

QUESTION AND ANSWER SERIES

EL SALVADOR

RE-EMERGENCE OF “SOCIAL CLEANSING” DEATH SQUADS

[QA/SLV/99.001]

MARCH 1999

DISTRIBUTED BY:

**INS RESOURCE INFORMATION CENTER
425 I STREET, N.W.
(ULLICO BUILDING, 3RD FLOOR)
WASHINGTON, D.C. 20536**

PRODUCED BY:

**DOUGLAS PAYNE
INDEPENDENT CONSULTANT
NEW YORK, NY**

DISCLAIMER

The July 27, 1990 Regulations, “Aliens and Nationality: Asylum and Withholding of Deportation Procedures,” mandated the creation of a new corps of Asylum Officers to provide an initial, nonadversarial adjudication of asylum claims. Asylum Officers use asylum law, interviews with asylum applicants, and relevant information on country conditions to determine the merits of individual claims for asylum. As specified in the Regulations (8 CFR 208.12), as amended, such information may be obtained from “the Department of State, the Office of International Affairs, other Service offices, or other credible sources, such as international organizations, private voluntary agencies, news organizations, or academic institutions.”

Question and Answer Series papers are one means by which information on human rights conditions in a country and/or conditions affecting given groups or individuals deemed “at risk” within a given country is presented to Asylum and Immigration Officers. Question and Answer Series papers are brief descriptions of conditions in countries based on information provided by the sources referred to above. They are prepared by expert consultants and/or the staff of the Resource Information Center, Immigration and Naturalization Service, U.S. Department of Justice. Question and Answer papers cannot be, and do not purport to be either exhaustive with regard to the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum.

Introduction

From December 1998 through January 1999 there were at least a dozen extrajudicial killings which pointed to a resurgence of activities by paramilitary death squads that target marginalized social sectors. All of those killed were members of *maras*, youth gangs, and the modus operandi was very similar to the spate of “social cleansing” executions carried out by the *Sombra Negra*, Black Shadow, organization in 1994-1995. Amid the recent wave of killings, public threats against gang members were issued by two previously unknown organizations: the *Grupo de Exterminio*, Extermination Group, and *La Voz del Pueblo*, The Voice of the People.

Salvadoran police officials suggested that the killings were the result of internecine gang warfare. But a public prosecutor who worked on the *Sombra Negra* case, as well as Salvadoran human rights organizations and the Catholic church, were convinced that the murders had been carried out by one or more armed clandestine groups. Youth gangs themselves alleged that members of the *Policía Nacional Civil* (PNC), National Civilian Police, were involved, as had been the case with *Sombra Negra*, but as of early March 1999 there was no evidence of that.

Background

Death squads comprised mostly of police and military personnel were instruments of systematic governmental repression against the opposition during the civil war which came to a close with the January 1992 peace accords. In its report published in July 1994, the United Nations-appointed Joint Group for the Investigation of Politically Motivated Illegal Armed Groups (*Grupo Conjunto*) concluded that armed clandestine organizations continued to operate, although their connections to official structures were more obscure than those of the death squads of the past. The report said that many were composed of former or current members of the army or police, and in some cases former members of the left-wing guerrillas. These organizations were operating in a decentralized manner and with a number of overlapping or competing objectives. Some were purely criminal organizations, some combined criminal with political aims, while others were formed to carry out *limpieza social*, social cleansing operations against “undesirables” including common criminals, youth gangs and gay people.¹

¹ *Report of the Joint Group for the Investigation of Illegal Armed Groups with Political Motivation in El Salvador*, English Translation (San Salvador: 28 July 1994), p. 17-28. Stanley, William. *Protectors or Perpetrators? The Institutional Crisis of the Salvadoran Civilian Police* (Washington, D.C. and Cambridge, MA: Washington Office on Latin America and Hemisphere Initiatives, January 1996), p. 11.

The *Sombra Negra*, the most prominent of the armed social cleansing groups, emerged in December 1994 in the eastern department of San Miguel at a time when El Salvador was being overtaken by an unprecedented wave of violent crime which to date has not abated. By April 1995, the *Sombra Negra* had claimed responsibility for killing seventeen people who were either members of youth gangs or alleged by the group to be criminals. Most of the victims were blindfolded, their hands or thumbs tied behind their backs, and they had received *tiros de gracia*, shots to the base of the skull at close range by weapons such as assault rifles and machine guns. The perpetrators usually kept their faces covered and traveled in unlicensed vehicles with darkened windows.²

The *Sombra Negra* justified its actions by claiming that “the laws of the country are not working” and that “the PNC does not have sufficient resources to combat crime.” In May 1995 it issued death threats against six judges it said were “corrupt.” Salvadoran human rights groups, including *Tutela Legal*, the Catholic church’s legal aid office, charged that the *Sombra Negra*, as well as another group which supported it, the *Comando Ejecutivo Antidelincuencial Transitorio* (CEAT), Temporary Executive Anti-Delinquent Command, had the blessing of some members of the army and the PNC.³

In July 1995, sixteen alleged members of the *Sombra Negra* were arrested in San Miguel, including four ranking PNC officers in that department. In November 1995, seven were set free, including two of the police officials, by a San Miguel court which said there was a lack of evidence. In June 1996, six more were cleared of murder charges, including the other two police officials. The remaining three were tried and found innocent of murder in April 1997.⁴ Despite the lack of convictions, the PNC claimed the *Sombra Negra* had been dismantled.

Killings of gang members and alleged delinquents continued, but none were claimed by the *Sombra Negra*, most were not claimed by any other group, and the number of these cases declined from dozens in 1995 to a dozen or so in 1997. Although the killings appeared to be carried out in a less concerted fashion and were not concentrated in any particular region or department, the modus operandi generally remained the same.

² Amnesty International. *El Salvador: The Spectre of Death Squads* (London: AMR 29/15/96, December 1996), p. 3-4. Farah, Douglas. “New Salvadoran Death Squads Target Criminals,” *Washington Post* (Washington, DC: 27 May 1995).

³ Amnesty International. *El Salvador: The Spectre of Death Squads* (London: AMR 29/15/96, December 1996), p. 3-4. Farah, Douglas. “New Salvadoran Death Squads Target Criminals,” *Washington Post* (Washington, DC: 27 May 1995).

⁴ Oficina de Tutela Legal del Arzobispado. *Situación de los derechos humanos en El Salvador a partir de las investigaciones realizadas por la Oficina de Tutela Legal del Arzobispado de San Salvador durante 1997* (San Salvador: February 1998), p.14-15.

Human rights groups and the Catholic church questioned whether the *Sombra Negra* had actually been disbanded and continued to assert that such killings were carried out by clandestine armed groups with connections to the PNC.⁵

Social Cleansing Attacks on Gay People

In 1998, death squad-style attacks on gang members and alleged criminals continued to decline, even as killings between competing gangs and violent crime overall increased. However, there was a substantial upsurge in attacks on gay people in 1998, particularly transvestites, by unknown assailants. Between April and July, six transvestite prostitutes were murdered and at least three others were shot in the San Salvador metropolitan area.⁶ In all of 1998 at least eleven gay people, ten of them transvestite prostitutes, were killed. No group claimed responsibility and, while the killings were brutal, many were not carried out in a precise execution-style manner. Nonetheless, *Entre Amigos*, Among Friends, a gay advocacy group, Salvadoran human rights organizations and the Catholic church alleged that a clandestine armed group (or groups) was responsible. In the assessment of *Entre Amigos* and other rights groups, police investigations were cursory at best and as of early 1999 none of the cases had been resolved and no arrests had been made.⁷

In El Salvador gay people traditionally have endured fierce discrimination and been the targets of violent attacks. José Zambrano, for example, fled El Salvador in 1988 after he was disowned by his parents for being gay, raped by a soldier and assaulted by members of a death squad. Zambrano, who subsequently received political asylum in the United States after claiming persecution for sexual orientation, said to the *Washington Post* in 1996, “In El Salvador, being a homosexual is the lowest thing in society.”⁸

A few gay advocacy groups emerged after the civil war. Along with *Entre Amigos*, there is the non-governmental National Foundation of HIV/AIDS Patients for Prevention, Education and Control (FUNDASIDA), as well as a local affiliate of the

⁵ Oficina de Tutela Legal del Arzobispado. *Situación de los derechos humanos en El Salvador a partir de las investigaciones realizadas por la Oficina de Tutela Legal del Arzobispado de San Salvador durante 1997* (San Salvador: February 1998), p. 17. Reuters (San Salvador: 4 June 1997). Amnesty International. “El Salvador,” *Amnesty International Report 1998* (London: 1998).

⁶ U. S. Department of State. “El Salvador,” *Country Reports on Human Rights Practices for 1998* (Washington, D.C.: February 1999) **Page 12 of the El Salvador chapter in the Internet edition.**

⁷ Universidad Centroamericana “José Simeón Cañas” (UCA). “Los Derechos Humanos en 1998,” *Proceso* (San Salvador: UCA, 17 December 1998). Grimaldi, Milton. “Iglesia no descarta limpieza social,” *La Prensa Gráfica* (San Salvador: 8 June 1998).

⁸ Branigan, William. “Gays’ Cases Help to Expand Immigration Rights,” *Washington Post* (Washington, DC: 17 December 1996).

U.S.-based Oscar Romero AIDS Project. All have been the targets of death threats.⁹ In June 1995, FUNDASIDA received telephone threats from, among others, a caller identifying himself as a member of the *Sombra Negra*, and its offices were entered by three armed men who threatened to kill everyone there before stealing the organization's computer and confidential documents.¹⁰

The Recent Wave of Execution-Style Killings

El Salvador has the highest homicide rate in Latin America—between 120 and 140 murders per 100,000 inhabitants—putting it just behind South Africa as the global leader in 1997.¹¹ The five-year-old PNC, meanwhile, despite some improvements, “remains understaffed, undertrained, and short on practical experience.”¹² The result is that few homicides are thoroughly investigated, let alone resolved, and in a majority of cases the perpetrators and motive remain obscure. According to a survey of Salvadoran media by the *Universidad Centroamericana* (UCA), 59 percent of the murders reported in the first eleven months of 1998 were committed by “persons unknown.”¹³

Internequine warfare between youth gangs adds to the difficulty in deciphering overall murder trends. There are an estimated 10,000 mostly teenage and usually heavily tattooed gang members throughout the country, the great majority of whom belong to approximately 400 subdivisions of two major gangs founded originally in Los Angeles. The largest is the *Mara Salvatrucha* (MS), whose members in San Miguel were principal targets of the *Sombra Negra* in 1995. The other is *Calle 18*, named for a street in Los Angeles. Violent turf battles between sub-groups of the two are frequent and members are often armed with guns and even grenades.¹⁴

⁹ Amnesty International. *El Salvador: Death Threats Against an AIDS Worker* (London: AMR 29/14/94, 14 December 1994). “El Salvador AIDS Activist Goes Underground,” *Gay Community News* (Winter 1995), p. 6, posted on the web site of the AIDS Education Global Information System (AEGIS): www.aegis.com/aegis/ads/ads1995/ad950678.html.

¹⁰ Amnesty International. *El Salvador: Death Threats Against Director of FUNDASIDA* (London: AMR 29/02/95, 3 July 1995).

¹¹ Kovaleski, Serge F. “Murders Soar in El Salvador Since Devastating War’s End,” *Washington Post* (1 October 1997). Garvin, Glenn. “Civil War Over, but Violence Goes On,” *Miami Herald* (4 August 1997).

¹² U. S. Department of State. “El Salvador,” *Country Reports on Human Rights Practices for 1998* (Washington D.C.: February 1999) **Page 1 of the El Salvador chapter in the Internet edition.**

¹³ Universidad Centroamericana “José Simeón Cañas” (UCA). “Los Derechos Humanos en 1998,” *Proceso* (San Salvador: UCA, 17 December 1998).

¹⁴ Cearly, Anna. “Churches are reaching out to Salvadoran gang members,” *Dallas Morning News* (16 February 1997). DeCesare, Donna. “The Children of War: Street Gangs in El Salvador,” *NACLA Report on the Americas* (New York: North American Congress on Latin America July/August 1998), p. 21-29. Indyke, Dottie. “The Wound of War,” *Santa Fe New Mexican* (Santa Fe, NM: 4 July 1997).

Gang members were killed by the dozens during the first eleven months of 1998. There was little evidence that any of the killings were carried out by armed clandestine groups, although there were at least two cases of suspected extrajudicial killings of gang members by the PNC.¹⁵ Many of the killings appeared to result from disputes between gangs themselves.¹⁶ In September, fliers appeared in the western department of Santa Ana threatening gang members with death if they did not disband. They were signed by a previously unknown group, *Los Chicos Buenos 666*, which claimed responsibility for a number of killings of gang members in the Santa Ana area. Local authorities as well as members of the *MS* said that they did not believe the group was an armed group on the order of the *Sombra Negra*, but rather members of an insurgent youth gang whose aim was to intimidate and displace the *MS*.¹⁷

However, in December 1998 and January 1999 there were at least twelve killings of gang members in the metropolitan San Salvador area which exhibited the hallmarks of organized executions. Police officials said they believed the killings were a result of gang-on-gang violence. But Douglas Meléndez, chief prosecutor for the San Salvador subregion of Mejicanos, stated that based on the evidence he was convinced that the killings marked a resurgence of systematic social cleansing killings against youth gangs. Meléndez was part of the group of prosecutors who had investigated the *Sombra Negra* in 1995. He noted the similarities between the killings in 1995 and 1998-99, namely, that the bodies in each of the recent cases had been found with hands (and in some cases feet) tied, and with close-range shots to the back of the head with sophisticated automatic weapons. Many of the victims reportedly had been kidnapped by people in vehicles with darkened windows and killed in isolated places without witnesses. Some had been shot during the act of kidnapping, but all later displayed *tiros de gracia*. In most of the cases, personal documents of the victims had been removed but they were easily identified as gang members by their tattoos. In some cases gang membership was reconfirmed by family members who identified the bodies.¹⁸

¹⁵ Universidad Centroamericana “José Simeón Cañas” (UCA). “Los Derechos Humanos en 1998,” *Proceso* (San Salvador: UCA, 17 December 1998). U. S. Department of State. “El Salvador,” *Country Reports on Human Rights Practices for 1998* (Washington D.C.: February 1999), **Page 2 of the El Salvador chapter in the Internet edition.**

¹⁶ Maldonado, Victor. “Las maras se matan,” *El Diario de Hoy* (San Salvador: 4 August 1998). Henríquez, Carlos. “Asesinan a dos pandilleros,” *La Prensa Gráfica* (San Salvador: 29 August 1998).

¹⁷ Mixco, Rosemarié. “Delincuentes...por todos lados,” *El Diario de Hoy* (San Salvador: 7 October 1998).

¹⁸ Redacción de Nacionales (National Desk). “Supuestos delincuentes asesinados: Resurge grupo de exterminio,” *La Prensa Gráfica* (San Salvador: 1 February 1999).

In the first week of February, fliers appeared in the Villa Mariona 2 neighborhood in the San Luís Mariona region just north of San Salvador. The fliers stated that gang members had 48 hours to leave the area or they would be executed and were signed *Grupo de Exterminio*.¹⁹ The gangs in Villa Mariona 2, associated mostly with the *MS*, claimed that the fliers had been disseminated at night by PNC officers in plainclothes, but their allegations were not corroborated and the PNC denied any involvement.²⁰

In the second week in February, a group identifying itself as *La Voz del Pueblo* placed telephone calls to a local television station and threatened to kill not only gang members but also members of the national legislature who opposed a bill designed to toughen laws against crime.²¹ That same week, a local radio station broadcast an interview with a self-professed member of an armed group who threatened to kill gang members, criminals and lawyers who represented them.²²

During February, killings of gang members continued, but not all the cases exhibited the characteristics of death squad executions.²³ The PNC continued to deny that there had been a resurgence of social cleansing death squads. However, Salvadoran human rights groups, including the *Comisión de Derechos Humanos No-Gubernamental* and *Tutela Legal*, as well as the Catholic Church stated their belief that one or more extermination groups were active. The Archbishop of San Salvador, Fernando Sáenz Lacalle, made a point of denouncing the actions of such groups on two successive Sundays in mid-February.²⁴

¹⁹ Redacción de Nacionales (National Desk). "Amenazan maras in Mariona: Grupos de exterminio al acecho," *La Prensa Gráfica* (San Salvador: 5 February 1999).

²⁰ Redacción de Nacionales (National Desk). "Amenazan maras in Mariona: Grupos de exterminio al acecho," *La Prensa Gráfica* (San Salvador: 5 February 1999).

²¹ Martínez, Mario. "Continúan muertes de presuntos pandilleros," *El Diario de Hoy* (San Salvador: 12 February 1999). Raúl Menéndez. "Hallan dos muertos en San Juan Opico," *La Prensa Gráfica* (San Salvador: 15 February 1999).

²² BBC News Online. *World: Americas* (15 February 1999).

²³ Ramos, Wendy. "Matan pandillero a machetazos," *La Prensa Gráfica* (San Salvador: 7 February 1999). Martínez, Mario. "Continúan muertes de presuntos pandilleros," *El Diario de Hoy* (San Salvador: 12 February 1999).

²⁴ Acevedo, Yesenia. "Iglesia condena grupos de exterminio," *La Prensa Gráfica* (San Salvador: 8 February 1999). BBC News Online. *World: Americas* (15 February 1999).