



# Mafia of the Poor: Gang Violence and Extortion in Central America

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## *Executive Summary*

Born in the aftermath of civil war and boosted by mass deportations from the U.S., Central American gangs are responsible for brutal acts of violence, chronic abuse of women, and more recently, the forced displacement of children and families. Estimated to number 54,000 in the three Northern Triangle countries – El Salvador, Guatemala and Honduras – the gangs' archetypal tattooed young men stand out among the region's greatest sources of public anxiety. Although they are not the only groups dedicated to violent crime, the *maras* have helped drive Central American murder rates to highs unmatched in the world: when the gangs called a truce in El Salvador, homicides halved overnight. But it is extortion that forms the *maras*' criminal lifeblood and their most widespread racket. By plaguing local businesses for protection payments, they reaffirm control over poor urban enclaves to fund misery wages for members. Reducing the impact of these schemes, replacing them with formal employment and restoring free movement across the Northern Triangle's urban zones would greatly reduce the harm of gang activity.

Charting this route, however, requires a sharp switch in current policies. Ever since *mara*-related insecurity became visible in the early 2000s, the region's governments have responded through punitive measures that reproduce the popular stigmas and prejudices of internal armed conflict. In programs such as Iron Fist in El Salvador, the Sweep-Up Plan in Guatemala or Zero Tolerance in Honduras, mass incarceration, harsher prison conditions and recourse to extrajudicial executions provided varieties of punishment. The cumulative effects, however, have fallen far short of expectations. Assorted crackdowns have not taken account of the deep social roots of the gangs, which provide identity, purpose and status for youths who are unaccommodated in their home societies and "born dead". The responses have also failed to recognise the counterproductive effects of security measures that have given *maras* prisons in which to organise and confirmation of their identity as social outcasts.

The succession of unsuccessful punitive measures is now coming under closer scrutiny across the Northern Triangle. All three countries are experimenting with new forms of regional collaboration in law enforcement. Guatemala has introduced vanguard measures to combat extortion rackets, many of them run from within jails, and has proposed a range of alternatives to prison terms. Although the collapse of the truce with the *maras* in 2014 spurred unprecedented violence in El Salvador, murder rates appear to have fallen again, while parts of the *maras* have proposed fresh talks with an eye to their eventual dissolution – an offer shunned by the government. Mass deportation from the U.S. back to these countries risks a repeated upsurge in gang crime. However, U.S. concern with reducing the migrant flow from Central America has generated significant new funds for development in the region via the Plan of the Alliance for Prosperity.

At the core of a new approach should stand an acknowledgement of the social and economic roots of gang culture, ineradicable in the short term, alongside a concerted state effort to minimise the violence of illicit gang activity. Focused and sophisticated criminal investigations should target the gangs responsible for the most egregious

crimes, above all murder, rape and forced displacement. Extortion schemes that depend on coercive control over communities and businesses, and which have caused the murder of hundreds of transport workers and the exodus of thousands in the past decade, could be progressively transformed through a case-by-case approach. Ad hoc negotiations and transactions with gangs responsible for extortion are not uncommon in the Northern Triangle, and have generated insights into how the *maras* may be edged toward formal economic activity. Targeted and substantial economic investment in impoverished communities with significant gang presence could reduce the incentives for blackmail.

Despite the mistrust bequeathed by the truce as well as El Salvador's and Honduras' classification of *maras* as terrorist groups, new forms of communication with gangs could be established on the basis of confidence-building signals from both sides, potentially encouraged by religious leaders. Government and donor support for poor communities and for improved prison conditions would ideally be answered by a significant reduction in violence from the *maras*. A momentous step by the gangs, above all in El Salvador, would be to guarantee free movement of all citizens through gang-controlled territories, as well as a restoration of the veto on violence and recruitment in schools.

Rounding up all gang members, or inviting gangs to an open-ended negotiation, represent a pair of extremes that have both proven fruitless in the Northern Triangle. Gangs are both embedded in society and predatory upon it, and both victims and perpetrators. Policies toward them need to recognise their social resilience and find ways to reduce the harm they undeniably cause without branding them enemies of the people.

## *Recommendations*

*To reduce the harm caused by gangs' violence, restore the rule of law and address the socio-economic bases of gang recruitment and extortion*

### **To the governments of El Salvador, Guatemala and Honduras:**

1. Acknowledge that the Northern Triangle is facing a serious security and forced displacement crisis, and call for international support to tackle the humanitarian fallout by collaborating with local organisations in offering temporary shelter and assistance to those displaced by violence.
2. Engage transparently in confidence-building measures with the *maras* without necessarily engaging in direct dialogue; and prepare to support improved prison conditions in exchange for peaceful signals from gangs.
3. Promote a responsible approach to integral investment and business support in areas and communities showing signs of pacification but still affected by entrenched gang-run criminal rackets, especially extortion.
4. In Honduras, repeal categorisation of gangs as terrorist groups; and respect rule of law by promoting accountability efforts via the Office of the Attorney General and the Mission Against Corruption and Impunity in Honduras (MACCIH).
5. In El Salvador, acquit all facilitators of the gang truce accused of illegal association as a trust-building action; reverse the decision to renew the “extraordinary measures” against the gangs; and approve the stalled rehabilitation law.
6. Prioritise tri-national collaboration between prosecution services as a means to identify the most effective harm reduction approaches to gang crime; and promptly target certain *mara* crimes, above all murder, rape and forced displacement.

### **To the government of the U.S.:**

7. Continue providing Central American governments with financial support to carry out violence prevention initiatives and community development under the aegis of the Alliance for Prosperity, albeit with greater emphasis on long-term development projects involving grassroots organisations.
8. Refrain from instigating mass deportations or harsher anti-migration measures against Northern Triangle countries without prior guarantees of investment in returnees' communities, proper attention to returnees' employment and vocational needs, and close monitoring of security effects; and strictly respect human rights of migrants and deportees.
9. Drop the designation of the MS-13 gang as a significant transnational criminal organisation.

**To the UN:**

10. Extend the mandate of the UN special envoy in El Salvador for a further six months and design long-term goals in the areas of education and economy; and create a working group on peacebuilding and invite all parties, including local churches, to explore the possibility of inclusive dialogue.

**To the Mara Salvatrucha and Eighteenth Street gangs:**

11. Initiate efforts at pacification and spur future dialogue by declaring freedom of movement through gang-run territories; assure that schools and hospitals are violence-free zones; and renounce violence as a means of mass public intimidation.

**Guatemala City/Bogotá/Brussels, 6 April 2017**

# Mafia of the Poor: Gang Violence and Extortion in Central America

## I. Introduction

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Street gangs or *maras*, as they are known in the so-called Northern Triangle of Central America (NTCA), comprising El Salvador, Guatemala and Honduras, have mutated from youth groups defending their neighbourhoods' turf in the 1980s to highly organised, hierarchical organisations that coerce, threaten and kill to produce a menial subsistence for their members in the 21st century.<sup>1</sup> The *maras* are not typical profit-seeking criminal organisations, but the product of mass deportation, social stresses, family breakdown and institutional weaknesses in countries that fail to distribute adequately the wealth they produce among their citizens.

The *maras* are both victims of extreme social inequity and the perpetrators of brutal acts of violence. Many of the murders in El Salvador and Honduras, which suffer among the world's highest rates of homicide, can be ascribed to confrontations with the police, rivalries, score-settling or intimidation carried out by the two outstanding *mara* organisations: the Mara Salvatrucha (MS-13); and the Barrio 18, or Eighteenth Street gang (B-18).<sup>2</sup> The cross-border links between these gangs in the three Northern Triangle countries, as well as reported connections between them and drug, arms and human trafficking organisations operating in the region, have spurred fears that these groups pose international security threats. But the emblematic crime of the *maras* is inherently micro-territorial. Both the gangs' main source of revenues and the crime that reaffirms their hold over territorial enclaves in the urban outskirts are protection rackets via deadly threats.

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<sup>1</sup> *Mara*, short for *marabunta*, a kind of swarming ant, is an informal way to refer to a large group of people in the NTCA countries. Exactly when and where the street gangs took up the name is unclear. Unless otherwise specified, this report will use the terms *maras* and gangs to refer to the two main groups, MS-13 and B-18.

<sup>2</sup> There is disagreement over the precise share of violence that can be attributed to the *maras*. According to the UN Office on Drugs and Crime (UNODC), "while undeniably violent, the share of national homicides attributable to MS-13 varies between countries, and remains controversial". "Transnational Organized Crime in Central America and the Caribbean, a threat assessment", UNODC, 2012. Flaws in the quality of data hamper the possibility of establishing clear proportions of homicidal violence produced by *maras* in the NTCA as compared to other criminal groups. "Maras y Violencia, Estado del Arte de las Maras y Pandillas en Honduras", Friedrich Ebert Stiftung, April 2016, p. 11, analyses data published by the Honduran National University and suggests that gangs were responsible for 6.2 per cent of the homicides carried out by organised crime from 2007 to 2014. The dramatic drop in homicides observed in El Salvador during the 28-month truce, however, provides strong evidence of the impact of *maras* on murder rates: an average of 218.9 monthly murders occurred as compared to an average of 352.5 in the 28 previous months (almost a 38 per cent drop) and 486.2 in the 26 months after the gangs lifted their restrictions on killing. Homicide data from the National Civilian Police and the Legal Medicine Institute in Roberto Valencia, "La tendencia a la baja en los homicidios se ratificó en junio", *El Faro*, 2 July 2016.

Extortion sustains thousands of *mara* members, while also perpetuating the worst violence meted out by the gangs, such as killings of transport workers, the criminal control exerted over prison systems and the forced displacement of families from their homes.<sup>3</sup> So extreme is extortion in Honduras that the Chamber of Commerce no longer publishes a registry of its members. In Guatemala, an estimated 80 per cent of extortions are commanded from prison. El Salvador's gang-run extortions have been described as a "system of terror that subjects community dwellers to see, hear and remain silent".<sup>4</sup>

Repressive and militarised policies toward the gangs have proved not merely ineffective, but counterproductive. Efforts to negotiate a truce with the gangs have likewise come unstuck, leading to a spike in murders in El Salvador after talks fell apart. However, examples of new economic, policing, judicial and mediation-based approaches to the gang phenomenon can be found across the region. At a time when the prospect of mass deportations from the U.S. risks exacerbating social anomie and criminal activity in the Northern Triangle, establishing ways to defuse extreme violence and minimise the harms of *mara* activity, while recognising that gangs provide meaning, identity and subsistence to thousands of young and poor Central Americans, is essential.

This report is based on dozens of interviews with officials and experts in El Salvador, Guatemala and Honduras, including with security agents, prosecutors, donors, academics, activists and community dwellers in marginal neighbourhoods of San Salvador, Guatemala City, Tegucigalpa and San Pedro Sula.

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<sup>3</sup> Crisis Group Latin America Report N°57, *Easy Prey: Criminal Violence and Central American migration*, 28 July 2016.

<sup>4</sup> Crisis Group interviews, Chamber of Commerce officer, Tegucigalpa, November 2016; Aura Teresa Colindres, Director Criminal Analysis Directorate, attorney general's office, Guatemala City, 18 October 2016; and Roberto Valencia, *El Faro* journalist, San Salvador, 23 November 2016.



## II. Violent Aftermath of Conflict

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Rapid urbanisation, flawed democratic development, the transnational drug market and state-led repression are some of the outstanding causes of the Northern Triangle's current extremes of violence, and are rooted in the long and destructive civil wars of the second half of the twentieth century.<sup>5</sup>

### A. *Historical Background*

With disparities in the distribution of land, the contested results of the 1972 election in El Salvador fuelled revolutionary movements. Under a military-civilian junta, army-backed right-wing death squads killed tens of thousands, and by the end of 1980, the Farabundo Martí National Liberation Front (FMLN) had consolidated into a guerrilla force fighting a civil war that left more than 75,000 dead.<sup>6</sup> Peace Accords were signed in 1992, but not before hundreds of thousands had left to neighbouring countries and the U.S. Damage to national infrastructure was estimated at \$1.5 to \$2 billion, close to 30 per cent of the GDP for 1990. Real per capita income declined by 25 per cent during the 1980s, 56 per cent fell below the poverty line and yearly inflation reached 25 per cent by the end of the decade.<sup>7</sup>

In Guatemala, rebels took up arms against the military regimes that followed the U.S.-backed coup in 1954 against democratically elected President Jacobo Árbenz. In the late 1970s and early 1980s, scorched-earth policies produced genocidal levels of violence in predominantly indigenous rural areas, while repression assailed urban civil society. By the signing of Peace Accords in 1996, the conflict had left 200,000 dead and displaced 40,000 beyond the country's borders, mainly into Mexico, accompanied by a growing flow of economic migrants to the U.S.<sup>8</sup>

In Honduras, following a military coup against the democratically elected president, Ramón Villeda, in 1963, military regimes prevailed until the approval of a new constitution in 1982. The country was used as a base for U.S. support to *contras* fighting the Sandinista regime in Nicaragua in the 1980s, while the government cracked down internally on left-wing activists. During the early 1990s, economic adjustment policies raised poverty, spurring migrant flows north.<sup>9</sup>

The socio-economic aftermath of conflict has been bleak. In Latin America, only Haiti has consistently performed worse than the NTCA in the Human Development Index.<sup>10</sup> In 2014, 11.3 per cent of the population in El Salvador, 24.1 in Guatemala,

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<sup>5</sup> "Crime and Violence in Central America, a development challenge", World Bank, 2011; "Citizen Security with a Human Face: Evidence and proposals for Latin America", UNDP, 2013.

<sup>6</sup> On the chronology and patterns of violence, see "From Madness to Hope: the 12-year war in El Salvador", UN-backed Commission on the Truth for El Salvador, 1993.

<sup>7</sup> Graciana del Castillo, *Rebuilding War-Torn States: The Challenges of Post-Conflict Economic Reconstruction* (Oxford, 2008), p. 106.

<sup>8</sup> "Guatemala: Memory of Silence", UN-backed Commission for Historical Clarification, 1999.

<sup>9</sup> Crisis Group interview, Adelina Vásquez, Director, Centre for Human Development, Tegucigalpa, 1 December 2016.

<sup>10</sup> Data from the UNDP Human Development Reports can be found at <http://hdr.undp.org/en/data>. The Human Development Index is a combined statistic of life expectancy, education and per capita income indicators.

and 31.2 in Honduras fell under the poverty line as measured by the World Bank. The prevalence of malnutrition in 2015 was 12 per cent in El Salvador, 16 per cent in Guatemala, and 12 per cent in Honduras.<sup>11</sup>

In El Salvador, critical elements of the peace agreement were only partially implemented. As foreign aid dried up, the right-wing Nationalist Republican Alliance (ARENA) governments prioritised macroeconomic stability through fiscal discipline over social development and poverty alleviation. The strategy of transforming former combatants into productive farmers proved difficult.<sup>12</sup> Many headed to the cities, though without any stable source of income once there.

A constant drift of the rural population to urban peripheries and major setbacks in police and judicial reform also undermined Guatemala's transition. Urban gang violence, organised crime, state corruption and institutional weaknesses drove a doubling of homicide rates in the decade from 1999. The country seemed a "good place to commit a murder, because you will almost certainly get away with it".<sup>13</sup>

The Honduran democratic transition that began in the 1980s was likewise affected by grave flaws in the new security forces, and was eventually interrupted by a military coup in 2009 against President Manuel Zelaya. Military influence over the security apparatus subsequently strengthened and democratic controls waned. According to the UN Office on Drugs and Crime, territorially based crime groups have grown in prominence in Honduras since the coup, and there is evidence of increasing gang involvement in narcotics trafficking.<sup>14</sup>

The NTCA now comprises some of the world's most violent societies. Rates of violent death in El Salvador have lately been higher than all countries suffering armed conflict except for Syria, with a murder rate of 103 per 100,000 inhabitants in 2015 and 81 in 2016.<sup>15</sup> Guatemala's rate has decreased from 46 in 2009 to 27 in 2016, coming close to the Latin American average of 23, although regional discrepancies are high. Honduras' rate of 59 in 2016 is an improvement on the 2012 peak of 86.<sup>16</sup> Meanwhile, economic difficulties and social stasis have made large swathes of NTCA

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<sup>11</sup> Data on poverty and undernourishment retrieved from the World Bank web site, <http://data.worldbank.org>.

<sup>12</sup> Rebuilding War-Torn States ..., op. cit., pp. 110-136.

<sup>13</sup> Crisis Group Latin America Report N°43, *Police Reform in Guatemala: Obstacles and Opportunities*, 20 July 2012. "Civil and Political Rights, Including the Questions of Disappearances and Summary Executions", A/HRC/4/20/Add.2, 19 February 2007.

<sup>14</sup> "Transnational Organized Crime in Central America and the Caribbean, a threat assessment", UNODC, 2012, p. 23. A recent study of gangs in Honduras states that "given the power vacuum [...] after the capture and extradition of many of the country's top drug traffickers, there is a possibility that the MS-13 is poised to take advantage" by engaging in wholesale transactions beyond its more usual participation in distribution of illegal narcotics. "Gangs in Honduras", InSight Crime and the Asociación para una Sociedad más Justa, 21 April 2016, pp. 33-34, 39.

<sup>15</sup> Data from the Legal Medicine Institute and the Supreme Court of Justice of El Salvador. See also, "Interactive Maps and Charts of Armed Violence Indicators", Global Burden of Armed Violence, Small Arms Survey 2015.

<sup>16</sup> Data from the National Civilian Police and the National Institute of Statistics of Guatemala, and from the Department of Statistics of Honduras.

societies dependent on migrants' remittances, which in 2015 made up 17 per cent of El Salvador's GDP, 10.3 in Guatemala and 18.6 in Honduras.<sup>17</sup>

### B. *Mass Deportation and Mara Formation*

The armed conflicts and socio-economic debacle of the 1970s and 1980s forcibly displaced hundreds of thousands, most of them peasants or poor urban dwellers with limited schooling. The U.S. was a coveted destination but the Reagan administration approved less than 3 per cent of Salvadorans' and Guatemalans' asylum applications. The Central American immigrant population in the U.S. went from 354,000 in 1980 to 1.1 million in 1990, and an estimated 2 million by 2000.<sup>18</sup> Most of them depended on low-wage jobs, and 21 per cent lived below the poverty line.<sup>19</sup>

Many children and teenagers arrived in disadvantaged urban neighbourhoods, prominently in Los Angeles, where street gangs operated under the aegis of prison-based criminal organisations. These youth, mainly Salvadorans, banded together to protect themselves. Some joined the few *chicano* gangs that allowed the integration of Latin Americans, such as the longstanding Eighteenth Street gang (B-18).<sup>20</sup> Others created the *Mara Salvatrucha*, which was later to be known as the MS-13.<sup>21</sup>

Several of these early gang members had witnessed, suffered or participated in brutal acts in their countries of origin. They rapidly took up the subcultural features used by the *maras* to identify their members, including tattooing, clothing, language, hand signals and musical tastes, and engaged in turf wars, petty drug trafficking, and other criminal activities that called for the use of, sometimes homicidal, violence. It is unclear why the B-18 and the MS-13 eventually fell out.<sup>22</sup>

In the wake of the 1992 riots in Los Angeles, at least 1,000 Salvadorans were deported.<sup>23</sup> The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 changed U.S. immigration laws by making minor offences such as shoplifting and unlawful overstaying in the country causes for deportation. Interinstitutional Violent Gang Task Forces were established and included the FBI and the Immigration and Naturalisation Service; from 1993 to 1999, 60,450 NTCA nationals were removed from the U.S., of whom 32.9 per cent were classified as "criminal". Although Salva-

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<sup>17</sup> "Preliminary Overview of the Economies of Latin America and the Caribbean 2016" and "Statistical Yearbook for Latin America and the Caribbean", Economic Commission for Latin America and the Caribbean (ECLAC), December 2016.

<sup>18</sup> Data from the U.S. Census Bureau, American Community Surveys and other sources published in "Central American Immigrants in the United States", Migration Policy Institute (MPI), 2 September 2015.

<sup>19</sup> "National Policies and the Rise of Transnational Gangs", MPI, 1 April 2006.

<sup>20</sup> *Chicano* is the term used for the descendants of people of Mexican origin in the U.S. Tony Rafael, *The Mexican Mafia* (New York, 2007).

<sup>21</sup> The number 13 is allegedly to state its allegiance to the Mexican Mafia, also called the "eme" or m letter, 13th in the alphabet. *Salvatrucha* composes "Salva" which refers to El Salvador, and "trucha", slang term for "clever" or "sharp". "MS13", InSight Crime, last updated 12 January 2017.

<sup>22</sup> Some point to a contest between male gang members over a girlfriend, others to an accidental shooting and unmet economic compensation. "I. El origen del odio", *El Faro*, 6 August 2012.

<sup>23</sup> John A. Booth et al., *Understanding Central America: Global forces, Rebellion, and Change* (Boulder, 2014), p. 304.

dorans comprised 35.7 per cent of the total removals, they made up 47.5 per cent of the “criminal” deportees.<sup>24</sup>

Once back in their countries of origin, young *mareros* were stigmatised by their host communities and authorities. Faced with scant access to school, limited social services and a sclerotic job market, they soon banded together and expanded.<sup>25</sup> At the time of the arrival of the Californian deportees, a local gang member said that the MS-13 “... are our enemies because they want to rule, they want to give us orders, take our neighbourhood and ‘jump us in’ against our will”.<sup>26</sup> The *maras* that emerged were better organised, engaged in more violent crimes, used heavier weapons and proved more alluring than the many smaller pre-existing street gangs, or *pandillas*. The latter were mostly reintegrated either into the B-18 or MS-13.<sup>27</sup>

### C. *Mano Dura: Imprisonment, Repression and Mara Growth*

During the first decade of the 21st century, the gangs established control over slum areas in big cities across the NTCA, but also in middle-class neighbourhoods and rural areas in El Salvador. Public transportation operators, shop keepers, and distribution firms started being compelled to pay for the right to operate there. Acts of extreme violence spread the fear of the *maras*. Seventeen people were killed and fifteen wounded in Mejicanos, El Salvador, on 20 June 2010, when a mini-bus was burned; passengers trying to escape were shot at.<sup>28</sup> That same year, Guatemalan MS-13 members kidnapped and decapitated four random victims and left their heads on the street (one of them in front of the National Congress) with the aim of coercing authorities to repeal measures against imprisoned gang members.<sup>29</sup>

Following decades of armed conflict and the stereotyping of perceived internal enemies, governments, security authorities, as well as the media and the public, were not inclined to regard these acts of violence as at least partially the effects of

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<sup>24</sup> “1999 Statistical Yearbook of the Immigration and Naturalization Service”, U.S. Department of Justice, Immigration and Naturalization Service, March 2002, table 63, pp. 221 and 225. Data for 1993 comes from the 1997 Statistical Yearbook of the Immigration and Naturalization Service. Most of those who fall into the “criminal deportee” category had been convicted of non-violent crimes that made them eligible for deportation.

<sup>25</sup> Crisis Group interview, Steven Vigil, former co-chair of the Transnational Advisory Group in Support of the Peace Process in El Salvador (TAGSPPE), Guatemala City, 5 July 2016.

<sup>26</sup> *El Fenómeno de las Pandillas en El Salvador*, UNICEF/FLACSO, 1998, p. 36. The term “jump in” (*brincar* in Spanish) refers to being initiated into a gang.

<sup>27</sup> The distinction between *pandillas* understood as pre-existing street gangs and *maras* as the organisations that emerged from the migratory patterns described is discussed in Denis Rodgers, Robert Muggah and Chris Stevenson, “Gangs of Central America: Causes, Costs, and Interventions”, Small Arms Survey Occasional Paper 23, Geneva, 2009. Sonja Wolf, “Street Gangs of El Salvador”, in Thomas Bruneau, Lucía Dammert and Elizabeth Skinner (eds.), *Maras. Gang Violence and Security in Central America* (Austin, 2011), pp. 54-80.

<sup>28</sup> “66 años de cárcel para autor de masacre en Mejicanos”, *La Prensa Gráfica*, 27 September 2013.

<sup>29</sup> “‘El Diabólico’ y ‘Sleepy’ son condenados a 168 t 48 años de prisión por ordenar cuatro crímenes”, *El Periódico*, 24 November 2016. On the use of sexual violence by gangs, see Mauricio Rubio, “Elite membership and sexualized violence among Central American Gangs”, in *Maras. Gang Violence ...*, op. cit., pp. 159-179.

social breakdown and impoverishment.<sup>30</sup> Instead, they looked upon the gangs solely as a security issue requiring ever more draconian responses.

The three NTCA states implemented repressive approaches based on mass imprisonment and round-ups in poor neighbourhoods. Suspects were identified on the basis of flimsy evidence, such as tattoos.<sup>31</sup> The policies in El Salvador in 2003 and 2004 were described as *mano dura* (Iron Fist). Honduras enacted similar approaches under the *Cero Tolerancia* (Zero Tolerance) program, and Guatemala under the *Plan Escoba* (Sweep up Plan), which was not formalised into law.

Part of the public and most of the media celebrated *mano dura* policies, whereas human rights organisations generally decried the crackdowns.<sup>32</sup> But the measures were unable to sustain any long-term violence reduction as most suspects were released due to a lack of evidence, or underwent repeated short-term detention.<sup>33</sup> More importantly, these measures transformed *maras* into more sophisticated criminal organisations.<sup>34</sup> *Mareros* were sent to prisons reserved for each gang, where they were able to strengthen their leadership system, organise criminal operations and recruit new members.<sup>35</sup> Extortion rackets began to operate from within prisons, which became “incubators” of crime.<sup>36</sup> Salvadoran prisons are among the most overcrowded in the world, with occupancy standing at 310.4 per cent of capacity in 2016, and 567 Salvadorans out of every 100,000 are imprisoned.<sup>37</sup>

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<sup>30</sup> Tani Adams, “Chronic Violence and its Reproduction: Perverse Trends in Social Relations, Citizenship, and Democracy in Latin America”, Woodrow Wilson Center for Scholars, September 2011.

<sup>31</sup> For the *maras* expelled from California in the 1990s, tattoos served as a mechanism of identification and a way to tell their own stories, including the number of killings a gang member had carried out. Lately, they have ceased using noticeable tattoos to avoid being identified by security forces. “Las maras centroamericanas, una identidad que ha dejado de tatuarse: posibles lecciones para las pandillas mexicanas”, Instituto Tecnológico Autónomo de México, 2006; and “Why the deadliest gang in the world might be rethinking face tattoos”, The Daily Caller, 15 May 2016.

<sup>32</sup> “Presentan en Honduras los informes ‘Justicia juvenil y derechos humanos en las Américas’ y ‘Seguridad ciudadana y derechos humanos’”, UNICEF, 23 July 2012.

<sup>33</sup> “Gangs in Central America”, Congressional Research Service, 26 November 2012, p. 9. The Institute for Comparative Studies in the Penal Sciences examined more than 5,000 detentions in Guatemala during April and May 2004 and deemed only 1.1 per cent to have had legal grounds. Eline Cecilie Ranum, “Street Gangs of Guatemala”, in *Maras. Gang Violence ...*, op. cit., p. 79.

<sup>34</sup> Oliver Jütersonke, Robert Muggah and Dennis Rodgers, “Gangs, urban violence, and security interventions in Central America”, *Security Dialogue*, vol. 40, no. 4-5 (2009), pp. 373-397. “Transnational Youth Gangs in Central America, Mexico and the United States: Executive Summary”, Instituto Tecnológico Autónomo de México, 2006, p. 9. The film director Cristian Poveda, who had just released his documentary about *mara* life in El Salvador, *La Vida Loca*, was shot dead by *mareros* in 2009 on suspicion that he was a police informer, showing the growing wariness of the *maras*. “Killers of filmmaker Christian Poveda jailed”, *The Guardian*, 11 March 2011.

<sup>35</sup> In 2004, El Salvador distributed the Apanteos, Sonsonate, Quezaltepeque and Ciudad Barrios jails to the MS-13. B-18 had already received exclusivity in the Cojutepeque prison. [www.salanegra.elfaro.net/es/201408/cronicas/15861/El-pa%C3%ADs-que-entreg%C3%B3-las-c%C3%A1rcels-a-sus-pandilleros.htm](http://www.salanegra.elfaro.net/es/201408/cronicas/15861/El-pa%C3%ADs-que-entreg%C3%B3-las-c%C3%A1rcels-a-sus-pandilleros.htm).

<sup>36</sup> “The Prison Dilemma: Latin America’s Incubators of Organized Crime”, InSight Crime, 19 January 2017.

<sup>37</sup> The most recent occupancy levels and imprisonment rates were 296 and 115 in Guatemala, and 195.7 and 196 in Honduras. Data from the World Prison Brief, [www.prisonstudies.org](http://www.prisonstudies.org).

Politics in the region has gravitated increasingly around proposals to get tough on crime, also known as “penal populism”.<sup>38</sup> Antonio Saca in El Salvador (2004) and Otto Pérez Molina in Guatemala (2011), for example, were elected presidents after promising *mano dura* approaches to gangs and crime. The appeal for gang suppression has endured, especially in El Salvador, but success in violence reduction and rehabilitation of offenders has yet to be seen.<sup>39</sup>

#### D. Truce in El Salvador 2012-2014

In March 2012, digital newspaper El Faro reported the initiation of a truce between El Salvador’s two main gangs, the MS-13 and B-18 (including its two factions, the Revolutionaries and the Southerners), and their negotiations with the government.<sup>40</sup> Leaders had agreed to abstain from killing members of other gangs in exchange for better jail conditions. Thirty leaders held in the high security prison at Zacatecoluca (aka “Zacatraz”) were transferred to less restrictive facilities. Within a week, homicidal violence dropped from fourteen to six murders a day. Smaller gangs later joined the process, which held up for several months. April 2013 was the least violent month in more than a decade, with fewer than five homicides per day.<sup>41</sup>

The truce was facilitated by military chaplain Fabio Colindres and former congressman and guerrilla commander Raúl Mijango. But David Munguía Payés, a military strategist who had negotiated with the guerrillas during the civil war and was then security minister, is widely cited as the official who decided to embark on dialogue after prosecutions and tough security measures proved ineffective.<sup>42</sup> Former President Mauricio Funes, head of the first FMLN government, still denies formal government participation in the process.<sup>43</sup> Once it became public, he asked for some leeway for the facilitators to continue working, a highly controversial decision given the ban on collaboration with the *maras* established in a 2010 law.<sup>44</sup>

During the truce, the gangs produced 30 communiqués. The first one stated they were not seeking to be acquitted of the charges against them, asked to be treated humanely, and requested support for their reintegration in civilian life through jobs and opportunities to study. The imprisoned gang members later called for a reduction in attacks against citizens, declared schools to be “peace zones”, prohibited forced

<sup>38</sup> Sonja Wolf, *Mano Dura: The Politics of Gang Control in El Salvador* (Austin, 2017), p. 51.

<sup>39</sup> Sonja Wolf, “The Enduring Appeal of Gang Suppression in El Salvador”, 16 January 2017.

<sup>40</sup> “Gobierno negoció con pandillas reducción de homicidios”, 14 March 2012.

<sup>41</sup> “La tendencia a la baja en los homicidios se ratificó en junio”, El Faro, 2 July 2016.

<sup>42</sup> In May 2016, the attorney general’s office named the current defence minister as the “creator, ideologue, promoter and main defender of the truce”. “Fiscalía: Munguía Payés es creador e ideólogo de tregua”, *elsalvador.com*, 11 May 2016. He had denied having initiated dialogue with the gangs when the process was exposed, but six months later acknowledged his participation. “La nueva verdad sobre la tregua entre pandillas”, El Faro, 11 September 2012. He has subsequently tried to distance himself from the process, and especially from the benefits gang members allegedly received in jail, which have come under investigation by the attorney general, see “Munguía Payés se quiere alejar de la tregua”, *elsalvador.com*, 9 May 2016.

<sup>43</sup> “No es cierto que tuve conocimiento de la tregua. Si el general dijo eso, que lo explique él”, El Faro, 8 February 2016.

<sup>44</sup> Ley 458, “ley de proscripción de maras, pandillas, agrupaciones, asociaciones y organizaciones de naturaleza criminal”, Asamblea Legislativa de El Salvador, 1 September 2010.

recruitment, asked for weapons to be handed over to the authorities and requested to be allowed to contribute to a new program of “municipalities free of violence”.<sup>45</sup> State authorities continued to remove inmates from Zacatraz, ousted the military from the jails, and scaled back round-ups in gang-controlled neighbourhoods. Organization of American States (OAS) Secretary General José Miguel Insulza met with gang leaders in the Mariona prison in July 2012, offered the OAS as a guarantor of the process and upheld the government’s assertion that the truce was a pact between gangs facilitated by religious leaders.

However, the government’s failure to acknowledge its participation and the secrecy of the process were main reasons for the truce’s eventual breakdown. Permeated by adversaries of the truce, the media regularly published reports, often unfounded, of increased disappearances and a rise in deaths of “honest” people.<sup>46</sup>

With the 2014 elections looming and languishing public support for the truce, a resumption of penal populism increasingly seemed a better strategy to attract votes. Staunch opponent of the truce Ricardo Perdomo replaced Payés as security minister, implemented changes in the security apparatus, and sought to remove Colindres and Mijango from their roles.<sup>47</sup> At-large gang members, facing a revival of Iron Fist measures and not benefiting from the privileges provided to their jailed peers, began to break with the agreements. Homicide levels started to escalate to pre-truce levels, reaching an unprecedented high in 2015. Mediator Mijango complained in 2014 that “[the Salvadoran government] has been incoherent and fearful ... it has wanted to exploit the benefits of the process, but won’t face the costs of supporting a process that is rejected by a sector of society”.<sup>48</sup>

The Salvadoran *maras* were able to enforce the truce due to their vertical leadership, the effectiveness of their punishment system, and their internal consensus around a number of demands. “They were not asking for anything senseless. In some places there is no water, or they were asking for respect for their minimal human rights, for

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<sup>45</sup> “Las pandillas dan un paso más: todos los centros escolares son ahora ‘zonas de paz’”, *El Faro*, 2 May 2012. The Organization of American States supported the “municipalities free of violence” initiative that started in San Salvador and spread to neighbouring municipalities. “El Salvador: anuncian municipios sin violencia de pandillas”, *La Opinión*, 18 January 2013. An analysis carried out by the National Civilian Police in 2012 and 2013, but not published until 2016, deemed 80 per cent of the weapons turned in by *maras* during the truce to be in good condition. “El 80% de las armas que las pandillas entregaron durante la tregua estaban en buen estado”, *El Faro*, 13 March 2016. By 2013, though, the initiatives were running into problems due to lack of financial and political support, and reports of increases in extortions. “Alcaldes de las zonas de paz de El Salvador dicen que la tregua está fracasando”, *InSight Crime*, 1 November 2013.

<sup>46</sup> “Obituario de la Tregua”, *El Faro*, 13 April 2015. Extortions and threats did not vary as significantly as homicides during the truce, and doubled afterwards. “Extorsiones y amenazas se duplicaron en 2014”, *La Prensa Gráfica*, 4 May 2015. On the impact of crimes other than extortion, José Miguel Cruz, “The political workings of the Funes administration’s gang truce in El Salvador”, from the conference “Improving Citizen Security in Central America: Options for Responding to Youth Violence”, Woodrow Wilson Center for Scholars, 18 October 2012, Washington DC.

<sup>47</sup> Lack of government support for the El Salvador truce process is noted as a crucial reason for its failure. José Miguel Cruz and Angelica Durán Martínez, “Hiding violence to deal with the state, criminal pacts in El Salvador and Medellín”, *Journal of Peace Research*, vol. 53, no. 2 (2016).

<sup>48</sup> “Raúl Mijango: ‘La tregua sigue, pero la paciencia de las pandillas tiene un límite’”, *El País*, 11 March 2014.

them not to be affected by fungal infections, or that a man who is defecating through a tube be taken to hospital. They asked for development programs for the communities, and the reduction of abuse from the police”.<sup>49</sup>

The aftermath of the truce has been disheartening. Attorney General Douglas Meléndez became the main instigator of the reaction against the former negotiators. Mijango was detained for almost a month, and seventeen others accused of crimes such as illicit association and trafficking of prohibited objects within prisons.<sup>50</sup> A Spanish priest was convicted to two and a half years in jail, and freed on parole, on charges of bringing items illegally into prison.

In 2015, the government started redistributing gang members across the prison system, and no longer respected the designation of special prisons for each organisation.<sup>51</sup> The video of an especially shocking massacre allegedly perpetrated by members of the B-18 Revolutionaries in March 2016 prompted the National Assembly to support President Salvador Sánchez’s set of “extraordinary measures”.<sup>52</sup> They entailed “almost medieval, inhuman isolation of gang members imprisoned in seven prisons” (via complete denial of any time outside cells), heightened restrictions on visits and strengthened efforts to cut off cell telephone communication to and from jails, and led to the firing of prison guards, among other measures.<sup>53</sup>

The truce has nevertheless bequeathed a significant legacy. This failed attempt at peace has had the unplanned consequence of establishing the *maras* as political actors with the capacity to negotiate and enforce agreements. In particular, *mara* leaders were surreptitiously sought out by both main parties for support during the 2014 campaigns as the political establishment competed for their captive votes.<sup>54</sup> “We have learned how to make the government pay, and that is in elections”.<sup>55</sup>

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<sup>49</sup> Crisis Group interview, Luis Enrique Amaya, citizen security expert, San Salvador, 21 November 2016. Amaya has interviewed scores of active and former gang members and was part of the research team for the report “The New Face of Street Gangs: The Gang Phenomenon in El Salvador”, Florida International University and Fundación Nacional para el Desarrollo, 2017.

<sup>50</sup> “En libertad mediador de polémica tregua entre pandillas en El Salvador”, EFE, 31 May 2016.

<sup>51</sup> “Gobierno reubica en cárceles a 1,827 pandilleros en un día”, El Faro, 22 April 2015.

<sup>52</sup> “Opico, la massacre que conmocionó a El Salvador”, *El País*, 27 May 2016.

<sup>53</sup> Crisis Group interview, Luis Enrique Amaya, op. cit. The International Committee of the Red Cross (ICRC) described conditions in jails as “atrocious”. Crisis Group interview, San Salvador, March 2017. Official document listing the “extraordinary measures” at: <http://bit.ly/2og1wiK>.

<sup>54</sup> El Faro published separate videos of FMLN and ARENA authorities negotiating with *mara* leaders in 2014. Former Santa Tecla mayor and current Vice President Óscar Ortiz’s participation in the municipalities free of violence initiative, and his current opposition to any dialogue, exemplify fickle political attitudes to the truce. According to a leading analyst of gang violence, this is because it was not “based on an institutional strategy to rebuild the rule of law, but on a desperate quest for political legitimacy”. “Dimensión política de la tregua”, El Faro, 19 June 2013.

<sup>55</sup> B-18 Southerner faction spokespersons in “Pandillas caminan hacia un frente común ante medidas extraordinarias”, El Faro, 5 July 2016.



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### III. Gangs and Extortion

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Weak investigative bodies, criminal secrecy, gang schisms and fast-changing activities make it hard to know the exact number of *mara* members today. The U.S. military Southern Command's estimate of 70,000 in Central America continues to be cited, even though it dates from a decade ago.<sup>56</sup> More recent and specialised studies assert there are 70,000 members in El Salvador alone, while the UN Office on Drugs and Crime provides more modest estimates of 20,000 in El Salvador, 22,000 in Guatemala, and 12,000 in Honduras.<sup>57</sup> Family and community networks that provide assistance to the *maras* and rely on the income they generate are estimated to number far higher, reaching 400,000 in El Salvador.<sup>58</sup>

Though imprecise, these figures underline the magnitude of the challenge posed by the gangs. Rooted in the sense of exclusion and need for belonging of young people in urban peripheries across the Northern Triangle, the *maras* have evolved into violent and complex criminal organisations. Their two facets – as social support networks, and as apparatuses of coercion and predation – are not mutually exclusive, and the status of both victim and perpetrator are integral to the self-perception of the region's most important gangs and their ongoing allure.<sup>59</sup>

The emblematic crime of the *maras*, meanwhile, largely accounts for their growth and longevity. Extortion is the economic engine behind them, and represents the largest share of gang income – with an estimated direct cost to businesses of \$756 million a year in El Salvador alone.<sup>60</sup> It is one of the leading causes of forced displacement in gang-controlled communities through the threat it poses to powerless civilians, especially women and children. This collective crime guarantees a menial wage for thousands of members, reaffirming in the process *mareros'* group identity and covering their subsistence needs. Curbing extortion and reducing the harms it causes would go far toward eradicating the security threat posed by Central America's gangs, yet to do so requires a clearer understanding of the purposes it serves and the alternatives that could take its place.

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<sup>56</sup> "Gangs in Central America", Congressional Research Service, 10 May 2005; and "Honduras: Triángulo Norte instala este martes Fuerza Trinacional", *El Heraldo*, 14 November 2016.

<sup>57</sup> "Transnational Organized Crime in Central America and the Caribbean, a threat assessment", UNODC 2012, p. 78.

<sup>58</sup> Isabel Aguilar, Ana Glenda Tager and Bernardo Arévalo, "El Salvador: Negotiating with gangs", *Accord*, issue 25, 2014; Crisis Group interview, adviser to the Transnational Anti-Gang Centre, San Salvador, November 2016.

<sup>59</sup> "Every young person is looking to have a role. Mark your space, your territory, become famous. It's normal. And sometimes you do it negatively since the state does not provide you with education, or sometimes it doesn't give you a job, or sometimes it doesn't give you health care and then like the old-fashioned method, you look for violence". Interview with young Honduran in Isabel Aguilar, "Victimarios y víctimas de la violencia", in Markus Gottsbacher and John De Boer (eds.), *Vulnerabilidad y violencia en América Latina y el Caribe* (Mexico City, 2016).

<sup>60</sup> Figures from El Salvador's Central Bank for 2014. See José Salguero, "¿Extorsión o apalancamiento operativo? Aproximación a la Economía Pandilleril en El Salvador", Friedrich Ebert Stiftung, October 2016. However, according to investigations by Salvadoran judicial authorities, annual revenue for the MS-13 in that country is \$31.2 million, most of which comes from extortion. "Killers on a shoestring: Inside the gangs of El Salvador", *The New York Times*, 20 November 2016.

### A. *Identity, Territory and Organisation*

The transformation of *maras* from immigrant support networks in big U.S. cities to national security threats in Central America hinged on the ways gangs adapted to their new homes. Emotional satisfaction – gaining status, respect and a strong sense of collective identity – has always been integral to the attractions of gang life, and has played a far more important role in the rise and resilience of gangs than the illicit accumulation of wealth. Gangs in effect provide a psychological crutch and a social life, especially for bored young men from broken families.<sup>61</sup> *Maras* “generate the illusion of belonging to a family, since their own don’t function, and to be fighting for an important cause”, said an anthropologist. “The *maras* are important when you have nothing, when you are born dead”.<sup>62</sup>

*Maras*’ crimes are carried out in groups, and members spend most of their lives in the close company of fellow *mareros*.<sup>63</sup> Accounts of the gangs in the U.S., and the forerunners of the MS-13 and B-18 in Central America, indicate that neither were strikingly violent, and that in Honduras, the gangs of the early 1990s were primarily involved in vandalism, knife attacks and spray-painting graffiti.<sup>64</sup>

Once rooted in the Northern Triangle countries, however, these gangs adapted to the conditions of marginal urban communities characterised by negligible public services, limited economic opportunities, and a population recently displaced by civil war, deportation and impoverishment.<sup>65</sup> The need to subsist encouraged illicit activity, while the absence of the state enabled them to exert their own control over entire territories, often after brutal fighting with the rival *mara* to establish an undisputed turf boss.<sup>66</sup> This tendency was most marked in El Salvador, where the civil war of the 1980s had familiarised the general public with sub-national areas run by the guerrilla.

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<sup>61</sup> A gang survey from 2006 in Guatemala found that 40 per cent joined gangs because of family problems and 33.8 per cent for the attractions of gang life. Elin Ranum, “Street Gangs of Guatemala”, in *Maras. Gang Violence ...*, op. cit., p. 78.

<sup>62</sup> Salvadoran anthropologist Juan José Martínez D’Aubuisson, who lived for a year in *mara*-controlled communities, has argued that *maras* “get money, and increasingly so; however, it would be wrong to say that gangs are small mafias that want to get rich”. “Las *maras* son importantes cuando no tienes nada, cuando ya naciste muerto”, *Diagonal*, 17 December 2015.

<sup>63</sup> This sociability is a traditional aspect of all gang life. Scott Decker and Barrick Van Winkle, *Life in the Gang. Family, Friends and Violence* (Cambridge, 1996), p. 177.

<sup>64</sup> Joanna Mateo, “Street Gangs of Honduras”, in *Maras. Gang Violence ...*, op. cit., p. 94.

<sup>65</sup> According to Alias Santiago, member of a gang that took part in the truce process, “because the government, the state has forsaken these territories, we have taken control of that which they have abandoned .... We come from disintegrated families, extreme poverty, and the only living and alive force that exists in our communities are the gangs”. “Pandillas de El Salvador”, video, Youtube, September 2016, <https://www.youtube.com/watch?v=RvnZU-aKjVA&t=612s>. Although Honduras did not suffer a civil war, urban poverty rates increased there by 18 per cent from 1989 to 1993, according to the World Bank. The Bank has argued this is partly due to a statistical anomaly. *Maras. Gang Violence ...*, op. cit., p. 92.

<sup>66</sup> Comparing gang presence in poor neighbourhoods in Costa Rica and El Salvador, a recent study contrasts the prevalence of small-scale drug trafficking as a means to make money in Costa Rica with the wholesale takeover of communities in El Salvador, where drug sales form a small part of gang’s territorial interests. Juan Pablo Pérez Sáinz (ed.), *Exclusión social y violencia en territorios urbanos centroamericanos* (San José, 2015), pp. 53-54.

The close-knit solidarity of the emerging *mara* gangs and the consolidation of control over urban territories propitiated the spread of protection rackets, which generated revenues for the group as a whole and served as a means to maintain territorial control and demarcate a gang's borders. In the wake of the mass detention of gang members across the Northern Triangle, the hub of these extortion rackets shifted to prisons, where *maras* established in effect new territorial enclaves as a result of the extremely weak official control over jails. Estimates in Guatemala suggest that 80 per cent of extortions are coordinated from prisons, while an official in the attorney general's Anti-Extortion Unit reports that a phone belonging to a prisoner was used 400 times in one day to make blackmail calls.<sup>67</sup>

Furthermore, the harsh sentences handed down during the early 2000s meant the old *ranfleros*, or first and second generation leaders, needed more resources to provide for families outside jail and to improve their own prison conditions, or to pay lawyers and bribe guards. In the Fraijanes I jail on the outskirts of Guatemala City, for example, extortion income has been used to upgrade the facility's electric circuits and pay for new beds for *mara* members.<sup>68</sup>

These new arrangements led to the emergence of more complex structures linking jailed gang leaders with the "homies" at large. Forced recruitment has become common, and entrance into the *maras* often involves initiation by killing.<sup>69</sup> At the neighbourhood level, *clicas* (cliques, or cells) control the local turf under the supervision of a leader, known as *ranflero* or *primera palabra* (first word). A *programa* (program) for its part joins together members of various *clicas* in specific money-making crimes, while those in charge of killings are known as *sicarios* (hit-men) or *gatilleros* (trigger-pullers). At the lowest rungs of the ladder, so-called *paros* or *banderas* (flags) act as auxiliaries, collectors of extortion money, gun-runners, spies and recruitment officers. But the MS-13 and the B-18 have assumed slightly different characteristics across the three Northern Triangle countries. Whereas the former has grown more organised, business-oriented and disciplined, adopting a system of internal punishment for breaking gang rules, the latter is described by a high-level Guatemalan official as a volatile "pack of alpha males".<sup>70</sup>

## B. Criminal Activities and Presence

The *mara* gangs that emerged in the late 1990s responded in distinct ways to the social, geographic and institutional conditions of each Northern Triangle country.<sup>71</sup> The environment and illicit opportunities of the territory the *maras* took over and the traits of the communities living there were at the heart of this adaptive flexibility.

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<sup>67</sup> Crisis Group interview, Guatemala City, 8 November 2016.

<sup>68</sup> Crisis Group interview, November 2016.

<sup>69</sup> Crisis Group interviews, San Salvador, February 2017. For more on the initiation ritual, see Óscar Martínez and Juan Martínez, "La espina de la Mara Salvatrucha", from *Crónicas Negras* (San Salvador, 2014). For a detailed explanation of the different gang terms, see "Maras y pandillas, comunidad y policía en Centroamérica", *Demoscopia*, 2007, p. 15.

<sup>70</sup> Crisis Group interview, Guatemala City, 8 February 2017.

<sup>71</sup> Otto Argueta, "Transformaciones de las pandillas en El Salvador, Guatemala y Honduras", in "Re-conceptualización de la violencia en el Triángulo Norte", Heinrich Böll Stiftung, June 2016.

In combination, these determined whether territorial control could be established and what kind of criminal livelihoods could be pursued.

*Maras* veered toward either extortion, as in Guatemala and El Salvador, or small-scale drug trafficking, like the MS-13 in Honduras, where it has reportedly been involved in money laundering via the purchase of small businesses.<sup>72</sup> In response, the Honduran B-18 has sought to seize control of the booming extortion business, leading to violent competition with smaller gangs or *mara* offshoots such as Los Benjis or Los Chirizos. Some of them have been supported by small business owners seeking to defend themselves from predatory attacks by the larger *maras*.<sup>73</sup>

Drug trafficking in Guatemala has been a marginal business for the gangs, due to the control over trade of existing local criminal organisations with strong links to the state and security forces.<sup>74</sup> These organisations have turned to gang members on an occasional basis for street narcotic sales and targeted violence or intimidation.<sup>75</sup> In territories controlled by drug traffickers, including border regions and urban areas used for storage and transshipment, *maras* can operate as watchmen, security enforcers, transporters or hitmen.<sup>76</sup> In poor areas of Guatemala City, gang members have displaced families and drug traffickers have temporarily used their homes as warehouses.<sup>77</sup> Some cliques in the west coastal areas of El Salvador are reportedly becoming engaged in the trafficking of drugs north, while Salvadoran gang members have been seen buying weapons from Guatemalan drug dealers.<sup>78</sup> Meanwhile, drug consumption (mostly marijuana) by *maras* across the Northern Triangle is extremely common. Thousands of suspected gang members were arrested for minor drug possession in 2003-2004 in Guatemala.<sup>79</sup>

The geographical spread of criminal violence and gang presence in Guatemala illustrates the conditions that either enable the proliferation of *maras* or inhibit their growth. Most extortion crimes take place in large urban centres, whereas regions dominated by drug trafficking cartels, such as Zacapa, Baja Verapaz and Chiquimula, as well as departments with large indigenous populations and strong informal justice systems, such as Quiché and Sololá, report by far the fewest.<sup>80</sup> Neither El Salvador nor Honduras initially featured rival criminal structures or vibrant community networks with the same strength as Guatemala. Furthermore, El Salvador's population

<sup>72</sup> Crisis Group interview, community leader in Belén, Comayagua, 23 November 2016. See also "Maras y pandillas en Honduras", InSight Crime, 2015.

<sup>73</sup> Crisis Group interview, adviser to Human Rights, Justice, Internal Affairs and Decentralisation Secretariat in Honduras, Tegucigalpa, 25 November 2016.

<sup>74</sup> Crisis Group Latin America Report N°52, *Corridor of Violence: The Guatemala-Honduras Border*, 4 June 2014.

<sup>75</sup> Jeanette Aguilar, "Las *maras* o pandillas juveniles en el triángulo norte de Centroamérica. Mitos y realidades sobre las pandillas y sus vínculos con el crimen", Universidad Centroamericana José Simeón Cañas, 2007, pp. 27-29.

<sup>76</sup> Crisis Group interview, Marco Antonio Castillo, director of CEIBA, an education-based secondary prevention foundation that works with former gang members in Guatemala and Honduras, Guatemala City, 1 September 2016.

<sup>77</sup> Ibid.

<sup>78</sup> Crisis Group interview, adviser to the Transnational Anti-Gang Center, San Salvador, November 2016.

<sup>79</sup> "Street Gangs of Guatemala", op. cit., pp. 79-80.

<sup>80</sup> "Informe sobre el delito de extorsión", Grupo de Apoyo Mutuo, 2015, p. 6.

density – the highest in the Americas – has made the country particularly vulnerable to urban overcrowding, spatial segregation and easy criminal access to small businesses that depend on cash turnover.<sup>81</sup>

### C. *The Extortion Business*

As the most important crime and revenue-raising business of the *maras*, extortion is fundamental to understanding their resilience as well as the fear they have spread in their host societies. Extortion has proved the *maras'* most reliable crime because of the way it has fitted their resources, above all their control over territorial enclaves, easy access to firearms, and a very limited state or security presence. In El Salvador, local transport businesses inducted the emerging neighbourhood gangs of the early 1990s into extortion rackets, paying them to intimidate rival firms or carry out targeted killings.<sup>82</sup>

Across the Northern Triangle, small business owners, transport workers, self-employed people and even households are subjected to gang-led protection rackets.<sup>83</sup> Some 79 per cent of registered small businesses in Honduras and 80 per cent of the country's informal traders report they are extorted; the Honduran Chamber of Commerce has stopped publishing a register of its members.<sup>84</sup> A recent survey in El Salvador has found that extortion is on the rise and now affects 22 per cent of firms, although only 15 per cent of all incidents are reported, reflecting the lack of confidence in the response capacities of the local police and judiciary. In a reported 76 per cent of cases, gangs were behind the extortion.<sup>85</sup>

In a context of competitive violence between rival *maras* and a flawed or absent state – with police lacking equipment, human and other resources to provide sufficient protection, or often being in league with the racketeers themselves – the “service” provided by protection rackets is sometimes tolerated and even reluctantly welcomed by businesses.<sup>86</sup> Firms in the Guatemala City municipal market have established regular payment systems to gangs to protect themselves from more predatory rivals.<sup>87</sup>

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<sup>81</sup> Ana Glenda Tager, “Parte del problema, parte de la solución: Actores ilegales y reducción de la violencia en El Salvador”, in *Vulnerabilidad y violencia en América Latina y el Caribe*, op. cit.

<sup>82</sup> Crisis Group interview, El Salvador justice and public security ministry former official, San Salvador, 6 December 2016.

<sup>83</sup> Households in poor areas of Guatemala City have reportedly been increasingly targeted after numerous small businesses closed down because of extortion. Crisis Group interview, expert in community security, 8 March 2017.

<sup>84</sup> Surveys cited in “Other Situations of Violence in the Northern Triangle of Central America”, Assessment Capacities Project (ACAPS), 2014, p. 26. Crisis Group interview, Chamber of Commerce spokesperson, Tegucigalpa, November 2016.

<sup>85</sup> “Extorsiones a la pequeña y micro empresa en El Salvador”, Fundación Salvadoreña para el Desarrollo Económico y Social (FUSADES), 2016. Two to three businesses are estimated to close down each month as a result of extortions. Crisis Group interview, Chamber of Commerce, San Salvador, 8 December 2016.

<sup>86</sup> Crisis Group interview, manager and chief of transportation of a large food distribution firm, Guatemala City, November 2016. In a 2007 survey of *mareros* in the Northern Triangle, 77 per cent of respondents said payments were made by the gangs to the police. On police collusion with *maras*, see “Maras y Pandillas, comunidad y policía en Centroamérica”, op. cit., p. 91.

<sup>87</sup> Crisis Group interview, business owner in Guatemala City municipal market, 11 November 2016.

During the El Salvador gang truce, some local businesses reached their own informal agreements with the *maras*. A manufacturing company and a transport firm offered gang members jobs in exchange for halting their rackets. A food distribution firm enlisted gangs to transport goods in exchange for lower extortion rates. Residents in a housing estate employed gang members to supervise access routes to their properties.<sup>88</sup>

In other cases, businesses seek to shield themselves by working with local distributors linked to the gangs, often family members of the *mareros*. These negotiated arrangements reportedly resulted in a more discriminating use of violence. “When we missed a payment of the extortion in a certain place, they called me politely to ask that I should pay back”, said a security expert and extortion negotiator for a large distribution firm. “Previously, our driver would have been shot”.<sup>89</sup>

However, these cases of accommodation with extortion rackets do not erase the extremes of violence in protection economies. Transport firms and their workers in particular have become targets of systematic intimidation and assassination, forced to pay up for crossing gang-controlled territory. A total of 692 transportation workers were killed between 2011 and 2016 in El Salvador, where the *maras* brought public transport to a standstill in 2012 and again in 2015. It also periodically affects mobility in Guatemala, where 498 bus drivers, 158 ticket inspectors and 191 passengers were killed between 2009 and 2011, causing many bus routes to stop services in gang-run areas.<sup>90</sup> Taxi drivers in Tegucigalpa, Honduras, are favoured extortion targets, and are forced to pay the gangs who control the areas where their pick-up stations are located: 84 were killed in 2012.<sup>91</sup>

The role of extortion in driving forced displacement is harder to pinpoint due to a lack of reliable statistics, as well as the difficulty in identifying a single cause behind emigration.<sup>92</sup> But the central role played by protection rackets in expressing and maintaining the *maras*' coercive control over territories and communities strongly suggests that it is closely related to the violence and fear driving an increasing exodus from the Northern Triangle, and above all El Salvador and Honduras.<sup>93</sup> In 2012, the eastern Salvadoran municipality of San Miguel had the country's highest rates of both extortion and homicide.<sup>94</sup> A recent study found that threats and murders were the two main factors driving forced internal displacement in that country, with women

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<sup>88</sup> Crisis Group interview, former justice and public security ministry official, Ilopango, 6 December 2016.

<sup>89</sup> Crisis Group interview, Guatemala City, October 2016.

<sup>90</sup> “Killers on a shoestring: Inside the gangs of El Salvador”, op. cit.; *Informe Anual Circunstanciado*, Guatemala Office of Human Rights, 2011, p. 103.

<sup>91</sup> “Muerte de taxistas” in *Informe anual 2012*, Honduras National Commission of Human Rights.

<sup>92</sup> Crisis Group Report, *Easy Prey ...*, op. cit., p. 9.

<sup>93</sup> The UNHCR makes a direct link between forced displacement and coercive territorial control, sexual abuse, killing and extortion. “In numerous occasions, threats include killings of family members (the killing of up to six members of the same family has been recorded) for not agreeing to the payment of extortions, or for refusing to take part and support organized criminal activities”. “Desplazamiento Forzado y Necesidades de Protección, generados por nuevas formas de Violencia y Criminalidad en Centroamérica”, 2012, p. 14.

<sup>94</sup> “San Miguel, el municipio con más homicidios y extorsiones”, *La Prensa Gráfica*, 14 April 2012.

making up the largest share of victims. Gangs were reportedly behind 86 per cent of the displacements.<sup>95</sup>

The gangs themselves, meanwhile, have become dependent on extortion incomes to improve prison conditions for incarcerated leaders and sustain their members, albeit on poverty-level incomes. “Once a gang member is sentenced, he creates a mental list of ten people whom he can extort to maintain himself and his family”, said former truce mediator Mijango.<sup>96</sup> Other non-gang criminal groups in Guatemala, popularly known as *paisas*, are reportedly seeking to grab greater shares of the extortion market. However, recent crackdowns and mass arrests targeting the *maras*’ extortion and finance networks in both El Salvador and Guatemala have failed to show the gangs run highly lucrative criminal operations.<sup>97</sup> Over 50 people detained in Guatemala City in 2016 were found to be living in insalubrious housing in poor neighbourhoods. Extortion incomes were divided between so many members that those communicating with victims received less than \$5 a week.<sup>98</sup>

Similar findings emerged in El Salvador from a study by *The New York Times* and El Faro on the protection rackets exposed in Operation Check in July 2016, when police investigators arrested over 70 people for allegedly running businesses serving as front for laundering the *maras*’ illicit revenues.<sup>99</sup> Assuming estimated total revenues from extortion are divided equally between all MS-13 members – which is inaccurate given the need to pay lawyers and improve prison conditions – each would receive \$15 a week, equivalent to half the minimum wage of a rural worker. Most members languish in illicit subsistence livelihoods.

Although operations may be becoming more technical and efficient, there is no evidence of *maras* becoming higher level criminal organisations in the league of other transnational cartels. From their victims’ point of view, however, this offers little solace. “It seems more dangerous to me ... people willing to kill you for a \$15 debt. If they’ve established a daily payment of \$1 and you miss two weeks, they may kill you for it. It is no relief that it is a poor man’s mafia”.<sup>100</sup>

#### D. Women as Victims and Allies

Women are central to gang operations across the Northern Triangle. An estimated 20 to 40 per cent of *mara* members are women.<sup>101</sup> The essential but menial tasks they carry out include conveying messages from jailed gang leaders and collecting extortion payments.<sup>102</sup> A number of women active in the *maras* have reported they formed teenage relationships with gang members to escape a life of domestic drudgery,

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<sup>95</sup> “Informe sobre situación de desplazamiento forzado por violencia generalizada en El Salvador”, Mesa de Sociedad Civil contra Desplazamiento Forzado 2016, p. 24.

<sup>96</sup> Crisis Group interview, Raúl Mijango, San Salvador, February 2017.

<sup>97</sup> “Guatemala es Nuestra” in Guatemala and “Operación Jaque” in El Salvador.

<sup>98</sup> Crisis Group interview, former gang member, Guatemala City, 10 November 2016.

<sup>99</sup> “Killers on a shoestring: Inside the gangs of El Salvador”, op. cit.

<sup>100</sup> Crisis Group interview, Roberto Valencia, op. cit.

<sup>101</sup> This average figure for the three countries is derived from a survey of gang members carried out in 2007. See “Maras y Pandillas”, Demoscopía, op. cit., p. 36.

<sup>102</sup> Crisis Group interview, attorney general’s office against extortion, 8 November 2016.

poverty and violence, including sexual abuse. Others followed the steps of a relative who was already in the gang in order to get a stable job and maintain their family.<sup>103</sup>

However, upon entering the gangs many of them are exposed to violence and submission. Male control over female bodies, and determination of female activities within the group, are integral to gang culture. “It is unbelievable how violent they can get ... how they treat their wives and their mothers. They don’t even need to carry a weapon to behave as brutally as they do”, said a former B-18 female gang member.<sup>104</sup> Numerous testimonies point to the prevalence of gang rape of female members, with up to 30 men involved in one reported case, as well as forced sexual relations with gang leaders as a prelude to teenage girls’ recruitment.<sup>105</sup> These cases are reportedly responsible for an increase in the migration northward of Central American girls, as well as the very high rates of Salvadoran girls changing or quitting school.<sup>106</sup>

Central American societies suffer high levels of domestic violence, and parts of the public harbour admiration for male virility and power, making it sometimes difficult for girls exposed to gang violence to recognise the crimes they are enduring. A recent survey of violence against teenagers in the Northern Triangle showed that “there are issues that remain silenced, ignored, made invisible, and are not being addressed. Girls, boys, teenagers and young people are abused by their brothers and their fathers and they regard it as normal”.<sup>107</sup>

The broader sexual violence in society and the particular abuses within gangs do not appear to have deterred girls from joining the *maras*. Some observers speculate young women in the gangs at least have the choice as to whether to submit themselves to the male members’ desires. Furthermore, certain female gang members who connect other girls to human trafficking and sexual exploitation networks are reported by social workers to derive comfort from the perpetuation of abuses they themselves suffered.<sup>108</sup> While the precise motives and freedom of choice of female gang members vary, women’s presence in the gangs and their role in collecting protection payments do not seem to be diminishing. A recent report on Honduras indicates a rising female presence, with a number of them in leadership positions.<sup>109</sup>

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<sup>103</sup> “Violentas y violentadas. Relaciones de género en las *maras* y pandillas del triángulo norte de Centroamérica”, Interpeace, 2017.

<sup>104</sup> Crisis Group interview, Ciudad Arce, El Salvador, February 2017.

<sup>105</sup> “Así viven y mueren las mujeres pandilleras en El Salvador”, *Revista Factum*, 11 March 2016.

<sup>106</sup> A reported 66,000 girls changed or quit school in El Salvador in 2014 and 2015, according to the education ministry. “It’s a crime to be young and pretty’: girls flee predatory Central America gangs”, *The Guardian*, 23 November 2016.

<sup>107</sup> “Victimarios y víctimas de la violencia”, op. cit., pp. 84-85.

<sup>108</sup> Ibid.

<sup>109</sup> “Mujeres en pandillas, un fenómeno social en incremento en Honduras”, *El Heraldo*, 16 April 2015.



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## IV. Public and Policy Responses

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Public responses to *mara* crimes have understandably been dominated by fear. Some civil society organisations and private enterprises have tried to boost economic opportunities for gang members, but in general *maras* continue to be viewed as public enemies. A 2016 poll reports 54 per cent of Salvadorans agree that the police should be allowed to act beyond the law sporadically to capture suspects. In 2015, the same poll found 59.1 per cent opposed dialogue with the gangs.<sup>110</sup>

### A. Official Responses

The NTCA countries were largely oblivious to the rising presence of gangs in urban neighbourhoods until media reports directed public attention to the violence and crime associated with them at the turn of the century. But the initial consensus on behalf of a security crackdown has evolved into far more diverse approaches.

Having abandoned the truce in 2014, El Salvador has reverted to the default criminalisation of the *maras*.<sup>111</sup> The continued failure to provide basic services to El Salvador's marginalised neighbourhoods combined with alleged illegalities, including the formation of "social-cleansing" death squads to eliminate gang members, and complicity by security agents in extortions and drug trafficking, has fostered impunity, hostility and incentives to crime.<sup>112</sup> The government claims "extraordinary measures", including tougher terms of incarceration, are behind the decline in the homicide rate from 103 in 2015 to 81 in 2016, but the *maras*, who declared a unilateral ceasefire in May 2016, have taken credit for the descent.<sup>113</sup> Critics in the media and a number of academics have branded the government's approach a "new war" and a "kind of scorched-earth policy moving through gang-dominated neighbourhoods".<sup>114</sup>

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<sup>110</sup> The University Institute for Public Opinion (IUDOP) of the Central American University produces periodical surveys. Results of the poll taken at the end of 2015 and 2016 can be found here <http://bit.ly/2mj1swH> and here <http://www.uca.edu.sv/noticias/texto-4560>.

<sup>111</sup> *Maras* had already been outlawed in El Salvador in 2010. In 2015, the Salvadoran Supreme Court reclassified MS-13 and B-18 as terrorist organisations, thereby criminalising any collaboration with them. "El Salvador Supreme Court labels street gangs as terrorist groups", InSight Crime, 26 August 2015. New legislation passed in Honduras in February 2017 also makes it easier to accuse *maras* of terrorism. "CIDH y ONU advierten que reformas penales en Honduras pueden minar DD HH", *La Tribuna*, 25 February 2017. During the truce, the U.S. Treasury designated the MS-13 a significant transnational criminal organisation. "Treasury sanctions Latin American criminal organization", U.S. Department of Treasury press release, 10 November 2012.

<sup>112</sup> José Miguel Cruz, "State and criminal violence in Latin America", *Crime, Law and Social Change*, pp. 1-22, 2016.

<sup>113</sup> Specialised analysts consider both the governmental crackdown and the *maras'* instructions to halt killings as contributing factors in recent declines in the murder rate. "Homicides down in El Salvador, but government measures not the only reason", InSight Crime, 3 March 2017.

<sup>114</sup> "La Nueva Guerra", *Revista Factum*, 22 November 2016. Analysis published by El Faro provides empirical support for these accusations. By August 2016, the number of people killed in confrontations between police and street gangs had already surpassed the figure for all of 2015. The lethality index, which divides the number of dead by the number of those injured in confrontations between police and gangs stood at 2.3 in El Salvador in 2015. For every policeman or soldier the gangs killed, they had injured 7.6 in 2016; but for every injured gang member, three had been killed. In 2016, the

Following Honduran anti-gang legislation enacted in the early 2000s, massive round-ups bloated prison populations and a growing militarisation of the security system has since represented the main official response to extremely high rates of murder and extortion. The national police has purged its ranks, which were rife with corruption. A new temporary military police was established, and has since become a major force in internal security affairs under the president's close supervision.<sup>115</sup> Even civil society organisations willing to cooperate with the government are critical of the failure to address social inequalities as a source of crime.<sup>116</sup>

A distinct approach to gang violence is being attempted in Guatemala, where the attorney general's office said it is committed to ending law enforcement strategies based on destruction of the enemy. It created in April 2015 a specialised office to combat extortions with separate units dedicated to the MS-13 and the B-18. A hotline to report extortions is permanently available and provides support to victims, while a smartphone app is freely downloadable to prevent extortions. The app uses and updates the attorney general office's database of phone numbers detected as belonging to extortion racketeers, and can record calls and save the numbers for later criminal investigations.<sup>117</sup> Three big hits against extortion rackets were carried out in Guatemala in 2016, producing 225 captures in total. The joint police and judicial operations "Rescue of the South", "Rescuing Guatemala", and "Guatemala is Ours" were based on investigations carried out over several months.

Institutional flaws in the security and justice systems are evident in all three countries. Experts in El Salvador point to a profusion of documents, bodies and officials, as well as a tendency to use these organisations to employ political loyalists.<sup>118</sup> According to a security expert, the state's failures are not "a matter of lack of will, nor of obscure interests, nor of perverse and subterranean conspiracies. I see a profound incapacity to govern, to lead strategically, coordinate and operationalise".<sup>119</sup> Vice President Óscar Ortiz and his adviser, Benito Lara, previously justice minister, hold sway over part of the state's efforts in this area. Hato Hasbún, an experienced politician, coordinates the National Council for Citizen Security and Coexistence, in charge of the so-called "Safe El Salvador Plan".<sup>120</sup> Meanwhile, the justice and security minister, the security cabinet and the sub-cabinet for violence prevention seek to implement

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number of gang members killed was nearly twice the number captured. "Los datos apuntan a la presencia de ejecuciones sumarias", *El Faro*, 3 October 2016.

<sup>115</sup> Crisis Group interviews, Tegucigalpa, 28 November-1 December 2016.

<sup>116</sup> Crisis Group interview, Jaime Varela, Asociación para una Sociedad más Justa, Tegucigalpa, 30 November 2016.

<sup>117</sup> Crisis Group interviews, Emma Patricia Flores, Raúl Figueroa and Claudia Palencia, attorneys in charge of the Anti-Extortion Unit, Guatemala City, 18 October 2016.

<sup>118</sup> "Street Gangs of El Salvador", *op. cit.*, p. 61.

<sup>119</sup> Crisis Group interview, Luis Enrique Amaya, *op. cit.*

<sup>120</sup> The National Council for Citizen Security presented President Sánchez with the Safe El Salvador Plan in January 2015. It includes five work lines dealing with people's life conditions, criminal investigation and justice, prison reform, victim protection, and institutional strengthening. The international community has praised the holistic nature of the plan, but warned against its complexity and the difficulties of implementing it. Crisis Group interviews, offices of the European Union and the United Nations Development Programme, San Salvador, November 2016.

different parts of various public policies. Consensus is hard to reach, decisions are stalled and implementation is weak.<sup>121</sup>

Throughout the NTCA, violence prevention efforts have been largely ineffective, and evidence of any lasting achievements is scarce.<sup>122</sup> Even so, some signs point to a strengthening of prevention. A new Vice Ministry for Social Prevention was created in April 2016 in El Salvador, and will be in charge of coordinating all government institutions on prevention issues as part of the Safe El Salvador Plan.<sup>123</sup> The Vice Ministry of Violence and Crime Prevention in Guatemala is bringing government institutions and civil society organisations together to design and implement a national prevention strategy.<sup>124</sup> Honduras' efforts include various official bodies that meet within a government "prevention cabinet", but lack a joint plan or strong coordination mechanisms.<sup>125</sup>

### B. *Public Attitudes*

According to a recent poll, 42.4 per cent of Salvadorans, 20.6 per cent of Guatemalans, and 29.3 per cent of Hondurans identify crime and public insecurity as the main social problem in their respective countries. In El Salvador, 19.7 per cent of the population says the gangs are the main problem facing the country, compared to 8.0 per cent in Guatemala and 2.6 per cent in Honduras.<sup>126</sup>

Depending on the level of gang organisation that they encounter, residents in affected communities feel threatened and imprisoned. The security they may enjoy inside their community can involve restrictions on their freedom of movement, or constraints on access to the community. "People living in gang-controlled communities have to deal with invisible borders with checkpoints to enter their neighbourhoods ... breaking the protocol can be lethal", said a grassroots NGO worker in El Salvador.<sup>127</sup>

Schools and families can become sources of violence. Young people's main coping strategy is to lock themselves up in their homes, avoiding contact with *maras* and

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<sup>121</sup> Crisis Group interviews, national experts, San Salvador, 21-25 November 2016.

<sup>122</sup> "Gangs, urban violence, and security interventions in Central America", op. cit.

<sup>123</sup> Crisis Group interview, Edgar Amaya, adviser, Vice Ministry for Social Prevention, San Salvador, 22 November 2016.

<sup>124</sup> Crisis Group interviews, Axel Romero, vice minister for violence prevention, Guatemala City, 6 July 2016 and 27 January 2017.

<sup>125</sup> Crisis Group interviews, Carol Martínez, National Prevention Program, Tegucigalpa, 29 November 2016; Gustavo Bardales, Director, Safer Municipalities Program, Under-Secretariat for Prevention, Tegucigalpa, 1 December 2016.

<sup>126</sup> In other findings, only 17.2 per cent of Salvadorans, 16 per cent of Guatemalans, and 14.7 per cent of Hondurans think other people can be trusted. 70.7 per cent of Salvadorans, 73.7 per cent of Guatemalans, and 62.4 per cent of Hondurans admit having little or no trust in the police. Notably, 71.1 per cent of Salvadorans, 84.4 per cent of Guatemalans and 84.2 per cent of Hondurans say they trust either the Catholic or Evangelical churches. See databases in Latinobarómetro poll, 2015.

<sup>127</sup> Crisis Group interview, San Salvador, March 2017. *El Diario de Hoy* produced a series of articles in 2015 mapping out the presence of different cliques in San Salvador. The project was initiated by shock upon the killing of a street peddler affiliated with a certain gang who inadvertently trespassed into the territory of another. See <http://bit.ly/2mzUZ4G>, the map can be found at: <http://bit.ly/2mwhV4i>.

trying to stay out of trouble.<sup>128</sup> The “shut-in youth” form a majority of the population in Guatemala City’s shanty towns, according to an anthropologist. “They seek refuge in television, internet, radio, and cell phones. They practically do not socialize in person with their peers, nor do they belong”.<sup>129</sup> Outside their communities they face social exclusion and stigmatisation, as employers tend to deny jobs to applicants with home addresses in gang-controlled communities.

In the post-conflict contexts of the NTCA, where the public discourse has been dominated by the portrayal of *maras* as public enemies, support for the repression or even elimination of gang members is high. This symbolic and real war against the *maras* prevents discussion of the complex problems generated by profoundly inequitable societies.<sup>130</sup> Close observers point to class differences in NTCA societies as an important factor in the failure to deal with the gang problem in a more integral way. Those with a monthly family income of more than \$500 can extricate themselves from the worst violence by paying for private schools, health services and neighbourhood security patrols. “This sector does not consider itself as part of the problem or the solution”.<sup>131</sup>

Because of the relatively high levels of trust that religious organisations enjoy, they are often called on to search for spaces for dialogue with the gangs. Catholic and protestant local religious leaders have facilitated the truce in El Salvador, and tried to do the same in Honduras, while the Office for Human Rights of the Guatemalan Archbishop (ODHAG) has explored similar dialogue.<sup>132</sup> Evangelical churches, meanwhile, provide those wishing to abandon the gangs with a rare outlet that is respected by the *maras*, and could be used as safe spaces for vocational and educational training to former gang members. According to a recent survey, over 58 per cent of imprisoned *mareros* believe churches would be the best organisations to lead rehabilitation programs.<sup>133</sup>

### C. *International Cooperation*

The presence of gangs claiming affiliation to a common identity in different countries has fostered concerns that *maras* are becoming transnational criminal organisations, or “third generation gangs that have evolved political aims” comparable in some ways to radical jihadists.<sup>134</sup> The U.S. Department of the Treasury’s designation of the MS-13 as a significant transnational criminal organisation has spurred lively discussion

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<sup>128</sup> Crisis Group interview, Luis Mario Martínez, researcher at Universidad del Valle de Guatemala, Guatemala City, 8 June 2016.

<sup>129</sup> Denis Roberto Martínez, “Youth under the Gun: Violence, Fear, and Resistance in Urban Guatemala”, PhD dissertation, University of Texas at Austin, December 2014.

<sup>130</sup> “*Marasy su vinculación con los poderes paralelos*”, Instituto de Análisis de Problemas Nacionales de la Universidad de San Carlos de Guatemala, October 2014.

<sup>131</sup> Crisis Group interview, Roberto Valencia, op. cit.

<sup>132</sup> Crisis Group interview, Ronald Solís, ODHAG, Guatemala City, 28 October 2016.

<sup>133</sup> “The New Face of Street Gangs: The Gang Phenomenon in El Salvador”, op. cit., p. 63.

<sup>134</sup> Gary I. Wilson and John P. Sullivan, “On Gangs, Crime, and Terrorism”, *Defense and the National Interest*, 28 February 2007, p. 9.

by experts on this question, though clear evidence of the need to combat them as such has been hard to find.<sup>135</sup>

International aid institutions have been reluctant to engage in prevention strategies directly involving perpetrators and their victims after programs to extract young people from the gangs backfired in the early 2000s, with a number of gang members seeking to leave the groups killed. Although consideration has been given to renewing these efforts under the aegis of the Central American Regional Security Initiative (CARSI), violence prevention attempts deal mainly with affected communities and not gang members themselves.<sup>136</sup>

Funding for large-scale violence prevention or citizen security projects targeted at these areas has trebled in the past year to reach hundreds of millions of dollars. Some observers have hailed the creation of outreach centres in high-risk communities in Honduras, for instance, as relatively successful examples of violence prevention initiatives funded by the U.S.<sup>137</sup> There are at least three active U.S. Agency for International Development (USAID) calls for similar projects in each of the NTCA countries, with an average funding of \$40 million each. Additional funding is available from the Plan for the Alliance for Prosperity, an initiative launched in 2014 with the aim of stemming migration to the north by addressing security and development concerns. Despite representing a major increase in U.S. funding to the region, the plan has been criticised by parts of civil society for its emphasis on foreign direct investment for infrastructure projects over social investment, for its support for security policies that include the military, and for the lack of transparency mechanisms with which to monitor the use of resources.<sup>138</sup>

Continued U.S. support for these activities in the coming years appears unlikely given the Trump administration's embrace of hard border security and migration control, including the prospective mass deportation of undocumented migrants. Implementation of such policies would exacerbate economic strains in the Northern Triangle and spur increased gang recruitment of marginalised young people, especially if efforts are not made to provide returnees with assistance, security and economic opportunities. However, during the first months of 2017, high-ranking U.S. officers visited the region to express support for ongoing institutional reform and the fight

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<sup>135</sup> "Central America's gangs are all grown up", *Foreign Policy*, 19 January 2016; "International terror and the gangs of Douglas Farah", *InSight Crime*, 26 February 2016; and "The nature of the *maras*: Douglas Farah – a rebuttal", *InSight Crime*, 1 March 2016. "The MS-13 and 18<sup>th</sup> Street Gangs: Emerging Transnational Gang Threats?", Congressional Research Service, updated 2008, 2010.

<sup>136</sup> Crisis Group interviews, international officials, November 2016. CARSI is a multi-million dollar initiative assisting law enforcement and security forces to confront regional security threats.

<sup>137</sup> There is little consensus, however, as to the effect of internationally supported violence prevention programs in the Northern Triangle, notably by USAID. "Are U.S. anti-crime programs in Central America working?", *InSight Crime*, 6 March 2017; and "How the most dangerous place on earth got safer", *The New York Times*, 11 August 2016.

<sup>138</sup> The U.S. Congress approved \$750 million in fiscal year 2016, with a similar request presented for FY 2017. Although the Plan implicitly acknowledges the structural nature of the region's social and security problems, implementation is slow and there is a lack of clarity as to how resources will be spent. Crisis Group interviews, NGO representatives, Guatemala City, March 2017.

against corruption.<sup>139</sup> These gestures may signal the willingness of parts of the new administration to continue established U.S. policies, notably the Central American Strategy that aims at “the evolution of an economically integrated Central America that is fully democratic, provides economic opportunities to its people ... and ensures a safe environment for its citizens”.<sup>140</sup>

In a similar vein, the Mexican Foreign Affairs Minister Luis Videgaray called for a meeting including Mexico, the U.S., the Northern Triangle countries and other neighbours to establish the terms for a “shared regional responsibility for the development of Central America in the understanding that it is through development and stability that the causes of migration can really be tackled”.<sup>141</sup>

For the time being, the three countries of the Northern Triangle appear to be moving toward closer collaboration in their effort to combat gangs, albeit within a largely military framework. El Salvador and Guatemala established a High-Level Security Group in August 2016 to improve information exchange and implement joint programs in their fight against transnational organised crime.<sup>142</sup> Honduras joined the regional effort by proposing a tri-national task force against organised crime that was launched in November 2016 in Nueva Ocotepeque, a Honduran town near the tripartite border. The force has been set up to coordinate the fight against transnational crime, explicitly including gangs, narcotics and human trafficking, as well as smuggling, and is set to involve joint operations by the police, army and tax agencies from each country. Although they initially were left out of this task force, attorney generals’ offices from the three countries also have established coordination mechanisms, including the creation of a common data base, joint training processes and an effort to harmonise criminal procedures.<sup>143</sup>

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<sup>139</sup> U.S. Homeland Security Secretary John Kelly visited Guatemala on 22 February 2017, and Assistant Secretary of State for the Bureau of International Narcotics and Law Enforcement Affairs William Brownfield did so on 6 March.

<sup>140</sup> “Our Central American Strategy”, the White House, 16 March 2015. <http://bit.ly/2mLdNd2>.

<sup>141</sup> The proposal was made during the February 2017 visit to Mexico of U.S. Secretary of State Rex Tillerson and Homeland Security Secretary John Kelly. “Mensaje a medios del Canciller Luis Videgaray Caso con los secretarios de estado y seguridad interior de EUA”, Secretaría de Relaciones Exteriores, 23 February 2017.

<sup>142</sup> “Guatemala y El Salvador crean Grupo de Alto Nivel en Seguridad”, Ministerio de Relaciones Exteriores de El Salvador, 13 August 2016.

<sup>143</sup> Crisis Group interviews, senior officials in attorney general’s office, Guatemala City, 9 September 2016.

## V. New Policy Approaches

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The Northern Triangle countries, above all El Salvador and Honduras, continue to suffer levels of insecurity that forcibly displace many. Recognition of this crisis, as Honduras has done, and willingness to embrace international humanitarian support by collaborating with local organisations in offering temporary shelter and assistance to those displaced by violence, are imperatives for the region. In the longer term, defusing gang violence will depend on implementation of various overlapping policy innovations, several of which are suggested below.

### A. *Communication without Negotiation*

The unsuccessful truce process in El Salvador has stigmatised the notion of “negotiation” with gangs. But governments need not enter into direct dialogue with *maras* for a process of pacification to get underway, both through clear messages from governments as to their willingness to address the causes behind the gang phenomenon and through moves by the *maras* to reduce levels of violence.

The MS-13 and one of the B-18 factions have recently expressed willingness to enter into talks with the Salvadoran government, which so far has refused to entertain the idea.<sup>144</sup> The *maras* have mentioned the possibility of their own dissolution, an end to extortion schemes and revealing the sites of clandestine cemeteries. Similar, albeit smaller scale initiatives could be explored in Honduras and Guatemala, while the U.S. could play an important role in supporting this process by ending its designation of the MS-13 as a transnational criminal organisation in response to clear signals that the *maras* are willing to scale back violence. Likewise, the governments of Honduras and El Salvador could consider repealing their classification of gang crimes as terrorist activity in order to build confidence with the *maras*. Faith-based organisations are well-positioned to assist as they enjoy public trust, while religious conversion has become an accepted reason for gang members to *calmarse* – *maras* lexicon for ceasing gang activities.

In January 2017, a six-month mediation mission of the UN Department of Political Affairs, led by Mexican diplomat Benito Andión, was unveiled, with the aim of finding common ground between El Salvador’s two main political parties on an unspecified range of issues. The government hurriedly announced that the *maras* would not be part of any future dialogue, and the mission has not yet addressed the issue of violence prevention nor dialogue with the gangs. However, if the mission extends its mandate and is able to mediate successfully between the two parties, a working group on peacebuilding initiatives including local churches could explore the possibility of more inclusive dialogue. Even if it explicitly excludes the *maras*, the government of El Salvador could focus its ongoing efforts to strengthen the presence and respon-

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<sup>144</sup> “Secretary-General Appoints Benito Andión of Mexico Special Envoy to Facilitate Dialogue in El Salvador”, UN press release, 16 January 2017. Crisis Group interview, UN staff, San Salvador, February 2017. “MS-13 pide diálogo al gobierno y pone sobre la mesa su propia desarticulación”, El Faro, 9 January 2017; and “Pandillas no serán incluidas en ‘segundos acuerdos de paz’”, El Faro, 15 February 2017.

siveness of state institutions, within the Safe El Salvador Plan for example, on territories which saw significant violence reduction during the truce.

### B. *Spaces for Free and Safe Movement*

Gangs should adopt goodwill measures that could be recognised as such by the wider public, and which could precede or follow signals that Northern Triangle governments intend to deal honestly with the *maras'* grievances. During the truce, Salvadoran gangs declared schools as safe zones and participated in local initiatives to build peace. Such measures could be emulated by gangs in Guatemala and Honduras. These should also include pledges to end forced recruitment, particularly of girls, and public assurances that neighbours and citizens are free to move through gang-affected territories without incurring the risk of violence.

That said, such calls inadvertently could provide the *maras* with additional political and social clout once their power to guarantee full freedom of movement has been demonstrated. The resulting risk of transforming them into major political actors must be carefully gauged by authorities and groups engaged in peacebuilding processes. Crimes are not to be disregarded, and punishment for them is to be expected. The fact that in the Salvadoran truce the *maras* never requested exemptions from their criminal responsibilities offers a precedent on which to build.

### C. *Targeted Community and Business Investment*

Older gang members often have expressed their willingness to reduce levels of violence. As a former gang member explained: "I've seen how tough this life is, and I don't want my children to go through this at all".<sup>145</sup> Genuine livelihood alternatives are essential for the *maras* to desist from violent crime, but development aid in the context of gang-run communities poses huge challenges. A number of NGO efforts in Honduras to finance small business opportunities in gang-run communities have been abandoned due to pressures from violent extortion rackets.<sup>146</sup> Substantial investment in affected communities and the creation of more spaces for safe public use, of the sort undertaken in the Colombian city of Medellín, is another option, but would depend on available finance and effective cooperation across state agencies.<sup>147</sup>

Another alternative is to use existing market-based processes to integrate former gang members into productive activity, as has occurred in some instances.<sup>148</sup> Close monitoring of these efforts would help to assess their effectiveness, and the extent to which they could be copied. Particular attention should be paid to the way job opportunities fit gang members' sense of identity and self-respect, as well as more positive aspects of *maras* solidarity.

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<sup>145</sup> Crisis Group interview, former B-18 gang member, San Salvador, February 2017.

<sup>146</sup> "New Humanitarian Frontiers: Addressing Criminal Violence in Mexico and Central America", Internal Displacement Monitoring Centre, October 2015, pp. 10-11.

<sup>147</sup> "How to make Latin America's most violent cities safer", *The Guardian*, 13 June 2016.

<sup>148</sup> A prominent case is "League of Hope", which is based in an industrial area of El Salvador called American Park and produces sportswear for U.S. universities; 40 former gang members or family members now work there. Crisis Group interview, Rodrigo Bolaños, General Manager, League for Hope, Ciudad Arce, 24 November 2016.



Efforts to gradually transfer extortion schemes into formal economic activity, as was attempted during El Salvador's truce, should be renewed.<sup>149</sup> To achieve this, programs must recognise the economic and psychological attractions of the gangs' current criminal livelihood. A gang member, said a security expert with direct experience of negotiating with *maras*, "is involved in a business model that produces sustainability for him, his wife, his cousins, little sisters, all the *fanta* as they say .... The fight with the current gang member is how to reduce his dependence on the criminal economy. Given there is no current policy that allows the nice part of the city to expand into marginalised territories, when we pass from the nice to the ugly part we are taxed".<sup>150</sup>

#### D. *Prison and Prison Alternatives*

Prisons have become essential to the criminal development of the *maras*. The concentration of gang members in jails in the 2000s allowed them to take control and operate extortion schemes from within. Government neglect of prisons led to a rise in overcrowding, and the deterioration of living conditions to appalling extremes. Riots and interpersonal violence, many times homicidal, are common.

Overcrowding should be tackled through a concerted effort by states and judicial systems to bring down the number of provisional detainees. Judicial institutions should avoid sending non-violent suspects to jail, especially those accused of possession of drugs for consumption. Alternatives should feature the lowering of sentences if crimes are confessed, the use of mechanisms such as GPS tracking bracelets instead of imprisonment, and reductions in the number of defendants remanded in custody.

Governments likewise should respect inmates' rights to decent living conditions and health care. International security assistance, including the Plan of the Alliance for the Prosperity, as well as special security taxes levied in El Salvador and Honduras, should focus on greater investment in prison infrastructure and rehabilitation programs; a Rehabilitation Law tabled in the Salvadoran Congress in 2015, and aiming to introduce education and training programs for gang members not facing serious criminal charges, should be revived. The prison system should be reformed to strengthen management through better training and protection. Periodic vetting of prison guards and tighter control on electronic and personal communications of prisoners, but without trampling on their rights to visits, are essential to halting criminal exploitation of jail systems.

#### E. *Sophisticated Investigations to Target Most Harmful Activities*

Tough tactics have not produced the expected effects on crime and violence in the NTCA. Strengthened law enforcement is necessary, but should be implemented carefully to avoid any backlash and be mindful of the diversity of local criminal behaviour.

In El Salvador, *maras* rely on extortion for their livelihood. In Guatemala and Honduras, they also depend on extortion, but enjoy stronger relations with drug traffickers and other criminal groups. Analysis and mapping of these activities and

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<sup>149</sup> See Section III.C.

<sup>150</sup> Crisis Group interview, Juan Pablo Ríos, security expert, Guatemala City, 18 October 2016.

relations would help inform police and judicial strategies that target gangs and individuals carrying out the most harmful activities, above all murder, rape and forced displacement. Prosecutors and police should provide clear and consistent messages as to the crimes that will be prioritised by law enforcement, whereas other gang activities should be tackled through approaches stressing crime prevention, economic alternatives and provision of services in affected communities.

Guatemala's recent initiatives in criminal investigation stand out in this regard. The "strategic penal prosecution" methodology that the attorney general's office adopted seeks to establish possible links between new reported crimes and ongoing cases in an effort to understand recurrent patterns of criminal activity, and is credited with helping to reduce impunity levels in recent years. The attorney general's office also reports that the use of special methods of investigation, including wiretaps and monitoring of telephone conversations of suspects whose surveillance has been approved by a judge, has saved hundreds of lives each year. The performance and impact of the anti-extortion mobile app described above should be evaluated and taken into account by the neighbouring countries.

## VI. Conclusion

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After emerging from civil war and military dictatorship a little more than a generation ago, the divided societies of Central America's Northern Triangle have provided fertile ground for the growth of a novel gang phenomenon. In terms of their rebel aesthetics, criminal brutality and intricate inner workings, the two main *maras* stand out as a challenge to civic life and a threat to peace across the region. But the public and political responses to them, rooted in stigmatisation of the poor and a blind faith in the effects of tough security measures, have worsened violence and levels of social animosity.

Neither Iron Fist policies nor open-ended negotiations with the *maras* have succeeded, with both strategies undermined by the weakness of the state institutions supposed to implement them and the gangs' ability to adapt to and profit from changed circumstances. The *maras* across the region remain a chronic social problem rooted in flawed economic and political development. In seeking to address the insecurity and crime these gang perpetuate, states and the judicial system cannot ignore the conditions that have given rise to *maras*, nor expect gang identity – and the existential gaps it has filled in young people's lives – to vanish.

Extortion rackets are essential to the *maras*' revenue, above all in El Salvador, and to the violent control over territory and communities that is the hallmark of a gang's power and status. For these reasons, addressing these criminal schemes should also be considered a key part of any new strategy aiming to defuse gang crime and violence. Indirect dialogue and confidence-building between gangs and government, community investment and employment generation, alternatives to prison and criminal investigations that target the most heinous gang crimes – above all murder, rape and forced displacement – would, over time, help weaken the attractions of protection rackets and the resulting harm. *Maras* leaders should, meanwhile, recognise that their future as social organisations depends on assuring the wider public of their good faith. There is no better way of starting this process than for the *maras* to guarantee non-interference in public buildings, above all schools, and freedom of movement for all citizens across all areas, whether gang-controlled or state-run.

Progress in these areas is possible. But it will depend on international support, in particular the restraint of the new U.S. administration regarding current plans to step up deportations of illegal immigrants. Deportations helped create Central America's *maras*; repeating the same would show a blind disregard for history.

**Guatemala City/Bogotá/Brussels, 6 April 2017**

Appendix A: Map of Honduras and El Salvador



Appendix B: Map of Guatemala



## Appendix C: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early warning bulletin, providing a succinct regular update on the state of play in up to 70 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is chaired by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord Mark Malloch-Brown. Its Vice Chair is Ayo Obe, a Legal Practitioner, Columnist and TV Presenter in Nigeria.

Crisis Group's President & CEO, Jean-Marie Guéhenno, served as the UN Under-Secretary-General for Peacekeeping Operations from 2000-2008, and in 2012, as Deputy Joint Special Envoy of the United Nations and the League of Arab States on Syria. He left his post as Deputy Joint Special Envoy to chair the commission that prepared the white paper on French defence and national security in 2013. Crisis Group's international headquarters is in Brussels, and the organisation has offices in nine other locations: Bishkek, Bogota, Dakar, Islamabad, Istanbul, Nairobi, London, New York, and Washington DC. It also has staff representation in the following locations: Bangkok, Beijing, Beirut, Caracas, Delhi, Dubai, Gaza City, Guatemala City, Jerusalem, Johannesburg, Kabul, Kiev, Mexico City, Rabat, Sydney, Tunis, and Yangon.

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**April 2017**

## Appendix D: Reports and Briefings on Latin America since 2014

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### Special Reports

*Exploiting Disorder: al-Qaeda and the Islamic State*, Special Report N°1, 14 March 2016 (also available in Arabic).

*Seizing the Moment: From Early Warning to Early Action*, Special Report N°2, 22 June 2016.

*Counter-terrorism Pitfalls: What the U.S. Fight against ISIS and al-Qaeda Should Avoid*, Special Report N°3, 22 March 2017.

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*In the Shadow of "No": Peace after Colombia's Plebiscite*, Latin America Report N°60, 31 January 2017 (also available in Spanish).

*Veracruz: Fixing Mexico's State of Terror*, Latin America Report N°61, 28 February 2017 (also available in Spanish).

*Left in the Cold? The ELN and Colombia's Peace Talks*, Latin America Report N°51, 26 February 2014 (also available in Spanish).

*Venezuela: Tipping Point*, Latin America Briefing N°30, 21 May 2014 (also available in Spanish).

*Corridor of Violence: The Guatemala-Honduras Border*, Latin America Report N°52, 4 June 2014 (also available in Spanish).

*Venezuela: Dangerous Inertia*, Latin America Briefing N°31, 23 September 2014 (also available in Spanish).

*The Day after Tomorrow: Colombia's FARC and the End of the Conflict*, Latin America Report N°53, 11 December 2014 (also available in Spanish).

*Back from the Brink: Saving Ciudad Juárez*, Latin America Report N°54, 25 February 2015 (also available in Spanish).

*On Thinner Ice: The Final Phase of Colombia's Peace Talks*, Latin America Briefing N°32, 2 July 2015 (also available in Spanish).

*Venezuela: Unnatural Disaster*, Latin America Briefing N°33, 30 July 2015 (also available in Spanish).

*Disappeared: Justice Denied in Mexico's Guerrero State*, Latin America Report N°55, 23 October 2015 (also available in Spanish).

*The End of Hegemony: What Next for Venezuela?*, Latin America Briefing N°34, 21 December 2015 (also available in Spanish).

*Crutch to Catalyst? The International Commission Against Impunity in Guatemala*, Latin America Report N°56, 29 January 2016 (also available in Spanish).

*Venezuela: Edge of the Precipice*, Latin America Briefing N°35, 23 June 2016 (also available in Spanish).

*Easy Prey: Criminal Violence and Central American Migration*, Latin America Report N°57, 28 July 2016 (also available in Spanish).

*Colombia's Final Steps to the End of War*, Latin America Report N°58, 7 September 2016 (also available in Spanish).

*Venezuela: Tough Talking*, Latin America Report N°59, 16 December 2016 (also available in Spanish).

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