

## **Gang violence and forced displacement in Central America**

*Internal Displacement Monitoring Centre / Interpeace*

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Central America's civil wars brought about serious human rights violations and caused the displacement of thousands. As these nations take steps towards democratic consolidation, a new form of violence and abuse has emerged as a critical threat to peace: violent gangs (known as *maras*) operating in the region, especially in El Salvador, Honduras, and Guatemala. With astoundingly high membership—the two largest gangs have between 70,000 and 100,000 recruits according to some estimates—and extreme levels of violence, the dimension of the problem is colossal, making gangs one of the most important challenges to safety in the region. While not all violence is related to gangs, a frequently mentioned figure is that Honduras has a higher murder rate than Colombia, a country with an ongoing, devastating civil war.<sup>i</sup>

In some cities, these groups have effectively established themselves as illegal mechanisms of authority, controlling entire neighborhoods in which police forces can not operate. Further, their cross-border associations have raised regional concern, which has repeatedly resulted in ill-fated, repressive policies. It is fundamental that national and regional-level policies consider the victims of gang violence as displaced persons, not as economic migrants; veer away from hard-hand, repressive approaches; and include prevention as a guiding concept for policymaking.

### **Gang Violence and Forced Displacement**

As a direct result of widespread violence and insecurity caused by violent gangs, individuals and families are constantly forced to abandon their homes. In many cases, fleeing is the only way to escape violence, extortion, and constant threats. Thus far only scant attention has been given to the link between gang violence and forced displacement, and there is almost no information documenting the scale of displacement caused by gang violence. Such displacement is commonly seen and framed as economic migration, and is thus interpreted as a matter of choice. However, a more thorough look reveals that, even when people see themselves as economic migrants, the causes of that immigration are related to violence.

A generalized practice by gangs or *maras* is extortion. Gangs demand money from people in exchange for *not hurting* them or as payments to “provide security” for families or businesses. Those who do not pay this *renta* (rent), are threatened, attacked and killed. Individuals and families go in debt to pay for extortions or, if they have been attacked, they incur medical expenses or funeral costs. Thus, people are cornered both as direct victims of the violence and by debt and economic loss incurred to avoid violence or to recover from violent attacks. “With surgeries and expenses for burials, I wound up with two thousand dollars of debt. I lost my job and, in order to continue living, I had to keep on acquiring debt. Thus I contemplated immigrating abroad, to the United States, to pay the debt and recover.”<sup>ii</sup> Economic migration, whether domestically or abroad, is not always purely such, having its cause in widespread, recurrent violence.

Purges between rival gangs produce situations of serious violence, especially in poor neighborhoods in urban centers. Families and individuals in poor urban neighborhoods are caught in the cross fire and are forced to flee. Additionally, gangs target innocent people such as family and relatives of rival gang members, and gang members that want to leave the gang are killed and their families threatened. Thus, people are forced to abandon their neighborhoods and towns as a matter of survival. For instance, in Ciudad Quetzal, an impoverished neighborhood in Ciudad de Guatemala, a police chief recently reported that out of 45 homes, 7 were abandoned because its owners had left to escape violence and threats.<sup>iii</sup>

The levels of violence make necessary a shift in how the victims’ situation is evaluated and addressed. National and domestic policymakers must see those who leave their homes as internally displaced persons, not as migrants, and use the Guiding Principles as a tool to identify their specific protection needs and provide the necessary response. This shift should bring about serious efforts to gather data through profiling exercises. This population is mostly *hidden* in urban settings, which makes profiling more difficult. Following the Guidance on Profiling Internally Displaced Persons,<sup>iv</sup> such profiling efforts must aim, at a minimum, at determining the numbers of people being forced to flee in response to this form of violence; their locations; and their protection needs.

### **Policing Practices should respect human rights**

Pertaining treatment to gang members, policies must not rely on repression, as they have done in the past. The hard line (*mano dura* and *súper mano dura*) policies recently applied in Honduras and El Salvador have not had positive results; on the contrary, violence rates have *increased* by over 40%. Such policies lead to alienation and violations of the rights of youth—fed by constant stigmatization from the press—, gang members or not, through arbitrary detentions, torture, and undue use of force.<sup>v</sup> In light of their binding human rights obligations—Guatemala, Honduras, and El Salvador are all signatories of the American Convention on Human Rights States—these countries must implement policing practices that respect human rights.

### **The way forward: preventive policies**

Beyond respecting the rights of gang members, policies should emphasize an overall approach based on prevention of further violence against victims. The general obligation to respect all rights enshrined in the American Convention, as interpreted repeatedly by the Inter-American Court of Human Rights,<sup>vi</sup> extends to an obligation to *ensure* the fulfillment of those rights and to *prevent* violation of those rights by non-state actors. Article 22 of the Convention (and Article 12 of the International Convention on Civil and Political Rights, to which these countries are also signatories) enshrines the right to freedom of movement and residence, which implies the right to choose one's place of residence and remain there. This general preventive obligation is also mirrored in the Guiding Principles on Internal Displacement (Principle 5), and was recently stressed at the international conference on the Ten Years of the Guiding Principles.<sup>vii</sup>

Public policies addressing gang violence must be participatory and inclusive, taking the input from those closer to where gangs operate. This is beneficial not only because people's needs are heard, but because valuable information about the operation of gangs can be gathered. Nicaragua, a country also facing this problem, has implemented preventive policies, with significantly better results than its neighbors. Programs such as Interpeace's POLJUVE project aim at advancing preventive policies at the regional level (supporting the Regional Commission for the Prevention of Juvenile Violence) and at the national level. Three forms of prevention have been proposed: a) Primary prevention, aimed at children and adolescents at risk of being recruited by gangs; b) Secondary prevention, aimed at adolescents who have been involved in a violent act within a gang; and c) Tertiary prevention, aimed at rehabilitation and reinsertion of youth who have been imprisoned for the same acts.

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<sup>i</sup> For example, 'How the Street Gangs Took Central America,' New York Times, 2005, available at [http://www.nytimes.com/cfr/international/20050501faessay84310\\_arana.html?pagewanted=1&sq=gangs%20central%20america&st=cse&scp=5](http://www.nytimes.com/cfr/international/20050501faessay84310_arana.html?pagewanted=1&sq=gangs%20central%20america&st=cse&scp=5).

<sup>ii</sup> Testimony of a Salvadorian citizen whose family was a victim of gang violence. In Lara Klahr, Marco. (2006). *Hoy te toca la muerte. El imperio de las maras visto desde dentro*. México: Planeta, pp. 35. Translation is ours.

<sup>iii</sup> Testimony given to Interpeace staff during the implementation of one of its projects, 2008.

<sup>iv</sup> Guidance on Profiling Internally Displaced Persons, NRC/IDMC and UN OCHA, April 2008, available at [http://www.internal-displacement.org/idmc/website/resources.nsf/\(httpPublications\)/507BAA5117F4E88BC12574B30047A13D?OpenDocument](http://www.internal-displacement.org/idmc/website/resources.nsf/(httpPublications)/507BAA5117F4E88BC12574B30047A13D?OpenDocument)

<sup>v</sup> In declaring the violation of rights by Honduras against a group of youth in the *Servellón García vs. Honduras* case, the Inter-American Court of Human Rights acknowledged that use of force by State agents and stigmatization creates a climate propitious to human rights violations. Decision available at <http://www.corteidh.or.cr/casos.cfm>.

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<sup>vi</sup> Inter-American Court of Human Rights, cases of Velásquez Rodríguez, Godínez Cruz, and others. Available at <http://www.corteidh.or.cr/casos.cfm>.

<sup>vii</sup> See Chair's Summary of the Ten Years of the Guiding Principles Conference, available at <http://www.internal-displacement.org/gp10>