

Better Governance to Fight Displacement by Gang Violence in the Central American Triangle

Mejor gobernabilidad para enfrentar el desplazamiento producto de la violencia de pandillas en el triángulo centroamericano

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Poor institutional capacity and wrong strategies to deal with gang and criminal violence have resulted in over half a million people displaced. Governments need to increase the quality of their political systems to restore law and order, to contain forced displacement and allow for the return of those who had fled.

It is estimated that over half a million people from Honduras, El Salvador and Guatemala have been forcibly displaced by violence related to gangs and criminal organizations. However, governments have been reluctant to acknowledge the seriousness of the situation, and international organizations have done little to address the protracted humanitarian consequences of violence, unlike the way these are dealt with at war-torn countries. A long-term solution to forced displacement would require Central American governments to strengthen their institutional capacities and to design strategies to appropriately address the sources of violence from a perspective which places human rights and democratic values at the center. That is a necessary condition to restore law and order and, accordingly, provide security for the return of the displaced.

Gang Violence as a Source of Displacement

Even though violence has been part of their contemporary history over the last decade, Honduras, El Salvador and Guatemala, countries that compose the Central American Northern Triangle (CANT),

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have become some of the most violent in the world. The violence has produced a high humanitarian toll and has forced more than half a million people to flee, both internally and beyond their borders.

The main sources of violence are Mexican drug cartels, local criminal organizations involved on the drug transport business, and street gangs, mainly the Mara Salvatrucha (MS-13) and Barrio 18 (18th Street). However, due to the way in which gangs operate and the underlying root causes of their very existence, they have damaged the social fabric that sustains a peaceful community interaction, have imposed what some called the culture of fear, which means that it has become common for people to live at risk and they have had a particularly strong effect on population displacement.

MS-13 and 18th Street are identity-based gangs with a strong territorial orientation. The gang's cells are called clicas, and for a long time they have maintained a bloody dispute over territory. The fight has had a strong incidence over the already fragile law and order in the CANT, having a major social, economic and political impact. Civilians are caught in the crossfire, are threatened and often ordered to leave their home as part of gangs' territory conquests. Furthermore, gangs are involved in several criminal activities, such as robberies, kidnappings, extortions, sexual violence, and have established links with organized criminal groups to commit contract killings and drug dealing. Very frequently, disputes between gangs end up in shootings and attacks. If a clica is defeated, relatives and supporters must flee to avoid reprisals by the victorious gang. It is also common that the controlling gang imposes extortion fees to residents, which they increase at their free will until it gets almost impossible for people to pay and any denial could result in murder, sometimes even without a notice. Traditionally, joining a gang was voluntary, but for years now, forcible recruitment has been widely spread, creating a burden for families with children who are at risk and are usually forced to pay the gang to avoid forced recruitment.

Violence has triggered high homicide rates, which has led the Northern Triangle to gain the reputation as one of the most violent regions in the world. In 2015, 17 422 violent homicides were committed in the CANT, which represents an increase of 1 695 murders in relation to 2014. This number does not include the underreported

missing people whose bodies very often are later found. With 6 657 violent homicides, El Salvador has taken the place as the most violent country in the world with a rate of 104 homicides for every 100 thousand inhabitants, replacing Honduras where 5 047 homicides were committed from January to November 2015, and a rate that drop in 2013 from 75 to 57. Finally, Guatemala reports 5 718 homicides which represents a rate of 35.4 (El Heraldo, 2015). These rates are the highest registered for countries with no formal war, and are even higher than those registered in some countries experiencing conflict such as Iraq and Afghanistan. Men between the ages of 15 and 34 account for the overwhelming majority of homicide victims, and they also comprise the membership of youth gangs (The World Bank, 2011).

Forced Displacement

For a long time, forced displacement in the CANT was almost unaccounted for—but rising numbers of whole families leaving their homes—young people and minors fleeing and the alarming cases of massacres, disappearances and other human rights violations of migrants throughout Mexico, have captured international attention.

Population movement as a result of violence by gangs and organized crime has been repeatedly referred to as a migration crisis by several non-governmental organizations (NGO's) and international organizations (IO's), which indicates that the situation exhibits some of the features of a humanitarian emergency. Yet, the Northern Triangle governments have remained reluctant to officially acknowledge the extent of the phenomenon and, consequently, none of them have adopted a national law on displacement. Furthermore, none of these countries have official data on displacement available, which makes it difficult to create awareness of the situation and take proper action to address the issue. Despite this, there is overwhelming evidence that suggests that families and young people regularly flee areas appropriated by gangs to escape their violence.

In its last annual report, the Norwegian Refugee Council estimates that the number of the displaced population from the CANT was 566 700 (2015), with El Salvador registering the highest number with 289 thousand, followed by Guatemala with 248 thousand

and Honduras with 30 thousand. The document shows a trend in Central America where new actors, namely gangs and organized crime, cause massive population displacements both internally and internationally, as people try to escape their countries due to the lack of protection. This tendency points to what may be considered a key challenge regarding forced displacement in general, but also the source of violence in particular, as the lack of protection for civilians is related to a poor institutional capacity to establish law and order and guarantee of public security levels, which would later provide the conditions for the safe return of the displaced population.

The CANT countries register high rates of impunity as a result of a malfunctioning justice system and corruption, which creates skepticism, distrust, and lack of hope among the population. Thus, the sense of being at the mercy of criminal groups and gangs is often a turning point, which makes fleeing the only way out. While El Salvador holds an impunity rate of 90.30 percent, Guatemala and Honduras follow closely with rates of 88.20 and 85.71 respectively (CIPREVI, 2013). In that context, the chances of getting justice remain slim, making the prospects for return almost null.

However, impunity is just the result of a low quality of democracy in the Northern Triangle countries, which results in poor institutional capacity to truly deliver the necessary conditions for human rights to be fully exercised. Thus, governance in general remains an issue of concern in these countries. On the World Governance Index of The World Bank (2015), which assesses six indicators worldwide (voice and accountability, political stability and absence of violence, government effectiveness, regulatory quality, rule of law, control of corruption), El Salvador scored 48/100 in control of corruption, Guatemala 34/100 and Honduras 17/100.

Conclusions

Thus, violence should be seen and understood in the broader context of governance, since poor institutional performance has allowed for corrupt practices, crime infiltration and the use of the state capacities to achieve illicit purposes. Therefore, to address the violence perpetrated by criminal groups and gangs, it is necessary first to

acknowledge the role played by poor governance and identify the areas of concern so that specific work could be directed towards improving the governmental capacities to advance the foundations of democratic values.

In this regard, it is of particularly high importance to work in the area of public security, but from a human rights perspective. The governments of the region have, for a long time, implemented a hard-handed policy approach to tackle gangs and organized crime. Many studies suggest that, in fact, those types of policies do not pay off and produce the undesirable results of increasing violence, since it deepens the fight against the government. It is therefore important to design strategies that work in such prevention and the dealing of gangs. Young people should be persuaded not to join gangs, encouraging a more peacebuilding approach to society relations. CANT governments should receive international support and funding to address the structural causes of violence, such as poverty and lack of opportunities. Therefore, education and employment levels need to improve as a necessary condition for violence prevention.

Years of violence and conflict have marked the Northern Triangle societies and it is therefore important to promote peace and stability, but this will only be possible if criminal and social justice reaches acceptable levels. Rehabilitation centers should play a key role in making possible a more peaceful society, as well as a properly operating prison system fundamental in the process of providing public safety.

A key aspect is to strengthen the democratic institutions in El Salvador, Honduras and Guatemala, so the citizens develop a sense of protection and trust their government. In this regard, there have been small but meaningful efforts to move into that direction. In September 2015, as a result of the corruption scandals related to customs and revealed by the International Commission against Impunity in Guatemala, high rank officials were sacked and ultimately President Otto Perez Molina resigned and later faced justice. Furthermore, judiciary processes for human rights crimes committed during the Guatemalan conflict are ongoing.

The issue of forced displacement must be fully acknowledged by the governments so that they can truly work on preventing it and developing the conditions for the return of the displaced. In this

regard, it must be mentioned that by the end of 2013, the government of Honduras created the Inter-institutional Commission for the Protection of the Displaced by Violence (known by its Spanish acronym CIPPDV), which in collaboration with NGO's and civil society, has the main objective of encouraging public policy designed to prevent forced displacement and provide support to those who have already been displaced. This is a first good step, but the CIPPDV has not done significant work to prevent forced displacement. This may well be, once again, a consequence of the lack of institutional capacity.

One of the most staggering faces of forced displacement in Honduras, El Salvador and Guatemala was the surge of unaccompanied minor migrants from these countries who have been arriving into the United States. This phenomenon prompted the drafting of the Partnership for Prosperity Plan Norte Triangle, a package of policies aimed at four areas: economic development; provision of educational, health, nutrition and child and youth development; violence and security; and natural disasters. Last December, 750 million USD were approved by the US Congress for Partnership Plan, conditioned to implementing policy reforms and programs to enhance transparency and strengthen public institutions, combat criminal networks, drug trafficking and investigate and prosecute members of the military, police and the government involved in crime. Additionally, 25 percent of the funds were conditioned to the implementation of efficient control migration strategies and to increase border security. It remains uncertain whether Honduras, El Salvador and Guatemala have enough resources and power to comply with the conditions, it seems unlikely since that is precisely what they need help for.

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