



Public Security **INDEX**

**Central America:
Costa Rica / El Salvador / Guatemala
Honduras / Nicaragua / Panama**

Public Security **INDEX**

**Central America:
Costa Rica, El Salvador, Guatemala,
Honduras, Nicaragua and Panama**



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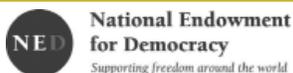
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PRESENTATION

Security is far from a theoretical discussion. It is a vital necessity, a primary feeling that contextualizes our decisions, hopes, challenges, possibilities and difficulties. It is not a question for disputes between political factions, or a favor bestowed by political representatives, it is a policy that the State designs and sustains in order to legitimize its own existence as the guarantor of the social contract that unites citizens below a single political form. Security permits the exercise of the right to live in peace, to create and make use of opportunities to develop one's life and those of loved ones. An environment of insecurity removes that right and interrupts essential development.

Various discussions of security and insecurity in a large number of countries in the Latin American region are explained by the weakness of understandings regarding the State and the rights of citizens. The State is the political representation, not the owner of aspirations, feelings, and projects; political representatives do not own the State, but instead occupy it transitionally. The energized debates and responses, and citizen demands (or their negation, as is observed in the common misrepresentations of public opinion as "perceptions that don't consider the facts") display a confused understanding of the role of representation. A change in the way in which representatives see themselves and in how citizens

see them or the power that they actually have would bolster the democratic regime.

In the formation of a secure living environment, and wherever a State exists, institutions play a key role. It is in them that the State lives, and through them that policies and legal frameworks are developed and laws that affect all of us applied. The strengths and weaknesses of these institutions have a wide-ranging effect on the development of a secure environment.

It is this very security environment that occupies the worries and hopes of the inhabitants of a great part of Latin America, especially in the last decade with the rising rates of criminality. It is a central theme on the agenda, related with the alternatives to the construction of democratic regimes and institutions.

The *Public Security Index* directly addresses this institutional problematic and the foundation of State capacities to provide security in the region. It advances from the premise that institutions should be incorporated into security-development analysis. A pending issue was the field of policy formulation, of capacities to manage the security sector, of the indicators of how to construct a State apparatus that, in collaboration with civil society, faces up to security problems. It is a program born from RESDAL's commitment to work towards the construction of demo-

PRESENTATION

cratic institutions, combining the capacities of those that work within the State, with those from academia and civil society, and also from the objective of providing useful tools for discussions, analysis and decision-making.

This publication is dedicated to six Central American countries: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Each one has its own particular reality and wealth, and should avoid the temptation to embrace realities that are different, and it is for this motive that each is treated separately. For a better understanding and analysis, the coverage of the cases also presents transversal axis that contribute to the security environment, such as economic resources, the institutional problematic, cross-border people flows, the collaboration of the armed forces with the police, and the role of private security.

The project has received the support of the National Endowment for Democracy (NED), an institution to which we thank for the confidence they invested. A program was thus constructed based upon a premise: beyond short-term policies and statistics, a democratic base needs to construct (or reconstruct) institutions. It requires information that sustains the discussion (the absence of statistical series in the region, for example, is notorious), with cross-referenced information on police structures and capacities. State actors, policy formulators and analysts need to be interviewed in order to unravel and gather what they can contribute through their daily practice.

The research published is based in a large part on fieldwork carried out in each of the six countries, involving interviews with the main actors in each case.

There was an enormous collaboration on behalf of all sectors. Ministries, police, congresses, civil organizations, prosecutors, ombudsman, international cooperation agencies and armed forces all opened their doors to discuss their program and express their visions.

The form in which the information is presented responds to the issue that has been most worrying since the beginning of the project: how security is linked to a political, historical and economic context, with diverse actors interacting and different interests coming into play at the time of programs and funds that either bring horizons together or make them more distant; the context also of a theme that due to its weight has such a profound impact on electoral possibilities and results. It is an institutional analysis that invites a deeply political reading of the theme within a broad historical perspective and one close to the process of democratic construction.

The information presented displays a sector that has carried out substantial reforms and advances and which, at the same time, faces greater challenges in political and budgetary terms to achieve greater development. We hope that this tool allows decision makers to look at the sector in which they are involved from a distance; that the academic field will find elements for its studies and analysis; and that civil society and international cooperation agencies will find a panorama that collaborates in their strategies. Ultimately, everything that has been done has one principal objective: to illuminate what is a painful but key discussion for the development and health of our societies.

Marcela Donadio



THE REGION

Statistical References		Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua	Panama
General	Population	4,713,168	6,213,730	15,073,384	8,555,072	6,071,045	3,850,735
	Territory (km ²)	51,100	21,040.79	108,889	112,492	130,373	75,517
	GDP (US\$) (2012)	45,134,000,000	23,816,000,000	49,880,000,000	18,388,000,000	10,506,000,000	36,253,000,000
	GDP per capita (US\$)	9,673	3,823	3,302	2,242	1,756	9,918
	Public Debt (US\$)	15,744,010,000	14,493,100,000	12,319,259,000	7,565,485,000	5,372,500,000	15,031,400,000
	Remittances (US\$)	556,093,363	3,910,900,000	4,782,728,700	2,960,200,000	1,014,200,000	381,100,000
Budget (2013)	Public Security Budget (US\$)	856,851,583	433,057,240	718,010,287	281,292,483	107,685,131	997,570,543
	% of GDP	1.8 %	1.8 %	1.5 %	1.5 %	1.0 %	2.4 %
	Per EAP / year (US\$)	393	164	125	84	34	590
Public Security Forces (2012)	Personnel Total	14,201 (A)	22,055	26,201	12,805	11,732(B)	23,824
	Per 1,000 inhabitants	3.0	3.5	1.7	1.5	1.9	6.2
	Per 100km ²	28	105	24	11	9	32
Crime and others (per 100,000 inhabitants) (2012) (C)	Homicides	8.8	41.5	34.3	85.5	11	17.6
	Robbery	601.5	102.3	118.4	266.4	300.9	265
	Theft	301.8	204.6			149.3	536
	Rape	42.3	6.3	4.6	22.2	31.9	31.3
	Traffic Deaths	14.7	16	21.9	14.8	1.1	11.2
Per day (2012)	Homicides	1.1	7.1	14.1	19.6	1.8	1.8
	Robbery	77.7	17.4			50.1	27.5
	Theft	39	34.8	48.9	62.4	24.8	55.6
	Rape	5.5	1.1	1.9	5.2	5.3	3.3
	Traffic Deaths	1.8	2.7	9	3.4	1.9	1.2
Penitentiary System	Total Prison Population	13,378	26,846	15,488	12,263	13,495	14,892
	% of total population	0.28	0.43	.10	0 0.14	0.22	0.38

A- Personnel includes: the Public Force, the National Coastguard Service, the Aerial Surveillance Service and the Drug Control Police (under the Ministry of Public Security).

B- Data 2011.

C- Costa Rica: Robbery and assault are included within the robbery category, given that assaults are defined in terms of attacking a person in order to remove them of their property, but are provided separately in the official statistics. Guatemala: robbery and theft are provided within the same category by the official statistics. Nicaragua: Robbery, Theft and Rape constructed using projections based on data from 2006-2011; actual numbers may differ. In 2011, the totals were: robbery 22,993, theft 9,459, and rape 1,896.

Sources: Costa Rica: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Territory: Ministry of Foreign Affairs. Homicides and crime: Judiciary, Planning Department, *Homicidios dolosos ocurridos en Costa Rica durante el 2012* and statistics from the Judicial Investigation Organism. Traffic accidents: Road Security Council, *Informe de acciones sustantivas, 2012*. Public debt and revenue: Finance Ministry, *Saldo Deuda Pública del Gobierno Central, Diciembre 2012* and *Estados Financieros, Liquidación 2012*. Remittances: Central Bank, Department of Economic Information. Police personnel: Ministry of Public Security and *Memoria Institucional 2011-2012*. *Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013*. Penitentiary System: Human Rights Ombudsman, *Informe anual de labores, 2012-2013*. El Salvador: Population and territory: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. Crime and police personnel: information provided by the National Civil Police. Public debt and remittances: Central Bank. Revenue: Finance Ministry, *Informe de gestión financiera del Estado 2012*. *Ley de presupuesto general del Estado para 2013*. Penitentiary System: Directorate of Penitentiary Centers, *Estadísticas Penitenciarias a marzo 2013*. Guatemala: Population and territory: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013*. Homicide and crime: Ministry of Interior and National Institute of Forensic Sciences, *Consolidado de Solicitudes Anual 2012*. Public Debt and remittances: Central Bank, *Saldo de la deuda años 1980 - 2012* and *Ingreso de divisas por remesas familiares 2008-2013*. *Ley de presupuesto general de ingresos y egresos del Estado para el ejercicio fiscal 2013*. Revenue: *Liquidación del presupuesto general de ingresos y egresos del Estado y cierre consolidado del ejercicio fiscal 2012*. Police personnel: National Civil Police. Penitentiary System: Ministry of Interior. Honduras: Population: National Institute of Statistics. Homicides and crime: UNAH-IUDPAS Observatory of Violence, *Boletín N° 28* (January 2013). Traffic accidents: CONADEH, *Informe 2012*. Public debt and remittances: Central Bank, *Memoria Anual 2012* and *Encuesta Semestral de Remesas Familiares, enero 2013*. *Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013*. Revenue: *Informe de la liquidación del presupuesto general de ingresos y egresos de la República correspondiente al Ejercicio Fiscal 2012*. Police personnel: Secretariat of Security. Penitentiary System: *Informe de la Comisión Interamericana de Derechos Humanos sobre la situación de las personas privadas de libertad en Honduras* (March 2013). Nicaragua: Population and territory: National Institute of Development Information. Homicide and traffic accidents: *Visión Policial, revista de la Policía Nacional*, Year XIV N° 104 (May 2013). Public debt and remittances: *Deuda Pública al III trimestre 2012* and *Remesas familiares, informe 2012*. Revenue: Ministry of Finance and Public Credit, *Informe de la liquidación del presupuesto general de la República 2012*. *Ley anual de presupuesto general de la República 2013*. Police personnel: National Police, *Anuario Estadístico 2011*. Penitentiary System: Ministry of Interior. Panama: Population: National Institute of Statistics and Census. Territory: Panamanian Tourist Authority. Homicide and crime: SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes: año 2012*. Traffic accidents: Comptroller General of the Republic, National Institute of Statistics and Census, *Cifras preliminares de accidentes de tránsito y muertos en la república, por provincia, según mes: año 2012*. Public debt: Finance Ministry, *Saldo de la deuda pública*. Revenue: Comptroller General of the Republic, *Estado financiero de la administración pública al 31 de diciembre de 2012*. *Ley que dicta el presupuesto general del Estado para la vigencia fiscal de 2013*. Public Force: Ministry of Public Security. Penitentiary System: General Directorate of the Penitentiary System, *Población al 15 de octubre de 2013*. GDP and GDP per capita (all countries): IMF, *World Economic Outlook Database*. All data is expressed in current US dollars.

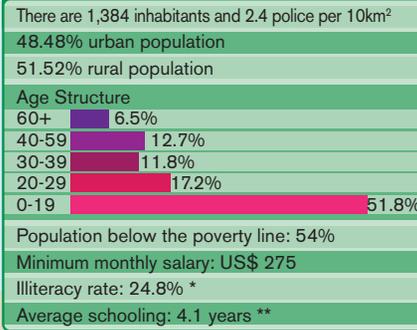
The Regional Context

Multiple factors shape a security context that impacts the development of daily life within society. In the Central American region, multiple factors coexist, such as the presence of the Panama Canal, with its huge flows of international trade; borders with two countries that have major security policies against drug trafficking and organized crime (Mexico and Colombia); proximity to the largest drug consumer market; and the proximity of a United Nations mission with strong security features (Haiti).

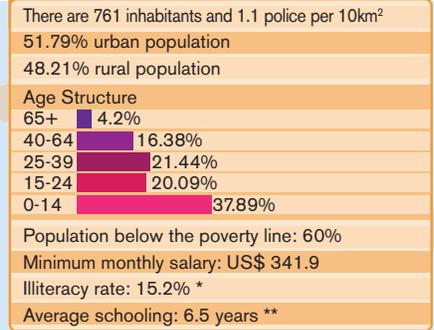
El Salvador



Guatemala



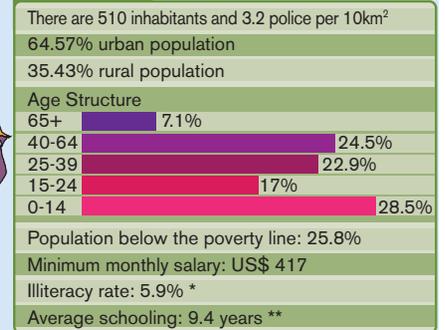
Honduras



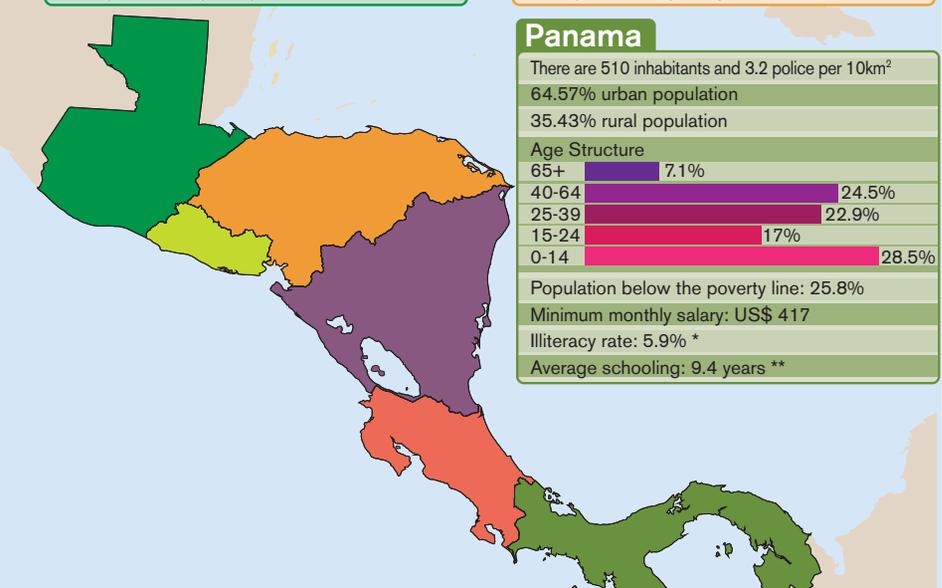
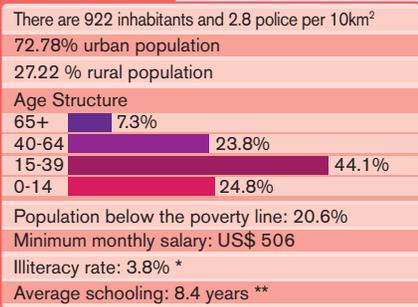
Nicaragua



Panama



Costa Rica

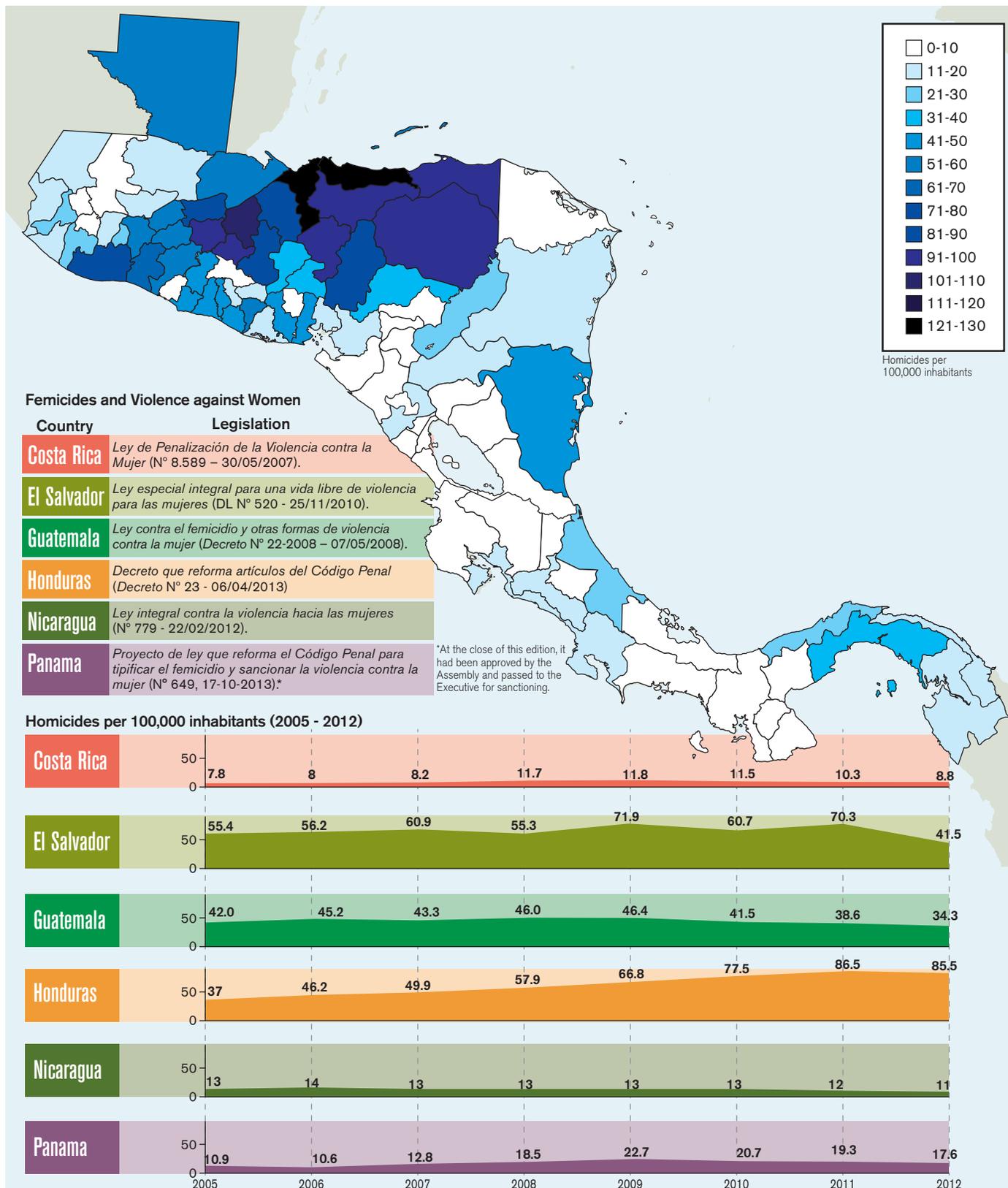


		Imports (2012, in US\$)					
		Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua	Panama
Exports	Costa Rica		283,725,986	412,858,030	337,015,427	464,178,737	556,436,150
	El Salvador	219,800,646		711,119,802	728,041,293	317,648,549	124,330,198
	Guatemala	404,667,301	985,387,288		771,051,321	443,406,280	161,486,963
	Honduras	115,348,148	362,436,364	334,350,027		201,526,155	52,695,187
	Nicaragua	104,334,864	209,760,459	75,508,504	84,157,344		18,274,738
	Panama	376,650,372	179,326,351	492,218,653	361,662,328	11,741,777	

* in those above 15 years old, 2005-2010.
**2010.
***2008.
****2009

Sources: Costa Rica: Population and poverty: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050 and Índices de pobreza julio 2010-2012*. Territory: Ministry of Foreign Affairs. Salary: Ministry of Labor and Social Security, *Decreto 37784*, 2013. Police personnel: Ministry of Public Security and *Memoria Institucional 2011-2012*. El Salvador: Population, territory and poverty: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. Salary: *Decreto ejecutivo 104*, 2013. Police personnel: National Civil Police. Guatemala: Population, territory and poverty: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013*. Salary: *Acuerdo Gubernativo 359-2012*. Police personnel: National Civil Police. Honduras: Population, territory and poverty: National Institute of Statistics, *Pobreza en población 2010*. Salary: Secretariat of Labor and Social Security, *Acuerdo 001-2012 salario mínimo*. Police personnel: Secretariat of Security. Nicaragua: Population, territory and poverty: National Institute of Development Information, *Encuesta de hogares sobre medición del nivel de vida 2009*. Salary: Ministry of Labor, *Acuerdo Ministerial ALTB 04-08-2013*. Police personnel: National Police, *Anuario Estadístico 2011*. Panama: Population: National Institute of Statistics and Census. Territory: Panamanian Tourist Authority. Poverty: Finance Ministry, *Encuesta de mercado de trabajo*, March 2012. Salary: *Decreto ejecutivo 240*, 28-12-2011. Police personnel: Ministry of Public Security. Illiteracy and average schooling: UNDP, *Human Development Report 2013* (all countries). Imports and exports: Central America Economic Integration System (SIECA).

Mapping Homicides in Central America

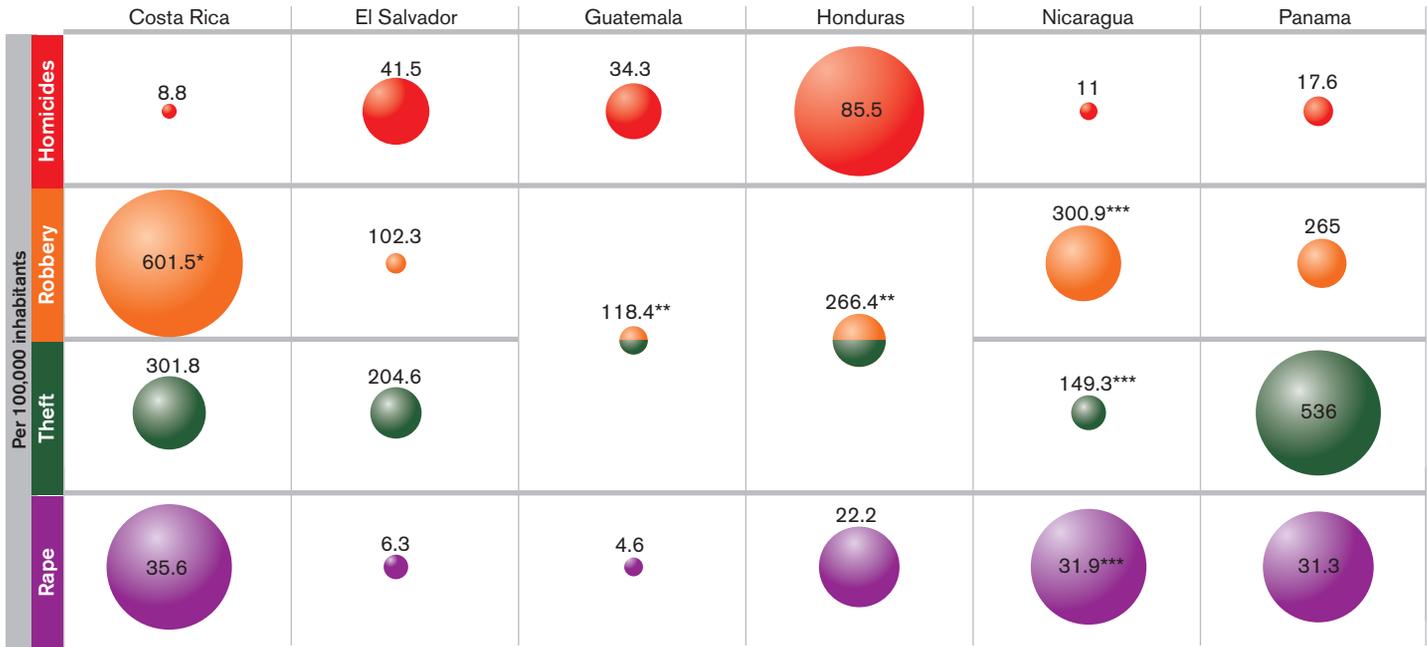


Sources: Costa Rica: statistics from the Judicial Investigation Organism. El Salvador: National Civil Police. Guatemala: Ministry of Interior. Honduras: UNAH-IUDPAS Observatory of Violence, *Boletín N° 28* (January 2013). Nicaragua: National Police, *Anuario Estadístico 2011*. Panama: Ministry of Public Security, *Memoria 2011*.

Insecurity beyond Homicides

While homicide rates tend to occupy the central focus within debates on public security, there is a need to also observe other crimes and forms of violence that have a significant impact upon the security perceptions and the daily life of the population.

Spread of the Major Crimes Committed in the Region (per 100,000 inhabitants, 2012)



*Robbery and assault are included within the robbery category, given that assaults, defined in terms of attacking a person in order to remove them of their property, are provided separately by Costa Rica.

** Data is aggregated in the official statistics provided by the Ministry of Interior.

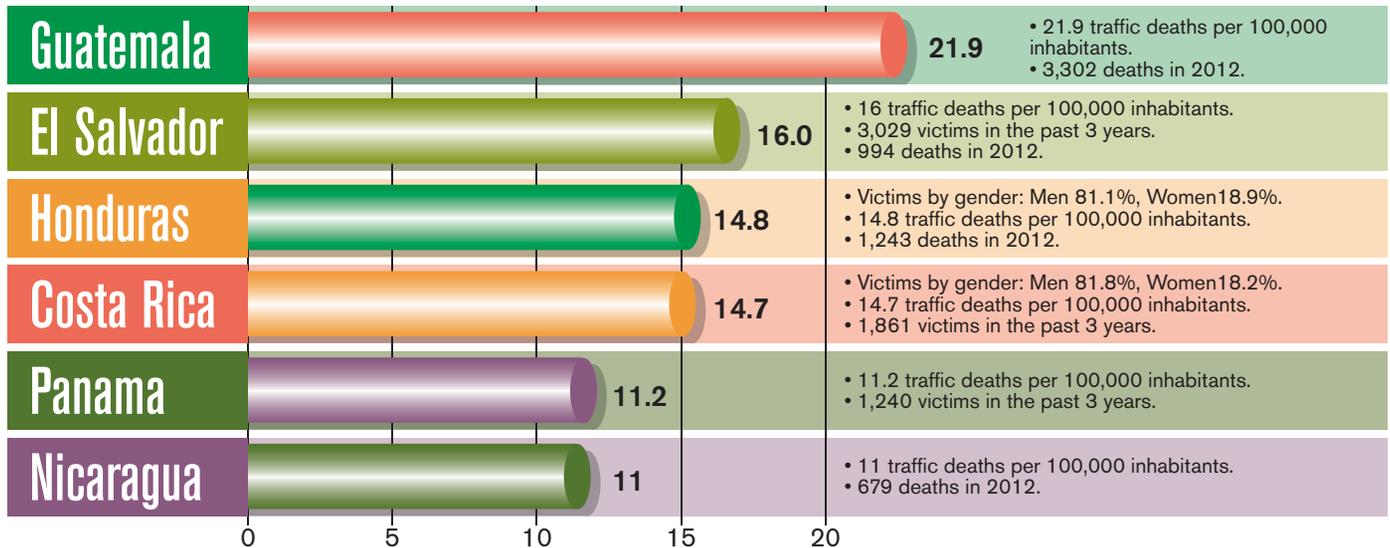
***Nicaragua: Robbery, Theft and Rape constructed using projections based on data from 2006-2011. Actual numbers may differ. In 2011, the totals were: robbery: 23,635, theft: 9,459, rape: 1,896.

Daily insecurity

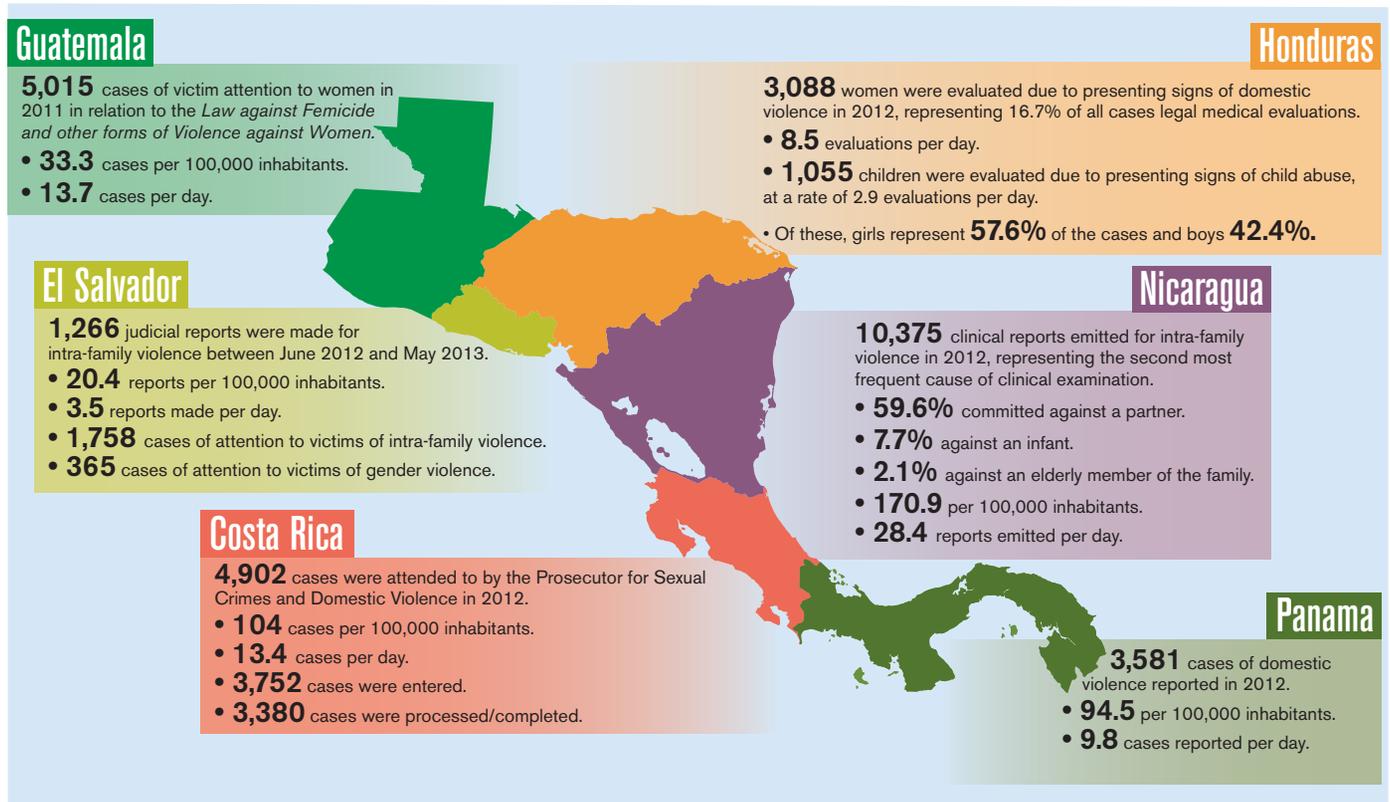
Costa Rica	116.7 Robberies and thefts	5.5 Rape Victims	1.8 Traffic Deaths	1.1 Homicides	
El Salvador	52.2 Robberies and thefts	11.6 Assaults	1.1 Rape Victims	2.7 Traffic Deaths	7.1 Homicides
Guatemala	48.9 Robberies and thefts	16.7 Assaults	1.9 Rape Victims	9 Traffic Deaths	14.1 Homicides
Honduras	62.4 Robberies and thefts	10.7 Assaults	5.2 Rape Victims	3.4 Traffic Deaths	19.6 Homicides
Nicaragua	74.9 Robberies and thefts	25.7 Assaults	5.3 Rape Victims	1.9 Traffic Deaths	1.8 Homicides
Panama	83.1 Robberies and thefts	5.8 Assaults	3.3 Rape Victims	1.2 Traffic Deaths	1.8 Homicides

Sources: Costa Rica: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Crime: Judiciary, Planning Department, *Homicidios dolosos ocurridos en Costa Rica durante el 2012* and statistics from the Judicial Investigation Organism. Traffic accidents: Road Security Council, *Informe de acciones sustantivas, 2012*. El Salvador: Population: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. Crime and accidents: National Civil Police. Guatemala: Population: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013*. Crime and accidents: Ministry of Interior and National Institute of Forensic Sciences, *Consolidado de Solicitudes Anual 2012*. Honduras: Population: National Institute of Statistics. Crime: UNAH-IUDPAS Observatory of Violence, *Boletín N° 28* (January 2013). Traffic accidents: CONADEH, *Informe 2012*. Nicaragua: Population: National Institute of Development Information. Homicide and traffic accidents: *Visión Policial, revista de la Policía Nacional*, Year XIV N° 104 (May 2013). Other crimes: National Police, *Anuario Estadístico 2011*. Panama: Population: National Institute of Statistics and Census. Crime: SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes: año 2012*. Traffic accidents: Comptroller General of the Republic, National Institute of Statistics and Census, *Cifras preliminares de accidentes de tránsito y muertos en la república, por provincia, según mes: año 2012*.

Traffic Deaths



The Scourge of Domestic Violence



Sources: Costa Rica: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Traffic deaths: Road Security Council, *Informe de acciones sustantivas, 2012*. Domestic Violence: Office of the Public Prosecutor, *Memoria anual 2012*. El Salvador: Population: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. Domestic Violence: Office of the Public Prosecutor, *Informe de Labores 2012-2013*. Guatemala: Population: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013*. Traffic deaths: National Institute of Forensic Sciences, *Consolidado de Solicitudes Anual 2012*. Domestic Violence: Office of the Public Prosecutor, *Memoria de Labores 2011*. Honduras: Population: National Institute of Statistics. Domestic Violence: UNAH-IUDPAS Observatory of Violence, *Boletín N° 28* (January 2013). Traffic accidents: CONADEH, *Informe 2012*. Nicaragua: Population: National Institute of Development Information. Traffic deaths: *Visión Policial, revista de la Policía Nacional*, Year XIV N° 104 (May 2013). Domestic violence: Supreme Court, Institute of Forensic Sciences, *Anuario 2012*. Panama: Population: National Institute of Statistics and Census. Domestic Violence: SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes: año 2012*. Traffic deaths: Comptroller General of the Republic, National Institute of Statistics and Census, *Cifras preliminares de accidentes de tránsito y muertos en la república, por provincia, según mes: año 2012*.

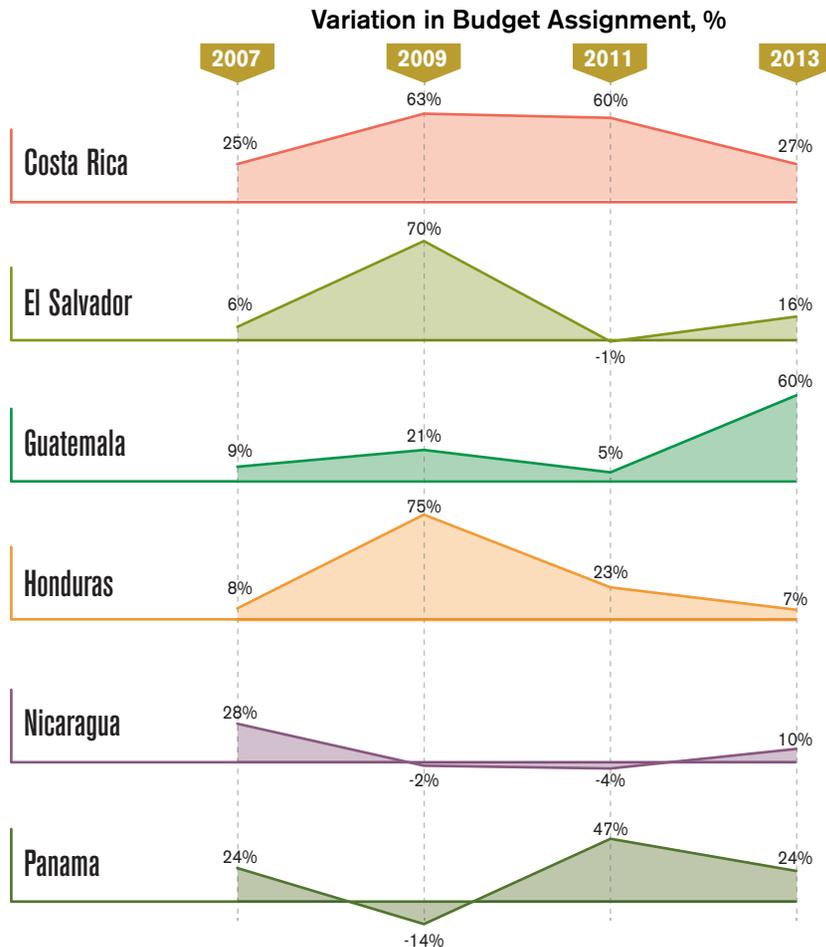
Security and Budget

	Costa Rica	El Salvador	Guatemala	Honduras	Nicaragua	Panama
On average, each year each economically active member of the population (EAP) contributes...	US\$ 2,741	US\$ 1,351	US\$ 877	US\$ 807	US\$ 497	US\$ 2,751
Of this, the assignment to health is...	7%	15%	12%	20%	22%	12%
to education...	57%	24%	30%	39%	28%	32%
to security...	14%	12%	14%	10%	7%	21%
% of security budget devoted to security forces	42.6%*	64.7%	48.9%	69.5%	63.6%	60.5%
	US\$ 393 was assigned to security per EAP in 2013	US\$ 164 was assigned to security per EAP in 2013	US\$ 125 was assigned to security per EAP in 2013	US\$ 84 was assigned to security per EAP in 2013	US\$ 34 was assigned to security per EAP in 2013	US\$ 590 was assigned to security per EAP in 2013

*Percentage destined to public security forces located within Ministries of Public Security

Increase in Resources for Public Prosecutors

At the national level a process of strengthening and modernization has been developed by the Offices of the Public Prosecutor and other institutions involved in criminal proceedings. Examples include the establishment of prosecutors specialized in different areas; the relevance of offices related to the provision of attention and protection to victims and witnesses; the improvement of public defense systems; and the allocation of budgetary resources.



Central American and Caribbean Council of Public Prosecutors

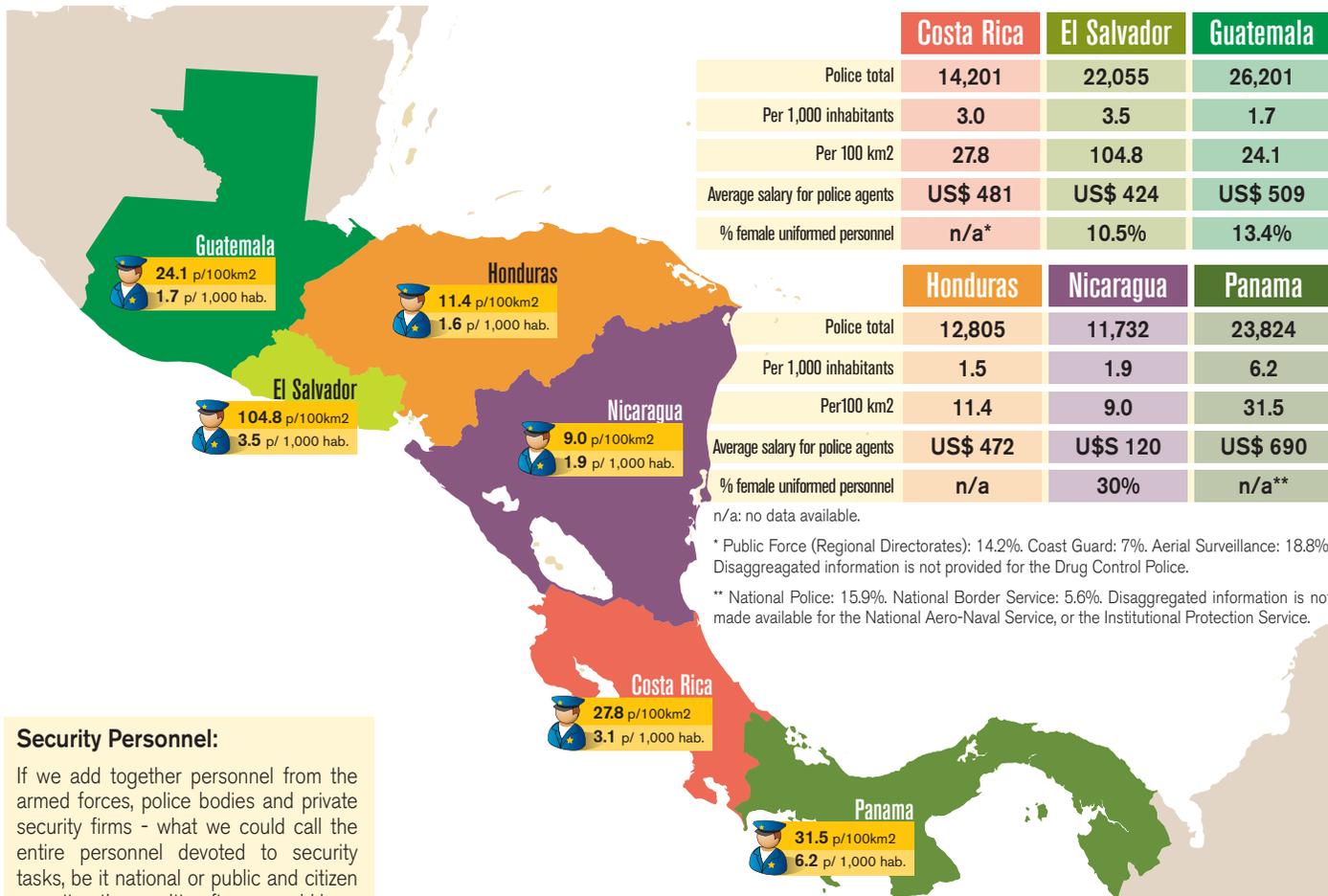
It was created in 2002 and is composed of the Attorney Generals of Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Its goal is to be a body for cooperation and exchange of experiences between Prosecutors and the formulation of common strategies. Specific networks have been developed during the past few years:

- Environmental Prosecutors Network.
- Network of Prosecutors Specialized in Combating Drug Trafficking and Organized Crime.
- Network of Prosecutors against violence towards women.

Panama will host the **Regional School of Public Prosecutors**.

Sources: Costa Rica: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Revenue: Finance Ministry, *Estados Financieros, Liquidación 2012. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013*. El Salvador: Population: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2011*. Revenue: Finance Ministry, *Informe de gestión financiera del Estado 2012. Ley de presupuesto general del Estado para 2013*. Guatemala: Population: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013. Ley de presupuesto general de ingresos y egresos del Estado para el ejercicio fiscal 2013*. Revenue: *Liquidación del presupuesto general de ingresos y egresos del Estado y cierre consolidado del ejercicio fiscal 2012*. Honduras: Population: National Institute of Statistics. *Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013*. Revenue: *Informe de la liquidación del presupuesto general de ingresos y egresos de la República correspondiente al Ejercicio Fiscal 2012*. Nicaragua: Population: National Institute of Development Information. Revenue: Ministry of Finance and Public Credit, *Informe de la liquidación del presupuesto general de la República 2012. Ley anual de presupuesto general de la República 2013*. Panama: Population: National Institute of Statistics and Census. Revenue: Comptroller General of the Republic, *Estado financiero de la administración pública al 31 de diciembre de 2012. Ley que dicta el presupuesto general del Estado para la vigencia fiscal de 2013*. GDP (all countries): IMF, *World Economic Outlook Database*. All data is expressed in current US dollars. Website of the Central American and Caribbean Council of Public Prosecutors.

Police Distributions



	Costa Rica	El Salvador	Guatemala
Police total	14,201	22,055	26,201
Per 1,000 inhabitants	3.0	3.5	1.7
Per 100 km2	27.8	104.8	24.1
Average salary for police agents	US\$ 481	US\$ 424	US\$ 509
% female uniformed personnel	n/a*	10.5%	13.4%

	Honduras	Nicaragua	Panama
Police total	12,805	11,732	23,824
Per 1,000 inhabitants	1.5	1.9	6.2
Per 100 km2	11.4	9.0	31.5
Average salary for police agents	US\$ 472	US\$ 120	US\$ 690
% female uniformed personnel	n/a	30%	n/a**

n/a: no data available.

* Public Force (Regional Directorates): 14.2%. Coast Guard: 7%. Aerial Surveillance: 18.8%. Disaggregated information is not provided for the Drug Control Police.

** National Police: 15.9%. National Border Service: 5.6%. Disaggregated information is not made available for the National Aero-Naval Service, or the Institutional Protection Service.

Security Personnel:

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:



Armed Forces

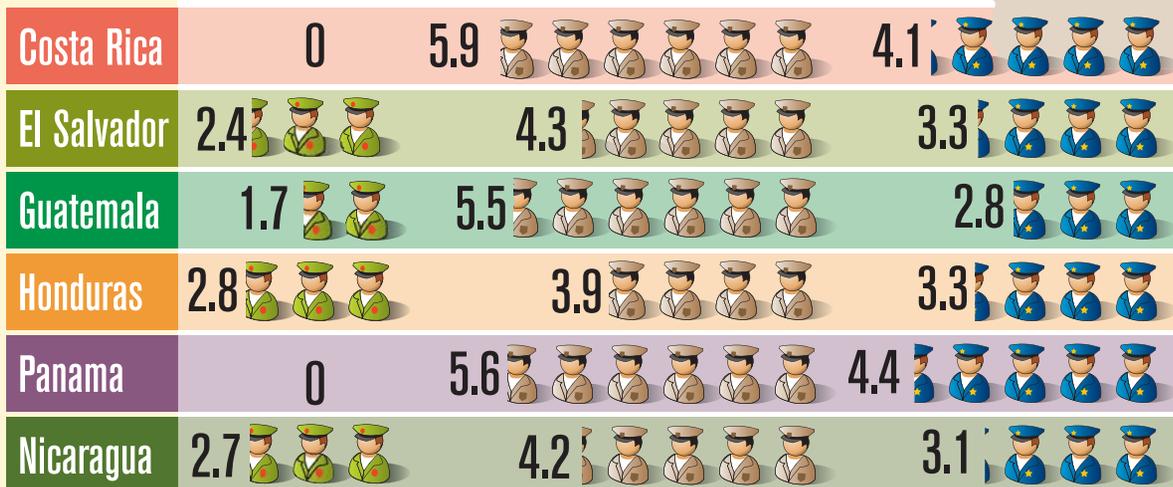


Private Security



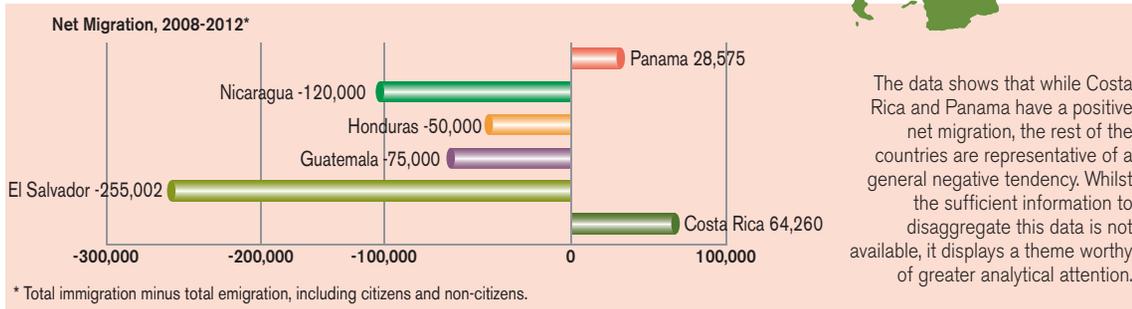
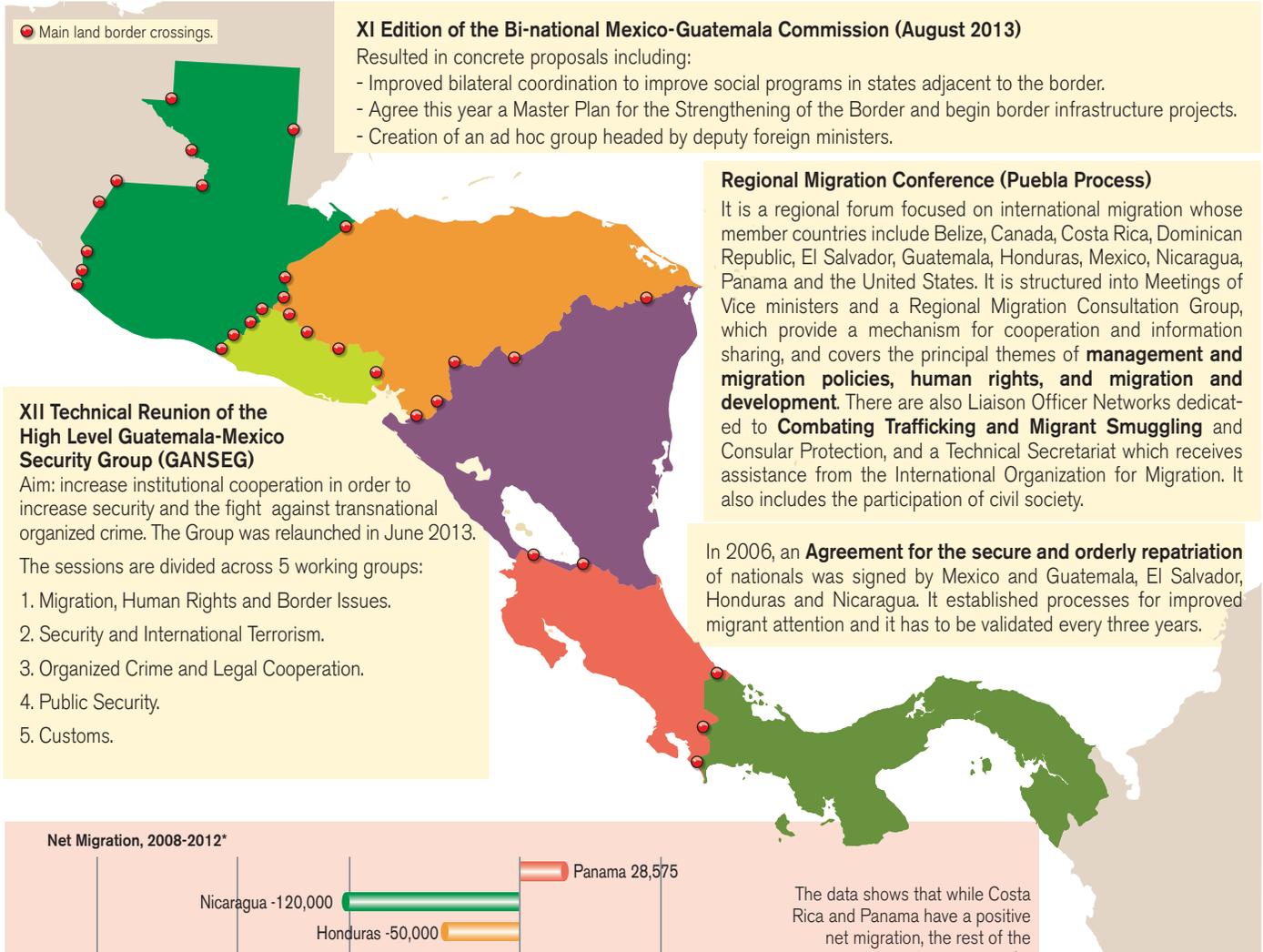
Police

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



Sources: Costa Rica: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Territory: Ministry of Foreign Affairs. Personnel and police information: Ministry of Public Security and *Memoria Institucional 2011-2012. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013*. El Salvador: Population and territory: General Directorate of Statistics and Census, *Encuesta de Hogares de Propósitos Múltiples 2012*. Police personnel: information provided by the National Civil Police. *Ley de presupuesto general del Estado para 2013*. Guatemala: Population: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013. Ley de presupuesto general de ingresos y egresos del Estado para el ejercicio fiscal 2013*. Police personnel: National Civil Police. Honduras: Population: National Institute of Statistics. *Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013*. Police personnel: Secretariat of Security. Nicaragua: Population: Instituto Nacional de Información de Desarrollo. *Ley anual de presupuesto general de la República 2013*. Police personnel: National Police, *Anuario Estadístico 2011*. Panama: Population: National Institute of Statistics and Census. Territory: Panamanian Tourist Authority. *Ley que dicta el presupuesto general del Estado para la vigencia fiscal de 2013*. Public Force: Ministry of Public Security.

Cross Border Movements and Border Cooperation in a Dynamic Region



Deportations via air from the USA	2007	2008	2009	2010	2011	2012	Deportations via land from Mexico	2007	2008	2009	2010	2011
	Guatemalans	23,062	28,051	27,222	29,095	30,885		40,647	Guatemalans	49,475	36,546	28,786
Hondurans	29,348	30,018	25,101	22,878	22,415	32,240	Hondurans	31,193	27,866	23,063	23,247	33,519
Salvadorians	20,111	20,203	19,209	18,734	16,759	19,685	Salvadorians	16,678	12,999	10,534	10,643	8,944
Total	72,521	78,272	71,532	70,707	70,059	92,572	Total	97,346	77,411	62,383	61,980	73,890

Sources: General Directorate of Migration and Foreign Persons of Costa Rica, El Salvador, Honduras, Nicaragua and Panama World Bank, 2013 *Global Links, World Development Indicators: Movement of people across borders, Table 6.13*. Secretary of Foreign Affairs of Mexico, *Comunicado*, 08-26-2013. GANSEG, *Comunicado Conjunto*, 06-11-2013. *Memorandum de entendimiento entre los Gobiernos de los Estados Unidos Mexicanos, de la República de El Salvador, de la República de Guatemala, de la República de Honduras y de la República de Nicaragua para la repatriación digna, ordenada, ágil y segura de nacionales centroamericanos migrantes via terrestre*, 05-05-2006. Website of the Regional Migration Conference.

Central American Integration System (SICA)

In 1991 the Protocol of Tegucigalpa was signed, which led to the Central American Integration System, replacing the former Organization of Central American States (ODECA).

Member states: Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama, and the Dominican Republic as an associate member.

Four years later, in 1995, the Framework Treaty on Democratic Security in Central America was signed, as a complementary tool to the Tegucigalpa Protocol. The Treaty gave rise to the democratic security model and instituted the **Central American Security Commission** as a subsidiary body subordinate to the Meeting of Presidents and the Council of Ministers of Foreign Affairs.

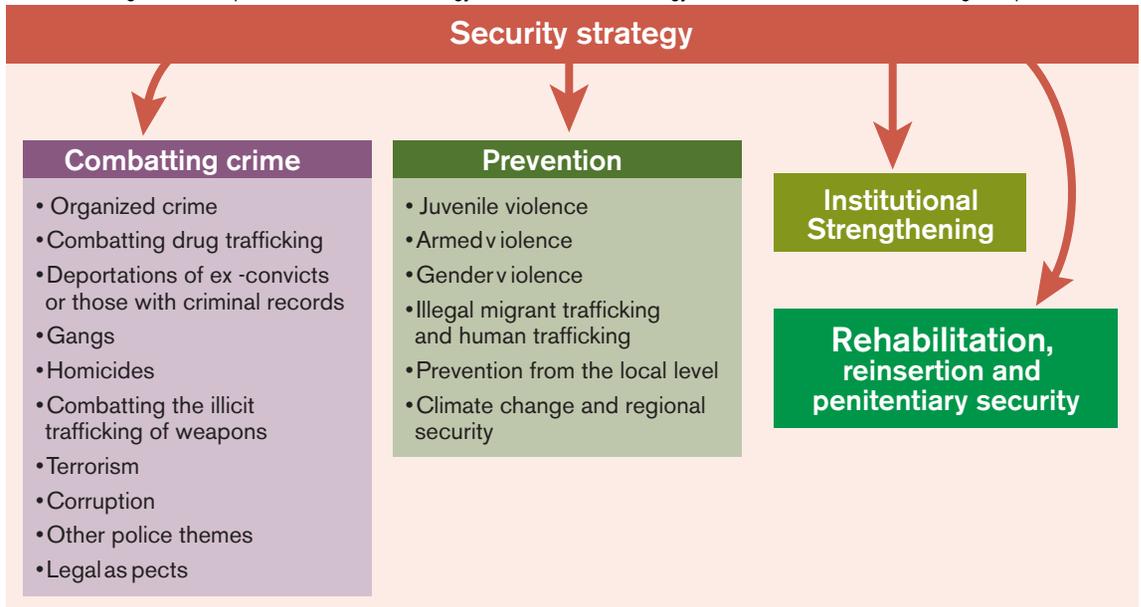
This **Commission** is responsible for the implementation, evaluation and monitoring of proposals, agreements and resolutions in all matters relating to regional and international security.

It is formed by the viceministers of Foreign Affairs, Public Security and/or Interior, as well as National Defense of each country.



Components of the Central American Security Strategy

Following the development of the 2007 strategy, in 2011 a new Strategy was launched with the following components:



Commission of Chiefs and Directors of Police of Central America, Mexico, the Caribbean and Colombia

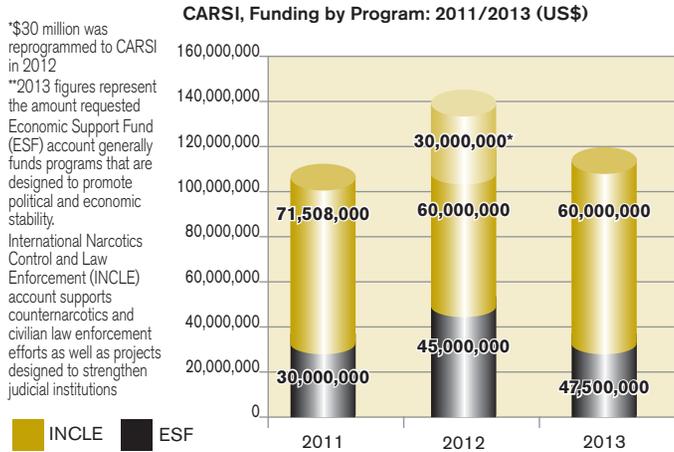
The commission was formed in 1991 under the name of the "Association of Police Chiefs of Central America". In 2007, the Commission was formed in its current form, integrated by 13 police forces from 12 countries and 8 observers. The Presidency rotates between member States.

Permanents	Observers
Belize <i>Department of Police</i>	Federal Office of Criminal Investigations, Germany (BKA)
El Salvador <i>National Civil Police</i>	Spanish Agency for International Development Cooperation (AECID)
Honduras <i>National Police</i>	Secretary of State for Security, Spain
Panama <i>National Police</i>	International Police Cooperation Service, France (SCTIP)
Colombia <i>National Police</i>	Association of Caribbean Commissioners of Police (ACCP)
Guatemala <i>National Civil Police</i>	National Police, Sweden
Nicaragua <i>National Police</i>	Swedish International Development Agency (ASDI)
Puerto Rico <i>Police</i>	Democratic Security Unit, SICA
Costa Rica <i>Organism of Judicial Investigation (OIJ) and Public Force</i>	
Haiti <i>National Police</i>	
Mexico <i>Federal Police</i>	
Dominican Republic <i>National Police</i>	
INTERPOL regional section for C.A. <i>Permanent Technical Secretary</i>	

Central American Regional Security Initiative (CARSI)

Born in 2008 as part of the Merida Initiative (which sought to combat drug trafficking and organized crime in Mexico), CARSI is a cooperative regional security program that finances programs ranging from technical assistance and training, strengthening institutional capabilities and effective State presence, to preventive programs that employ educational and alternative

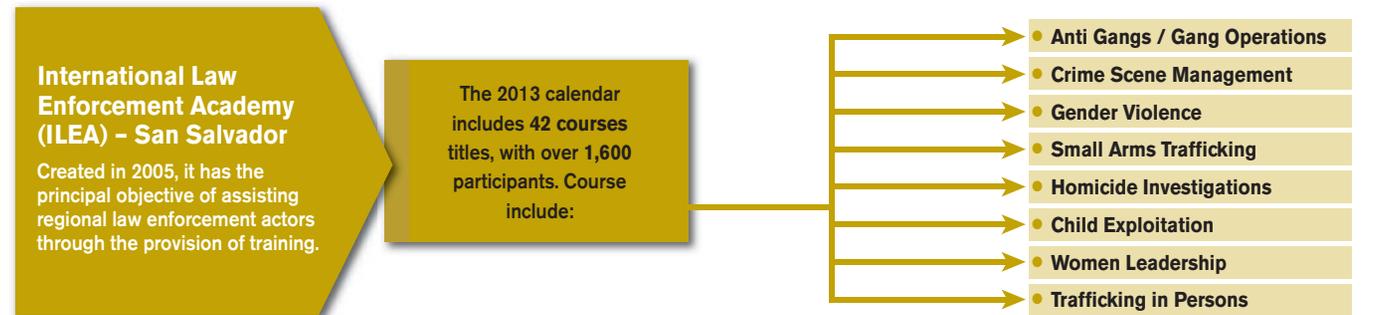
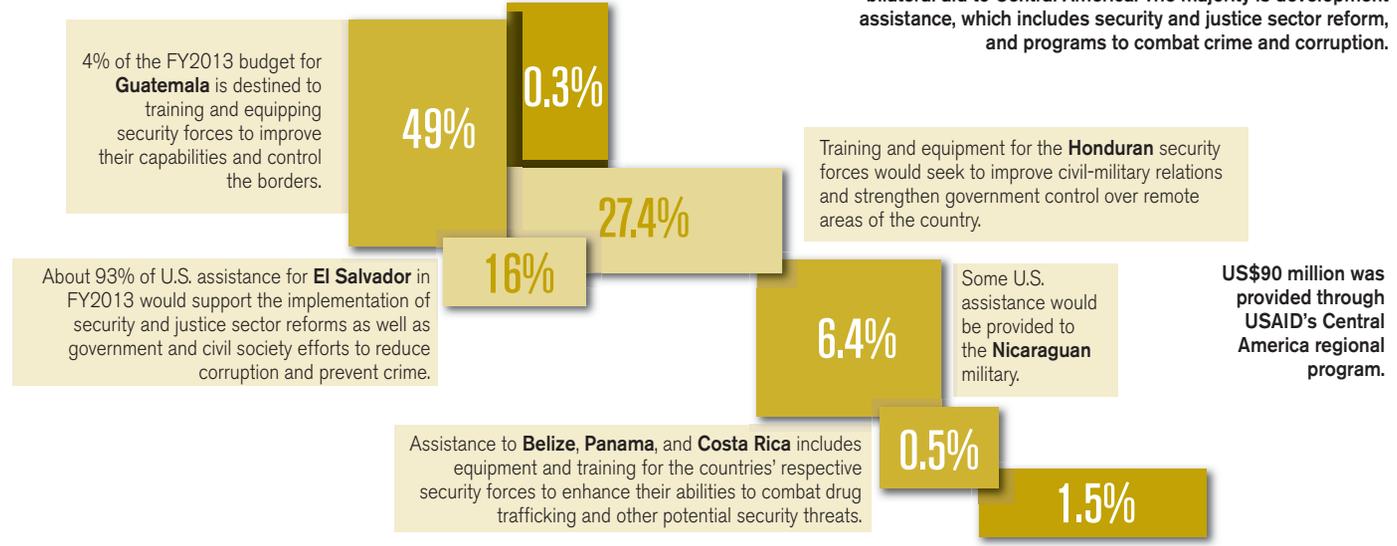
opportunities to address underlying causes of crime and violence. In 2010, it became an independent program, albeit implemented in coordination and as a complement to other security initiatives in the wider region, including the Merida Initiative, Caribbean Basin Security Initiative (CBSI) and Colombia Strategic Development Initiative.



- CARSI Pillars in Central America:**
1. Create safe streets for the citizens of the region;
 2. Disrupt the movement of criminals and contraband to, within, and between countries.
 3. Support the development of government capabilities.
 4. Re-establish effective state presence, services and security in communities at risk.
 5. Foster enhanced levels of coordination and cooperation between the nations of the region, and the international community.

In 2013, funding programs placed a specific emphasis on reducing the levels of crime and violence in the Northern Triangle countries of **El Salvador, Guatemala, and Honduras.**

US Assistance to Central America (FY 2011 -2013)



Sources: Website of the International Law Enforcement Academy – ILEA. Congressional Research Service, U.S. Foreign Assistance to Latin America and the Caribbean: Recent Trends and FY2013 Appropriations, June 2012.



THE COUNTRIES



COSTA RICA

Historical and Political Context

In 1948, at the initiative of then President Jose Figueres, it was established by law that Costa Rica would have no Army; in 1949 this was encoded into the Constitution. It also provided for the creation of the Civil Guard as a police force dedicated to security and order. Until then, there were armed gangs linked to political organizations which were called armies, but in practice there was never a professional body. The Guard initially lacked professionalism and consisted predominantly of members of political parties. Since then the country has followed a very different path from the rest of its Central American neighbors in regard to military responses to public security issues.

Political control of the Guards was in the hands of a dual structure (The Ministry of Interior and Police controlled rural areas while a Ministry of Security had control in urban areas) until the

1980s, when it passed to the jurisdiction of the Ministry of Interior. In 1995 the merger was consolidated through the creation of the Ministry of Interior, Police and Public Security.

Approval of the General Police Law in 1994 was another step towards an apolitical Guard, eliminating the removal of personnel with each change of government and thus ensuring personnel stability to the country's police forces.

In 2000, the National Coast Guard Service was created, laying the foundation for the professionalization of what was previously the Maritime Surveillance Service. In March 2001, the Civilian Police Law was passed which, among other advances, created the Police Legal Support Directorate, a unit made up of police lawyers responsible for advising police personnel in their duties. Rankings were also changed from military to civilian character.

Country Information

Political System:	Presidential Republic / Unitary
Administrative Organization:	7 provinces, 81 cantons and 470 districts.
Population:	4,713,168*
Territorial Extension:	51,100 km ²
GDP (US\$ / current prices):	45,134,000,000 (2012)
Minimum monthly salary (US\$):	506 (July 2013)
Illiteracy:	3.8%**

Basic Security Indicators (2012)

Public Force:	14,201 personnel (within the bodies attached to the Ministry of Public Security).
Homicides:	407 homicides reported at a rate of 8.8 homicides per 100,000 inhabitants.
Drug Trafficking:	10,445 kilograms of cocaine decommissioned by public security forces.
Traffic Accidents:	675 deaths resulting from traffic accidents.
Border Flows:	Total annual border movements of 6,542,384 people.
Private Security:	1,048 private security firms registered.
Penal Centers:	There are 17 correctional facilities housing 13,378 inmates.
Femicide:	26 cases.
The Perception of Security:	59% of the population has little or no trust in the police.

*2013 projection.

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

Post-1948 conflict	Professionalization	Regional role	Institutionalization	Current stage
Prohibition of the Army as a permanent institution and creation of a Civil Guard.	Steps taken towards a professional police career with the creation of a dedicated police academy. Other bodies begin to form, such as the Rural Assistance Guard.	Costa Rica plays the role of "facilitator" in the resolution of regional conflicts that gripped Central America in the 70s and 80s.	Police Law that governs the existence of the various State security forces and incorporates the police career. Unification of ministries in the area into the Ministry of Interior, Police and Public Security within which the majority of security forces are placed.	Development of community police models and emphasis on decentralization. Growing perception of insecurity amongst the population that contrasts with security indicators.

1948

Abolition of the military

1964

National Police School founded

1994

General Police Law and the Police Career

1995

Creation of Ministry of Interior, Police and Public Security

2004

Organization Law of the Ministry of Interior, Police and Public Security

2008

Police restructuring; new community policing programs

2011

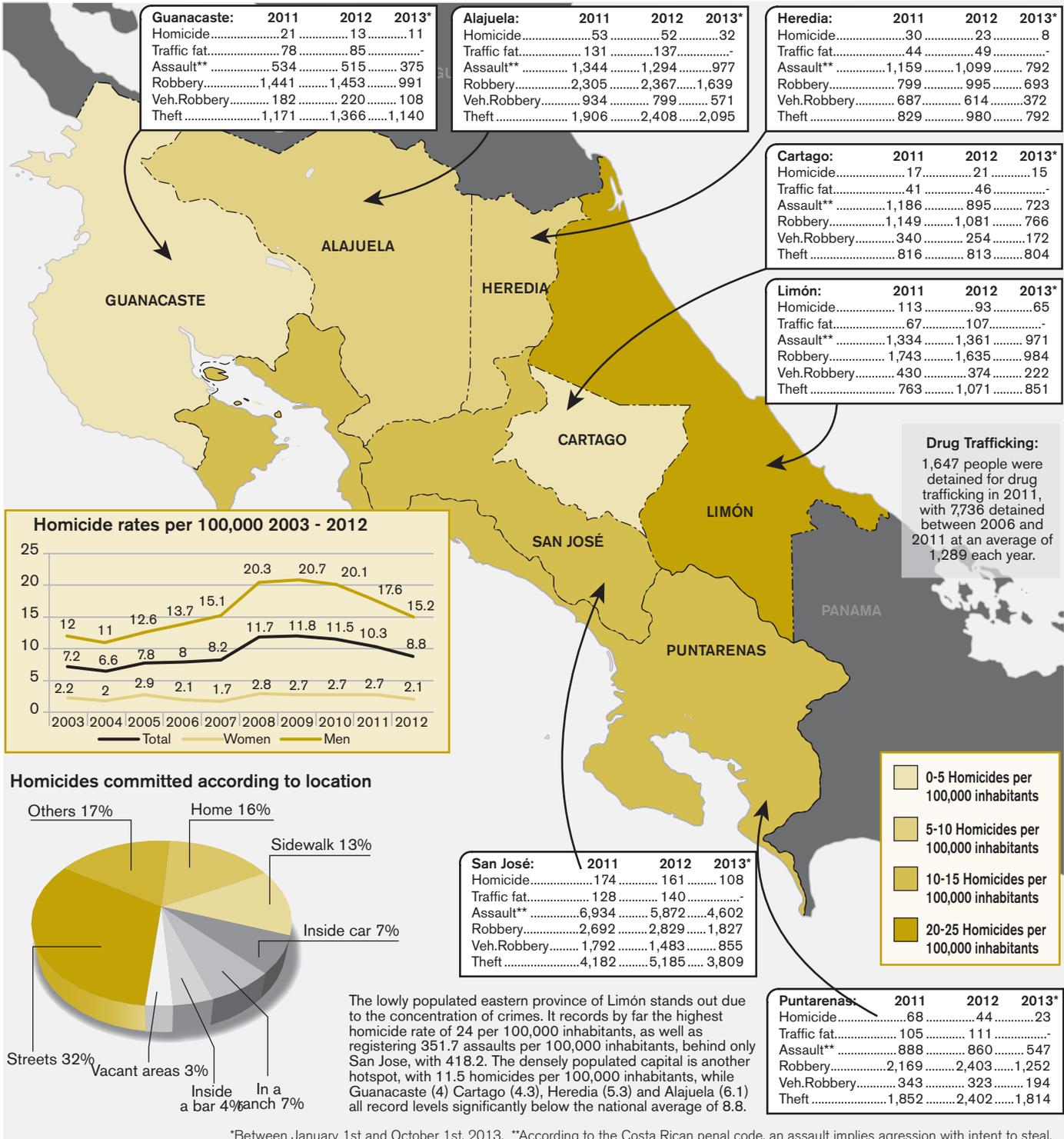
National Violence Prevention Plan

Sources: Information produced using: Population: National Institute of Statistics and Census (INEC), *Población total por sexo, según años calendario 2011-2050*. Territory: Ministry of Foreign Relations. GDP: IMF, World Economic Outlook Database. Salary: Ministry of Labor and Social Security, *Salario mínimos para el sector privado, segundo semestre 2013*. Illiteracy: UNDP, Human Development Report 2013. Public Force: Ministry of Security. Homicides and Femicides: Judiciary, Planning Department, *Homicidios dolosos ocurridos en Costa Rica durante el 2012*. Drug trafficking: Ministry of Security, *Memoria Institucional 2011-2012*. Traffic accidents: Judiciary, Planning Department, *Personas fallecidas por accidentes de tránsito durante 2012*. Border movements: General Directorate of Migration and Foreign Persons. Public Security: Ministry of Security. Penal Centres: Human Rights Ombudsman, *Informe anual de labores, 2012-2013*. Security Perception: CID-Gallup Latin America, *Encuesta de Opinión Pública Centro América y República Dominicana, Febrero 2013*, available at cidgallup.com/documentos.

Security Challenges: An Overview

Costa Rica has one of the highest levels of economic and human development in Central America (ranking n° 62 in the Human Development Index according to UNDP), and its levels of crime and violence are much lower than other countries in the region. Despite this, a rising trend in homicide rates (6.6 per 100,000 inhabitants in 2004, to 11.8 in 2009 and 8.8 in 2012) has accompanied

a rapid growth in drug related crimes and robberies, contributing to an increased sense of insecurity amongst the population. Despite recent gains, with the sustained increase in the homicide rate reversing after 2009, this has not translated into an improved perception amongst the population and security concerns continue to represent an important challenge to the country.



*Between January 1st and October 1st, 2013. **According to the Costa Rican penal code, an assault implies aggression with intent to steal.

Femicides

Femicides in Costa Rica are subject to 2 definitions and legal bases:

The **Law Criminalizing Violence against Women (LPVCM)** (DL 8589 – 04/12/2007), defines the crime of femicide according to a male killing a female with whom he is currently in a marriage or relationship. It imposes a sentence of between 20 and 35 years. Under this law, in 2012 there were 5 cases of femicide.

The **International Convention Belém Do Pará** adopts a broader definition of femicide. It covers situations where women are killed for reasons linked to their gender, but may not be in a current relationship with the aggressor. It applies, for example, to family members, ex partners and sexual clients. In 2012 there were 21 of such cases.

Traffic Accidents

In 2012, **14.7 per 100,000 inhabitants** were killed in Costa Rica, with a rate of **23.8** for males, making it the most frequent cause of violent death in Costa Rica.

Year	Fatalities	Rate per 100,000	
		Male	Female
2008	751	31.3	5.2
2009	721	29.4	5.3
2010	592	24.5	3.7
2011	594	22.6	5.4
2012	675	23.8	5.4



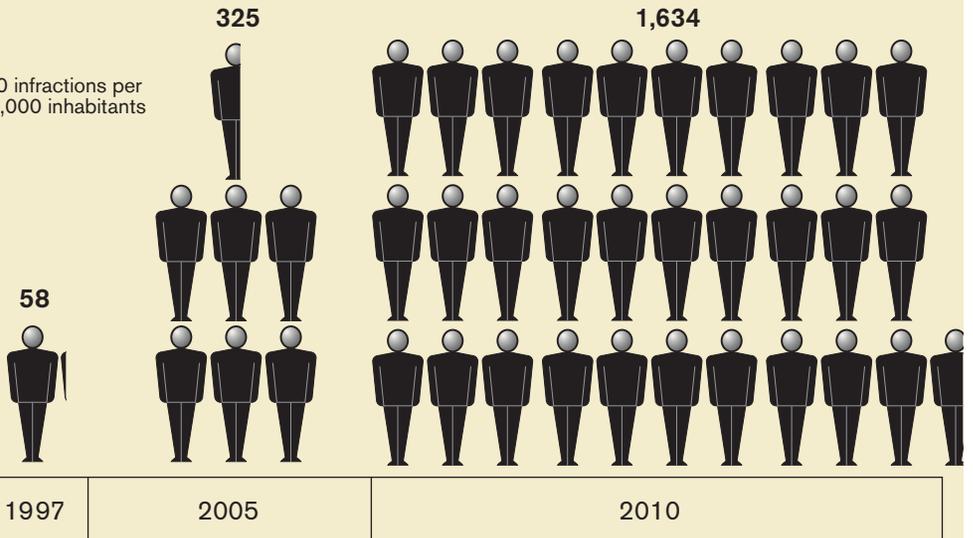
Drugs

The Psychotropic Drugs Law (DL 8204 - 12/26/2001) regulates the administration, use, trafficking and commercialization of illegal and pharmaceutical drugs susceptible to causing physical or mental dependency. Reports of these crimes had been relatively low in the 1990s, but since then figures have shown an exponential increase, with an overall rise of 2720% in just a 13 year period. Such crimes now constitute **27% of total crimes recorded**.



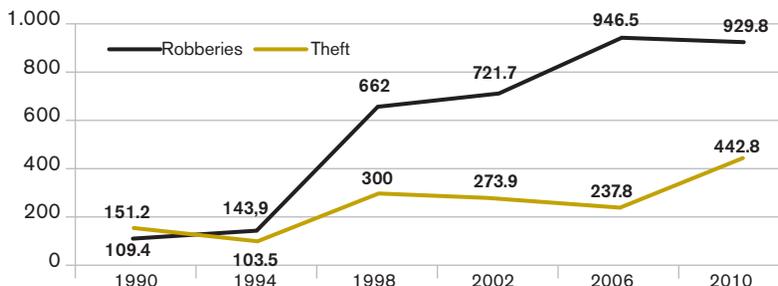
= 50 infractions per 100,000 inhabitants

Infraction of the Psychotropic Drugs Law*

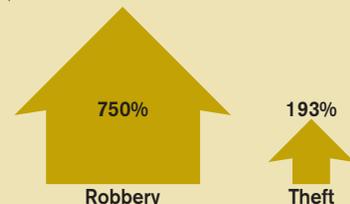


*Prior to the sanctioning of the law in 2004, the crime was classified within other legal norms.

Evolution of Thefts and Robberies per 100,000 inhabitants



In the last 20 years there has been a remarkable trend in cases of robbery (using violent force) and theft (without force). While both have shown sharp rises, cases involving violent force have increased far more rapidly, rising from 109.4 cases per 100,000 inhabitants in 1990 to over 900 in 2010.



Sources: Judicial Investigation Organism, *Mujeres Fallecidas por Femicidio en Costa Rica, bajo el Ámbito de la Ley de Penalización de la Violencia contra las Mujeres y la Aplicación de la Convención Internacional Belém Do Pará*; *Homicidios Dolosos Ocurredos en Costa Rica durante el 2012*; Violence Observatory, Informe estadístico 8; National Institute of Statistics and Censur. UNDP, Human Development Report 2013. Crime 2013: Judicial Investigation Organism database as of October 2013.

Institutions linked to Security

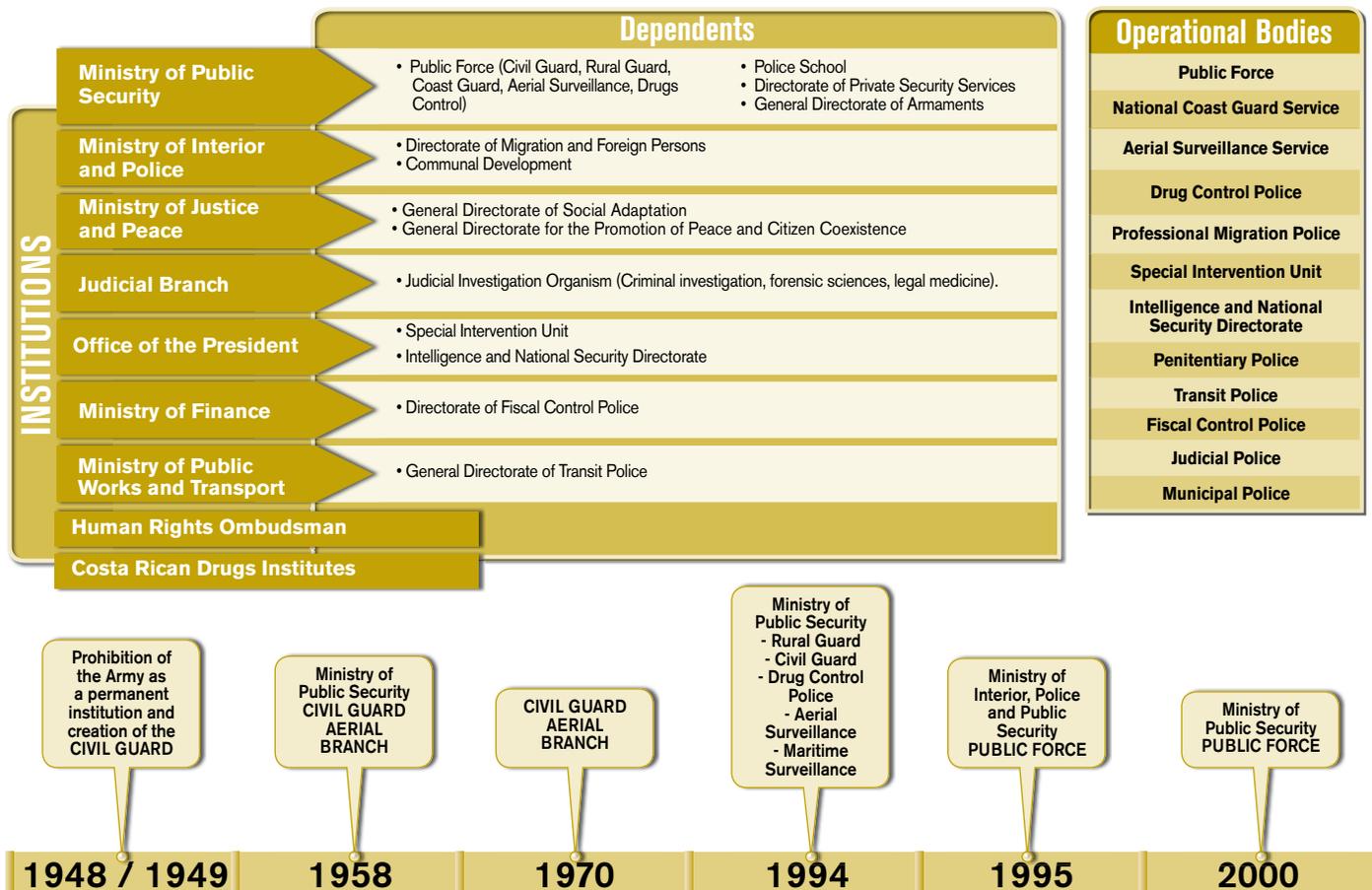
Following the removal of the so-called “Army”, between 1948 and 1949 public security was the main responsibility of the Civil Guard and other decentralized bodies, some acting at the level of provincial governments. In 1994, with the issuance of the law that regulates all national police forces, progress was made in the professionalization and standardization of security criteria, although while continuing to implement a decentralized management model.

- **Public Force and other security forces:** the main security body is the Public Force, including an Air Surveillance Service and the National Coast Guard Service. Other police forces also provide security: Penitentiary, Border, Fiscal Control, Transit, and Migration, in addition to the Intelligence and National Security Directorate and Special Intervention Unit.
- **Ministry of Interior, Police and Public Security:** these are two ministries headed by a single minister since 1995, which are responsible for the Public Force, the Drug Control Police, the Coast Guard, Air Surveillance and the Professional Migration Police.
- **Judicial Investigation Organism:** also considered a security body, it is the organism that assists in judicial matters and since 1973 it carries out the functions of criminal investigation, besides having

charge of the department of forensic science and legal medicine.

- **Ministry of Justice and Peace:** responsible for the administration of penitentiary centers and programs for the comprehensive prevention of violence and crime, conflict resolution and control of public spectacles. It also chairs the National Commission for the Prevention of Violence and Promotion of Social Peace, which was created in 2006.
- **National Public Security Council:** body that defines the general policies of the various security forces.
- **Office of the Public Prosecutor:** carries out criminal prosecution tasks and preliminary investigations in the crimes of a public nature.
- **Human Rights Ombudsman:** subsidiary body of the Assembly since 1993 in charge of protecting the population against the actions and omissions of the Public Sector.
- **Costa Rican Drugs Institute:** part of the Office of the President, it was created in 2002 as the entity responsible for carrying out prevention, rehabilitation and reintegration policies, as well as policies against drug trafficking and assets linked to drug trafficking and related activities.

Principal Actors



Sources: Decreto que Crea la Comisión Nacional para la Prevención de la Violencia y la Promoción de la Paz Social, Decreto Ejecutivo N° 33149-06/07/2006. Decreto Ejecutivo que Crea el Ministerio de Seguridad Pública, N° 5482 12/24/1953. Acuerdo que Adscribe Dependencias de Guardia Civil a Seguridad Pública, N° 57- 06/09/1954. Ley General de Policía, N° 7410 - 05/26/1994. Decreto que Determina los Ministerios a que pertenecen diversas fuerzas de policía, N° 23427-07/15/1994. Reforma integral Ley sobre estupefacientes, sustancias psicotrópicas, drogas de uso no autorizado, actividades conexas, legitimación de capitales y financiamiento al terrorismo, N° 8204-01/11/2002. Ley de Reforma LOPJ para Crear el Organismo de Investigación Judicial, N° 5.229 - 07/09/1973. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. Websites of the institutions mentioned.

Security Institutions and Guidelines

The Chinchilla administration (2010-2014) adopted as one of its major challenges “defeating crime, violence and impunity”. To this end, a **National Development Plan** was developed that placed public security as one of its four pillars and stated the presence of organized crime and its effects on democratic governance as one of the main causes of insecurity. The POLSEPAZ policy and the **Comprehensive Prevention Plan** act as guidelines for interpreting the various institutional and legal

and policy changes that seek to promote a concept linked to human security.

In this sense, the political definitions in Costa Rica allude to the rejection of the “iron fist” (mano dura) policies and their replacement by a proposed approach that combines repressive and preventive policies (expressed as a comprehensive response). This concept has been rooted in past administrations that have led the country, but a clear emphasis is notable in the current period.

National Development Plan 2011-2014 “Maria Teresa Obregón Zamora”

Second pillar of action: Citizen Security and Social Peace

Challenges: Reduction of the growth in crime rates; improvement of the security perception and the image of the Public Force.

Commitment for a permanent and growing financing of the security sector.

Comprehensive and Sustainable Citizen Security Policy and the Promotion of Social Peace - POLSEPAZ

Increased community participation; victim attention; increasing State capacities.

National Plan for the Prevention of Violence and the Promotion of Social Peace 2011-2014

Special protection to children, youth, adolescents and families. Increased local government capabilities. Communication. Firearms problem.

Costa Rica has intensively developed the production of reports and information as well as the computerization of registration procedures and systems in different institutions that host plans and programs related to security. This has increased the transparency and reliability of information.

PREVENTION

Ministry of Justice and Peace

- General Directorate for the Promotion of Peace and Citizen Coexistence (DIGEPAZ)
- National Directorate for Alternate Conflict Resolution (DINARAC)
- Public Space Control Commission
- National Commission for the Prevention of Violence and the Promotion of Social Peace (CONAPAZ)

PUBLIC ORDER AND INTELLIGENCE

Ministry of Security

- Public Force
- Coast Guard
- Aerial Surveillance
- Drug Control Police

Presidency

- National Security and Intelligence Directorate
- Special Intervention Unit

Ministry of Interior and Police

- Professional Migration Police

Ministry of Justice and Peace

- Penitentiary Police

INVESTIGATION

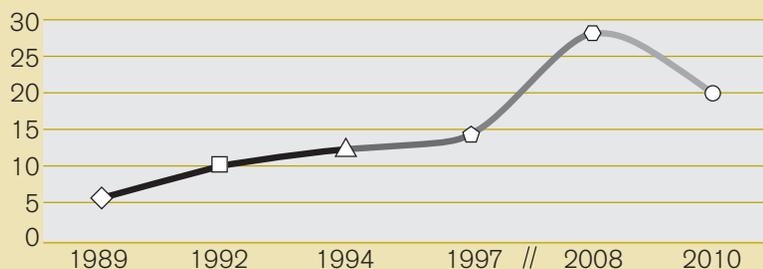
Judicial Branch

- Judicial Investigation Organism
- Office of the Public

The Perception of Insecurity

Many governments in Latin America resist recognizing the effects of the perception of insecurity on the everyday actions and decisions of the population. The Costa Rican government departed from this in its initial diagnosis through recognition that the perception of insecurity is an element that shapes the political reality, and established an improved perception of the security situation as one of the central elements of its plans (along with the effective reduction of crime rates and improving the work of the police).

Homes that have suffered some form of victimization (1989 - 2010)*



* Types of victimization: robbery and different types of assault, aggression and similar acts.

The Municipal Level

There are 81 municipalities (cantons) in Costa Rica.

The Ministry of Justice and Peace carries out the Networks Together for Coexistence program, within which the Local Citizen Security and Coexistence Plans are generated with the participation of the local population. In 2013 plans were generated in 9 cantons. This program was supported by international cooperation funds tied to the Millennium Development Goals.

A law has been proposed that would strengthen the municipal police. It is estimated that there are about 1,000 municipal police in different municipalities which are financed by the municipal budget (which must be approved by the General Accountant of the Republic). By mid-2013, no agreements had been reached for it to be passed. Resistance to a law that would regulate each municipality having its own police force range from questions about what kind of education and training they should have to the forms of control that would exist.

Sources: Government of Costa Rica, Plan Nacional de Desarrollo 2011-2014 and *Informe de Labores de Gobierno, Alocución a la Asamblea Legislativa*, May 1st, 2013. National Institute of Statistics and Census and UNDP, *La victimización en Costa Rica según los resultados de la Encuesta Nacional de Hogares* (1989, 1992, 1994, 1997, 2008 and 2010).

The legal framework

- Partido Liberación Nacional (PLN)*
- Partido Unidad Social Cristiana (PUSC).*
- Partido Acción Ciudadana (PAC)*
- Partido Movimiento Libertario (PML)*
- Partido Frente Democrático (PFD)*
- Others

Composition of the Assembly	Laws	Presidency, period and government party
	May 1994 – May 1998: <ul style="list-style-type: none"> - General Police Law (N° 7410 – 05/30/1994) - Organic Law of the Public Prosecutor's Office (N° 7442 – 11/25/1994) - Arms and Explosives Law (N° 7530- 08/23/1995) - Youth Criminal Justice Law (N° 7576 - 04/30/1996) - Law against Domestic Violence (N° 7586 - 05/02/1996) - Criminal Justice Code (N° 7594 – 06/04/1996) - Law on Alternate Conflict Resolution and Promotion of Social Peace (N° 7727 – 01/14/1998) 	José María Figueres Olsen (May 1994 – May 1998) PLN
	May 1998 – May 2002: <ul style="list-style-type: none"> - Law on the Agreement with the United States to Reduce the Illegal Trafficking of Narcotics (N° 7929 – 10/06/1999) - Law Creating the National Coast Guard Service (N° 8000 – 05/24/2000) - Law Strengthening the Civil Police (N° 8096 – 03/15/2001) - Law Creating the National Program of Education against Drugs (N° 8093 - 03/23/2001) - Law Declaring December 1st as Abolition of the Army Day (N° 8115 – 08/28/2001) - Law on Narcotics and Related Activities (N° 8204 - 01/11/2002) 	Miguel Ángel Rodríguez Echeverría (May 1998 – May 2002) PUSC
	May 2002 – May 2006: <ul style="list-style-type: none"> - Law Prohibiting Anti-personnel Mines (N° 8231 – 04/02/2002) - Law Regulating Private Security Services (N° 8395 – 12/01/2003) - Migration and Foreign Persons Law (N 8487 – 11/22/2005) - Law Creating the School and Youth Police (N° 8449 – 06/14/2005) 	Abel Pacheco de la Espriella (May 2002 – May 2006) PUSC
	May 2006 – May 2010: <ul style="list-style-type: none"> - Law Criminalizing Violence against Women (N° 8589 – 05/30/2007) - Witness Protection Law (N° 8720 - 03/04/2009) - Law against Organized Crime (N° 8754 – 07/24/2009) 	Oscar Arias Sánchez (May 2006 – May 2010) PLN
	May 2010 – May 2014: <ul style="list-style-type: none"> - Legal Persons Tax Law (N° 9024 - 12/23/2011) - Casino Tax Law (N° 9050 – 07/09/2012) - Law against Human Trafficking (N° 9095 – 02/08/2013) 	Laura Chinchilla Miranda (May 2010 – May 2014) PLN
Others to highlight prior to 1994 <ul style="list-style-type: none"> - Law creating the General Directorate of Social Adaptation (N° 4762 – 08/05/1971) - Organic Law of the Ministry of Public Security (N° 5482 – 24/12/1973) - Organic Law of the Judicial Investigation Organism (N° 5524 – 07/05/1974) - Organic Law of the Ministry of Justice and Peace (N° 6739 – 28/04/1982) - Law of the Human Rights Ombudsman (N° 7319 – 17/11/1992) 		

National Coalition against Illegal Trafficking of Migrants and Human Trafficking (CONATT)

The Coalition was created in law in 2005 as a tool to “provide, define, coordinate and implement a plan of action to prevent, combat, punish and eradicate these actions that violate human rights, to protect victims and effectively prosecute those responsible”. In 2012 it acquired greater legal status through the Law against Human Trafficking (which is valid since its publication in February 2013). It provides a space for the different institutions and organizations that form it to work in the fight against

human trafficking and provide comprehensive care to victims. It was initially coordinated by the Ministry of Interior, Police and Public Security. In 2010 the Technical Secretariat was formed in the Ministry of Migration and Foreign Persons, a ministry which subsequently created the Management Unit on Human Trafficking and the Illicit Trafficking of Migrants. Work areas are divided into four committees:



CONATT consists of various State institutions, gathered at a plenary, which contribute to work on each area according to their respective functions:

- Costa Rican Social Security Fund	- Ministry of Interior, Police and Public Security
- National Rehabilitation and Special Education Fund	- Ministry of Justice and Peace
- General Directorate of Migration and Foreign Persons	- Ministry of Foreign Affairs
- General Transit Directorate	- Ministry of Health; Ministry of Labor and Social Security
- Intelligence and National Security Directorate	- Office of Attention and Protection to Victims of Crime
- General Prosecutor of the Republic	- Judicial Investigation Organism
- Alcoholism and Pharmaceutical Drug Dependency Institute	- National Child Welfare Agency
- Costa Rican Tourism Institute	- Technical Secretariat of the National Commission against Commercial Sexual Exploitation
- Mixed Social Assistance Institute	
- National Learning Institute	May attend, as observers, the meetings international and social organizations related to the subject.
- National Institute of Women	
- Ministry of Public Education	

Immediate Response Team (ERI) It's a specialised inter-institutional body for the activation of primary attention measures for victims and their dependents. The Technical Secretariat is responsible for coordinating the ERI.

Sources: General Directorate of Migration and Foreign Persons, *Memoria institucional 2011-2012. Decreto Ejecutivo que crea la Coalición Nacional contra el Tráfico Ilícito de Migrantes y la Trata de Personas*, N° 32824 – 11/08/2005. *Ley contra la trata de personas y creación de la Coalición Nacional contra el Tráfico Ilícito de Migrantes y la Trata de Personas –CONATT- N° 9095 – 02/08/2013.*

The Criminal Justice System

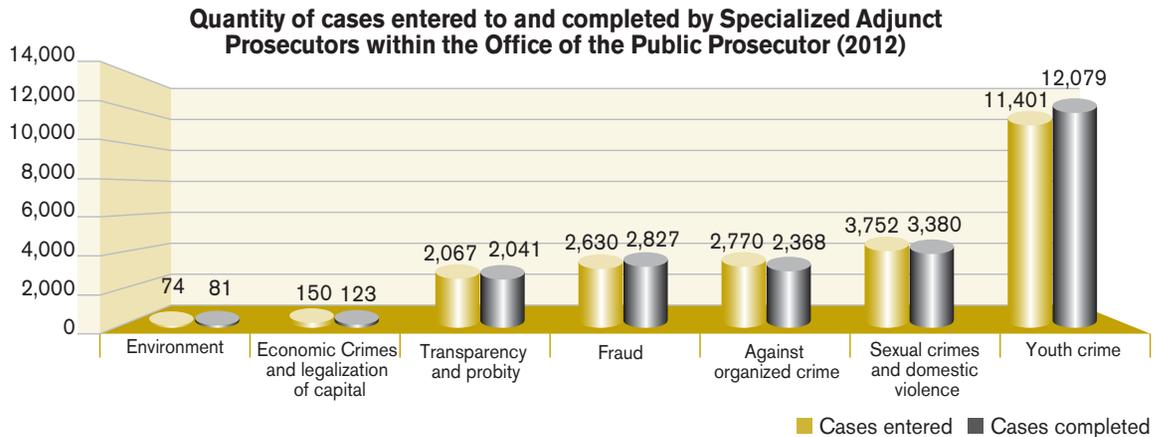
In the 1970s, a unified criminal justice system was structured. A Penal Code and a Code of Criminal Procedure (DL No. 5377) were enacted; the **Office of the Public Prosecutor** (formerly a dependent of the executive branch through the Attorney General) was incorporated, and the **Judicial Investigation Organism** was created as a dependent of the Supreme Court (DL No. 5.524). Its function is to investigate crimes, making use of forensic and legal medical knowledge. The Human Rights Ombudsman was also created within the Judicial Branch to provide a fair defense to those defendants requiring free legal aid. Auxiliary justice bodies also form part of the Judiciary: the Judicial School and the Electronic Center of Jurisprudential Information. The Judicial Branch assumed the functions of investigation, prosecution and defense of the accused.

In the 1990s, a new accusatory Criminal Procedure Code (1996) and a Judicial Reorganization Law (1997) were enacted. This new

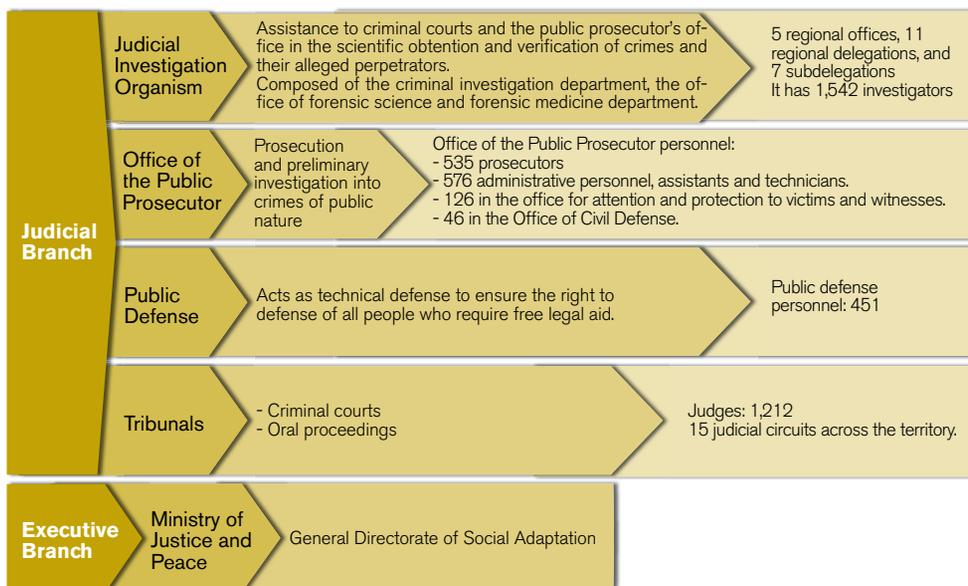
regulatory framework allowed for the adaptation of the Office of the Public Prosecutor to the adversarial system, established the distribution of existing courts in a new judicial circuit, and created the Superior Judicial Council as a subordinate body to the Supreme Court of Justice. During this decade, two other laws were passed that required the opening of specialized courts and special sections within the Judicial Investigation Organism: the Law of Transit on Public Roads and the Youth Criminal Justice Act.

There is a standing committee chaired by the General Prosecutor and composed of the Director of the Judicial Investigation Organism and two other officials from each of these entities, with the aim of coordinating functions and evaluating the work done.

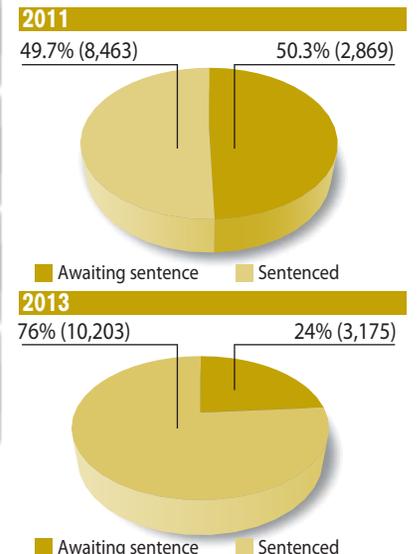
The Office of the Public Prosecutor includes adjunct, territorial and specialized prosecutors. It also has a civil victim defense office and an office for attention and protection to victims and witnesses. The average duration of the investigation phase is approximately 11 months.



The Administration of Justice and Criminal Cases



Procedural Situation of the Prison Population



Sources: Cases entered: Office of the Public Prosecutor, *Memoria Anual Fiscalía General, 2012*. Websites of the Judicial Branch, Judicial Investigation Organism and Office of the Public Prosecutor. Procedural situation: Human Rights Ombudsman, *Informe Anual de Labores 2012 – 2013* and General Directorate of Social Adaptation, *Informe de Población de II trimestre de 2011*. Personnel: information provided by the Directorate of Personnel of the Judicial Branch.

The Security Budget

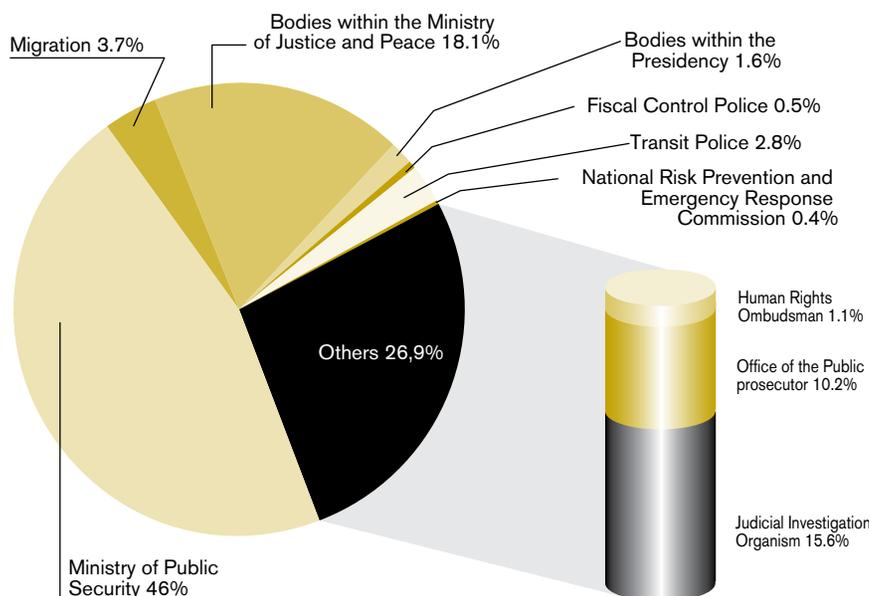
The total security budget in 2013 reached almost eight hundred and fifty seven million dollars, representing 1.8% of gross domestic product.

The Costa Rican budget presents in its functional classification the objective of "Public Order and Security", incorporating the administration of justice in general in addition to specific security resources.

The largest portion of the budget falls institutionally in the Ministry of Public Security, yet this still only represents 46% of the resources allocated to the area as other ministries are responsible for other police forces. The amount dedicated to the Judicial Investigation Organism and the Office of the Public Prosecutor is significant, reaching 25.8% between them.

Ministry of Public Security		%
Public Force	310,266,628	36.2
Drug Control Police	10,314,614	1.2
National Coast Guard Service	16,530,872	1.9
National Aerial Surveillance Service	16,447,484	1.9
National Police School	11,634,935	1.4
Administrative management	29,440,353	3.4
Ministry of Interior and Police		
Migration and Foreign Persons control	31,622,558	3.7
Ministry of Justice and Peace		
Promotion of peace and citizen coexistence	1,161,553	0.1
Penitentiary management	147,556,983	17.2
Administrative management	6,308,644	0.8
Office of the President		
Special Intervention Unit	2,491,396	0.3
Intelligence and National Security Directorate	6,066,494	0.7
Costa Rican Drug Institute (ICD)	4,890,357	0.6
Finance Ministry		
Fiscal Control Police	4,600,075	0.5
Ministry of Public Works and Transport		
Transit Police	23,741,117	2.8
Judicial Power		
Judicial Investigation Organism	133,455,773	15.6
Office of the Public Prosecutor	87,327,079	10.2
Human Rights Ombudsman		
	9,589,553	1.1
Office of the President		
Nat. Com. for Risk Prevention and Emergency Response (CNE)	3,405,117	0.4
Total Security Budget (2013)*		
US\$ 856,851,583		

SECURITY BUDGET, 2013 (US\$)



Special Taxes for Security

In November 2012 the Casinos Tax Law came into force. Revenue from the taxes outlined in the law is intended to fund public security programs and is exclusively for investment into the infrastructure of penitentiary centres and maintenance of police equipment within the Ministry of Public Security. The estimated budget for 2013 is US\$2 million dollars.

The legal persons tax law (effective from April 2012) establishes that 95% of the proceeds are allocated to the Ministry of Public Security for citizen security and programs to combat crime, 5% to the Ministry of Justice and Peace for tax management through the National Register and to support the General Directorate of Social Adaptation. In 2012, total revenue was US\$44,589,894.

With the increase of crime in banana producing areas, it was determined that 0.03% of every dollar established in the tax on banana exports will be destined to citizen security in the areas surrounding banana plantations. Through the proceeds in 2012, this figure represented just over US\$2,000.

The 2013 security budget is equivalent to 1.8% of GDP or 6.8% of the overall State budget.

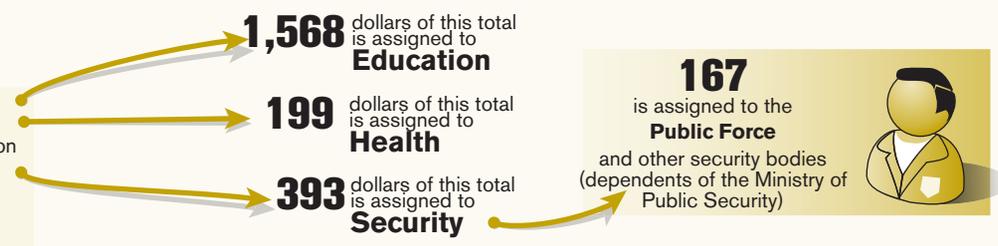
The Ministry of Public Security received a loan of **US\$ 4,835,762** from the European Union for its 2013 budget.

* In current US\$ at the exchange rate of 508.47 Colones per dollar according to the World Economic Outlook Database, IMF, 2013.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$ 5,981,034,807**

On average, each economically active member of the population (EAP) contributes **2,741** dollars each year.



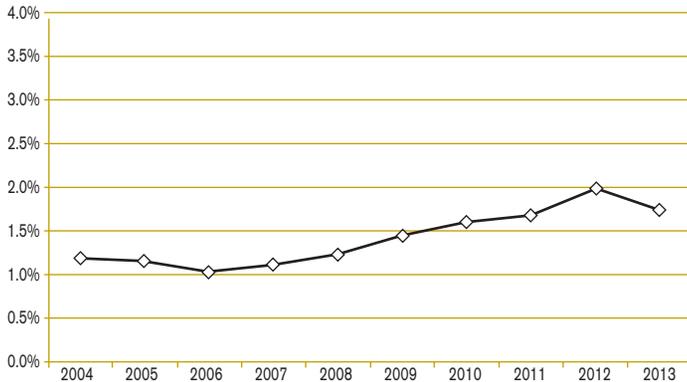
Sources: Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. Special Taxes and Tax Revenue: Finance Ministry, Estados Financieros, Liquidación 2012; General Accounting Office of the Republic, Ingresos corrientes del presupuesto ordinario del Gobierno de la República para el 2013; Ley de Impuesto a Casinos y Empresas de enlace de llamadas a apuestas electrónicas, N° 9050 - 07/09/2012; Ley de Impuesto a las Personas Jurídicas, N° 9024 - 12/23/2011; Decreto Ejecutivo N° 34028 - 09/29/2007. EAP: National Institute of Statistics and Census, Encuesta Nacional de Hogares, 2012. GDP and Exchange Rate: World Economic Outlook Database, IMF, for each considered. All data is expressed in current US dollars.

Evolution of the Security Budget

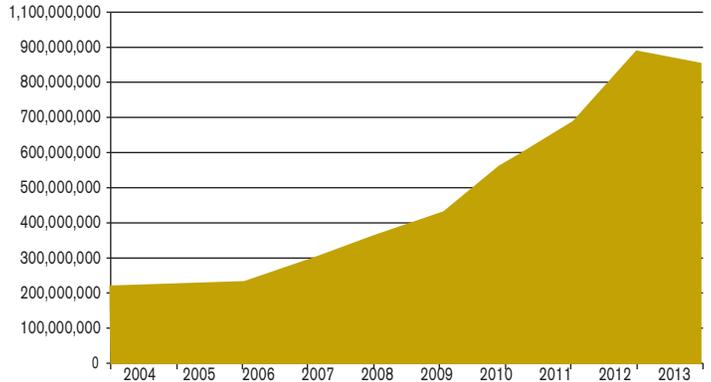
In recent years there has been an increase in the budget assigned to security. This growth is also reflected when analyzing the security budget in relation to GDP. Growth was much higher than the increase in overall State resources: while the latter grew by 158%

between 2004 and 2013, the security budget increased by 286%, with even greater growth rates seen for some institutions in the area, such as the Office of the Public Prosecutor, which recorded budget growth of 380%.

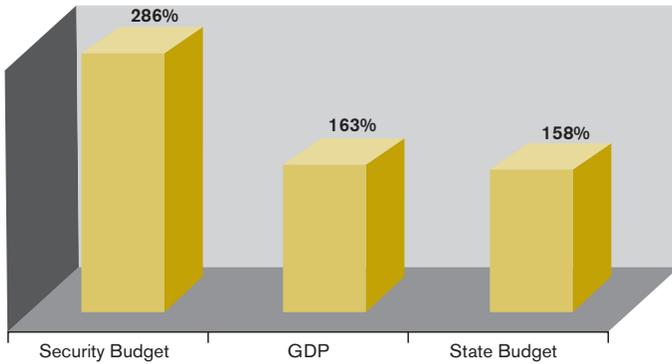
Variation in Budget Assignments, 2004-2013 (%)



Security Budget (current US\$), 2004 - 2013

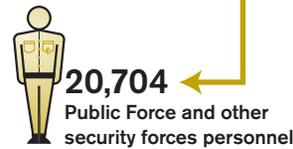


Comparative Growth (2004 - 2013, in current US\$)

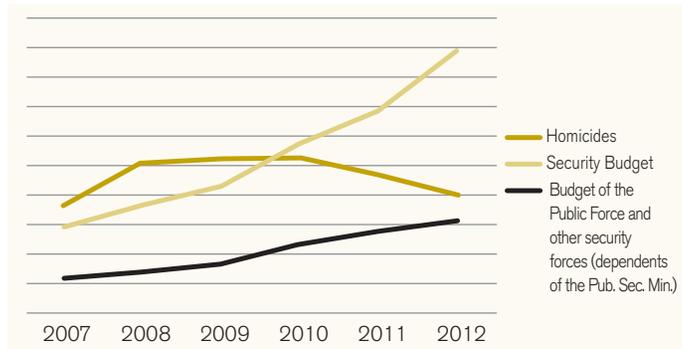
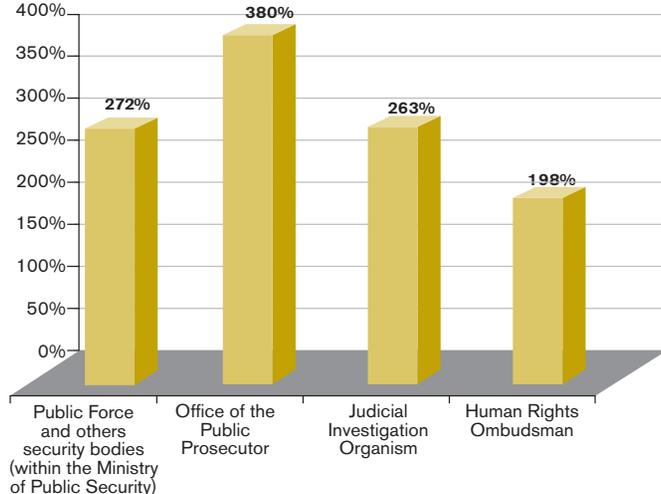


Year	Homicides	Security Budget	Budget of the Public Force*
2007	369	293,750,991	123,005,042
2008	512	366,426,037	144,984,583
2009	525	425,017,891	166,756,314
2010	527	571,435,408	234,113,016
2011	474	682,733,435	279,538,965
2012	407	890,418,490	315,305,503

*And other security forces (dependents of the Pub. Sec. Min.)



Variation in Budget Assignments, 2004-2013 (%)



Sources: Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico from 2004 to 2013. GDP and Exchange Rate: World Economic Outlook Database, IMF, for each year considered. All figures are expressed in current US dollars. Homicides: *Homicidios dolosos ocurridos en Costa Rica durante el 2012*, Judicial Investigation Organism.

Budget and Institutions

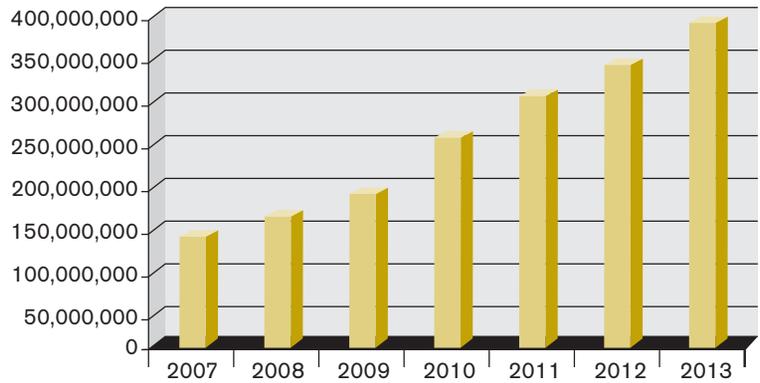
The budget in current dollars allocated to the Ministry of Public Security has increased steadily in recent years. This is also due to the resources that are allocated to it through new taxes imposed by law.

On average, 92% of the Ministry's budget corresponds to the Public Force and other security forces under its leadership.

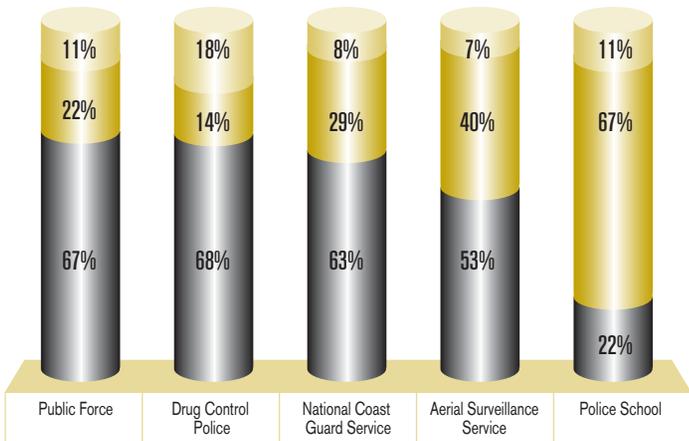
The resources assigned to the Ministry of Public Security through the taxes imposed on legal persons was US\$42,360,400 in 2012.

While a large part of the growth in recent budgets assigned to security institutions is related to current expenditure (including operations), the 11% available for investment in the Public Force in 2013 stands out.

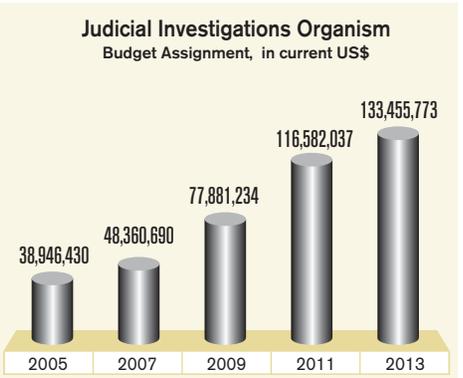
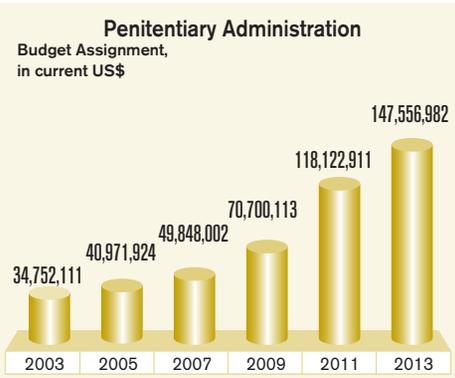
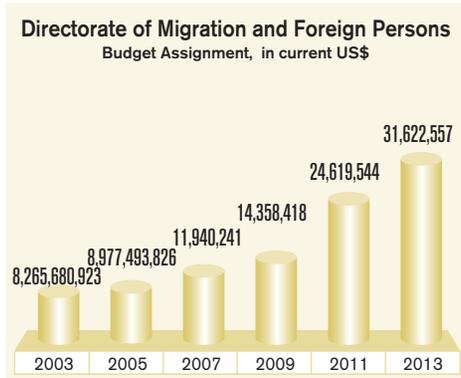
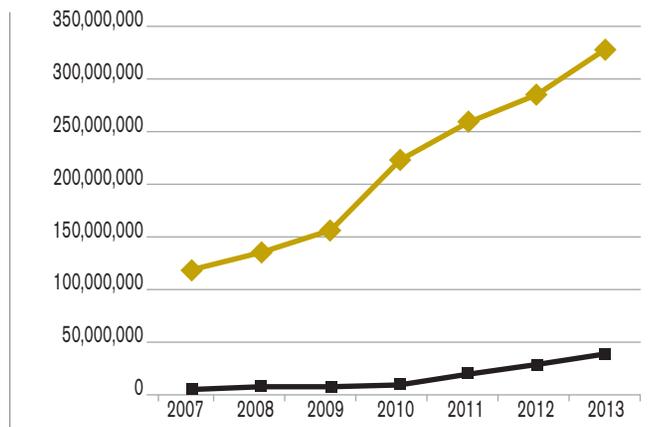
Evolution of the Budget Assigned to the Ministry of Public Security (in current US\$)



Distribution of the Budgets Assigned to the Public Force and other Law Enforcement Bodies within the Min. of Public Security, 2013



Current and Capital Expenditure within the Budgets Assigned to the Public Force and other Law Enforcement Bodies within the Min. of Public Security (current US\$)



Sources: Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2003 to 2013. Ministry of Finance, *Estados Financieros, Liquidación 2012*. General Accountant of the Republic, *Ingresos corrientes del presupuesto ordinario del Gobierno de la República para el 2013*. The value taken for the dollar corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All figures are expressed in current US dollars.

Prevention Programs

According to the Organic Law of the Ministry of Justice and Peace (that until 2009 was the Ministry of Justice), it should function as a liaison between the Executive and the Judiciary. It is the governing body of criminological policy, as well as coordinating the plans and programs related to the prevention of crime.

- Its dependents are:**
- General Directorate of Social Adaptation
 - General Directorate of the National Registry
 - General Attorney of the Republic
 - The Viceminister of Peace: with the General Directorate for the Promotion of Peace and Citizen Coexistence; the National Directorate for Alternate Conflict Resolution; the Directorate of Public Spectacles and the National Commission for Violence Prevention and the Promotion of Social Peace.

The Viceministry of Peace is in charge of developing the National Plan for the Prevention of Violence and Promotion of Social Peace 2011 – 2014.

It has 7 pillars of action

Pillar 1: Special protection of children and youth, and the promotion of strong, healthy families

Protection of children and youth: activities are developed such as the live together plan with the Ministry of Education, and a strategy for those who are outside the education system, involving them in cultural activities, art, recreation, and sports. Campaigns aimed at the family as the principal unit.

Pillar 3: Communication for Peace

Communication for peace is another one of the items. It is developed through education and awareness campaigns, workshops for key stakeholders and shapers of public opinion.

Pillar 6: Violence Observatory

Elaborated by SISVI – Violence and Crime Information Center, through the judiciary, complaint offices and the police. Since 2008 it has published 10 reports on various topics, such as crime statistics or firearms. Develops a General Crime Index.

Pillar 2: Strengthening of Local Governments

Within the Networks for Coexistence project the Communities Without Fear program is developed with the support of the Spanish development fund in accordance with the objectives of the Millennium Development Goals. Local prevention committees integrated by a large number of institutional actors and led by local governments with the coordination of the mayor have been created. Thus, together with the various institutions and local management office, 10 local prevention plans were developed between 2011 and 2013. These prevention programs are linked to the security issue, and police chiefs and commissions are incorporated. Those with local plans are: San José, Limón, Santa Cruz, Moravia, Montes de Oca, Los Chiles, Heredia, La Peregrina-León, Desamparados and Palmares.

Pillar 4: Unarming the violence

Weapons represent another problematic, and within this pillar activities aimed at raising awareness amongst children in schools through the weapon-free schools program are developed.

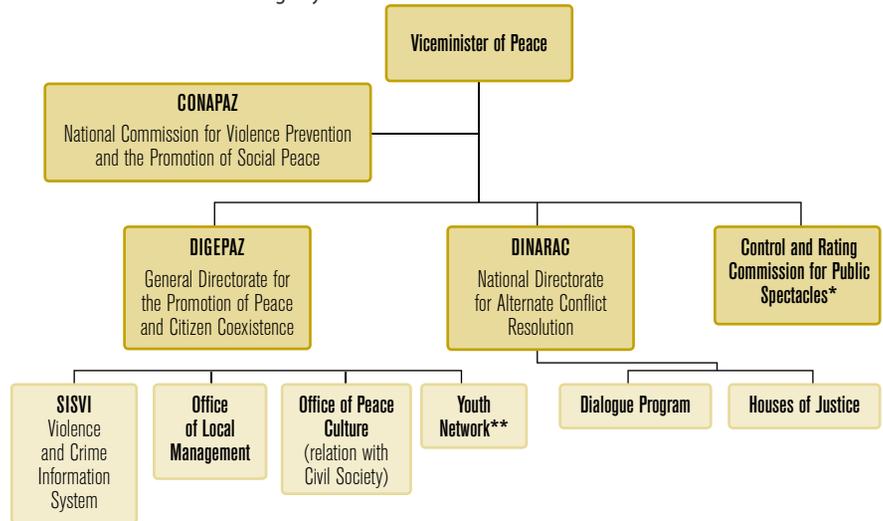
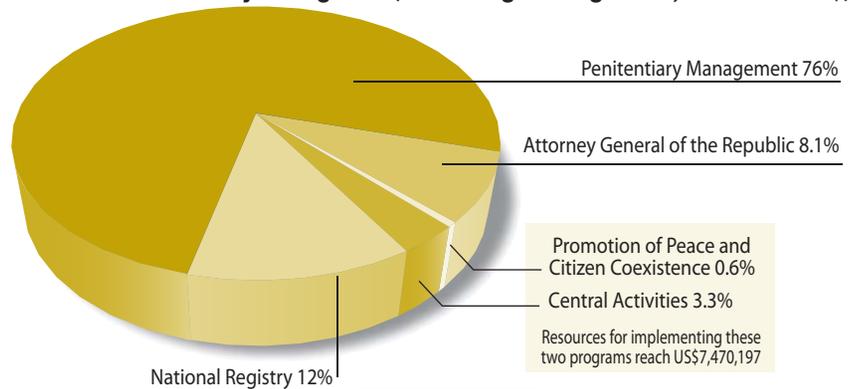
Pillar 5: Peaceful Conflict Resolution

The peaceful resolution of conflicts is another one to highlight. The “Houses of Justice” program consists of 16 community mediation centers where neighborhood conflicts are resolved. 40,000 people visit annually.

Pillar 7: Peace Network

Participation of Civil Society in cultural programs and activities.

The Ministry's Programs (2013 Budget Assignment, in current US\$)



*Regulates the access of minors to public spectacles, video games, cinema, and printed material of a pornographic nature. Its executive bodies are the National Council of Public Spectacles and the Control and Rating Commission (integrated by other institutions such as the Ministry of Education, the Ministry of Culture and Youth, the National Board of Children and the National Women's Institute).

**A space for the participation of youths representing different secondary schools across the country. It seeks to foster opportunities for reflection and participation, promote projects on violence prevention in schools and maintain continuous liaison between the school and community for the dissemination of information and the implementation of projects

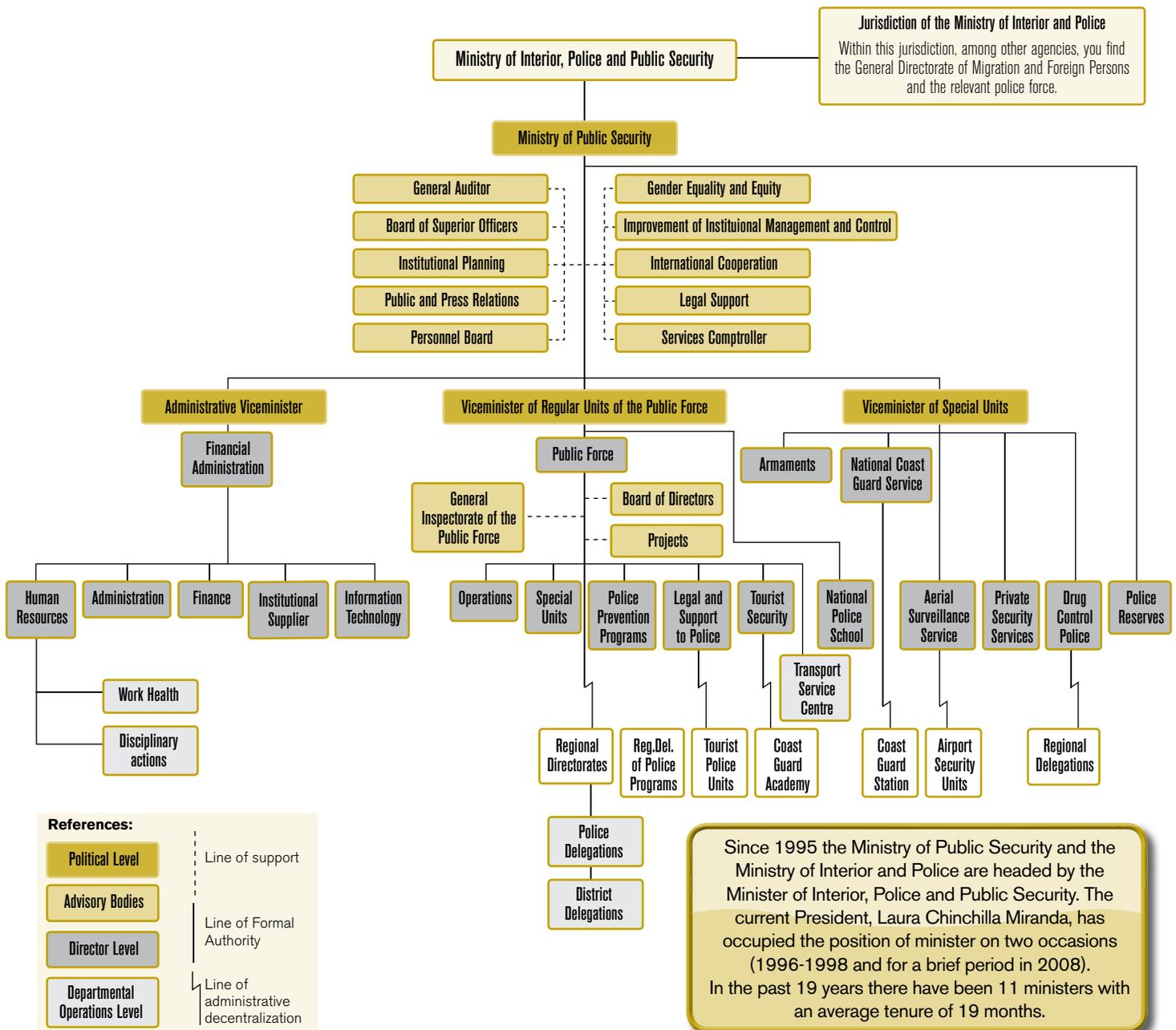
Sources: Ley Orgánica del Ministerio de Justicia. Information provided by the Viceministry of Peace. Website of the Violence and Crime Information System. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, 2013.

The Ministry of Public Security

The Ministry of Public Security is the State institution whose function is to preserve and maintain national sovereignty, assist in strengthening the principle of law, and ensure security, peace and public order in the country.

Historically two ministries have developed competences that include police forces: the Ministry of Interior and Police, and the Ministry of Public Security. Since 1995, both portfolios have the same Minister in charge, working in practice in a unified manner but with each maintaining its own regulations, structure and budget.

The internal structure of the Ministry of Public Security reflects the extension of the bodies under its control: one vice-minister for the Public Force dominates much of the structure, while another viceminister is in charge of the so-called Special Units (forces dedicated to surveillance and control of the national territory and specific challenges, such as the National Coast Guard Service, the Aerial Surveillance Service and the Drug Control Police). Another viceminister is in charge of administrative issues.



Sources: Ley Orgánica del Ministerio de Seguridad Pública, N° 5482 – 12/24/1973. Decreto Ejecutivo que Crea el Ministerio de Seguridad Pública, N° 5482, 12/24/1953. Acuerdo que Adscribe Dependencias de Guardia Civil a Seguridad Pública, N° 57– 06/09/1954. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. Ley General de la Administración Pública, N° 6227 and reforms. Website of the Ministry of Public Security and Memoria Institucional 2011-2012.

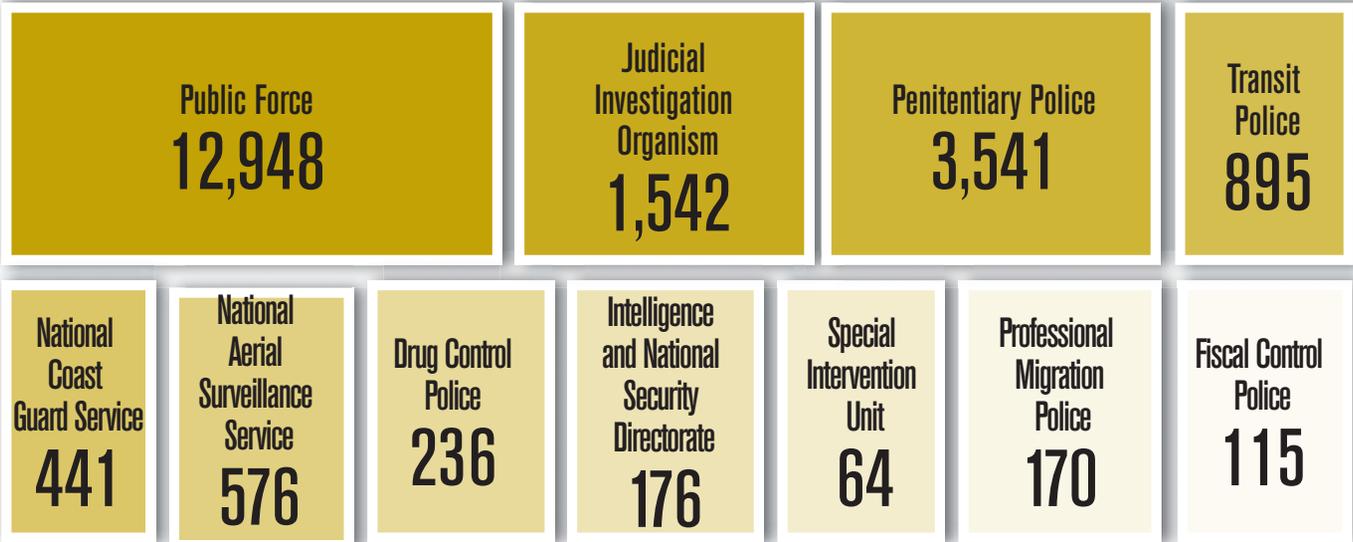
The Police Bodies

Costa Rica stands out from other countries in the region due to the multitude of different specialized police bodies pertaining to different ministries that exist in a fundamentally decentralized system. Following the abolition of the Army and its codification into the 1949 Constitution, the Civil Guard was created as a dedicated police body whose principal functions were public order and security. In the following decades it can be seen that a policy of generating bodies for different areas and in different jurisdictions was followed, with the objective of preventing that

all enforcement power was concentrated in a single institution.

The General Police Law, passed May 26th 1994, gave the country its first single legal body regulating all of the country's police forces, in addition to professionalizing the service through the development of a police career. Of these, the Public Force stands out as the largest police body, and that designated to the maintenance of public security, whilst a large dedicated body of judicial investigators located within the Judicial Investigation Organism also stands out.

TOTAL PERSONNEL



There are
2.7 Public Force police officers for every **1,000** inhabitants
1 Public Force police officers for every **3.9** km²
382 Graduates of the National Police Academy in 2012

Personnel Pyramid of the Public Force, according to rank*

Senior Officer Scale	0.03 %	Commissioner	
	0.15%	Deputy Commissioner	
	0.13%	Commander	
	Mid Level Officer Scale	0.48%	Captain
		0.75%	Chief Superintendent
		1.43%	Superintendent
	Basic Scale	0.30%	Sergeant
		0.52%	Inspector
		63.42%	Agent
		32.80%	Not identified

Average Salary: Some Examples

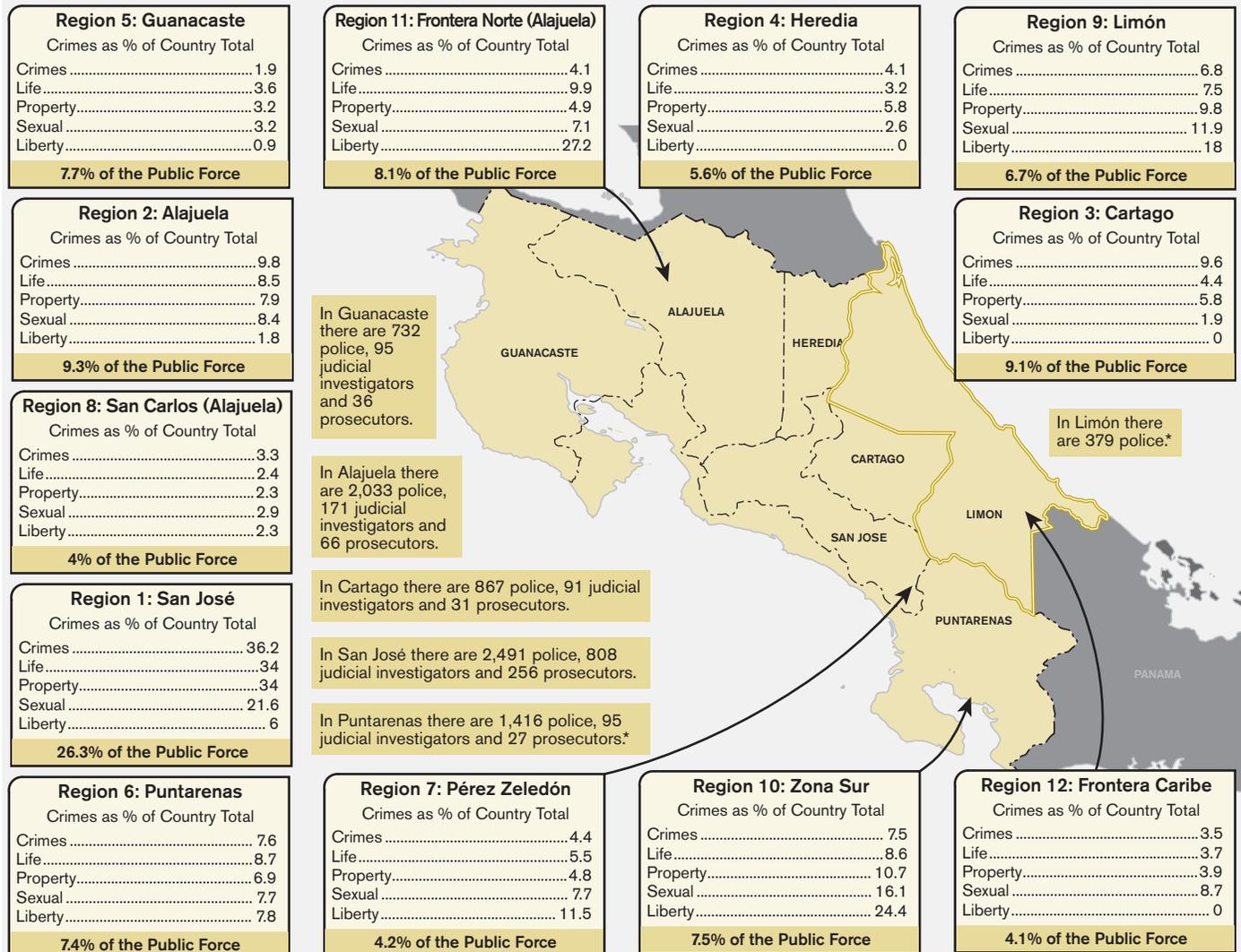
Public Force Basic Agent	US\$ 481
Penitentiary Police Basic Agent	US\$ 495
Migration Police Basic Agent	US\$ 511
Judicial Investigator	US\$ 850
Transit Police Basic Agent	US\$ 560

*Initial ranks in each force are referred to. Actual salary can vary according to time spent in the force and bonuses.

1 in every **7** members of the Public Force
4.2 members of the Coast Guard
5.3 members of Aerial Surveillance
is female

Sources: Ministry of Public Security, Interior and Police: Public Force personnel and *Memoria Institucional 2011-2012*. Information provided by the Judicial Investigation Organism. *Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013*. Exchange rate: World Economic Outlook Database, IMF.

The Density of the State: Public Security Across the Territory



*There are 70 judicial investigators and 36 prosecutors in the Southern Zone, which covers part of Puntarenas, San José and Limón.

Note: the number of police correspond only to those deployed in regional directorates. Judicial investigators and prosecutors are organized into 15 judicial circuits. Some of those have been included here for an improved graphical understanding.

For every 1 Prosecutor, there are 3 Judicial Investigators and 18 Police officers from regional directorates.

Region	Police %	Crimes%	Life%	Property%	Sexual %	Liberty%
1 San Jose	26.3	36.2	34	34	21.6	6
2 Alajuela	9.3	9.8	8.5	7.9	8.4	1.8
3 Cartago	9.1	9.6	4.4	5.8	1.9	0
4 Heredia	5.6	4.1	3.2	5.8	2.6	0
5 Guanacaste	7.7	1.9	3.6	3.2	3.2	0.9
6 Puntarenas	7.4	7.6	8.7	6.9	7.7	7.8
7 Perez Zeledon	4.2	4.4	5.5	4.8	7.7	11.5
8 San Carlos	4	3.3	2.4	2.3	2.9	2.3
9 Limon	6.7	6.8	7.5	9.8	11.9	18
10 Zona Sur	7.5	7.5	8.6	10.7	16.1	24.4
11 Frontera Norte	8.1	4.1	9.9	4.9	7.1	27.2
12 Frontera Sur	4.1	3.5	3.7	3.9	8.7	0

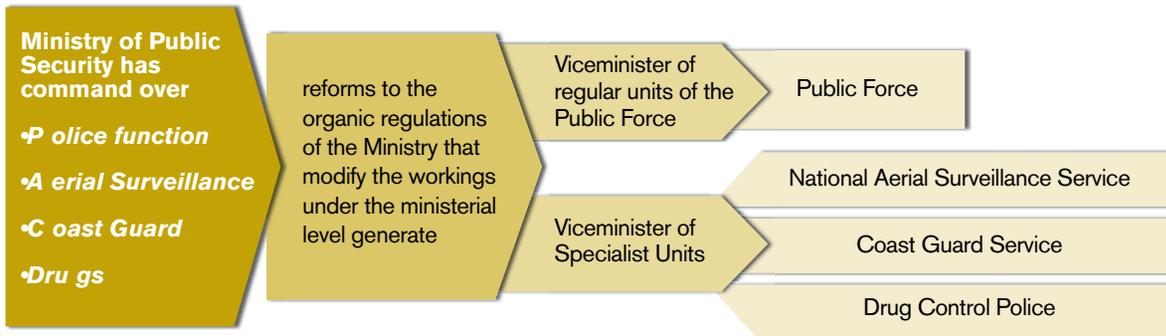
Sources: Personal Directorate of the Judiciary (investigators and prosecutors), Ministry of Public Security (Public Force in Regional Directorates), Judicial Investigation Organism, website, database and *Homicidios Dolosos Ocurridos en Costa Rica durante el 2012*.

The Public Force

The so-called Public Force is the main police force in the country and it has its background in the Civil Guard, which was created following the abolition of the army as a permanent institution in 1948. The General Police Law places it definitively within the Ministry of Public Security. The reform of this law (strengthening of the civilian police) abandoned the military designation of scales and grades and created spaces of internal control.

the main police force, the National Coast Guard, Air Surveillance Service and the Drug Control Police all within the Ministry of Public Security. In reality, and following successive reforms to the Ministry’s organizational regulations, it ended up constituting a practical division that placed the police force, which is known within the country as the *Public Force* (in other countries it would be called the National Police) on one side, and on the other side the specialist units (which, given the nature of their functions, have different regulations, situations and challenges).

The Public Force – just as its laws and regulations – covers

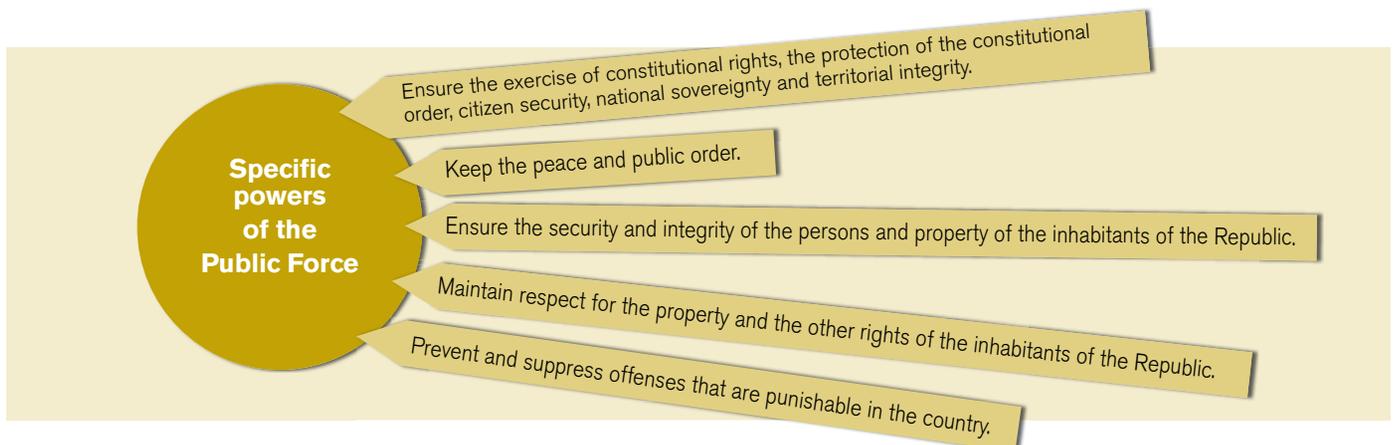


Ministry of Interior and Police
•Professional Migration Police
One Minister for both ministries.

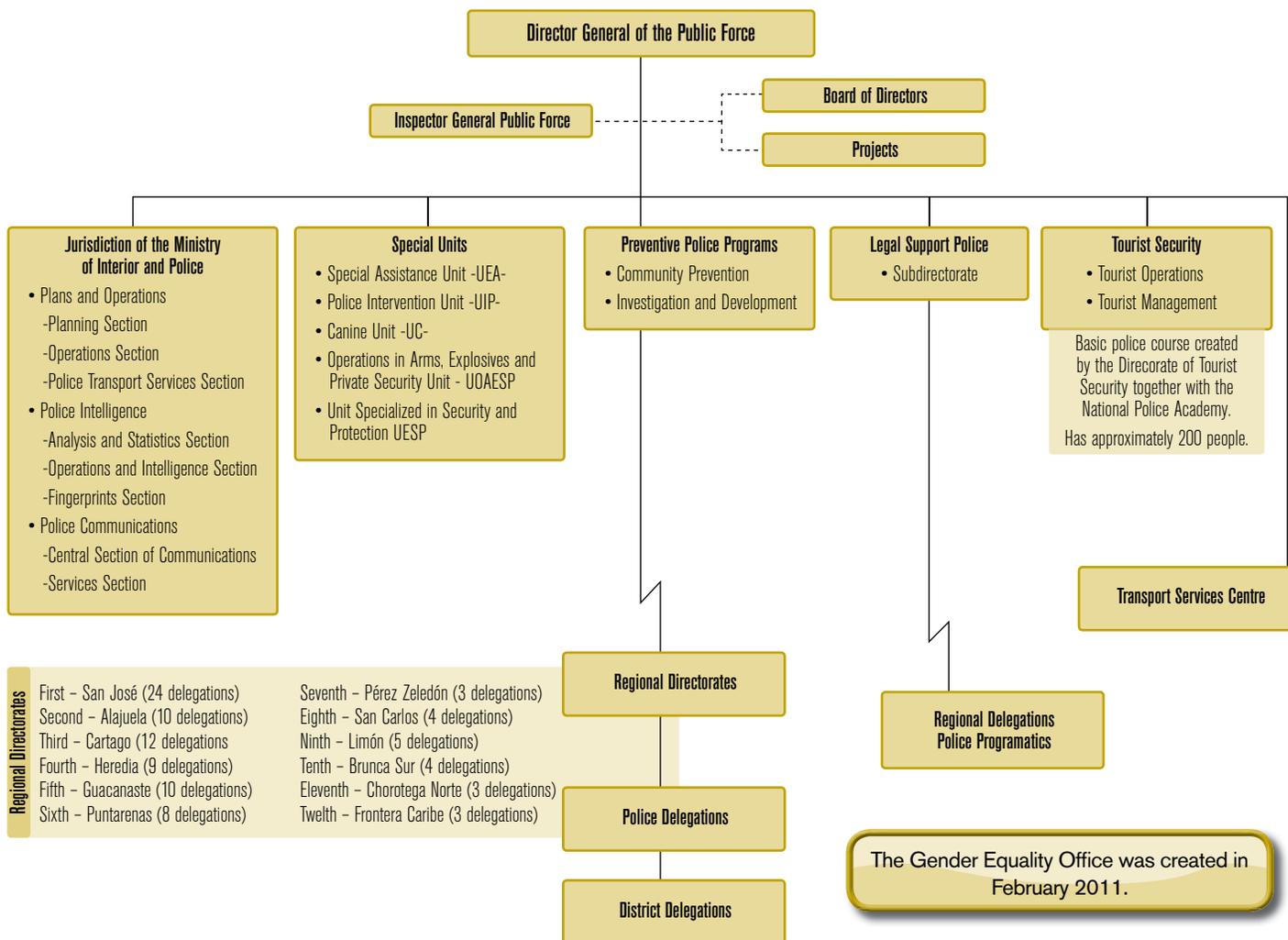
The General Police Law establishes that “the forces responsible for public security will have an eminently police character and be subordinate to the civil power. The armament and organization of these forces will be their own and appropriate for the proper performance of police duties. Members must refrain from discussing or making remarks outside the civil authority to which they depend”.
Jurisdictional disputes between police bodies that depend on the same ministry shall be resolved by its head. Those conflicts that arise between police that have separate ministries will be solved by the President of the Republic.

The main provisions that govern the Public Force are:

General Police Law, 05/26/1994, and reforms	Law Strengthening the Civil Police 03/06/2001	Regulations for toxicology tests to members of the police forces attached to the Ministry of Public Security, 04/04/2002	Ethics Regulations for members of the police forces attached to the Ministry of Public Security 08/27/2003	Service regulations of the police forces attached to the Ministry of Public Security, last reform 2008	Regulations of Police Grades and the Promotion of Public Force personnel, last reform 2009	Police –Citizen Manual of Costa Rica 05/03/2010
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The Public Force (equivalent to the national police) fulfills central functions in the maintenance of public order and security.



The Public Force, like other State institutions, is controlled by the Comptroller General of the Republic.

Public Force Reserves It consists of civilians that can be summoned for specific cases. They are given a short induction course for agents, but are called up specifically for their professional skills, such as doctors for example. In such cases, they carry out very specific tasks and will have the same rights, duties and obligations as active members of the Public Force, but ad honorem.

Preventive programs

- DARE:** its goal is to prevent the use and abuse of legal and illegal drugs and other toxic substances among children and adolescents, train parents on the subject of drug abuse, and work with youth that are not at school in the same areas.
- Pinta Seguro:** training on prevention to children who attend educational institutions across the country to avoid being victims of theft, abuse, assault, accidents and kidnappings.
- Community Security Program:** designed to organize and train residents to take preventive measures to avoid becoming victims of crime and to improve the quality of life in their communities.
- Commercial Security Program:** trains the business sector to take preventive measures against crime and work together with their local police.
- Intrafamily Violence Program:** trains members of the Public Force to conduct appropriate intervention in cases of domestic violence and also sensitize communities to help prevent and report these situations.

The Inspector General of the Public Force: internal control

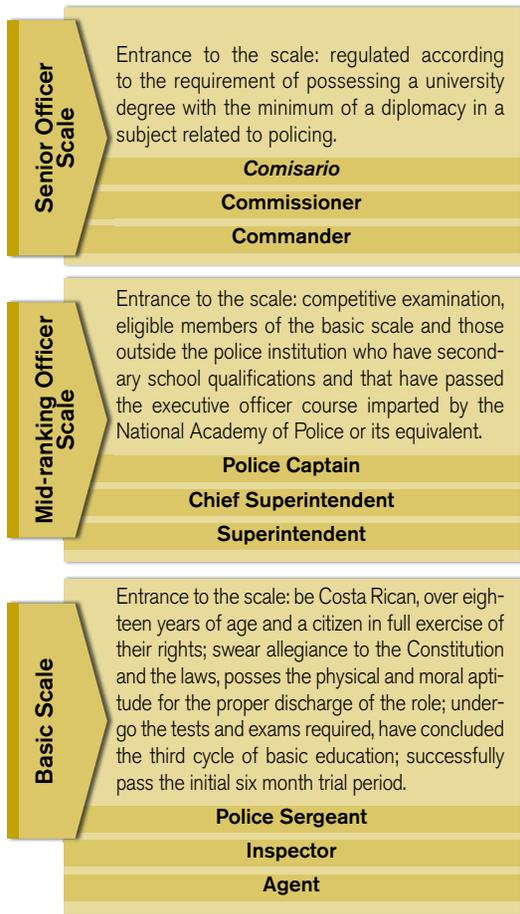
- The Internal Control Law, which applies to all public bodies, makes it mandatory to have a system of internal control.
- In the case of the police force, that function is fulfilled by the Inspector General.
- It is an advisory body attached to the General Directorate.
- Preventive and investigative functions, with the intention to attend to cases of corruption and crimes committed by police personnel.
- Divided into internal affairs and control and supervision.

Sources: Ley General de Policía, N° 7410 – 30/05/1994. Ministry of Public Security, Memoria Institucional 2011-2012. Website of the Public Force and the Ministry of Public Security.

Police Training and the Police Career

In 1964 the professionalization of the police force was begun through the creation of the **National Police Academy**, which was initially under the authority of the Office of the President. Since 1979, the National Police Academy is located within the Ministry of Public Security. It is governed by the General Police

Law No. 7410 of 1994, which was amended in April 2001 through Law No. 8096. It is formed by aspiring members of the police profession, as well as those who are already police officers but are in a process of continued training.



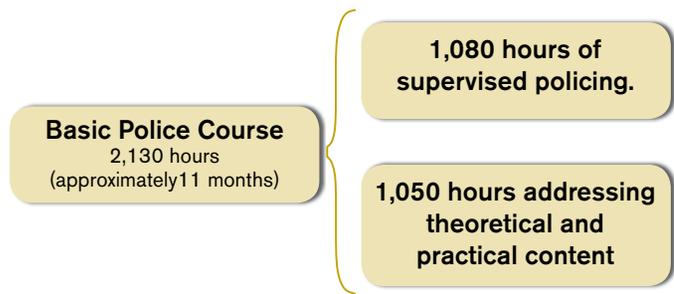
In all cases, internal promotion is governed by the relevant regulations, respecting criteria such as training, length of service and other merits and within the internal procedure for promotion. The promotion from one grade to another is carried out in a phased manner and according to the existence of vacancies at a higher level.

Incorporation

The Basic Course consists of three main areas (humanistic - 100hs. – Legal - 115hs. – and Technical Policing - 815hs. -), a supervised practise and 20hs of complementary activities.

September 2013: 241 police students entered the National School. Of that total, 28 are female and 213 male. The majority of students are from San José (53); followed by Cartago (52), Guanacaste (47), Puntarenas (35), Alajuela (24), Heredia (17) and Limón (13). Entrants of the National Police School were between 19 and 42 years of age.

2012: Incorporation of 1,302 interim police agents, 774 in new positions and 528 in vacant positions.



Public Force personnel are trained in the National Police School, including personnel from the Air Surveillance Service.

Within the School's framework, the National Coast Guard Academy provides specialized technical and police training to Coast Guard personnel. This Academy is a dependent of the Directorate of the National Coast Guard Service, but maintains academic coordination and dependence with the National Police School.

In September 2013, 191 officers, including 5 women, graduated from the Border Security Course (9 week duration- 417hs) which was imparted at the School. The Border Police specialization reopened after 14 years, and is the most popular specialized course given at the School.

Sources: Ley de Fortalecimiento de la Policía Civilista N° 8096, 03/15/2001; Ministry of Public Security, Memoria Institucional 2011-2012; Ministry of Public Security, National Police School. Informe de los resultados de la auditoría de carácter especial sobre el proyecto de construcción, equipamiento y gestión curricular de la sede permanente de la Escuela Nacional de Policía del Ministerio de Seguridad Pública, Comptroller General of the Republic, 2013.

Drug Control Police

Personnel:

236 members

2013 Budget:

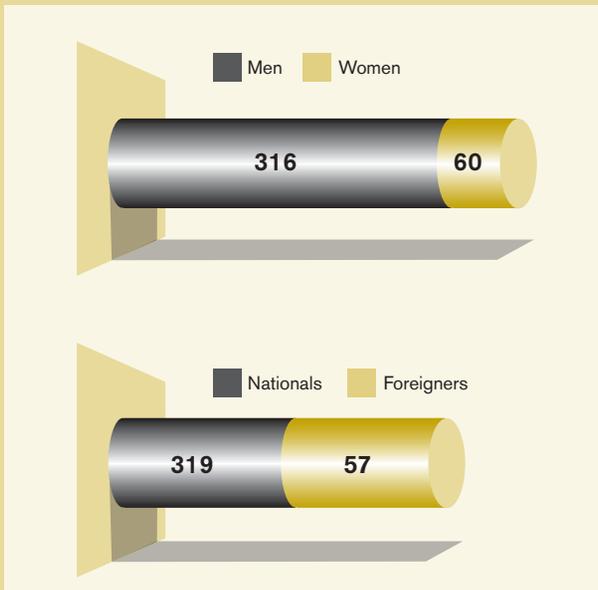
US\$ 10,314,614

Within the Ministry of Public Security

It dates back to 1970, when a 'Directorate of Narcotics' began operating within the Civil Guard. In 1992, following the merger of the anti-drug police bodies that at that time existed in various ministries, the National Drug Control Directorate was formed. Following the 1994 General Police Law it was renamed as the Drug Control Police (PCD).

It is responsible for controlling unauthorized drugs and related activities and cooperating in the prosecution of crimes in this area. Investigates crimes and produces the respective reports as well as performing seizures and police actions related to the area.

Persons Detained for Drug Trafficking, Jan-March 2013



The topics covered in the training courses for agents include: chemical precursors, identification of money traffickers, criminal prosecution policies, clandestine laboratories, and SWAT tactics.

Professional Migration Police

Personnel:

170 members

2013 Budget:

US\$ 31,622,558

Within the Ministry of Public Security

It is a specialized police force attached to the General Directorate of Migration and Foreign Persons, whose jurisdiction covers the entire national territory. It is responsible for migration supervision and control in relation to foreigners and Costa Rican nationals.

- Ensures the implementation and enforcement of the Constitution, international treaties, laws and regulations on migration.
- Performs legal and administrative resolutions in the area
- Exercises the police functions required.
- Develops an integrated border program to facilitate the exercise of immigration control.

National Coast Guard Service

Personnel:

441 members

2013 Budget:

US\$ 16,530,872

Within the Ministry of Public Security

In 1976 the Maritime Surveillance Service was created to protect marine resources in the two oceans that surround its territory. Other functions were added over time, including search and rescue, and combating smuggling and drug trafficking. In 2000, through Law N° 8.000, it was converted into the National Coast Guard Service, thus creating a more professional police unit.

It is responsible for safeguarding State sovereignty over its territorial waters, natural resources and human life, in strict compliance with law.

- Monitors and protects the State's maritime borders and adjacent coastal waters.
- Ensures the safety of shipping and port traffic.
- Develops operational requirements to rescue people or to locate lost ships.
- Assists in the protection of natural resources and the fight against illicit drug trafficking, illegal migration, arms trafficking and other illicit activities.

Training takes place at the Coast Guard Academy, which is a dependent of the National Police Academy.

Between 2011 and 2012, 14,633 security activities were carried out: 8,568 to increase maritime security and 6,065 for the conservation of natural and coastal resources.

Operational Bases:

5 on the Pacific Ocean / 2 on the Caribbean



Aerial Surveillance Service

Personnel:

576 members

2013 Budget:

US\$ 16,447,484

Within the Ministry of Public Security

Its mission is to monitor Costa Rican airspace and carry out rescue missions, such as the air ambulance service, and anti-drug operations on land and sea.

- Provides transportation within and outside the country in exceptional circumstances.
 - Coordinates and cooperates with the institutions involved in national emergency response.
- The Directorate of the Aerial Surveillance Service is located in Juan Santamaría International Airport, located in the capital, San José.

Dependents:

1 Department of Aeronautical Operations

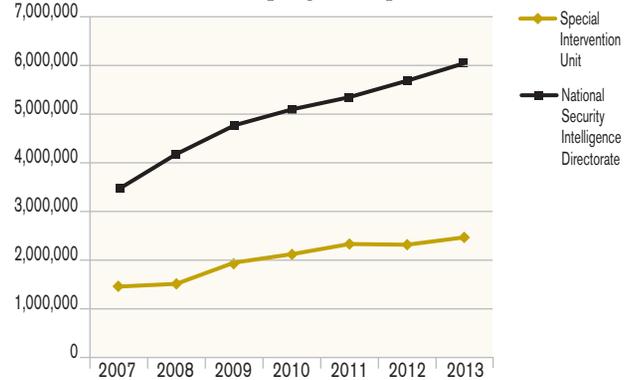
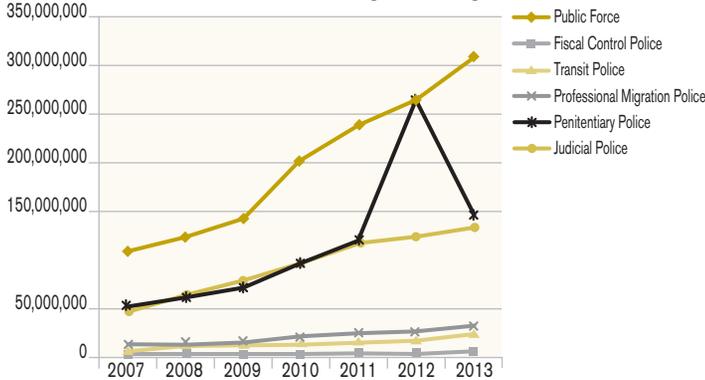
2 Department of Aeronautical Maintenance

3 Airport Security Units

Sources: Ley General de Policía, N° 7410 - 26/05/1994. Ley de Creación del Servicio Nacional de Guardacostas, N° 8.000, 24/05/2000. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. Costa Rican Drug Institute, Boletín Estadístico, Primer Trimestre 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF. Website of the Ministry of Public Security and its Memoria Institucional 2011-2012.

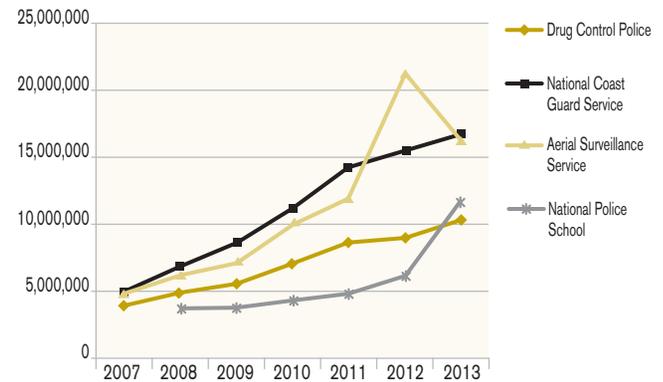
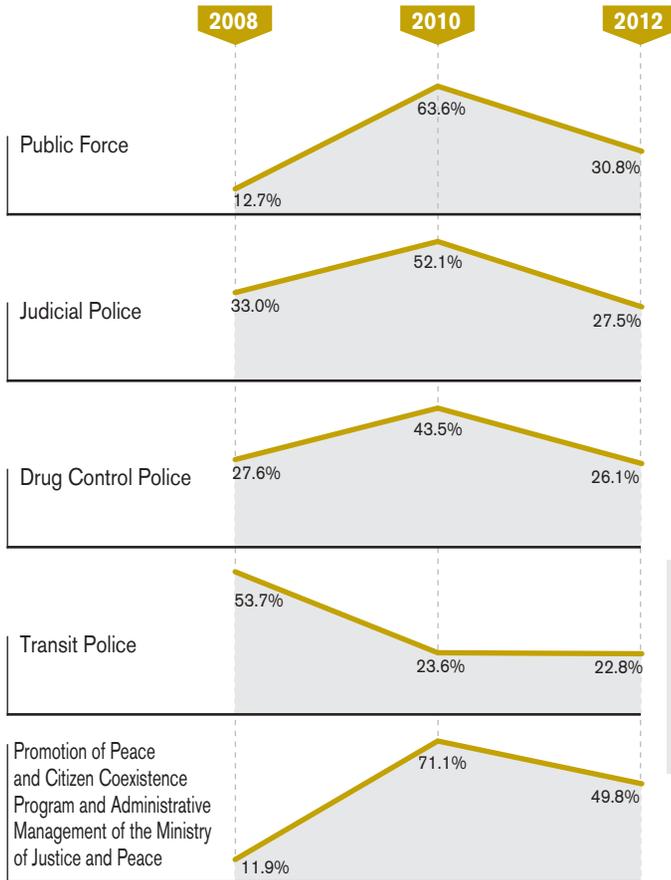
The Budget of Security Forces

Within the budget growth experienced by the security forces, the growth in that of the Public Force, the Penitentiary Police, and the Judicial Police (Judicial Investigation Organism) stand out, in addition to other investment programs specific to certain forces.



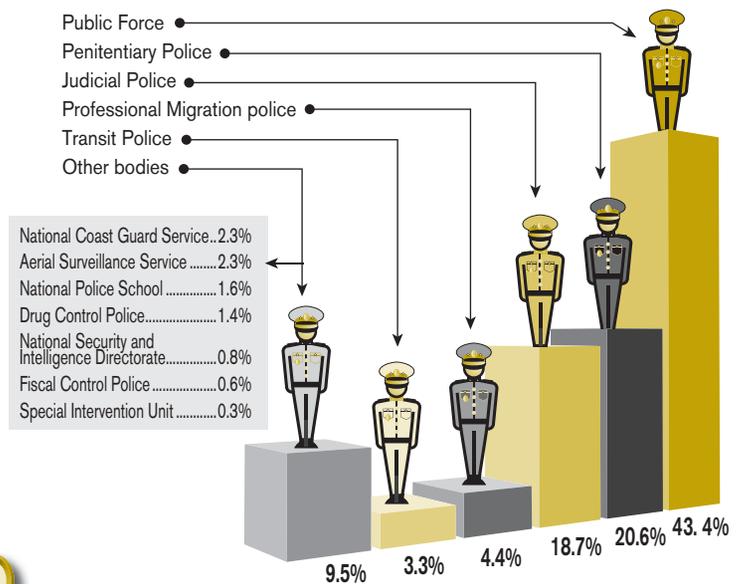
In 2012, the Penitentiary Police received more than one million eight hundred thousand dollars for equipment and infrastructure in the country's penitentiary centres.

Variation in the Resources assigned to Police Forces and Violence Prevention Programs



In 2012, more than 8 million dollars were assigned to the Aerial Surveillance Service for equipment.

Proportion of the Total Budget in 2013 assigned to Security Forces



While the increase in the Public Force's budget has been notable, the increased amount of resources allocated to violence and crime prevention programs implemented by the Ministry of Justice and Peace stands out.

As the country's principal police force, the Public Force received 43% of the resources assigned to security forces in 2013.

Sources: Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. Exchange Rate: World Economic Outlook Database, IMF. All figures are expressed in current US dollars.

Judicial Investigation Organism (OIJ)

In 1974 the Judicial Investigation Organism was created (through Organic Law N° 5.524) as an institution below the authority of the Supreme Court, and as an auxiliary justice organ that functions as an authentic judicial police. The Supreme Court is its highest administrative authority, and the body that names its senior officials. Internal control is exercised through a supervisory unit, while external control is exercised through evaluations carried out by the Judiciary.

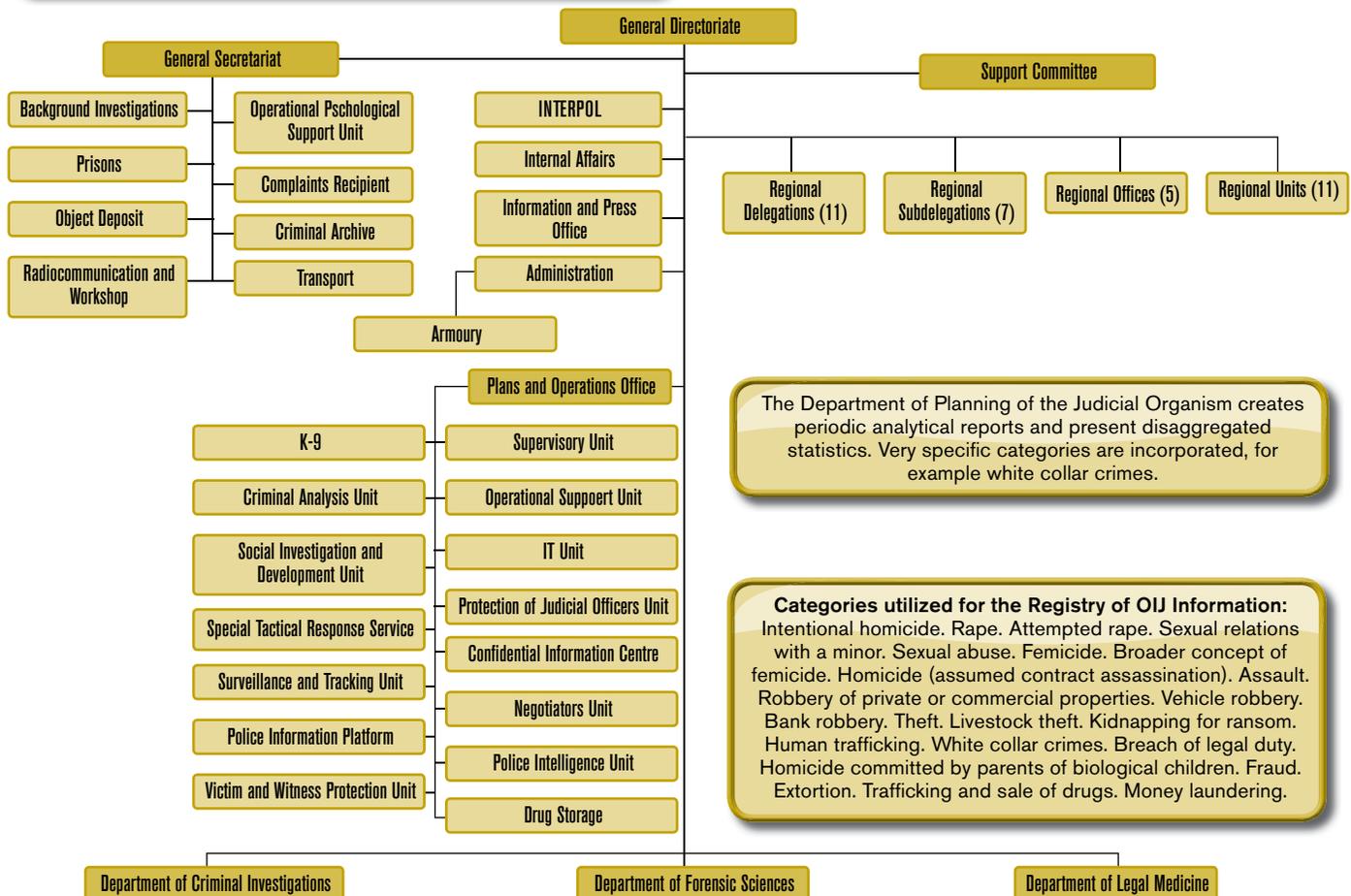
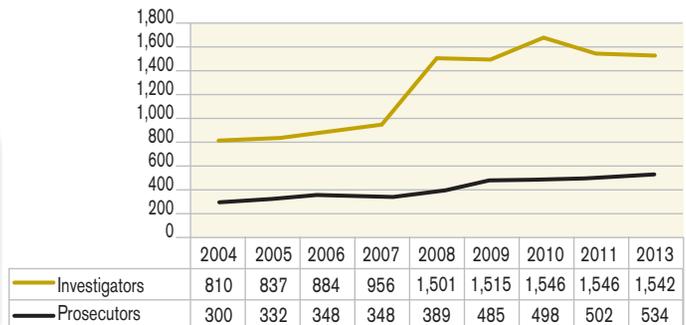
It is formed by the Criminal Investigation Department, the Office of Forensic Sciences and the Department of Legal Medicine, and it has 34 regional offices. In terms of its links with other institutions, it works together with prosecutors during the investigation process. They also have a relationship with the Ministry of Public Security although to a lesser degree. They coordinate with the Public Force in particular operations (such as raids).

The training process for investigators is carried out in the Judicial School. Applicants must have completed high school or up to the third year of university. They undergo physical and psychological tests, background and personal checks of their customs, lifestyle, and even debts. Of 100 applicants, 10 usually enter. The initial course is 6 months. The school provides other advanced courses with the same training scheme as the judicial level. One of its initiatives is to have its own Academy, which is scheduled for 2017.

Police investigators amount to 1,542 people. Technical, expert, forensic and administrative staff total 600 people.
2013 Budget: US\$ 133,455,773
Dependent of the Judiciary.

In Costa Rica criminal investigation is then led by an ad hoc body under the authority of the Judicial Branch. In addition to investigations, it produces statistics on crimes. There are no equivalent bodies in Central America, where it is usually the Office of the Public Prosecutor which carried out these functions.

Personnel of the Judicial Investigation Organism



The Department of Planning of the Judicial Organism creates periodic analytical reports and present disaggregated statistics. Very specific categories are incorporated, for example white collar crimes.

Categories utilized for the Registry of OIJ Information:
Intentional homicide. Rape. Attempted rape. Sexual relations with a minor. Sexual abuse. Femicide. Broader concept of femicide. Homicide (assumed contract assassination). Assault. Robbery of private or commercial properties. Vehicle robbery. Bank robbery. Theft. Livestock theft. Kidnapping for ransom. Human trafficking. White collar crimes. Breach of legal duty. Homicide committed by parents of biological children. Fraud. Extortion. Trafficking and sale of drugs. Money laundering.

Sources: Information provided by the Subdiretorate of the Judicial Investigation Organism and the Judiciary's Directorate of Personnel. *Ley Orgánica del Organismo de Investigación Judicial, N° 5.524. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013.* The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, 2013.

Other Police Bodies

Transit Police

Personnel:

895 members

2013 Budget:

US\$ 23,741,117

Within the Ministry of Public Works and Transport

The Directorate of Transit Police was created in 1979 (Road Management Law, N° 6.324) and its main function is supervising the execution of transit regulations, accident prevention and other road control measures. It is also regulated by the General Police Law and the Regulations of the Organization and Transit Authority Service (2001).

It is divided across 6 regional units and dependents:

- General Subdirectorate
- Planning Unit
- Police Legal Support Unit
- Transit Police Training School Unit
- Department of Non-conformant Resource Control and Attention
- Detained Vehicle Deposit Department
- Transit Police Operational Department
- Administrative Department

The training of personnel is carried out at the Transit Police Training School for a duration of 4 months (700 hours). Officers should complete 14 modules with content including transit legislation, police procedures, document preparation, among others.

Penitentiary Police

Personnel:

3,541 members

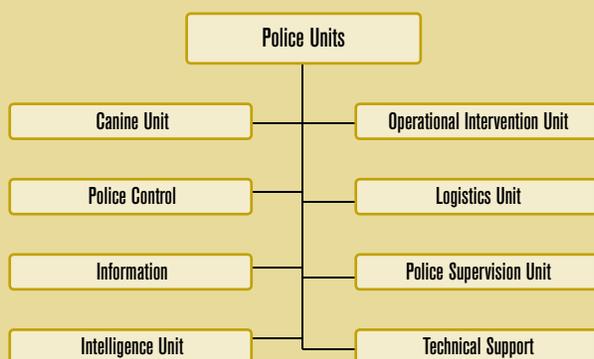
2013 Budget:

US\$ 147,556,983

Within the Ministry of Justice and Peace

The General Directorate of Social Adaptation was created in 1971 by Law No. 4.762. Later, in 1973, the Order and Discipline Regulations of Custodial Staff was emitted. With the 1994 Police Law the **Penitentiary Police** was placed in charge of monitoring and controlling all of the country's prisons and since then has been placed within the General Directorate of Social Adaptation, currently attached to the Ministry of Justice and Peace.

Organization:



Fiscal Control Police

Personnel:

115 members

2013 Budget:

US\$ 4,600,075

Within the Finance Ministry

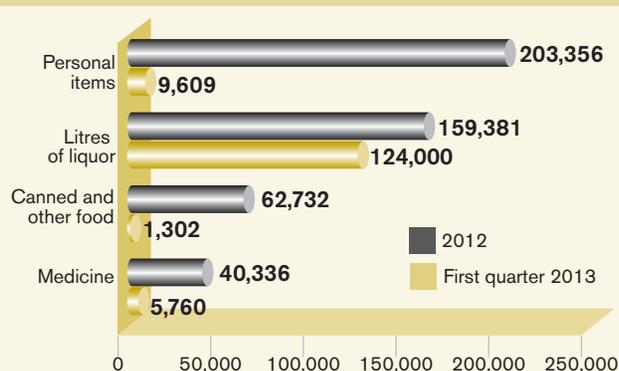
Provides prevention, investigation and inspection services to determine tax crimes and offenses in the areas of taxation, customs and finance. Its purpose is to protect the State's revenue interests.

It belonged to the Ministry of Interior and Police under the name of Fiscal Inspections. In 1994 the General Police Law adscribed it to the Ministry of Finance.

Depends on the Viceministry of Income, and is organized in a Directorate, a Subdirectorate and four Divisions.

- Intelligence: formed by the Departments of Analysis, and of Collection and Treatment.
- Operations: formed by the Departments of Investigations: of Checkpoints and Inspections.
- Legal Technician, formed by the Departments of Legal and Technical Advisory.
- Logistics and Planning

Items Decommisioned by the Fiscal Control Police



Special Intervention Unit (UEI)

Personnel:

176 members

2013 Budget:

US\$ 8,557,889

Within the Office of the President

It is specialized in high-risk counter terrorism and drug trafficking operations. Receives specialized elite training.

- Protects members of the Supreme Powers and dignitaries visiting the country.
- Disables explosives.
- Performs high-risk operations.

National Security and Intelligence Directorate

It is the President of the Republic's information organ in the area of national security.

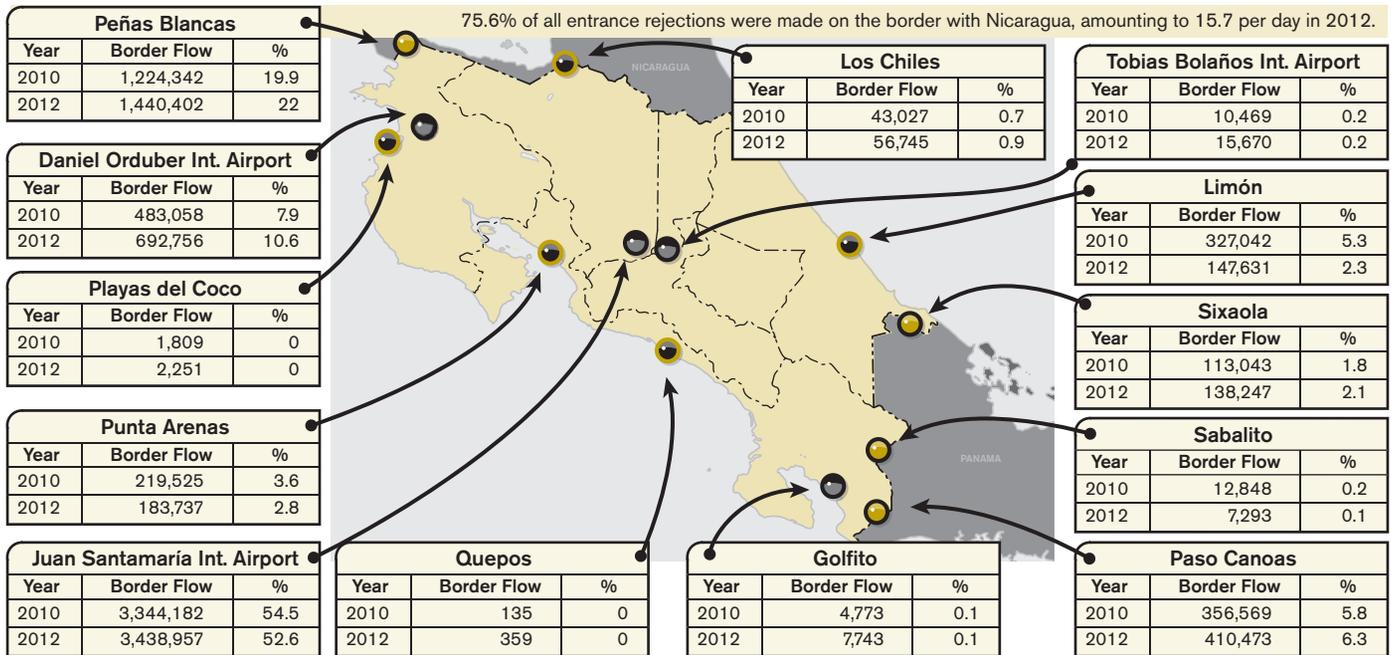
- Detects, investigates, and analyzes the information necessary to prevent incidents which involve risk to the country or its institutions.
- Coordinates with international organizations on external security issues.
- Carries out surveillance activities related to national security.
- Works in coordination with bodies located in the Judiciary to prevent or investigate crimes.

Sources: Ley General de Policía N° 7.410, Ley de Administración Vial N° 6.324. Website of the Ministry of Public Works and Transit, of the Ministry of Finance and the General Directorate of Social Adaptation. Ministry of Finance, Acciones del Ministerio de Hacienda contra el contrabando, Institutional Communication, April 12th 2013. Ley de presupuesto ordinario y extraordinario de la República para el ejercicio económico 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, 2013.

Border Crossings and Immigration Control

The General Law of Migration and Foreign Persons (DL 8764) names the *Directorate of Migration and Foreign Persons* (DGME) (dependent on the Interior and Police Ministry) as the executive organ responsible for migration control in Costa Rica. Other institutions, such as the Ministries of Interior and Police, Health, Education and Foreign Relations, integrate the

National Migration Council, which is an advisory body whose functions include making recommendations for migration policy and its execution. In terms of police control, the **Professional Migration Police** is a specialized body responsible for migration control, and has 170 personnel deployed across the entire territory.



Human and Migrant Trafficking: In response to a notable rise in cases of human trafficking (116 between 2009 and 2011, in comparison to 38 in the 3 years prior to 2008) Law against Human Trafficking and Creation of National Coalition against Human Trafficking and the Illegal Trafficking of Migrants (CONATT) (DL 9095 – 02/08/2013) was passed in order to frame government policies and attention to victims.

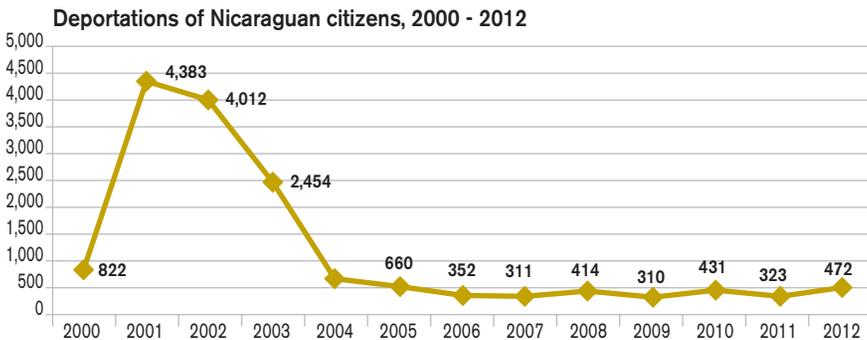
Immediate Response Team
Specialized inter-institutional body responsible for primary attention to victims, including:

- Provision of safe housing
- Health and psychological care
- Legal assistance
- Special assistance to minors.

National Fund against Human Trafficking and the Illicit Trafficking of Migrants (FONATT)
The Law established that a percentage of the exit tax (1 dollar) will be destined to FONATT, to finance and administrative and principally the operational costs involved in combating the crime.

As of 2012, **962 people** had been trained in the area, including public officials, police force members and civil society members.

Reforms to Articles 192, 193 and 376 the penal code:
Prison sentences of 10 and 15 years for taking a minor or disabled person from their parents or legal guardians, or from 20 to 25 when it is those persons who abduct them.



In the context of migration and the cross border flows of Costa Ricans, the situation of Nicaraguan citizens (who represent the majority of those rejected at border posts and those who are deported) stands out. It is also interesting to observe the nationalities of those who remain on the list of major deportations: between 2000 and 2012, the list is headed by Colombia (1,297 persons), followed by Peru (351), Panama (285), Ecuador (269), Dominican Republic (229), United States (220), and Mexico and China (177 each).

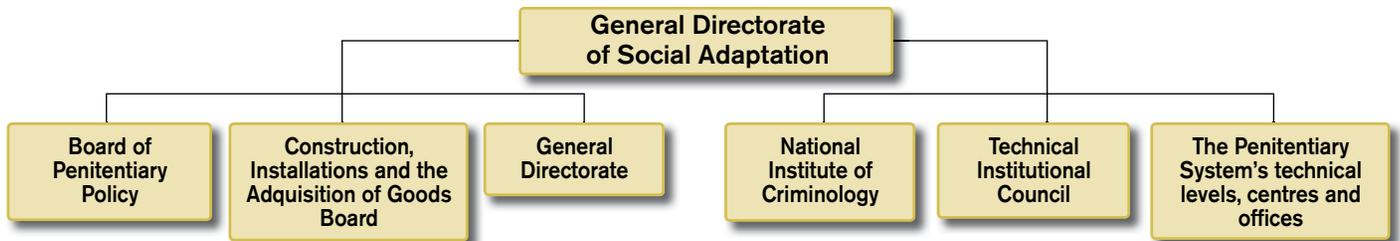
Sources: Directorate of Migration and Foreign Persons; Seguridad Humana, Migración y Desarrollo: Informe de Rendición de cuentas Período 2011 y 201. Ley Contra la Trata de Personas y creación de la Coalición Nacional contra el Tráfico Ilícito de Migrantes y la Trata de Personas (CONATT).

The Penitentiary System

The **General Directorate of Social Adaptation**, within the Ministry of Justice and Peace, is the agency responsible for administering the National Penitentiary System. It was created by DL 4762 of May 8th, 1971, and is governed according to the Organic and Operational Regulations, elaborated in 1993 and last reformed in 2005.

The system has a holding capacity of 8,670 people. In April 2013 the General Directorate had 13,378 prisoners in their custody.

In the Directorate of Social Adaptation there are approximately 400 professionals dedicated to the distinct areas of attention, which include:



The custody and management of prisons is headed by the Penitentiary Police, which has a staff of 3,541 personnel and is attached to the Ministry of Justice and Peace.

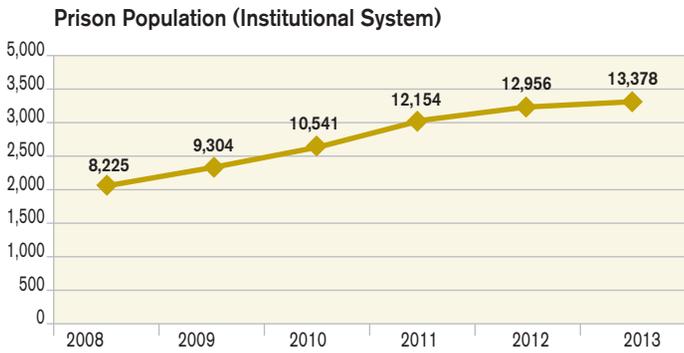
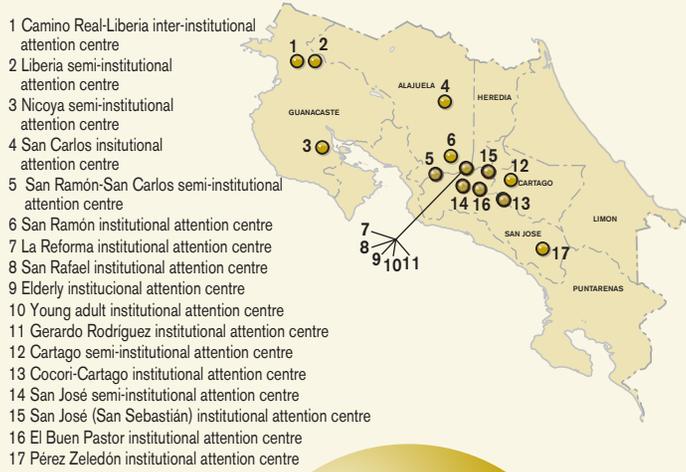
Penitentiary Police Training: The Penitentiary Police Basic Course provides the basic theoretical and practical knowledge for the efficient and competent performance of penitentiary security through a comprehensive training process.

Covers:

- 2 month basic course.
- 1 month of practical tutorials.
- 6 month trial.

- Bodies involved in recruitment:**
- The Directorate of Human Resources and Institutional Management.
 - The National School of Penitentiary Police Training.
 - The Penitentiary Police Directorate, where applicants carry out the practical element during the trial period. The Penitentiary Police Personnel Council approves the lists of eligible staff.

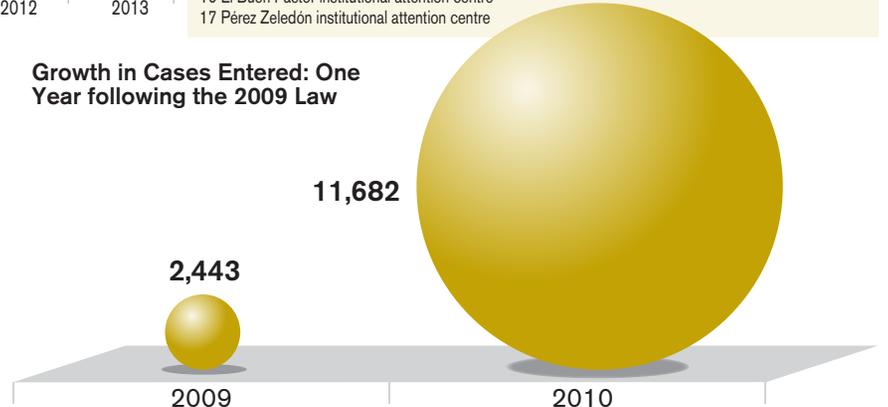
There are 17 penitentiary centers in the country. They are given the name of attention centers and have two distinct types: institutional (closed, permanent reclusion) and semi-institutional (open system).



Attention and Protection to Victims of Crime

Within the area of the Public Prosecutor's Office, the Office of Attention to Victims of Crime has offered this service since 2000, and in particular since 2004 when, due to a growth in the number of threats to judicial officers, witnesses and victims, the Judiciary and the Ministry of Public Security signed a cooperation agreement by which the Public Force provides protection in life-threatening cases. Approval of Law 8.720 – Protection of Victims, Witnesses and other subjects involved in the criminal process – produced a legal framework that currently dictates the Office's work.

Growth in Cases Entered: One Year following the 2009 Law

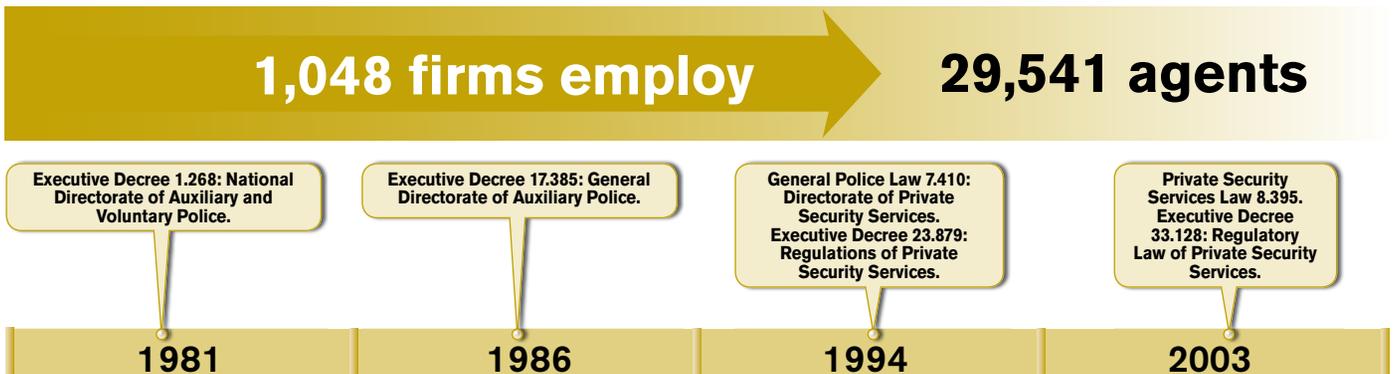


Sources: General Directorate of Social Adaptation; Human Rights Ombudsman, *Informe Anual de Labores 2012-2013*; Human Rights Ombudsman, National Mechanism for the Prevention of Torture, *Informe Anual de Labores 2012*; Costa Rican Legal Information System. *Decreto Ejecutivo 3378-G sobre Reglamento de Orden y Disciplina del Personal de Custodia*; *Decreto Ejecutivo 26061-J de Reglamento General de la Policía Penitenciaria (1997)*. Office of the Public Prosecutor, Office of Attention and Protection of Victims, *Evolución, Logros y Desafíos de la Oficina de Atención y protección a la Víctima del Delito, 2011*.

Private Security

The regulatory framework began to be developed in the early 80's, and the **Regulatory Law for Private Security Services**, passed in 2003, is the law that in 2013 regulates these types of

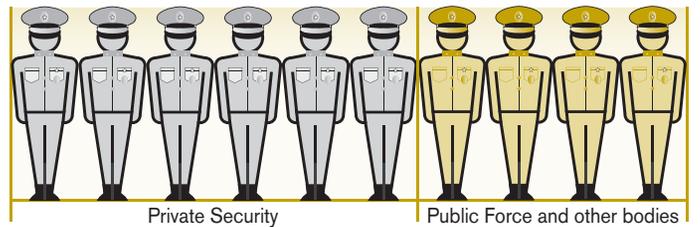
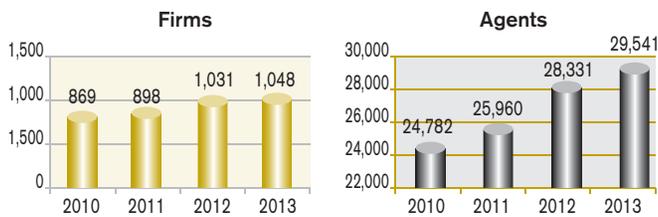
services. The enforcement authority is the **Directorate of Private Security Services**, which is located within the Ministry of Public Security.



A resolution of the Directorate of Private Security Services sets a ceiling of 1,966 firms across the country. Between 2010 and 2013, 180 companies were created. To provide the service a firm must attain a license from the Ministry of Security. This lasts for three years and can be renewed.

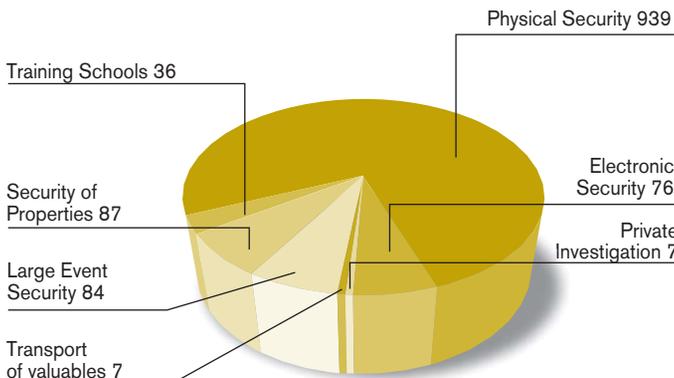
The 1994 Police Law prohibited individual private security firms from maintaining a number of agents that exceeded 1% of the total size of the police force, calculated according to budget estimates for each year. In 2003 the limit was raised to 10%.

If we add together the personnel from the Public Force and other law enforcement bodies with those from private security firms - what we could call the entire personnel devoted to tasks of 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.

Firms According to Type of Service Provided - 2013



- Basis requisites for agents:**
- Above 18 years old.
 - Have completed the third cycle of General Basic Training.
 - Pass the psychological exams given to members of the police force.
 - Approve the basic instruction course offered by the National Police Academy or another authorised body.

From 2013, the Ministry of Public Security has developed an online platform for enrollment procedures, weapons permits and the registration and regulation of agents and private security companies.

Sources: Ministry of Public Security, Memoria Institucional 2011-2012, Directorate of Private Security Services and Resolución DSSP 007-2013. Costa Rican Legal Information System, Ley 8.395 de Servicios de Seguridad Privados y Reglamento a la Ley de Servicios de Seguridad Privados, Decreto N° 33.128.



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.

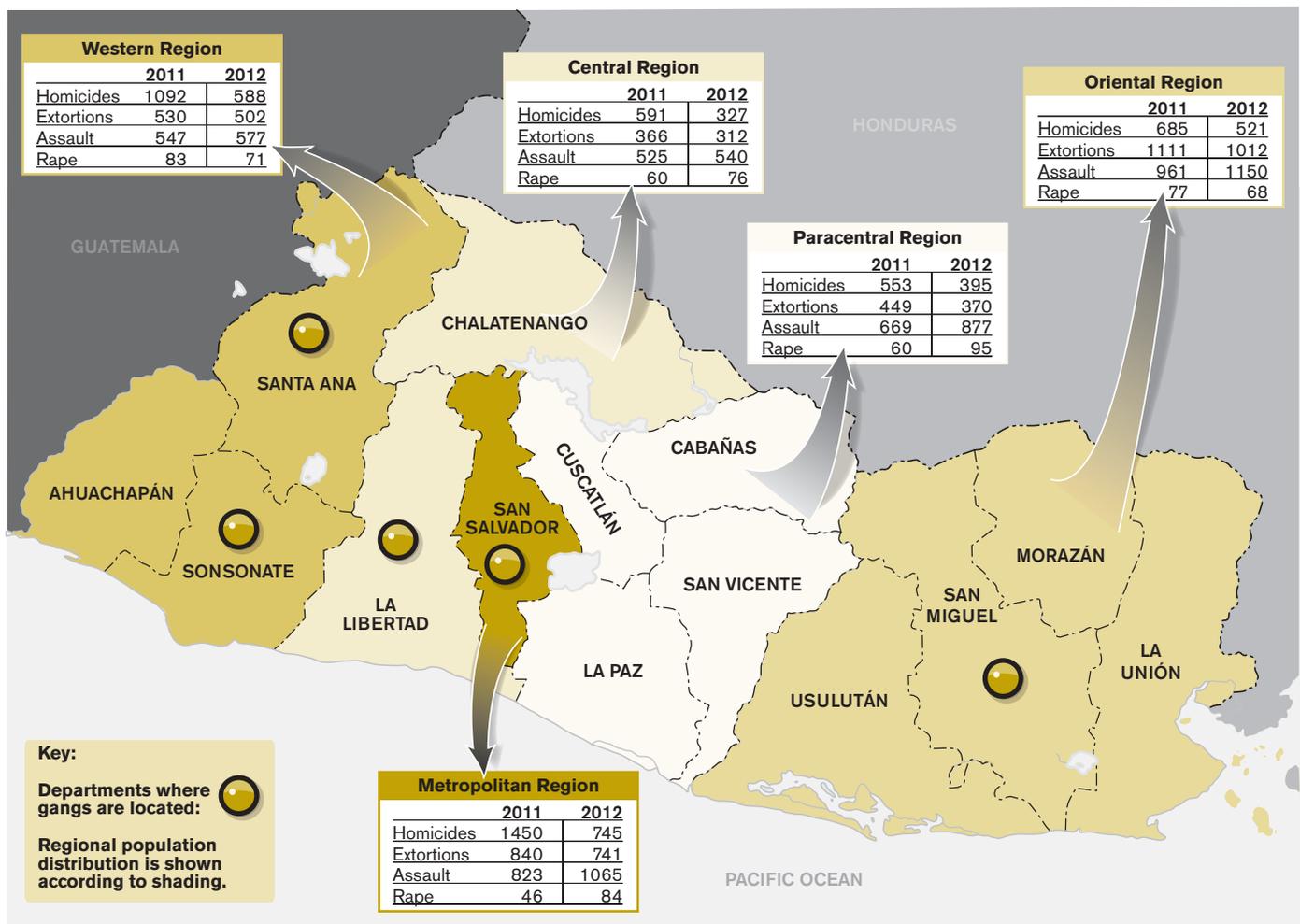
Security Challenges: An Overview

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

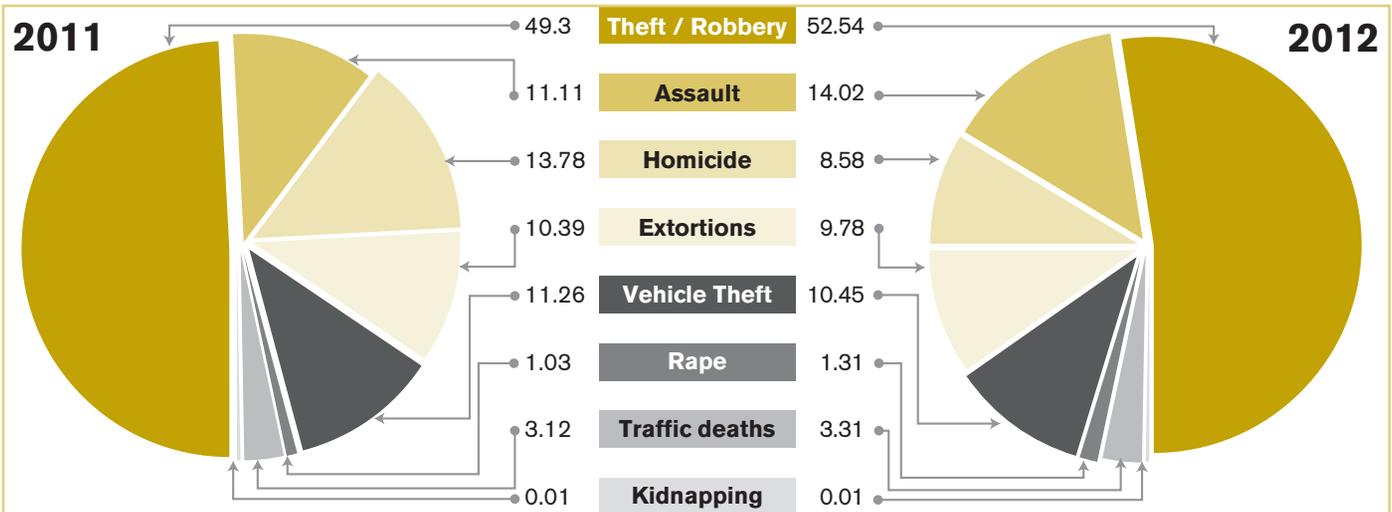
of homicides recorded in El Salvador between 2011 and 2012, from which it is reasonable to conclude that there has been a decrease in violent crimes related to organized criminal activity. However, closer analysis of the figures shows that these reductions have not been mirrored in all types of crimes, 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 %



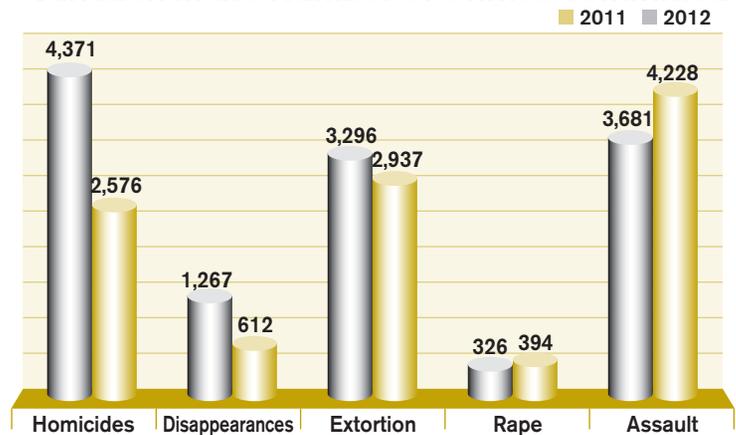
The Problem of the Gangs (Maras):

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

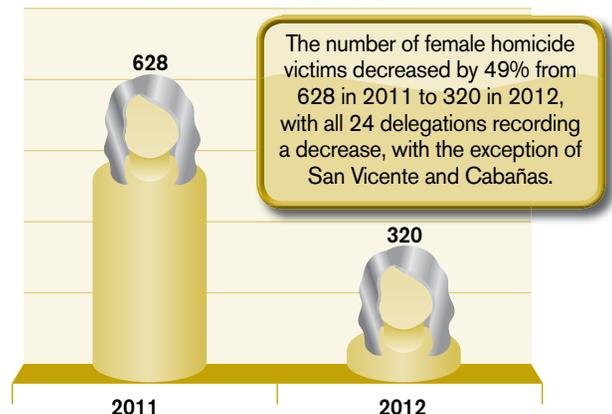


Violence Against Women

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

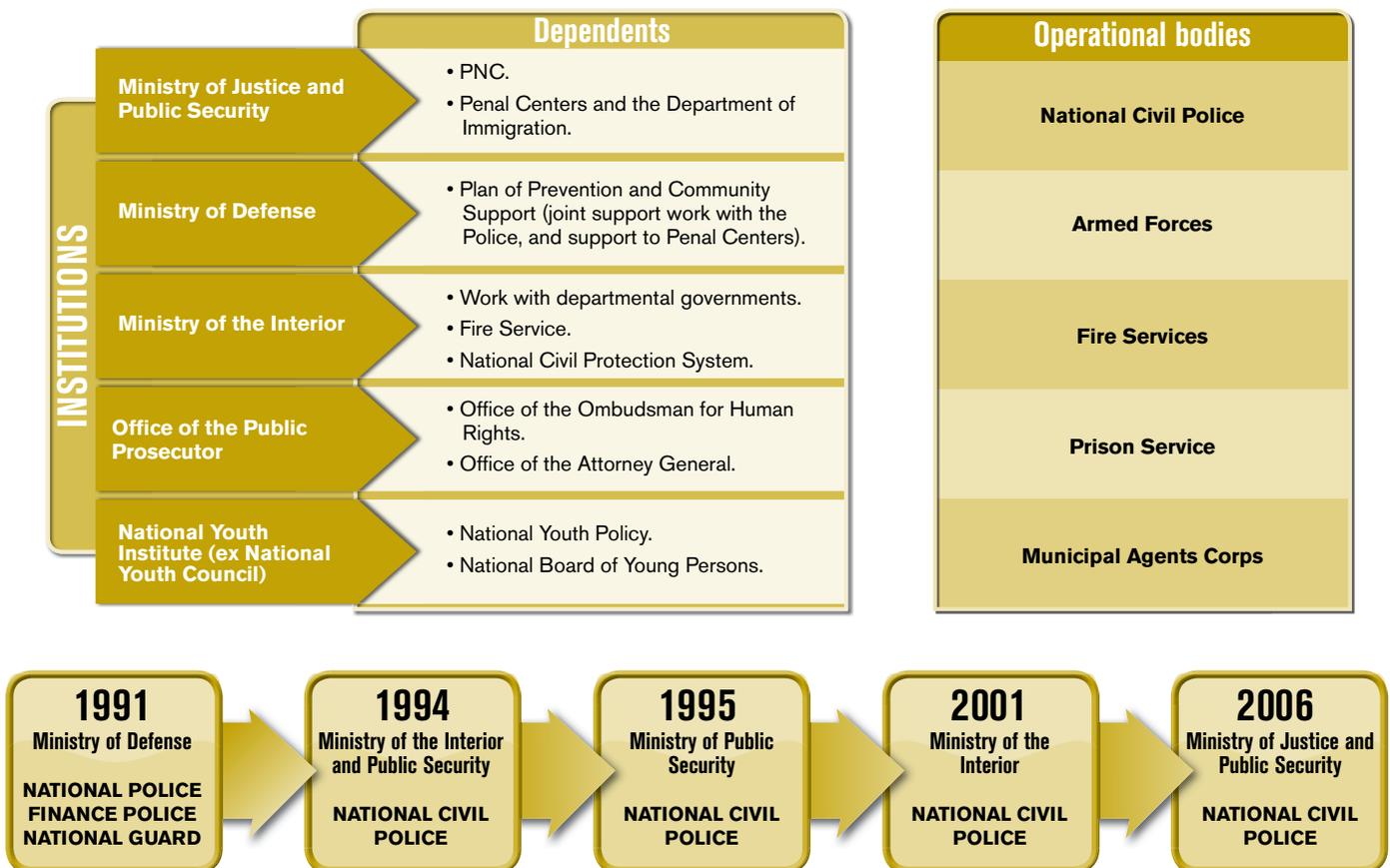
From the peace accords onwards, and within the process of democratization, there has been a diverse array of institutions dedicated to, or involved in, the field of public security. New ones were created, some changed, and others began to intervene in the area with distinct programs. This process has 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

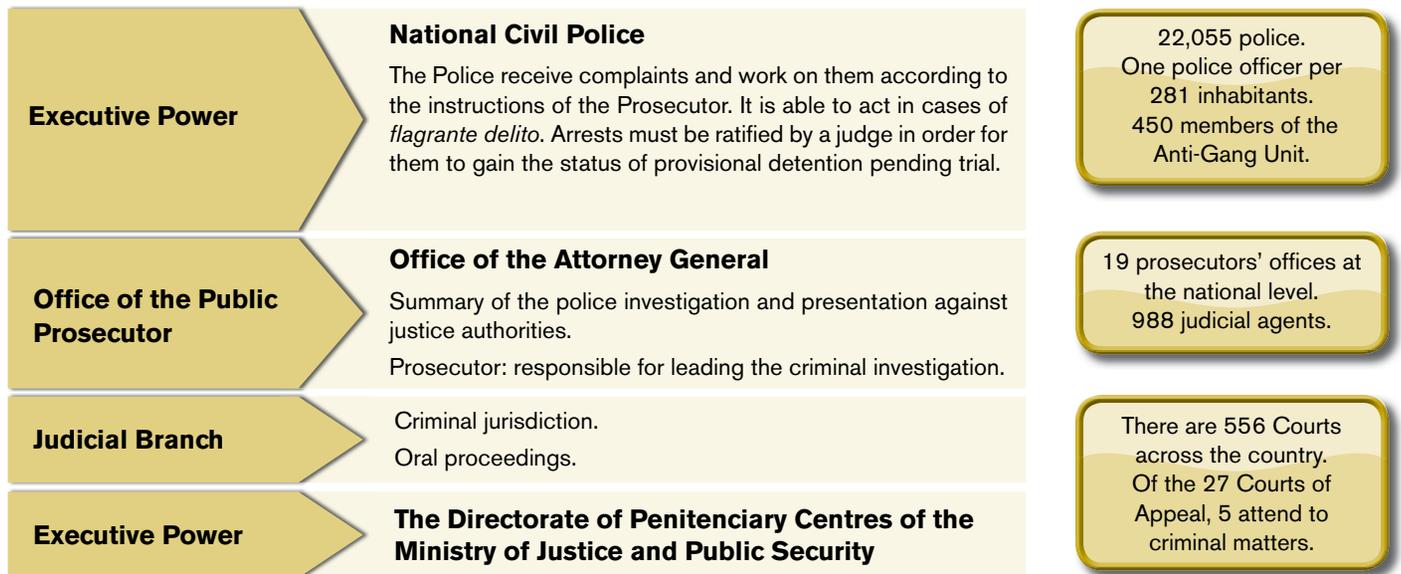
The Code of Criminal Procedure was amended in 1997 with the aim of changing the inquisitive character of the previous one. The reform established an adversarial system as a way of simplifying the system and making criminal justice more viable, incorporating public and oral trials. In 2008, a new Code 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



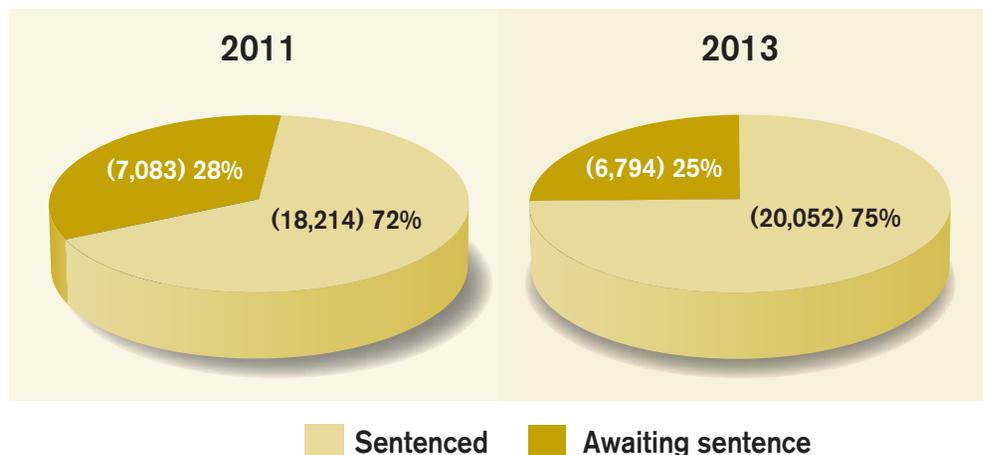
The Tendency of Creating Specialized Units

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

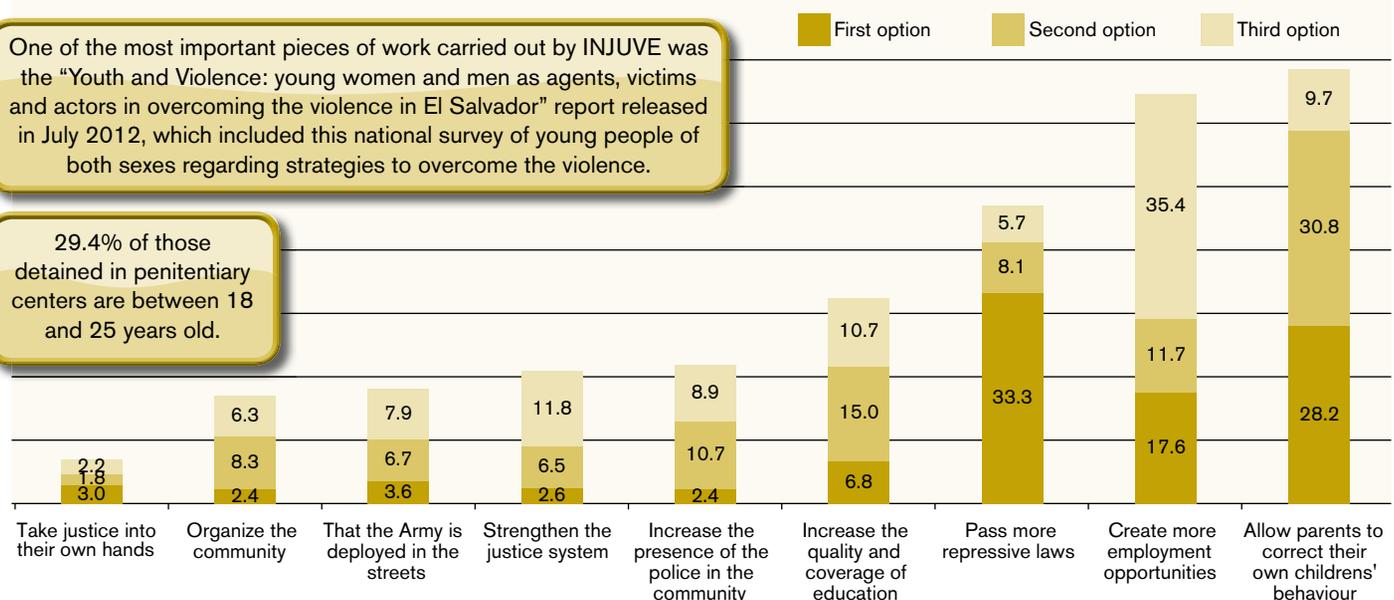
For local actors, youth violence is one of the principal problems within the deterioration of public security. Since 2011 focus has been placed on discussions on the General Law on Youth (sanctioned in 2012). In addition to highlighting

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

One of the most important pieces of work carried out by INJUVE was the “Youth and Violence: young women and men as agents, victims and actors in overcoming the violence in El Salvador” report released in July 2012, which included this national survey of young people of both sexes regarding strategies to overcome the violence.

29.4% of those detained in penitentiary centers are between 18 and 25 years old.



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).

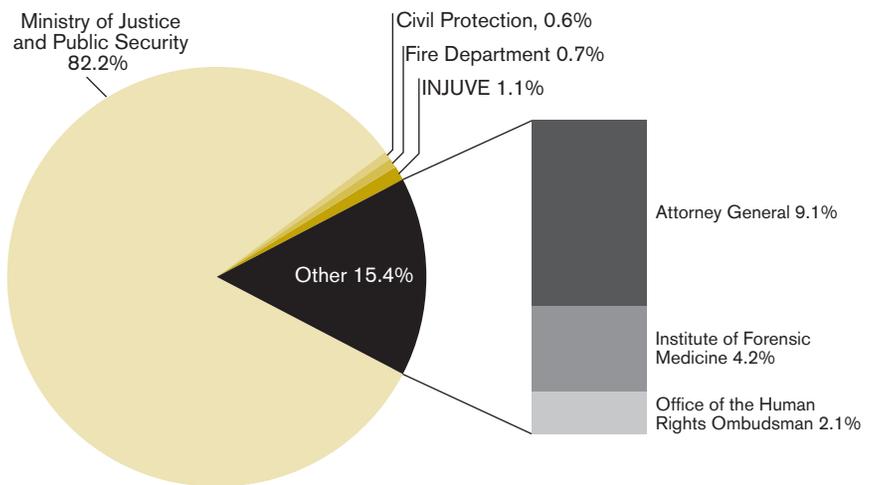
The Security Budget

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.

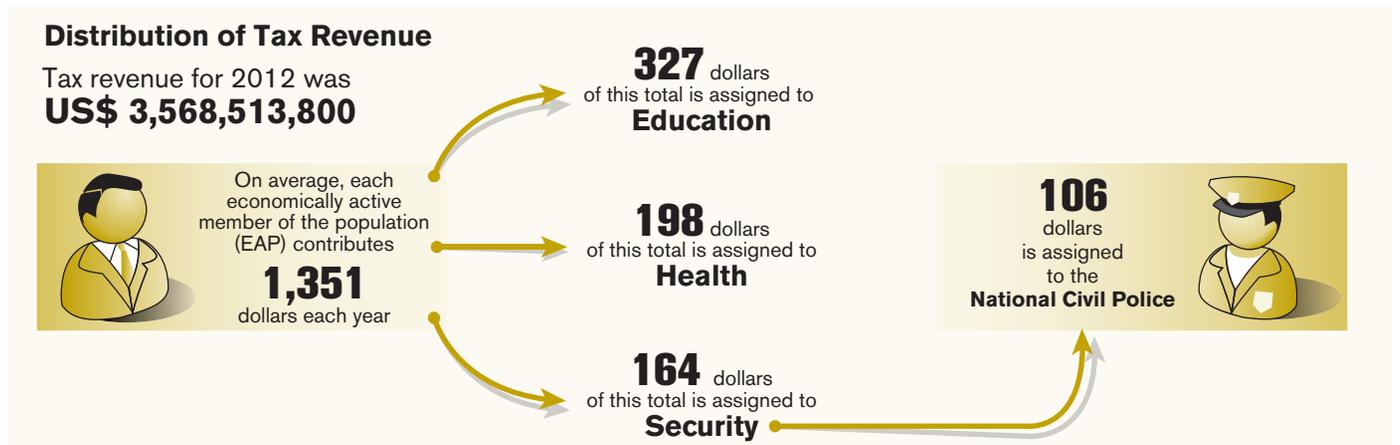
Security Budget, 2013 (US\$)

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.



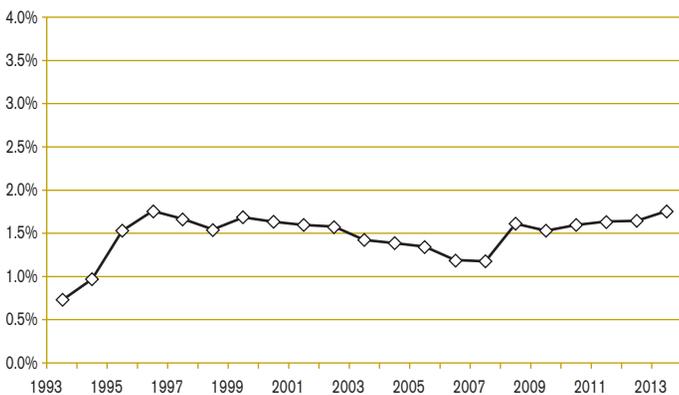
Sources: Ley de presupuesto general del Estado 2013. Informe de gestión financiera del Estado 2012. EAP: Encuesta de Hogares de Propósitos Múltiples 2011, General Directorate of Statistics and Census of El Salvador. All data is expressed in current US dollars.

Evolution of the Security Budget

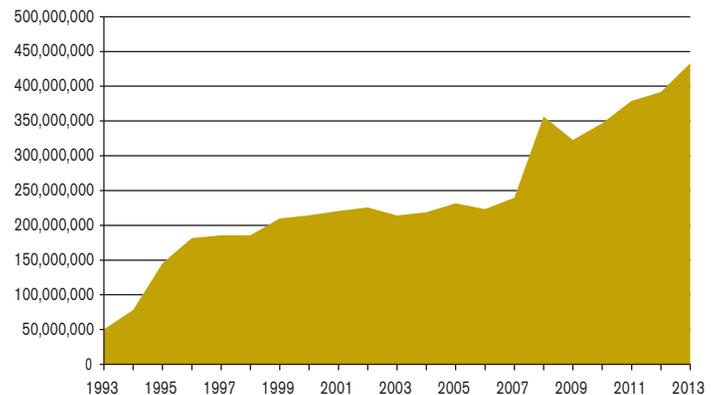
The relationship between the security budget and GDP appears to be clear in the case of El Salvador. Basically, the resources destined to security have grown more rapidly than national wealth, although paradoxically it was during the years of the iron fist security policy when the portion of budget devoted 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.

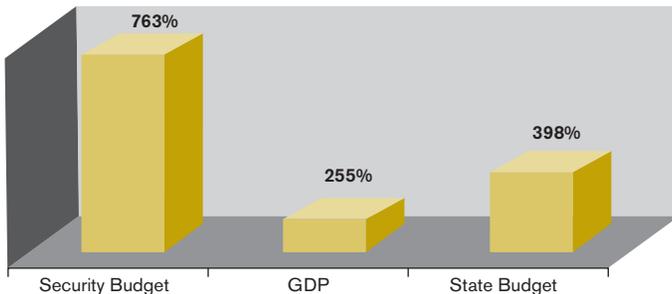
Security Budget as a Percentage of GDP, 1993 – 2013



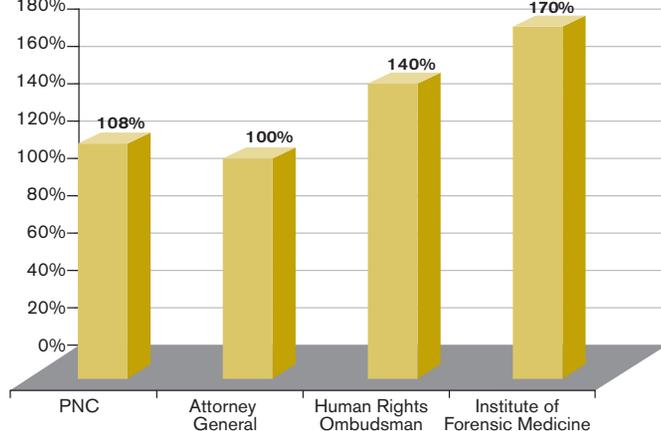
Security Budget (in current US\$), 1993 - 2013



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



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



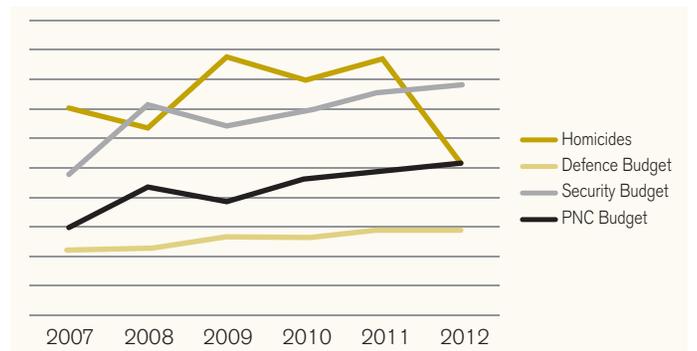
Year	Quantity of homicides	Defense Budget	Security Budget	PNC Budget
2007	3,497	111,400,520	239,610,865	151,173,830
2008	3,179	115,409,495	356,476,735	217,601,650
2009	4,382	132,861,405	322,749,560	195,205,230
2010	4,004	132,874,110	346,745,925	233,650,555
2011	4,371	145,784,585	378,929,170	241,461,080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

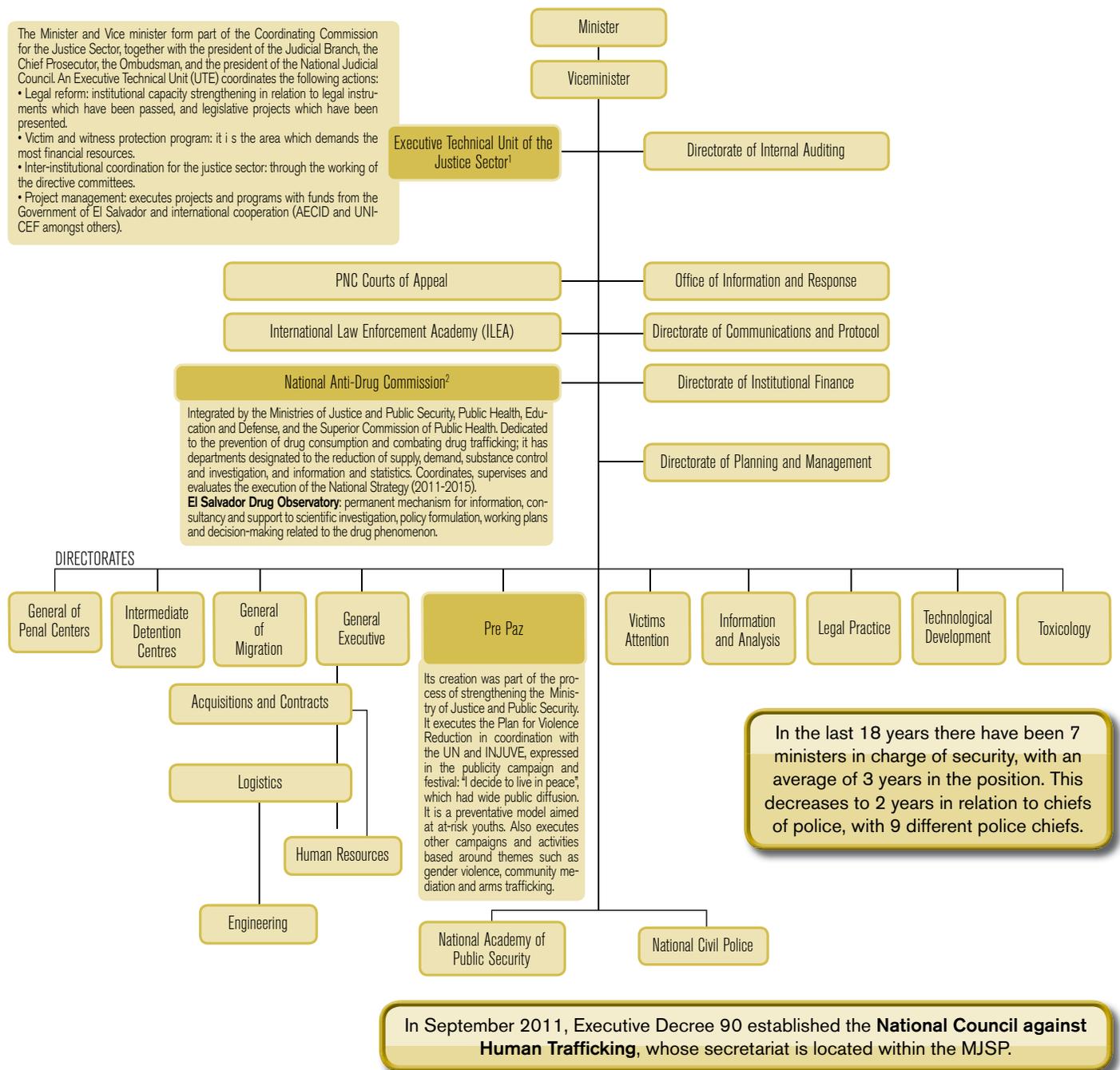
Sources: State General Budget Laws from 1993 to 2013; GDP: World Economic Outlook Database, IMF; Exchange rate: Central Reserve Banks of El Salvador. Homicides: *Anuarios Estadísticos*, Institute of Forensic Medicine of El Salvador; Military personnel: *Atlas Comparativo de la Defensa en América Latina 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.



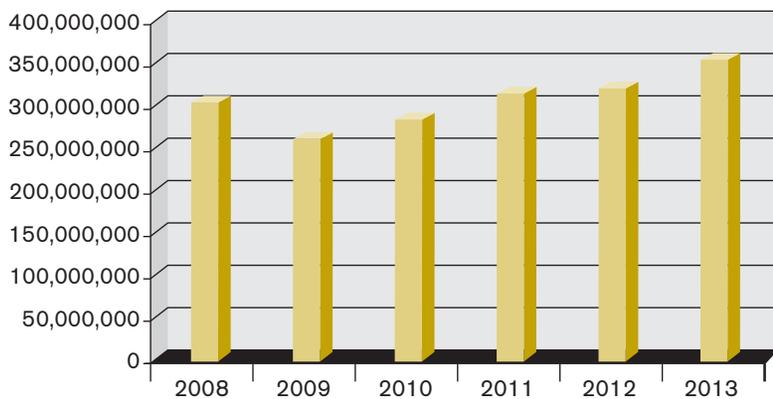
Source: Annual Report of the Ministry of Justice and Public Security (2011 - 2012).

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\$)



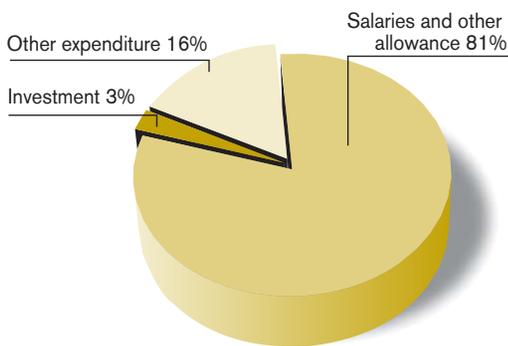
On average, 77% of the Ministry's budget corresponds to the National Civil Police.

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.

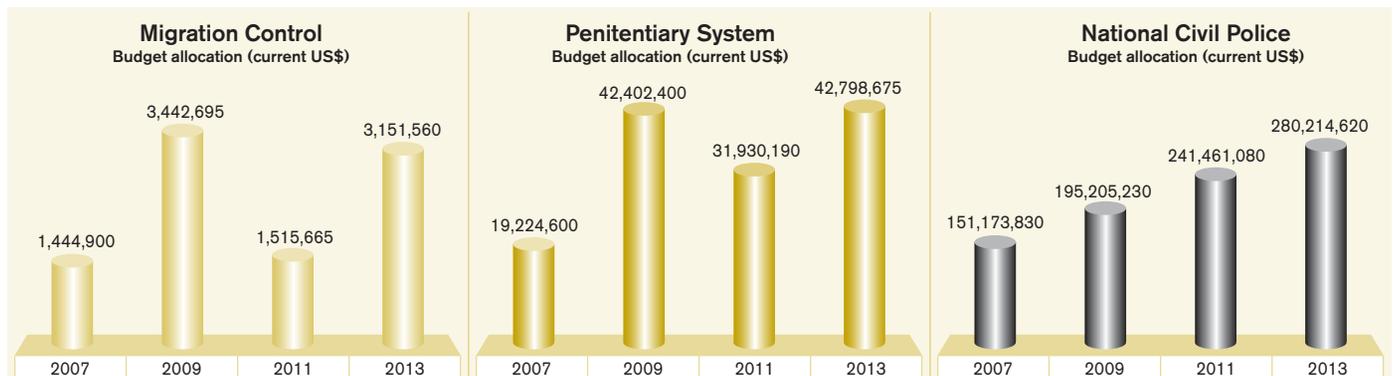
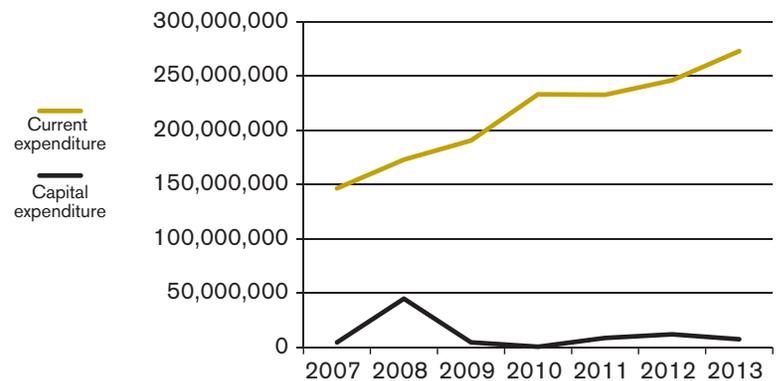
A lack of investment capacity is one of the recurring themes, in particular when observing the composition of the PNC's budget: the payment of salaries occupies 81% of the budget, with just 3% left for investment. The gap between the two, as can be observed on the graph below, becomes wider as the years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



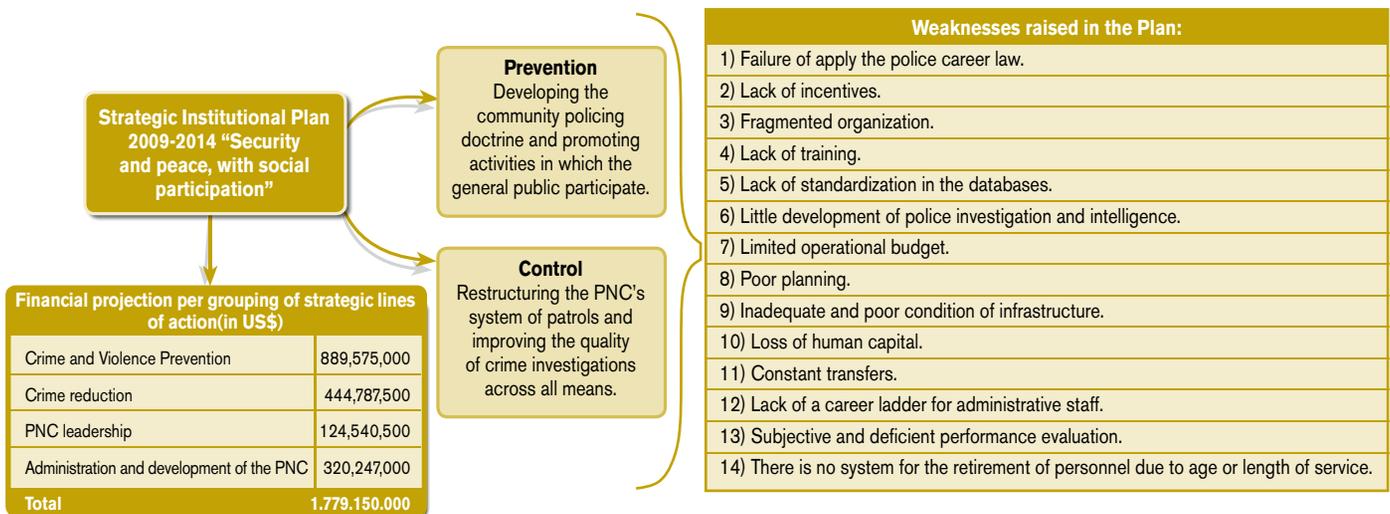
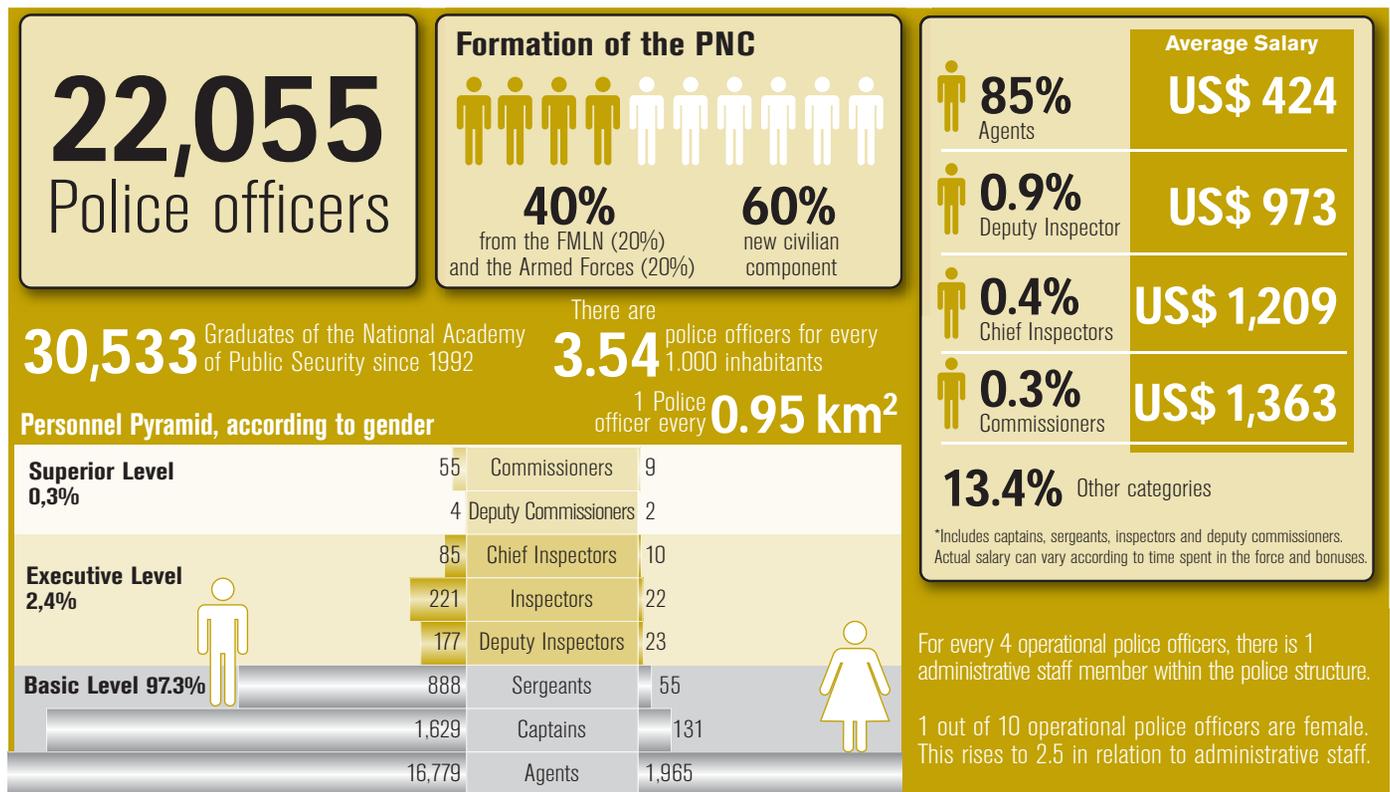
Sources: General State Budget Laws from 2007 to 2013.

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.



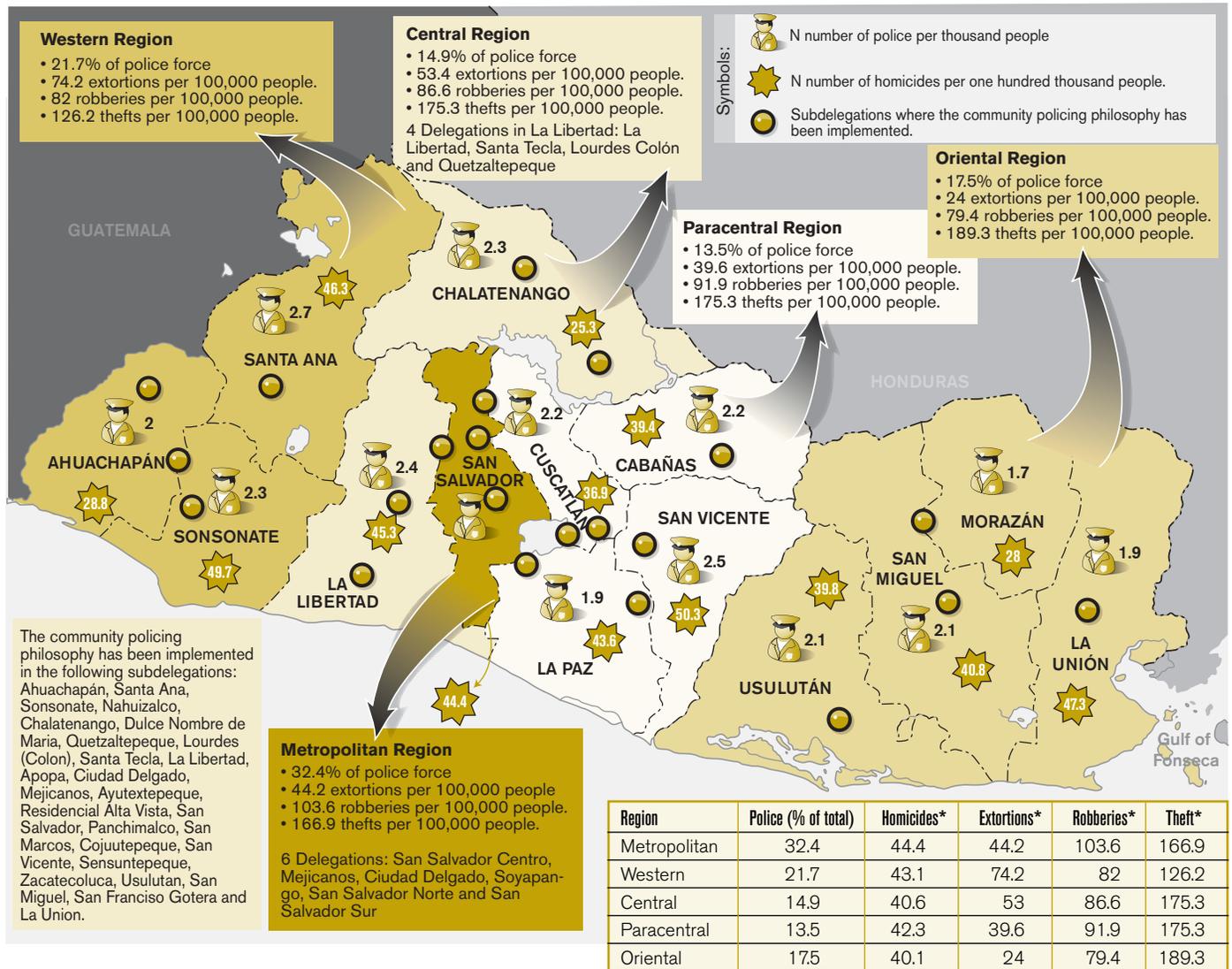
Sources: Table of the National Civil Police up until April 2013. *Ley de presupuesto general del Estado 2013* and *Ley de salarios 2013*. National Academy of Public Security.

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.

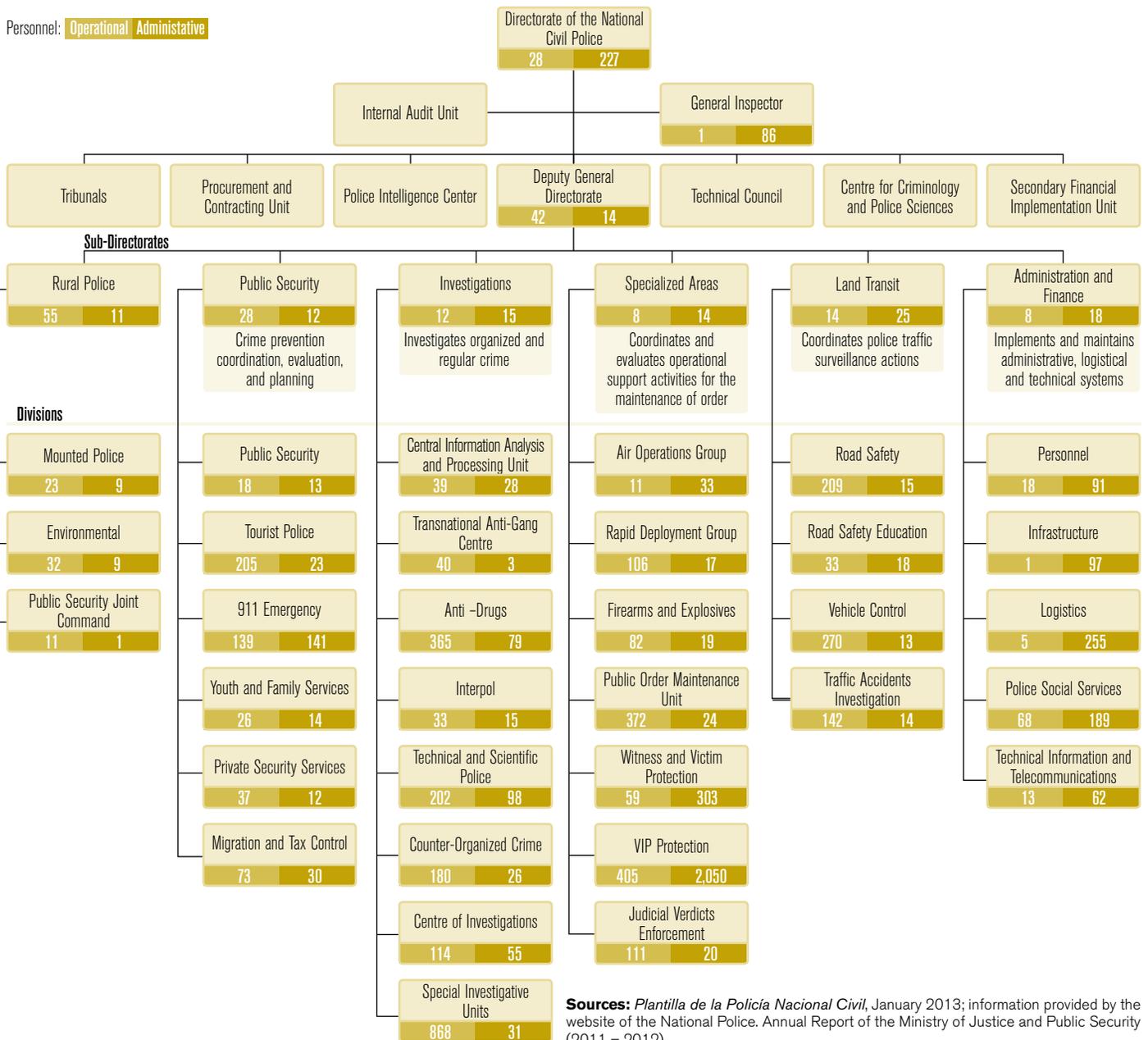
Organization of the National Civil Police

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

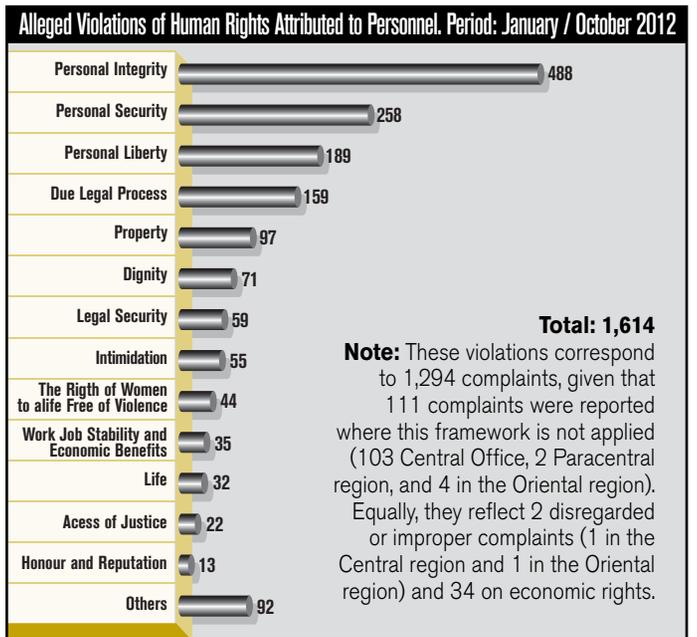
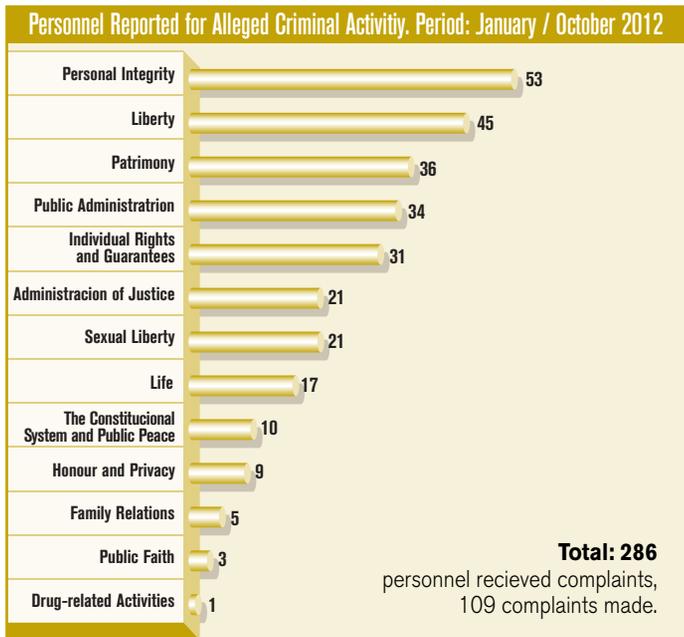


The System of Police Discipline and Control

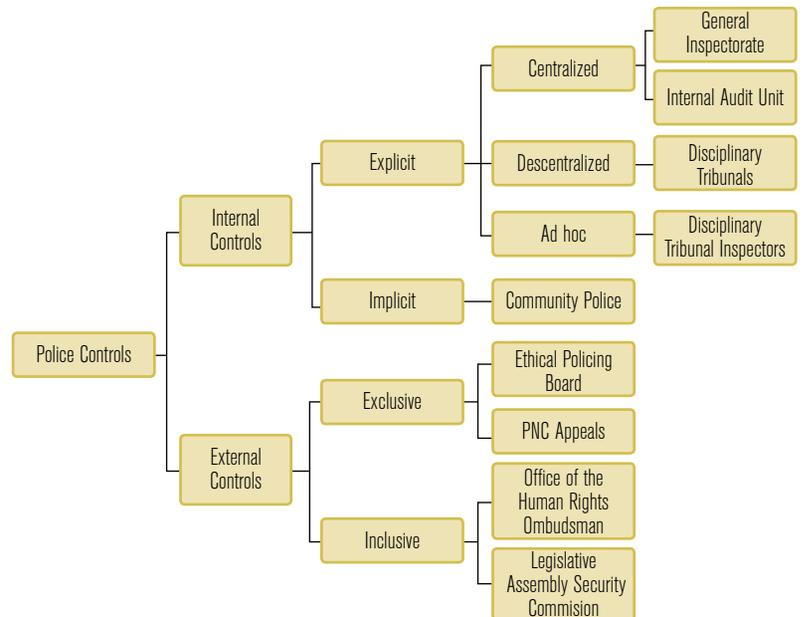
Disciplinary control has been one of the biggest challenges faced by the PNC since its inception, given that many of its members have been involved in corruption scandals, accusations of extrajudicial killings and other crimes and misdemeanors. To overcome this situation, there exist different institutions 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
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.	<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.
Appeals Tribunal	<ul style="list-style-type: none"> Rules on cases of serious misconduct in reports sent by disciplinary tribunals.
General Inspectorate: Appointed by the Director General following approval by those heading the Office of the Attorney General and the Human Rights Ombudsman.	<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).
Internal Audit Unit	<ul style="list-style-type: none"> Oversees the budget; the Inspectorate has also created a committee to audit the PNC's expenses (2010-2011)
Disciplinary Tribunals	<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.

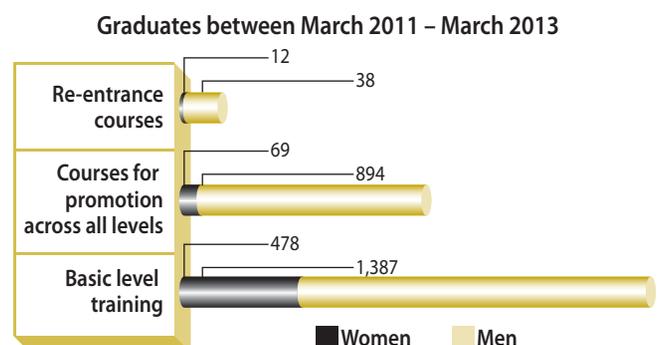
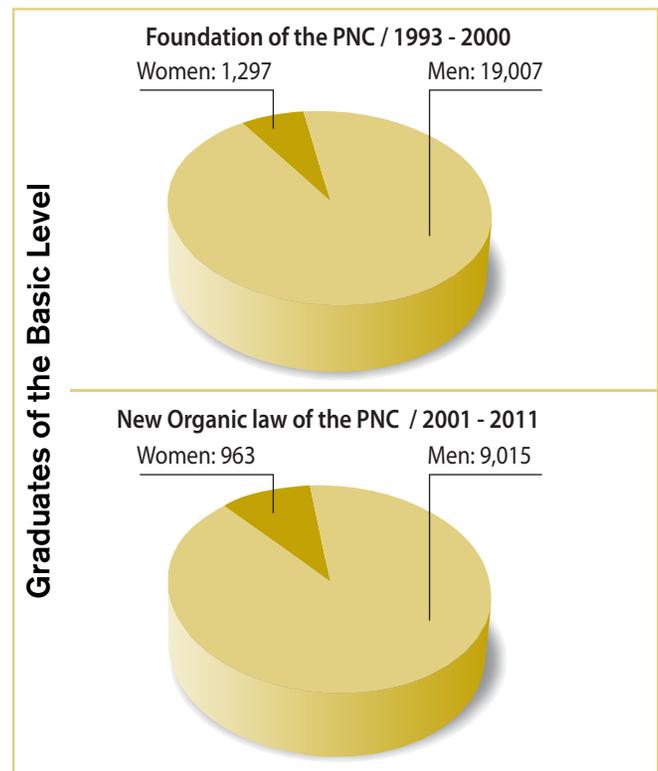
PNC Legal Framework

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.

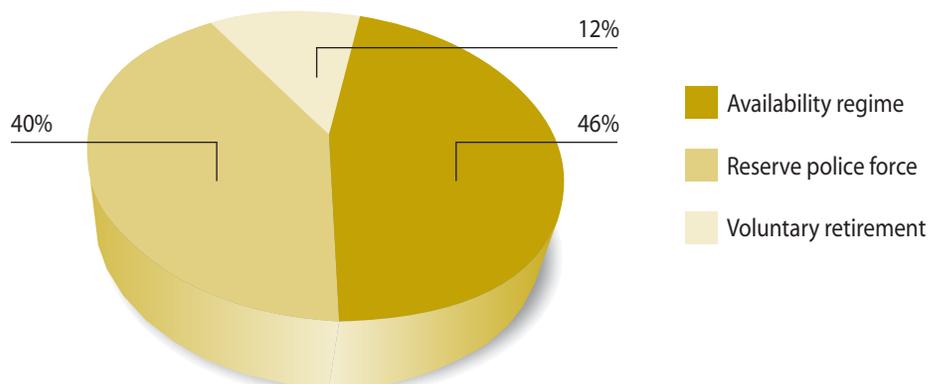


*Brackets indicate years spent in that grade prior to promotion, in addition to other academic and disciplinary prerequisites.

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.

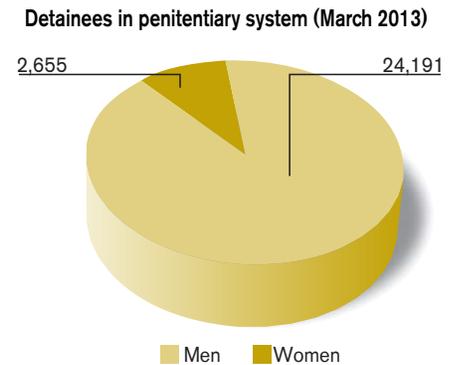
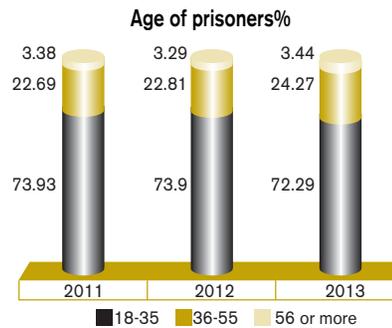
The Penitentiary System

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).

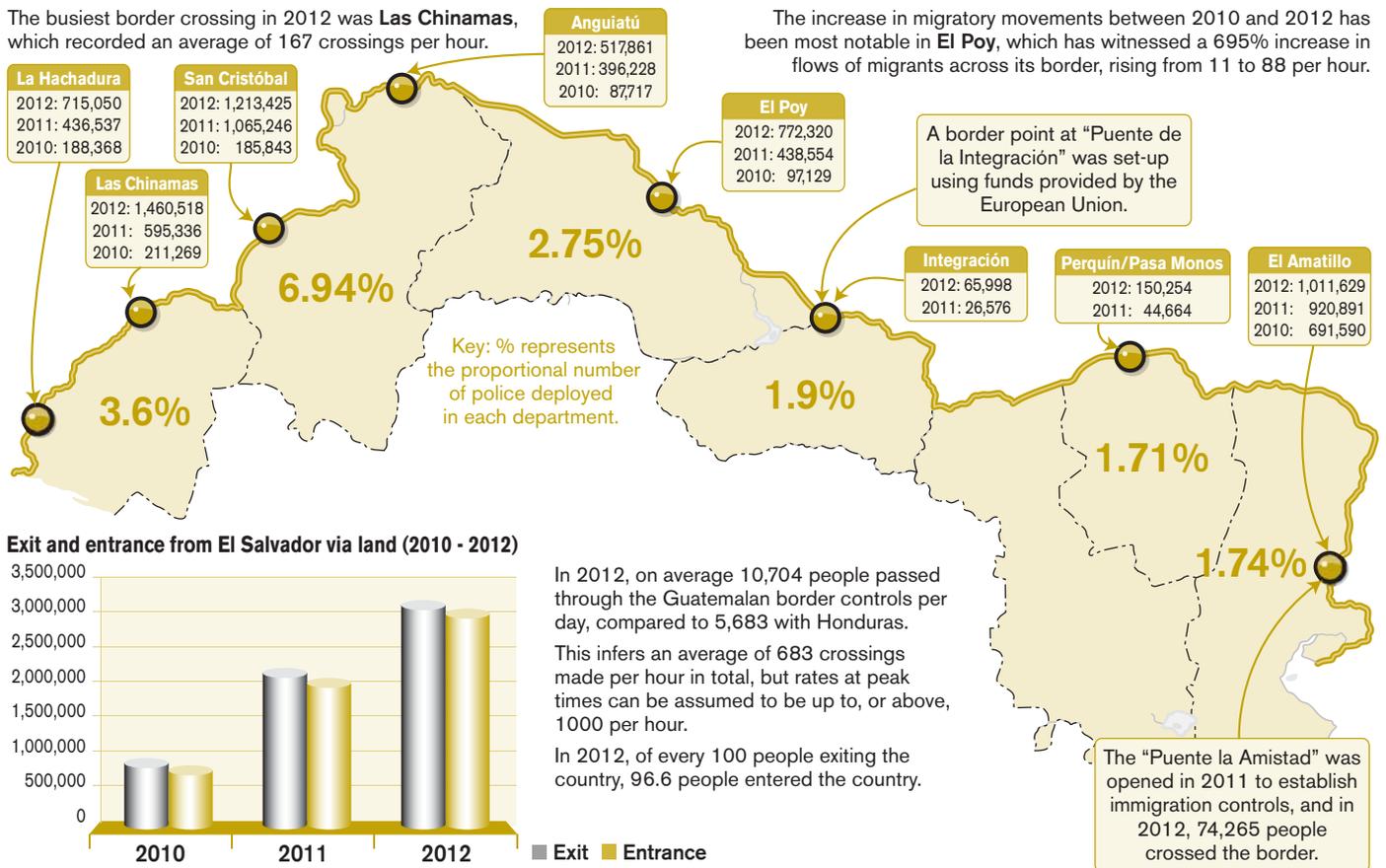
Border Crossings and Immigration Control

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.

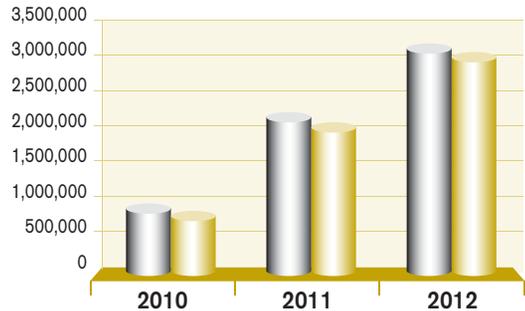
The busiest border crossing in 2012 was **Las Chinamas**, which recorded an average of 167 crossings per hour.



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.

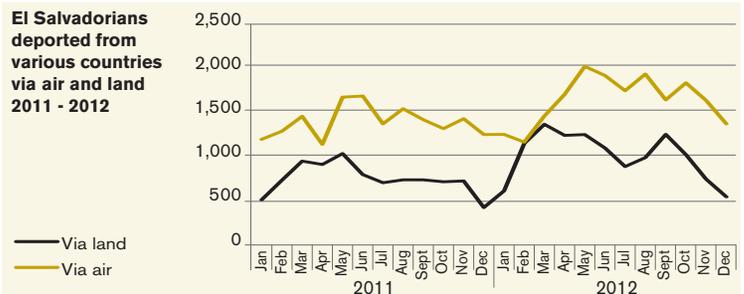
The "Puente la Amistad" was opened in 2011 to establish immigration controls, and in 2012, 74,265 people crossed the border.

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).

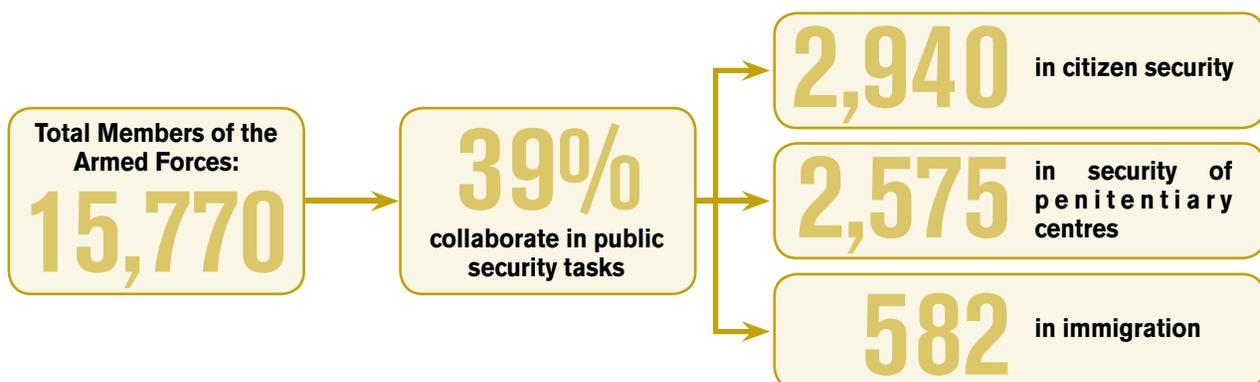
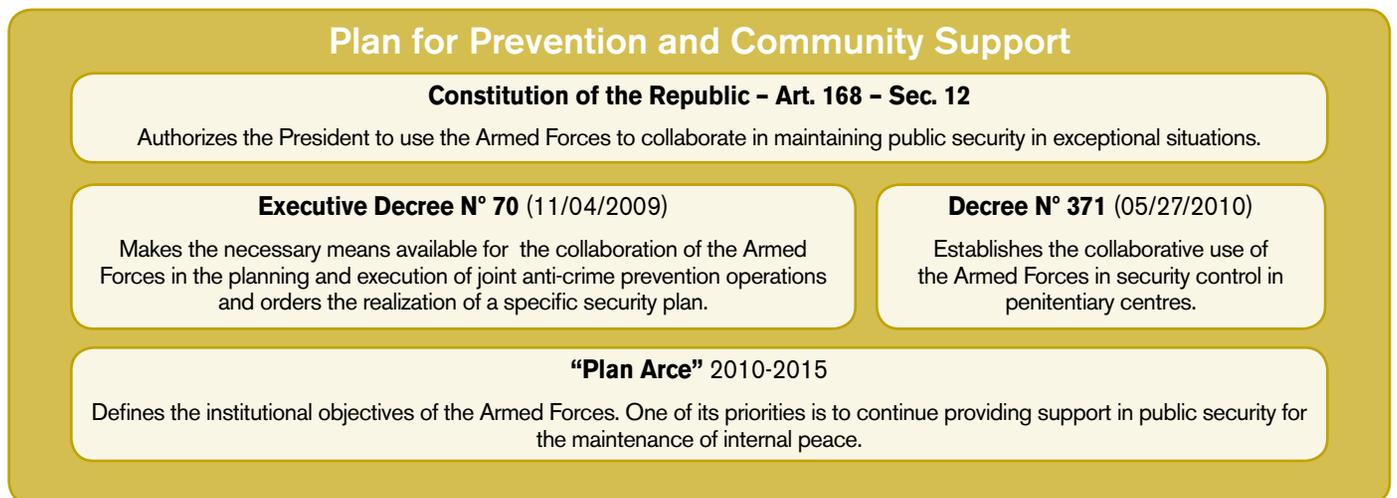
Cooperation of the Armed Forces in Public Security

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:

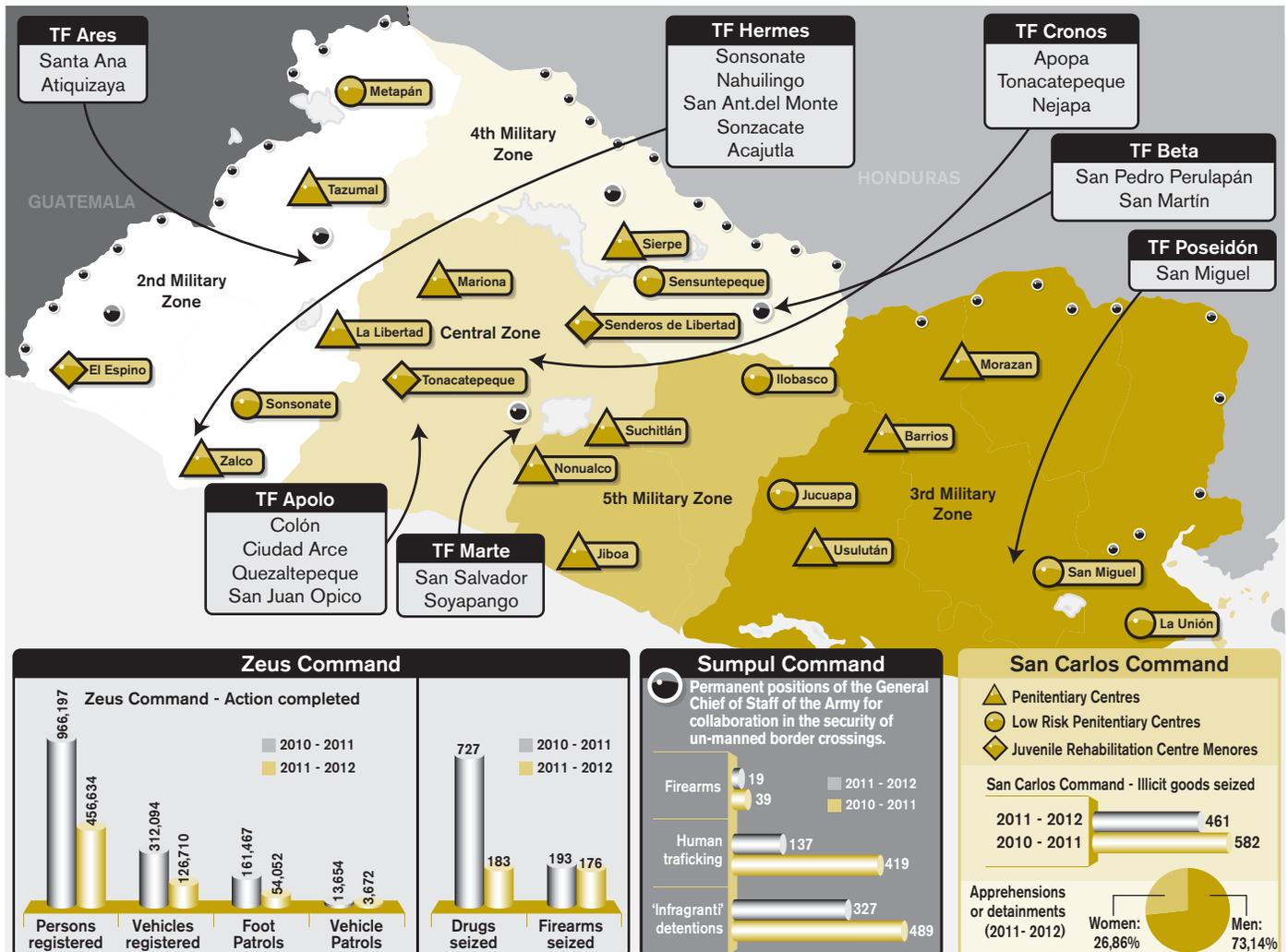
- **Plan Operation Zeus** (approximately 1,990 military personnel): there are 7 Task Forces that support the PNC in carrying out patrols, registers, restraints of suspects, joint operations, apprehensions, decommissioning illicit goods etc. They are deployed in 7 departments, 20 municipalities and 33 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).

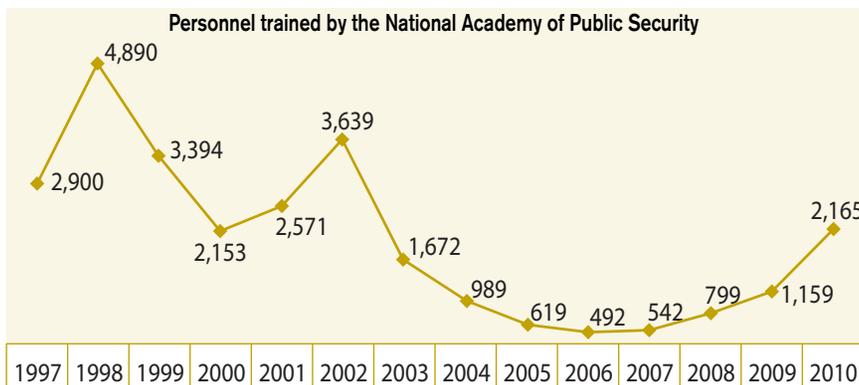
Private Security

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

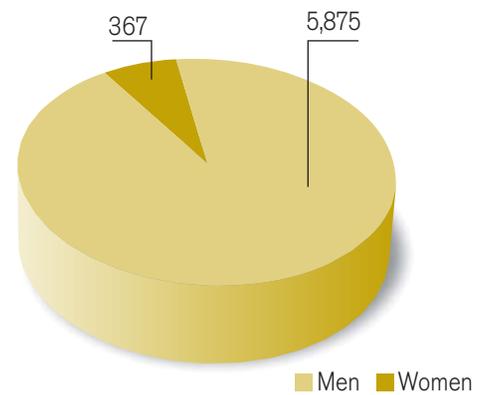
PNC is responsible for making sure that the norms and regulations are applied and for regulating the inscription of security firms. However, there are no regulations that allow it to regulate the contracting of private security personnel. The corresponding Mayor's office is responsible for awarding permits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

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

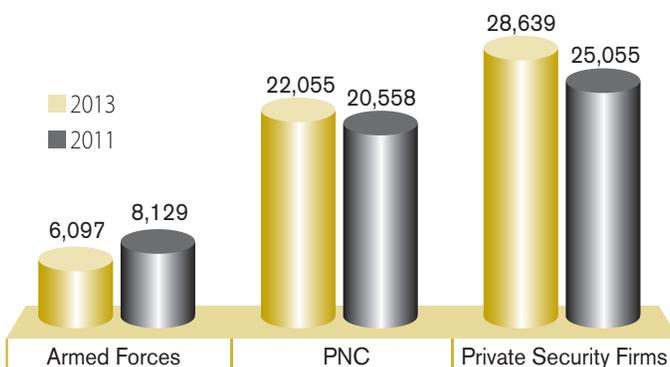
Type of agency		Quantity	Regulation and control by the PNC					
Commercial or Private Property Security Firms	287	460 firms	Agencies	Annual Target	Total (2012)	Agents	Annual Target	Total (2012)
Private Protection Services	159		General Inspection of Firms	234	182	Supervision of private security agents	6,000	4,875
Town/City Security Agencies	14		Specific Inspection of Firms	84	83	Drug tests applied	600	600
			Entities Approved	180	198			



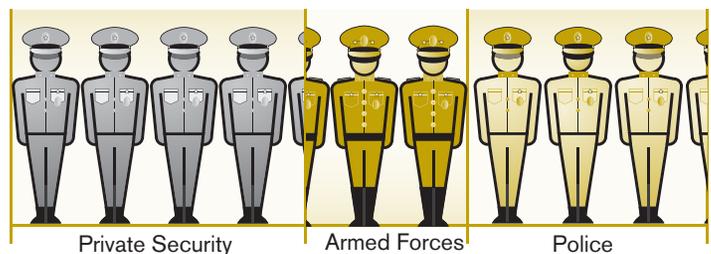
Personnel trained by the A.N.S.P. (2011-March 2013)



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.



GUATEMALA

Historical and Political Context

Everything about the security sector in Guatemala is closely related to the Peace Accords (which start with Esquipulas II, 1987). Following seven meetings between the then Government and representatives of the National Revolutionary Unit of Guatemala (*Unidad Revolucionaria Nacional Guatemalteca* - URNG), the Agreement on Democracy in Guatemala was signed. Between then and 1996, twelve documents were signed with a vision of democratic and comprehensive security. The Agreement on a Firm and Lasting Peace (1996) determined the cessation of armed conflict and the demobilization of the URNG. From then on, State security bodies were founded or reformed: a new police force (the National Civil Police - PNC) was created, and the Armed Forces were subordinated to

the civilian authority and their role defined as the defense of sovereignty and territorial integrity, with its personnel and budget gradually reduced.

Coexisting with the gradual increase in insecurity, in the years following the Agreements the political agenda was decidedly shaped by this issue. The 2008 Framework Law of the National Security System provided a legal reference, and the search for answers through political agreements has characterized the recent context: in 2009 a National Agreement for the Advancement of Security and Justice proposed an agenda of reform to the system and, in 2012, the current administration promoted the Pact for Security, Justice and Peace, which aims to reduce the levels of violence.

Country Information

Political system:	Presidential Republic / Unitary
Administrative Organization:	8 regions / 22 departments / 333 municipalities
Population:	15,073,384
Territorial Extension:	108,889 km ²
GDP per capita (US\$):	3,302(2012)
Minimum monthly salary (US\$):	275 (August 2013)
Illiteracy:	24.84%*

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

Basic Security Indicators (2012)

National Police:	26,201 personnel.
Homicides	5,164 homicides reported at the rate of 34.3 homicides per 100,000 inhabitants.
Drug Trafficking:	1,943 persons detained and charged.
Traffic Accidents:	3,302 fatalities resulting from traffic accidents
Border Flows:	Total annual border movements average 1,884,000 people per year.
Estimated Number of Gangs:	70 groups identified (2013).
Private Security:	140 registered firms – 280 estimated.
Penal Centres:	22 correctional facilities with a prison population totalling 15,488 inmates.
Femicide:	708 deaths of women related to criminal investigations were registered.
The Perception of Security:	76% of the population has little or no trust in the Police.
Military Personnel dedicated to public security:	4,986

Peace Agreements (1991-1996)	Post-Peace Agreements (1996-2003)	Increasing deterioration of the security situation (2003-2007)	Reformulation (2007 - 2010)	Current stage
Preparation and signing of agreements with the participation of civil society through the Civil Society Assembly. Armed Forces begin the process of downsizing. Civil Self Defence Patrols demobilize.	Institutional reorganization, principally through the creation of the National Civil Police. Legislative attention to non-traditional security threats.	Return of the problem of parallel bodies, of the politicization of public security forces, and of the widespread impunity associated with these phenomena.	Emphasis is placed on the need to reorganize and re-structure the security and justice sector and to generate new agreements.	Pact for Security, Justice and Peace. National Security Policy.

1991 Framework Agreement on Democratization for the pursuit of peace through political means	1996 Agreement on a Firm and Lasting Peace	1997 Creation of the National Civil Police	2004 Modification of the National Civil Police Law	2007 Establishment of CICIG	2008 Framework Law of the National Security System and the National Agreement for the Advancement of Security and Justice	2010 Establishment of a committee for the reform of the National Civil Police	2012 Pact for Security, Justice and Peace and the National Security Policy
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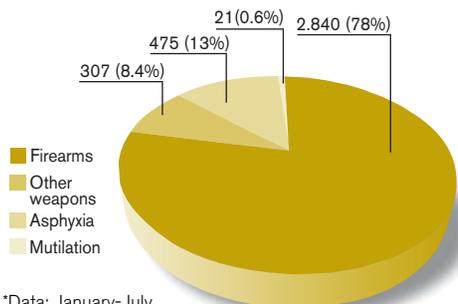
Sources: Data elaborated on the basis of: Population, territory and Drug Trafficking: Government of Guatemala, *Informe de Primer Año de Gobierno 2012-2013*. GDP: IMF, *World Economic Outlook Database*. Minimum salary: Ministry of Labor. Illiteracy: UNDP, *Human Development Report 2013*. Police personnel: National Civil Police. Homicides: Ministry of Interior. Traffic Deaths and femicides: National Institute of Forensic Sciences, *Consolidado de Solicitudes Anual 2012*. Cross-border people flows, penal centers and private security: Ministry of Interior, *Memoria de Labores 2012* and Directory of Private Security Services, *Listado de empresas de seguridad privada autorizadas, 28/02/2013*. Gangs: Ministry of Interior. 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

Guatemala has one of the highest levels of crime and violent crime in the Central American region. Following successive record levels in 2008 and 2009, when homicides reached 6,498 at a rate of 46 per 100,000 inhabitants, the period of 2010-2012 witnessed a halt in this trend, with the national figure dropping to 34.3. Despite optimism surrounding this, regional variation is considerable, and despite a notable decrease in metropolitan Guatemala, in addition to 3 other regions, increased rates were recorded in Petén and the north-

eastern, southeastern and central regions, displaying the continued prevalence of widespread structural insecurity. Furthermore, preliminary figures for 2013, which show homicide rates rising in 15 of the country's 22 departments, negate conclusions that current efforts have reversed the upward spiral. With 3,140 deaths related to criminal investigations in the first 6 months, the national level displays an 8.4% increase over 2012, with projected figures suggesting an overall increase from 5,164 to 5,529* homicides in 2013.

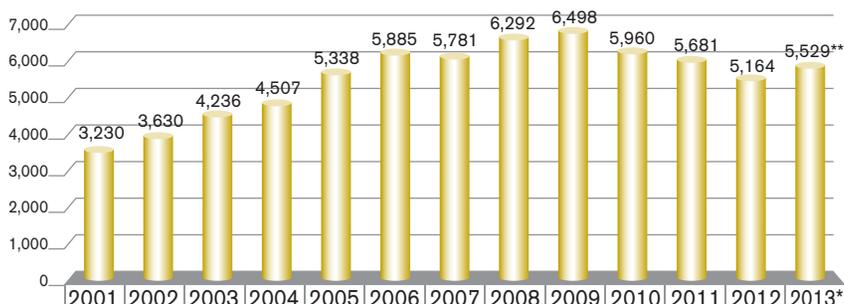
Homicides according to cause of death - 2013*



*Data: January-July.

It is the capital which registers the largest proportion of homicides caused by firearms (84%, in comparison to the national average of 76.8% for 2012).

Homicides: 2001 - 2013



**Projection for 2013 calculated using the number of deaths related to criminal investigations (drci) between January and July 2013, and the relationship between drci and homicides in 2012.

Insecurity Beyond Homicides

While homicides are an important measure of insecurity, they represent merely one aspect of what is a multidimensional phenomenon that goes beyond the current focus on drug trafficking and organized crime, but also affects the population through a variety of different ways, such as through intra-family violence or delinquency.

Every day there are

14.1
homicides

27.4
reports

of female victims of physical, sexual or other forms of violent crime and

9

fatalities
caused by traffic accidents

Violence against Women

The Office of Attention to Victims of the Office of the Public Prosecutor attended to an average of 6.2 female victims of rape per day in 2011, showing an increase of 19.1% on the previous year. With respect to violence against women, this figure rises to 13.9 per day.

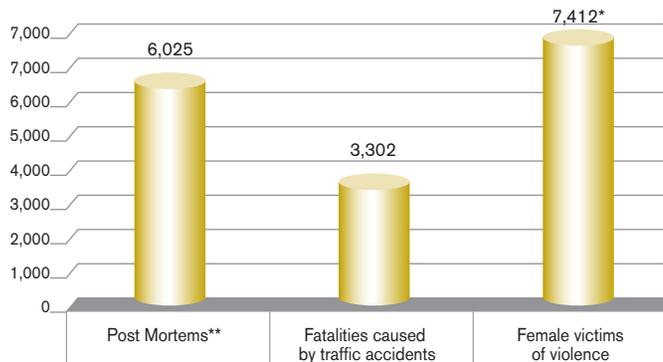
Within the Office of the Public Prosecutor, the Office of Attention to Victims has been created, and the model of attention implemented has achieved important results in the past two years in relation to intervention by the Public Prosecutor: the moment in which a prosecutor begins to conduct the investigation has decreased from 22 days to 0

Type of Violence*	2010		2011	
	Capital	Int.	Capital	Int.
Femicide	2	15	6	16
Rape	410	1,486	571	1,688
Physical Violence	1,519	3,490	1,549	3,429
Economic Violence	56	167	30	123
Total	7,145		7,412	

Fatalities Caused by Traffic Accidents

The total number of deaths caused by traffic accidents in 2012 was 3,302, representing a rate of 21.9 per 100,000 inhabitants. The first 7 months of 2013 witnessed a rise in this rate, with an average of 17.3 fatalities per day, rising from 16.2 in 2012. Of these, men accounted for 82.9% of total fatalities.

Indicators of insecurity, 2012



*2011.

**Statistics of deaths related to criminal investigation are presented by INACIF. Statistics presented by the Ministry of Interior may differ.

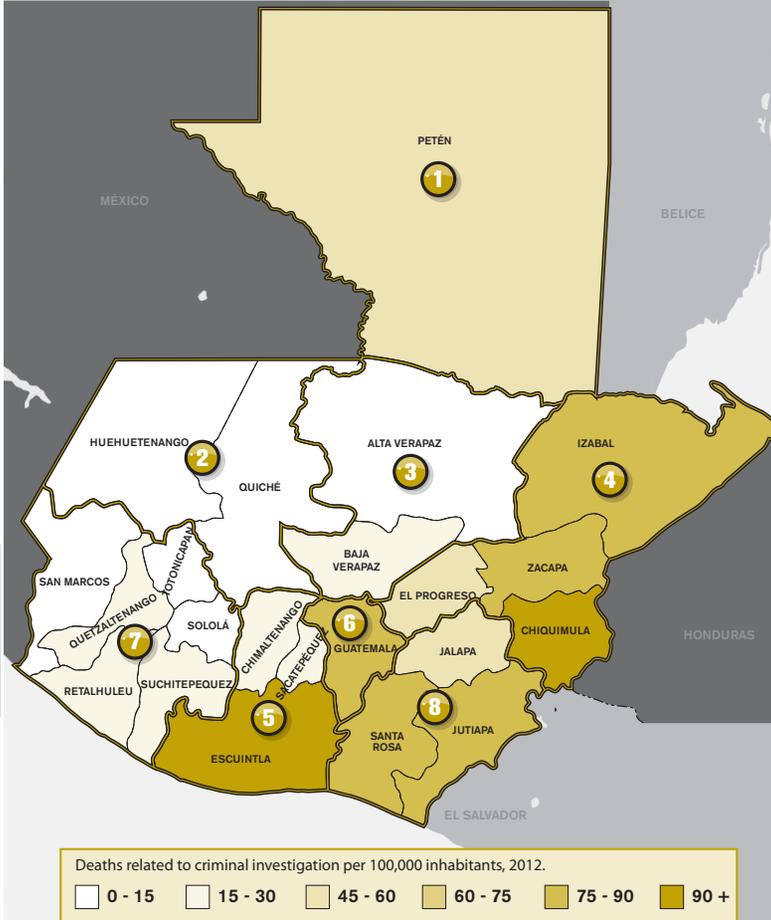
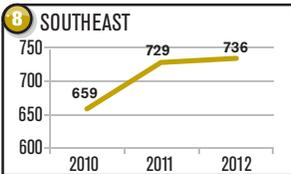
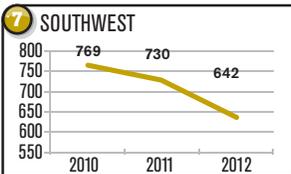
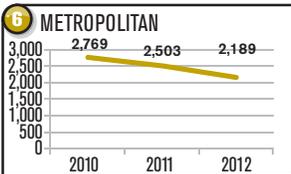
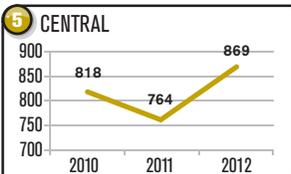
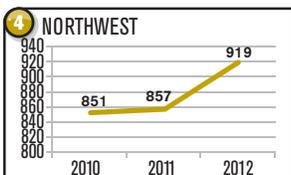
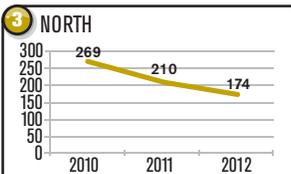
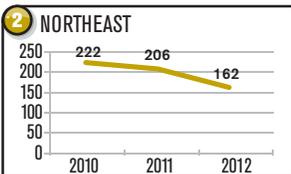
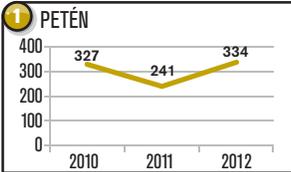
Sources: Consolidado de Solicitudes Anual (2012) National Institute of Forensic Sciences of Guatemala; Annual Report Public Prosecutor's Office (2011 and 2012); Department of Public Information; Ministry of Interior.

Territorial Comparison of Crimes

The territorial distribution of deaths related to criminal investigations follows a distinct pattern. Beyond the expected high rates in metropolitan Guatemala (86.1 fatalities per 100,000 inhabitants)

, there are further hotspots located along the borders with Honduras, El Salvador, Belize and the Pacific Ocean, whilst the western and northern regions record levels far below the national average.

Death related to Criminal Investigations



The department recording the highest level is Chiquimula, with 100.8 fatalities per 100,000 inhabitants, with this level rising to 188.3 amongst the male population, whilst Zacapá and Izabal, also bordering Honduras, record rates of 84.8 and 68.7 respectively. The border with the Pacific Ocean also follows a clear pattern, with Escuintla recording an overall level of 95.9 (173.9 amongst the male population), followed by Santa Rosa (82.5) and Jutiapa (60.3), whilst the western section records significantly lower levels: Suchitepeque (21.5) Retalhuleu (24.7), which are mirrored in the southwestern (18.1) and northwestern regions (7.7) as a whole. The vast and sparsely populated department of Petén, which borders both Mexico and Belize, is another focal point, with a level of 52.3. It is interesting here also to point out that a state of emergency was declared in both Petén and Alta Verapaz, yet whilst the number of fatalities related to crime dropped by 39% in Alta Verapaz, recording a relatively very low rate of 11.7 per 100,000 inhabitants in 2012, Petén displayed a slight overall increase, and therefore the overall impact is inconclusive.

Homicides and other Crimes

1 PETÉN

Homicides.....	330
Kidnapping.....	8
Extortions.....	1
Theft and robbery.....	451

2 NORTHEAST

Homicides.....	200
Kidnapping.....	13
Extortions.....	13
Theft and robbery.....	859

3 NORTH

Homicides.....	148
Kidnapping.....	5
Extortions.....	103
Theft and robbery.....	480

4 NORTHWEST

Homicides.....	829
Kidnapping.....	16
Extortions.....	14
Theft and robbery.....	1,171

5 CENTRAL

Homicides.....	730
Kidnapping.....	24
Extortions.....	53
Theft and robbery.....	3,288

6 METROPOLITAN

Homicides.....	1,747
Kidnapping.....	25
Extortions.....	1,885
Theft and robbery.....	9,128

7 SOUTHWEST

Homicides.....	541
Kidnapping.....	19
Extortions.....	272
Theft and robbery.....	1,901

8 SOUTHEAST

Homicides.....	639
Kidnapping.....	26
Extortions.....	176
Theft and robbery.....	563

Sources: Consolidado de Solicitudes Anual (2010, 2011, 2012) and Consolidado de Necropsias realizadas en Sedes Periciales a nivel nacional (January - July 2013), National Institute of Forensic Sciences of Guatemala.

Institutions Linked to Security

With the signing of the Agreement on the Strengthening of Civilian Power and the Role of the Army in a Democratic Society (1996), the public security system was restructured, establishing civilian control over security and creating a National Civil Police force. Over the years, and unlike in other cases, the jurisdiction of the police has remained constant, although there has been a frequent change in both the ministerial authority and the leadership of the police.

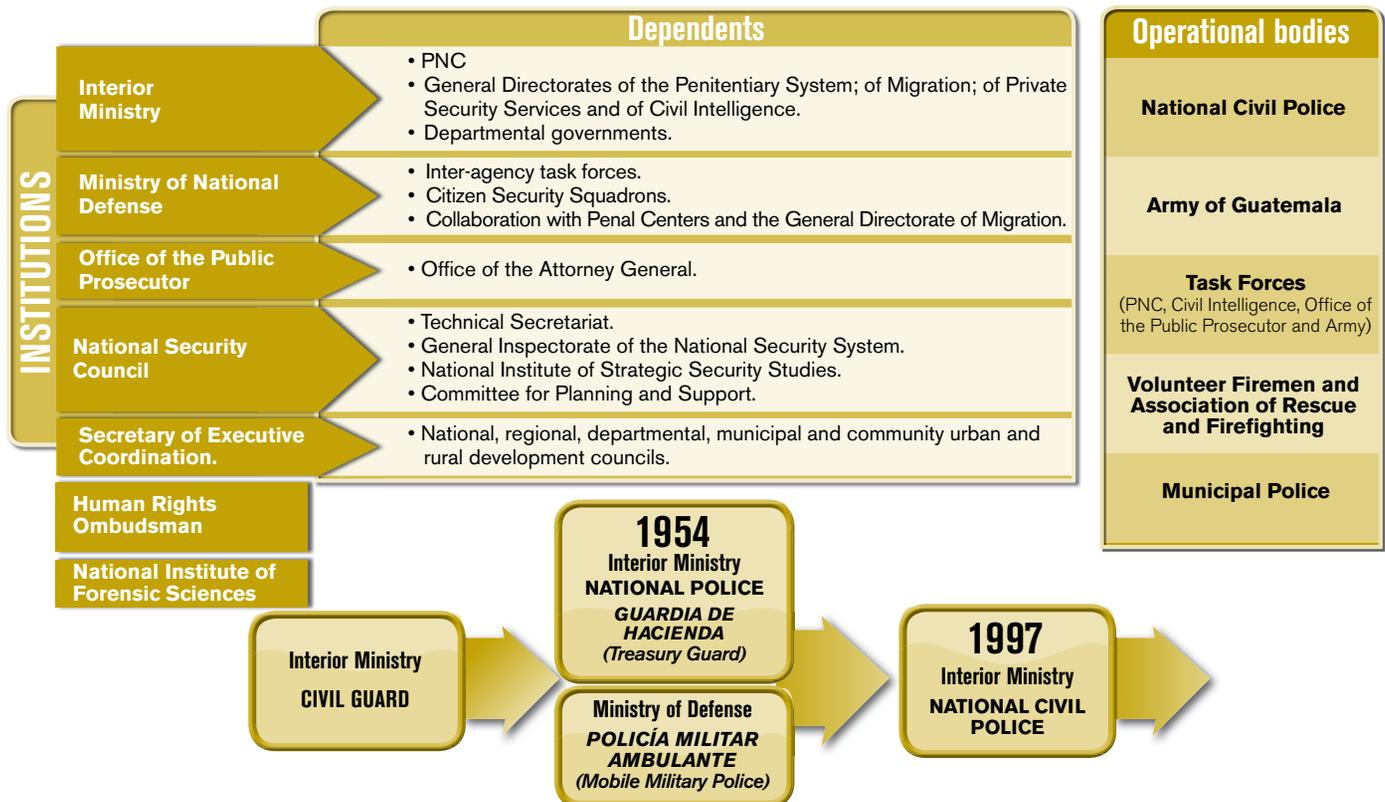
The Interior Ministry has the principal role, while other stakeholders include the Ministry of Defense, the Office of the Public Prosecutor and the Office of the Human Rights Ombudsman.

- **National Civil Police (PNC):** established as a new force in 1997 as a result of the Peace Accords. It brings together elements of the now defunct National Police and *Guardia de Hacienda*, in addition to new members. Since its creation, it has been a dependent of the Ministry of Interior.
- **Interior Ministry:** It is the institution responsible for public security. The PNC, as well as other dependencies, such as the Directorate of Migration, are under its authority.
- **Defense Sector:** The *Policía Militar Ambulante*, which was previously under the authority of the Ministry of Defense, was dissolved following the signing of the Peace Accords, consolidating the Armed Forces (apolitical and obedient to the civil-

ian authority) as the only body linked to the defense sector.

- **Councils:** In 2008 the National Security Council (CNS) was created. It coordinates the National Security System under the Framework Law of the National Security System (Decree N° 18-2008).
- **The Security Advisory Council,** created by the Peace Accords as an institution dedicated to advisory and citizen auditing functions, is the interlocutor between civil society and state institutions responsible for security.
- **Office of the Human Rights Ombudsman (PDDH):** without being subject to the authority of any other institution since its creation in 1987, the Ombudsman is commissioned by Congress to defend human rights, and occupies the position for a period of five years.
- **Secretary of Executive Coordination:** Established in 1997, it collaborates with the President in the coordination of the national system of urban and rural development councils, and the system of regional and departmental councils, which seek to increase community participation in prioritizing security needs.
- **Institute for Public Penal Defense (IDPP):** Since 1994 it provides assistance to the Guatemalan population through the provision of free legal advice. It is currently independent of any other institution.

Principal Actors



Sources: National Security Council, National Security Policy, Office of the Human Rights Ombudsman, *Ley marco del sistema de seguridad* (Decree N° 18/2008), *Acuerdo Gubernativo N° 197/2012* and *Acuerdo Gubernativo N° 204/2013*.

The Criminal Justice System

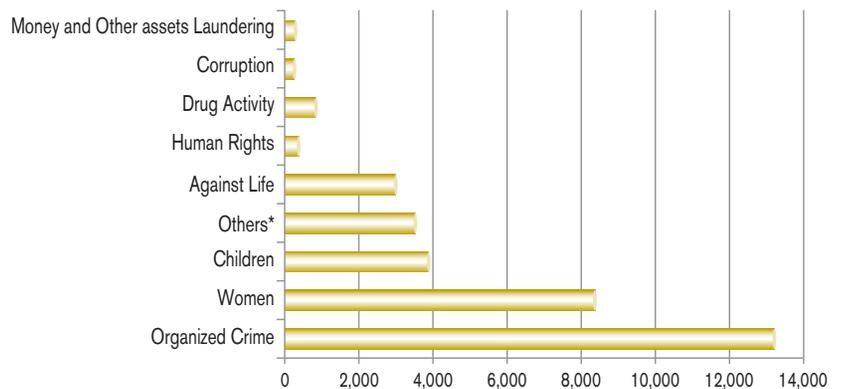
Guatemala abandoned the inquisitorial system with double level of appeal and recourse in July 1994 when it approved a new Criminal Procedure Code that adopted the accusatory system. Criminal investigation is led by the Public Prosecutor's Office. During this process, and until the trial, the accused may be detained preventively (maximum six months). Only those above 18 years old are able to be criminally tried, while minors (children and adolescents aged between 13 and 18 years) are subject to a special regime that,

in criminal cases, considers rehabilitation with educational purposes and social reintegration. In relation to criminal investigation, the role of the police has historically been to collaborate with proceedings under the direction of the Public Prosecutor's Office. This is currently facing an important change with the creation of the Directorate of Criminal Investigation within the Interior Ministry, a change that may be better appreciated when organizational issues, personnel, and budget issues are consolidated.

Types of Prosecution Offices within the Public Prosecutor's Office



Ranking of complaints received according to the Prosecutor's Office



* Economic, environmental, intellectual, property and crime against property.

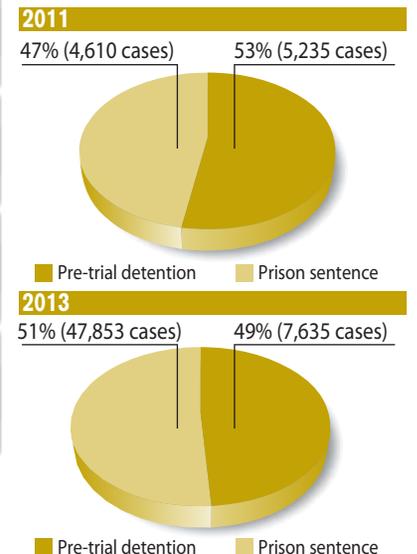
The **Coordinating Body for the Modernization of the Justice Sector** was created in 1997 and consists of the Judicial Organism, the Public Prosecutor's Office, the Public Criminal Defense Institute and the Ministry of Interior. It works towards the realization of joint and coordinated actions in the sector. It began his work with an IDB loan of US\$30 million.

Over time it has been assigned a small budget to maintain a minimal staff and facilities. In places located far from the capital, five centers have been installed in which there are representatives of all the institutions involved in this body and to which the population can request assistance in meeting their justice requirements.

The Administration of Justice and Criminal Cases

Executive Power	National Civil Police	The police receive complaints and work on them under the instructions of the Prosecutor. It can act in cases of crimes <i>in flagrante delicto</i> . Detentions must be ratified by a judge to become provisional detentions pending trial.	26,201 police personnel. One policeman per 561 inhabitants.
Public Criminal Defense Institute		Acts as technical defense to ensure the right to defense of all people who require free legal assistance.	586 attorneys (317 men and 269 women). 35 headquarters at the national level, of which 15 are able to provide assistance in native languages.
Public Prosecutor's Office	General Attorney	Summary of the police investigation and presentation to justice. Attorney: responsible for leading the criminal investigation.	23 district, 34 municipal and 15 sectional prosecutors
Judicial Organism		Criminal jurisdiction Oral proceedings.	3 chambers, 8 courts, of which 3 attend to criminal cases (penal chamber, youth and adolescent chamber, and mixed departmental chambers). 846 judges across the country.
Executive Power		General Directorate of the Penitentiary System within the Interior Ministry.	

Procedural Situation of the Prison Population



Sources: Código Procesal Penal; Ley de Protección Integral de la Niñez y la Adolescencia; Government of Guatemala, Informe de Primer Año de Gobierno 2012-2013; Judicial Branch, National Centre for Legal Analysis and Documentation, Informador Estadístico; information provided by the Public Criminal Defense Institute; Public Prosecutor's Office, Memoria de Labores 2011. Procedural situation: Interior Ministry.

Security Policy Guidelines

Security policy has been a central point on the Guatemalan agenda since the moment of the Peace Accords, and throughout the different administrations there have been huge debates on the subject as well as significant participation in general. In 2008, the **Framework Law of the National Security System** marked an important consensus and defined the concept of democratic security in line with the Peace Accords. This legal framework was subsequently accompanied in practice by the development of debates and actions between civil society, academia, and the State. **The National Security Council** became an important component, with initiatives emitted by it and demands made to it.

The deterioration of the security situation and the need to

achieve results led to the 2009 launch of the **National Agreement for the Advancement of Security and Justice**. It was met with certain skepticism by several actors - including partners in international cooperation – and its size and dispersion (101 different initiatives) bolstered this image, although fundamental support for initiatives such as the **Police Reform Commission** arose from it. By the end of the Álvaro Colom administration (2008-2012), the FOSS – Forum of Social Organizations Specialized in Security – already registered the decline of this agreement. In May 2012, with a new government in the country since the beginning of the year, the **Pact for Security, Justice and Peace** was launched.

National Agreement for the Advancement of Security and Justice - 2009

Signed by the Government and Congress together with the Supreme Court and Office of the Public Prosecutor. 10 lines of action with 101 points among them, of which the following are highlighted:

- Creation of a Ministry of Public Security.
- Regulations of the Civic Service Law.
- Implementation of the Penitentiary System Law.
- Creation of an entity inside the PNC to explain criminal actions.
- Strengthening of the Judicial System.
- Regulation of private security firms.
- Creation of the National Commission against the Illegal Possession and Carrying of Firearms.
- Promotion of a National Disarmament Plan.
- Strengthening of the Normative Framework of the PNC.
- Integration of a Commission for Police Reform.

Pact for Security, Justice and Peace - 2012

Proposed by the Government, it seeks to add broad sector participation to key points of the 2009 Agreement, such as:

- National Disarmament Plan.
- Formulation of a national plan for the prevention of crime and violence.
- Institutional strengthening of the justice sector.
- Strengthening of human rights and the culture of peace.

The breakdown of social order, the instability and obsolescence of the State, and violence as a structural problem are main characterizations presented in this Pact, which is built on content and consensus obtained in the previous Agreement.

National Security Policy – 2012

Defines a national security system that contains:

- Democratic internal security
- External security
- Risk management and proactive civil defense
- Strategic intelligence

Consolidate PNC reforms.
Preventive programs.
Vigilance and border control actions.
Eradication and substitution of illegal cultivated goods.
Inter-institutional coordination to combat, reduce and neutralize criminal organizations.
Design and development of the infrastructure of the penitentiary system.
Creation of two institutes: Penitentiary, and Migration and Naturalization.
Increasing the capacities of security and defense forces.
Disbanding the market for illegal weapons and ammunition.

Commission for Police Reform

Following the signing of the National Agreement for the Advancement of Security and Justice, the National Commission for National Civil Police Reform was created, with members appointed by the President of the Republic. In October 2009, the Preparatory Committee was formed and in January 2011 its work was under way, at that time under the leadership of Helen Mack, who was appointed for that purpose. In recent years the Commission has been working on those considered priority issues:

- A police that is adequate to meet social demand.
- Attending to the problem of criminal investigation: who, how and when.
- Police education as the basis of the police profession.
- Control and supervision of police work.

The Commission receives international cooperation assistance.
In 2013, it was under the leadership of Presidential Commissioner Adela Camacho de Torrebiarte.

Source: Acuerdo Nacional para el Avance de la Seguridad y la Justicia, Pacto por la Seguridad, la Justicia y la Paz, Política Nacional de Seguridad, National Commission for Reform of the National Civil Police.

The Legal Framework

- Libertad Democrática Renovada* (LIDER).
- Partido Patriota* (PP).
- TODOS*.
- Compromiso Renovación y Orden* (CREO).
- Gran Alianza Nacional* (GANA).
- Unidad Nacional de la Esperanza* (UNE).
- Frente Republicano Guatemalteco* (FRG).
- Partido de Avanzada Nacional* (PAN).
- Desarrollo Integral Auténtico – Unidad Revolucionaria Nacional Guatemalteco* (DIA-URNG).
- DCG
- UCN
- MAS
- UCN/DCG/PSD
- Others

Composition of the Assembly	Laws	Presidency, period and Government party
 <p>1990-1995</p>	<ul style="list-style-type: none"> -Law against Drug Activity (DL N° 48 – 92 – 09/23/1992). -Penal Procedure Code (DL N° 51 – 92 – 09/28/1992). 	<p>Jorge Serrano Elías (January 1991 – June 1993) MAS</p>
 <p>1995-1999</p>	<ul style="list-style-type: none"> - National Coordination for the Reduction of Natural or Man-made Disasters Law (DL N° 109 – 96 – 11/07/1996). -Organic Law of the National Civil Police (DL N° 11 – 97 – 02/04/1997). -Law of the Executive (DL N° 114– 97 – 11/13/1997). -Migration Law (DL N° 95 – 98 – 11/26/1998). -Judicial Career Law (DL N° 41 – 99 – 10/27/1999). 	<p>Ramiro de León Carpio (June 1993 – January 1996) UNC</p>
 <p>1999-2003</p>	<ul style="list-style-type: none"> -Support to the Civil Security Forces Law (DL N° 40 – 2000– 06/07/2000). -Law against Money and other Asset Laundering (DL N° 61 – 2001 – 11/28/2001). -Civic Service Law (DL N° 20 – 2003 – 05/12/2003). 	<p>Álvaro Arzú (January 1996 – January 2000) PAN</p>
 <p>2003-2007</p>	<ul style="list-style-type: none"> - Law for the Prevention and Suppression of Terrorist Financing (DL N° 58 – 2005 – 08/31/2005). -General Directorate of Civil Intelligence Law (DL N° 71 – 2005 – 10/12/2005). -Law against Organized Crime (DL N° 21 – 2006 – 07/19/2006). -Penitentiary Regime Law (DL N° 33 – 2006 – 10/05/2006). 	<p>Alfonso Portillo (January 2000 – January 2004) FRG</p>
 <p>2007-2011</p>	<ul style="list-style-type: none"> - Framework Law of the National Security System (DL N° 18 – 2008 – 03/11/2008). -Law against Sexual Violence, Exploitation and Human Trafficking (DL N° 9 – 2009 – 02/18/2009). -Weapons and Ammunitions Law (DLN° 15 – 2009 – 03/31/2009). -Law on Strengthening Criminal Prosecution (DL N° 17 – 2009 – 05/07/2009). -Law regulating private security services (DL N° 52 – 2010 – 11/23/2010). -Asset Recovery Law (DL N° 55– 2010 – 12/07/2010). 	<p>Oscar Berger (January 2004 – January 2008) GANA</p>
 <p>2011-2015</p>	<ul style="list-style-type: none"> - General Directorate of Criminal Investigation Law (DL N° 15 – 2012 – 08/21/2012). - Law against Cluster Bombs and Munitions (DL N° 22 – 2012 – 09/07/2012). - Law Against Corruption (DL N° 31 – 2012 – 11/22/2012). 	<p>Álvaro Colom (January 2008 – January 2012) UNE</p>
		<p>Otto Pérez Molina (January 2012 – January 2016) PP</p>

Civil Society in Guatemala

Civil Society has been, and is, a relevant actor in the security field in Guatemala. The framework agreement for resuming the negotiation process between the Government of Guatemala and the *Unidad Revolucionaria Nacional Guatemalteca*, approved in January 1994, included the creation of an "Assembly open to the participation of all sectors of Guatemalan society", which was installed in the same year with two functions: to transmit non-binding recommendations and guidelines on the subject and to be familiar with and endorse the agreements to give them the character of national commitments.

Security Advisory Council (CAS) It was created by the Peace Accords as an advisory and citizen auditing body and a mechanism for linking civil society and State institutions responsible for security. It entered the public domain through Government Agreement 115--2004 - 03/16/2004. Its functions, among others, are to advise the President and Vice-president on security issues; ensure the implementation of the model of democratic security; promote reform within the sector; request and receive periodic information on the various state officials and authorities; and issue statements regarding draft income and expenditure budgets and budgetary implementations. It intervenes at the request of the Presidency in specific actions, but in general terms it is oriented towards complementing the work of the Executive from a medium and long term perspective. The proposal and impetus for the creation of the national security system and its Framework Law arose from this space, in dialogue with government institutions, civil society and the Political Parties Forum. It also promotes and elaborates the initial proposal of the Agreement for the Advancement of Security and Justice. It is a member of the Commission for the Police Reform.

Forum of Social Organizations Specialized in Security (FOSS) Comprised of seven organizations from a broad spectrum that have developed a broad incidence and specialization in themes of security and justice: the Association for Research and Social Studies (ASIES); the Association for the Study and Promotion of Security in Democracy (SEDEM); the Center of Guatemala Studies (CEG); the Myrna Mack Foundation (FMM); Democratic Incidence (IDEM), the Institute of Education for Sustainable Development (IEPADES); and the Institute of Comparative Studies in Guatemalan Penal Sciences. Since its consolidation, FOSS worked in monitoring compliance with the National Agreement for the Advancement of Security and Justice.

The International Commission against Impunity in Guatemala (CICIG)

Facing difficulties to overcome impunity and dismantle illegal armed groups in the spirit of the Peace Accords, the Government of Guatemala requested assistance from the United Nations and in December 2006 signed an agreement for the creation of the CICIG, a unique experience globally, which was approved by Congress in August 2007.

It is an international committee that supports public institutions in investigating the activities of illegal groups and clandestine security organizations that have direct or indirect links with State officials or the ability to block lawsuits concerning illegal activities. Operating under Guatemalan law, it acts as a prosecutor in criminal proceedings, provides support to other work of the Office of the Public Prosecutor, receives complaints and transmits investigative reports to the corresponding investigator.

Structure and national and international offices:

- 5 units:
- Office of the Commissioner
 - Investigation
 - Litigation
 - Administration
 - Security

CICIG makes proposals for legal reforms and provides technical assistance primarily in criminal investigations and court proceedings. In this framework, it works closely with members of the Office of the Public Prosecutor and the National Civil Police, seeking a transfer of skills to strengthen local institutions.

The Security Budget

The function “Public Order and Citizen Security” includes both the specific aspects of security and the administration of justice in general. Within the institutional budget classification, the Interior Ministry is the institution that has the largest share of the budget, largely due to the inclusion of the National Civil Police. To this there is a need to add other institutions and programs located within the Presidency, the Public Prosecutor’s Office and even the National Forensic Science Institute (which produces statistics on deaths associated with criminal acts).

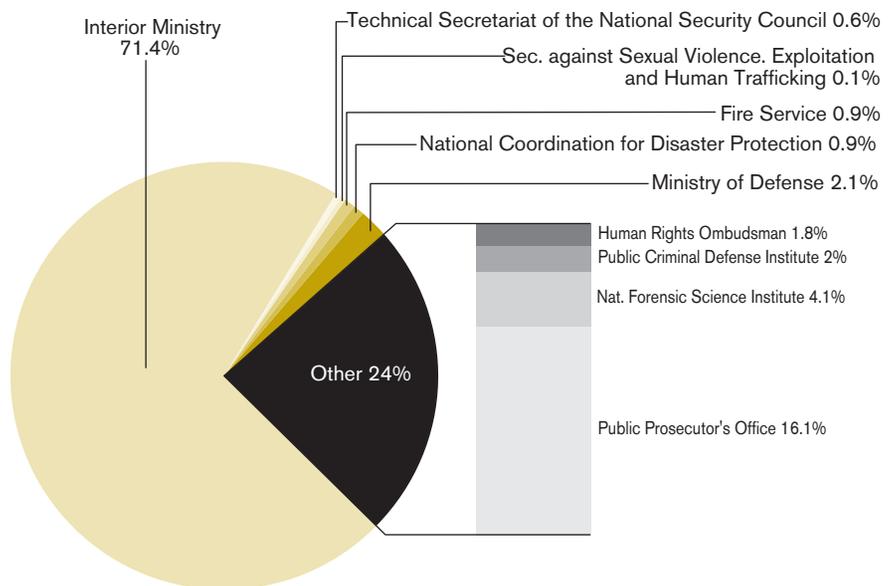
The sum of all items in the general state budget for security

programs in 2013 amounted to seven hundred and eighty one million dollars, representing 1.5% of gross domestic product.

From 2013 the Ministry of National Defense’s budget disaggregates a specific program for “Prevention of crimes against property”, which allows a more precise understanding of the defense resources that are allocated to public security. Other items within the “territorial defense” (which according to annual operational goals include tasks such as territorial control in the face of crimes) require higher levels of disaggregation than those currently present in order to be analyzed.

SECURITY BUDGET, 2013 (US\$)

Interior Ministry		%
PNC	381,612,348	48.9
Penitentiary System	76,832,714	9.8
Migration	23,261,082	3.0
Others	75,363,039	9.7
Presidency		
Technical Secretariat of the National Security Council	5,031,447	0.6
Sec. against sexual violence, exploitation and human trafficking	1,056,604	0.1
Ministry of Defense		
Assistance to citizen security and public security forces	16,641,797	2.1
Fire Service		
	7,194,969	0.8
National Coordination for Disaster Protection		
	6,591,195	0.9
Public Prosecutor’s Office		
	125,786,164	16.1
Public Criminal Defense Institute		
	15,911,950	2.0
Human Rights Ombudsman		
	13,651,509	1.8
Nat. Forensic Science Institute		
	32,075,472	4.1
Total Security Budget (2013)		
US\$ 781,010,287		



The 2013 security budget is equivalent to 1.5% of GDP or 9.3% of the overall State budget.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$ 5,468,688,105**



On average, each economically active member of the population (EAP) contributes **877** dollars each year



265 dollars of this total is assigned to **Education**

105 dollars of this total is assigned to **Health**

125 dollars of this total is assigned to **Security**

61 dollars is assigned to the **National Civil Police**



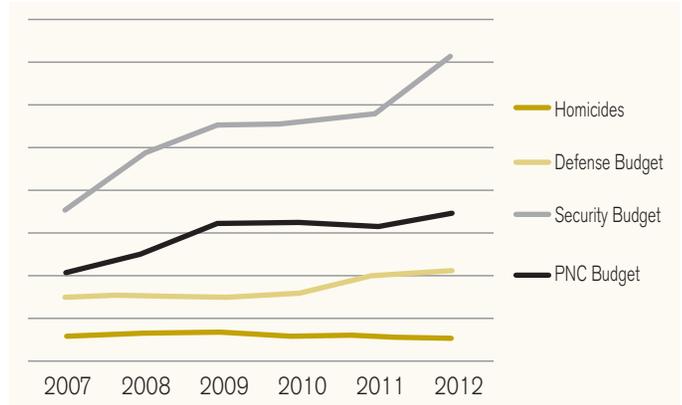
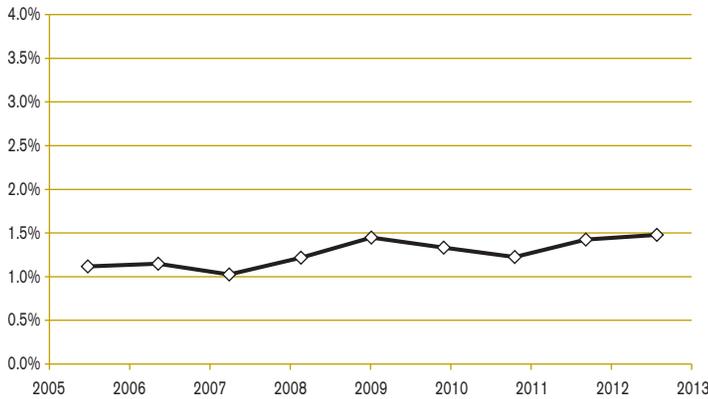
Source: Ley de presupuesto general de ingresos y egresos del Estado for fiscal year 2013. EAP: Encuesta Nacional de Empleo e Ingresos 2012, National Statistic Institute of Guatemala. Tax Contributions: Liquidación del presupuesto general de ingresos y egresos del Estado y cierre contable del ejercicio fiscal 2012. The dollar exchange rate used corresponds to that of the World Economic Outlook Database, IMF, for each year considered. All values in current dollars.

Evolution of the Security Budget

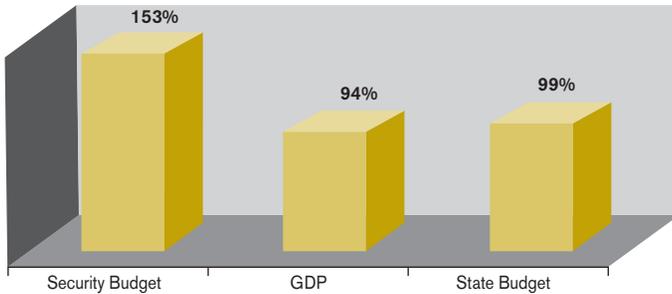
The relation between the security budget and GDP has remained stable, with a slight increase in recent years in the proportion of GDP assigned to the area. In terms of the amount of resources, the upward curve is notable: it has grown by 130% in

the past eight years (from about 300 million dollars in 2005 to 781 million in 2013). Also, as can be seen, the rate at which the security budget has grown is greater than the growth of the total State budget.

Security Budget as a percentage of GDP, 2005 – 2013

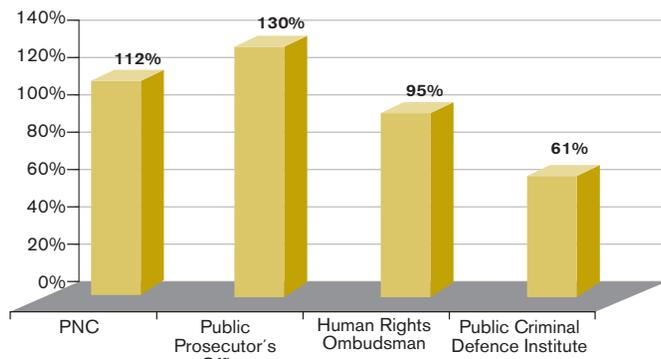


Comparative Growth (2005 – 2013, in current US\$)



Year	Homicides	Defense Budget	Security Budget	PNC Budget
2007	5,781	152,106,898	355,550,994	207,613,872
2008	6,292	156,210,263	481,461,902	251,417,830
2009	6,498	153,090,192	549,449,625	316,560,315
2010	5,960	159,860,766	556,867,756	316,560,315
2011	5,682	197,818,891	576,613,056	314,850,424
2012	5,164	210,816,824	713,658,507	343,855,827

Variation in the Budget Allocation, 2005-2013 (%)

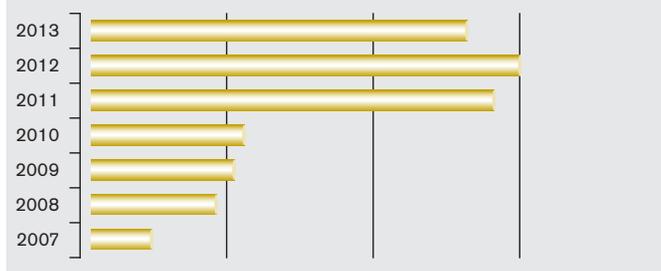


15,580 military personnel

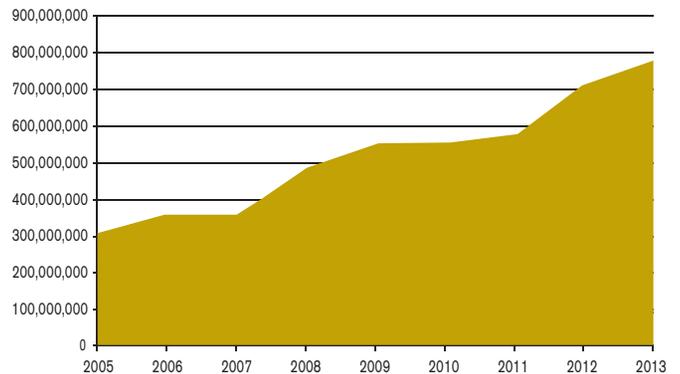


26,201 police personnel

Budget Growth for Forensic Medicine (INACIF)



Security Budget in current US dollars, 2005 - 2013

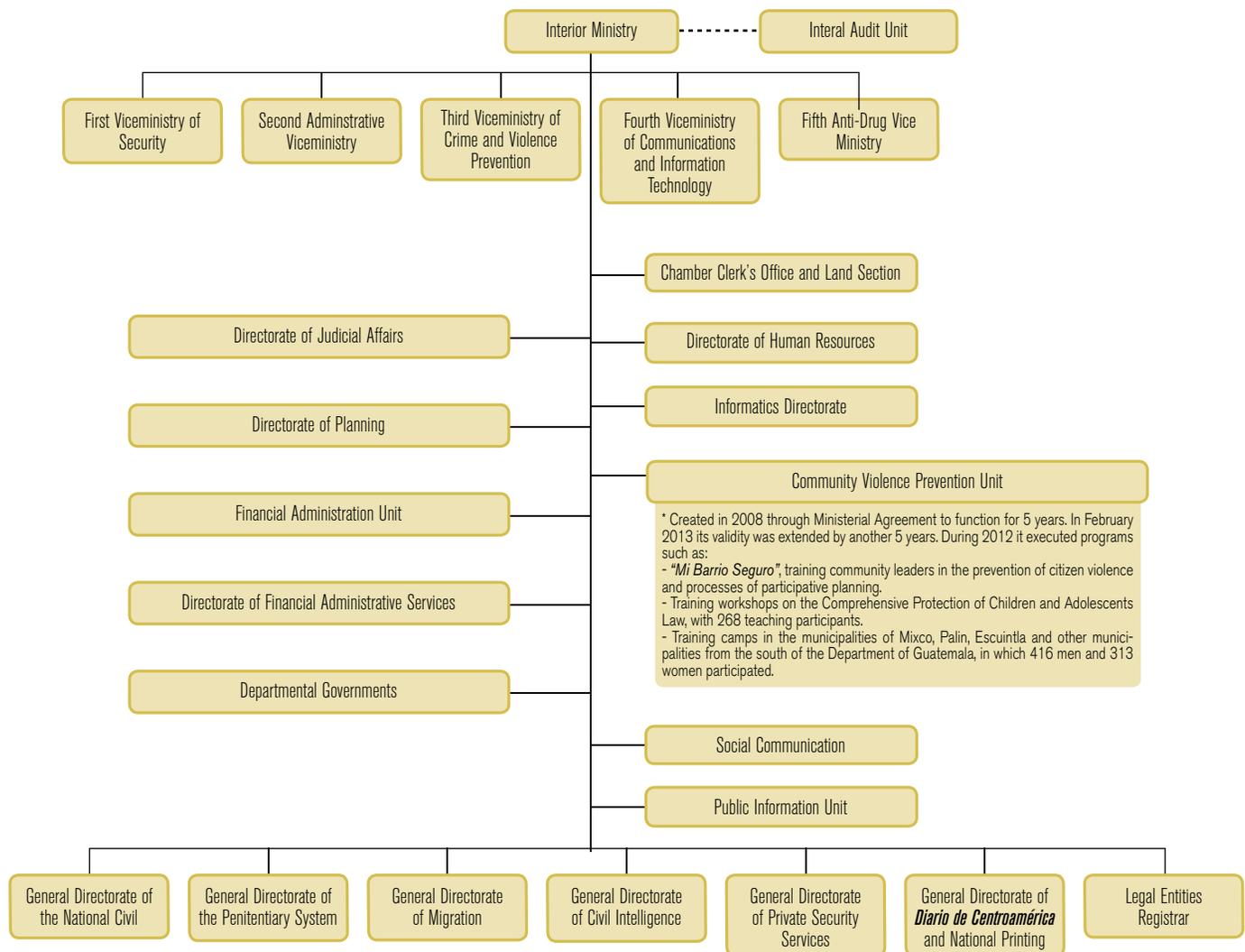


Source: State General Budget Laws from 2005 to 2013. Integrated Accounting System (SICOIN), Fiscal Transparency Portal. GDP and exchange rate: World Economic Outlook Database, IMF, for each year considered. All data in real US dollars. Homicides: Ministry of Interior. Military personnel: Comparative Atlas of Defence in Latin America and Caribbean. 2012 Edition, RESDAL. Police personnel: National Civil Police.

Ministry of Interior

The Agreement on the Strengthening of Civilian Power and Role of the Military in a Democratic Society (1996), established the new National Civil Police (PNC), under the jurisdiction of the Ministry of Interior. While this jurisdiction has not changed, the authorities of the Ministry and the PNC have shown a high turnover. Since the signing of the Peace Accords to date, there have been 14 Ministers of Interior and 19 Directors of the PNC, averaging 14 months and 10 months in office respectively. One of the most important reforms of the past two years has been the creation of the **Directorate of Criminal Investigation** as a civil body specializing in crimi-

nal investigation and judicial assistance located within the Interior Ministry and with a close relationship with the Office of the Public Prosecutor. Criminal investigation will not, in the future, be a specific part of policing, but the creation of a Criminal Investigation Police is in the pipeline. While the National Agreement for Security and Justice proposed the creation of a Ministry of Security, it is yet to be created. The Interior Ministry changed its structure in 2012 through changes to Community Support, Judicial Sector Support and Security in Petén, and the creation of vice ministries of **Crime and Violence Prevention** and **Narcotics**.



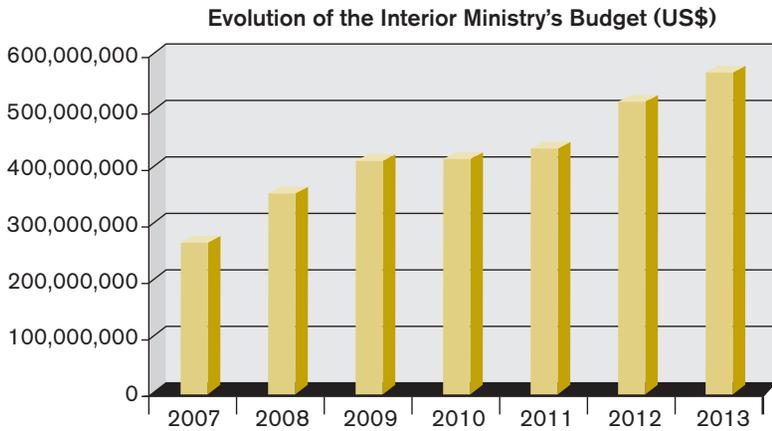
In 2012 it launched the National Observatory of Violent Deaths "24-0". Coordinated by the Vice Ministry of Crime and Violence Prevention, it produces maps reflecting violent deaths within the territory. The system is fed with data from the PNC updated every two hours and the information is posted on the website of the Ministry of Interior. Among the improvements proposed for this platform in the future is the presentation of data disaggregating the age and gender of the victims.

Source: Interior Ministry, *Memoria de Labores 2012*.

The Budget Allocations within the Interior Ministry

The Ministry of the Interior, as well as addressing the issue of public security, coordinates policies and issues such as the relationship with departmental governments, the registration of persons, and the official newspaper. The weight of PNC's bud-

get, however, is considerable, and therefore the upward curve of the Ministry's budget allocation can practically be explained as more resources being allocated to the PNC.



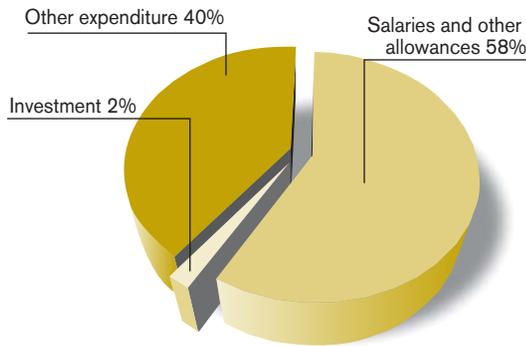
On average, 74% of the Ministry's budget corresponds to the National Civil Police.

The Ministry's budget includes the State's contribution to the Police Reform Commission, which has increased by 47% (from 7,692,308 million dollars in 2012 to 11,320,755 million dollars in 2013).

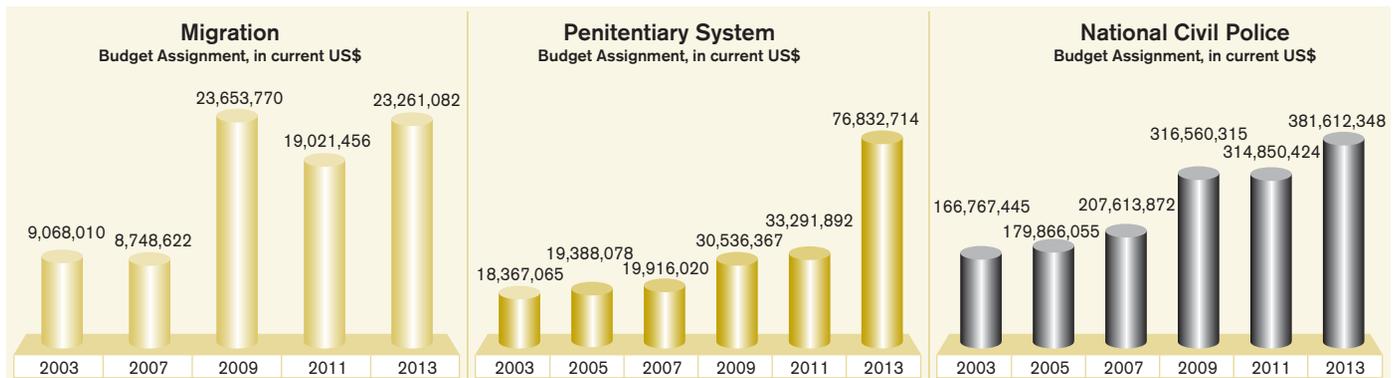
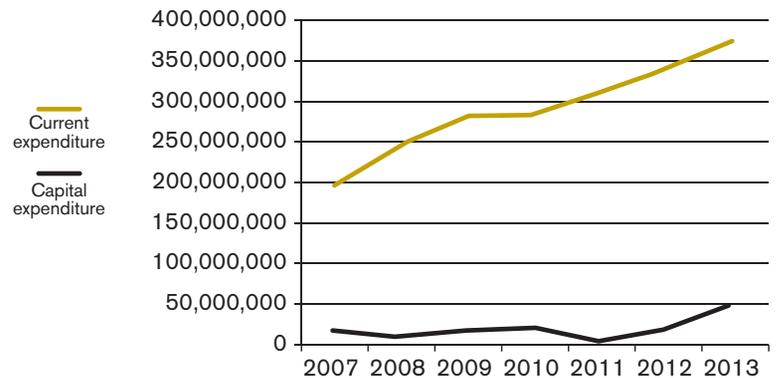
Current expenditure and salaries occupy a large proportion of the PNC budget: between them they total 98%, leaving just 2% for investment. A significant increase in the resources allocated

to the penitentiary system and migration can also be observed. In these last two cases, it is worth highlighting that part of budget increase is for capital expenditure.

Distribution of the PNC budget, 2013



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



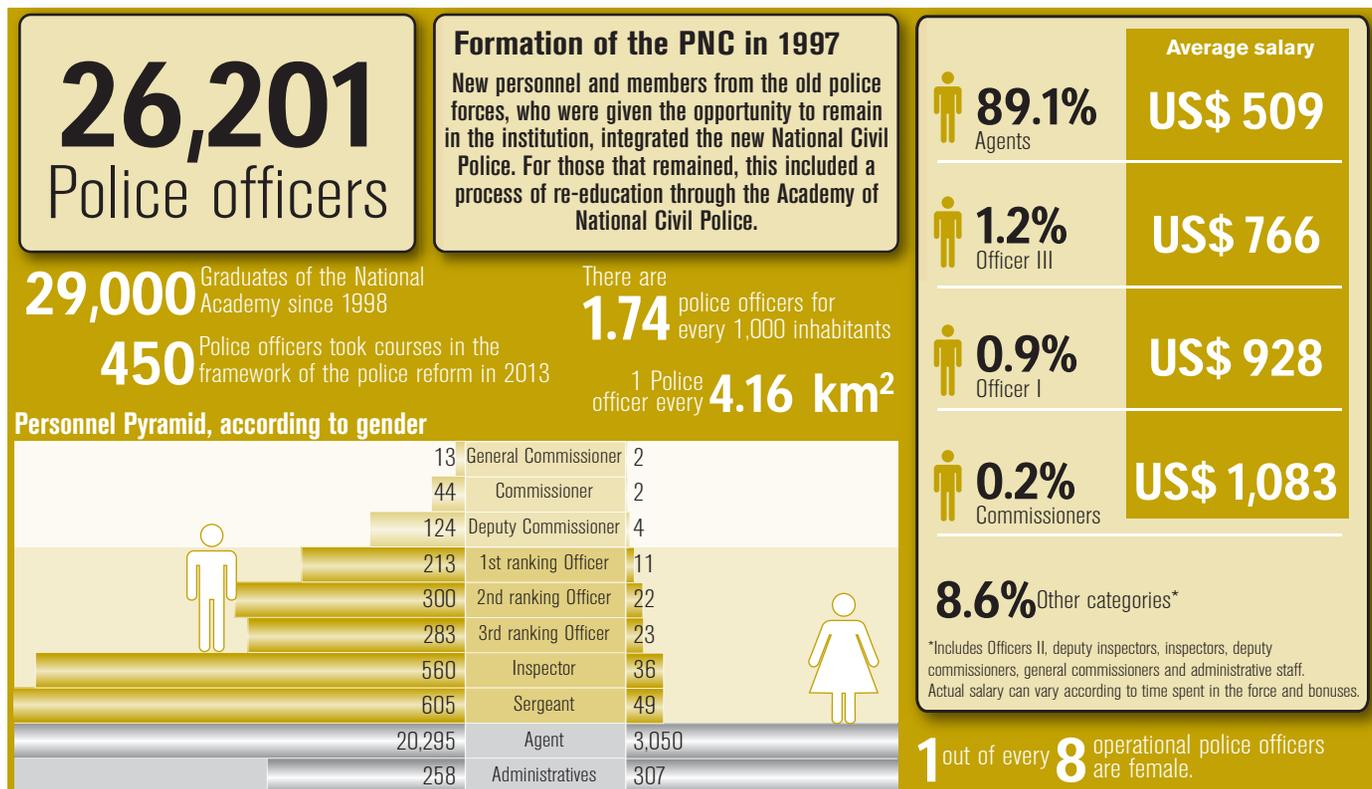
Sources: State General Budget Laws from 2003 to 2013. Integrated Accounting System (SICOIN), Fiscal Transparency Portal. All data in current US\$ dollars. The value of the dollar taken corresponds to that in the World Economic Outlook Database, IMF, for each year considered.

National Civil Police:

Up until 1996, the police system was composed of three bodies: the National Police, *Guardia de Hacienda* and the *Policia Militar Ambulante*, which received military training and whose main tasks were dedicated to control of the population.

The signing of the Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society (*Acuerdo sobre fortalecimiento del poder civil y función del Ejército*

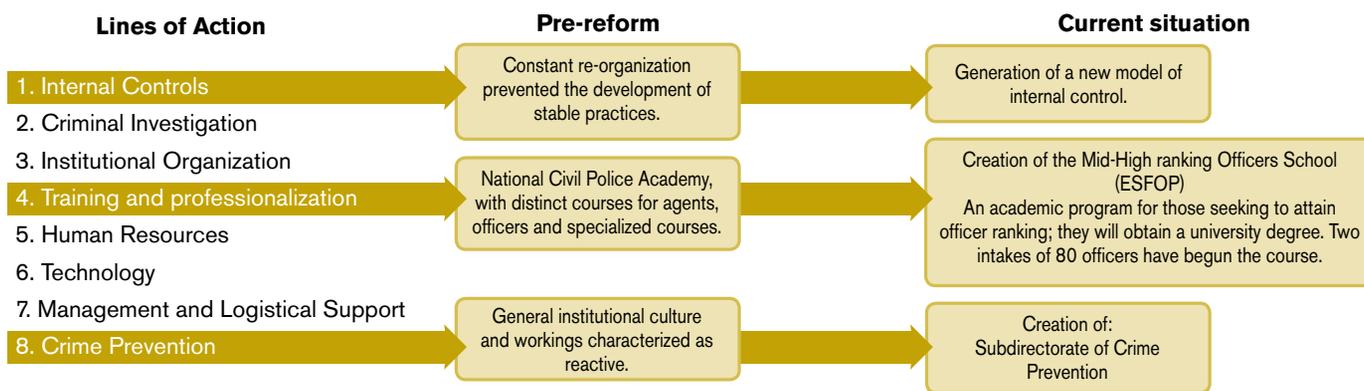
en una sociedad democrática) led to the restructuring of the system and the creation of the National Civil Police (PNC). Into this new body, personnel from the former National Police and the *Guardia de Hacienda* were incorporated, in addition to newly recruited police officers, and by 2001 the PNC had a total of 19,031 members, of which 8,568 (45%) were new members and the remaining 10,463 (55%) officers from the previous police bodies.



Police Reform

Reform of the PNC has been placed at the center of security policy and targets the institutional and cultural transformation of the PNC. To this end, Government Agreement 361-2010, 22/12/2010, set up the **National Commission of Police Reform**,

which also receives the support of the international community, in particular the governments of Canada, Chile, Colombia, Germany, Spain, United States and Taiwan.

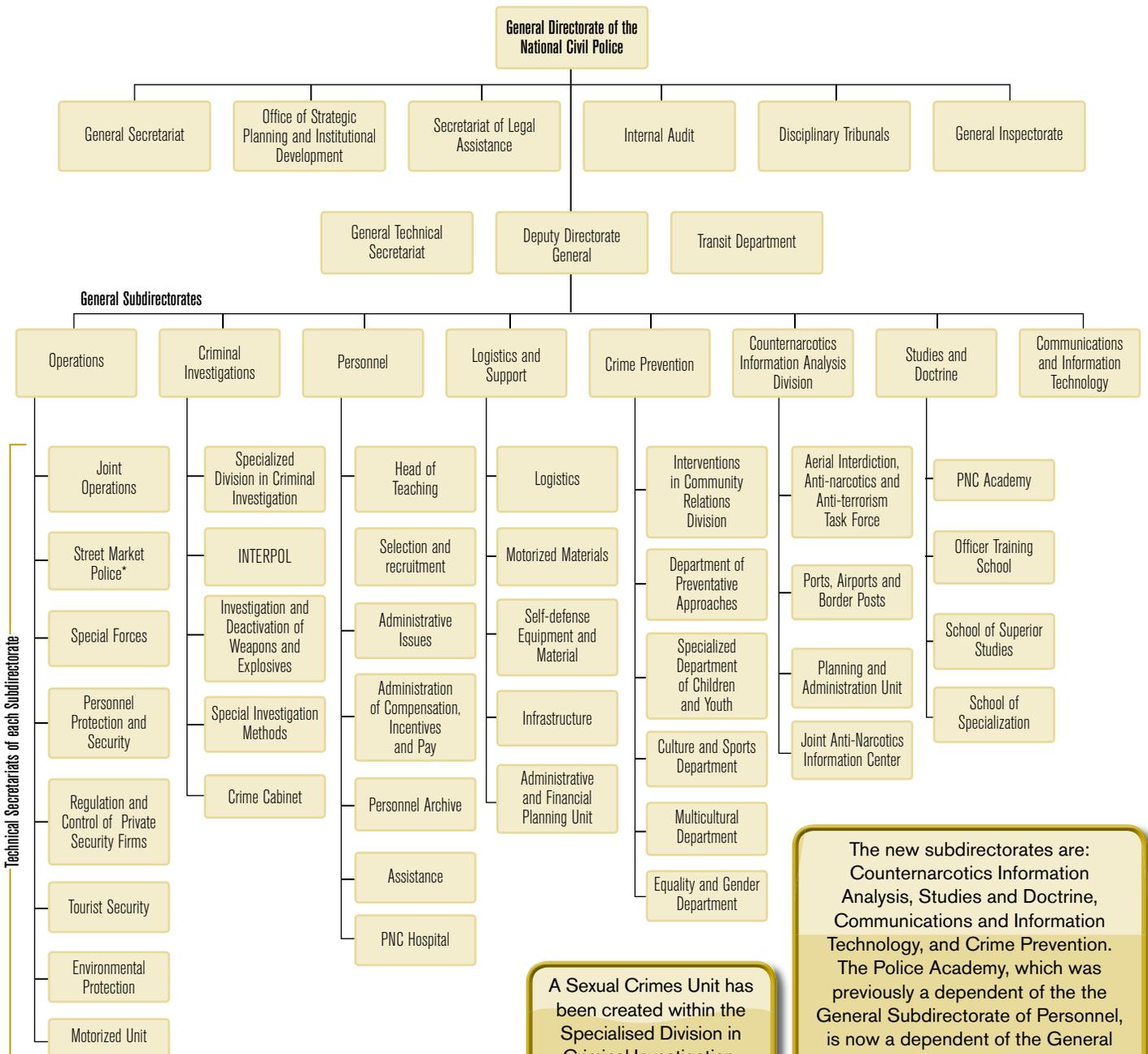


Sources: National Civil Police. Commission for Police Reform.

Organization of the National Civil Police

As part of reforms, the structure of the PNC has been modified, mainly through the creation of new general subdirectorates linked to analysis of information, training and police doctrine, technology and communications, and crime prevention. Different “Task Forces” associated with different crimes have also been created, with the Subdirectorate of Criminal Investi-

gation in charge of all of them. According to the Organic Law of the PNC, directors cannot belong to political parties or stand for elections. The Director General is appointed by the Minister of the Interior, together with the Deputy Director General and other general directors. The latter are nominated by the Director General.



Technical Secretariats of each Subdirectorate

A Sexual Crimes Unit has been created within the Specialised Division in Criminal Investigation.

The new subdirectorates are: Counternarcotics Information Analysis, Studies and Doctrine, Communications and Information Technology, and Crime Prevention. The Police Academy, which was previously a dependent of the the General Subdirectorate of Personnel, is now a dependent of the General Directorate of Studies and Doctrine of the PNC. The Counternarcotics Information Analysis Division became a subdirectorate, as did the Crime Prevention Division.

* Unit dedicated to custody and prevention in street markets.

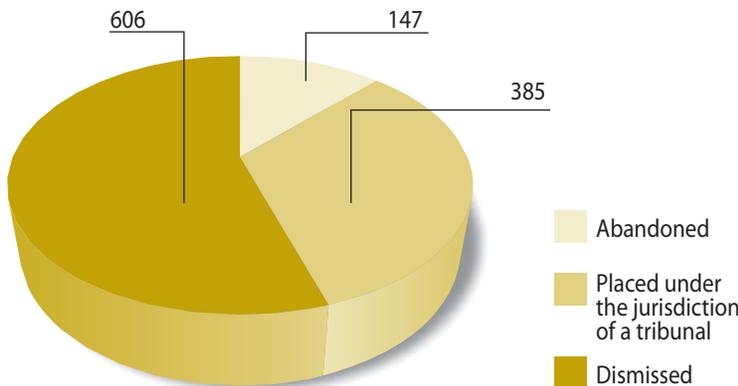
Source: Information provided by the National Civil Police and Government Agreement 153/2012.

The System of Police Discipline and Control

Disciplinary control remains a challenge for the police institution, given that the quantity of personnel leaving the institution (1,138 in 2012) is similar to the quantity of new police agents

graduating from police academies (1,500 in August 2012), meaning that the replacement rate needed to increase the size of the police force is not being achieved.

Personnel leaving the PNC between January and September, 2012



Between January and October 2012, the Human Rights Ombudsman received 250 complaints against the PNC, 139 against the Interior Ministry and 35 against the Ministry of Defense. The greatest number of complaints against the PNC referred to violations such as illegal detentions and prohibited photographic registers. The Office of the Public Prosecutor, for its part, also received complaints: 924 in 2012, of which 340 were dismissed. 31 personnel were put in preventative detention centers, 38 received alternative sentences and 23 were convicted.

The Police Reform Commission has proposed the creation of a new model of General Inspectorate as well as a revision of the disciplinary and organizational regulations of the police. The new *Orden General 27-2012*, that regulates the Inspectorate, contains important and relevant aspects given that it both strengthens it and makes it more functional, clearly outlining its functions into

3 pillars of action: inspection, internal investigation and analysis. The new model plants the role of the General Inspectorate as a unit that assists the Director General of the PNC. It creates and regulates the Division of Internal Affairs, comprised of the Department of Professional Responsibility, Department of Discipline and the Department of Human Rights.

Organs of Internal Control

Organs	Functions
<p>General Inspectorate: presided by a commissioner.</p>	<ul style="list-style-type: none"> Control, investigate and monitor all of the institution's units and elements. Participate in the elaboration of institutional policies. Develop the system for internal control and discipline, leading, supervising and interrelating the systemic functioning of the general sub-directorates' control units. Lead inspections of all the units. Order investigations of all complaints received about discipline and present recommendations to the Director General.
<p>Internal audit: presided over by a public accountant and auditor.</p>	<ul style="list-style-type: none"> Evaluate the advancement and quality of the spending assigned to the institution. Assist in financial and accounting activities. Assure that all internal control processes and budgetary, financial and administrative norms and policies are adhered to.
<p>Disciplinary tribunals: Presided over by a commissioner, a primary regulator (active, notary lawyer that is a member of the BAR) and second regulator proposed by the Departmental Development Board.</p>	<ul style="list-style-type: none"> Attend to the cases related to the PNC disciplinary regime which fall within their respective areas of competence.

Sources: Information provided by the Chief of Strategic Planning and Institutional Development of the PNC to the Human Rights Ombudsman, *Informe Anual Circunstanciado, Situación de los Derechos Humanos de Guatemala, 2012. Reglamento de Organización de la PNC, Acuerdo Gubernativo 97-2009.*

The Police Legal Framework

The National Civil Police, created in 1997 in the framework of the Peace Accords, has amongst its central functions the maintenance of order and public security, the investigation and prevention of crime and traffic control. Furthermore, it holds the function of registering and regulating the private security sector and col-

laborating with other institutions in migration control, the provision of assistance in response to catastrophes and requirements of the judicial power. Despite this, it is probable that collaboration with the judicial power will be reduced due to the recent creation of the **General Directorate of Criminal Investigation (DIGICRI)**.

Valid Legal Framework of the PNC

Organic Law of the PNC Decree 11-1997	Education Regime Regulations Government Agreement 587, 1997	PNC Administrative Regulations, Government Agreement 585, 1997	Regulations of the system for classifying positions and salaries of the PNC, Government Agreement 718, 1998	Disciplinary Regulations, Government Agreement 420, 2003	Organizational Regulations of the PNC, Government Agreement 97, 2009. Modified by Government Agreement 153-2012	Disciplinary Code: announced for 2013
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Criminal Investigation, discipline and organization: recent initiatives

<p>Creation of the General Directorate of Criminal Investigation (DIGICRI):</p> <p>The budget for the creation of this new unit was approved in 2011 and was finally created on July 19th 2012 through Law 15-2012. This Directorate is a civil unit that depends administratively on the Interior Ministry, but operationally on the Office of the Public Prosecutor. The PNC, for its part, has a General Sub-directorate of Criminal Investigation that holds authority over the Specialized Division of Investigation, which assists the Office of the Public Prosecutor in its investigations. The law that creates the DIGICRI only mentions the relation with the Police Sub-directorate of Operations, with who "it will share information relevant for the carrying out of its respective functions", not with that of investigation.</p>	<p>Elaboration of a Disciplinary Code for the PNC:</p> <p>Announced to enter into effect in March 2013, it would have as an objective the regulation of the attitude, performance and operational form of police personnel. It is probable that this new code will lead to the elimination of the old Disciplinary Regime, established by Government Agreement 584 (1997) and Disciplinary Regulation (2003), constituting a substantive advance with respect to the Guatemalan Police deontology.</p> <p>An important aspect in respect to the career is the salary received by police personnel, and for this a bond equivalent to a police wage was announced at the end of 2012. It was also announced that a specific commission will be installed in charge of investigating the reclassification of posts, wages and salaries for remaining personnel and this way be able to fix this bond annually from 2014 onwards.</p>	<p>New PNC organizational regulations:</p> <p>Government Agreement 153-2012 (July 18, 2012) reformed the Organizational Regulations of the National Civil Police (Government Agreement 97-2009, April 1, 1999), and, contemplating the creation of the General Sub-directorate of Studies and Doctrine and the implementation of the General Sub-directorate of Information and Communication Technology and the General Sub-directorate of Crime Prevention, widens the organizational and functional structure of the PNC.</p>
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**Current personnel level 26,201
2015 target: 35,000**

Sources: PNC *Ley Orgánica and Reglamento del régimen educativo*, Commission for Police Reform and the Interior Ministry.

Police Education

While the creation of the PNC was in its initial stage, the training process was headed by the Spanish Civil Guard, but this was followed by the creation of the National Civil Police Academy, which was a dependent of the General Sub-directorate of Personnel until 2012, when the new organizational regulations of the PNC placed the Academy within the new General Sub-directorate

of Studies and Doctrine, which is also responsible for the Police Officer Training School, the School of Superior Studies and the Police School for Specialization. This Sub-directorate coordinates all the police training, programs and centers, the profiles for entering and leaving, supervises the application process and proposes members of evaluation boards and selection commissions.

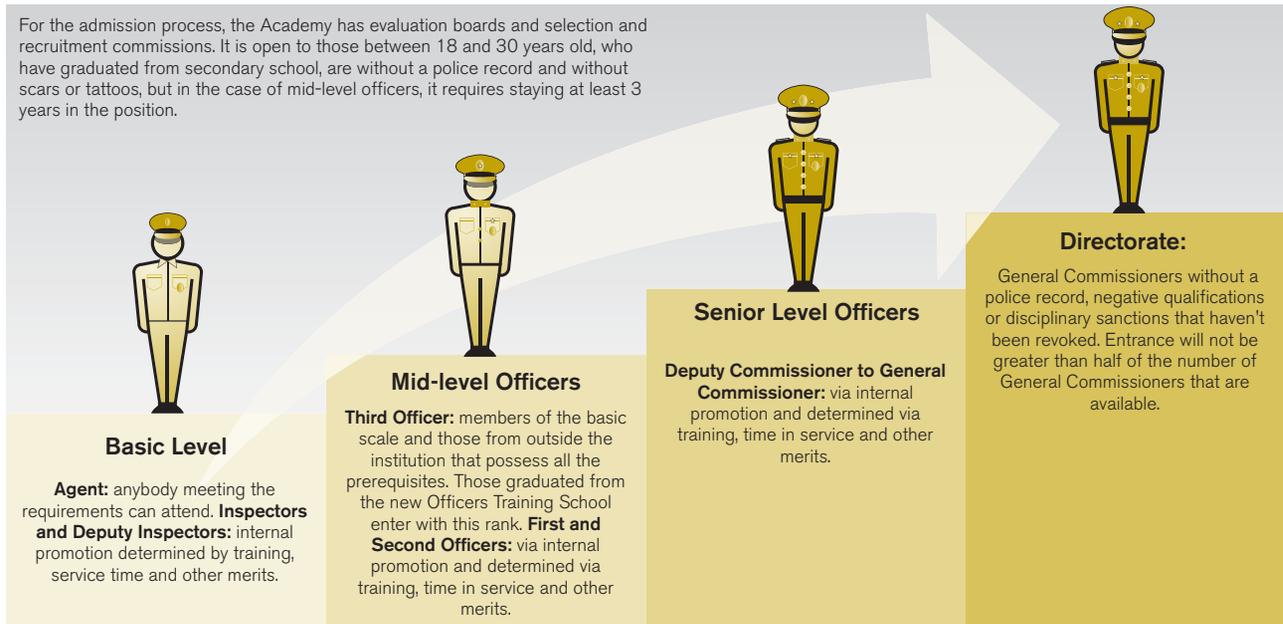


The Commission for Police Reform has a line of work dedicated to police training and professionalization that has undertaken a project for police education, and which proposes establishing a model, system and policy for police education. It has also proposed the creation of a system for training and professionalization and another for the evaluation and selection of aspiring candidates. Of the proposed targets, the following has been achieved:

- *Opening of the Police Officer Training School (ESFOP)*
- Start of the first promotion of the 3rd grade officer police training course with 80 students.
- *School of Superior Studies:* will provide diplomas through distance learning for the promotion of officers, deputy commissioners, commissioners and general commissioners.
- Degree in Police Sciences and a Masters in Criminal Investigation: through a partnership with the Universidad del Occidente and financed by USAID, it has an emphasis in community policing and is open to police personnel that hold university degrees, and which would graduate as Police Officers and Graduates in Police Sciences with a specialization in community policing. Together with these new programs, the National Institute of Police Sciences and Security was created for the PNC.
- *In addition to this, they are opening new headquarters of the Academy in different parts of the country.*

Police Career

For the admission process, the Academy has evaluation boards and selection and recruitment commissions. It is open to those between 18 and 30 years old, who have graduated from secondary school, are without a police record and without scars or tattoos, but in the case of mid-level officers, it requires staying at least 3 years in the position.



Basic Level

Agent: anybody meeting the requirements can attend. **Inspectors and Deputy Inspectors:** internal promotion determined by training, service time and other merits.

Mid-level Officers

Third Officer: members of the basic scale and those from outside the institution that possess all the prerequisites. Those graduated from the new Officers Training School enter with this rank. **First and Second Officers:** via internal promotion and determined via training, time in service and other merits.

Senior Level Officers

Deputy Commissioner to General Commissioner: via internal promotion and determined via training, time in service and other merits.

Directorate:

General Commissioners without a police record, negative qualifications or disciplinary sanctions that haven't been revoked. Entrance will not be greater than half of the number of General Commissioners that are available.

Sources: PNC Ley Orgánica and Reglamento del régimen educativo, Commission for Police Reform and the Interior Ministry.

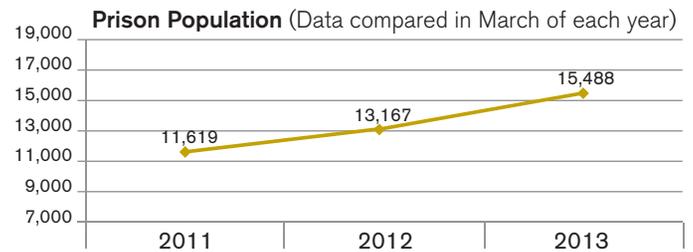
The Penitentiary System

The General Directorate of Penitentiary Systems (DGSP) is a dependent of the Interior Ministry, and has the task of maintaining the security and custody of prisoners. To ensure the security of the penal centres, the Directorate has 3,867 prison guards operating in the 22 detention centers around the country, which are divided between 12 preventative detention centers, 4 prisons for those serving sentences, 1 maximum security facility, and 5 rehabilitation centers.

Of these, 8 centers are specifically for men and 2 for women.

The system has a total capacity of 6,492 inmates. In August 2013, the General Directorate had 15,488 prisoners within its custody. Training for prison guards has a duration of four and half months, and is carried out at the School for Penitentiary Studies. In 2012, 392 officers graduated, while in 2013 there were 221 new aspirants (151 men and 70 women).

Relation between crimes and sentences			
Complaints received by the Public Prosecutor's Office according to crime (2011)		Prison population according to crime (2012)	
Property	32.2%	Robbery	19.7%
Life	3.2%	Homicide	13.2%
Liberty	18.8%	Assassination	12.9%
		Kidnapping or abduction	7.4%

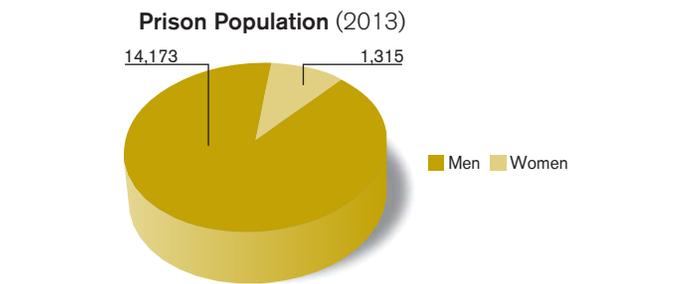


Social Rehabilitation and Readaptation

The Subdirectorate of Social Rehabilitation is responsible for creating spaces and training programs to provide social rehabilitation and readaptation, according to the Penitentiary Regime Law. In 2012, 3,795 inmates participated in these activities, representing an increase of 25% over the previous year.

These programs include

- "Yo sí, Puedo": Educational assistance to illiterates.
- System providing authorisation for inmates to work, including training in the production of a range of goods and the generation of commercial spaces for the sale of their products.



Modernization Program:

A process of repairing and modernizing the network of prisons within the Penitentiary System is underway. It includes the construction of maximum security cells, 10 new departmental preventative detention centers, installation of X-ray facilities, surveillance cameras and 15 biometric systems.

Witness and Victim Protection: the Comprehensive Victim Attention Model

The Law on the Protection of the Subjects, Proceedings and Persons Connected with the Administration of Criminal Justice (DL 70-96 of 1996) created the Witness and Victim Protection Service, and provides the framework of the system.

According to the Law, the public prosecutor assigned to criminal proceedings may, ex officio or, upon the request of an individual to obtain protection, place a request to the **Office of Witness Attention**.

WITNESS AND VICTIM PROTECTION			
Year	Total requests	Incorporated	Archived
2008	564	43	521
2009	411	42	369
2010	215	44	171
2011	196	79	117

The number of requests to be placed on the witness/victim protection scheme has followed a decreasing trend, with requests in 2011 representing just 34.8% of the 2008 total. The data is striking and deserves greater attention: how can the reduction in requests for protection be analysed if, supposedly, the presence of organized crime is increasing?

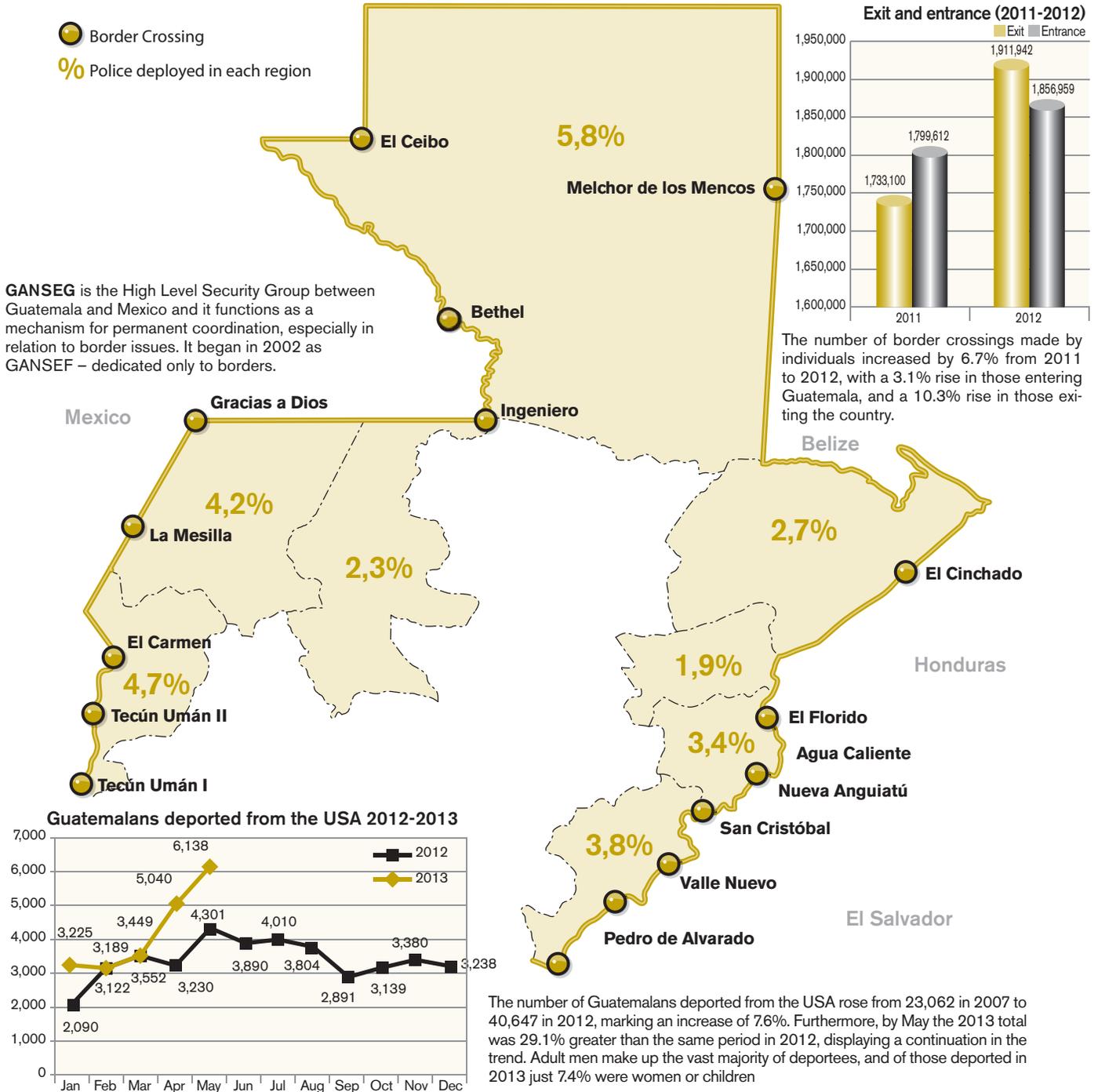
On the other hand, the number of cases incorporated onto the scheme rose from 7.6% in 2008, to 40.3% in 2011, signalling an improvement in attention to potential recipients.

Sources: Ministry of Interior. *Ley del Régimen Penitenciario (Decreto N° 033/2006 - 05/1 0/2006)*. Supreme Court of Justice, Circular N° CP-01-2011. Ministry of Interior, *Memoria de Labores 2012-2013*, Public Prosecutor's Office, *Memoria de Labores 2011*.

Border Crossings and Immigration Control

Border crossings have shown an increasing trend in recent years, with an overall increase of 20.5% between 2008 and 2012. The most striking trend, however, is found in the number of Guatemalans deported from the United States, which has risen by 76% in the past 4 years, with this trend continuing in 2013. In order to attend to the issues related to large cross-border flows, in 2006 the Centre of Migrant Attention was created, with its

headquarters in the Ministry of Foreign Affairs. Amongst the services it provides, one can highlight the protection unit, which is directed in particular towards detainees, deportees, cases deemed to be of a highly vulnerable nature, and persons being repatriated; the employment office, which works with the Ministry of Work and Social Prevention; and the health office, which works with the Ministry of Public Health and Social Assistance.

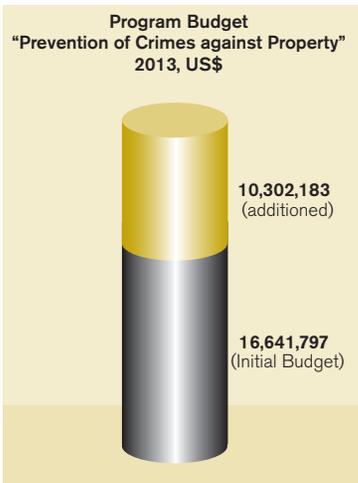
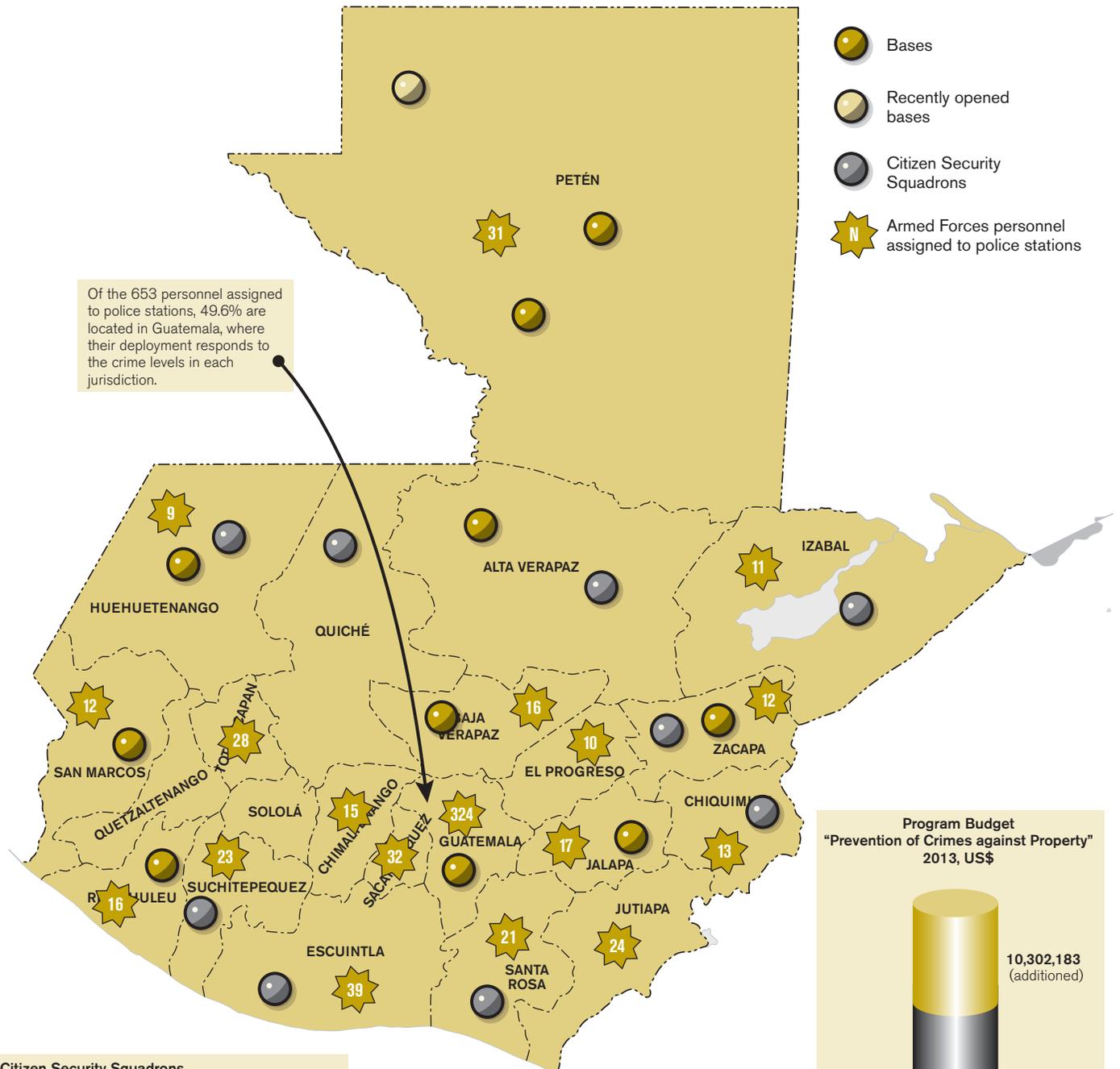


Sources: Website of the Directorate of Migration; Secretary of the Interior, Mexico, *Sexto Informe de Labores*.

Cooperation of the Armed Forces in Public Security

Article 244 of the Constitution of the Republic states that Guatemala's Army is an institution designed to maintain the independence, sovereignty and honor of Guatemala, its territorial integrity, peace and internal and external security. Since the year

2000 (Decree 40-2000) there has been a periodic renewal of executive decrees whose main passages refer to the need for additional resources to those that the National Civil Police are able to provide in order to tackle crime.



Citizen Security Squadrons
Formed by the military reserve, Citizen Security Squadrons are deployed in 9 of the country's departments, where they focus on those municipalities prioritized by the Ministry of Interior. Their role is to support and strengthen the work of the PNC. There are currently 3 squadrons, with a total of 1,524 troops.

Two new military brigades were created with the stated aim of protecting life and property and neutralizing organized crime, gangs and common criminals: the Special Brigade for Forest Operations in the municipality of La Libertad (Petén), and the Second Military Police Brigade in the municipality of San Juan, Sacatepéquez (department of Guatemala).

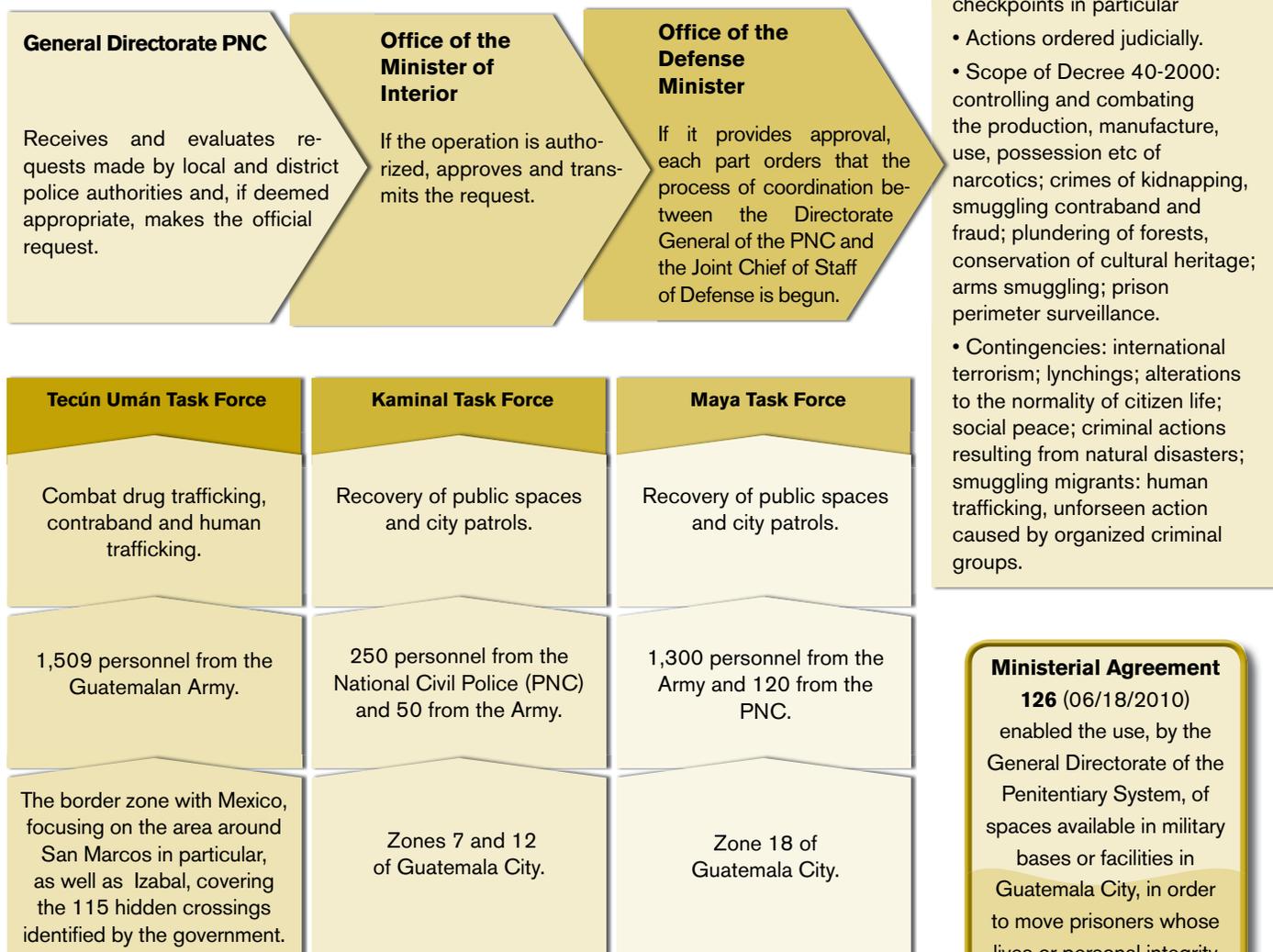
Sources: Ministry of Defense, *Memoria de Labores 2012-2013* and *Plan Operativo Anual Ejercicio Fiscal 2013*; Human Rights Ombudsman, *Informe Anual Circunstanciado Situación de los derechos humanos en Guatemala 2012*; website of the Ministry of Interior.

Security Task Forces

Since 2012, cooperation in public security has featured a protocol issued at the highest level of executive responsibility. In November of that year, the President of the Republic issued Government Agreement 285-2012, which approved the **Protocol for Inter-institutional Action: Support of the Army to Civil Security Forces**. This Agreement was prepared by the Ministries of

Interior and National Defense in coordination with the Technical Secretariat of the National Security Council. Its aim was to formally outline the procedure, collaboration and coordination by which the Armed Forces operate in citizen security, and, in particular, to have a unified protocol.

Procedure for support between the PNC and Army



Collaboration with Penitentiary Centres

The collaboration of the Armed Forces with the General Directorate of the Penitentiary System is also regulated by Decree 40 of June 7, 2000, which states that the Ministry of Interior may request the support and cooperation of the Army of Guatemala in guarding the perimeter of preventive and other detention centers without affecting the civil character of penitentiary centres.

Sources: Government Agreement 285-2012 (11/07/2012); Ministerial Agreement 126 (06/18/2010); Ministry of National Defense, *Procedimiento para brindar apoyo a las fuerzas de seguridad civil y Memoria de Labores 2012-2013*; *Diario de Centroamérica*, June 17th 2013.

Private Security

The private security sector has converted itself into an important actor in Guatemala given both the size of the sector in terms of personnel and the functions they provide, but also as they cover certain gaps in the field of public security which have arisen due to a lack of coverage by state security actors. The sector is regulated by the **General Directorate of Private Security Services**, which belongs to the Ministry of Interior, and which has its base

in Legislative Assembly Decree N° 52-2010, passed on November 23rd, 2010, the moment in which the activity began to be regulated. Even official sources present discrepancies in the quantity of firms and agents. According to the Interior Ministry, there are 140 private security firms with 51,000 personnel. According to the Superintendence of Tax Administration there were 280 firms in 2012, and according to the Mercantile Registry there were 185.

The minimum estimates are

140 private security firms employing and 33,924 registered firearms → **51,024 employees**

Private Security Firms

Authorization for a private security firm is attained through a licence, and is valid for the duration of 3 years. It can be renewed for an equal period, following the payment of the corresponding fees.

Activities permitted to agents of the firm:

- Bodyguard
- Security guard
- Property guards (outside of urban areas)
- Private investigator

Individuals

- Bodyguard
- Private investigator

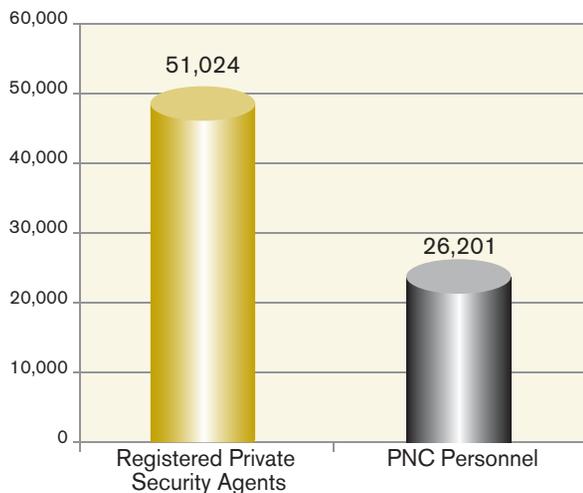
Training:

Whilst it is the private security firms that are responsible for ensuring that their staff receive the sufficient training, the General Directorate of Private Security Services is responsible for defining and authorizing the content of training programs for both the administrative and operational personnel operating in the field.

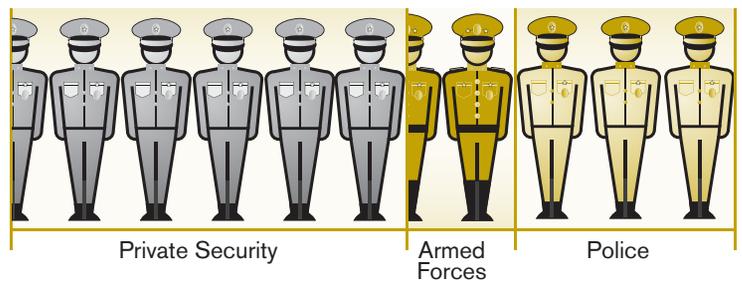
In 2012, the Teaching Manual of the Basic Course for Private Security Agents was developed with the support of IEPADES (Instituto de Enseñanza para el Desarrollo).

According to the Law, individuals or private entities that offer private security services are subject to the control and authority of the Directorate of Private Security Services, in coordination with the PNC (Division of Supervision and Control of Private Security Firms). The Directorate's functions include: authorizing operating licenses for those private security firms that meet requirements; carrying out inspections and fiscal controls, and verifying that the firms provide the required training to their staff; denouncing acts that may constitute a crime and imposing sanctions on those failing to meet the requirements. It also requires them to maintain an updated database covering all registered firms, including information regarding their personnel and equipment, a process that is currently being implemented.

Number of Private Security Agents and Police Personnel (2013)



If you were to group together all of the security elements theoretically operating within the country into a single unit, it would look something like this:



*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.

Sources: Ministry of Interior, *Memoria de Labores 2012*. Directory of Private Security Services. *Dirección General de Servicios de Seguridad Privada*.



Public Security
INDEX Central America
HONDURAS

Historical and Political Context

The end of the dictatorship in 1980 began a long transition to democracy in which the Executive passed to civilian control and little by little the system of state security institutions was also democratized through a series of reforms in which new civilian-controlled institutions replaced those subordinate to the military. Initially, the Armed Forces maintained a central role in everyday politics and institutional reform, with the 1982 Constitution preserving their extensive authority, but a changing regional context in which peace accords were signed in El Salvador and negotiated in Guatemala accompanied a period of transition in which the power of military

institutions was reduced and a new and autonomous national police force was created. Whilst the interruption of civilian democratic rule in 2009 brought questions regarding the role of the military to the forefront, after a period new elections were held later that year. Honduras is facing chronic public security challenges: the growth in violent crime has led the country to have one of the highest murder rates in Latin America. Policies focused on institutional initiatives, an improved management of crime statistics and information, and a comprehensive process of police reform have been embarked upon.

Country Information

Political System:	Presidential Republic / Unitary
Administrative Organization:	18 Departments, 298 Municipalities
Population:	8,555,072*
Territorial Extension:	112,492 km ²
GDP (US\$ / current prices):	18,388,000,000 (2012)
Minimum Monthly Salary (current US\$):	341.9
Illiteracy:	15.2%**

*2013 projection based upon 2001 census and growth models.
 **in those above 15 years old. 2005-2010.

Basic Security Indicators (2012)

National Police:	12,805 personnel
Homicides:	7,172 homicides reported. Homicide rate of 85,5 per 100,000 inhabitants.
Drug Trafficking:	982 people arrested for drug trafficking.
Traffic Accidents:	1,243 deaths resulting from traffic accidents.
Border Flows:	Total annual border movements average 1,320,368 people.
Estimated Number of Gang Members:	4,728
Private Security:	402 private security firms .
Penal Centers:	There are 24 correctional facilities with a prison population totaling 12 263 inmates.
Femicide:	606 violent deaths against women were registered.
The Perception of Security:	84% of the population has little or no trust in the Police.
Military Personnel dedicated to public security:	1,960

Post-dictatorship (1982-1993)	Reform of the security sector (1993 - 1998)	Constitutional and Legislative Reform (1998 - 2009)	Institutional Crisis and Political Reorganization (2009 -2010)	Current stage (2010 - now)
Constitutional Reform but the military political hegemony continues as the 1982 Constitution gives the military power over the government.	Security sector reform is advanced through talks and military draft is eliminated, but the Armed Forces continue to play a major role in public security through the Public Security Force (FUSEP), despite the creation of a civilian police force (DIC).	Development of a new legislative framework through constitutional reform and the Organic Law of the Police, completing the full separation of the Police from the Armed Forces, whilst a new Law of Military Organization and reform of the Penal Code is approved.	The Armed Forces are a central factor in the ousting of President Zelaya (2009).	Citizen demands regarding the security situation in general and for police reform in particular lead to a series of legislative initiatives and the creation of two special forces: a special unit of the Police, and the Military Police within the jurisdiction of the Armed Forces. Truce process: commitment between gangs to reduce the level of violence.

1993 Ad-hoc commission proposes the creation of the Public Ministry and the Directorate of Criminal Investigation (DIC)	1995 Two police forces operate: Directorate of Criminal Investigation (DIC) - civilian character, and the Public Security Force (FUSEP) - a branch of the Armed Forces	1998 Constitutional Reform. New Organic Law of the Police.	2001 Anti-Gang Law	2003 Reform of the Penal Code	2009 Crisis and Institutional Reorganization	2010 - 2013 Police Reform Creation of a Military Police and a Special Police Unit-TIGRES
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Sources: National Statistics Institute; GDP: IMF, *World Economic Outlook Database*; Average Salary: Secretariat of Jobs and Social Security; Illiteracy: UNDP, *Human Development Report 2013*; National Police: Secretariat of Security, *Política Integral de Convivencia y Seguridad Ciudadana para Honduras 2011 a 2022*, (2011); Homicides: UNAH-IUDPAS Observatory of Violence *Boletín No. 28*, (January 2013); The Perception of Security: *Encuesta de Opinión Pública Centro América y República Dominicana*, February 2013, CID-Gallup, available in cidgallup.com/documentos; Drug Trafficking: Secretariat of Security, *Boletín de Incidencia Delictiva y Accionar Policial Anual de enero a diciembre 2012*; Traffic Accidents: CONADEH, *Informe Anual del Comisionado Nacional de los Derechos Humanos sobre el estado general de los derechos humanos en Honduras*, (2012); Border Flows: Honduran Tourism Institute, *Boletín de estadísticas turísticas*, 2012; Gang members: National Prevention, Rehabilitation and Social Reinsertion Program, *Situación de maras y pandillas en Honduras*, (2010); Private Security: United Nations General Assembly, *Informe del Grupo de Trabajo sobre Mercenarios, A/HRC/24/45*; Penal Centers: Inter-American Commission on Human Rights, *Informe sobre la situación de las personas privadas de libertad en Honduras*, (2013); Femicide: CONADEH, *Informe Anual del Comisionado Nacional de los Derechos Humanos sobre el estado general de los derechos humanos en Honduras*, (2012).

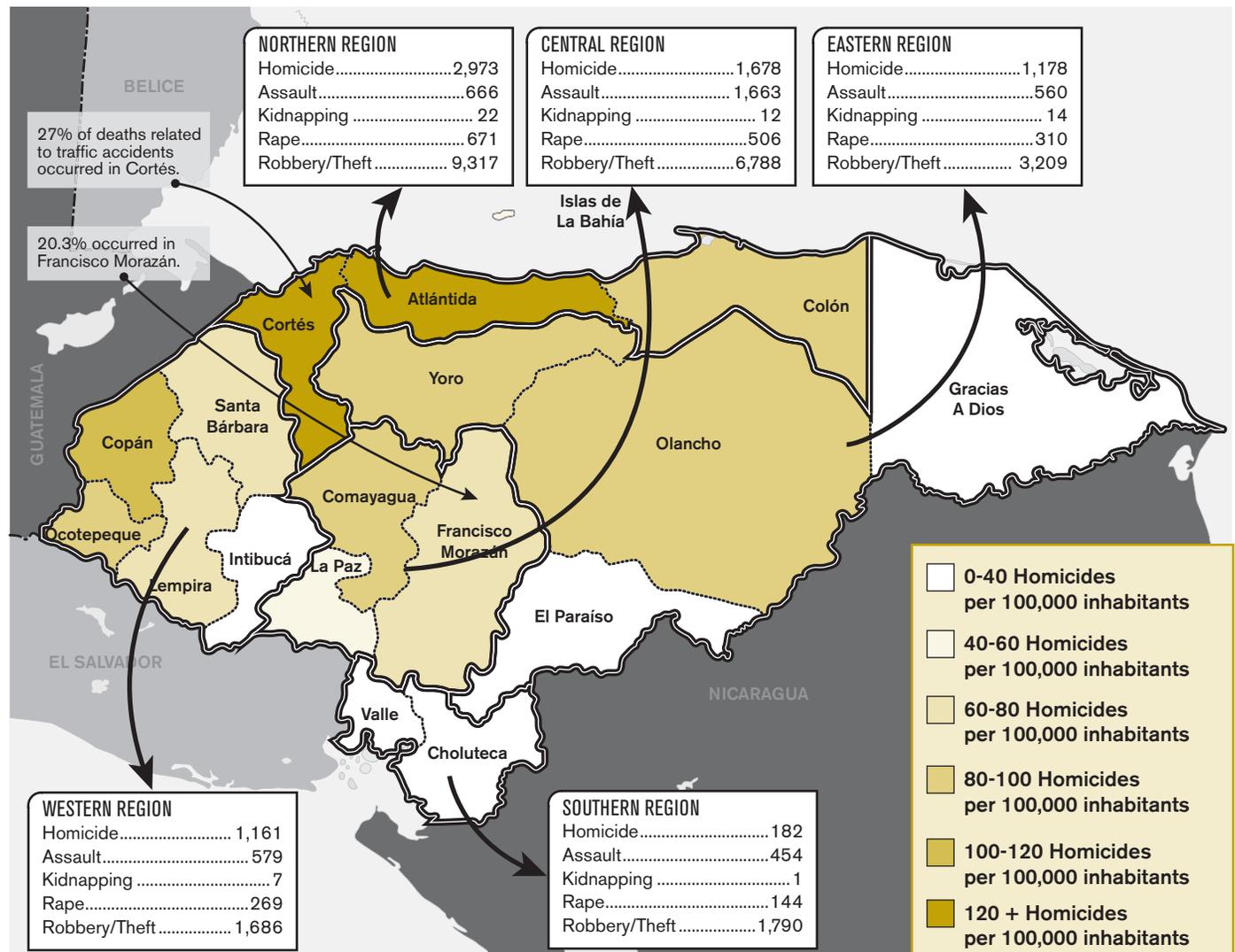
Security Challenges: An Overview

One person is a victim of homicide every 73 minutes in Honduras; in the last decade the public security situation has deteriorated exponentially, with the homicide rate moving from 30.7 per 100,000 inhabitants in 2004, to 85.5 in 2012.

The impact upon the population is acute. The lack of citizen security in public spaces leads to a culture of fear: 7 taxi drivers

were murdered per month and 60% of female victims killed in the open street in 2012. Whilst the unrelenting rise in the homicide rate was halted in 2012, and in fact decreased slightly from a rate of 86.5 in 2011, with 91% of cases of female homicides and 85% of murders of police officers unresolved, the situation remains defined by violence, impunity and insecurity.

Territorial Comparison of Crimes Committed (2012):



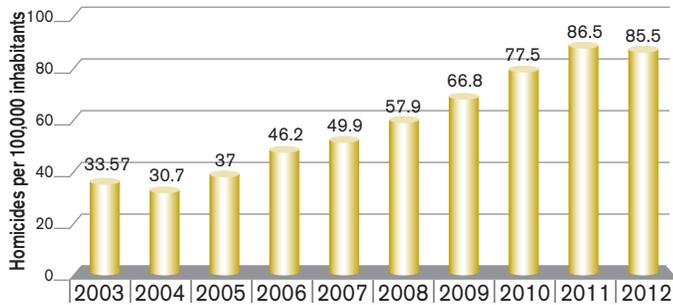
Every day there are **19.6** victims of homicide, **3.4** Traffic fatalities, **8** victims of sexual abuse, and **8,4** women are analyzed for domestic violence.

Sources: Informe Anual del Comisionado Nacional de los Derechos Humanos sobre el Estado General de los Derechos Humanos en Honduras y el Desempeño de sus Funciones 2012; Boletín Annual 2012, Human Rights Observatory.

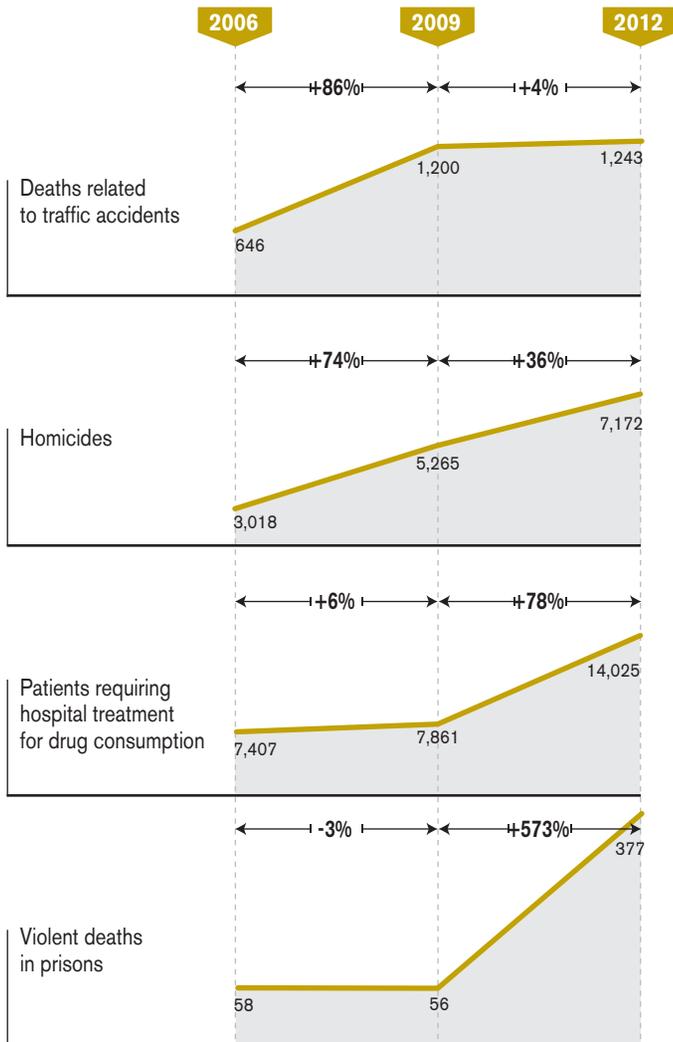
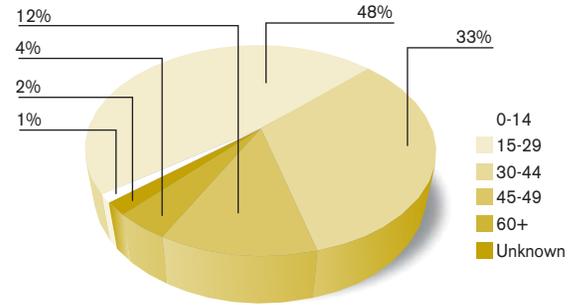
The national rate of 85.5 homicides per 100,000 inhabitants was passed by those zones along Honduras's coast and towards the border with Guatemala: Atlántida (129.4), Cortés (128.9), Copán (104.7), Ocotepeque (99.8), Yoro (93.4), Olancho (92.5), and Colón (90.3), in comparison to just 17.1 in the far eastern department of

Gracias a Dios. Only 3% of the country's homicides were recorded in the Southern Region, bordering with Nicaragua. 80% of victims are between 15 and 44 years old, thus having a significant debilitating impact upon the economically active part of the population and draining the country's human capital.

Evolution of Homicides: 2003 - 2012

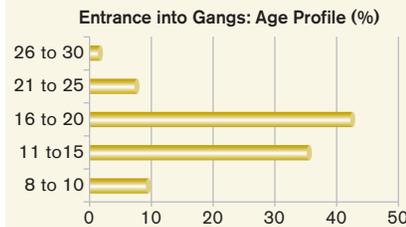


Victims of homicides, according to age: 2010 - 2012



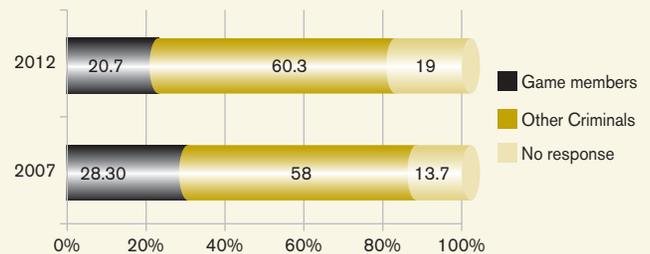
The Question of the Gangs

The presence of gangs in Honduras is said to have broad impact upon public security. The few available studies suggest that it is a clear factor in school attendance, violence within educational institutions, and even the relocation of families to other neighborhoods. According to a study of 14 municipalities*, there are approximately 4728 gang members, of which 447 are situated in jails.



In May 2013, leaders of 2 main gangs, the Mara Salvatrucha and Barrio 18, announced a truce to "stop the violence", in an initiative that would be mediated by representatives of the Catholic Church.

Who do you think commits the majority of crimes?



Is your neighborhood harmed by gangs?

	2007	2012
A lot	9.8%	23.8%
Partly	17.1%	70.1%
A little	30.3%	70.1%
None	39.8%	6.1%
NR	3.0%	6.1%

*Situación de Maras y Pandillas en Honduras 2010-2011, National Prevention Rehabilitation and Social Reintegration Program.

** Borge y Asociados, Encuesta Sobre Inseguridad CONADEH, May 2012, available in <http://www.conadeh.hn/index.php/7-conadeh/232-encuesta-sobre-inseguridad>

Sources: Informe Anual del Comisionado Nacional de los Derechos Humanos sobre el Estado General de los Derechos Humanos en Honduras y el Desempeño de sus Funciones 2012; Boletín Anual 2012, Human Rights Observatory; Situación de Maras y Pandillas en Honduras 2010-2011, National Prevention Rehabilitation and Social Reintegration Program; Reforma del Código Penal (DL 23 - 2013). Inter-American Commission on Human Rights, Informe sobre la situación de las personas privadas de libertad en Honduras, (March 2013). National Council Against Drug Trafficking-Honduran Drug Observatory, Informe anual: El Problema de las drogas y su situación en Honduras, (2012).

Security Institutions and Guidelines

The institutional setting has been modified in the last two decades. In 1994 the Office of the Public Prosecutor was created as the body that exercises public criminal prosecutions and leads criminal investigations (carried out by the Directorate of Criminal Investigation of the National Police of Honduras (PNH)). A

year later, the constitutional figure of the National Human Rights Commissioner (CONADEH) was legally created. In 1998, a reform separated the military and police and created the Secretariat of Security, into which a new National Police body organized across different directorates was located.

Principal Actors

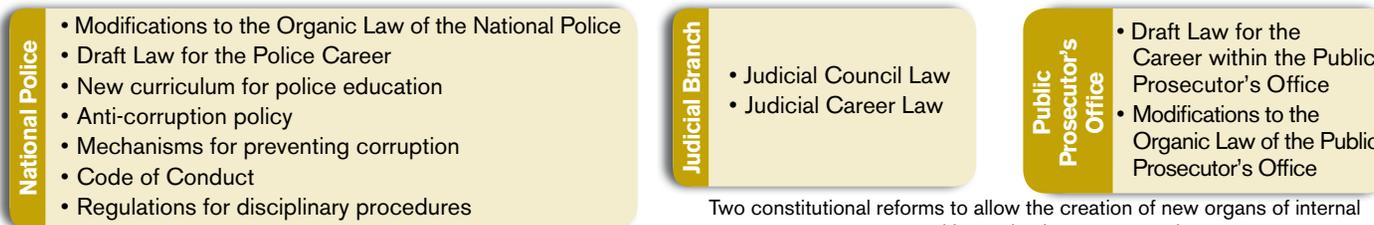


Commission for Public Security Reform

In October 2011, two university students were killed by police without any motive whilst in Tegucigalpa at night. The brutality and impunity of the act (the agents involved escaped punishment), plus the fact that one of the victims was the son of an important public figure, enraged citizens and an important movement to demand police reform began to dominate the agenda. A month later, in December, former security secretary Alfredo Landaverde was killed by gunmen in broad daylight

in the capital. In response to this, on January 31st, 2012, Decree 4-2012 was passed, creating the Commission for Public Security Reform (CRSP), as a temporary (3 years) and independent body responsible for designing, planning and certifying a comprehensive reform of public security.

The Commission presented proposals for reforms to the Executive and Legislature, but due to a lack of political will, the reform process finds itself stalled.



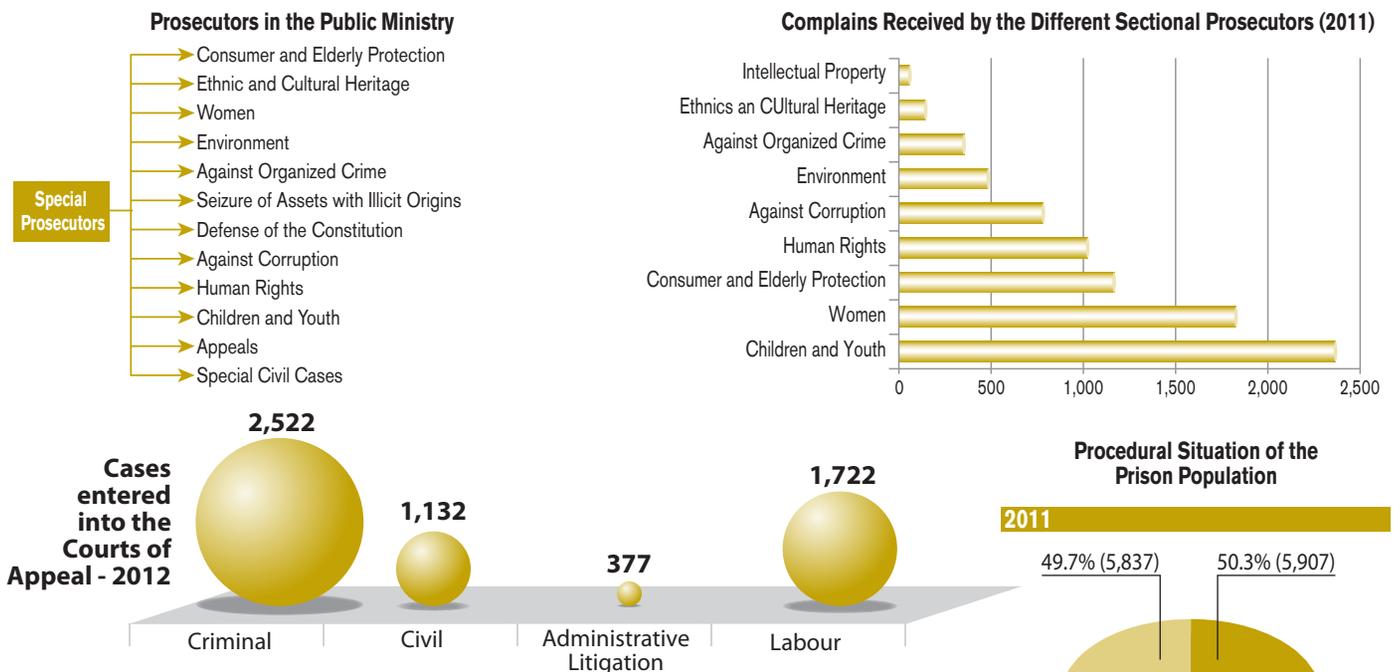
The Criminal Justice System

Effective transition from the inquisitorial model to the new double accusatory system was regulated by the Penal Code of 1999 (Decree No. 9-99-E); specifically for structural and organizational adequacy of the Office of the Public Prosecutor, which is responsible for investigating offenses and public criminal prosecutions.

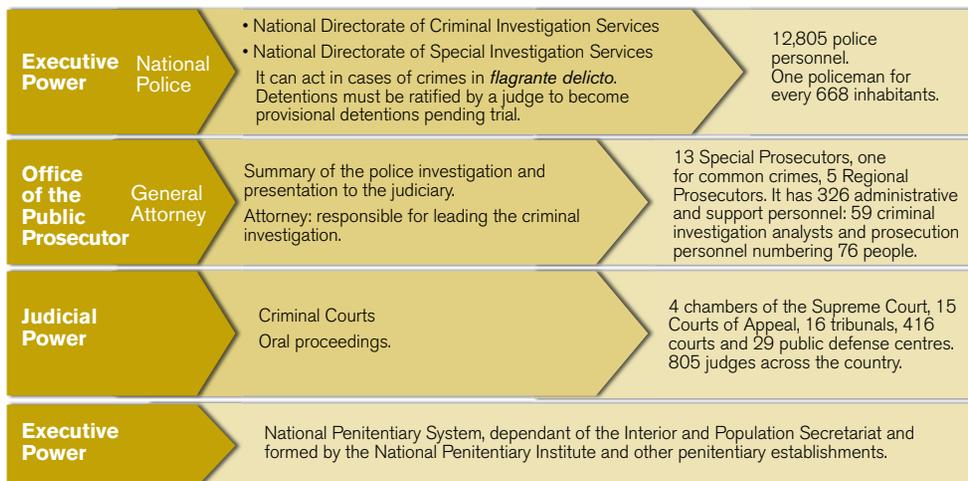
Prosecutors formulate their requirements, requests and findings orally in a clear, precise and substantiated manner at the initial hearing, as well as during debates and other hearings that judges or magistrates convene. In other cases, they are made in writing. In the case of Honduras, pre-trial detention may last up to a year, with an allowance for two years in cases where the sentence for the offense exceeds six years. In no case will pre-trial

detention exceed half the length of the minimum penalty applicable for the offense. For minors who violate criminal laws, the procedure is regulated by the Children and Adolescents Code.

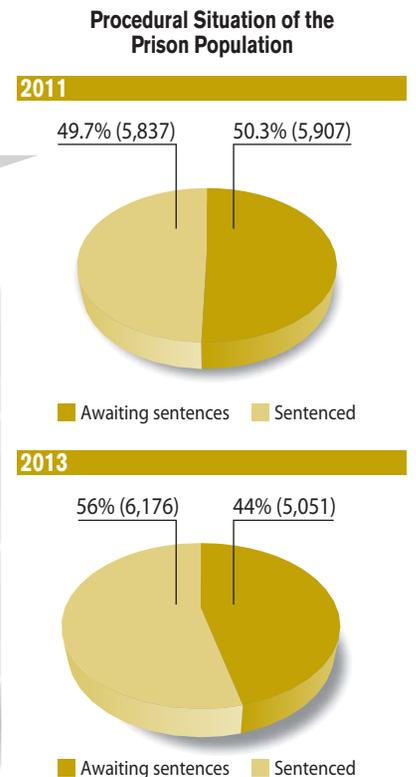
The relationship between the Office of the Public Prosecutor and the National Police (PNH) occurs through the different directorates. In the case of criminal investigation, the Public Prosecutor's Office has its own Investigation Directorate, which in turn works in a coordinated manner, providing legal and technical orientation to the PNH's National Directorate of Special Criminal Investigation Services during the investigative process. In turn, PNH's National Directorate of Special Criminal Investigation Services works together with the Directorate Against Drug Trafficking.



The State and Criminal Cases



*Data for personnel, with the exception of the police, from 2011



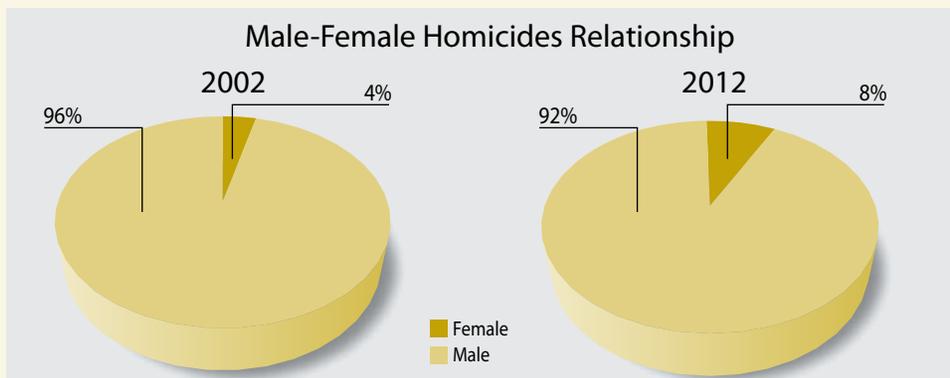
Sources: Código Procesal Penal; Secretariat of Security; Office of the Public Prosecutor, Memoria de Labores 2011, Judicial Power, Informe de Gestión Judicial 2012. Procedural Situation: Informes 2011 and 2012 of the National Human Rights Commissioner of Honduras.

Female Homicides: A Growing Trend

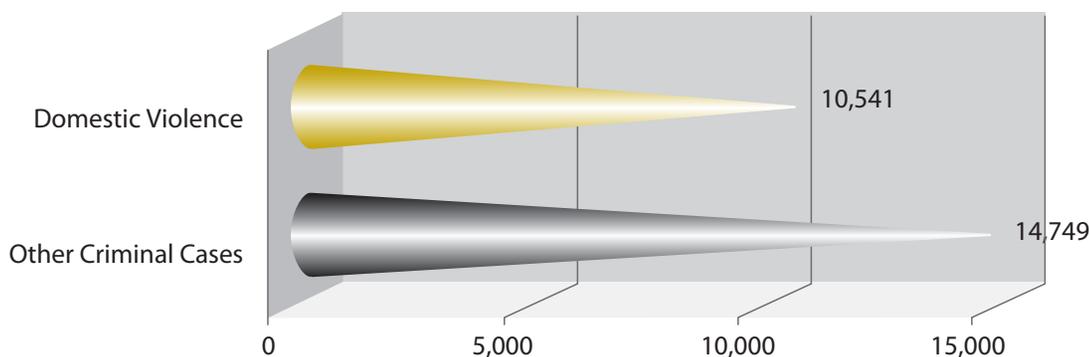


Female homicides have increased 355% in the past 10 years, with the rate of this increase accelerating further since 2010. This compares to a 97.6% growth in total homicides, displaying that the public security situation of women has deteriorated exponentially within the wider context of an already rapid decline in public security. Consequently, the proportion of female homicides as a percentage of total homicides has risen from 4% in 2002 to 8% in 2012.

In order to tackle the rise in violent deaths of women, in April 2013, Decree No 23 – 2013 was passed, reforming the penal code. It places a minimum sentence of between **30 and 40 years** for the crime of femicide.



Comparison of Cases entered to Magistrates: Criminal Vs. Domestic Violence (2012)



If it is considered that recorded cases of domestic violence tend to under-represent the true number of cases, it is very striking that for every 3 criminal cases brought to court, there are 2.1 cases of domestic violence.

Other Effects of Insecurity



Sources: Informe Anual del Comisionado Nacional de los Derechos Humanos sobre el Estado General de los Derechos Humanos en Honduras y el Desempeño de sus Funciones 2012; Website of the National Human Rights Commissioner; Boletín Anual 2012, Human Rights Observatory; Situación de Maras y Pandillas en Honduras 2010-2011, National Prevention Rehabilitation and Social Reintegration Program; Reforma del Código Penal (DL 23 – 2013). Ley contra la trata de personas (Decree 59-2012).

The Security Budget

The total security budget in 2013 amounted to two hundred and eighty-one million dollars, representing 1.5% of gross domestic product.

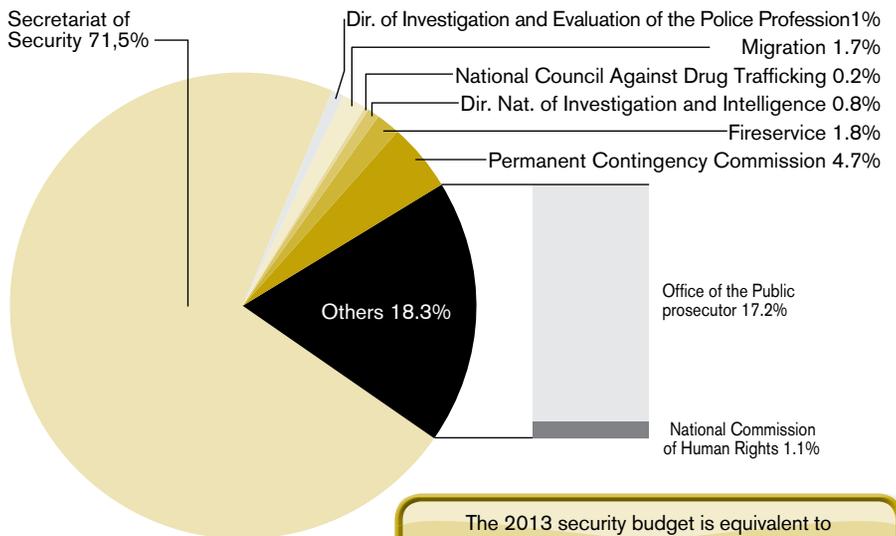
The Honduran budget presents within its functional classification the objective of "defense and security", incorporating the entire resources allocated to the Secretariat of Defense and the administration of justice in general in addition to that of the specific security area. In other areas, such as "general public services" the budget allocated to institutions such as

the National Council against Drug Trafficking, General Directorate of Migration, and the Human Rights Commissioner are added.

The largest portion of the budget falls institutionally within the Secretariat of Security, and more specifically the National Police, to which 70 % of the resources are allocated. Other items related to the crime problem, such as resources devoted to the defense sector for support to internal order, are not discernible using the current levels of budget disaggregation.

SECURITY BUDGET, 2013 (US\$)

Secretariat of Security		%
National Police	195,538,848	69.5
Other	5,586,570	2
Interior and Population Secretariat		
Migration	4,763,574	1.7
National Council Against Drug Trafficking	453,238	0.2
Firefighters		
5,201,200		1.8
Permanent Contingency Commission		
13,289,081		4.7
Office of the Public Prosecutor		
48,454,404		17.2
National Commissioner of Human Rights		
3,139,002		1.1
Directorate of Investigation and Evaluation of the Police Profession		
2,659,468		1
Dir. Nat. of Investigation and Intelligence		
2,207,098		0.8
Total Security Budget (2013)*		
US\$ 281,292,483		



The 2013 security budget is equivalent to 1.5% of GDP or 9.6% of the entire State budget.

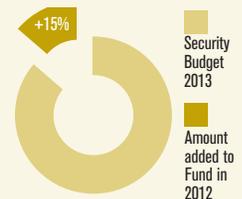
* In current US\$ at 1 dollar to 20.57 Lempiras, in accordance with the World Economic Outlook Database, IMF, 2013.

Between January and July 2013, the Commission for Public Security Reform received a total of US\$ 477,103 (for 2012, the amount totaled US\$ 750,951) from the Secretariat of Security.

Population Security and Protection Fund

This Fund, which functions through a trust financed through special contributions generated through the Population Security Law (which taxes financial transactions, the exploitation and commercialization of minerals, and the commercialization of food and beverages, for a period of five years) was created towards the end of 2011. The funds are destined to crime prevention and control activities carried out by the Judicial Branch, Public Prosecutor's office, Secretariat of Security, Secretariat of Defense and the National Electricity Company. In 2012, US\$43,241,450 (contributions and interest gained on the Fund's own investments) was entered into the Fund.

This amount represents an additional 15% of the security budget for 2013.



Source: Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013. Fund: Memoria Anual 2012, Central Bank of Honduras. Reform Commission: Reportes de Ejecución del Presupuesto 2012, Secretariat of Foreign Affairs. GDP and Exchange Rate: World Economic Outlook Database, IMF. All data in US current dollars.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$ 2,714,782,271**

On average, each economically active member of the population (EAP) contributes **807** dollars each year.

312 dollars of this total is assigned to **Education**

163 dollars of this total is assigned to **Health**

84 dollars of this total is assigned to **Security**

58 dollars of this total is assigned to **National Police**



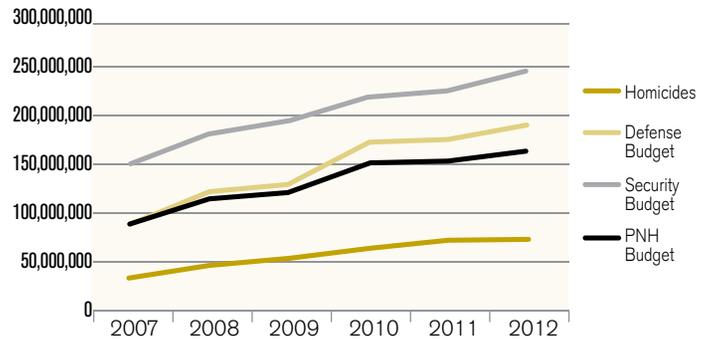
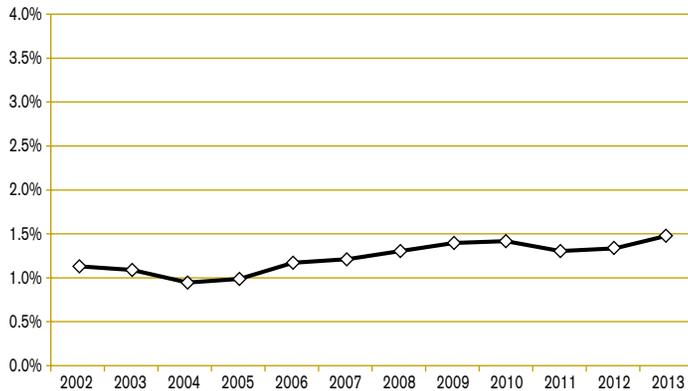
Source: Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013. EAP: Panorama Económico y Social 2012, Technical Secretariat of Planning and External Cooperation, Honduras. Tax Revenue: Informe de la liquidación del presupuesto general de ingresos y egresos de la República correspondiente al Ejercicio Fiscal 2012. The value of the dollar corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All data is expressed in current dollars.

Evolution of the Security Budget

The relationship between the security budget and GDP has remained stable at an average of 1.2%, displaying a slight increase in recent years in terms of the proportion of GDP allocated to the area. The growth in absolute terms of the security budget

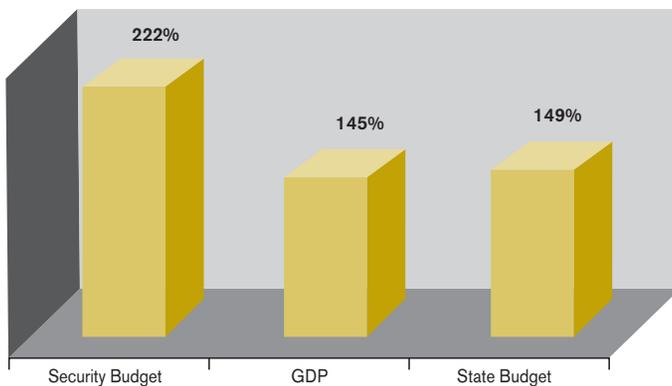
stands out, principally those resources assigned to the National Police, which grew by 357% between 2002 and 2013 (while other institutions saw their budgets grow in a similar proportion to the growth in resources available to the State).

Security Budget as a Percentage of GDP, 2002 – 2013



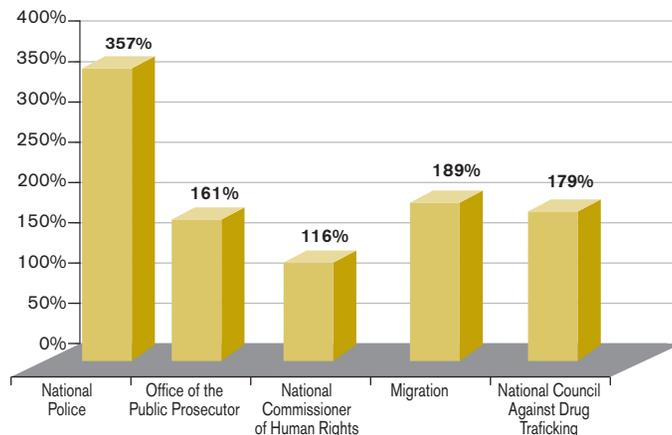
The evolution in recent years shows a similar growth trend for both security and defense, which carries out tasks to assist in public security. The growth in resources available to the PNH has been significantly higher than that of institutions such as the Public Prosecutor's Office.

Comparative Growth (2002 – 2013, in current US\$)



Year	Homicides	Defense Budget	Security Budget	PNH Budget
2007	3,262	86,837,651	149,480,373	89,849,908
2008	4,473	121,183,088	179,842,191	113,212,086
2009	5,265	127,963,147	195,180,217	119,946,017
2010	6,239	172,194,128	218,476,248	149,997,609
2011	7,104	175,902,076	223,686,320	150,988,281
2012	7,172	188,926,130	246,432,411	162,938,810

Variation in Budget Assignments, 2002-2013 (%)

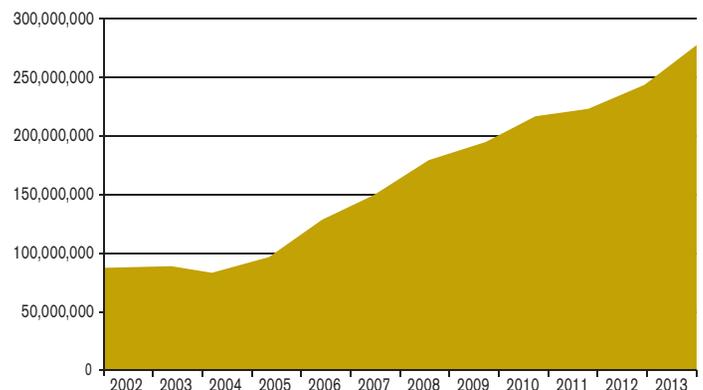


10,550 military personnel



12,805 police personnel

Security Budget (in current US\$), 2002 - 2013



Sources: Decreto-Leyes de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal from 2002 to 2013. For 2012, those resources assigned by the Secretariat of Foreign Affairs to the Commission of Public Security Reform are included (Reportes de Ejecución del Presupuesto 2012, Secretariat of Foreign Relations). GDO and Exchange Rate: World Economic Outlook Database, IMF, for each year considered. All figures are expressed in current dollars. Homicides: Reporte Anual del Comisionado de Derechos Humanos, CONADEH, 2012. Military personnel: Comparative Atlas of Defence in Latin America and Caribbean. 2012 Edition, RESDAL. Police personnel: Secretariat of Security.

Legislation and Security Initiatives

A series of laws and measures of various kinds have been passed, all with the stated aim of addressing existing security demands. In the last three years there have been three amendments to the Organic Police Law and a special law for purging

the police; recently two new bodies have been added: the Military Police and TIGRES unit, headed by the PNH. The acronym stands for *Special Comprehensive Government Security Response Unit, within the Inter-institutional Security Strategy*.



The Legal Framework

- PL
- PN
- PINU
- PDCH
- PUD
- PLH
- PNH

Composition of the Assembly	Laws	Presidency, period and Government party
	1981-1989 (average): <ul style="list-style-type: none"> - Penal Code (DL N° 144-83 - 08/23/1983). - Rehabilitation of Criminals Law (DL N° 173-1984 - 10/15/1984). 	Roberto Suazo Córdova (January 1982 - January 1986) P. Liberal
	1989-1993: <ul style="list-style-type: none"> - Law Creating the National Council Against Drug Trafficking (DL N° 35-90 - 05/04/1990). - Law of Municipalities (DL N° 134-1990 - 10/29/1990). - Law of the Office of the Public Prosecutor (DL N° 228-93 - 12/20/1993). 	José Azcona Hoyo (January 1986 - January 1990) P. Liberal
	1993-1997:	Rafael Leonardo Callejas (January 1990 - January 1994) P. Nacionalista
	1997-2001: <ul style="list-style-type: none"> - Law that separates and creates the Secretariat of Security (DL N° 155-98 - 06/18/1998). - Penal Code (DL N° 9-99-E - 12/19/1999). - Firearms, Ammunitions, Explosives and Other Similar Objects Law (DL N° 30-2000 - 06/19/2000). - Constitutive Law of the Armed Forces (DL N° 39-2001 - 04/16/2001). - Law for the Prevention, Rehabilitation, and Social Reinsertion of Gang Members (DL N° 141-2001 - 02/10/2001). 	Carlos Roberto Reina (January 1994 - January 1998) P. Liberal
	2001-2005: <ul style="list-style-type: none"> - Police and Social Coexistence Law (DL N° 226-2001 - 01/23/2002). - Law Against Money Laundering (DL N° 45-2002 - 03/26/2002). - Migration and Foreign Persons Law (DL N° 208-2003 - 12/12/2003). - Personnel Law for Members of the Armed Forces (DL N° 231-2005 - 10/11/2005). 	Carlos Flores Facussé (January 1998 - January 2002) P. Liberal
	2005-2009: <ul style="list-style-type: none"> - Military Pension Institute Law (DL N° 197-2006 - 11/27/2006). - Organic Law of the National Police (DL N° 67-2008 - 06/30/2008). 	Ricardo Maduro Joset (January 2002 - January 2006) P. Nacional
	2010-2013: <ul style="list-style-type: none"> - Law for the Permanent Confiscation of Goods Attained in an Illicit Manner (DL N° 27-2010 - 06/09/2010). - Law creating the Inter-institutional Commission of Criminal Justice (DL N° 248-2010-01/17/2011). - Population Security Law (DL N° 105-2011-07/08/2011). - Approval of the Convention of Cluster Munitions (DL N° 135-2011-0 12/02/2011). - Special Law of the Security and Defense Council (DL N° 239-2011-12/12/2011). - Special Law on the Interception of Private Communications (DL N° 243-2011-12/12/2011). - Law creating the Public Security Reform Commission (DL N° 4-2012-02/21/2012). - Special Police Purging Law (DL N° 89-2012-05/25/2012). - Law Against Human Trafficking (DL N° 59-2012-07/06/2012). - National Penitentiary System Law (DL N° 64-2012 - 12/03/2012). - Reforms to the Organic Law of the National Police (DL N° 198-2011-11/11/2011, DL N° 5-2012-02/21/2012, DL N° 25-2013 - 03/23/2013). - National Intelligence Law (DL N° 211-2012 - 04/15/2013). - Inter-institutional Security Strategy and Special Comprehensive Government Security Response (TIGRES) (DL N° 103-2013 - 06/27/2013). - Military Police of Public Order Law (DL N° 168-2013 - 08/24/2013). 	Manuel Zelaya Rosales (January 2006 - Mandate interrupted in June 2009) Roberto Micheletti (June 2009 - January 2010) P. Liberal Porfirio Lobo Sosa (January 2010 - January 2014) P. Nacional

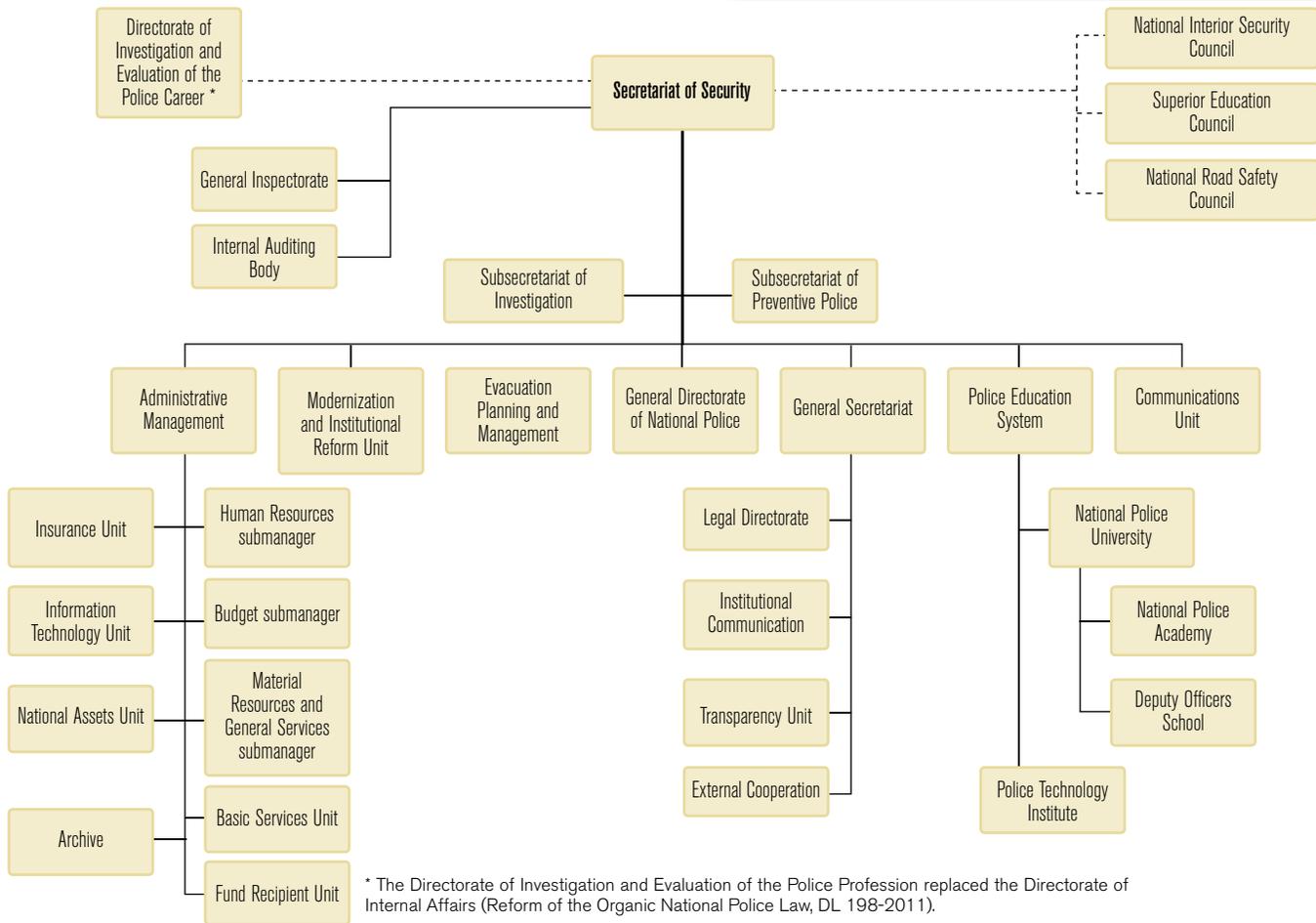
The Secretariat of Security

The Secretariat of Security was created in 1998 through Decree 155-98 as part of the reforms that followed the constitutional changes separating the Armed Forces and the Police. The National Police is under its jurisdiction.

In April 2013, the **National Security and Defense Commissioner** was created as coordinator of security and defense portfo-

lios and representative of the President on national defense and security issues. The Council, established in 2011, is the highest organ for the design and supervision of security policies

The Secretariat is structured into two vice-ministries. One with a headquarters in Tegucigalpa and the other in San Pedro Sula.



Security Sector Support Program (PASS)

PASS is a program supported by the European Union for institutional strengthening within the security sector.

It's the largest security program financed by the European Union in the world.

The Program has 3 main areas: prevention, security and rehabilitation. Includes the donation of equipment to security institutions.

Phase one:

Supports the design of a national sectoral security policy.

Budget

European Union	9,000,000 euros.
Honduran Government	1,090,000 euros.

Phase two:

Reform program to address the 3 main areas.

Total planned budget: 35,000,000 euros.

Association of Honduran Municipalities (AMHON)

AMHON is a civil association that brings together the 298 municipalities.

One of the programs carried out received funding from the Spanish Agency for Development Cooperation (AECID).

The democratic governance strengthening program began in 2010 and ended in early 2013. Its aim was to increase the capacity for the development of local security policies at the municipal level.

One of its products has been a *Manual for the Elaboration of Local Public Security and Violence Prevention Plan*, a proposal to be used in municipalities, for example in the formation of local committees.

Budget: 1,300,000 euros.

Program Areas:

- Institutional strengthening of AMHON.
- Improve citizen security and access to local justice.
- Strengthening the capacity of medical forensics.
- Gender violence and access to justice.

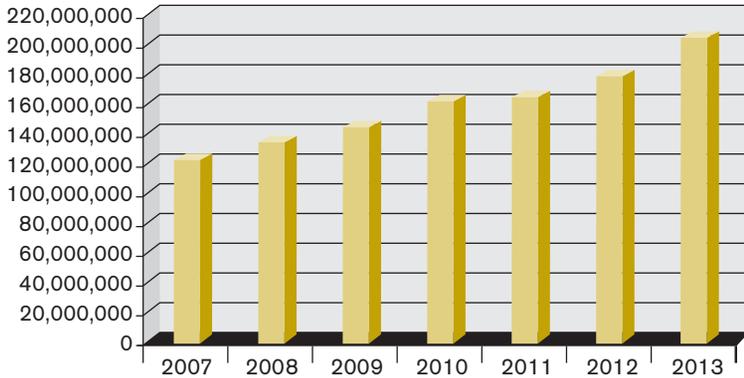
Sources: Secretariat of Security; *Convenio de Financiación entre el Gobierno de Honduras y la Unión Europea*, DL 163-2008, 02/10/2009; Association of Honduran Municipalities.

The Budget for Security Institutions

The Secretariat of Security has the National Police within its orbit, and in 2013, 97% of the resources assigned to the Secretariat corresponded to the Police.

On average, 91% of the Ministry's budget corresponds to the National Police.

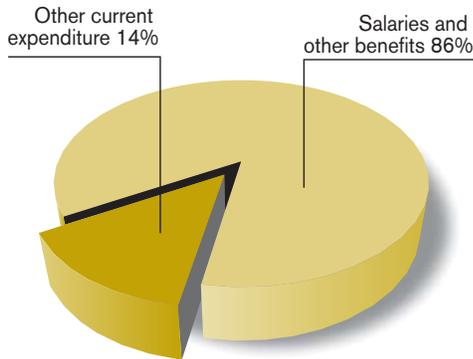
Evolution of the Budget Assigned to the Secretariat of Security (in current US\$)



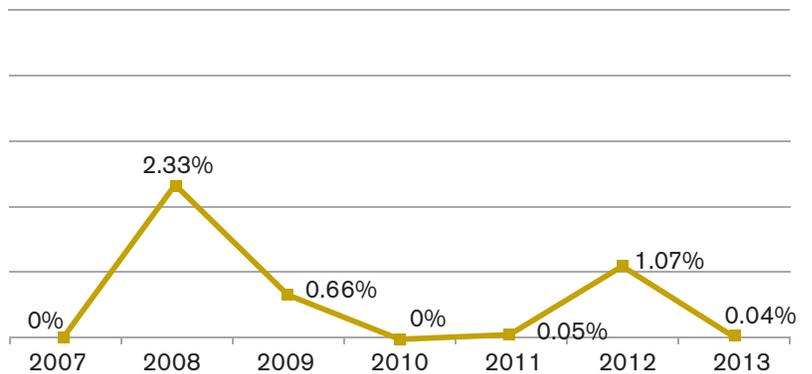
In recent years, resources for investment in the Secretariat were assigned within the PASS program (Security Sector Support Program, financed by the European Union with a small contribution by the State).

Between 2009 and 2013 the program's budget assignment was US\$12,895,053, of which US\$9,067,635 was destined to current expenditure and US\$3,827,418 to capital expenditure.

Distribution of the Police Budget, 2013

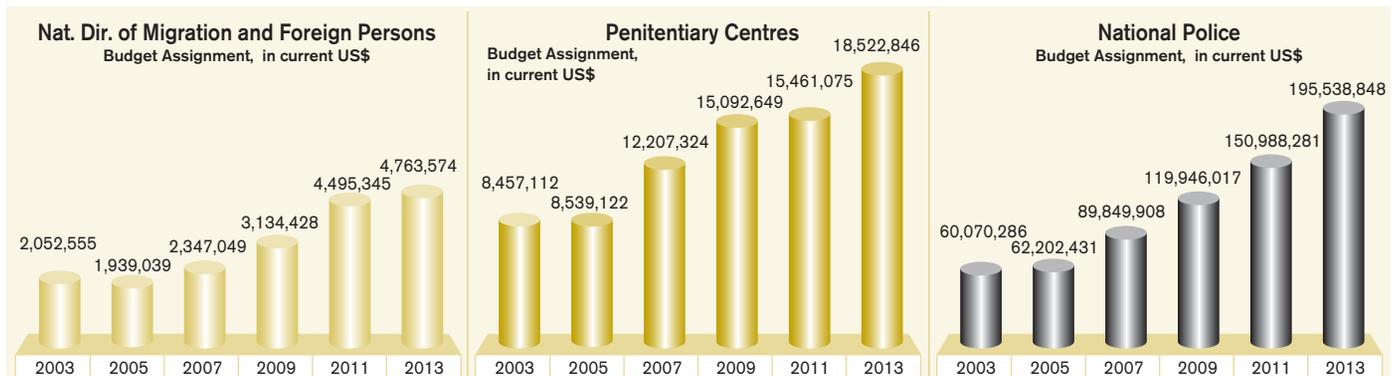


Capital Expenditure as a Percentage of the Secretariat's Total Budget



The 2013 budget (elaborated in 2012) presents what was finally passed in the Penitentiary Service Law at the end of the year: the emergence of the Directorate of Special Preventive Services within the National Police as a separate budget program

independent of the overall police program. It is estimated that by 2014 the new Penitentiary Institute will have its own budget, which will include funding for police personnel deployed in prisons.



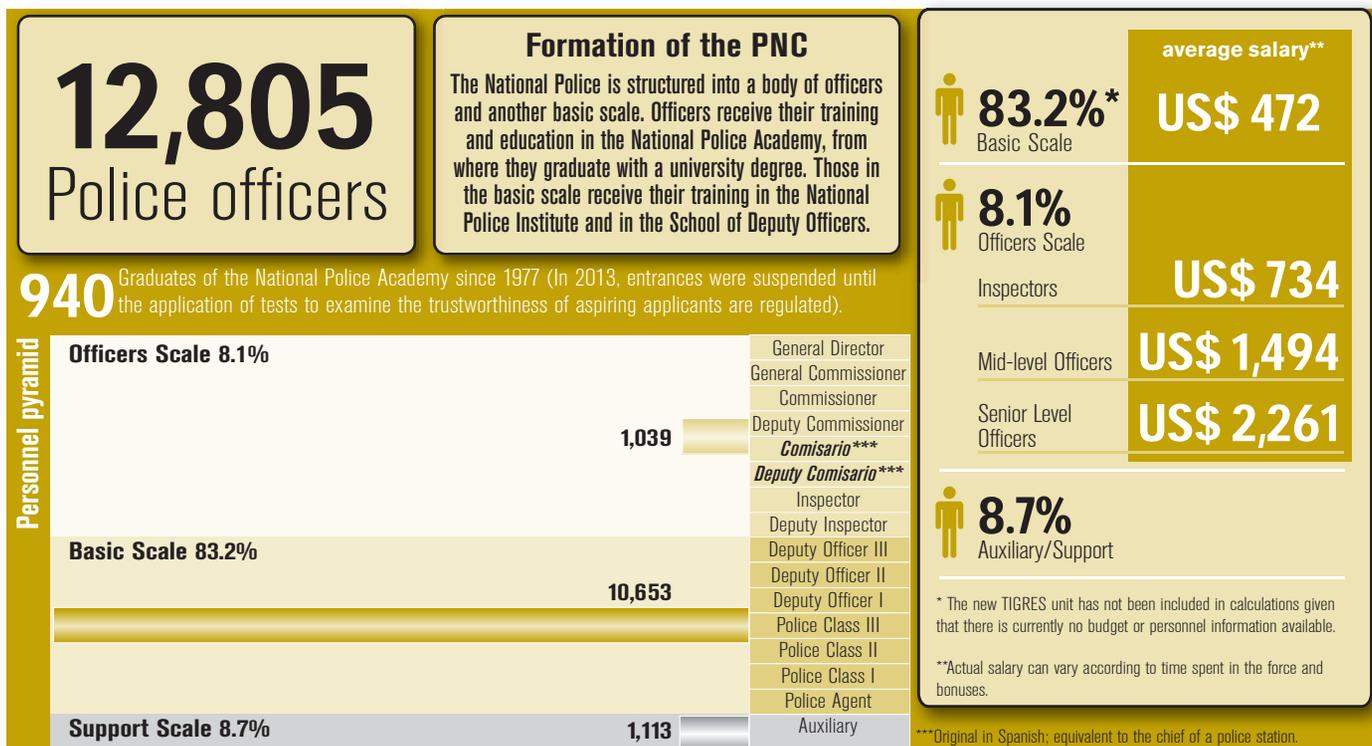
Sources: Decreto-Leyes de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal from 2003 to 2013. The value taken for the dollar corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All figures are expressed in current dollars.

National Police: 15 Years as the Only Police Force

The first police law in Honduras dates back to 1906. From this date onwards, in addition to police bodies, other organizations that carried out policing functions, such as the Civil Guard and FUSEP (Public Security Force), also existed. The Police operated under the authority of the defense sector up until 1996, when, within the framework of a series of constitutional reforms, a single unified police institution was developed: the National Police of

Honduras, following the ratification of its Organic Law in 1998. The Honduran National Police are notable for its structure, which is divided across various national directorates.

The National Police are currently undergoing a comprehensive process of reform and purging of corrupt officials, whilst inter-institutional public security forces have also been formed as part of efforts to increase the strength of public security forces.



Personnel pyramid

Officers Scale 8.1%	1,039	General Director General Commissioner Commissioner Deputy Commissioner Comisario*** Deputy Comisario*** Inspector Deputy Inspector Deputy Officer III Deputy Officer II Deputy Officer I Police Class III Police Class II Police Class I Police Agent
Basic Scale 83.2%	10,653	
Support Scale 8.7%	1,113	Auxiliary

* The new TIGRES unit has not been included in calculations given that there is currently no budget or personnel information available.

**Actual salary can vary according to time spent in the force and bonuses.

***Original in Spanish; equivalent to the chief of a police station.

New Police Unit: TIGRES

In 2013 a new security force that will operate within the *Inter-institutional Security Strategy and Special Comprehensive Government Security Response* was created. The strategy aims to provide a comprehensive response to the principal threats to public security through coordination between State institutions, such as the National Police, Armed Forces, Public Prosecutor's Office and Judicial Branch.

Special Comprehensive Government Security Response Unit (TIGRES)

Legislative Base

Inter-institutional Security Strategy and Special Comprehensive Government Security Response (TIGRES) (DL 103, June 27th, 2013)

Character

Special unit of the National Police, integrated by active members of the Judicial Branch, Public Prosecutor's Office, National Police and Armed Forces.

Functions

- Combat all manifestations of insecurity through police and interdisciplinary activities.
- Protection of the lives and property
- Maintenance of public order, crime prevention and control and arrests.
- The TIGRES have a specialist investigation unit
- All members must pass trust tests.
- National deployment.

Municipal Police

There are municipal police bodies present in Tegucigalpa and San Pedro Sula, and the most touristic municipalities. These bodies organize parks and parking in general, and work in conjunction with the National Police to arrange parking and order in cities. On occasions the municipal police request assistance from the National Police to train personnel.

	Personnel from Municipal Police*	
	Tegucigalpa	San Pedro Sula
2012	171	132
2013	132	140

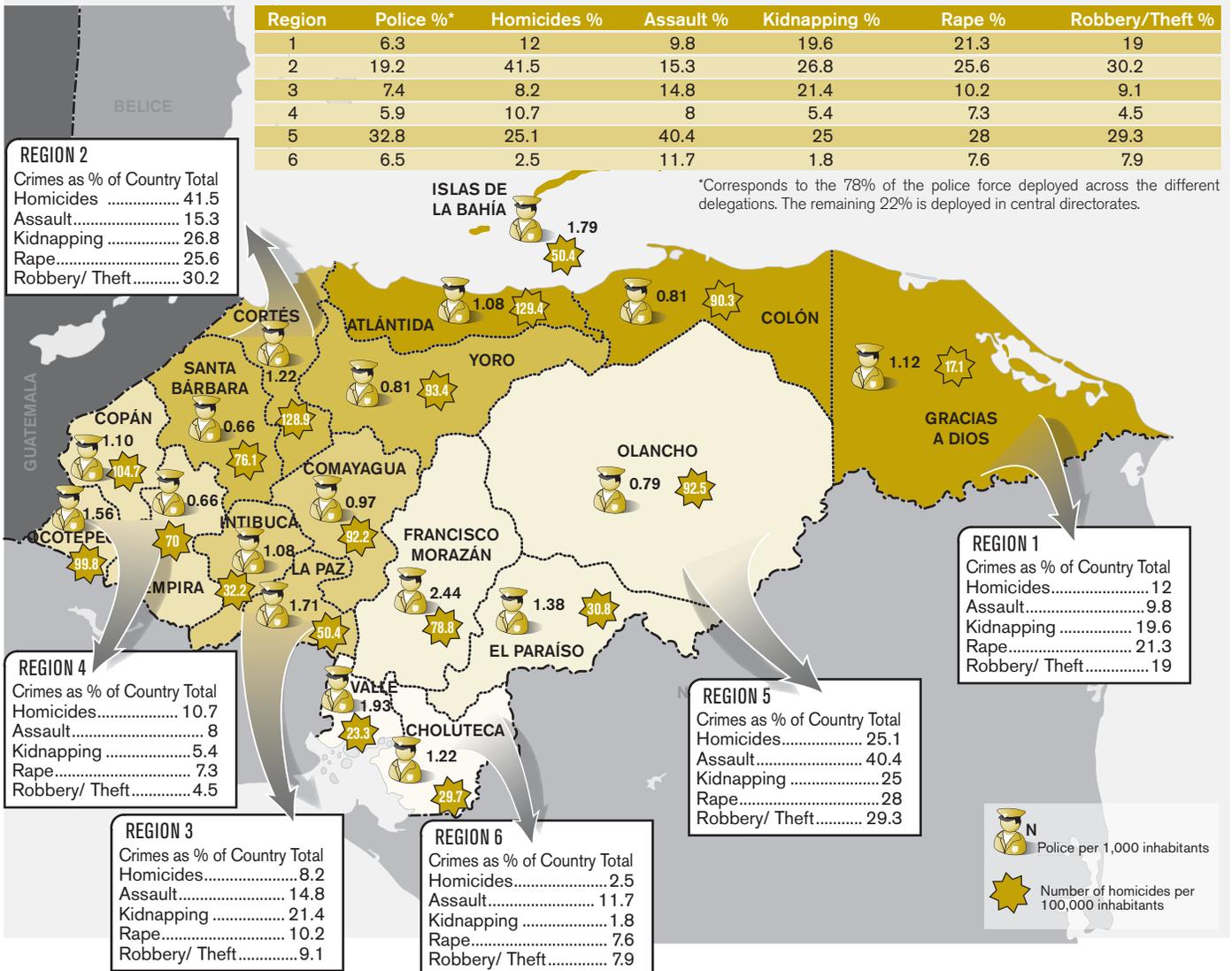
* Figures taken from August of each year.

Sources: Ley de Policia Militar del Orden Publico (DL 168 - 2013); Ley Estrategia Interinstitucional en Seguridad y Toma Integral Gubernamental de Respuesta Especial de Seguridad (TIGRES) (DL 103 - 2013). Ley de Creacion de la Comision de Reforma de la Seguridad (DL 4 - 2012). Municipal Police: Central District Municipality, Reporte de planillas de los meses de agosto de 2012 y 2013 available in www.capital450.hn/transparencia; San Pedro Sula Municipality, N6mina General Municipal de San Pedro Sula al mes de agosto de 2012 and information provided by the Municipality.

Indicators of Violence and the Distribution of Police

One of the functions of the National Police Directorate is to distribute its personnel according to demographics and security demands, but an insufficient resource capacity couples with the chronic security situation to create a situation in which the territorial distribution of police fails to achieve this objective, a point that is recognized by the General Directorate of the National Police.

Indicators of violence and police department distribution



Weaknesses of the PNH, according to General Directorate of the National Police*:

1. Underperformance in its preventive function.
2. The quality and quantity of human resources does not seem logical in relation to demographics and crime.
3. Lack of a program for updating police competence according to the security demands of the population.
4. Limited police logistical and technological capabilities given the "social breakdown of the population".
5. Inadequate infrastructure for the provision of police services. Requires improvement to create better working conditions and services that inspire confidence in the population.
6. Police educational system requires transformation and greater consistency between the occupational and educational profiles.
7. Strenuous workload in terms of responsibilities assigned and working hours. Situation creates behavioral problems that have a negative impact on the service.
8. Judicial officers fail to meet responsibilities with due diligence. Pass the blame on instead of improving coordination and communication processes between them.

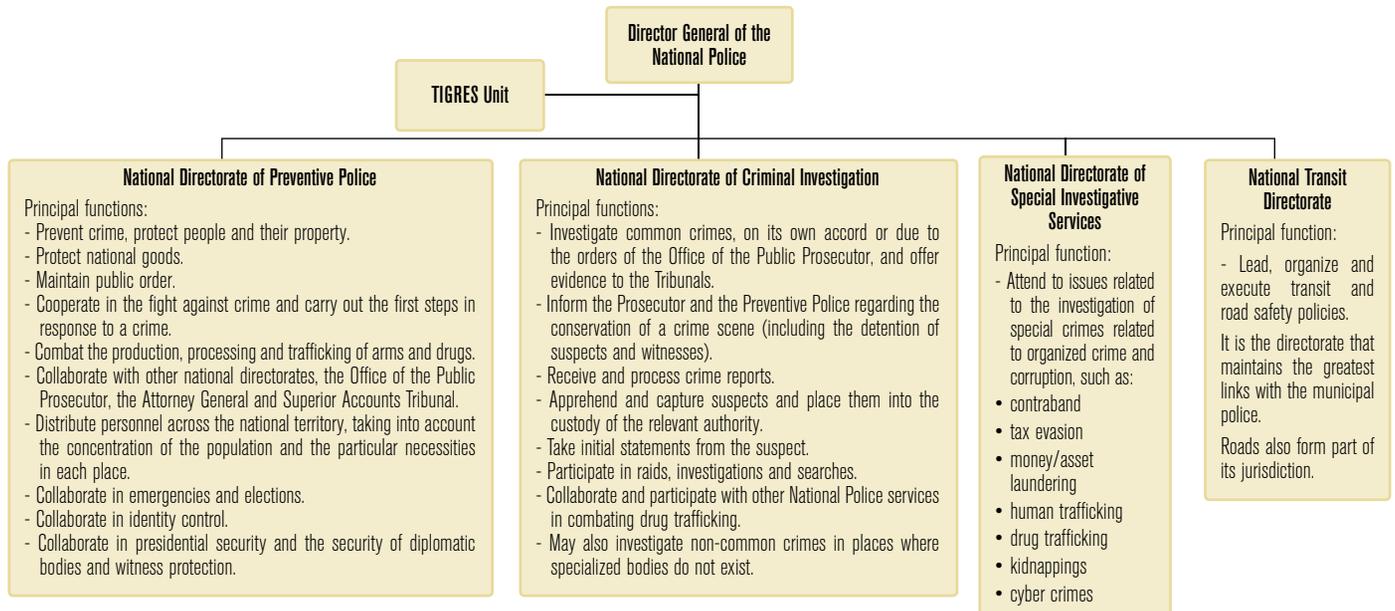
*Secretariat of Security, Boletín de Incidencia Delictiva y Accionar Policial Anual (enero – diciembre 2012).

Sources: Secretariat of Security, Boletín de Incidencia Delictiva y Accionar Policial Anual (enero – diciembre 2012); Plantilla de las Direcciones Nacionales de la Policía Nacional a marzo 2011.

Organization of the National Police

The Organic Law passed in 2008 structured the National Police below the figure of a Director General who is responsible for the management of the institution. The Director General makes appointments to fill the positions in each of the national directorates that depend on it, and makes these proposals to the Secretariat of Security.

Until 2012 there were 6 directorates. With the departure of Internal Affairs in that year (it was passed to the Secretariat) and Special Preventive Services (currently in transition to the penitentiary system) four directorates and the new TIGRES Unit remain.



	2008	2009	2010	2011	2012	2013
National Directorate of Preventive Police		Organized into two metropolitan (Tegucigalpa and San Pedro Sula), six regional and eighteen departmental headquarters and 298 municipal delegations. May begin investigation in places where there are no members of the DNIC. Has the special COBRAS unit for anti-narcotics and hostage rescue operations.			Approximately 64% of all police personnel	Approximate annual budget: 139.5 million dollars
National Directorate of Criminal Investigation		Organized into two metropolitan (Tegucigalpa and San Pedro Sula), eighteen departmental, and 19 municipal headquarters. Has special units such as that for the death of minors, drug dealing, gangs, crimes against women and locating and apprehending criminal suspects.			Approximately 10% of all police personnel	Approximate annual budget: 14.1 million dollars
National Directorate of Special Investigative Services		Organized into six regions and eighteen departments. Covers 4 ports, 4 airports and 9 border crossings. The Migration, Border and Port Police are dependents.			Approximately 6% of all police personnel	Approximate annual budget: 7.1 million dollars
National Transit Directorate		Organized into two metropolitan (Tegucigalpa and San Pedro Sula), and eighteen departmental headquarters. Has a unit for registering fines and a section that investigates accidents as part of its internal organization.			Approximately 9% of all police personnel	Approximate annual budget: 11.5 million dollars
National Directorate of Special Preventive Services		Was in charge of penitentiary centers and the Penitentiary School. Ceases to exist in 2013 with the law creating the special penitentiary system.			Personnel in transition to the new penitentiary service 11% of police personnel should be reassigned	
National Directorate of Internal Affairs		Functioned as internal police control. Replaced in 2011 by the Directorate of Investigation and Evaluation of the Police Profession, which is located within the Secretariat.				

Note: The percentages of personnel given are approximate given the current process of purging the police force, which was begun by the Secretariat of Security in August 2013, and whose initial results displayed inconsistencies between the size of the police force on paper and the personnel that were actually carrying out their functions.

Sources: Directorate General of the National Police, National Directorates. *Ley orgánica de la Policía Nacional*. Secretariat of Security, *Boletín de Incidencia Delictiva y Accionar Policial Anual* (January – December 2012). *Ley Estrategia Interinstitucional en Seguridad y Toma Integral Gubernamental de Respuesta Especial de Seguridad (TIGRES)*, *Decreto 103-2013*. *Decreto-Ley de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal 2013*. The value for the dollar corresponds to the exchange rate according to the World Economic Outlook Database, IMF, 2013.

The Police Framework

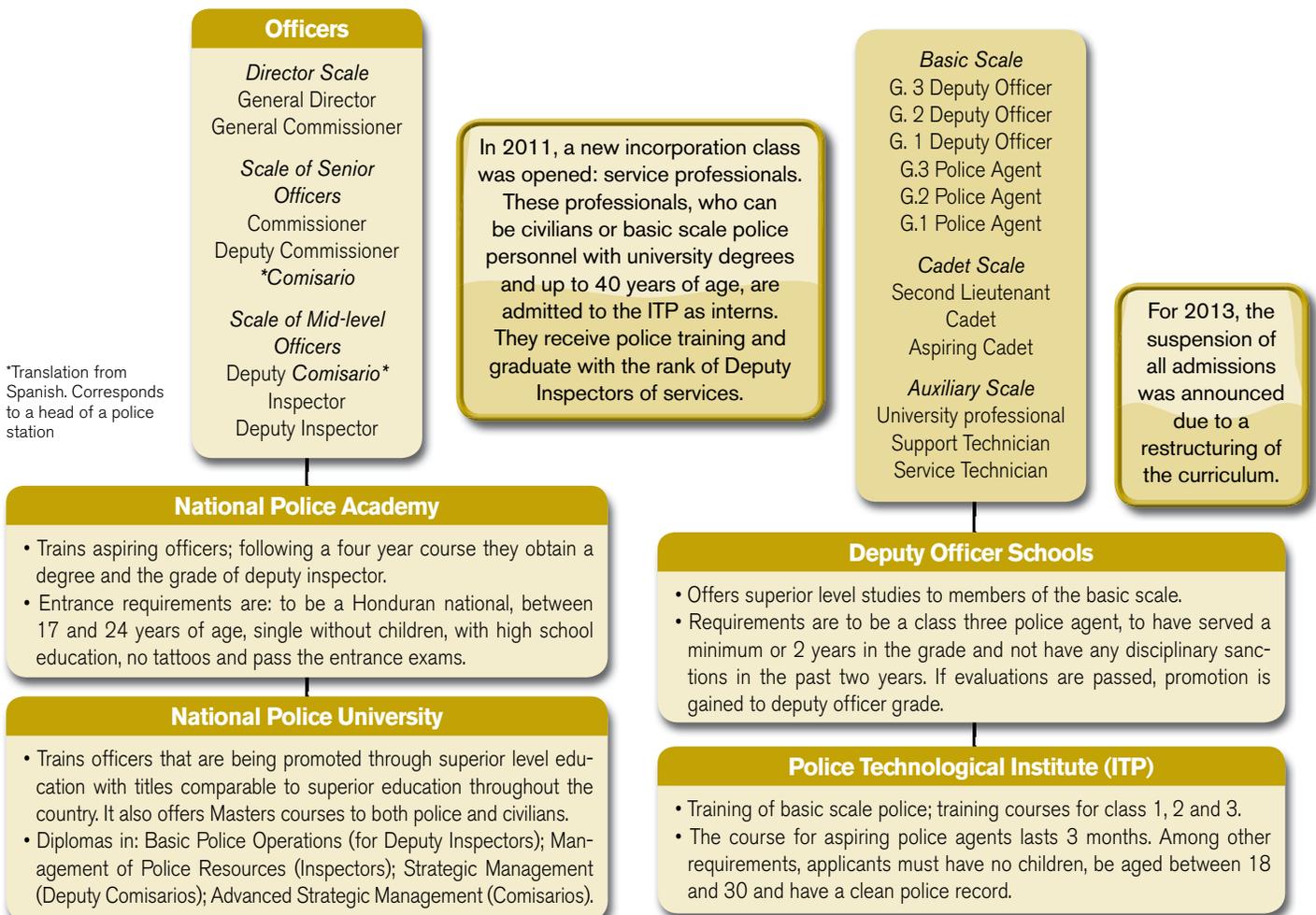
In the mid nineties a reform process began in Honduras that involved, among other things, that the National Police left the military orbit. Its first organic law dates from 1998, with successive reforms made. The police function is divided into central tasks, such as the maintenance of public order and the prevention and control of crime. In terms of registers, the police are responsible for private security services and arms control. As

for collaboration, there exists judicial resolutions between the Honduran National Police (PNH) and the Office of the Public Prosecutor, and the PNH cooperates with immigration control and in emergency and disaster situations. With the creation of the Penitentiary Institute the police are no longer responsible for – unlike up until 2012 - the management, control and monitoring of penitentiary centers.

Valid Legal Framework of the PNH

Organic Law of the PNH, Decree 156, 07/08/1998	Police and Social Co-existence Law, Decree 226, 12/29/2001	Organic Law of the PNH, Decree 67, 6/12/2008 (reforms in 2011, 2012 and 2013)	Regulations for the control of private security services Agreement 013, 09/21/2009	Creation of the Directorate of Investigation and Evaluation, Decree 198, 11/11/2011	Creation of the Commission of Public Security Reform Decree 4, 02/21/2012	Inter-institutional Security Strategy (TIGRES) Decree 103, June 06/27/ 2013
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Police Education



*Translation from Spanish. Corresponds to a head of a police station

Sources: Ley Orgánica de la Policía Nacional Decreto 156 del 8 de julio de 1998 and amendments; Secretariat of Security, Police Education System.

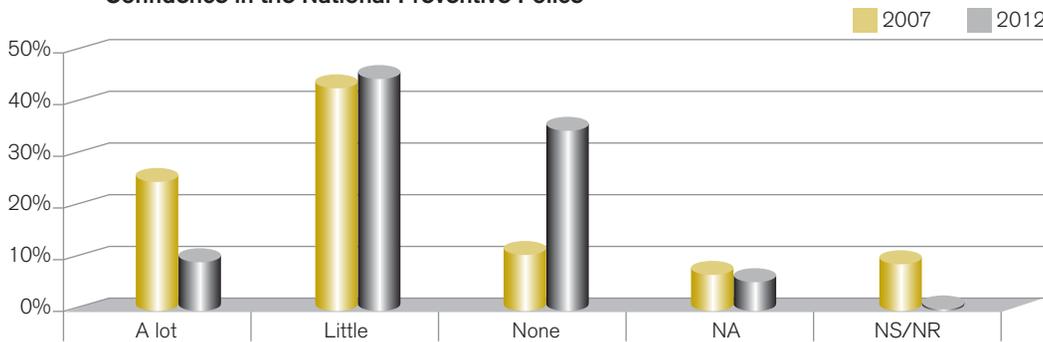
The System of Police Discipline and Control

Problems of indiscipline and abuse of power have been common within the Honduran National Police. In the context of claims made by citizens against the police, and the commotion regarding the responsibility of the police in the case of the university students murdered in late October 2011, in November 2011 Congress passed a law

creating the **National Directorate of Investigation and Evaluation of the Police Profession**, that functions as a decentralized entity of the Secretary of Security.

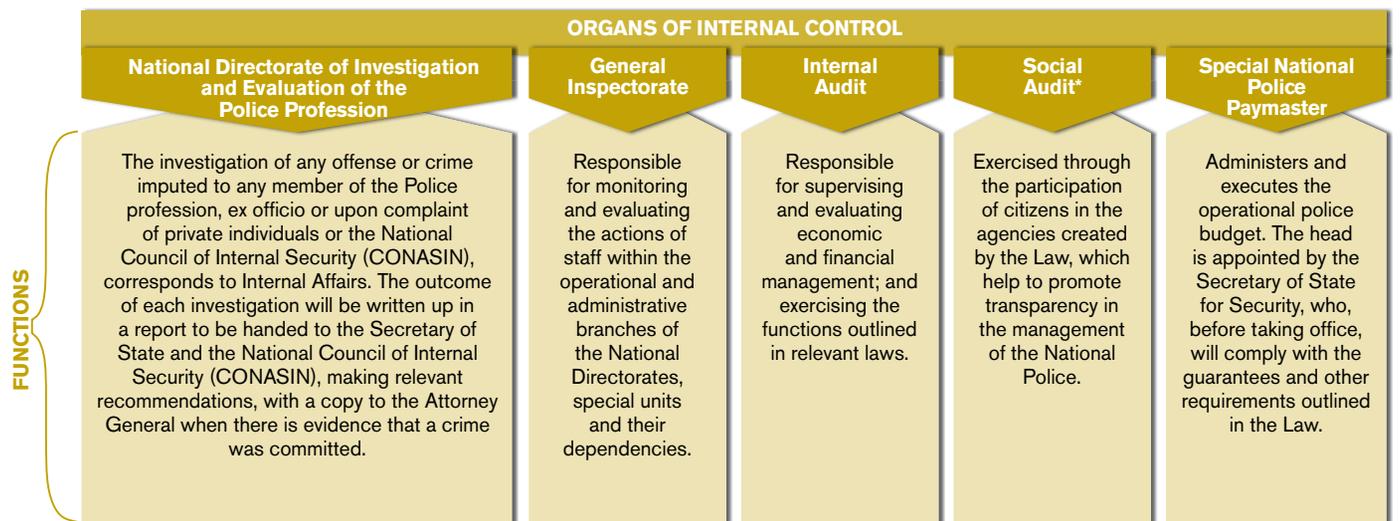
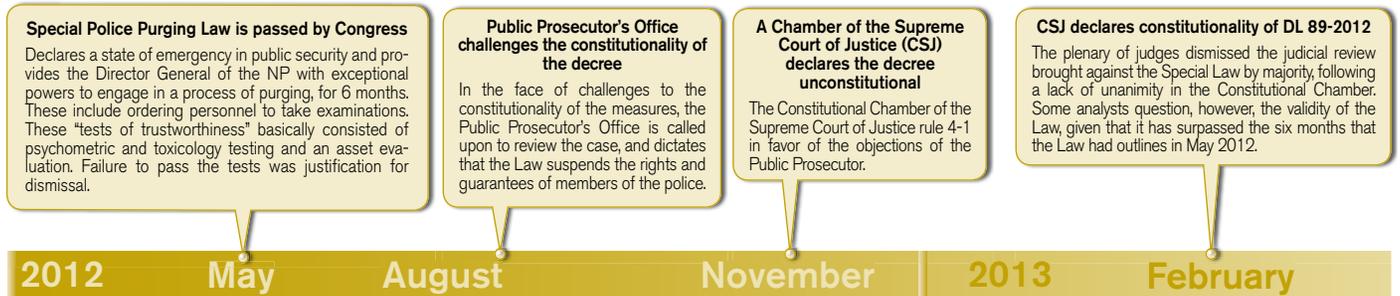
The system of external control includes the **Human Rights Commissioner**, which receives complaints against the police.

Confidence in the National Preventive Police



According to data prepared by the UNAH using official sources, 149 civilians were killed by the police between January 2011 and November 2012.

Purging the National Police



*Given that the Social Audit involves citizen participation, it is thought to fall within the scope of external control. However, the Organic Law does not provide further details on the operation of the system.

Sources: National Commissioner of Human Rights, Encuesta sobre Inseguridad, Comparativo 2012, available at <http://www.conadeh.hn/doc/GraficosInseguridad.pdf>. Ley Orgánica de la Policía Nacional, Articles 13 to 21. UNAH-IUDPAS, National Observatory of Violence, *Boletín Especial sobre Criminalidad Policial, Edición N° 5*, November 2012.

The Penitentiary System

The penitentiary system in Honduras is undergoing a process of transformation that began with the enactment of the Penitentiary System Law, passed in December 2012. One of the most relevant

transformations of the Law is the creation of a National Penitentiary Institute. The custody and management of prisons will thus no longer be under the jurisdiction of the National Police.

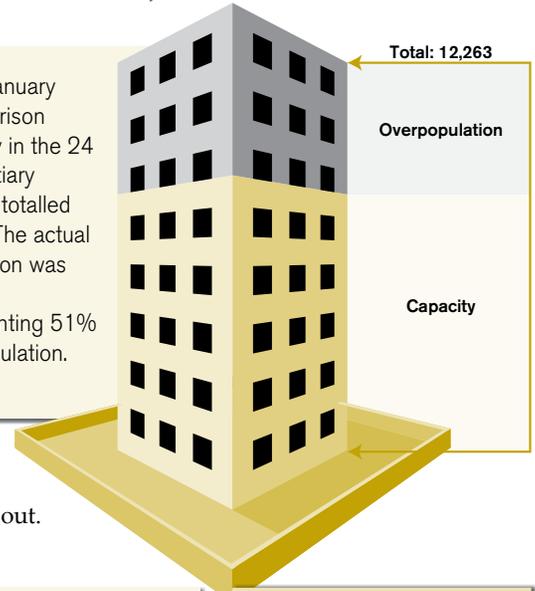
Honduras's prison system is made up of 24 centers.

In accordance with the law for the rehabilitation of criminals, they are classified as the following:

1. National Penitentiary Centers: for serving sentences in excess of 3 years.
2. Departmental or Sectional Prisons: for serving sentences less than 3 years in duration.
3. Local Prisons: for serving the minimal prison sentences.

This system would change with the new penitentiary system law, which establishes a division according to security regimes and the establishment of centers for pre-trial detentions.

As of January 2013, prison capacity in the 24 penitentiary centers totalled 8,120. The actual population was 12,263, representing 51% overpopulation.



The National Penitentiary Institute (INP) has been created as a decentralized entity within the Interior and Population Secretariat. Within its bodies, the Board of Directors, composed of five members including the Secretary for Security, stands out. The National Director is appointed by the President of the Republic.

The penitentiary service law foresees a transition from the old structure of the **National Directorate of Special Preventive Services (DNSEP)**, under the National Police, to the new Penitentiary Institute. Within a period of two years, the assets, rights, duties, archives and inventory concerning prison activity will be transferred. The whole process will be led by a Special Transition Committee.

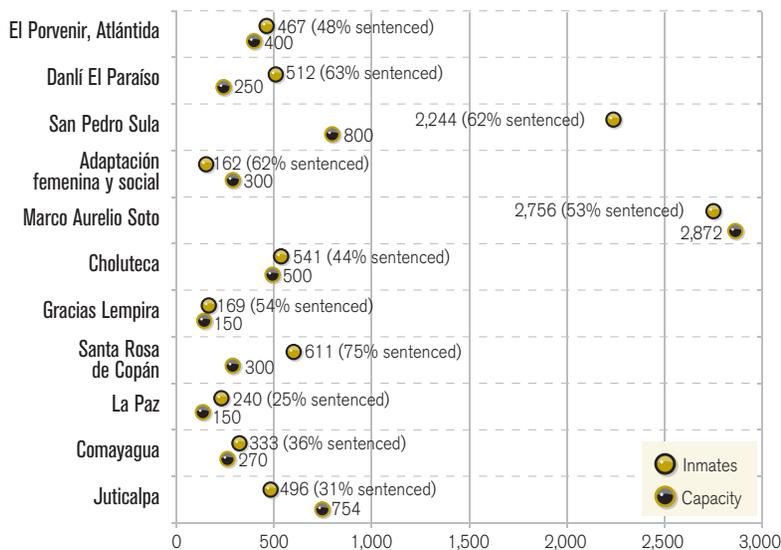
The INP will be responsible for organizing and developing the **penitentiary service career**.

Police personnel currently deployed on penitentiary functions may request transfer to the Penitentiary Institute, for which their seniority and benefits will be taken into account. Upon transferring, they will resign their police position and become part of the Institution's personnel structure. The Commission is responsible for assessing each of these transfer requests. In practice it is expected that most of the police personnel enter this system.

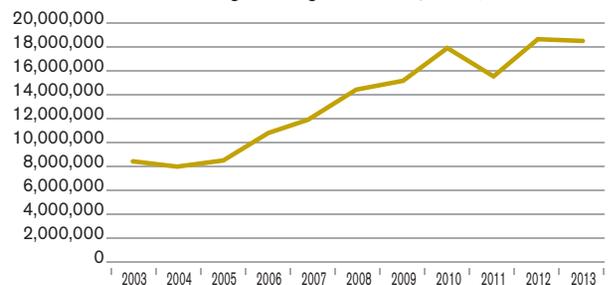
1 enforcement judge for each 603 prisoners.

1 penitentiary official for every 11 inmates in the penitentiary centers.

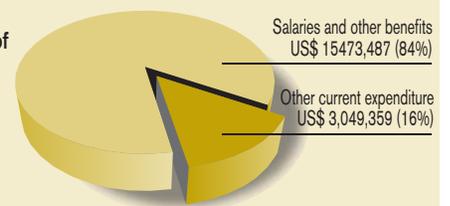
The average wage of penitentiary agents is 315 dollars a month.



Evolution of the National Directorate of Special Preventive Services's Budget (Budget allocation, in US\$)



Administration of Penitentiary Centres Budget Assignment 2013, (US\$)

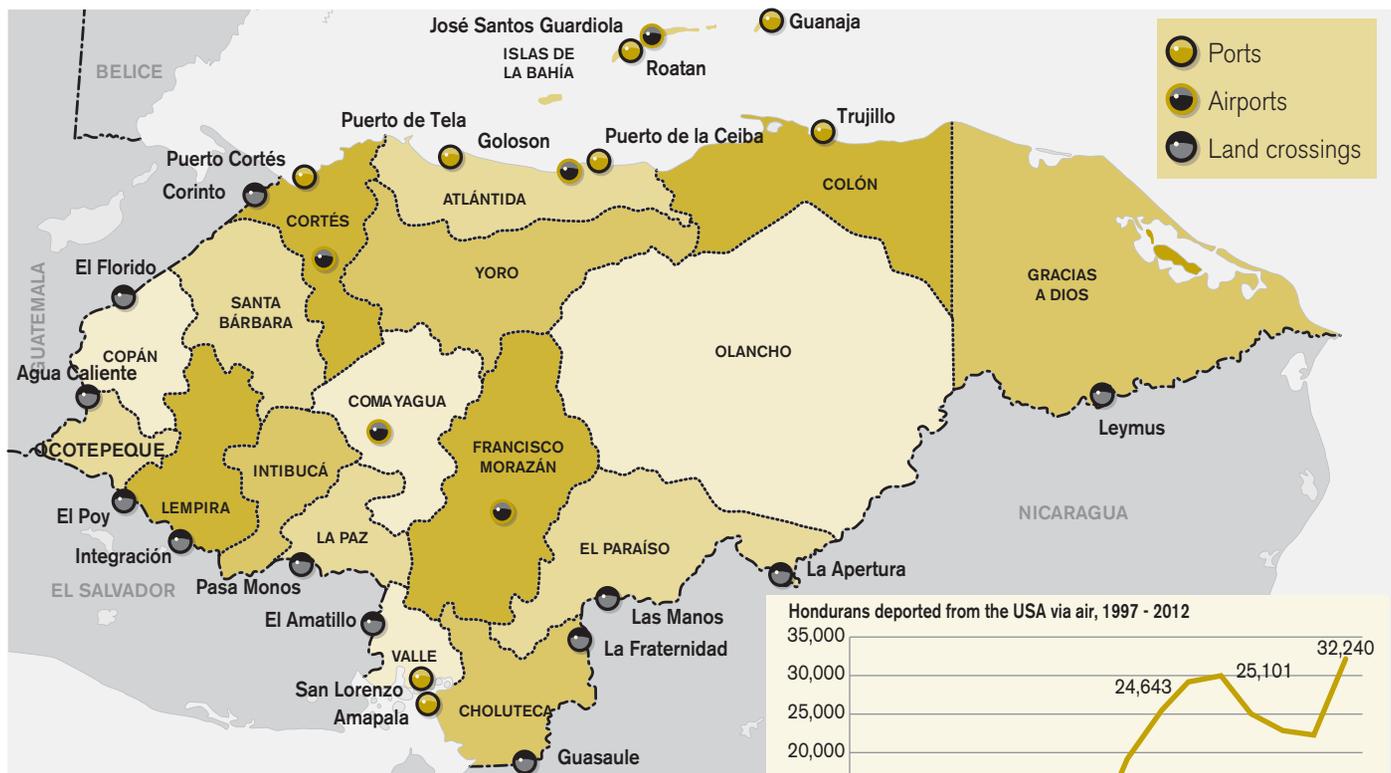


Sources: Ley del Sistema Penitenciario Nacional (DL 64-2012 of 12/03/2012); National Human Rights Commissioner of Honduras, Informe anual sobre el estado general de los derechos humanos en honduras, año 2012; Informe de la Comisión Interamericana de Derechos Humanos sobre la situación de las personas privadas de libertad en Honduras (March 2013); Decreto-Leyes de presupuesto general de ingresos y egresos de la República para el ejercicio fiscal from 2003 to 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All figures are expressed in current dollars.

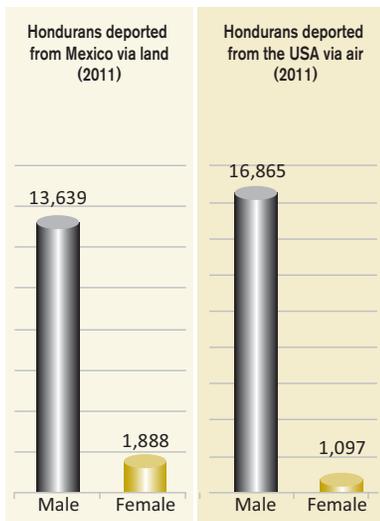
Border and Migration Control

Interior and Population Secretariat: Migration control and regulation correspond to the Secretariat of Interior and Population, through the General Directorate of Immigration and Foreign Persons, which regulates the State's migration policy, the entry and exit of nationals and foreigners, the permanence of the latter in Honduras and the issuance of migration documents, including passports and special travel permits. There are 11 land, 5 air and 8 maritime border delegations. It has a staff of approximately 250 people, divided between the central office and the various delegations.

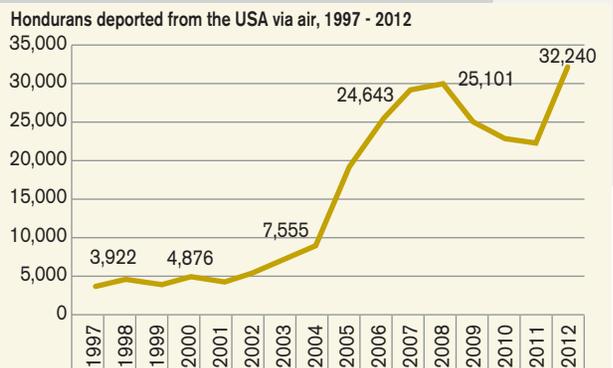
Secretariat of Security: The National Directorate of Special Investigation Services is in charge of the Immigration, Border and Port Police. Its function is to investigate special crimes, such as smuggling contraband, fraud and tax evasion, money or asset laundering, corruption, human trafficking, drug trafficking, cybercrime, transnational crimes and all that is related to organized crime



Centre of Attention of the Returning Migrant (CAMR)



The **Centre of Attention of the Returning Migrant (CAMR)** was founded in 2000. It provides assistance to Honduran migrants returning from the United States, seeking to support them in their return to the country. Their work is directed by the Hermanas Misioneras San Carlos Borromeo Scalabrinianas (Catholic Church), the General Directorate of Immigration and Foreign Persons, and the International Organization for Migration (IOM). It coordinates its activities with the National Police and the Secretariats of Foreign Affairs, Health, Labor and Social Security. Deportations are carried out via air, with arrivals three times a week at the airport in Tegucigalpa and twice in San Pedro Sula.



Custody Centers have been established with Mexico, to which Honduran citizens deported by land arrive directly by bus. Once in the country they are attended to at the border crossing centers, where interviews are conducted in order to identify the causes of their irregular emigration, and to understand their work and family situation. In 2004 they signed an Action plan for cooperation on migratory issues.

- Activities:**
- Temporary housing, food and transport
 - Contact with families
 - Medical care
 - Assistance with paperwork
 - Assistance finding employment and support through educational and training centers.

Sources: National Police; General Directorate of Immigration and Foreign Citizens.

Cooperation of the Armed Forces in Public Security

According to the Constitution, the Armed Forces cooperate with public security institutions at the request of the Secretariat of Security to combat terrorism, arms trafficking and organized crime. The most frequent cooperation mechanism is developed through specific requests made by the Secretariat of Security, from which an order or operational plan between the Armed Forces and the Police is established in order to establish the details of the operation. The most frequent activities are urban patrol tasks and patrols and operations to combat drug trafficking.

In August 2013, a law created a new command for public security tasks: the **Military Police of Public Order**.

The mixed urban patrol teams are formed by one policeman and two military personnel. They accompany the policeman, who in turn is in charge of making arrests.

The Army collaborates in particular in urban and border zones, deploying 1,960 personnel. Both the Navy and on occasions the Air Force collaborate in operations in zones such as la Mosquitia.

“Guardians of the Motherland” Program

The program was initiated by the military in 2000 and the support and collaboration of different institutions was added.

It has the stated aim of contributing to the preparation and comprehensive development of youth, strengthening moral, spiritual, ethical and cultural values. In 2011, the project received greater interest from the Secretariat of Defense and the Secretariat of Development. The latter summoned two consultants to evaluate the program over a period of 30 days. As a result of this its expansion to the national level was planted.

It is financed through the budget of the Armed Forces.

It is aimed at children and youth, from 9 to 23 years, which are divided across 3 different age groups.

It links up with trustees and neighborhood associations to discuss the project and solicit contributions, especially from parents, for each area.

Parents sign consent.

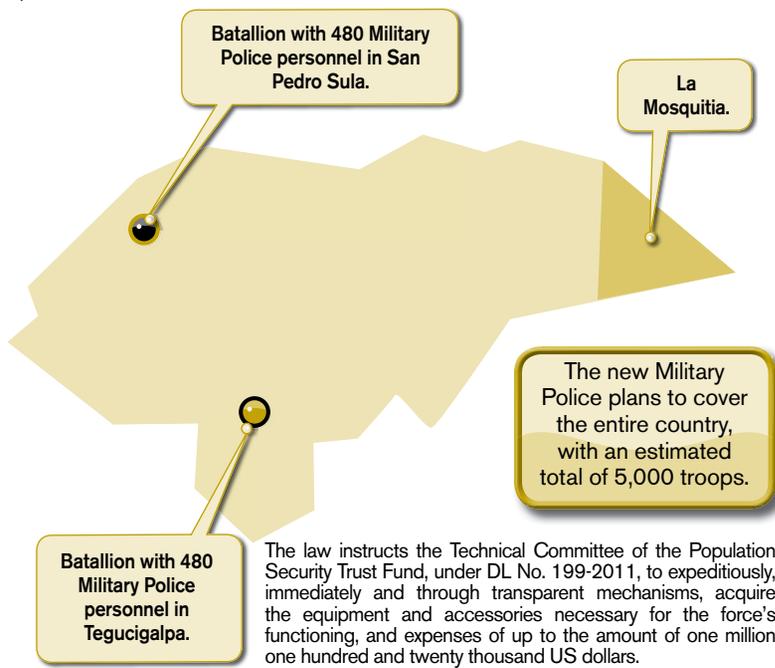
In the case of children, they attend the military unit on Saturdays from 8am to 4pm.

Stated Objectives

- Strengthen physical and mental development.
- Strengthen ethical, moral and spiritual values and principals.
- Prevent dropout.
- Improve school performance.
- Develop skills and abilities.
- Promote sport.
- Strengthen the culture of community service and community ties.
- Prevent sexually transmitted infections.
- Promote sexual abstinence to reduce pregnancies in young girls.
- Reduce youth crime and gangs.
- Strengthen family ties in the community.
- Raise self-esteem.
- Avoid the use of drugs in youth.

Military Police of Public Order (PMOP)

Legal Framework	Military Police of Public Order Law (DL 168, August 24th, 2013)
Character	Special command of the Armed Forces. Authorizes the Armed Forces to increase their force size by 5,000 personnel. Troops that form the Military Police must undergo the same 'confidence tests' that are currently practiced within the National Police. Must be accompanied by judges and prosecutors with national competence and jurisdiction. These may reside outside the country.
Functions	<ul style="list-style-type: none"> - Act rapidly in circumstances that affect public order, constitute emergencies, and/or affect people or their properties. - Cooperate in the recuperation of areas where there is a presence of organized criminal groups or their activities - Carry out investigation and intelligence tasks. - Make arrests and place those arrested into the custody of the relevant authorities.



The law instructs the Technical Committee of the Population Security Trust Fund, under DL No. 199-2011, to expeditiously, immediately and through transparent mechanisms, acquire the equipment and accessories necessary for the force's functioning, and expenses of up to the amount of one million one hundred and twenty thousand US dollars.

Sources: Ley de Policía Militar del Orden Publico (DL 168 - 2013); Ley Estrategia Interinstitucional en Seguridad y Toma Integral Gubernamental de Respuesta Especial de Seguridad (TIGRES) (DL 103 - 2013). Joint Chief of Staff, Directorate of Policies and Civil Affairs.

Private Security

Regulated by DL 67-2008 of the Legislative Assembly, June 30th 2008, and by Regulations for the Control of Private Security Services of the Legislative Assembly, September 21st, 2009.

402 registered private security firms and 303 registered self-defence groups employ 14,787 Personnel

According to the law, no firm is able to surpass 6% of the total personnel size of the National Police.

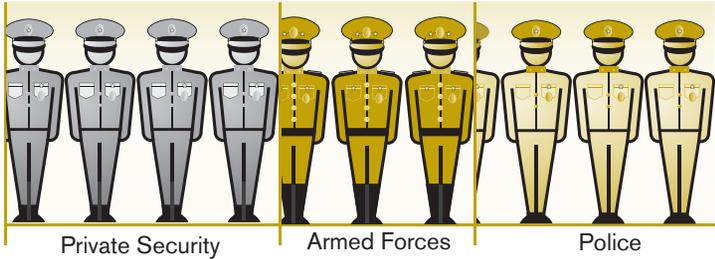
Licenses for the provision of private security services are valid for two years and then renewable for equal periods. The provision of an updated list of personnel and clients, along with a copy of the contracts, among other items, is necessary prior to renewal of contracts.

Quantity of Private Security Firms Registered	
City	%
Tegucigalpa y San Pedro	80%
Choluteca	5%
Comayagua	3%
Ciudades de occidente	3%
La Ceiba	2%
Resto de ciudades	7%

The Private Security Firms Control Unit recognizes that there are between 60,000 and 80,000 personnel employed in the sector. The difference is due to the Regulations for the Control of Private Security Services, 2009, which encourages companies that have licenses to renew them from November 2010, without a deadline for the process.

Foreign companies seeking to attain permission for the provision of private preventive security services must partner with Honduran companies engaged in the same activity and appoint a manager that is Honduran by birth.

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*:



Self-protection groups are organized by neighborhood communities in some municipalities, and employ security officers.

*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.

Service Modalities			
Preventive vigilance services	Private investigation services	Training services	Related services
<p>Type A: with authorized personnel from two hundred (200) security guards upwards (200).</p> <p>Type B: with authorized personnel of between one hundred (100) and two hundred (200) security guards.</p> <p>Type C: with authorized personnel of between ten (10) and one hundred (100) security guards.</p> <p>Type D: with ten (10) or less authorized security guards.</p>	<p>Professional detectives may obtain individual licenses within this modality.</p>	<p>Training programs are approved and monitored by the Private Security Firms Control Unit and assisted by the National Directorates of the Honduran National Police. The Secretariat of Security, through the Police Education system, can train members of private security companies in order to certify their operations.</p>	<p>Hunting and shooting services for tourists; services for the introduction of weapons in international sporting events and others; vigilance services at national and international sporting events; vigilance services for dignitaries, official national and international missions; bullet-proofing services, training and advice in security; concerts and national and international events.</p>

Sources: Ley orgánica de la Policía Nacional; Reglamento para el Control de los Servicios Privados de Seguridad (09/21/2009); and Unidad de Control de Empresas de Seguridad Privada.



NICARAGUA

Historical and Political Context

Nicaragua has had a history marked by constant confrontations between conservatives and liberals, with the participation of the British, Americans and Costa Ricans. In 1936, following the withdrawal of the U.S., the Director of the National Guard (a security force created by the U.S.) came to power, which then continued in the hands of his family until 1979. The upper-class conservative and liberal sectors had a relationship with the Somoza family and their followers that alternated between tolerance and confrontation. "Tacho" Somoza García, the initiator of the family power, was killed by a liberal journalist in 1956, but the family retained control.

In 1961, the Sandinista National Liberation Front (FSLN), inspired by the Cuban revolution, was formed. Its three tendencies were late in uniting, but upon doing so, and with the tolerance of the old political sectors - especially the liberals, they finally managed to defeat the National Guard and take power in 1979. The defeat of Somoza Debayle signified the end of the National Guard, which was replaced by the Sandinista Popular Army and the Sandinista Police.

Soon after the triumph, an armed confrontation began with the so-called "Contras", the RN (Nicaraguan Resistance) supported by the U.S., basing its armed actions in Honduras. The war continued until 1990, when the

election called by the Sandinistas led to their defeat. The lack of support for the socialist bloc, in a process of dissolution, coupled with the weariness of war to lead to unexpected result for the Sandinistas.

The peace agreement, in which other Central American countries and the UN also participated, favored political stability. Land was given to "Contra" commanders and its fighters were disarmed, but some of its personnel were incorporated into the Police to monitor these areas. The Army (EPS) was drastically reduced and military conscription was ended.

Between 1990 and 1994, however, armed activity was maintained by "re-compas" (EPS veterans), "recontras" (former resistance) and bands of "revueltos", consisting of former members of the two sectors. After constant military operations and talks with the rebels, peace was agreed.

The Sandinista Police was then transformed into the National Police and began, with international support, a process of professionalization. The EPS became the National Army but retained its autonomy, responding only to the Presidency of the Republic.

Following a pact between Arnoldo Alemán and Daniel Ortega Saavedra, which allowed the latter to return to the presidency in 2006, the "new" *sandinismo* consistently won elections and have maintained itself in power.

Country Information

Political System:	Presidential / Unitary Republic
Administrative Organization:	15 departments, 2 autonomous regions and 153 municipalities.
Population:	6,071,045*
Territorial Extension:	130,373 km ²
GDP 2012 (current US\$):	10,506,000
Minimum salary (US\$):	192**
Illiteracy:	22 %***

* estimated as of June 30th, 2012.

** retail business.

***15 years or above, 2005-2010

Basic Security Indicators (2012)

National Police:	11,732 personnel.
Homicides:	673 homicides. Rate of 11 per 100,000 inhabitants.
Drug Trafficking:	7,751.4 kilograms of cocaine and 1,323.3 kilograms of marijuana seized by the police.
Traffic Deaths:	679 deaths.
Border Flows:	Annual flow of 4,290,207 people.
Private Security:	145 private security firms.
Estimated Number of Gangs:	42 groups identified.
Penal Centers:	8 penal centers with a population of 13,495 inmates.
Femicide:	65 cases.
The Perception of Security:	50% of the population has little or no trust in the Police.
Military Personnel dedicated to public security:	2,200

Sandinista Revolution up until 1989	Period of transitional agreements 1989-1990	Institutional Development 1990-1999	Current Stage 2000-2013
End of the Somoza dictatorship. Dissolution of the National Guard and formation of the Sandinista Army and Police. Armed conflict; "contras" based in Honduras with support from the USA.	Agreements promoting political stability. Elections in 1990.	Greater institutional development. The police becomes the National Police. Constitutional reform in 1995.	Police modernization program and development of the police model based on a community-police relationship. Legislation on organized crime and related themes.

1936 Beginning of a dictatorial period dominated by the Somoza family.	1979 Sandinista Revolution Formation of the Sandinista Army and Police	1990-92 Sandinista Police is transformed into the National Police	1996 National Police Law	1998 Law outlining the competences of the Executive Branch	2000 Police modernization program
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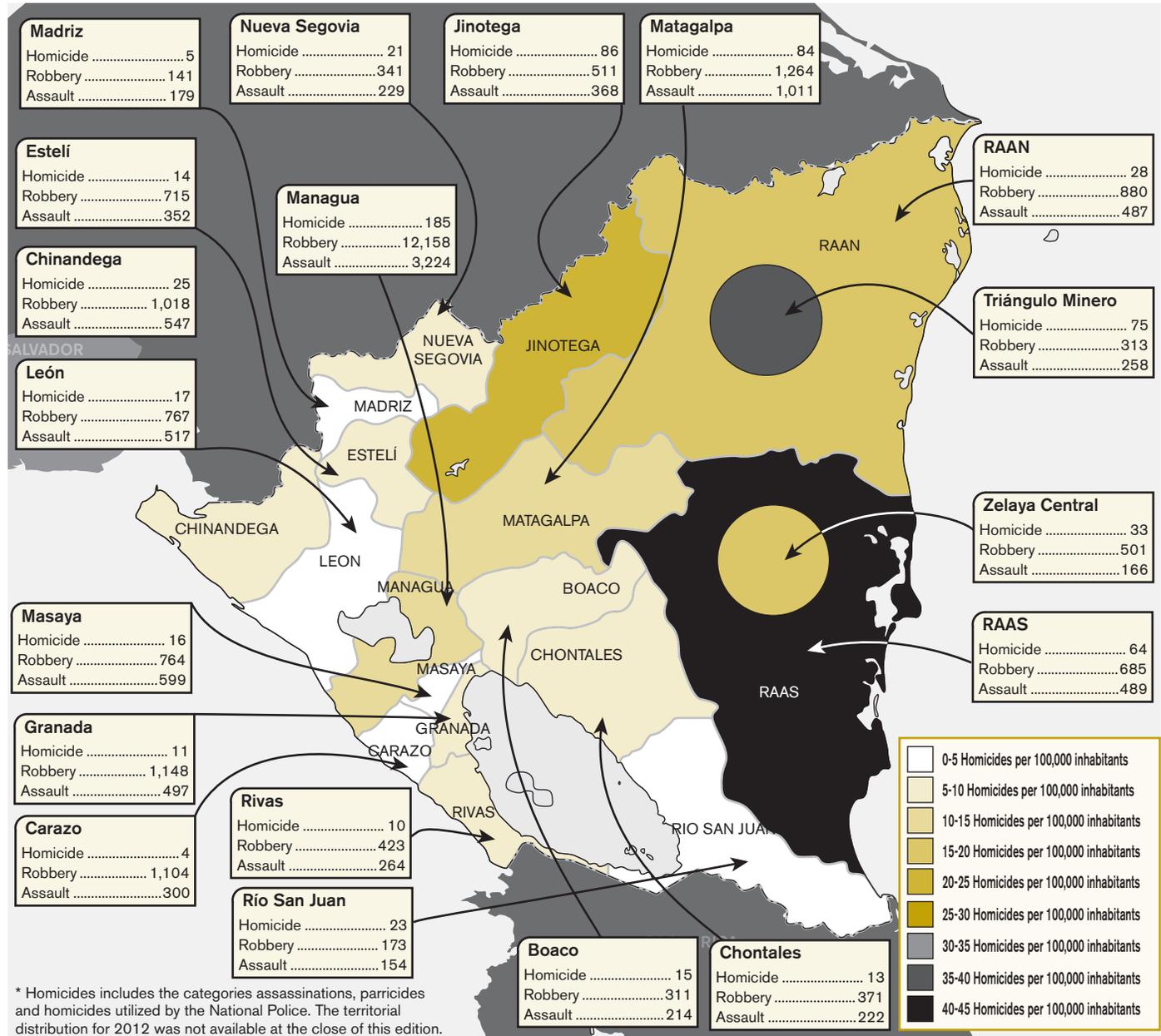
Sources: Data elaborated on the basis of: Population and territory: National Institute of Development Information. GDP: IMF, *World Economic Outlook Database*. Minimum salary: Ministry of Labor, *Acuerdo Ministerial ALTB 08-04-2013*. Illiteracy: UNDP, *Human Development Report 2013*. National Police: *Anuario Estadístico 2011* of the National Police. Homicides, Drug Trafficking and Traffic Deaths: *Visión Policial, revista de la Policía Nacional*, Año XIV N° 104 (May 2013). Femicides, homicides and traffic deaths: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Cross-border people flows: General Directorate of Migration and Foreign Persons, *Flujo migratorio 2012*. Private Security: Association of Nicaraguan Private Security Firms (ASEGPRIN). Penal Centers: Ministry of Interior. Gangs: Directorate of Juvenile Affairs of the National Police. 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

Despite having socio-economic conditions and a history of conflicts more akin to the northern-triangle countries, with a national level of 11 homicides per 100,000 inhabitants, in terms of crime more parallels can be drawn with its southern neighbours. The territorial distribution of insecurity is marked, with a major concentration in the eastern and northern part of the country (especially the autonomous regions), where extremely high homicide rates per 100,000

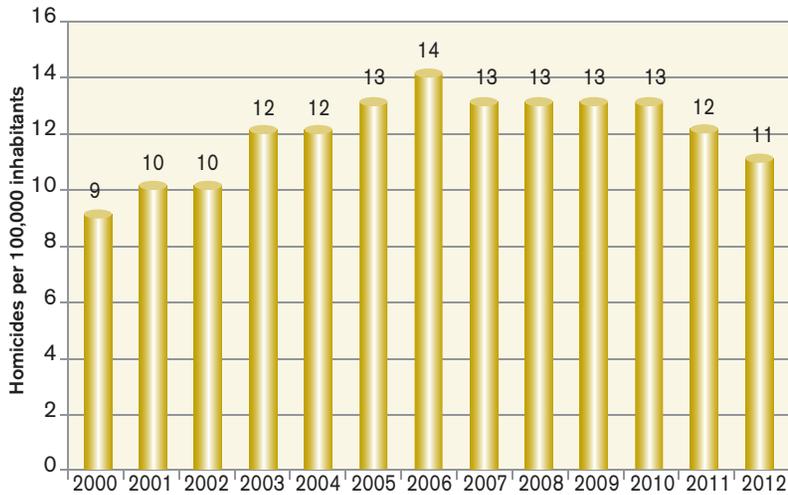
inhabitants were recorded in 2011: 43 (South Atlantic Autonomous Region -RAAS), 35 (Triángulo Minero), 21 (Jinotega), and 19 (North Atlantic Autonomous Region-RAAN). This is in stark contrast to the northwest and southwest of the country, with the only exceptions being the capital Managua and Matalgalpa, where a rate of 14 per 100,000 inhabitants was recorded in 2011.

Territorial Comparison of Crime (2011)*:

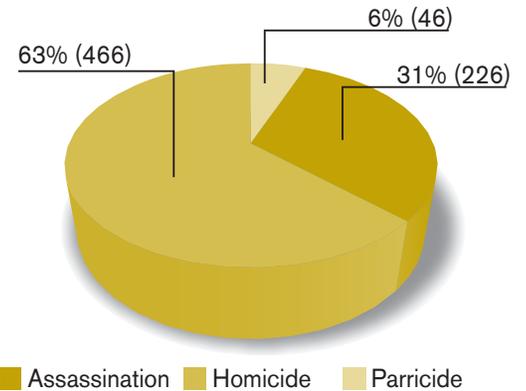


Every day there are **1.8** homicides, **16.4** reports of sexual violence, **1.8** traffic deaths, and **28** reports of domestic violence.

Evolution of Homicides: 2000-2012

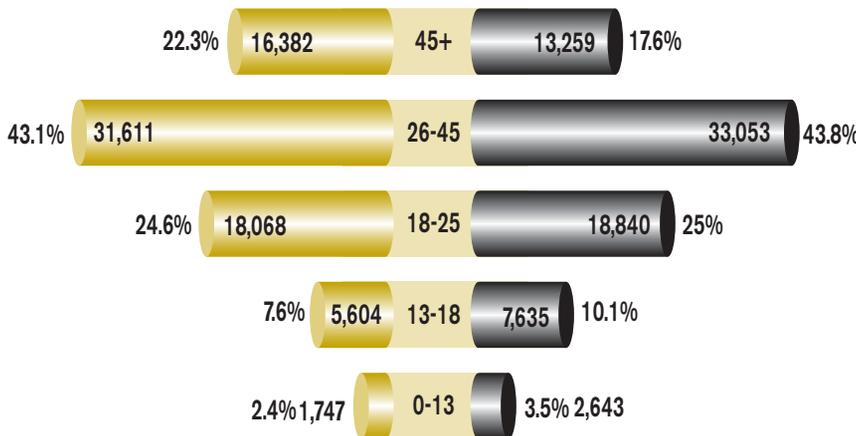


Composition of the Homicide Category (2011)

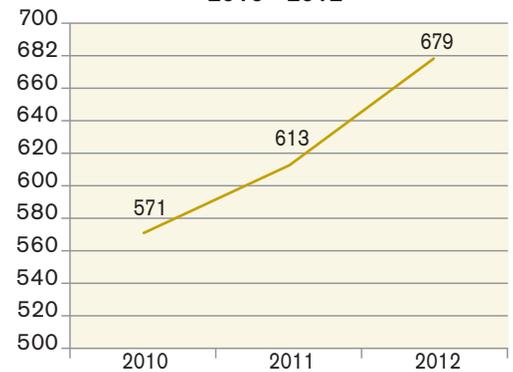


Assassination: to deprive another of their life in circumstances of premeditation, cruelty, for a price, or for the reward or promise of remuneration.
Homicide: deprive another of their life.
Parricide: deprive a parent, child, sibling, spouse or partner of their life with awareness of the relationship.

Victims of Crime according to Age Group (2011)

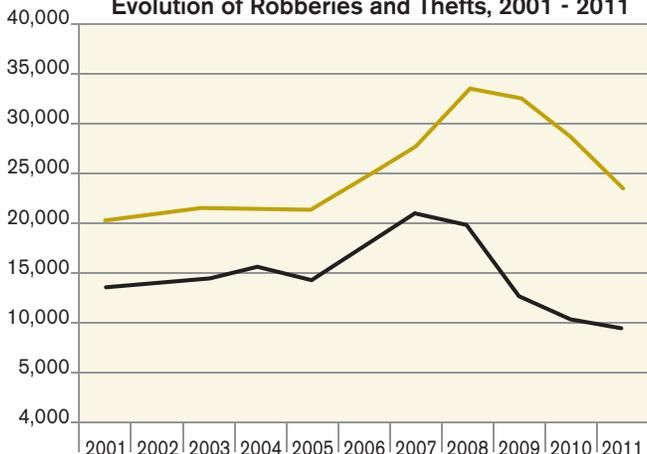


Traffic Deaths* 2010 - 2012



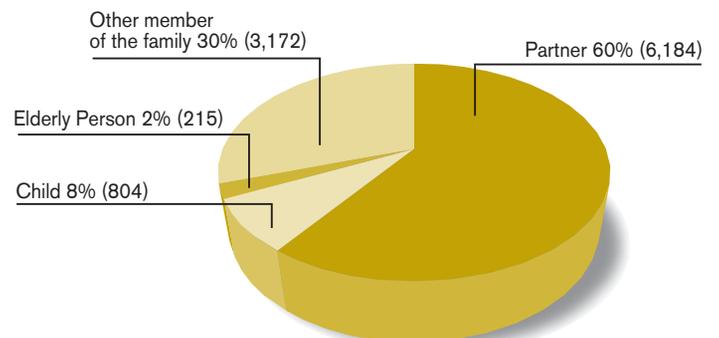
*Statistics from the National Police. The Institute of Legal Medicine, a body within the Supreme Court of Justice, presents the following statistics for traffic deaths: 2010:452, 2011: 503 and 2012: 548.

Evolution of Robberies and Thefts, 2001 - 2011



The category of robbery includes: robbery with violence, robbery with intimidation, aggravated robbery and robbery using force. Theft includes: theft and aggravated theft.

Domestic Violence according to Victim



Violence Against Women	2010	2011
Homicides	64	48
Assassinations	25	24
Rape	1,748	1,821
Greivous bodily harm	714	812

The National Police have released a "intra-family violence and incest" brochure covering different forms of domestic violence in an attempt to increase reporting rates.

Sources: National Police, *Anuario Estadístico 2001/02/03/04/05/06/07/08/09/10 and 2011*; *Visión Policial, revista de la Policía Nacional*, Year XIV N° 104 (May 2013). Website of the National Police. Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2007/08/09/10/11 and 2012*.

Institutions linked to Security

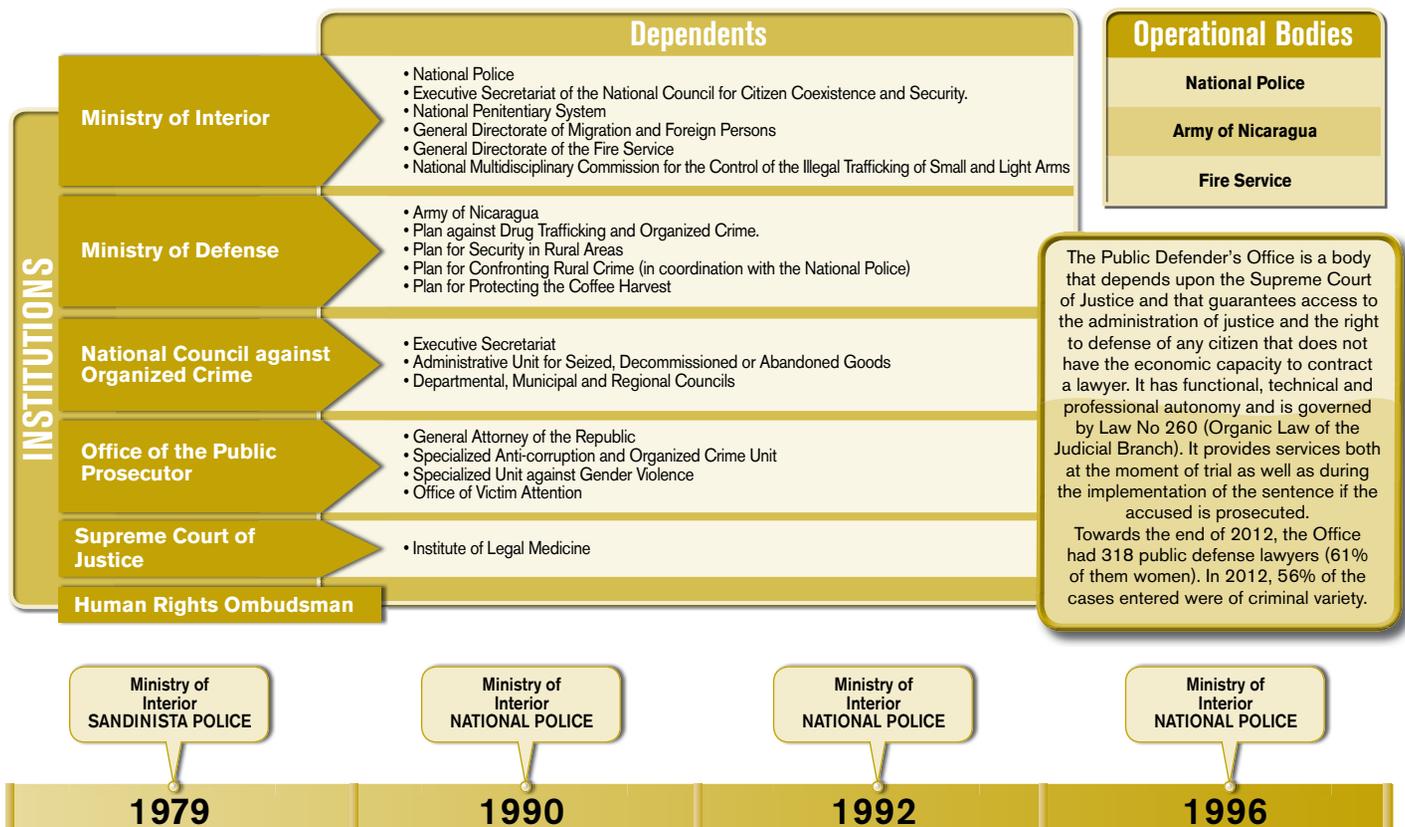
Public security in Nicaragua is presided over by a centralized Police action, with a preventive and community character. The repression of crime is divided between police functions and those that correspond to the Office of the Public Prosecutor.

- **National Police:** its origins are linked to the 1979 Sandinista Revolution. In 1992, following a period of transition in which it was officially renamed as the National Police, it was organized as such, reaffirming its civilian and apolitical nature.
- **Ministry of Interior:** since its creation in 1990 the National Police has been within its authority, as well as being charged with migratory and penitentiary affairs, among other questions. It presides and coordinates the National Multidisciplinary Commission for the Control of the Illegal Trafficking of Small and Light Arms.
- **Nicaraguan Army:** coordinates actions with the National Police, as well as implementing specific plans in the area, principally in the fight against drug trafficking and security in rural areas.
- **National Council against Organized Crime:** it is the State body governing the development of policies and programs for preventing and combating drug trafficking, money laundering and organized crime. Created in 2010, it replaces the National Council for Combating Drugs. With an autonomous and inter-institutional

character, and with its own Executive Secretariat, it also has representation in the country's interior.

- **National Council for Citizen Coexistence and Security:** it is the President's advisory and coordinating body on policies and programs to promote coexistence and citizen security. It has an inter-institutional character as well as civil society representation. It promotes citizen participation through Social Crime Prevention Committees and Local Security Councils. Since 2007, the National Police holds the position of Executive Secretary.
- **Office of the Public Prosecutor:** since 2000, it carries out the surveillance and protection of society and victims of crime, promoting the investigation of criminal acts and the corresponding prosecution of those that violate the law, or that threaten public order or public security.
- **Institute of Legal Medicine:** attached to the Supreme Court, it was established in 1999 as the body responsible for forensic, medical and forensic laboratory services.
- **Human Rights Ombudsman:** since 1996, it is an independent and autonomous body that oversees State institutions in relation to respect for human rights.

Principal Actors



Sources: Constitution. *Ley de la Policía Nacional* (Nº 228 – 08/28/1996). *Ley de reforma y adición a la Ley 290 de organización, competencia y procedimientos del Poder Ejecutivo* (Nº 612 – 07/17/2012). *Decreto que crea la Comisión nacional multidisciplinaria para el control de tráfico ilícito de armas pequeñas y ligeras* (Nº 111 – 10/11/2004). *Ley de prevención, investigación y persecución del crimen organizado y de la administración de bienes incautados, decomisados y abandonados* (Ley Nº 735 – 10/19/2010). Decree that reforms decree Nº 83-2004 creating the National Commission for Citizen Coexistence and Security. Websites of the institutions mentioned.

Policy Guidelines

In 2010 the National Assembly passed the **Democratic Security Law** which aims to “anticipate and respond comprehensively, systematically, efficiently and effectively, to risks and threats, regulating the activity of the State, society, institutions and authorities re-

sponsible”. The law specified that its provisions are an integral part of the national defense and security policy.

The spirit of the law is based on the need for inter-institutional coordination and in the following security definitions:

A Democratic Security that seeks to create a secure environment among other things through the elimination of poverty and extreme poverty, the promotion of sustainable human development, protection of the environment, eradication of violence, and the fight against corruption, impunity, terrorism, drug activity, organized crime, arms trafficking, and human smuggling and trafficking.

Human Security

As the situation and processes that seek to create a secure environment for people based on principles of economic, political, food, health, environmental, and community security.

Internal Security

As a condition that requires mechanisms to prevent and combat threats that are generated within the country and that threaten the lives and property of citizens and their enjoyment of liberties, rights and guarantees.

National Security

As a permanent condition of sovereignty, independence, territorial integrity, and peace and social justice aimed at preserving the integrity, stability and permanence of the State, its institutions, democratic order, the rule of law, the common good, and the protection of persons and their property.

The formation of a **National System of Democratic Security** is planted on the basis of these concepts. It includes the National Police, Army, Attorney General, Directorate of Immigration, Customs Services, the prison system, and specialized units in various institutions involved in the prosecution and investigation of money laundering, and organized crime and corruption.

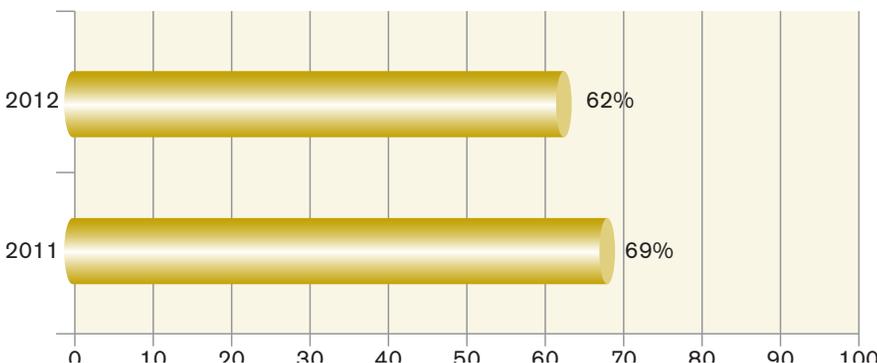
Policy and Actions against Human Trafficking

A **National Coalition against Human Trafficking** has existed since 2006, which brings together ministries, units of the judiciary and the Office of the Public Prosecutor, and social and religious organizations to coordinate activities, develop plans and identify and prosecute the perpetrators of this crime.

The National Police has a section devoted to the subject, which in

turn is related to the working table that functions within the Commission of Police Chiefs of Central America. From this section they observe that the cases investigated include both men and women, and that the purpose varies: traffickers recruit both for sexual and labor exploitation, organ removal, and even forced marriage.

% of Sentences in Cases Investigated



The country has gained international recognition for its work in the field, especially in the effective prosecution of cases. This can be seen in the high percentage of the cases that result in a sentence being imposed.

Article 182 of the Penal Code punishes the crime with sentences ranging from seven to ten years in prison. If the victim is a minor or a disabled person, or if it is the parents, guardians or “spiritual guides” that committed the crime, the penalty increases to twelve years.

Sources: *Ley de seguridad democrática de la República de Nicaragua* (N° 750 – 12/13/2010). Ministry of Interior, bulletins. National Coalition against Human Trafficking, *Acuerdo de Colaboración*, February 2004.

The Criminal Justice System

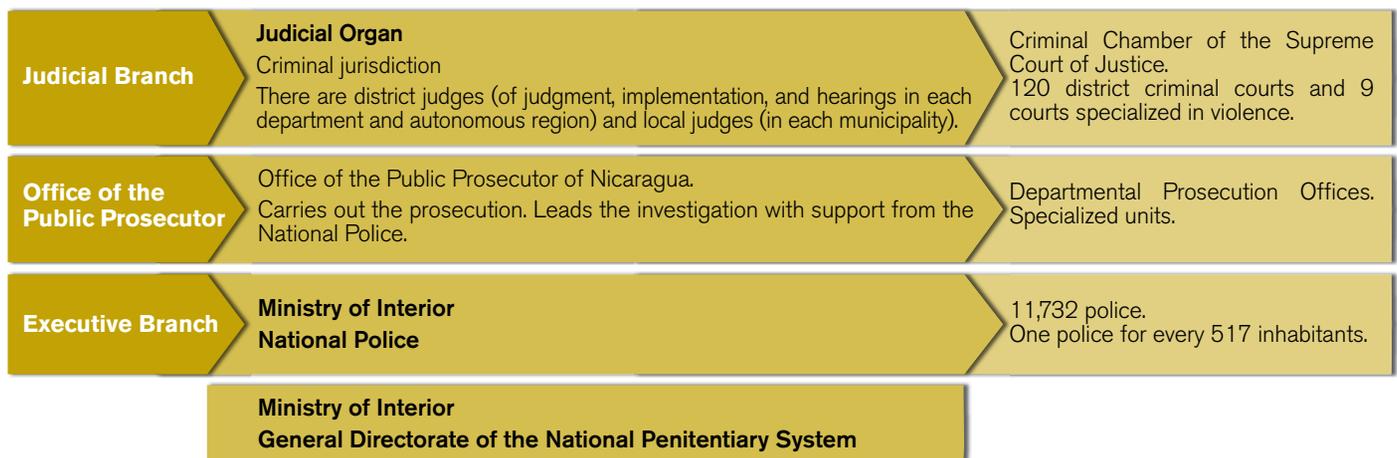
Criminal justice reform in Nicaragua occurred with the enactment of a new Criminal Procedure Code (Law N° 406 - 12/21/2001), which created and implemented the adversarial, oral, public and transparent system, which define and separate the functions of investigation, accusation and trial.

Prior to this reform, a Code of Criminal Instruction dating from 1879 was in place, a descendent of the French procedural system with Napoleonic character. It is currently only in effect for processes that began prior to the entrance into force of the

new Code of Criminal Procedure. An inquisitorial system governed under the Code in which investigation and prosecution were associated with the role of the judge.

The new system defines a preponderant role for the prosecutor, who coordinates and directs the criminal investigation and drives the accusatory actions. The National Police acts under the order of the Prosecutor, which can provide guidance. When deemed appropriate it may participate in the development of research and securing evidence.

The State and Criminal Cases



The Office of the Public Prosecutor of Nicaragua was created through Law No 346 (October 17th, 2000) as an independent institution with functional, organizational and administrative autonomy. It is responsible for prosecutions and representing the interests of society and victims of crime in criminal proceedings. It was created before the reforms to the procedure code of 2001; this reform increased the role of the prosecutor in the process. It has specialized units. In addition to those dedicated to the environment, real estate, appeals, and offenses against intellectual property, the following stand out:

Anti-corruption and Organized Crime

Created in 2007 through the merging of previous units dedicated to the area. Formed by 7 Specialized Prosecutors and 15 Auxiliary Prosecutors distributed across the country.

Youth and Adolescents

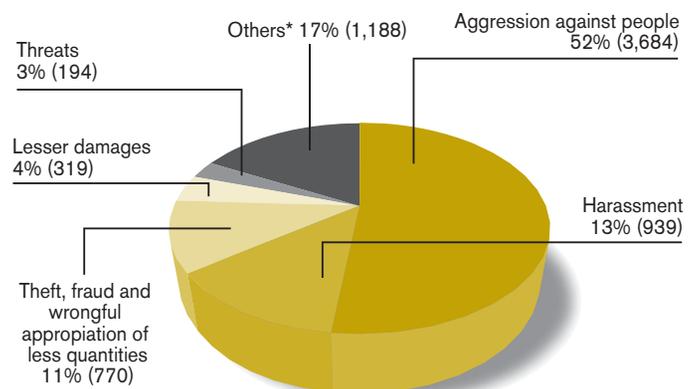
Created in 2006, it exercises criminal prosecution for crimes committed by adolescents. Formed by 7 Specialized Prosecutors and 15 Auxiliary Prosecutors.

Gender Violence

Created in 2006, it is formed by 4 Specialized Prosecutors and 15 Auxiliary Prosecutors distributed across the country.

An **Office of Victim Attention** was created in 2007 to provide comprehensive and urgent assistance to victims of crime.

Criminal Mediation Cases according to Crime, first semester 2013



*Others: threats, insults, actual bodily harm, wrongful appropriation, threats with a weapon, disorderly conduct, theft, possession of drugs, reckless injury, property break-ins, fraud, disobedience or defiance of authority, grievous bodily harm, minor fraud.

Mediation in criminal conflicts

Within the Supreme Court there is a **Directorate for Alternative Dispute Resolution** which was created to facilitate the resolution of property, civil, family, commercial, and criminal disputes. It was launched with support from the Inter-American Development Bank and its activity is increasing, including in criminal cases. It works closely with the police in these cases, to which it provides training in mediation.

Sources: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Technical Office for Monitoring the Juvenile Criminal Justice System, *Informe Anual 2012 and Justicia Penal Especial del Adolescente; Sistema Penal de Adolescentes, Seguimiento Técnico a los y las Adolescentes Responsabilizados Penalmente en ejecución y control de Medidas y Sanciones. Desde el año 2005 al 31 de Marzo de 2013* (2013). *Código de la Niñez y la Adolescencia* (N° 287- 03/24/1998).

Juvenile Criminal Justice

The **Technical Office for Monitoring the Juvenile Criminal Justice System** was created in September 2001 by the Criminal Chamber of the Supreme Court of Justice as a subsidiary body. Its main objective is to ensure the access of children and adolescents to justice in accordance with the Children and Adolescents Code (N° 287- 03/24/1998). It has **Specialized Interdisciplinary Teams** that perform psycho-social tests on adolescents who are

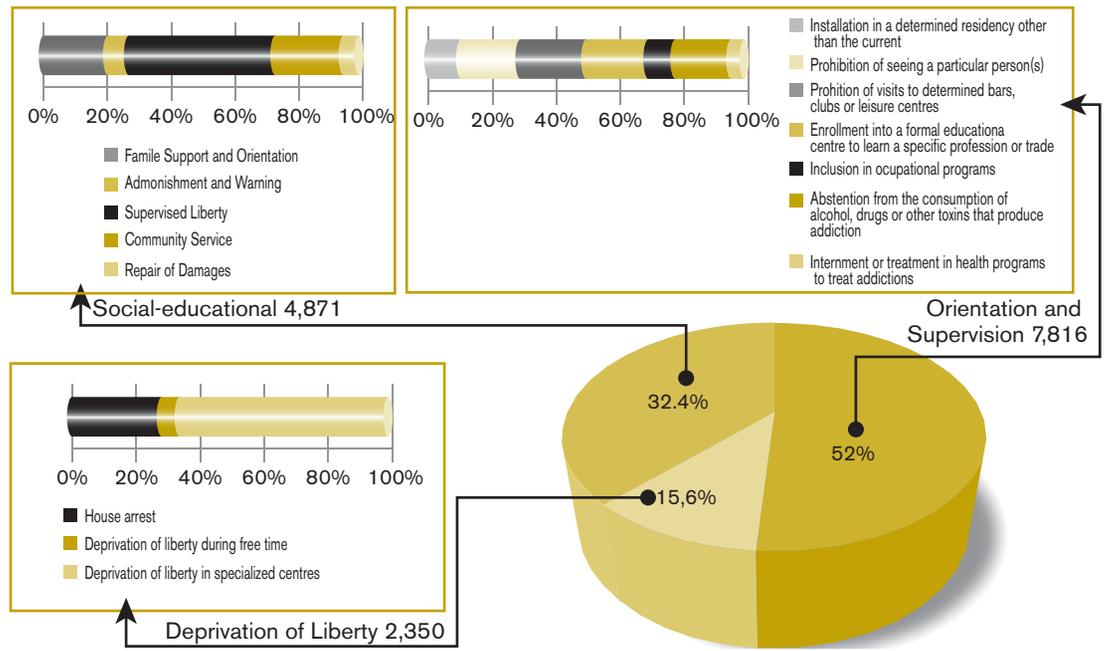
presumed to have broken the law, and **Implementation and Surveillance Offices for Juvenile Criminal Sanctions**, whose role is to provide technical assistance for the implementation and application of custodial and non-custodial sentences.

Special Juvenile Criminal Justice Code (Law 287-1998)

The *Children and Adolescents Code* creates **district juvenile criminal courts**, responsible for administering justice in the case of criminal acts committed by adolescents aged between 13 and 18 years of age.

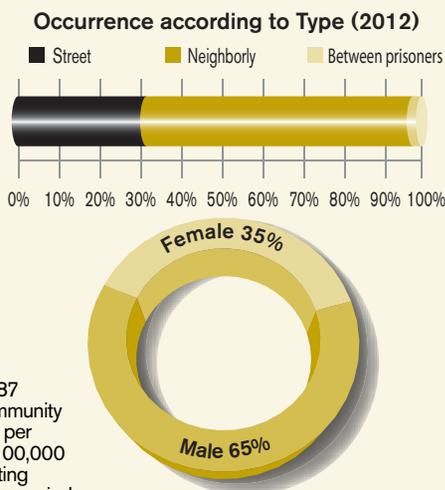
In some cases, in addition to the measures imposed by the judges, adolescents are ordered to take physical, psychological and social tests. Of the 1,110 adolescents who were treated in 2012, 36.6% had not completed primary school, while 34.4% had not finished high school. 77.4% lived in urban areas, 71% used drugs, and 72.7 reported absence of a father, mother or both.

Measure or sanction implemented within the Criminal Sanctions and Monitoring of Adolescents System (Jan 2005 – March 2013):



Community Violence

The Institute of Legal Medicine has defined and collects statistics for what they call community violence. It is classified according to (1) street, (2) neighborly, and (3) that between prisoners.



In 2012, there were 24,087 clinical reports due to community violence, equivalent to 66 per day, at a rate of 397 per 100,000 inhabitants, and representing 37.4% of all clinical reports carried out in 2012.

Circumstance	Number of Clinical Reports	
	2012	%
Aggression	20,643	85.6%
Brawl	1,530	6.3
Assault with intent to steal	1,442	6
Legal retention	117	0.5
Political activity	105	0.4
Mass brawl	87	0.4
Social activity	46	0.2
Self-harm	14	0.1
Student activity	6	0
Human trafficking	1	0
N/A / No data	115	0.5

Sources: Supreme Court of Justice, Institute of Legal Medicine, *Anuario 2012*. Technical Office for Monitoring the Juvenile Criminal Justice System, *Informe Anual 2012 and Justicia Penal Especial del Adolescente; Sistema Penal de Adolescentes, Seguimiento Técnico a los y las Adolescentes Responsabilizados Penalmente en ejecución y control de Medidas y Sanciones. Desde el año 2005 al 31 de Marzo de 2013* (2013). *Código de la Niñez y la Adolescencia* (N° 287- 03/24/1998).

The Legal Framework

- Frente Sandinista de Liberación Nacional (FSLN).
- Liberal Constitucionalista (PLC).
- Partido Liberal Independiente (PLI).
- Partido Alianza Liberal Nicaragüense (ALN).
- Unión Nacional Opositora (UNO).
- Partido Conservador de Nicaragua (PCN).
- Others

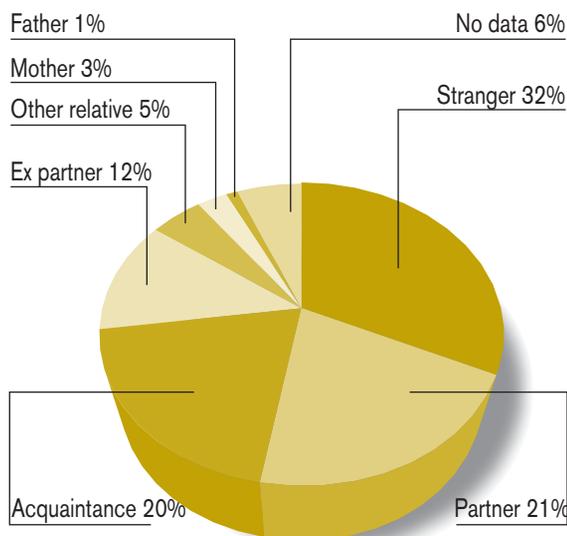
Composition of the Assembly	Laws	President, period and government party
	April 1990 – January 1997 - Code of Organization, Jurisdiction and Military Social Benefits (N° 181 – 08/23/1994) - National Police Law (N° 228 - 08/28/1996). - Human Rights Ombudsman Law (N° 212 – 01/10/1996)	Violeta Barrios de Chamorro (April 1990 – January 1997) UNO
	January 1997 – January 2002 - Children and Adolescents Code (N° 287- 05/27/1998). - Organization, Competencies and Procedures of the Executive Branch Law (N° 290 – 06/03/1998). - Organic Law of the Judicial Branch (N° 260 - 07/23/1998). - Law Prohibiting Anti-personnel Landmines (N° 321 – 01/12/2000). - Law establishing the National System for Addressing, Preventing and Mitigating Disasters (N° 337 – 04/07/2000). - Organic Law of the Office of the Public Prosecutor (N° 346 – 10/17/2000). - Criminal Procedure Code (N° 406 – 12/21/2001).	Arnoldo Alemán (January 1997 – January 2002) ALN
	January 2002 – January 2007 - Law for the Regime of Vehicle Movement and Traffic Violations (N° 431 - 01/22/2003). - Penitentiary Regime Law (N° 473 - 11/21/2003). - Special Law for the Control and Regulation of Firearms, Ammunitions, Explosives and other Related Materials (N° 510 -02/25/2005).	Enrique Bolaños (January 2002 – January 2007) PLC
	January 2007 – January 2012 - Law for Reforms and Additions to Law N° 290, Organization, Competencies and Procedures of the Executive Branch Law (N° 612, 01/29/2007). - Penal Code (N° 641 – 12/03/2007) - Law for the Prevention, Investigation and Prosecution of Organized Crime (N° 735 - 10/19/2010). - National Defense Law (N° 748 – 12/22/2010). - Law of the Legal Border Regime (N° 749 – 12/22/2010). - Democratic Security Law (N° 750 – 12/23/2010). - General Law of Migration and Foreign Persons (N° 761 - 07/06/2011).	Daniel Ortega Saavedra (January 2007 – January 2012) FSLN
	January 2012 – September 2013 - Comprehensive Law against Violence against Women (N° 779 - 02/22/2012). - Law establishing the Financial Analysis Unit (N° 793 – 06/22/2012).	Daniel Ortega Saavedra (January 2012 – January 2017) FSLN

Law on Violence against Women

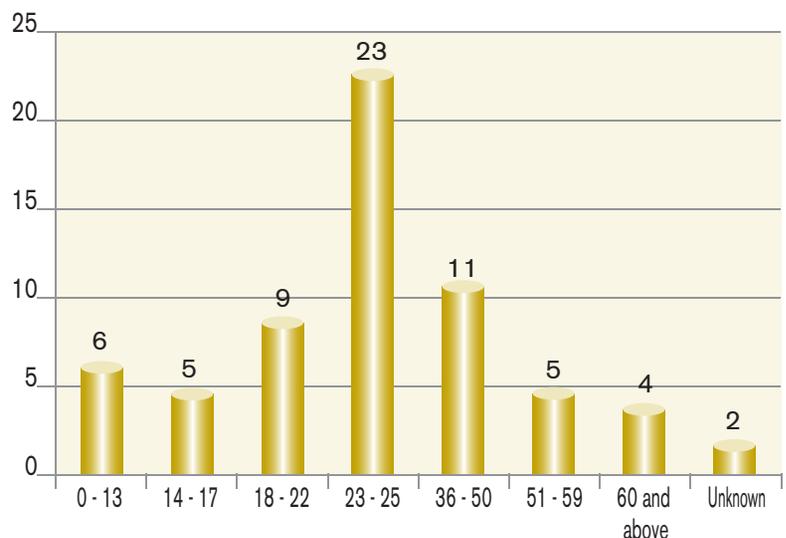
Since 2012 Nicaragua has a specific legal framework covering **violence against women**. The Law on Violence against Women (N° 779 - 02/22/2012) typifies, among others, femicide and physical, economical and property violence.

Total Femicides 2012: 65

Femicides, according to aggressor - 2012



Femicides, according to age - 2012



Sources: National Assembly of Nicaragua. *Ley integral contra la violencia hacia las mujeres* (N° 779 - 02/22/2012). *Ley creadora de la Unidad de Análisis Financiero* (N° 793 06/22/2012). *Ley de prevención, investigación y persecución del crimen organizado* (N° 735 - 10/19/2010). Ministry of Interior, press releases.

The Security Budget

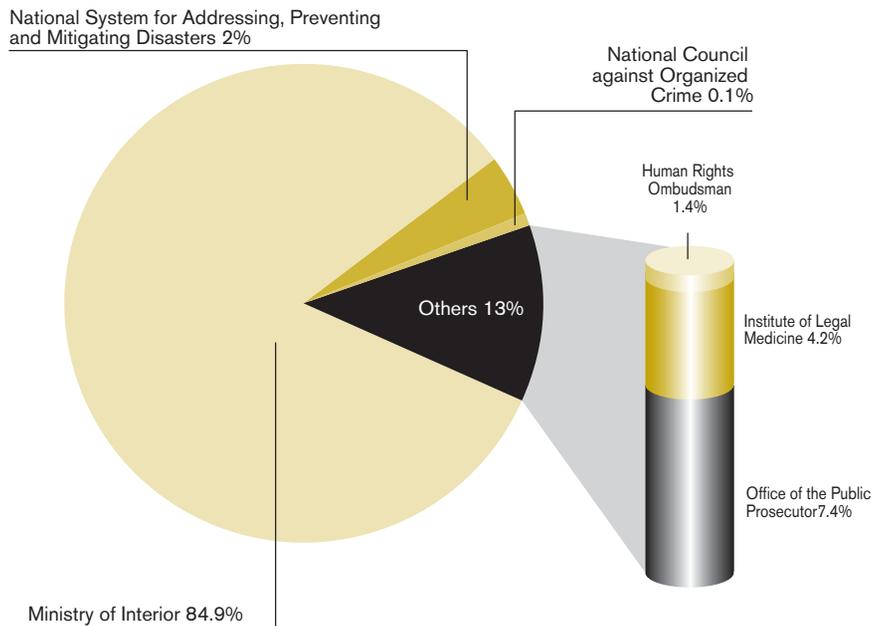
The sum of the items in the state budget for security programs in 2013 reached one hundred and seven million dollars, which represents 1% of the country's gross domestic product.

The Nicaraguan budget presents in its functional classification the objective of "defense and public order", which incorporates the entire resources of the Ministry of Defense and the administration of justice in general in addition to specific security resources.

The largest portion of the budget falls institutionally within the Ministry of Interior, which accounts for 85% of total resources, with the majority assigned to the National Police. Other items related to the crime problematic, such as resources assigned to the defense sector for activities in support of domestic order, are not discernible from the current levels of public budget disaggregation.

SECURITY BUDGET, 2013 (in current US\$)

Ministry of Interior		%
National Police	68,505,135	63.6
Penitentiary System	10,995,196	10.2
Migration	5,240,231	4.9
Fire Service	2,740,017	2.6
Others	3,871,582	3.6
Office of the Public Prosecutor		
	8,003,963	7.4
Supreme Court of Justice		
Institute of Legal Medicine	4,514,732	4.2
National System for Addressing, Preventing and Mitigating Disasters		
	2,168,985	2
Human Rights Ombudsman		
	1,536,838	1.4
National Council against Organized Crime		
	108,451	0.1
TOTAL SECURITY BUDGET (2013)*		
	US\$107,685,131	



In current US\$ at the exchange rate of 24.73 Cordobas per dollar, in accordance with the World Economic Outlook Database, IMF, 2013.

The 2013 security budget is equivalent to 1% of GDP or 5.6% of the overall State budget.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$1,576,399,704**

On average, each economically active member of the population (EAP) contributes **497** dollars each year

139 dollars of this total is assigned to **Education**

110 dollars of this total is assigned to **Health**

34 dollars of this total is assigned to **Security**

22 dollars is assigned to the **National Police**

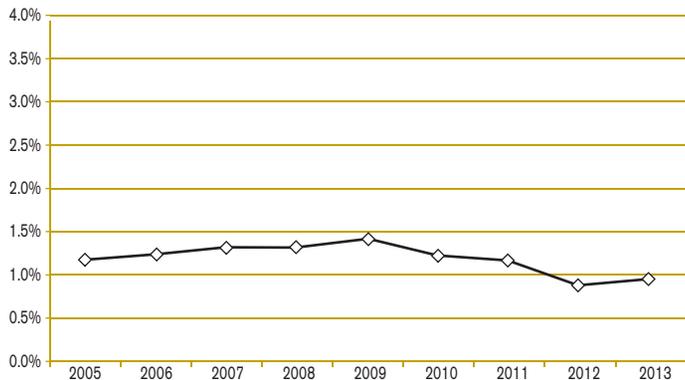
Sources: Ley anual de presupuesto general de la República 2013. GDP and exchange rate: IMF, World Economic Outlook Database. EAP: Nicaragua en cifras, 2012, Central Bank of Nicaragua. Tax Revenue: Informe de la liquidación del presupuesto general de la República 2012, Ministry of Finance and Public Credit. All figures are stated in current US dollars.

Evolution of the Security Budget

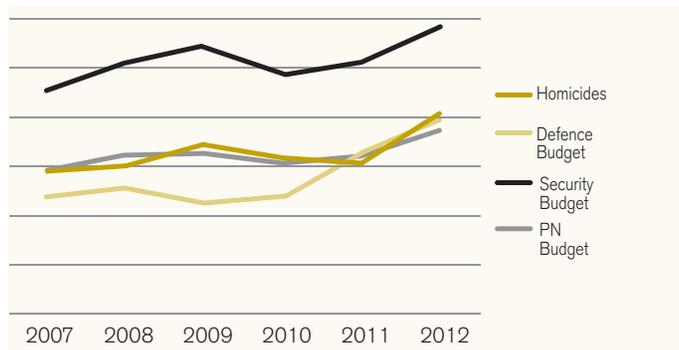
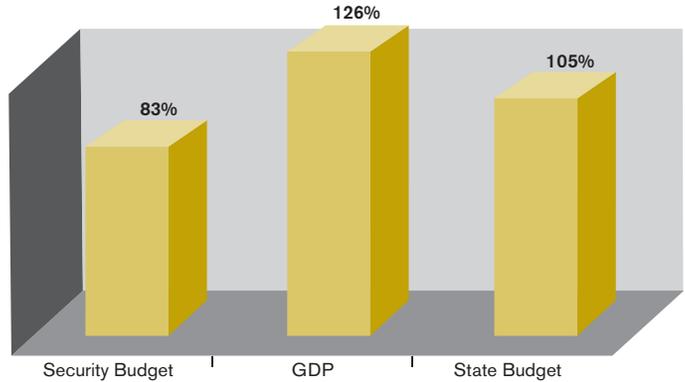
The relationship between the security budget and GDP displays a stable relationship, representing an average of 1.2% between 2005 and 2013, although there has been a decline in recent years in the proportion of GDP assigned to the area. In absolute terms the amount increased, but the security budget grew at a lesser rate than the growth in entire State resources (and,

significantly, less than the increase in the area of defense). The growth in the security budget is mainly reflected in the increased amount of resources allocated to the National Police: in the past eight years it grew by 64%, far more than other institutions in the area, such as the Office of the Public Prosecutor or the Human Rights Ombudsman.

Security Budget as a Percentage of GDP, 2005 – 2013

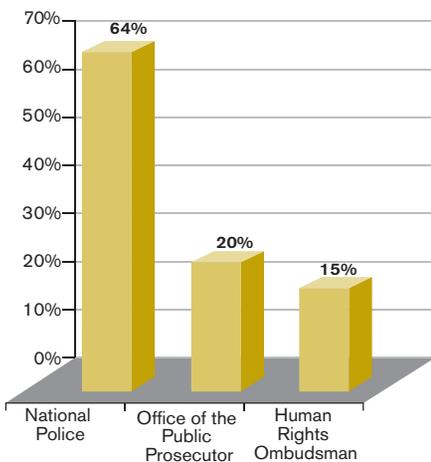


Comparative Growth (2005 – 2013, in current US\$)

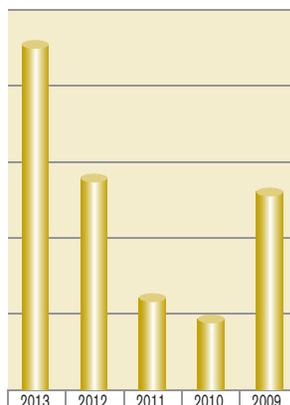


Year	Homicides	Defence Budget	Security Budget	Police Budget
2007	486	39,336,274	75,126,213	47,562,379
2008	512	42,191,833	84,394,423	52,978,971
2009	564	37,293,776	89,786,377	54,436,204
2010	526	39,644,293	81,058,113	51,707,043
2011	512	53,774,224	84,567,534	52,768,422
2012	673	65,756,103	96,099,848	61,717,197

Variation in the Budget Assignment, 2005-2013 (%)



Growth in the Budget of the Institute of Legal Medicine

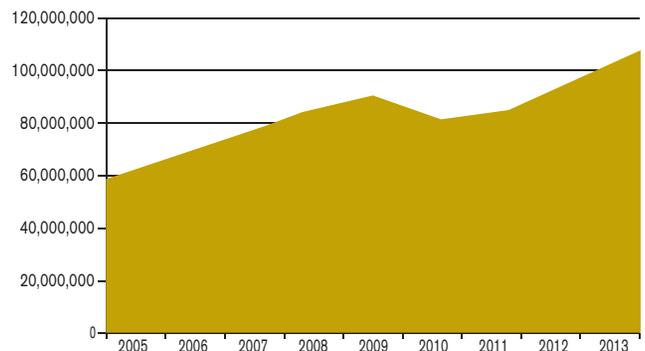


10,404 military personnel



11,732 police personnel

Security Budget (current US\$), 2005 – 2013



Sources: Ley anual de presupuesto general de la República from 2005 to 2013. The Institute of Legal Medicine is not considered between the years 2005 and 2008 due to not presenting discriminated information within the budget. GDP and exchange rate: IMF, World Economic Outlook Database, for each year considered. Homicides and police personnel: National Police, Anuario Estadístico, 2011. Military Personnel: Comparative Atlas of Defence in Latin America and Caribbean. 2012 edition, RESDAL. All figures are stated in current US dollars.

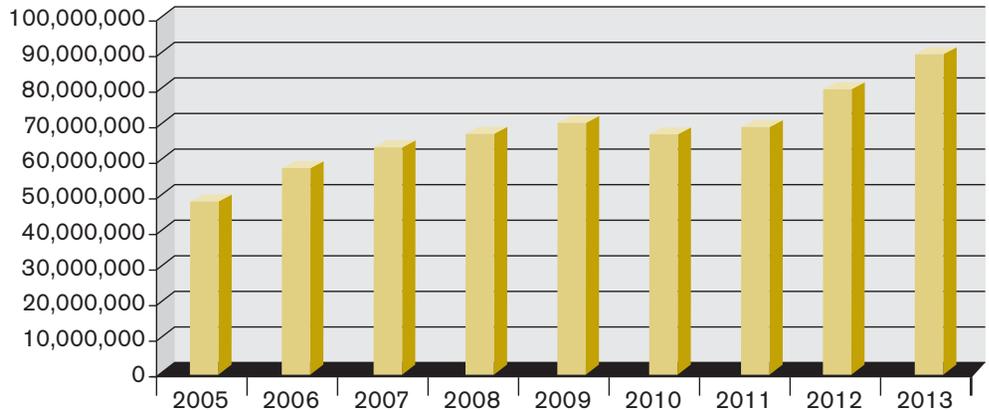
Budget Assignments within the Ministry of Interior

The Ministry of Interior, as well as addressing the issue of public security, carries out policies and activities relating to departmental governments. However, these represent a small proportion of the resources available to it, with 75% of total resources corresponding to the National Police.

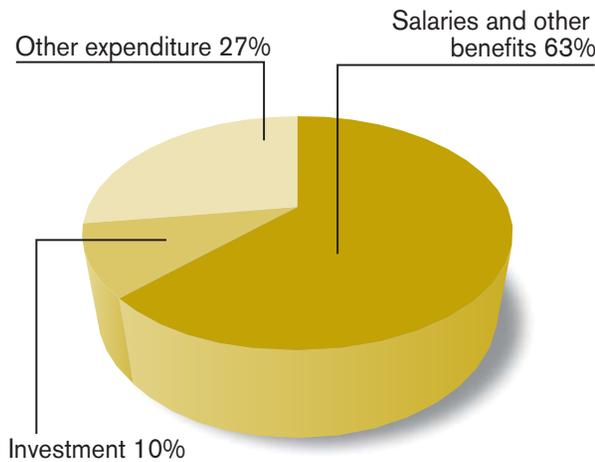
On average, 75% of the Ministry's budget corresponds to the National Police.

Investment capacity is repeatedly relegated when budget cuts are produced. However, with the growth of the past two years, the resources destined to capital expenditure in 2013 increased, reaching 10% in 2013 if the distribution of the National Police's budget is analyzed. The growth in resources allocated to the prison system also stands out.

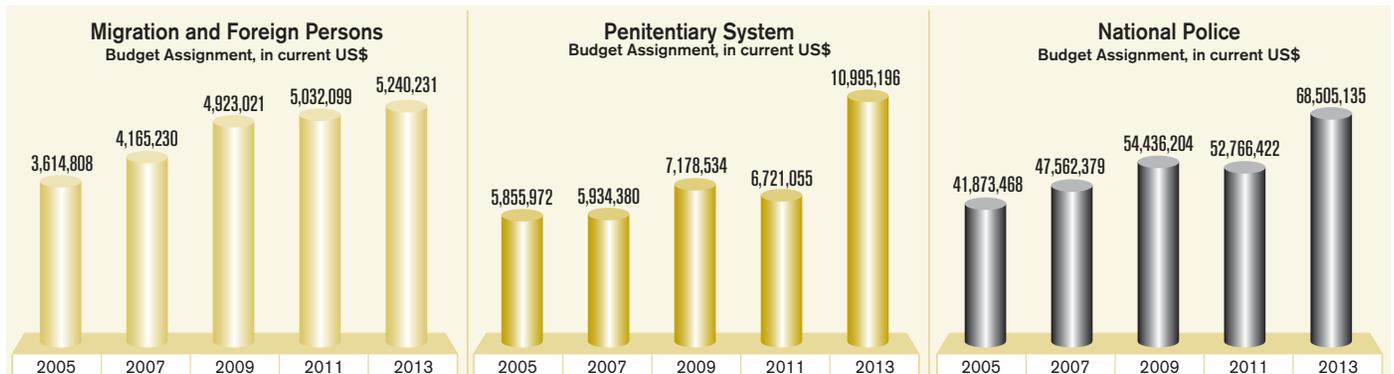
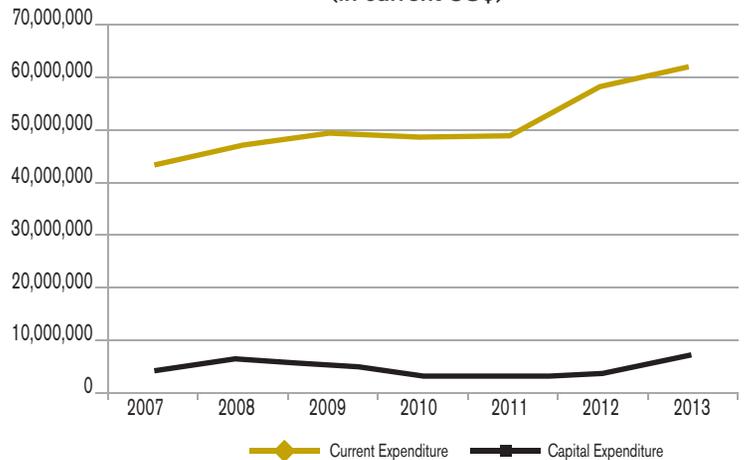
Evolution of the Budget Assigned to the Ministry (in current US\$)



Distribution of the Police Budget, 2013



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



Sources: Ley anual de presupuesto general de la República from 2007 to 2013. The value of the dollar taken corresponds to the exchange rate according to the World Economic Outlook Database, IMF, for each year considered. All figures are stated in current US dollars

The Ministry of Interior

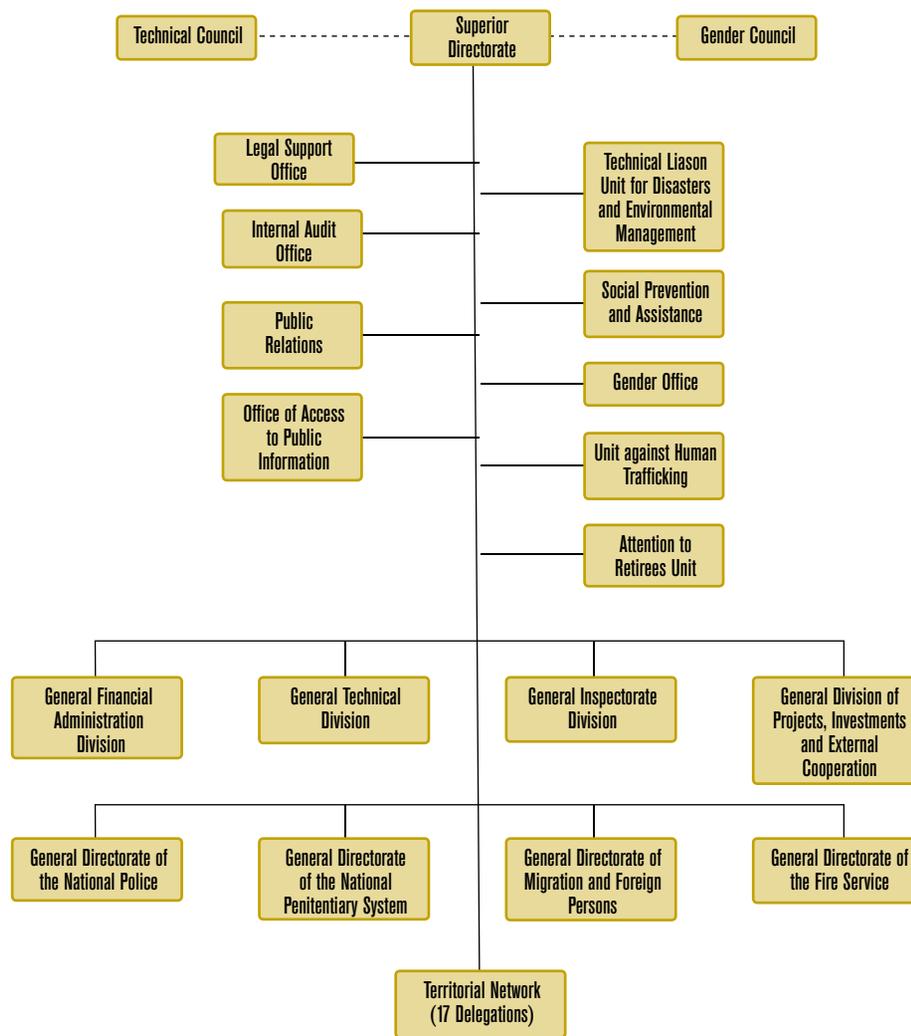
The Ministry of Interior is the organ of the Executive power whose mission is the development and implementation of public policy, both in terms of public order, public security and crime prevention, and in relation to migration, human rights, prevention, care and attention to people and their property in the case of

natural or human disasters.

It coordinates the Directorate of Migration and Foreign Persons, as well as the Directorate of the Fire Service, and is responsible for the National Penitentiary System and the National Police.

The Ministry has 17 territorial delegations, one for each of the country's administrative divisions, in order to coordinate its actions across the territory.

National Council Against Organized Crime
 In terms of legislation, Nicaragua has developed laws unique in the region in relation to organized crime. The law for the prevention, investigation and prosecution of organized crime, enacted in 2010, created a **National Council against Organized Crime**, which by 2013 has formed fourteen Councils in various parts of the country. It is chaired by the Ministry of Interior and also conducts prevention activities. It is comprised of more than ten institutions, including the Office of the Public Prosecutor, Ministry of Education, National Assembly, National Police, Supreme Court of Justice and the Army of Nicaragua. In 2012, this legislative framework was completed with the creation of the **Financial Analysis Unit**, an organization whose function is specifically directed towards money laundering.



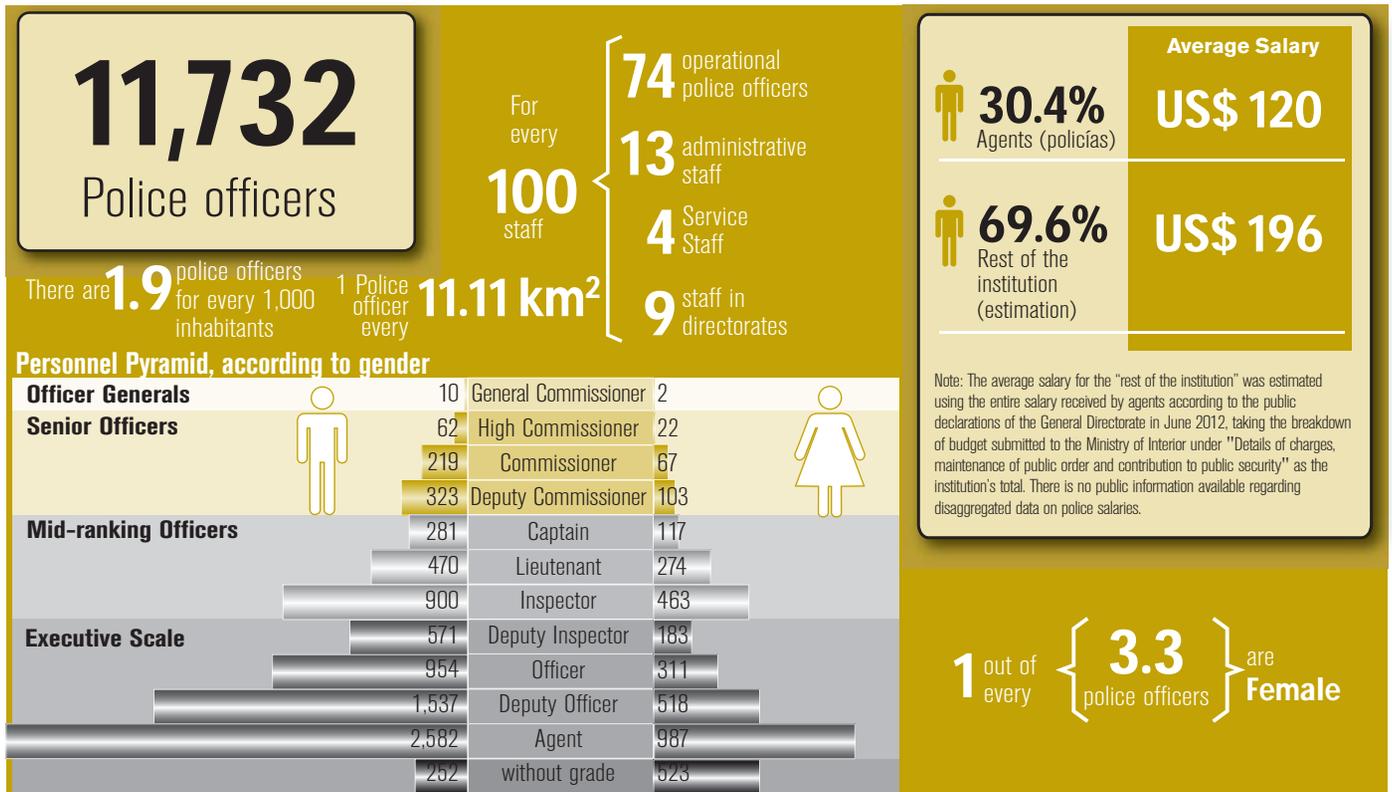
Sources: Ministry of Interior. *Ley de prevención, investigación y persecución del crimen organizado* (N° 735 - 10/19/2010). *Ley creadora de la Unidad de Análisis Financiero* (N°793 06-22-2012).

National Police: 34 Years as the Country's Sole Police Force

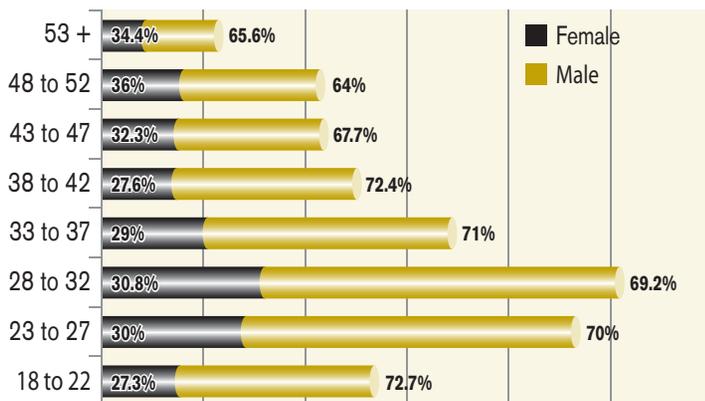
Prior to the fall of Somoza's dictatorship in 1979, the National Guard received military training and held the functions of both national security and internal order. Their dissolution following the Revolución Sandinista was accompanied by the creation of the Sandinista Police, which initially received support from the Panamanian government. Given the domestic context, which prioritized national defense against the Contras, operational and administrative forces were established to support the troops of the Interior Ministry, but during a period of transition from 1990 to 1992, the institution assumed the official name of the National Police, its uniform was changed and its functions defined.

This was followed by a period of institutional strengthening, and the 1996 Law of the National Police confirmed the National Police's status as the country's sole police body. The years passed, the sole exercise of police functions, and the territorial-community form of police work exercised since its creation have surely collaborated in the strengthening of this police force.

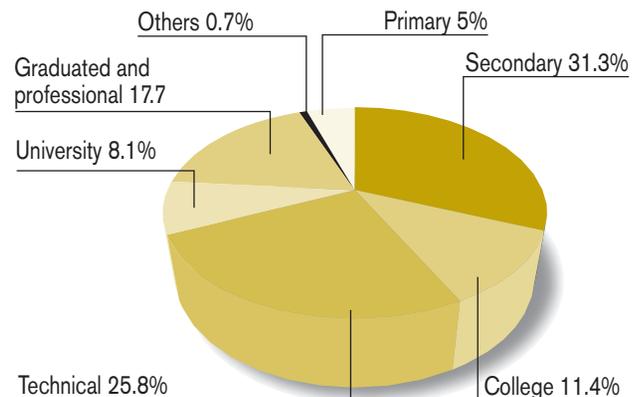
The institution has received the assistance of the international community in order to develop and modernize its capabilities to meet the challenges of citizen security and to further develop its community policing model.



Police personnel according to age and gender, 2011



Police personnel according to level of education, 2011



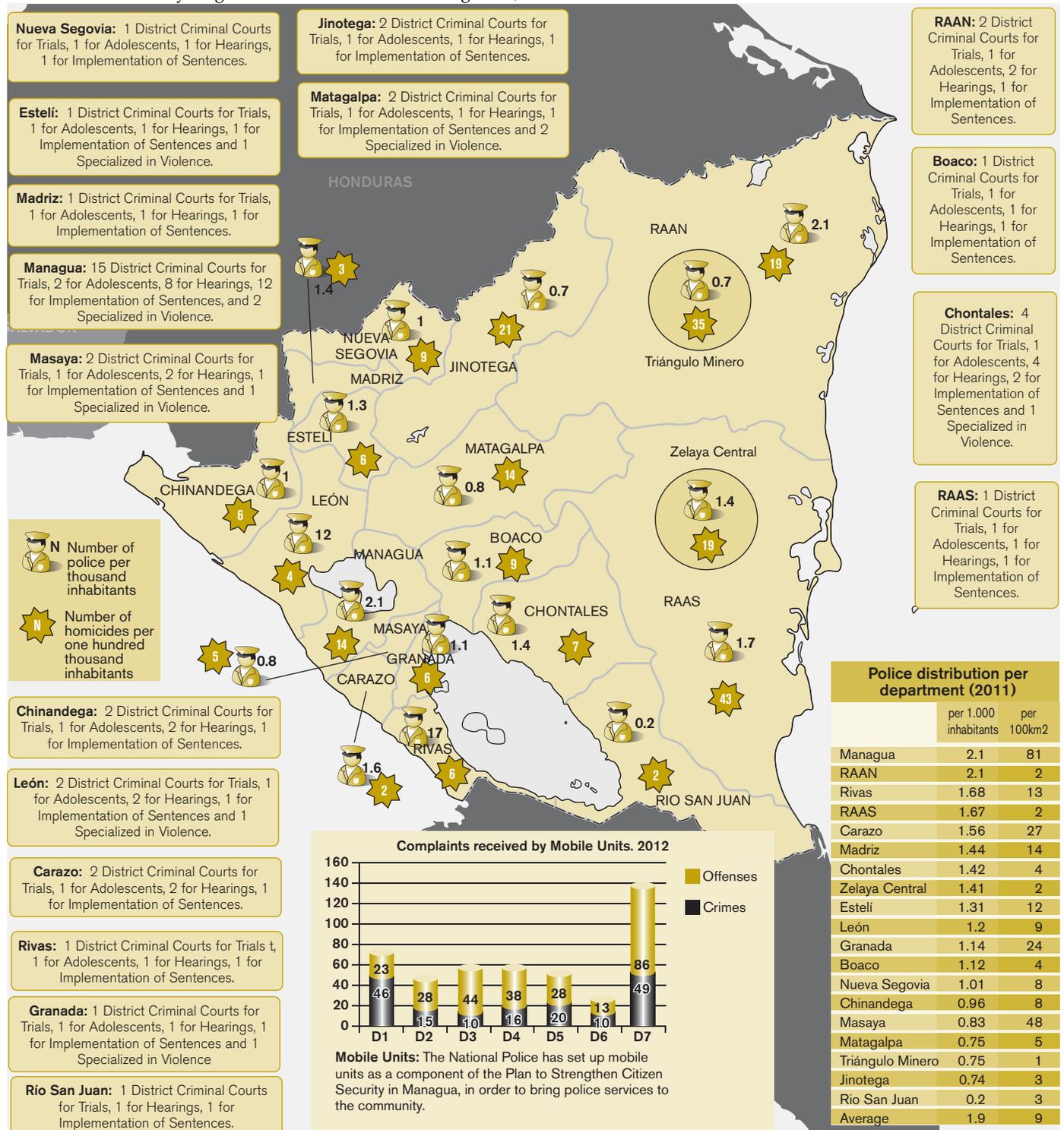
Sources: National Police, Anuario Estadístico 2011. Ley anual de presupuesto general de la República 2013.

The Density of the State: Public Security Across the Territory

The largest concentration of police is found in Managua, where 26% of the entire police force is located, thus responding both to the high population density and to its relatively high incidence of homicides and other crimes. The autonomous regions of RAAN and RAAS, which record some of the country's highest homicide and crime rates in general,

also maintain a significant police presence in terms of their population size, with 2.1 and 1.7 police officers per 1000 inhabitants respectively.

The Judicial Branch, for its part, establishes criminal courts in all districts, with Managua again having the greatest concentration.



Sources: National Police, *Anuario Estadístico 2011* and *Visión Policial, revista de la Policía Nacional*, Year XIII N° 100 (January 2013). Judiciary, District Courts.

Organization of the National Police

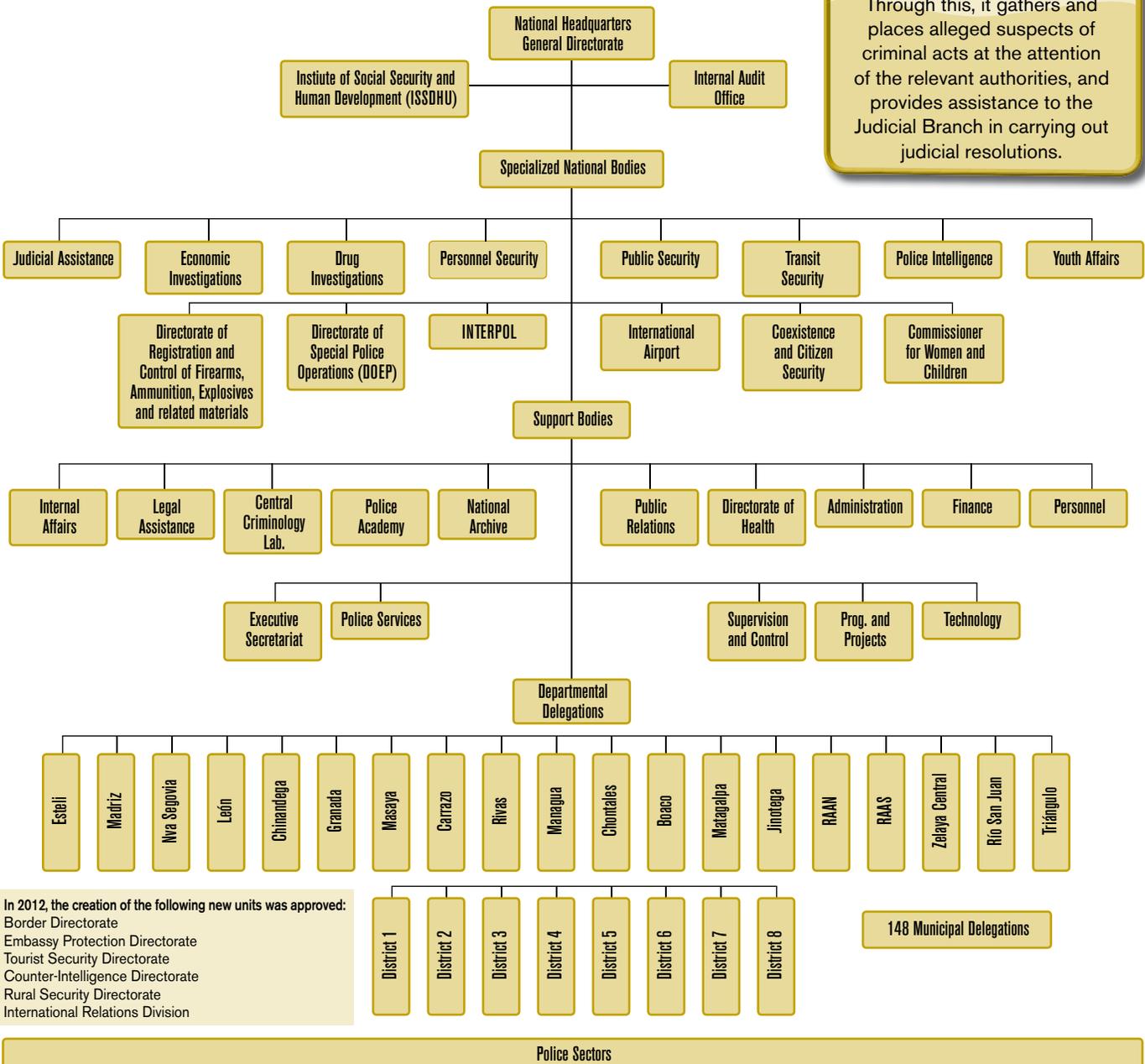
The National Police of Nicaragua is the institution that exercises all police activity in the country, and has as its fundamental mission the prevention and prosecution of crime, the provision of public security, protection of the free exercise of the rights and freedoms of

citizens, the preservation of public order, and ensuring the respect for, and preservation of, the property owned by the State of Nicaragua and its citizens, in addition to providing necessary assistance to the Judiciary and other authorities as required by Law.

Since its creation, there have been 8 General Directors of Police, with an average duration of 4.2 years. Since 2006, a woman - the First Commissioner Aminta Granera Sacasa - has held the position of General Director of the National Police of Nicaragua.

Judicial Assistance Directorate:
It is the office responsible for investigating and documenting crime reports, which it presents to the Office of the Public Prosecutor for their processing. Through this, it gathers and places alleged suspects of criminal acts at the attention of the relevant authorities, and provides assistance to the Judicial Branch in carrying out judicial resolutions.

National Police Organization Chart



In 2012, the creation of the following new units was approved:
 Border Directorate
 Embassy Protection Directorate
 Tourist Security Directorate
 Counter-Intelligence Directorate
 Rural Security Directorate
 International Relations Division

Source: National Police, website, *Sistematización del modelo policial comunitario proactivo de Nicaragua*, 2011 and *Memoria 1979-2009*.

Preventive, Proactive Community Police Model

The Nicaraguan police model is defined as a community model on the basis of police presence within the community, and as proactive due to its focus on anticipated monitoring of police competences. During the last decade it has further developed its organizational structure, territorial extension, and the definition of police functions, placing emphasis upon the identification of good police practice.

Police - Community Relations

1979

Police link themselves with the Sandinista Defense Committees (CDS, support to public order forces)
Principal actors: heads of sectors and voluntary police.

The role of the **head of sector** has developed since assigning them to police units that have a specific territorial demarcation.

1996

The experience and work of the voluntary police and their contribution to citizen security and its community focus is recognized, establishing it as an auxiliary force to the National Police.

Voluntary Police: It is an auxiliary body supporting the National Police, which has an organic structure subordinated to police delegations. The service is voluntary, temporary, and without pay. Their functions are principally based around support, prevention, surveillance, public security and transit. They are subject to the police disciplinary regime.
2012: 2,594 members

1998

A modernization program is initiated, developing the community policing model.

It also received support from the Swedish Agency for International Development Cooperation (SIDA) to carry out an institutional diagnosis and, later (from 2006), to support a program for modernizing the education and training system. The budget for the latter program included US\$ 17,500,000 from Sweden and an additional US\$2 million contributed by Norway, executed through SIDA.

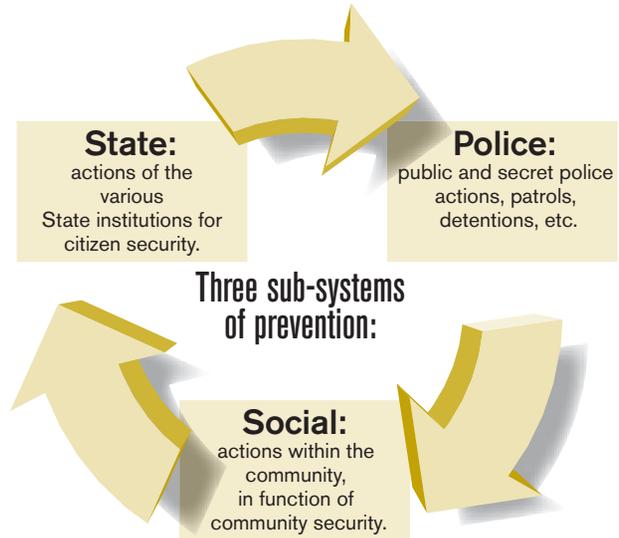
2007-2013

Social Prevention of Crime Commissions
Cabinets of Citizen Power
Student Transit Regulation Brigades (BRET)

40,000 people organized
143 Cabinets
461 Brigades with 7,869 members

As of February 2012, the National Police estimate the existence of
42 Gangs
765 Members

The Center was inaugurated in 2011.
It has 28 teachers: professors from different disciplines who are specially trained by the Ministry of Education to work with young people with behavioral problems. Specialized formal education is provided, and students attend Monday through Friday between the hours of 8am - 4pm.
210 youth entered the program in 2013
180 graduated in 2012.



Pillars of the Model

- **Police Academy: Total School.** Training of personnel, of teachers and monitoring of the system.
- **Directorate of Public Security:** relation with the community. Organization of the work of the police heads of sectors and voluntary sectors
- **Specialized Police Stations for Women and Children:** comprehensive attention specialized in intra-family and sexual violence.
- **Directorate of Youth Affairs:** attention to youth violence.

Youth and the Directorate of Youth Affairs

The **Directorate of Youth Affairs** is a specialized body responsible for the National Police's prevention policy for youth and adolescents. It provides attention to at-risk youth, those with established links with gangs, and those who have already spent time incarcerated. It uses a methodology based on coordinated work between the National Police located in local districts, civil society and the community, seeking to strengthen the police – youth – community relationship through involvement in leisure and educational activities.

The National Police's **Center of Youth Training and Development** operates under the direction of the Directorate of Youth Affairs. It is part of the model of attention to at-risk youth and those integrated into gangs, which seeks to break down stereotypes and negative values and cultivate new values in the individual to transform environments and "contribute to a socially valuable life".

Stages of the Model

- One year applying the Psycho-Social Intervention Plan in selected territories with specially-trained personnel to integrate the individual, their family, and their environment. During this stage the possible cases for entrance into the center are chosen.
- In the Center:
- Process of induction and school grading for 3 months.
 - Educational and trade classes over a 10 month period.
 - Internships in businesses.

Sources: National Police, *Sistematización del Modelo Policial Comunitario proactivo de Nicaragua*, 2011. *Visión Policial*, revista de la Policía Nacional, Year XIV N° 104 (May 2013). *Ley de la Policía Nacional* (N° 228 - 08/28/1996). National Police, Directorate of Youth Affairs, *Modelo policía comunitaria: un modelo de responsabilidad compartida*, 27-02-2012 (gangs).

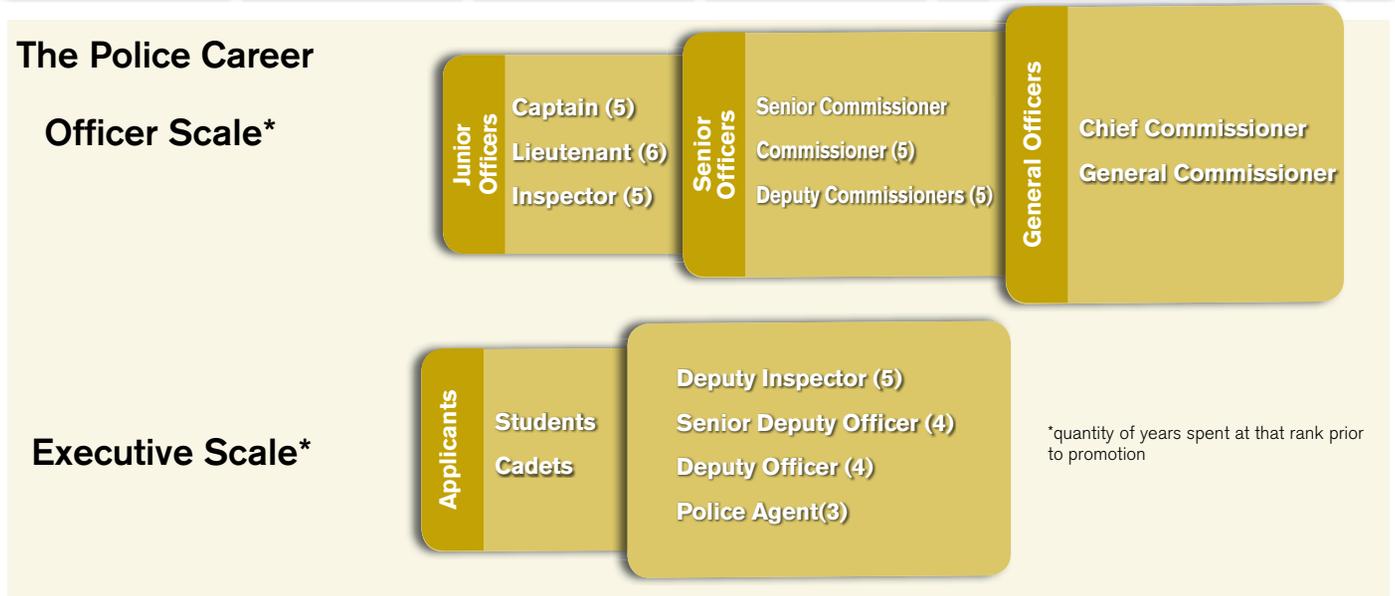
The Police Framework

The mission of the National Police is to protect the lives, integrity and security of people and the free exercise of their rights and freedoms. Within this framework, their functions are the prosecution and prevention of crime and the maintenance of public order, to which surveillance of public buildings, environmental protection,

collaboration in civil defense work of the Army in the cases of catastrophes, transit controls, regulation of private security, and acting as judicial police are added. Furthermore, according to Article 92 of the Constitution, the police may make requests to the President of the Republic for the support of the Army in exceptional cases.

Legal Framework

Law N° 228 of the National Police. <i>Diario Oficial</i> 162, 08/28/1996	Decree 26-96 Regulations of the National Police and reforms. <i>Diario Oficial</i> 32 02/14/1997	Decree 27-96 Disciplinary Regulations of the National Police. <i>Diario Oficial</i> 33, 02/17/1997	Ministerial Agreement 69-2000 Ethical Regulations of the General Directorate of the National Police. 12/27/2000	Decree 47 Special Retirement Regulations for years of Service in the National Police. 08/16/2006.	Decree 51 Disciplinary Regulations of the National Police of Nicaragua. 12/21/2012.
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Specialized Police Stations for Women and Children

It is a specialized body of the National Police whose function is to provide special attention to victims of domestic and sexual violence, for which they have specially qualified personnel. They were created in 1993. Since 1996 the National Police expanded their coverage and scope and improved their statistical records. They have developed a diagnosis of domestic and sexual violence in 2008, and have their own Prevention Plan, which has been incorporated into the Annual Operational Plan of the Directorate from the same year.

Police personnel are accompanied by teams formed by psychol-

ogists, social workers, legal advisors and forensic doctors. In some places it has extended the opening hours of services and strategies have been designed to meet the needs of victims of gender violence. There have also been awareness campaigns, providing information on what to do and where to go.

These Specialized Police Stations coordinate with other institutions to provide attention and care to the problems, amongst them the Nicaraguan Institute of Women, the Supreme Court of Justice, the Health Ministry and the Human Rights Ombudsman.

There are 61 Specialized Police Station for Women and Children across the country.

During the first trimester of 2013, 6,706 cases have been received, of which 5,318 have been resolved.

To expand the attention to domestic violence, Mobile Units have been established. In 2012, 320 Mobile Units attended to 5,050 people.

Sources: Ley de la Policía Nacional (N° 228 - 08/28/1996). *Visión Policial*, revista de la Policía Nacional, Year XIV N° 104 (May 2013).

Training and Education

The National Police Academy adopts the Total School (Escuela Total) model, which is directed from the “Walter Mendoza” Police Academy (ACAPOL). It is established at the Institute of Superior Studies of the National Police, the governing body of the educational system. Its role is to organize, plan, direct, coordinate and supervise the professional training, education and development of aspiring and active service personnel. It is a strategic component of the proactive preventive community policing model. The basis of the Total School model is the concept of permanent and continuous education, throughout life, with a flexible curriculum and training of specific competences. It is a combination of the education provided by ACAPOL and that of the delegations, centering itself on practical education.

A dynamic pillar of learning is: learn by understanding, learn by doing, learn by debating skills and knowledge, and learn by arguing from a complex perspective.

The police education system consists of 3 subsystems:

Admission to the Academy is divided into two tiers. The first is the executive scale, open to citizens who have completed the third or sixth grade of primary education, depending whether the rank is that of deputy officer or police agent. The second scale is that of officers (admission requires secondary school graduation).

The Education Subsystem:

ACAPOL Academic Offer

Police Technician Course

Duration 1,538 hours.
Educational Title: Police Technician

Study Plan

1st term:

Police Legislation. Police Courtesy I. Physical Education I. Personal Defense I. Human Rights. Investigative Techniques. First Aid. Adaptation to the police unit (practice).

2nd term:

Police Courtesy II. Physical Education II. Personal Defense II. Information Technology. Introduction to the Study of Transit. Crime Scene Preservation. Basic Spanish. Swimming. Police History. Practical units in handling and controlling detainees.

3rd term:

Police Courtesy III. Physical Education III. Personal Defense III. Use and Handling of Firearms. Prevention and Human Security. Personal Relations and Leadership. Operational Psychology. Technical English. Study of Nicaraguan Culture. Practical units in Surveillance and Patrols.

Degree in Police Sciences

4 year duration,
Educational Title: degree in Police Sciences, Inspector.

Study Plan

1st semester:

Police Legislation. Police Courtesy. Police Investigation Techniques. Physical Education. Police Ethics and Doctrine. Personal Defense. Practical unit in Familiarization.

2nd semester:

Human Rights. First Aid. Constitutional Law. Mathematics. Language and Communication. Surveillance and Patrols. Practical units in Surveillance and Controls.

3rd semester:

Transit. Philosophy. Criminal Law I. Nicaraguan Geography. Sociology. Strategies of Community Police Relations. Practical units in public security.

4th semester:

Investigation of Traffic Accidents. Criminal Law II. Methodology of Scientific Investigation. Methodology of Gathering Evidence. Information Technology. Environmental Protection. Nicaraguan History. Practical units in Accidents Response.

5th semester:

Applied Psychology. Police Science Investigation. Statistics. English I. Swimming. Criminal Procedure Law I. Practical unit in Judicial Assistance.

6th semester:

Human Rights and Gender Equality. Methodology of Conflict Resolution. Tax Laws. English II. Administrative Law. Financial Accounting. Police Intelligence. Practical unit in Undercover Investigations.

7th semester:

English III. Investigation of Economic and Drug Crimes. International Public Law. Techniques for the Use and Handling of Firearms. Teaching for Continued Education. Administration I. Practical unit in Economic and Drug Crimes.

8th semester:

Administration II. Administration of Human Resources. Strategic Planning. Practical unit in Police Management.

Postgraduate degree in police administration

Masters in Police Management

Masters in Police Education

The Training Subsystem:

Specialized courses in different areas, such as: prevention, investigation, etc.

Continuous Training Subsystem:

Permanent training also in the delegations.

Degree in Police Sciences: February 2013: 165 students.
2012: 165 students entered (123 men and 42 women) 24 drop outs.
2011: 161 students (125 men and 36 women) 20 drop outs.
Retention rate of 80%

The Police Academy also organizes, directs and supervises the training of volunteer police and private security bodies in coordination with specialized courses in public security.

Sources: Police Academy, *Modelo Educativo Total*; Information provided by the Police Academy (ACAPOL).

The System of Police Discipline and Control

The **General Inspectorate of the Police** is the principal body for internal control and the Office of Internal Affairs is located within its dependency. The application of disciplinary regulations is the responsibility of the distinct levels of hierarchy, with the General Director having the highest powers of application.

External Control **General Comptroller of the Republic**

Internal Control

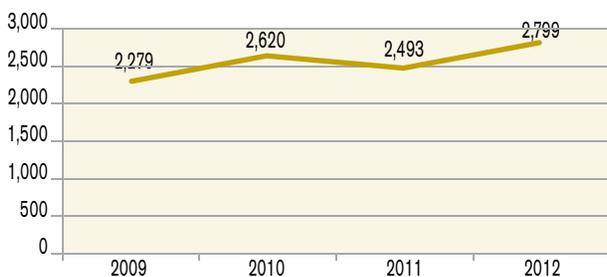
General Inspectorate: (part of the national headquarters): its functions include protecting the prestige of the institution and carrying out the necessary investigations in response to complaints by authorities or individuals in relation to police conduct or the violation of the rights and guarantees enshrined in the Constitution by its members.

Internal Audit Office: like other State institutions, the Police have an audit unit that regulates financial and economic administration in accordance with the provisions of the Law of the Comptroller General of the Republic.

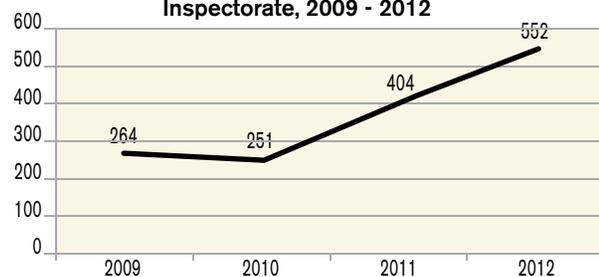
Internal Affairs of the National Police: it is the body that seeks to ensure the proper behavior of personnel. It is responsible for receiving complaints from citizens who feel aggrieved, for investigating them, making findings, and proposing disciplinary and administrative actions.

With support from the German cooperation agency– GTZ – the National Police has carried out a project focused on attention to, and prevention of, international corruption, within which a proposal for a new disciplinary regime has been made, and the infrastructure capacity of the General Inspectorate has been increased. The disciplinary regime was approved in December 2012, creating Honor and Discipline Committees to investigate and prosecute major offences. In cases where personnel are called to hearings before such Committees, the personnel investigated have the right to a defense lawyer, be it a police or civilian lawyer. The Regulations also created a Police Legal Defense Unit within the institution.

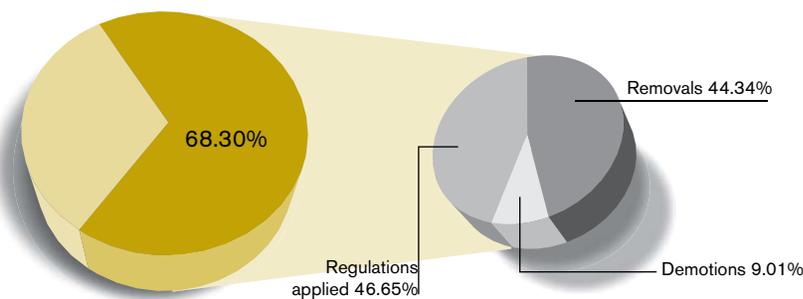
Complaints received by the General Inspectorate, 2009 - 2012



Complaints received for Corruption by the General Inspectorate, 2009 - 2012



Sanctions for corruptions (%), 2009 - 2012



The Nicaraguan Human Rights Center (CENIDH) is a civil society organization that was founded in 1990 and which is dedicated to the promotion and protection of human rights. It receives individual complaints; in 2012, from a total of 1,905 complaints received, 31.5% were in relation to the National Police, making it the second most frequent type of complaints.

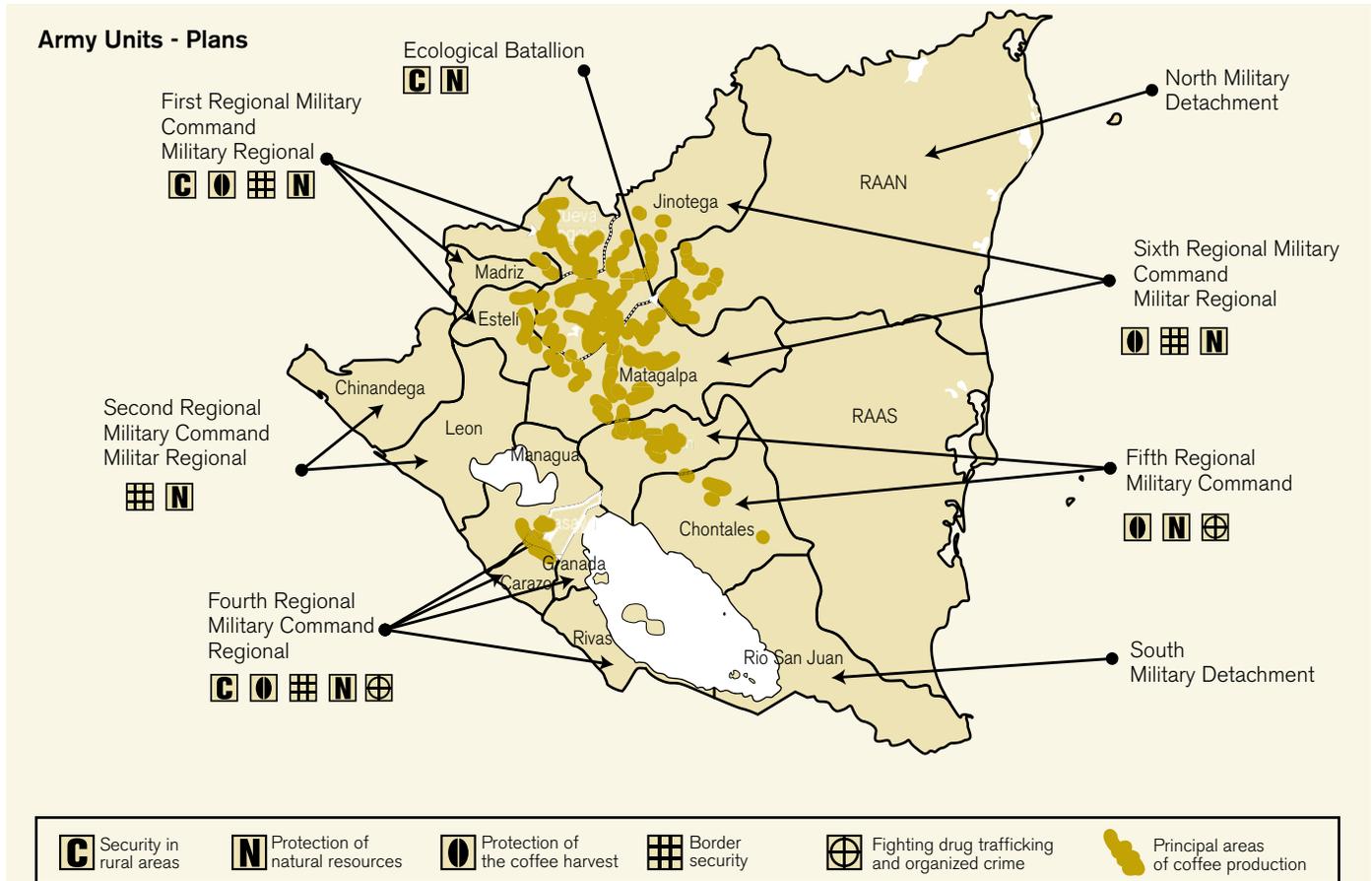
Sources: National Police, General Inspectorate, Office of Internal Affairs, *Informe sobre "Atención y Prevención de la Corrupción Interna en la PN 2010 - 2012 and Informe de cierre preliminar del proyecto "Atención y prevención de la corrupción interna en la Policía Nacional 2010-2012"*, December 2012, *Ley orgánica de la Contraloría General de la República y del sistema de control de la administración pública y fiscalización de los bienes y recursos del Estado*, N° 681, 06-16-2009. *Reglamento disciplinario de la Policía Nacional de Nicaragua*, N° 51-2012, 12-21-2012. Nicaraguan Human Rights Center (CENIDH), *Derechos Humanos en Nicaragua 2012*.

Cooperation of the Armed Forces in Public Security

The participation of the Army in public security has its basis in the Constitution itself, which establishes that the President, in exceptional cases, may order the military to intervene in support of the National Police when the country's stability is threatened by great internal disorders, calamities or natural disasters. Other legal bases include the 1994 law regulating military organization and the National Defense Law of 2010. The cooperation of

the Army, in addition to activities against drug trafficking and organized crime, primarily implements plans to ensure the security in rural areas, fighting rural crime and the protection of the country's coffee production.

All Army units engage in activities related to public security (listed below are the main activities within the framework of the Army's plans):



Plan for the protection of the coffee harvest

In support of the country's coffee trade, the Nicaraguan Army provides protection for the collection of coffee quintals and the transfer of valuables. Coordination meetings are held with the National Coffee Council, the National Police, and departmental and municipal authorities and producers. They conduct patrols and checkpoints, both combined with the National Police and independent of them, providing protection to over 300 farms and producers. **2012: 2,200 military personnel, which is equivalent to 21% of the Nicaraguan Army, participated in the plan.**

Plan for security in rural areas

Deployment of troops to maintain a greater presence at points of interest in the most dangerous remote areas of the country, contributing to security in rural areas to meet production goals.

Plan against drug trafficking and organized crime

In function of this plan, operations are performed with ground, naval and aerial troops to counteract drug trafficking, organized crime and related activities.

Cooperation with the United States

Under the cooperation agreement signed between the two governments in 2001 (in force since 2003), the United States Coast Guard Service provides assistance and coordination in the Navy's activities in an effort to eliminate illegal trafficking.

Plan for protection and security in border areas

In coordination with migration and customs authorities and the National Police, the Army undertakes activities to ensure the protection of natural resources, fight against all forms of smuggling, the illegal crossing of people, and other crimes.

Plan for fighting rural crime

In coordination with territorial police chiefs and judicial authorities to strengthen the operational work between these institutions, there is an exchange of information in order to counter crimes in rural areas.

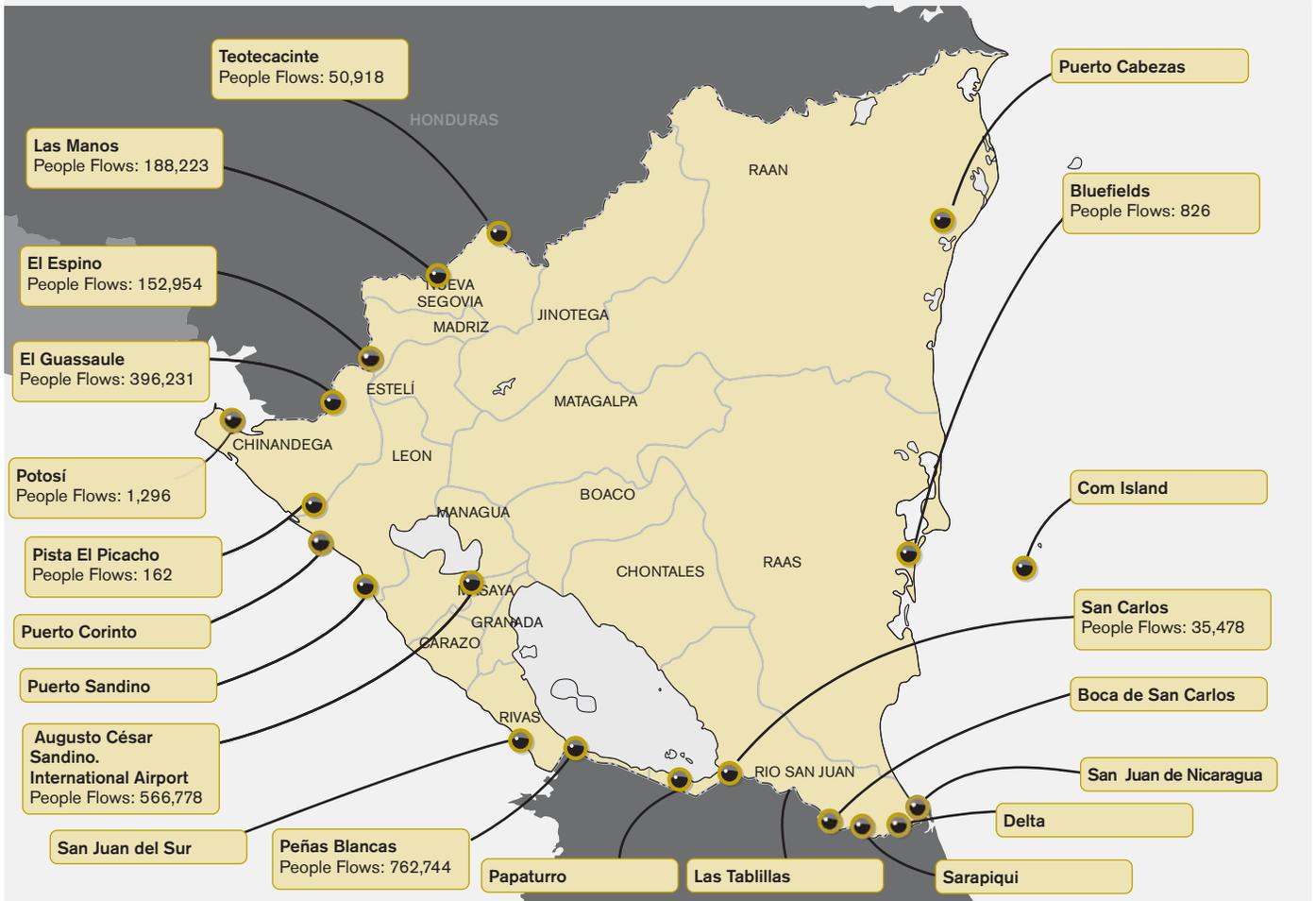
Source: Political Constitution. Código de organización, jurisdicción y previsión social militar (N° 181 - 08/23/1994). Ley de defensa nacional (N° 748 - 12/22/2010). Ley de régimen jurídico de fronteras (N° 749 - 12/22/2010). Memoria anual 2012, Army of Nicaragua. Website of the Nicaraguan Army. Nota de prensa N° 178/2012.

Border Crossings and Immigration Control

The General Directorate of Migration and Foreign Citizens, which is located within the Interior Ministry, is the institution responsible for migration control. The Directorate of Borders is responsible for control-

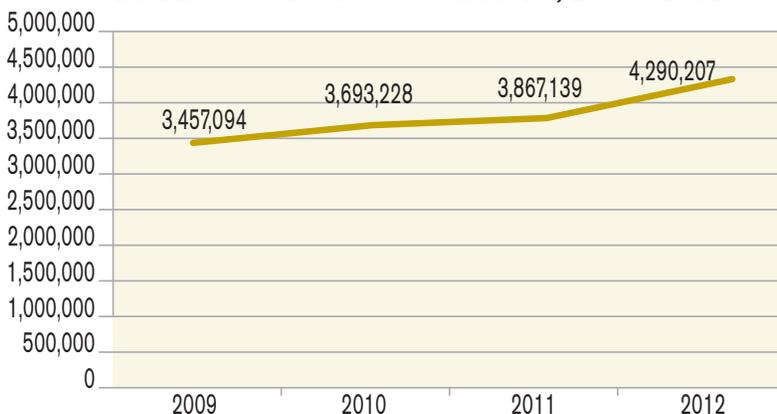
ling and registering the entrance and exit of persons into the territory, which is carried out through regional delegations and border control points. Approximately 625 personnel operate these border posts.

Border Posts and the Movement of People (2012)



Note: 3,441 cross-border people flows via other immigration posts in 2012 (Las Tablillas, Boca de San Carlos, San Juan de Nicaragua, Delta, Sarapiquí, Papaturro, San Juan del Sur, Puerto Sandino, Puerto Corinto, Pista Montelimar Puerto Cabezas, Com Island)

Annual Cross-border Person Flows, 2009 - 2012



Peñas Blancas is the busiest international border crossing accounting for approximately 33% of all arrivals and departures.

Nicaragua – Costa Rica Border Development Program
The construction of the Los Chiles – Las Tablillas Highway and the construction of a Customs and Migration control office at San Carlos will seek to divert some of the migrant traffic away from Peñas Blancas.

Sources: Website and press releases of the Directorate of Migration and Foreign Persons. Website of the Ministry of Interior. Ley anual de presupuesto general de la República 2013; Ley general de migración y extranjería (Nº 761 - 07/06/2011). Nicaraguan Tourism Institute, Boletín Estadísticas de Turismo 2012.

The Penitentiary System

The general regulations and rules for the functioning of the National Penitentiary System are governed according to Law N° 473 (November 2003), which covers the penitentiary regime system and the implementation of sentences. In March 2004, the regulations of this law were published.

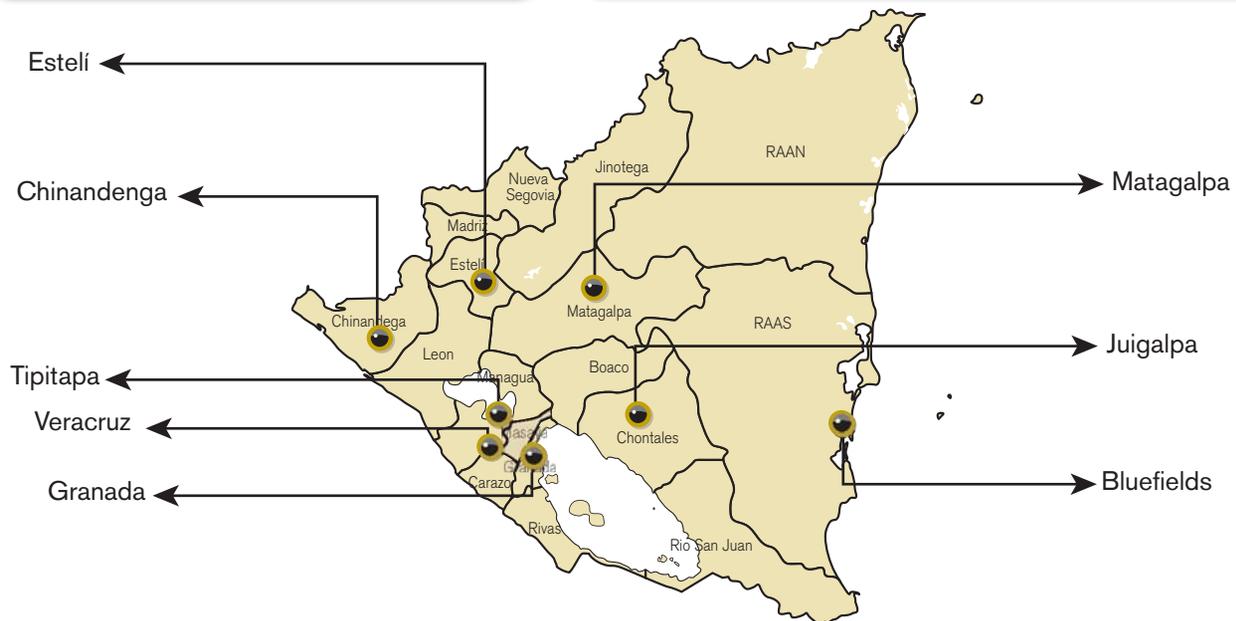
Penitentiary System personnel: 1,440

The Ministry of Interior is responsible for coordinating, leading, and administering the system.

The elementary penitentiary course, which has a duration of approximately 344 hours of classes, consists of special lectures and practical units on topics such as gender and the ethics of public servants. Subjects include crime control, criminal rehabilitation, criminal security, internal order and Nicaraguan doctrine.

In August 2013, the Presidency handed over the site where a Comprehensive Prison for Women will be built, which will be located on the Tipitapa-Masaya highway. It will be the first center of its kind in the country and aims to house 180 inmates..

In April 2012 there were 13,495 prisoners.



Private Security

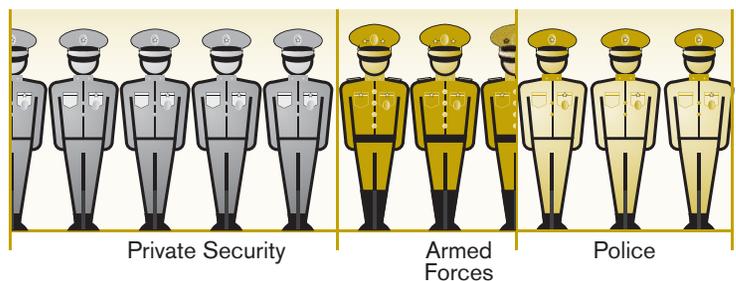
In accordance with Law N° 228 of the National Police, one of its functions is to authorize, regulate, carry out inspections, control or suspend public and private security and surveillance bodies, as well as regulating their personnel and activities. The Police Public Security Department is responsible for the regulation of private surveillance and physical protection companies.

The Law also states that private surveillance services can be carried out through:

- a) Private Surveillance Firms
- b) Public Surveillance Firms
- c) Residential Vigilanties

There are 145 authorized private security firms.

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.

Sources: Ministry of Interior, *Boletín informativo*, October 2011; Ministry of Interior, General Directorate of the Penitentiary System. *Ley anual de presupuesto general de la República 2013*.



PANAMA

Historical and Political Context

After more than a dozen attempts and four periods of effective separation from Colombia, in 1903 Panama became an independent state while processing the construction of the inter-oceanic canal, which finally opened in 1914 and was handed over to the country's administration in 1999, once the deadlines established by the 1977 Torrijos-Carter treaties were met.

Established as an independent State, the Panamanian military attempted to remain the arbiter between Liberals and Conservatives, as in Colombia, but in the face of an attempted intervention it was dissolved in 1904, being supported by the United States. It was replaced by a police force that was restructured in 1935 and transformed in 1953 into the National Guard. In 1983 it was transformed into the Panama Defense Force (FDP), which was later disbanded during the U.S. invasion

(December 1989) that ended the presidency of Manuel Noriega, who was accused of drug trafficking. Following the invasion and dissolution of the FDP, a Public Force was created that consisted of former members of the FDP and new recruits. It included the National Police, the National Aerial and Maritime Services, and an Institutional Protection Service that carried out the functions of a presidential guard.

Subsequently, in 1992, a constitutional amendment was passed establishing that Panama would have no Army. In 1997, the National Police Law was passed, establishing a civilian body. Since 2010 it has been directly subordinated to the President of the Republic through the Minister of Public Security, and together with the National Aero-Naval Service (SENAN), the National Border Service (SENAFRONT) and the Institutional Protection Service (SPI) they make up the **Public Force**.

Country Information

Political System:	Presidential Republic / Unitary
Administrative Organization:	9 provinces, 5 <i>comarcas</i>
Population:	3,850,735*
Territorial Extension:	75,517 km ²
GDP 2012 (US\$ / current prices):	36,253,000,000
Minimum monthly salary (US\$):	417**
Illiteracy:	5.9%***

*2013 projection based upon 2010 census.

** retail business, region I.

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

Basic Security Indicators (2012)

Public Force:	23,824 (within the bodies attached to the Ministry of Public Security).
Homicides:	665 homicides reported at a rate of 17.6 homicides per 100,000 inhabitants.
Drug Trafficking:	334.9 tons decommissioned by public security forces.
Traffic Accidents:	430 deaths resulting from traffic accidents.
Border Flows:	Total annual border movements of 3,366,896 people.
Private Security:	146 private security firms registered.
Estimated Number of Gangs:	240
Penal Centers:	There are 23 correctional facilities housing a prison population totaling 14,892 (October 2013).
Femicide:	28 cases.
The Perception of Security:	62% of the population has little or no trust in the Police.

Post Independence until 1977	Changes in Military Structures	Foreign Intervention	Institutional Restructuring of the Public Force	Current Stage
Construction of the Canal and agreements with the United States for management until cessation in 1999.	Death of Omar Torrijos in 1981. Transformation of the National Guard into the Defense Forces through Law 20, September 29th 1983.	Invasion by the United States in 1989 dissolves the Defense Forces.	The Public Force is established (1990) and in 1997 the professional career of the National Police is provided a legal framework. Others bodies, such as the Aero-Naval Service, the National Border Service, and the Institutional Protection Service accompany it. The Ministry of Public Security is created.	Development of community policing models. A growing perception of insecurity amongst the population. Canal as the principal strategic objective.

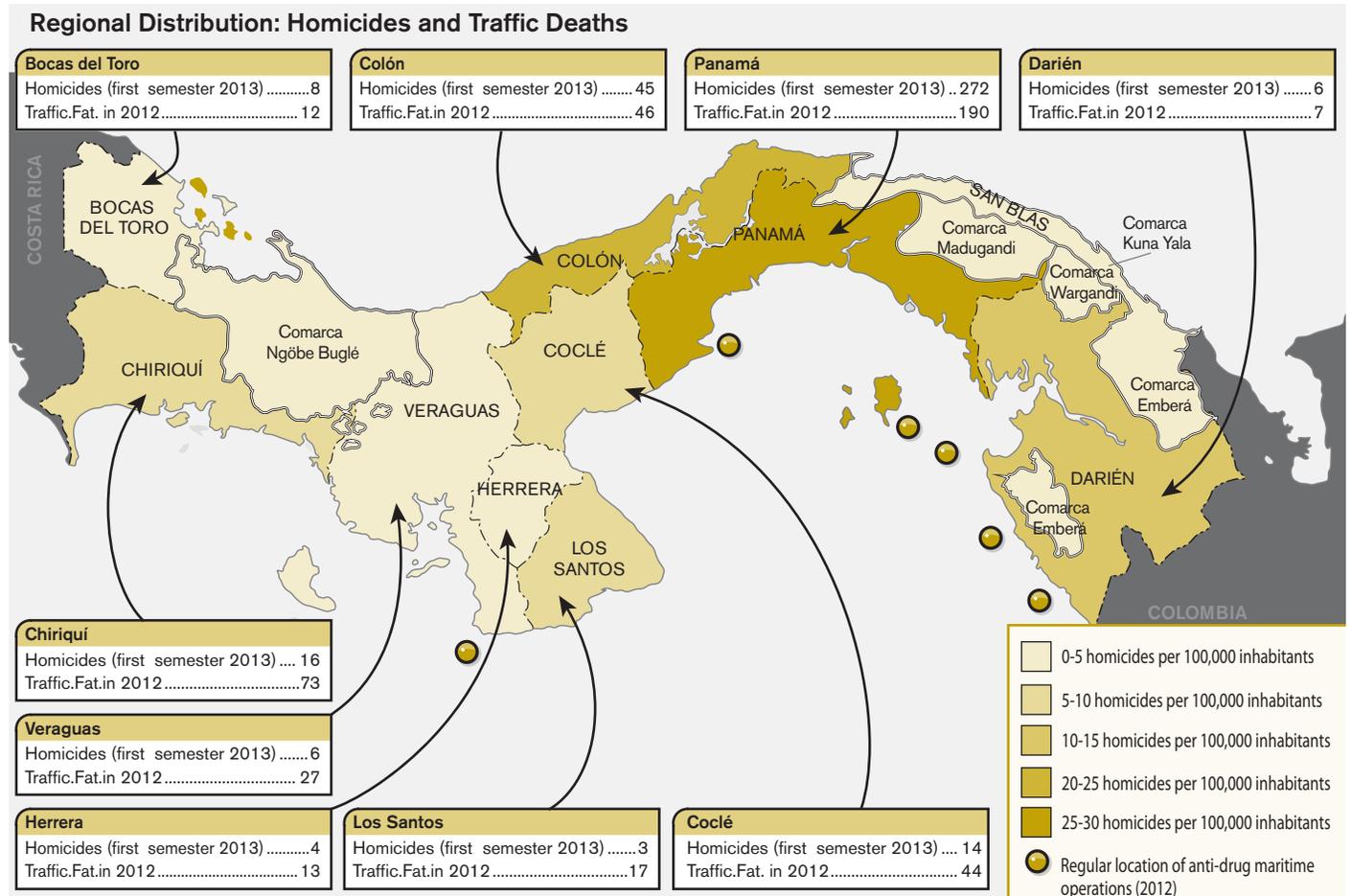
1903	1953	1977	1983	1989	1997	1999	2010
Independence from Greater Colombia and beginning of the Inter-oceanic Canal Project	National Guard	Torrijos-Carter Treaties	Creation of the Defense Force	Invasion by the United States	General Police Law	Administration of the Canal passed to Panama	Creation of the Ministry of Public Security

Sources: Information elaborated using: Population: National Institute of Statistics and Census. Territory: Panamanian Tourist Authority. GDP: IMF, *World Economic Outlook Database*. Minimum Salary: *Decreto Ejecutivo 240 por el cual se fijan las nuevas tasas de salario mínimo en todo el territorio nacional*, 12/28/2011. Illiteracy: UNDP, *Human Development Index 2013*. Public Force: Ministry of Public Security. Homicides: SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes: año 2012*. Femicide: Observatory of Gender Violence, *Memoria de Labores 2009 -2012*. Drug Trafficking: Office of the President of the Republic, *Informe a la Nación*, July 2013. Traffic Deaths: Comptroller General of the Republic, *Cifras preliminares de accidentes de tránsito y muertos en la República por provincia año 2012*. Cross border people flows: National Migration Service, *Movimiento migratorio total en todos los puntos de entrada y salida del país durante el año 2012*. Private Security: Institutional Directorate of Public Security Affairs. Penitentiary Centres: General Directorate of the Penitentiary System, *Población al 15 de octubre de 2013*. Perception of Security: CID-Gallup Latin American, *Encuesta de Opinión Pública Centro América y República Dominicana, Febrero 2013*, available at cidgallup.com/documentos.

Security Challenges: An Overview

Like Costa Rica and Nicaragua, Panama has comparatively lower levels of crime and violence within Central America. Despite this, the national homicide rate remains elevated at 17.6 per 100,000 inhabitants (down from 19.3 in 2011), and the impact of organized and common crime represents a significant challenge. High rates of assaults, robberies and thefts have a clear impact

upon the security perception of the local population due to their nature, and in recent years there has been a growth in both the number of gangs and violent conflict in certain urban areas. This has provoked a response from the State in the form of prevention programs and the development of some community policing experiences.



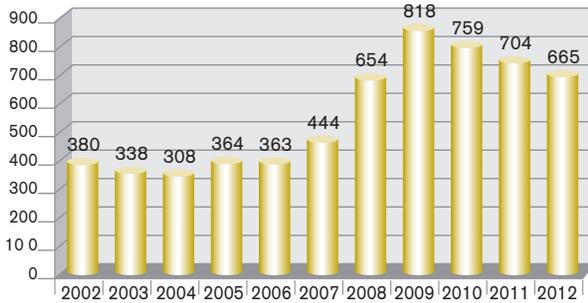
Crimes	2010	2012
Against life and physical integrity	5,726	5,610
Against freedom	452	214
Against honor	279	213
Against property	31,614	35,822
Against legal order and the civil state	5,335	4,456
Against sexual decency and freedom	2,091	2,440
Against collective security	2,203	2,163
Against public trust	2,433	2,001
Against Public Administration	302	309
Against the administration of justice	102	119
Against wildlife	143	140
Possession and trade of prohibited weapons	1,116	986
Against the national economy	8	6
Other crimes	2,824	2,279

Police Zones:

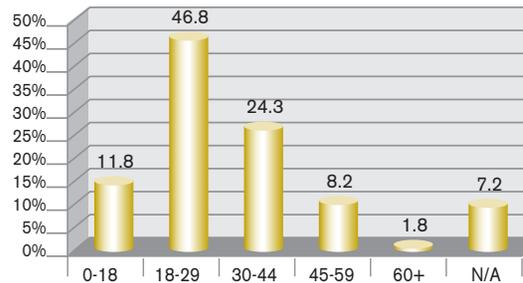
- Bocas del Toro
- Coclé
- Colón
- Chiriquí
- Panamá East
- Herrera
- Los Santos
- Metropolitan (Eastern, Northern and Western areas)
- Veraguas
- Panamá West
- Canal Zone
- San Miguelito
- Arraiján

Homicides: A Closer Look

Homicides, 2002-2012



Age structure victims (2012)



The majority of victims are concentrated in the 18-29 range, with 58.6% of all victims aged below 29.

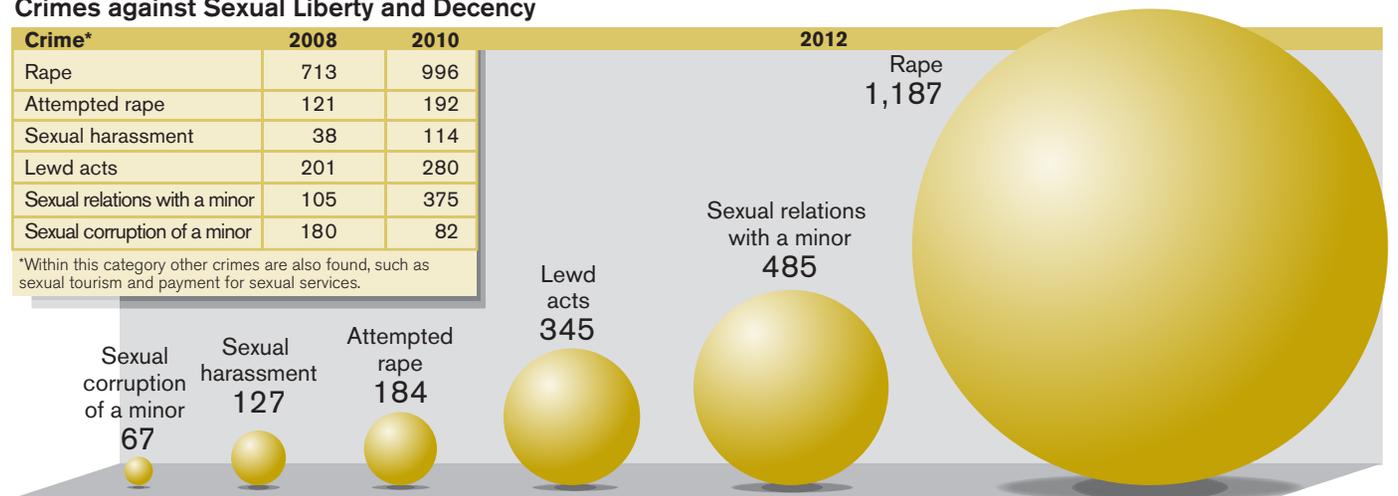
Every day there are

- 55.6** Thefts
- 27.5** Robberies
- 9.8** victims of Domestic Violence
- 1.2** Traffic Deaths
- 1.8** Homicides

Crimes against Sexual Liberty and Decency

Crime*	2008	2010	2012
Rape	713	996	1,187
Attempted rape	121	192	184
Sexual harassment	38	114	127
Lewd acts	201	280	345
Sexual relations with a minor	105	375	485
Sexual corruption of a minor	180	82	67

*Within this category other crimes are also found, such as sexual tourism and payment for sexual services.

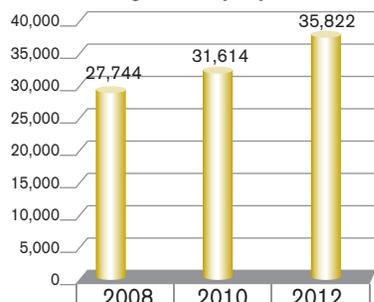


The data for these crimes stands out due to the both to the high frequency with which they are reported, and due to the general increase recorded between 2010 and 2012. Every day in 2012 there were 3.25 rapes reported, in addition to an attempted rape that went reported every 2 days, and a case of sexual harassment reported every 3 days. Furthermore, in relation to lewd acts, there was a case reported almost every day, registering a 23% increase over 2010. Upon considering the nature of these crimes, it is possible to make further conclusions. The number of reported crimes tends to represent a mere proportion of the actual crimes committed, as many are not reported. Consequently, in addition to their numerical significance, the statistics are representative of what in reality is a far greater security problem in the country.

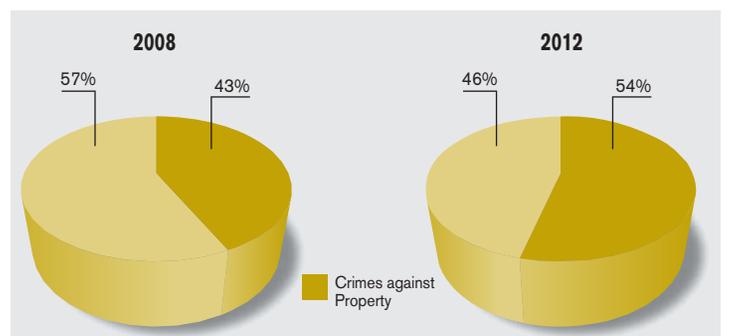
Crimes against Property

Includes robbery, theft, fraud, damage to property, kidnapping and extortion among others. In 2008 the rate per 10,000 inhabitants was 81.7. This passed to 90.2 in 2010 and 94.58 in 2012. In 2012 the largest part of this type of crimes was thefts (56.6%), robbery (28%) and fraud (6.2%).

Crimes against Property 2008 - 2012



The Weight of Crimes against Property as a Proportion of Total Crimes



Sources: Ministry of Public Security, *Revista del Ministerio de Seguridad Junio 2012-Año 3 No. 1* and *Memoria 2011*. Website of the Human Rights Ombudsman. Comptroller General of the Republic, *Cifras preliminares de accidentes de tránsito y muertos en la República por provincia año 2012*. SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes año 2008, 2010, 2012 y Primer Semestre 2013*.

Institutions linked to Security

Panama presents a certain concentration of security forces under the jurisdiction of the Ministry of Public Security, while civil protection and the penitentiary system are placed under the Ministry of Interior. The Office of the President intervenes beyond its general administrative function as head of government by promoting prevention programs that are carried out through the National Security Council. These programs have an inter-institutional character, and several of them are carried out with international cooperation.

- **Public Force:** composed of the National Police, the National Aero-Naval Service, the National Border Service, and the Institutional Protection Service (which is a dependent of the Presidency).

- **Ministry of Public Security:** it is responsible for the Public Force and the National Immigration Service (which is not a police body). It chairs the Cabinet of Preventive Security, created in 2012 as an inter-institutional body that establishes guidelines for prevention and citizen security.

- **Ministry of Interior:** responsible for the administration of the penitentiary system, including the custody of minors through the Institute of Interdisciplinary Studies. The Fire Department and Civil Protection System are found here.

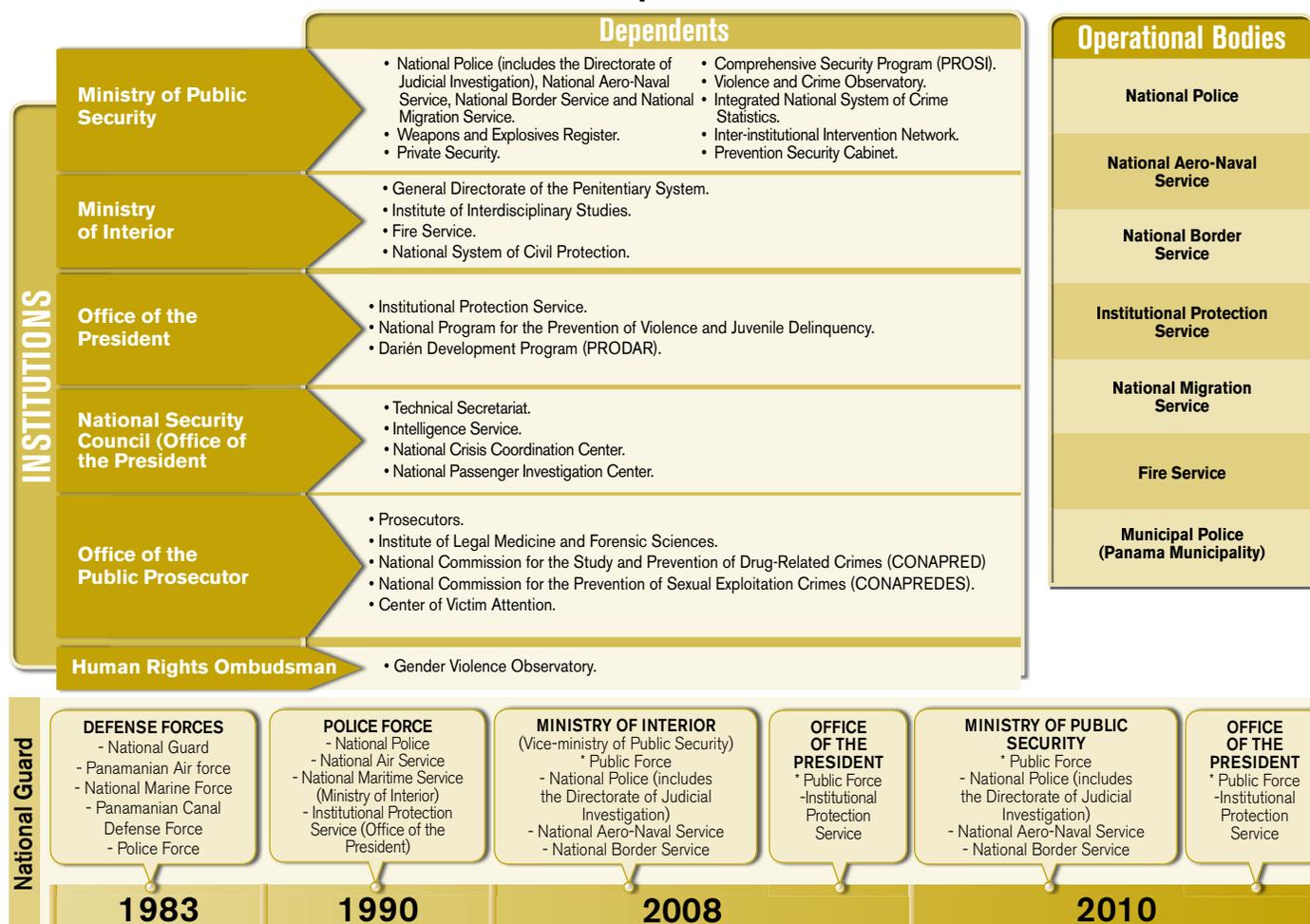
- **Office of the President:** it has the Institutional Protection Service as well as the National Public Security Council. The National Program for the Prevention of Violence and Juvenile Delinquency and the Darién Development Program (border with Colombia) are coordinated from here.

- **National Security Council:** the highest consultative and advisory body of the President to establish and articulate public security and national defense policy. It is chaired by the President.

- **Office of the Public Prosecutor:** the Attorney General directs the prosecution and investigation of crimes and is responsible for the Institute of Legal Medicine and Forensic Sciences. Since its inception in 1994 it presides the National Commission for the Study and Prevention of Drug-Related Crimes (CONAPRED) and the National Commission for the Prevention of Sexual Exploitation Crimes (CONAPREDES), installed in 2005, which are inter-institutional State bodies.

- **Human Rights Ombudsman:** created in 1997, it is responsible for investigating, reconciling or denouncing the actions or omissions of public servants that may constitute violation of human rights. Coordinates the Panamanian Gender Violence Observatory, created institutionally in 2009.

Principal Actors



Sources: Resolución Ejecutiva que ordena el texto de la Ley N° 23 de 1986 que dispone sobre asuntos relacionados con drogas, N° 101 – 09/22/1994. Manual de organización y funciones del Ministerio de Gobierno, 2012. Ley orgánica de las Fuerzas de Defensa, N° 20 – 09/29/1983 (repealed). Decreto de Gabinete que organiza la Fuerza Pública N° 38 – 02/20/1990. Decreto de Gabinete que crea el Servicio de Protección Institucional, N° 42 – 03/01/1990. Ley orgánica de la Policía Nacional, N° 18 – 06/04/1997. Decreto Ley orgánica del Servicio de Protección Institucional, N° 2 – 07/10/1999. Decreto Ley que crea el Servicio Nacional Aeronaval, N° 7 – 08/22/2008. Decreto Ley que crea el Servicio Nacional de Fronteras, N° 8 – 08/22/2008. Ley que deroga el decreto ley que crea el Servicio Nacional de Inteligencia y Seguridad, N° 11 – 03/18/2010. Decreto Ejecutivo que crea el Consejo de Seguridad Nacional, N° 263 – 03/19/2010. Decreto Ejecutivo que crea el Gabinete de Seguridad Preventiva, N° 18 – 01/27/2012). Constitution of the Republic of Panama. Websites of the institutions mentioned.

Policy Guidelines

The government of President Ricardo Martinelli Berrocal (2009-2014) has made public security one of the cornerstones of its action, and it was from this, for instance, that the creation of a Ministry of Public Security was derived. In a context of an increasing perception of insecurity among the population (83% believe the country to be insecure according to the Public Security Observatory/UNDP), of an increase in the rates of homicide, robbery and theft,

and of international attention upon organized crime, Panama has developed a strategy that seeks to integrate the government's actions in which both the National Defense and Security Council and the Ministry of Public Security play a major role. From what has been called a comprehensive security concept, they seek to address crime reduction both through the strengthening of the Public Force and criminal policy, and through prevention.

National Citizen Security Strategy
• Institutional strengthening. Coordination.
• Information. Unified and computerized systems.
• Prevention.
• Punishment and crime control.
• Social reinsertion and rehabilitation.

PROSI – Comprehensive Security Program
 Headed by the Ministry of Public Security, it is focused in particular on minors and youths. It places emphasis on institutional strengthening, training and prevention.

Preventive Security Cabinets

They were established from May 2010, and a decree in 2012 provided them with legal institutionalization. Up to February 2013, 6 Cabinets were held.

From 2011 the cabinets organized into sessions in different parts of the country rather than in the central government offices, providing a space to listen and exchange views with community leaders, local authorities and ministers. This methodology aims to better understand the reality of the various areas, identify lines of action and/or adapt intervention strategies.

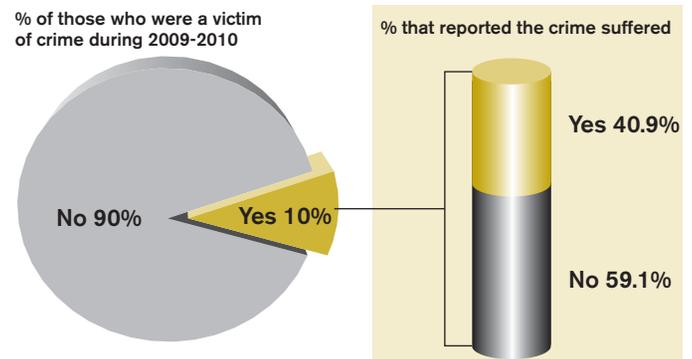
Ministries involved:
• Public Security (presides it)
• Presidency
• Economy and Finance
• Interior
• Health
• Education
• Social Development
• Labor and Labor Development
• National Authority of Small and Medium Businesses (AMPYME)

Objective: crime and violence reduction within a focus on prevention and resocialization through the generation of spaces for citizen participation.

Social Action Tables (“*mesas de acción social*”) are also developed, along with community activities in problematic scenarios and more complex needs which are generally organized by the National Police and the National Border Service.

The Private Sector: The Chamber of Commerce’s Citizen Security Observatory

The Panamanian Chamber of Commerce, Industries and Agriculture presents what is quite an original case in the region, in which the private sector recognizes the effect of insecurity on economic activity and thus involves itself in the issue. The Citizen Security Observatory was launched with support from UNDP. It provides information and analysis on data provided by the Government, organizes forums and debates and also makes proposals to different institutions. It uses both its own information and official sources and it has carried out a general survey on victimization and the social perception of security.



Sources: Decreto que crea el Gabinete de Seguridad Preventiva, N° 18 – 01/27/2012. Cabinet Council, Resolución de Gabinete que adopta la Estrategia País de Seguridad Ciudadana, N° 84, 07/24/2012. Panamanian Chamber of Commerce, Industries and Agriculture and UNDP, Citizen Security Observatory, *Victimización y Percepción de la Seguridad Ciudadana en Panamá*, October 2011. Website of the Office of the President. National Government, *Plan Estratégico de Gobierno 2010-2014*.

The Criminal Justice System

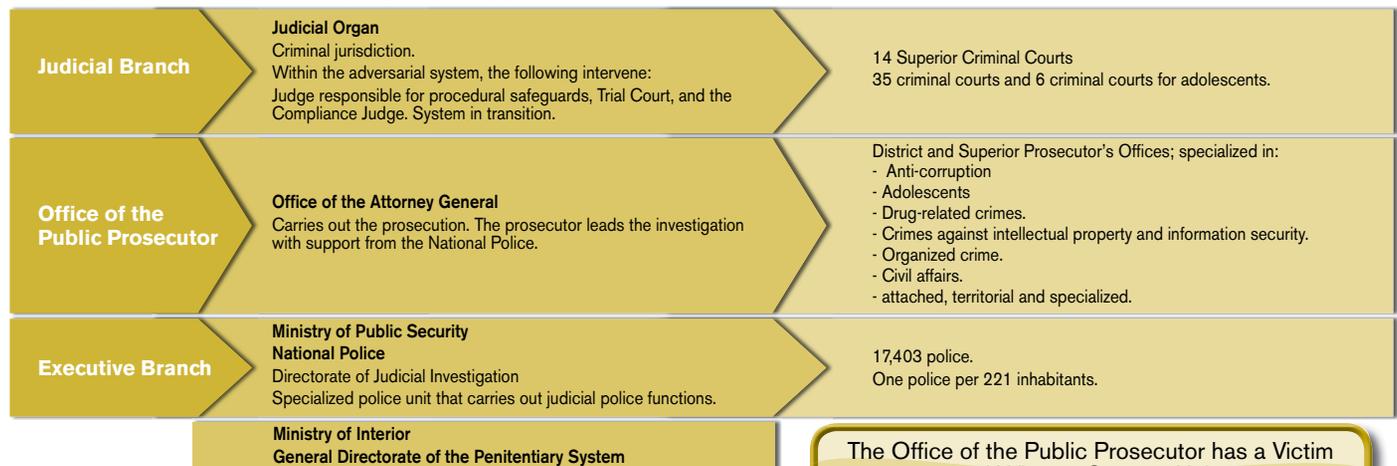
The adoption of an adversarial system is recent in Panama, and it is currently undergoing a process of transition. In 2008, a working group composed of the Judiciary, the Office of the Public Prosecutor, the Legislature, the Executive and some civil society associations elaborated a proposal for the system and, from 2006, mechanisms to support the transition from the inquisitorial system towards the adversarial system began to be incorporated into the Penal Code. This included restrictions on applications for pre-trial detention, thus avoiding an increase in prison overcrowding, measures to increase procedural efficiency, improvements in judicial organization to better utilize human and material resources, and standards that provide greater effectiveness in the prosecution of offenses.

Law 63 of August 28th, 2008 promulgated the new Criminal Procedure Code that adopted the system for processing cases ac-

ording to the adversarial system. It established its progressive implementation from September 2009, with a maximum of four years allowed for its implementation throughout the country. Prior to its entry into force, Law 48 (2009) delayed it until 2011. The adversarial system in 2013 is thus currently functioning in two of the four judicial districts (Second: Coclé and Veraguas provinces, and Fourth: Herrera and Los Santos). It is expected that application across the country will be complete by 2014.

As for the criminal investigation, the police act under the order of the prosecutor, who directs the investigation. The prosecutor's investigation cannot exceed six months, although the deadline may be extended up to one year in complex cases. However, the defendant cannot be imprisoned unless ordered by the judge responsible for procedural safeguards.

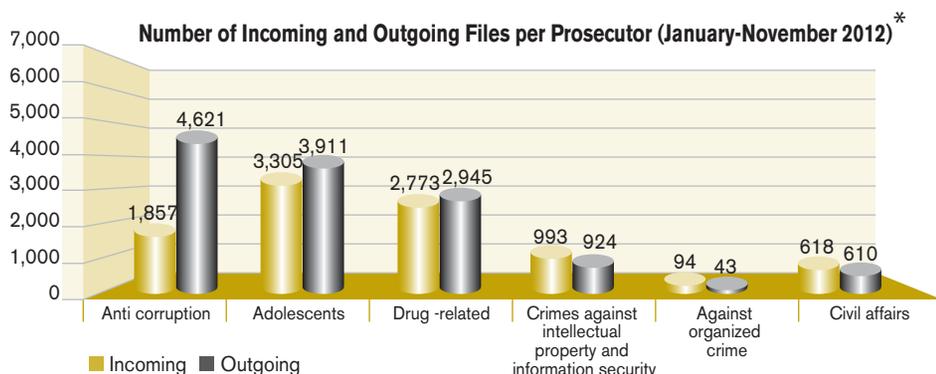
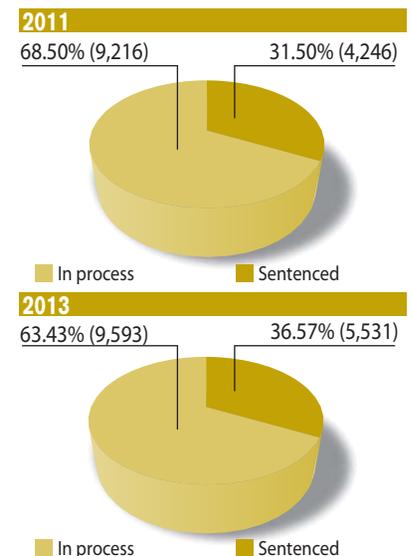
The State and Criminal Offences



The Office of the Public Prosecutor has a Victim and Witness Support Unit .

A committee was formed for **Cooperation and Inter-institutional Technical Assistance for Implementation** in order to oversee the proper implementation of the new system, consisting of the Supreme Court of Justice, the Attorney General's Office, the Ministry of Public Security, the Ministry of Government, the Institute of Legal Medicine and Forensic Sciences, the National Authority for Government Innovation, the National College of Lawyers and the National Customs Authority.

Procedural Situation of the Prison Population



*In some cases outgoings are greater than incoming due to the existence of cases from previous years.

Sources: Law 63, 08-28-2008. Law N° 47, Código Penal de la República de Panamá, 05/18/2007 and modifications. Judicial Organ, Center of Judicial Statistics, Magistrados y jueces del Órgano Judicial de Panamá, por sexo, según nivel jurisdiccional, año 2007-2013. Portal of the Office for the Implementation of the Adversarial System, Office of the Public Prosecutor. Ministry of Interior, General Directorate of the Penitentiary System, Informe estadístico enero 2012 y Población mensual septiembre 2013. Office of the Public Prosecutor, Número de ingresos y egresos de expedientes de la República de Panamá por Fiscalía, 1 de enero a 30 de noviembre de 2012.

The Changes in the Penal System

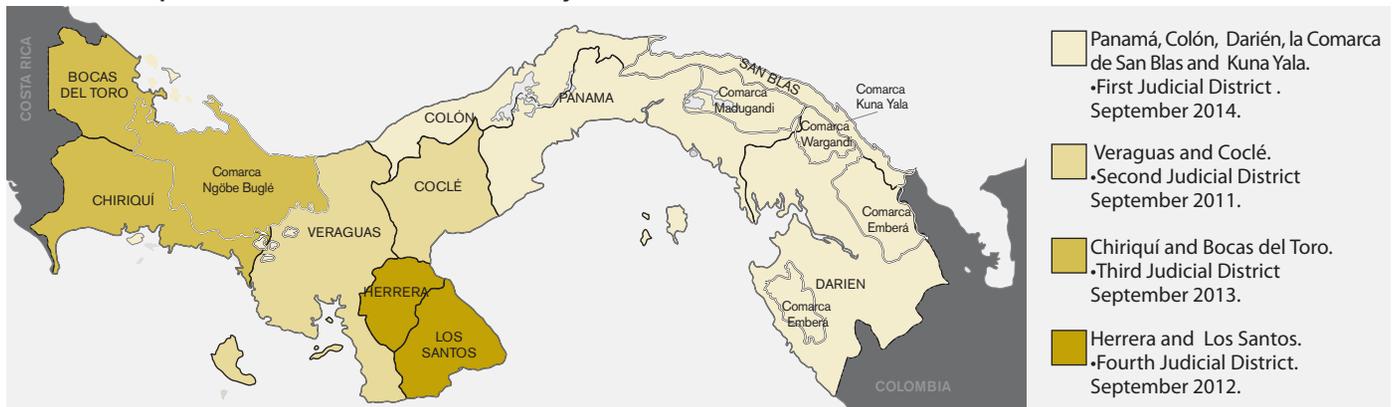
The adversarial system involves a change in the system of prosecution with a view to more dynamic and quicker judgments, which are more public and transparent in nature. It seeks to reduce prison overcrowding and the excess of pre-trial

detainments lasting more than a year without a hearing. Fundamentally, the measures limiting the freedom of the accused are taken by a judge and not, as in the inquisitorial system, by a prosecutor.

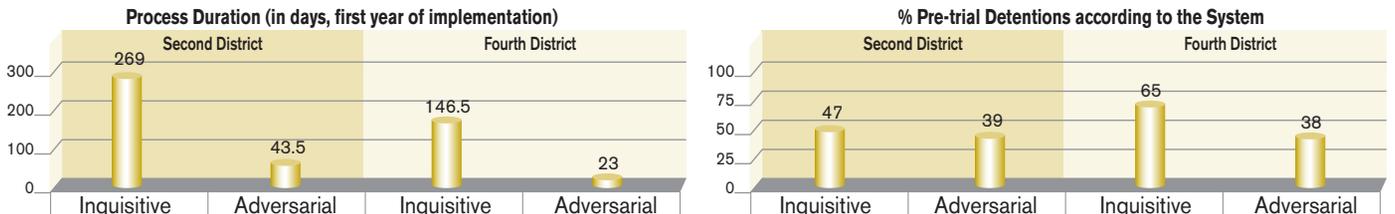
Three types of judge participate in the process:

- Judge responsible for procedural safeguards:** Rules over the control of investigative actions that affect or restrict the fundamental rights of the accused or the victim, and over protection measures. Controls the actions of the Prosecutor.
- Trial Court:** Presides over the oral proceedings during the entire process and makes a decision for acquittal or conviction, following the provision of evidence at trial. The courts are collegial (consisting of three judges), and preside over charges for offenses that are punishable by imprisonment for over one year.
- Compliance Judge:** ensures the implementation (compliance) of the sentence.

Territorial Implementation of the Adversarial System*



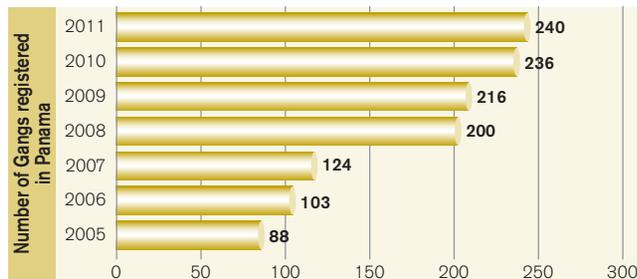
* In all matters related to guarantees the system has been implemented across the entire country since September 2011.



National Program for the Prevention of Violence and Juvenile Delinquency

This program is conducted by the Office of the President, and formed by various ministries (including Labor, Social Development, Health and Public Security) and even civil society organizations. It seeks to address the problems of youth crime and violence and the phenomenon of gangs, and their implications for public security. It is directed to children, adolescents and young people between the ages of 8 and 29 years old.

Since 2005, there has been a concerted effort by security institutions, especially the National Police's Anti-Gang Unit, to record the phenomenon of gangs in Panama.



Special Regime for Juvenile Criminal Responsibility

In 2010 the law establishing this regime, which organizes the system of institutions involved in the investigation and prosecution of adolescents, was reformed. This also had the aim of recognizing rights and guarantees and establishing measures to be imposed.

- The scope of application was lowered from 14 to 12 years, and goes up to 18 years.
- It differentiates between two age groups for everything that relates to process, penalties and their enforcement: 12 to 15 years, and 15-18. For the 12 and 15 age group, it applies social rehabilitation measures under the supervision of the National Secretariat for Children, Youth and Family.
- A few months later, Law No. 87 created five new courts and specialized prosecutors for adolescents.

Sources: Law 63, 08/28/2008. Law N° 47, Código Penal de la República de Panamá, 05/18/2007 and modifications. Portal of the Implementation Office of the Adversarial Penal System, Office of the Public Prosecutor. Judiciary, Principales indicadores del sistema penal acusatorio al mes de abril de 2013. Office of the President, Decreto Ejecutivo N° 551 por el cual se crea el Programa Nacional para la Prevención de la Violencia y la Delincuencia Juvenil, 06-22-2010. National Program for the Prevention of Violence and Juvenile Delinquency (gangs) and information provided by the National Directorate of the Program. Law N° 6, 03/08(2010 (modifies Ley N° 40 del Régimen Especial de Responsabilidad Penal para la Adolescencia, 08-28-1999).

The Legal Framework

- Partido Revolucionario Democrático (PRD)
- Cambio Democrático (CD)
- Partido Demócrata Cristiano (PDC)
- Molirena
- Solidaridad
- P. Arnulfista
- Papa Egoró
- Panameñista
- P. Popular
- Others

Composition of the Assembly	Laws	Presidency, period and government party
1989 - 1994	Law N° 23, 1986 that covers drug-related affairs (Executive Resolution N° 101 - 09/22/1994).	Guillermo David Endara Galimany (December 1989 - September 1994) Partido Panameñista / Arnulfista
1994 - 1999	<ul style="list-style-type: none"> - Law creating the Human Rights Ombudsman (N° 7 - 02/06/1997). - Organic law of the National Police (N° 18 - 06/04/1997). - Protection of victims of crime law (N° 31 -05/28/1998). - Equal opportunities for women law (N° 4 - 02/06/1999). - Special criminal liability for adolescents law (N° 40 -08/28/1999). - Organic law of the Institutional Protection Service (N° 2 - 07/10/1999). 	Ernesto Pérez Balladares (September 1994 - September 1999) Partido Revolucionario Democrático
1999 - 2004	<ul style="list-style-type: none"> - Law that adopts measures to prevent money laundering offenses (N° 42 - 10/03/2000). - Law that adopts the judicial code (N° 1 - 09/10/2001). - Law reorganizing the penitentiary system (N° 55 -08/01/2003). - Law covering crimes against sexual liberty and integrity (N° 16 - 04/05/2004). - Law that defines the crime of "pandillerismo" (gangs) and the possession and trade of prohibited weapons, and that adopts measures for protecting the identity of witnesses (N° 48 -08/31/2004). 	Mireya Elisa Moscoso Rodríguez (September 1999 - September 2004) Partido Panameñista/Arnulfista
2004 - 2009	<ul style="list-style-type: none"> - Law that reorganizes the National Civil Protection System (N° 5 - 02/14/2005). - Law creating the Directorate of Judicial Investigation within the National Police and that ascribes Forensic Services to the Institute of Legal Medicine and Forensic Sciences (N° 69 -12/28/2007). - Law adopting the Penal Code (N° 14 -05/22/2007). - Law creating the National Migration Service (N° 3 - 02/26/2008). - Law adopting the Criminal Procedure Code (N° 63 -08/29/2008). - Law creating the Aero-Naval Service (N° 7 - 08/22/2008). 	Martín Torrijos Espino (September 2004-July 2009) Partido Revolucionario Democrático
2009 - 2014	<ul style="list-style-type: none"> - Law repealing the law that reorganized the National Defense and Public Security Council and creating the National Intelligence and Security Service (N° 11 - 03/18/2010). - Law creating the Ministry of Public Security (N° 15 -04/14/2010). - Law reorganizing the Ministry of Interior (N° 19 - 05/03/2010). - Law on human trafficking and related activities (N° 79 - 11/15/2011). - Law regulating private security services (N° 56 -05/30/2011)*. - General law on firearms, ammunition and related materials (N° 57 -05/30/2011). <p>*Entrance into Force has been delayed.</p>	Ricardo Alberto Martinelli Berrocal (July 2009-May 2014) Partido Cambio Democrático

Organized Crime and Femicide: New Proposals

In 2013 the Public Prosecutor's Office presented bills to the National Assembly to define a series of crimes. Among them are:

- Reform of the Penal, Judicial and Criminal Procedure Codes in order to regulate organized criminal activities: it incorporates organized crime as reprehensible and autonomous conduct, and incorporates issues related to investigation, such as the extension of time allocated and special techniques (proposed regulations for covert operations) for investigating this kind of phenomenon. It raises the issue of benefits for collaborators ("repenters") and witness protection. Introduces contract killings as a separate criminal offense.

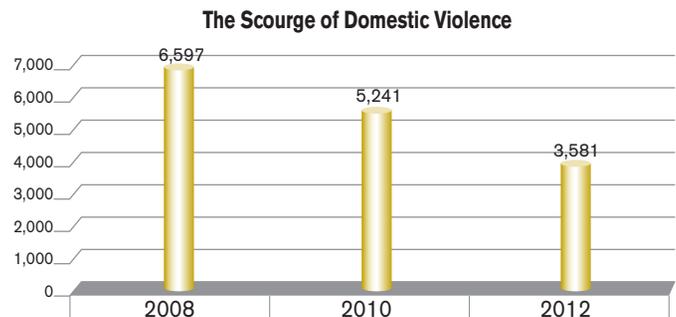
According to the bill, revenge attacks stemming from struggles between *tumbadores* (drug thieves) and drug traffickers account for 70% of homicides in Panama.

- Reform of the Penal Code to define the crime of femicide and punish violence against women. The project proposes the following responsibilities for the Ministry of Public Security:

- o Foster the development of interdisciplinary services in police and security forces to provide support to female victims of violence.

- o Update protocols for victim care, assistance and protection.
- o Create a specialized police force and a computerized registry of offenders.
- o Sensitize and train police forces, including the theme within training programs.

To help combat the phenomenon of gender violence, the **Observatory against Gender Violence** was created in May 21st 2009 through inter-institutional agreement. Assigned to the Human Rights Ombudsman, its objectives are principally linked to increasing awareness of gender violence and its impact on the country's development, and promoting coordination and communication between agencies that provide support to victims of domestic violence.



Sources: National Assembly of Panama. Website of the Office of the Public Prosecutor. Attorney General, Bills. National System of Integrated Crime Statistics -SIEC, *Número y tasa de incidentes policivos registrados en la República de Panamá según clase de incidentes año 2008, 2010, 2012 and Primer Semestre 2013.*

The Security Budget

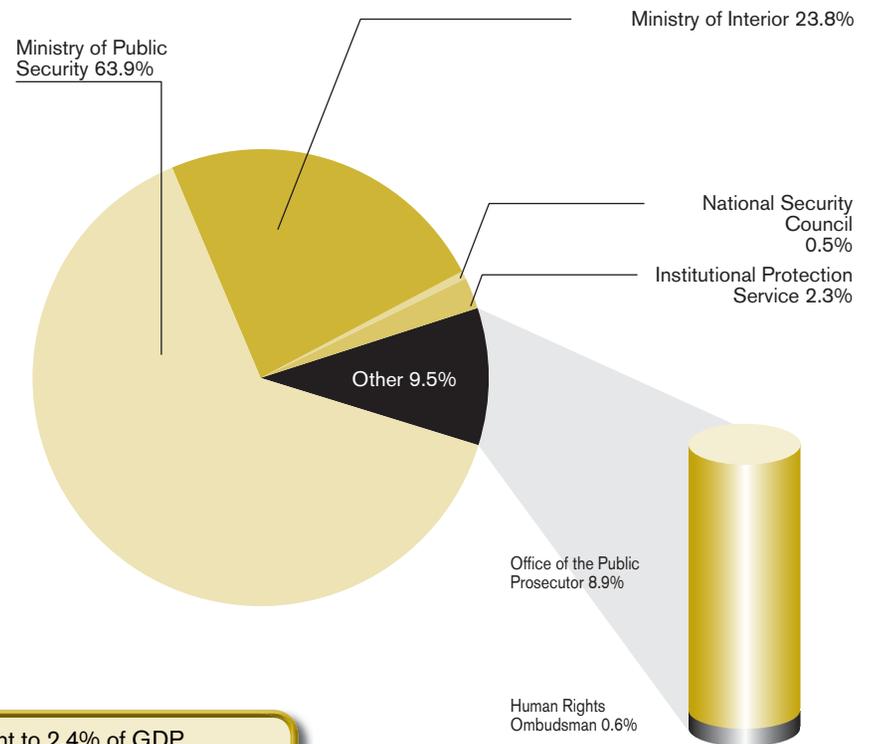
The total security budget in 2013 reached nearly one billion dollars, representing 2.4% of gross domestic product.

The Panamanian budget information available to the public does not have a specific functional classification within the security area. Within the institutional classification, the largest portion of the bud-

get is allocated to the Ministry of Public Security, with about 46% for law enforcement bodies and 12% for investment. The Ministry of Interior also receives a significant portion, given that among its items it includes the penitentiary system, juvenile rehabilitation, the Fire Service, and the Civil Protection System, among others.

Ministry of Public Security		%
National Public Security	456,077,470	45.7
Investment	124,133,800	12.5
Directorate and general administration	11,343,930	1.1
Transfers	45,757,000	4.6
Office of the President		
National Security Council	4,948,880	0.5
Institutional Protection Service	23,311,205	2.3
Ministry of Interior		
General Directorate of the Penitentiary System	61,853,055	6.2
Institute of Interdisciplinary Studies (custody of minors)	6,760,105	0.7
Fire Service	21,714,975	2.2
National System of Civil Protections	5,411,888	0.5
Others	141,306,667	14.2
Office of the Public Prosecutor		
	89,198,959	8.9
Human Rights Ombudsman		
	5,752,609	0.6
Total Security Budget (2013)*		
US\$ 997,570,543		

SECURITY BUDGET, 2013 (in current US\$)



The 2013 security budget is equivalent to 2.4% of GDP or 6.1% of the overall State budget.

Distribution of Tax Revenue

Tax revenue for 2012 was **US\$ 4,648,021,000**



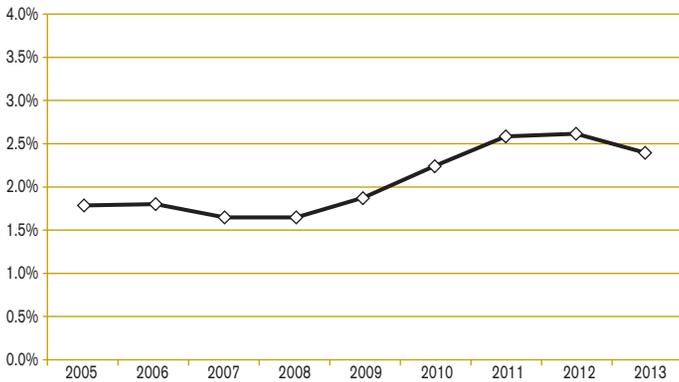
Sources: Ley que dicta el presupuesto general del Estado para la vigencia fiscal de 2013. Ministerio de Gobierno, Informes de ejecución presupuestaria 2012. EAP: National Institute of Statistics and Census, Encuesta del Mercado Laboral, 2012. Tax Revenue: Comptroller General of the Republic, Estado financiero de la administración pública al 31 de diciembre de 2012. The information available to the public for the years considered here do not permit an adequate disaggregation in order to identify the exact resources assigned within the different consignments (for example, specific security programs within institutions other than the Ministry of Public Security). Because of this, the budget of the Ministry of Interior has been included in what is considered here as the security budget. The investment budget of the National Security Council and the Civil Protection Service has not been included given that they are also not disaggregated.

Evolution of the Security Budget

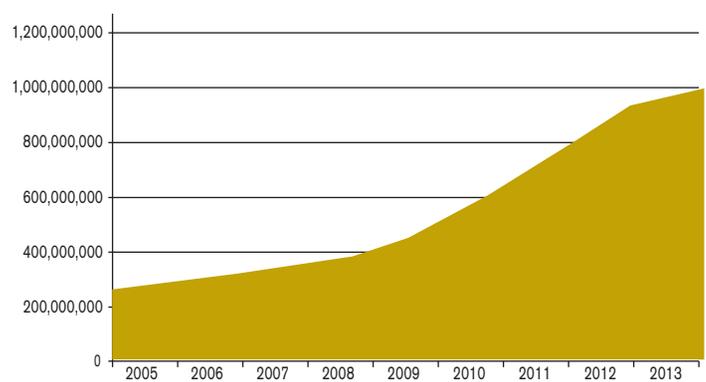
In recent years there has been an increase in the security budget in relation to GDP. The growth in the security budget was higher than the growth in State resources in general: while the latter grew

by 163% between 2005 and 2013, the security budget increased by 266%. This is also reflected in the increase of 260% for public security services in the years considered.

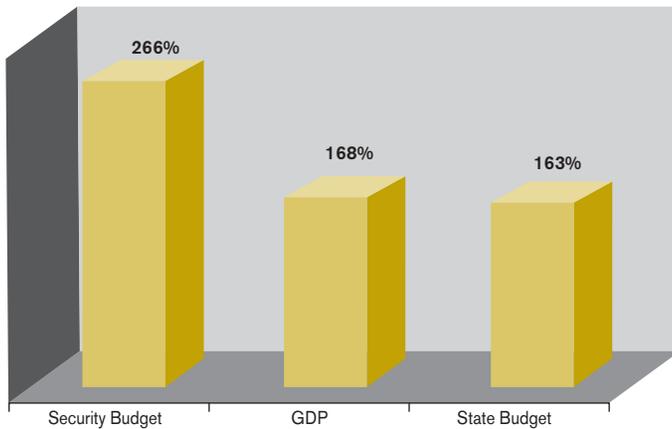
Security Budget as a percentage of GDP, 2005 – 2013



Security Budget (current US\$), 2005 - 2013



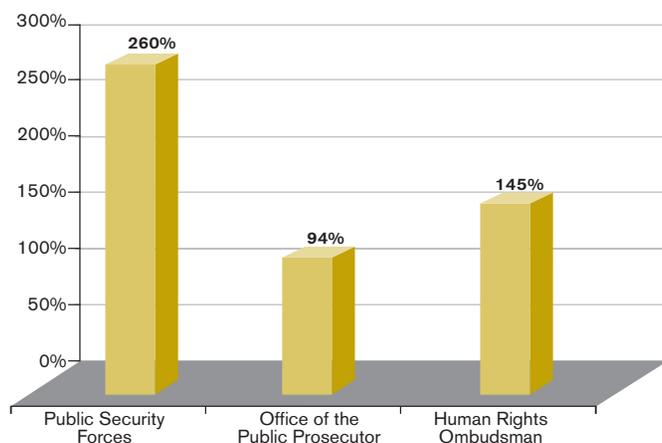
Comparative Growth (2005 – 2013, in current US\$)



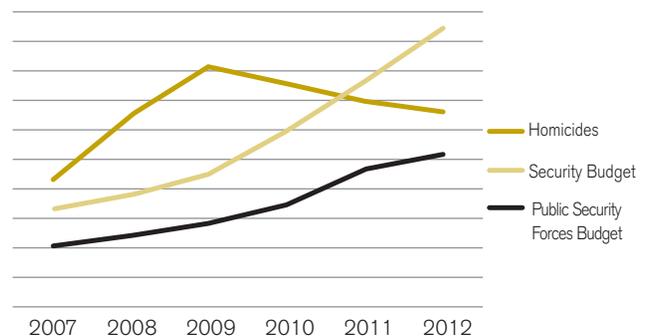
In 2005, the Judicial Technical Police was still responsible to the Office of the Public Prosecutor (for that year, the budget assigned to the police was more than seventeen million four hundred thousand dollars).

Year	Homicides	Security Budget	Public Security Forces Budget
2007	444	334,218,164	206,369,000
2008	654	380,409,460	238,943,600
2009	818	452,571,060	282,743,880
2010	759	599,587,630	344,339,798
2011	704	770,043,687	458,610,900
2012	665	943,808,949	512,246,308

Variation in Budget Assignments, 2005-2013 (%)



23,824 members of the Public Force.



Sources: Law that dictates the general state budget for fiscal years 2005 until 2013. Homicides: Ministry of Public Security, website and Memoria 2011

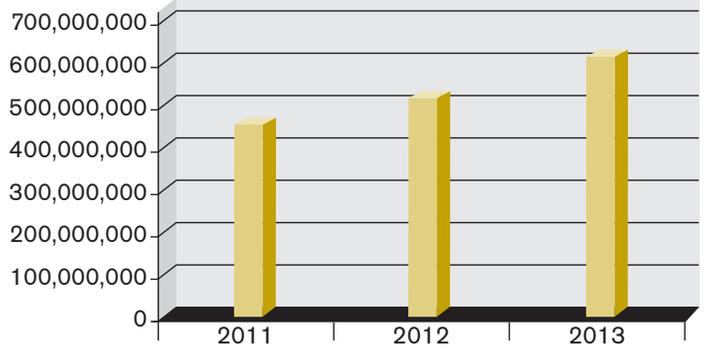
The Budget and Institutions

The Ministry of Public Security appears as a budgetary item from the 2011 fiscal budget law onwards, following its creation in 2010. The fact that it was recently created is shown in the investment levels observed; resources for staff training and for salary increases for members of the Public Force are also included.

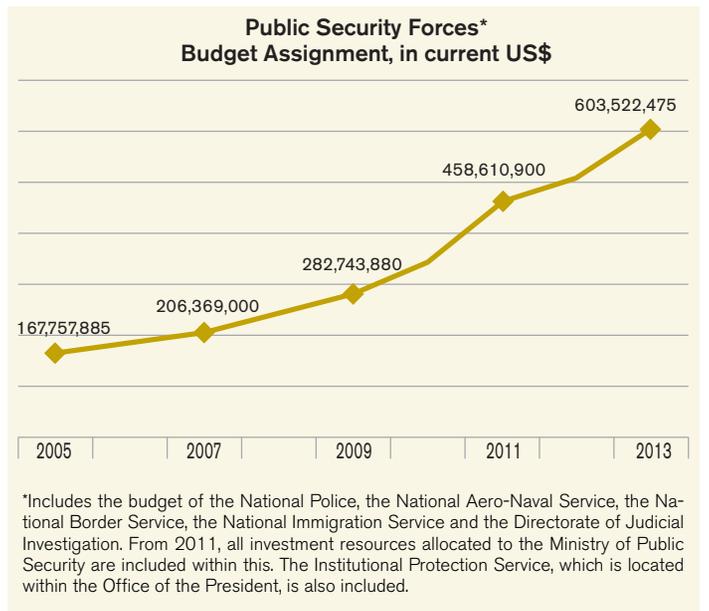
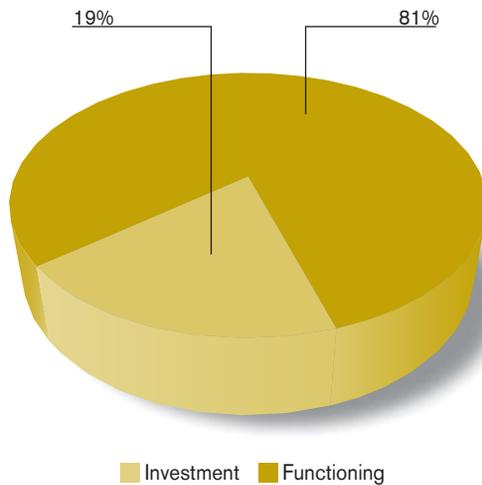
On average, 92% of the Ministry's budget corresponds to the security forces under its leadership.

The National Police, like other public security forces, had its budget transferred to the jurisdiction of the Ministry of Public Security since 2011.

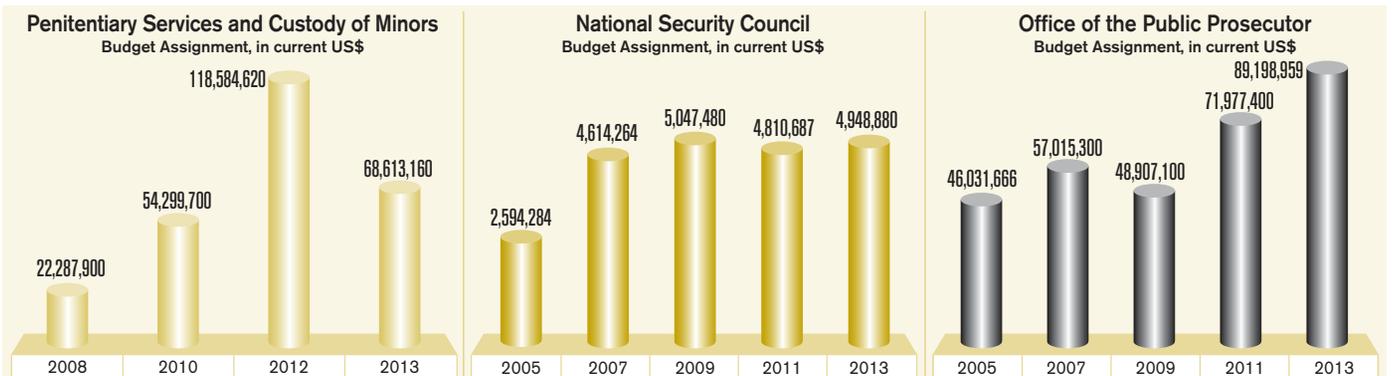
Evolution of the Budget Assigned to the Ministry of Public Security (in current US\$)



Distribution of the Budget Assigned to the Ministry of Public Security, 2013



In the face of growing overcrowding, in 2012 almost 82 million dollars was assigned to infrastructure in penitentiary centers. The construction of 7 new prisons was planned using these resources, one through judicial order.



Sources: Law that dictates the general state budget for fiscal years 2005 until 2013. Ministry of Interior, *Informes de ejecución presupuestaria, 2012.*

Security in the Country with the Inter-Oceanic Canal

Due to its geographic position and the traffic passing through the Panama Canal, security institutions dedicate special attention to all issues linked to maritime and aerial transport and storage. Commercial activities include the operation of the Canal, Tocumen International Airport, the

Colon Free Zone, and international port services. Together they generate large capital inflows but at the same time convert them into a focus for illegal trade and different types of trafficking, and as such represent a major security target for authorities.

The National Security Council

The National Security Council was created in 2010 and is responsible for the national security strategy. It is the sole State body that carries out intelligence tasks. Among others, it develops the “secure transit and commerce” strategy, with the aim being to convert Panama into the region’s most secure country for citizens and investors.

The Council’s main authority is its Secretary, which is linked directly with the President of the Republic. 320 officials

work within its structure, and amongst its dependents are:

- The **National Centre for the Investigation of Passengers** (located in Tocumen International Airport), with personnel specialized in the detection of cases that threaten security.
- The **National Crisis Coordination Center**, which establishes alert levels in different areas or across the entire country for civilian protection during disasters or threats to the population.



The public companies that collected the most revenue during 2012 were, in this order:

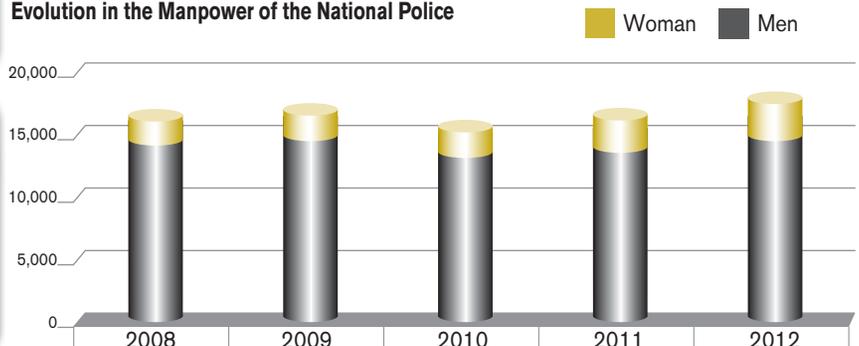
- Tocumen International Airport, S.A.
- The National Lottery.
- IDAAN (National Water and Sewage Institute).
- The Panama Maritime Authority.

Darien Development Program (PRODAR)

The Office of the President is responsible for this program which has been developed since 1998, and which focuses on security problems in the area, especially illegal contraband. It seeks to increase the presence of the State within the province, promoting community projects in coordination with government institutions established in the region. It has a close relationship with its proximity to Colombia.

In 2011, Panama announced a process for creating a security operations center for Central America in the former Rodman US naval base, within the immediate area of the Canal. The objective of the project is to coordinate joint operations with other countries in relation to organized crime and drug trafficking.

Evolution in the Manpower of the National Police

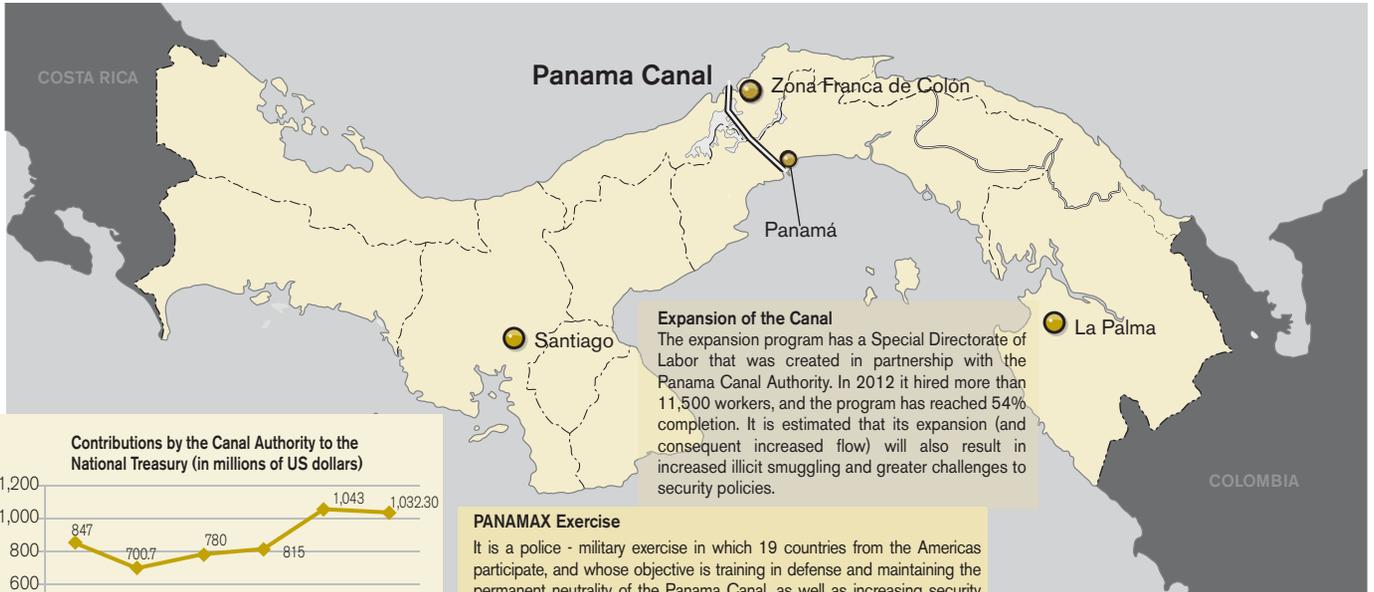


Sources: Comptroller General of the Republic, Informe de la Contralora General de la República año 2012. Website of the Darien development program. Information provided by the National Security Council and the Ministry of Public Security. Decreto Ejecutivo N° 263 que crea el Consejo de Seguridad Nacional, 03-19-2010.

The Panama Canal

The inter-oceanic canal was inaugurated in 1914. With an exclusive 8 kilometer zone surrounding it on each side, and administered since its inauguration by the Panama Canal Company, it divided the country into two and was the historic reference during the 20th Century. It was recently in 1962, with the construction of the Bridge of the Americas, that the north and the south of the country were linked by land (to which the Cente-

nario bridge was added in 2004). Following constant incidents, in 1977 the Torrijos-Carter treaties were signed, indicating that the Canal would be placed under Panamanian authority in 1999 in its totality. The Canal passed to the administrative authority of the Panama Canal Authority, a company autonomous of the Panama State, and which has its own security as well. In 2012, it contributed 13.3% of the country's GDP.



Expansion of the Canal
The expansion program has a Special Directorate of Labor that was created in partnership with the Panama Canal Authority. In 2012 it hired more than 11,500 workers, and the program has reached 54% completion. It is estimated that its expansion (and consequent increased flow) will also result in increased illicit smuggling and greater challenges to security policies.

PANAMAX Exercise

It is a police - military exercise in which 19 countries from the Americas participate, and whose objective is training in defense and maintaining the permanent neutrality of the Panama Canal, as well as increasing security over transport and trade. It is sponsored by the Southern Command of the United States. The exercise involves an "alpha" hypothesis, activated by the President, in which only the Panamanian security forces participate. Once they are unable to resolve the situation, a "beta" action protocol is activated which summons the help of a multinational force led by the US. Southern Command would use Panamanian airports to send Special Forces, and then those from other countries would arrive. The key is the response time. A key problem to resolve would be the bottleneck that would occur if a ship sank as a result of an attack in one of the locks.

PSA - Panama International Terminal

It is a port terminal that was built by a company of the Government of Singapore on the Pacific side, near the former Rodman Naval Base. It is the second port terminal for handling and packing storage containers. It began operations in late 2010. The contract signed in 2007 establishes a renewable 20 year concession, with the commitment of the company to invest at least US\$70 million in the first five years.

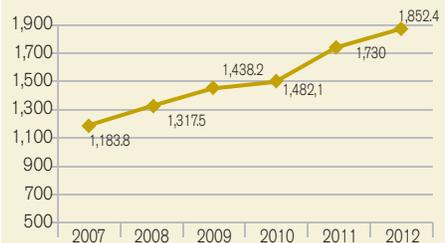
In July 2013, Panamanian authorities seized a North Korean flagged vessel that had departed from Cuba on its way to cross the Canal to reach North Korea via the Pacific. The ship was carrying hidden old bellicose material and had been boarded for inspection in the Colon zone. Personnel from the National Aero-Naval Service and the Anti-Drugs Prosecutor's Office of the Office of the Public Prosecutor participated in the operation.

The **Panama Savings Fund (PAF)** was established through Law No 38 of 2012 (amending the 2008 law on Social Tax Responsibility). It is largely made up by contributions from the Panama Canal Authority to the National Treasury, in addition to other smaller revenues. It establishes a mechanism for long-term State savings and a stabilization mechanism in the case of states of emergency or economic slowdown. Its resources may only be used during a state of emergency declared by the Cabinet's Council.

Contributions by the Canal Authority to the National Treasury (in millions of US dollars)



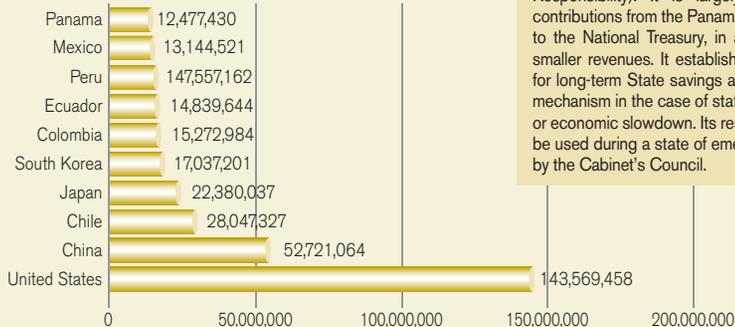
Toll Revenues (in millions of US dollars)



Annual Movements (quantity of transit)



Principal Users of the Canal, according to cargo flows (in long tons) - 2012



Sources: Comptroller General of the Republic, *Informe de la Contralora General de la República año 2012*. President of the Republic of Panama, *Informe de la Nación* (July 2013). Panama Canal Authority, *Informe Anual 2007, 2008, 2009, 2010, 2011, 2012* and information provided by the Office of Market Research and Analysis

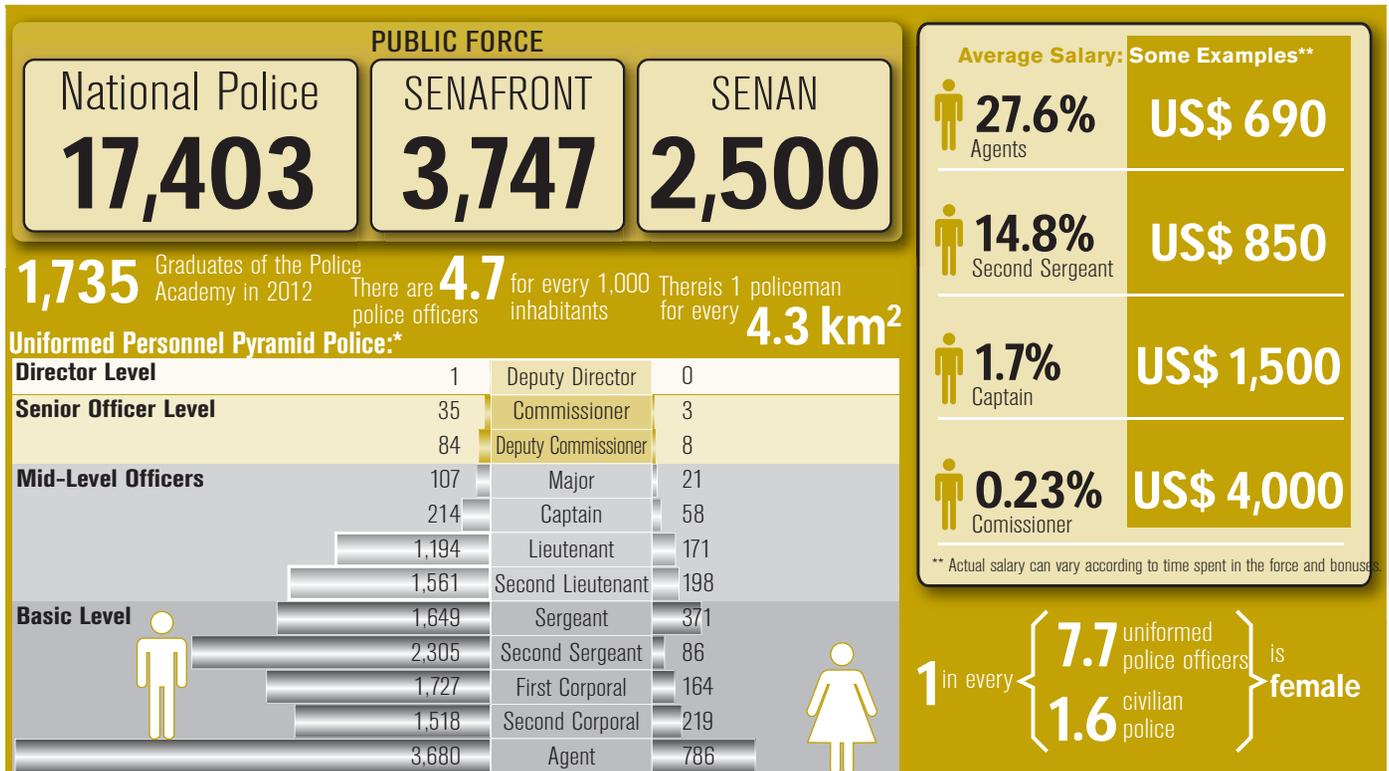
The Public Force

The Public Force of Panama is divided into 3 principal police institutions: the National Police, the **National Border Service** (SENAFRONT) and the **National Aero-Naval Service** (SENAN). The National Police is the principal body charged with tasks of internal order and the protection of the lives, property and rights of those under the State's jurisdiction. Law 69 of December 27th 2007 created the Directorate of Judicial Investigation within its

structure, which acts as a judicial investigation police and is an auxiliary body to the Judiciary and the Office of the Public Prosecutor, assisting in criminal investigations and apprehensions.

SENAN is charged with safeguarding the country's airspace and provide policing duties on the islands and coasts, while SENAFRONT is in charge of border protection.

The Public Force is located within the Ministry of Public Security.



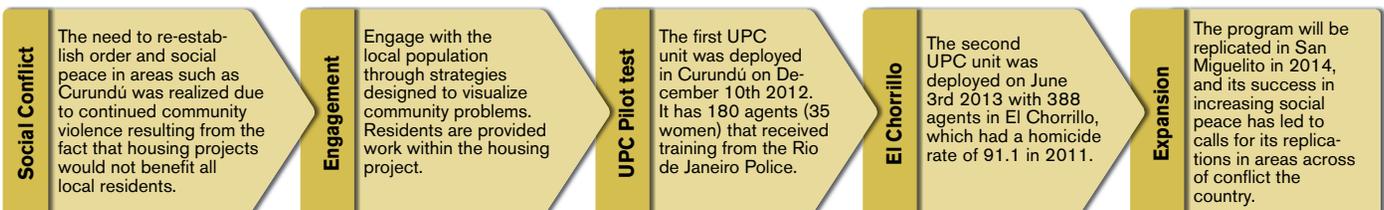
* Cadets are not included (167).

Community Policing and Prevention

In the *corregimiento* (district) of Curundú, in Panama City, there was a unique experience. Anti-riot police were deployed in areas with a large gang presence, where they functioned as a barrier between the gangs and the population. In September 2011 a private Brazilian firm (Odebretch, which was going to develop a residential complex in the neighborhood), contacted the Ministry of Public Security for security reasons in order to complete the project, and offered within its corporate responsibility program facilities to install a community police unit to replace the anti-riot unit. An initial police operation conducted an enforcement action. A so-called community policing unit was then installed, for which they received police training from the Rio de Janeiro police. They have different uniforms and work on a distinct plan, seeking to gain the confidence of the local community by forming a direct and permanent relationship with them and working alongside the community

Inter-Institutional Network of Intervention for Prevention

Coordinated by the Ministry of Public Security, it is formed by 22 institutions: Ministry of Health, Institute of Sports, Ministry of Development, Ministry of Housing, Training Institute for Micro and Medium Enterprise, Ministry of Education, amongst others. Each institute participates with a representative that has sufficient authority to make decisions in order to respond to the requests of community residents, such as, for example, the need for greater street lighting, housing problems etc, through use of its own funds.



Sources: Information provided by the National Police, the National Border Service, the National Aero-Naval Service and the Ministry of Public Security. Website of the National Police. Salaries: Comptroller General of the Republic, institutional spreadsheets.

The National Police

The National Police of Panama is under the jurisdiction of the Ministry of Public Security and its main function is to "safeguard the life, honor, property and other rights and freedoms of those who are un-

der the jurisdiction of the State: to preserve public order, maintain the peace and security of inhabitants as well as perform all the duties and functions that are assigned to it by the President of the Republic".

Valid Legal Framework of the National Police

Organic Law N° 18, 06/03/1997 and reforms (Law N° 74 , 11/01/2010)	Executive Decree N° 204 that dictates the Disciplinary Regime, 09/03/1997	Executive Decree N° 172 that further elaborates Caps. VI, VII and VIII of Law N° 18, 07/29/1999	Executive Decree N° 246, Uniform Code of Ethics for Public Servants, 12/15/2004	Law N° 69 that creates the Directorate of Judicial Investigation, 12/27/2007
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Training Centers

Police training is developed through two means: the **Police Academy** for admission to the institution, and the **Superior Education Center**, that offers training and refresher courses for officers throughout their careers.



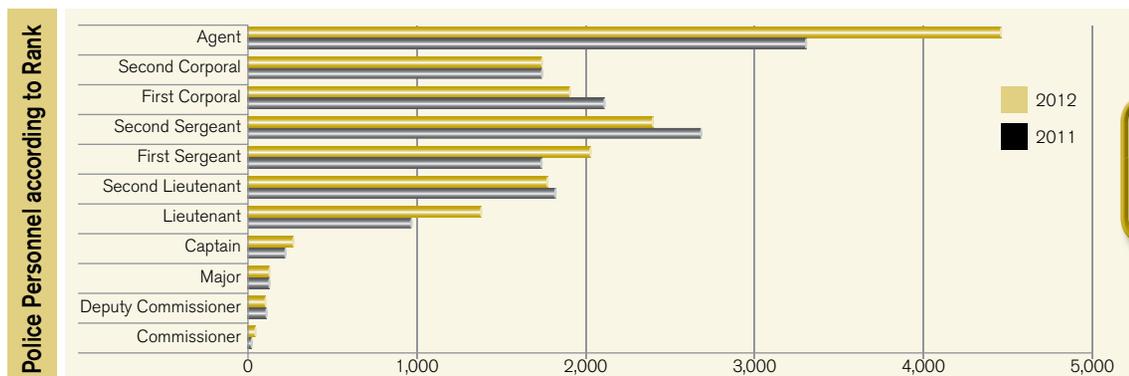
Police Discipline and Control

Inclusive External Control **Human Rights Ombudsman.** This institution was created by the Panamanian Parliament and has functional, financial and administrative autonomy. Its main objective is "to protect people from the possible abuses committed by the public administration". Makes recommendations.

Internal Control The **General Inspectorate** directs the institution's internal control. The **Local Disciplinary Boards** review those offenses considered minor, as well as secondary or serious grade offenses, while the **Superior Disciplinary Board** reviews all those considered to be of a very serious nature. A Directorate of Professional Responsibility is responsible for investigating violations of police procedures and corruption.

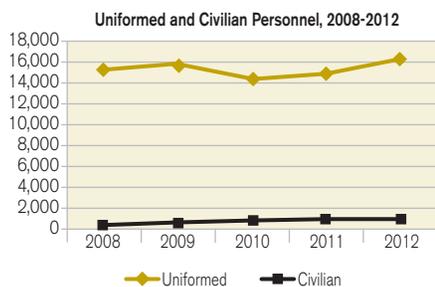
Between November 2011 and October 2012 the Human Rights Ombudsman oversaw 39 complaints against members of the National Police - 3.74% of the total amount of complaints received by the institution. Recommendations submitted to the Ministry of Public Security include:

- Removal of the use of lethal weapons or other similar instruments as part of the deterrence or control of demonstrations or protests.
- Ensure full compliance with due legal process and the right to legal counsel from the moment the person is apprehended.

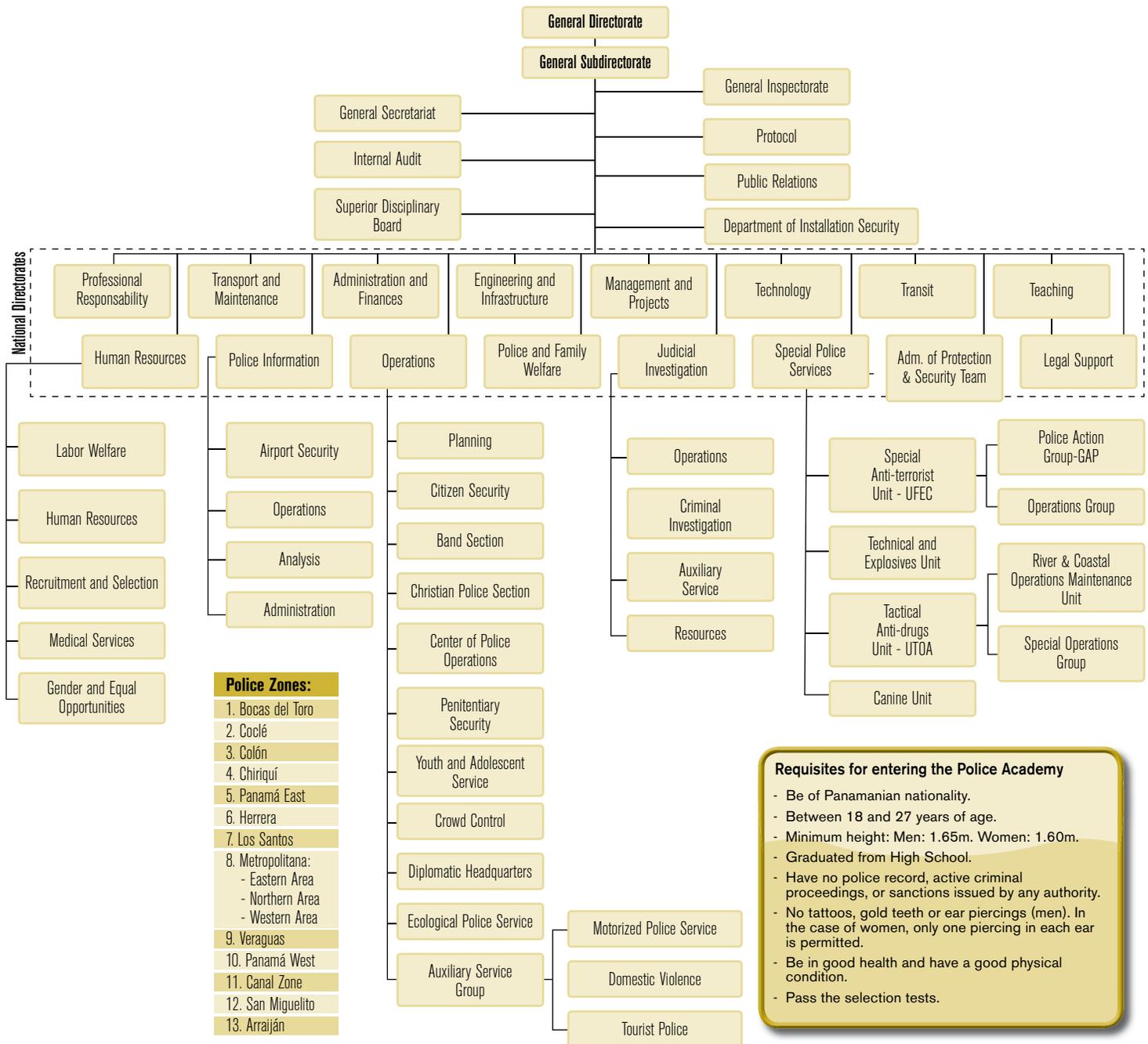
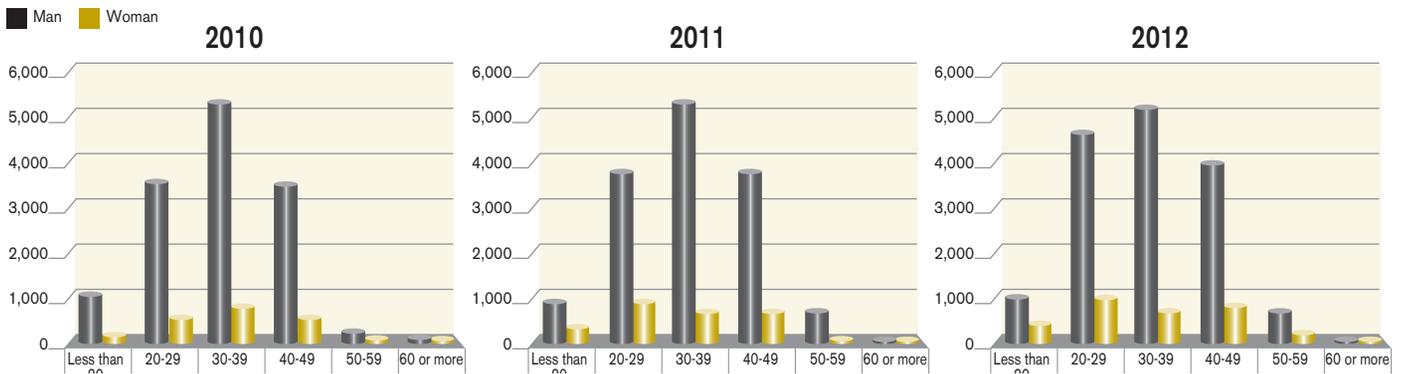


The Panama Municipality is the only one to have a municipal police body.

National Police Personnel



Police Personnel, according to age



Sources: Legislation mentioned and documents found on the 'transparency page' of the National Police. Human Rights Ombudsman, Informe Anual 2011-2012.

The National Aero-Naval Service

The National Aero-Naval Service – SENAN - carries out maritime, aerial, port and airport police functions. It is therefore a police institution, part of the Public Force, and of permanent civil character.

It was created in 2008 with the unification of the National Air and National Maritime Services. It has its own professional career and disciplinary regime.

It has different units:

- The aerial group.
- The naval group.
- The marine infantry
- The aero-naval police (for islands and airports).

Personnel: 2,300 (personnel under oath) career staff and 200 administrative officials.

Coordination with other bodies

It is linked with SENAFRONT (National Border Service) to assist in transportation to borders or offshore islands, and sometimes also through joint operations.

A tactical anti-drug operations unit works with the National Police's anti-drug unit. The investigations area coordinates with the Directorate of Judicial Investigation Police for operations, raids and arrests. Similarly, SENAN members can be transferred to another police service according to service needs or at the request of the interested party.

According to the authorities, SENAN has had difficulties in logistics, equipment and even staff welfare, a situation which it has tried to reverse situation in recent years.

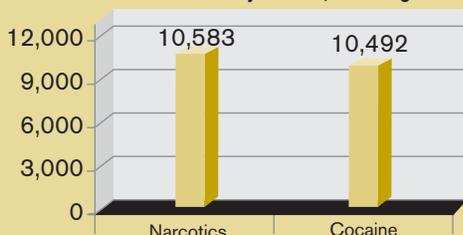
The United States has provided, and continues to provide both training and equipment.

In 2012, five coastal patrol boats, 4 class 200 patrols and 2 helicopters were acquired.

It has 20 stations across the country. In the 139 operations carried out in 2012, it had results such as:

- Capturing 53 persons involved in illegal trafficking.
- Eradication of 9,788 cultivations of marijuana.
- Support to 137 requests for assistance.
- 68 aerial medical evacuations.

Confiscations made by SENAN, 2012 (Kgs)



Sources: President of the Republic of Panama, *Informe de la Nación* (July 2013). Information provided by the National Aero-Naval Service. *Decreto Ejecutivo que crea el Servicio Nacional Aeronaval, N° 7, 08/22/2008*. US Bureau of International Narcotics and Law Enforcement Affairs, *2013 International Narcotics Control Strategy Report (INCSR), Panama Country Report*, March 2013.

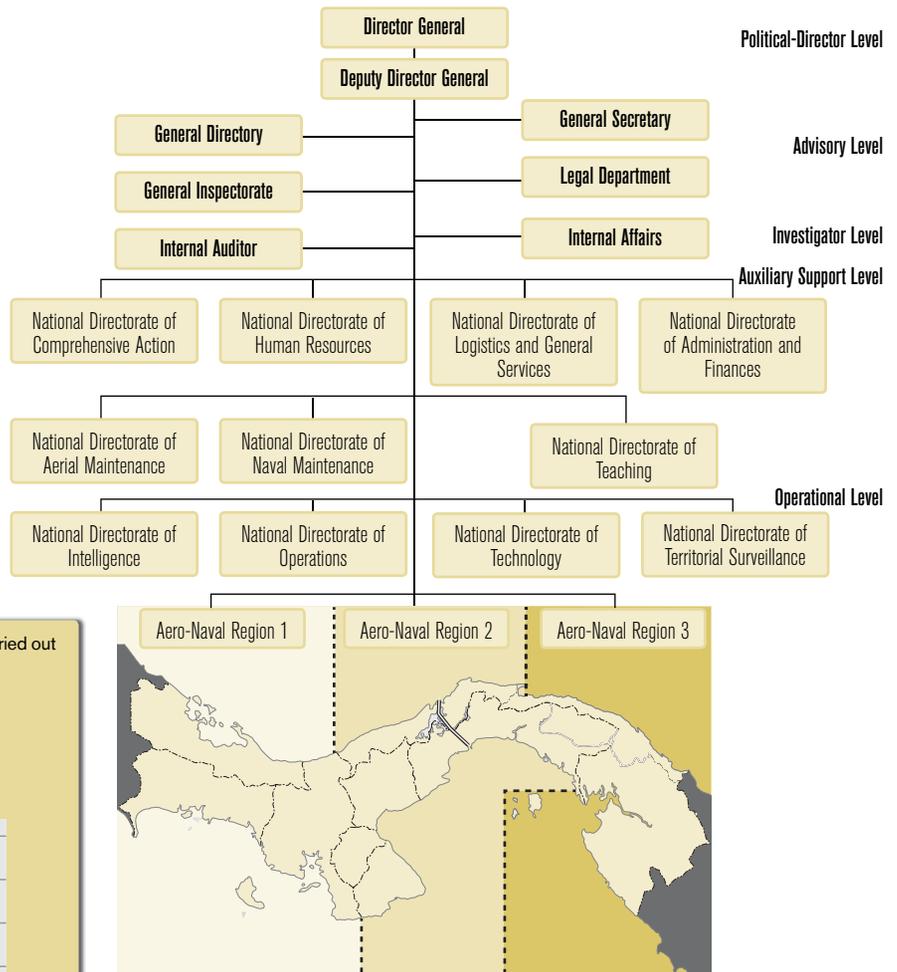
Aero-Naval Service Career

Staff are divided between personnel **under oath** and those **not under oath**. Those under oath perform the **National Aero-Naval Service Career**, while those not under oath carry out purely administrative and technical functions (non-uniformed, no weapons or institutional badges).

Personnel under oath are divided into different scales:

- Basic Level: Agent, Second Corporal, First Corporal
- Deputy Officer Level: Second Sergeant, First Sergeant.
- Mid-level Officer Level: Second Lieutenant, Lieutenant, Captain.
- Senior Officer Level: Major, Deputy Commissioner, Commissioner.
- Director Level: Deputy Director General, Director General.

Education, training and specialization are carried out through the academic centers of the National Police. In the case of officers, most of them receive training abroad, especially through cooperation programs with the United States (a country which in turn is promoting, in recent years, broad training relations between the Panamanian Aero-Naval Service and Colombia).



National Border Service (SENAFRONT)

The National Border Service is a police force specialised in the border area. It is part of the Public Force, and therefore a dependant of the Ministry of Public Security.

It was created in 2008 through Decree Law No. 8

as a permanent institution of civil character, with a professional career and a special disciplinary regime. Until then, this body was part of the National Police. SENAFRONT is currently under the Ministry of Public Security.

Personnel: 3,747 members
Within the Ministry of Public Security

The principal deployment is on the border with Colombia, where 70 permanent positions are located. In 2012, the number of staff operating these positions decreased by 40% in order to form mobile units in the area. Personnel were specially trained for these tasks, with an emphasis on jungle survival; specialized equipment has also been invested in.

In 2012, SENAFRONT:

- Confiscated 5,285,000 packages of cocaine, 5,000 coca seedlings, 163 packages of marijuana and 3,076 marijuana plants.
- Destroyed three camps of irregular foreign armed forces.
- Seized US\$51,383 and 42 firearms.

As in the case of the Aero-Naval Service (the decrees creating them were in fact published the same day), SENAFRONT is comprised of personnel that are, and are not, under oath. Those under oath are members of the National Border Service Career and those that are not fulfil administrative and technical roles.

Training of personnel under oath is carried out in its own Academy, where cadets pass through a 6 month basic course (up until 2012, this was carried out in the Police Academy). This is followed by 2 months of specialization and from there they are placed on a 2 year trial period.

Quantity of graduates entering the institution 2003-2013

	Men	Women
From national schools	2,097	114
From foreign schools	29	43

Among other operations, they provide assistance to illegal immigrants. Between 2009 and 2010, according to service records, illegal migrants receiving attention predominantly arrived from Brazil, where they arrived primarily from African and Asian countries. This trend then began to change.

In 2012, 3,430 Cuban nationals and citizens of other nationalities were found by SENAFRONT in border areas. In these cases, resources are allocated to support these people for a few days: food, clothing, etc. In 2012, spending for this category totalled US\$160,000.

59% of SENAFRONT personnel, 70 fixed posts and a number of **mobile units** operate in the Darién border province.

Personnel under oath

Men		Women
1	Director	0
1	Deputy Director	0
11	Commissioner	0
24	Deputy Commissioner	0
23	Major	0
39	Captain	4
138	Lieutenant	7
160	Second Lieutenant	7
248	First Sergeant	8
719	Second Sergeant	7
343	First Corporal	5
245	Second Corporal	12
1,506	Agent	117

Other personnel: cadets (17), civilian personnel (103, 62 men and 41 women) and 2 security agents.

Panama/Colombia Bi-national Border Commission - COMBIFRON

3 meetings are held per year between officials from Panama and Colombia to coordinate border security strategies. Security forces from each country (SENAN and SENAFRONT from Panama) also hold simultaneous (although not joint) operations in the same zone from each side of the border. The aim is to recover territory, capture criminals and confiscate and destroy drugs and contraband.

The Darien Zone

According to the Panamanian authorities, the Revolutionary Armed Forces of Colombia - FARC- used 26% of the Panamanian territory as a stage for drugs and weapons trafficking. The Darien zone is that which borders Colombia and - furthermore - due to its jungle and population characteristics, it is one of the areas to which the Panamanian government has placed special attention in recent years.

The lack of infrastructure in the region makes SENAFRONT's participation essential in order to carry out patrols and inter-institutional actions with officials from other areas such as health, education, and also for coordinating the specific program that the Office of the President directs in the area. There is a very high dispersion of the population, as well as being home to indigenous groups.

SENAFRONT performs humanitarian actions together with organizations like the Red Cross and the Ministry of Health. It also conducts activities such as sports, food distribution, and vaccination campaigns, etc. All of these activities are carried out within the budget allocated to the institution.

Sources: President of the Republic of Panama. *Informe de la Nación* (July 2013). Website of the National Border Service. *Decreto Ley que crea el Servicio Nacional de Fronteras*, N° 8, 08/22/2008.

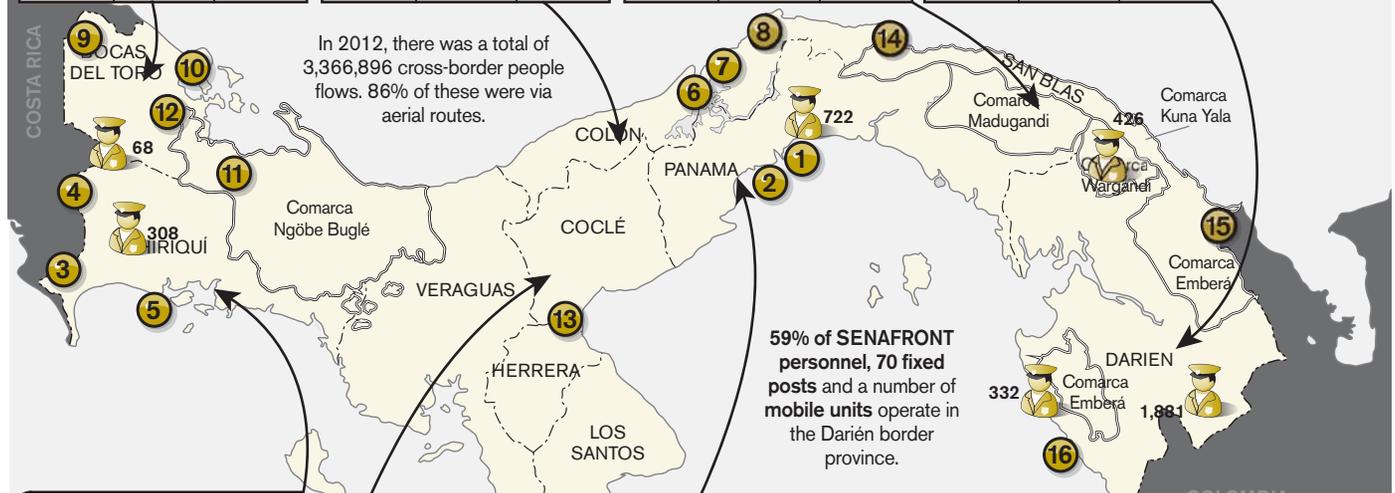
Border Movements and Immigration Control

The National Migration Service, located within the Ministry of Interior, was created through DL 3 – 02/22/2008 and is responsible for migration control in Panama. Its functions include regulating

the migratory movements of foreigners and nationals, executing migration policy, and maintaining registers. The National Border Service, for its part, is deployed at the border posts.

Border Movements and Immigration Control

Bocas del Toro:			Colón:			Comarca Kuna Yala:			Darién:		
	Arrivals	Departures		Arrivals	Departures		Arrivals	Departures		Arrivals	Departures
2013*	48,362	47,553	2013*	9,868	8,016	2013*	4,184	2,986	2013*	539	481
2011	65,706	59,987	2011	10,933	10,831	2011	4,496	3,780	2011	859	404
2009	30,045	23,963	2009	7,426	6,424	2009	2,988	1,919	2009	1,386	1,285



Chiriquí:		
	Arrivals	Departures
2013*	136,452	134,038
2011	220,601	224,517
2009	160,544	147,881

Coclé:		
	Arrivals	Departures
2013*	16	23
2011	110	117
2009	0	0

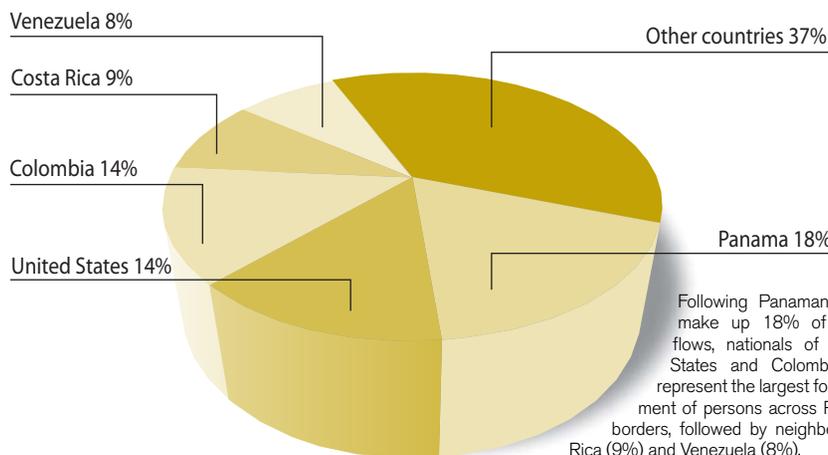
Panamá:		
	Arrivals	Departures
2013*	1,256,625	1,046,071
2011	1,693,136	1,578,281
2011	1,352,066	1,282,185

Airports	Ports	Land Crossing
1 Tocumen	6 Cristóbal	(Note: principal border posts only. There are 35 in total)
2 Albrook	7 Club de Yates	3 Canoas
5 Enrique Malek	8 Portobelo	4 Río Sereno
10 Bocas Del Toro	11 Chiriqui Grande	9 Guabito
16 Jaque	12 Almirante	
	13 Aguadulce	
	14 El Porvenir	
	15 Obaldía	

Number of personnel from SENAFRONT deployed

*January - June 2013

Persons leaving and entering the country according to country of origin (2011)



“Crisol de Razas”: Regularizing the status of foreigners

This program provides foreigners who have irregular migratory status with a 2 year temporary residency in which to regularize their status. In total, 30,513 foreigners have had their statuses normalized, with the regularization of 7,088 foreigners in the most recent extraordinary process. This includes persons from 55 different nationalities, with Venezuelans, Colombians, Nicaraguans, and Dominicans forming the majority. 3,627 received a 2 year permit, whilst 3,461 received a 10 year extension, and thus provisional residency.

Sources: National Migration Service, Ministry of Public Security. Information provided by the National Directorate of Human Resources, National Border Service. Directorate of Migration, *Revista Semanal del Servicio de Migración, Volumen 2, Diciembre 2012.*

The Penitentiary System

The **General Directorate of the Penitentiary System** is responsible for management and security within penal centres. It manages 23 prisons.

In recent years there has been an increase in personnel, particularly specialists in resocialization and avoiding idle activity (which is seen as one of the causes of rioting). In relation to this they work with other institutions such as INADI (National Institute against Discrimination), the Ministry of Education and various churches, among others.

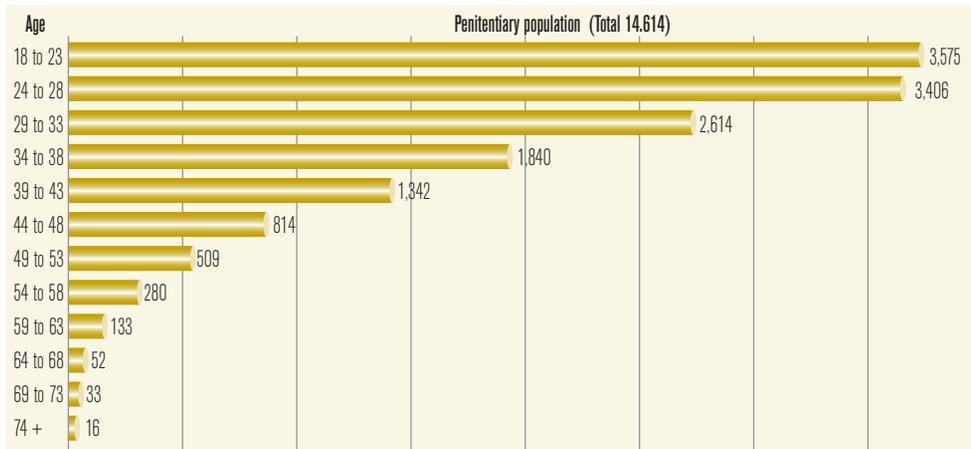
**Dependent of the Ministry of Interior
Personnel: 1,192**

Penitentiary Surveillance and Rehabilitation Agents (AVIR)

They receive their training in the **Penitentiary Training Academy**, from which **480 penitentiary agents** have graduated in the past two years (February 2011 to December 2012).
The course lasts 3 months.

Administrative and Operation Personnel within the Penitentiary System (2012)

Administrative: 176
Civilian custody and AVIR: 903
Transit personnel: 14
Technical Evaluation Board personnel: 99

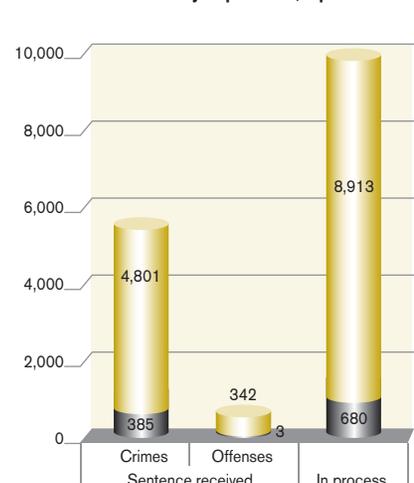


Crimes committed by prisoners, December 2012, by age (%)

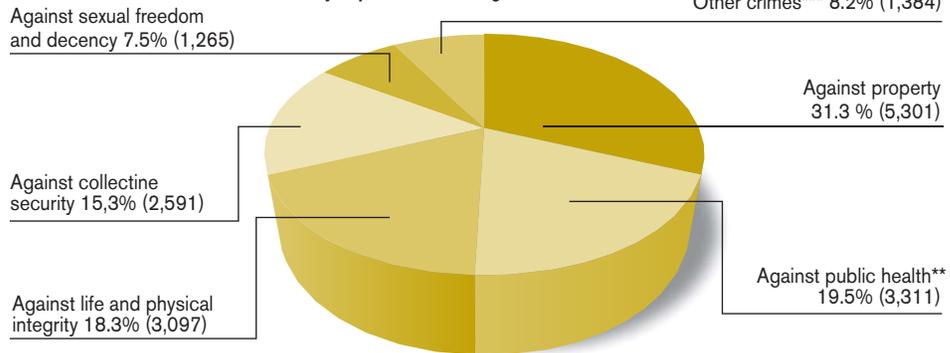
Crime	18 to 23	24 to 28	29 to 33	34 to 38	39 to 43	44 to 48	49 to 53	54 to 58	59 to 63	64 to 68	69 to 73	Over 74
Against property	32.8%	25.6%	17.2%	10.4%	6.6%	3.7%	2.1%	1.2%	0.4%	0.1%	0.0%	0.1%
Against public health	11.5%	19.7%	19.2%	16.8%	13.7%	7.3%	5.6%	3.6%	1.5%	0.6%	0.5%	0.1%
Against life and physical integrity	23.1%	25.5%	21.5%	13.1%	7.1%	4.4%	2.2%	1.4%	1.0%	0.5%	0.2%	0.1%
Against collective security	21.1%	22.1%	19.3%	14.6%	9.4%	6.4%	3.3%	2.3%	1.2%	0.2%	0.1%	0.1%
Against sexual freedom and decency	15.1%	19.4%	16.3%	12.6%	12.8%	8.0%	6.7%	3.9%	2.8%	1.7%	0.6%	0.3%
Other crimes*	13.8%	19.0%	18.0%	13.8%	14.0%	9.2%	6.5%	2.5%	1.4%	0.9%	0.4%	0.3%

* Other crimes: administrative offenses, against the public trust, possession and trade of prohibited weapons, against the legal order, against freedom, against the administration of justice, against the national economy, against copyright and related rights, against public administration, against the legal status of the State, electoral crimes, against honor, against planning regulations; against the identity and trafficking of minors.

Status of the Penitentiary Population (September 2013)



Penitentiary Population according to Crime Committed*



* The resulting total is greater than the total population because there are prisoners who have committed 2 or more offenses.
** Includes the illegal sale of drugs and substances harmful to the health, among others.
*** Other crimes: administrative offenses, against the public trust, possession and trade of prohibited weapons, against the legal order, against freedom, against the administration of justice, against the national economy, against copyright and related rights, against public administration, against the legal status of the State, electoral crimes, against honor, against planning regulations; against the identity and trafficking of minors.

Sources: General Directorate of the Penitentiary System, Informe Estadístico del cuarto trimestre del año 2012, Población penitenciaria en la república por sexo, situación jurídica y autoridad competente, septiembre 2013.

Institutional Protection Service

Public Force. Depends on the Office of the President Personnel: 174

The Institutional Protection Service was created in 2006 as a dependent of the Public Force, and under the Office of the President. Its primary mission is to ensure the preservation of the legitimately constituted constitutional order, safeguard the life and honor of the President of the Republic, the former Presidents of the Republic and the former vice-presidents responsible for

the Presidency of the Republic, as well as contribute to the maintenance of internal public order, peace and security.

In terms of training it has an **Academy of Comprehensive Education and Training**. It maintains constant cooperation with the rest of the Public Force, especially in events and exercises involving figures from other countries, such as PANAMAX exercises.

Private Security

The current legal framework regulating private security companies is provided by Executive Orders 21 and 22, 1992.

Law No 56 of 2011, which established new regulations in the area, in September 2013 had still not entered into force (the last suspension, for six additional months, was through Law No 52, September 6th, 2013).

Institutional Directorate of Public Security Affairs

It was created in 1992 within the Ministry of Interior, and since 2010, it is within the Ministry of Public Security. It has the mission to monitor, record, regulate and inspect the activity of companies engaged in surveillance and private protection, as well as those engaged in the importation and commercialization of firearms, ammunition, non-lethal security and defense products, explosive material, fireworks and related materials.

Main points of the proposed legal framework:

- Companies will have, as their sole purpose, the provision of private security services, and must be established as Panamanian public company.
- They will collaborate with the Public Force and other State public security institutions if and when required.
- Administrators, directors, dignatories and those employed by the firms will be authorized by the DIASP, and must be Panamanian nationals and residents in Panama, with the exception of shareholders and financial beneficiaries.
- Private security services may have the following forms:
 - Fixed Surveillance.
 - Mobile Surveillance
 - Transport of values
- Private detectives cannot provide other surveillance or security functions or exercise the functions attributed to staff.

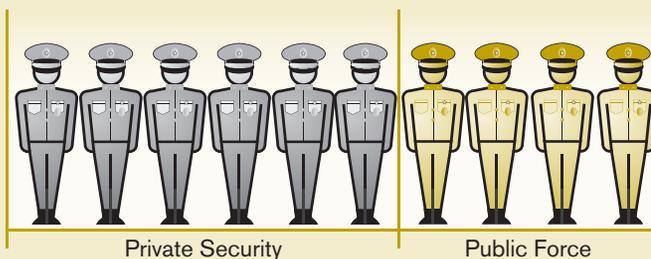
146 private security firms employ

30,000 agents

Requisites to be private security agents:

- Possess Panamanian nationality
- Between 18 and 50 years of age.
- Possess the physical and mental fitness necessary for their functions, as certified by a qualified physician.
- Have no criminal record.
- Possess primary educational qualifications.
- Not have been expelled from any State facility, agency or institution for committing any criminal offense or grave administrative misconduct.
- The position of private security agent is incompatible with being an active member of the Public Force.

If we add together Public Force personnel and private security personnel - what we could call the entire personnel devoted to security tasks, be it of national or public character - 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: Ministry of Public Security, Institutional Directorate of Public Security (DIASP). *Decreto Ejecutivo por el cual se regula el funcionamiento de las agencias de seguridad privada* (N° 21, 1992) and *Decreto Ejecutivo por el cual se regulan las condiciones de aptitud, derechos y funciones de los Vigilantes Jurados de seguridad* (N° 22, 1992). *Ley que regula los servicios privados de seguridad y dicta otras disposiciones* (N° 56, 30-05-2011).

This publication presents updated and organized information on public security in Central America, with the cases of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama.

The work is based on the collection of available data, and fieldwork and interviews with the diverse actors involved in the different phases of security. The systemized information presented here seeks to place 'order' in the 'chaos' and is a useful tool for both research and decision-making. It covers the political and institutional control of public security, the link with the criminal justice sector, law enforcement bodies, State actions in the face of crime, prevention programs, budgets, the participation of the armed forces in public security, private security, and summary information regarding crimes and their main characteristics.

In many cases, a general panorama is presented that does not always appear completely clear, yet an effort to attain relevant information, which in many cases not even the authorities and institutions responsible possess in a clear manner, is necessary.



The Public Security INDEX also opens up the view to themes relevant to security such as domestic violence or traffic deaths, which together with crime rates affect the daily opportunity for citizens to live in a safe and secure environment.

Since 2009, RESDAL has begun a sustained action in support of an institutional approach to public security in the region. In 2009, the first *Índice de Seguridad Pública y Ciudadana en América Latina* was published, covering the countries of the so-called 'Northern Triangle'. It is now pleased to present this issue as a way of providing a more complete tool covering Central America, hoping that its distribution will fill gaps, help in the organization of information, and question a conventional wisdom that is not always an accurate reflection of what is a complex reality.

Public Security INDEX

**Central America:
Costa Rica / El Salvador / Guatemala
Honduras / Nicaragua / Panama**

