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Truce on a tightrope: risks and lessons from El Salvador's bid to end gang warfare

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On 14 March 2012, current affairs website *El Faro* broke the story of a truce facilitated by the government between El Salvador's two most powerful gangs, leading to an instant reduction in the country's homicides. Over one and a half years later, the truce is still intact. However, the government's reluctance to take full responsibility for the pacification process, the lack of a comprehensive policy to address root causes of violence, and the fear that the process might strengthen gangs by giving them political power have placed numerous pitfalls in its path. Neither the El Salvadorean public nor the international community is united in its support for negotiating with the *maras*. Even so, the truce serves as an important example of a more balanced approach to gang violence, and a source of insight into how local patterns of marginalisation and crime, fuelled by rapid urbanisation of the world's population, may on occasion be managed through dialogue.

Introduction

On 6 September 2013, an armed commando opened fire on a group of four Barrio 18 members in Ilopango, a crime-stricken municipality in the greater metropolitan area of San Salvador.¹ One gang member died on the spot and the others died in hospital. The attack made headlines in El Salvador, but probably would not have done so – El Salvador has been ravaged by gang violence for decades – had it not been for the fact that the country's two most powerful gangs, Mara Salvatrucha (MS-13) and Barrio 18, have both signed up to a truce to cut the number of murders in the country.

This highly controversial truce, mediated by facilitators answering to the government, instantly halved the homicide rate in the country after implementation in March 2012, but lost part of its already disputed lustre when

the homicide rate rose again in mid-2013. The Ilopango shooting is the sort of major incident that could further damage the fragile process. At first, a local Barrio 18 leader accused the MS-13 of causing the bloodbath, but peace was restored after Ilopango's Barrio 18 leaders rejected this hypothesis, pointing instead to the possibility that the crime was committed by professionals paid by someone wishing to sabotage the truce.

And so the truce remained in Ilopango, albeit on a tightrope. Although the truth behind the shooting will most likely not be revealed, it points to the many difficulties and challenges El Salvador faces, and the need to draw provisional conclusions as to whether the truce is worth

1. Martinez, Carlos, & Sanz, José Luiz. 7 September 2013. "Tiembla la tregua en Ilopango". *El Faro*.

sustaining. This brief will analyse these issues in three parts: the risks and benefits of the truce, the nature of international support, and the relevance of the process as a strategy for addressing criminal violence in other contexts. For in a rapidly urbanising world where violence is increasingly related to crime, extremism and civil unrest, the Salvadorean case provides one of the few outstanding examples of a non-repressive approach, and may thus teach us more on how or how not to manoeuvre through these “battlegrounds of the future”.²

Background

On the basis of its homicide rates, the Northern Triangle of Central America – El Salvador, Guatemala and Honduras – can be considered the most violent region in the world. In 2011, El Salvador had the world’s highest homicide rate after Honduras with 66 homicides per 100,000 inhabitants. Contrary to the more mixed pattern of violence and organised crime in Honduras and Guatemala, gangs are believed to be responsible for approximately half the homicides and other forms of crime (extortion, kidnapping) in El Salvador. Gang membership grew exponentially in El Salvador after the civil war which ended in 1992, due to a chronic lack of opportunities for young people, an unremitting influx of deportees with criminal convictions from the United States – popularising US gang culture and recruiting new members once back in their home country – and tough-on-crime approaches that were ill-suited to address these causes.

Gangs predominantly operate in El Salvador’s impoverished barrios and urban municipalities, where they provide socially neglected young people with a feeling of power and identity that cannot be obtained in conventional society.³ Estimates of the overall number of gang members currently active in El Salvador vary, from 25,000 to over 60,000; including families

who depend on the gang structure for their survival, up to 400,000 people might be counted as part of the network (out of a population of 6.3 million).⁴ When Mauricio Funes took office in 2009 as the first president supported by the left-wing Farabundo Martí National Liberation Front (FMLN), prisons were overcrowded⁵ and violence had escalated to epidemic proportions. He promised a comprehensive anti-crime approach, giving greater prominence to violence prevention and community initiatives. However, homicide rates remained high.

The news emerging from the El Faro website in mid-March 2012 that close to 30 top gang leaders had been moved from a maximum security prison to lower security installations in exchange for a commitment to reduce the murder rate, came as a surprise. It led to an instant reduction in the country’s homicides, whilst provoking starkly divided opinions and raising multiple questions about the risks and benefits of direct engagement with criminal groups.⁶

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2. Kilcullen, David. 27 September 2013. “Westgate mall attacks: urban areas are the battleground of the 21st century”. *The Guardian*.
 3. Savenije, Wim & Van der Borgh, Chris. 2004. “Youth gangs, social exclusion and the transformation of violence in El Salvador”. In: Koonings, Kees & Kruijt, Dirk (eds.). *Armed actors: Organised violence and state failure in Latin America*. London/New York: Zed Books.
 4. Mijango, Raúl. 2013. *Tregua entre pandillas y/o proceso de paz en El Salvador*. San Salvador: Red -Imprenta.
 5. At the end of 2011, close to 25,000 inmates were inside prison facilities – with roughly 9,575 of them current or former gang members – despite a maximum capacity of 8,000.
 6. Whitfield, Theresa. 2013. *Mediating criminal violence: Lessons from the gang truce in El Salvador*. June, Oslo Forum Papers, Centre for Humanitarian Dialogue, p. 4.

Forward steps and the backlash

Well over one and a half years after the deal between the government and the country's two main gangs, it is safe to say that the process has revealed its limitations. Fear of public opposition to any engagement with the gangs motivated government denials of any involvement, and even intimidation of the media. This was followed soon after by official acknowledgement of the existence of the truce, even as ministers denied any direct participation in it. It took the government a full six months from the moment Elfaró broke the story to admit it had instigated and facilitated the truce. These shifts have reduced already low public trust in the process,⁷ while the absence of a more coherent policy aimed at addressing the structural causes behind the gang problem is a direct result of the government's hesitant approach. According to some critics, the government is simply more interested in reducing the visibility of violence than in attacking its root causes.

Somewhat clearer messages were provided to the international community, though initially behind closed doors. During a speech in Washington in April 2013, Funes acknowledged that his government was a protagonist in the truce, calling it an opportunity that should not be missed, and announcing efforts to consolidate the peace. He specifically mentioned the "violence-free municipalities", a second phase initiative focusing more on violence prevention and improved local government participation, where local gangs would not only pledge to reduce murder, but also other forms of violence and crime. However, by the end of May, Minister of Justice and Security David Munguía Payés and Director of the National Civil Police Francisco Salinas, both retired generals who had helped orchestrate the truce, lost their posts after the Constitutional Chamber of the Supreme Court ruled that their

appointments were unconstitutional. Although Munguía Payés returned to cabinet as the Defence Minister in July, these events and the start of campaigning for next year's presidential elections have weakened the truce. The main opposition candidates have condemned the process, and promised to renew the fight against the gangs if elected. The constant flow of critical observations from former ministers of security, police directors and the attorney general continues to undermine the political capital that should have been gained by a sharp reduction in homicides.⁸

Despite these political disagreements, several of the most affected municipalities have started implementing the violence-free initiative. Eleven mayors decided collectively in July 2013 to take the lead in institutionalising the process. Helped by the recently created Humanitarian Foundation⁹, the Organisation for American States (OAS) and others, the mayors – who belong to different political parties – plan to tackle insecurity by engaging in dialogue with different groups and sectors. However, a number of factors hamper these plans, such as a

7. 83 per cent of Salvadoreans distrusted the gang truce in May 2013. See: Instituto Universitario de Opinión Pública. 2013. "Los salvadoreños y salvadoreñas evalúan el cuarto año del gobierno de Mauricio Funes". Boletín de prensa, 1, p. 4.

8. Attorney General Luis Martínez, opposed to the truce from the beginning, has called the attempt to set up violence-free municipalities "pandillalandia" (gangland) where gang members "continue committing crimes with total freedom", in: Garrett, Linda. August 2013. "El Salvador update", July 2013. Center for Democracy in the Americas, p. 3.

9. The Humanitarian Foundation, an initiative led by Antonio Cabrales, a former president of the conservative think tank FUSADES, was created to involve the business community in the pacification process, on the understanding that broader economic opportunities cannot be created without private sector involvement.

lack of additional resources and a proper legal framework. The 2010 Gang Prohibition Law, for instance, declares both gang membership and engagement with gangs illegal, making it extremely difficult for the mayors to set up a system of dialogue without breaking the law.

The need for holistic policies

A broader and more theoretical discussion about the truce revolves around the question of whether negotiations can ever be a solution to a crime wave in a state such as El Salvador, which appears unable to provide security for its citizens. To what extent should El Salvador be considered capable of enforcing the “rules and conditions” established in the truce? Or is the truce only strengthening the gangs in political terms, creating fertile soil for more violence in the future?

These are valid concerns. The government’s reluctance to take full responsibility for the process, and the consequent lack of a comprehensive policy to address root causes of violence, has led opponents of the truce to argue that its success depends entirely on the willingness and capacity of imprisoned gang leaders to keep the proclivity to kill in check. It is already rumoured that the gangs increased levels of violence in July this year in order to gain political leverage and additional privileges. Moreover, the political power of the gangs seems to be growing ahead of the February 2014 elections, with gang leaders inciting their fellow members and families to vote.¹⁰ The fact that Norman Quijano, presidential candidate from the right-wing party ARENA, allegedly met gang leaders reinforces uncertainty about the electoral sway and political influence that the gangs might possess. Critics of the process also point out that the homicide rate, although currently still under the pre-truce level, has risen since May 2013, as have extortions.

The gangs, for their part, declare that they

agreed to the ceasefire in order to become part of the solution to violent crime. In the words of imprisoned Barrio 18 leader Carlos Mojica: “We [the gang leadership] have concluded there is no future in having thousands and thousands of our *compañeros* incarcerated for 40, 50, 70 years without any hope of getting out or preparing for a future.”¹¹ More recent homicides, however, are attributed to growing discontent and division within Barrio 18.¹² In the knowledge that previous truces in the region and elsewhere failed because of the inability of gang leaders to impose their will on local factions, this could be an alarming trend. Moreover, it has been argued that the truce has strengthened ties between individual gang members and international drug trafficking organisations.¹³

The longer term challenge undoubtedly lies in dismantling the criminal economy that sustains the gangs’ social support structure in a small and extremely unequal country like El Salvador. It would mean providing alternative sources of income to stop the extortion, kidnapping and racketeering outside and inside gang-controlled areas. Appropriate policy responses would have

10. Joint statement issued by the gang leaders on 20 September 2013. See:

<https://docs.google.com/file/d/1RprWeuOGrsbkja2DrO4KhYao123xUxXi1sGGoplhj5a8d3dgQr8w9Fxaye87/edit?pli=1>.

11. Villegran, Lauren. 24 October 2012. “Covered in tattoos, can El Salvador’s gangs reintegrate into society?”. *Christian Science Monitor*.

12. Rodríguez, Carmen. 12 September 2013. “¿Se está cayendo la tregua entre pandillas?”. *La Página*.

13. As claimed by Security Minister Ricardo Perdomo (amongst others), in: Sanz, José Luis & Dada, Carlos. 30 July 2013. “Lo que debilitó la tregua fue la falta de respuesta económica y social del gobierno”. *Elfaro*. Experts disagree about whether or not the different Barrio 18 or MS-13 groups (called *clickas*) maintain intensive transnational networks in Central America or with the “mother structures” in Los Angeles.

to include delicate issues such as long overdue prison reform, as well as the right balance between law enforcement, prevention and reintegration policies. Institutional infiltration by organised crime would also have to be tackled.¹⁴ One such example of the latter pointed to by Elfaró and other sources is the so-called Taxis cartel, whose high-level connections in the political establishment, judicial branch and police sector enabled it to operate for decades, supposedly endangering El Salvador's participation in the US aid programme Millennium Challenge Account.

Extreme criminal violence in Mexico and Central America make consideration of some form of negotiation unavoidable.¹⁵ Making this work, however, depends on a set of more holistic policies, involving wider processes of pacification and violence prevention that reach well beyond internal gang structures. The initiative taken by the mayors of the violence-free municipalities is a first step in this direction, but needs domestic will and proper funding for it to be a success.

International response

The international response to the truce has been and will continue to be of vital importance, but is divided so far. The official position of the US government has been cautious and to a certain extent has influenced the opinion of political players in El Salvador. In what many see as attempts to discredit the truce, the US government designated the MS-13 as a “transnational criminal organisation” in October 2012, and released a travel warning for El Salvador in January 2013. Furthermore, it announced the withdrawal of its funding of a poverty reduction programme in Ilopango and five other municipalities on the day of the shooting. On the other hand, there is no doubt that interest from different government agencies, experts, local authorities and civil

society from the United States is considerable. In several US cities comprehensive approaches have been introduced which include direct interaction with gang members by outreach workers in efforts to encourage them to make positive behavioural changes.¹⁶

The truce has received active and steady support from the OAS, which backed the process from the beginning by declaring itself a guarantor. It has pushed the government to create a Technical Committee composed of government officials, civil society, the United Nations Development Programme and its own representatives in an effort to provide an institutional framework.¹⁷ The OAS was also one of the driving forces behind the implementation of the violence-free municipalities programme as part of the second phase of the truce.

The European Union, meanwhile, has for many years been one of the principal sources of official development aid for El Salvador¹⁸ and

14. In a speech addressing the UN General Assembly on 24 September 2011, President Funes acknowledged that drug trafficking organisations have infiltrated state institutions in El Salvador, particularly the judicial branch and the police force.

15. Briscoe, Ivan. 1 June 2012. “Deals with the devil”. *Open Democracy*.

16. See, for example, the work of the US-based NGO Cure Violence: <http://cureviolence.org/>.

17. However, the political disagreements and the upcoming presidential elections have hampered the institutionalisation of the process and limited the role of the Technical Committee so far.

18. Over the current programming cycle (€121 million, 2007-2013), one of the main priority areas has been youth policy. Support has been provided to education and prevention policies implemented by the last two governments through several programmes. For instance, the programme PROJOVENES (phase I and II) was set up to work with vulnerable youth in the greater San Salvador metropolitan area.

has – on the basis of this long-standing commitment – mobilised additional funding for the pacification process, mainly aimed at enhancing the participation of civil society.¹⁹ Its most innovative step has been to provide technical assistance and transfer of knowledge on mediation and dialogue, through the peacebuilding organisation Interpeace, to the main actors involved in the truce within civil society, including the Humanitarian Foundation, the two facilitators and the violence-free municipalities.

Relevance for other contexts

Although it is important not to underestimate the continuities between past and present, violence in El Salvador seems to have been transformed since the civil war. Rapid urbanisation, marked by deep social inequality, has created new forms of violence not only in El Salvador, but throughout the region and beyond. Large urban peripheries in Latin America, Africa and Asia are increasingly being turned into breeding grounds and battlegrounds for crime and violence, as a result of overcrowding and growing competition for scarce resources, coupled with the reduction or the persistent lack of state services. Within this context, global violence has been ‘democratised’, with an ever larger part no longer stemming from conventional conflicts, but from causes such as crime, extremism and civil unrest.²⁰

The ‘new’ violent actors may have political links and interests, they may be connected to economic and criminal interests, or they might operate as a substitute to public authority. Often, these elements are interconnected. Cities such as San Salvador find themselves increasingly at the forefront of these multi-layered conflicts, while conventional hard-line and repressive approaches prove unable to manage this new reality.

President Funes stated in his Washington speech that the truce “is not the solution but it creates a different environment to try other fundamental solutions.” In this, he might be right. The Salvadorean truce has altered conventional thinking about ways of dealing with gang phenomena in non-conventional security environments such as the Northern Triangle, normalising the idea of dialogue. It has also created a degree of acceptance for the idea that engagement with actors responsible for criminal violence might, in some circumstances, be a commendable course of action. In fact, a good understanding of the incentives of engaging in violent crime is essential in deciding upon a strategy to address it²¹, making some form of dialogue or engagement with criminal actors necessary, especially if these actors are profoundly estranged from the formal state.

In the case of El Salvador, dialogue with the gangs has so far revealed three characteristics

19. As a first measure €1 million was granted in 2012 from the EU PeaceBuilding Partnership to finance several projects in the field of prevention and reintegration. Secondly, for 2013 another €750.000 was set aside for proposals aimed at reducing gender-based violence.

20. There is a growing multi-disciplinary literature on the subject of new trends in insecurity and contemporary urban violence. See, for example, UN Habitat. 2007. *Global Report on Human Settlements. Enhancing Urban Safety and Security*. London: UN; Davis, Mike. 2007. *Planet of Slums*. London: Verso; Muggah, Robert. 2012. *Researching the urban dilemma: Urbanization, poverty and violence*. International Development Research Centre; and Kilcullen, op. cit.

21. See for instance: Briscoe, Ivan & Dari, Elisa. May 2012. “Crime and error: Why we urgently need a new approach to illicit trafficking in fragile states”. CRU Policy Brief, Clingendael.

that could potentially generate concrete, long-term pay-offs:

(1) *Comprehensiveness*. After the initial start of the truce with the two major gangs, all the other remaining significant gangs have also signed up, which makes spoiling by rival gangs less likely;

(2) *Leadership*. The gangs have identifiable leaders with the apparent authority to impose their will on their members;

(3) *Grievance*. As gangs are products of marginalisation and exclusion, their demands mainly revolve around topics such as better prison conditions (access to electricity and drinking water), and more education and employment opportunities for their families. None of these demands constitute a breach of Salvadorean law.

Furthermore, the truce has brought recognition of the social struggles gang families face every day, and has given the gang members a more visible public platform, not least through the many different media appearances of mara leaders. The insights and experiences provided by the pacification process may also contribute to a more general understanding of how global influences, above all migration, transnational crime and international economic integration – all of which have been key parts of El Salvador’s post-war development – intersect with local patterns of marginalisation and crime. Whether it is gang violence in San Salvador or San Pedro de Sula, sporadic outbursts of violence in Karachi or Mumbai, or ‘snatch and run’ crimes on the streets of Kinshasa, they all must be understood within broader socio-economic processes that accentuate marginalisation in a globalised urban context. A truce such as that in El Salvador, despite all its faults, serves as a pioneering example by seeking to open a gateway towards a more structural conversation between the stakeholders in the process and the state.

Not surprisingly, the immediate ‘success’ of the truce in El Salvador attracted the attention of other countries in the region. Early in 2013, a dozen street gangs in Guadalajara, a Mexican city with an estimated 200 gangs, agreed to a government-brokered truce. Honduras followed in El Salvador’s footsteps in May 2013, when MS-13 and Barrio 18 announced that they had agreed to a truce supported by the government. However, neither agreement has yet proved successful. The truce in Guadalajara was met with considerable scepticism given the difficulties of negotiating and maintaining a pact involving all the city’s gangs. Indeed, half a year on, levels of gang violence in Guadalajara do not appear to have changed. The homicide rate in Honduras, meanwhile, has increased since the truce was enacted. According to experts, this is because Honduras’ relatively disorganised gang leadership is incapable of enforcing a truce. Moreover, gangs in Honduras are only responsible for a ‘modest’ part of the country’s homicides – in 2012 less than 3 per cent of murders in Honduras were attributed to gangs.²²

Conclusions

In an attempt to raise international support for the truce, President Funes stated that the only options for youth in El Salvador have been either to emigrate or join a gang for survival.²³ Although perhaps overstated, gangs do provide impoverished Salvadorean youth with a feeling of power and identity in a world where they are denied access to legitimate opportunities. The

22.NAH-IUDPAS. January 2013. *Observatorio de violencia. Boletín*, 28.

23.In Washington, on 19 April 2013. See: Garrett, Linda. June 2013. “The first year: A chronology of the gang truce and peace process in El Salvador”. Center for Democracy in the Americas.

pacification process seeks to change this dynamic, but is unlikely to generate sustainable results if structural transformations are not addressed. Support from the international community will be crucial in this respect, but so far it has been weakened by division and uncertainty.

This does not mean that the truce has served no purpose. It has led to a sharp reduction in homicides; on the basis of the decline in El Salvador's murder rate, over 4000 lives have arguably been saved. It also sets an important example – both nationally and internationally – of a more balanced approach to gangs after decades of tough-on-crime policies across the region. Moreover, the insights that are provided through the pacification process can contribute to a more nuanced understanding of how the rapid urbanisation of the world's population fuels local patterns of marginalisation and crime, and how the sites of violent urban contestation that result need not be addressed

solely through law enforcement and the ever-decreasing marginal returns on repression. At the same time, imitations of the Salvadorean gang truce in Honduras and Mexico suggest that results can only be attained when both the criminal actors and the broader context of violence meet certain pre-conditions. When these are met, a truce can provide a kick-start towards a more structural rapprochement between two or more parties, based on a developing sense of trust and recognition.

About CRU

The Conflict Research Unit (CRU) conducts research on the nexus between security and development with a special focus on integrated/comprehensive approaches on conflict prevention, stabilisation and reconstruction in fragile and conflict-affected situations. Specialising in conducting applied, policy-oriented research and developing practical tools, the CRU aims to assist national and multilateral governmental and non-governmental organisations in improving their engagement in these complex situations.

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