

# THE DEVIL'S TRADE

Guns and violence in El Salvador



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## **CONTENTS**

EXECUTIVE SUMMARY	2
INTRODUCTION	3
A BRIEF HISTORY	4
CRIME AND LAW ENFORCEMENT IN EL SALVADOR	7
FIREARMS IN EL SALVADOR	8
SOURCES OF WEAPONS	9
THE CIVILIAN FIREARMS MARKET IN EL SALVADOR	10
WEAPONS DIVERTED FROM MILITARY STOCKPILES	12
WEAPONS FROM CIVIL WAR-ERA STOCKPILES	14
WEAPONS IMPORTED FROM REGIONAL SOURCES	15
PATTERNS OF OWNERSHIP AND USE	16
CONCLUSION	18

## **EXECUTIVE SUMMARY**

El Salvador is a country with a troubled past and a troubled present. It is home to two of the most powerful and violent criminal gangs in the world - the Calle 18 and the Mara Salvatrucha-13 (MS-13). And it is haunted by the constant presence of violence. Ravaged by a civil war in the 1980s and 90s, this Central American nation has the highest concentration of gang members of all of the 'Northern Triangle' countries¹ - and its homicide and gun violence rates are shockingly high - well above global averages.

In 2011, El Salvador, this country of just over six million<sup>2</sup>, saw nearly 70 murders per 100,000 inhabitants. That year it had over 4,000 homicides, just under half the number of murders seen in the US, a country over fifty times its size.<sup>3</sup>

El Salvador is not just a country haunted by violent death. It is also a country where the gun is ubiquitous. In 2011, 70 per cent of homicides there were at the end of a gun.<sup>4</sup> And thousands more are seriously wounded by gunfire every year. Despite a gang truce in 2012 between the Calle 18 and the MS-13, violence in El Salvador remains an ugly part of everyday life there.

Understanding how guns end up in the hands of criminals is vital if we are to begin to understand something about the daily horrors of shootings and murders. Yet very little research has been done on arms trafficking anywhere south of the US-Mexico border.

In this report, **THE DEVIL'S TRADE**, Action on Armed Violence (AOAV) travelled to El Salvador and found that the number of illegal guns in El Salvador matches, and probably vastly exceeds, the estimated 250,000 legitimately owned guns in the country. It also found that obstacles and resistance from those with financial interests in the gun trade have crushed any attempts at firearms law reform. And that corruption in the sectors of the government responsible for gun law enforcement is rampant.

**THE DEVIL'S TRADE** also found that very few guns are being successfully removed from circulation in El Salvador - or in Central America generally. Even confiscated weapons often make their way back into illicit circulation. With such access to weapons, Salvadoran criminal groups' ability to commit widespread violence with impunity remains uncontested, and will continue to grow for the foreseeable future despite attempts to broker a truce among the gangs.

## INTRODUCTION

In 2011, the police in El Salvador recorded 4,371 homicides – a rate of 69.9 per 100,000 inhabitants - the second highest murder rate in the world following Honduras. 5 This obscene level of violence is driven not by any ideological insurgency or religious conflict. It is, rather, driven by exceptionally powerful criminal groups that use casual and lethal violence to run their illicit trades - in drug running, kidnapping, protection rackets, prostitution and smuggling.

Compared to more traditional conflicts, the imprecise boundaries and shifting allegiances of these gangs makes it hard to understand and address the violence in El Salvador. Unlike the politically-driven insurgencies which preceded them, these criminal groups are hard to negotiate with: they are smaller, more diffuse, profit-driven and numerous.

In order to successfully transition from civil war to civil peace, a nation must take two fundamental actions. It must heal the divisions created during the war, and it must address the remaining means of violence. This report examines the latter process, though – as with many issues in the study of armed conflict - that cannot be separated from the former.

But why El Salvador? It is a small country, even by Central American standards, with a dense population of just over six million.6 Its civil war, from 1980 until 1992, was exceptionally brutal, where it has been estimated that 75,000 people were killed and many more subjected to severe violations of human rights.7

Today, El Salvador attracts international media attention for its street gangs, whose reach and unrestrained violence are notorious. In 2012, a widely-publicised truce between the two dominant groups - the MS-13 and the Calle 18 gangs - was credited for a substantial drop in the country's homicide rate where in 2012, 2,594 murders were recorded by the police compared to the previous year where there were more than 4,000.8

Even though it no longer leads the world in homicides per capita, El Salvador is still one of the

most violent countries on earth outside of active, recognised armed conflicts. And while the truce remains in place, the murder rate has been creeping back up, with figures indicating that homicide rates are back to the same level as before the gang truce was declared.9

Major tensions still remain in this Central American state, especially in the wake of the extremely close and disputed 2014 presidential election. Add to this mix, the weak and corruptible institutions<sup>10</sup>; porous, remote land borders; and a lengthy, easily navigable Pacific coastline, its value to smugglers becomes clear.

Our report does not seek to fully explain the complex social, cultural, economic and political mechanisms that lie behind El Salvador's appalling level of violence. Rather, it seeks to cast light upon the ways in which violent groups arm and equip themselves outside of recognised conflicts, and underlines the importance of understanding the long-term harms that come from uncontrolled arsenals of even the smallest of small arms.



Advertising entreats people to vote against the gangs.

#### A BRIEF HISTORY

The Salvadoran Civil War is generally considered to have lasted from 1980 until 1992. Before 1980, military-influenced governments ruled El Salvador for half a century. Under the regime, poverty, income inequality and land disputes grew, and with them, organised opposition. Matters came to a head when Archbishop Oscar Romero – "The People's Bishop," who had called for greater transparency and an end to American military assistance to the government – was assassinated. The situation escalated when government forces fired upon mourners.

In the 1980s, several left-wing revolutionary guerrilla movements began to coalesce under the umbrella of the Farabundo Marti National Liberation Front, or FMLN. The FMLN, named after a leftist leader of the 1930s whose movement was brutally repressed by the government of the time, became a large and sophisticated operation, launching its first major offensive in January 1981.

The government, in turn, was armed and supported heavily by the United States as the Reagan administration - which prioritised aid to foreign anti-communist governments over human rights considerations - stepped up military and economic aid to the right wing government. The US supplied the government with virtually all the materiel necessary to conduct war: small arms, armoured vehicles, combat aircraft, ammunition, logistical equipment, and training and intelligence support. As for the FMLN, it is thought that a large proportion of their weapons were captured from the Salvadoran Armed Forces<sup>11</sup>, although there has been some suggestion that arms shipments had been arranged by FMLN leader Schafik Handal with officials of the Soviet Union, Vietnam, Ethiopia, and a number of Eastern European countries in the early 1980s.<sup>12</sup> The FMLN could also count on support from the rebel movements in neighbouring countries.

As the war went on, both its scope and its brutality widened. In December 1981, soldiers from the Atlacatl battalion shot dead residents of El Mozote

who were suspected of sympathising with rebels. Soldiers killed some 1,000 people, and nearly half of the victims were children. The sympathism of the victims were children. The sympathic around 30,000 people. The government also used military force with little discrimination in the countryside, employing air and artillery strikes and large-scale sweep operations in an attempt to break the will of the rebel movement or capture or kill its leadership. But its attempts – while resulting in significant loss of human life in the FMLN's rank and file – did not succeed in breaking the insurgency's back.

The early 1990s found El Salvador in ruin and deadlock. While the FMLN could still launch sporadic raids and attacks in urban areas, there was no real prospect that it could do anything more than harass, rather than supplant, the government. The government, for its part, was more than capable of holding on to its strongholds and launching devastating attacks into the countryside, but was unable to consolidate its gains. With the dissolution of the Soviet Union and the consequent disengagement of the United States from ideological conflicts, both sides were also suddenly facing the prospect of continuing a crippling war with less and less material and financial support. With neither side capable of winning the war and with casualties continuing to mount, a peace treaty became the logical strategic choice for both sides, if a victory for neither.

In January 1992, the two sides signed a set of peace accords negotiated by the United Nations. The rebels would lay down their arms; the government would demobilise the military machine that it had built to fight the war; elections would be called. The accords also established the Truth Commission to investigate past human rights abuses.

But the peace accords left a great deal unsaid and undone. There was no organised process for reintegrating ex-combatants back into society. Those who had fought as guerrillas, as paramilitaries or as soldiers, were left to find their own way. And there were tens of thousands of them: during the war, the military had swelled to as many as 63,000

personnel.<sup>15</sup> At its peak, the FMLN numbered some 12,000, and thousands more were members of other self-defence and paramilitary groups associated with both the government and the rebels.

Another reality was also unfolding: the consequences of mass emigration. During the war, thousands of Salvadorans had fled the country. With neighbouring Guatemala and Nicaragua also embroiled in civil wars, many of these émigrés fled north, to the US. It was so profound that the Salvadoran population in the US increased from 94,000 in 1980 to 465,000 in 1990 - a massive outflow from a country of its size.16

Many Salvadoran immigrants who fled to the US, particularly those who had entered the country illegally, found themselves on the edges of society, occupying either undocumented positions in the grey economy or engaged in outright criminality.

With rival gangs largely organised along national and ethnic lines, Salvadorans in the US began to form their own groups. At first, these groups were designed to shield Salvadorans from violent non-Salvadoran gangs, but they quickly moved into other criminal activities. The Mara Salvatrucha, or MS-13, created by Salvadoran immigrants in Los Angeles in the 1980s, became the largest of such groups. Its rival, the Calle 18 group, originally formed by Mexican immigrants in 1959 in the Pico Union district of Los Angeles, also saw rapid growth when it incorporated Central American refugees.<sup>17</sup>

As the United States government deported increasing numbers of Salvadorans, either for criminal activities or simply for violating immigration law, the informal networks developed in the United States were sent back to the old country. The El Salvadorian government was struggling to rebuild the lives and heal the wounds of civil war, and providing services for returning émigrés was not a high priority. So the Salvadorans who had been deported by the United States for their criminal activities found themselves back in a country with no capacity to deal with them productively.

Young gang members returning to El Salvador imported US styles of gang membership. According to José Miguel Cruz these styles not only comprised of the names of gang organisations,



The funeral of Reyneldo Adonai Campos, killed by 18th gangs members because he lived in an MS controlled area.

but also the use of tattoos and hand signs to communicate.18 The marginalised and excluded young people of post-war El Salvador looked to these gangs for a sense of identity and belonging. In 1996, 84 per cent of gangs were affiliated with either MS-13 or the Calle 18 in the metropolitan area of San Salvador.19

The government was also abjectly failing to do anything about the stockpile of small arms that had built up during the war. The peace accords called for the destruction of surplus weapons held by both the army and the FMLN. The FMLN was unable to account for its stockpile, largely because it did not keep accurate records of all the weapons its affiliates had imported and used. The government, on the other hand, simply dragged its feet in cataloguing and destroying both its own weapons and those it had confiscated from guerrillas.

As crime rates rose throughout the 1990s and early 2000s, the right-wing ARENA government began to respond with so-called Mano Dura ("strong hand") policies. Adopted in July 2003, Mano Dura called upon the immediate imprisonment of gang members for having gang-related tattoos or flashing gang signs in public, which became punishable with two to five years in jail and applicable to gang

members from the age of 12.20 The Mano Dura law was subsequently declared unconstitutional, but was followed by a package of anti-gang reforms known as Super Mano Dura in July 2004.<sup>21</sup>

The reforms enhanced police powers and stiffened penalties for the involvement with organised crime. Tactics associated with the Mano Dura approach included arresting suspected gang members for lesser charges and then charging them for additional crimes once they were being detained as well as engaging in aggressive, large-scale tactical operations in gang-controlled territory. Ordinary gang members faced up to five years in prison, and nine years for gang leaders.<sup>22</sup>

One of the immediate effects of the Mano Dura policies was to fill El Salvador's prisons to, and then far beyond, their capacities. According to the International Centre for Prison Studies, there were 9,471 inmates in 2001. The prison population increased to 12,073 in 2004, rising to 24,283 in 2010.23 As of December 2012, some 27,038 inmates, including 10,212 current or former gang members, were being held in prisons designed to hold a maximum of 8,328 people. 24

At first, the government's policy of throwing arrested gang members in whatever jail was most convenient led to virtually unrestricted bloodshed as members from rival groups found themselves in close proximity to each other (and under the extremely limited supervision of the overworked, underpaid and corruption-prone prison guards). Faced with massacres inside what were supposed to be highly secure facilities, the government switched to segregating entire prisons by gang affiliation. This proved to be a recipe for disaster. Placing gang members and leaders in close, but not closely monitored, confinement meant they were relatively safe from attack from rivals and could also coordinate with colleagues outside prison walls. Many of the top leadership for both the Calle 18 and MS-13 were in prison together. They turned this into a tactical advantage: inside a facility guarded by government forces and surrounded by hundreds of their advisors and allies, they are arguably safer from attack than they would be outside. The gangs' power rose, and with it the violence. In the last few years, the government (which, since 2009, has been headed by the left-wing FMLN), seeing the impact

of previous policies, has decided to pursue a new public safety strategy.

Then in March 2012, the Catholic Church and local NGOs brokered a truce between the major gangs, the MS-13 and Calle 18. The government at first denied involvement in the truce, but President Funes then admitted that the government had "facilitated" the agreement by providing trucks, guards and helicopters to oversee the transfer of gang leaders from maximum-security prisons to encourage the truce.25 26

Whether the gang truce has succeeded or not is a topic of considerable debate. Certainly murders declined in the immediate aftermath of the truce's commencement. For at least 15 months after the announcement of the truce, the daily number of killings averaged 5.5 a day compared with 14 beforehand.<sup>27</sup> In recent times however, the homicide rate has risen, with 89 murders recorded in the first ten days of January 2014.28 There has also been a rise in the number of disappearances where in 2013, those missing doubled compared to 2012.<sup>29</sup> The recent discoveries of secret mass graves suggest that the killings are continuing clandestinely.30

Most observers we interviewed were highly sceptical of the truce. They cited the continuation of gang recruitment and armament activities and the failure of the government to offer notable economic or social alternatives to gang life as evidence that nothing had really changed beneath the surface. Since the truce, one source working in the intelligence services remarked how gangs in El Salvador have become more powerful: "Gangs have become more politicised, more strident; and this changes the type of people in the gangs. The gangs themselves are transforming - the government struggles to contain their communication network, their structures, their armaments. Here the gangs have evolved into something else. Perhaps even the fifth estate - the criminal estate."

Despite appeals from gang members to revive the gang truce, in June 2014, El Salvador's new President Salvador Sánchez Cerén declared that he will not "make a truce with organized crime". Justice and Security Minister Benito Lara confirmed that the truce would not be part of the government's security policy.31

## **CRIME AND LAW ENFORCEMENT** IN EL SALVADOR

Violent organised crime in El Salvador is distinct from violent organised crime in Guatemala or Mexico. Where high-level criminality in those countries is dominated by major drug trafficking syndicates with diverse criminal portfolios, Salvadoran gangs are much more engaged in local crimes. Extortion, protection rackets, prostitution, murder for hire and other localised crimes - these are the mainstays of the gangs there, although there are suggestions the gangs might be increasingly involved in more organised criminal activity.

Homicide in El Salvador is overwhelmingly carried out with firearms: according to data from the UN Office on Drugs and Crime, the percentage of murders in the country committed with guns did not drop below 62% from 2005 to 2012 and reached as high as 80% in 2007.32 This is double the global average of roughly 40%.33

The two dominant forces in Salvadoran armed violence are the MS-13 and Calle 18 gangs. They do not represent a duopoly over criminal violence in the country, but they exert an outsize influence. In our research, other groups were only mentioned in passing and were never described as having more than a minor impact on overall trends in criminal violence.

Salvadoran criminologist Carlos Ponce told AOAV that the major difference between MS-13 and Calle 18 was organisational. Both are cellular rather than strictly hierarchical, but the MS-13 is somewhat more hierarchical. According to Ponce, MS-13 has also made more inroads into complex but potentially lucrative forms of crime - large scale drugs, arms and human trafficking, for example. MS-13 is generally agreed to be the more powerful of the two groups, and was the first American-based street gang to be labelled a "transnational criminal organisation" by the US Department of the Treasury.34 Both gangs continue to have operational units in the United States and elsewhere in North and Central



Gangland signs in downtown San Salvador.

America. But there is a high degree of autonomy - while the separate units maintain communications with each other, there is very little operational coordination across national boundaries.

Law enforcement for most of the country falls to the roughly 20,000 personnel of the National Civilian Police (PNC). The PNC was founded at the end of the civil war in order to make a clean break from the civil-war era military police forces. Although there are some municipal police forces, they are generally concerned with low-level crime. Serious and organised crime cases fall to the PNC nationwide. While the PNC maintains specialist units to handle gangs and traffickers, even these units often find themselves operating at a disadvantage relative to the bigger criminal enterprises.

Sometimes the gangs are better equipped than the police. AOAV visited one specialist anti-trafficking unit outside San Salvador, where officers showed us an encrypted radio seized from a Maras logistics co-ordinator the unit had arrested. We were told only the American military had the necessary equipment necessary to break its encryption.

Firearms are a very visible presence in El Salvador. Virtually every gas station, shopping mall or other commercial establishment is guarded by at least one private security guard, generally armed with revolvers and 12-gauge shotguns. The Civilian National Police and Army are frequently seen around San Salvador on foot patrol or guarding government buildings, often armed with assault rifles and submachine guns. Civilian firearms ownership is slightly more circumspect, but armed civilians are so common that many commercial establishments are demarcated with signs declaring them gun-free zones (a prohibition which appears to be widely flouted).

And then there are the guns owned and used by criminals. These, though less visible under normal circumstances, are vastly more influential upon El Salvador's current political and social conditions. These weapons are the primary focus of this report.

In 2000, researchers at the Instituto Universitario de Opinion Publica (IUDOP) in San Salvador estimated that there were between 250,000 and 400,000 firearms in circulation in El Salvador, including weapons held legally and illegally. The IUDOP researchers cited a number of different estimates based on varying figures and surveys, concluding that over half the guns in the country were unregistered.35

Sadly, in the intervening decade and a half, matters have not improved either in terms of the apparent numbers of firearms in the country or in the reliability and accessibility of data on the subject. A 2007 estimate by the Small Arms Survey found a roughly similar set of numbers – 175,400 registered guns as compared to 225,000 unregistered ones, for a total of 400,000 guns.36

The Organisation of American States has a somewhat different estimate - 156,325 registered guns in 2000, climbing to 215,000 by 2009.37 The fact that widely respected institutions are working with different sets of numbers indicates



Despite the violence life continues.

that the Salvadoran Ministry of Defence, which is responsible for the registry of firearms, is not entirely consistent with its record-keeping or its data-sharing.

The number of unregistered firearms is in greater dispute. Experts interviewed for this report gave a range of estimates from roughly 200,000 illegal guns all the way up to nearly 500,000. Obviously giving an exact figure on the numbers of illegal guns is far more difficult, but more systematic data collection could at least provide more accurate and finegrained estimates.

Those illegal guns are entering the country along a variety of different pathways - on land, by sea, mixed with legitimate cargo shipments and smuggled through porous border zones. El Salvador has no domestic arms manufacturers, so the guns in the country have all come in from outside. But guns have a long half-life: with a modicum of maintenance, they can remain effective for decades. Accordingly, dealing with the retention of arms is an issue of overriding importance in addressing the burden of violence in El Salvador.

### **SOURCES OF WEAPONS**

There is not a single predominant source of weapons being used in violence in El Salvador. Some weapons make their way from the civilian market into the black market, some are sourced from the stockpiles held by the militaries, others are recovered from civil war-era guerrilla arms caches, and some are imported from outside the country by or on behalf of criminal syndicates.

Instead, it is helpful to think about different categories of weapons in use. The vast majority of gun violence in El Salvador is committed with relatively simple, inexpensive weapons - cheap revolvers and semi-automatic handguns. Such weapons are designed for short-range self-defence and for security and police personnel; as a result, they are generally not a major part of military aid programmes. However, they tend to be widely and cheaply available on civilian markets worldwide.

More powerful weapons – assault rifles, sniper rifles, machine guns, grenades and antitank weapons – are expensive and rare; consequently, they are only seen in the hands of more organised and powerful groups, and even then, generally only

for attacks on high-value targets. Though there is considerable disinformation and disagreement about the prevalence of such weapons, many of these weapons likely originate from the country's civil war-era stockpiles.

Trade throughout Central America also appears to be a major factor. Multiple sources confirmed that both El Salvador's North-eastern border with Honduras was largely uncontrolled, both because of its remoteness and because of collusion between the security forces responsible for that zone and arms traffickers. Similarly, the country's Pacific coast provides ample opportunities for smugglers operating by boat. Long stretches of open, lightly populated beaches provide easy access for smugglers, and the authorities are not well equipped for interdiction.

But the fact that weapons are entering the country from numerous sources is not the only problem. There is also remarkably little being done to address the weapons already there. Given that, simply staunching the flow from abroad will not be enough to address the proliferation of illegal guns used in criminal activity.



Children remain heavily affected by the city's violence.

# THE CIVILIAN FIREARMS MARKET IN EL SALVADOR

The civilian firearms market in El Salvador represents a potentially productive source of weaponry for criminal organisations, but as with the total number of weapons, inadequate and inconsistently available data make it difficult to come to reliable conclusions on this issue.

Certainly, there is not one predominant source of weapons entering El Salvador legally, though the United States appears to be the single largest source. According to data from the Norwegian Initiative on Small Arms Transfers (NISAT), in 2011 (the most recent year for which disaggregated data were available) the US exported 684 pistols or revolvers, 493 sporting or hunting shotguns and 72 sporting or hunting rifles to El Salvador. This compares to recorded transfers of 704 pistols from Argentina in 2010, 616 pistols from Italy the same year and 375 pistols from Brazil in 2011. The OAS estimate of legal firearms ownership from 2000-2009 indicates

that roughly 6,500 new weapons are being registered per year, meaning that the United States exported roughly 1/6 of newly registered weapons with other major exporters responsible for between 1/10 and 1/20 of the total demand.

However, the NISAT data is, as previously indicated, incomplete. These numbers should be viewed as indicative rather than conclusive – and the government of El Salvador should make it a priority to publicise its own data on arms transfers more widely so that the dimensions of the issue can be more fully understood.

In theory, existing firearms law in El Salvador is reasonably comprehensive, if not particularly strict. Civilians are permitted to own a wide variety of weapons, though each weapon is required to be licensed individually. Certain categories of weapons, such as automatic rifles, are banned outright.



Adam H

MS gang members.

Before purchasing a weapon, buyers must pass a background check administered by the police. With the background check completed, the potential buyer must attend and pass a firearms safety and proficiency course before returning to the store to pick up their legal firearm. Carrying weapons in public is generally legal, though many businesses prohibit weapons on their premises.

In practice, matters are considerably less strict. The process relies on cooperation between the gun stores, the police and the military, though the relationships between these parties (particularly between the police and army) are strained. The records check process is unreliable at best, often missing legitimate and technically disqualifying criminal convictions. Even ardent gun rights supporters interviewed for this research disparaged the effectiveness of the safety course.

Most importantly, however, the process is effectively immunised against reform. Although the FMLN government is theoretically in favour of more stringent gun control laws, it has not attempted comprehensive reform, viewing the gun lobby as too powerful and entrenched to be worth taking on.

In this context, the growth in legal gun ownership contributes to the wide availability of handguns. Slippage from legal to illegal gun ownership can happen in a variety of ways. Straw purchasing the use of a buyer with a clean record to purchase weapons which are then illegally transferred to criminal actors - is part of it, though the exact extent to which it is a factor is disputed. Certainly the guiding firearms legislation makes largescale straw purchases impractical, given that a purchaser must send in their firearms licence each time they purchase a weapon.38

A bigger problem appears to be the lack of oversight over firearms sellers and the cosy relationship between retailers and the Army, which is largely responsible for the enforcement of firearms law. A recurring theme in our interviews was that most gun stores in El Salvador are owned by current or former military personnel, or by individuals with strong links to the military. Being protected by a military patronage network would allow gun shops to selectively enforce firearms law in relative safety. And given that the PNC assigns a relatively

low priority to enforcing firearms law (one knowledgeable observer estimated that only 80 officers had been assigned to counter-firearms duties for the entire country) the odds of being caught violating the regulations seem fairly low.

Another important aspect to the legal firearms market is the prevalence of private security contractors. These private guards are a constant presence on the streets of San Salvador, standing guard over coffee shops, gas stations, shopping malls, hotels and wealthy neighbourhoods. Such guards are generally armed with pump-action shotguns, the imposing appearance of which is held to serve as a deterrent all on its own. According to estimates by the Small Arms Survey, there is almost one firearm to every private security personnel39, but sometimes these weapons end up on the black market. In 2011, the government announced more than 1,700 firearms used by private security companies since 2009 had been sold on the black market after being reported missing.40

Guards are not protected by special provisions in law; they have no more power to affect an arrest or use lethal force than do ordinary citizens. But with an estimated 21,146 nationwide, private security guards outnumber police (16,737).<sup>41</sup> Accurate estimates are for obvious reasons more difficult to come by for criminal groups, but most sources agree that the total number of gang members is roughly 60,000 – and of course that includes groups violently opposed to each other and in which not every member is armed. Recently, there have been reports of gang members working as security guards, using their position to carry out extortion. In 2013, several guards were dismissed when a police investigation found that they were members of the MS-13, and that community leaders were threatened into employing them by telephone calls made from prison.<sup>42</sup>

Security guards are usually deployed singly, to protect particular patches of commercial real estate, meaning that they are both physically and legally exposed, and their pay is generally close to the national minimum wage of \$250 a month. These factors make them targets both for corruption and outright theft, and give them little incentive to fight back if confronted by armed attackers.

Another commonly cited source of weapons used in criminal activity are the stockpiles held by the Salvadoran military. It is important to draw a distinction between the military's arsenals and the stockpiles they hold. The arsenals comprise the weapons currently used by their activeduty troops. These are not a particularly major proliferation concern. In some cases, soldiers seeking a quick cash infusion may rent, lend or sell weapons from the arsenals to criminals, but such behaviour carries significant risk and is accordingly fairly rare.

The stockpiles of arms held by the military are of much greater concern. These comprise a range of weapons: those turned over by the FMLN at the end of the civil war; those formerly in the military arsenal but declared surplus to requirements at the end of the war; and those confiscated from illegal stockpiles in the post-war era.

These stockpiles represent one of the greatest proliferation risks in El Salvador. They contain thousands of weapons of all descriptions and sizes, from handguns to anti-tank weapons. There is very little transparency regarding such holdings; we made enquiries to various offices of



Suspected mass graves in San Salvador.

the Salvadoran government to gain access to a lockup but were unable to access either the physical location or any comprehensive data about their contents.

It is unclear how comprehensive or uniform physical security measures are, but a greater risk is corruption. Numerous sources in government and within the gangs themselves described easy access to the weapons either directly via corrupt military personnel or indirectly through middlemen. One source in the MS-13 described being offered an entire crate of 100 ammunition magazines suitable for the M-16 assault rifle for \$1000, or \$10 per magazine. This compares favourably with the roughly \$30 an American civilian buyer would pay for a 30-round magazine for an M-16 pattern rifle.

Here, the issue once again is the division of responsibility between the police, the Attorney General's office and the military. All stockpiles of confiscated weapons are ultimately the responsibility of the military, regardless of whether the weapons were confiscated by military personnel or civilian agencies. Once a weapon is confiscated, it is turned over to the army for indefinite storage, though the Attorney General's office may temporarily take possession to perform ballistics tests or other tracing measures.

With regards to weapons holdings, the military is effectively a "black box": exempt in practice, if not in law, from investigation or oversight. Multiple sources told AOAV that army officers, even up to the rank of generals, are directly involved in arms trafficking, but that investigations or arrests by the civilian authorities simply were not possible.

Given the lack of oversight, corrupt officers effectively signify corrupt soldiers as well. While a low-paid soldier might not be operationally responsible or cut into the profits from corruption, they have few opportunities to report corruption higher up in the ranks. And should they make



Death Graffiti. San Salvador.

such a report, there is little guarantee that any corrective measures will be taken - or that they will be safeguarded against retribution. Accordingly, and in the self-reinforcing logic of institutional corruption, it often seems a perfectly straightforward choice to remain silent.

On a larger scale, the military has simply failed to destroy its own gun stockpiles.43 As the military grew over the course of the civil war, its arsenal increased, aided especially by military aid from the United States. The Small Arms Survey reported that the United States had supplied 1,900 handguns, 32,474 M-16 assault rifles, 3,117 M203 and M79 grenade launchers, and nearly 270,000 grenades to the Salvadoran military from 1980 to

1993 - an arsenal which by itself would comfortably equip the entire modern Salvadoran military two and a half times at least.44

The Salvadoran government reports having destroyed some 28,036 weapons from 2006 to 2008.45 However, that reported number is not disaggregated between firearms and grenades, the latter being massively more numerous in government stockpiles. Furthermore, we were informed by multiple independent sources that the military generally destroyed only weapons that were already inoperable and exaggerated the numbers of explosives destroyed in controlled demolitions. In short, the military's transparency about its holdings of weapons is sharply lacking.

Even less controlled are the arms caches held by the FMLN during the civil war era. One of the conditions of the peace treaty was that the rebel group turn its weapons over to the government for destruction. The United **Nations Observer Mission in El Salvador** supervised the recovery of over 10,000 weapons from FMLN stockpiles, but that did not represent the totality of the guerrillas' arsenal. A retired high-ranking military officer told us that the FMLN had not turned over all its weapons - in part because it did not trust the government and in part because the FMLN did not know how many weapons it actually had or where they were. As a result, the country continues to host an indeterminate number of caches of weapons from the rebels - and finding, repairing and selling those weapons is one of the ways that illicit arms sellers and middlemen do business.

The FMLN used whatever weapons it could find, but it was supported – like many LA insurgencies – by the Soviet Union and regional Soviet client states such as Cuba. Soviet small arms, especially the many variants of the AK-47 assault rifle, are notoriously durable; able to function following long periods of storage in harsh environments. Therefore, despite their advanced age and poor storage conditions, many of these weapons are



The cost of violence in San Salvador - poverty.



The cost of femicide in San Salvador.

still functional, or might be made functional with the attention of an armourer.

More than one source told us that owing to that durability, criminals preferred Soviet-pattern weapons to American or Western European guns. But those weapons also require a separate supply chain. Western-pattern weapons, such as the M16, Galil, FAL and G3 rifles, fire a set of NATOstandardised ammunition. Soviet-type weapons such as the AK-47 and Type 56 assault rifles or the Dragunov sniper rifle fire a different and completely incompatible set of cartridges. Providing spare parts for Soviet weapons and compatible ammunition is a business for smugglers operating on a regional and trans-national basis. When such parts and ammunition are difficult to legitimately source in El Salvador, Guatemala or Honduras, where government forces use exclusively Western weapons, there is no such difficulty in Nicaragua, whose military and police use Soviet-designed arms.

## **WEAPONS IMPORTED** FROM REGIONAL SOURCES

There is a thriving cross-border trade between El Salvador and its neighbours: Guatemala, Honduras and Nicaragua. Like El Salvador, Nicaragua and Guatemala both had extensive civil wars, and like El Salvador neither adequately dealt with their arms stockpiles when the wars ended. Col. Carlos Rivas, the former head of Army Intelligence, told AOAV that the Honduran border is particularly difficult to control for historical reasons: El Salvador and Honduras fought a border war in 1969 and the area remained disputed until the formal declaration of peace in 1981, at which point the Salvadoran Civil War had already begun.

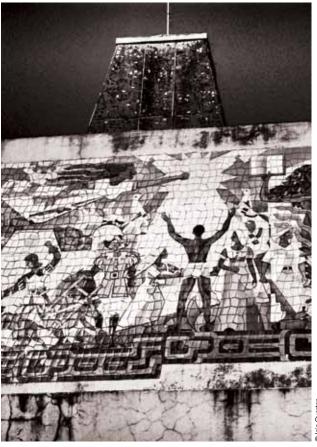
El Salvador's borders are not especially secure. The country has a 343 km border with Honduras and a 203 km border with Guatemala, and faces Nicaragua across the narrow Gulf of Fonseca. The geography of these regions does not make the job of policing them against illicit flows easy: the land borders are generally very rural and mountainous, which would be difficult terrain to patrol for even a wealthy, well-equipped government to effectively patrol.

Matters are even worse at sea. El Salvador's navy numbers less than a thousand personnel and operates just a handful of small, aged patrol craft - a force entirely inadequate to the task of preventing or even materially limiting nautical smuggling. Given the short distance and calm waters between Nicaragua and El Salvador, smugglers can simply use small fishing boats to move small cargoes on a nightly basis.

AOAV researchers were taken to a beach used by such smugglers and shown boats used in these operations. Unlike the specialised craft used to smuggle drugs from the Andes to the Northern Triangle, Mexico or the United States, these boats are identical to craft used for fishing and recreational purposes. Indeed, we were told that

some of the operators were legitimate commercial fishermen and tour guides by day who supplemented their income by making night-time runs to and from Nicaragua, returning to El Salvador with up to 25 AK-47s at a time.

Movement of weapons between Central American states serves several purposes. It provides access to a broader range of weapons and ammunition, builds and strengthens links between criminal groups and allows for the exchange or disposal of weapons which have already been used in crimes and might potentially be traced back. It also permits weapons to cross back and forth between legitimate and illegitimate users in separate countries through intermediaries who take advantage of imperfect information sharing between national law enforcement bodies.



Public memorial to San Salvador's pre-Columbian past.

Like many non-state violent groups, both the MS-13 and Calle 18 are organised along cellular lines. While both groups have overall hierarchies with top leadership maintaining ultimate responsibility, significant operational responsibilities lie with lower-level "clique" commanders. Those lower-level commanders are responsible for a specific neighbourhood, their personnel and properties and the execution of all violent and non-violent criminal activities in their area of responsibility. Accordingly, the arsenals are also held and maintained at the clique level.

As a result, the level of armament that the gangs can call upon varies considerably by area. In areas where a gang has been successful, it might have weapons for nearly all of its active membership, with a mix of handguns and pistols for straightforward extortion and attacks on soft targets along with assault rifles, submachine guns and other heavy weapons for attacks on well-armed rival groups or confrontations with the PNC or Army. A less wealthy or less established group might have to make do with a small number of handguns to share. Yet no matter how big or small a gang is, the gun is seen as a necessary tool for defence. As one member of the Calle 18 told us, "We have the control of the land here, but the fact that everyone has a gun means we will always be protecting ourselves from others coming in."

Of the weapons that are confiscated by police, handguns are an overwhelming majority. Between January and November 2011, police seized 3,915 weapons, including 1,817 pistols and 1,037 revolvers. Shotguns (405) and rifles (224) were much less common. Military weapons such as machine guns were confiscated in small numbers, which presumably reflects their relative rarity along with their greater material and financial value.<sup>46</sup>

Operationally, storage and distribution also take diverse forms, though one commonality seems to

be that guns are regarded as property of the gang rather than the individual. Some cliques prefer to maintain central command of an arsenal hidden in a home in a controlled neighbourhood; others keep weapons distributed across a number of trusted confidantes. More established groups might have a designated armourer or weapons specialist, responsible for weapons acquisition and maintenance along with training; others use more ad-hoc systems.

We were told that gang members never abandoned weapons after using them in violent crimes, as there was little fear that the police would use forensics to build cases around specific weapons. On the other hand, we were told by both police and gang sources that gang members carrying weapons outside friendly territory was strongly discouraged, except as part of attacks on rival targets. These was partly ascribed by gang members as a reflection on the fact that the police will arrest suspected gang members for weapons possession and then build a case against them while they await trial in jail.

The culture of gun customisation, as seen amongst Mexican drug cartels, does not seem to be particularly prevalent in El Salvador. Gang members interviewed took what might be described as a functional tone describing weapons: none that we talked to had a particular favourite weapon and we saw no indication in interviews or from photographic evidence that customised or decorated weapons were either common or particularly desirable. Effectiveness, rather than symbolism, seems to be the watchword for Salvadoran gangs.

One recurring theme, perhaps unsurprisingly, was the role of personal relationships in the local arms trade. Sources within the MS-13 and Calle 18 both indicated that they preferentially dealt with arms trader middlemen who were related to them, or at the very least were well known and trustworthy. Family connections are also seen as a way to limit expenditures – gang sources indicated that this was not only a matter of trustworthiness but also of economics, as the prices they paid from middlemen they had blood ties to were substantially less than prices paid to unrelated brokers.

Relationships between the local gangs and transnational criminal syndicates are also important. From our research, it does not appear that the major transnational criminal organisations such as the Sinaloa Federation or the Zetas have a particularly strong on the ground presence in El Salvador (in contrast to Guatemala, where they do).

Where necessary, transnational criminal groups operate in El Salvador on a "light footprint" basis, using alliances with local gangs to achieve their objectives. This relationship carries through to

firearms ownership, where the transnational groups, with their far greater financial resources and international supply networks, will lend their allied gangs powerful weapons if necessary for a particular operation, such as an assassination attempt on a well-protected rival leader or an offensive against an enemy stronghold.

That said, the truce has created an incentive for gangs to avoid the appearance of major escalations, which limits their employment of the most powerful small arms. While gang sources indicated that they were capable of acquiring hand grenades and light anti-tank weapons without particular difficulty, they expressed a reluctance to use them for fear of provoking a disproportionate police response. Indeed, there have only been a few recorded attacks with explosive weapons.



MS gang members with one of their weapons, Las Victirias, San Salvador.

### CONCLUSION

At no point during our research was it suggested that gangs had any major difficulty obtaining weapons. As in any complex criminal enterprise, there are setbacks, hurdles and difficulties, but nothing to prevent these exceptionally large and sophisticated organisations from obtaining weapons as they see fit. It is well-established that there is a link between the proliferation of guns especially illicit guns - and gun deaths outside of declared conflicts.<sup>47</sup> The largely uncontrolled arms bazaar operating in El Salvador underscores this correlation.

However, it is difficult to understand the precise scale of the problem. Estimating the number of illicit guns in a country with extraordinary levels of violent crime is neither easy nor precise, but the difficulty is compounded by the absence of centralised, reliable data and the difficulties in accessing that data. Information held by the military is of particular concern here - we were told that the PNC, the Ministry of Justice and the Attorney General's office had all improved the quality of the data they kept. But data around the size and composition of the stockpiles and arsenals held by the military appears to be either classified or non-existent.



Business signs make it clear about their policy on guns.



Public cemetery in San Salvador

For a brief period of time, the gang truce may have reduced the murder rate in El Salvador, but it has done little to limit the means by which violence might be carried out. There are a number of interrelated issues which need to be addressed to move El Salvador away from the brink: judicial and penal sector reform, addressing corruption in the police and political structures, building stronger relationships between the military and other sectors of society, creating job opportunities as well as tackling poverty and social exclusion. But the large numbers of guns in El Salvador threaten all of those possibilities.

More importantly, they reinforce the potential for a new upsurge of violence. The gangs may not be political in the traditional sense, but they respond to political developments. As one Calle 18 member told us, "If the government pushes us, we'll fight back. And if they push us too hard, we'll bring in reinforcements from Honduras and Guatemala and fight them to the death." El Salvador's apparent peace is deeply precarious - and will remain so until its issues with guns are forthrightly and comprehensively addressed.

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#### **ACTION ON ARMED VIOLENCE**

Action on Armed Violence (AOAV) is a London, based charity that has a central mission: to reduce harm and to rebuild lives affected by armed violence.

We do this by carrying out field work, research and advocacy to reduce the incidence and impact of global armed violence.

The number of fatalities from armed violence is estimated to be over half a million people killed every year. Around two thirds of these violent deaths are estimated to occur outside conflict situations. Poorer countries are particularly badly affected.

We seek to remove the threat of weapons, monitor the impact of explosive weapons around the world and investigate what causes armed violence – from guns to suicide bombings. We aim to clear land of explosive weapons and work with governments to regulate guns.

We work with victims of armed violence, offering psychosocial assistance, providing opportunities to help them earn a living and to try to reduce conflict at local levels.

We work to build communities affected by armed violence, working with governments and measuring and monitoring the incidences and impacts of armed violence around the world.

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