

### 3. Gang violence as a cause of forced migration in the Northern Triangle of Central America\*

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In Central America, 30 years after the instability caused by the civil wars of the 1980s, the ‘Northern Triangle’ countries of Honduras, El Salvador and Guatemala are once again trouble hotspots with some of the highest recorded levels of violence in the world. Simultaneously, for societies supposedly ‘at peace’, they are also beginning to document increasingly worrying levels of forced migration among their populations. The gravity of the situation in this small and forgotten corner of Latin America was brought home to outside observers most graphically in 2014, as the global media reported on the humanitarian crisis that developed on the southern border of the United States following the arrival of thousands of accompanied and unaccompanied children fleeing from the Northern Triangle countries.<sup>1</sup>

This chapter uses the case study of gang-generated violence in Northern Triangle countries to illustrate the complex questions about the new relationships that are beginning to emerge in Latin America between forced migration, criminal violence and humanitarian protection. Indeed, Central America is not the only sub-region where such questions arise. Alongside the increasing role of armed criminal actors in the dynamics of forced displacement in Colombia,<sup>2</sup> Mexico is also apparently seeing an increase in forced migration of its citizens due to the violent strategies deployed by organised criminal groups linked to the drug-trafficking trade and also powerful street gangs.<sup>3</sup> Estimates range from hundreds of thousands to millions of persons displaced

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1 This situation is described in D.J. Cantor, ‘Gangs: the real ‘humanitarian crisis’ driving Central American children to the US’, *The Conversation*, 22 Aug. 2014, available at <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672> (accessed 19 April 2016).

2 See, for example, Rojas, chapter 5.

3 See D.J. Cantor, ‘The new wave: forced displacement caused by organized crime in Central America and Mexico’, *Refugee Survey Quarterly*, 33 (2014).

as a result.<sup>4</sup> However, despite such discrepancies and certain methodological questions about the studies themselves,<sup>5</sup> it is evident that the phenomenon of forced migration due to criminal violence in Latin America is of sufficient scale and impact to warrant greater attention than it presently enjoys.

This chapter addresses the challenge of better understanding this phenomenon by building on my earlier published research that spoke to the displacement dynamics generated by different organised criminal groups in Latin America.<sup>6</sup> By contrast, this chapter examines the specific role of street gangs in the Northern Triangle countries, focusing particularly on El Salvador and Honduras, in the present social violence that forms a basis for the increasing forced migration of sectors of these populations in recent years.<sup>7</sup> By contextualising this strand of displacement in the wider dynamics of social violence underpinning it, the chapter also opens the door to considering in greater detail the implications of this violent context for humanitarian work with displaced populations.

In developing this analysis, the chapter concentrates on three main themes. Firstly, it argues that organised criminal violence in the Northern Triangle is 'as deadly as armed conflict', that is, there is parity here with root causes more widely recognised as legitimate sources of refugee flows. Secondly, it shows

4 In Mexico, some studies indicate that around 2% of its inhabitants – 1,650,000 people – switched residence between 2006 and 2011 due to violence, equating to around 330,000 forced internal migrations per year. See Parametria, 'México y sus desplazados' (2011), available at [www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/255B83F5207211B1C12578B600305A32/\\$file/DesplazadosOK.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/255B83F5207211B1C12578B600305A32/$file/DesplazadosOK.pdf). Other studies suggest that 230,000 originated in Ciudad Juárez in the 2007–10 period. See Internal Displacement Monitoring Centre (IDMC), *Internal Displacement: Global Overview of Trends and Developments in 2010* (March 2011); E.O. Arceo Gómez, 'Drug-related violence and forced migration from Mexico to the United States', 526 Documentos de Trabajo del CIDE 1 (2012); see further Rubio, chapter 4 here. More recent studies have concluded that the number of internally displaced persons (IDPs) in Mexico is over 281,000. See IDMC, *Global Overview 2015: People Internally Displaced by Conflict and Violence* (2015) and Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH), 'En México 281 mil 418 personas son víctimas del desplazamiento interno forzado por la violencia' (2015), available at <http://cmdpdh.org/2015/02/en-mexico-281-mil-418-personas-son-victimas-del-desplazamiento-interno-forzado-por-la-violencia/> (accessed 19 April 2016).

5 On these methodological questions, see Rubio, chapter 4.

6 See Cantor, 'The new wave'. In the Spanish version of this volume, the present chapter took the form of a review of this earlier research (D.J. Cantor and N. Rodríguez Serna, 'El crimen organizado como causante de migraciones forzadas en el norte de Mesoamérica', in D.J. Cantor and N. Rodríguez Serna (eds.), *Los nuevos desplazados: crimen y desplazamiento en América Latina* (London: Institute of Latin American Studies, 2015).

7 The analysis in this chapter builds upon an invited presentation delivered by the author as part of the UNHCR Americas Bureau panel: 'As deadly as conflict: criminal violence and its impact on displacement in Central America', held on 17 Dec. 2015, at the High Commissioner's Dialogue on Protection Challenges: Root Causes, Palais de Nations, Geneva, 16–17 Dec. 2015.

how the epidemic of organised criminal violence is producing high levels of displacement in (and from) some Northern Triangle countries. Finally, in terms of protection response, it argues that the Northern Triangle situation may be relatively distinctive not only because of the degree of humanitarian need among the population there but also because the distinctive forms of violence pose vexing challenges for institutions engaged in protection work.

### **The Northern Triangle – as deadly as armed conflict?**

In the decade between 2003 and 2012, Central America came to hold the dubious distinction of having one of the highest homicide rates of any part of the world.<sup>8</sup> Of course, within Central America, there are countries where these rates have been relatively low, as is the case for example in Nicaragua and Costa Rica.<sup>9</sup> However, the comparative calm of these nations is off-set statistically by the extremely high homicide rates in other lands in this sub-region. Indeed, the murder epidemic affecting Central America is concentrated largely in the three countries of the Northern Triangle and, to a lesser extent, Belize.<sup>10</sup> The situation of violence is particularly acute in El Salvador and Honduras, where murder rates spiralled over the decade between 2003 and 2012 and have reached astronomical levels in the past few years.<sup>11</sup>

Of course, intentional homicide statistics are a rather blunt tool for mapping the general dynamics of violence in any country or region. Most obviously, they do not give a holistic picture of the multiplicity of different and often interlocking forms through which personal and social violence is expressed in the given society. Nonetheless, such statistics are based on relatively verifiable, standardised and easily-recorded official data that are usually collated at the national level.<sup>12</sup> As such, they facilitate the present analysis by allowing certain useful comparisons to be drawn between the recorded levels of this kind of violence in different regions and countries (and even between distinct parts of a single nation).

8 United Nations Office on Drugs and Crime (UNODC), *Global Study on Homicide 2013: Trends, Contexts, Data*, 10 April 2014, available at [https://www.unodc.org/documents/gsh/pdfs/2014\\_GLOBAL\\_HOMICIDE\\_BOOK\\_web.pdf](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf) (accessed 19 April 2016), p. 23. This is the most recent comparative study available and uses national data from up to 2012.

9 Ibid., p. 126. The intentional homicide rate in the decade between 2003 and 2012 averaged around 9 per 100,000 of population for Costa Rica and around 12.75 per 100,000 of population for Nicaragua.

10 Ibid., p. 126. The intentional homicide rate in the decade under discussion averaged, per 100,000 of population, around 56.4 in El Salvador, 41.5 in Guatemala and 65.1 in Honduras (and 31.6 in Belize).

11 Ibid., p. 126, shows the general upward tendency in these countries between 2003 and 2012. See text below for more recent figures.

12 See *ibid.*, pp. 99–100, for discussion of methodology in the collection and analysis of these data.

When used for comparative purposes, homicide statistics are usually expressed as the number of intentional killings per year per 100,000 people in the population (of the country or the part of the country). This allows intentional homicide rates for different countries to be calculated and compared. As a baseline, the global average rate in 2012 stood at 6.2 per 100,000 of population.<sup>13</sup> Moreover, an annual rate of more than ten intentional murders per 100,000 of population in any country is usually considered to be epidemic.<sup>14</sup> As comparative examples of countries from North America with relatively low homicide rates, the annual rate in the United States of America averaged around 5.3 per 100,000 of population in the decade preceding 2012 and that of Canada hovered around 1.6 per 100,000 of population.<sup>15</sup>

Against this backdrop, the most recent figures for homicides in the Northern Triangle countries are startling. In 2011, the intentional homicide rate in Honduras peaked at 91.6 per 100,000 of population, which continued a steep upward trend in Honduran murder rates from the mid 2000s onwards that stabilised at around 80 to 90 killings annually per 100,000, before decreasing more recently.<sup>16</sup> By contrast, while El Salvador's murder rates have shown greater fluctuation than those of Honduras between 2003 and 2012,<sup>17</sup> the country registered an extraordinarily high intentional rate of around 103 per 100,000 of population in 2015.<sup>18</sup> Guatemala is less extreme; but it has still seen homicide rates oscillating around the 30 to 40 killings per 100,000 of population in the decade under discussion.<sup>19</sup> No other country in the world presently registers annual rates that even come close to those of El Salvador in 2015.

Even so, the epidemic of fatal violence is not evenly distributed across the territories of these countries. Rather, the murder epidemic tends to be particularly concentrated in particular localities within these nations. So it is

13 Ibid., p. 12.

14 The World Health Organization (WHO) considers a homicide rate higher than 10 per 100,000 inhabitants to be at epidemic level. See United Nations Development Programme (UNDP), *Regional Human Development Report 2013–14: Citizen Security with a Human Face – Evidence and Proposals for Latin America, 2013*, available at [http://hdr.undp.org/sites/default/files/citizen\\_security\\_with\\_a\\_human\\_face\\_executivesummary.pdf](http://hdr.undp.org/sites/default/files/citizen_security_with_a_human_face_executivesummary.pdf) (accessed 19 April 2016), p. 1.

15 UNODC, *Global Study on Homicide 2013*, p. 126.

16 Ibid., p. 126; M. Lohmuller, 'Honduras set to lose title of "Murder capital of the world"?', *InSight Crime*, 16 July 2015, available at [www.insightcrime.org/news-briefs/honduras-set-to-lose-title-of-murder-capital-of-world](http://www.insightcrime.org/news-briefs/honduras-set-to-lose-title-of-murder-capital-of-world) (accessed 19 April 2016).

17 UNODC, *Global Study on Homicide 2013*, p. 126.

18 E. Segura, 'El Salvador con más homicidios en C. A.', *La Prensa Gráfica*, 3 Jan. 2016, available at [www.laprensagrafica.com/2016/01/03/el-salvador-con-mas-homicidios-en-c-a](http://www.laprensagrafica.com/2016/01/03/el-salvador-con-mas-homicidios-en-c-a) (accessed 19 April 2016).

19 UNODC, *Global Study on Homicide 2013*, p. 126.

that the Northern Triangle countries have been identified in recent years as home to some of the cities with the highest intentional homicide rates in the world. For instance, one study suggests that three of the ten most violent capital cities in the world are located in the Northern Triangle.<sup>20</sup> Another published analysis suggests that between 2011 and 2014 Honduras was home to the city with the highest intentional rate: San Pedro Sula (over 300,000 inhabitants), which registered 171.2 murders per 100,000 people in 2014.<sup>21</sup> In 2015, this same analysis ranked Caracas as the most violent city,<sup>22</sup> although this conclusion was challenged by analysts who argue that San Salvador, El Salvador, was in fact the most violent city in the world in 2015, with 199.3 homicides per 100,000 of population.<sup>23</sup> In some smaller Salvadorian municipalities, a murder rate of over 300 per 100,000 of population has been recorded.<sup>24</sup>

National homicide statistics, though, exclude direct conflict deaths, that is, killings caused directly by armed conflict. Even so, we are able to factor in published estimates of direct conflict deaths to give an overall indication of the annual rate of 'violent deaths' in any given country (that is, intentional homicides + direct conflict deaths, per 100,000 of population).<sup>25</sup> In doing so, we should bear in mind that estimates of direct conflict deaths are not usually

- 20 N. Mead and J. Blason, 'The 10 world cities with the highest murder rates – in pictures', *The Guardian*, 24 June 2014, available at [www.theguardian.com/cities/gallery/2014/jun/24/10-world-cities-highest-murder-rates-homicides-in-pictures](http://www.theguardian.com/cities/gallery/2014/jun/24/10-world-cities-highest-murder-rates-homicides-in-pictures) (accessed 19 Apr. 2016). This draws on statistics presented in UNODC, *Global Study on Homicide 2013*, and is thus limited to figures up to 2012.
- 21 Citizens' Council for Public Security and Criminal Justice, 'For the fourth consecutive year, San Pedro Sula is the most violent city in the world', 20 Jan. 2015, available at [www.seguridadjusticiapaz.org.mx/lib/Prensa/2015\\_01\\_20\\_seguridad\\_justicia\\_y\\_paz-50\\_most\\_violent\\_cities\\_2014.pdf](http://www.seguridadjusticiapaz.org.mx/lib/Prensa/2015_01_20_seguridad_justicia_y_paz-50_most_violent_cities_2014.pdf) (accessed 19 April 2016).
- 22 Citizens' Council for Public Security and Criminal Justice, 'Caracas, Venezuela, la ciudad más violenta del mundo del 2015', 25 Jan. 2016, available at [www.seguridadjusticiapaz.org.mx/sala-de-prensa/1356-caracas-venezuela-la-ciudad-mas-violenta-del-mundo-del-2015](http://www.seguridadjusticiapaz.org.mx/sala-de-prensa/1356-caracas-venezuela-la-ciudad-mas-violenta-del-mundo-del-2015) (accessed 19 April 2016).
- 23 R. Valencia, 'La ciudad más violenta del mundo', *El Faro*, 26 Jan. 2016, available at <http://losblogs.elfaro.net/cronicasguanacas/2016/01/la-ciudad-m%C3%A1s-violenta-del-mundo.html> (accessed 19 April 2016).
- 24 Fundaungo, *Atlas de la violencia en El Salvador (2009–2012)*, Nov. 2013, available at [http://fundaungo.org.sv/pdf/2014/Atlas\\_de\\_violencia.pdf](http://fundaungo.org.sv/pdf/2014/Atlas_de_violencia.pdf) (accessed 19 Apr. 2016). Nahuilingo municipality in Sonsonate department in 2009 recorded 303.3 homicides per 100,000 inhabitants (*ibid.*, p. 99).
- 25 See, for example, Geneva Declaration on Armed Violence and Development (GDAVD), *Global Burden of Armed Violence 2015: Every Body Counts*, Oct. 2015, chapter 2, available at [www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch2\\_pp49-86.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch2_pp49-86.pdf) (accessed 19 April 2016). Note the limitation that the data used in that study are largely only up until 2012 and do not take account of the upswing in violence in countries such as El Salvador in 2015.

official figures and can be difficult to collate and keep updated.<sup>26</sup> As such, they serve to give a general impression of the levels of violent deaths in any country rather than providing the more pinpoint accuracy of many officially-collated national homicide statistics.

Yet, even if we factor in direct conflict deaths, we see that the levels of violent death in the Northern Triangle countries – particularly Honduras in 2012 (and almost certainly also El Salvador in 2015) – remain among the highest in the world.<sup>27</sup> Indeed, such data as are publicly available suggest that in recent years these countries have been second only to Syria in the overall rates of annual violent deaths of any country in the world.<sup>28</sup> As such, the rate of violent death in these Northern Triangle countries exceeds that reported in 2012 for countries experiencing well-known and brutal conflicts, such as Iraq, Afghanistan, Democratic Republic of Congo.<sup>29</sup> Indeed, the average rate of approximately 18 violent deaths per day in El Salvador in 2015 exceeds the average rate of 16 per day in that country during the bloody civil war of the 1980s.<sup>30</sup> On the basis of these rates, therefore, Central America was the most violent sub-region in the world in the period between 2007 and 2012, even when direct conflict deaths are incorporated into the analysis.<sup>31</sup>

One important pattern within these statistics is that the victims of the present epidemic of lethal violence in the Northern Triangle countries are mostly children and youths.<sup>32</sup> Indeed, these countries also hold the dubious distinction of registering the highest annual rates of recorded child/adolescent killings in the world.<sup>33</sup> Yet other sectors of these societies are equally vulnerable to the wave of violence affecting the Northern Triangle, with these countries also reporting the world's highest rates of 'femicides' (brutal killings of girls

26 For these and other methodological issues, see GDAVD, *Global Burden of Armed Violence 2015*, Methodological Annexe, available at [www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3-Methodological-Annexe.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3-Methodological-Annexe.pdf) (accessed 19 April 2016).

27 GDAVD, *Global Burden of Armed Violence 2015*, chapter 2, p. 58. The current homicide levels in El Salvador are not included in the GDAVD analysis but would place the country in second ranking, assuming that the situation in Syria and other countries remains equal.

28 Ibid., p. 60.

29 Ibid., p. 60.

30 O. Martínez, 'Los salvadoreños cruzan fronteras de guerra a diario', *Sala Negra de El Faro*, 4 Jan. 2016, available at [www.elfaro.net/es/201601/salanegra/17702/Los-salvadore%C3%B1os-cruzan-fronteras-de-guerra-a-diario.htm](http://www.elfaro.net/es/201601/salanegra/17702/Los-salvadore%C3%B1os-cruzan-fronteras-de-guerra-a-diario.htm) (accessed 20 April 2016).

31 Ibid., p. 60.

32 For instance, figures relating to El Salvador from 2009–12 show consistently that around 86 per cent of homicide victims were male; of whom over two-thirds were between the ages of 15 and 34. Fundaungo, *Atlas de la violencia en El Salvador (2009–2012)*, pp. 33, 37.

33 United Nations Children's Fund (UNICEF), *Hidden in Plain Sight: A Statistical Analysis of Violence against Children*, 3 Sept. 2014, available at [http://files.unicef.org/publications/files/Hidden\\_in\\_plain\\_sight\\_statistical\\_analysis\\_EN\\_3\\_Sept\\_2014.pdf](http://files.unicef.org/publications/files/Hidden_in_plain_sight_statistical_analysis_EN_3_Sept_2014.pdf) (accessed 20 April 2016), pp. 35–7.

and women).<sup>34</sup> Violence against persons of diverse sexual orientation/gender identity is equally prevalent.<sup>35</sup>

This brief analysis of the available quantitative data thus points to the fact that the countries of the Northern Triangle of Central America are – after the armed conflict in Syria, said to have triggered the worst humanitarian crisis since the Second World War (1939–45)<sup>36</sup> – the most deadly in the world today. Indeed, according to the statistics presented in this section, countries such as Honduras and El Salvador are not only *as deadly as* most contemporary armed conflicts but in fact relatively *more deadly than* the majority of those currently taking place across the globe.

## Criminal violence in the Northern Triangle

How, then, do we explain the extraordinary rates of violent death in this small and often overlooked corner of Latin America? Certainly, there is little doubt that the prevalence of intra-family violence provides the countries of the Northern Triangle with a high level of background violence.<sup>37</sup> However, the motor driving the dramatic escalation in killings and associated social violence over the past decade in countries like El Salvador and Honduras is the increasing power and violence of organised crime there. This section addresses one current articulation of organised criminal violence in this zone of Central America as the basis for the wave of forced migration that has ensued.

Of course, the presence of organised crime is not a phenomenon that is exclusive to the Northern Triangle countries but, rather, can be identified in all societies. Moreover, many different kinds of organised criminal groups exist in the Northern Triangle and use violence to varying degrees,<sup>38</sup> as do some State institutions and private security entities.<sup>39</sup> Yet among the main forms of

34 See GDAVD, *Global Burden of Armed Violence 2015*, chapter 3, available at [www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3\\_Ch3\\_pp87-120.pdf](http://www.genevadeclaration.org/fileadmin/docs/GBAV3/GBAV3_Ch3_pp87-120.pdf) (accessed 20 April 2016), p. 95.

35 Inter-American Commission on Human Rights (IACHR), *Violencia contra Personas Lesbianas, Gays, Bisexuales, Trans e Intersex en América*, 12 Nov. 2015, OAS/Ser.L/V/II.rev.1, available at [www.refworld.org/docid/56669c6f4.html](http://www.refworld.org/docid/56669c6f4.html) (accessed 20 April 2016), paras. 279–81.

36 See, for example, European Commission Humanitarian Aid and Civil Protection (ECHO), *Syria Crisis: ECHO Factsheet*, Feb. 2016, available at [http://ec.europa.eu/echo/files/aid/countries/factsheets/syria\\_en.pdf](http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf).

37 For instance, in El Salvador, domestic violence is considered one of the leading causes of violence against women. See S. Peñate, 'Pandillas segunda causa de violencia contra mujer', *La Prensa Gráfica*, 13 Nov. 2015, available at [www.laprensagrafica.com/2015/11/13/pandillas-segunda-causa-de-violencia-contra-mujer](http://www.laprensagrafica.com/2015/11/13/pandillas-segunda-causa-de-violencia-contra-mujer) (accessed 20 April 2016).

38 See Dudley, chapter 1.

39 See, for example, R. Valencia, O. Martínez and D. Valencia, 'La Policía masacró en la finca San Blas', *Sala Negra de El Faro*, 22 July 2015, available at [www.salanegra.elfaro.net/](http://www.salanegra.elfaro.net/)

organised criminal groups to have had a role in driving the overt increase in social violence are the street gangs of the Northern Triangle countries.<sup>40</sup> As an indication of the part they have played in the violence in El Salvador, official statistics suggest that around two-thirds of the many homicides registered in 2015 were committed by gang members.<sup>41</sup> In other words, we must examine the gangs and their activities in greater detail if we wish to properly understand the dynamics of violence and displacement in the Northern Triangle.

The long history of street gangs in Northern Triangle countries is well-documented, particularly as a source of local identity for neighbourhood youths (as is also the case in many other countries).<sup>42</sup> However, the violence of these early gangs was muted and low-level in comparison with those operating there today.<sup>43</sup> The latter appeared in countries such as El Salvador, Honduras and Guatemala only during the 1990s. They were formed mostly by criminal deportees from the United States of America, who brought the violent territorial gang culture of California with them, a form of association that flourished and grew in the relative absence of a strong State and lack of economic opportunities for youths in these fragile post-conflict countries.<sup>44</sup>

Nowadays, the numbers of active gang members in countries such as El Salvador and Honduras are usually estimated in the tens of thousands.<sup>45</sup> Although robust recent figures are hard to come by, the scale of gang membership is certainly extensive. El Salvador, a country of some six million

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es/201507/cronicas/17205/La-Polic%C3%ADa-masacr%C3%B3-en-la-finca-San-Blas.htm (accessed 20 April 2016).

40 Cantor, 'The new wave', pp. 39–42.

41 E. Barrera, 'FGR: pandillas cometen el 65 % de homicidios', *La Prensa Gráfica*, 1 Dec. 2015, available at [www.laprensagrafica.com/2015/12/01/fgr-pandillas-cometen-el-65-de-homicidios?ref=hnp](http://www.laprensagrafica.com/2015/12/01/fgr-pandillas-cometen-el-65-de-homicidios?ref=hnp) (accessed 20 April 2016).

42 C. Martínez and J.L. Sanz, 'El juego del parque Libertad', *Sala Negra de El Faro*, 17 Oct. 2011, available at [www.salanegra.elfaro.net/es/201110/cronicas/5650/](http://www.salanegra.elfaro.net/es/201110/cronicas/5650/) (accessed 20 April 2016); InSight Crime/Asociación para una Sociedad más Justa (ASJ), *Gangs in Honduras*, 20 Nov. 2015, available at [www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf](http://www.insightcrime.org/images/PDFs/2015/HondurasGangs.pdf) (accessed 20 April 2016), p. 3. See also A. Marroquín, 'Pandillas en el Triángulo Norte de Centroamérica: narrativas y tránsitos', in Cantor and Rodríguez Serna (eds.), *Los nuevos desplazados*.

43 Ibid.

44 See D. Farah, 'U.S.-style gangs in El Salvador build free trade in crime', *Washington Post*, 28 Aug. 1995, available at <https://www.washingtonpost.com/archive/politics/1995/08/28/us-style-gangs-build-free-trade-in-crime/2f6cb1ed-2e82-4fa6-96da-0848f0f9d827/> (accessed 20 April 2016).

45 For instance, although a 2013 police study estimated there to be 32,310 active gang members in 567 local gangs in El Salvador, a study by the Ministry of Justice and Security the same year instead estimated the figure to be 58,783. See J. Santos, 'Hay 32,310 pandilleros en el país: Antipandillas', *La Prensa Gráfica*, 27 Dec. 2013, available at [www.laprensagrafica.com/2013/12/27/hay-32310-pandilleros-en-el-pais-antipandillas](http://www.laprensagrafica.com/2013/12/27/hay-32310-pandilleros-en-el-pais-antipandillas) (accessed 21 Apr. 2016).



people, is reputed to have the highest proportion of gang members per head of population. Thus, the Salvadorian Minister of Defence recently alluded to an unsubstantiated figure of 60,000 gang members, in a country that has a combined police and army of 50,000 officials.<sup>46</sup> For comparison, the largest and longest-running insurgency in Latin America – the Revolutionary Armed Forces of Colombia–People’s Army (Fuerzas Armadas Revolucionarias de Colombia–Ejército del Pueblo – FARC–EP) – is estimated in recent years to have only around 8,000 active combatants (down from a high of perhaps 30,000 combatants at its peak in the early 2000s). This is in Colombia, a country of almost fifty million inhabitants.<sup>47</sup>

The present-day violent street gangs of El Salvador, Honduras and Guatemala tend to be localised in particular zones, mostly poor urban areas but increasingly also in rural ones.<sup>48</sup> They pursue (and sometimes dispute) exclusive control of these small territories – often not more than a few contiguous neighbourhoods – where they dominate the population and impose their own rules.<sup>49</sup> They achieve such social control through violence and the ever-present threat of brutality, with those residents who are perceived as resisting their authority killed by the gangs.<sup>50</sup> The latter also dominate the local criminal economy in these zones, including drug-dealing and hired assassinations. However, in most cases their economic life-blood remains the practice of extortion.<sup>51</sup> The point

46 T. Molina, ‘Pandilleros de El Salvador superan en número a efectivos de seguridad’, *Panam*, 23 Oct. 2015, available at <http://es.panampost.com/thabata-molina/2015/10/23/pandilleros-de-el-salvador-superan-en-numero-a-efectivos-de-seguridad/> (accessed 21 Apr. 2016).

47 ‘Profile: FARC’, *InSight Crime*, undated, available at [www.insightcrime.org/colombia-organized-crime-news/farc-profile](http://www.insightcrime.org/colombia-organized-crime-news/farc-profile) (accessed 21 Apr. 2016).

48 The territorial control of different gangs in San Salvador, El Salvador, in late 2015 has been mapped out. See ‘Maras controlan la capital salvadoreña’, *El Diario de Hoy*, 19 Dec. 2015, available at [www.elsalvador.com/articulo/sucesos/maras-controlan-capital-salvadorena-96558](http://www.elsalvador.com/articulo/sucesos/maras-controlan-capital-salvadorena-96558) (accessed 21 Apr. 2016).

49 *InSight Crime/ASJ, Gangs in Honduras*; Cantor, ‘The new wave’, pp. 39–41, 45–8; UNODC, *Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment*, Sept. 2012, available at [www.refworld.org/docid/569f3aaa4.html](http://www.refworld.org/docid/569f3aaa4.html) (accessed 21 Apr. 2016), p. 28.

50 Ibid. See also O. Martínez, ‘Los salvadoreños cruzan fronteras de guerra a diario’, *Sala Negra de El Faro*, 4 Jan. 2016, available at [www.elfaro.net/es/201601/salanegra/17702/Los-salvadorenos-cruzan-fronteras-de-guerra-a-diario.htm](http://www.elfaro.net/es/201601/salanegra/17702/Los-salvadorenos-cruzan-fronteras-de-guerra-a-diario.htm) (accessed 21 Apr. 2016).

51 Cantor, ‘The new wave’, p. 40; *InSight Crime/ASJ, Gangs in Honduras*, pp. 19–20, 30–1. See also, for example, J. Santos, ‘Pandilleros tienen sitiado Mejicanos’, *La Prensa Gráfica*, 18 June 2013, available at [www.laprensagrafica.com/pandilleros-tienen-sitiado--mejicanos](http://www.laprensagrafica.com/pandilleros-tienen-sitiado--mejicanos) (accessed 21 Apr. 2016). However, there are indications that some MS-affiliated local gangs in San Pedro Sula, Honduras, may be moving away from extortion as a principal source of income. See D. Farah, ‘Central American gangs as a “wicked problem”’, Center for Strategic and International Studies, 24 Nov. 2015, available at <http://csis.org/blog/central-american-gangs-wicked-problem> (accessed 21 Apr. 2016).

here is that, overall, there are a number of strong parallels between the modus operandi of these gangs and that of many non-State armed groups in conflicts.

Many of the violent street gangs in the Northern Triangle are affiliated to one of two rival supra-national gang structures – the Mara Salvatrucha (MS or MS-13) and Barrio-18 (Eighteenth Street Gang or B-18).<sup>52</sup> These structures were also imported into Central America from the United States of America (where they continue to exist) with the deportations of the 1990s.<sup>53</sup> However, with the passage of time, the leadership of these gang structures has now shifted towards Central America such that orders flow north to the USA, rather than vice-versa.<sup>54</sup> In recent years, the presence of these supra-national structures has also been documented in Europe and in other parts of Latin America.<sup>55</sup> However, there are important differences between countries. For instance, although the majority of local gangs in El Salvador appear to be affiliated with either the Mara Salvatrucha or Barrio 18, in Honduras there is a greater diversity of non-affiliated gangs, including powerful ‘home-grown’ ones such as the Chirizos.<sup>56</sup>

The supra-national gang structures of the Mara Salvatrucha and Barrio-18 are enemies to the death and local street gangs affiliated with one or other structure violently dispute the control of territories and populations in a similar way to that of armed actors in a conflict.<sup>57</sup> In some Northern Triangle countries, these affiliated local gangs are also increasingly well-armed, as are

- 52 See, ‘Profile: Mara Salvatrucha (MS13)’, *InSight Crime*, undated, available at [www.insightcrime.org/el-salvador-organized-crime-news/mara-salvatrucha-ms-13-profile](http://www.insightcrime.org/el-salvador-organized-crime-news/mara-salvatrucha-ms-13-profile) (accessed 21 Apr. 2016); ‘Profile: Barrio 18’, *InSight Crime*, undated, available at [www.insightcrime.org/honduras-organized-crime-news/barrio-18-honduras](http://www.insightcrime.org/honduras-organized-crime-news/barrio-18-honduras) (accessed 21 Apr. 2016); S. Dudley, ‘Barrio 18 in El Salvador: a view from the inside’, *InSight Crime*, 25 March 2015, available at [www.insightcrime.org/news-analysis/barrio-18-el-salvador-view-from-inside](http://www.insightcrime.org/news-analysis/barrio-18-el-salvador-view-from-inside) (accessed 21 Apr. 2016); InSight Crime/ASJ, *Gangs in Honduras*.
- 53 J.L. Sanz and C. Martínez, ‘La letra 13’, *Sala Negra de El Faro*, 8 Aug. 2013, available at [www.salanegra.elfaro.net/es/201208/cronicas/9302](http://www.salanegra.elfaro.net/es/201208/cronicas/9302) (accessed 21 Apr. 2016); C. Martínez and J.L. Sanz, ‘El origen del odio’, *Sala Negra de El Faro*, 6 Aug. 2012, available at [www.salanegra.elfaro.net/es/201208/cronicas/9301/](http://www.salanegra.elfaro.net/es/201208/cronicas/9301/) (accessed 21 Apr. 2016).
- 54 H. Silva Ávalos, ‘El Viejo Santos y la revitalización de las clicas de Maryland’, *Revista Factum*, 13 July 2015, available at <http://revistafactum.com/el-viejo-santos-y-la-revitalizacion-de-las-clicas-de-maryland/> (accessed 21 Apr. 2016).
- 55 D. Farah and P. Philips Lum, ‘Central American gangs and transnational criminal organizations’, 24 Feb. 2013, available at [www.strategycenter.net/docLib/20130224\\_CenAmGangsandTCOs.pdf](http://www.strategycenter.net/docLib/20130224_CenAmGangsandTCOs.pdf) (accessed 21 Apr. 2016).
- 56 ‘Los Chirizos, de “banderas” infantiles a sádicos asesinos’, *El Heraldo*, 8 Aug. 2014, available at [www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos](http://www.elheraldo.hn/pais/736320-214/los-chirizos-de-banderas-infantiles-a-s%C3%A1dicos-asesinos) (accessed 21 Apr. 2016); ‘Los Chirizos y la M-18 se disputan el cobro del impuesto de guerra’, *La Tribuna*, 14 Jan. 2013, available at <http://es.insightcrime.org/noticias-del-dia/la-tribuna-honduras-los-chirizos-y-la-m-18-se-disputan-el-cobro-del-impuesto-de-guerra> (accessed 21 Apr. 2016).
- 57 Cantor, ‘The new wave’, pp. 49–50. See also E. Lemus, ‘Inversiones Barrio 18 S.A. DE C.V.’, *El Faro*, 24 May 2015, available at [www.especiales.elfaro.net/es/extorsion/investigaciones/17007/Inversiones-Barrio-18-SA-DE-CV.htm](http://www.especiales.elfaro.net/es/extorsion/investigaciones/17007/Inversiones-Barrio-18-SA-DE-CV.htm) (accessed 21 Apr. 2016).

Salvadorian gang members following the recent prevalence of assault rifles and other military-grade hardware among them.<sup>58</sup> This suggests another important point of similarity with non-State armed groups in scenarios of low-intensity conflict.

Although the highly localised Northern Triangle gangs operate principally at the neighbourhood level, the supra-national structures of the Mara Salvatrucha and Barrio-18 allow some level of national, and even international, coordination among affiliated local gangs. The effect of this capacity for a degree of coordination is seen most clearly in the (now failed) truce that was negotiated between the rival gangs (and joined by others) in El Salvador.<sup>59</sup> There are indications that some sectors within the gangs are also becoming increasingly political in their vision, language, demands and so on.<sup>60</sup> Moreover, in El Salvador, the Mara Salvatrucha now engages in sporadic hostilities with the State authorities,<sup>61</sup> assassinating police and military personnel in a way reminiscent of the FARC-EP in Colombia.

Overall, one can conclude that the ubiquitous street gangs of El Salvador, Honduras and Guatemala are an important factor in the deadly violence currently afflicting these countries. Moreover, in both their form and modus operandi, there are strong parallels between these Northern Triangle street gangs and non-State armed groups in contemporary situations of conflict. The comparison is not merely superficial since the numbers of these gang members and their extensive distribution across the Northern Triangle territories is on a par with the strength and territorial spread of some non-State armed groups in conflict situations. This fact orients the present enquiry to consider next the role of the State in the dynamics of forced migration that ensue.

58 C. Martínez, 'Más represión, más asesinatos, más armas, más reclutamientos', *Sala Negra de El Faro*, 20 Sept. 2015, available at [www.salanegra.elfaro.net/es/201509/cronicas/17376/M%C3%A1s-represi%C3%B3n-m%C3%A1s-asesinatos-m%C3%A1s-armas-m%C3%A1s-reclutamientos.htm](http://www.salanegra.elfaro.net/es/201509/cronicas/17376/M%C3%A1s-represi%C3%B3n-m%C3%A1s-asesinatos-m%C3%A1s-armas-m%C3%A1s-reclutamientos.htm) (accessed 21 Apr. 2016); 'Pandilleros se arman mejor que la Policía salvadoreña', *La Página*, 21 Apr. 2014, available at [www.lapagina.com.sv/nacionales/94792/2014/04/20/Policias-piden-mejores-condiciones-ante-constant-ataques-de-pandilleros](http://www.lapagina.com.sv/nacionales/94792/2014/04/20/Policias-piden-mejores-condiciones-ante-constant-ataques-de-pandilleros) (accessed 21 Apr. 2016).

59 S. Dudley, 'El Salvador's gang truce: positives and negatives', *InSight Crime*, 11 June 2013, available at [www.insightcrime.org/investigations/el-salvadors-gang-truce-positives-and-negatives](http://www.insightcrime.org/investigations/el-salvadors-gang-truce-positives-and-negatives) (accessed 21 Apr. 2016).

60 D. Farah, 'Central American gangs as a "wicked problem"': D. Marroquín, 'Maras proliferan en San Salvador', *El Diario de Hoy*, 29 Jan. 2015, available at [www.elsalvador.com/articulo/sucesos/maras-prolifera-san-salvador-72783](http://www.elsalvador.com/articulo/sucesos/maras-prolifera-san-salvador-72783) (accessed 21 Apr. 2016).

61 Ibid. See also C. Martínez, 'Más represión'; 'Policías y soldados han repelido 251 ataques de pandillas', *El Mundo*, 15 May 2015, available at <http://elmundo.com.sv/policias-y-soldados-han-repelido-251-ataques-de-pandillas> (accessed 21 Apr. 2016); J. Santos, 'Pandilla en La Libertad ordena matar dos policías por clicá', *La Prensa Gráfica*, 8 Apr. 2015, available at [www.laprensagrafica.com/2015/04/08/pandilla-en-la-libertad-ordena-matar-dos-policias-por-clica#sthash.6NY6nlbG.dpuf](http://www.laprensagrafica.com/2015/04/08/pandilla-en-la-libertad-ordena-matar-dos-policias-por-clica#sthash.6NY6nlbG.dpuf) (accessed 21 Apr. 2016).

## State protection and forced migration

So what then of the protection offered by the State authorities of Northern Triangle countries faced with violence from these gangs? In short, the principal strategy of successive governments in these countries over the past decade has been to attempt to subdue the gangs through a 'firm hand' [*mano dura*] approach, that is, fighting fire with fire.<sup>62</sup> However, this strategy is increasingly acknowledged as ineffective (and possibly even counterproductive, giving gangs the impetus to better organise), as the levels of violence rise and the gangs expand their presence across the territories of these countries.<sup>63</sup> Just in El Salvador, the conviction rate remains around five per cent and the segregation of Mara Salvatrucha and Barrio-18 in jails has turned the prisons into a school and coordination centre for incarcerated gang members.<sup>64</sup>

The deficiencies in protection are not only a question of capacity. Corruption of State officials is widespread in the Northern Triangle countries and there are regular scandals concerning the infiltration of the police and military – even specialised units – by the gangs.<sup>65</sup> This exacerbates the lack of confidence in the authorities among gang victims. Thus, for instance, a recent study reported that 84 per cent of businesses surveyed in El Salvador did not report extortion demands to the authorities for fear that the complaint would be filtered back to the gangs perpetrating them.<sup>66</sup> Recent reports also point to the emergence of death squads with links to the State security forces.<sup>67</sup>

62 C. Ribando Seelke, 'Gangs in Central America', *Congressional Research Service*, 20 Feb. 2014, available at <https://www.fas.org/sgp/crs/row/RL34112.pdf> (accessed 21 Apr. 2016); UNDP, 'Regional Human Development Report 2013–14: citizen security with a human face – evidence and proposals for Latin America, 2013', pp. 181–4, available at [http://hdr.undp.org/sites/default/files/citizen\\_security\\_with\\_a\\_human\\_face\\_-\\_executivesummary.pdf](http://hdr.undp.org/sites/default/files/citizen_security_with_a_human_face_-_executivesummary.pdf) (accessed 21 Apr. 2016).

63 C. García, 'Tracing the history of failed gang policies in US, Northern Triangle', *InSight Crime*, 3 Dec. 2015, available at [www.insightcrime.com/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle](http://www.insightcrime.com/news-analysis/tracing-the-history-of-failed-gang-policies-in-us-northern-triangle) (accessed 21 Apr. 2016); S. Dudley, 'How "mano dura" is strengthening gangs', *InSight Crime*, 21 Nov. 2010, available at [www.insightcrime.org/investigations/how-mano-dura-is-strengthening-gangs](http://www.insightcrime.org/investigations/how-mano-dura-is-strengthening-gangs) (accessed 21 Apr. 2016).

64 Ibid.

65 S. Bello, 'Eugenio Chicas reconoce infiltración de pandillas en policía y ejército', *La Prensa Gráfica*, 12 Dec. 2015, available at [www.laprensagrafica.com/2015/12/12/eugenio-chicas-reconoce-infiltracion-de-pandillas-en-policia-y-ejercito](http://www.laprensagrafica.com/2015/12/12/eugenio-chicas-reconoce-infiltracion-de-pandillas-en-policia-y-ejercito) (accessed 21 Apr. 2016); D. Marroquín, '393 pandilleros lograron infiltrar la Fuerza Armada', *El Diario de Hoy*, 29 Nov. 2015, [www.elsalvador.com/articulo/sucesos/393-pandilleros-lograron-infiltrar-fuerza-armada-94591](http://www.elsalvador.com/articulo/sucesos/393-pandilleros-lograron-infiltrar-fuerza-armada-94591) (accessed 21 Apr. 2016).

66 R.M. Pérez, 'Medianas, pequeñas y micro empresas piden más seguridad', *ContraPunto*, 30 Jan. 2014, available at [www.contrapunto.com.sv/coyuntura/medianas-pequenas-y-micro-empresas-piden-mas-seguridad](http://www.contrapunto.com.sv/coyuntura/medianas-pequenas-y-micro-empresas-piden-mas-seguridad) (accessed 21 Apr. 2016).

67 'Atribuyen a grupos de exterminio 14 muertes en varias zonas del país', *El Diario de Hoy*, 8 Nov. 2015, available at [www.elsalvador.com/articulo/sucesos/atribuyen-grupos-exterminio-muertes-varias-zonas-del-pais-92556](http://www.elsalvador.com/articulo/sucesos/atribuyen-grupos-exterminio-muertes-varias-zonas-del-pais-92556) (accessed 21 Apr. 2016).

In recent years, this situation has begun to generate significant levels of forced migration in the Northern Triangle countries. Official statistics concerning forced internal displacement that were collected towards the end of 2014, as part of an innovative study by the Honduran government, show that the 20 municipalities surveyed (out of around 300 at the national level) were home to approximately 174,000 displaced persons.<sup>68</sup> Proportionally, this equates to approximately four per cent of the population of the municipalities surveyed having identified themselves as internally displaced.<sup>69</sup> Among these, 7.5 per cent reported having been displaced twice and 2.1 per cent three times.<sup>70</sup> The official statistics also describe the pattern of displacement in greater detail, including an important confirmation of the assumption that a significant proportion of the forced migration caused by criminal violence in Honduras is urban-urban in character.<sup>71</sup>

By contrast, in El Salvador – arguably the country most affected by the gangs – no official data yet exist. Nonetheless, an academic survey showed that in 2012 around 2.1 per cent of respondents were displaced within the country by criminal threats *in that year alone*.<sup>72</sup> This would equate to approximately 130,000 persons if scaled up to the national level. A third of those displaced reported two or more displacements in that single year.<sup>73</sup> Yet the same survey, repeated in 2014, reported that an astounding total of 4.6 per cent of respondents had been displaced in 2014 alone (approximately 275,000 persons if scaled up to the national population),<sup>74</sup> with 1.8 per cent of those displaced reporting *six or more* displacements in that year alone.<sup>75</sup> For comparison, even in the worst years of the Colombian conflict, the annual rate of population displacement did not exceed 1.4 per cent of the country's total population.<sup>76</sup>

68 Joint IDP Profiling Service (JIPS), *Characterisation of Internal Displacement in Honduras*, Nov. 2015, available at [www.jips.org/system/cms/attachments/1050/original\\_Profiling\\_ACNUR\\_ENG.pdf](http://www.jips.org/system/cms/attachments/1050/original_Profiling_ACNUR_ENG.pdf) (accessed 21 Apr. 2016), p. 31.

69 Ibid., p. 32.

70 Ibid., p. 37.

71 Ibid., pp. 40–2.

72 Instituto Universitario de Opinión Pública (IUDOP), *Encuesta de evaluación del año 2012*, Dec. 2012, available at [www.uca.edu.sv/publica/iudop/archivos/informe131.pdf](http://www.uca.edu.sv/publica/iudop/archivos/informe131.pdf) (accessed 21 Apr. 2016), p. 35, cuadro 37.

73 Ibid., p. 35a, cuadro 38.

74 IUDOP, 'Evaluación del país a finales de 2014', *Boletín de prensa*, no. 5, Dec. 2014, available at [www.uca.edu.sv/iudop/wp-content/uploads/144.pdf](http://www.uca.edu.sv/iudop/wp-content/uploads/144.pdf) (accessed 21 Apr. 2016), p. 10, cuadro 25.

75 Ibid., p. 10, cuadro 26.

76 2002 was the year with the highest reported figure of new displacements in Colombia, with an estimated 594,377 persons displaced. See Internal Displacement Monitoring Centre, *Displacement Continues Despite Hopes for Peace* (2014), available at [www.internal-displacement.org/americas/colombia/2014/displacement-continues-despite-hopes-for-peace](http://www.internal-displacement.org/americas/colombia/2014/displacement-continues-despite-hopes-for-peace)

However, in contrast with conflict-displacement scenarios such as Colombia, where the dynamics of the armed confrontation have sometimes produced highly visible mass displacement of entire sectors or villages, forced migration due to gang violence in the Northern Triangle is largely invisible to outside observers.<sup>77</sup> This is a displacement that usually takes place drop by drop [*gota-a-gota*], person by person, family by family, and is thus not easily identified by outsiders, especially due to displaced persons' continuing fear of identifying themselves as having had problems with the gangs. Nonetheless, the humanitarian impact of this silent wave of displacement in – and from – these countries is substantial both for the displaced persons themselves and for the (usually poor) communities that end up hosting them.<sup>78</sup>

The fact that such forced migrations appear to be predominantly internal at present cannot obscure the tendency for increasing numbers of people from the Northern Triangle to flee in search of refugee protection in other countries. Taking El Salvador as an example, it can be observed that the number of asylum applications by Salvadorians has climbed steadily over the past five years, with 11,742 having been lodged in 2014, almost twice the number made in 2013 and three times the number placed in 2010.<sup>79</sup> A similar tendency can be discerned for asylum claims from Honduran and Guatemalan asylum-seekers.<sup>80</sup>

The vast majority of claims by Northern Triangle nationals are made in the USA (where a large diaspora exists), although a high proportion of the claims received by certain Latin American countries were also made by Northern Triangle nationals.<sup>81</sup> Many of these are lodged by adults.<sup>82</sup> Nonetheless, from 2011 onwards, the USA's southern border has also seen a surge in unaccompanied child arrivals from the Northern Triangle countries, many of

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peace (accessed 21 Apr. 2016). This represents approximately 1.4 per cent of the estimated population that year in Colombia of 41 million persons.

77 For detailed analysis of the patterns of displacement, see Cantor, 'The new wave', pp. 52–61.

78 Ibid. See also JIPS, *Characterisation of Internal Displacement in Honduras*, pp. 50–64.

79 Figures from UNHCR, *UNHCR Global Trends 2014: World at War*, 18 June 2015, available at [www.refworld.org/docid/558292924.html](http://www.refworld.org/docid/558292924.html) (accessed 21 Apr. 2016), Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2013*, 13th edn., 2 Feb. 2015, available at [www.refworld.org/docid/54d369094.html](http://www.refworld.org/docid/54d369094.html) (accessed 21 Apr. 2016), Annex, Table 11; UNHCR, *UNHCR Statistical Yearbook 2010: Trends in Displacement, Protection and Solutions*, 27 Dec. 2011, available at [www.refworld.org/docid/4f06ecf72.html](http://www.refworld.org/docid/4f06ecf72.html) (accessed 21 Apr. 2016), Annex, Table 11.

80 Ibid.

81 UNHCR, *UNHCR Global Trends 2014: World at War*, 18 June 2015, available at [www.refworld.org/docid/558292924.html](http://www.refworld.org/docid/558292924.html) (accessed 21 Apr. 2016), Annex, Tables 11 and 12.

82 From 2009 onwards there has been an increase in the number of Northern Triangle adults claiming asylum. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, available at [www.refworld.org/docid/532180c24.html](http://www.refworld.org/docid/532180c24.html) (accessed 21 Apr. 2016), p. 4.

whom claimed asylum.<sup>83</sup> Interview data from 2013 indicate that 72 per cent of the children from El Salvador left because of social violence, with 63 per cent specifying gangs as the source of harm.<sup>84</sup> For comparison, the same data records social violence as a factor promoting the flight of the child interviewees in 33 per cent of cases from Honduras and 20 per cent of cases from Guatemala.<sup>85</sup> Tellingly, the different percentages appear broadly to reflect the differing relative extent of the territorial presence of the gangs in the respective countries.<sup>86</sup>

In summary, the current epidemic of organised criminal violence in the Northern Triangle, combined with the inability of the authorities to provide an effective response to victims, has produced a corresponding humanitarian crisis of forced migration in and from those countries, which is only just starting to be properly documented in El Salvador and Honduras. On the basis of the preliminary data, the incidence of forced migration among the affected population looks high, probably comparable to those seen in other contemporary armed conflicts around the globe. The situation of those displaced is a cause for real concern, not only due to their challenging humanitarian situation but also due to the personal danger that they face from the continuing violence of the gangs.

## The challenge of protection

In the face of the urgent protection concerns of the displaced population in the Northern Triangle, it is worrying that Honduras is thus far the only country to have officially recognised the issue of internally displaced persons (IDPs) and instigated processes to estimate their numbers and profile those affected,

83 UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, available at [www.refworld.org/docid/532180c24.html](http://www.refworld.org/docid/532180c24.html) (accessed 21 Apr. 2016); D.J. Cantor, 'Gangs: the real "humanitarian crisis" driving Central American children to the US', *The Conversation*, 22 Aug. 2014, available at <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672> (accessed 21 Apr. 2016).

84 In some cases, multiple motives were mentioned by the children interviewed. See UNHCR, *Children on the Run: Unaccompanied Children Leaving Central America and Mexico and the Need for International Protection*, 13 March 2014, available at [www.refworld.org/docid/532180c24.html](http://www.refworld.org/docid/532180c24.html) (accessed 21 Apr. 2016), pp. 31–2.

85 Ibid., pp. 35–6.

86 D.J. Cantor, 'Gangs: the real "humanitarian crisis" driving Central American children to the US', *The Conversation*, 22 Aug. 2014, available at <https://theconversation.com/gangs-the-real-humanitarian-crisis-driving-central-american-children-to-the-us-30672> (accessed 21 Apr. 2016). More recent data from children interviewed in Mexico confirms violence and insecurity as an important push factor in the migration of Northern Triangle children. However, although it does not provide data on the different forms of harm underpinning this factor, the study suggests that the impetus to flee is most accentuated for Honduran children interviewed. See UNHCR, *Arrancados de raíz*, Nov. 2014, available at [www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/Publicaciones/2014/9828](http://www.acnur.org/t3/fileadmin/scripts/doc.php?file=t3/fileadmin/Documentos/Publicaciones/2014/9828) (accessed 21 Apr. 2016), pp. 46–51.



although no dedicated protection policy yet exists.<sup>87</sup> By contrast, El Salvador and Guatemala have not even officially recognised the existence of IDPs. As such, real protection options for IDPs (and indeed other victims of gang violence) within the countries of the Northern Triangle are presently somewhat limited. This situation has a number of important implications for the future.

Firstly, the present lack of protection in-country highlights the importance of ensuring the availability of international safeguards in the form of asylum for persons fleeing from the violence of the gangs in El Salvador, Honduras and Guatemala. The brutality in the Northern Triangle and the lack of national safeguards constitute strong elements for substantiating a claim for international protection. Nonetheless, the particularity of this situation – that is, the criminal nature of the violence – has the potential to generate conceptual challenges around whether persons fleeing from these situations fall within the scope of the refugee definition in Article 1A(2) of the 1951 Convention relating to the Status of Refugees (in light of the 1967 Protocol).<sup>88</sup> The publication in 2016 of UNHCR eligibility guidelines relating to persons fleeing Northern Triangle countries should help to guarantee that the organised, extreme and highly discriminate nature of the persecutory violence inherent in these situations is properly recognised as such by refugee decision-makers and not simply dismissed as *ad hoc* criminality.<sup>89</sup>

Secondly, at the regional level, the existence of pressing protection challenges for persons displaced within the borders of their countries and beyond by gangs and other organised criminal groups in the Northern Triangle has been expressly recognised by the 2014 Brazil Declaration and its ten-year Plan of Action.<sup>90</sup> This framework, adopted by Latin American and Caribbean governments as a follow-on from the 1984 Cartagena Declaration,<sup>91</sup> represents a milestone in that it is the first international instrument ever to recognise the issue of displacement caused by organised crime. In particular, Chapter

87 In 2013, Honduras established a Comisión Interinstitucional para la Protección de Las Personas Desplazadas por la Violencia (Inter-Institutional Commission for the Protection of Persons Displaced by Violence). This entity of the Honduran government, in collaboration with the Joint IDP Profiling Service, recently carried out and published a first survey on IDPs in Honduras. See JIPS, *Characterisation of Internal Displacement in Honduras*.

88 For recent discussions of this issue, see N. Rodríguez Serna, 'Fleeing cartels and maras: international protection considerations and profiles from the Northern Triangle', *International Journal of Refugee Law*, 28 (2016), as well as the discussion by Reynolds here in chapter 8.

89 See, for example, UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from El Salvador*, 15 March 2016, available at [www.refworld.org/docid/56e706e94.html](http://www.refworld.org/docid/56e706e94.html) (accessed 21 Apr. 2016).

90 *Brazil Declaration and Plan of Action*, 3 Dec. 2014, available at [www.refworld.org/docid/5487065b4.html](http://www.refworld.org/docid/5487065b4.html) (accessed 21 Apr. 2016).

91 *Cartagena Declaration on Refugees*, 22 Nov. 1984, available at [www.unhcr.org/45dc19084.html](http://www.unhcr.org/45dc19084.html) (accessed 21 Apr. 2016).



Four of the Plan of Action proposes the creation of three regional programmes to respond to the challenge of organised crime-induced forced migration: an observatory body to monitor these issues; a 'prevention' programme; and a 'safe and dignified transit' programme.<sup>92</sup>

The utility of developing a priority resettlement scheme and/or a humanitarian visa scheme to allow evacuation of the most urgent cases of persecution would also be worth considering and, in fact, is perhaps hinted at in passing by the Brazil Plan of Action in its proposal that a current resettlement priority is to:

[b.] ii. Cooperate with the three countries of the Northern Triangle given their vulnerability to the activities of transnational organized crime. [...]

iv. Demonstrate solidarity with international humanitarian crises through either the use of humanitarian visas or resettlement quotas.<sup>93</sup>

From 2014, in response to the surge of unaccompanied children from the Northern Triangle at its southern border, the USA (which is not a signatory to the Brazil Declaration and Plan of Action) also initiated a 'Central American Minors Refugee/Parole Program' to carry out in-country processing of applications by children with protection needs in the nations of the Northern Triangle.<sup>94</sup> Another similar programme also focused on the Northern Triangle countries appears currently to be under consideration by the same government.

Thirdly, there is clearly also a need to develop national frameworks in the affected countries to address (at least) the humanitarian needs of IDPs.<sup>95</sup> At the same time, in view of the severe resource constraints under which the governments of the Northern Triangle nations operate, it is equally important to scale up the in-country humanitarian response on the part of international agencies and others. The few already operating small assistance programmes in this context – such as the International Committee of the Red Cross and Médecins Sans Frontières – appear to base their approach on that used in

92 *Brazil Plan of Action*, Chapter Four. For further discussion of the Brazil Plan of Action Chapter Four programmes and their implementation, see UNHCR, *Plan de Acción de Brasil (PAB) – Un año de implementación 2015*, available at [www.acnur.org/t3/que-hace/proteccion/declaracion-de-cartagena-sobre-los-refugiados/plan-de-accion-de-brasil-pab-un-ano-de-implementacion/un-ano-de-implementacion-del-pab-centroamerica](http://www.acnur.org/t3/que-hace/proteccion/declaracion-de-cartagena-sobre-los-refugiados/plan-de-accion-de-brasil-pab-un-ano-de-implementacion/un-ano-de-implementacion-del-pab-centroamerica) (accessed 21 Apr. 2016), as well as chapter 9 here, also by Cantor.

93 *Brazil Plan of Action*, Chapter Three. The express recommendation in an earlier draft of the document of the use of humanitarian evacuation as a protection mechanism for particularly at-risk individuals in the Northern Triangle was apparently toned down at the instigation and insistence of just one South American country.

94 For an early analysis of the programme, see F. Hipsman and D. Meissner, 'In-country refugee processing in Central America: a piece of the puzzle', *Migration Policy Institute Policy Briefs* (2015), available at [www.migrationpolicy.org/sites/default/files/publications/In-Country-Processing-FINALWEB.pdf](http://www.migrationpolicy.org/sites/default/files/publications/In-Country-Processing-FINALWEB.pdf) (accessed 21 Apr. 2016).

95 For a discussion of how victim justice laws might be used to address the protection needs of persons displaced by organised criminal groups, drawing on the Colombian and Mexican practice, see Rodríguez Serna and Durieux, chapter 7.

conflict situations. Indeed, as outlined in the sections above, there are many strong parallels in the operating context.

However, the situation of organised criminality in the Northern Triangle does present a number of additional problems. Firstly, the aid context is predominantly urban, with all of the complexities which that brings in terms of access, differentiated population and more.<sup>96</sup> Secondly, the nature of the gangs and their violence does present certain challenges, especially in relation to humanitarian interlocution which is complicated by the gangs' criminal status, lack of clear political objectives, lack of a coherent command/discipline structure at the national level (they are highly localised) and rapidly shifting alliances and territorial boundaries. Their swift recourse to violence also complicates the idea of preventing displacement, which may amount to a death sentence, and their capacity for infiltration and suspicion of informants means that a strategy involving the identification of IDPs is likely to be inappropriate. Finally, the relative lack of presence by international agencies in the Northern Triangle countries presently poses a real challenge too.

## Conclusion

The extreme violence and pervasive displacement in and from the impoverished countries of the Northern Triangle of Central America is an important contemporary challenge in Latin America. The organised criminal violence of the Northern Triangle's ubiquitous gangs has provoked a silent wave of forced migration in these nations and a humanitarian crisis among their populations. Indeed, one of the key contentions of this chapter is that the epidemic of violence in countries such as El Salvador and Honduras is as deadly, or *even more deadly*, than many contemporary armed conflicts. Not only that, but the nature of these non-State actors, their modus operandi and indiscriminate use of extreme violence, as well as the response of the State authorities, bears a strong family resemblance to many contemporary contexts of internal armed conflict.

Moreover, in the Northern Triangle countries, the scale of displacement and the level of humanitarian need of those displaced also seem comparable to those in vicious situations of armed conflict in poor nations. What is more, the challenges of carrying out humanitarian and protection work with displaced persons and host communities in these complex and violent contexts should not be underestimated. As such, while such in-country efforts are necessary in both the short- and medium-term, governments must ensure equally that international refugee law is applied to persons fleeing from these lands with

96 For a useful overview and discussion of these challenges, see E. Lucchi, 'Humanitarian interventions in settings of urban violence', *ALNAP Lessons Paper*, Jan. 2014, available at [www.alnap.org/resource/9810](http://www.alnap.org/resource/9810) (accessed 21 Apr. 2016).

a proper appreciation by decision-makers of the gravity and nature of the situation of violence currently prevailing there. Ultimately, the *aegis* of refugee law remains the last resort for persecuted and desperate individuals from countries where extreme violence prevails and national protection fails.