



EL SALVADOR

Historical and Political Context

With the signing of the Chapultepec Peace Accords in 1992 between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), the internal armed conflict, which had intensified during the 1980s, came to an end. FMLN combatants were demobilized, whilst it gained legal status as a political party and a part of its forces were incorporated into the new National Civil Police (PNC) upon its creation. In order to verify the application of the Accords, the United Nations Observer Mission in El Salvador (ONUSAL, 1991-1995) was established, and was responsible for monitoring the demobilization process, elections and the formation of the new police body. The Peace Accords constitute El Salvador's political and legal

foundation, reorganizing the institutional structure and laying the foundations for the current configuration.

The last 20 years have been marked by a serious public security problem that has faced recurrent governments and continues to affect the population. In 2003, the 'Iron Fist Plan' (*Plan Mano Dura*) was implemented as an attempt to reverse the trend of increasing violence through repression of the gangs, followed by a later 'Super Iron Fist Plan'. The triumph of the FMLN presidential candidate in 2009, and the apparent failure of the strategy (reflected in crime levels and statistics), led to a change in the direction of public security policy, and the incorporation of a perspective based on prevention.

Country Information

Political System:	Presidential Republic / Unitary
Administrative Organization:	5 regions / 14 departments / 262 municipalities
Population:	6,213,730
Territorial Extension:	21,040.79 km ²
GNP (US\$ current price):	23,816,000,000 (2012)
Minimum monthly salary (US\$):	202
Illiteracy:	15.5%*

*in those above 15 years old, 2005-2010.

Basic Security Indicators (2012)

National Police:	22,055 personnel
Homicides:	2,576 homicides reported at a rate of 41.5 homicides per 100,000 inhabitants.
Drug Trafficking:	1,637 kilograms of drugs seized by PNC
Traffic Accidents:	994 deaths resulting from traffic accidents
Border Flows:	Annual migratory flows by land total on average 2,990,000 people per year
Estimated Number of Gang Members:	28,130
Private Security:	460 registered firms
Penal Centers:	There are 21 correctional facilities with a prison population totaling 26,846 inmates
Femicide:	320 violent deaths against women were registered
The Perception of Security:	69% of the population has a little on no trust in the police
Military personnel dedicated to public security	6,097

Peace Accords (1992)	Post-Peace Accords (1992 - 2002)	Recontextualisation (2003- 2005)	Institutionalisation (2006-2012)	Current stage
Lasting end to the armed conflict. Reform of defense and security doctrines.	Institutional reorganization, principally through the creation of the PNC. Reduction in the size of the Armed Forces. Development of a new legislative framework, penal code, police law and creation of the National Academy of Public Security, amongst others.	Development of policies and plans based on the Iron Fist strategy. Legislative attention to non-traditional security threats.	Emphasis on institutional consolidation; creation of the Ministry of Justice and Public Security. Development of preventative programs and local level projects.	Greater emphasis on international cooperation programs. Truce process: commitment between gangs to reduce the level of violence.



Sources: Data elaborated on the basis of: Population and territory: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. GDP: IMF, *World Economic Outlook Database*. Minimum salary: *Decreto ejecutivo 104*, 2013. Illiteracy: UNDP, *Human Development Report 2013*. Police personnel, homicides, drug trafficking, traffic deaths and femicides: information provided by the National Civil Police. Cross-border people flows: General Directorate of Immigration. Gangs: National Civil Police. Private Security: Departments of Registering and Control of Private Security Services. Penal Centers: Directorate of Penitentiary Centers, *Estadísticas Penitenciarias a marzo 2013*. The security perception: CID-Gallup Latinoamérica, *Encuesta de Opinión Pública Centro América y República Dominicana, Febrero 2013*, available at cidgallup.com/documentos.

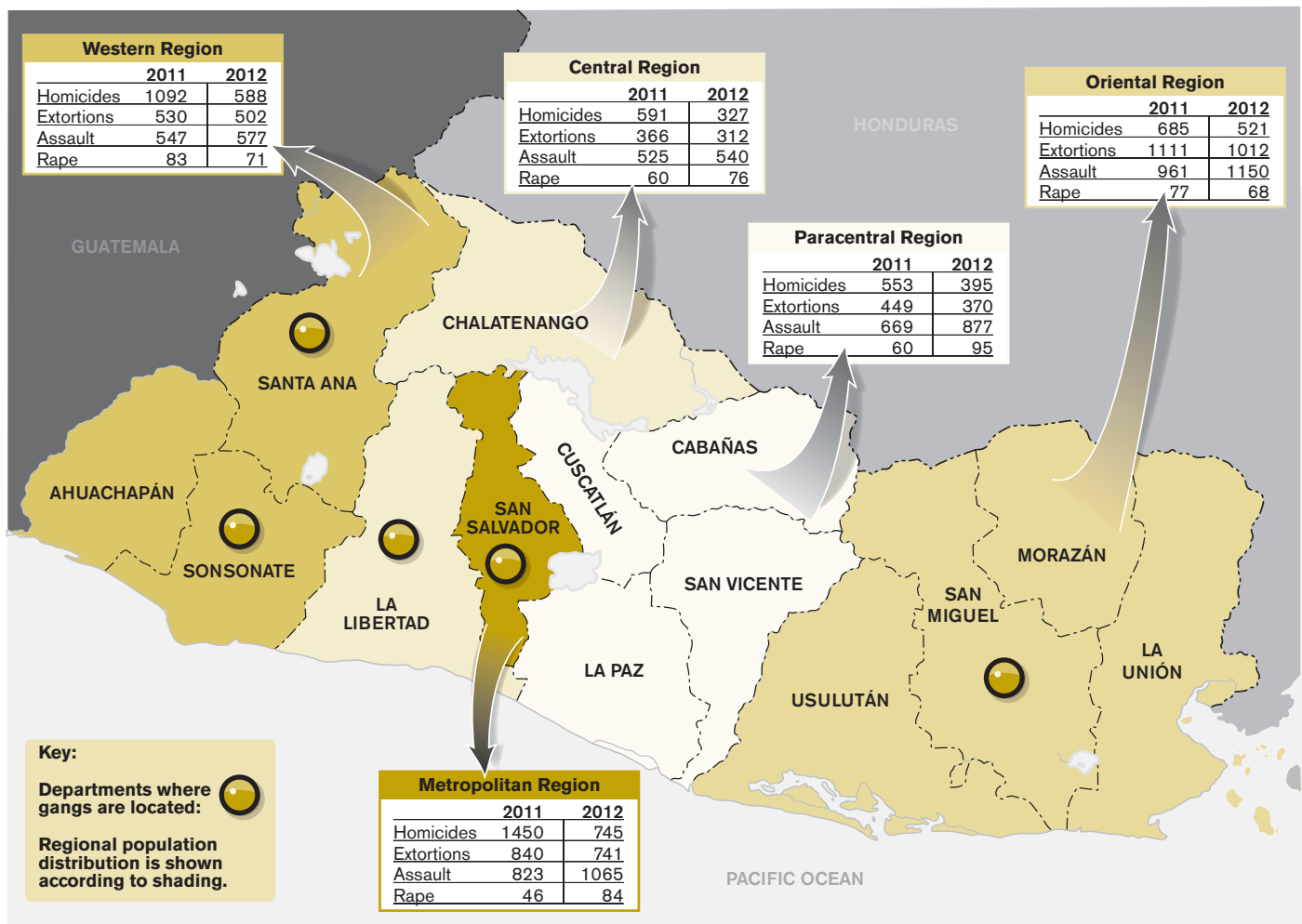
Security Challenges: An Overview

In March 2012, a process known as 'la tregua' was initiated between the Salvadorian gangs. It involved a commitment to reduce the constant confrontation and, through this, achieve a reduction in the number of homicides which, up until that moment, was on the rise. The Catholic Church (through the pastoral work of the Chaplain of the Armed Forces, Monsignor Fabio Colindres) is the driving force behind the process, together with members of civil society (led by ex-deputy of the FMLN, Raúl Mijango).

Much focus has been placed on the reduction in the number

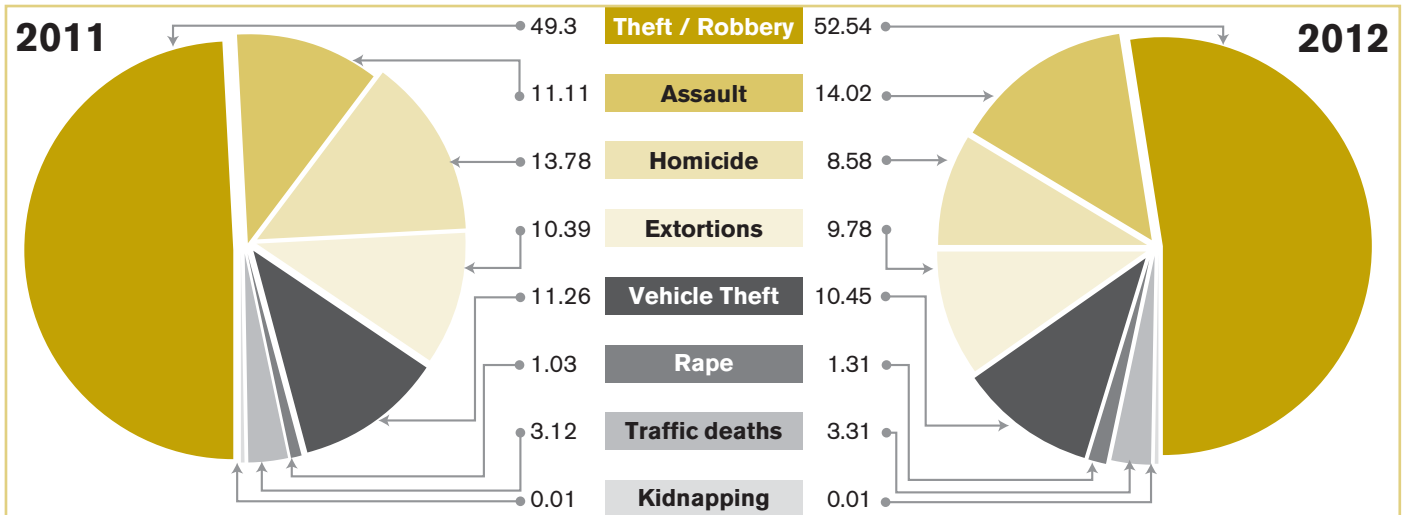
of homicides recorded in El Salvador between 2011 and 2012, from which it is reasonable to conclude that there has been a decrease in violent crimes related to organized criminal activity. However, closer analysis of the figures shows that these reductions have not been mirrored in all types of crimes, and other types of violent crime, such as assaults, have in fact experienced a notable rise over the past year. Consequently, despite the fall in the number of homicides, the population continues to live with a daily problem of widespread insecurity.

Regional Comparison of Crimes Committed



- Following *la tregua*, the number of recorded homicides decreased instantaneously (from 402 in February 2012, to 156 in April 2012, before leveling off at an average of 167.5 per month); disappearances also dropped by 51.7% in 2012. The effect of this was that in a country with a population of just over 6 million, the number of homicides decreased from 12 a day in 2011, to 7 a day in 2012.
- In terms of the geographical distribution, the greatest reduction in the number of homicides came in the metropolitan areas of San Salvador, which recorded a 48.7% decrease, 7.6% above the average decrease, while it is worth highlighting that multiple homicides (two or more) dropped by over 50%.

Distinct types of crimes committed as %



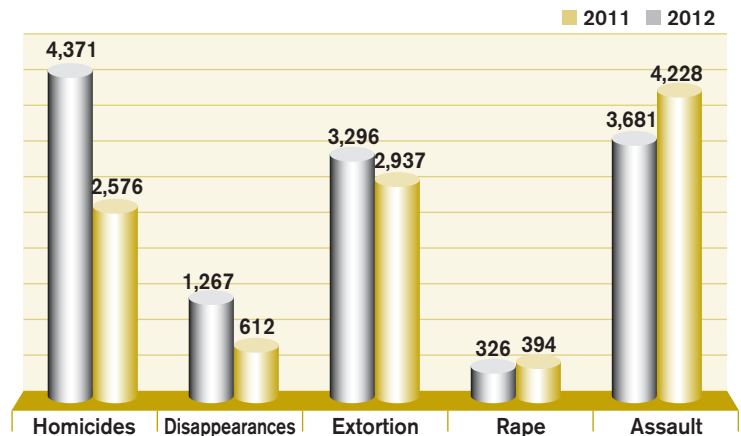
The Problem of the Gangs (Maras):

In 2011 the National Civil Police released reports on the existence of 246 gangs. It estimated that there were 28,130 gang members across the national territory, of which 17,735 are free, and 9,566 are in penal centers. 829 are minors situated in juvenile internment centers whilst 533 have been deported.

45% of gang members are situated in San Salvador, whilst the rest are located in La Libertad, Santa Ana, Sonsonate and San Miguel.

*The numbers quoted are official, but given the characteristics of the problem, including its transnational nature, it is not possible to verify the reliability of the data.

Variation in the Number of Crimes committed

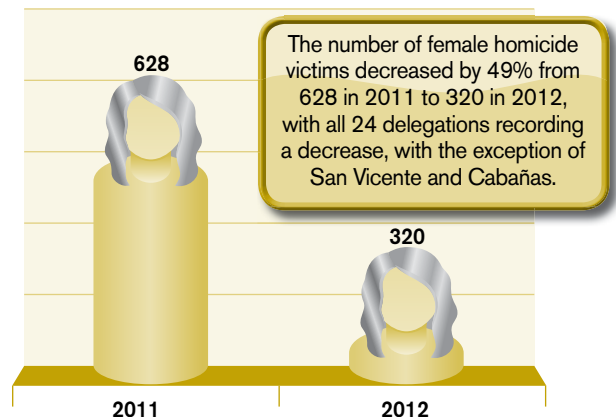


Violence Against Women

The issue of violence against women, and of female homicide victims in particular, has received notable attention, and indicators point to a parallel reduction in recorded cases.

- The **Special Integral Law for Women for a Life Free From Violence** (01/04/2011) laid out public policies aimed at advancing and protecting women's right to a life free from violence and their personal security, making specific mention of the Ministry of Justice and Public Security, together with the National Academy of Public Security and numerous other actors related to the field.
- On June 5th 2012, the Attorney General formalized the **Protocol for the Action on the Investigation of Femicide**, which acts as a guide for prosecutors, police, technical and legal-medical personnel in processing the scene where violent acts against the lives or integrity of women have occurred.

Cases of female homicide victims



Sources: Informe de Incidencia Delincuencial January 2011 – December 2012 and Sub-Directorate for Investigations, National Civil Police (crimes and gangs); Annual Ministerial Report from the Office of the Attorney General.

Institutions linked to Security

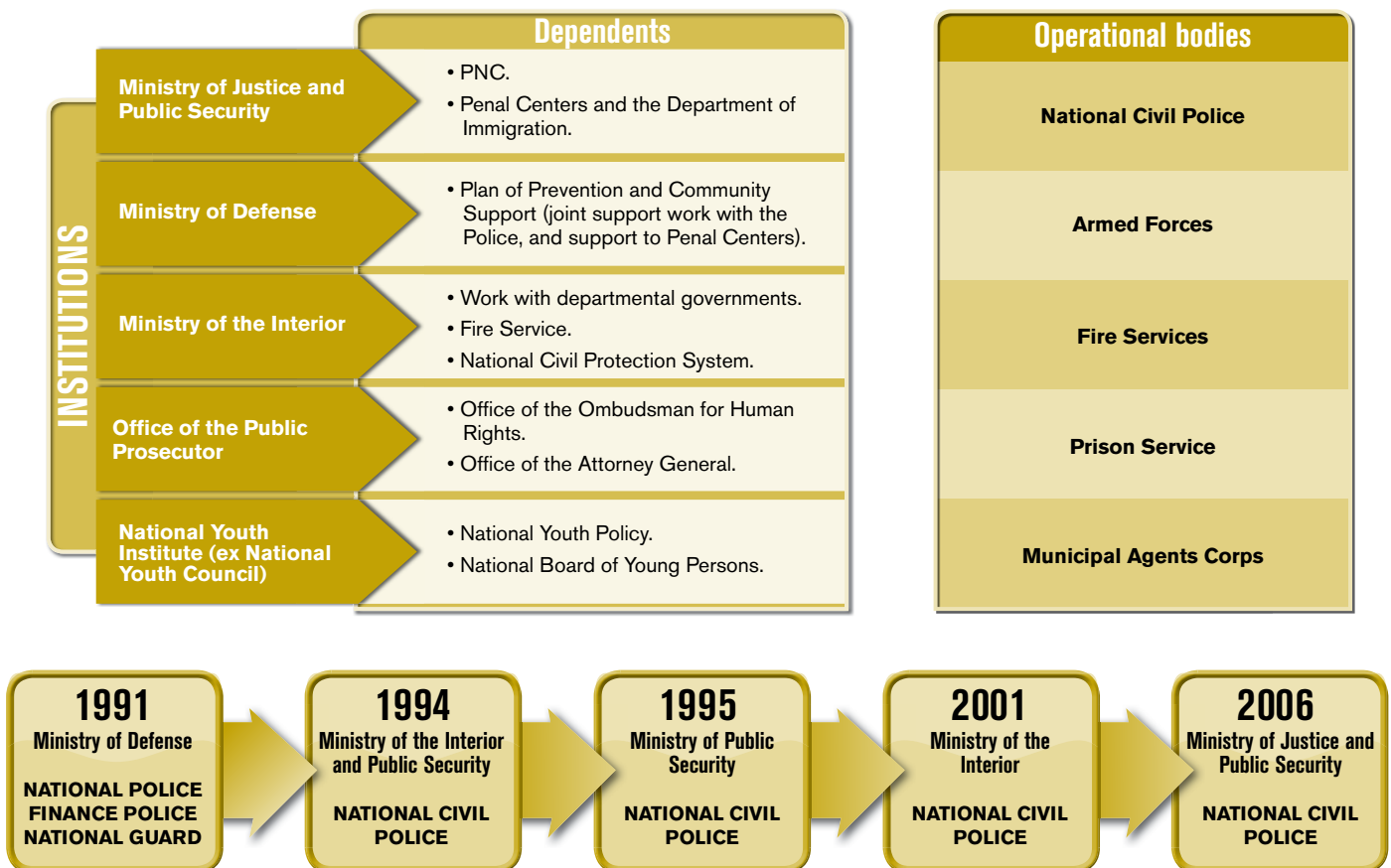
From the peace accords onwards, and within the process of democratization, there has been a diverse array of institutions dedicated to, or involved in, the field of public security. New ones were created, some changed, and others began to intervene in the area with distinct programs. This process has had an effect on the programs, their continuity and the results achieved. The varied and complex innovations are generally linked to the issue of youth and security. There is a need for coordination, coherence and the complementarity of institutions in order to develop an adequate management of the security problem in the future.

- **Police:** the National Civil Police (PNC) was founded in 1992 as a consequence of the peace accords. The ministries to which the PNC has depended have varied over time according to the location of the theme of security within the ministerial structure.
- **Ministry:** Immediately following the peace accords, the PNC became part of the then Ministry of Interior and Public Security, with the theme being incorporated into the institution's official title. In 1995 the Ministry of Public Security was formed, and in December 2006 the institution that is currently responsible for security policy, the **Ministry of Justice and Public Security**, was established.
- **Defense Sector:** Until the 1992 Accords, the existing police in-

stitutions and organizations were organized under the Ministry of Defense and were therefore under the auspices of the military. At the time of the creation of the new Police Force, the Armed Forces were consolidated as the only armed institution in the framework of National Defense, and as a non-deliberative institution obedient to the political authority.

- **Councils and other executive bodies:** In 1996, and as part of the structures which were formed within the Executive to deal with public security, the National Public Security Council (CNSP) was created. This Council was succeeded in June 2011 by the **National Youth Council**, and then replaced by the **National Youth Institute (INJUVE)** with the passing of the National Youth Law at the end of that year.
- **The Office of the Public Prosecutor:** The **Office of the Ombudsman for Human Rights** was created within the framework of the constitutional reforms in order to promote and protect the fundamental rights and liberties of El Salvador's citizens. It forms part of the Office of the Public Prosecutor, and possesses an independent character and administrative autonomy. The institutional rearrangement of the justice sector also led to the transfer, in 1998, of the preparatory criminal investigative work to within the area of the **Office of the Attorney General**.

Principal Actors



The Criminal Justice System

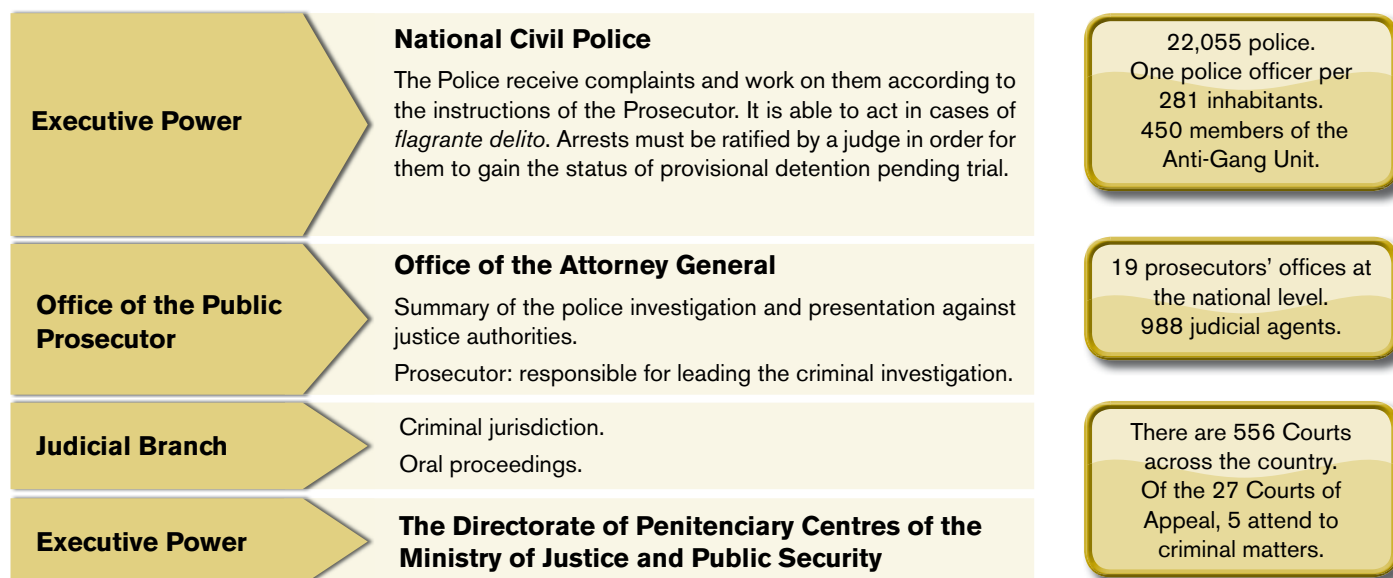
The Code of Criminal Procedure was amended in 1997 with the aim of changing the inquisitive character of the previous one. The reform established an adversarial system as a way of simplifying the system and making criminal justice more viable, incorporating public and oral trials. In 2008, a new Code was proposed, which aimed at the harmonization of previous reforms and to enhance the capabilities of the Attorney General. The maintenance of customs from the previous system, especially with regard to the development and accumulation of large files, means that the system still maintains a mixed character, and in practice it continues to express serious efficiency problems in acting with the urgency that was intended.

In relation to criminal investigation, the role of the Police is to col-

laborate in the investigation of crimes of a flagrant nature or those reported under the direction of the prosecutor. Depending on the offense in question, the accused can be placed in preventive detainment, provided that it doesn't exceed the 12 months allocated for minor offenses or 24 months for more serious crimes. On occasions, preventive detention has actually exceeded the length of the penalty prescribed for the offense, something that impacts the state of the prison population, which has a high percentage of prisoners which are yet to be sentenced. The issue occupies an important place on the public agenda and efforts have been made to change the situation.

Only those over the age of 18 can face trial under criminal law, whilst those below 18 years old are subject to a special regime which is determined by the *Juvenile Penal Law*.

The Administration of Justice and Criminal Cases



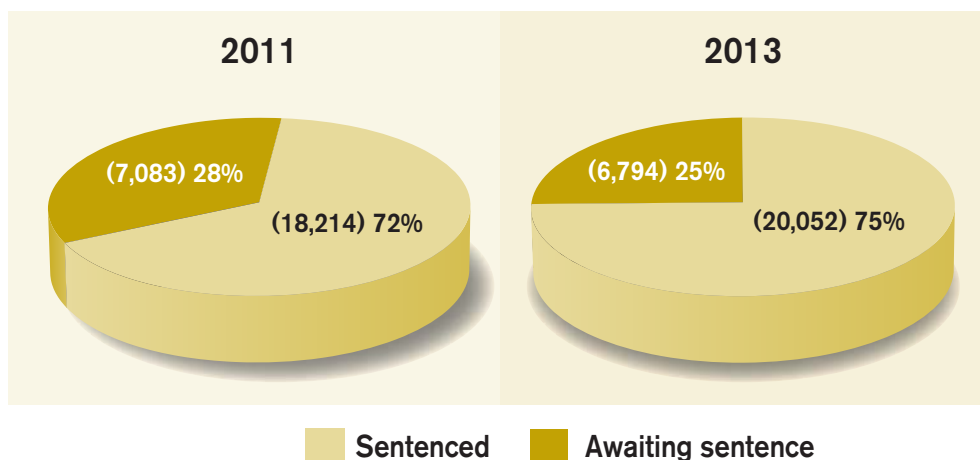
The Tendency of Creating Specialized Units

National Civil Police: Anti-Gang Unit

Judicial Branch: Juvenile Justice Unit and the Gender Unit.

General Attorney: Specialized Prosecution Units for the following crimes: homicide, corruption, organized crime, drug trafficking, extortion, human trafficking, and robbery and theft of vehicles.

Comparison of the Legal Situation of the Prison Population



Source: Statistics from the General Directorate of Penitentiary Centres, Ministry of Justice and Public Security. *Informe anual*, Attorney General of the Republic (2011-2012).

Security Policy Guidelines

One of the biggest challenges facing the Funes administration (2009-2014) is public security and how to reduce the levels of criminal violence. To tackle this, the administration has articulated a **Five-Year Development Plan** (2010-2014), with public security forming an essential component.

From this, the **National Justice, Public Security and Coexistence Policy** has been derived, headed by the Ministry of Justice and Public Security, which seeks coordination between the central and local governments. The organization of the Ministry itself is a key point. In terms of policing, an **Institutional Strategic Plan**, spanning from 2009-2014, has been put in place.

In the last two years, there has been a certain realignment in the political basis of prevention policies. Towards the end of 2011, the emphasis seemed to be placed on the development of a National Strategy for the Social Prevention of Violence, whose diffusion to Municipal Councils was being supported. In 2013, however, the actors and institutions are focused upon three issues which are eminently political-institutional in nature: the creation of the **National Youth Institute** as the institution charged with prevention programs previously developed by the Council of Public Security, *la tregua* between the gangs, and support through **international cooperation programs**.

National Justice, Public Security and Coexistence Policy

Control and suppression of crime; social prevention of violence; rehabilitation and reinsertion into society; victim attention, legal and institutional reform.

National Youth Policy 2011-2024 and Action Plan 2011-2014

Integrating at-risk groups into community life; increasing economic opportunities for youth and their families; recovering public spaces; rehabilitation and reinsertion into society.

Institutional Strategic Plan (NCP)

Police organization, professional development, welfare, promotion and development of female staff; suppression of crime and criminal investigation.

National Committee against Human Trafficking

Created through Executive Decree (December 1st, 2005), it is formed by around 20 institutions, including the Ministry of Interior, the PNC, and the Office of the Public Prosecutor. In 2008, a National Policy for the Eradication of Human Trafficking was elaborated.

In August 2013, the Committee presented a bill to modify the Penal Code and increase the sentences for this crime.

The Municipal Level

There are 262 municipalities in El Salvador. Since 2009 a process of institutional restructuring has been implemented, encouraging community participation and the role of the municipalities.

The decentralization policy will need to address the issue of municipalities with few resources, whilst it will also need to develop the coordination between national government, departments and municipalities, including in this the role played by the National Police.

Municipal Forces

Their actions are limited to the protection of municipal employees and buildings, as well as any other activities that have been established according to their specific laws and regulations.

According to the police register, **there are 6 mayoral offices with municipal forces** (55 people and 116 registered weapons).

Municipal Councils for the Prevention of Violence

These are local organizations constituted by representatives of a variety of different municipal actors and sectors, which are tasked with leading and coordinating efforts to prevent violence. Under the leadership of the Mayor, these Councils are able to focus their projects according to the issues most relevant to their locality. Ideally, a Council should be comprised of key societal actors, such as representatives of municipal government, the local community, civil society organizations (NGOs, churches, the business sector, etc). Representatives of national institutes which have a presence at the local level may also participate, but with a different role and character.

At the beginning of 2010, the **Schools for Coexistence** program was launched within the framework of the Social Prevention of Violence Strategy in support of municipalities, and with funding received from international cooperation programmes. Since late 2011, the program has not had funding to continue its activities.

The legal framework

- Alianza Republicana Nacionalista (ARENA).
- Partido Demócrata Cristiano (PDC).
- Partido de Conciliación Nacional (PCN).
- Cambio Democrático (CD).
- Frente Farabundo Martí para la Liberación Nacional (FMLN).
- Centro Democrático Unido (CDU).
- Partido Acción Nacional (PAN).
- Gran alianza por la Unidad Nacional (GAN).
- Others

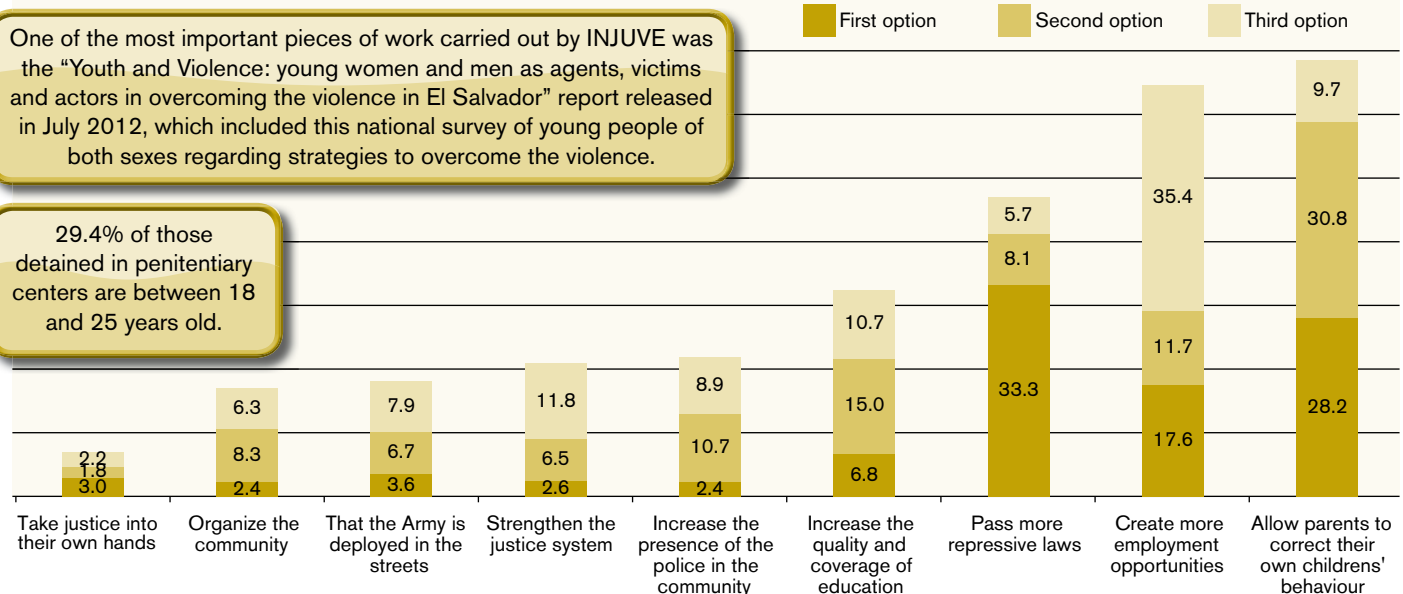
Composition of the Assembly	Laws	Presidency, period and Government party
	June 1991 - June 1994 The Armed Forces' Military Service and Reserves Law (DL N° 298 - 07/30/1992). Organic Law of the National Academy of Public Security (DL N° 195 - 02/26/1992). Law of the Office of the Attorney for the Defense of Human Rights (DL N° 183 - 02/20/1992). Juvenile Penal Code Law (DL N° 863 - 05/02/1994).	Alfredo Cristiani (june 1989- july 1994) ARENA
	June 1994 - June 1997 Police Career Law (DL N° 773 - 07/18/1996). Correctional Law (DL N° 1.027 - 04/24/1997). Penal Code (DL N° 1.030 - 04/26/1997).	Armando Calderón (june 1994 - july 1999) ARENA
	June 1997 - June 2000 Law for the Decoration of Police of the Republic of El Salvador (DL N° 165 - 11/27/1997). Organic Law of the Armed Forces (DL N° 353 - 07/09/1998). Law against Money Laundering (DL N° 498 - 12/02/1998). Law for the Regulation of Firearms, Explosives, and Ammunition (DL N° 655 - 01/07/1999).	Francisco Flores (june 1989- july 2004) ARENA
	June 2000 - June 2003 State Security Service Law (DL N° 226 - 12/14/2000). Private Security Service Law (DL N° 227 - 12/21/2000). Organic Law of the National Civil Police (DL N° 653 - 12/13/2001). State Intelligence Organization Law (DL N° 554 - 09/21/2001).	
	June 2003 - June 2006 Drug Control Law (DL N° 153 - 10/13/2003). Disaster Prevention and Relief and Civil Protection Law (DL N° 777 - 08/18/2005). Special Law for the Protection of Victims and Witnesses (DL N° 1.029 - 04/26/2006). Organic Law of the Attorney General of the Republic (DL 1.037 - 04/27/2006).	Elias Antonio Saca (june 1994 - july 2009) ARENA
	June 2006 - June 2009 Special Law on Anti-Terrorism (DL N° 108 - 09/21/2006). Laws against Organized and Complex Crime (DL N° 190 - 12/20/2006). Penal Procedure Code (DL N° 733 - 10/22/2008). Police Disciplinary Law (DL N° 518 - 12/20/2008).	Mauricio Funes (june 2009 - july 2014) FMLN
	June 2009 - June 2012 Anti-gang, Groups, Associations and Organizations with Criminal Nature Law (DL N° 458 - 09/09/2010). Telecommunication Intervention Law (DL N° 285 -03/12/2010). Special Integral Law for a Life for Women Free from Violence (DL 520 - 11/25/2010).	

National Youth Institute – INJUVE

For local actors, youth violence is one of the principal problems within the deterioration of public security. Since 2011 focus has been placed on discussions on the General Law on Youth (sanctioned in 2012). In addition to highlighting

specific rights for young people, which are linked also to social and economic development, it created the INJUVE in order to coordinate the policies and plans directed at young people.

The three strategies considered most effective to reduce the violence, according to young people



Sources: Information provided by the National Youth Institute and the report “Youth and Violence: young women and men as agents, victims and actors in overcoming the violence in El Salvador” (July 2012).

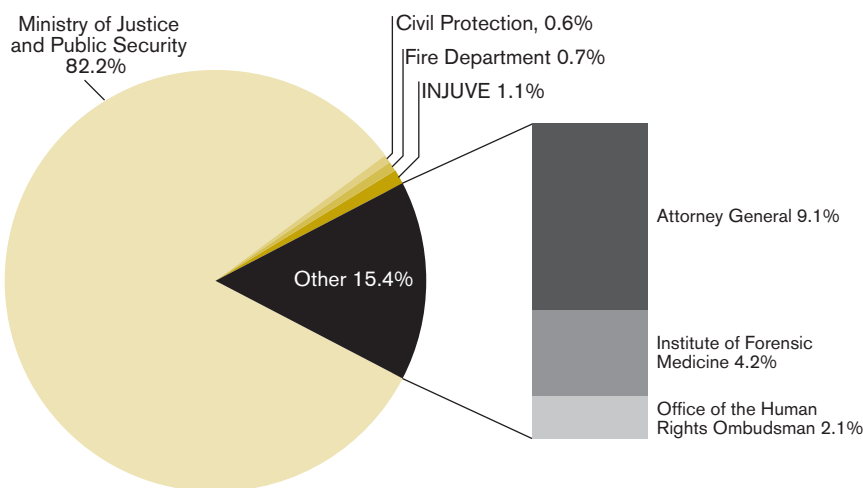
The Security Budget

Within the functional classification of the budget, El Salvador presents the area of "Justice and Citizen Security", which includes both the specifics of security and the administration of justice in general. On the other hand, in other areas, such as that of "Administrative management", programs directed towards the problem of youth violence are found. If all of the general budgetary items destined to programs related to security are taken into consideration, the total amount for 2013 surpasses four hundred and thirty three million dollars

(US\$433,057,240), representing 1.8% of the country's internal brute product and almost 10% of the central government's total budget. In terms of institutions, the majority of the budget is directed to the Ministry of Justice and Public Security, specifically the National Civil Police. Other amounts that are aimed at fighting crime, such as those resources destined to the defense sector for their assistance in internal order, for example, cannot be discerned using the levels of public budget disaggregation.

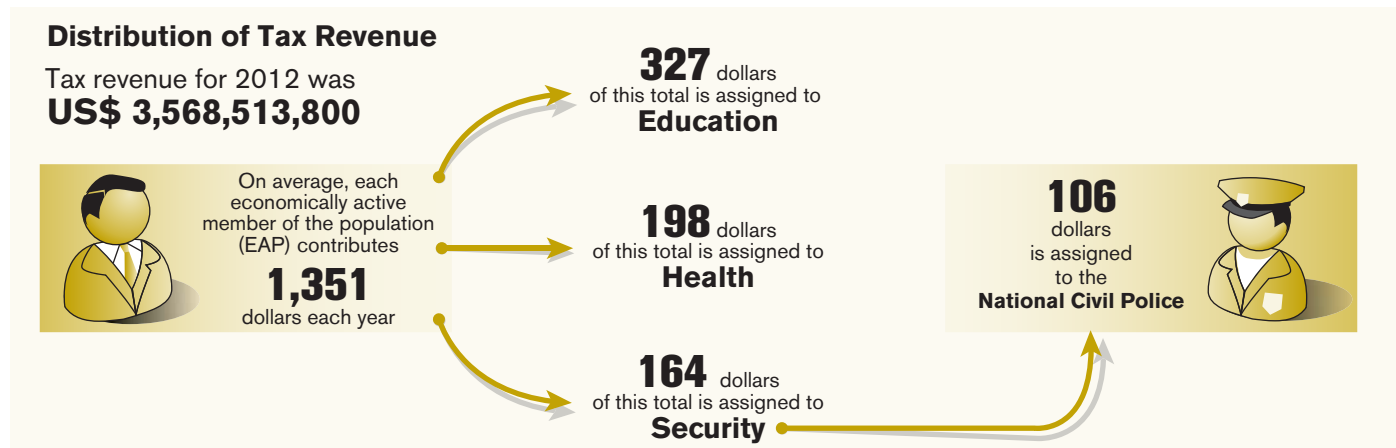
Security Budget, 2013 (US\$)

Ministry of Justice and Public Security		%
PNC	280,214,620	64.7
Penal Centres	42,798,675	9.9
ANSP	12,042,505	2.8
Migration	3,151,560	0.7
Other	17,838,470	4.1
Interior Ministry		
Firefighters	3,166,055	0.7
Civil Protection	2,745,155	0.6
Attorney General		
	39,200,375	9.1
Office of the Human Rights Ombudsman (DDHH)		
	8,900,000	2.1
Judicial Branch		
Institute of Forensic Medicine	18,177,870	4.2
Presidency		
National Youth Institute (INJUVE)	4,821,955	1.1
Total security budget (2013)		
	US\$ 433,057,240	



The 2013 security budget is equivalent to 1.8% of GNP or 9.6% of the entire state budget.

Sources: Ley de presupuesto general del Estado 2013. ANSP: National Academy of Public Security; only those resources transferred from the Central Government to the Academy are considered. GNP: World Economic Outlook Database, IMF.



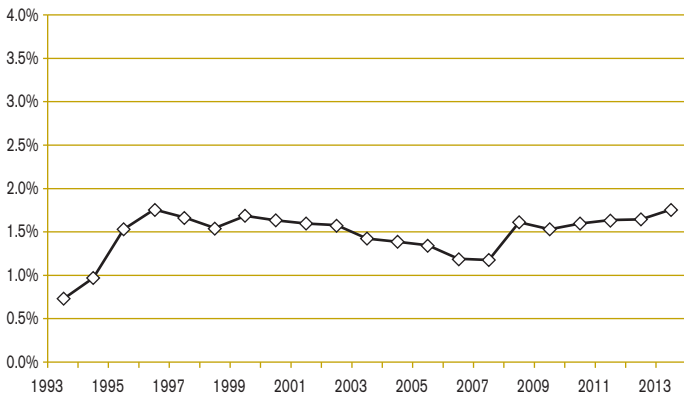
Sources: Ley de presupuesto general del Estado 2013. Informe de gestión financiera del Estado 2012. EAP: Encuesta de Hogares de Propósitos Múltiples 2011, General Directorate of Statistics and Census of El Salvador. All data is expressed in current US dollars.

Evolution of the Security Budget

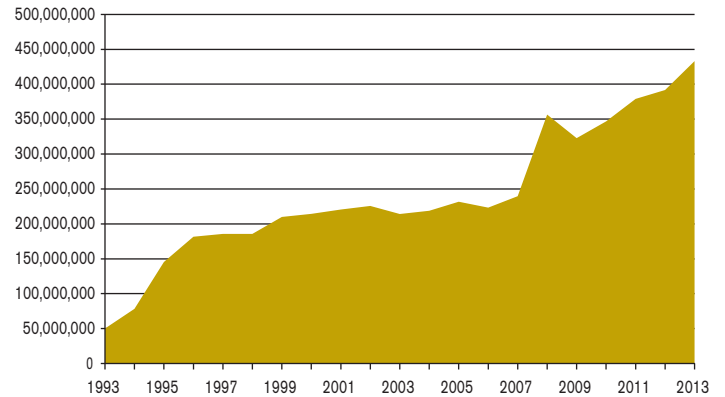
The relationship between the security budget and GDP appears to be clear in the case of El Salvador. Basically, the resources destined to security have grown more rapidly than national wealth, although paradoxically it was during the years of the iron fist security policy when the portion of budget devoted to security declined relative to GDP. And although in overall terms the percentage of security spending in relation to GDP has a fairly stable curve over the past decade, the security budget has grown pro-

portionally more than double that that of the State budget. The sustained growth in the security budget is also observed when compared to those figures registered in the area of defense, which carried out tasks in support of public security. The hypothesis that the growth in absolute terms is linked to GDP growth also appears to be supported by the weak relationship that homicides – the crime perhaps most highlighted in the media and in debates – has with the distinct variations in that assigned to security.

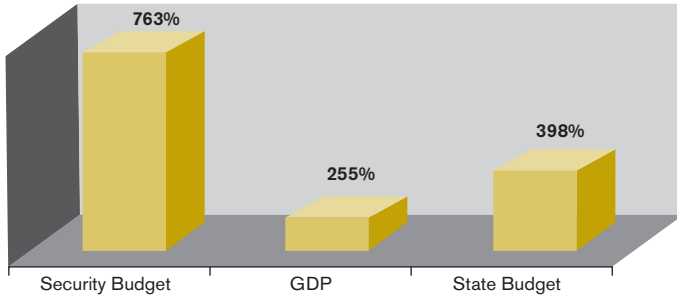
Security Budget as a Percentage of GDP, 1993 – 2013



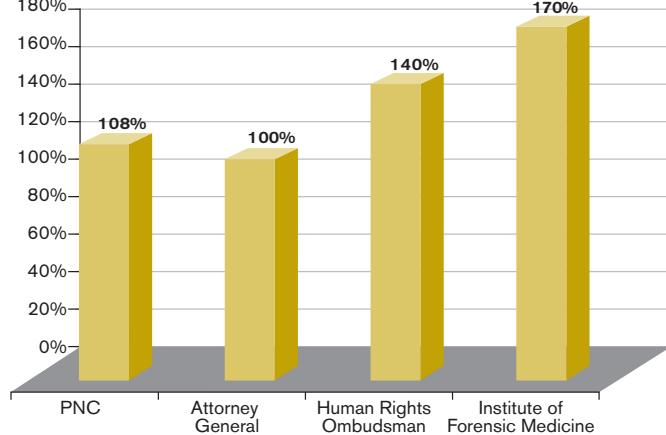
Security Budget (in current US\$), 1993 - 2013



Comparative Growth (1993 – 2013, in current of US\$)



Variation in the Budget Assignments, 2003-2013 (%)



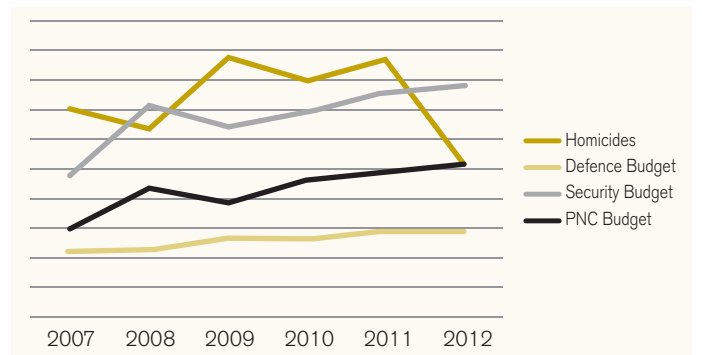
Year	Quantity of homicides	Defense Budget	Security Budget	PNC Budget
2007	3,497	111,400,520	239,610,865	151,173,830
2008	3,179	115,409,495	356,476,735	217,601,650
2009	4,382	132,861,405	322,749,560	195,205,230
2010	4,004	132,874,110	346,745,925	233,650,555
2011	4,371	145,784,585	378,929,170	241,461,080
2012	2,576	144,067,030	391,651,510	258,068,975



15,770 military personnel



22,055 police personnel



A significant element for supporting the register of statistics available to the public is the forensics budget, which has increased 170% in the last ten years (from nearly 7 million US dollars in 2003 to 18 million in 2013). From this it is also possible to observe that institutions linked to the defense of human rights and criminal prosecution were the subject of an important increase in resources.

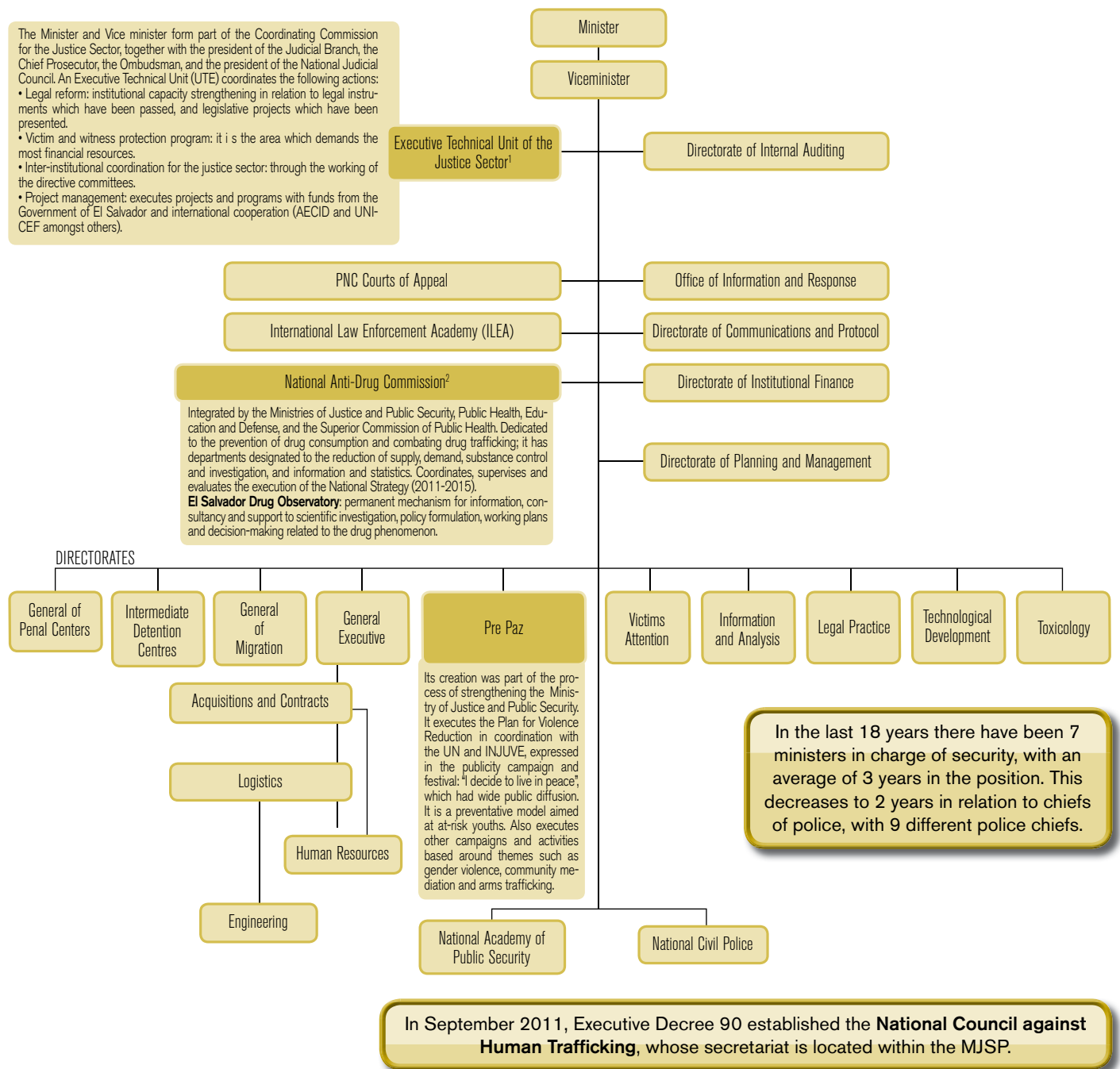
Sources: State General Budget Laws from 1993 to 2013; GDP: World Economic Outlook Database, IMF; Exchange rate: Central Reserve Banks of El Salvador. Homicides: *Anuarios Estadísticos*, Institute of Forensic Medicine of El Salvador; Military personnel: *Atlas Comparativo de la Defensa en América Latina y Caribe. Edición 2012, RESDAL*; Police personnel: National Civil Police. All data is expressed in current dollars.

The Ministry of Justice and Public Security

The creation of the National Civil Police in 1992 presupposed decisions regarding its location within the Executive and, with that, where to locate the security branch, which is naturally associated with the police. Thus, it can be observed that, over time, the location and form of the public security branch varied from the existence of a dedicated ministry (Ministry of Public Security, 1995), the management of the penitentiary system within the field of the Ministry of Justice (1995-2000) and immigration control within the field of

the Interior Ministry (1993-2000), up until the creation of a robust Interior Ministry, as occurred in 2001. These changes can be seen in the budgetary developments presented in the previous pages.

The increasing importance of security as a theme on the public agenda has never been far from these advances and setbacks. In this sense, these institutional movements are a reflection of the uncertainties and the differing strategies of the political class, as well as the intimate relationship between security, justice and interior affairs.



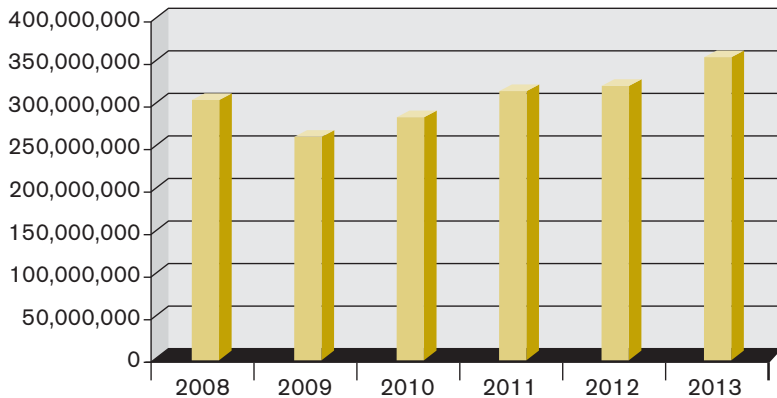
Source: Annual Report of the Ministry of Justice and Public Security (2011 - 2012).

The Budget Allocations within the Ministry of Justice and Public Security

Since 2008, the Ministry of Justice and Public Security (MJSP) has received a specific institutional budget allocation. In addition to the initial budgetary outlay used to put the Ministry in

place, there has been a continued progressive increase in the resources assigned to the Ministry, which has functions ranging from migration control to the police institution within its orbit.

Evolution of the MJSP's Budget (current US\$)



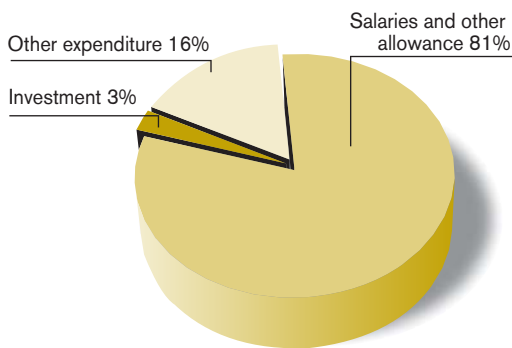
On average, 77% of the Ministry's budget corresponds to the National Civil Police.

Between June 2007 and May 2009 a Trust was in place to administrate contributions, donations or transfers destined to the activities that the MJSP, Attorney General, PNC, Public Prosecutor and the Ministry of Education carry out for crime prevention, combating distinct forms of crime, imprisonment, re-adaptation and the rehabilitation of inmates.

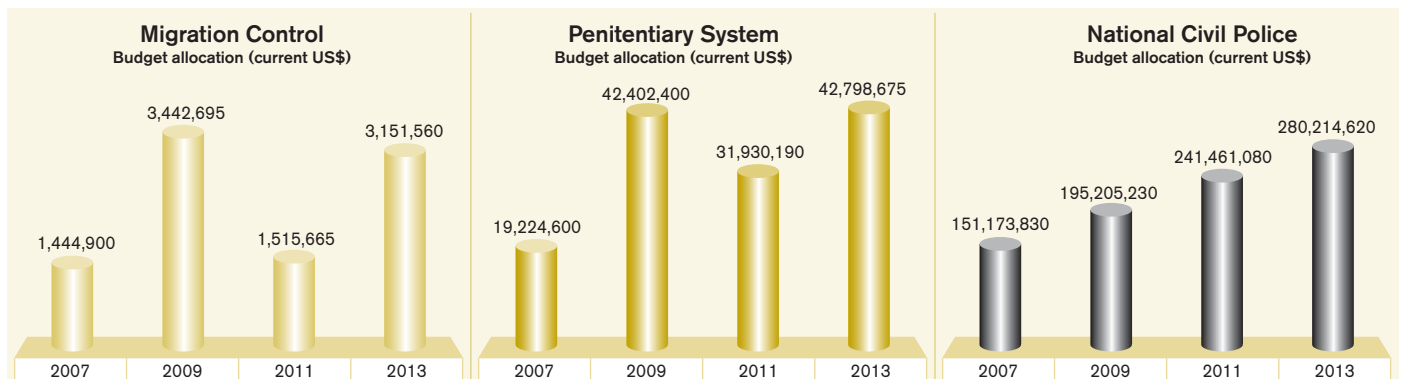
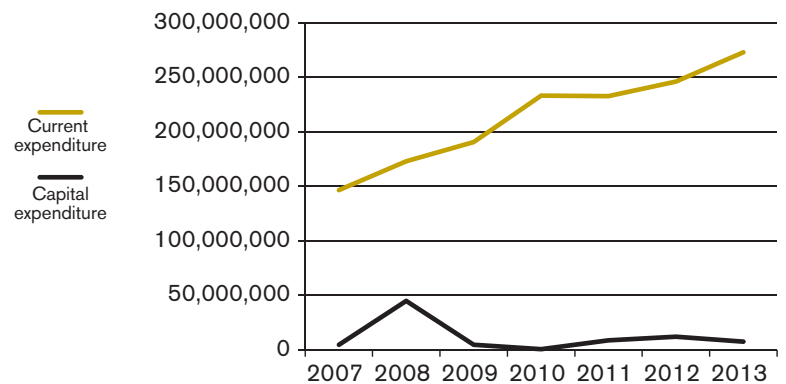
A lack of investment capacity is one of the recurring themes, in particular when observing the composition of the PNC's budget: the payment of salaries occupies 81% of the budget, with just 3% left for investment. The gap between the two, as can be observed on the graph below, becomes wider as the years go on.

The budget curve shows an upward trend, and as much in the case of penitentiary centers as migration control there is an increase in the quantity of resources whose tendency does not necessarily have a discernible pattern.

Distribution of the PNC budget, 2013



Current and Capital Expenditure in the PNC Budget (current US\$)



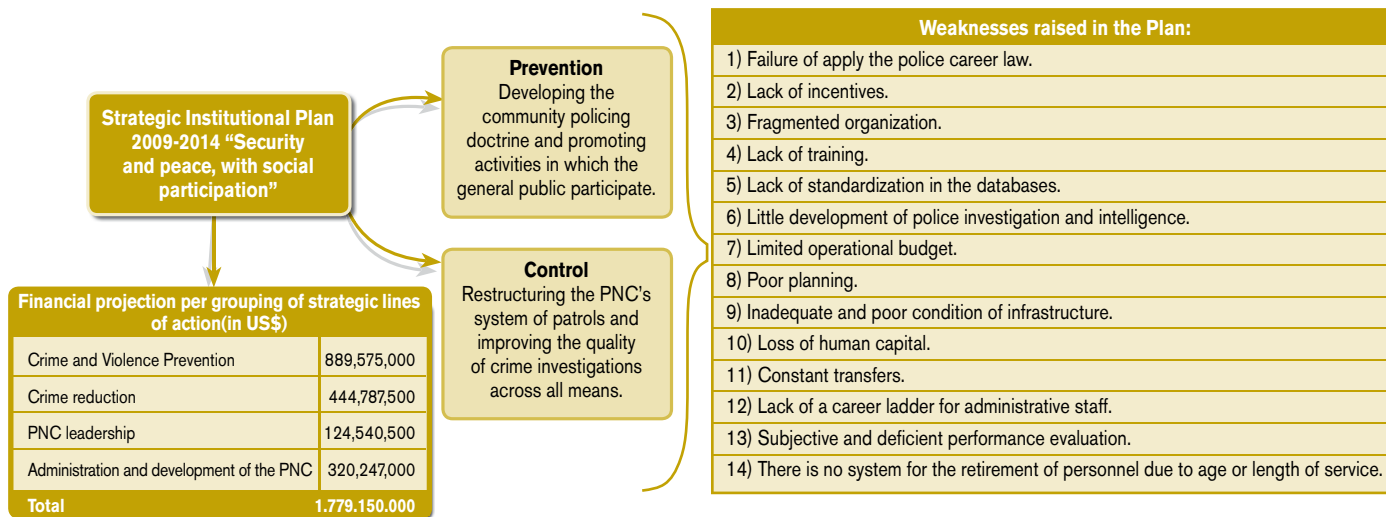
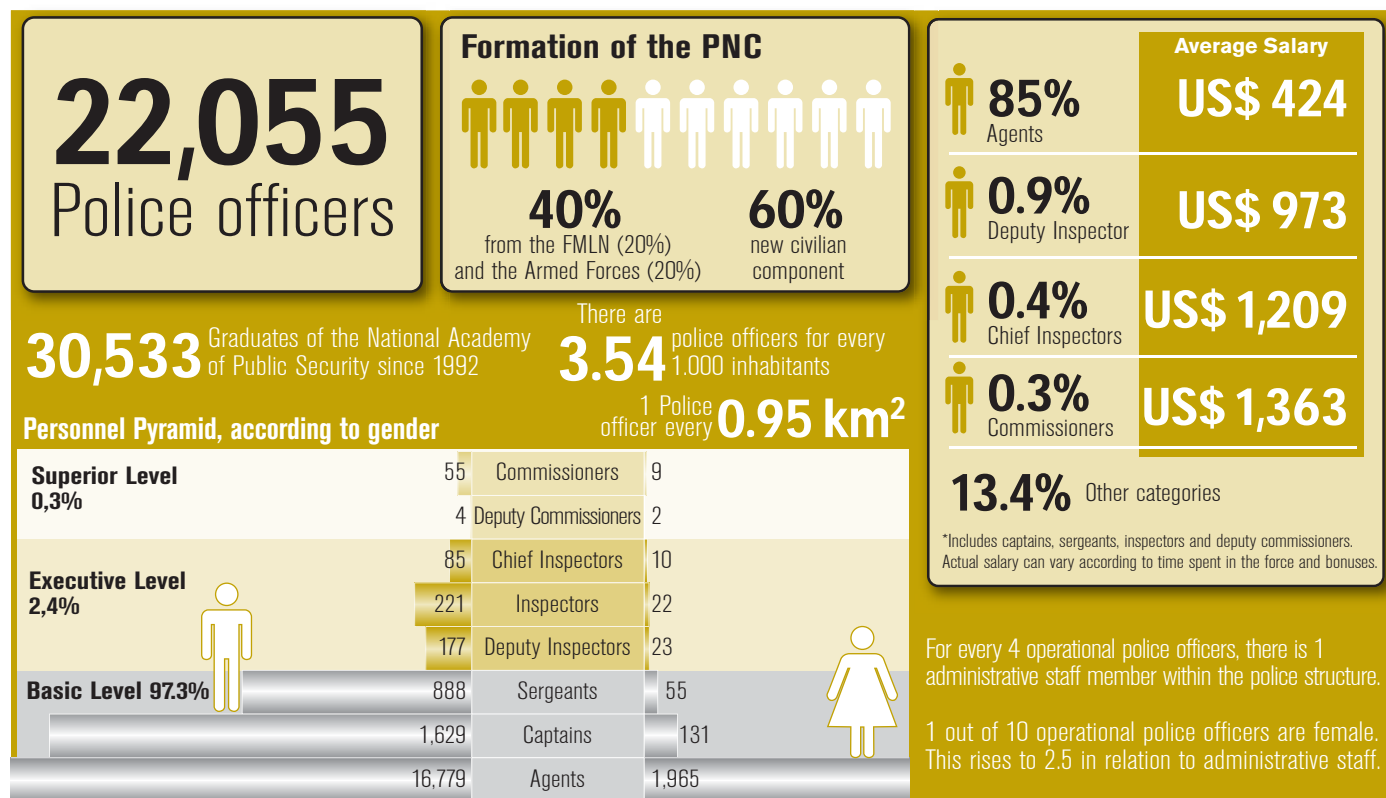
Sources: General State Budget Laws from 2007 to 2013.

National Civil Police: A 20-Year History

Until the end of 1991, the public security system was located within the Ministry of Defense and was composed of three bodies: the National Police, National Guard and the *Policía de Hacienda*. They all received a military training, and in the context of domestic politics during those decades, their tasks were also directed to population control.

At the end of the armed conflict, the 1992 Peace Agreement restructured the system and created the National Civil Police

(PNC), which was of civilian character. It is a unique experience not only in Latin America but the world in general, since a new police force was created, incorporating proportions of those which were previously in conflict and new recruits at one time: 20% of personnel came, from the Armed Forces armed, 20% from the Farabundo Marti National Liberation Front (FMLN), and 60% of applicants who had not participated in armed groups during the conflict.



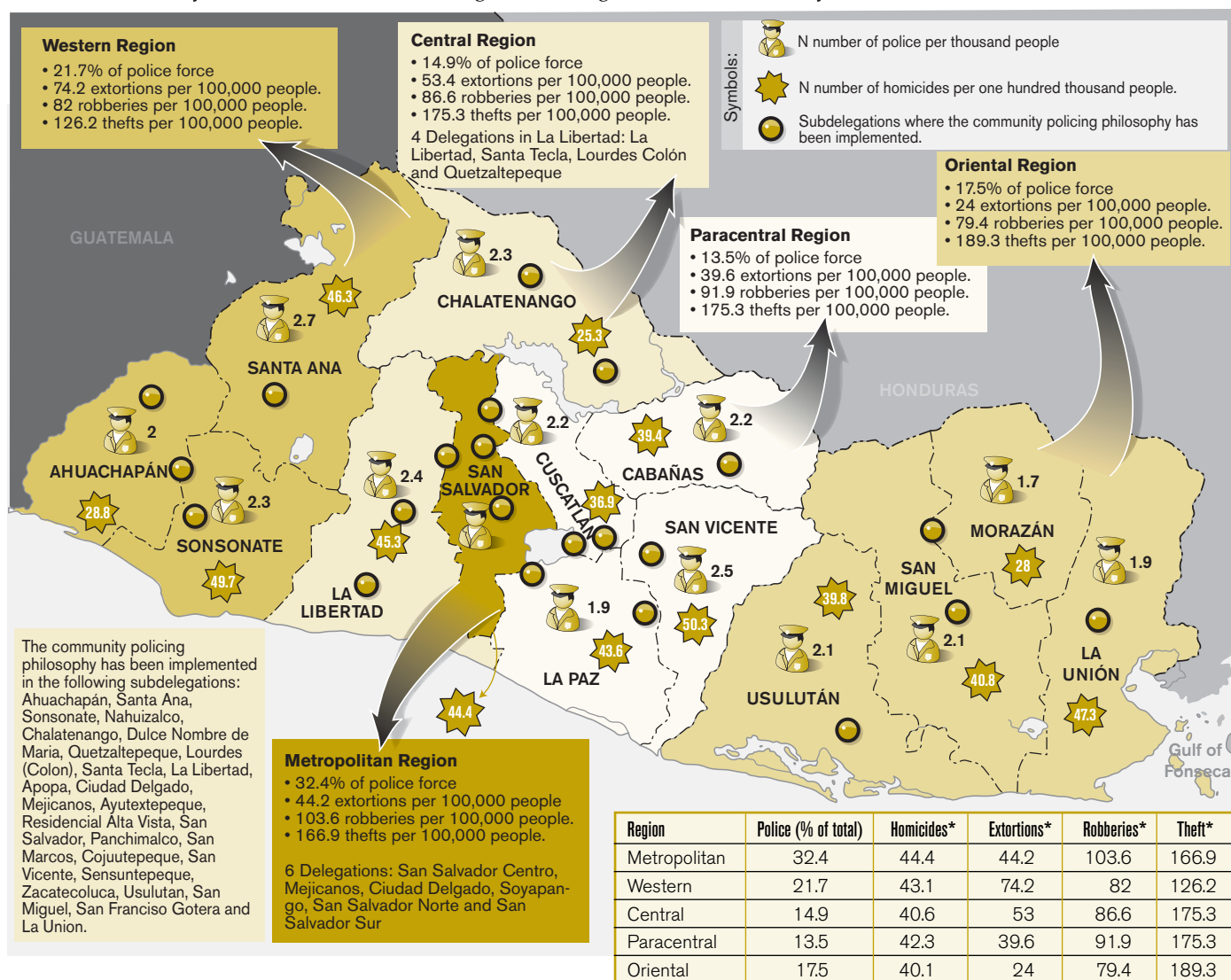
Sources: Table of the National Civil Police up until April 2013. *Ley de presupuesto general del Estado 2013* and *Ley de salarios 2013*. National Academy of Public Security.

Indicators of Violence and the Distribution of Police

The largest concentrations of police are found around San Salvador, San Vicente, Santa Ana, La Libertad and Sonsonate, corresponding to the high crime rates. However, the distribution of police in El Salvador displays a certain proportional relation to its territory and population; this is a theme that police are confronted with in diverse parts of the world. The incidence of crimes according to the country is variable and significant, but the distribution of police measured as a percentage of the total police force doesn't always reflect this diversity, or at least it seems to be more heavily focused on the problem posed by homicides. For example, in the case of extortions, it varies from 74.2 of every 100,000 inhabitants in the region bordering

Guatemala to 24 at the other extreme, in the Gulf of Fonseca.

In 2009 the PNC's community policing philosophy began to be developed throughout the territory, and 14,456 police officers have been trained on the model, 5,924 of which between June 2011 and May 2012. Emphasis has been placed on its implementation in 26 subdelegations, named the "Municipalities free of violence / Special Peace Zones", where crimes rates are particularly high. Its application involves the voluntary surrender of weapons, no aggression between gang members and that police do not carry out large-scale or night operations, whilst police officers remain in the same location for 2 years.



Community Policing Programs

Citizen Security Committees

Formed by representatives of governmental and non-governmental entities, citizen groups and members of the PNC. They seek to prioritize the community's problems and needs.

Police Community Intervention Patrols (PIP-COM)

They are developed in three modes: foot, by vehicle and by bike. The program permits constant contact with the population, maintaining a closeness with residents of towns and villages.

Citizen Consultation Forums

They consist of meetings with community leaders and members of the local population. Participants discuss their security concerns and observations in relation to the work that the police carry out in their communities.

Source: PNC Annual Report (June 2011 – May 2012) and the PNC 2013 Annual Operational Plan.

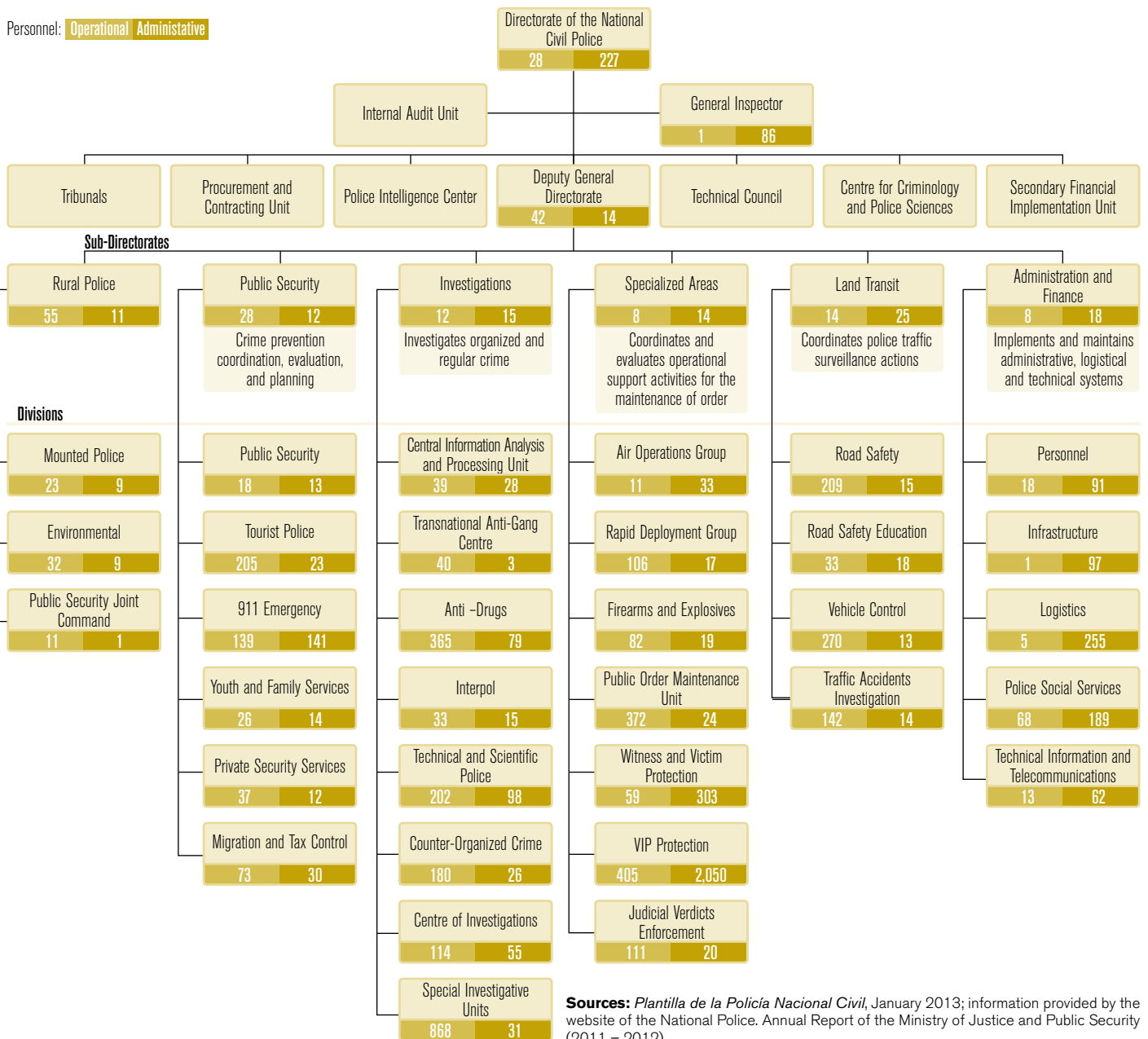
Organization of the National Civil Police

There have been a number of reforms to the structure of the PNC as part of the process of adaptation to the new institutional challenges and those linked to technological advances. One can highlight the unification of those departments linked to immigration control into one single division in charge of the entire area, and the reorganization of the office in charge of finance, that is now a direct dependent of the Director. A new 911 Emergency Service System has also been implemented, with a cost of approximately US \$19.5 million, which was financed by the Central American Bank for Economic Integration (BCIE), and a funding contribution of US\$ \$1.9 million by the Government of El Salvador. The new

system permits the real time interception of emergency calls, the detection of false calls and the monitoring of responses to emergency calls. It will be operated 365 days a year.

Members of the PNC are prohibited from being members of political parties, or candidates to public office. Both career officers and civilians can be selected as director of the PNC, and there are no regulations in relation to the duration of time in which they hold the position. The Constitution states that those that have held the position of General Director of the PNC in the year prior to the next presidential term are unable to put themselves forward as a presidential candidate (Article 152).

Organization Chart: Functions and Distribution of Personnel



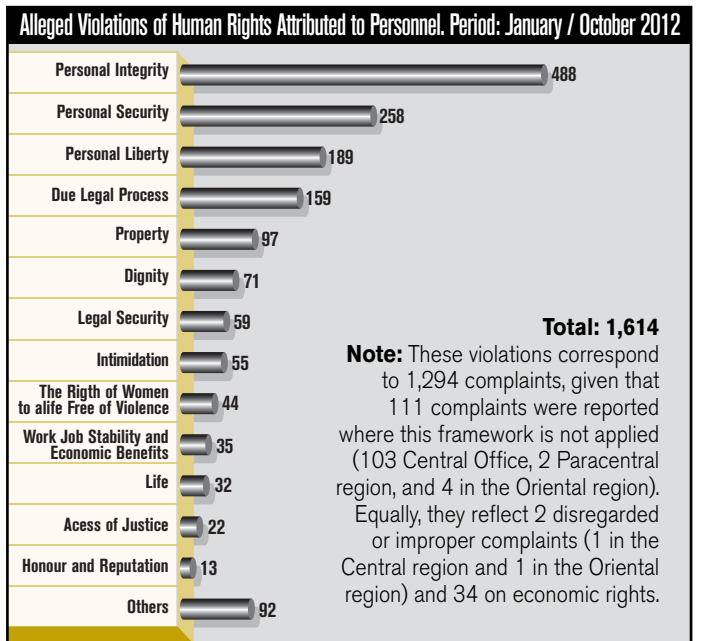
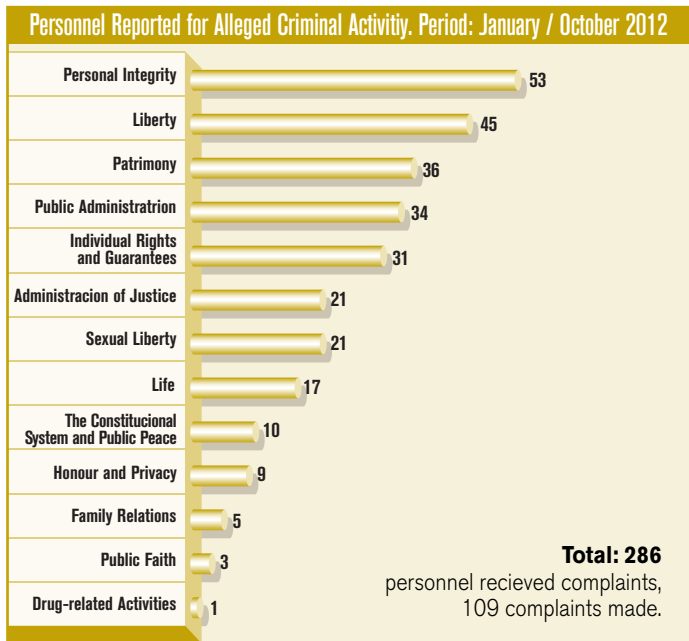
Sources: *Plantilla de la Policía Nacional Civil*, January 2013; information provided by the website of the National Police. Annual Report of the Ministry of Justice and Public Security (2011 – 2012).

The System of Police Discipline and Control

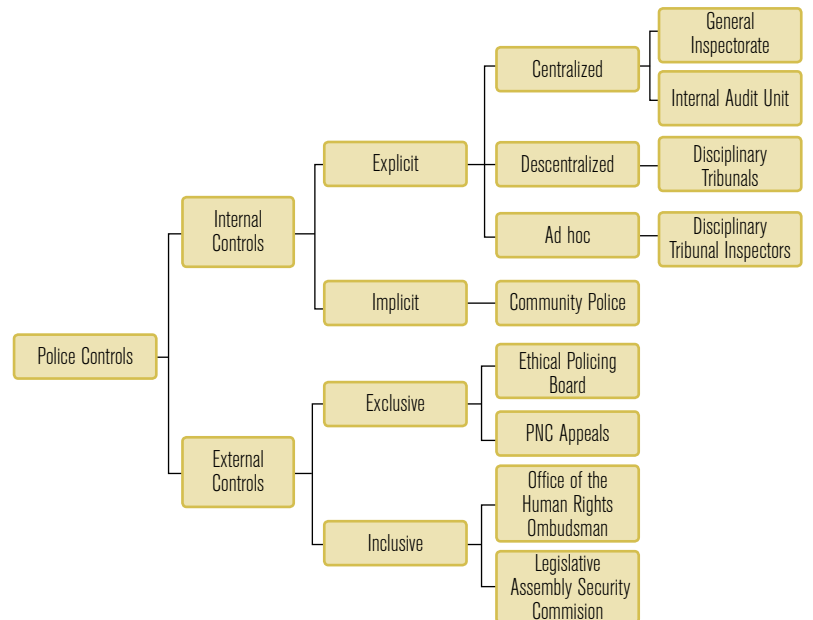
Disciplinary control has been one of the biggest challenges faced by the PNC since its inception, given that many of its members have been involved in corruption scandals, accusations of extrajudicial killings and other crimes and misdemeanors. To overcome this situation, there exist different institutions with a variety of internal and external controls.

In 2011, the Inspectorate received 1,964 complaints, which fell slightly to 1,621 in 2012. The disciplinary offenses attributed to police personnel fall mostly within the serious or very serious

category, with the majority of those staff reported being agents (34%). The complaints system is not centralized, and therefore the Inspectorate uses data provided by each delegation of the disciplinary complaints received in their unit. As for the Inspectorate staff, it is made up of 89 civilians (no police) who audit 25,000 officers and 7,000 PNC administrative staff. Work is currently being completed on new bills due to the ineffectiveness of previous laws. These problems arose from the focus on the PNC investigating itself as opposed to an external organism.



Organ	Functions
<p>Ethics Committee: four members designated by the President of the Republic in addition to the Minister of Justice and Public security, who presides over it.</p>	<ul style="list-style-type: none"> Monitors and controls the actions of the PNC. Monitors compliance with security policies. Monitors the use of resources and the achievement of goals. Verifies the impact of police behavior within the community. Verifies that the PNC carries out those functions designated to it. Verifies and certifies compliance with disciplinary rules.
<p>Appeals Tribunal</p>	<ul style="list-style-type: none"> Rules on cases of serious misconduct in reports sent by disciplinary tribunals.
<p>General Inspectorate: Appointed by the Director General following approval by those heading the Office of the Attorney General and the Human Rights Ombudsman.</p>	<ul style="list-style-type: none"> Investigates and presents court orders for serious offenses. Controls the disciplinary process. Lodges appeals. Receive complaints from individuals or members of the PNC. Promotes human rights in policing. Ensures compliance with all internal and external legal frameworks (administrative, financial and system).
<p>Internal Audit Unit</p>	<ul style="list-style-type: none"> Oversees the budget; the Inspectorate has also created a committee to audit the PNC's expenses (2010-2011)
<p>Disciplinary Tribunals</p>	<ul style="list-style-type: none"> Presides over serious or very serious cases.



Sources: Organic Law of the PNC, (Decree 653, DO 12/19/2001), Articles 26 and 28 and Regulation of the Organic Law of the PNC (Executive Decree 82, 09/25/2002) Articles 24 to 34 and Disciplinary Police Law (Decree 518, 12/20/2008), articles 14 to 20, 32 to 34, 38 and 53. Bayley, David. (1985). Patterns of policing, Rutgers University Press, pg. 160-162. Cited by Varenik, Roberto (2005). *Accountability, sistema policial de rendición de cuentas*. Mexico, INSYDE-CIDE.

Police Education

The National Civil Police has the same basic functions as any other police force, such as the control and prevention of crime and the maintenance of public order, together with transit and private security control, collaboration in border control and emergencies as well as support to the Directorate of Penitentiary Centers when it is required. All of this is detailed in the Organic Law of the National Civil Police and in the civil protection, penitentiary and arms control laws.

The education process for personnel is carried out by the National Academy of Public Security (ANSP), which also trains other security forces, such as the municipal agents and private security. The ANSP was created by the Peace Accords and up until now has had 5 different directors. Entrance into the Academy occurs in two different ways, directly in the basic level (agents) or in the executive level. The basic level training has recently been lengthened from 9 to 14 months, while the executive level training process has a duration of 2 years.

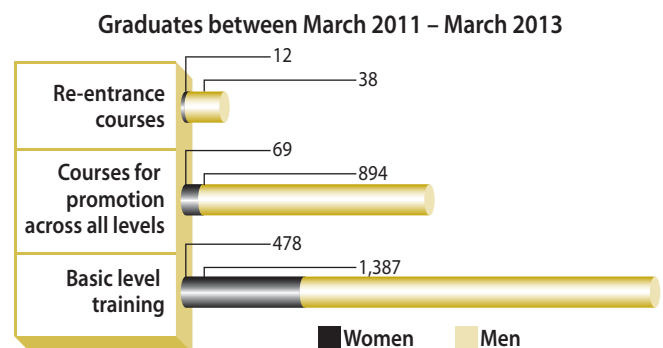
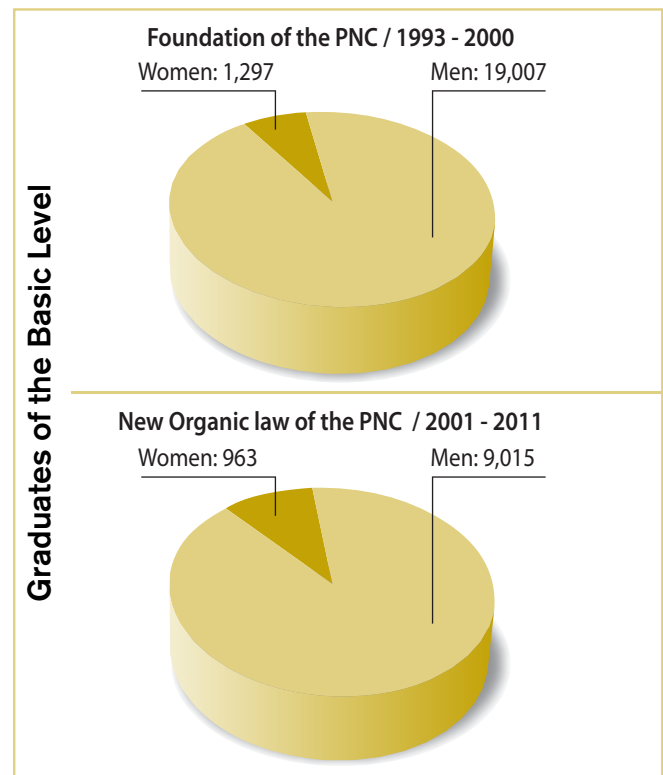
PNC Legal Framework

Organic Law of the National Academy of Public Security 02/26/1992	Regulations of the General Inspectorate 01/27/1996	Police Career Law 07/18/1996	Regulation of Promotions 01/29/1999	Organic Law of the PNC 12/13/2001 (replaces the 1992 law)	Regulations of the Organic Law of the PNC 09/25/2002	Police Discipline Law 12/20/2008
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Basic Level Study Plan

MODULES	HOURS
Protection of rights and constitutional guarantees	40
Information technology	40
Human rights	60
National reality	40
Writing police documents	60
Police personal defense	60
Police fundamentals in criminal offences	60
First Aid	40
Conflict management	40
Police patrols	40
Basic police criminology	40
Generalities of the legal penal process	60
Police ethics and deontology	40
Police intervention	120
Special laws	60
Intervention with firearms	120
PNC legislation	20
Basic techniques of police investigation	60
Community policing	40
Transit and road security	40
Elective policing techniques	20
Integrated practices	40
Physical aptitude	40

Source: National Academy of Public Security



Police Career

The police career is divided into 3 levels: **basic**, **executive** and **superior**. Entrance to the basic level is for men and women at high-school level, between 18 and 28; without a police or criminal record, that haven't had their employment in any public agency terminated due to indiscipline, that have no tattoos, scars, or crowns in the front teeth. In the case of the executive level, it is possible to enter directly or through promotion. The first option is for professionals that are below 30 years old, with a degree, without a criminal record, although incorporation depends on the positions available considering promotion from the previous level. For promotions to the executive level, members

of the basic level should have a university degree, be less than 35 years old and not have a criminal record for any serious offence. If these conditions are met, candidates present themselves for selection and participate in an 8-month course.

The prerequisites for promotion to the next level are: to be in active service, meet the academic requirements, achieve the necessary marks, have no disciplinary record for any serious or very serious offences which have not been cancelled.

Retirement is voluntary, in accordance with the Law that created the national institution of pensions for public employees, and forced retirement applies to those reaching the age of 60.

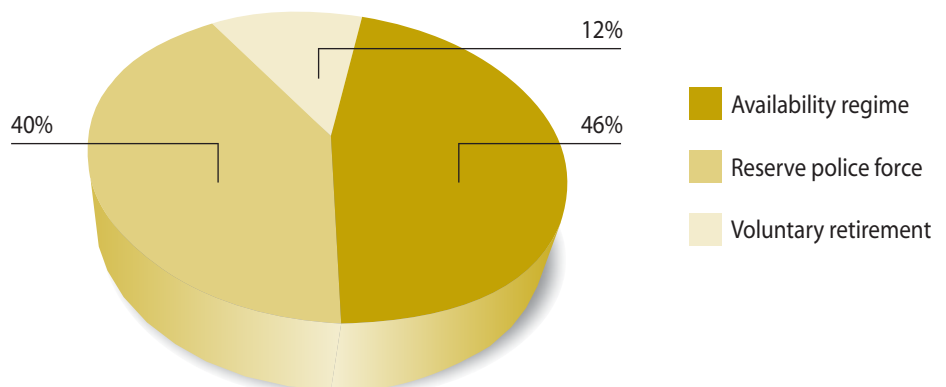


*Brackets indicate years spent in that grade prior to promotion, in addition to other academic and disciplinary prerequisites.

Source: Police Career Law, 773, 1996.

Alternatives for retirement of police personnel

The **availability regime**, which allows the General Directorate of the PNC to make a police agent available for deployment in any area of the national territory, is the most frequent alternative for the retirement of personnel. Under the regime personnel can continue working in diplomatic missions and through consultancy.



Source: National Academy of Public Security. Study on the institutional situation, the educational and professional competencies of the PNC, 2013. Personnel survey figures; 2% did not respond.

Special Policies Related to Personnel and their Education

Community Policing: the PNC trains its personnel in the philosophy of community policing, for which it uses an educational manual and has an implementation plan. In order for all units to receive the training, instructors replicate the training that they have received in 3-week courses given to all personnel. A recent study by the ANSP regarding the professional competencies of the executive and superior levels displayed that 91% of personnel were aware of the philosophy, whilst 71% stated they had participated in a course on community policing.

Gender Policy: an institutional cooperation agreement has been made with the Instituto *Salvadoreño de Desarrollo de la Mujer* (ISDEMU) and approved for the 2011-2021 period, and through this the gender policy has begun to be applied in the PNC. Courses have been applied in the ANSP, particularly those focused on physical rigour. The quantity of women graduating from the institution has increased from 8% to 35% in recent years, and promotion 103 was made up of 161 women and 91 men. Whilst the majority (86%) state that they know of the gender policy, 64% stated that within their unit there are no protocols to apply it, thus presenting a challenge to the institution.

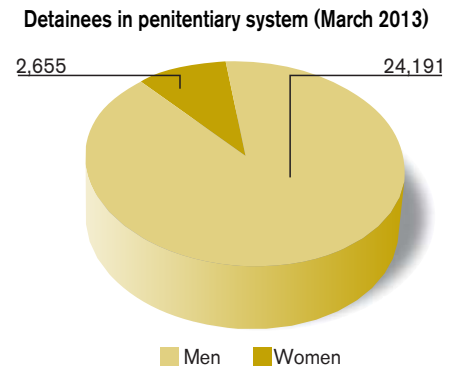
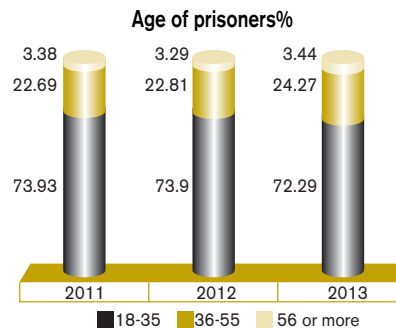
The Penitentiary System

The General Directorate of Penitentiary Centers (DGCP) is a dependent of the MJSP, and its mission is the social rehabilitation of prisoners. In order to guarantee the security of penitentiary centers, the directorate has 2,200 prison guards. It has a capacity for 8,110 adult detainees distributed across 19 prisons and 2 centers dedicated to the provision of health and psychiatric care. The current total population is 26,846 inmates, including those in youth and intermediary centers.

In 2010, 500 prison guards were expelled on corruption charges.

Due to this the Penitentiary School was restructured and by December 2011 599 new agents had graduated (137 women and 462 men). Up until August 2012 there were a further 392 graduates, who received general practical and theoretical training in the Zacatecoluca and La Mariona prisons, as well as in the new training centers located in Quezaltepeque and San Miguel, where a new professional prison service is trained, with agents living at training centers and undergoing an intensive prison intervention training program.

2011: Relationship between % of crimes committed and sentences being served		
	Crime % of police reports received according to crime	% of prison population according to crime committed
Robbery	49.31	14.19
Homicide	13.78	29.71
Extortion	10.39	13.75
Rape	1.03	8.37



Prison Policy "Roadmap to opportunities with justice and equality"

- Zero corruption: permanent regulatory system
- Prison Information Centre (CIPE): CCTV and improved regulation of detainees.
- Hope groups: work with representatives of prisoners, their families, directors of prison centers and the human rights and judicial process unit in order to find solutions to guarantee harmonious living conditions.
- Plan to reduce the prison population: revising and updating the documentation required to apply for an open regime, both in terms of those freed on the basis of a trust regime and those in semi-liberty.
- 'I Change' (Yo cambio) Program

5 components:

Citizen Support	Collaboration by prisoners in community service projects during the phase of trust regime and semi-liberty.	Emergency support during storms, which involved 101 detainees working in community support programs.
Painting freedom	First phase of the project in which the Brazilian Government cooperate. It involves the preparation of 6 prison officials in Brazil on a 2 week program (in 2011) in order to provide training on the production of sports equipment: balls and nets. The project includes the donation of equipment, primary materials and initiating the production process under the supervision of Brazilian specialists.	
Work for prisoners	Strengthening the capacities of prisoners to earn a living through paid work, with the aim of commercializing their products.	In 2011, 184 of a total of 4,384 students achieved bachelor degrees.
Closed Prison Farm Communities	Promoting the training of interns in order to assist in social reinsertion into working life following serving their prison terms, at the same time rehabilitating their family surroundings and reducing the prison population.	2 prison farms were opened, promoting 105 women and 115 men to the semi-liberty phase.
Solidarity Cooperatives	Centre of Post-Prison Coordination to bring concrete opportunities for social reinsertion through employment and training opportunities.	Incorporation of 37 new entities in order to provide assistance to 2,355 ex-prisoners registered with the program, and the training of 419 detainees registered in the open regime.

The safety and integrity of witnesses and victims of crime is guaranteed by the Witness and Victim Protection Program that, between 2011 and 2012, received 3,476 applications. Requests can be made by the PNC, the Attorney General's Office, the Human Rights Ombudsman or private individuals, however the majority of requests tend to be made by the Office of the Attorney General, that during this period made 88.29% of requests. The regions where most cases are located are the Central and Western Regions, with the majority of cases being in relation to extortion or homicide, which represent 53% and 25.57% of the total cases respectively.

Region	Crime						Total
	Homicides	Extortion	Rape	Kidnapping	Robbery/Theft	Other	
Central	427	518	16	13	196	83	1,253
Western	168	231	4	3	82	15	503
Paracentral	188	225	4	11	28	31	487
Eastern	245	871	8	3	74	32	1,233
Total	1,028	1,845	32	30	380	161	3,476

Sources: Prison statistics (May 2011; March 2012 and 2013), General Directorate of Penitentiary Centers. Annual Operational Plan 2013, General Directorate of Penitentiary Centers, Annual Report by the Ministry of Justice and Public Security (June 2011 – May 2012).

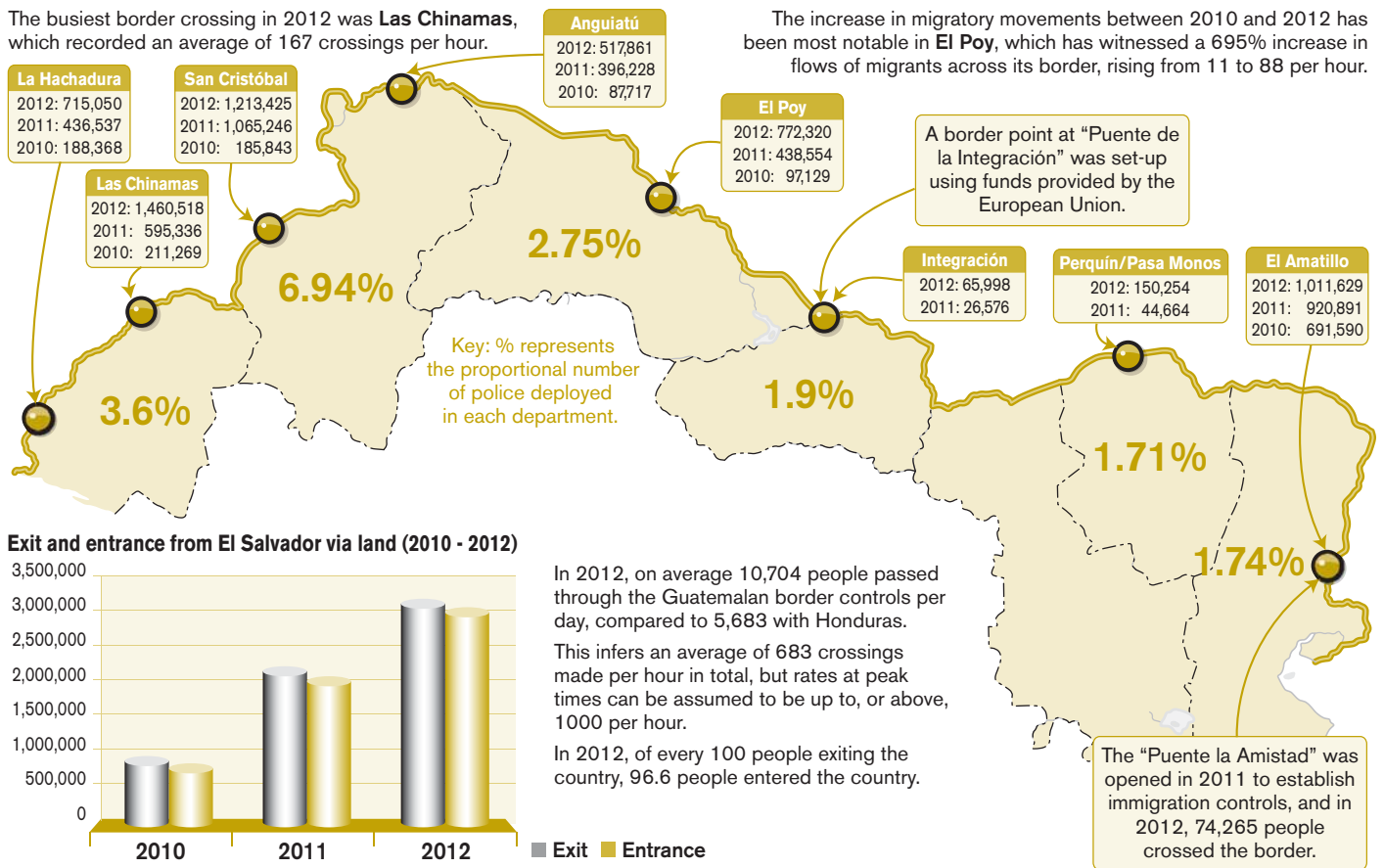
Border Crossings and Immigration Control

There has been an exponential increase in immigration flows in recent years, with the number of people entering/leaving the country via land borders increasing by 310% in the last two years, a trend that could infer both improvements in data collection and phenomena related to increased border flows. The data also displays important changes in the relative flows across each border. Annual flows across the Guatemalan border increased by 483%, compared to 163% with Honduras during this period, and while in 2010 the 'El Amatillo' border with Honduras processed more border crossings than all Guatemalan border points combined, in 2012 immigration flows with

Honduras accounted for just 34.7% of the total.

The **General Directorate of Immigration** is in charge of immigration control and various different institutions are involved in border control: Customs, the Ministry of Transport and the Ministry of Agriculture. The systems used to monitor flows include the APIS System - which obtains the lists of passengers entering the country prior to their arrival, and LEPINA - which regulates the requisites of minors for leaving the country. In 2012 the Integrated System of Migratory Movements was put into place in 5 maritime and 6 land border controls, in addition to the international airports.

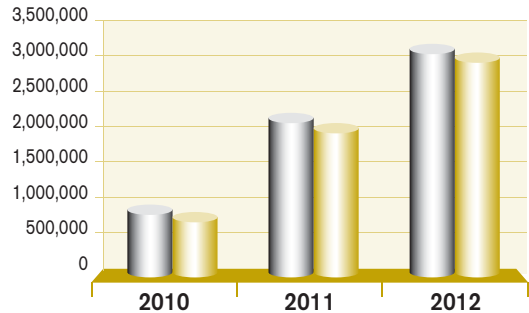
The busiest border crossing in 2012 was **Las Chinamas**, which recorded an average of 167 crossings per hour.



The increase in migratory movements between 2010 and 2012 has been most notable in **El Poy**, which has witnessed a 695% increase in flows of migrants across its border, rising from 11 to 88 per hour.

A border point at "Puente de la Integración" was set-up using funds provided by the European Union.

Exit and entrance from El Salvador via land (2010 - 2012)



In 2012, on average 10,704 people passed through the Guatemalan border controls per day, compared to 5,683 with Honduras.

This infers an average of 683 crossings made per hour in total, but rates at peak times can be assumed to be up to, or above, 1000 per hour.

In 2012, of every 100 people exiting the country, 96.6 people entered the country.

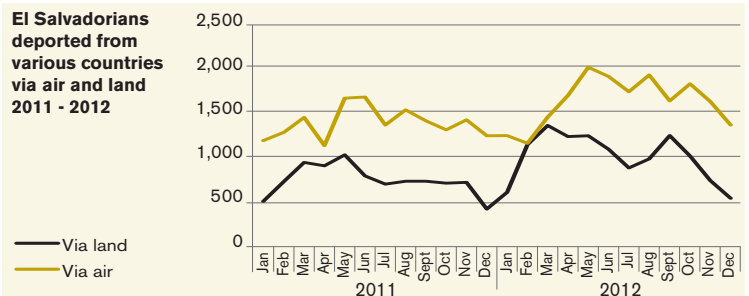
The "Puente la Amistad" was opened in 2011 to establish immigration controls, and in 2012, 74,265 people crossed the border.

Migrant Attention Program

The Migrant Attention Program heads the Unit of Repatriated Persons, who, through the 'Bienvenidos a Casa' (Welcome Home) program provides support and information to El Salvadorians which have deported, assisting them in their reinsertion into society.

The facilities of the Department of Migrant Attention in San Salvador and on the *La Hachadura* border were finalized in order to attend to El Salvadorians that have been repatriated by land from Mexico.

El Salvadorians deported from various countries via air and land 2011 - 2012



Services	June to December 2011							January - March 2012			Total
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	
Welcome Home 'Bienvenidos a Casa'	1,706	1,388	1,559	1,424	1,324	1,445	1,264	1,251	1,163	1,459	13,983

Sources: Website of the Directorate of Immigration, Ministry of Justice and Public Security. Annual Report of the Ministry of Justice and Public Security (2011 - 2012).

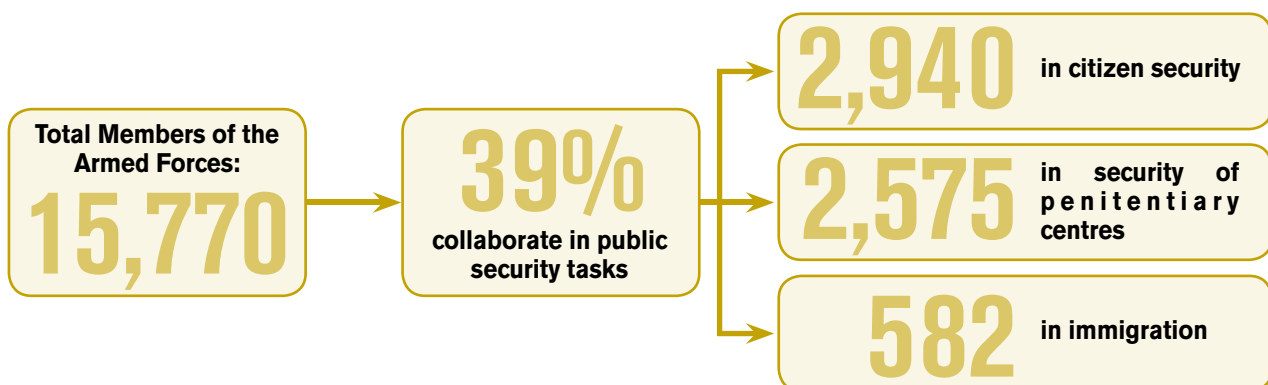
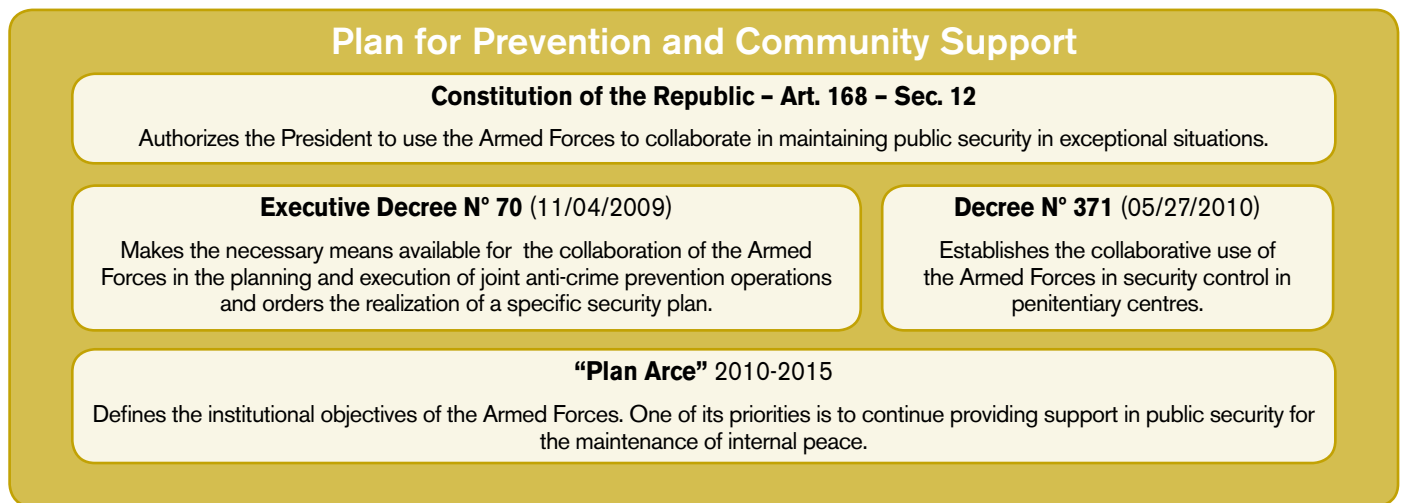
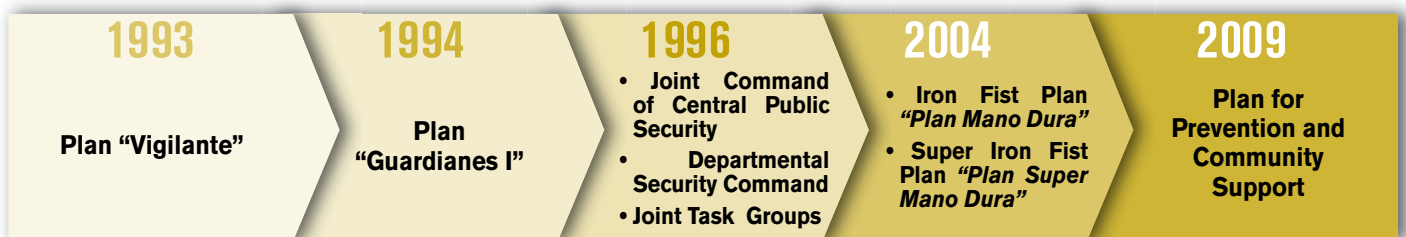
Cooperation of the Armed Forces in Public Security

The Armed Forces cooperate in public security through the provision of military personnel and equipment for tasks such as urban patrols and commandos for fighting organized crime. The first cooperation after the Peace Accords was recorded in late 1994, when soldiers were used in support of the PNC during a protest by bus owners, and a few months later it was decided to use patrols in rural areas because of the level of crime. Subsequent legal developments and specific decrees have regulated the role of the Armed forces in public security over the last fif-

teen years. The financing of these activities comes from the Ministry of Defense's regular budget.

Currently, one of the collaborative tasks carried out by the Armed Forces is urban patrolling, in which members of the Armed Forces accompany police officers. Activities in these cases are carried out under the responsibility of the PNC, which is responsible for making arrests. The activities of the Armed Forces in this area form part of the "Plan for Prevention and Community Support".

Historical Evolution of Cooperation and the Legal Framework



Source: Ministry of National Defence. Armed Forces Budget Report (June 2011 – May 2012).

Re-inforcing Public Security

In 2009 the Armed Forces of El Salvador initiated the “New Dawn Campaign” (Campaña Nuevo Amanecer), which was oriented to reinforce security plans given the high incidence of crime in terms of homicides and extortions. The Armed Forces collaborate with the PNC, and their role is manifested in the different Plans and Support Groups in the areas linked to security:

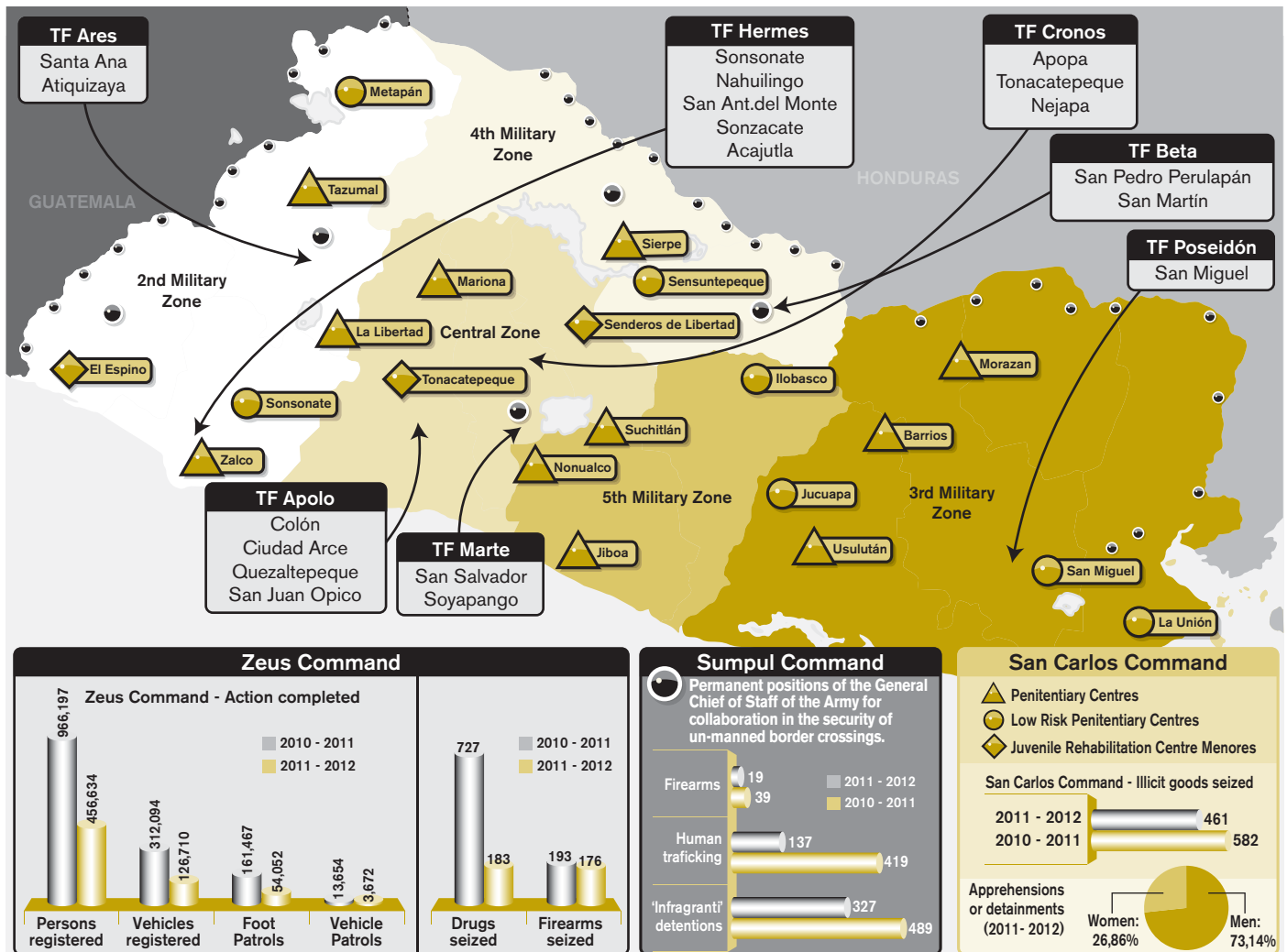
- **Plan Operation Zeus** (approximately 1,990 military personnel): there are 7 Task Forces that support the PNC in carrying out patrols, registers, restraints of suspects, joint operations, apprehensions, decommissioning illicit goods etc. They are deployed in 7 departments, 20 municipalities and 33 zones where there is a greater incidence of crime.
- **Joint Community Support Groups:** 300 groups formed by members of the PNC and the Armed Forces (950) are distributed across the national territory and carry out patrols, registers, restraints of suspects, joint operations, apprehensions, decommissioning illicit goods etc. These groups are derived from ‘Plan Guardianes’.

Penitentiary Centres:

- **Plan Operation San Carlos** (1,875 military personnel): supports the General Directorate of Penitentiary Centres in the external and intermediate security in 11 maximum security penitentiary centres, 7 regular penitentiary centres and 3 centres for the rehabilitation of minors.
- **Penitentiary Centre Support Groups:** 700 military personnel provide perimeter security in the rest of the penitentiary centres which are not included in San Carlos Command. They register people and vehicles at the perimeter and provide a presence in order to dissuade those throwing illicit goods over the perimeter.

Immigration:

- **Plan Operation Sumpul:** provides support to the Directorate of Migrations and the Border Control with patrols to increase security and control in 62 non-operating border points across 7 departments.



Source: Information provided by the Directorate of Defense Policy, Ministry of National Defense, Ministry of Defense budget report (June 2011 – May 2012), Armed Force annual activities reports (June 2010 – May 2011; June 2011 – May 2012).

Private Security

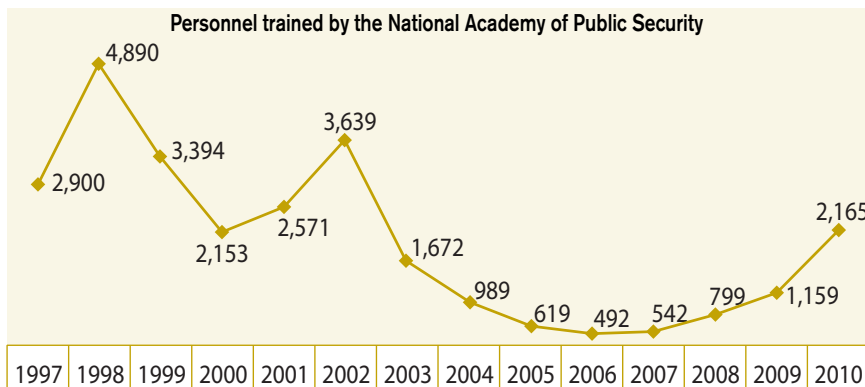
Private security is regulated by Decree N° 227, 24th February 2001. It is from this date that private security began to be regulated, and registers taken in order to monitor the activity. Authorization for a private security firm or security association is valid for the duration of 3 years and can be renewed for an equal period, following the payment of the corresponding fees. The

PNC is responsible for making sure that the norms and regulations are applied and for regulating the inscription of security firms. However, there are no regulations that allow it to regulate the contracting of private security personnel. The corresponding Mayor's office is responsible for awarding permits to security personnel.

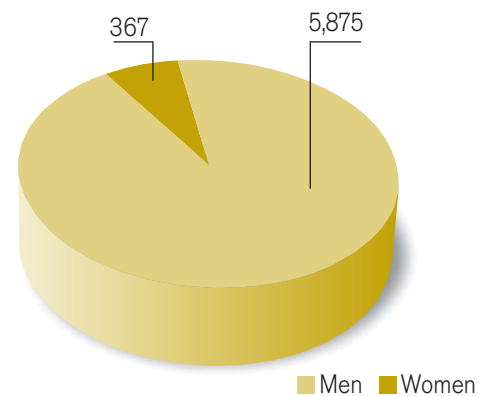
In April 2013, there were 460 private security firms and 20,234 firearms registered 28,639 employees

Type of agency		Quantity	Regulation and control by the PNC		
Commercial or Private Property Security Firms	287	460 firms	Agencies	Annual Target	Total (2012)
Private Protection Services	159		General Inspection of Firms	234	182
Town/City Security Agencies	14		Specific Inspection of Firms	84	83
			Entities Approved	180	198

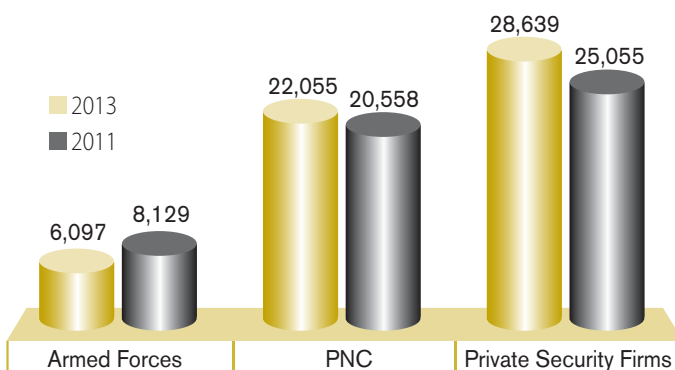
Agents	Annual Target	Total (2012)
Supervision of private security agents	6,000	4,875
Drug tests applied	600	600



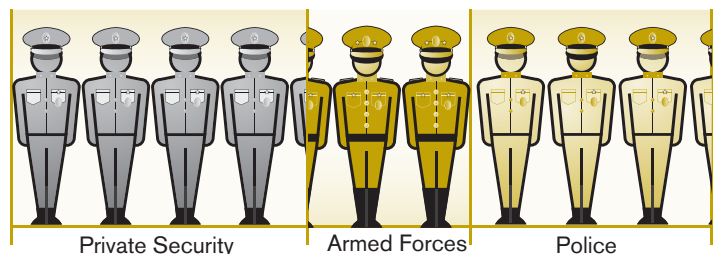
Personnel trained by the A.N.S.P. (2011-March 2013)



Quantity of personnel dedicated to public security



If we add together personnel from the Armed Forces, police bodies and private security firms - what we could call the entire personnel devoted to security tasks, be it national or public and citizen security - the resulting figure would be*:



*Comparison using 2012 figures. It takes into account the number of private guards registered in the formal system supervised by the State. It does not include informal guards.



Source: Decree N°227 - 01/24/2001, PNC Annual Operational Plan 2013, Departments of Registering and Control of Private Security Services, Directory of Economic Entities 2001-2012, General Directorate of Statistics and Censuses, and National Academy of Public Security.