



WOLA

WASHINGTON OFFICE ON LATIN AMERICA

Promoting human rights, democracy, and social justice

WOLA Commentary

April 26, 2013

One Year into the Gang Truce in El Salvador: Can the Funes Administration Turn the Fragile Truce into Sustainable Public Policy?

By [Geoff Thale](#), [Joseph Bateman](#) and [Ana Goerd](#)¹

In March 2012, authorities in El Salvador facilitated a truce between the country's two largest street gangs, MS-13 and the 18th Street gang. Homicide rates began to drop quickly after the truce was announced, going from around 14 murders a day to about five, and to many observers' surprise, the truce has now lasted over a year. The drop in homicides has a real impact: rival gang members are not killing each other, and gang members are carrying out fewer death threats against those they attempt to extort (bus drivers and shop owners, kidnapping victims, etc.) or otherwise victimize. Citizens, especially in the poorest and most violent neighborhoods, breathe easier.

That said, there are many questions about the truce. The lack of transparency about the agreements that led to the truce and about the role that government officials played in the dialogues leading to the truce has left doubts and concerns in the minds of many analysts. The insistence of some government officials that gangs are the source of almost all the homicides in the country has led to concerns that law enforcement authorities are downplaying the role of other criminal groups—drug traffickers, contraband smugglers, etc.—in violence and homicide. Commentators have worried that the real terms of the truce include aspects that have not been made public, and questioned whether there were deals made with other actors besides the gangs and the government-linked facilitators. There are many questions about whether the truce can be sustained over the long-term. Most pressing, there are concerns that the truce can only be sustained if the Salvadoran government formally takes charge of the process, and makes itself responsible both for the dialogue with the gangs and for leading efforts to invest in programs that would provide jobs and alternatives to violence in gang-ridden communities.

While many concerns about the truce itself remain, the reduction in violence that has now lasted a year is welcome. To move forward, the Salvadoran government must now take ownership of the process, with both its opportunities and its risks. The drop in violence has provided an important opportunity for the Salvadoran government to lead an effort by government ministries, the private sector, civil society, and the international community to invest in job creation and prevention-oriented programs for at-risk youth, and in reinsertion programs for many gang

¹ Geoff Thale is WOLA's Program Director, Joseph Bateman is WOLA's Program Officer for Citizen Security, and Ana Goerd is WOLA's Program Assistant for Citizen Security, Mexico and Central America, and Regional Security Policy.

members. If the government does so, it may be able to convert the truce into a more lasting process of violence reduction.

In what could be seen as a response to criticism from Salvadoran and international NGOs, including WOLA,² as well as the international donor community, about the lack of government leadership in taking advantage of the opportunities afforded by the truce, Salvadoran President Mauricio Funes announced in a speech in Washington, DC, on April 19 that the Salvadoran government would begin taking a more active role in creating opportunities for gang members participating in the truce. This is a positive sign that the government could be taking ownership of the future of the truce, if not of its initial negotiation. If the government leads an effort to invest carefully in violence prevention and reinsertion programs, the truce could achieve the long-term sustainability that so many feared was impossible.

The Process

According to official accounts, the truce came about as a result of talks between imprisoned leaders of the two principal gangs about ways to reduce violence. The talks were facilitated by Monsignor Fabio Colindres, the head chaplain of the Salvadoran military and police, and by Raúl Mijango, a former mid-level FMLN commander. Mijango had served as an advisor to retired General David Munguía Payés, the Minister of Public Security, when Munguía served in his previous job as Minister of Defense. The government insists that it was not directly involved in the talks, or in setting the terms; its role was limited to allowing Mijango and Colindres to go into the prisons to talk to the gang leaders and ask them to stop the violence. In fact, when the online newspaper *El Faro* first broke a story on the truce, the government denied that a truce had been reached. However, officials later admitted that they had facilitated the talks that Mijango and Mons. Colindres held with imprisoned gang leaders, but insisted that the government had not taken part in them. Later, some government officials revised their accounts, and Public Security Minister Munguía claimed responsibility for the idea. These shifting accounts raised questions about the transparency of the process and led many to question whether there was more involved in the truce than met the eye.

According to statements from the gang leaders,³ the incarcerated heads of the two gangs decided that, like the rest of Salvadoran society, they too were fed up with years of violence and the deaths of so many young people. Gang leaders claim that after talking with Mijango and Colindres, they decided that it was time to stop the killings. They also agreed to stop forced recruitment of youth in gang-controlled territories and to stop gang violence near schools.⁴ In return, they asked for more humane prison conditions (overcrowding and poor sanitary conditions mean that most prisoners live in inhumane conditions that ought to be improved regardless of any negotiations), for their families to stop being harassed (prison guards conduct

² See "[El Salvador's Gang Truce: In Spite of Uncertainty, an Opportunity to Strengthen Prevention Efforts.](#)" WOLA: July 17, 2012.

³ "Los Voceros Nacionales de la Mara Salvatrucha MSX3 y Pandilla 18." Statement from the MS13 and 18th Street Gangs. March 19, 2012. http://www.elfaro.net/attachment/395/comaras.pdf?g_download=1

⁴ Las pandillas dan un paso más: todos los centros escolares son ahora "zonas de paz." *El Faro* May 2, 2012. <http://www.elfaro.net/es/201204/noticias/8485/>

intimate searches of prison visitors, which family members object to but which authorities defend as vital to preventing the smuggling of contraband into prisons), and for employment and reintegration into society. About the time the truce became public, a number of incarcerated gang leaders were transferred to lower security prisons, and visitor inspections have become less onerous. There are some signs that law enforcement practices may have shifted as well, with fewer detentions of gang-involved youth and less police harassment in some communities.

Mixed Results

It is important to keep in mind that the truce was focused on ending gang-related homicides, and did not require gangs to halt many other criminal activities. Citing a lack of other sources of income, the gangs have refused to include extortions in the truce. So, if community members are less worried about homicides, they continue to suffer from many of the same criminal activities that existed before the truce; in particular, extortion continues to plague many communities (official rates of extortion have dropped about 10 percent, but remain exorbitantly high). The rates of some other crimes—such as rape—even increased during the truce. While the lack of investigations makes it impossible to attribute these increases to gangs, it does show that the truce itself has not lowered rates of victimization for many other types of crime.

The truce also may have implications for governance issues. In a March event on the truce sponsored by WOLA and the American University Center for Latin American and Latino Studies (CLALS),⁵ CLALS Research Fellow Hector Silva noted that street-level drug dealing has continued and that police raids that target suspected gang members have been reduced in many neighborhoods. Some analysts have argued that the combination of reduced violence and reduced police harassment that has resulted from the truce has allowed the gangs to consolidate their territorial control.⁶ Others have expressed concern about the possibility that the reduction in homicides is the product not just of the truce between gangs but of under the table agreements with transnational organized criminal groups as well.⁷ If true, these kinds of agreements would have troubling implications about corruption and the influence of criminal groups in state institutions. While the reduction in violence is certainly noteworthy and desirable, the truce must also be evaluated based on its potential to erode the rule of law and governability in the long term.

Finally, there are questions about who benefits from the truce and how. Different actors benefit in different ways. Killings are down, which is good for communities and for society as a whole. Members of rival gangs have stopped killing each other, which benefits the gangs themselves, their members, and their families. The truce also benefits youth in affected communities who are not affiliated with gangs, as the reduction in deaths has reduced the need for gang leaders to use forced recruitment to fill their ranks. Gang leaders are benefiting, as they use the reduced

⁵ The video of the event is available here:

http://www.wola.org/video/livestream_one_year_after_the_gang_truce_in_el_salvador

⁶ Doug Farah and Pamela Phillips Lum. "Central American Gangs and Transnational Criminal Organizations: The Changing Relationships In a Time of Turmoil." *International Assessment and Strategy Center*. February 2013.

⁷ Jeannette Aguilar. "The Current Situation of Gangs in El Salvador." Presentation during the Conference on National Reality on Militarization, Organized Crime, and Gangs. November 13, 2012.

violence and greater legitimacy provided by the truce to consolidate their leadership in neighborhoods, in what many are viewing as an attempt to transform themselves into legitimate representatives of these communities. Also, despite denying responsibility for the truce, the government has benefited by taking responsibility for the dramatic reduction in homicide rates and using it for political gain, adding to the confusion about the real role of the government in the process.

Because the benefits of the truce are not spread equally across Salvadoran society, and because the role of the government in the process is so unclear, the truce lacks support and a sense of legitimacy within Salvadoran society. According to a recent poll by *La Prensa Gráfica*, a Salvadoran newspaper, 55 percent of Salvadorans disapprove or are unsure of the truce.⁸ Besides the role of Monsignor Colindres, the truce lacks support from Catholic Church leaders, some of whom have seen the truce as a “deal with the devil,” according to AU Research Fellow and InSight Crime Co-Director Steven Dudley, who participated in the March WOLA/CLALS event on the truce. (Interestingly, despite lacking the Church’s institutional support, the leaders of the gangs have used religious themes in their statements, especially those of liberation theology, arguing that although they are indeed victimizers, they are also victims of the social and economic repression that forced them into a life of crime.)

In order for the truce to receive broad backing in Salvadoran society—and thus be successful in the long term—Salvadorans will have to be more comfortable with their understanding of the terms of the truce and have a clearer explanation of how gang members will become more fully integrated members of society. If they are more comfortable, they are more likely to provide gang members the necessary space to be able to reintegrate.

Comparative Perspectives

Internationally, there are few examples of gang truces that have endured and led to re-integration. Gang truces like the Salvadoran one have failed in other contexts for various reasons, often resulting in a return to previous levels of violence. These examples could provide cautionary tales for the truce in El Salvador. For example, Trinidad and Tobago has long suffered from high levels of gang-related violence and has attempted several truces between gangs. AU Professor Ed Maguire, a panelist at the recent WOLA/CLALS event on the truce, said that the government in Trinidad and Tobago—recognizing that the problems associated with gangs and gang violence could not fully be addressed simply through judicial and law enforcement interventions—brought in a parish priest from one of the communities most affected by violence to mediate between the different groups and individuals. The groups subsequently reached an agreement not to kill each other to solve disputes. While the priest attempted to bring together different faith groups to coordinate violence prevention work in these communities, gang leaders used the truce to consolidate their internal power. According to Maguire, the truce eventually broke, and the violence escalated to even higher levels than before the truce began. Maguire also cited another truce, one that took place in the 1990s between gangs in Los Angeles, California, which had similar results: a promising drop in

⁸ Roberto Rubio-Fabián, “La Tregua entre Pandillas.” *La Prensa Gráfica* March 18, 2013. <http://www.laprensagrafica.com/La-tregua-entre-pandillas>

homicides for three months that eventually led to a long-term increase in violence and homicides once the deal broke.

A key factor in the failure of both the Trinidad and Tobago and Los Angeles truces was the weakness of the gang hierarchies, which meant that gang leadership was unable to enforce the truce. Maguire noted that, in El Salvador, gangs appear to be more organized than was the case with the street gangs of Trinidad and Tobago or the LA gangs of the early 1990s. They seem to respect the hierarchy to a greater degree and to have accepted the imprisoned leadership's decisions about eliminating street violence. (Interestingly, imprisoned gang leaders may be able to develop more centralized authority over gang structures and activity than leaders on the street.) Studies have shown that incarcerated gang leadership is often able to exert strict control of members on the streets.⁹ Nonetheless, the concern remains that if the street-level membership of the MS-13 or the M18 decide that maintaining the truce is no longer in their interest, it could fall apart, and the settlement of long-standing debts via homicides could cause a spike in levels of violence, as has happened in many other contexts.

Next Steps

Analysts in El Salvador and abroad have expressed, and continue to express, great concerns about the lack of transparency in the process that has led to the steep drop in homicides, worries that the terms of the truce may benefit gangs in unacceptable ways, and concerns that law enforcement authorities may not be focused enough on other organized criminal groups that contribute to violence and that undermine the rule of law. The Salvadoran government will have to address these concerns, in both public and private discussions.

It will also have to focus on what is needed to make the truce sustainable, and the drop in violence lasting. Because gang truces are inherently so fragile, it is important to take advantage of the (possibly temporary) low levels of violence to implement prevention and reintegration programs in the communities most affected by gang activity. In an attempt to consolidate some of the truce's gains, a technical commission set up to monitor the truce (made up of the two facilitators, Raul Mijango and Mons. Colindres, Public Security Minister Munguía Payés, Organization of American States Secretary of Multidimensional Security Adam Blackwell, and several members of the Salvadoran business community and civil society) has begun to develop proposals on what is being referred to as the "second phase" of the gang truce. The commission's members have announced that they will start working with gang members in various municipalities to create "violence-free communities," and more than 15 areas have now been identified as zones in which concerted efforts to reduce violence and extortions by gang members will be implemented. In these areas, gang members have agreed to turn in their weapons to the police.

These areas are not entirely violence-free, of course. There continue to be some murders, and extortion rates are still high. But the kinds of programs being discussed by the technical commission could in fact be a way forward if the government takes leadership of the process

⁹ Benjamin Lessing. "The Danger of Dungeons: Prison Gangs and Incarcerated Militant Groups." Chapter 6 in *Small Arms Survey*, 2010.

and leads with public policies to address the needs of these communities. However, despite Minister Munguía Payés' participation in the technical commission, it is not yet an official government program, and up to this point there has been little government involvement.

To date, there has been a serious lack of current government investment in violence prevention, with only about three percent of public security spending going to prevention programs, according to a forthcoming public expenditure report cited by Alys Willman of the World Bank during the March WOLA/CLALS event.¹⁰ Most violence prevention programs in El Salvador are financed by the international donor community, and there is a serious need for better coordination between the Salvadoran government (including ministries besides those directly related to security), donors, and local communities in the implementation of these programs. Some in the international donor community have expressed interest in supporting a government-led strategy to work on expanding opportunities in gang-affected communities as a way to ensure the long-term success of the truce, but they have also expressed frustration over a lack of a clear government strategy related to violence prevention and job creation in these areas.

In an apparent response to this criticism over a lack of long-term vision or strategy, as mentioned above, President Funes announced in an April 19 speech in Washington, DC, that his government would begin to implement job training and employment programs for gang members in the "violence free communities," as well as expanding access to micro and small business credit, in order to create new economic opportunities that would serve as alternatives to illicit activities.¹¹ The next day, Vice-Minister of Public Security Douglas Moreno, who many view as particularly committed to violence prevention and reintegration, met with representatives from the two gangs and announced a \$1 million dollar project aimed at providing economic opportunities in gang-ridden communities. The project comes as a directive from President Funes to redirect funds from the Ministries of Agriculture, Public Works, and Health, as well as the National Civilian Police, to support municipal-level violence prevention programs, and could be evidence that the Funes administration has recognized that its commitment is necessary to ensuring the long-term success of the truce.

It will also be important to address problems of social and economic exclusion for all youth in these communities and not leave out those who have resisted becoming members of a gang. In order to accomplish this goal, the private sector will have to become a major protagonist, creating training programs and job opportunities for people that many employers have been reluctant to hire.

Even if the truce is institutionalized via a sustainable, long-term set of government policies, Salvadoran society will face an equally difficult next step: reintegrating current gang members into society. This process would present several challenges for a society that has been victimized by gangs for years. While some have compared the truce to the demobilization

¹⁰ See the video of the event here:

http://www.youtube.com/watch?feature=player_detailpage&v=x7_wahWmhrw#t=3779s

¹¹ Carlos Martínez, "Gobierno da un paso para asumir responsabilidad sobre la tregua." *El Faro* April 22, 2013.

<http://www.elfaro.net/es/201304/noticias/11796/>

processes of ex-combatants, it is important to recognize that inter-gang violence is not the same as a political struggle. Nevertheless, it is useful to think through the policies and programs that might move gangs from being criminal groups to being social and political actors. In addition to the investment in job creation and youth programs that this would entail, it would require a shift in the mindset of Salvadoran society. A balance must be found between holding accountable those that have committed serious crimes and providing space in society for the thousands of gang members that have not. Clearly, this will not be an easy line to draw.

Conclusion

While the details and exact terms of the truce may be unclear, it is widely recognized that the reduction in violence provides an unprecedented opportunity to tackle a long-standing problem. However, the observations detailed above demonstrate the need to proceed both deliberately and with caution. A short-term drop in homicides, no matter how significant, is only a first step; Salvadoran society needs and deserves a comprehensive, long-term solution to gang violence. There are now signs that the Funes administration may be taking this advice to heart and is taking some first steps to implement violence prevention and reinsertion policies aimed at addressing the root causes of violence at the community level. This is a positive and necessary step forward that could help consolidate the gains achieved over the last year through the truce. While there will be no magic bullet that ends gang violence overnight, these efforts, if they receive a real and sustained commitment from the government, the private sector, and local communities, could contribute to a serious and long-term reduction in violence and the building of more peaceful communities in El Salvador.