

# IMMIGRATION BRIEFINGS®

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*Practical Analysis of Immigration and Nationality Issues*

## THE SOCIO-POLITICAL CONTEXT OF VIOLENCE IN EL SALVADOR, HONDURAS, AND GUATEMALA

by Dr. Thomas Boerman\*

Central America's Northern Triangle (El Salvador, Honduras, and Guatemala) is recognized as the most violent region in the world outside of an active war zone. The 2015 reported homicide rate in El Salvador was an astonishing 103 per 100,000 inhabitants, the highest in the world,<sup>1</sup> dropping to 60 per 100,000 inhabitants in 2017.<sup>2</sup> In Honduras, reported homicides reached a peak of 86.5 reported killings per 100,000 inhabitants in 2011,<sup>3</sup> declining to 46.5 per 100,000 by 2016.<sup>4</sup> Guatemala recorded 48 murders per 100,000 inhabitants in 2008, a figure that dropped to approximately 30 by the end of 2015.<sup>5</sup> Putting these figures into context, the worldwide homicide rate is approximately eight homicides per 100,000 inhabitants, so, despite decreases in the number of reported killings, the region remains trapped in a dire cycle of violence.<sup>6</sup>

With respect to the reported homicide rates, all available evidence supports the conclusion that there has been a decrease in recent years, but there are several critical points to keep in mind. First, homicide statistics are aggregated nationally and do not reflect extreme levels of violence in particular areas, which in many cases remain extraordinarily high. Second, depending on the country in question, unless an autopsy is conducted, a violent death may not be considered when calculating the country's murder rate, but, in a very significant percentages of killings, neither an investigation nor an

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autopsy are conducted. Third, again depending on the country, if the victim is injured in one location but leaves the scene and dies elsewhere more than a few days after the injury was sustained, it is unlikely that the death will be considered a homicide. Fourth, people frequently disappear and are presumed dead, but they are generally not included in the homicide count because there is no way to determine their fate. Fifth, police and forensic specialists are unable to enter many of the region's most dangerous zones because of the dangers that they encounter. Additionally, within those same areas, residents are typically terrified to report crime to authorities due to fear of reprisals, so it must be presumed that many homicides go unreported. As such, while there seems to be a consensus that the number of killings has decreased in some areas, those improvements do not apply in others, and, due to the aforementioned variables, it is impossible to calculate actual murder rates or to presume that the publicly reported figures are accurate. According to a representative of the Salvadoran Supreme court:

Homicide statistics reflect the number of bodies that arrive at the morgue, not the number of homicides.<sup>7</sup>

Because murder is the most extreme form of vio-

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lence, there is a tendency to focus on homicide as a key indicator of whether violence is increasing or decreasing, but doing so can obscure the more pervasive nature and scope of the problem. In addition to homicide, sexual and other forms of gender-based violence, child abuse, persecution of the LGBTI community, violence perpetrated by state officials, and other gang-related crime, such as extortion, forced evictions, coerced service to gangs, and witness intimidation, are widespread. The nature of these crimes—coupled with the public's conditioned belief that police and other authorities are largely unresponsive and that reporting to police will result in violent reprisals from perpetrators—causes the vast majority of these “lesser offenses” to go unreported and to occur not only with far greater frequency than homicide but also with virtual guarantees of impunity.

Although it is commonly recognized within the U.S. that the Northern Triangle is an extremely dangerous region, generally speaking, there is an extremely limited and distorted understanding of the sociopolitical context within which violence occurs. Also, a comprehensive understanding of the factors that undermine the ability and willingness of governments within the region to protect the public and the overlapping factors that typically undermine internal relocation as a strategy for escaping life-threatening risk is largely absent. This lack of contextual understanding is particularly relevant insofar as it relates to gang and gender-based violence.

## THE PARADOX OF VIOLENCE

Societal violence in any form is multi-dimensional and is shaped by a number of paradoxes that not only represent integral elements of the problem but also actually foment it. First, in spite of the presence of tens of thousands of public servants of great integrity, skill, and professionalism, governments in the region remain unable, and in certain respects unwilling, to control violence and to protect the public. Second, despite the infusion of hundreds of millions of dollars from the U.S. and other international donors into rule of law and institution-building efforts, justice systems remain largely unable to fulfill their mandate. Third, although it is recognized that addressing the causes of violence

and reducing its frequency require inter-disciplinary and inter-organizational cooperation and collaboration, such approaches have been the exception rather than the rule. Fourth, despite the documented failure of state policy and practice, governments remain unshakably committed to them, in part because officials are unable or unwilling to envision or operationalize an alternative despite the fact that those policies serve to replicate violence in the short-, medium-, and long-term, thereby worsening the problem that they are intended to solve.

Insofar as it relates to gang violence, here too it is important to note the paradoxes. Gangs have subjected the population of the region to unimaginable horrors, have destroyed the fabric of community life, and rightly have come to symbolize the problem of violence in one of its most egregious forms. At the same time, however, gangs are but one of numerous forces that rip at the social fabric, and it would be a gross over-simplification to conclude that gangs are the only source of violence and that all gang members are sadistic rapists and murderers. Many young people feel compelled by circumstances to involve themselves with gangs because there is no realistic alternative, and they attempt to navigate the demands of gang culture in hopes of avoiding, or at least minimizing, the infliction of harm. Except for those who are deeply committed to gang lifestyle and are psychologically and emotionally numb or otherwise pathologically indifferent to the effects of their actions on innocents, the majority have been forever scarred by their exposure to violence and long for an alternative to gang life but live with despair of knowing that there is no escape from their personal and collective hell. Additionally, despite the commonly held perception in the U.S. that there is a clear dividing line with gang members on one side and the rest of the population on the other, what often exists is a complex interplay between the two. A mother who suffers over her son's involvement with gangs may also depend on the meager money that he brings home so that she can feed her other children, and, lacking adequate state presence and protection, residents of gang-controlled communities may also rely on them to keep other dangerous elements out of the area and even act as an alternative to the state, which may be all but absent.

Given these paradoxes, the problem of violence is one that defies simplistic analysis and singularly pointed, or narrowly focused, responses. In fact, such overly-simplified responses are assured to worsen the very problem that they purport to solve both in the short-term and long-term.

## THE CONTEXT OF CRIME AND VIOLENCE

For a number of reasons, determining the number of active gang members in the Northern Triangle is complex to the point of being essentially impossible, and, as such, estimates vary wildly. In Honduras, the number ranges from a low of approximately 4,700 to a high of 40,000.<sup>8</sup> In El Salvador, the government has long estimated that the figure is between 30,000 and 60,000,<sup>9</sup> and, in Guatemala, estimates suggest that there are anywhere between 8,000 and 30,000 active members.<sup>10</sup> There are two critical points to note with regard to these estimates, including the fact that they do not necessarily include people who are peripherally associated with gangs (i.e., those who are supportive and/or collaborate with gangs but are not recognized as members), which is a figure far greater than the number of actual members, or convey the disproportionate influence that gangs have across various dimensions of societal functioning given the infinitesimally small fraction of the overall population that they represent.

Lacking a nuanced understanding of the gang problem in the Northern Triangle and the sociopolitical context of the region, it is common for public officials and the population at-large in the U.S. to map their experience and understanding of gangs in this country onto the situation in El Salvador, Honduras, and Guatemala. While there are similarities between gang culture in the U.S. and Central America—not surprisingly given the fact that the region's gangs have their origins in the United States—there are also critical differences. Chief among them are, first, the level of audacity and barbarism with which gangs in the Northern Triangle operate and, second, the degree to which the gangs directly not only affect the most basic elements of day-to-day life for the population in areas under their control but also influence government

policy and practice.<sup>11</sup> As it relates to these critical issues, there are simply no comparators in the U.S.

In terms of gangs' levels of control, unless one has extensively researched and witnessed firsthand the ways in which gang culture manifests in Central America, it is not possible to possess a comprehensive understanding of their influence, the level of control that they exert, or the level of terror, trauma, desperation, and helplessness that they engender in the population in areas under their control. Gang members are obsessive about knowing who lives and moves within areas under their control, which translates to real-time knowledge of what is happening in the community, which in turn informs actions on their part that reinforce their control. To illustrate, it is common knowledge that gangs impose and enforce curfews in order to more effectively monitor and control movements within areas under their control; post lookouts at their territorial boundaries, who alert designated points of contact when strangers or security personnel enter; erect traffic checkpoints to determine who is coming and going; force the eviction of targeted individuals and families, and, at times, entire sections of neighborhoods, from their homes in part to maintain control over who is in the territory; and coerce individuals who live and move within gang-controlled areas to provide the gang with intelligence on a range of activities.

Because of the gangs' real-time knowledge of activities, the public is forced to make fundamental life decisions in order to remain as "invisible" as possible and to avoid actions that may put them at grave risk. For instance, parents often withdraw their children from school, and people are routinely unable to fully engage in their work, visit family, or worship in other neighborhoods due to the dangers associated with crossing gang boundaries. Within their own neighborhoods, people may be unable to engage in certain expressions of their religious faith, organize or participate in community events, host birthday parties for children and other family events, or even hold funerals for victims of violence because doing so may trigger further violence. Farmers may allow productive land to remain fallow, and small business owners often structure their businesses in an attempt to prevent, or at least minimize, the likelihood of extortion

and its associated dangers. People with financial resources frequently choose not to make purchases (e.g., clothing, televisions, bicycles for their children, a new car, or improvements to their homes) because doing so will draw gangs' attention and result in any number of different forms of victimization.

In terms of violence, gangs engage in acts that are so grotesque that even providing examples would be inappropriate, but it is critical to recognize that this violence occurs not exclusively as a manifestation of psychological pathology but also for strategic reasons as violence represents a central element of the strategy of terror through which gangs establish and maintain control over physical territory, criminal markets, and the population and through which they come to exert an outsize influence over government. It is equally critical to recognize that the atmosphere of terror that arises from this strategy creates the context within which the population in gang-controlled areas lives with on a day-to-day and even moment-to-moment basis.

The use of terror by gangs exacts an enormous toll on the psychological and emotional well-being of the population. One way in which this psychological pathology manifests is through the compartmentalization of information within families and communities. Husbands and wives often do not share information about threats or extortion demands that they are being subjected to; girls and women may not disclose to their families that they have been threatened with sexual violence or even raped; and, rather than tell their parents or other adult care takers that they were beaten by gang members, children often concoct stories to explain their injuries, such as they fell off their bike or had a fight with a friend from school.

At the community level, market vendors often do not discuss threats or details about extortion demands with other merchants, religious young people do not share with their pastors, ministers, priests, or members of their youth groups that they are being coerced into service by gangs because members believe that they can leverage their reputations as religious youth and use them for criminal purposes without arousing suspicion, and members of the clergy often choose not

to discuss with their peers threats that they are being subjected to due to their perceived anti-gang efforts.

In effect, the population has largely been conditioned to silence due to the fear that disclosing information not only will result in an escalation of threat to the individual but also may put other members of his or her family in great danger. As such, to an extreme degree, people are forced to cope with their experience of terror and trauma in silence. The fear is so ingrained that asking and expecting Central Americans in removal proceedings to discuss the details of their experiences often goes against a lifetime of being conditioned to silence. Additionally, from the standpoint of the most fundamental understanding of the neurophysiology, it is commonly recognized that exposure to violence and trauma results in the development of maladaptive neurological networks in the brain. When these maladaptive neurological networks are activated, trauma survivors predictably go into “flight,” “freeze,” or “fight” states—responses orchestrated at unconscious levels of the brain. While in these “survival states,” regions of the brain responsible for cognitive information processing, recall, and other higher-order functions essentially go offline, leaving the individuals unable to function normally. During these periods, behavior may appear incongruous, socially inappropriate, out of character, manipulative, or deceitful when in fact they are predictable manifestations of brain physiology.

The generalization of threat from one individual to members of his or her family warrants particular attention as it represents a central pillar in gangs’ larger strategy of terror. Through threatening, harming, and killing the family members of individuals who have fallen into disfavor, gangs convey a message that, if one rebuffs, antagonizes, or challenges gang members, it is not only that person who will suffer but also the ones whom they love the most. The implications of this strategy are overwhelming in terms of the number of people who are victimized simply due to membership in their family and in its contribution to the psychological maladies of the population. Among professionals whom I work with, or have interviewed over the course of many years, it is commonly presumed that a majority of the population in gang-

controlled areas live with chronic post-traumatic stress disorder, as well as anxiety and depressive and/or attachment disorders, due to primary and/or secondary exposure to violence and the continual fear of violence.

It is not only members of the public that are forced to orchestrate life in response to gangs. Social service organizations and international development agencies implementing programs in gang-controlled areas are typically forced to inform, and often negotiate with, gang leaders in order to operate. To illustrate the gravity of the risk, service providers and project coordinators are often compelled to hire security specialists, if not as members of their staff, at least as consultants, to assist in formulating policy and practice recommendations intended to protect staff and program recipients.<sup>12</sup> Even in cases in which service providers do not interact directly with gang leaders, they nonetheless typically shape and limit their activities in order to avoid triggering a violent response from gangs.

Gangs also frequently influence the role and activities of the church. The relationship between gangs and the church is complex, and at times it is amicable—although the amicable nature of the relationship is conditional—whereas at other times gang members are outwardly antagonistic toward the church and pose grave risks to clergy, laity, and religiously active youth. When the relationship is amicable, it is often because gang leaders and members have longstanding relationships with the clergy and/or that church is involved in activities that are perceived as supportive of gang members’ families and which do not encroach upon or challenge gangs’ control within the community. Even when favorable relationships exist between gangs and the church, clergy members are oftentimes forced to formally or informally negotiate with leaders to determine the acceptable parameters of religiously-based activities or at least conform to their spoken or unspoken demands in order to avoid a violent reaction. For instance, although there are exceptions, clergy members often take as low a profile as possible, or entirely avoid, preaching anti-gang messages, interfering with gang recruitment efforts, assisting current gang members to leave their gang, or at times even conducting street outreach to at-risk young people as any of these may result in threats, physical violence, or death.<sup>13</sup>

Social service providers, international development specialists, and members of the clergy must also be mindful of the dynamics between gangs and governments in the region. For example, after the Salvadoran government designated the Mara Salvatrucha (MS13) and their rivals, the Barrio 18 (aka Mara 18), as “terrorist organizations” in 2015,<sup>14</sup> many service providers and clergy members became concerned that they would be labeled “gang apologists” or “collaborators” as a result of their work in gang-controlled areas.<sup>15</sup> In 2017, a pastor advised the author that he was familiar with approximately 30 clergy members that had been harassed and/or threatened with arrest due to their faith-based social service activities.

Government practices are also at times dramatically shaped by gangs’ outsized influence in areas under their control. Child welfare and health ministries may be unable to provide services to those in greatest need because staff are unable to enter particular neighborhoods; representatives of governmental (as well as non-governmental) women’s organizations are often forced to limit their activities and even deny services to women at extreme risk because gang members, who view females in their territory as part of the “property,” respond violently toward program staff; and public school administrators are forced to be ever-mindful of the dangers posed by gang members who prowl in and around schools and, in many cases, control them.

## **GANGS’ POLITICAL AGENDA, STRATEGIES, AND TACTICS**

For many years, gangs have had an agenda to shape the sociopolitical climate of the region so as to ensure relative impunity to expand and operate.<sup>16</sup> This agenda has been operationalized primarily through a strategy of terror and, as mentioned previously, is the means by which gangs establish and maintain control over physical territory, criminal markets, the population in areas under their control, and, to a degree, the very process of governance itself. Arguably, gangs have implemented this strategy effectively, and across measures of influence on politics, the economy, and culture. According to a 2016 study, they now represent a “parallel state” in which they exert pressure on governments in the manner of an “interest group.”<sup>17</sup>

As far back as 2009, analysts from the U.S. Army War College and the Strategic Studies Institute characterized Central American gangs and organized crime groups as “non-state actors” engaged in efforts to establish political domination through “asymmetrical warfare.”<sup>18</sup> Central American organized criminal groups have effectively rendered the state and its agents (e.g., police, prosecutors, courts, prisons) irrelevant in major respects and act as de facto governments in many areas because they have so thoroughly undermined both the capacity of nation states to fulfill basic functions of governance and their legitimacy. Within these less-than-governed spaces, in critical respects, gangs operate with virtual impunity, and those who interfere with or oppose their efforts to establish political control are subjected to predictable acts of intimidation, terror, and brutality.

In addition to government officials, as part of the strategy of terror, gangs, of course, also target the public. Through intimidation and brutality, gangs terrorize citizens into submission and “punish” those who challenge their control. Activities such as reporting gang crime to police, refusing to comply with extortion or other demands, participating in investigations and prosecutions, or engaging in church or community-based anti-gang activities are perceived as expressions of pro rule of law and anti-gang political opinion and, as noted, result in reprisals that are as brutal as they are predictable. While a partial intent in these reprisals is to “punish” the individual, at a strategic level, the intent is to convey a message to the larger community that challenging gangs will result in violent retaliation; this is a central element in gangs’ strategy of terror.

## **GANGS AS POLITICAL ACTORS**

Despite the fact that gangs have declared war on governments within the region, as a matter of course they also often enter into marriages of convenience with political actors. These relationships manifest in at least two tangible ways. At the simplest level, political actors enter into clandestine relationships with gangs to influence elections. Although much of gang member’s activity involves nothing more than *pinta y pega* (painting political murals and pasting flyers), it is also commonly recognized that they coerce voters, disrupt

political rallies, intimidate and threaten campaign workers, and engage in violence at the behest of political actors with whom they struck private deals.

Beyond acting as political thugs for hire, gang leaders and political officials routinely engage in dialogue with one another. For instance, as one of dozens of examples in the region, in El Salvador there exists irrefutable evidence that the left/center-left Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front or FMLN) and the right/center-right, Alianza Republicana Nacionalista (National Republican Alliance or ARENA) have both entered into clandestine negotiations with the MS13 and the Barrio 18. In October 2016, videos surfaced showing FMLN officials conducting meetings with gang leaders in which they pledged \$10 million in microenterprise credits to be controlled by the gangs.<sup>19</sup> High-ranking FMLN officials also discussed an electoral pact in which gangs would generate support for the FMLN and prevent votes for the opposition during the 2014 presidential elections.<sup>20</sup>

In February 2014, a high-ranking ARENA party official and mayor of a heavily gang-affected municipality in the San Salvador metro area met with gang leaders in hopes of forming a pledge of political support in exchange for promoting a new truce should ARENA win the presidency.<sup>21</sup> In 2017, investigative journalists determined that the FMLN and ARENA paid gang leaders a combined total of \$350,000 in exchange for their support during the 2014 election cycle.<sup>22</sup> In the run-up to the 2019 presidential elections, it was revealed that front-runner Nayib Bukele made monetary payouts to gang leaders, granted the Barrio 18 a level of influence over the issuance of vendor permits in a public market under the gang's control and in which it extorts merchants, and negotiated with gang leaders to provide "security" and permit campaign activities in areas under their control.<sup>23</sup> When confronted with the fact that, as mayor of San Salvador, Bukele had criticized his political opponents for negotiating with gangs but later engaged in the same practices, he acknowledged that it is impossible to govern without negotiating with gang leaders and only through such pacts are political actors given access to communities under gang control.<sup>24</sup>

Rodrigo Avila, ex-Director of the Salvadoran National Police and former presidential candidate, stated that gangs represent a parallel governmental authority in many communities.<sup>25</sup> Similarly, according to one journalist who had been covering the now defunct gang truce in El Salvador:

One of the clearest effects on the street is that now, the gang leaders are more established authorities, and in some cases, have substituted for any other authority.<sup>26</sup>

Given the factors described above, from both a practical and conceptual sense, attempting to draw lines of demarcation between gangs and the government, or to characterize gangs' criminality and violence as independent acts, reflects an extremely limited and distorted understanding of the critical dynamics that define the situation. Gangs in the Northern Triangle (1) have a concrete political agenda, which has been effectively implemented, (2) are often recognized as de facto authorities in areas under their control, (3) routinely engage in activities normally associated with governance, (4) negotiate with governmental representatives, and (5) operate in direct collusion with corrupt state officials. As such, despite the tension and hostility that exists between them, the government-gang dynamic may be best characterized as a complex expression of co-governance in which, in certain fundamental respects there is no clear dividing lines between gangs and the state.

## GOVERNMENT POLITICIZATION OF THE GANG PROBLEM

An exhaustive analysis of the politicization process is beyond the scope of this *Briefing*, but for years the Northern Triangle governments, particularly at the national level, have manipulated the gang situation for political purposes. Specifically, political parties have leveraged the situation to shore up support within their traditional bases, to undermine opposing political parties, and to respond to the public's understandable and insatiable appetite for tough action against gangs. The politicization of the problem has manifested in at least three tangible ways: (1) public policy toward gangs, (2) political dynamics between political parties, and (3) an erosion of public confidence in the political process itself.

With respect to public policy, for over 20 years, the Northern Triangle governmental responses have focused largely—and in a practical sense, almost exclusively—on police-military suppression-repression strategies known colloquially as *Mano Dura* (tough hand, heavy hand) which, in addition to the implementation of get-tough measures on the part of security forces, include the criminalization gang membership independently of any other criminal acts and enhanced sentencing for gang-related crime.<sup>27</sup> None of the countries have implemented any kind of effective frontal assault on the underlying social, cultural, or economic contributors to the gang problem, and, to the degree to which such proposals or programs exist, they have typically been funded and implemented by foreign donors, international religious organizations, local civil society organizations, and churches.

As it relates to the dynamics between political parties, representatives from opposing parties routinely engage in attempts to out-do each other in terms of who is going to come down harder on gang crime and violence. Within this politicized context, particularly at a national level, messaging that deviates from the theme of *más* (more) *Mano Dura* is rare, and despite over 20 years of well documented failure, the Salvadoran, Honduran, and Guatemalan governments remain wedded to this approach as their primary response strategy. To the degree to which national officials have proposed potentially meaningful alternatives to *Mano Dura*, implementation has been hampered by on-going commitment to the *Mano Dura* narrative, unproductive inter-party dynamics, lack of experience with comprehensive multi-sectoral strategies, and gross under-funding.

To illustrate, in January 2015, Salvadoran President Sánchez Cerén disclosed the details of his five-year, 124-point plan known as *El Salvador Seguro* (Secure [Safe] El Salvador), which focused on the 50 most violent municipalities and proposed the development of parks, sports facilities, education and training programs, gang rehabilitation, and improvements in the country's prison system. Despite widespread support for the plan as an alternative to failed policies of the past and its calls for a diverse continuum of responses, in 2017, the majority of funding, 70%, was still being

directed to police and military operations.<sup>28</sup> Further, according to one high-ranking U.S. official, while at the municipal level elected officials often engage in collaborative efforts to implement certain aspects of *Plan El Salvador Seguro*, at the national level, there is very little cooperation between political parties.<sup>29</sup>

Due to the aforementioned dynamics, although there are recognizable distinctions between the political left and right in terms of economic and social policy, insofar as it relates to the critical issue of security, the boundaries between political parties have blurred to the extent that, for all practical purposes, it is impossible to differentiate one from the other, and numerous analysts view parties' mutual approach as one that has the effect of continually reproducing violence.<sup>30</sup>

Northern Triangle governments' emphasis on violence and extrajudicial means as necessary and justified has also shaped public attitudes, which tend to be supportive of these measures. Public support for violent, extrajudicial measures is rooted in a number of variables, including overall fear of crime and violence and social and economic marginalization, which corresponds to lack of justice system access and recognition of weaknesses within justice system institutions.<sup>31</sup>

With respect to the erosion of public confidence in the political process and the legitimacy of government itself, despite their bellicose statements and political posturing, for over 20 years, politicians from the left and right have failed to effectively address gang crime and violence, and in fact during that time the problem has worsened across every conceivable measure. As a result, populations throughout the Northern Triangle generally have little or no faith in politicians, whom they see as corrupt and/or inept, or in the political process itself, which has failed them at every turn as it relates to the most fundamental aspects of citizen security. According to a 2011 survey, political parties' approval rates hovered at roughly 35% across the region while trust in the legislative branches averaged approximately 40%.<sup>32</sup> Given the continued deterioration across measures of crime and violence, there is little basis for concluding that the public's faith in politicians or the political process has improved more recently.

## OUTCOMES ASSOCIATED WITH *MANO DURA*

It must be acknowledged that the historical, social, and economic context of the Northern Triangle region represented a perfect laboratory for the cultivation of gangs and therefore a profound challenge for political officials, but, at the same time, according to the widest possible group of stakeholders *Mano Dura* represents an overly simplistic strategy that ignores all empirically validated principles for responding to gang problems, and that has contributed directly to a worsening of the very problem it purported to solve.

Since implementation of *Mano Dura* over 20 years ago, the dynamic between gangs, governments, and societies at-large have become increasingly polarized, and there is little interest on the part of any of the factions to engage in meaningful dialogue. For their part, gangs have become far more sophisticated and organizationally savvy. Their crime, audacity, and violence have intensified by a factor of multiples. Incarcerated gang leaders often exert virtual ownership privileges over the prisons where they are housed and for years have used them as bases of operation from which to orchestrate criminal activity on the streets. Gangs have crippled governments and undermined the legitimacy of the political process and exercise extraordinary and life-defining influence in areas under their control.

At its core, *Mano Dura* reflects both states' fragility and weaknesses and the degree to which violence is perceived as a necessary and integral element of governmental response strategies; specifically, the frequent overlapping violence that occurs within the context of implementing anti-gang laws, excessive force and human rights abuses and state officials' involvement in criminality.<sup>33</sup> Since its inception, tens of thousands of people have been arbitrarily arrested without cognizable evidence, and security forces have subjected countless innocent young people to intimidation, harassment, threats and abuses, all under the banner of state policy. According to a U.S. citizen who for several years worked with youth in high-risk communities in El Salvador:

Their experience (youth) is that when confronted (by police and/or military personnel) they are at high risk

of being verbally harassed, sometimes for hours, and physically abused; if they run to escape, they are shot at because the act of running labels them as a gang member and their peers that do not run are beaten.<sup>34</sup>

## THE REPLICATION OF VIOLENCE: EXTRAJUDICIAL EXECUTION AS AN ELEMENT OF *MANO DURA*

The most extreme form of human rights abuse associated with *Mano Dura* involves extrajudicial execution which has resulted in the deaths of thousands of known and suspected gang members, the vast majority of whom were adolescents or young adults. These killings occur as part of the larger process of replicating violence with full knowledge of the Salvadoran, Honduran, and Guatemalan governments and, in many instances, with the direct involvement of police and military personnel, who generally operate with virtual guarantees of impunity.<sup>35</sup>

Much of security forces' involvement in extrajudicial killing is directly connected to the fear and hatred that they legitimately feel toward gang members as a result of the violence that they, and oftentimes members of their families, are subjected to. Speaking only of the violence that police are exposed to (not including military personnel or the families of police and military personnel), in Honduras in 2014, which at the time had a national police force of approximately 22,000, 21 officers died violently.<sup>36</sup> In 2015 in El Salvador, with a police force of approximately 24,000, 64 officers were murdered.<sup>37</sup> Putting these figures into context, in the U.S.—where it is estimated that there are more than 900,000 sworn officers—roughly 40 died violently during roughly this same period.<sup>38</sup> Analysis of this data demonstrates that, in 2015, a police officer in El Salvador was 53 times more likely to die violently than one of his or her counterparts in the U.S.

From the Honduras section of a 2011 report on extrajudicial in Central America:

The state, and in particular police, organize and/or tolerate "Death Squads" that operate under schemes of enforced disappearances and extrajudicial execution similar to those applied during the 1980s, which existed as part of a "social cleansing" campaign. In recent times the promotion of legislation (Article 332 of the

Honduran Penal Code) and tolerance of police involvement in extrajudicial execution and high levels of impunity, point to the existence of supporters of “social cleaning” but now victims are teenagers and gang members.<sup>39</sup>

Insofar as it relates to Guatemala, the same report concluded:

Extrajudicial executions have become a common practice in Guatemala, both to suppress political opposition as well as presumed criminals. This “social cleansing” is arbitrary and selective, and operates through clandestine state structures that lie within the National Police and function as extermination squads that target individuals and groups stigmatized as deviant and antisocial.<sup>40</sup>

Noting the link between El Salvador’s government death squads that were active during the civil war (1980-1992) and the extrajudicial killing of known and suspected gang members in the modern era:

The social acceptance of the supposed “necessity” to take illegal action [extrajudicial killing] by the “good guys” against crime, is another byproduct of years of state violence and abuse to human rights justified by national security doctrines.<sup>41</sup>

To illustrate the degree to which violence has woven its way into state policy, in El Salvador between January 2015 and December 2017, police killed 1,084 suspected gang members and injured 319 more during reported *enfrentamientos* (armed confrontations) with police.<sup>42</sup> There are three critical points to note with respect to these statistics: (1) police were killed in only one out every 53 such incidents as opposed to normal combat situations in which the death rates on each side are much closer to equivalent, (2) for every three gang members killed during *enfrentamientos*, only one is injured, a death-to-injury ratio that is inverse from the normal pattern in combat situations in which substantially more people are injured than killed,<sup>43</sup> and (3) in 2015, the Salvadoran government suspended investigations of officer-involved killings of gang members, meaning that in anything other than high-profile incidents that are impossible to dismiss, there has been little or no government investigation in cases of lethal use of force.<sup>44</sup> During a 2017 author interview, a recognized expert stated:

The gang members hold the ground; they are heavily armed. Are they really that bad as combatants or is something else going on?<sup>45</sup>

Taken together, the imbalance in the death and injury toll and the absence of inquiry into the circumstances under which killings by security personnel occur is generally taken as *prima facie* evidence that many of the deaths that occur during *enfrentamientos*—if not the majority—are instances of excessive force or extrajudicial killings, presumptions which are, in fact, supported by tangible evidence.<sup>46</sup> In August 2017, investigative reporters determined that members of an anti-gang unit of the Salvadoran National Police (PNC), the Specialized Reaction Force (FES), were involved in extrajudicial execution<sup>47</sup> and that other officers were using Facebook and WhatsApp to coordinate and celebrate extrajudicial execution of known and suspected gang members.<sup>48</sup> In 2018, investigators also determined that members of a heavily vetted and U.S.-funded specialized anti-gang unit called the Jaguars, which to a degree is a repackaged version of the FES, were involved in 43 extrajudicial executions between January and June 2017.<sup>49</sup>

The President of the Inter-American Human Rights Commission (IAHRC) stated that the casualty rates between security personnel and suspected gang members was strongly suggestive of a pattern of extrajudicial execution.<sup>50</sup> In a February 2018 report, the United Nations Special Rapporteur on Extrajudicial Execution acknowledged the security challenges confronting the Salvadoran government and the positive, albeit limited, steps being taken to address the crisis in a positive manner but went farther than the IAHRC and condemned the government over the widespread practice of extrajudicial execution.<sup>51</sup>

As it relates to Honduras, between February 1998 and December 2012, Casa Alianza, an internationally recognized human rights monitoring organization, documented the extrajudicial execution of 8,005 young people under the age of 23.<sup>52</sup> A 2015 analysis revealed that the identities of the perpetrators in these killings were determined in only 11% of cases, but when identifications were made it was determined that police and military personnel and/or gang members were

responsible.<sup>53</sup> This data can, of course, be used to extrapolate to the larger pool of victims.

Another concern with extrajudicial killing is the impunity with which it occurs. For instance, in Guatemala, of the 6,805 cases of reported extrajudicial murder reported between 2005-2015, only .032%—22 cases—resulted in a conviction.<sup>54</sup> In El Salvador, between 2014 and 2016, over 500 officers were charged with homicide, but, according to the U.N. Special Rapporteur on Extrajudicial Execution, 92% of those cases were dismissed without charges.<sup>55</sup>

## **DYNAMICS BETWEEN GANGS AND SECURITY FORCES AND IMPLICATIONS FOR THE PUBLIC**

The dynamic between gangs and security personnel and the associated abuses and violence traded in ongoing, tit-for-tat exchanges have direct effects on residents of gang-affected neighborhoods and professionals working in those communities. For instance, when security forces initiate anti-gang operations or engage in killings that bear the hallmarks of extrajudicial murder, gang members may double down in their efforts to control what is happening in the area, including victimizing anyone whom they perceive as a potential collaborator with security forces.

Alternatively, when gangs escalate their attacks against police and military personnel, security forces often crack down on the community at-large in an attempt to root out and punish not only gang members but also potential gang “collaborators,” which routinely ensnares innocent youth as well as gang members’ families even if they are not involved with the gang. During a conversation with the author about security forces’ strategy of targeting suspected gang “collaborators,” a resident of a gang affected community in El Salvador stated:

At least with the gangs you knew what you were dealing with, you paid your renta (extortion) and they left you alone; with the police and military you have no idea what they are going to do or a way to protect yourself from them.

Whether it is security forces’ actions against gangs or gangs’ attacks on security forces, those living and

operating in these zones are essentially caught in the crossfire and forced to take even more extreme measures than usual to minimize the dangers that they face. Ironically, and in a manner that the U.S. government would undoubtedly find disconcerting, aggressive tactics on the part of security forces may actually fuel irregular migration to this country. For instance, numerous parents have advised me that they sent their teenage boys to the U.S. due to fear of police and/or military personnel.

## **INABILITY AND UNWILLINGNESS OF GOVERNMENTS TO PROTECT THE PUBLIC**

Despite hundreds of millions of dollars in U.S. economic assistance in recent years,<sup>56</sup> significant investments from other foreign governments, and the presence of many professionals of integrity and skill, there is a consensus that governments in the region lack both the ability—and among many, the political will—to protect the public at-large or individuals at particular risk from gangs.

There is no single factor that explains this inability and unwillingness; rather it is the combined effect of a number of variables, including (1) resource scarcity, (2) the effect of gangs’ terrorization and victimization of public officials and oftentimes members of their families, (3) institutional weaknesses within the police, prosecutors, courts, and corrections system, (4) indifference on the part of many public servants, and (5) the overwhelming and pernicious effect of pandemic corruption that can only be characterized as comically grotesque.<sup>57</sup>

Together, these variables powerfully undermine governmental ability, and, when faced with a chronically dangerous and intractable situation when ability is lacking, will eventually erode. Over the course of many years, high-ranking police, judicial, and other government officials in El Salvador, Guatemala, and Honduras have acknowledged to the author that their governments are unable to control gangs or to protect the public. Additionally, dozens of street-level police personnel have advised me that, when facing risk from gangs, they counsel people to flee because there is no

ability to protect them. As such, the public lives in a state of helplessness, trapped between ultra-violent gangs on one side and governments that are unable and/or unwilling to control gang crime and violence on the other side.

In 2013, the Honduran government acknowledged that lack of trust in the courts and fear of reprisals creates an environment in which crimes are not reported,<sup>58</sup> and the country's attorney general stated publicly that only 20% of homicides were investigated because the country lacked the infrastructure for doing so.<sup>59</sup> A high-ranking official of the Salvadoran National Police advised the author that police had no ability to effectively combat gangs or to protect the public from them.<sup>60</sup> In Guatemala, the public's anger and frustration over the government's inability and unwillingness to address extreme levels of insecurity reached a point several years ago that citizens groups began developing websites that served as virtual electronic "wanted" posters with information on known and suspected gang members and encouraged members of the public to take matters into their own hands. Unfortunately, in the best-case scenario, the ability and willingness of governments to control gangs and to protect the public remains at previously unacceptable levels; in the worst-case scenario, it has deteriorated.

Because of the danger that security forces face when entering into gang-controlled zones, one may spend hours in these areas without seeing police or military personnel. To illustrate, in one section of Guatemala City, officials placed concrete barriers at the entrances to a particular neighborhood, and social service providers who work in the community advised the author that they were put in place so that police officers would not be able to enter and to prevent people who were unfamiliar with the area from inadvertently wandering in and placing themselves in danger. Needless to say, the entire area is dominated by criminal elements, including the garbage dump where thousands of impoverished citizens spend their days looking for clothing, recyclables, and food scraps.

While the above represents an extreme example, many areas under gang control in El Salvador, Honduras, and Guatemala lack any meaningful police-

military presence, and members of the public not only report feeling abandoned by the government but also state emphatically that gangs have replaced the state as the authority in those areas. In some instances, police presence is so limited that citizens may actually turn to gang leaders to resolve issues that would ordinarily fall under the purview of the government. For instance, during an investigation conducted by the Immigration and Refugee Board of Canada, researchers learned of a woman who, rather than seeking police assistance to deal with her abusive partner, went to the gang that controlled her neighborhood.<sup>61</sup>

## GOVERNMENTAL POSITIONS VIS-A-VIS VICTIMS

There is broad agreement across a range of civil society organizations that governments within the region fail at the most fundamental level to address the rights and needs of victims of violence or those at risk.<sup>62</sup> I have interviewed dozens of representatives from governmental and non-governmental organizations who report that, although some programs exist to assist victims, the programs are often wholly inadequate in relation to the victims' needs and that while, as individuals, government personnel tend to be sympathetic, at institutional levels, government positions range from acceptance of the inevitability of victimization to callous disregard.

As an example, when young females who have been forced into relationships with gang members and/or coerced into involvement in prostitution and other crime seek assistance from government programs targeting victims of gender-based violence, they are typically denied any meaningful support in part because the programs are not geared to meet their extreme security needs and because government personnel fear reprisals from the gangs. Thousands of young women in this position across the region are abandoned by their governments and left to fend for themselves in the most vile and dangerous situations imaginable.

Beyond being abandoned by governments, in some instances, people may be secondarily victimized by the state. To illustrate, young people coerced into criminal service to gangs are prosecuted despite the fact

that officials recognize that those crimes were committed after gangs subjected them, and often members of their families, to threats of extreme violence and death. Even more egregious is the fact that young people in this situation have advised the author that they have been subjected to police violence because officers perceived them to be willing “gang collaborators” with gangs rather than victims.

## FORCED INTERNAL DISPLACEMENT

Forced internal displacement may be the most compelling evidence of Northern Triangle governments’ inability and/or unwillingness to control violence and to protect the public. In a 2015 study of 20 municipalities, a Honduran government commission concluded that 41,000 homes—approximately 175,000 people—had been forced to internally relocate; this figure represents 4% of the population in the sample communities.<sup>63</sup> In El Salvador in 2017, an estimated 273,000 persons had been displaced due to violence, meaning roughly 5% of households had at least one displaced family member.<sup>64</sup> In Guatemala, an estimated 6,000 people were internally displaced due to violence in 2016 alone.<sup>65</sup>

Gangs are not the only “push factor” involved in forced internal displacement, but it is commonly agreed that they are a primary contributor. In El Salvador, in a small study of internally displaced persons (IDP), 96% reported that gangs were the primary cause, but another 15% stated that threats, criminality, and/or violence by police or military personnel were also a factor.<sup>66</sup> In terms of specific experiences, IDPs cited threats, extortion, attempted murder, and murder as the singular or combined factors in their decision to relocate, and, depending on crime category, police were involved in between 12 and 19% of incidents.<sup>67</sup> Similarly, Honduran IDPs reported that, in 70% of the cases, threats and violence were the singular cause.<sup>68</sup>

## THE CONTEXT OF GENDER-BASED VIOLENCE

El Salvador, Honduras, and Guatemala have long

been recognized as some of the most violent countries in the world for females—male-dominated societies in which a disturbingly and unacceptably high percentage of girls and women are subjected to the psychologically, physically, and sexually coercive behavior of males.<sup>69</sup> Gender-based violence (GBV) occurs both in the home and in the community, and there are often critical points of overlap between gender-based violence and gangs.<sup>70</sup>

In addition to more commonly recognized forms of GBV, females are also frequent victims of femicide, the gender-based killing of girls and women. Femicide is characterized by a number of factors that differentiate it from simple murder, including (1) the savagery of the attacks, which often involve removal of victims’ wombs, breasts, and heads, (2) the rape and/or other forms of extreme sexual abuse, (3) the deliberate destruction of identifying features through burning or other means, (4) the ritualization of the crime and/or crime scene, and (5) the political significance and messaging of the murders.<sup>71</sup> Victims of femicide tend to be poor, under-educated, and/or in some way perceived as violating male sensibilities or male-dominated cultural norms. Husbands, domestic partners, or male members of the victims’ nuclear and extended family are frequently responsible for the killings. Single women and/or those who lack a male-dominated, protective family network are particularly vulnerable to victimization by strangers or males in the community with whom they have peripheral associations.

The high rates of GBV are rooted in the fact that countries in the region are male-dominated, patriarchal societies in which females—particularly, although not exclusively, those in the lower and lower-middle socioeconomic class—are viewed essentially as property and subjected to the psychologically and physically coercive and violent behavior of males. Within this context, male offenders feel a sense of entitlement—a socially, culturally, and genetically endowed superiority over females.

GBV offenders not only exert psychological and/or physical force over females but also routinely employ intimidation, coercion, threats, and further violence to overwhelm and terrorize them into submission and

silence. As such, whether violence occurs in the home or in the community, if the victim asserts herself in any way, male offenders most often predictably respond with an escalation of threat and violence. The fact that the victim has asserted herself is taken as a threat and affront to offenders' male sensibilities, resulting in further violence both to "punish" the victim and reassert their dominance over her as an individual and over females in general.

Northern Triangle societies do not outwardly promote GBV, but neither do the populations demand a more effective government response to it or challenge the attitudes and institutional factors that underlie the problem, such as lack of justice system access, economic marginalization, and social isolation for women who do attempt to escape violent relationships. In fact, in a critical manner, these societal attitudes and institutional factors prop up the sociocultural structures that give rise to the problem of gender-based violence and, in so doing, cause it to be perpetuated. Additionally, as a reflection of this social acceptance and sanctioning of the phenomenon, the Northern Triangle governments take a generally ambivalent response to GBV, framing it as a "private matter." As such, male perpetrators of GBV believe that they have been essentially licensed by society and the state to engage in abuses of females, and, as such, defining GBV as an individual act or private matter fails to reflect that actual context of the phenomenon.

Despite the persistent efforts of women's rights advocates and the enactment of legislation criminalizing GBV, lack of access to even a marginally adequate social service network and a functioning justice system leaves females vulnerable. For instance, according to a Salvadoran judge who handles domestic violence cases, although she is familiar with many women who have called a government-sponsored reporting and support hotline established to assist women being subjected to GBV, not one has actually benefitted from the program.<sup>72</sup> The same source stated that the current system is oriented toward punishing offenders after the fact rather than preventing GBV, supporting survivors, or educating males in an effort to change the culture that gives rise to the problem. In terms of the degree to which offenders are actually

punished, even that, she reports, is inadequate; specifically, although violating court orders to avoid contact with victims carries a three-year sentence, generally sentences involve community service versus jail time, and those community service obligations are often ignored because there is no system for effectively monitoring whether or not they are fulfilled.

As it relates to women trapped in violent relationships, economic marginalization and social isolation are especially critical. Abusive male partners typically control every dimension of women's lives, including restricting their access to finances and social networks, oftentimes even preventing them from visiting or communicating freely with members of their own families. When women do seek support from their family-social network, offenders routinely intimidate and threaten those whom they solicit for assistance, causing those parties to back away for fear of reprisals.

It is particularly difficult for women with children to leave violent relationships as they are frequently stigmatized for breaking up the family. Moreover, because the children are also oftentimes at risk of abuse, or actually being abused, the women may represent the only protective buffer between the abuser and the children. As such, because women lack the financial resources, family-social support, and government assistance necessary to remove their children from the home, they are forced to remain in abusive relationships or make the wrenching choice of leaving them in a home situation that would be made even more dangerous due to the offender's rage over the woman's departure.

Generally speaking—recognizing that there are exceptions—police in the Northern Triangle typically fail to respond concretely to GBV. When officers do respond, it is commonly agreed that in a significant majority of instances they fail to take effective action to protect the victim or conduct professional investigations. According to a 2015 study by the United Nations High Commissioner for Refugees (UNHCR) of GBV in El Salvador, Honduras, Guatemala, and Mexico, 60% of study participants had sought police or other government assistance, and 100% of that group reported that they received either no protection or inadequate protection.<sup>73</sup>

Above and beyond the failure of police to act on behalf of women, the UNHCR also reported that 10% of study participants in the aforementioned study reported that they had been victimized by police or other authorities.<sup>74</sup> Consistent with this finding, during a 2016 interview with representatives from the *El Instituto Salvadoreño para el Desarrollo de la Mujer* (The Salvadoran Institute for the Development of Women or ISDEMU), police officers represent one of the groups that poses a risk to females.<sup>75</sup>

Together, economic marginalization, social isolation, stigmatization, unresponsive justice systems, and fear of seeking government protection not only makes it virtually impossible for the majority of women to escape abusive relationships but also contributes directly to a climate of impunity for male offenders. This noxious combination of factors results in a situation in which the vast majority of females' experience demonstrates that seeking protection is futile and potentially dangerous and that as victims they have been largely abandoned by the governments charged with protecting them.

Given this as the social, cultural, and political backdrop, numerous experts who I have interviewed over the course of more than a decade argue that attempts to distinguish between individual acts of GBV and the socio-political context within which they are expressed are arbitrary, ill-informed, misdirected, and actually serve to reinforce the social, cultural, political, and economic structures that give rise to the phenomenon.<sup>76</sup>

## **GANG CULTURE AND GENDER-BASED VIOLENCE**

One cannot possess a comprehensive understanding of gang violence in the Northern Triangle without also understanding the gender dynamics within gang culture.<sup>77</sup> In male-dominated societies that view women as weak and inferior, it is critical that gang members ensure that they will be perceived as dominant over females, whether it is an intimate partner or a member of the community; to do otherwise would be ruinous to their self-image and standing with other gang members. Stated most simply, within a region

recognized as one of the most violent in the world for females, gang members tend to be the most dangerous individuals.

Gangs employ gender-based violence to (1) assert their general dominance over females, (2) "punish" those that have fallen into disfavor, (3) indirectly punish males that have fallen into disfavor by harming the women they care about, and (4) convey a message to the community at-large that there is no limit to gangs' audacity and willingness to engage in barbarism. Within gang culture, gender-based violence is a central element of gangs' larger strategy of terror, and females, often young females in particular, are targeted for reasons that advance that strategy.

Rebuffing gang members' pressure to enter into sexual or romantic relationships, refusing to comply with their demands once in a relationship—whether by one's own volition or after being forced into it—attempting to existing leave relationships, and/or reporting abuse to police are perceived as challenges to gang members' dominant position over women that require not only a punitive response but also one that is visible to other gang members and demonstrates and reinforces their dominance over "their woman." Once females have entered into relationships with a gang member—or have been targeted for such a relationship—they are considered to be that gang member's *jaina* or *morra*, his property and, at times, the property of the gang itself. Because they are perceived as "property" with no rights, authenticity or authority, in addition to being subjected to extreme and routine physical violence, women often become sex slaves and are also frequently forced to engage in criminal activity on behalf of the gang under threat of death to them and their family members, including smuggling drugs and other contraband into prisons.

## **INTERNAL RELOCATION AS A STRATEGY FOR MITIGATING RISK**

Due to a combination of social, cultural, and economic factors, internal relocation tends not to be regarded as a viable option for individuals and families fleeing gang or gender-based violence. Populations in the Northern Triangle tend to be keenly aware of

who is in the social environment, so newcomers to neighborhoods and small communities are generally recognized immediately and, depending on where they relocate to, are even inevitably approached by local residents to determine who they are, where they are from, and why they are there, and the newcomer's presence and the details of his or her situation soon becomes common knowledge. Through normal family and social interaction, this information is then often communicated back to the person's home community, at times within hours or days. IDPs recognizability and the social dynamics around strangers often render a strategy of internal relocation implausible and, depending on the situation, even impossible simply because those they are fleeing learn of their whereabouts.

As it relates to those fleeing threats from gangs, because not all national territory within the Northern Triangle region is under gang control, if one has access to significant financial resources and is not a high-profile gang target, internal relocation can represent a viable strategy as he or she would have the option of relocating to an upper-middle or upper-class neighborhood where gangs do not have a presence. In a practical sense, however, if one had access to the significant resources necessary to reside in such an area, he or she would not have been living in a gang-controlled area in the first place, so typically this suggestion fails to address the economic realities that constrain the available options. As an example, the *cuota mensual* (monthly fee) alone associated with living in a secure, middle-class housing development far exceeds the monthly earnings of lower-income families, and this does not include rent or mortgage payments, food, clothing, transportation, schooling costs for children, and other life essentials.

One could also suggest that IDPs relocate to an extremely rural area in which gangs do not have a presence, but these are closed communities characterized by subsistence agricultural and grinding poverty. As a result, for those with no connections to these communities and experience with an agricultural lifestyle, this option is completely untenable.

For those in the lower-income sector who are forced to relocate in an attempt to escape gang threats, there

are a number of variables that undermine this strategy in anything other than the immediate or short-term, and even that is predicated on the availability of family who is able to take them in and who is willing to do so despite the potentially extreme dangers associated with harboring IDPs who have been targeted by gangs. As described previously, gang members are obsessive about knowing who lives and moves within areas under their control, which means that they learn almost immediately of the presence of strangers and predictably confront them to determine who they are, including forcing them to turn over their identification. Gang members in the new area are then likely to communicate with their associates in the individual's previous community to determine if the gang has business with them and/or if they are affiliated with the gang's rivals. The author is personally familiar with dozens of instances in which gangs have located IDPs fleeing threats, at times within days; in many of those cases, the gangs conducted this type of investigation.

Making matters even more difficult is the fact that IDPs can't simply move into the homes of any family member able and willing to take them in as they must be mindful of where those family members live. For example, if one is fleeing MS13, for obvious reasons, he or she cannot relocate to another MS13-controlled area, which by definition may mean moving to a Barrio 18-controlled zone. Like MS13, however, Barrio 18 members are also obsessed with knowing who is in their territory and predictably confront strangers. If those Barrio 18 members learn that newcomers are from their rival's territory, the person and their family would be at extreme risk. The situation would be the same for people fleeing Barrio 18 territory and relocating to an MS13-controlled area. As described previously, the dangers associated with crossing gang boundaries even during the course of day-to-day activity can be so great that people avoid doing so if possible, so relocating to and attempting to live in another gang's territory is something that would only be done under extreme duress and at best would simply be trading one dangerous and untenable situation for another.

Assuming for the sake of argument that one has family able and willing to take him or her in, IDPs are often forced to live as virtual prisoners in the home because

they still fear being located by the gang they fled plus are likely to be at risk from the one that controls the area where they are now living. As a result, IDP children are often unable to attend school, and adults are not able to work because doing so would mean venturing out into the new community, thereby increasing their visibility. As such, many of the situations in which IDPs find refuge prove to be untenable in anything but the short-term and temporary in nature.

In the case of those fleeing gender-based violence, unless a woman has very significant financial resources and/or a supportive-protective family network in another community, the proposition that she can internally relocate is widely recognized as a fallacy that reflects a profound lack of understanding of the multiple factors at play. According to the UNCHR, 69% of the women who participated in the aforementioned study had attempted internal relocation before fleeing their countries.<sup>78</sup> Their immediate recognizability as unaccompanied females in a new community in which they lack a supportive and protective family network simply sets the stage for them to be targeted by gang members, sexual predators, abusive police, and labor market abusers. Additionally, women relocating to areas in which they lack an intact family network would find that doors of opportunity are closed to them in terms of employment, housing, and access to credit.<sup>79</sup> The dangers and constraints that women encounter when attempting to escape danger by situating themselves in an area in which they lack a supportive and protective family network are so predictable that, for all practical purposes, they simply do not relocate internally under these conditions.

Finally, due to dire economic conditions and weariness of strangers, it may be impossible for IDPs to attend to their own most basic needs in communities in which they lack an intact network. While there is a formal economy in each of the Northern Triangle countries, many within the lower income sector generate most, or even all, of their earnings through the informal economy. Within the informal economy, one's ability to secure employment is often tied directly to his or her family-social network, and, lacking such a network, it may be unrealistic to conclude that

IDPs would be able to integrate into their new community and attend to their basic needs.

## CONCLUSION

The multiple and overlapping factors described in this *Briefing* conspire to create a situation in which the civilian population in gang-controlled regions of the Northern Triangle live in a state of terror, trauma, and helplessness resulting from (1) ultra-violent gangs that control the ebbs and flows of daily life, (2) security forces that are under-resourced, intimidated, overwhelmed, outgunned, and in many cases corrupt, (3) weak and failing institutions, and (4) elected officials who are perceived as inept and/or corrupt and have no solution and who at some level accept the victimization of the population as an inevitable consequence of the situation.

Whether one is facing risks from gangs, gender-based violence, or both, the perception of government inability and/or unwillingness to act in a meaningful manner on behalf of the public is widespread, and people are generally reluctant to seek police or other forms of government assistance because it is perceived not only as futile but also as dangerous as doing so often results in an extreme escalation in what is already a volatile and life-threatening situation. Further, for the majority facing the risk of gang and/or gender-based violence, the proposition that internal relocation represents a viable strategy is widely considered a fiction; a recommendation that is unmoored from the most fundamental social, political, cultural, and economic reality of the region.

## ENDNOTES:

<sup>1</sup>*Living Within the Boundaries of El Salvador's Gang "War,"* InSightCrime: Organized Crime in the Americas (Jan. 7, 2016), available at <http://www.insightcrime.org/news-analysis/living-within-the-boundaries-of-el-salvador-gang-war>.

<sup>2</sup>*"El Salvador Must Break the Cycle of Impunity: UN Rep,"* InSightCrime: Organized Crime in the Americas (Feb. 16, 2018), available at <https://www.insightcrime.org/news-analysis/el-salvador-break-cycle-impunity-un-rep/>.

<sup>3</sup>Honduras 2015 Crime and Safety Report, United

States Department of State, Bureau of Diplomatic Security, available at <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=17494>.

<sup>4</sup>State Department Country Report Honduras 2017. Bureau of Democracy, Human Rights and Labor Country Reports on Human Rights Practices for 2017.

<sup>5</sup>*Guatemala Profile*, InSightCrime: Organized Crime in the Americas (Nov. 29, 2017), available at <https://www.insightcrime.org/guatemala-organized-crime-news/guatemala/>.

<sup>6</sup>Global Study on Homicide 2013. United Nations Office on Drugs and Crime.

<sup>7</sup>Source requested anonymity.

<sup>8</sup>*The Problem With Counting Gang Members in Honduras*, InSightCrime: Organized Crime in the Americas (Feb. 17, 2016), available at <http://www.insightcrime.org/news-analysis/the-problem-with-counting-gang-members-in-honduras>.

<sup>9</sup>El Salvador: Information Gathering Mission Report - Part 1, Gangs in El Salvador and the Situation of Witnesses of Crime and Corruption, Immigration and Refugee Board of Canada (September 2016), available at <https://irb-cisr.gc.ca/en/country-information/research/Pages/Salvador-2016P1.aspx#fn45-rf>.

<sup>10</sup>These figures include estimates from the U.S. State Department (March 2017), the International Crisis Group (2017), the United Nations Office on Drug Control (2012), the U.S. Agency for International Development (2006), and the Guatemalan media.

<sup>11</sup>The observations in this section have been extensively documented by numerous agencies of the U.S. government; the United Nations; the Organization of American States; the governments of El Salvador, Honduras, and Guatemala; Central American and international human right monitoring organizations; and the Central American and international media. As examples, see *Gangs in Central America*, Congressional Research Service (Aug. 29, 2016), available at <http://fas.org/sgp/crs/row/RL34112.pdf>.

<sup>12</sup>Observations regarding gangs' influence over community service and international development organizations are based on direct author experience as a consultant to a number of government and non-governmental organizations and dozens of interviews with service providers in El Salvador, Honduras, and Guatemala.

<sup>13</sup>Based on over 150 author interviews with members of the clergy, laity, and religiously active youth in El Salvador, Honduras, and Guatemala.

<sup>14</sup>*El Salvador Now Using Anti-Terrorism Law to Tackle Gangs*, InSightCrime: Organized Crime in the Americas (Aug. 12, 2015), available at <http://www.insightcrime.org/news-briefs/el-salvador-now-using-anti-terrorism-law-tackle-gangs>.

<sup>15</sup>Based on author interviews with social service providers and members of the clergy over the course of more than a decade.

<sup>16</sup>Gangs' status as political actors has been addressed in myriad sources, but for a brief overview of the phenomenon, see El Salvador: Information Gathering Mission Report - Part 1, Gangs in El Salvador and the Situation of Witnesses of Crime and Corruption, Immigration and Refugee Board of Canada (September 2016), available at <https://irb-cisr.gc.ca/en/country-information/research/Pages/Salvador-2016P1.aspx>.

<sup>17</sup>*La Violencia Pandilleril y su Impacto en la Economía, la Cultura y la Política*, Friedrich Ebert Stiftung (Dec. 14, 2016), available at <http://www.fesamericacentral.org/el-salvador/seguridad/details/La+violencia+pandilleril+y+su+impacto+en+la+econom%C3%ADa%2C+la+cultura+y+la+pol%C3%ADtica.759.html>.

<sup>18</sup>Gray, H. L., *Gangs and Transnational Criminals Threaten Central American Stability*, U.S. Army War College, Carlisle Barracks, PA (2009).

<sup>19</sup>*FMLN Ofreció a las Pandillas un Programa de Créditos de 10 Millones de Dólares*, El Faro (Oct. 30, 2016), available at <http://www.elfaro.net/es/201610/salanegra/19473/FMLN-ofreci%C3%B3-a-las-pandillas-un-programa-de-cr%C3%A9ditos-de-10-millones-de-d%C3%B3lares.htm>.

<sup>20</sup>*Videos Show FMLN Leaders Offering El Salvador Gangs \$10 Mn in Micro-credit*, InSightCrime: Organized Crime in the Americas (Oct. 29, 2016), available at <http://www.insightcrime.org/news-analysis/videos-show-fmln-leaders-offering-el-salvador-gangs-10-mn-in-micro-credit>.

<sup>21</sup>*Videos Show FMLN Leaders Offering El Salvador Gangs \$10 Mn in Micro-credit*, InSightCrime: Organized Crime in the Americas (Oct. 29, 2016), available at <http://www.insightcrime.org/news-analysis/videos-show-fmln-leaders-offering-el-salvador-gangs-10-mn-in-micro-credit>.

<sup>22</sup>“*Ellos (Fmln y Arena) pedían los votos de nuestros miembros, de nuestras familias y de nuestras clicas,*” RevistaFactum (Aug. 11, 2017), available at <http://revistafactum.com/ellos-fmln-y-arena-pedian-los-votos-de-nuestros-miembros-de-nuestras-familias-y-de-nuestras-clicas/>.

<sup>23</sup>*Nayib Bukele también pactó con pandillas*, El Faro (June 29, 2018), available at [https://elfaro.net/es/201806/el\\_salvador/22148/Nayib-Bukele-tambi%C3%A9n-pact%C3%B3-con-pandillas.htm](https://elfaro.net/es/201806/el_salvador/22148/Nayib-Bukele-tambi%C3%A9n-pact%C3%B3-con-pandillas.htm).

<sup>24</sup>*El Salvador Gangs Influence Local Politics in the Capital: Report*, InSightCrime: Organized Crime in the Americas (July 9, 2018), available at <https://www.insightcrime.org/news/analysis/el-salvador-gangs-influence-local-politics-capital-report/>.

<sup>25</sup>Farah, D., *The Transformation of El Salvador's Gangs into Political Actors*, Center for Strategic & International Studies Americas Program (June 21, 2012).

<sup>26</sup>*Exit of El Salvador Security Minister Puts Gang Truce at Risk*, InSightCrime: Organized Crime in the Americas (May 20, 2013), available at <http://www.insightcrime.org/news-analysis/exit-of-el-salvador-security-minister-puts-gang-truce-at-risk>.

<sup>27</sup>For an overview of regional and international response efforts, see *Gangs in Central America*, Congressional Research Service (Feb. 20, 2014), available at <http://www.unhcr.org/en-us/585a987a4.pdf>.

<sup>28</sup>El Salvador End of Mission Statement, United Nations Human Rights Office of the High Commissioner (Feb. 5, 2018).

<sup>29</sup>This official, while of high-ranking status with the U.S. government, requested anonymity as he is not authorized to speak publicly on the state of the implementation of security measures being undertaken in El Salvador.

<sup>30</sup>For a review, see *The State and Reproduction of Violence in Post-Transition El Salvador and Guatemala* (draft), *Non-State Challenges in a Re-Ordered World. The Jackals of Westphalia*, edited by Stefano Ruzza, Anja Jakobi, and Charles Geisler, London: Routledge (pp. 157-174).

<sup>31</sup>Cruz, J. M. & Santamaria, G., *Crime and Extra-legal in Latin America*, paper presented at the American Political Science Association, Washington, D.C., August 28-31, 2014.

<sup>32</sup>*A Study of Democracy in Latin America: A Comparative Analysis of Elites and Citizens*, Boletín PNUD & Instituto Iberoamérica (January 2011).

<sup>33</sup>For a review, see Cruz, J. M., *State and Criminal Violence in Latin America*, Crime Law Soc. Change. 66:375–396 DOI 10.1007/s10611-016-9631-9 (2016).

<sup>34</sup>Source requested anonymity due to concern about police reprisals.

<sup>35</sup>The phenomenon of extrajudicial execution and

state involvement in it has been well-documented by numerous governmental and non-governmental sources, including the United Nations, the U.S. State Department, the Congressional Research Service, civil society organizations in the region, international human rights monitoring organizations, academic researchers, the Central American press, and the international media.

<sup>36</sup>*21 Police Officers Violently Murdered in Honduras in 2014*, TeleSur (Dec. 10, 2014), available at <http://www.telesurtv.net/english/news/21-Police-Officers-Violently-Murdered-in-Honduras-in-2014-20141210-0054.html>.

<sup>37</sup>*Supuestos Pandilleros Asesinan a Agente de la PNC*, InSightCrime: Organized Crime in the Americas (Dec. 13, 2015), available at <http://www.lapagina.com.sv/nacionales/112850/Supuestos-pandilleros-asesinan-a-agente-de-la-PNC>.

<sup>38</sup>Officer Down Memorial Page (2015), available at <https://www.odmp.org/search/year/2015>.

<sup>39</sup>*Ejecuciones Extrajudiciales de Jóvenes Estigmatizados en Centroamérica: Estudio de Situación de Guatemala, El Salvador y Honduras, 2009*, Fundación de Estudios para la Aplicación del Derecho (July 2011).

<sup>40</sup>*Ejecuciones Extrajudiciales de Jóvenes Estigmatizados en Centroamérica: Estudio de Situación de Guatemala, El Salvador y Honduras, 2009*, Fundación de Estudios para la Aplicación del Derecho (July 2011).

<sup>41</sup>*Ejecuciones Extrajudiciales de Jóvenes Estigmatizados en Centroamérica: Estudio de Situación de Guatemala, El Salvador y Honduras, 2009*, Fundación de Estudios para la Aplicación del Derecho (July 2011).

<sup>42</sup>*La investigación de San Blas Parecía Sengada y se Llegó a una Decisión Ridícula*, El Faro (Feb. 11, 2018), available at [https://elfaro.net/es/201802/el\\_salvador/214631/E2%80%9CEn-El-Salvador-se-est%C3%A1n-violando-los-derechos-humanos%E2%80%9D.htm](https://elfaro.net/es/201802/el_salvador/214631/E2%80%9CEn-El-Salvador-se-est%C3%A1n-violando-los-derechos-humanos%E2%80%9D.htm).

<sup>43</sup>*Official Data Suggests El Salvador Police Kill with Impunity*, InSightCrime: Organized Crime in the Americas (Oct. 7, 2016), available at <http://www.insightcrime.org/news-analysis/official-data-suggests-el-salvador-police-kill-impunity>.

<sup>44</sup>*El Salvador Police Chief Targets Rising Gang Violence*, InSightCrime: Organized Crime in the Americas (Jan. 21, 2015), available at <http://www.insightcrime.com/news-briefs/el-salvador-police-commander-green-light-gangs>.

<sup>45</sup>Source requested anonymity due to concerns of

police reprisals.

<sup>46</sup>*Official Data Suggests El Salvador Police Kill with Impunity*, InSightCrime: Organized Crime in the Americas (Oct. 7, 2016), available at <http://www.insightcrime.org/news-analysis/official-data-suggests-el-salvador-police-kill-impunity>.

<sup>47</sup>*PNC Elite Corp Involved in Homicides, Sexual Assault and Extortion*, Revista Factum (Aug. 22, 2017), available at <http://173.248.156.74/pnc-elite-corp-involved-in-homicides-sexual-assault-and-extortion/>.

<sup>48</sup>*El Salvador Police Using WhatsApp, Facebook to Run Death Squads*, InSightCrime: Organized Crime in the Americas (Aug. 24, 2017), available at <http://www.insightcrime.org/news-analysis/el-salvador-police-using-whatsapp-facebook-run-death-squads-report>.

<sup>49</sup>U.S. Funded Police Linked to Illegal Executions in El Salvador, available at <https://edition.cnn.com/international/2018/05/world/el-salvador-police-intl/>.

<sup>50</sup>*El Salvador Death Squad Cases Go International*, InSightCrime: Organized Crime in the Americas (Sept. 7, 2017), available at <http://www.insightcrime.org/news-briefs/el-salvador-death-squad-cases-go-international>.

<sup>51</sup>El Salvador End of Mission Statement, United Nations Human Rights Office of the High Commissioner (Feb. 5, 2018).

<sup>52</sup>*Informe Mensual Diciembre 2012: Observatorio de Derechos de los Niños, Niñas y Jóvenes en Honduras*, Casa Alianza (December 2012).

<sup>53</sup>Situación de Derechos Humanos en Honduras, Organization of American States, Interamerican Human Rights Commission (September 2015).

<sup>54</sup>Situación de Derechos Humanos en Honduras, Organization of American States, Interamerican Human Rights Commission (September 2015).

<sup>55</sup>El Salvador End of Mission Statement, United Nations Human Rights Office of the High Commissioner (Feb. 5, 2018).

<sup>56</sup>*Central America Regional Security Initiative: Background and Policy Issues for Congress*, Congressional Research Service (Dec. 17, 2015).

<sup>57</sup>Each of these factors have been extensively documented by various agencies of the U.S. government, including the State Department, the Congressional Research Service, the U.S. Agency for International Development, the Federal Bureau of Investigation, and Drug Enforcement Administration, as well as the

United Nations, The World Bank, The Inter-American Development Bank, The European Union and other international donor organizations, international human rights monitoring organizations, and the Central American and international media.

<sup>58</sup>*Crimen Organizado se ha Apropiado de Gran Cantidad del Territorio Hondureño*, El Heraldo.hn (Feb. 11, 2013), available at [http://www.elheraldo.hn/content/view/full/118869?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+elheraldo\\_alfrente+%28El+Heraldo+-+Al+Frente%29](http://www.elheraldo.hn/content/view/full/118869?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+elheraldo_alfrente+%28El+Heraldo+-+Al+Frente%29).

<sup>59</sup>*Congreso y Lobo son Responsables de Inseguridad en Honduras*, El Heraldo.hn (Apr. 12, 2013), available at [http://www.elheraldo.hn/content/view/full/136332?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+elheraldo\\_alfrente+%28El+Heraldo+-+Al+Frente%29](http://www.elheraldo.hn/content/view/full/136332?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+elheraldo_alfrente+%28El+Heraldo+-+Al+Frente%29).

<sup>60</sup>Author interview, June 2010. As discussed in note 49, source is anonymous.

<sup>61</sup>El Salvador: Information Gathering Mission Report - Part 1, Gangs in El Salvador and the Situation of Witnesses of Crime and Corruption, Immigration and Refugee Board of Canada (September 2016), available at <https://irb-cisr.gc.ca/en/country-information/research/Pages/Salvador-2016P1.aspx#fn45-rf>.

<sup>62</sup>Sources interviewed requested anonymity due to risk of reprisals from gangs and/or government officials.

<sup>63</sup>*Caracterización del Desplazamiento Interno en Honduras*, Comisión Interinstitucional para la Protección de Personas Desplazadas por la Violencia (November 2015).

<sup>64</sup>Visibilizar lo Invisible: Huellas Ocultas de la Violencia: Informe de Desplazamiento Interno por Violencia en El Salvador en 2017, Cristosal (2017).

<sup>65</sup>International Displacement Monitoring Centre.

<sup>66</sup>International Displacement Monitoring Centre.

<sup>67</sup>International Displacement Monitoring Centre.

<sup>68</sup>*Caracterización del Desplazamiento Interno en Honduras*, Comisión Interinstitucional para la Protección de Personas Desplazadas por la Violencia (November 2015).

<sup>69</sup>Observations described in this section have been extensively documented by various agencies of the U.S. government; the United Nations; the governments of El Salvador, Honduras, and Guatemala; Central American and international women's rights organizations; Central American and international human right

monitoring organizations; and the Central American and international press.

<sup>70</sup>For a review of gender-based violence in general and the gender dynamics with gang culture in particular, see Boerman and Knapp, *Gang Culture and Violence Against Women in El Salvador, Honduras, and Guatemala*, 17-03 Immigration Briefings 1 (March 2017).

<sup>71</sup>*Guatemala's Femicide Law: Progress Against Impunity?* Guatemala Human Rights Commission, Washington, D.C. (May, 2009).

<sup>72</sup>Author interview with Judge Amelia Velasquez (August 2018).

<sup>73</sup>*Women on the Run: Firsthand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras and Mexico*, United Nations High Commissioner for Refugees (October 2015).

<sup>74</sup>*Women on the Run: Firsthand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras and Mexico*, United Nations High Commissioner for Refugees (October 2015).

<sup>75</sup>November 2016 interview.

<sup>76</sup>This perception reflects the observations of

representatives of the Honduran National Police, non-governmental women's rights organizations, and U.S. government international development specialists addressing GBV in Honduras.

<sup>77</sup>For an overview of gang culture and violence against females, see Boerman and Knapp, *Gang Culture and Violence Against Women in El Salvador, Honduras, and Guatemala*, 17-03 Immigration Briefings 1 (March 2017).

<sup>78</sup>*Women on the Run: Firsthand Accounts of Refugees Fleeing El Salvador, Guatemala, Honduras and Mexico*, United Nations High Commissioner for Refugees (October 2015). This study involved in-depth interviews with 160 females between the ages of 18 and 57. Of the total, 63 were from El Salvador, 30 from Honduras, 30 from Guatemala, and 37 from Mexico.

<sup>79</sup>Author interview with Salvadoran Judge Amelia Velasquez (Aug. 7, 2018). Given the uniformity of societal attitudes and political, social, cultural, and economic variables, it must be presumed that women attempting internal relocation in Guatemala and Honduras under these conditions would encounter the same obstacles.

# NOTES:

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Readers who are interested in contributing an article or ideas for a future Briefing,  
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