insight Crime,

- ['How El Salvador President Bukele Deals with Gangs'](#), 1 October 2020
- [Insight Crime, 'El Salvador Gangs Influence Local Politics in the Capital: Report', 9 July 2018](#)

[Back to Contents](#)

Section 9 updated: 16 December 2020

9. Characteristics of gang members

9.1 Gang membership profile

9.1.1 The UNSR extrajudicial execution report 2018 based on a range of sources noted that 'the typical profile of a gang member is a young male, on average 25 years old, usually from a low-income family and recruited at around the age of 15.'⁴²

9.1.2 InSight Crime in a February 2018 report stated:

'In more recent years, in many parts of the region, women are simply no longer accepted into the gang. The nominal reason for this is because the gang considers women more susceptible to pressure from authorities to turn state's evidence. But this distrust extends far beyond law enforcement issues. There are countless fights over girlfriends and wives inside the gang, not least because of the frequent and long incarceration of gang members. What's more, families represent a competing community, perhaps the single most powerful counterbalance to el barrio.'⁴³

9.1.3 International Crisis Group in November 2018 noted:

'Most gang members were around fifteen years old when they first joined. Nowadays, the average member is around 25 years old, lives in either a house in a poor neighbourhood or an overcrowded jail, has never held a formal job and did not finish secondary education. The large majority of gang members are among the poorest people in Salvadoran society, living on less than [US]\$250 a month. Despite the [gang member] mareros' youth, their faces are scarred and their eyes hollowed by years of dealing out death and taking abuse, making them look much older.

⁴¹ Insight Crime, ['The El Salvador President's Informal pact with the gangs'](#), 2 October 2020

⁴² UNHRC, [SR extrajudicial execution report 2018](#) (para 65c), 7 December 2018

⁴³ Insight Crime-CLALS, 'MS13 [How the world's most notorious gang...](#)' (p7&14), February 2018

‘Media reports about MS-13 and other maras depict the members bearing archetypal tattoos and speaking in trademark slang. Not all gang members are so easily identifiable. The gangs remain rooted in the streets but have now penetrated every layer of Salvadoran society. Gangs have mutated from youth groups defending neighbourhood turf in the 1980s to hierarchical organisations that coerce, threaten and kill. Many members and sympathisers, particularly from MS-13, become teachers, lawyers, local government officials and even police officers who serve the gang’s interests. Their influence has grown so great that every major political party in El Salvador and Honduras has at some point paid gangs during elections.’⁴⁴

9.1.4 Insight Crime in a March 2020 article stated:

‘Female members continue to be relegated to the MS13’s periphery and have limited autonomy when it comes to decision-making, said Juan Martínez d’Aubuisson, an anthropologist and author of various studies on the MS13. “In the event that they are given a voice, women most often derive their agency from male members who are incarcerated or in hiding,” he told InSight Crime...

‘But more recently, women in the MS13 have begun to take on more active roles by participating in robberies, kidnappings, and targeted killings alongside male gang members, UCLA anthropology professor Jorja Leap told Univision. An InSight Crime report on the role of women in organized crime, published in March 2020, also pointed to the Black Widows as an example of women who have increasingly adopted positions of leadership within criminal structures.’⁴⁵

9.1.5 Insight Crime in a April 2020 article stated:

‘... as occurs in other spheres of criminal activity, the agency developed by women within Salvadoran gangs like the MS13 and Barrio 18 is on the rise.

‘The gangs, or maras as they are commonly referred to within the country, are attractive to young people that live in neighborhoods with high rates of poverty and violence. Issues with abuse, abandonment or labor exploitation at home, resulting in the absence of the home as a protective space, leads to gang life becoming a substitute safe space...’⁴⁶

[Back to Contents](#)

9.2 Recruitment strategies and reasons for joining

9.2.1 Insight Crime’s February 2018 report ‘MS13 in the Americas’

‘Because the gang [MS13] has grown in size and steadily spread into new areas, the MS13 is thought to aggressively recruit members wherever it operates. This is, at best, only partly true. In some cases, the gang does actively seek new members, plying potential recruits with easy access to alcohol or drugs, as some civil society gang experts told us. The gang can also accelerate the timeline for the trial period for potential members or even skip prerequisites to allow for quicker entry, law enforcement experts said.

⁴⁴ ICG, ‘[Life Under Gang Rule in El Salvador](#)’ (p10), November 2018

⁴⁵ Insight Crime, ‘[El Salvador’s Black Widows – Female Leadership in MS13](#)’, 25 March 2020

⁴⁶ Insight Crime, ‘[Female criminal leadership and differing use of violence](#)’, 13 April 2020

But these appear to be the exceptions. In most cases, the gang hardly needs to recruit, gang members said. The gang's community, its strong brand name and the individual's sense of vulnerability to the MS13 or another gang, rather than any pro-active efforts by the gang itself, are what lead to a near endless stream of recruits.'⁴⁷

9.2.2 An Internal Displacement Monitoring Centre (IDMC) report of September 2018 noted

'Gangs target the poorest children with lower education levels, and those not in school are particular vulnerable to recruitment.

'Young people and children are forcibly recruited into gangs, with boys targeted from the age of ten. Children fall under the age of criminal responsibility, they are easy to target because they do not have a developed sense of right and wrong, and they are often happy with small rewards such as sweets and toys. Some have attributed the phenomenon to postwar family breakdown, but vulnerability is linked more to socioeconomic factors and the susceptibility of young people who are not in education or employment.'⁴⁸

9.2.3 The same source further noted:

'Women and girls are also recruited into or join gangs, but they are more commonly subjected to sexual abuse, which is widespread. Gang members and others may call these women novias or girlfriends, and some women willingly engage in sexual relationships, but it tends to be a forced or coerced involvement, particularly when underage girls are involved. Girls are subjected to rape and sexual abuse, effectively becoming gang members' sexual slaves, and they may be forced into sexual activity with the entire *clika* or gang cell. Girls aged 12 to 15 are the most vulnerable, but some are groomed from as young as ten...

'Young men and boys are particularly vulnerable to threats associated with forced recruitment, but young women and girls may also be targeted. Young people who refuse to join a gang are threatened, and may be terrorised into collaborating out of fear. Children may be sent away to relatives to avoid their forced recruitment, or entire families may leave because the initial threat is extended to them all. Disappearances associated with forced recruitment may also trigger the displacement of the whole family.'⁴⁹

9.2.4 In its November 2018 report ICG observed 'Boys aged twelve and older are prime targets for recruitment. Girls can also be targeted at an early age, either to join the gang or to become sex slaves.'⁵⁰

9.2.5 The UNSR IDPs report 2018 noted

'Internal displacement has a considerable impact on access to education. Schools in some localities are no longer considered safe spaces for children, teachers are threatened, gangs operate within and around some school facilities where they recruit children, expose them to gang-related criminal

⁴⁷ Insight Crime-CLALS, '[MS13 How the world's most notorious gang...](#)' (p34), February 2018

⁴⁸ IDMC, '[An Atomised Crisis ...](#)' (p15 and 19), September 2018

⁴⁹ IDMC, '[An Atomised Crisis ...](#)' (page 23), September 2018

⁵⁰ ICG, '[Life Under Gang Rule in El Salvador](#)' (p9), November 2018

activities, and identify girls as sexual targets for gang members. The Special Rapporteur was informed that children could be stopped on their way to school by gang members and could be beaten or even killed for refusing to join or assist a gang.⁵¹

- 9.2.6 The UNSR extrajudicial execution report 2018 observed ‘Young men face being forcefully recruited or killed by (rival) gangs for setting foot in the wrong neighbourhood. Women and girls face femicide, rape and sexual exploitation, including as retaliation by gangs...’⁵²
- 9.2.7 Human Rights Watch in a report from February 2020 stated: They [Gangs in El Salvador] forcibly recruit children.⁵³
- 9.2.8 Similarly the USSD Human Rights report stated: ‘Children were subjected to [...] recruitment into illegal gangs to perform illicit activities in the arms and narcotics trades, including committing homicide.’⁵⁴
- 9.2.9 See also [Targets of gang violence and](#)
- [UNHCR, ‘Eligibility Guidelines’ \(page36\), March 2016](#)
 - [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’, September 2016](#)
 - [FIU, ‘The New Face of Street Gangs: The Gang phenomenon in El Salvador’ \(page 40\), February 2017](#)

[Back to Contents](#)

9.3 Leaving gangs

- 9.3.1 According to a February 2017 research paper by Florida International University, ‘the most common and seemingly accepted mechanism to calm down [‘they no longer participate in gang life and the activities of the gang organization, but they are still considered to be members of the gang’⁵⁵] and leave the gang in El Salvador occurs through a religious experience. The church is a vehicle for many members to leave a gang, which is consistent with the scholarly literature on desistance and gangs in Central America [...].’⁵⁶
- 9.3.2 Insight Crime’s February 2018 report ‘MS13 in the Americas’ noted:
- ‘In principle, gang members are not allowed to leave under any circumstances. They can, however, change status from “active,” to “passive,” or become what is known as “semi-retired” (“calmado”). The gang leaders in that area have to grant permission to a member to change this status. That permission is usually contingent on a number of stated and unstated factors: the member’s “commitment” to el barrio, the member’s duration in the gang, and the member’s current family situation. Obtaining permission to transition into a calmado is not easy, and being calmado does not mean the gang

⁵¹ UNHRC, [SR report on IDPS 2018](#) (para 22), 23 April 2018

⁵² UNHRC, [SR extrajudicial execution report 2018](#) (para 7), 7 December 2018

⁵³ HRW, [‘Deported to Danger’](#), February 2020

⁵⁴ USSD, [‘Human rights report 2019’](#) (section 7C), 11 March 2020

⁵⁵ FIU, [‘The New Face of Street Gangs: ...’](#) (p51), February 2017

⁵⁶ FIU, [‘The New Face of Street Gangs: ...’](#) (p56), February 2017

member is not governed by gang rules. A member that is calmado is still loyal to el barrio.’⁵⁷

9.3.3 Insight Crime in an article ‘How to leave MS13 alive’ in May 2018 stated:

‘Other former gang members tell similar stories. The church — in particular the evangelical Pentecostal church — drew them into its fold and wrenched them, prayer service by prayer service, from the tenacious grip of the gangs. The gangs, in turn, respected this exit. Becoming an active member of a religious community remains virtually the only way someone can leave the notorious gang Mara Salvatrucha, better known as the MS13, alive.

‘There is little reliable data on how many members have left the MS13 by joining a church, but in a [recent Florida International University survey](#) of nearly 1,200 gang members in El Salvador’s jails, 58 percent said the church was the “most appropriate organization to lead rehabilitation programs.”’⁵⁸

9.3.4 The USSD annual report on religious freedom, covering events from 2019, stated:

‘Media reported, and religious leaders also stated, that former gang members who joined evangelical Protestant churches gained both gang respect and endorsement. According to media, gang membership was previously understood to be a lifelong commitment; however, through religious devotion and the structure, acceptance, and support of a church, some gang leaders appeared to have respected the decision of some members to leave the gang. In these cases, gang leaders reportedly monitored the former gang members to ensure they were routinely attending church services. According to a missionary, recently the gangs began forcing these former gang members to return to the criminal structure despite their religious practice. The missionary said this was a drastic change from how gang leaders previously treated religious converts, when they were generally left alone after leaving the gang. One NGO source noted this change was likely localized and determined by each gang clique in control of specific territories.’⁵⁹

[Back to Contents](#)

9.4 Appearance

9.4.1 The UNHCR Guidelines 2016 explained that ‘[f]ollowing initiation, members traditionally identified themselves through gang-related tattoos and style of dress and appearance, although there is apparently a move now towards discouraging these visible practices as they also helped to identify members to the security forces.’⁶⁰ UNHCR also noted that ‘[a] distinctive special vocabulary, hand signs and other body signs and even written codes are still apparently used by gangs in El Salvador.’⁶¹

9.4.2 The IRBC IG report 2016, citing various sources, explained that ‘In the past, it was sometimes obligatory to have a tattoo, while in other cases, gang

⁵⁷ Insight Crime-CLALS, ‘[MS13 How the world’s most notorious gang...](#)’ (p27), February 2018

⁵⁸ Insight Crime, ‘[How to leave MS13 alive](#)’, 28 May 2018

⁵⁹ USSD, ‘[2019 Report on International Religious Freedom: El Salvador](#)’, (section III), 10 June 2020

⁶⁰ UNHCR, ‘[Eligibility Guidelines](#)’ (p11), March 2016

⁶¹ UNHCR, ‘[Eligibility Guidelines](#)’ (p11), March 2016

members needed to earn a tattoo. Usually, gang members who are 30 years old or older are completely tattooed. Even though the use of tattoos has been decreasing in recent years to avoid being identified by authorities as gang members, gangs also use tattoos as a form of punishment for a mistake made by that member, or when his loyalty is questioned, for example, tattooing his face "to dissipate any doubt".⁶²

9.4.3 The same report noted:

'Sources indicated that, presently, gang members are more discrete in the way that they dress in order to avoid being detected by the PNC [Civilian National Police]. Gang members tend not to wear loose clothes and Nike Cortez athletic shoes, as they had in the past, and rather, dress like any other person. According to El Faro, "there is no distinctive trait to indicate who is a gang member." SCIS [Society of Salvadoran Businesses and Industries] similarly indicated that some gang members "have the same appearance as middle class people." La Pájina, a San Salvador-based newspaper, also indicates that, according to the PNC, there is a new generation of gang members that [translation] "dress 'normally' and represent the figure of the honest and correct citizen" ⁶³

9.4.4 In its November 2018 report ICG described how '[m]edia reports about MS-13 and other maras depict the members bearing archetypal tattoos and speaking in trademark slang' but that '[n]ot all gang members are so easily identifiable.'⁶⁴

9.4.5 Human Rights Watch noted in a February 2020 report:

'In El Salvador, [...], tattoos are deeply stigmatized, and can prove deadly. This has been true for many years.

'Today, gangs, authorities, and death squads link tattoos to gang membership in El Salvador. Officials interviewed for this report thought tattoos were the most common factor among deportees [from the US] who were killed...'⁶⁵

[Back to Contents](#)

Section 10 updated: 16 December 2020

10. Gangs' activities and impact

10.1 Overview

10.1.1 The UN Special Rapporteur on the human rights of internally displaced persons noted in April 2018, based on a visit to El Salvador in August 2017, (UNSR IDP report 2018) that:

'Salvadoran gangs, known as maras, carry out numerous criminal activities, including robbery, drug dealing, gun sales, prostitution, murder and human trafficking. They are not generally involved in the international trafficking of drugs. Evidence indicates that much of their criminal income is derived through extortion, often small scale and localized in nature and affecting

⁶² IRBC, '[El Salvador: Information Gathering Mission Report - Part 1](#)' (s4.4.1), September 2016

⁶³ IRBC, '[El Salvador: Information Gathering Mission Report - Part 1](#)', (s4.4.2) September 2016

⁶⁴ ICG, '[Life Under Gang Rule in El Salvador](#)' (p.10), November 2018

⁶⁵ HRW, '[Deported to Danger](#)', February 2020

even the smallest business, such as local bus operators, while even the largest businesses may also pay the gangs. Demands are made to business operators often with the threat of “pay or die”. Gang-related violence is estimated to cost El Salvador some [US]\$4 billion a year, according to a study... by the country’s Central Reserve Bank, with up to 70 per cent of businesses facing extortion. Nevertheless, other than some gang leaders, most gang members are young people from poor communities; their criminal activity usually nets them only a small income, which keeps them in relative poverty.’⁶⁶

10.1.2 The Insight Crime and Center for Latin America and Latino Studies (CLALS) report on MS13 of February 2018 observed: ‘The gang is also involved in prostitution, human smuggling, car theft and resale and other criminal activities, but the gang’s revenue nearly always depends on its ability to control territory.’⁶⁷

10.1.3 The UNSR extrajudicial execution report 2018 observed that gangs are responsible for:

‘... (b) The extraction of “revenue”, which is largely territorially based and consists of small-scale extortion of small businesses...

‘[t]he commission of a range of serious and pervasive violations within the territories they control and sometimes beyond:

‘(i) Sexual violence and exploitation, including rape, of women and girls;

‘(ii) Restrictions on freedom of movement and forced internal displacement;

(iii) Forced recruitment of children, including through control over schools;

(iv) Control over the public transport system, including its forced paralysis through threats and killings.

‘Killings are an integral part of their [gang] exercise of control and power.’⁶⁸

10.1.4 The UNSR also observed that ‘[t]here was no indication that gangs have an ideological basis or political programme.’⁶⁹

10.1.5 The UNSR additionally noted:

‘No one [of the sources met during her visit to El Salvador] suggested that the threshold of a non-international armed conflict or an insurgency had been crossed. The Special Rapporteur agrees with this view. However, she also points to troubling developments, such as the official discourse regarding gangs, the militarization of police functions, State reliance on counter-terrorism legislation and extensive imprisonment of gang members.

‘Whether or not gangs have displaced State control and governance, or merely filled a vacuum remains open to debate. What is in little doubt is the fear they generate among the population through widespread violence. The Office of the Human Rights Advocate has concluded that in view of their capacity for territorial control, gangs can be considered as having enough

⁶⁶ UNHRC, [UNSR IDPs](#) (para 6), 23 April 2018

⁶⁷ Insight Crime-CLALS, [‘MS13 How the world’s most notorious gang...’](#) (p3-4), February 2018

⁶⁸ UNHRC, [SR extrajudicial execution report 2018](#) (paras 65e and 65f), 7 December 2018

⁶⁹ UNHRC, [SR extrajudicial execution report 2018](#) (para 65(f)(i)), 7 December 2018

power to systematically violate the human rights of a large number of the population, including violations of the right to life, health, personal integrity and security, property and freedom of movement, as well as a range of economic, social and cultural rights, including to work and education.⁷⁰

- 10.1.6 Human Rights Watch stated: 'Gangs exercise territorial control over specific neighborhoods and extort residents throughout the country. They forcibly recruit children and subject women, girls, and lesbian, gay, bisexual, and transgender (LGBT) individuals to sexual abuse. Gangs kill, disappear, rape, or displace those who resist.'⁷¹
- 10.1.7 The USSD human rights report for 2019 noted 'Organized criminal elements, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes and committed acts of murder, extortion, kidnapping, human trafficking, intimidation, and other threats and violence...'⁷²
- 10.1.8 The US Overseas Security Advisory Council (OASC) crime and safety report of March 2020 noted gangs 'concentrate on street-level drug sales, extortion, arms trafficking, murder for hire, carjacking, and aggravated street crime.'⁷³
- 10.1.9 Insight Crime in a April 2020 article stated:
'As research from Central American University [points out](#), women play active, direct and varied roles within the gangs and their roles can evolve over time. At first, they are involved in "operational" tasks, and as they demonstrate their capabilities, they are included in activities related more to the criminal economy of the organization. The most recurrent assignments for women include surveillance, collecting extortion payments and activities related to the drug trafficking chain. Meanwhile, many of them are trained to commit murders and mass robberies.'⁷⁴

[Back to Contents](#)

10.2 Control of territory

- 10.2.1 The UNSR IDPs report 2018 noted 'Gangs control or dominate some, predominantly poor, territories and populations through threats, intimidation and violence and a culture of violence that infects whole communities and peoples' everyday activities, movements, interactions and relationships.'⁷⁵
- 10.2.2 An IDMC report of 2018 explained how
'Territorial control is central to gangs' powerbase and revenue streams such as extortion, and they create unofficial "borders" that limit residents' access to employment, education and healthcare. Local people are forbidden to work or access services in an opposing gang's territory or even to cross rival territory on their way. Such restrictions are reinforced by a strong

⁷⁰ UNHRC, [SR extrajudicial execution report 2018](#) (paras 66-67), 7 December 2018

⁷¹ HRW, ['World Report 2020'](#) (El Salvador), January 2020

⁷² USSD, ['Human rights report 2019'](#), 11 March 2020

⁷³ US OASC, [Crime and Safety Report 2020](#), 31 March 2020

⁷⁴ Insight Crime, ['Female criminal leadership and differing use of violence'](#), 13 April 2020

⁷⁵ UNHRC, [SR report on IDPS 2018](#) (para 18), 23 April 2018

communications network, with lookouts posted throughout the country who communicate by telephone and check people's identity.'⁷⁶

10.2.3 ICG in a November 2018 report stated:

'There is a consensus among the highest security authorities in El Salvador on the need to re-establish state territorial control as the prelude to improving security. In some areas, gangs have accumulated so much power that they have become de facto custodians of these localities, setting up road-blocks, supervising everyday life and imposing their own law. "Gangs did not steal the territory from the state, they simply occupied it when it was empty [after the armed conflict]", explained one NGO worker.

'At the same time, vigilante activity has become a common threat, especially in areas with major gang presence. These patrols are formed by civilians, some of them war veterans, who seek to stop the entrance of gang members in their territory. No public policy of the past fifteen years has sought to restrict these groups, or reduce their potential harm. Vigilantism has even been promoted by lawmakers such as the President of the Legislative Assembly Guillermo Gallegos, who has admitted financing some of these groups.'⁷⁷

10.2.4 A Guardian article from November 2019 stated: 'It is difficult for an outsider to understand how much social norms have disintegrated. In many cities, it is impossible to cross the street due to differing gang territory control, entirely cordoning off neighbourhoods and streets. When entering a new neighbourhood, visitors often have to flash lights or roll windows down to indicate allegiance to the gang that controls it, or fear violence.'⁷⁸

10.2.5 Human Rights Watch in a February 2020 report 'Deported to Danger' stated:

'Gangs in El Salvador effectively exercise territorial control over specific neighborhoods and extort residents throughout the country... According to unverified estimates cited by the UN special rapporteur on extrajudicial, summary or arbitrary executions, approximately 60,000 gang members reportedly operate in some 247 out of 262 municipalities in the country. Gangs enforce their territories' borders and extort and surveil residents and those transiting, particularly around public transport, schools, and markets.'⁷⁹

10.2.6 Freedom House in the Freedom in the World 2020 report noted:

'Congregants in some communities have been unable to access their churches due to territorial disputes between gangs. Additionally, religious leaders working with former gang members have faced harassment and the threat of murder.'⁸⁰

10.2.7 The USSD human rights report for 2019 noted: 'According to community leaders, gangs pushed out of urban centers by police mounted incursions into and appropriated indigenous land. They also reported gang members threatened their children for crossing gang territorial lines artificially drawn

⁷⁶ IDMC, '[An Atomised Crisis ...](#)' (p19), September 2018

⁷⁷ ICG, '[El Salvador's Politics of Perpetual Violence](#)' (p22), Dec 2017

⁷⁸ The Guardian (author Tariq Zaidi), '[A country ruled by gangs: A photo essay](#)', 22 November 2019

⁷⁹ HRW, '[Deported to Danger](#)', (p67), February 2020

⁸⁰ Freedom House, '[Freedom in the World 2020: El Salvador](#)', 4 March 2020

across ancestral indigenous land, forcing some children to drop out of school or leave home.’⁸¹

10.2.8 International Crisis Group report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated:

‘... despite the drop in violence, gangs’ territorial presence and control do not seem much changed. Testimonies from several people who live in gang-controlled areas in San Salvador indicate that well-known gang members and leaders continued to be seen on the streets before and even during the COVID-19 lockdown, many of them with new motorbikes, phones and electronic tablets. Activities undertaken by gangs during the pandemic, such as reducing extortion payments, handing out bags of provisions or enforcing a curfew, also point at the undisturbed capacity of gangs to control everyday life in their communities.’⁸²

10.2.9 In an InSight Crime article from October 2020 and referring specifically to the historic centre and central market of San Salvador, which includes a map illustrating territorial boundaries of MS13 and 18 Revolucionarios stated:

‘... throughout the Historic Center... gangs are absorbed in near-perpetual conflicts for control of vending hubs, drug peddling hotspots, and contraband and counterfeit salespoints, among other important spaces where they are either collecting extortion payments or they are managing the businesses themselves.

‘The boundaries between gang territories, however, are porous and fluid... It is important to note the gangs are tribal. If they encounter rival gang members, for instance, they are obliged to take action against them. This too may have specific implications for the Central Market, which unlike other parts of the Historic Center, where gang territory is well-defined, is not fully controlled by any single gang.’⁸³

10.2.10 See also [Territorial presence](#) and [Freedom of movement](#)

[Back to Contents](#)

10.3 Extortion

10.3.1 The Insight Crime and Center for Latin America and Latino Studies (CLALS) report on MS13 of February 2018 observed: ‘Extortion is the single most important revenue stream for the gang [MS13] in Central America, although a significant and rising portion of the MS13’s criminal portfolio comes from local drug peddling, especially in US cities such as Los Angeles.’⁸⁴

10.3.2 The UNSR IDPs report 2018 noted

‘Killings are commonplace and extortion of individuals and small businesses is widespread and seen as a “tax” on local communities by the gangs. Many of those affected by extortion live in gang-affected neighbourhoods and consider that they simply have no choice but to pay or to flee their homes and neighbourhoods. Under threat from the gangs, individuals or whole

⁸¹ USSD, ‘[Human rights report 2019](#)’ (section 2D), 11 March 2020

⁸² ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p25), 8 July 2020

⁸³ InSight Crime, ‘[The protection racket: Gangs and violence in San Salvador](#)’, 1 October 2020

⁸⁴ Insight Crime-CLALS, ‘[MS13 How the world’s most notorious gang...](#)’ (p3-4), February 2018

families would simply disappear, leaving their homes abandoned or selling them cheaply if they could.’⁸⁵

10.3.3 In a November 2018 report, International Crisis Group, noted

‘In neighbourhoods throughout the capital, San Salvador, residents heading to work or school pass through an informal checkpoint where abanderera – the term the gangs use for their young lookouts and errand runners – asks everyone for a dollar. At many of the roadblocks, the bandera is barely eight years old. But most people fork over the money. Anyone who doesn’t pay up might come to regret it later.

‘Extortion at places of business is the bigger problem. At least once a week, older gang members, or mareros, come by every shop and vendor’s stall in the neighbourhood market to collect the renta, or protection money, from merchants who can’t afford their own security guards. Again, most shopkeepers pay. To defy the gangs is to court death.’⁸⁶

10.3.4 An IDMC report of 2018 explained how

‘Extortion is mainly demanded from businesses, but local residents may also have to pay “taxes” or renta to access their homes... Implicit risk starts as soon as someone is targeted to pay, and it rises if they are unable to pay or the renta charged increases. Those who refuse to pay are killed. Those forced to pay will be constantly harassed, and many have shut their businesses down because they find themselves working solely for the gangs’ benefit. Drivers of public transport and commercial goods vehicles are systematically targeted, and many have been killed for refusing to pay or to enter certain areas’⁸⁷

10.3.5 An article from National Geographic in March 2019 stated:

‘Gangs are known to help transport drugs and guns and even shake down transnational companies operating in El Salvador, but most of their money comes from what are called micro-extortions. Almost everyone with a business in Distrito Italia [a barrio north of San Salvador], from the bus driver to the pupusa vendor, pays something to MS-13—five dollars, \$10, \$50 a month. An estimate by the digital newspaper El Faro, based on the government operation investigating MS-13 finances, says it all adds up to annual revenue of more than \$30 million for the gang nationwide. Overall, violence costs the national economy four billion dollars a year.’⁸⁸

10.3.6 InSight Crime in a report from April 2019 stated:

‘A majority of extortion victims in El Salvador are men, but women are by no means spared. Some estimates suggest up to 85 percent of Salvadoran households are single mother households, suggesting that the financial burden of the so-called “renta” (systematic extortion for residing in gang territory) is, in the vast majority of cases, taken on by female individuals...

‘[Miriam] Bandes [responsible for UN Women’s program in El Salvador] assures that it is common for gangs to threaten to rape the daughter of an

⁸⁵ UNHRC, [SR report on IDPS 2018](#) (para 18), 23 April 2018

⁸⁶ ICG, ‘[Life Under Gang Rule in El Salvador](#)’ (p3), November 2018

⁸⁷ IDMC, ‘[An Atomised Crisis ...](#)’ (p19), September 2018

⁸⁸ National Geographic, ‘[Inside El Salvador...](#)’ March 2019

extortion victim, for instance, to ensure that payment is delivered. And the fear of being raped has fueled a wide-range of types of extortion in which the nature of the threat of violence is sexual. Payment can vary from offering house cleaning or kindergarten services to collecting extortion money from other victims and stashing the proceeds.⁸⁹

10.3.7 InSight Crime in a report on ‘copycats’ noted: ‘In [El Salvador](#), César Ortega, head of the elite police force called “Jaguares,” said as much as 70 percent of extortion threats come from non-gang actors.’⁹⁰

10.3.8 A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America reported that ‘[e]xtortion is but one of the many criminal markets in the portfolio of both the MS13 and the Barrio 18’⁹¹. The same paper described ‘systematic extortion on a large scale in urban and rural areas by the MS13 and Barrio 18 gangs is the most common face of the crime and affects the highest number of victims. In El Salvador, the mere fact of living in gang-controlled areas can mean paying extortion money. This type of extortion is based on territorial control, reflected in the name it is given, ‘the rent’ (la renta) in El Salvador’⁹².

10.3.9 A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America included a table showing reported extortion rates across different regions in El Salvador in 2017. According to the police, rates were highest in Sonsonate province at 36.7 incidents of extortion per 100,000 people and lowest in Chalatenago at 15 incidents per 100,000⁹³.

10.3.10 The same report stated:

‘Extortion is very difficult to measure. It is a hidden crime that is largely based on threat and fear, and it is grossly under-reported. From the scarce data that is available, however, it seems that El Salvador is the nation hardest hit – victims pay an estimated 1.7 per cent of the country’s gross domestic product (GDP) in extortion fees...

‘People who have informal businesses, such as street vendors and sex workers, or legal small businesses, such as shops, are easy targets for the gangs...’⁹⁴

10.3.11 Foreign Policy in a November 2019 article stated:

‘Traditionally, both major gangs have operated in a decentralized way, usually financed through daily extortion promises, which range from just \$2 to \$3 for small businesses and \$5 to \$20 for medium-sized businesses and distributors. However, through combined extortion of 70 percent of all businesses in the country, the gangs collect large amounts of money, with estimated revenues of \$31.2 million for MS-13. The money spent because of gangs, either through extortion or buying private security, combined with the money lost because of violence, amounts to a staggering \$4 billion per

⁸⁹ InSight Crime, ‘[Extortion and sexual violence: Women’s unspoken suffering](#)’, 26 April 2019

⁹⁰ InSight Crime, ‘[Copycats](#)’, 26 April 2019

⁹¹ Insight Crime and Global Initiative Project, ‘[... Extortion in Central America](#)’ (p.10), May 2019

⁹² Insight Crime and Global Initiative Project, ‘[... Extortion in Central America](#)’ (p21), May 2019

⁹³ Insight Crime and Global Initiative Project, ‘[... Extortion in Central America](#)’ (p16), May 2019

⁹⁴ Insight Crime and Global Initiative Project, ‘[... Extortion in Central America](#)’ (p3 & 22), May 2019

year, about 15 percent of the country's GDP, according to a report from the Central Reserve Bank.'⁹⁵

10.3.12 Freedom House in its report covering events in 2019 noted: 'Businesses and private citizens are regularly subject to extortion. This activity affects 90 percent of small businesses, according to a 2018 from the National Council of Small Businesses in El Salvador (CONAPES).' ⁹⁶

10.3.13 In contrast, the ICG report 'Miracle or Mirage? Gangs and Plunging Violence in El Salvador' from July 2020 stated: '... Complaints over extortion, which the government believes accounts for 80 per cent of gang income, increased by 17.2 per cent in 2019. Studies estimate that one in five micro- and small businesses fall prey to extortion, while the private sector as a whole pays the equivalent of 3 per cent of the country's GDP by way of extortion.' ⁹⁷

10.3.14 The USSD human rights report for 2019 noted: 'Bus companies paid extortion fees to operate within gang territories, often paying numerous fees for the different areas in which they operated. The extortion costs were passed on to customers.' ⁹⁸

10.3.15 InSight Crimes 2019 Homicide round up noted: 'With territorial control comes more opportunities for extortion, the gangs' primary criminal activity and source of income. The Attorney General's Office reported a 17.2 percent uptick in reported extortion cases in 2019. The high number of unresolved disappearances also undercuts the country's success in reducing homicides.' ⁹⁹

10.3.16 In an InSight Crime article from October 2020 and referring specifically to the Historic Centre and Central market of San Salvador stated:

'Among other things, the Central Market is the Historic Center's wholesale hub for legal and illegal goods, according to police intelligence in the area. To that end, it has long been dominated by powerful contraband distribution networks that traditionally paid for protection from a mixture of private and public security forces. But that system has been steadily, and often violently, usurped by street gangs trying to take over what is often referred to as a "protection racket" – in other words, extortion – as well as to become wholesalers themselves.

'The protection racket in the Historic Center as a whole is mostly run by two of the country's most notorious street gangs – the Mara Salvatrucha (MS13) and a faction of the Barrio 18 known as the Revolucionarios (Revolutionaries)...

'Over time, they set up protection rackets throughout the Historic Center. The biggest revenue stream for the gangs, by far, are the payments that come from the informal market in the area. Roughly speaking, the gangs collect \$1 per weekday from each of the 40,000 vendors that operate without

⁹⁵ FP, '[A nation held hostage](#)', 30 November 2019

⁹⁶ Freedom House, '[Freedom in the World 2020: El Salvador](#)', (section G2), 4 March 2020

⁹⁷ ICG, '[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)' (p6), 8 July 2020

⁹⁸ USSD, '[Human rights report 2019](#)' (section 2D), 11 March 2020

⁹⁹ InSight Crime, '[2019 Homicide round-up](#)', 28 January 2020

a license in the area, or about \$1 million per year, according to interviews with vendors and authorities in the area.’¹⁰⁰

10.3.17 See also

- [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’ \(s4.5.1\), September 2016](#)
- [Refugee Survey Quarterly, McNamara, P, ‘Political refugees from El Salvador: Gang politics, the state and asylum claims’, \(p6\), 08 September 2017](#)
- [ICG, ‘El Salvador’s Politics of Perpetual Violence’ \(p9\), Dec 2017](#)
- [Global Security Insight, ‘The Cost Of Living: Extortion in the Northern Triangle’, 5 August 2019](#)

[Back to Contents](#)

10.4 Definition of homicide and femicide

10.4.1 The internationally established definition of ‘intentional homicide’ is an ‘unlawful death inflicted upon a person with the intent to cause death or serious injury.’¹⁰¹

10.4.2 The UNSR extrajudicial execution report 2018 observed: ‘The 2012 Law on a life free from violence for women defines femicide as the extreme form of gender violence against women, a product of the violation of their human rights, in the public and private spheres, shaped by misogynistic conduct that leads to social impunity (article 9 (b)).’¹⁰²

10.4.3 Insight Crime citing a report by the Spanish language newspaper, El Mundo, stated in July 2019 that ‘[t]he government of El Salvador says that its official homicide data will now [as of July 2019] no longer include instances involving confrontations with security forces, a move that makes it difficult to analyze the country’s precarious security situation.’ Insight Crime considered ‘[t]he decision to report incomplete homicide data appears to be a clear attempt to either paint a rosy picture of a security situation it is still trying to get under control, or to hide potential abuses carried out by the country’s security forces.’¹⁰³

[Back to Contents](#)

10.5 Homicide: numbers

10.5.1 A Freedom House 2020 report commenting on events in 2019 noted that ‘The official homicide rate declined in 2019; police estimated 2,383 homicides during the year, compared to 3,346 in 2018.’¹⁰⁴ In comparison the homicide rate was 3,900 in 2017, 5,300 in 2016 and 6,700 in 2015.’¹⁰⁵

10.5.2 The following table, based on a number of sources shows the murder rate by 100,000 inhabitants.

¹⁰⁰ InSight Crime, ‘[The protection racket: Gangs and violence in San Salvador](#)’, 1 October 2020

¹⁰¹ UNODC, [Global homicide 2019 - Methodological annex](#) (page i), undated

¹⁰² UNHRC, [SR extrajudicial execution report 2018](#) (para 69), 7 December 2018

¹⁰³ Insight Crime, ‘[El Salvador to Omit Key Data...](#)’, 18 July 2019

¹⁰⁴ Freedom House, ‘[Freedom in the World 2020: El Salvador](#)’, (section F3), 4 March 2020

¹⁰⁵ Freedom House, ‘[Freedom in the World 2019](#)’, El Salvador, 4 February 2019

Year	Homicide rate per 100,000 inhabitants
2015	103-104 ^{106 107 108}
2016	81.2 ^{109 110}
2017	60 ^{111 112 113 114}
2018	50-51 ^{115 116 117}
2019	36 ^{118 119}

- 10.5.3 CPIT was unable to find any further information in the sources consulted estimated homicide rates for 2020.
- 10.5.4 InSight Crimes 2019 Homicide round up noted: ‘The drop in homicides recorded in El Salvador in 2019 was unprecedented in recent years. The National Police’s tally of 2,390 homicides last year represented a murder rate of just 36 per 100,000, a significant reduction for a country that for years ranked as one of the most violent in the world.’¹²⁰
- 10.5.5 The US Overseas Security Advisory Council (OSAC), in its ‘El Salvador 2020 Crime & Safety Report’, ‘Since 2015, the per-capita annual homicide rate has fallen from 81/100,000 in 2016, to 60 in 2017, 50 in 2018, and 36 in 2019; this new rate remains more than seven times the murder rate in the United States. Homicides accounted for 10% of all categorized crime incidents in El Salvador in 2019.’¹²¹
- 10.5.6 International Crisis Group (ICG) report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated:
- ‘Bukele’s government claims that homicides have decreased by 62 per cent since he took office, including a 61 per cent drop in femicides. Data backs up this claim. In May [2019], just before Bukele took office, the average number of people murdered each day was 9.2. Since July 2019, the daily homicide rates have virtually halved, never surpassing five murders per day on average, which makes Bukele’s first year in power the least violent year during any of the last four governments. According to official figures, the country also recorded the seven least violent months of the last three

¹⁰⁶ OSAC, ‘[El Salvador 2019 Crime & Safety Report](#)’, 25 April 2019

¹⁰⁷ ICG, ‘[Life Under Gang Rule in El Salvador](#)’, November 2018

¹⁰⁸ National Geographic, ‘[Inside El Salvador...](#)’, March 2019

¹⁰⁹ InSight News, ‘[InSight Crime’s 2018 Homicide Round-Up](#)’, 22 January 2019

¹¹⁰ OSAC, ‘[El Salvador 2019 Crime & Safety Report](#)’, 25 April 2019

¹¹¹ InSight News, ‘[InSight Crime’s 2018 Homicide Round-Up](#)’, 22 January 2019

¹¹² OSAC, ‘[El Salvador 2019 Crime & Safety Report](#)’, 25 April 2019

¹¹³ ICG, ‘[Life Under Gang Rule in El Salvador](#)’, November 2018

¹¹⁴ Washington Post, ‘[It’s so dangerous to police MS-13 ...](#)’, 3 March 2019

¹¹⁵ InSight News, ‘[InSight Crime’s 2018 Homicide Round-Up](#)’, 22 January 2019

¹¹⁶ OSAC, ‘[El Salvador 2019 Crime & Safety Report](#)’, 25 April 2019

¹¹⁷ Washington Post, ‘[It’s so dangerous to police MS-13 ...](#)’, 3 March 2019

¹¹⁸ OASC, ‘[Crime and Safety Report 2020](#)’, 31 March 2020

¹¹⁹ InSight Crime, ‘[2019 Homicide round-up](#)’, 28 January 2020

¹²⁰ InSight Crime, ‘[2019 Homicide round-up](#)’, 28 January 2020

¹²¹ OASC, ‘[Crime and Safety Report 2020](#)’, 31 March 2020

decades under the Bukele administration, and reported at least 26 days without murders until 25 June [2020]. According to the police, there were 64 homicides in May 2020, the month with the fewest murders since the 1992 peace agreements.’¹²²

- 10.5.7 InSight Crime in an August 2020 report stated: ‘Between January and July 2020, El Salvador logged 697 murders, or about three a day, El Mundo reported. The tally is a massive drop from the 1,630 killings that occurred during the same period in 2019, a year that saw El Salvador reach one of its lowest murder rates in recent history.’¹²³

[Back to Contents](#)

10.6 Homicide: geographical trends

- 10.6.1 In an article published in March 2019, National Geographic commented ‘El Salvador reported 3,962 homicides in 2017 throughout its 262 municipalities. The homicide rate varies widely across the country but is generally higher in more densely populated municipalities where gang activity concentrates.’ The article also provided a map showing the rate of homicides per municipality in 2017, including municipalities with no homicides¹²⁴.
- 10.6.2 The Brazilian thinktank [Igarapé Institute collated data](#) to show the homicide rate by state (and 4 key cities) in El Salvador in 2017, 2018 and 2019. The data reveals variation across the country and rates in the capital, San Salvador, were almost twice the country average in 2018. In 2019, the San Salvador homicide rate reduced from 95.4 in 2018 to 14.8 per 100,000 inhabitants, less than half of the country average for that year of 36.4¹²⁵.
- 10.6.3 Human Rights Watch in a February 2020 report ‘Deported to Danger’ stated: ‘According to government data, from 2013 to 2018, all of El Salvador’s 262 municipalities registered at least a homicide or sexual crime. In most municipalities, however, crime tends to concentrate in a small percentage of specific neighborhoods. Such neighborhoods register multiple homicides and sexual crimes each year. Many have also been the sites of clandestine graves containing victims who were kidnapped, disappeared, and often tortured before they were killed. Multiple actors, including gangs, authorities, those who present themselves as authorities, and private individuals are alleged to have committed these crimes.’¹²⁶
- 10.6.4 The OASC crime and safety report for 2020 observed ‘Homicides are not uniform across the country. In 2019, the municipalities of San Salvador (12%) San Miguel (10%) Santa Ana (7%), Apopa (7%), and Mejicanos (5%) were the five municipalities registering the most homicides.’¹²⁷ According to UN Statistics this would largely correspond with the main population centres in El Salvador. UN data demographic year book 2018 provides ‘city proper’ population figures and does not include municipalities within metropolitan

¹²² ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p19), 8 July 2020

¹²³ InSight Crime, ‘[Homicide drop in El Salvador: Presidential triumph or gang trend](#)’, 13 August 2020

¹²⁴ National Geographic, ‘[Inside El Salvador...](#)’ March 2019

¹²⁵ Igarapé, ‘[Homicide Monitor](#)’, undated

¹²⁶ HRW, ‘[Deported to Danger](#)’, (p67), February 2020

¹²⁷ US OASC, [Crime and Safety Report 2020](#), 31 March 2020

areas. Population numbers are: San Salvador 238,244, San Miguel 265,921, Santa Ana 272,554, Apopa 185,073 and Mejicanos 144,872¹²⁸.

- 10.6.5 InSight Crime in an October 2020 report stated: 'San Salvador has always been one of the most violent municipalities in a country among the most deadly in Latin America. But the violence is especially acute in downtown San Salvador's Central Market where deaths... are a common occurrence, even after the coronavirus slowed much of the commercial activity in the area.'¹²⁹

[Back to Contents](#)

10.7 Homicide: demographic trends

- 10.7.1 The UNSR extrajudicial execution report 2018 observed:

'The Special Rapporteur notes with concern that El Salvador continues to register alarmingly high numbers of femicides. According to the National Women's Institute, in 2017 a woman was killed every 18.7 hours. The departments with the highest rates of femicide are San Salvador, San Miguel, La Paz and Sonsonate. While the classification of murders as femicide increased in 2017, the numbers remain scattered and vary from one institution to another and, more importantly, seldom reach the sentencing stage. [...]

'Many killings constituting femicide are still registered only as homicide or "violent death of women". The lack of a unified systematization of data makes it difficult to grasp the magnitude of these killings. According to the National Women's Institute, between January 2015 and June 2017 1,299 killings were registered as "violent deaths of women", 846 of which were classified as femicide.'¹³⁰

- 10.7.2 The New Humanitarian in a report from February 2020 stated: 'Among the statistics that are available: in 2018, the UN reported that El Salvador had 13.49 femicides for every 100,000 women, the highest rate anywhere in the world.'¹³¹
- 10.7.3 The OASC crime and safety report for 2020 noted 'Females accounted for 9% of all homicide victims in 2019, down from 11% in 2018.'¹³²
- 10.7.4 See also Targets of gang violence, Women and girls below.

[Back to Contents](#)

10.8 Homicide: profiles of victims

- 10.8.1 Human Rights Watch in a February 2020 report 'Deported to Danger' stated: 'Victims include girls, boys, men, and women and those known or believed to be informants or witnesses.'¹³³
- 10.8.2 While the US CRS paper of Jul 2020 noted, based on a number of sources, that '... homicides have included targeted killings of security forces by

¹²⁸ United Nations, 'Demographic Year Book 2018', 2019

¹²⁹ InSight Crime, 'The protection racket: Gangs and violence in San Salvador', 1 October 2020

¹³⁰ UNHRC, [SR extrajudicial execution report 2018](#) (paras 70-71), 7 December 2018

¹³¹ The New Humanitarian, 'How Mexico and Central America's femicide...', 27 February 2020

¹³² US OASC, [Crime and Safety Report 2020](#), 31 March 2020

¹³³ HRW, 'Deported to Danger', (p67), February 2020

gangs, extrajudicial killings of gang suspects by police, and among the world's highest rates of femicide (killing of a woman or girl, often committed by a man, because of her gender)... In recent years, deportees have become targets of violence, with at least 70 deportees murdered between 2013 and 2018...'¹³⁴

[Back to Contents](#)

10.9 Homicides committed by gangs

10.9.1 The UNSR extrajudicial execution report 2018 observed: 'A large number of the killings, officially two thirds but other sources suggest an even higher proportion, are attributed to gangs. Moreover, the percentage of murders allegedly attributed to the police increased from less than 1 per cent in 2010 (11 out of 4,004 homicides) to almost 5 per cent in 2015 (328 out of 6,656 homicides) and more than 10 per cent in 2017 (412 out of 3,954 homicides).'¹³⁵

10.9.2 The UN SR also noted in her report that gangs use homicide as a deliberate strategy to target certain groups as evidenced by:

'(i) The large statistical disparity between the highs and lows in gang homicides, suggesting a high level of organized determination as to who should be killed, when and where;

'(ii) A spike in killings, and widespread targeting of specific individuals seen as representative of the State: police and military personnel, prison guards, public electricity company workers and personnel from the judicial branch and their families. Human rights organizations and public officials speak of a systematic strategy against agents of the State in response to, or as a precursor of, the Government's war against gangs. Official figures show a sharp increase from 13 killings of security personnel in 2013 to 60 in 2017;

'(iii) The increase in the alleged number of armed confrontations between opposing gang members and security personnel. According to official data, the number of armed confrontations increased from 256 in 2014 to 407 in 2016. While the official description of some of those clashes may be questioned, gangs themselves have reportedly claimed responsibility for the increase in armed confrontations.'¹³⁶

10.9.3 Foreign Policy in a November 2019 article noted: 'Almost all the murders in El Salvador over the past two decades have been connected in some way to a three-way gang war among members of the two largest gangs, Mara Salvatrucha (MS-13) and Barrio 18 (La 18), and government security forces.'¹³⁷

[Back to Contents](#)

10.10 Causes in decline of homicides

10.10.1 ICG in its report of July 2020 commenting on the possible causes for the reduction of homicide rates stated:

¹³⁴ US CRS, '[El Salvador: Background and U.S. Relations](#)' (page 5), 1 July 2020

¹³⁵ UNHRC, '[SR extrajudicial execution report 2018](#)' (para 5), 7 December 2018

¹³⁶ UNHRC, '[SR extrajudicial execution report 2018](#)' (para 65f), 7 December 2018

¹³⁷ FP, '[A nation held hostage](#)', 30 November 2019

‘...the precise causes of the dramatic decline in violence are not clear. The government argues that its Territorial Control Plan accounts for the reduction in homicides following the new president’s assumption of power in June 2019. But statistical evidence studied by Crisis Group shows that the correlation between the plan and the reduction in homicides is not straightforward. It suggests that, even if the plan has played a role, other elements have also contributed. These include structural changes criminal gangs have undergone in recent years and, potentially, unofficial policies beyond the Territorial Control Plan – namely, an alleged informal understanding between officials and gangs to reduce gang violence and security forces’ clashes with gangs.’¹³⁸

10.10.2 The same ICG report continued:

‘Clashes between state forces and gangs, which had been one of the main drivers of violence in recent years, have fallen in number and intensity since Bukele took office. This indicator, alongside others, has prompted analysts and civil society representatives to suggest that there might be an informal understanding among gangs, or between them and the government, to keep rates of violence down. On the other hand, the killing spree at the end of April 2020 indicated that gangs can still intensify violence across El Salvador through a seemingly snap decision...

‘The available data indicates that, regardless of what motivates a truce, major reductions in homicides have been associated with the gangs’ decision to keep the rates low. In other words, past experience shows that government policies reduce murder rates only when they can change the gangs’ own calculations...

‘As a result, several civil society representatives and politicians believe that gangs have decided to lower homicides, possibly as a consequence of an informal nonaggression pact with authorities...

‘Since the end of the truce in 2014, gangs have “divvied up territories” and thus do not fight each other for territorial control to the same extent as before. Gangs have focused more on administering those areas and, for the most part, prevented their members from crossing “invisible borders” into rival gangs’ territories. This allocation of areas has reduced animosity among gangs, which had historically been a driver of homicides...

‘Whatever the origin of the gangs’ apparent decision to reduce violence, the COVID19 emergency has exposed its fragility, as well as the risk that gang-driven violence may resurge. In late April, MS-13 spearheaded an escalation in murders that killed more than 80 Salvadorans in five days’¹³⁹

10.10.3 InSight Crimes 2019 Homicide round up noted:

10.10.4 ‘However, what’s behind the sharp decline is much more complex.

President Nayib Bukele’s credits his sending of troops into the streets to take back territory from the gangs for the decrease. But a number of analysts consulted by InSight Crime explained that the drop could also possibly be attributed to a concerted effort on the part of the Mara Salvatrucha (MS13)

¹³⁸ ICG, [‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p19), 8 July 2020

¹³⁹ ICG, [‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p23-27), 8 July 2020

and Barrio 18 to stop killing in order to maintain territorial control and avoid deadly confrontations with security forces.’¹⁴⁰

10.10.5 InSight Crime in an August 2020 report stated: ‘El Salvador President Nayib Bukele has credited his crime-fighting plan for a 60 percent drop in homicides this year. But the country’s violent street gangs deserve some — if not more — of the credit.’¹⁴¹

10.10.6 See also [ICG, ‘El Salvador’s Politics...’ \(p11\), 17 December 2017](#)

[Back to Contents](#)

10.11 Disappearances

10.11.1 The UNSR extrajudicial execution report 2018 observed: ‘The Special Rapporteur also received troubling information about increased numbers of enforced disappearances of women (and men), which may be indicative of a higher than reported murder rate, as many disappearances culminate in killings. It is concerning that this number may be underreported owing to a lack of complaints lodged for fear of reprisals.’¹⁴²

10.11.2 Insight Crime observed in a July 2019 report:

‘And while homicides may be on the decline in El Salvador, disappearances are up. The 3,514 disappearance cases registered by the Attorney General’s Office in 2018 were more than the number of homicides recorded that year. [Alluding to the government’s change in how it records homicides – see Definition of homicide above] Those later found to be dead, including in clandestine graves — a tactic used by the country’s gangs in the past — would not be included under the government’s new homicide records.’¹⁴³

10.11.3 A Freedom House report commenting on events in 2019 noted

‘Forced disappearances rose by over 20 percent in the first 11 months of the year compared to 2018, as gangs used the tactic to extort and intimidate Salvadorans.

‘In 2018, the national police reported 2,457 disappearances, the highest number in 12 years; that figure rose to 2,993 in the first 11 months of 2019. Relatives of the disappeared often fear reprisal, and either refrain from discussing their concerns publicly or insist on anonymity.’¹⁴⁴

10.11.4 Human Rights Watch in their 2020 World Report, covering events of 2019 stated:

‘In 2018, the FGR [Fiscalía General de la República; Prosecutor General of the Republic of El Salvador] registered 3,664 victims of disappearance, abductions, and unexplained missing person cases, including 1,218 women and at least 24 boys and 29 girls. The 2018 figures included suspected abductions by criminal gangs and other cases in which people have gone missing in unexplained circumstances. Since 2010, the police have

¹⁴⁰ InSight Crime, ‘[2019 Homicide round-up](#)’, 28 January 2020

¹⁴¹ InSight Crime, ‘[Homicide drop in El Salvador: Presidential triumph or gang trend](#)’, 13 August 2020

¹⁴² UNHRC, [SR extrajudicial execution report 2018](#) (para 72), 7 December 2018

¹⁴³ InSight Crime, ‘[El Salvador to Omit Key Data...](#)’, 18 July 2019

¹⁴⁴ Freedom House, ‘[Freedom in the World 2020: El Salvador](#)’, ([section Overview](#)), 4 March 2020

registered over 10,800 such cases. Because very few cases are investigated, knowledge of perpetrators is limited.’¹⁴⁵

10.11.5 ICG in a July 2020 report stated: ‘The Attorney General’s Office reported more than 2,500 complaints for disappearances during Bukele’s first year in office [June 2019 to May 2020], compared to 3,500 in 2018... On 1 June [2020], the minister of justice and public security tweeted that when Bukele’s government took power, the country was suffering an average of eight disappearances a day, a rate that has since been brought down to 4.5.’¹⁴⁶

10.11.6 See also

- [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’ \(s4.5\), September 2016](#)
- [InSight Crime: Homicides down; disappearances up: El Salvador’s conflicting numbers, 13 December 2018](#)
- [The Independent: Unexplained disappearances in El Salvador revive painful Cold War memories, 21 October 2019](#)

[Back to Contents](#)

10.12 Displacement

10.12.1 The UNSR IDPs report 2018 observed:

‘The phenomenon of internal displacement is characterized by numerous and dispersed displacement of individuals and families from different localities due to localized acts of violence, threats or intimidation, rather than mass displacement as may be witnessed during internal conflicts, for example. Consequently, the actual number of those affected by internal displacement is hidden as victims seek anonymity and, for some, routes out of the country to find safety elsewhere. Tracking the numbers and internal displacement trends is therefore extremely difficult and statistical quality data is vital to reveal the full extent of the problem, including not only the numbers of those affected, but their circumstances, locations, vulnerabilities and protection issues. This is essential to begin to find effective solutions for many hidden and anonymous victims.

‘There is a striking disparity between government figures on those internally displaced by violence and those of civil society and international organizations and clarity is urgently required. While some international organizations have put numbers displaced by violence in the tens or even hundreds of thousands... (while recognizing the need for caution due to the challenges in gathering accurate data), the Government, through the Ministry of Justice and Public Security, informed the Special Rapporteur that the numbers of internally displaced persons were only in the hundreds and that the problem had been massively overstated.’¹⁴⁷

10.12.2 The UNSR on IDPs report 2018 also noted:

¹⁴⁵ HRW, [World report 2020](#) (El Salvador), January 2020

¹⁴⁶ ICG, [‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p20), 8 July 2020

¹⁴⁷ UNHRC, [SR report on IDPS 2018](#) (paras 11 and 12), 23 April 2018

‘Civil society sources suggested that the number of cases of internal displacement reported to the authorities, including the police and the public prosecutor’s office, is extremely low in comparison with the number of actual cases... Many keep a deliberately low profile and are located with host families or friends or in rented accommodation and are therefore difficult to locate and reach with information or assistance. In view of the nature of their displacement due to threats or violence, many are thought to seek to hide their locations and blend into urban centres in which they can be anonymous and invisible to the gangs who threaten them and the authorities. This makes gaining access to them by the authorities or humanitarian organizations extremely difficult.

‘The 2016 report on forced displacement by the organizations that compose the Civil Society Round Table against Forced Displacement by Generalized Violence and Organized Crime in El Salvador shows that forced displacement affects men and women to a similar degree. Among men and boys, the group most affected by forced displacement are those in the 18–25 age range, followed by those in the 0–11 age range. Among women and girls, those most affected are girls between the ages of 0 and 11 years, followed by women between the ages of 18 and 55.[...] A similar situation of vulnerability affects the lesbian, gay, bisexual, transgender and queer population, which represents an additional vulnerability factor, either by direct attacks motivated by discrimination or hatred and/or where it is an additional risk factor for the violence suffered by the victims.’¹⁴⁸

10.12.3 A UNHCR news briefing from January 2020 stated:

‘UNHCR, the UN Refugee Agency, welcomes El Salvador’s passage of legislation to protect, aid and offer durable solutions to people internally displaced in the Central American nation due to violence from organized crime and criminal gangs, as well as those who may be at risk of displacement.

‘The legislation, passed by a resounding majority in El Salvador’s National Assembly on January 9 [2020], opens the door for tens of thousands of victims of forced displacement in the country to gain access to life-saving humanitarian assistance, and to have their basic rights restored, including effective access to justice. The law further provides for the establishment, for the first time, of a comprehensive national system that brings together a wide variety of State institutions to collaborate in responding to and preventing forced displacement.

‘Once signed by President Nayib Bukele, the law can have a lasting positive impact on the lives of the 71,500 Salvadorans estimated to have been forcibly displaced between 2006 and 2016 within their country’s borders, as well as tens of thousands more who are at risk of being forced to flee their homes.

‘The text of the legislation on internal displacement, drafted with technical support from UNHCR, aligns with the UN Guiding Principles on Internal Displacement and with other international standards that describe the rights of internally displaced persons, including the right to request and receive

¹⁴⁸ UNHCR, [SR report on IDPS 2018](#) (paras 15 and 16), 23 April 2018

humanitarian assistance, protection of family unity, an adequate standard of living and durable solutions. It also establishes mechanisms to allow those affected by internal displacement to protect and reclaim property they may have been forced to abandon in their flight.’¹⁴⁹

10.12.4 The IDMC’s undated El Salvador page commented that:

‘The primary cause of displacement in El Salvador is widespread gang and criminal violence, but accurate and timely evidence of the phenomenon is scant and piecemeal. After decades of ignoring the issue, in early 2020, parliament adopted a law on internal displacement, a landmark policy development in the region. Natural hazards, the most common of which are floods, also cause displacement, but official figures are significantly lower than in neighbouring countries.

‘Extrapolated results from a survey by the Institute of Public Opinion at the Central American University (IUDOP) suggest there were 454,000 new displacements in 2019. Threats, extortion and assassinations perpetrated by criminal gangs are the main triggers. This considerable increase compared with previous years is in part the result in a change of methodology.

‘In the first half of 2020, there were 13,000 new displacements as a result of disasters.’¹⁵⁰

10.12.5 HRW in its annual report of events in 2019 stated ‘Large numbers of people in El Salvador are internally displaced by criminal violence, extortion, and other threats. One study estimated the number of displaced in 2017 to be nearly 300,000.’¹⁵¹

10.12.6 HRW in a February 2020 report stated:

‘The few organizations now offering assistance to the internally displaced can together only provide services to several hundred people per year and even then, are typically delayed, and limited to helping a limited number of people and for a period of no more than three months. This leaves most of the estimated 285,000 internally displaced persons in El Salvador to rely on familial networks, or more commonly, as one survey with a nationally representative sample found, flee abroad.’¹⁵²

10.12.7 The USSD human rights report 2019 stated:

‘As of August the PDDH [Office of the Human Rights Ombudsman] reported 148 complaints of forced displacement, 28 of which arose from the same incident. Nearly all of the complaints were from gang-controlled territories, with 84 cases from San Salvador, although in three cases, the complaint alleged the PNC [The Civilian National Police] caused the displacement. As of October 2018, the government acknowledged that 1.1 percent of the general population (approximately 68,060 persons) was internally displaced. The Office of the UN High Commissioner for Refugees estimated there were 71,500 internally displaced persons (IDPs) and reported the causes of

¹⁴⁹ UNHCR, ‘[UNHCR welcomes new law in El Salvador to help people internally...](#)’, 10 January 2020

¹⁵⁰ IDMC, [El Salvador country page](#) (Overview), undated

¹⁵¹ HRW, [World report 2020](#) (El Salvador), January 2020

¹⁵² HRW, [‘Deported to Danger’](#), February 2020

internal displacement included abuse, extortion, discrimination, and threats.¹⁵³

10.12.8 The US CRS report updated July 2020 based on a range of sources observed:

‘Gang-related violence has fueled most internal displacement in El Salvador, but violence perpetrated by security forces (police and military) also has been a factor... In 2019, El Salvador recorded 454,000 new internally displaced persons (IDPs) due to conflict, the most of any country in Latin America that experienced displacement linked to conflict and violence... In January 2020, the Bukele government enacted a law to deal with internal displacement that was praised by the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations, but then the government reportedly cut the 2020 budget for assistance to victims of violence.’¹⁵⁴

10.12.9 The ICG report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated:

‘Violence is often the cause of internal displacement and migration abroad. The Internal Displacement Monitoring Centre estimates that violence forced the displacement of 455,000 people within El Salvador in 2019 alone, but the Legislative Assembly only recently recognised this problem. There is no monitoring system in place. Nor are there adequate services to take care of victims. According to a recent survey by the Inter-American Development Bank, Salvadorans cited violence or insecurity (48 per cent) as the main reason driving them to consider the journey north much more frequently than other Central American migrants. UNHCR reported in 2019 that El Salvador was the most common nationality of origin for asylum seekers in the U.S. in both 2017 and 2018.’¹⁵⁵

10.12.10 See also [Freedom of movement](#) and [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’ \(s4.5\), September 2016](#)

[Back to Contents](#)

10.13 Other criminal activities

10.13.1 ICG’s December 2017 report added ‘Unlike their peers in Honduras, Salvadoran gangs do not have direct business control over parts of the drug trade, but have sub-contractual relationship with narco-traffickers, who employ them sporadically as muscle in some operations’¹⁵⁶. In a November 2018 report, International Crisis Group explained how the gangs ‘coerce, threaten and kill.’¹⁵⁷

10.13.2 The IRBC IG gangs report of September 2016 noted:

‘The level of violence at schools is serious and gangs intimidate teachers, administrative staff and students. According to SIMEDUCO [Union of Public Education Teachers of El Salvador], many youth at public schools have ties to gangs either directly or through a family member.... School principals are

¹⁵³ USSD, ‘[Human rights report 2019](#)’ (section 1A), 11 March 2020

¹⁵⁴ CRS, ‘[El Salvador: Background and US relations](#)’ (p7-8), updated 1 July 2020

¹⁵⁵ ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p7), 8 July 2020

¹⁵⁶ ICG, ‘[El Salvador’s Politics of Perpetual Violence](#)’ (p10), Dec 2017

¹⁵⁷ ICG, ‘[Life Under Gang Rule in El Salvador](#)’, November 2018

ordered by the gangs which students must be admitted to school, and who is not to be admitted. Also, teachers have to consider carefully whether to discipline a student, as they often must consider whether that student is related to a gang member. SIMEDUCO stated that most of the teachers who have been killed were those who were perceived as "very strict."...

'Teachers are also forced by students with gang connections to hide weapons inside their desks in case of police appearance at the school, and to give the student the grades that he or she demands. Without providing the specific details about perpetrators, the SIMEDUCO gave the following statistics regarding killings of students and teachers: in 2014, 38 students and 9 teachers were killed; in 2015, 75 students and 15 teachers were killed; and from 1 January to 20 April 2016, 20 students and 5 teachers were killed.'¹⁵⁸

10.13.3 The same IRBC report stated: 'They (MS 13 members) are also subcontracted as hired assassins by criminal organizations or individuals.'¹⁵⁹

10.13.4 Global Security Insight in an August 2019 article noted: 'A recent phenomenon suggests that "copycat" criminals, who pretend to be part of prominent gangs to enhance the perceived legitimacy of their threats, have also proliferated in urban centres.'¹⁶⁰

10.13.5 The USSD annual report on religious freedom, covering events from 2019 stated:

'According to media reports, MS-13 gang members sometimes posed as members of an evangelical Protestant church to commit crimes without raising suspicion. According to police cited in media reports, the MS-13 clique "Tecalotes Locos Salvatruchos" ("Crazy Owls" in English) allowed several of its members to attend church in Vista al Lago, Ilopango, while still belonging to the gang structure. Reportedly, gang members also used open-air preaching events to conduct neighborhood surveillance and to prevent rival gang members from entering their territory. Media also reported these evangelical gang members were collecting extortion payments on behalf of the gang.'¹⁶¹

10.13.6 The US Overseas Security Advisory Council (OASC) crime and safety report of March 2020 noted 'El Salvador's gangs are not major narcotics trafficking organizations. Rather, they are primarily involved in retail street-level drug sales.'¹⁶²

10.13.7 The USSD Trafficking in persons report 2020 stated:

'Recent cases of trafficking have involved gangs using the pretense of domestic employment to lure women into forced marriage...

'Gangs actively recruit, abduct, train, arm, and subject children to forced labor in illicit activities—including assassinations, extortion, and drug trafficking—and force women, LGBTQI persons, and children to provide

¹⁵⁸ IRBC, ['El Salvador: Information Gathering Mission Report - Part 1'](#) (s4.5), September 2016

¹⁵⁹ IRBC, ['El Salvador: Information Gathering Mission Report - Part 1'](#) (s4.5), September 2016

¹⁶⁰ Global Security Insight, ['The Cost Of Living: Extortion in the Northern Triangle'](#), 5 August 2019

¹⁶¹ USSD, ['2019 Report on International Religious Freedom: El Salvador'](#), 10 June 2020

¹⁶² US OASC, ['Crime and Safety Report 2020'](#), 31 March 2020

sexual services, in some cases for imprisoned gang members, as well as forced to provide domestic service, and childcare for gang members' children.¹⁶³

10.13.8 For information on sexual abuse and exploitation see section [Women and girls](#)

[Back to Contents](#)

10.14 Socio-economic costs

In their March 2016 Eligibility Guidelines, UNHCR explained that '... because persons who flee their homes due to threats or gang-related violence often have to do so rapidly, they usually incur substantial economic losses as they have little time to make arrangements to sell or rent their houses and businesses or even to collect all of their belongings.'¹⁶⁴

10.14.1 An IDMC report of September 2018 noted 'many have shut their businesses down because they find themselves working solely for the gangs' benefit.'¹⁶⁵

10.14.2 The Economist, reported the findings of an unpublished paper by Nikita Melnikov and María Micaela Sviatschi of Princeton and Carlos Schmidt-Padilla of the University of California, Berkeley, which 'sought to measure how MS-13 and Barrio 18 have affected Salvadoreans' lives'. The article noted:

'[The paper]... shows that gangs do not just thrive in poor places—they also seem to make people in those places poorer.

'The paper looks first at San Salvador, the capital. In 2015 El Diario de Hoy, a newspaper, used data from the security ministry and from its own deliveries to map areas under gang control. Members in these zones extort fees from residents and charge entry tolls. Sometimes MS-13 and Barrio 18 seize turf from each other, but the authors say the outer borders of gang areas have changed little since the early 2000s.

'A census from 1992, when the civil war ended, shows no socioeconomic divide at the fringes of today's gangland. But by 2007, in the only subsequent census, a gap had emerged in residents' education and quality of housing, exactly at the borders shown on the map of 2015. Because gang boundaries may be blurry, the scholars also compared areas a few blocks from the mapped limits. The results were the same.

'To check if this divide still persists, the scholars conducted a poll. Respondents who lived on gang turf reported less than half the income of those outside. They were also less likely to say they worked outside their neighbourhoods or for large firms, which might explain why they were poorer.

'Finally, the paper analysed night-time light levels, a proxy for economic activity. Focusing on regions with below-average brightness... Before the gangs arrived, light emissions grew at a similar rate in both groups. From 1995 to 2013, the increase was 33% smaller in the afflicted zones.

¹⁶³ USSD, '[2020 Trafficking in Persons Report: El Salvador](#)', 25 June 2020

¹⁶⁴ UNHCR, '[Eligibility Guidelines](#)' (p27), March 2016

¹⁶⁵ IDMC, '[An Atomised Crisis ...](#)' (p19), September 2018

‘Quantifying exactly how much gangs have stunted development is tricky. Adrian Bergmann of El Salvador University says that the share of investment that goes to poor, gang-prone areas has fallen since the 1990s, another possible cause of the disparity. Nonetheless, the bulk of the data suggests that gangs inflict far more harm than just committing crimes. Little wonder so many Salvadoreans want to flee them.’¹⁶⁶

10.14.3 Similarly, an article from October 2020 on how non-state armed actors, such as criminal organisations, affect economic growth by Nikita Melnikov, Carlos Schmidt-Padilla and Maria Micaela Sviatschi of Princeton University and the University of California, published on the development economics platform VoxDev, and using data analysis from censuses from 1992 and 2007 to compare found:

‘... in recent years, residents of gang-controlled neighbourhoods in El Salvador have worse dwelling conditions, less income, and a lower probability of owning durable goods compared to individuals living just 50 meters away but outside of gang territory. They are also less likely to work in large firms.

‘The magnitudes of this effect are very large. For instance, [...] residents of gang areas have US\$350 lower income compared to individuals living in neighbouring non-gang locations. Given that the average income in the sample is \$625, this discontinuity implies a reduction in income of more than 50%...

‘...Before the arrival of gangs, neighbourhoods on either side of the boundary of gang territory had similar socioeconomic and geographic characteristics.’¹⁶⁷

10.14.4 Bertelsmann Stiftung (BTI) in their 2020 Country Report El Salvador from April 2020 noted: ‘Individuals who have been involved with gangs also find it difficult to seek employment if their personal history becomes known.’¹⁶⁸

10.14.5 International Crisis Group report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated: ‘Although the Unit for the Reconstruction of the Social Fabric is also supposed to provide economic opportunities in communities where gangs recruit, there has not been any initiative to this end, with the exception of training programs for young people. Since the start of the coronavirus outbreak, the Unit’s focus has instead turned to handing out food bags to 100,000 households living in extreme poverty, according to its director.’¹⁶⁹

[Back to Contents](#)

10.15 COVID-19

10.15.1 ACLED in an article from May 2020, citing a range of sources, stated:

¹⁶⁶ The Economist, ‘[The wrong side of the tracks...](#)’ 11 January 2020

¹⁶⁷ Melnikov, Schmidt-Padilla & Sviatschi, ‘[How organised crime can affect...](#)’, 30 October 2020

¹⁶⁸ Bertelsmann Stiftung: [BTI 2020 Country Report El Salvador](#), 29 April 2020

¹⁶⁹ ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p13), 8 July 2020

'In El Salvador... , a state of emergency was announced on the 13... March... These measures were followed by a national quarantine at the end of March in El Salvador.

'These restrictions have had immediate impacts on gang operations. Locally, the temporary closure of non-essential economic activity has hindered money laundering, as it is traditionally carried out through front businesses that appear to be engaged in legal commerce, while mobility restrictions have similarly impeded extortion rackets.

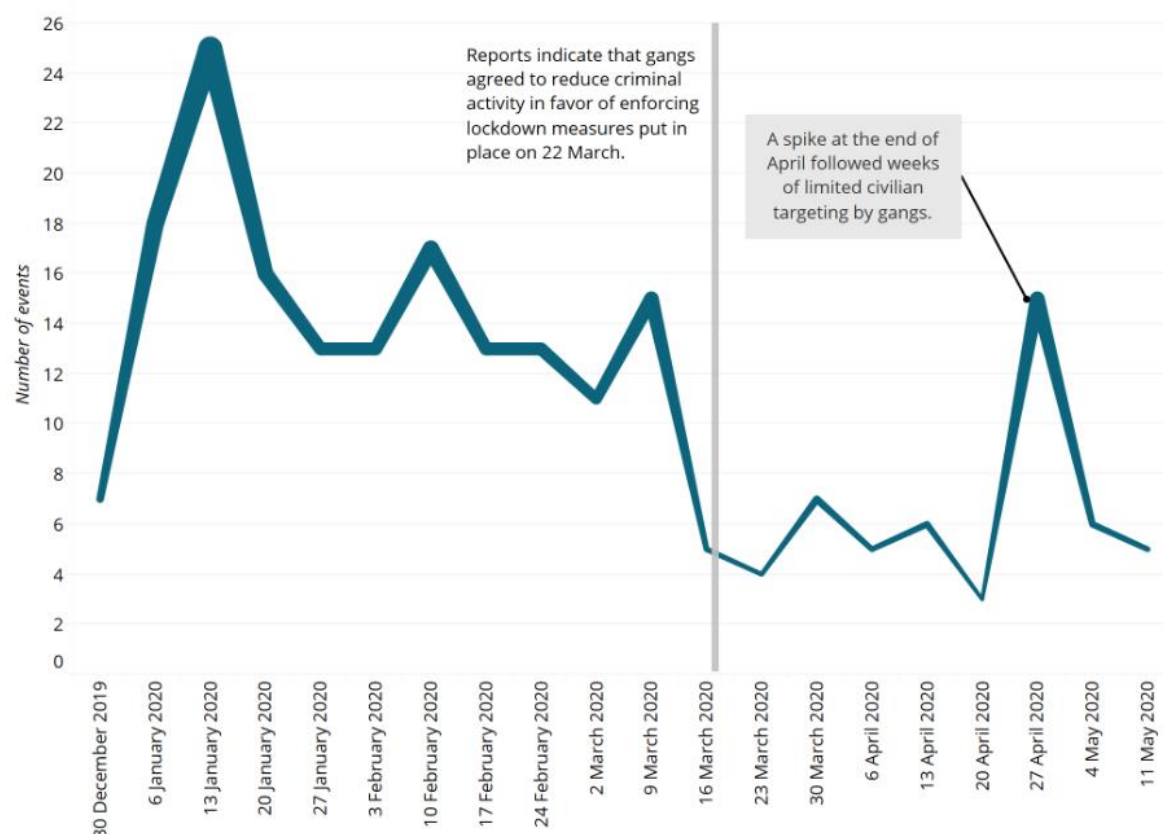
... violence targeting civilians has decreased significantly in all three countries of the Northern Triangle since the official start of the pandemic in March. Extortion is a key source of income for gangs – also known as maras, locally. Many businesses have closed or lost revenue during the pandemic, hence preventing them from paying gang rents. As a result, extortion income has dropped

'Inter-gang fighting has particularly increased across the country, with multiple clashes between the larger mara groups Mara Salvatrucha 13 (MS-13) and Barrio 18 (B-18) and smaller local gangs.

'The two largest gangs in El Salvador, MS-13 and the two factions of the B-18, initially promised each other that they would restrict criminal activities in light of the coronavirus [...]. Nevertheless, gang attacks on civilians spiked at the end of April [See graph below provided by ACLED which illustrates levels of gang attacks on civilians from December 2019 to May 2020, in particular the reduction in criminal activity during the lockdown in March to a spike at the end of April] – an escalation seen by some as a reminder to state forces and society at large that they retain control over key territories.'¹⁷⁰

¹⁷⁰ ACLED, '[Central America and COVID-19: The Pandemic's Impact in Gang Violence](#)', 29 May 2020

Gang targeting of civilians in El Salvador



171

10.15.2 The ACLED article also noted:

‘The outbreak of violence prompted President Nayib Bukele to authorize lethal force against gangs and to order a prison restructuring. Arguing that April’s deadly spike in violence was orchestrated by imprisoned gang leaders, the Bukele administration decided to impose extreme isolation measures on prominent gang-affiliated prisoners. At the same time, the administration also began mixing lower-level members of rival gangs — contravening a long-standing practice of separating gangs within detention centers — on the basis that the new arrangement would sow discord and make it more difficult for gangs to send orders out

‘Gangs have also adopted new strategies to demonstrate their power in the Northern Triangle. In El Salvador, maras sent out messages threatening people to comply with the national curfew. They established schedules for stores to open and for residents to obtain food. Reports indicate that the three largest maras — MS-13 and both factions of B-18 — coordinated to implement these measures across the country... and that gang members have beaten people for not complying ...’¹⁷²

[Back to Contents](#)

¹⁷¹ ACLED, ‘[Central America and COVID-19: The Pandemic’s Impact in Gang Violence](#)’, 29 May 2020

¹⁷² ACLED, ‘[Central America and COVID-19: The Pandemic’s Impact in Gang Violence](#)’, 29 May 2020

11. Targets of gang violence

11.1 Overview

11.1.1 The UNSR extrajudicial execution report 2018 observed that gang killings are ‘part of a deliberate strategy targeting, inter alia, rival gang members, women and girls, individuals resisting extortion or complaining about them, and representatives of public services.’¹⁷³

11.1.2 The IDMC report of September 2018, based on various sources, noted:

‘El Salvador’s street gangs each have their distinct *modus operandi*, which affect people’s security before and after they flee from them. The MS gang is highly organised and hierarchical. Orders come from above, even if they may be applied inconsistently, and it may be able to pursue people effectively after they flee. The 18 gang [Barrio 18] on the other hand is more disorganised, its members can indulge in extortion and threats without authorisation, and its overall conduct is chaotic.

‘Men aged 18 to 35 are the most vulnerable to gang-related killings, and the intentional homicide rate for this group exceeds 300 per 100,000 in some parts of the country. Women and men are affected differently by gang activity, and children and adolescents are particularly vulnerable to recruitment and to sexual exploitation. People who refuse to join a gang, try to leave one or refuse to comply with its demands are highly vulnerable to extreme reprisals. Those suspected of belonging to or associating with a rival gang, or having friends or family who do so, face persecution and extrajudicial execution by gang members and death squads supported by state acquiescence or complicity...’¹⁷⁴

11.1.3 The IDMC report also noted:

‘Direct threats may be linked to forced recruitment, failure to pay extortion money or submit to other demands, or a perceived act of *traición* or betrayal. The murder or attempted murder of a relative or act of aggression against them constitutes an indirect threat rather than a growing risk in the community more broadly. The act itself constitutes an implicit threat, but an explicit threat or order to leave may also follow...

‘Threats may arise because of what someone has or hasn’t done, but also because of who someone is. People who are particularly vulnerable in this sense include members of the security forces and others targeted because of their work, members of the LGBT community, and people with past or current links to gangs, including former prisoners, those who have left gangs and the partners and relatives of gang members. These should be understood as people whose presence is an affront to gangs or is perceived to violate gang code, and people whose identity is constructed by having committed or having the potential to commit acts perceived as resistance or betrayal.’¹⁷⁵

¹⁷³ UNHRC, [SR extrajudicial execution report 2018 \(paras 65f\)](#), 7 December 2018

¹⁷⁴ IDMC, [‘An atomised crisis...’](#) (ps22-23), September 2018

¹⁷⁵ IDMC, [‘An atomised crisis...’](#) (ps22-23), September 2018

- 11.1.4 The USSD human rights report for 2019 noted that targets of violent crime by criminal groups such as local and transnational gangs included the ‘...police, judicial authorities, the business community, journalists, women, and members of vulnerable population.’¹⁷⁶

‘Organized criminal elements, including local and transnational gangs and narco’tics traffickers, were significant perpetrators of violent crimes and committed acts of murder, extortion, kidnapping, human trafficking, intimidation, and other threats and violence

- 11.1.5 See also [Cantor, David James, Refugee Survey Quarterly: ‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’, June 2014](#)

[Back to Contents](#)

11.2 Current and former gang members

- 11.2.1 A IDMC paper of 2018 noted ‘Código, or gang code, dictates how anyone associated with the gang must behave. “They want control, obedience, silence. If that doesn’t happen they will kill you.”’¹⁷⁷ A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America reported that ‘The gangs also kidnap and murder local rivals ...’¹⁷⁸ While the FCDO’s travel advice noted that ‘Violence between gangs is common and targets are usually rival gang members...’¹⁷⁹

- 11.2.2 Human Rights Watch in a report from February 2020 stated:

‘According to Salvadoran authorities, the deportees at the highest risk of harm are alleged former and current gang members and those with alleged links to gangs. These alleged former and current gang members are sometimes killed by their own or rival gangs (they are also killed by state actors or death squads...). An individual deportee’s reported status as a gang member by the press, by the police, or by other observers, may or may not be true.

‘Accounts of killings of deportees by gangs in court filings and press accounts indicate that a deportee might be killed by his own gang for not “re-activating” with the gang once in El Salvador, battling for power within the gang, committing crimes like robbery, or calling attention to the gang through flamboyant behavior. Gangs reportedly kill members of rival gangs, or those assumed to be members, for living in or transiting their area, including one who was evangelizing after leaving behind gang life and one who was recently deported.

‘State actors, such as police or other law enforcement, reportedly have killed deportees alleged to be former or current gang members, according to relatives, journalists, and academics who spoke with Human Rights Watch.’¹⁸⁰

¹⁷⁶ USSD, ‘[Human rights report 2019](#)’ (section executive summary & 1F), 11 March 2020

¹⁷⁷ IDMC, ‘[An Atomised Crisis ...](#)’ (p19), September 2018

¹⁷⁸ Insight Crime and Global Initiative Project, ‘[... Extortion in Central America](#)’ (p10), May 2019

¹⁷⁹ FCDO, ‘[Travel Advice: Safety and security](#)’, updated 16 November 2020

¹⁸⁰ HRW, ‘[Deported to Danger](#)’, February 2020

11.2.3 The USSD human rights report for 2019 stated: ‘Gangs remained prevalent in prisons. As of September 14 [2019], approximately 55 percent (18,293 prisoners) of the prison population were active or former gang members.’¹⁸¹

11.2.4 See also [Leaving gangs](#)

[Back to Contents](#)

11.3 People working in businesses and professions

11.3.1 A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America, referencing a 2015 paper by Insight Crime, explained that ‘Faced with increasing legal actions against them, the gangs sought more money to pay for lawyers and cover other costs associated with trials and jail time. The result was a concerted effort to move from occasional to more systematic and permanent extortion, targeting principally small businesses, the public transport sector and eventually delivery services’¹⁸².

11.3.2 A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America suggested that ‘People who have informal businesses, such as street vendors and sex workers, or legal small businesses, such as shops, are easy targets for the gangs. They usually have to pay a weekly, twice monthly or monthly extortion fee. The extent of gangs’ territorial control allows the system to go after large companies too, although not all business sectors are equally affected.’¹⁸³

11.3.3 The same paper added ‘The transport industry was one of the first to be subjected to extortion. [...] In El Salvador, gangs now target the owners of bus companies, extorting from them larger payments in a process that is more efficient and less work-intensive for the gangs.’¹⁸⁴

11.3.4 The USSD Human rights report 2019 stated: ‘In some cases the country’s high crime rate undermined acceptable conditions of work as well as workers’ psychological and physical health. Some workers, such as bus drivers, bill collectors, messengers, and teachers in high-risk areas, reported being subject to extortion and death threats by gang members.’¹⁸⁵

11.3.5 A June 2020 report ‘The Impact of Violence on the Right to Health for Displaced Persons in the North of Central America and Mexico’ by REDLAC and published by Norwegian Refugee Council (NRC) noted:

‘Health workers in communities [in El Salvador] affected by violence also risk extortion from criminal groups. According to a [unspecified] humanitarian organisation, community health personnel may be charged an extortion tax of up to [US]\$500 per month. In September 2019, two facilities of the Community Family Health Teams in San Martín were forced to close and another was forced to relocate, due to threats made by gangs against staff. Likewise, according to the National Health Forum, the number of requests from healthcare staff to transfer facilities, due to violence or threats, means that several centres have been obliged to function at reduced capacity, since

¹⁸¹ USSD, ‘[Human rights report 2019](#)’ (section executive summary & 1F), 11 March 2020

¹⁸² Insight Crime and Global Initiative Project, ‘... [Extortion in Central America](#)’ (p10), May 2019

¹⁸³ Insight Crime and Global Initiative Project, ‘... [Extortion in Central America](#)’ (p22), May 2019

¹⁸⁴ Insight Crime and Global Initiative Project, ‘... [Extortion in Central America](#)’ (p22), May 2019

¹⁸⁵ USSD, ‘[Human rights report 2019](#)’ 11 March 2020

staff cannot be easily replaced. The Ministry of Health's Access to Public Information Unit registered 198 requests for transfers of health personnel in 2014 and 317 cases in 2015.¹⁸⁶

[Back to Contents](#)

11.4 Religious groups

11.4.1 The USSD annual report on religious freedom, covering events from 2019 stated:

'There were... continuing reports of gang members extorting organizations with known funding streams, including religious groups, demanding payments in exchange for allowing them to operate in some territories. According to media reports, gangs commanded churches to divert charitable items to their families. A missionary stated that MS-13 and 18th Street gang members, whom gang leaders had previously forbidden from extorting the religious community, had recently begun demanding extortion payments from churches and religious groups. An NGO source said that this may be localized as determined by each clique.'¹⁸⁷

11.4.2 See also [Extortion](#)

[Back to Contents](#)

11.5 Public sector workers

11.5.1 The UNSR extrajudicial execution report 2018, following the SR's visit to El Salvador in February 2018, observed that gangs committed extrajudicial killings including

'... widespread targeting of specific individuals seen as representative of the State: police and military personnel, prison guards, public electricity company workers and personnel from the judicial branch and their families. Human rights organizations and public officials speak of a systematic strategy against agents of the State in response to, or as a precursor of, the Government's war against gangs. Official figures show a sharp increase from 13 killings of security personnel in 2013 to 60 in 2017.'¹⁸⁸

11.5.2 An IDMC report of September 2018 noted that

'Members of the police, military and private security forces are at risk of threats, violence and displacement because of their work. Low-ranking police officers are poorly paid, so they tend to live in areas where gangs are active, which heightens the risk they and their partners and families face.

'This leads to some reaching "hazard agreements" with gangs in their community, under which they agree to leave each other in peace. Former members of the security forces are targeted for recruitment because of their expertise in weapons, and current members are also subjected to threats and pressure to collaborate, although the dynamics may be changing as gangs' enmity toward the police increases.

¹⁸⁶ REDLAC (Author), published by NRC, '[The Impact of Violence on the Right...](#)', June 2020

¹⁸⁷ USSD, '[2019 Report on International Religious Freedom: El Salvador](#)', 10 June 2020

¹⁸⁸ UNHRC, '[SR extrajudicial execution report 2018](#)' (paras 65(f)(ii)), 7 December 2018

'Members of the security forces and their families members are at risk of being killed, either because of specific problems with gangs or simply because of their work, and attacks have increased since the failure of the truce and political discourse in 2014 and 2015'¹⁸⁹

- 11.5.3 In a November 2018 report, ICG reported 'Police officers always wear a gorro navarone, or face-covering balaclava, scared that gang members will come after them and their families'¹⁹⁰.
- 11.5.4 A March 2019 article by the Washington Post noted
- 'Many units in the Salvadoran police are forbidden to wear balaclavas to conceal their identities. In anti-gang units, officers are allowed to wear such masks during operations, but they are frequently asked to testify in court, where they must show their faces and identify themselves by name while gang members look on.
- 'In 2017, El Salvador's attorney general, Douglas Meléndez, urged the government to do more to protect off-duty police, asking the parliament to pass a "protection law" for police and soldiers that would also provide funding to protect their families. The law was never passed.'¹⁹¹
- 11.5.5 The same March 2019 article by the Washington Post noted 'Members of the Salvadoran police have been killed by the dozens in each of the past three years, most in attacks that investigators and experts blame on MS-13'¹⁹²
- A March 2019 article by the Washington Post noted 'At least nine officers were killed in the first month of this year [2019]'¹⁹³.
- 11.5.6 The Guardian in an article from November 2019 stated: 'The police are always on high-alert and officers wear balaclavas to protect their identities, but attacks on the police are common, including secondary, "double tap" shootings at murder sites. This breakdown of trust has created a uniquely problematic socio-political situation, and helps explain why for many Salvadorans the only answer is migration, usually to the north to Mexico and the US.'¹⁹⁴
- 11.5.7 The FCDO's travel advice updated 16 November 2020 noted that 'Violence between gangs is common and targets [include]... the military and police.'¹⁹⁵
- 11.5.8 Human Rights Watch in a report from February 2020 stated: 'Human Rights Watch interviewed two families who had multiple members working for the Salvadoran military or police who were threatened, then fled to the United States hoping to seek asylum but were subsequently deported and killed.'¹⁹⁶

¹⁸⁹ IDMC, '[An Atomised Crisis ...](#)' (p24), September 2018

¹⁹⁰ ICG, '[Life Under Gang Rule in El Salvador](#)' (p.6), November 2018

¹⁹¹ Washington Post, '[It's so dangerous to police MS-13 ...](#)', 3 March 2019

¹⁹² Washington Post, '[It's so dangerous to police MS-13 ...](#)', 3 March 2019

¹⁹³ Washington Post, '[It's so dangerous to police MS-13 ...](#)', 3 March 2019

¹⁹⁴ The Guardian (author Tariq Zaidi), '[A country ruled by gangs: A photo essay](#)', 22 November 2019

¹⁹⁵ FCDO, '[Travel Advice: Safety and security](#)', 16 November 2020

¹⁹⁶ HRW, '[Deported to Danger](#)', February 2020

11.5.9 A Freedom House report on El Salvador published on 4 March 2020 noted that gangs ‘continue to target members of security forces and their families.’¹⁹⁷

11.5.10 The USSD Human rights report 2019 stated: ‘the PDDH [Office of the Human Rights Ombudsman] reported that law enforcement officers were victims of gang-orchestrated attacks...As of July 2, authorities reported alleged gang members had killed 24 police officers and 12 soldiers.’¹⁹⁸

11.5.11 See also

- [UNHCR, ‘Eligibility Guidelines’ \(p.36\), March 2016](#)
- [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’, September 2016](#)
- [ICG, ‘El Salvador’s Politics of Perpetual Violence’ \(p5\), Dec 2017](#)

[Back to Contents](#)

11.6 Informants, witnesses and victims of crimes

11.6.1 An IDMC report of September 2018 claimed that:

‘Witnessing and reporting a crime, and achieving a successful prosecution present a continuum of risk with rising levels at each stage of the process. Reporting breaks the code of ver, oír y callar - see, hear and shut up – and often leads to death threats or even murder. Witnesses are also at risk because they may go on to report to, or cooperate with the authorities. They may also automatically be assumed to be informants. This means that even the initial level of risk is very high... Many victims and witnesses who have cooperated with the police or courts have been killed, and many more are too frightened to come forward.’¹⁹⁹

11.6.2 An InSight Crime report from February 2019 commenting on gang members turned informants stated:

‘By 2016, the owner of the black backpack had been buried for two years at the bottom of the ravine, a victim of that inter-gang war. The Attorney General’s Office already knew, the witness had told him. That witness was a member of the gang, he was one of the three murderers and fingered 76 people from the Barrio 18’s Sureños faction for participating in 20 similar homicides.

‘This type of witness in El Salvador, the “snitch”, is called a criteriado. In the last 11 years, 663 people in the country received a reduced sentence and a temporary stay in exchange for providing information, according to the type of negotiation carried out by El Salvador’s Attorney General’s Office.

‘This ploy has become recurrent in gang cases: the testimony of a single person can be enough for the prosecution to accuse dozens of people. The use of protected witnesses multiplied by 15 times in the last 11 years, but

¹⁹⁷ Freedom House, ‘[Freedom in the World 2020: El Salvador](#)’, ([section Overview](#)), 4 March 2020

¹⁹⁸ USSD, ‘[Human rights report 2019](#)’, ([Section 1](#)), 11 March 2020

¹⁹⁹ IDMC, ‘[An Atomised Crisis ...](#)’ (p23-24), September 2018

without much success. Fifty-four percent of the informants have withdrawn from the program.²⁰⁰

- 11.6.3 For more information on witness protection see also once published [CPIN EI Salvador: Actors of Protection](#)

[Back to Contents](#)

11.7 Women and girls

- 11.7.1 The UN Special Rapporteur on extrajudicial, summary and arbitrary executions in her report of a visit undertaken in February 2018 similarly observed that gang-related violations are part of a wider context of societal gender-based violence: 'El Salvador experiences high levels of generalized and pervasive interpersonal and sexual violence: every 19 hours a woman is killed and every 3 hours someone is sexually assaulted. In more than 70 per cent of cases, the victims are minors.'²⁰¹

- 11.7.2 The same source further noted:

'Women's bodies are a territory for revenge and control. Not one person interviewed denied the harsh reality for women in gang-controlled areas. Gangs are male-dominated and girls and women are often forced into sex slavery. Women are also killed or otherwise punished by gangs for revenge. The Special Rapporteur heard testimony about a gruesome case involving the brutal rape of two women by several gang members for having family members in the armed forces.'²⁰²

- 11.7.3 The UNSR IDPs report 2018 noted:

'Street gangs pose a constant threat to young women and girls, who are particularly vulnerable to threats, intimidation and violence, including rape. Sexual violence by gangs is commonplace, and high levels of femicide have been recorded. The general risk to girls from the gangs leads many families to leave. For those who remain and become voluntarily or through coercion associated with gang activities, this can result in violence or prison for some. Women whom the Special Rapporteur met, some in secret safe houses, described their experiences of threats and violence by gang members, leading them to flee their homes... In 2016 alone, 524 women were killed, according to the Institute of Forensic Medicine... While not all deaths are attributable to gang violence and the incidence of domestic violence and killings are high, a significant percentage are gang related. The number of femicides noticeably decreased during the period of a gang truce negotiated with the Government from 2012 to 2013. After the truce broke down, during 2015 and 2016 the numbers almost doubled, with 573 and 524 cases, respectively. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, visited El Salvador in August 2016, and stated that gangs were responsible for forced disappearances, forced recruitment of children and for the subjugation of women, including forcing young women and girls to become gang members' sexual partners....'²⁰³

²⁰⁰ Insight Crime, '[...collaborators in El Salvador: 'The witness's girlfriend goes free'](#)', 4 February 2019

²⁰¹ UNHRC, [SR extrajudicial execution report 2018](#) (para 6), 7 December 2018

²⁰² UNHRC, [SR extrajudicial executions report 2018](#) (para 73), 7 December 2018

²⁰³ UNHRC, [UNSR IDPs report 2018](#) (paras 27-28), 23 April 2018

11.7.4 An IDMC report of September 2018 noted the

‘ ... extreme machismo of gangs dictates strict gender divisions. Some women are gang members and undertake regular activities, and others have administrative roles while male members are in jail. In general, however, women are viewed as subservient or “property”, and gang members demand complete control over their bodies and lives.... Sexual violence and rape are used as punishment, including against female relatives of men who have offended gang members’²⁰⁴

11.7.5 The same report also noted:

‘Women and girls are also recruited into or join gangs, but they are more commonly subjected to sexual abuse, which is widespread. Gang members and others may call these women novias or girlfriends, and some women willingly engage in sexual relationships, but it tends to be a forced or coerced involvement, particularly when underage girls are involved. Girls are subjected to rape and sexual abuse, effectively becoming gang members’ sexual slaves, and they may be forced into sexual activity with the entire clika or gang cell’²⁰⁵

11.7.6 The IDMC report of September 2018 also noted

‘Women and girls who have been sexually involved with a gang member are particularly vulnerable to risk and displacement if there is any change in their relationship, regardless of the extent to which their involvement was voluntary.

‘[Women and girls] must follow the code of fidelity and obedience dictated by extreme machismo or be killed.

‘Acts considered betrayal include wanting to leave the relationship, being unfaithful, arousing the suspicion of infidelity, talking to another man, refusing to visit the gang member in prison and having an unauthorised relationship after the death of their partner or the end of their association. Deaths in such cases tend to involve torture, and women’s bodies are often found mutilated or dismembered.’²⁰⁶

11.7.7 InSight Crime in a report from April 2019 stated:

‘..., women are also subject to violence of a sexual nature, both within the extortion framework and beyond, as gangs have come to exploit the threat and use of sexual violence as a tool in their struggle for territorial control.

“‘Women’s bodies have become a battleground,” said Miriam Bandes, responsible for UN Women’s program in El Salvador, who reminds that gangs target women related — either directly as members or more often as companions — to rival gangs.

‘Under the perennial threat of sexual violence, women in gang-controlled neighborhoods reportedly adapt their behavior to mitigate the risk. Evidence suggests that women modify their daily behavior, from minimizing their presence on public transport and community spaces, to

²⁰⁴ IDMC, ‘[An Atomised Crisis ...](#)’ (p19), September 2018

²⁰⁵ IDMC, ‘[An Atomised Crisis ...](#)’ (p20), September 2018

²⁰⁶ IDMC, ‘[An Atomised Crisis ...](#)’ (p23), September 2018

purposefully falling pregnant to avoid being claimed by a gang member, or getting ahead of what they deem inevitable and seeking out a stable relationship with a higher-ranking gang member.’²⁰⁷

- 11.7.8 An article by Vickie Knox, Lecturer in International Human Rights Law and Refugee Law, about gang violence in the ‘northern triangle’ - El Salvador Guatemala and Honduras - and in the Forced Migration Review (FMR), October 2019, noted:

‘Street gangs use extreme sexual violence and femicide as vengeance against rivals, as a message to other gang members or as a punishment for people who have offended. Those forced to flee, however, may still be pursued and persecuted in displacement because their assailants have not been apprehended. The risks of being persecuted after displacement are increased if the violence is perpetrated by a gang member, especially if the victim reports the crime. This is likely to mean the risk will extend to their whole family and may then trigger cross-border flight.’²⁰⁸

- 11.7.9 Insight Crime in a April 2020 article stated:

‘Romantic ties with male gang members are one of the ways in which women are linked to the group. The gang members prefer to find women that are not associated with the gang, particularly underage girls around 13 or 15 years old. Female companions of gang members are often known as “jainas.” They often end up pregnant, leaving them few options outside of their relationship with the gang member.

‘Women can achieve different statuses within the gangs depending on the way they are introduced into the gang. The women that aspire to become members of the gang have two options: sexual relations with one or more of the members of the gang or to submit themselves to a “brincada,” a beating lasting between 13 and 18 seconds that aspiring members must endure in order to obtain a higher status.’²⁰⁹

- 11.7.10 The US CRS report of July 2020, based on a range of sources, observed:

‘Women, children... often are targets of gang violence. [...] Gang initiations for men and women differ. Whereas men are subject to a beating, women often are forced to have sex with various gang members. Female gang members tolerate infidelity from their partners, but women may be murdered if they are unfaithful. Non-gang-affiliated women and girls have been murdered as a result of turf battles, jealousy, and revenge. Those who have refused to help gangs or reported crimes are particularly vulnerable, as are those who are related to, or have collaborated with, the police. Harassment by gangs has led thousands of youth to abandon school.’²¹⁰

- 11.7.11 The US CRS report continued:

‘Gang-related violence has been part of a broader spectrum of violence in El Salvador that often affects women and children. Child abuse and spousal rape have been major problems. For years, El Salvador has had one of the

²⁰⁷ InSight Crime, ‘[Extortion and sexual violence: Women’s unspoken suffering](#)’, 26 April 2019

²⁰⁸ Knox, Vickie; FMR, ‘[Gang violence, GBV and hate crime...](#)’ (ps61-62), October 2019

²⁰⁹ Insight Crime, ‘[Female criminal leadership and differing use of violence](#)’, 13 April 2020

²¹⁰ US CRS, ‘[El Salvador: Background and U.S. Relations](#)’ (p14-15), 1 July 2020

highest rates of femicide (killing of women) in the world... Femicides have been linked to domestic disputes, gangs, and other crimes such as human trafficking; they resulted in the deaths of some 551 women in 2017. A 2019 survey of Salvadoran women deported from the United States found that violence, often gender-related, was the second-most frequent reason cited for having migrated to the United States. El Salvador has had a total ban on abortion, even in the case of rape or incest, and women in El Salvador have been imprisoned after suffering miscarriages that authorities have deemed illegal abortions...'²¹¹

11.7.12 The US Department of Labor noted in its report on child labour in 2019, based a number of sources, that: 'Gangs... often force young girls into domestic servitude, including providing childcare, and into sexual exploitation. Reports indicate that those who resist forced gang labor have been assaulted or killed.'²¹²

11.7.13 For information on forced recruitment, including of children, see [Recruitment strategies and reasons for joining](#).

[Back to Contents](#)

11.8 Lesbian, gay, bisexual, trans and intersex persons

11.8.1 InSight Crime in a January 2017 report stated:

'A double homicide inside a juvenile detention center uncovered an unwritten rule within El Salvador's MS13 gang: under no circumstances are members allowed to be homosexual.'²¹³

11.8.2 The UNSR for IDPs noted in her report of April 2018 that:

'Members of the lesbian, gay, bisexual, transgender and intersex community, particularly transgender women, are highly vulnerable to violence and hate crimes... Under such a threat of violence, many members of the community have been displaced internally, often on several occasions. The Special Rapporteur met transgender women who described threats, assassination attempts and intimidation by gangs, as well as by members of the police and military, and discrimination and abuse by all authorities. In one municipality, social media disseminated a message from a gang stating that every transgender person would be killed, leaving 14 people having to seek safety in San Salvador or abroad.

'While some bodies, including the Counsel General's Office, have reportedly shown greater openness to lesbian, gay, bisexual, transgender and intersex issues and concerns and a willingness to act, to date no specific protection mechanisms exist. Representatives noted that many in the lesbian, gay, bisexual, transgender and intersex community lack the resources to live in safer neighbourhoods and have no choice but to live in poorer gang affected localities. Transgender people sometimes seek relative safety by living together and establishing coping strategies. While no verified data exists, one community member stated that they had documented "between 600 and 700 homicide cases" against members of the lesbian, gay, bisexual,

²¹¹ US CRS, '[El Salvador: Background and U.S. Relations](#)' (p15), 1 July 2020

²¹² US Dof, [Child labor report 2019](#) (El Salvador), 30 September 2020

²¹³ InSight Crime, '[The El Salvador gang that kills its gay members](#)', 18 January 2017

transgender and intersex community with over 500 transgender women killed. According to them, no cases have gone to court, no one has been prosecuted and few cases have been investigated. One case that was brought to court related to a gay man who was killed while visiting from the United States.’²¹⁴

11.8.3 The IDMC report 2018, based on a range of sources, noted

‘The rights of lesbian, gay, bisexual and trans (LGBT) people are not respected, and the community is deeply affected by stigma and violence. Discrimination and exclusion limits their access to education, work and career opportunities. There is no comprehensive legislation to protect the LGBT community, nor any legal obligation for state actors not to discriminate against it. Anyone who does not appear to fit patriarchal gender norms is targeted, but most criminal attacks on LGBT people are against trans women, who live “a life of abuse that is a continuum of violence”.’²¹⁵

11.8.4 IDMC report 2018 also noted:

‘LGBT people flee violence perpetrated by their families, gangs and the security forces. Trans women in particular suffer intersectional persecution, a situation that “the state promotes with its silence”.... The violence meted out by criminal gangs tends to be either because of their sexual orientation or gender identity, or general criminal violence used to force their collaboration.

‘LGBT people are not recruited into gangs, but may be made to collaborate in other ways. They may be forced to smuggle goods into prison, store weapons or drugs, undertake other criminal activities or give up a proportion of their earnings. If they refuse, they may receive death threats or be assaulted, which in turn may lead to their displacement...

‘Displacement can also be provoked if a gang does not want LGBT people living in their territory.’²¹⁶

11.8.5 Human Rights Watch in their 2020 World Report, covering events of 2019 stated: ‘LGBT individuals remain targets of homophobic and transphobic violence by police, gangs, and others.’²¹⁷

11.8.6 The US Overseas Security Advisory Council (OASC) crime and safety report of March 2020 noted ‘There is negative sentiment toward individuals who identify as LGBTI+. Members of the LGBTI+ community engaged in sexual work or gang activity are at the highest risk of victimization.’²¹⁸

11.8.7 The US CRS report of July 2020 and based on a range of sources noted ‘[...] lesbian, gay, bisexual, transgender, and intersex (LGBTI) people have often been targets of gang violence...

‘In August 2017, prosecutors from a newly established specialized unit of the attorney general’s office filed charges against eight gang members for murdering three transgender people.’²¹⁹

²¹⁴ UN, [SR for IDPs report 2018](#) (paras 29-30), April 2018

²¹⁵ IDMC, [‘An Atomised Crisis ...’](#) (p16), September 2018

²¹⁶ IDMC, [‘An Atomised Crisis ...’](#) (p26), September 2018

²¹⁷ HRW, [World report 2020](#) (El Salvador), January 2020

²¹⁸ US OASC, [Crime and Safety Report 2020](#), 31 March 2020

²¹⁹ US CRS, [‘El Salvador: Background and U.S. Relations’](#) (p14-15), 1 July 2020

- 11.8.8 The US Department of Labor noted in its report on child labour in 2019, based a number of sources, that: ‘LGBTI adolescents are also at risk of being forced into commercial sexual exploitation by gangs.’²²⁰
- 11.8.9 Human Rights Watch in an October 2020 report ‘Every day I live in fear’ which contains interviews with LGBT people from El Salvador and their experiences stated:
- ‘On numerous occasions, gangs in El Salvador have targeted LGBT people for violence or threats of violence specifically because of their sexual orientation or gender identity...
- ‘... for many LGBT people, daily life on the streets is controlled not by the state but by criminal gangs, including the two factions of the 18th Street Gang, or Barrio 18, and Mara Salvatrucha 13, or MS-13. LGBT people, especially trans women, face violence at the hands of gangs that can be motivated by anti-LGBT animus or opportunism related to LGBT people’s perceived or actual social and economic vulnerability. LGBT people also face violence from the police, and activists have pointed out that putting more police on the streets—a key feature of the Bukele administration’s approach to crime—is not necessarily beneficial for LGBT people...’²²¹
- 11.8.10 See also Immigration and Refugee Board of Canada, [‘El Salvador: Information Gathering Mission Report - Part 2: The Situation of Women Victims of Violence and of Sexual Minorities in El Salvador’](#), September 2016.

[Back to Contents](#)

11.9 Journalists and human rights defenders

- 11.9.1 Human Rights Watch in their 2020 World Report, covering events of 2019 stated: ‘Journalists reporting on abuses of power or living in gang-controlled neighborhoods remain targets of death threats. Fake stories have circulated under the bylines of journalists who were not the authors, the Association of Journalists of El Salvador reported.’²²²
- 11.9.2 A Freedom House report commenting on events from 2019 stated: ‘The country has a lively press and civil society sector, though journalists risk harassment and violence in connection with work related to gang activity or corruption.’²²³
- 11.9.3 Freedom House also noted: ‘Nongovernmental organizations (NGOs) operate freely and play an important role in society and policymaking. However, groups involved with human rights— and governance-related topics sometimes face threats and extortion attempts from criminal groups. Impunity for such attacks, as well as occasional pressure on NGOs by police, has prompted some observers to question the government’s commitment to the protection of freedom of association and human rights.’²²⁴

²²⁰ US Dof, [Child labor report 2019](#) (El Salvador), 30 September 2020

²²¹ HRW, [‘Every Day I Live in Fear’ ...](#) (p36&26) October 2020

²²² HRW, [World report 2020 \(El Salvador\)](#), January 2020

²²³ Freedom House, [‘Freedom in the World 2020: El Salvador’](#), (section Overview), 4 March 2020

²²⁴ Freedom House, [‘Freedom in the World 2020: El Salvador’](#), (section Overview), 4 March 2020

- 11.9.4 The USSD human rights report 2020 stated ‘APES [Salvadoran Journalist Association] noted journalists who reported on gangs and narcotics trafficking were subject to kidnappings, threats, and intimidation. Observers reported that gangs also charged print media companies to distribute in their communities, costing media outlets as much as 20 percent of their revenues.’²²⁵
- 11.9.5 USSD also noted: ‘The PDDH [Office of the Human Rights Ombudsman] generally enjoyed government cooperation and was considered generally effective except on problems relating to criminal groups and gangs.’²²⁶
- 11.9.6 Bertelsmann Stiftung (BTI) in their 2020 Country Report El Salvador from April 2020 noted: ‘One of the biggest threats to freedom of expression involves the safety and security of journalists in a country with very high levels of violence.’²²⁷

[Back to Contents](#)

11.10 Persons perceived to break or resist rules authority’

- 11.10.1 A September 2018 IDMC report noted that ‘Strict compliance is also required from people living in the territory a gang controls. The absolute requirements are to be loyal, to ver, oír y callar or “see, hear and shut up” and to comply with demands.’²²⁸. The same paper suggested ‘The lives of gang members and residents are affected by anything from curfews to rules determining clothing and haircuts and any infraction - real or suspected – is punished with a severity the gang deems commensurate with the “offence”. Betrayal is punishable by death, while resistance may incur violence to force compliance or a credible death threat.’²²⁹
- 11.10.2 The UNSR IDPs report 2018 noted ‘The Special Rapporteur was informed of the devastating and extraordinary impact of generalized and, in particular, gang-related violence on individuals, families and communities...’²³⁰
- 11.10.3 The UNSR further noted:
- ‘Victims describe a daily life in which they negotiate with, and acquiesce to, criminal groups over basic aspects of their lives, such as freedom of movement, and whether and where to attend school and work, access medical care and seek justice. They also balance their safety and security against coercion by succumbing to blackmail, collaborating in criminal activity, submitting to sexual abuse and forced relationships and joining the ranks of criminal organizations themselves. Resistance can trigger threats and violence. Victims of violence and displacement faced stigmatization and discrimination based on their perceived association with criminal organizations.’²³¹
- 11.10.4 The UNSR IDPs report 2018 also stated:

²²⁵ USSD, ‘[Human rights report 2019](#)’ (section 2), 11 March 2020

²²⁶ USSD, ‘[Human rights report 2019](#)’ (section 5), 11 March 2020

²²⁷ Bertelsmann Stiftung: [BTI 2020 Country Report El Salvador](#), (p9), 29 April 2020

²²⁸ IDMC, ‘[An Atomised Crisis ...](#)’ (p19), September 2018

²²⁹ IDMC, ‘[An Atomised Crisis ...](#)’ (p19), September 2018

²³⁰ UNHRC, [SR report on IDPS 2018](#) (para 18), 23 April 2018

²³¹ UNHRC, [SR report on IDPS 2018](#) (para 24), 23 April 2018

‘Young people cannot lead normal lives in some gang-controlled neighbourhoods and it is virtually impossible to avoid exposure to gangs. Community members described being unable to let their children go out to play for fear that they would fall under the influence of gang members. Crossing from one gang-controlled neighbourhood to another could result in death for a young person if they move without care or permission. In other cases, the only way for them to stay safe is not to leave their homes at all. Simply living in a known gang neighbourhood could result in young people being suspected of being gang members or associated with them, and some described incidents of violence or intimidation by both the gangs and the police or military. One young woman stated: “It is a crime to be a young person in El Salvador today. It is dangerous to be young here.” This depressing sentiment was echoed numerous times, including by senior public officials.’²³²

[Back to Contents](#)

11.11 Children and youths

11.11.1 The UNSR extrajudicial execution report 2018 observed ‘Police and State officials assume that young people are gang members based on their place of residence.’²³³

11.11.2 The US Department of Labor noted in its report on child labour in 2019, based a number of sources, that:

‘Children in El Salvador often lack economic and educational opportunities and are vulnerable to the worst forms of child labor, including commercial sexual exploitation. They are also recruited by gangs for illicit activities such as delivering threats, collecting extortion money, conducting surveillance activities, trafficking drugs, and committing homicides...

‘Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification....

‘At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. Children who do not attend school are more vulnerable to child labor, including its worst forms....’²³⁴

11.11.3 For information on forced recruitment, including of children, see [Recruitment strategies and reasons for joining](#).

[Back to Contents](#)

11.12 People living in gang areas

11.12.1 International Crisis Group in the report ‘Life under gang rule’

‘The climate of fear is such that thousands of families have abandoned their homes and headed north toward the U.S. border.

‘Reina*, 30, left her small community in central El Salvador with her sister and three children after the gangs moved in. A marero had thrown a

²³² UNHRC, [SR report on IDPS 2018](#) (para 20), 23 April 2018

²³³ UNHRC, [SR extrajudicial execution report 2018](#) (para 7), 7 December 2018

²³⁴ US Dof, [Child labor report 2019](#) (El Salvador), 30 September 2020

homemade bomb into her neighbour's house, killing four people. Another had shot her brother, who was a former government soldier and thus an enemy in the gang's eyes. The gang warned the rest of the family to depart.

'Gangs routinely confiscate houses in locations they see as "strategic" and turn them into casas locas (literally, "crazy houses"). If a family refuses to leave, they threaten all its members. The casas locas are hangouts where gang members smoke, drink and perform ritual initiation of new recruits. They may also take neighbourhood women and girls there to be sexually abused.'²³⁵

11.12.2 Human Rights Watch in a February 2020 report 'Deported to Danger' stated:

'Police statements to the press in articles reporting on crime sometimes solidified stigmatization. Police would describe homicide victims in these neighborhoods as either gang members, collaborators of gang members, or those with personal relationships to gangs or gang members, even when relatives told the press their loved ones who were killed had no such links. For one youth from Iberia, this stigma from authorities especially stung. He broke down in tears recalling to a reporter what a policeman told him about his neighborhood: "All of them that live in that community, they are rats."

'The stigmatization of these neighborhoods' residents is partially due to perceived and real links between crime and poverty.'²³⁶

11.12.3 See also once published [CPIN: Actors of Protection](#).

[Back to Contents](#)

Section 12 updated: 16 December 2020

12. Persons returning to El Salvador

12.1.1 Human Rights Watch in their 2020 world report stated: 'In 2018, Salvadorans had 101,000 pending asylum applications in the US, the most of any nationality. Approximately 129,500 had applications pending in other countries.

'Salvadoran press reported at least 11 people murdered after deportation back to El Salvador in 2019.'²³⁷

12.1.2 Human Rights Watch in a February 2020 report 'Deported to Danger' stated:

'Between 2014-2018, the US and Mexico have deported about 213,000 Salvadorans (102,000 from Mexico and 111,000 from the United States)...

'Human Rights Watch identified or investigated 138 cases of people killed between 2013 and 2019 after being deported from the United States...

'There is no official tally, however, and our research suggests that the number of those killed is likely greater.

'Though much harder to identify because they are almost never reported by the press or to authorities, we also identified or investigated over 70 instances in which deportees were subjected to sexual violence, torture, and

²³⁵ ICG, '[Life Under Gang Rule in El Salvador](#)', November 2018

²³⁶ HRW, '[Deported to Danger](#)', (p67), February 2020

²³⁷ HRW, '[World report 2020 \(El Salvador\)](#)', January 2020

other harm, usually at the hands of gangs, or who went missing following their return.

‘...some people deported from the United States back to El Salvador face the same abusers, often in the same neighborhoods, they originally fled: gang members, police officers, state security forces, and perpetrators of domestic violence. Others worked in law enforcement in El Salvador and now fear persecution by gangs or corrupt officials.’²³⁸

- 12.1.3 The ICG report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 stated: ‘UNHCR reported in 2019 that El Salvador was the most common nationality of origin for asylum seekers in the U.S. in both 2017 and 2018.’²³⁹

- 12.1.4 See also [CPIN Background note and internal relocation](#)

[Back to Contents](#)

Section 13 updated: 16 December 2020

13. Government anti-gang policy and law

13.1 Overview - security policies: 2003 – 2019

- 13.1.1 The UNSR extrajudicial report 2018 summarised the general government approach to handling the high levels of violence and gang-related crime:

‘Since the beginning of the twenty-first century, successive Governments have followed a mano dura (iron fist) strategy against gangs, with the exception of a two-year “truce” between 2012 and 2014. Over the years, security strategies have followed similar approaches: mass incarceration, militarization of policing and privatization of security. Those policies do not appear to have delivered tangible results and may actually have made matters worse by failing to address the root causes of violence and the strength of the gangs.’²⁴⁰

- 13.1.2 The UNSR also noted, however, in the same report:

‘... there are a number of positive government responses and due diligence initiatives that deserve to be highlighted. They include Plan El Salvador Seguro, Yo Cambio, a rehabilitation programme for detainees, and Jóvenes con Todo, a youth programme providing learning, training and employment opportunities. All of these testify to the appetite, at least among some officials and sectors of society, for alternatives to repressive measures and a focus on root causes... The Special Rapporteur was also impressed by the establishment of the National Council on Citizen’s Security and Coexistence, a multi-stakeholder coordinating body, as a demonstration of commitment to transparency and international scrutiny.’²⁴¹

- 13.1.3 The specific plans or strategies adopted by different government since the early 2000s include:

²³⁸ HRW, ‘[Deported to Danger](#)’,(p67), February 2020

²³⁹ ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p7), 8 July 2020

²⁴⁰ UN, [SR extrajudicial execution report 2018](#) (para 10), 8 December 2018

²⁴¹ UN, [SR extrajudicial execution report 2018](#) (paras 12 and 13), 8 December 2018

- Mano Dura ('Iron Fist', 2003) - '... launched in October 2003, and included joint operations by the police and the military known as "anti-gang task forces". The Anti-gang Bill, approved in December 2003, provided a temporary legal framework for the plan, criminalising gang membership and allowing detention of underage suspects.'
- Plan Súper Mano Dura ('Super Iron Fist Plan', 2004-2009) - '... incorporating prevention and rehabilitation plans... "Helping Hand" (Mano Amiga) and "Extended Hand" (Mano Extendida) – identified priority communities and targeted at-risk youth and jailed gang members with special programs. However, lack of investment, delays in implementation and the low number of participants minimised their impact'.
- The gang truce (2012 -2014) – 'in essence a ceasefire agreement between the largest gangs starting in March 2012 after the government transferred some of their leaders from maximum security prisons to less restrictive facilities.'
- 'New Measures' including the Safe El Salvador Plan (Plan El Salvador Seguro) (2015 – 2019)²⁴² (see below).
- Territorial Control plan (June 2019-to present) (see below)

13.1.4 The IDMC report of September 2018, commenting on state measures introduced prior to the Territorial Control plan, stated: 'Far from alleviating El Salvador's gang problems, the state's security-led responses have made them worse. They have led to changes in gangs' modus operandi, their territorial expansion and their activities becoming more extreme.'²⁴³

13.1.5 The US CRS report of August 2019, citing various sources, observed:

'With support from the U.S. government and the United Nations, the Sánchez Cerén [president to June 2019] government formed a National Council for Citizen Security, which designed an integrated security strategy known as Secure El Salvador (El Salvador Seguro)... The implementation plan for the strategy, known as Plan Secure El Salvador (PESS), was applied in 50 of the country's most violent municipalities and coordinated with U.S. crime prevention and community policing efforts. According to figures from the U.S. Agency for International Development (USAID), municipalities in which PESS and USAID programs operated saw a 61% reduction in homicides from 2015 to 2017 as compared to the 42% reduction in homicides recorded in other municipalities... Critics have questioned why PESS bolstered security forces that continued to commit abuses and suggested that the homicide reductions recorded may have been due to other factors, such as gangs achieving territorial control over some areas...'²⁴⁴

13.1.6 International Crisis Group report 'Miracle or Mirage? Gangs and Plunging Violence in El Salvador' from July 2020 stated:

'Over the past two decades, successive administrations belonging to both main parties implemented policies anchored in coercive law enforcement,

²⁴² ICG, '[El Salvador's Politics...](#)' (ps15-17), 17 December 2017

²⁴³ IDMC, '[An Atomised Crisis ...](#)' (p17), September 2018

²⁴⁴ US CRS, '[El Salvador: Background and US Relations](#)' (p10), 14 August 2019

mass incarceration, joint police and military operations, and harsher laws against gangs. These came at the expense of crime prevention and rehabilitation initiatives aimed at gang members... A 2012-2013 truce among gangs, supported by officials in former President Mauricio Funes' administration, was the exception. But the government's failure to meet certain gang demands and widespread popular opposition to the truce led to its collapse. In its aftermath, violence spiked again, an increasing part of it pitting gangs against security forces, while politicians from both main parties reportedly tried to reestablish contact with gang leaders in order to negotiate support ahead of the 2014 presidential election... El Salvador's annual murder rate rose to 103 per 100,000 inhabitants in 2015 – then the world's highest.' ²⁴⁵

- 13.1.7 The same report also stated with regard President Nayib Bukele's security policies stated:

'Bukele's top priority has been to curb the violence perpetrated by criminal gangs, particularly MS-13 and the two factions of the 18th Street gang...

'During the presidential campaign, Bukele said he would change tack in security policy and unveiled his Cuscatlán Plan. It maps strategies for strengthening law and order, such as improving security personnel's working conditions and equipping them with new technologies to boost their investigative resources. It foresees the reactivation of the Rural Police, the creation of communal police units and a battalion of military police for use in prisons, as well as the establishment of an International Commission against Impunity in El Salvador to combat corruption, along the lines of similar commissions that existed in neighbouring Guatemala and Honduras... Crime prevention also features prominently in the plan, with a focus on providing opportunities and protection to children and teenagers at risk of being recruited by criminal groups, and strategies for reintegrating into civilian life young people ensnared in gang activities as well as jailed criminals.' ²⁴⁶

- 13.1.8 The US CRS report of July 2020 and based on a range of sources noted:

'Although President Bukele has attributed declining homicides to his military-led security policies, some analysts posit that gangs have deliberately decided to reduce violence in the territories they control to facilitate extortion and drug distribution (their primary sources of revenue)... Gangs generally have not had a major role in transnational drug trafficking... They have carried out periodic violence to demonstrate their power to the government, including attacks in April 2020 that resulted in more than 60 deaths in four days... Some fear that Bukele's response to that violence, which included authorizing the use of lethal force against gangs and pushing gang inmates into crowded prisons with rival gangs, may prompt more gang clashes with security forces and hurt the country's international image.' ²⁴⁷

- 13.1.9 See also [Territorial Control Plan](#).

²⁴⁵ ICG, '[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)' (p2&6), 8 July 2020

²⁴⁶ ICG, '[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)' (p6 & 9-10), 8 July 2020

²⁴⁷ US CRS, '[El Salvador: Background and U.S. Relations](#)' (p6-7), 1 July 2020

13.1.10 For further information on security policies prior to Bukele government including the Safe El Salvador Plan (PESS)/‘Extraordinary Measures’ see

- [Holland, A. C., ‘Right on Crime? Conservative Party Politics and Mano Dura Policies in El Salvador,’ Latin American Research Review, 48 \(1\): pages 44–67, 2013](#)
- [Hoppert-Flämig, Susan. 2013, ‘A Salvadoran Turnaround? The FMLN’s Response to Citizen Security Needs’. In Abello Colak, Alexandra, Angarita Cañas, Pablo Emilio, eds., Latin America’s New Security Thinking: Towards Security as a Democratic Value, CLACSO, pages 71-86. 2013](#)
- [Chris Van der Borgh and Wim Savenije, 2014, ‘De-securitising and Re-securitising Gang Policies: The Funes Government and Gangs in El Salvador’, Journal of Latin American Studies, 47, 149-176. 2014](#)
- [UNHCR, ‘Eligibility Guidelines’, March 2016](#)
- [IRBC, ‘El Salvador: Information Gathering Mission Report - Part 1’, September 2016](#)
- [EC, ‘Action Document for the "Apoyo al Plan El Salvador Seguro - PESS"', 30 October 2017](#)
- [ICG, ‘El Salvador’s Politics of Perpetual Violence’, Dec 2017](#)
- [UN, SR extrajudicial execution report 2018 \(para 20\), 8 December 2018](#)
- [US CRS, ‘El Salvador: Background and US Relations’, 14 August 2019](#)

[Back to Contents](#)

13.2 Territorial Control Plan

13.2.1 In a report to the UN Human Rights Committee as part of the Universal Periodic Review process, the new government of President Bukele, who took office in June 2019, stated:

‘Since June 2019, the Government of El Salvador has been implementing the Territorial Control Plan, which focuses on violence-prone municipalities that seek to reclaim areas dominated by criminal gangs, cut off the gangs’ sources of funding and adopt specific interventions in prisons. The Plan also focuses on restoring the social and community fabric and therefore includes measures to prevent adolescents and young persons from joining criminal gangs. Such measures include technical training programmes in various fields, university scholarships and job creation projects. Under the Plan, public works are carried out and basic services are established in communities; government departments participate in these initiatives under the coordination of the National Directorate for Restoring the Social Fabric, which is part of the Ministry of the Interior and Territorial Development. El Salvador is strengthening the principles that guide the conduct of the National Civil Police, which were defined as part of the peace agreements. Consequently, the Salvadoran armed forces, in accordance with the Constitution and by executive decree, are supporting the National Civil Police on an exceptional basis. Accordingly, a protocol on joint action by the National Civil Police and the Salvadoran armed forces to prevent and

combat crime and corruption, in strict accordance with the law and human rights, was officially launched on 25 July 2018.²⁴⁸

13.2.2 International Crisis Group report 'Miracle or Mirage? Gangs and Plunging Violence in El Salvador' from July 2020, citing a range of sources, stated:

'Once in power, Bukele announced the Territorial Control Plan... Government officials have stated that this plan consists of seven "phases" or components that mirror those in the Cuscatlán Plan, with a total cost of [US]\$575 million for 2019-2021... Neither diplomats nor civil society representatives, however, have seen a document listing all the facets of the Territorial Control Plan, leading some to doubt whether such a document exists... A government official stated that it was the president's prerogative to preserve secrecy regarding the plan. When asked if any of the forthcoming phases differed from previous administrations' security policies, he said one of them will focus on gang member rehabilitation...

'To date, the Territorial Control Plan has focused mostly on law enforcement in 22 prioritised municipalities... Its measures have included the permanent deployment of police and military patrols; mass detentions; and the provision of new personal equipment (such as boots and uniforms) for security forces... The government also tightened controls on communications and money flow in jails, and confined as well as transferred thousands of gang members... Prison authorities affirmed in late 2019 that they had managed to cut all detainees' communications with the outside world, thus blocking orders from jailed gang leaders... Bukele has also sought to modernise the security forces' equipment and technology, but this project depends on a [US]\$109 million loan from the Central American Bank for Economic Integration, requiring approval by the opposition-controlled Legislative Assembly... The Assembly's refusal to give it a green light heightened tensions with the executive and spurred an institutional crisis in February 2020....

'After an uptick of violence in April, further steps to toughen gang members' prison regime sparked international outrage... He [Bukele] also endorsed security forces' use of lethal force and offered legal support to officers found killing "in self-defence or in defence of honourable Salvadorans' lives". Observers worried that such rhetoric could lead to an increase in police and military abuses.'²⁴⁹

13.2.3 ICG in the same report also observed:

'Civil society organisations, security experts, political opponents and some foreign analysts, however, have been wary or critical of the government's security policy. Some noticed that the Territorial Control Plan includes "iron fist" policies not dissimilar to those of previous governments... Others complain about the ostensible lack of transparency and virtual exclusion of civil society from its design, and the absence of technical or academic preparation of government officials on security matters...

'Harsh measures in jails could also lead to future problems. Human rights groups have also condemned steps taken in prisons, such as frequent

²⁴⁸ UN HRC, [State report 2019](#) (para 24), 20 August 2019

²⁴⁹ ICG, ['Miracle or Mirage? Gangs and Plunging Violence in El Salvador'](#) (p10-11), 8 July 2020

transfers of gang members, strict confinement, suspension of family visits and rehabilitation programs, and food rationing, arguing that such measures violate detainees' and their families' rights... According to the Inter-American Commission on Human Rights, the measures may be considered torture if they are prolonged.'²⁵⁰

13.2.4 The CRS report updated in July 2020 observed:

'In June 2019, President Bukele launched the first phase (Preparation) of what he said would be a seven-phase Territorial Control plan. A year later, he has publicly announced only three of those seven phases, and the enforcement of a strict national quarantine in response to the COVID-19 pandemic has dominated government efforts and public attention... The Bukele government disbanded the council that the prior government used to discuss security issues with civil society and the private sector, but its security plan otherwise appears to resemble the focused, municipal level efforts of the prior FMLN [Farabundo Martí National Liberation Front] government's Safe El Salvador Plan.

'The first phase of the plan involved deploying police and military forces into 17 high-crime communities and on public transportation and declaring a state of emergency in 28 prisons. The state of emergency tightened the "extraordinary measures" already implemented in the prisons to include preventing visitors, blocking communications networks in and around prisons, and transferring inmates to more secure facilities... The Inter-American Commission of Human Rights has raised concerns about the measures' impact on inmates' rights and health.

'President Bukele received legislative approval of a \$90 million loan to implement the second phase of his security plan, Opportunity. This phase has sought to unite the efforts of government agencies, nonprofits, and donors to provide opportunities for youth to work, study, and engage in cultural and sports activities as alternatives to gangs. It also includes programs aimed at reinserting youth who are former inmates into society through their participation in penitentiary farms or public works projects.

'For years, Salvadoran presidents have deployed thousands of military troops to support the police, but observers have been particularly concerned about President Bukele's use of the military. Bukele has tasked thousands of members of the armed forces with supporting his security plan. In August 2019, Bukele announced phase three (Modernization) of his plan, which has not yet been implemented. In February 2020, the National Assembly refused to approve a \$109 million loan to equip the police and military, even after Bukele had those forces surround the legislative palace—a move the Supreme Court and international observers rebuked... Bukele has also defied a Supreme Court order to stop using security forces to detain those accused of violating a national quarantine and force them to stay in "containment centers.'²⁵¹

13.2.5 InSight Crime in an article from October 2020 stated:

²⁵⁰ ICG, '[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)' (p14), 8 July 2020

²⁵¹ US CRS, '[El Salvador: Background and US Relations](#)' (p9-10), 14 August 2019

‘Following his inauguration in June 2019, Bukele announced he was ruling out any negotiations with the gangs. Instead, building on an earlier platform, he launched what he called the Territorial Control Plan (Plan Control Territorial), a seven-point strategy to combat gangs and common crime. As part of phase one, the government flooded more than a dozen high-crime municipalities with security forces and locked down the prisons. A later phase strengthened the police’s special units and bolstered the military.

‘In short, the plan largely mirrored the policies of previous administrations, including that of the FMLN, his one-time party. There was some logic to this. The FMLN’s hardline approach had squeezed the gangs and had helped lead to a steady drop in homicides after they’d peaked in 2015. And during Bukele’s first year as president, homicides plummeted another 60 percent. Throughout, the president remained steadfast in his public posture, posting tweets, for example, that he was lowering the murder rate “without a truce.”’²⁵²

[Back to Contents](#)

13.3 Social Fabric Reconstruction Unit

13.3.1 International Crisis Group report ‘Miracle or Mirage? Gangs and Plunging Violence in El Salvador’ from July 2020 citing a range of sources stated:

‘Soon after taking power, the government also created a Unit for the Reconstruction of the Social Fabric to spearhead all other institutions involved in security policy... The unit’s purpose is to tackle the underlying conditions that prompt young people to join gangs, such as social exclusion, economic marginalisation, scarce job opportunities and lack of access to sports and recreation... So far, the unit has fostered state-sponsored football camps, vocational training and scholarships, among other things. But its centrepiece is the plan to build “cubes”, glass-walled centres to be placed in poor and violence-ridden communities, aimed at providing a safe space for entertainment and training for young people... The government plans to build at least 50 cubes, prioritising poor neighbourhoods living under gang rule...

‘... the cubes’ costs are prohibitive and risk undermining the sustainability of the project in the long run. Each requires around \$700,000 in building costs alone, plus an annual \$350,000 for personnel, security, bills and maintenance.

‘Although the Unit for the Reconstruction of the Social Fabric is also supposed to provide economic opportunities in communities where gangs recruit, there has not been any initiative to this end, with the exception of training programs for young people... Since the start of the coronavirus outbreak, the Unit’s focus has instead turned to handing out food bags to 100,000 households living in extreme poverty, according to its director.’²⁵³

13.3.2 Insight Crime in an October 2020 report noted:

‘As part of the federal government, the unit [Social Fabric Reconstruction Unit] now has an even wider cross-section of cultural, social, educational

²⁵² InSight Crime, ‘[How El Salvador President Bukele deals with gangs](#)’, 1 October 2020

²⁵³ ICG, ‘[Miracle or Mirage? Gangs and Plunging Violence in El Salvador](#)’ (p12&13), 8 July 2020

and infrastructure projects. It is also responsible for implementing the “positive” phase of Bukele’s Territorial Control Plan, the president’s seven-point strategy to fight gangs.

“This has converted into a way to keep the violence at bay,” the government official with direct knowledge of the program said. “When they saw this was working on the community [level], they thought this could work on a national level.”

‘What this means in practice is that the unit coordinates government outreach in gang-controlled communities. According to this source, [Carlos] Marroquín [the head of the Social Fabric Reconstruction Unit] negotiates this entry, during which he intersects with gangs in the communities in which they operate. Marroquín has the experience from his dealings with the gangs in the Historic Center, the political backing of the government and the trust of the gangs to secure social and economic programs that benefit these areas – including relief packages to alleviate shortages during the COVID-19 pandemic – making him uniquely qualified for this job.

‘The arrangement is informal: The gangs are first in line for government benefits.

“It is an exchange,” the same government official said. “We let you come in, but only if you bring something of value for us. The people who are connected to the gangs are the first to receive the assistance.”²⁵⁴

13.3.3 The same Insight Crime report noted:

‘However, police, counter-gang and government sources expressed concern that the outreach program would help gangs expand their political and criminal realm.

“Instead of being the solution,” the counter-gang agent said, “this becomes the problem.”

‘What’s more, the sources say the lack of transparency makes the whole process dangerous, and the gangs’ rising political stock makes them an increasingly formidable foe. If the gangs can leverage homicide for their own gain, they say, there is nothing that is off the table.’²⁵⁵

[Back to Contents](#)

13.4 Anti-gang laws

13.4.1 The UNSR IDPs report 2018 noted:

‘Legal reforms in the context of extraordinary security measures were made in 2016 and included the classification of gangs as terrorist organizations. The reforms established new crimes aimed at gangs, including “coercing or threatening students or teachers in or around schools” and “resisting authority”. The Government also focused on addressing the illegal restriction on freedom of movement of people and illegal occupation of property. The National Assembly reformed article 152 (B) of the Criminal Code to include the crime of “illegal limitation to freedom of movement”, which penalized any

²⁵⁴ Insight Crime, ‘[The El Salvador President’s Informal pact with the gangs](#)’, 2 October 2020

²⁵⁵ Insight Crime, ‘[The El Salvador President’s Informal pact with the gangs](#)’, 2 October 2020

person who, by violence, intimidation or threat to persons or property, prevented another from freely circulating, entering, remaining or leaving any place in the territory of the republic. While useful in the context of internal displacement, civil society representatives noted that it did not adequately encompass the crimes and the impact of internal displacement on victims or provide adequate protection for those displaced, while they also highlighted limitations to its implementation.²⁵⁶

- 13.4.2 A May 2019 joint paper by Insight Crime and Global Initiative Project on Extortion in Central America reported that ‘changes to the law in El Salvador in 2010 allowed for the use of phone tapping in criminal investigations, which led to an increase in the number and reach of legal raids and cases against extortionists, raising awareness of the crime across the country.’²⁵⁷ The same paper reported that ‘In 2016 alone, Salvadoran authorities carried out a total of 209 009 phone tapings, most of them to investigate the MS13 during Operation Jaque.’²⁵⁸
- 13.4.3 Human Rights Watch in their 2020 World Report, covering events of 2019 stated: ‘In 2016, the Legislative Assembly modified a counterterrorism statute to classify gangs as terrorist organizations. The law imposes prison sentences of up to 15 years on anyone who “solicits, demands, offers, promotes, formulates, negotiates, convenes or enters into a non-persecution agreement” with gangs.’²⁵⁹
- 13.4.4 BTI in their 2020 country report noted: ‘Discrimination is particularly virulent against youth gang members, who are generally associated with homicidal violence, drug-trafficking, and extortion. Laws have been passed that essentially equate gang membership with terrorism and, thereby, make it difficult to engage in rehabilitation programs with youth at risk. Individuals who have been involved with gangs also find it difficult to seek employment if their personal history becomes known.’²⁶⁰

[Back to Contents](#)

Section 14 updated: 16 December 2020

14. Effectiveness of law enforcement agencies

14.1 Police and armed forces overview

- 14.1.1 International Crisis Group in a December 2017 report stated: ‘The National Civil Police has 28,000 officers, around 90 per cent of whom come from humble social backgrounds, and the average salary is [US]\$424 per month. This forces many to live in gang-controlled areas, usually neighbourhoods with lower rents, putting them and their families at risk. Officers in the field describe feeling alone and emotionally exhausted during but also after work.’²⁶¹

- 14.1.2 Insight Crime in an overview last updated 2017 stated:

²⁵⁶ UNHRC, [SR IDPs report 2018](#) (para 32), 23 April 2018

²⁵⁷ Insight Crime and Global Initiative Project, [‘... Extortion in Central America’](#), May 2019

²⁵⁸ Insight Crime and Global Initiative Project, [‘... Extortion in Central America’](#) (p41), May 2019

²⁵⁹ HRW, [World report 2020 \(El Salvador\)](#), January 2020

²⁶⁰ Bertelsmann Stiftung: [BTI 2020 Country Report El Salvador](#), 29 April 2020

²⁶¹ ICG, [‘El Salvador’s Politics of Perpetual Violence’](#) (p), Dec 2017

'El Salvador has around 16,000 active personnel in its armed forces and another 16,000 officers in the National Civil Police (Policia Nacional Civil – PNC). Serving as a police officer in El Salvador is an extremely dangerous job, and PNC officers typically begin making less than \$500 per month. Beginning in 2014, security forces increasingly became the target of attacks by gang members, driving desertions from the PNC. To supplement shortcomings and lack of resources, El Salvador routinely calls on the military to supplement the PNC in its duties. As gang violence in El Salvador has risen, there have been indications of armed forces members engaging in extrajudicial killings of suspected criminals.'²⁶²

14.1.3 The UN Special Rapporteur on the human rights of internally displaced persons noted in her report of April 2018, based on a visit to El Salvador in August 2017, that there are 'roughly 25,000 police officers'²⁶³.

14.1.4 The USSD report for 2019 noted

'The National Civilian Police (PNC), overseen by the Ministry of Justice and Public Security, is responsible for maintaining public security, and the Ministry of Defense is responsible for maintaining national security. Although the constitution separates public security and military functions, it allows the president to use the armed forces "in exceptional circumstances" to maintain internal peace and public security "when all other measures have been exhausted." The military is responsible for securing international borders and conducting joint patrols with the PNC. In 2016 then president Sanchez Ceren renewed the decree authorizing military involvement in police duties, a presidential order in place since 1996. Civilian authorities failed at times to maintain effective control over security forces.'²⁶⁴

14.1.5 The OASC crime and safety report of March 2020 noted: 'There is only one national police service: The [Policia Nacional Civil](#) (PNC). Each major city, municipality, or town has a PNC delegation. The PNC also has a number of specialized units that investigate specific crimes and traffic enforcement, anti-gang, civil disturbance, VIP protection, and other special operations units.'²⁶⁵

[Back to Contents](#)

14.2 Police effectiveness

14.2.1 In a September 2017 academic paper, Patrick J. McNamara, an Associate Professor from the Department of History at the University of Minnesota, explained 'Data requested by journalists through a government transparency law show that for 2015 only 598 cases, or fewer than 10 per cent of the homicide cases resulted in formal charges filed by prosecutors. More cases (870) have already been closed because of a lack of evidence or witnesses willing to testify. Only 82 homicide cases from 2015 have led to convictions: a conviction rate of 13.7 per cent for cases brought before a judge and only 1.3 per cent for all homicides.'²⁶⁶

²⁶² Insight Crime, '[Gangs, vendors and Political capital in downtown San...](#)', 15 September 2017

²⁶³ UN, [SR IDPS report 2018](#) (para 5), 23 April 2018

²⁶⁴ USSD, '[Human rights report 2019](#)' (section Exec summary), March 2020

²⁶⁵ US OASC, [Crime and Safety Report 2020](#), 31 March 2020

²⁶⁶ Refugee Survey Quarterly, McNamara P, '[Political refugees...](#)'(p17), 8 September 2017

14.2.2 The UNSR IDPs report 2018 observed:

‘The extent of violent crime is such that there is often no investigation carried out into even the most serious crimes, including homicides, resulting in a general lack of faith in law enforcement and the criminal justice system. The criminal conviction rate in El Salvador is less than 5 per cent... Such a situation indicates a deeply worrying law enforcement deficit and demonstrates that the police and the investigation service are overwhelmed and underequipped to respond to the challenges they face, including the extraordinary levels of homicide. It also creates and perpetuates an environment and society in which gangs can flourish and function with almost absolute impunity from prosecution for even the most egregious crimes. This leads individuals and families, who see no prospect of remedy or protection in reporting violence to the authorities, to see their only option as fleeing their homes and communities to find safety.’²⁶⁷

14.2.3 The same source further noted that:

‘The Special Rapporteur was informed by the Ombudsman of one case that had taken place during her visit, in which a family that had been the subject of extortion had found a hand grenade placed at their front door with a note informing them that they had 48 hours to leave their home or be killed. The case came to the attention of the Ombudsman’s Office since the family made the decision to flee, could not return home and there were no State-provided shelter options for their protection. A temporary solution was to house the family in a hotel, while the Ombudsman expressed concern and frustration that no options for protection and relocation were available to them to support such families.

‘The lack of secure shelter options for internally displaced persons and families leaves them living in highly precarious and vulnerable conditions, and under continuing risk of violence...

‘... The Special Rapporteur was informed by numerous people that they had suffered violence and abuse by members of the national civil police. She heard allegations of extrajudicial killings and the re-emergence of extermination groups connected to the police and security forces. She notes that this has been strongly denied by senior government and security officials whom she met.

‘Several individuals whom the Special Rapporteur interviewed stated that they feared the authorities as much as the gangs.’²⁶⁸

14.2.4 The USSD human rights report for 2018 noted that ‘[o]n August 21 [2018], the Organized Crime Court convicted 61 MS-13 members of homicide, extortion, illicit trafficking, and conspiracy to kill police officers, among other crimes.’²⁶⁹

14.2.5 The UNSR extrajudicial execution report 2018 observed: ‘The National Women’s Institute also indicated that in the same period [January 2015 – June 2017], 1,626 investigations were opened into cases of homicide of

²⁶⁷ UNHRC, [SR IDPS report 2018](#) (para 19), 23 April 2018

²⁶⁸ UNHRC, [SR IDPS report 2018](#) (paras 25, 26, 50 and 51), 23 April 2018

²⁶⁹ USSD, Human rights report for 2018 (s1d), March 2019, [url](#)

women, of which 855 were registered as femicide. Of those cases, 177 resulted in conviction (59 for femicide) and 75 in acquittal (18 for femicide).²⁷⁰

14.2.6 The UNSR report also stated:

‘According to official information, as of January 2018 the total prison population was 39,302 (of whom 3,721 were women), of whom 26,436 had been convicted (67 per cent) and 12,866 were pretrial detainees, resulting in an average overcrowding rate of 218 per cent, with figures reaching as high as 902 per cent in San Miguel prison. The most common crimes are homicide (30 per cent), extortion (17 per cent), robbery (9.5 per cent), drug related crimes (8 per cent), unlawful groups (7 per cent) and rape (7 per cent).’²⁷¹

14.2.7 Vickie Knox, lecturer in international human rights law and refugee at the University of London, observed in an article in the Forced Migration Review of October 2019 about the Northern Triangle of Central America countries generally, including El Salvador, that there are:

‘... significant practical challenges in delivering justice, including weak institutions, a lack of resources and capacity, and the sheer volume of cases. When crimes are reported to the authorities, reports may be refused or simply not processed and investigated. When investigations do take place, they are often lengthy and inefficient. All this is aggravated by a lack of effective witness protection and survivor support programmes... [While] State entities and law enforcement agencies have been corrupted and infiltrated by gangs, or may themselves extort and abuse people directly.’²⁷²

14.2.8 The USSD human rights report for 2019 noted: ‘In many neighborhoods, armed groups and gangs targeted certain persons and interfered with privacy, family, and home life. Efforts by authorities to remedy these situations were generally ineffective.’²⁷³

14.2.9 The US CRS report of July 2020 citing a range of sources observed:

‘El Salvador has a long history of weak institutions and corruption, with successive presidents and legislatures allocating insufficient funding to criminal justice institutions. With a majority of the National Civilian Police (PNC) budget devoted to salaries, historically there has been limited funding available for investing in training and equipment. Corruption, weak investigatory capacity, and an inability to prosecute officers accused of corruption and human rights abuses have hindered performance. A lack of confidence in the police has led many companies and citizens to use private security firms and the government to deploy soldiers to perform public security functions. President Bukele has increased police salaries and sought, but did not receive, legislative approval of a loan to provide new equipment for police and soldiers.’²⁷⁴

²⁷⁰ UNHRC, [SR extrajudicial execution report 2018](#) (paras 70-71), 7 December 2018

²⁷¹ UNHRC, [SR extrajudicial execution report 2018](#) (paras 52), 7 December 2018

²⁷² FMR, [‘Gang violence, GBV and hate crime...’](#) (p80), October 2019

²⁷³ USSD, [‘Human rights report 2019’](#) (section executive summary & 1F), 11 March 2020

²⁷⁴ CRS, [‘El Salvador: Background and US relations’](#) (p7), updated 1 July 2020

14.3 Judiciary

- 14.3.1 The USSD human rights report for 2019 noted: ‘Although the constitution provides for an independent judiciary, the government did not always respect judicial independence, and the judiciary was burdened by inefficiency and corruption. For example, when employees of several executive branch agencies targeted for closure in June filed a complaint with the Supreme Judicial Court, President Bukele warned the Supreme Court justices not to interfere with the case.’²⁷⁵

14.4 Assistance for women and other vulnerable groups

- 14.4.1 In 2018 the civil society group Advocates for Human Rights submitted to the UN Human Rights Committee that

‘Women interviewed by The Advocates frequently reported that they did not go to the police to report the violence because of the fear of retribution, as well as the lack of protection from the police. One woman reported that she feared that if she went to the police, her intimate partner would “have the gangs do something horrible to her.” Many of the interviewees reported that the police were connected with the gangs and that information reported to the police was not kept confidential. Other women reported that they did not go to the police because they believed that the police would do nothing to investigate alleged crimes against women.’²⁷⁶

- 14.4.2 In January 2018, the Inter-American Commission of Human Rights (IACHR) produced a report of their conclusions and observations based on their working visit to El Salvador. In it they recognised

‘...El Salvador’s efforts to develop a legal framework for the protection of the fundamental rights of women and girls and to implement policies, programs, and mechanisms for assistance, protection, and prevention of violence and discrimination. During its visit to the Women’s Hospital, the delegation received information on the comprehensive model to provide services to female victims through Local Victim Assistance Offices (OLAVs). By immediately attending to women victims of crime, these offices make it possible to detect and address situations of sexual abuse, human trafficking, and domestic violence in the country’s public hospitals and in local offices, in coordination with health, police, and justice institutions.’²⁷⁷

- 14.4.3 However, KIND citing one source reported in 2017 that

‘Silvia Juárez, of the Salvadoran Women’s Rights NGO ORMUSA and an expert on SGBV, explains how gang presence prevents women and girls from reporting violence: “There are new police units to assist victims of gender-based violence, but what happens? Women tell us that these services may appear to be very important, very helpful, but if a man is violent to his partner, that woman cannot call the police because gangs in their

²⁷⁵ USSD, ‘[Human rights report 2019](#)’ (section 1E), March 2020

²⁷⁶ The Advocates for Human Rights, ‘[El Salvador’s Compliance with... 2018](#)’, (para 28)

²⁷⁷ IACHR, ‘[Conclusions and Observations on the IACHR’s Working Visit ...](#)’, 29 Jan 2018

communities will see her as a traitor, as an informant. They [victims of gender-based violence] are made even more vulnerable by reporting, and may even be killed”.²⁷⁸

14.4.4 The UNSR IDPs report 2018 noted

‘... the Ministry of Justice and Public Security opened 11 local assistance offices for victims, with the goal of opening more during 2017. Located in prioritized municipalities, they demonstrate important progress by the Government in giving attention to victims of violence and offer professional assistance for victims of crimes, such as sexual abuse, trafficking in persons, violence against women and domestic violence. Services include legal, psychosocial and social assistance. UNHCR supported the programme by equipping facilities and providing technical assistance for the creation of a referral pathway for the identification, attention to and protection of victims.’²⁷⁹

14.4.5 An IDMC report of September 2018 report noted that

‘There is near impunity for sexual crimes, and many girls grow up “in a cycle of violence that they are unable to escape”. Those subjected to sexual exploitation and abuse are unlikely to report their ordeals for fear of reprisals if they speak up and stigma surrounding the issue, but they may present if they become pregnant or contract a sexual transmitted infection. The suicide rate among young girls has also been linked to avoiding their initiation into gangs and forced sexual acts, as well as to the unwanted pregnancies that result, given El Salvador’s absolute ban on abortion...

‘[Local Victim Assistance Offices (Oficinas Locales de Atención a Víctimas, OLAVs)] are a promising step forward, but they are still in their initial stages and there are significant gaps. They provide legal advice and psychosocial support, but do not offer emergency assistance or temporary protection, and civil society organisations have expressed concern about their practicalities. Their opening hours do not match gangs’ night-time operating hours when people have nowhere to turn, and so far they are only located in PESS target municipalities. As such, they are only able to assist people who remain in the area and may not be present in areas of refuge.’²⁸⁰

[Back to Contents](#)

14.5 Witness protection

14.5.1 For further information on witness protection, the criminal justice system and effectiveness of law enforcement agencies see once published [CPIN El Salvador: Actors of Protection](#)

[Back to Contents](#)

Section 15 updated: 16 December 2020

15. Freedom of movement

15.1.1 The IDMC report of September 2018 report observed ‘[g]iven the small size of the country and gangs’ extensive surveillance networks, people can often

²⁷⁸ Kids In Need of Defense, ‘[El Salvador: Neither Security nor Justice](#)’ (p.8)... 22 June 2018

²⁷⁹ UN HRC, [SR on IDPS report 2018](#) (para 40), 23 April 2018

²⁸⁰ IDMC, ‘[An Atomised Crisis ...](#)’ (p18), September 2018

be located within 24 hours.’ The same report also noted that ‘[n]ew arrivals in an area will be checked out, asked where they used to live and asked for their ID card, which bears their address.’²⁸¹

- 15.1.2 The US State Department (USSD) Human Rights Practices Report for 2019 noted:

‘The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights, although in many areas the government could not guarantee freedom of movement due to criminal gang activity.

‘The major gangs (MS-13 and two factions of 18th Street) controlled their own territory. Gang members did not allow persons living in another gang’s area to enter their territory, even when travelling via public transportation. Gangs forced persons to present government-issued identification cards (containing their addresses) to determine their residence. If gang members discovered that a person lived in a rival gang’s territory, that person risked being killed, beaten, or not allowed to enter the territory.’²⁸²

- 15.1.3 A Freedom House report commenting on events from 2019 stated: ‘Freedom of travel within El Salvador is complicated by gang activity. The MS-13 and Barrio 18 gangs control certain neighborhoods of Salvadoran cities, making it dangerous for residents to travel, work, and attend school.’²⁸³

- 15.1.4 For more information see [displacement](#).

- 15.1.5 For more information on internal relocation see [CPIN: Background note and internal relocation](#)).

[Back to Contents](#)

²⁸¹ IDMC, [‘An Atomised Crisis ...’](#) (p33), September 2018

²⁸² USSD, [‘Human rights report 2019’](#) (section 2D), 11 March 2020

²⁸³ Freedom House, [‘Freedom in the World 2020: El Salvador’, \(section Overview\)](#), 4 March 2020

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

Organized Gangs

- History
- Gangs
 - Structure
 - General characteristics of gangs and its members
 - MS-13
 - B-18
 - Other Gangs
 - Activities, Size, Reach
- Government response
 - Law and policies
 - Witness protection
- Targets of gang violence
- Criminal justice system
 - Police and military
 - Effectiveness
- Freedom of movement

[Back to Contents](#)

Bibliography

There is an issue with all the links to InSight Crime articles. To access the source you will need to cut and paste 'InSight Crime' followed by the article title into your browser.

Sources cited

ACLED, '[Central America and COVID-19: The Pandemic's Impact in Gang Violence](#)', 29 May 2020. Last accessed: 24 November 2020

Advocates for Human Rights, published by UN Human Rights Committee: [El Salvador's Compliance with the International Covenant on Civil and Political Rights: Gender-based Violence, Gang Violence, Trafficking, and Police Corruption](#), 2018, Last accessed 16 November 2020

Ámparo Marroquín Parducci, '[Gangs in Central America's Northern Triangle: narratives and journeys](#)', in David James Cantor and Nicolas Rodríguez Serna (eds.), [The New Refugees: Crime and Forced Displacement in Latin America](#)', 2016. Last accessed: 24 November 2020

The Atlantic, '[El Salvador's Gangs Are Targeting Young Girls](#)', 4 March 2018. Last accessed: 17 August 2019

BBC, '[El Salvador granted favours to gang leaders, report says](#)', 4 September 2020. Last accessed: 24 November 2020

Córdova, A, Latin American Research Review, 54(1), 201–221), '[Living in Gang-Controlled Neighborhoods: Impacts on Electoral and Nonelectoral Participation in El Salvador](#)', 16 November 2017. Last accessed: 23 November 2020

The Economist, '[Wrong side of the tracks](#)', 11 January 2020. Last accessed: 24 November 2020

European Commission (EC), '[Action Document for the "Apoyo al Plan El Salvador Seguro - PESS"](#)', 30 October 2017. Last accessed: 24 November 2020

Florida International University, '[The New Face of Street Gangs: The Gang Phenomenon in El Salvador](#)', February 2017. Last accessed: 28 August 2019

Foreign Commonwealth and Development Office (FCDO), '[Travel Advice: Crime](#)', 16 November 2020. Last accessed: 23 November 2020

Foreign Policy (FP), '[A nation held hostage](#)', 30 November 2019. Last accessed: 12 November 2020

Freedom House,

['Freedom in the World 2019'](#), 4 February 2019. Last accessed: 12 November 2020

['Freedom in the World 2020: El Salvador'](#), 4 March 2020. Last accessed: 12 November 2020

Global News, '[El Salvador's murder rate falls to half of last year's, now it's 4.4 per day: minister](#)', 17 August 2019. Last accessed: 24 November 2020

Global Security Insight, '[The Cost Of Living: Extortion in the Northern Triangle](#)', 5 August 2019. Last accessed: 20 October 2020

The Guardian, (author Tariq Zaidi) '[A country ruled by gangs: A photo essay](#)', 22 November 2019. Last accessed: 19 November 2020

Human Rights Watch (HRW),

['World Report 2020'](#), January 2020, Last accessed: 12 November 2020

[Deported to Danger](#)', February 2020. Last accessed: 16 December 2020

[Every Day I Live in Fear" Violence and Discrimination Against LGBT People in El Salvador, Guatemala, and Honduras, and Obstacles to Asylum in the United States](#), October 2020. Last accessed: 18 November 2020

Igarape, '[Homicide Monitor](#)', u/d. Last accessed: 24 November 2020

Immigration and Refugee Board of Canada, '[El Salvador: Information Gathering Mission Report - Part 1: Gangs in El Salvador and the Situation of Witnesses of Crime and Corruption](#)', September 2016. Last accessed: 12 November 2020

The Independent,

['Unexplained disappearances in El Salvador revive painful Cold War memories'](#), 21 October 2019. Last accessed: 24 November 2020

['El Salvador's new president celebrates country's first day without a murder for two years'](#), 2 August 2019. Last accessed: 24 November 2020

There is an issue with all the links to InSight Crime articles. To access the source you will need to cut and paste 'InSight Crime' followed by the article title into your browser.

InSight Crime,

['The El Salvador gang that kills its gay members'](#), 18 January 2017. Last accessed: 12 November 2020

['El Salvador Police Chief Warns of Gang Infiltration in Municipal Elections'](#), 1 November 2017. Last accessed: 20 October 2020

'MS13 in the Americas', '[How the world's most notorious gang defies logic, resists destruction](#)', February 2018. Last accessed: 28 August 2019. Last accessed: 19 October 2020

[How to leave MS13 alive](#)', 28 May 2018. Last accessed: 21 October 2020

['InSight Crime's 2018 Homicide Round-Up'](#), 22 January 2019. Last accessed: 24 November 2020

[2019 Homicide round-up](#)', 28 January 2020. Last accessed: 29 October 2020

['A Criminal Culture: Extortion in Central America'](#), May 2019. Last accessed 24 November 2020

[Copycats](#)', 26 April 2019. Last accessed: 29 October 2020

['Extortion and sexual violence: Women's unspoken suffering'](#), 26 April 2019. Last accessed: 29 October 2020

['El Salvador's Peaceful Month Not Due to Bukele Security Plan'](#), 5 August 2019. Last accessed: 20 October 2020

[‘El Salvador to Omit Key Data From Official Homicide Tally’](#), 18 July 2019. Last accessed: 20 October 2020

[‘Inside MS-13 Clique’s campaign of terror at the Honduras-El Salvador border’](#), 5 June 2020. Last accessed: 19 October 2020

[‘The El Salvador President’s Informal pact with the gangs’](#), 2 October 2020. Last accessed: 20 October 2020

[How El Salvador President Bukele deals with gangs’](#), 1 October 2020. Last accessed: 19 November 2020

[‘El Salvador’s Black Widows – Female Leadership in MS13’](#), 25 March 2020. Last accessed: 21 October 2020

[‘Female criminal leadership and differing use of violence’](#), 13 April 2020. Last accessed: 21 October 2020

[‘The protection racket: Gangs and violence in San Salvador’](#), 1 October 2020. Last accessed: 16 November 2020

[El Salvador seizing thousands of guns but flow of weapons continues’](#), 29 October 2020. Last accessed: 16 November 2020

Inter-American Commission of Human Rights, [‘Conclusions and Observations on the IACHR’s Working Visit to El Salvador’](#), 29 January 2018. Last accessed: 20 October 2020

Internal Displacement Monitoring Centre, School of Advanced Study, University of London, Knox, Vickie; Cantor, David,

[‘An Atomised Crisis: Reframing Displacement Caused By Crime and Violence in El Salvador’](#), September 2018. Last accessed: 24 November 2020

[El Salvador, country page](#), undated, Last accessed: 24 November 2020

International Crisis Group,

[‘El Salvador’s Politics of Perpetual Violence’](#), 19 December 2017. Last accessed: 19 October 2020

[‘Life Under Gang Rule in El Salvador’](#), 26 November 2018. Last accessed: 23 November 2020

[Miracle or Mirage? Gangs and Plunging Violence in El Salvador’](#) (p19), 8 July 2020. Last accessed: 29 October 2020

John P. Sullivan, Juan Ricardo Gómez Hecht and Robert J. Bunker, Small Wars Journal, [‘Third Generation Gangs Strategic Note No. 11: MS-503—Mara Fragmentation and Murder’](#), 4 October 2018. Last accessed: 19 October 2020

Kids In Need of Defense, [‘El Salvador: Neither Security nor Justice: Sexual and gender-based violence and gang violence in El Salvador, Honduras, and Guatemala’](#), March 2018. Last accessed 20 October 2020

Knox, Vickie, Forced Migration Review; [‘Gang violence, GBV and hate crime in Central America: State response versus State responsibility’](#), October 2019. Last accessed: 24 November 2020

La Prensa Grafica (summary provided BBC-Monitoring), [‘El Salvador: December 2019 ‘safest’ month since 1992’](#), 2 January 2020. Last accessed: 20 October 2020

National Geographic, '[Inside El Salvador's battle with violence, poverty, and U.S. policy](#)', March 2019. Last accessed: 16 November 2020

The New Humanitarian, '[How Mexico and Central America's femicide epidemic drives and complicates the migrant crisis](#)', 27 February 2020. Last accessed: 17 November 2020

Nikita Melnikov, Carlos Schmidt-Padilla and Maria Micaela Sviatschi, published on VoxDev, '[How organised crime can affect economic development: Evidence from El Salvador](#)', 30 October 2020. Last accessed: 3 November 2020

Overseas Security Advisory Council (OSAC),

['El Salvador 2020 Crime & Safety Report'](#), 31 March 2020. Last accessed: 23 November 2020

['El Salvador 2019 Crime & Safety Report'](#), 25 April 2019. Last accessed: 23 November 2020

REDLAC (Author), published by NRC – Norwegian Refugee Council: Snapshot #9; '[The Impact of Violence on the Right to Health for Displaced Persons in the North of Central America and Mexico](#)', June 2020. Last accessed: 11 November 2020

Refugee Survey Quarterly, McNamara P, '[Political Refugees from El Salvador: Gang Politics, the State, and Asylum Claims](#)', 08 September 2017. Last accessed: 2 November 2020

The Star, '[El Salvador's homicide rate drops sharply](#)', 1 November 2019. Last accessed: 20 October 2020

UNHCR,

['Guidance Note on Refugee Claims Relating to Victims of Organized Gangs'](#), 31 March 2010. Last accessed: 19 October 2020

['Eligibility Guidelines For Assessing The International Protection Needs of Asylum-Seekers From El Salvador'](#), March 2016. Last accessed: 30 May 2019

[Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: 3rd Cycle, 34th Session, El Salvador](#), [no month] 2019. Last accessed: 19 October 2020

['UNHCR welcomes new law in El Salvador to help people internally displaced by violence'](#), 10 January 2020. Last accessed: 3 November 2020

UN Human Rights Council

['National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*'](#), 20 August 2019. Last accessed: 20 October 2020

['Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to El Salvador'](#), 7 December 2018. Last accessed: 24 November 2020

['Report of the Special Rapporteur on the human rights of internally displaced persons on her visit to El Salvador'](#), 23 April 2018. Last accessed: 24 November 2020

UN, '[Demographic Year Book 2018](#)', 2019. Last accessed: 16 December 2020

UN Office of the United Nations High Commissioner for Human Rights, '[Summary of Stakeholders' submissions on El Salvador](#)', 21 August 2019. Last accessed: 24 November 2020

UN Office on Drugs and Crime, '[Global Study on Homicide - About - Summary of the Global Study on Homicide 2019 – Methodological Annex](#)', undated. Last accessed: 20 October 2020

UK Immigration and Asylum Chamber, Upper Tribunal, '[EMAP \(Gang violence, Convention Reason\) \[2022\] UKUT 00335](#)', promulgated 16 November 2022, published 15 December 2022. Last accessed 19 December 2022

US Department of Labor, '[Findings on the Worst Forms of Child Labor](#)', El Salvador, 30 September 2020, Last accessed: 18 November 2020

US Central Intelligence Agency,

['The World Factbook'](#), El Salvador, updated 9 November 2020. Last accessed: 16 December 2020

['The World Factbook'](#), United Kingdom, updated 11 November 2020. Last accessed: 19 November 2020

US Congressional Research Service,

['Gangs in Central America'](#), 29 August 2016. Last accessed: 20 October 2020

['El Salvador: Background and US relations'](#), updated 1 July 2020. Last accessed: 19 November 2020

['El Salvador: Background and U.S. Relations'](#), 14 August 2019. Last accessed: 19 November 2020

US State Department,

['Country Report on Human Rights Practices 2019 - El Salvador'](#), 11 March 2020. Last accessed: 16 December 2020

[2019 Report on International Religious Freedom: El Salvador](#)', 10 June 2020. Last accessed: 11 November 2020

['2020 Trafficking in Persons Report: El Salvador'](#), 25 June 2020. Last accessed: 17 November 2020

Washington Post, '[It's so dangerous to police MS-13 in El Salvador that officers are fleeing the country](#)', 3 March 2019. Last accessed: 20 October 2020

[Back to Contents](#)

Sources consulted but not cited

BBC Monitoring, '[El Salvador President Bukele highlights drop in homicides](#)', 26 August 2019. Last accessed: 20 October 2020

Belgium Office of the Commissioner General for Refugees and Stateless Persons, '[COI focus, Salvador, Situation sécuritaire](#)', 15 July 2019. Last accessed: 20 October 2020

The Borgen Project, '[10 Facts About Gangs in El Salvador](#)', 25 June 2019. Last accessed: 20 October 2020

Cantor, David James, Refugee Survey Quarterly: [‘The New Wave: Forced Displacement Caused by Organized Crime in Central America and Mexico’](#), June 2014. Last accessed: 20 October 2020

Farah and Babineau, [‘The Evolution of MS 13 in El Salvador and Honduras’](#), 14 September 2017. Last accessed: 26 October 2020

Foreign Affairs, [‘Gangs of El Salvador’](#), 22 August 2019. Last accessed: 22 October 2020

Foreign Policy, [‘El Salvador’s tough policing isn’t what it looks like’](#), 06 July 2019. Last accessed: 20 October 2020

Human Rights Watch (HRW), [‘World Report 2019’](#), 17 January 2019. Last accessed: 12 November 2020

Immigration and Refugee Board of Canada, [National Documentation Package, ‘El Salvador’](#), updated 30 September 2019. Last accessed: 19 November 2020

Immigration and Refugee Board of Canada, [‘El Salvador: Information Gathering Mission Report - Part 2: The Situation of Women Victims of Violence and of Sexual Minorities in El Salvador’](#), September 2016. Last accessed: 12 November 2020

Insight Crime,

[‘Shyboy,” the Mysterious Spokesman of El Salvador’s MS503’](#), 29 December 2017. Last accessed: 19 October 2020

[Insight Crime, ‘Tensions Rise over Dissident MS13 Faction in El Salvador’](#), 28 April 2017. Last accessed: 19 October 2020

[‘El Salvador Convicts First Mayor for Ties to Gangs’](#), 2 February 2018. Last accessed: 20 October 2020

[‘Extortion Explainer 2: From a “Cora” to the Rent’](#), 26 April 2019, Last accessed: 20 October 2020

[‘365 El Salvador Gang Members Arrested This Year in Guatemala: Police’](#), 20 October 2016. Last accessed: 20 October 2020

[‘El Salvador Military Officers Ordered Executions: Attorney General’](#), 28 February 2018. Last accessed: 11 November 2020

[‘El Salvador Gangs Influence Local Politics in the Capital: Report’](#), 9 July 2018. Last accessed: 20 October 2020

[InSight Crime: ‘El Salvador Gangs Causing Tens of Thousands to Leave School’](#), 22 July 2016. Last accessed: 19 November 2020

[‘El Salvador’s ‘Plan Seguro’ Failing to Make Communities Safe: Report’](#), 28 March 2016. Last accessed: 19 November 2020

International Crisis Group, [‘Mafia of the poor: Gang violence and extortion in Central America’](#), 6 April 2017. Last accessed: 19 October 2020

National Council on Citizen Security and Coexistence, Informe de Monitoreo 2016-2017, [Plan El Salvador Seguro’](#), July 2018. Last accessed: 20 October 2020

Norwegian Refugee Council (NRC), [‘10 things you should know about the violence in Central America’](#), 27 September 2018. Last accessed: 20 October 2020

Overseas Security Advisory Council (OSAC), '[Who we are](#)'. Last accessed: 20 October 2020

The Sacramento Bee, '[Gangs, violence, extortion: Gavin Newsom hears stories of deported Salvadorans](#)', 9 April 2019. Last accessed: 20 October 2020

Time, '[Violence Against Women in El Salvador Is Driving Them to Suicide — Or to the U.S. Border](#)', 14 May 2019. Last accessed: 20 October 2020

Unicef, [Stolen childhood: Gang violence in El Salvador, 24 November 2017](#). Last accessed: 19 November 2020

US Department of Labor, '[Findings on the Worst Forms of Child Labor](#)', El Salvador, 27 September 2019. Last accessed: 24 November 2020

US State Department,

[Country Report on Human Rights Practices for 2018](#)', 13 March 2019. Last accessed: 14 October 2020

[Bureau of International Narcotics and Law Enforcement Affairs: El Salvador Summary](#)', undated. Last accessed: 9 November 2020

Voice of America (VOA), '[El Salvador's Murder Rate Decreases for Third Straight Year](#)', 2 January 2019. Last accessed: 9 November 2020

Women in the World, '[El Salvador gang violence stifles progress on tackling femicide crisis: top prosecutor](#)', 10 May 2019. Last accessed: 9 November 2020

[Back to Contents](#)

Version control

Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **19 December 2022**

Official – sensitive: Start of section

The information in this section has been removed as it is restricted for internal Home Office use.

Official – sensitive: End of section

Updated country information

Updated to include reference to country guidance case of EMAP only.

[Back to Contents](#)