

# VIOLENCE IN CENTRAL AMERICA

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BRIEFING AND HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
THE WESTERN HEMISPHERE  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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# CONTENTS

	Page
BRIEFERS	
His Excellency José Guillermo Castillo Villacorta, Ambassador of Guatemala .	1
His Excellency Roberto Flores Bermudez, Ambassador of Honduras .....	8
WITNESSES	
Ms. Lainie Reisman, Director, Inter-American Coalition for the Prevention of Violence .....	39
Mr. Geoff Thale, Program Director, Washington Office on Latin America .....	45
Roy Godson, Ph.D., President, National Strategy Information Center, Pro- fessor Emeritus, Georgetown University .....	55
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE RECORD	
His Excellency José Guillermo Castillo Villacorta: Prepared statement .....	4
His Excellency Roberto Flores Bermudez: Prepared statement .....	11
The Honorable Eliot L. Engel, a Representative in Congress from the State of New York, and Chairman, Subcommittee on the Western Hemisphere: Prepared statement .....	37
Ms. Lainie Reisman: Prepared statement .....	41
Mr. Geoff Thale: Prepared statement .....	47
Roy Godson, Ph.D.: Prepared statement .....	57
APPENDIX	
Material Submitted for the Record .....	75



## VIOLENCE IN CENTRAL AMERICA

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TUESDAY, JUNE 26, 2007

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2:33 p.m. in room 2172, Rayburn House Office Building, Hon. Eliot L. Engel (chairman of the subcommittee) presiding.

Mr. ENGEL. Good afternoon. I am pleased to welcome everyone to today's briefing and hearing on violence in Central America. I will make my opening statement and allow other members to make opening statements after we complete this briefing portion of today's session.

Let me say that it is a real honor for me to welcome to the subcommittee two Ambassadors who are great representatives of their country here in Washington and good friends of mine in my new capacity as subcommittee chairman. I want to say what a pleasure and an honor it is for me to be able to listen to what they have to say.

I know the rest of our subcommittee members and our ranking member feel as I do, so let me welcome Ambassador Guillermo Castillo from Guatemala and Ambassador Robert Flores from Honduras.

This will be the quickest introduction you ever have. Mr. Ambassadors, the floor is yours to make your statements. Ambassador Castillo?

### **STATEMENT OF HIS EXCELLENCY JOSÉ GUILLERMO CASTILLO VILLACORTA, AMBASSADOR OF GUATEMALA**

Ambassador CASTILLO. Thank you, Mr. Chairman. Thank you also to the ranking member for this invitation to be here today on this very important issue for our countries.

Central American nations have suffered from increased violence in recent years, prompting a growing concern about the region's security. The problem is particularly acute in El Salvador, Guatemala and Honduras, and it is of great interest also to Mexico and the United States.

Indeed, it was a central issue discussed by both President Oscar Berger of Guatemala and President Felipe Calderón of Mexico in their separate bilateral meetings with President Bush during his recent visit to Latin America. Both leaders called for a comprehensive regional approach to the threats posed by trafficking in drugs,

people and weapons, as well as youth gangs in the region and the links between these two phenomena.

The power of these groups not only undermines the governability in our countries, but also jeopardizes the security of our citizens. It is also highly detrimental to the region's economic development.

My purpose today is to highlight our view of the serious vulnerabilities and threats in the region share with this subcommittee some of the actions being taken in response to these problems and discuss in some extent the agreement signed between the United Nations and the Government of Guatemala for the creation of an independent commission to combat impunity in Guatemala.

On the vulnerabilities that have created a growing violence in the region, there are four main reasons. One is related to the geographic location; the second one with the increased number of gangs. The third one has been the easy access to weapons that originally flowed in during the internal armed struggles in countries like mine; and, fourth, is the high proportion of youth in our countries.

Going to the first one, the geographic location, our location makes Central America as a region important for the transportation of drugs from the southern producing countries into the north, the largest drug consuming market. The trafficking routes, once used to transport guns and contraband during internal conflicts, evolved into transportation corridors for drugs in some of the countries.

When you consider that the yearly drug market is estimated at \$60 million, it is not surprising that drug lords in our countries are exceedingly wealthy. Their resources often surpass the resources available to combat them.

There is strong evidence in Guatemala that these groups have infiltrated some public institutions and in some cases even exercise control over local governments. In recent years, in fact, there has been growing concern that drug lords might be interested in openly financing political campaigns or running for office themselves.

Quoting a good friend of mine, Moisés Naím, the editor of *Foreign Policy* magazine, he says that illicit trade, including trafficking, is a bigger problem than any one country can tackle alone. This holds true for powerful governments as much as it does for less powerful and more resource-constrained nations. It requires legal, police and intelligence cooperation across borders.

The economic power of these drug lords, their infiltration of government agencies, the allure of easy money and the violence that these illegal activities generate are undermining the basis of our societies.

The other problem—I am just going to mention it; my colleague is going to cover it in more extent—is the problem of street gangs or gangs in general. There have been many analyses written on this complex problem, but something that we can take from them is that there is no consensus on its causes or its scale.

The estimates for gang membership in Central America vary from 70,000 to over 300,000 members. While the number of gangs in Guatemala exceeds 300, the two most significant are Mara Salvatrucha, the MS-13, and Mara 18, the 18th Street gang. Both

have operations stretching from the United States all the way down to Nicaragua.

We believe that the only answer to a cross-border problem is a cross-border solution, so cooperation among our countries is essential. That is why last year the Central American Integration System, SICA, created a special security commission to articulate their regional efforts in the security agenda. This commission has already held dialogues with their counterparts in Mexico and the United States. Its aim is dealing with strong coordination among all the nations that are dealing with these problems.

What are we doing in the Guatemalan Government? Our actions are in three basic areas. The first one, we have been pressing for changes in our legislation dealing with international crime. Some of these changes include measures to control money laundering and the financing of terrorist activities, updating codes to reflect new crimes and toughening penalties for several illegal activities, including trafficking in persons. Recently, in this year, we adopted a law against organized crime that gives authorities the ability to conduct covert operations and eavesdropping.

The second one, and this is something that we received support from this subcommittee, is the creation of what we call the National Institute of Forensic Sciences. This was approved by our Congress last September with an initial voucher of 40 million quetzals. It is equivalent to about \$6 million. The Institute is going to be an autonomous entity that will be in charge of processing scientific proof to support criminal cases presented in Court.

So far, impunity has been a tremendous problem in criminal cases due to the lack of undisputable proof against suspected criminals. The vulnerability of this system is due mostly to it relies upon testimonial proof, which can be easily dismissed. Therefore, the percentage of cases that end up with a full conviction is very low.

This has been highlighted by the U.S. Congress and many organizations, particularly in the case of persecution of the violent murders of women in my country. It is expected that with the possibility of concrete scientific proof we will have elements to reverse this situation.

The third one, and I would like to spend a few minutes on this one, very short, is the creation of the Independent International Commission to End Impunity in Guatemala. After years of negotiations, the agreement was signed in December of last year between the Guatemalan Government and the United Nations.

The reasons why this commission is so important for us includes the fact that some of the practices that characterize the armed conflict left severely weakened institutions. Specifically, counterinsurgent groups created structures within the state to conduct their operations, and the control of these structures over the population was responsible for human rights violations and the creation of strong networks of corruption and organized crime.

With the end of the armed conflict and the changes that followed, these structures went gradually into clandestine operational mode. The networks used to traffic arms and contraband became structures that facilitated the operations of more lucrative illicit businesses like drug trafficking. The structures I believe to be involved

in the use of violence to stop political, social and judicial processes that affect their interests in our country.

Our Government is committed and engaged in a fight against powerful and well-funded groups, and we believe that this commission is a fundamental tool to initiate investigative processes against them, as well as to support and strengthen the local institutions that are responsible for security and justice.

Its core functions will be from one side the investigation of the existence of these parallel structures, their activities, operations and sources of financing and sharing this information with the international community, and on the other side the formulation of public policies to eradicate this problem.

Moreover, the commission will be entitled to promote criminal prosecution of members of these groups and will be able to act as second plaintiff in these processes. In particular, by contributing with evidence to help build solid cases that could be truly paradigmatic and will establish an important precedent in our judicial system.

To give you an update, in February of this year the agreement was sent by our administration to the Guatemalan Congress for approval. In May of this year, the Constitutional Court not only gave a green light to the creation of the commission, but it also provided a legal interpretation on how the commission should operate.

Most of the political parties in Guatemala have supported this commission, but our Congress is in recess now and it has been difficult to convoke an extraordinary session to approve CICIG. Our Executive Branch, through the Office of the Vice President, is leading the efforts to lobby for this agreement and its prompt approval.

I would like to add also that the commission has strong support from most sectors in civil society, the press and international community, including the U.S. Government.

My government believes that this commission is a new stepping stone in the fight against illicit activities in the world, and the support of the international community in the success of this commission can serve as an example to other regions in the world that suffer from similar problems.

I would like to thank Chairman Engel, Ranking Member Burton and Representatives Fortuño and Mack for the letter to the Guatemalan Congress in support of the approval of this commission. I also want to thank the members of the Senate for Resolution No. 155 introduced by Senators Dodd, Biden, Bingaman, Leahy and Durbin. It was approved in May on the same issue.

To end, we would also welcome any initiative by a member of this subcommittee that might lead to the prompt adoption of the commission.

Thank you very much.

[The prepared statement of Ambassador Castillo follows:]

PREPARED STATEMENT OF HIS EXCELLENCY JOSÉ GUILLERMO CASTILLO VILLACORTA,  
AMBASSADOR OF GUATEMALA

I would like to thank the Chairman and ranking member of the Foreign Affairs Committee, as well as the Chairman and ranking member of the Western Hemisphere Subcommittee, for holding this briefing and for the cordial invitation to participate as a special guest, and brief the Subcommittee on an issue of common interest that poses a serious threat to our countries and to the safety and security of

their citizens. I hope this type of inter-governmental cooperation will extend past this room and translate into concrete and positive action for the benefit of all our neighboring countries.

Central American nations have suffered from increased violence in recent years prompting a growing concern about the region's security. The problem is particularly acute in Guatemala, El Salvador and Honduras and is of great interest to Mexico and the United States. Indeed, it was a central issue discussed by both President Oscar Berger of Guatemala and President Felipe Calderón of Mexico in their separate bilateral meetings with President Bush during his recent visit to Latin America.

Both leaders called for a comprehensive regional approach to the threats posed by illicit trade and youth gangs, particularly their trafficking in drugs, people and weapons, and the links between the two phenomena. The power of these forces not only undermines the governability of Central American nations and jeopardizes the lives of their citizens, but it is also highly detrimental to the region's economic development.

My purpose today is to:

- (a) Highlight our view of the serious vulnerabilities and threats the region is facing
- (b) Share with this Subcommittee some of the actions being taken in response to these problems, and
- (c) Discuss the agreement signed between the United Nations and the Government of Guatemala to create an Independent International Commission to End Impunity in Guatemala (*CICIG*).

Central American nations are vulnerable to this growing violence chiefly for four reasons: (1) their location, (2) the street gangs that have emerged in our nations; (3) the easy access to weapons that originally flowed in during the internal armed struggles in countries like mine, and (4) the high proportion of adolescents in our nations' populations.

*Location, location, location—and drug trafficking*

Central America's geography makes it the transportation corridor from southern drug-producing countries to the north's largest drug-consuming market. These trafficking routes, once used to transport guns and contraband during internal regional conflicts, evolved into transportation corridors for drugs.

The yearly drug market's value has been estimated at \$60 billion. Not surprisingly, drug lords in our countries are exceedingly wealthy. Indeed, their resources often exceed the resources available to combat them. There is strong evidence, moreover, that these groups have infiltrated public institutions, and in some cases even exercise control over local governments. In recent years in fact, there has been growing concern that drug lords might be interested in openly financing political campaigns or running for office themselves.

While Guatemala chiefly provides a trafficking route for drug lords, in recent years poppy plantations have spread in the country as well. This is simply because the war on drug production in Colombia has increased the incentives to produce elsewhere. In 2006, for example, more than 27 million poppy plants were destroyed in Guatemala. The poppy plantations are in remote and inaccessible areas on the border with Mexico. There is no indication that the plants are being processed into heroin in Guatemala, but the international nature of the business clearly requires additional cooperation between all the nations involved.

In his book *ILLICIT: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy*, Moisés Naim, the editor of *Foreign Policy* magazine, remarks, "Governments can't do it alone. Anti-trafficking strategies based on government action alone are doomed to founder on government's inherent limitations—national frontiers and bureaucratic processes—that traffickers have so adeptly turned to their advantage . . . Illicit trade is a bigger problem than any one country, police force, or military or spy agency can tackle alone. This holds true for powerful governments that have the capability to intervene outside their own borders as much as it does for less powerful and more resource-constrained nations . . . It requires legal, police, and intelligence cooperation across borders . . . And it makes it crucial that we find ways to equip governments for the fight."

Few of the drugs that cross Central America are intended for local consumption (less than 10%). But the economic power of the drug lords, their infiltration of government agencies, regional poverty coupled with the allure of easy money, and the violence that these illegal activities generate are undermining the basis of our societies and our ability to deal with these problems.

*Street gangs, weapons, and youngsters*

Gangs and gang members are a serious threat to public security in some communities in Central America, Mexico and the United States. Many analyses have been written on this complex problem, but there is little consensus on its causes or its scale. Estimates for gang membership in Central America vary from 70,000 to 305,000. In the case of Guatemala, the estimates range from 14,000 to more than 100,000. While the number of gangs in Guatemala exceeds 300, the two most significant are 'Mara Salvatrucha' (MS13 gang) and Mara 18 (18th Street gang) and both have operations stretching from the United States to Nicaragua. In Central America, the countries most affected by the gangs are El Salvador, Guatemala and Honduras. There is a clear need here too, for more coordination to deal with this problem.

There is no doubt that weapons which originally flowed in during internal armed struggles are now accessible to the gangs or that the high proportion of youths in our countries tends to make the gang violence problem more acute. In the case of Guatemala, for example, 70% of the population is under 29 years of age and 50% under 15. Most gang members are male but an estimated 10% are female.

The evidence suggests that gang members are involved in street crimes, assassinations, extortion and drug distribution. The typical entry age is 13, but there are known cases of children as young as 8 involved in assassinations. Organized crime and gangs have found that using young children to commit crimes works to their benefit, because an adolescent under 18 cannot be prosecuted.

Some studies claim that the gangs are organized in unrelated cells (clicas) that do not have international connections. However, a recent study conducted by the U.S. Agency for International Development (USAID) based on interviews with former gang members, indicates that their organization is far more complex. The study shows the pyramid in which these groups operate:

1. There is a connection at high levels between gang members and organized crime and drug traffickers. Most analysts do not believe that there is a direct ascension from neighborhood gangs to organized crime, but it is nonetheless believed that some narco-bosses work closely with leaders of the most sophisticated transnational gangs.
2. Transnational gang leaders, especially MS13 and 18th Street, oversee well-connected cells with extensive communication networks that are linked to extortion, arms and drug distribution in neighborhoods where they operate. The recent indictment in Maryland, where gang members serving prison time in El Salvador directed fellow gang members in Maryland to commit violent crimes including murder, is an example of the extent of these networks.
3. Cell members (national) are in charge of collecting "war taxes," extorting small businesses, bus and taxi drivers, distribution trucks and others.
4. Neighborhood gang members who are not members of 18th Street or MS-13 nonetheless imitate them.
5. Youths are at risk due to territorial or family contact with gang members. The lives of youths aged 8 to 18 are characterized by several risk factors, making them susceptible to joining a gang.

*National and international steps taken to combat the problem*

There is a need to strengthen three areas of action to battle this problem.

- a) Gather more intelligence on gang leaders and bring them to justice.
- b) Expand programs to help members who want to leave a gang, people who usually risk their lives to do so.
- c) Bolster prevention mechanisms in youth centers and schools, among other locations.

The governments of Central America, Mexico and the United States recognize that the fight against an international problem requires international solutions. The only answer to a cross-border problem is a cross-border solution, so cooperation among our countries is imperative.

Last year the Central American Integration System (SICA) created a special 'Security Commission' to articulate the regional security agenda. It is made up by the Ministers of Foreign Affairs, Defense and Interior from all our countries. This Commission has already held dialogues with their counterparts in Mexico and the U.S.

Guatemala will chair the Commission this semester and we expect to have a regional working agenda before the end of the year.

The Guatemalan government has been working in three main security areas:

The first has been to press for changes in legislation dealing with international crime. Some of these changes include (1) the adoption of measures to control money laundering and the financing of terrorist activities; (2) updating criminal codes to reflect today's crimes and (3) toughening penalties for several illegal activities, including trafficking in persons. In 2007, moreover, Guatemala adopted a law against organized crime that gives authorities the ability to conduct covert operations and eavesdropping to obtain information that helps bring criminals to justice. In 2004 Guatemala deposited the 'United Nations Convention Against Transnational Organized Crime' and its three protocols: (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children; the Protocol Against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Fire Arms, their Parts and Components).

The second is the creation of *The National Institute of Forensic Sciences (INACIF)* that was approved by our Congress on September 18, 2006 and has Q40 million (US\$6 million) assigned for its initial operation. The Institute is an autonomous entity that will be in charge of processing scientific proof to support criminal cases presented in Court. Congress is currently in the process of electing the Director of the Institute, who by July 15 will be named. Among many other heinous crimes, this Institute for example will also help in prosecuting the violent and grisly murders of women.

So far, impunity has been a tremendous problem in criminal case trials due to the lack of undisputable proof against suspected criminals. The vulnerability of the system is due mostly to the fact that it relies upon testimonial proof, which can be easily dismissed; therefore the percentage of cases that end up with a full conviction is very low. It is expected that the possibility of having concrete scientific proof will provide the elements to reverse this situation, but then again international cooperation in establishing the different laboratories and in training the needed personnel, will be essential to do away with impunity.

The third area is the creation of *The Independent International Commission to End Impunity in Guatemala (CICIG)*

Building on the achievements of the U.N. Mission to verify implementation of the peace accords that followed the armed conflict in Guatemala, the agreement on the 'Independent International Commission to Combat Impunity in Guatemala' was signed last December between the Guatemalan Government and the United Nations.

The practices that characterized the armed conflict left severely weakened institutions. Specifically, counterinsurgent groups created structures within the state by which they could conduct their operations. The control these structures had over the population was responsible for human rights violations and the creation of strong networks of corruption and organized crime.

With the end of the armed conflict and the changes that followed, these structures went gradually into clandestine operational mode. The networks used to traffic arms and contraband became structures that facilitated the operations of more lucrative illicit operations like drug trafficking.

The traffickers are believed to be involved in using violence to stop political, social and judicial processes that affect their interests. Our governments are engaged in a fight against powerful and well-funded groups, and the government of Guatemala believes that *CICIG* is a fundamental tool to initiate investigative processes against these groups, as well as to support and strengthen the local institutions that are responsible for security and justice.

The main purpose of the Commission is to help strengthen the institutions in charge of investigation and prosecution of the illegal and clandestine groups that operate in the country. Its core functions will be, on one side, the investigation of the existence of parallel structures, their activities, operations, and sources of financing, as well as their possible relationship with institutions or individuals within the government. On the other side, the Commission will work towards the formulation of public policies to eradicate this problem.

Moreover, the Commission will be entitled to promote criminal prosecution of members of these groups and will be able to act as second plaintiff in these processes; in particular by contributing evidence to help build solid cases that could be truly paradigmatic and in which prosecution and conviction would establish an important precedent in our judicial system.

This new agreement with the UN was created on the basis of the initial agreement (*CICIACS*) signed in 2003 between the Minister of Foreign Affairs of Guatemala and the Secretary General of the UN. This initial agreement was declared unconstitutional by our Constitutional Court in 2004, and therefore the Guatemalan Government decided to elaborate a new one to create this commission.

In February of this year the new proposal was sent from our Administration to the Guatemalan Congress for approval. The Foreign Affairs Committee in our Congress, in turn, sent the proposal to the Constitutional Court for an official opinion. The opinion was formally issued on May 16th 2007, and it not only gave a green light to the creation of the Commission but it also provided a legal interpretation on how the Commission should operate as well as the scope of its work.

Most of the political parties in the Guatemalan Congress have supported this commission. The *FRG* and *Unionista* parties are the two main ones that oppose its creation. Congress is in recess now, and it has been difficult to convoke an extraordinary session to approve *CICIG*.

Our Executive Branch, through the office of the Vice President, is leading efforts to lobby for *CICIG*'s prompt approval. The Commission has strong support from most sectors in civil society and the press, and we welcome statements of support from members of this committee.

We are pleased that the U.S. Department of State has remarked: "We applaud the Berger government for undertaking this ground-breaking and promising initiative and continue to seek ways to support *CICIG*."

I thank the Chairman, the Ranking Member and representatives Burton, Engel, Fortuno and Mack for the letter to the Guatemalan Congress in support of the approval of this Commission. I also thank the members of the Senate for Resolution No. 155 approved on May 1, 2007, presented by Senators Dodd, Biden, Bingaman, Leahy and Durbin. We would welcome as well any initiatives by members of this committee that might help lead to adoption of *CICIG*.

The Government of Guatemala believes that *CICIG* is a new stepping stone in the fight against illicit activities in the world, and the support of the international community in the success of this Commission can serve as an example to other regions in the world that suffer from similar problems.

Mr. ENGEL. Thank you very much Ambassador.  
Ambassador Flores Bermudez?

**STATEMENT OF HIS EXCELLENCY ROBERTO FLORES  
BERMUDEZ, AMBASSADOR OF HONDURAS**

Ambassador FLORES. Chairman Engel, Ranking Member Burton, members of the subcommittee, thank you for the opportunity to share with the subcommittee Honduras' perspective regarding gang violence in my country.

I commend you, Mr. Chairman and Ranking Member Burton, for your initiative in this subject. It has shared concern that requires urgent attention.

As recently as last week, in Honduras we were all shaken by the murder of a dear friend of President Zelaya, also part of his security team, another victim of violence. These tragic actions make the President and us all the more determined to continue and reinforce our efforts in implementing actions addressing the causes and the effects of violence.

Mr. Chairman, I have submitted a statement, which I will summarize.

In Honduras, half of our population of 7 million is under the age of 18. Official estimates report around 20,000 active members of gangs, 98 percent of which is between 12 and 25 years of age. There are five principal gangs present in Honduras, the Mara Salvatrucha and Mara 18, which may sound familiar to you. They are multinational with presence in El Salvador and Guatemala like my colleague mentioned and in the United States.

These gangs perpetrate a broad range of crimes—vehicle theft, kidnapping, extortion, homicide, including murder for hire, drug and arms distribution and trafficking. Organized crime is a major employer of gangs to carry out their agenda.

Honduran police estimate that from 1998 to 2003 law violations by gang members under age 18 increased 250 percent. This indicates that younger children are joining in the violent activities.

Gangs in Honduras emerge from a combination of factors: Scarce access to education, poor employment opportunities, lack of proper recreation, family disintegration, resentment toward established values and from patterns of conduct of youths abroad imported through active members of gangs deported from the United States.

Mr. Chairman, Honduras has learned from the past. Today the Zelaya administration concentrates on both enforcement and on prevention, rehabilitation and reinsertion. Viewing the big picture, Honduras' policy agenda pursues sustained economic growth, seeking to create and provide opportunities for Hondurans in Honduras. The implementation of our poverty reduction strategy has yielded a positive trend, a reduction of 3.5 percent.

The HIPC Initiative has made available additional resources for our social programs. Being an MCC beneficiary translates into rewarding our efforts under the 18 criteria set forth in that initiative, allowing us to undertake strategic projects with an impact in regional security and in human development.

The FTA with the United States has already translated into many success stories, and future FTAs with the European Union and other countries will certainly create a better environment to improve our economic and social conditions.

Addressing the gang issue more specifically, a broad range of government agencies participate in focused initiatives. Currently over 40 projects varying in size and scope throughout Honduras are underway. They target gangs specifically or consist of preventive initiatives addressing education, health, housing, vocational training, employment opportunities, small business incubators and local government programs fostering and developing a culture of peace.

Parallel to prevention, law enforcement measures have consisted in harshening of the penalties for illicit association and in the creation of special units of crime investigation of gang related crime. Even though the number of homicides related to gang violence decreased as a direct result of improved law enforcement and legal instruments, gang membership and their activities still remain in an alarming elevated range.

All these initiatives seek to provide more opportunities for our people in our country, especially for the new generations. The results may be medium- and long-term, but we have started laying out the groundwork.

The Central American integration process has helped to reach agreement on regional strategies such as the Central American Coalition for the Prevention of Youth Violence, the Central American Observatory on Violence and the Regional Plan Against Criminal Activities of Gangs.

There is also the International Institute for Law Enforcement, and this academy is seated in El Salvador and is funded with the support of the United States. On the cooperation of the United States specifically in law enforcement, it targets crime in general, including gang violence. The cooperation consists mainly in training programs in-country and abroad of police agents and prosecutors.

USAID cooperation in Honduras contributes to the improvement of the justice system, support to controller institutions to ensure transparency and accountability of public funds and increased public awareness of corruption.

It does not have a gang-specific program in Honduras. Nevertheless, it is active in issues addressing the causes of gang violence such as economic growth and basic needs, health and education. It is currently implementing a 5-year strategy from 2003 throughout 2008 for these programs which I understand sum up to around \$30 million annually.

Despite all of these efforts national and international, the presence of gangs in such alarming numbers risks undermining the progress in other areas such as investment.

Mr. Chairman, the Zelaya administration is clearly promoting prevention, rehabilitation and reinsertion programs. All possible institutions and actors are involved in this endeavor. Specifically in prevention, even the police force is actively participating.

However, it is also clear that enforcement is necessary, especially with a high incidence of gang membership in Honduras. This underscores the principle that prevention and law enforcement measures are complementary and mutually reinforcing.

My government acknowledges that there are good efforts underway, that much has been achieved in these past years, but it is also aware, facing persistent tragic incidents, that these efforts must be sustained, enhanced and made more expeditious.

Mr. Chairman, our countries need to continue to address together causes and effects of gang violence, increasing cooperation in key areas.

I thank you for this opportunity and will be delighted to answer any questions or elaborate on any of my comments. Thank you very much.

[The prepared statement of Ambassador Flores follows:]

Prepared Statement  
H.E. Roberto Flores Bermúdez  
Ambassador of Honduras to the United States

June 26, 2007

Briefing on Violence in Central America

House Committee on Foreign Affairs  
Subcommittee on the Western Hemisphere

Chairman Engel, Ranking Member Burton, Members of the Subcommittee:

Thank you for the opportunity to address this subcommittee and brief you on Honduras' perspective regarding youth, and more specifically gang violence in my Country. I will refer to the measures the Zelaya Administration is taking to address the issue, to the regional coordination and collaboration, and to international cooperation, as well as to the challenges that lay ahead. I commend you, Mr. Chairman and Ranking Member Burton, for your initiative and your interest in this subject matter. We feel this is a shared concern and an issue that requires urgent increased attention; and that we in Honduras, our neighboring countries in Central America, Mexico and the United States share a responsibility in addressing it since its causes and effects are shared throughout our societies and territories.

Youth violence cuts across a variety of issues and must be analyzed in its multi faceted dimensions. Both its causes and effects must be addressed simultaneously. These are linked to development and social conditions as well as security, immigration and economic realities. Therefore, it is only through joint, collaborative and cooperative efforts and a comprehensive approach that we will improve the probability of a positive outcome. Improvement requires the engagement of all the stakeholders – that includes our Governments and organized society within each country.

#### **I. YOUTH GANG SITUATION IN HONDURAS**

Honduras has a population of seven million, 49% of which are under the age of 18. The Maras Unit of the Community Police of the Ministry of Security estimates around 800 leaders of maras, 20,000 active members, 15,000 aspiring members or sympathizers and 30,000 "paisas" ( family, collaborators or employers), bringing the total number of gang related population to close to 70,000.

According to Honduran authorities, 77% of the gang members joined a gang before age 15. The age range of 97,8% of the total of gang members is between 12 and 25 years of age. It is a youth issue, a violence issue, a lack of opportunity issue.

The gangs that are present in Honduras are Mara Salvatrucha, Mara 18, Los Batos Locos, La Mao Mao and Los Rockeros. Some of these names may sound familiar to you as they have become internationally notorious. Salvatrucha and Mara 18 are

multinational gangs that also have presence in El Salvador, Guatemala and throughout the United States. One can read these names with a certain frequency in The Washington Post and the L.A. Times linked to violence in localities in those cities and states.

The Honduran Ministry of Security has indicated a change in the range of the age of gang membership. Even though initially it was believed that only teenagers and youths in their early 20s were gang members, today there seems to be an important participation of adults in their 30s. They were the adolescents of the 80s and the 90s when this phenomenon began. Also gangs are recruiting children of ages between 8 and 14 years. Gangs use children to commit crimes because of the legislation protecting them from prosecution. The range of the age of gang members could have broadened to oscillate between 8 and 30 years. For example, and according to Honduran Police estimates, from 1998 to 2004 law violations by gang members under age 18 increased substantially; from 17.333 in 1998 to 55.388 in 2003. This represents an increase of 250%.

The organizational structure of the gangs has also become more sophisticated and because of their inner hierarchy, it is ruthlessly enforced. Gangs practice violence in all its forms and commit a broad range of infractions and crimes: robbery, kidnapping, extortion, homicide including murders for hire, drug and or arms distribution and trafficking.

The General Directorate of Criminal Investigation has characterized the most frequently crimes committed by gangs. For example, the most frequently committed crimes by Mara 18 and Mara Salvatrucha are as follows:

<b>Mara 18</b>	
<b>No</b>	<b>Crimes</b>
1.	Trafficking in persons
2.	Robbery of Vehicles
3.	Drug trafficking and dealing
4.	Murder for hire
5.	Arms trafficking and dealing
6.	Kidnappings

<b>Mara Salvatrucha</b>	
<b>No</b>	<b>Crimes</b>
1.	Robbery of Vehicles
2.	Extortion (war tax)
3.	Kidnapping
4.	Drug trafficking and dealing
5.	Confrontations with the Police

### **Effects of gang violence**

To estimate a dollar value on the effects or costs of gang violence is difficult to ascertain. However, the insecurity that their presence and illicit activities engender affects all the population, especially residents of poor and marginal neighborhoods in urban concentrations, installing fear and endangering lives in everyday activities such as running errands, going to school, opening a small business, and, in some cases even using public transportation.

Gangs also participate and collaborate with other crime organizations (drug and arms traffickers) in the commission of crimes.

Their presence affects the business climate and increases operation costs since it adds security service to the fixed cost equation. Moreover it can affect determination of schedules such as over time, late or night shifts.

Extortion practices include the so called war tax imposed on public transportation and taxis, market vendor's street vendors and distribution and delivery trucks throughout "their territory". They instill a culture of fear expressed by little or no reporting of gang crime by the public to the authorities for fear of retaliation from the gang. Violence is a means to enhance the reputation of a gang, so they seek wide media coverage through their actions.

These practices have an impact on the rule of law, democracy development and economic growth.

### **Causes for emergence, surge and proliferation**

One can trace the origin of this phenomenon in Honduras, to the 1990s. There are several factors that contributed to the emergence, surge and proliferation of gangs. Among them are:

- The poverty in which a high percentage of Honduran families live in, characterized mainly by scarce access to education, to work and recreation;
- Family disintegration and the lack of parental attention to children and young adolescents. The abandonment of the parents is one of the reasons why the gang serves like a family substitute and also as a source of social identity;
- lack of employment opportunities;
- resentment and inconformity towards the established values;
- early age initiation of criminal and sexual activity;
- imitation of patterns of conduct of youths abroad; and
- Expansion of organized crime by recruiting youths as consumers and drug distributors.

A contribution to the surge of gangs in Honduras has been the deportation of active members from gangs from the United States, as well as their circulation and movement through Central America and Mexico to return legally or illegally from and to the United States.

The development of telecommunications has had a perverse effect that fosters the imitation of imported cultural practices. This acculturation allows the adoption of models and patterns that promote activities contrary to the law. Seen through the eyes of the natural rebellion of adolescence these activities come across as attractive to youths. Adding to this combination are the precarious conditions of development and lack of opportunity, it is ideal breeding ground for gangs to flourish.

The phenomenon of youth gangs or "maras" in Honduras as in other countries is very complex and has multiple causes as explained above. Therefore, the alternatives to address the issue must also be multiple, requiring the engagement and commitment of government, society and the international community.

## **II. MEASURES TO CURB YOUTH GANG VIOLENCE IN HONDURAS**

Honduras has been associated in the past with an enforcement only approach. Today, account should be taken of the efforts both in enforcement and in prevention, rehabilitation and reinsertion that are being carried out by the government and civil society. A comprehensive legal and institutional framework has been created for that purpose.

### **Prevention - programs and initiatives**

The Honduran Law for the Prevention, Rehabilitation and Social Reinsertion for Persons Belonging to Gangs or Maras, (141-2001) of 2001 created the legal grounds for an institution with a steering committee whose task is to define the prevention, rehabilitation and social reinsertion policies for gang members. The Instituto Nacional de la Juventud – National Institute on Youth was eventually established in 2005 (Executive Decree 260-2005) in order to execute the policy guidelines determined by the Law. The National Program for the Prevention, Rehabilitation and Social Reinsertion managed from the Office of the President plays a coordination and consolidation role for the programs being implemented throughout the different government agencies.

The Ministry of Security through special National Police Prevention Units makes an important contribution by means of the systematic training of vulnerable groups, mainly school children and adolescents in educational centers as well as in neighborhoods that are located in zones of gang influence.

The creation of opportunities in vulnerable areas of gang enrollment and the outreach to youths at risk are key elements in prevention initiatives. There are currently over 40 programs or projects varying in size and scope throughout Honduras. Most of them have local impact and are funded by international cooperation. The projects range from agencies targeting gangs specifically, to the medium sized and small projects and initiatives addressing corollary issues such as education, health, housing, vocational training, employment opportunities, fostering and developing a culture of peace, small business incubators and local government ( municipal ) programs.

There is a broad range of government agencies participating in these initiatives such as:

- The Presidential National Program for the Prevention, Rehabilitation, and Social Reinsertion of Persons belonging to Gangs or Maras,
- The National Institute of Youth,
- The Honduran Institute of Children and the Family (IHNFA),
- The Office of the First Lady
- The Honduran Institute for the Prevention of the Alcoholism, Drug Addiction, and Drug Substances Dependency (IHADFA),
- the Ministries of Security, Health, Education, Labor, Environment, of the Interior, of Public Works and Transportation
- the Honduran Family Welfare Program
- Municipalities and local governments

Business groups and organizations, including churches, foundations, NGOs and study groups actively collaborate and participate in many of these programs and initiatives.

The Zelaya Administration allocates as much as it possibly can to youth initiatives, most of them focused on the prevention aspect. The budgetary allocation to Ministries and projects are in most cases the Honduran government's counterpart to international cooperation. For example, according to the Ministry of Finance's information there are 40 projects programmed or at different stages of implementation related to the prevention of youth violence. The trend of Honduran contribution to the projects is of nearly 15% of their total value. Nevertheless, additional resources are needed to carry out the projects to their full implementation.

The issue of funding is clearly present in the prevention programs as can be seen in the following examples:

The National Institute on Youth had a 2006 budget of US\$756,302 for its operations and projects. The National Program for the Prevention, Rehabilitation, and Social Reinsertion of Persons belonging to Gangs or Maras has a US\$329,610 budget for 2007. The budget for construction and improvement of parks and sports and recreational centers for 2006 was US\$286,458.

Here is evident room for international cooperation, which I will refer to below.

#### **Law enforcement and intervention (rehabilitation and reinsertion)**

##### **Law enforcement**

Measures on law enforcement have been focused in two areas:

One related to harshening of the penalties (sentences) for illicit association and the other in the creation of special units of crime investigation of gang related crime.

In 1999, Article 332 of the Penal Code, creates the new legal figure of "illicit association", and later the sentences for the illicit association. This article was reformed in two

occasions further harshening the penalties due to the seriousness of the crime committed by gang members. The illicit association sentence was increased from 3 to 6 years of imprisonment (1999) to 9 to 12 years (Decree 223-2004) and can be of up to 20 or 30 years of imprisonment for the gang ringleaders.

The other: An Anti Gang Unit was created within the National Police Criminal Investigation force, dedicated exclusively to the investigation of illicit activity by gang members. The national intelligence agencies were instructed to include as operational priorities, the search for information that would allow prosecution of gang leaders in the country.

These measures have yielded a reduction of the rate in gang activity related homicides, which show a decrease from 56 in 2002 to 39 in 2004; as well as in the enforcement of article 332 of the Penal Code.

Despite this upgrading and results, resources still do not match the needs for security infrastructure in aspects such as communication, vehicles, fuel, agents, territorial coverage and distribution of police forces throughout the territory.

#### **Rehabilitation and reinsertion**

Many prevention programs are coupled with reinsertion efforts. The creation of opportunity and youth outreach is a common factor in prevention, rehabilitation and reinsertion initiatives— even though one effort seeks to prevent youths from joining gangs and the others, to help those who want to leave the gang or persuade them to leave the gang showing them there are better options for their lives.

Rehabilitation and reinsertion are hindered by the fact that gangs will eliminate those who seek to abandon the organization. It is disturbing to know that the rate of successful rehabilitation and reinsertion is low due, in great part, to this phenomenon.

#### **Penitentiary system**

The current conditions of our penitentiary system remain a challenge to adequately fulfill the rehabilitation function. The most important effort within the actual system is to control and contain the members of the gangs. There have been unfortunate incidents. Currently – in fact this past week - there are strong signs that the necessary overhaul of the system, including the legal framework will be soon undertaken.

#### **Creation of opportunities**

Honduras has had a policy agenda that seeks sustained economic growth. Our Government is fully aware of the fact that an environment and context that allows and provides hope and opportunities to youth is necessary in order to achieve sustainable development for Hondurans. There are today, many vital factors that come into play for this purpose. It is convenient to mention a few. There is consistency in implementing the Poverty Reduction Strategy which has yielded a positive trend, even if it is only in the order of a 3.5% reduction. The benefits from the HIPC initiative have made available additional resources for our social programs. Being an MCC beneficiary translates into rewarding our efforts that have been carried out in the 16 criteria set forth in that

initiative, and allowing us to undertake strategic projects with an impact in regional security and human development. Seeking, negotiating and implementing a free trade agreement with the United States (CAFTA) has already translated into many success stories; as well as seeking and negotiating free trade agreements with the European Union and other countries in Latin America will certainly create a better environment to improve our economic and social conditions.

All of these initiatives are conducive to providing more opportunities for our people in our country – especially for the new generations, today's children and youths. The results may be medium and long term, but we have started laying out the groundwork. With respect to gang violence and despite the challenges, our policymakers have been clear in expressing that law enforcement, prevention and intervention measures are necessary and should be implemented simultaneously in a sustained manner – ideally in collaboration and cooperation with their counterparts in neighboring Central American countries, Mexico and the United States.

It is true that there are significant limitations. Unfortunately all of these programs require permanent and sustained funding. Moreover, the results are neither deliverable nor observable in the short term. The efforts that Honduras carries out need the support and collaboration of all stakeholders within as well as from those in our neighboring countries and from our friends that share in the effects of gang violence. That is the role that international cooperation can play.

### **III. INTERNATIONAL COOPERATION**

Cooperation and technical assistance for prevention programs from the international community comes from multilateral agencies such as the Inter-American Development Bank, World Bank and the Panamerican Health Organization as well as from bilateral cooperation mainly from the European Union, Germany through GTZ, the Nordic countries, and from the United States through USAID.

#### **The United States – Honduras Cooperation to Address Gang Violence**

##### **Law Enforcement**

Cooperation from the United States for law enforcement is provided for through the Bureau of International Narcotics and Law Enforcement Affairs (INL). This cooperation targets crime in general, so not all activities and training are specific to gang crime. INL activities in Honduras have focused on helping police and prosecutors solve crimes and build cases to convict criminals.

Most of the cooperation for law enforcement comes from the United States. It consists mainly in training programs in-country as well as through participation sponsorship of Honduran police officers and agents as well as prosecutors in other countries. For example, Honduras has had officials and agents participate in training activities in the Federal Bureau of Investigation (FBI) as well as in the International Law Enforcement

Academy located in El Salvador. There have also been donations of equipment to the police force and prosecutors.

Our agencies also collaborate on issues of mutual interest with several United States federal agencies, mainly with the FBI and Immigration and Customs Enforcement (ICE).

Specifically, to address gang violence, we have requested assistance from the INL for our Gangs Task Force and with police training. We understand the INL is in turn making and channeling the request through the internal US government procedure.

Honduras will be one of the three countries assisted by the Regional Anti-Gang program. This program will be presented in Belize during the regional Presidential summit in the coming days. The other two countries are Guatemala and El Salvador.

#### **Prevention and Intervention**

USAID cooperation in Honduras targets the conditions that contribute to crime many of which are also factors in the emergence of gangs. For example, USAID has a 5 year (2003-2008) strategy for Honduras. It supports economic growth and basic human needs such as health and education. USAID also works to improve the justice system through a new Criminal Procedures Code, support to controller institutions to ensure transparency and accountability for public funds, and increased public awareness of corruption. USAID does not have gang specific programs in Honduras.

#### **IV. REGIONAL COORDINATION AND COLLABORATION**

Gang members operate and circulate throughout the region, Mexico and the United States. The revolving door analogy illustrates this phenomenon and underlines the necessity of expeditious and timely information sharing as well as coordinated and joint actions.

The Central American integration process is helpful in providing the forum to discuss and reach agreement on common positions, as well as - when pertinent - on regional strategies or actions. The issue of gang violence, for many years now, has been on the priority list at the highest level.

Gang violence is being dealt with regionally by means of the following:

- awareness and political will at the highest level: the subject is present in all regional Presidential Summits
- coordination among Central American Police Chiefs
- coordination among Ministries of Security
- coordination among Central American Attorney Generals
- coordination among Central American Prosecutors

Several initiatives have resulted from this regional approach, among them the Central American Coalition for the Prevention of Youth Violence, the Central American

Observatory on Violence, and the Regional Plan Against Criminal Activities of Gangs and / or Maras.

The Central American Coalition for the Prevention of Youth Violence is an organization founded by the Central American countries and Mexico to serve as a coordinator for the different efforts in each country to prevent youth violence and promote the rehabilitation and social reinsertion of former gang members. It is headquartered in San Pedro Sula, Honduras, and is funded by the Inter American Commission for the Prevention of Youth Violence, the Pan American Health Organization (PAHO) and the German Cooperation Agency (GTZ).

The Central American Observatory on Violence is a virtual information center that collects statistics, studies, and information on national policies regarding the phenomenon of maras. It is part of the *Safe Central America* Plan adopted in the Presidential Summit of Antigua (July, 2004). It receives technical assistance from Canadian Center for Studies and International Cooperation and the International Center on the Prevention of Criminality. The Regional Plan Against the Criminal Activities of Gangs and/or Maras was adopted on January 15, 2004 by the Association of Chiefs of Police of Central America and the Caribbean, it establishes the basic actions to be taken in a concerted manner by the countries of the Central American Integration System (Sistema de Integración Centroamericana – SICA) in order to curb the problem of gangs and maras in the region.

There have also been initiatives of collaboration under the Plan Puebla Panamá framework, broad regional policy intents expressed in joint declarations, such as the Campeche Declaration.

#### **V. FINAL COMMENTS ON ENHANCING AND EXPEDITING MUTUAL EFFORTS**

Mr. Chairman, the Zelaya Administration is clearly promoting prevention, rehabilitation and reinsertion programs. All possible institutions and actors are involved in this endeavor. Specifically in prevention, even the Police Force is actively participating. However, it is also clear that enforcement is necessary, especially with the high incidence of gang membership in Honduras. This underscores the principle that prevention and remedial ( law enforcement ) measures are complementary and mutually reinforcing. My Government feels and acknowledges that there are good efforts underway, that much has been achieved these past years, but it is also aware – facing tragic incidents persistently - that these efforts must be sustained, enhanced and made more expeditious.

There is coincidence among the concerned countries in the sense of urgency to address gang violence. The Central American Presidents' meetings and decision give testimony to that, as does this briefing under the initiative of the Subcommittee under your chairmanship Mr. Engel. In order to improve the probability of success of our efforts, our countries need to simultaneously and jointly address causes and effects of gang violence. Therefore, it is necessary:

- to enhance and expedite the flow of resources for prevention, law enforcement and intervention (

- rehabilitation and reinsertion) domestically, regionally and internationally; and
- to address the effects, by continuing to develop law enforcement for which improved and expeditious harmonization and coordination of efforts, such as collaboration in information exchange as well as cooperation
  - to consolidate an environment conducive to economic growth which will provide opportunity for youths.

Mr. Chairman, Mr. Burton, Members of the Subcommittee, I thank you for your attention and interest and would be pleased to respond to any questions you may have.

Mr. ENGEL. Thank you both very much. We really appreciate it. I have a couple of questions I would like to ask, and I know Mr. Burton does as well and perhaps some of the other members of the subcommittee.

Let me start with Ambassador Castillo. Let me first of all say how pleased I am by the efforts of the Guatemalan Government to bring the International Commission Against Impunity in Guatemala into force. As you know, I have met with Vice President Stein during his visits to Washington, and I am very impressed by his efforts and your efforts—your government's efforts—to make a final push for the international commission.

The main obstacle now is the passage of this by the Guatemalan Congress, so let me ask you this. Is the Guatemalan Congress likely to ratify the International Commission Against Impunity in Guatemala agreement with the Guatemalan Congress out of session until August and Presidential and congressional elections in September?

Does this commission still have a chance of being approved? Finally, what will be the impact on the Guatemalan Government's ability to tackle violence and organized crime if this new international commission is not approved?

Ambassador CASTILLO. Thank you, Mr. Chairman. We are making our best effort to make this commission see the light of day. We have seen strong support by most political parties in our Congress, so we are pretty optimistic that it is going to be approved soon.

If it is not approved, let me make a parenthesis here. I have labeled this commission as the modern version of The Untouchables, you know. It is a highly trained group of specialists from different nationalities, including Guatemalans, working on high impact cases.

If they do not approve the commission, we are basically needing an option to strengthen our judicial system, and that is something that the vast majority of our population is asking the authorities to do, so politically and practically I think it is in the best interest of everyone that this commission is approved soon.

Mr. ENGEL. Thank you.

Ambassador Flores, thank you also for your excellent remarks. I want to ask you a question about U.S. immigration policy.

In speaking with the various governments in some of the places I have visited, our immigration policy has been criticized for what people say undermines transnational efforts to curb gang violence by deporting thousands of documented and undocumented immigrants, many of whom have gang-related criminal convictions in the United States.

Can you tell me how has this policy affected your government's ability to monitor gang activity and decrease gang violence? Is it a problem as well in your country?

Ambassador FLORES. Thank you very much, Chairman Engel. Indeed, since the strengthening of immigration policies in the United States back in the middle of the 1990s, deportation figures have gone up and we have received many Hondurans back in my country since then.

In the beginning we did have many difficulties because when some of our nationals had criminal records in the United States this was not reported to us, but eventually there was an improvement in the communications, and now we do have the reporting of criminal records, but not concerning membership in gangs. There is no information that is transmitted or provided to my government in that connection.

I was on the phone just yesterday with my Minister of Security talking about these issues, and he was expressing concern. Last year we received around 90,000 Hondurans, and the figures are up this year again.

Concerning those young people that have been members of gangs there is no information that is provided to us, so it would be a lot of help to us if we could get more information in that connection.

Mr. ENGEL. Did you say 19,000?

Ambassador FLORES. Nine zero, 90,000.

Mr. ENGEL. 90,000?

Ambassador FLORES. Last year. Yes, sir.

Mr. ENGEL. Last year.

Ambassador FLORES. Were received in Honduras. Were deported by the United States.\*

WRITTEN EDITORIAL ADDITION RECEIVED FROM HIS EXCELLENCY ROBERTO FLORES  
BERMUDEZ AFTER THE HEARING

\*Or sent back from Guatemala and Mexico.

Mr. ENGEL. 90,000?

Ambassador FLORES. Yes.

Mr. ENGEL. That is a staggering statistic.

Ambassador FLORES. It is, sir.

Mr. ENGEL. Thank you.

Mr. Burton?

Mr. BURTON. Thank you, Mr. Chairman. First of all I want to thank you for holding this hearing. I think it is extremely important.

You know, when you start talking about the reasons why these things occur there is just a myriad of questions. I was looking at these figures in Honduras. Forty-nine percent of the population is under the age of 18 or less.

Ambassador CASTILLO. Yes, sir.

Mr. BURTON. Those are the ones that would be most susceptible to getting involved with gangs, so you have literally the potential of a flood of violence and people getting hooked into the violent crimes.

This activity that has been a policy in the past in Guatemala of if a woman was raped and the guy offered to marry her he could get off. I mean, it just mystifies me, those sorts of things. I am glad that they have changed that. The constitution has been changed on that.

Let me just ask you a couple of questions. You said I think in your statements that economic problems were part of the problem. I presume that what young people are consuming on television and in the media is also a part because you see all kind of violence and sex in the media anymore. By in the media, I am talking about on television and in the movies. Drugs are a big problem.

I want to ask you a very hard question. We believe that probably 70 percent of the people in our prisons in the United States are there for drug-related crimes. Our prisons are overflowing. We are having to build new ones all the time. It is just a major problem. It is a major problem in Guatemala and Honduras and throughout Central America and even into South America and Colombia.

So I want to ask you a question, and I am not advocating anything, but I would just like to ask this question because I would like to get your input. You can choose not to answer it if you want to.

We have had some members of our government—I think the governor of, was it New Mexico?, and some of our leaders on the east coast, I think William Buckley, one of the political leaders has said that one of the ways to stop the spread of crime is to decriminalize drugs.

I would just like to know if you think that would have any impact on the problems that you see in Guatemala, Honduras and throughout Central and South America. We have been addressing these problems for a long, long time, and the problem continues to get worse.

I am not saying that that is the solution, but I would just like to know what part of the crime problem you attribute to the drug trade. If not what I was just asking, what do you suggest that we do to curtail that?

It is a very hard question, but I would like to get your take because you are two of the leaders of your countries.

Ambassador CASTILLO. Well, that is a very difficult question. Just as a personal reflection on that, the first one is that when you deal with so many different crimes that are interrelated, I think we need to focus our attention on the ones that are most important.

There has been some documents written and some open discussions in many places about the decriminalization of some activities like a small possession of marijuana for personal consumption and the likes. That goes with this program.

In our case, I would say that the problem is we have two problems in Guatemala. Our country is in the middle of the route between the south and the north, but most of the drugs that go through our nation are not for local consumption so the problem of selling drugs within our country is not that big.

On the other hand, the problem of gangs, as well as in Honduras, that are involved in extortions, assassinations and the like, it poses a completely different question and that is that in most cases there are minors as young as 8 years of age committing these crimes. Now, in our legislation you cannot prosecute a kid, so how do we deal with this issue?

I think your question, and I want to bring this, is that there are many things where there is no consensus on how to live with the issues, and I think the statements that we provided today are just opening this for a new discussion, breaking the problems of the past and introducing new concepts like the one that you just mentioned and see if we can come with a better solution than the one that we have today.

Mr. BURTON. Well, I know this is a very difficult question. I won't prolong it, but there has to be fuel that feeds the fire. The

huge amounts of money that are being made by people from very, very young ages all the way up to in their sixties and seventies has been the money that is coming in from the drug trade.

We have supported Plan Colombia, Mr. Weller and myself and a number of others, trying to stop the drug flow and to stop the FARC guerrillas and the others down there and to deal with problems in Central America. It just seems to me that we ought to get at the root cause of the problem.

We never talk about this. As I said before, I am not advocating anything, but I have been to hearings like this for 40 years, and we always skirt around the issue. We never get to the heart of the problem. I would like to get to the heart of it some day and just find out what is the root cause that is bringing these people into the radical groups and becoming youthful terrorists, if you will. The drugs seem to be one of the root causes.

I would just like to know, you know, in addition to fighting the drug dealers how we deal with that problem. I won't prolong the issue. If you would like to answer, Mr. Flores, that is fine.

Mr. Chairman, thank you for giving me that extra time.

Ambassador FLORES. Thank you very much, Congressman Burton. I think the question you posed really shows the sensibility you have concerning the young people throughout the world, specifically in our country, and the relation it has with the drug issue.

I must say that we do have, as you mentioned, an incredibly wide amount of youth in Honduras, 50 percent, under the age of 18, and we have to cater for that future because that is the future of the country.

We have to acknowledge as well that our countries are in an in-between area between producers and consumers of the drug, and therefore the traffic through our countries increases or diminishes according to the capacity that we have working together with the United States to curtail this passage.

At the same time, it has begun to take a toll within our youth. We do have drug consumption in our countries, and we are doing something about it. Of the 40 projects that I mentioned concerning violence and youth, we have many of them that are specific on the drug issue. They have to do with education; not only the enforcement, but education.

We have a project that is called the Cultural Peace and Tolerance Project, and this is carried out by our Minister of the Interior, and it has to do with improving the levels of peaceful co-existence, the acknowledgement of the challenges we have, the drugs being one of them.

We have one major national program that deals with this issue in which we have three institutions that are working closely with that. It is the National Institute of Youth, the Honduran Institute for the Prevention of Alcoholism, Drug Addiction and Drug Substances Dependency, and also the Honduran Family Welfare Program.

All of these have specific units that deal with this, and basically they are oriented in education, so besides the enforcement side we also have this prevention side that is working. It is receiving a lot of attention on behalf of President Zelaya's government, and we hope that eventually it will make a difference.

Mr. ENGEL. Thank you.

Mr. Sires, the vice chair of our committee?

Mr. SIRES. Thank you, Mr. Chairman. Thank you, Mr. Chairman. Once again, another very interesting hearing.

Can you just clarify something for me you said before? Before you stated that when somebody gets deported, and there were over 90,000 deported, they don't tell you a reason why they were deported even though they have the hearings here before they were deported?

Ambassador FLORES. Yes, Mr. Congressman. The information that I was referring to has to do with the communication from the United States Government to the Honduran Government as to those that are deported that do have criminal records.

We do receive that information, and that allows the country to prepare itself to receive them, but we don't receive information in connection with the fact that they are or not or were or not members of gangs in the United States.

Mr. SIRES. But if they do have a criminal record you do get notified that the reason they were deported is because of criminal activities?

Ambassador FLORES. That is correct, Mr. Congressman, but not necessarily every criminal activity relates to the gangs.

So you could have a gang member that was arrested or detained for other misdemeanors or whatever and he is deported, but we don't get the information that that person did belong to a gang.

Mr. SIRES. Because we have problems with gangs here. I think maybe we could expand the scope of the records that you get to include whether they were members of gangs or recruiters of gangs.

Ambassador FLORES. That would be an improvement definitely in the way that we could receive our compatriots back home.

Mr. SIRES. Do you monitor them after they get to your country?

Ambassador FLORES. I beg your pardon, sir?

Mr. SIRES. People that come to your country that have been deported with a criminal record, do you monitor them once they get to your country to the best of your ability?

Ambassador FLORES. There is a system, although to deal with a large number it is very difficult for my country to do so. If we do get the information, it is logged and then it can help in further investigations that might be carried out in case they are needed.

Mr. Castillo, do you have any kind of program?

Ambassador CASTILLO. I was just going to say, Mr. Congressman, that we have been working very closely with the Department of Homeland Security in order to improve the access to information on the criminal cases.

On the other hand, to exchange information between our government and the U.S. Government on criminals in our countries that might cross the border or something like that, with the new systems in place, including the electronic travel document, that we are implementing we believe that we are going to see a big improvement in the short term.

Mr. SIRES. The reason I ask is because I was a local mayor, and we had some gang activities in the municipality that I represented. One of the things working with the state was a tracking system, whether you were a member of a gang or a recruiter, so I was just

wondering. I guess you don't have a tracking system, and you don't even know if they are members of a gang.

What other outside organizations besides the government are working with the youth in your country? Is the church very involved? Is the private sector very involved?

Ambassador FLORES. Yes, Mr. Congressman. We do have a wide variety of institutions that belong to the civil society that are engaging and contributing to solve problems and prevention and rehabilitation and reinsertion.

For example, you did mention the church. The church is very active in Honduras in this connection. There are two centers for rehabilitation that they have established in the past years. There is obviously an increased dire need for additional support, but they are working.

We also have the private sector engaging in creating job opportunities for those young people that used to belong to the gangs that have received the training and that then they are offered a job. This is one of the best practices that will allow hope to be there and that will allow them to see a brighter future for themselves.

We also have associations, NGOs, that are working very strongly on this issue. There is one that is very well known, the COFADEH, who has a very strong presence throughout the country, and they are also undertaking initiatives to be able to provide an improvement on the conditions of the young.

The lack of family values, as we have seen, is one of the most important factors for the emergence of the members of the gang, for them to join the gang, and here we also see many individuals, many organizations that take part in trying to generate a proper atmosphere so that they can perceive those values and be able to reengage with society in a proper way.

Ambassador CASTILLO. The same applies to Guatemala. I would like to add that the role of the church in this process, the different churches, is very important because the church provides safe haven to members of gangs that want to leave the gangs. That is the only institution that the gangs respect as a way for members to leave the gangs.

The other thing that I wanted to mention is that there are several NGOs, groups in the civil society, besides the government working on this, and I want to share with you a program that is being worked between the private sector with the support of USAID.

We have a reality show in Guatemala called Challenge 100. It was basically bringing 100 members of gangs that had some indication that they had potential to become entrepreneurs or good workers in private companies. The private sector provided them with training in leadership, business and education and the like in order to make them productive members in a society.

Moreover, several companies opened their doors to these gang members, and that is breaking a big problem in our society because, as one of the business leaders in the country was saying, at some point his workers didn't want to see a gang member among themselves. They felt threatened, but once they got to know this individual and the work that he was doing basically he was fully incorporated into the company.

Now, we were talking before we came in about how many times can we replicate something like this, but those are the kind of efforts that we need to see more and more and replicate the examples of success that we see in our countries.

Mr. SIRES. Thank you very much.

Mr. ENGEL. Mr. Delahunt?

Mr. DELAHUNT. Thank you, Mr. Chairman. Let me echo what has been said about the significance of this hearing. I think it is a very important hearing, and I think that the questions that have been posed by my colleagues have been interesting.

To focus on the gangs for a moment, what is fueling the gangs is in part presumably the money that is generated through drug trafficking. Is that a fair statement?

Ambassador FLORES. Yes, it is. It is part of the equation, Mr. Delahunt.

Mr. DELAHUNT. In addition to other social factors?

Ambassador FLORES. That is right.

Mr. DELAHUNT. But what sustains them financially, and we have MS-13 and other gangs that I am sure are generating substantial revenue, which really goes to the question that was posed by the ranking member, Mr. Burton, when he asked you your opinion in terms, particularly given the historical context, where we have all sat at hearings such as this talking about the war on drugs and making genuine efforts to deal with the issue.

But the reality is, or one can opine that the reality is, that as long as there is substantial profit and large amounts of revenue available, particularly for those who find themselves in poverty or below the poverty line who are the dispossessed, if you will, it is always going to be an attractive option. Is that a fair statement?

Ambassador FLORES. I would go a step further, if I may, to qualify it, Mr. Delahunt, because we are talking about children as well.

When you talk about these very young people, in spite of the fact that they have destroyed homes and the family does not function in the way that we would think that it should, there are other motivations. Those motivations have to do with a sense of identity that the gang provides them and also the refuge from other violence that might be at hand as well like, for example, from other gangs, so they belong to a gang for protection as well.

Yes, you do. You are right. There is a profit incentive, but you also have these other conditions.

Mr. DELAHUNT. I understand, but I guess what I am saying is if we could somehow take the profit out of drugs. You know, we talk about drugs, but we never make the link between the illegal monies that are generated.

If somehow we could take the profit out of the drug trade, I dare say there would be a resulting decline in the violence that we all abhor.

Ambassador FLORES. I totally agree with you, Congressman. Obviously these would be compensated with other measures to be able to offer job opportunities and—

Mr. DELAHUNT. Social service initiatives, if you will. If we could take the profit out and expand our efforts in terms of reconstituting the family unit or providing the social services necessary so they

could reintegrate themselves back into the community, we might have a shot.

Ambassador FLORES. That would be a winning combination, sir.  
Mr. DELAHUNT. Ambassador Castillo?

Ambassador CASTILLO. Thank you, Congressman Delahunt. I am not that sure. The evidence that we have seen is that there is some link between organized crime, particularly drug traffickers, and the highest levels in the gangs that provides them with some structure and some communication, but at the lowest levels in the gangs we don't see that relationship.

In some cases they are distributing drugs on the streets and in some neighborhoods, but the evidence shows that the vast majority of the funds that the gangs receive for a daily basis comes from extortions, extortions from homes, vehicles circulating on the street, bosses, small businesses. They call it a war tax.

Mr. DELAHUNT. Again, but clearly I would think that the ability to acquire weapons or firearms and instill discipline follow the money, if you will.

What I suggest the problem is, the money is here. The drugs are coming in because this is where the money is in this country. You are a transit. Central America, these are transit countries as opposed to drug producing or the cultivation of drugs.

Let me go back. I think that the vice chair made an excellent suggestion, Mr. Chairman, about 90,000. That is an extraordinary number. We might want to be able to consider providing a full measure of information and identify those who we are deporting who clearly are gang affiliated and will undeniably reintegrate themselves in their home countries with those gangs, compounding the problem that you are already experiencing. Maybe this is some small gesture that we could accomplish.

If I could have one final question?

Mr. ENGEL. Yes, certainly.

Mr. DELAHUNT. The ratification of the impunity law, Ambassador. The chair of the committee posed the question to you: What are its chances of passage. We have been discussing this for a period of time.

The administration. Can the administration identify what or who are the impediments of passage of the impunity law, or is this a question would you prefer to respond to in private?

Ambassador CASTILLO. With some original impediment, Congressman, but I would like to say in general that we haven't been able to translate the public support from the leaders of the political party to this initiative into laws in Congress, and we are working tirelessly on this.

Mr. DELAHUNT. I am fully cognizant of the work that you and others are doing, but is there a group who is in Congress that seems to be concerned regarding this statute in terms of its application to them possibly?

Ambassador CASTILLO. There have been some inferences in the media in Guatemala, but nothing in particular, Congressman.

Mr. DELAHUNT. Thank you. I yield back, Mr. Chair.

Mr. ENGEL. Yes. Thank you, Mr. Delahunt.

I would like to now call on Mr. Weller, who is the former vice chairman of this subcommittee and currently a member of the

Ways and Means Committee, but he always comes back home so we are happy to have you here.

Mr. WELLER. Well, thank you, Mr. Chairman, and thank you for the courtesy of allowing me to join you for what I feel is an important hearing today.

I am going to direct my questions to my friend, the Ambassador of Honduras. You know, as this hearing has progressed the focus has really illustrated that criminal activity in Central America is transnational. It crosses frontiers.

The international gangs; MS-13 is often mentioned. The most well-recognized operates in Mexico and several other Central American countries, clearly both involved in narcotrafficking, as well as other international criminal activity.

Recently the Presidents of Mexico, Colombia and Central America joined together in Morita, Mexico, to discuss essentially a regional transnational effort to counter transnational crime. I for one believe we and the Congress have a moral obligation to be supportive financially, as well as with whatever resource that we can provide.

Three, almost four years ago we worked to create what is called the International Law Enforcement Academy, which is located in San Salvador, El Salvador, and almost 1,000 law enforcement professionals from throughout the hemisphere from the Caribbean and Latin America have participated. I note, Ambassador, 48 have come from Honduras who have participated over the last 3 years in what we call the ILEA.

Of course, the International Law Enforcement Academy essentially was created to pass on best practices to promote professional operations of law enforcement, to share good ideas on how to be effective, and one of the resulting benefits when we have had these international law enforcement academies elsewhere in the world, in Africa, Asia and Eastern Europe, is we have seen relationships develop across boundaries, across frontiers and borders, which has helped in addressing criminal activity that crosses borders.

You know, as a diplomat from Central America how do you view the ILEA? How do you view the International Law Enforcement Academy? Is it a helpful tool? Are there things we can do more to help law enforcement improve their operations, as well as relationships?

Ambassador FLORES. Yes. Thank you, Congressman Weller. Undoubtedly the International Law Enforcement Academy is a great initiative. It is purposeful concerning violence in Central America, especially gang related.

It obviously can be improved. It has barely a couple of years of being working, and, of course, Honduras' benefit, like you have just mentioned, with the preparation of 48 of our police member officers.

The improvement could cut across increased cooperation between all of those of the countries that take part in Central America and Mexico and the United States. We are highly aware of the transnational character of violence generated by the gangs, and therefore the International Law Enforcement Academy plus the other initiatives that have a regional impact are really deserving additional support to be able to carry them out.

I did mention earlier three initiatives on behalf of the Central American Presidents that have to do with the Coalition for the Prevention of Youth Violence, the Central American Observatory on Violence and the Regional Plan Against Criminal Activities of Gangs. These projects are conceptually well defined, but are lacking in funding so these efforts of the region plus the International Law Enforcement Academy could work together and serve the wider purpose of trying to contribute to stem off violence as the ones that is generated by the gangs.

Mr. WELLER. Do you feel that there is a political commitment amongst the leadership of the nations in Central America, Mexico, Colombia and the others? Was that demonstrated at the recent meeting in Morita that there is the will, the political will to work together to address the transnational criminal activity and the narcotrafficking in the region?

Ambassador FLORES. Yes, Mr. Congressman. My answer is an absolute yes. This has been persistent throughout the many years of the Central American Presidents meeting together as well within the regional process to be able to deal with this problem of the gangs.

It has been there. The political will is present, and it has been demonstrated in this recent summit that you have just mentioned. Yes, sir.

Mr. WELLER. You know, this past week the leadership of the Caribbean nations were here in Washington and met with many of us as a group. It was unprecedented to have the heads of state of all the Caribbean nations here at the same time expressing a desire for greater cooperation and greater partnership with the United States, addressing security issues, as well as trade and economic opportunities.

I was stunned when the Prime Minister of Guyana in a public statement stated that, you know, there are high expectations by the United States and what our law enforcement will do. We asked a few years ago for some support from our Embassy and some resources to investigate corruption within our counternarcotics agency within the Guyanan Government.

At the time he said that his government was told that resources were limited. We don't have the money. Sorry. Then almost 3 years later the Embassy in Guyana, the United States Embassy, issues a report criticizing their counternarcotics agency for the corruption within that agency. Again, I feel we have a moral obligation to assist our partners financially.

Do you have anything specific? You mentioned the three initiatives of the Central American governments working in partnerships. Do you have some suggestion on how we can provide direct resources to support these initiatives?

Ambassador FLORES. Obviously we should look at the closer possibilities of cooperation with the United States.

I am sure that after this hearing that you are having we will get back to our countries to report and to be able to see if there is a possibility of something jointly, a common approach to be able to deal with the three initiatives that are in place to link it up with the International Law Enforcement Academy as well and to seek other resources that have to do with violence coming out of the

gangs, out of the gang activity, but also dealing with the other issues that were mentioned here that have to do with narcotrafficking and other factors that influence violence in Central America.

Mr. WELLER. Okay. Ambassador, I welcome the opportunity to work with you, and again thank you. I want to thank your colleague and diplomatic corps for being here today. Thank you.

Ambassador FLORES. Thank you, sir.

Mr. ENGEL. Ms. Jackson Lee?

Ms. JACKSON LEE. Mr. Chairman, thank you very much. As a member of the full committee I thank the chairman and the ranking member for holding this vital hearing.

To both Ambassadors, I welcome you. I have had the pleasure of being in both of your countries and was warmly received. Thank you so very much for the partnership.

I am glad my colleague who spoke before me has articulated some of the concerns that I have so that you can perceive these to be bipartisan concerns. I am grateful that our chairman of this subcommittee has made a leap of change as we move forward in building continued relationships with South and Central America.

Many of you may know or the Ambassadors may be aware that a delegation was at the Organization of American States in Panama City organized by Chairman Engel and led ultimately by Congressman Meeks to engage our colleagues in bilaterals. We hope that we will have the opportunity to do so again.

The premise is I think that we have not been as effective as we could have been as a partner, meaning the United States in its foreign policy and resources, to South and Central America, so I raise two points that I would appreciate your expanding on, particularly in Guatemala.

Let me ask the first question, and that is the female murders, the surge in murders of females, which may have been asked before I came in, but the reason why I want to bring the question up again is because it is a question of whether or not it is related to drug traffickers.

I think if we can do anything besides the partnership in cultural exchange and bilaterals working with South and Central America it is an outright, forthright confrontation or fronting of drug traffickers with resources and training and technical assistance because they seem to show their ugly heads everywhere.

Tell me what Guatemala is doing in particular on this question of the murder of females, a problem that occurred in parts of Mexico as well, but is still not solved. It is certainly a brutal set of facts, but it seems as if you are hitting a most vulnerable population, certainly impacting children, and needs immediate attention.

Before you answer that let me indicate to the Ambassador to Honduras when I was in Honduras your leadership was very forthright and in fact before we were able to see it visually spoke of the violent youth gangs and constant murders of the best of what we have to offer, and that is our youth.

I notice that you have gone the route of harsh enforcement, penalty, which as the notation says certainly is attractive to voters, but the question is have you invested in alternatives for these

young people, whether it be, and obviously gangs are a large challenge for us to face and for you to face. Some may be impenetrable. They may be hardened, but I know that recruitment is a big element of the continued gang violence.

I saw this after being briefed on the nightly news, and I was shocked at the graphicness of the gang violence. I know we want to save our youth here in the United States. My question to you, Mr. Ambassador, after the Guatemalan Ambassador speaks, is what alternatives and what enhanced resources could the United States provide, both an alternative but also in fighting the immense movement of drugs that may in fact turn youth away from that market or that violence and be open to something else?

Let me yield to the Ambassador from Guatemala on the issue of murder of females.

Ambassador CASTILLO. Thank you, Congresswoman. I am very glad that you visited my country. It is a beautiful place. As I always say, most of our population is peaceful and want to live in peace. That is something that we need to build on.

On your question, there have been many actions conducted by our government, but let me tell you about the most troublesome thing for us is that among all the murders, including women, women in particular, we haven't been able to get enough people persecuted and convicted on these murders.

That is why I was mentioning that we are working with some particularly interesting institutions within the Guatemalan Government that are going to strengthen our ability to conduct these investigations and persecutions.

The first one is the National Institute of Forensic Sciences. In most of the cases, the criminal cases brought to Court don't have enough sound evidence to convict those accused. What we are hoping for is that this new institute is going to help the investigation and provide the evidence that is required.

The second one, and with this I don't want to diminish the importance that this matter has for us, is the issue that the participation of women in illicit activities has increased in recent years. Just today in the press there were two women that were sent to justice because they were collecting extortions from gangs. They were gang members. It is estimated that 10 percent of the gang members in Guatemala are women, and that creates another source of problem that we need to tackle.

The last one is what we are working on in this regard with the support of some agents here in the United States is to give gender-oriented training to our investigators and our judges. As far as I know, by the end of last year we had over 3,000 members of our judicial system trained in these gender-oriented purposes. We think that we are planting the basis to tackle this problem.

What we are hoping for is that we will see more persecutions and more convictions. If we do that, I think we are going to be able to reverse the trend.

Ms. JACKSON LEE. I look forward to working with you, Mr. Ambassador.

Ambassador FLORES. Thank you very much, Congresswoman Jackson, for your question and your concern about my country and

for visiting Honduras. It was really a pleasure to see you there and to do some of the visits with you.

The question that you have presented deals with alternatives for our young people and also the possibilities of cooperation with the United States on the implementation of policies and programs that will actually help in that objective.

I would like to say that the law enforcement side is part of the equation. It is now part of it. Obviously the Zelaya administration has been very keen on building up the preventive, the rehabilitation and the reinsertion side of the equation to be able to balance the approach to deal with this issue.

In that connection there is a law that has been enacted for some time now but that is being implemented in the sense of developing the institutional framework that it has. I am talking about the law for the prevention, rehabilitation and social reinsertion for persons belonging to the gangs. This was created back in 2001, and it is under implementation now. The Instituto Nacional Juventud—this is the Youth National Institute—was established in 2005, and what it does is execute the policy guidelines determined by that law.

The National Program for Prevention, Rehabilitation and Social Reinsertion is managed from the Office of the President, and it plays a coordinating and consolidating role of all of the agencies and institutions that take part in this endeavor.

Also, and this is curious to mention, the Ministry of Security which usually would be identified as dealing with the law enforcement side is actually taking part with systematic training of vulnerable groups, mainly school children and adolescents, in educational centers as well as the neighborhoods that are located in these zones of gang influence.

The creation of opportunities in vulnerable areas is one of the basic initiatives that are undertaken under this general management program. We have programs that range from agencies that target specifically the gang members themselves, but also there are medium and large size projects that address related issues such as education, health, housing, occupational training, employment opportunities that foster and develop this cultural peace that we are looking for.

Now, the institutional framework to deal with this program is quite wide. We have the Office of the President that I mentioned, this National Institute of Youth. There is also the National Institute of the Family.

The Office of the First Lady is engaging in programs as well. We have the Institute of Prevention of Alcoholism, Drug Addiction and Drug Substances that I mentioned before. The Ministries of Health, Education, Labor and Environment all in their fields form part of this interagency group that deals with the issues.

Now, we do have on the funding side some difficulties. This problem is clearly present in many of the prevention programs that we have, and I can set some examples for you. The National Institute of Youth, for example, in 2006 had a mere budget of US\$756,000 for its operations and projects.

The management program for Prevention, Rehabilitation and Social Reinsertion of Persons Belonging to Gangs had in 2006 US\$329,000 as its budget, and the budget for the construction and

improvement of parks and supports and recreational centers which plays an enormous role in the rehabilitation of the young, for 2006 it was \$286,000.

I give those figures to show some concrete evidence that, yes, our government is doing an enormous effort, but at the same time additional support would be highly welcomed.

I look forward to working with you and with the United States Government in trying to identify projects in which we could work together. Thank you.

Ms. JACKSON LEE. Thank you very much, Mr. Chairman. I think both witnesses were very instructive on some very serious issues of violence in the region. Thank you very much.

Mr. ENGEL. Thank you.

Before I thank our witnesses, I just want to point out, as was mentioned by a number of our colleagues, that, for instance, if we take Guatemala the regions with the highest murder rates tend to be those without a significant gang presence, but rather where organized criminal groups and narcotics traffickers are particularly active.

For instance, the Peten region. It is rural and isolated, and it had the second highest murder rate in Guatemala in 2004. People tell me that this is due to its role in regional drug trafficking operations, so I think that the point that was made here throughout the briefing that the drug problem is the paramount problem. It is something that is obviously a matter of concern to us here in the United States obviously as well in both of your countries.

I want to thank both of you. I think it was particularly excellent testimony and your answering the questions right to the point helps us really to fully understand the problem much better.

I want to thank both of you for testifying here this afternoon. I want to thank you for the job you do here in Washington representing your countries. I know you have not been shy in terms of coming in to see me, which is particularly good because I enjoy listening to Ambassadors because it is very, very important for us to get the perspective from your countries' points of view in terms of what the United States is doing, what could we be doing that would make things better, what shouldn't we be doing, things like that.

As Ms. Jackson Lee pointed out, I really want to make a point to have greater United States involvement with all our neighbors, interaction with all the countries in the Western Hemisphere. I think it is very, very important. While the United States has had problems and difficulties in looking around the world, I am a big believer that we need to look right at home—and that is the entire Western Hemisphere—and strengthen our relationships with our partners in the same hemisphere.

I thank you for the work that you have done, and I thank you for testifying here this afternoon. Thank you very much.

Ambassador CASTILLO. One last word, Mr. Chairman. I really want to thank you and Mr. Burton for your interest in our region and on this topic in particular.

We value immensely the friendship and the relationship with you and your country, and we are more than willing to work together with you in building a greater region for all. Thank you.

Mr. ENGEL. Thank you. Thank you both. As I mentioned at the start of my remarks, the two of you particularly have done wonderful jobs in terms of your presence and your coming around, and my door continues to be open. The more visits the merrier. Thank you.

Ambassador FLORES. Thank you very much, Mr. Chairman. I really appreciate the opportunity. It is just another gesture of the friendship of the partnership and of the alliance that Honduras and the United States has with you, and we appreciate this great chance. Thank you, sir.

Mr. ENGEL. Thank you. Thank you very much.

And now I would ask our second panel of witnesses. We have just had our briefers, and now we have to ask the witnesses. Thank you, gentlemen.

I would ask Ms. Lainie Reisman, director, Inter-American Coalition for the Prevention of Violence; Mr. Geoff Thale, program director of the Washington Office on Latin America; and Roy Godson, who is the president of the National Strategy Information Center, a professor emeritus of Georgetown University. I would ask you to please take your seats.

I will make an opening statement, and I will ask Mr. Burton if he would like to make one as well.

Let me say the Subcommittee on the Western Hemisphere will come to order, and I am pleased to welcome you to today's hearing on violence in Central America. As I mentioned before, I want to thank the Ambassadors, and I thank the gentlemen and lady for testifying here this afternoon.

The February murder of three Salvadoran legislators from the Central American Parliament and the subsequent murder in prison of the Guatemalan policeman linked to the crime clearly illustrated to the international community the threat posed by violence in Central America. Again, I think the Ambassadors have done an excellent job in pinpointing that violence as well.

While this high profile incident, the murders that I just mentioned of the Salvadoran legislators, brought violence in Central America into the spotlight, it is unfortunately nothing new. Latin America has one of the highest homicide rates in the world, and in recent years murder rates have been increasing throughout Central America.

In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras and 38 in Guatemala. A May 2007 report, which is just recently, by the U.N. Office on Drugs and Crime makes the case that Central American countries are particularly vulnerable to violent crime fueled by drug trafficking and corruption because they are geographically located between the world's largest drug producing and drug consuming countries, as was pointed out by Mr. Delahunt and others. Some 90 percent of the cocaine shipped from the Andes to the United States flows through Central America.

While the common perception is that most hemispheric drug-related violence takes place in Colombia and the Andean region, narcotrafficking has had an enormous impact on our neighbors in Central America. Last week's House Foreign Operations Appropriations bill took a major step in reconfiguring our foreign assistance

to Colombia and rethinking our efforts to combat international drug trafficking.

As we continue to look at ways to deal with the drug problem, we must not ignore Central America and the degree to which violence in the subregion is fueled by the illicit drug trade. Mr. Burton mentioned that, and he and I in our private conversations were talking about that.

Violence in Central America is clearly a multifaceted issue, and we will only be scratching the surface in this hearing, but I do want to focus on two specific areas which were discussed in our briefing with Ambassadors Castillo and Flores.

First, I want to again commend the Guatemalan Government for signing a groundbreaking agreement in December to establish the International Commission Against Impunity in Guatemala. This commission is a truly innovative mechanism that would allow a U.N. commission to investigate illegal security groups and clandestine organizations in Guatemala.

Many of these illegal groups are charged with targeting people investigating human rights violations committed during Guatemala's civil war. The Guatemalan Government, under the leadership of Vice President Eduardo Stein—and I have met with him on at least two occasions—has made a good faith effort to tackle violence through this commission.

The remaining obstacle now is the commission's approval by the Guatemalan Congress. With the Guatemalan Congress out of session until August and Presidential and congressional elections in September, the window of opportunity for approval of this is very small.

I look forward to working closely with the Guatemalan Government in the coming months to support this important commission.

The second area that I want to focus on is the increase in youth gang violence in Central America, particularly in Honduras, El Salvador and Guatemala. In recent years, Central American governments and many United States officials have attributed a large proportion of the rise in violent crime in Central America to youth gangs, and we heard that again in our briefing, many of which have ties to the United States.

While it is crucial to put sufficient resources into law enforcement, I also believe that we must balance these efforts with prevention. One positive example of youth gang prevention I would like to highlight is taking place in Panama.

In September 2004, Panamanian President Martin Torrijos launched a crime prevention program called Mano Amiga, which provides positive alternatives to gang membership for at-risk youths. The program provides access to theater and sports activities for some 10,000 Panamanian young people.

I would be remiss not to mention that U.S. immigration policy has been criticized for facilitating the deportation of thousands of documented and undocumented immigrants—I asked that in my question before—many with gang-related criminal convictions. While I am aware that our immigration law is unlikely to change, I also think that we should find ways to mitigate the impact of the deportees on the recipient countries by supporting programs that help reintegrate former gang members back into society.

I am pleased in this regard to announce that the Western Hemisphere Subcommittee will hold a hearing to further explore the whole issue of the deportees, and we believe that will be held on July 24.

I would now, as I mentioned, have our witnesses speak, but first I would like to call on Ranking Member Burton for his opening statement.

[The prepared statement of Mr. Engel follows:]

PREPARED STATEMENT OF THE HONORABLE ELIOT L. ENGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE WESTERN HEMISPHERE

I am pleased to welcome you to today's hearing on violence in Central America. And I want to once again thank my friends, the distinguished Ambassadors from Guatemala and Honduras for presenting their countries' perspectives on violence in Central America.

The February murder of three Salvadoran legislators from the Central American Parliament and the subsequent murder in prison of the Guatemalan policemen linked to the crime clearly illustrated to the international community the threat posed by violence in Central America.

While this high profile incident brought violence in Central America into the spotlight, it is unfortunately nothing new. Latin America has one of the highest homicide rates in the world, and, in recent years, murder rates have been increasing throughout Central America. In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras and 38 in Guatemala. A May 2007 report by the U.N. Office on Drugs and Crime (UNODC) makes the case that Central American countries are particularly vulnerable to violent crime fueled by drug trafficking and corruption because they are geographically located between the world's largest drug producing and drug consuming countries. Some 90% of the cocaine shipped from the Andes to the U.S. flows through Central America.

While the common perception is that most hemispheric drug-related violence takes place in Colombia and the Andean region, narco-trafficking has an enormous impact on our neighbors in Central America. Last week's House Foreign Operations Appropriations bill took a major step in reconfiguring our foreign assistance to Colombia and rethinking our efforts to combat international drug trafficking. As we continue to look at ways to deal with the drug problem, we must not ignore Central America and the degree to which violence in the sub-region is fueled by the illicit drug trade.

Violence in Central America is clearly a multi-faceted issue and we will only be scratching the surface in this hearing. But I do want to focus on two specific areas which were discussed in our briefing with Ambassadors Castillo and Flores.

First, I want to again commend the Guatemalan government for signing a groundbreaking agreement in December to establish the International Commission Against Impunity in Guatemala (CICIG). The CICIG is a truly innovative mechanism that would allow a U.N. commission to investigate illegal security groups and clandestine organizations in Guatemala. Many of these illegal groups are charged with targeting people investigating human rights violations committed during Guatemala's civil war. The Guatemalan government—under the leadership of Vice President Eduardo Stein—has made a good faith effort to tackle violence through the CICIG. The remaining obstacle now is the CICIG's approval by the Guatemalan Congress. With the Guatemalan Congress out of session until August and presidential and congressional elections in September, the window of opportunity for approval of the CICIG is very small. I look forward to working closely with the Guatemalan Government in the coming months to support the CICIG.

The second area that I want to focus on is the increase in youth gang violence in Central America, particularly in Honduras, El Salvador and Guatemala. In recent years, Central American governments and many U.S. officials have attributed a large proportion of the rise in violent crime in Central America to youth gangs, many of which have ties to the U.S. While it is crucial to put sufficient resources into law enforcement, I also believe that we must balance these efforts with prevention. One positive example of youth gang prevention which I would like to highlight is taking place in Panama. In September 2004, Panamanian President Martin Torrijos launched a crime prevention program entitled "Mano Amiga" which provides positive alternatives to gang membership for at-risk youths. The program provides access to theater and sports activities for some 10,000 Panamanian youth.

I would be remiss not to mention that U.S. immigration policy has been criticized for facilitating the deportation of thousands of documented and undocumented immigrants, many with gang-related criminal convictions. While I am aware that our immigration law is unlikely to change, I also think that we should find ways to mitigate the impact of the deportees on the recipient countries by supporting programs that help reintegrate former gang members back into society. I am pleased to announce that the Western Hemisphere Subcommittee will hold a hearing to further explore the deportees issue on July 24.

I now would like to introduce our distinguished witnesses who are testifying today. Lainie Reisman is the Director of the Inter-American Coalition for the Prevention of Violence, Geoff Thale is the Program Director at the Washington Office on Latin America (WOLA) and Roy Godson is the President of the National Strategy Information Center and a Professor Emeritus at Georgetown University.

I am pleased to call on Ranking Member Burton for his opening statement.

Thank you.

Mr. BURTON. I think you covered the issue very well. I won't go into my prepared statement. I would like to include it in the record, however.

Mr. ENGEL. Without objection.

Mr. BURTON. One thing I would like to say is youth gangs, kidnappings, violence against women, femicide, which we will talk about, murders, carjackings, kidnappings, all of these things are serious, very serious, and these are things that youth gangs are involved in that we need to deal with and the whole Western Hemisphere needs to deal with.

What I would like for our witnesses to address is some of the issues I raised to the two Ambassadors who were there just previously, and that is the root cause. I have been in the Legislative Branch of government for over 40 years. I can't tell you how many hearings I have been to where we have discussed these issues of youth violence, drugs, violence against women and on and on and on.

We discuss them. We talk about the problem, but as far as coming up with an answer or a way to cut the Gordian knot, if you will, we never do. I think one of the root causes, and I would like for you to expand on this in your remarks or in the question and answer period, is what is the root cause and what do we do about it? It is a very difficult question.

When I asked that question of the Ambassadors I noticed they looked at each other like what do we say now? It is a politically hot potato. There is no question about it. If you can buy drugs for \$10 and sell them for \$500, I mean, you will never see the end of the line out there for people to take the place of the guy that gets killed or arrested who has been dealing in it.

I am not for legalization of drugs, but I am just trying to say how do you deal with that problem when the profitability is so great and it leads to other things? Once you start making that kind of money and you bring these people into that whole melee or that whole situation then you see spawned from that disregard for law, all laws, disregard for women, disregard for life, disregard for property, and it just goes on and on and on.

The cost to the United States of America, and I don't have it, but I could probably get it, over the years has been hundreds of billions of dollars. I would venture to say it might be even a trillion dollars.

Seventy percent of the people in our prisons are there for drug-related crimes, and the cost of building new prisons, taking care of these people where it costs up to \$30,000 to \$35,000—you could

send them to Harvard for less—to keep them in prison. The problem does not get better. It just gets worse and worse and worse.

You are the experts. It is a very difficult issue. As I said, I have been going to these hearings, hundreds of them, for a long, long time. I would just like to know if you have any kind of an approach, a solution that you could recommend that we might be able to sink our teeth into.

Thank you, Mr. Chairman.

Mr. ENGEL. Thank you, Mr. Burton.

Let me say to the witnesses, I ask you to summarize your testimony in 5 minutes. You can submit your full testimony into the record and it will be published as well.

Let us start with Ms. Reisman.

**STATEMENT OF MS. LAINIE REISMAN, DIRECTOR, INTER-AMERICAN COALITION FOR THE PREVENTION OF VIOLENCE**

Ms. REISMAN. Thank you very much for the opportunity to—

Mr. ENGEL. Do you want to push the button? Let me just repeat that Ms. Reisman is the Director of the Inter-American Coalition for the Prevention of Violence.

Ms. REISMAN. Yes. Thank you very much, and I look forward to addressing some of the issues that were raised in the question and answer period.

My testimony today is a summary of my submitted statement, and it does not necessarily represent the opinions of the coalition member organizations. The Inter-American Coalition is a diverse group of bilateral, multilateral agencies working in the field of violence prevention, and we also help foster the Central American Coalition for the Prevention of Youth Violence, which Ambassador Flores remarked on earlier.

Before entering into a specific discussion on Central American gang violence as requested by the subcommittee, I think it is very important to acknowledge that Central America is one of the most violent regions of the world. With its conflictive past and extremely high levels of income inequality, the region is marked not only by gang violence, but by persistent and recurring forms of violence, including interfamily violence, child abuse and suicides.

Finally, gang violence is not unique to Central America and is in fact an issue in almost all the countries of the hemisphere and notably in Brazil, the Dominican Republic, Haiti and Jamaica.

In this testimony I will emphasize three major points. First, the Central American gangs are not newly formed threats. However, the rise in their visibility and their cross-border presence are characteristics of an increasingly sophisticated structure.

Second, the hard-line responses favored by several Central American governments, and to some extent our own, have not proven to be effective.

Third, to be able to truly address gang violence in Central America, as well as in our own country, we need to have greater cross-border and cross-sectoral collaboration in addition to increased resources to support tested prevention strategies.

The well-known MS-13 and Calle 18 gangs originated in the United States with a strong presence established by the 1980s. I posit that there are three main reasons that the Central American

gangs are now perceived to be such a threat to the security of the hemisphere.

The first relates to the vacuum in power created as the result of the internal armed conflicts and the slow development of civilian security police forces. Without adequate resources invulnerable to corruption, the civilian police forces have in many instances been replaced by a massive private security industry. On the streets the police are simply often unable to compete with the well-resourced gangs.

The second contributing factor has to do with an increased visibility of gangs and the sensationalist press coverage creating a climate of fear and public support for heavy-handed responses, which in turn have been manipulated by certain political factors.

Finally, the international flow of young people across borders has indeed had its impact on gang violence. Whether fueled by our own deportation policies, a lack of opportunities and capacity in Central America or by the complex issues surrounding immigration reform and drugs, the simple fact of the matter is that Central American gangs now have an international presence and require an international response.

The response favored by the countries in question, the hard-handed or *mano dura* policies, have not been effective at reducing gang activities, and we have actually seen homicide rates increasing throughout the region.

Originally launched with great fanfare and strong public support, there is an acceptance that *mano dura* has met its end. In addition to the fact that the justice sector simply are unable to cope with the thousands of arrested and detained and that *mano dura* policies target at-risk youth rather than the true criminal gang leaders, it is perhaps most worrisome at the moment that the indications that gangs have reacted by stepping up their own surveillance and sophistication.

The recently released UNODC report states, and I quote:

“Heavy-handed crackdowns on gangs alone will not resolve the underlying problems. Indeed, it may exacerbate them. Gang culture is a symptom of a deeper social malaise that cannot be solved by putting all disaffected street kids behind bars.”

If we want to make serious strides in decreasing levels of gang violence at home and abroad there needs to be increased coordination and information sharing between different sectors. There are some promising initiatives that follow this model, and I look forward to hearing the recommendations of the U.S. Government Ad Hoc Interagency Working Group.

However, while I have seen an impressive change in discourse both at home and abroad regarding the importance of a balanced approach—and indeed Ambassador Flores noted that prevention and law enforcement are complementary—the resource allotment is still drastically skewed toward law enforcement and control activities.

The national budgets for prevention activities in Central America are virtually nonexistent, and our own development assistance in this area is minimal, even though we know that targeted interven-

tions aimed at preventing violence not only have a greater impact, but are also significantly more cost effective.

We have learned important lessons here in the U.S. regarding approaches to gangs, but now need to be more strategic, helping adapt these methodologies to local conditions abroad and involve the immigrant communities here, as well as the private sector religious groups and community organizations.

Finally, we must recognize the international nature of the Central American gang problem and find ways to work with countries in the region to promote integrated and comprehensive strategies. The gangs are fluid organizations and have shown themselves to be capable of relocating in areas of opportunity. As Ambassador Castillo said, any country working independently will be unable to solve the problem.

In closing, I would like to cite the 2001 Surgeon General Report on Youth Violence which states:

“The most urgent need is a national resolve to confront the problem of youth violence systematically using research-based approaches and to correct damaging myths and stereotypes that interfere with the task at hand.”

This statement is still very relevant for our own country, as well as others around the world. Simply put, the United States must lead by example.

Mr. Chairman, Mr. Ranking Member, members of the committee, thank you.

[The prepared statement of Ms. Reisman follows:]

PREPARED STATEMENT OF MS. LAINIE REISMAN, DIRECTOR, INTER-AMERICAN  
COALITION FOR THE PREVENTION OF VIOLENCE

Thank you very much for the opportunity to speak to with you today regarding violence in Central America. My name is Lainie Reisman and I work with the Inter-American Coalition for the Prevention of Violence. The Coalition is a diverse group of bilateral and multi-lateral agencies working the field of violence prevention including the Inter-American Development Bank (IDB), the Organization of American States (OAS), the Pan-American Health organization (PAHO), the United States Agency for International Development (USAID) the United States Centers for Disease Control and Prevention (CDC), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the World Bank. The Coalition was formed in 2000 to promote a new paradigm in which prevention is viewed as a particularly effective means to address violence and crime in the region of the Americas. I would like to clarify that my testimony today does not represent the opinions of the Coalition member organizations.

Before entering into a discussion of youth gang violence which I understand is the primary interest of the Subcommittee, I would like to situate the issues of youth gang violence within a broader context. Central America is one of the most violent regions of the world. While accurate, reliable and comparable data is virtually impossible to obtain, an analysis of intentional homicide rates nonetheless puts Central America on the top of the global scale, with both El Salvador and Guatemala widely regarded to have the dubious distinction of being high on the top-ten list.

While the topic of today's discussion is Central America, it is likewise important to keep in mind other highly violent regions of the Americas. In particular, violence is a major issue for the Caribbean, which is often overlooked due to its diverse, relatively small, and widely dispersed population. In fact, in a recent study published by the United Nations Office on Drugs and Crime, states that while traditionally Colombia and South Africa have reported the highest homicide rates, “it is now likely that Jamaica presently has the highest recorded intentional homicide rate among all countries for which reliable data are available, with El Salvador coming a close second.” (UNODC, 2007). I also want to draw attention to the fact that Central America is not unique in having a proliferation of gangs. Gang activity is common throughout the region of the Americas, notably in Jamaica, Haiti, and Brazil. How-

ever, there are clear reasons why the Central American situation has developed differently which I will subsequently.

It also bears noting that homicide statistics capture but a small percentage of violent acts. Central America, with its conflictive past and extremely high levels of income inequality, is marked by persistent and recurring forms of violence, which perhaps not as publicized as gang violence, nonetheless have a much broader impact throughout the populace. These include high levels of child abuse, inter-family violence, sexual abuse, and self-directed violence and suicides. Taking into account the impacts of violence in terms of costs to treat victims, lost productivity, long-term emotional and psychological damage and other related issues violence becomes perhaps the biggest, and most complex, challenge facing the region. The levels of violence in the region have led the public health sector to deem the existence of a violence pandemic. And I would be remiss if I did not state for the record my extreme concern regarding the reports of femicide in Guatemala and extra-judicial killings of young men and women throughout the region.

At this point I would like to turn my attention to the subcommittee's specific request to discuss violence carried out by youth gangs in Honduras, El Salvador, and Guatemala—which for simplicity sake I will collectively refer to as Central America although noting they are but three out of the seven Central American countries and that the infamous Central American gangs have a presence well beyond these three countries, stretching throughout the hemisphere and indeed the world.

In the remainder of this testimony, I would like to emphasize three main points: First, the Central American gangs are not newly formed threats, however the rise in their visibility, increasing use of violence, and cross-border presence are characteristics of an increasingly sophisticated structure. Second, the hard-line responses favored by several Central American governments and to some extent our own have not proved to be effective in reducing gang violence. And third, to be able to truly address gang violence in Central America, as well as in our own country, we need to have greater cross-border and cross-sectoral collaboration in addition to increased resources to support tested prevention strategies.

#### 1. WHY THE SUDDEN ALERTNESS TO CENTRAL AMERICAN GANGS?

In discussing Central American gangs, reference is typically made to the two major transnational gangs of *Mara Salvatrucha* (MS13) and *Calle 18* (18th Street). Of course these are but two of the myriad of gangs with ties to, or physical presence in, Central America. Nonetheless, these two have emerged as leaders of the pack and competition between MS13 and 18 Street contributes to the growth of gangs and their increasing violent nature. Both MS13 and 18 Street were formed in the United States, more specifically in Los Angeles. MS13 traces its roots back to the early 1970s when the flows of refugees and displaced peoples from Central America began to peak and MS13 formed to protect the Salvadorean immigrants from the entrenched LA gangs. It is believed that MS13 now has a presence in up to 30 countries worldwide and is notorious in the United States for having orchestrated the violent murder of witness Brenda Paz, who was scheduled to testify in multiple murder cases against her MS13 friends. In Honduras, MS13 claimed responsibility for a deadly bus massacre in which 28 civilians were killed in 2004. The 18th Street Gang actually predates MS13 and ties go back as far as the 1940s, but its formation is characterized by being an alternative to the well established Mexican gangs. It too has a long list of deadly and violent crimes attributed to its members.

So if the gangs have been around for decades, why the sudden dramatic increase in visibility over the past few years? I posit that there are three main contributing factors. The first relates to the vacuum in power created as a result of the end of the internal armed conflicts and the establishment of new civilian security forces. While the demobilization processes in Central America were relatively quick and successful, the establishment of a professional police corps, working independently, has been one of the biggest challenges to the consolidation of peace in the region.

The lack of adequate funding continues to be a major factor, with meager police salaries eclipsed by money to be made in both the legitimate private sector as well as the ever-present temptation of criminal activities. Corruption is considered to be a major burden for all of the security forces in the region, and the continued official role of the military in domestic crime issues is not only in direct contradiction to the peace accords of the region but also in a more practical sense, has not helped solve internal security problems. Central America is further characterized by a flourishing and profitable private security industry, with up to three times as many private security guards as police officers. It is thus at this moment in time, with a weak police force that is under-resourced and exposed to temptation and a boom-

ing industry developing around private security, that the gangs begin to consolidate their strength and control.

The second contributing factor has to do with an increased visibility of the gangs and gang activities in the press and in political campaigning. Through its often excessive and sensationalist coverage of the gangs, the media has actually contributed to a climate of fear and insecurity in the region, which in turn has led the public to support drastic responses. On an anecdotal level, while speaking with media leaders in the region I was told in no uncertain terms that images of gang members, dead or alive, but best if covered in tattoos, help to sell newspapers. Added to the perverse role of the press is the tendency of many Central American politicians, notably in the case of El Salvador and Honduras, to use the gang threat as a tool for political campaigning. Given that crime and insecurity is considered to be the number problem for the three countries in mention, and many others, as cited by *Latinobarometro* in 2006, it enters into the political agenda in every country. However, the specific gang threat is often overstated and manipulated to serve political interests. For example, the former Security Minister of Honduras blamed the gangs for the bulk of the criminal activity in Honduras; however, government data suggests that less than 5 percent of all crime is committed by people less than 18 years of age (UNODC). This climate of fear, partly inculcated by the governments of the region, culminated in the President of El Salvador suggesting links between MS13 and Al Qaeda, although this was shortly thereafter dismissed by the FBI. With limited time, I will not enter into details on the politicization of the gang threat, but I do explore this in my article “Breaking the Vicious Cycle: Respond to Central American Gang Violence” which is attached to this testimony.

The third contributing factor is indeed related to the international flows of young people across borders. Many in Central America are quick to blame the U.S. deportation policy for the spread of the California based gangs to their countries of origin. Another common critique is that the governments of Central America are unable to provide adequate services and opportunities to their populace. The high degree of social and economic exclusion in Central America, coupled with an overall lack of educational and employment opportunities, fuel migration to the United States and a very small percentage of these immigrants turn to gang activities when they encounter no other viable alternatives. Both supporters and opponents of U.S. immigration policy reform have strong opinions as to the relationship between immigration and gang activity. Regardless of where we stand on these contentious issues, and I personally find a certain degree of merit in all of the above, the simple fact of the matter is that Central American gangs operate internationally. And at the point in which a strong presence was felt in the United States, and more specifically in the greater Washington D.C. area, the gang issue transformed from a local or national problem to something transnational in its scope and therefore deserving of a transnational response.

## 2. HARD-HANDED OR “MANO DURA” POLICIES HAVE NOT BEEN EFFECTIVE AT REDUCING GANG ACTIVITY.

The term *Mano Dura*, translated into English as hard or firm hand, emerges in El Salvador in 2003, during the build up to a heated presidential election campaign. It is generally used to refer to law enforcement approaches aimed at incarcerating gang members involved in criminal activity. Specific activities typically attributed to *Mano Dura* policies include mass arrests of young men using illicit association charges in addition to changes in legislation to extend prison terms and exact harsh sentencing and additional punishment for gang members. While *Mano Dura* matured into *Super Mano Dura* in El Salvador, Guatemala adopted its own *Plan Escoba*, (Sweep Plan) and Honduras its Zero Tolerance policies. After the strong international criticism, particularly by the human rights community, these plans were later augmented with prevention and intervention oriented initiatives with correspondingly softer names like *Mano Amiga*, which means friendly hand, and *Mano Extendida* or extended hand.

While these initiatives were launched with great fanfare and strong public support, there is a widespread acceptance amongst a wide range of actors, including high level government officials in all three of the countries mentioned that these heavy-handed approaches simply have not worked. In addition to the fact that the justice sector, and more specifically the penitentiary systems, simply are unable to cope with the thousands arrested, perhaps more worrisome has been the indications that the gangs have reacted by actually stepping up their own surveillance and sophistication, infiltrating public and private sector entities. Antonio Maria Costa, Executive Director of the UNODC noted in his preface in the 2007 report entitled *Caught in the Crossfire: Drugs, Crime and Development in Central American and*

*the Caribbean* that “Heavy handed crackdowns on gangs alone will not resolve the underlying problems. Indeed, it may exacerbate them. Gang culture is a symptom of a deeper social malaise that can not be solved by putting all disaffected street kids behind bars. The future of Central America and the Caribbean depends on seeing youth as an asset rather than a liability.” In the text of the report, the UNODC takes this one step further stating “Heavy handed crackdowns will leave the children of the poor languishing in jail, while the key drug traffickers remain protected by corruption.” I wholeheartedly agree with the UNODC assessment, particularly in its implicit underscoring of the need to target the bosses, the top of the pyramid in terms of criminal elements, as opposed to the profile of an at-risk youth.

I firmly believe that the appeal of gangs is related to the poor underlying social conditions at the community level and that the marginalization and exclusion of youth is what gives rise to, and eventually sustains, gang membership. In recognizing this, it follows that a solution lies in a development agenda that provides alternative opportunities for disaffected youth, rather than confines them further through incarceration.

3. INCREASED COORDINATION AND RESOURCES, WITH EQUAL WEIGHT GIVEN TO PREVENTION AND LAW ENFORCEMENT EFFORTS, ARE URGENTLY REQUIRED TO ADDRESS THE GANG ISSUE.

*Important Role of Coordination*—If we want to make serious strides in decreasing levels of gang related violence at home and abroad, there needs to be increased coordination and information sharing between distinct sectors. There are some promising initiatives that follow this model. The Inter-American Coalition brings together a wide variety of actors with very different approaches to violence prevention. CDC and PAHO clearly place violence in a public health framework. The World Bank and the IDB have made important advances in focusing attention on the economic costs of violence and the need to include citizen security loans, with strong prevention components, as part of the development portfolio. USAID, through its innovative development programming and the OAS, through its political and diplomatic role, have both identified the issue as being of utmost importance to development and security. The Central American Coalition for the Prevention of Youth Violence, whose roots are tied to the Inter-American Coalition, is an innovative initiative bringing together government and civil society representatives that could serve as a model for other regions.

I strongly support U.S. Government efforts that bring together a variety of different agencies to design a balanced and comprehensive strategy to address gang violence. Specifically, I am referring to the work of the ad-hoc Inter-Agency Working Group consisting of representatives of USAID, DOJ, INL, NSC, State Department and others which is an important step forward. All of these agencies have done their own internal studies on the Central American gangs, and I personally served as the senior technical advisor for the USAID Central America and Mexico Gang Assessment conducted in 2006, but this new attempt to bring a diverse group of players together and create a common strategy is something that should be supported and replicated in the Central American countries.

*Justification for Increased Resources for Prevention*—In the time that I have been working directly on the issues of Central American gang violence, I have seen an impressive change in discourse, both at home and abroad, regarding the importance of a balanced response to gang activity and the aforementioned are but a few examples of increased coordination. However, while the discourse might have changed, the resource allotment has not. The budget for law enforcement continues to dwarf the resources being put into prevention activities. Perhaps more difficult to measure results, perhaps not providing a quick result, prevention nevertheless remains the key to reducing the underlying factors which manifest themselves in gang violence. Numerous studies, most notably conducted by the RAND Corporation, conclude that interventions aimed at preventing violence not only have a greater impact, but also are significantly more cost effective. Taking one example, an analysis of the California three-strikes policy shows that a variety of prevention oriented activities, such as foster treatment care, therapy, and mentoring are up to 100 times more cost-effective at averting repeat felony arrest (Greenwood, 2002).

The argument for increased resources for prevention activities becomes yet more persuasive after reviewing the costs of violence to society. In a study conducted by the CDC, the total costs associated with nonfatal injuries and deaths due to interpersonal and self-directed violence in the U.S. in 2000 were calculated to be more than \$70 billion. Most of this cost (\$64.8 billion or 92 percent) was due to lost productivity. However, an estimated \$5.6 billion was spent on medical care for the more than 2.5 million injuries due to interpersonal and self-directed violence. A widely

cited study conducted by UNDP in El Salvador concludes that the costs of violence are in the range of 15 percent of GDP. Notwithstanding the colossal costs of violence, resources targeting youth violence prevention in the United States are minimal and even less available in the resource strapped countries of Central America.

*Knowledge Transfer*—In addition to providing increased financial resources for prevention activities in Central America in order to combat gang violence, we also need to be more strategic helping others learn from our own experiences. We have a tremendous wealth of knowledge and experience in violence prevention here in the United States, having made great advances in both research and programming in the area of youth violence—which has actually been on the decline in our country since 1993. Government led domestic efforts, such as prevention initiatives implemented by CDC, NIH, and the Office of Juvenile Justice of DOJ, are an important part of the process. However we must think more broadly of resources, human and financial alike, to include the private sector, religious groups, and community organizations. We need to share our knowledge and experience with other countries and help adapt the methodologies to their local conditions. We also need to involve the immigrant communities in the United States in this process, understanding their unique circumstances.

*Cross-Border Responses*—Finally, we must recognize the transnational nature of the Central American gang problem and find ways to work with the countries in the region to promote integrated and comprehensive strategies that respect human rights. The Organization of American States, in its General Assembly earlier this month, adopted a Resolution regarding the Promotion of Hemispheric Cooperation in Dealing with Gangs Involved in Criminal Activity. Cooperation among the countries of the region, involving the multitude of distinct sectors involved, is a prerequisite to resolving the gang problem. The gangs are fluid organizations and have shown themselves to be capable of relocating in areas of opportunity. One country working independently will be unable to solve the problem.

In closing, I would like to cite the 2001 Surgeon General Report on Youth Violence, in which it is concluded that, *“The most urgent need is a national resolve to confront the problem of youth violence systematically, using research-based approaches, and to correct damaging myths and stereotypes that interfere with the task at hand.”* Six years after its publication this statement is still very relevant for our own country as well as others around the world. Simply put, the United States must lead by example.

Thank you.

Mr. ENGEL. Thank you very, very much.

Mr. Geoff Thale is the Program Director of the Washington Office on Latin America.

Mr. Thale?

**STATEMENT OF MR. GEOFF THALE, PROGRAM DIRECTOR,  
WASHINGTON OFFICE ON LATIN AMERICA**

Mr. THALE. Thank you, Congressman Engel. Thank you, Mr. Burton. Thank you for holding this hearing. I think this is an important opportunity to focus on an issue that is important for our colleagues in Central America and for people here in the United States.

I want to talk very briefly about three points. One, just a little bit about the spectrum of crime and violence that Central America confronts. Two, about the problem of gang violence and particularly about the ways the U.S. could be I think more helpful than we currently are. And, three, about the problem of organized crime, particularly organized crime in Guatemala and the CICIG, which is an important part of the response to organized crime.

On the first point, it is important to see violence and Central American crime as a broad phenomenon. It runs from domestic and family violence on the one side to very widespread and serious, through youth gangs and street gang problems to organized crime including both local drug dealing, drug trafficking and then to other forms of organized crime—smuggling, contraband and the

kind of crime that has long been prevalent in the region that often ex-military and intelligence officials are involved in.

I think it is important to see that whole spectrum and talk about the youth gang problem, as well as the organized problem within that broader spectrum.

On youth gangs itself, I mean, as everyone here has noted youth gangs are a very serious problem throughout the region, especially in Guatemala, El Salvador and Honduras. I think people have described the kinds of crime that gangs engage in, inter and intra gang assault, violence and homicide, extortion in communities, a range of very serious and really threatening problems.

At the same time, as I think a number of people have indicated here, youth gang violence is fundamentally a national and local problem in Central America itself. It requires a police response. It requires a social service response. It is not primarily a transnational structured phenomenon and certainly not a problem that requires the military approaches some in the region have argued.

Gangs in Central America do threaten communities, but they don't conduct major drug trafficking operations themselves or run cross-border smuggling. It is other organized crime groups that do that, and the youth gangs and their members are sometimes engaged to support that they are responsible for it, nor the leadership of it.

Similarly, though there are connections between gangs in the United States and gangs in Central America, there isn't a coordinated hierarchical, transnational structure of youth gangs, and it is important to see that though there are some connections this is primarily a national and local phenomenon that requires national and local responses.

As my colleague, Lainie Reisman, noted, governments in the region have primarily responded with harsh enforcement strategies, *mano dura* strategies. There is a lot of evidence that those strategies have been not only unsuccessful, but in some ways counter-productive in leading to gangs themselves becoming more organized and in undermining the rule of law and due process in the region.

It is clear, as a number of people have indicated, that what the region needs is a comprehensive response that includes smarter policing strategies, a greater focus on youth violence prevention programs and a serious commitment of government, as well as international, resources to the youth, the violence prevention side of the problem.

I think in terms of United States policy, we can have a very important impact on how Central American governments respond to the problem of youth violence. It is a problem that requires coordinated assistance from the United States Government, from the State Department, USAID, the Justice Department and others.

We have seen some steps. We have seen some actions by the FBI, but I think it is important to see that we need a coordinated response and strong leadership to bring all of the government agencies involved together. We have seen some steps, but we haven't yet seen the strong and coordinated response that could help gov-

ernments in Central America put together a more coherent and balanced package.

Finally, let me just say something about the problem of organized crime and particularly the CICIG in Guatemala. Organized crime includes drug trafficking, but also includes a lot of other forms—cross-border smuggling, contraband, kidnapping rings. Problems have been widespread in the region.

Many of the groups that carry out these kinds of operations, as a number of people mentioned, are made up of former military and intelligence officials, often people with historic connections to the security services, to the border patrol and the border agencies and to the police.

Like most forms of organized crime, these kinds of problems require state corruption and in the process not only raise the issues of violence and criminality, but undermine the fledgling democracies of the region.

In Guatemala, this is particularly a serious issue. The criminal networks, the clandestine groups that have been responsible for a lot of these activities, are often safe from prosecution and punishment. They have often threatened human rights activists, as well as ordinary citizens, and they threaten not only citizen security, but democracy.

The Berger government has taken an important step by working with the United Nations to come up with the CICIG proposal. Vice President Stein has taken some really important steps in trying to move that proposal forward and make it implemented.

As a number of people have noted, the CICIG proposal is right now before the Guatemalan Congress, though it doesn't have long to act if it is going to do something about it this year. The Congress has been in extraordinary session several times, but has been unable to reach a quorum to get the number of members needed to move the process forward. It is frankly difficult to believe that that is a coincidental thing.

From our point of view, the next 2 months are a major test of whether the Guatemalan political parties and Guatemalan Congress are seriously committed to ending impunity and moving forward with CICIG and bringing it to fruition.

I think we can judge not the rhetoric of the political parties, but the commitment of the parties and of the candidates who will run in the elections in the fall as to whether or not they are serious about ending impunity and addressing the problem of organized crime by whether or not they find a will to come together and really approve the CICIG in the next couple of months.

We are waiting with a lot of anticipation. We hope this hearing will send a strong message to the political parties and the people in the Guatemalan Congress that they really need to move forward on this in short order.

Thank you.

[The prepared statement of Mr. Thale follows:]

PREPARED STATEMENT OF MR. GEOFF THALE, PROGRAM DIRECTOR, WASHINGTON  
OFFICE ON LATIN AMERICA

I am the Program Director of the Washington Office on Latin America (WOLA). I oversee all of our programs related to Central America, and I direct our program on youth gangs, citizen security, and human rights in Central America. I have been

at WOLA for over a dozen years, and I have worked professionally on issues of human rights, democracy, and development in Central America for more than twenty years. I appreciate this opportunity to testify before the Western Hemisphere subcommittee about crime and violence in the region, what U.S. interests are at stake, and how we should work with governments and civil society to respond to these serious problems.

The Washington Office on Latin America is a non-profit, non-governmental organization that monitors human rights and social justice issues in Latin America, and that advocates for U.S. policies that support human rights, democratization, and social justice in the region. For almost thirty-five years, WOLA has monitored issues of human rights and democracy in Latin America, and has provided information and analysis to Congressional offices, the Administration, and the general public about conditions in the region and the impact of U.S. policy.

WOLA has followed issues of crime, violence and citizen security in Central America since the early 1990s. As the civil wars that racked the region in the 1980s came to an end, WOLA believed that establishing the rule of law and supporting the creation of professional, apolitical police forces that provided security to citizens while respecting due process and human rights was one of the most crucial challenges that the nascent democratic governments of the region faced. The public security forces that had been in place in El Salvador, Honduras, and Guatemala since at least the 1950s had been under the control of the armed forces, rather than of civilian governments, had enforced order without respect for the rule of law or due process, and were deeply implicated in human rights abuses. These forces needed to be reformed, if not replaced.

Peace agreements in Central America called for the reform and re-establishment of the police, as part of the re-founding of a democratic state. The United States, concerned for human rights and democracy, and eager to see stability in Central America after the war and violence of the 1980s, made a major commitment to support police reform. WOLA, working with civil society partners in the region, monitored the reform process, and advocated with Central American governments, the U.S. government, and the international community for policies that would help consolidate effective and rights-respecting police forces in the Central American countries.

Out of our work on citizen security and police reform, WOLA has developed experience and expertise in the problems of crime, violence, and citizen security in Central America. Today, I would like to speak briefly about the broad spectrum of violence that Central America faces, and then to talk briefly about two major issues: youth gang violence in the Central American region, and organized crime in Central America, particularly in Guatemala, where a unique proposal has been developed to combat organized criminal groups that have penetrated and corrupted the state.

#### I. THE SPECTRUM OF VIOLENCE

Discussions of violence in Central America often begins and ends with youth gangs and drug dealers, as if these were the only forms of violence that citizens in Central America experience. But in fact, citizens confront a broad spectrum of violence, and it is important to locate both youth gangs and organized criminal groups within that spectrum. Governments, international donors, and civil society groups need to understand the different forms of violence that citizens experience, and know something about the size and impact of the different forms in order to set priorities and design effective responses.

The spectrum of violence begins with intra-familial violence. Violence between partners, particularly violence by men against their wives or girlfriends, is widespread in Central America. While reliable data isn't regularly collected, the trend is clear. In Guatemala, according to studies, 36 percent of women who live with a male partner suffer domestic abuse, including physical, sexual, or psychological abuse. And one survey, the International Violence Against Women Survey, compared selected countries in Africa, Latin America, Europe, and Asia; it found that 60% of women in Costa Rica—often considered the least violent country in Central America—reported having experienced domestic violence during their lives.

Violence by parents against children is also widespread. These kinds of domestic violence are for many people their first and most powerful introduction to violent behavior. There is extensive evidence both from the United States and from Central America that those who experience violence in the home are more likely to act violently on the street. Support for community and school based programs that reduce family violence can have a tremendous long-term impact on overall levels of crime and violence.

“Common” street crime—robberies and assaults carried out by individuals or small groups against citizens in public spaces—is a second form of crime. Victimization surveys suggest that many Central Americans have experienced, and fear, common street crime.

Youth gang violence is the most widely discussed form of violence in Central America. As this review suggests, it is only one part of the broader spectrum. Youth gang violence—threats, intimidation, or acts of violence carried out by members of teenage or young adult gangs—is widely feared, and widespread. Youth gangs are ongoing groups, and provide their members with a sense of identity and belonging. Criminal activity is part of what they do, but not their entire reason for being. I will return below to the question of the percentage of violent crime which youth gangs are responsible for. Here I simply want to underscore that youth gang violence is only one part of the broader spectrum.

In addition to youth gangs, there are other groups of individuals who commit crimes. Crimes committed by groups of adults—groups that come together to engage in highway robbery or banditry, bank robbery, etc—are a fourth source of violence. These groups come together entirely for criminal purposes, and generally are relatively short-lived criminal operations.

Politically motivated crimes—threats, intimidation, even assassinations—though far less common than they were twenty years ago, continue to be a source of violence in Central America. In many countries in the region, and most visibly in Guatemala, there are threats and attacks on human rights activists and defenders and, in many countries, electoral contests generate politically motivated violence.

Another important source of violence is the drug trade which can be subdivided into two categories. The first has to do with retail drug sales in Central America itself, where local drug dealers protect and expand their sales and markets through violence. But the retail drug market in Central America is relatively small. A 2006 OAS survey in El Salvador, for example, found that, among the population between the ages of 15 and 64, only 0.24% had used cocaine. Because the number of users is relatively small, demand for drugs is relatively limited. By contrast, comparable studies in the United States show that cocaine use here is about 10 times what it is in Central America. Thus the domestic drug market in Central America is relatively limited, and the violence associated with it relatively constrained.

A far more serious source of violence is wholesale drug trafficking. Central America is located between the largest producer and the largest consumer market for cocaine in the world, and the profit from the illegal trafficking of cocaine and its derivatives is enormous. Drug trafficking routes have shifted in recent years, from the Caribbean to Central America. Every country in Central America seized at least a ton of cocaine in 2004. Violence almost inevitably accompanies such profitable illegal transactions. Most cocaine in the Central American region transits by boat, according to the United Nations Office on Crime (UNODC). A UNODC analysis of Central America shows that port cities and the provinces they are part of have far higher homicide rates than do other areas, including major inland urban centers, suggesting that drug trafficking networks produce a significant share of violent crimes and homicides. Drug trafficking is highly organized, and trafficking networks are sophisticated criminal structures that depend on the corruption of state officials (customs officials, police, and others) to carry out their operations. The corruption associated with drug trafficking makes it a serious threat to the fragile democracies of Central America.

Finally, “traditional” organized crime—enduring criminal enterprises whose sole purpose is crime and profit, and who engage in smuggling, contraband operations, car theft, fraud, kidnapping, etc—are a form of violent behavior. This kind of organized crime is widespread in Central America. It is often carried out by individuals and groups that emerged from the police and security forces of the war time era, with their connections to intelligence, relationship with customs and border officials, influence over police, and political connections with prosecutors, and judges. Evidence suggests that there is some overlap between these contraband and smuggling groups and drug trafficking networks, although they are not identical. Like drug trafficking, smuggling and other traditional forms of organized crime depend on state corruption and thus constitute threats to the consolidation of democracy in Central America.

All of these forms of violence plague the Central America region. Youth gangs are among the most visible form of this violence (because gang members often stand out by their dress and style), but they are not the only and not the most egregious forms of violence and criminality. Violence related to drug trafficking may account for a greater percentage of violent crime (including homicides) in the region, and traditional organized crime and drug trafficking are perhaps a bigger threat to democ-

racy in Central America because they are intimately linked to the corruption of state officials, undermining already fragile states.

## II. YOUTH GANG VIOLENCE: THE PROBLEM, GOVERNMENT RESPONSES, AND THE U.S. ROLE.

Four years ago, WOLA began to monitor the problem of youth gangs in Central America and the nature of government and civil society responses to the problem. As noted above, we believe that gang violence is a serious problem in the region, though only one of many forms of violence. It is a problem that Central American governments need to better understand and respond to effectively. The United States ought to play a role as well in responding to Central American youth gang violence, because of our long term interest in citizen security and political stability in the region.

### *The Problem of Youth Gang Violence*

I first review the dimensions of the problem of youth gang violence in Central America, including a little bit about the size and structure of youth gangs, the kinds of crime they commit, and their transnational connections. While I want to emphasize the serious threat that youth gangs pose to citizen security, I also want to highlight some of the exaggerations and misimpressions that exist about youth gangs. I will base my remarks on WOLA's research, and work with colleagues in the region, and on our participation in a six-country comparative study of Central American youth gangs. WOLA participated in a research project, led by the Center for Inter-American Studies at the Autonomous Technological Institute of Mexico (one of Mexico's most prestigious universities) that included researchers from universities in El Salvador and Nicaragua. The study looked at youth gangs in El Salvador, Honduras, Guatemala, and Nicaragua, and at ethnic Central American gangs in Mexico and in the Washington DC area.

The study came to a number of conclusions:

- 1) First, Central American youth gangs vary significantly from country to country and even from city to city. While youth gangs in much of Central America and in the United States are "cliques" or local groups of the 18th Street Gang, or of the Mara Salvatrucha (MS-13), local manifestations or cliques vary significantly in size, level of organization, and involvement in criminal activity. They often share names, rituals, codes of conduct, and other traits, but can act very differently. Police and public security officials should not assume that all youth gangs are the same, or behave in the same fashion everywhere.
- 2) Estimates of how many gang members there are vary widely, and are based on different definitions of what it means to be a gang member. Police officials in Guatemala report about 8,500 gang members, or about 111 gang members for every 100,000 citizens, according to calculations done by the United Nations Office on Crime and Drugs. Police officials in El Salvador say there are about 10,500 gang members, or about 152 gang members per 100,000 citizens, and police officials in Honduras estimate there are 35,000 there, an astonishing 500 gang members per 100,000 citizens. (For comparison, the FBI estimates that there are about 800,000 gang members of all kinds in the United States, for a rate of 244 per 100,000.) There are probably more than 50,000 and less than 100,000 gangs members in the region.
- 3) Despite the uncertainty about numbers, there is no doubt that youth gangs are a serious threat to public security in El Salvador, Honduras, and Guatemala. Gang members engage frequently in inter- and intra-gang fights and resort to murder in response to gang rivalries. (Statistics vary about what percentage of homicides in Central America are caused by gang members. In El Salvador, the Institute of Forensic Medicine attributes only about 8% of killings to gang members; police often cite a 25% figure, and politicians sometimes claim that gang members are responsible for 60% of all murders.) Gangs are involved in assaults and robberies in the neighborhoods in which they are present, and gang members can be hired to commit crimes, including murder for hire. Gangs are involved in local level drug sales. Gangs are involved in extortion, beginning with collecting "rents" from pedestrians or small business people, or bus drivers, and becoming increasingly organized. In some neighborhoods, gang cliques are organized enough to effectively control the neighborhood through extortion and violence.
- 4) Gangs are increasingly organized, in El Salvador, Honduras, and Guatemala. Ten years ago, MS-13 and 18th Street cliques in Central America were pri-

marily identity based neighborhood gangs that defended their turf and engaged in petty crime. The police crackdown on gang involved youth in Central America that began in 2003 did not succeed in breaking up gangs; instead, gang cliques sought to protect themselves from the police by reducing their visibility, and increasing their organization and communication. At the same time, higher arrest rates and longer sentences increased the number of gang members in prison, gang members from cliques around the country got to know each other and create rudimentary national structures for coordination between different cliques. Today, the different cliques of MS-13 and the 18th Street Gang are more organized and more nationally coordinated than they used to be and are a greater threat to public security. This is at least partly in reaction to *mano dura* policies which have had effects contrary to their goal of reducing gang violence.

- 5) Cliques of MS-13 and the 18th Street Gang exist in cities across the United States; they are especially strong in Los Angeles, Washington, Houston, and other cities with large ethnic Central American populations. In fact, MS-13 and the 18th Street gang are originally a U.S. phenomenon. They did not emerge in Central America and spread to the United States. Both gangs were founded in the United States, among Central American immigrant communities in Los Angeles in the 1980s, and spread from there back to Central America through reverse migration and deportation in the 1990s. In the U.S., MS-13 and 18th Street cliques are often involved in inter- and intra-gang violence. In Los Angeles, they are involved in local drug markets in neighborhoods of Central American immigrants; that is less true in Washington.
- 6) Central American youth gangs are only marginally present in Mexico, and not spreading from Central America to Mexico, despite some sensationalist media accounts. Our study found Central American gangs preying on migrants at the border between Mexico and Guatemala, and some presence of Central American gangs on the Mexican side of the border. But it found no established presence of Central American gangs in the interior of Mexico or on the Mexican-U.S. border, and no evidence that these gangs were spreading or infiltrating from Central America to the north.
- 7) Nicaragua presents still another story. Despite poverty rates as high as those of Guatemala and Honduras, despite a bitter civil war that left the country divided, despite the availability of guns, Nicaragua does not have the youth gang problems that El Salvador, Guatemala, and Honduras face. Neighborhood gangs exist, and some local drug dealing takes place, but cliques of MS-13 and the 18th Street Gang are not present, and Nicaraguan gangs are less violent and engaged in less criminal activity than gangs in neighboring countries.

Overall, our research suggests that the problem of gang violence, while serious, should not be exaggerated. Youth gangs, like MS-13 and the 18th Street gang are a serious threat to public security in El Salvador, Honduras, and Guatemala, though not in the rest of Central America. But they do not have transnational hierarchical criminal structures spreading from country to country and threatening Mexico or the United States.

Youth join gangs for a variety of reasons having to do with social, economic and family conditions. Most gang cliques do not define themselves primarily as criminal enterprises. Most gang members do not have transnational ties. A survey of imprisoned gang members in El Salvador found that 86% had no regular contacts outside the country, and 91% had never traveled to either Mexico or the United States.

Because of extensive migration from the countries of Central America to the United States, there are close connections between families and communities in the region and in the U.S. Family members and friends are in contact and travel back and forth, sometimes illegally. This contact and movement between countries extends to and includes youth gang members, so it is easy to point to gang members who have moved from Central America to the U.S., or deportees in Central America who stay in touch with their "homies" in the United States. But there is no evidence of systematic, structured relations between gang cliques or networks in Central America and gangs in the U.S.

There have been several high profile cases in which gang members fleeing criminal prosecution in the United States have returned to Central America, and at least one in which someone wanted for a violent gang crime in Honduras fled to the United States and was caught by U.S. immigration authorities. And there is a well-known case in which a deportee from the United States was imprisoned in El Salvador, and while in prison there, contacted his former associates in a gang in the

U.S. to urge them to commit a murder. But these cases, while dramatic, are few and far between; they are not the norm. Most of the criminal activities that Central American gangs engage in are local—such as violent gang rivalries, neighborhood drug sales, or extortion of local merchants—rather than transnational.

In fact, Central American youth gangs are not significantly involved in the major forms of transnational crime in the region. Wholesale drug trafficking is controlled by sophisticated criminal organizations; while some gang members may serve as “mules” or carriers, or as guards, youth gangs do not organize or control the cross-border drug trade. To quote the UNODC, “it is highly unlikely that gang members, who are generally young street kids, are the masterminds behind the movement of cocaine to the United States.” Similarly, youth gangs do not control human smuggling or human trafficking networks, though they may prey on or extort vulnerable migrants. Most forms of cross-border smuggling of goods are controlled by more traditional organized crime groups, not by MS-13 or 18th Street.

None of this is to say that youth gangs are not a serious threat to public security in Central America. They are one serious part of the problem of violence and crime in Central America, and governments need to take them seriously. *But they are primarily a local and national threat, rather than a transnational one.*

#### *The Failure of Mano Dura Responses*

Unfortunately, government responses in Central America have tended to focus predominantly on repressive measures which have placed thousands of youth in prison and which have aggravated the problem rather than ameliorated it. Since 2003, legislation in El Salvador and Honduras, and police practice in Guatemala, has led police to conduct arrests of young people based on the suspicion that they are members of a gang. Gang membership by itself, without any evidence of specific criminal activity, became a crime, and police began to detain young men based on their appearance, their style of dress, the presence of tattoos, or the fact that three or more young men were gathered together in a public place. Governments in El Salvador, Honduras, and Guatemala have also repeatedly deployed military forces in “gang-infested” neighborhoods, in an effort to clear out gangs through a show of military force. Collectively, these policies are known as *mano dura* or “iron fist” approaches.

While judges dismissed many of these cases, these broadly punitive approaches did significantly increase the number of young people charged with criminal conduct, and led to substantial increases in prison populations throughout the region.

It is understandable that police and political leaders would turn to these strategies. They are relatively easy to implement, highly visible, and show the government responding to the real problems of citizen insecurity caused by gang violence.

Unfortunately, these approaches have not reduced gang violence or criminal activity in Central America. Since governments began to implement these *mano dura* strategies, homicide rates have risen in Central America, and citizen security has not improved.

Meanwhile, these approaches have had negative impacts on the rule of law and respect for human rights. They have increased the arbitrary authority of police officers to arrest young people, in a region that has struggled to regulate police behavior to ensure respect for due process and human rights. And they have reduced evidentiary standards, in a region that has been working to reform and strengthen its judiciary. The repeated deployment of troops has the unfortunate effect of drawing the military into public security matters, undermining the region’s movement over the last decade to keep the military out of internal affairs.

These approaches have increased prison populations (in El Salvador, jails are at 167% of capacity), and led predictably to increases in prison riots, and prison murders, making more difficult the prison reform processes which Central American penitentiary officials have begun.

And finally, as noted above, *mano dura* strategies have had the sadly ironic effect of increasing the level of youth gang organization, as gangs have gotten more organized and more clandestine in response to police pressure, and jailed gang members have begun to develop prison gang network that extend across cliques and across cities.

#### *The Need for Comprehensive Responses*

Central American governments need new, civilian based and more effective strategies to combat the serious problem of youth gang violence. Privately, many government officials (particularly police), agree with this assessment; however, what is required is a political decision to seek a new approach.

Our work with various research institutions, community service providers and government officials both in the United States and in Central America has lead to

the conclusion that youth gangs must be understood as a social and community problem, not simply as a police and public security issue. The response to gangs and gang violence must be comprehensive, including effective policing, community-based prevention and intervention programs and rehabilitation and re-insertion programs for those who leave gangs.

Effective responses begin with the planning of comprehensive responses by task forces that include not only police, but service providers, schools and community groups. This helps ensure that the response to youth violence is not only a police response, but includes the other components as well. This comprehensive approach is what the Office of Juvenile Justice of the U.S. Department of Justice recommends, and it is what has happened in the "best practice" cases we have studied in both the United States and in Central America.

Effective responses include much more targeted police approaches that seek not to arrest all possible gang members, but that are directed at crimes being committed and at dangerous and violent individuals. Police anti-gang units, though they need to be carefully monitored, can gather information to help identify and arrest particularly violent or dangerous individuals. Specialized task forces can respond to particular patterns of crime, such as extortion of bus owners. These well-thought out and carefully targeted approaches can make the policing component of a comprehensive program more effective.

Violence prevention programs start with efforts to reduce domestic violence, and to increase school attendance rates, both of which can significantly reduce youth violence.

Community based violence prevention programs, such as those that have been developed by groups like the Washington DC Gang Intervention Program, or Homeboy Industries in Los Angeles, or groups like the Association for the Prevention of Violence in Guatemala, can have a tremendous and positive impact by offering young people alternatives and reducing the level of gang violence. Too often, these programs are applauded and cited as successes, but governments make no effort to reproduce, as part of a national policy to prevent youth violence. A serious national strategy to reduce gang violence in Central America will include violence prevention policies, and a budgetary commitment to support them.

#### *The U.S. Role.*

Central American youth gangs are not an immediate threat to U.S. security, nor are they a transnational criminal network threatening to extend their tentacles throughout the United States. Nonetheless, the U.S. has an interest in assisting Central American governments in developing and implementing effective, comprehensive responses to youth gang violence. Citizen security is key to political stability and support for democratic governance. The U.S. government has invested heavily in the rule of law and in police and justice reform in the region, and dealing effectively with the problem of youth violence is key to maintaining and consolidating those reforms.

In the initial U.S. response to the problem of gang violence in Central America, the U.S. military's Southern Command took the lead in examining the problem, and studying possible U.S. assistance. The FBI has coordinated several conferences on gang violence, and set up a liaison office in Central America. There have been other important efforts—U.S. AID has funded some important prevention programs in the region, and conducted a very useful study of the extent of the gang violence problem, and the International Narcotics and Law Enforcement Bureau has done some training—but there has been too little coordination of these efforts, and the most high visibility efforts have been those led by military and FBI officials.

The U.S. should go beyond assisting our Central American neighbors in dealing with specific aspects of the problems of youth violence, through police or FBI cooperation. The U.S. goal ought to be to encourage Central American governments and civil society to adopt comprehensive civilian-led youth violence programs, that include effective policing, community based violence prevention and re-insertion and rehabilitation programs. We ought to advance that goal by using all aspects of our foreign policy—diplomacy through the State Department and our Embassies, training and technical assistance through USAID, police training through transparent civilian programs at the International Law Enforcement Academy, training and technical assistance from the Department of Justice, including both prosecutorial support through the Overseas Prosecutorial Development and Training Program (OPDAT) and support for community based prevention programs through the Office of Juvenile Justice, and exchange programs between successful community based prevention programs in the U.S. and programs in Central America.

The ad-hoc Inter-Agency Working Group that meets to look at gang violence issues should be formalized and strengthened, and tasked with coordinating U.S. ef-

forts to develop and support comprehensive and balanced approaches to the problems of youth gang violence in Central America.

We should seek to coordinate all these efforts to send a message that we believe that comprehensive civilian approaches can and will work, and that they are vital to dealing with youth violence while strengthening the rule of law.

### III. ORGANIZED CRIME IN CENTRAL AMERICA, AND THE CICIG INITIATIVE IN GUATEMALA

As noted in the discussion of the spectrum of violence in Central America, organized crime—both the “traditional” forms of contraband, smuggling, and associated crimes and the newer forms connected to drug trafficking—are serious problems in Central America.

There has been relatively little study of the forms of traditional organized crime. In 1994, the “Joint Group to Investigate Clandestine Security Structures” in El Salvador, a body formed by the United Nations at the request of the Salvadoran government, after several apparently politically motivated killings, noted that some security and intelligence groups which had participated in “death squad” activities during the civil war of the 1980s, were “mutating” into organized crime groups. It is clear that cross-border smuggling, car theft rings, and kidnappings are all activities that have been carried out in Central America since at least the late 1980s by organized criminal groups. Historically, many of these groups, given their origins in security and paramilitary forces of the 1980s, have been associated with human rights abuses.

The “traditional” forms of organized crime—smuggling, kidnapping, and related crimes—require relatively high levels of organization and control, and the groups involved generally depend on the collaboration of state officials—whether customs officers, or police, or tax officials, or others—to successfully carry out their criminal activities. Bribery and corruption of state officials, or direct involvement of state officials, is part and parcel of this kind of criminal activity. In any country, this kind of relationship between state officials and criminal groups would be unacceptable and dangerous. In the new and fragile democracies of Central America, this is especially true. The corruption and penetration of the state by organized criminal groups undermines the rule of law, reduces the credibility of the state, and weakens the quality of democracy.

This is true as well of drug trafficking, which similarly requires high levels of state corruption to carry out its criminal activities.

Nowhere in Central America are the problems of organized crime and drug trafficking more evident than in Guatemala.

In 2002, our colleagues at Amnesty International published a report that described Guatemala as a “Corporate Mafia state,” where a network of former military and security officials, linked to others still in government service, “collude to control drugs and arms trafficking, money laundering, car theft rings, the adoption racket, kidnapping for ransom, illegal logging and other proscribed uses of state land” and “conspire to assure monopoly control of legal industries, such as the oil industry.”

There is evidence from the 2004 elections that these illegal armed groups are seeking to insert themselves in the political process, through links to candidates and campaign financing.

These illegal armed groups are illicit structures that emerged out of the counterinsurgency strategy during the internal armed conflict, that use intimidation and violence to protect their political and illicit financial interests. They are believed to be responsible for the wave of threats, attacks and other acts of political violence directed against human rights defenders, judges, prosecutors, witnesses, political leaders and others, over the last several years.

Through their activities, these groups have been able to undermine the justice system and perpetuate a climate of citizen insecurity, which in turn creates a fertile ground for the further spread of violence, corruption and criminal activities. The result is a self-perpetuating downward spiral of violence that jeopardizes the Rule of Law and functioning of democracy in Guatemala. The considerable influence of the clandestine groups on state actors and their ability to infiltrate state institutions have impaired the Guatemalan authorities’ ability to effectively investigate them.

In response to the deteriorating situation, the Berger administration sought the collaboration of the international community in order to mount a serious investigation of clandestine groups. As a result, in mid-December 2006, an agreement was signed with the United Nations to establish the International Commission against Impunity in Guatemala (*Comisión Internacional Contra la Impunidad en Guatemala—CICIG*), to assist local authorities in investigating and dismantling the clandestine groups.

The CICIG is the second attempt made at establishing a mechanism to investigate and dismantle these groups. A first effort was made in 2003, which resulted in an agreement signed between the United Nations and the Portillo administration to establish the Commission for the Investigation of Illegal Armed Groups and Clandestine Organizations (CICIACS). The CICIACS proposal stirred much debate in Guatemala, and in August 2004, Guatemala's Constitutional Court rendered that several aspects of the agreement violated the Guatemalan Constitution, grinding the process to a halt.

The CICIG will seek to determine the nature, structure, sources of financing, and modus operandi of the clandestine groups as well as their links to State actors and other sectors that threaten civil and political rights in Guatemala. It will be headed by a UN-appointed Commissioner, and will include a team of prosecutors, forensic experts, and investigators familiar with human rights, criminal and international law. With an initial life-span of two years, the commission will work with the relevant local institutions in the prosecution and punishment of the clandestine groups, as well as in the implementation of much needed police and judicial reforms.

The agreement must first be ratified by the Guatemalan Congress in order for the Commission to be up and running. In February, the Executive officially submitted the agreement to Congress for ratification. The agreement was passed to the International Relations committee for review, which in turn sent it to the Guatemala Constitutional Court. The Constitutional Court issued a favorable ruling, and the proposal has been returned to Congress for ratification.

The next two months will be crucial in determining whether the CICIG moves forward. Presidential elections take place in September, and the Congress must ratify the CICIG before those elections or the proposal will die. As of this writing, the International Relations Committee of the Congress has been unable to muster a quorum to consider the CICIG, and no other concrete actions have been taken by the legislature to advance approval of the proposal.

Several of the political parties, and several of the Presidential candidates, have expressed their support for the CICIG. In fact, Presidential candidate Otto Pérez Molina assured WOLA, in a recent meeting, that he will pursue the CICIG agreement in the next Congress, if this Congress does not approve it.

But rebuilding the domestic political support for the CICIG will be extremely difficult if it is not approved by this Congress. Thus, the United States and the international community should judge Guatemalan political parties and politicians' commitment to ending impunity and uprooting the power of organized crime and clandestine groups by what they do to see that the CICIG is approved in the next couple of months.

While one agreement cannot be expected to act as a panacea for Guatemala's deeply rooted social, economic, and political problems, the CICIG is an innovative mechanism that can help lay the groundwork for long-term progress in overcoming the culture of impunity and establishing rule of law and due process in Guatemala. The United States should do what it can to support the CICIG and those in Guatemala, including both government officials and civil society groups that have developed and advanced this innovative proposal.

Mr. ENGEL. Thank you very, very much.

Our final witness is Dr. Roy Godson, who is the president of the National Strategy Information Center. He is also Professor Emeritus at Georgetown University. Welcome.

**STATEMENT OF ROY GODSON, PH.D., PRESIDENT, NATIONAL STRATEGY INFORMATION CENTER, PROFESSOR EMERITUS, GEORGETOWN UNIVERSITY**

Mr. GODSON. Thank you, Mr. Chairman, Congressman Burton and Congressman Weller.

My focus today is on effective solutions. I want to address at least one of the root causes for a problem which is widespread in the region, as we have been discussing, but also can be seen in other parts of the world.

In other parts of the world it has been possible to bring about a major turnaround in violence and crime and corruption. Positive change indeed is possible if one doesn't expect results in the immediate short-term future.

For example, methods adopted in Sicily, Hong Kong and Bogotá, and other parts of Colombia starting in the 1980s and 1990s, have produced impressive results. Indeed, some who have studied these methods are beginning to apply them elsewhere. Unfortunately, too little use has been made of these successful methods in the area of concern to this hearing.

Mr. Chairman, in my prepared remarks which I have submitted I focus on what has come to be called the culture of lawfulness approach. This approach has proved to be effective. It is also very inexpensive in terms of human and material resources.

There is an important role for enhancing the justice system and law enforcement. These are absolutely necessary, but rarely have these approaches proved entirely sufficient. To be truly effective, law enforcement must be accompanied by a systematic educational effort that leads the population in any given society to become supportive of the rule of law.

My written remarks lay out how this has and can be done. I go into perhaps excruciating detail on what specific educational requirements are necessary over what periods of time to shift a society toward supporting the rule of law.

Let me conclude these introductory remarks by stating that unfortunately so far the major bodies responsible for helping to reduce the global pandemic of crime have been unbalanced. They place far too much emphasis on the technical aspects of enhancing the justice system and law enforcement and too little emphasis on developing a culture supportive of the rule of law.

Figures in this area are not always easy to come by, but I would estimate that more than three-quarters of the resources, both material and personnel, that have been supplied by the U.N., the OAS, the EU and the U.S. Government have been focused on enhancing the technical capabilities of the justice system.

My point is not that this effort to enhance the justice system is mistaken. Rather, it is that unless law enforcement itself recognizes and internalizes what the rule of law means, what are its key characteristics and why the rule of law is necessary to accomplish the law enforcement mission no amount of aid will get the job done.

Unless other major sectors of society come to realize that they too, in addition to the justice system, have a role to play in fostering the rule of law, there will be little progress in preventing crime and violence.

Although the Ambassadors this afternoon mentioned that they are seeking a balanced approach, I would argue that very little assistance has been provided to those in Central America who want to tackle the educational, the attitudinal and the cultural causes of violence and crime.

Very little support, moral or material, is made available in these societies to those who want to provide systematic, effective rule-of-law education to the police, the schools, to centers of moral authority, religious and secular.

There are leaders in these regions seeking to develop such a culture, and you heard from some of them this afternoon. They deserve our support, and I share with my colleagues the view that our assistance programs to this region have been unbalanced, but this can be corrected. They deserve our support.

Thank you very much.  
 [The prepared statement of Mr. Godson follows:]

PREPARED STATEMENT OF ROY GODSON, PH.D., PRESIDENT, NATIONAL STRATEGY  
 INFORMATION CENTER, PROFESSOR EMERITUS, GEORGETOWN UNIVERSITY

#### SUMMARY REMARKS

My focus today is on effective solutions to mitigate the effects of violence and lawlessness. In several parts of the world notorious for criminality, corruption, and violence, we have seen remarkable turnarounds. It is not hopeless. Methods adopted in Sicily, Hong Kong, Bogotá, and other cities in the 1980's and 1990's have produced impressive results. Some who have studied these methods and are beginning to apply them elsewhere. Unfortunately, too little use has been made of this approach, particularly in the areas of concern in this hearing.

Mr. Chairman, my prepared remarks, which I would like to submit for the record, focus on what has come to be called the culture of lawfulness approach. This approach has been effective. It is also very inexpensive in material and human resources, especially compared to the approach that emphasizes more police and prisons. There is an important role for law enforcement, for effective police work, and for prisons in curtailing violence and other forms of criminality. Law enforcement is absolutely necessary. But rarely is it sufficient.

To be truly effective, law enforcement must be accompanied by an effort that leads the population to become supportive of the rule of law. My written remarks lay out how this can be done. They go into detail on what is required to shift a society toward supporting the rule of law.

Let me conclude this summary introduction by stating that, unfortunately, so far the major bodies responsible for helping to reduce the global crime pandemic are unbalanced in their approach. They place too much emphasis on the technical aspects of law enforcement and too little on developing a culture supportive of the rule of law. Figures are not easy to come by, but I would estimate that more than three quarters of the resources, both material and personnel, of the crime prevention effort of the UN, OAS, the EU, and the US government are focused on enhancing the technical capabilities of law enforcement. My point is not that this effort to enhance law enforcement is mistaken. Rather it is that unless foreign police organizations recognize and internalize what the rule of law means, what its key characteristics are, and why the rule of law is necessary to accomplish their mission, no amount of aid will get the job done. And unless other sectors of society come to realize that they too have a role to play in fostering the rule of law, there will be little progress in preventing crime and violence.

At present, very little assistance is focused on helping those in Central America who want to tackle the educational, attitudinal, and cultural causes of violence and crime. Very little support, moral or material is made available in these societies to those who want to provide systematic, effective rule of law education to police, schools, centers of moral authority (religious and secular) and the mass media. There are leaders in the region seeking to develop such a culture of lawfulness. They deserve our support.

#### DEVELOPING A CULTURE OF LAWFULNESS

Although there have been lulls and surges, the past 25 years have brought an increase in serious crime and corruption worldwide that, in the main, shows only little sign of abating. Preventing and reducing this contemporary scourge has been viewed, for the most part, essentially in regulatory and law enforcement terms. This approach is certainly necessary. But on its own, the institutional or regulatory approach is unlikely to be sufficient. What is needed is a complementary strategy. The regulatory approach needs to be accompanied by a society or culture sympathetic to the rule of law.

Evidence shows that bolstered by a supportive culture—a culture of lawfulness—law enforcement and regulatory systems function more effectively in myriad ways. Those who transgress the rules find themselves “targeted” not only by law enforcement but also by many sectors of society. Community support and involvement can also focus on preventing and on rooting out criminal and corrupt practices without the need for expenditures for a massive law enforcement and punitive establishment. This involvement also reduces the risk and expense of intrusive government surveillance and regulatory practices harmful to individual liberties and creative economic, social, and political initiatives. In other words, as the former mayor of Palermo put it, law enforcement is but one wheel of a two-wheeled coach.

These remarks focus on how the basic elements of a culture of lawfulness can be built in a relatively short time frame—within one generation. The methods, techniques, and processes that will be delineated here are drawn largely from the recent experiences of successful and ongoing endeavors. There has been a significant change in culture in such diverse regions and economies as Hong Kong, Sicily, Bogotá, and other parts of Colombia since the 1980s and the 1990s. These examples demonstrate that it is possible to shift a culture and bolster the rule of law even in areas where crime, corruption, and poverty have been prevalent for decades. Of course, the effective practices used and the experience gained in one society are not always applicable to others. Nonetheless, the principles—elements that have been effective in one or more cases and offer a useful guide that can be adapted to other situations. Moreover, they illustrate that cultural change, while difficult, can be brought about, and sometimes in a relatively short time.

*What Is a Culture of Lawfulness?*

A culture of lawfulness means that the dominant or mainstream culture, ethos, and thought in a society are sympathetic to the rule of law. In a society governed by the rule of law, people have the ability to participate in the making and implementation of laws that bind together all the people and institutions in society, including the government itself. It is *not* the same as *rule by law* in which the rulers—even if democratically elected—impose the law on others in society. Under the rule of law, everyone, irrespective of race, creed, color, gender, family background, or economic, social, and political circumstances, is to be treated uniformly. The rulers as well as the ruled are accountable to the rule of law. As former UN Under Secretary-General, Pino Arlacchi pointed out, it is the rule of law, not majority-based democracy, that protects all members of society, including the weaker elements, and even the foreigners in their midst.

As with most human institutions, perfection is usually unattainable, even in those places where such institutions function most successfully. Yet the rule of law is the most promising system so far developed by man for improving the quality of life in society. In addition, within the rule of law there are many mechanisms for its ongoing improvement.

The presence of a culture supportive of the rule of law—a culture of lawfulness—does not mean that everyone in society believes in the feasibility or even the desirability of the rule of law. Nor should it be expected that all subcultures or groups would be imbued with the value of lawfulness. Yet, such a society would be characterized as one in which the average person believes that legal norms provide the gateway to attain justice and enhance the quality of life of individuals and society as a whole.

That people in every society understand the necessity for such a culture should not be taken for granted. Most people have little reason to become involved in promoting such a culture. Some believe the ruler or government is responsible for formulating and enforcing laws. Others believe that ordinary citizens do not have the capability to contribute to the rule of law. Both perspectives underestimate the role of the citizenry, the community, and culture. They also overestimate the power of government and law enforcement, and the difficulty in creating the rule of law without a culture of lawfulness.

Without such a culture, there would almost certainly be more crime. Most people that follow the law do so because of their expectations that others will behave similarly and that this is best for everyone. However, in the absence of a culture of lawfulness, many will be freer to satisfy their immediate needs and preferences, despite the presence of elaborate laws. On the other hand, without laws and law enforcement, the culture of lawfulness alone is unlikely to provide for the rule of law. There must be specific processes for rule making and rule enforcing. The culture needs enforcement, but the enforcers need the culture. Otherwise, society might be swamped by the violation of laws, or a pervasive police presence would be needed to control criminality. At the same time, the rule of law protects society from the excesses of law enforcement. The rule of law without a culture of lawfulness is not really feasible; the rule of law without such a culture is also not really desirable. Increasing public awareness of these propositions is important. Government may have a lead role in providing a lawful environment for the citizenry, but civic, religious, educational, business, labor, cultural, and social organizations at all levels of society have important roles to play.

*Specific Methods, Techniques and Effective Practices*

Various sectors of society and their institutions influence popular culture and can foster a culture of lawfulness. Mobilizing each of them is necessary. Only when these sectors operate synergistically and reinforce one another is it reasonable to ex-

pect major changes in culture. And only when both “wheels”—the regulatory and the cultural—operate in harmony can the rule of law be expected to function effectively.

1. *Civic and school-based education.* Empowering and educating the citizenry is essential. The necessary knowledge, attitudes, and skills will not come automatically, particularly to young people. Systematic, formal, and informal education programs in schools, professional associations, trade unions, and the workplace, and religious institutions, appear to make a difference when coupled with the effective regulatory practices.

For several reasons, school-based education appears to be one of the most promising ways to advance and foster the requisite qualities of a culture of lawfulness. By changing the attitudes and knowledge of the next generation, students can become a key constituency in effecting long-term change. Schools are among the most important, widespread, and strategic civic-education organizations. Most young people attend primary school, and more and more are attending secondary school. Schools are also among the most well-endowed civic organizations in any society. They have facilities in which to hold formal COL classes, and provide opportunities to organize supportive extracurricular and cultural activities in their communities. Most schools have teaching materials, books, and some have new information technologies. The staff, particularly the teachers, are close to the students and are respected members of society. Schools can reach large numbers of children and through them, their parents, and the community at large.

A variety of learning strategies and approaches can be tailored to individual educational systems. Ideally, it would be useful to reach children attending both primary and secondary school, perhaps with 20 curriculum hours in the early primary years. Later on in the early secondary years, 40 to 60 hours would be more appropriate to reach children before they become involved in serious criminality and take it for granted that they live in a culture of corruption. It is almost certainly too late to wait for the last years of formal schooling (16 to 18-year-olds). At this point, children will already have been exposed to the temptations of crime and corruption, and many, will have left school. School-based anticrime and corruption programs started in Hong Kong in the 1970s. Similar creative cultural activities and school-based programs have also made significant contributions in Palermo and in parts of western Sicily since the 1980s. Promising new initiatives are underway in Mexico and Colombia.

2. *Centers of moral authority.* In all societies, some individuals and non-governmental institutions are regarded as “centers” of moral authority. In many places, faith-based institutions and leaders of religious movements and their lay associates are important leaders of public opinion. In others, artists, writers, teachers, and locally well-known courageous figures who suffered for their beliefs and moral stands will be highly respected. Often these figures are associated with nongovernmental organizations.

These individuals and centers of moral authority can play an important role in helping to develop and sustain a culture of lawfulness. For example, religious institutions seek to promote harmonious relations between people and to identify the types of behavior that are detrimental to this harmony. Where senior and local religious leaders identify crime and corruption as detrimental and mobilize their churches, mosques, synagogues, and lay organizations to encourage lawful behavior, such changes have proven to be significant. For example, for more than 100 years in Sicily, senior religious leaders did not even mention the existence of the Mafia publicly, let alone denounce organized crime. Then, in 1982, the cardinal on the island, Salvatore Pappalardo, and later Pope John Paul II denounced the violence and cruelty of the Mafia and labeled participation in its activities as “evil.” These expressions were significant and lent much needed support to those priests, lay Catholics, and others who were struggling to foster a culture of lawfulness.

Centers of moral authority, those associated with them, and other highly respected individuals in society, are often involved in formal and informal education. Formally, they have their own centers of learning and professional training for religious personnel—academies, pedagogical institutes, etc. They also have their own parochial schools or advisory committees on public and private education. Center of moral authority may even have their own media outlets, radio, television, newspapers, and magazines, or they are often asked to participate in mass media programs. They might run or assist in sports programs and summer camps for youngsters, and after school programs. They undertake charitable and educational activities for runaway or abused children, the disadvantaged, the poor, or those convicted of criminal offenses. All in all, in the course of their normal duties they are in daily contact with a significant percentage of the population in urban as well as rural areas.

While not everyone in the community may recognize their moral authority, these individuals are in a position to play a major role in encouraging and reinforcing others in society who are endeavoring to foster a culture of lawfulness.

Closely related to centers of moral authority is the concept of role models. A society that encourages leaders of all kinds—political, cultural, media, religious, educational, labor, and business—to speak out and to lend their authority to anticorruption efforts, even when their targets are important players in public institutions with whom they are friendly or supportive, provides powerful role models for the citizenry.

When the leaders, “heroes,” or “role models” know a lot about the practices and people they are condemning, it is even more effective. If they are willing to be specific, to name the individuals or parts of the establishment they are attacking, the effectiveness is multiplied. Such public statements require great personal and psychological courage, and almost certainly physical protection. For example, as was discussed above, it took great personal courage for a minority of priests and, later, individuals in the hierarchy in Sicily to attack an institution to which the church had, to some extent, been allied for decades. When this respected authority acted, it provided a great boost to the anti-Mafia movement. In the ensuing years, others began to shine the light of publicity on specific politicians and officials believed to be corrupt. This was a major advance in the struggle against the Mafia, and it helped bring about a huge change in the culture of corruption that had gripped parts of Sicily for decades.

One of the bravest and most outspoken, but by no means the only one, was the recent mayor of Palermo, Leoluca Orlando, now a leading member of the Italian Parliament. Orlando, a Catholic, was close to local church leaders seeking the changes discussed above. He was also an up and coming leader in the ruling Christian Democratic Party. In the mid-1980s, he broke with many in his party, in effect, over the leadership’s unwillingness to break with the Mafia. Fortunately, the people of Palermo elected and reelected him mayor. He and other political, educational, and religious leaders in large and small towns, such as the infamous Corleone, played a major role in the changes that took place in Palermo and other parts of western Sicily.

3. *Media and Popular Culture.* The mass media in modern society is a powerful institution that can expose crime and corruption and reinforce the culture of lawfulness as well. The media can play this role in several ways. One is to monitor the behavior of public officials, in government programs as well as in the private sector, and make these findings public. This kind of independent, objective, and fair reporting on crime and corruption is not easy, but it is an important, if not essential, component in maintaining transparency.

The media can also make a difference by encouraging and facilitating public involvement in the promotion of the culture of lawfulness and the rule of law by devoting time and coverage to those in their own and other societies who are actively involved in strengthening the rule of law. For example, Sicily’s major daily newspaper, *Giornale Di Sicilia*, and later the major local television stations, cover police and judicial investigations and trials involving criminal collusion among officials and business. However, it also uses its pages to encourage children from various parts of the region to believe that they too can influence daily life in their own society. For several years, the managers of the paper have encouraged and published schoolchildren’s letters and opinions about specific events or conditions in their community, particularly about the rule of law or its deficiencies. The newspaper then seeks out the views of elected and appointed officials or other specialists who are asked to address the children’s specific inquiries. The responses are published weekly on a special page or reported on television. As the dialogue frequently concerns sensitive matters, particularly local corruption and criminality, which affect adults and the community at large, many adults as well as young people, take an active interest. This policy of *Giornale Di Sicilia* serves several functions. It exposes problems and requires officials to respond to them, demonstrating to the younger generation of Sicilians that they can become directly involved in fostering the rule of law. It also reinforces school-based crime and corruption-prevention programs. Finally, by reaching out to the children, it also impacts their siblings, parents, and other members of society.

Popular culture and its potential influence should not be underestimated. They can potentially reinforce the values that make for law abiding, values-oriented citizenship. Films, popular music, television, advertising, and other elements both reflect and contribute to behavior. Artists and media mirror society but they are also trendsetters who influence behavior. If the creative talents that go into the production of box office hits, platinum records, and similar market successes were applied to glorifying the exploits of the whistle blowers and anti-Mafia heroes of our world,

and to promoting respect for moral values and law, they would contribute to the fight against crime and corruption by influencing attitudes and values.

Because the popular media reinforces drug trafficking and *machismo* through *narcocorridos* along the US-Mexican border, it is more difficult to convince the population, especially young people on both sides of the border, to oppose these practices. If, on the other hand, music, books, magazines, and films stress the negative effects on the lifestyles of those who go down this path, they are likely to weaken the allure of crime and corruption.

This is not to suggest that creating this popular culture and criticizing negative images in the popular media are primarily the work of government. This is neither feasible nor desirable. Rather, the leaders of civil society; artists, writers, musicians; and the foundations and entrepreneurs who provide the financial infrastructure, need to make appropriate choices about the conditions and values to which they are contributing.

4. *Law Enforcement.* Systematic education in the rule of law can enhance the effectiveness of the police and judiciary. Such programs foster a professional police culture supportive of lawful behavior and respectful of citizens' rights. Surprisingly, little formal education on the subject is provided in police academies and other training facilities.

Public security officials in many countries are beginning to recognize the importance of this education in the development of honest and skilled personnel. The police in Mexico, Panama, and Colombia, for example, are starting to integrate systematic rule-of-law education into their academic and training programs for new recruits and existing officers. Few others have done so yet.

This education has three main goals: first, to foster a better understanding among police and criminal justice professionals of how and why respect for the rule of law contributes to effective police work; second, to promote attitudes supportive of the rule of law in daily police work; and third, to provide concrete skills that will further enable police to become positive role models and leaders in promoting a culture of lawfulness in the community.

This kind of integrity education seeks to create an organizational climate in which police are rewarded for upholding and promoting the law. A police culture based on lawfulness also helps engender the trust not only of the community but also of other law enforcement agencies. This confidence creates a basis for more effective partnerships to prevent crime and other public security threats. More information on the role, methods, and sustainability of synchronizing cultural change in all four sectors is provided in the Appendix.

#### *The Process*

When important sectors of society, particularly educators, centers of moral authority, the media, and law enforcement become mobilized and institutionalize methods for fostering a culture of lawfulness, they make a major difference.

There are many ways to begin. As the appended chart indicates, the first step is mobilizing and securing the support of the leaders or managers of the major sectors. Unless these leaders believe in and are willing to support involvement in promoting the culture of lawfulness, it will be difficult for its staff—police officers, teachers, journalists, priests, and lay religious leaders—to be effective.

Sometimes, it will take a dramatic crisis or a “trigger” event to catalyze the leadership. The dramatic killings of elected political leaders and senior law enforcement leaders in the 1980s had this effect in Sicily. In Hong Kong, a sensational corruption scandal inside the police force in the mid-1970s sparked change. But sometimes it is the daily deterioration of quality of life, and the rise of lawlessness and massive corruption that galvanize community leaders and even individuals who heretofore were not involved in public affairs. This is the case in Mexico and Colombia. Occasionally, with foresight, lawlessness and corruption can be anticipated in regions undergoing major transitions, particularly when massive economic, sociological, and political changes are occurring simultaneously. As is happening already in many parts of the world, this will impede the rule of law, economic development, and democracy.

Before the leadership of a given sector is approached or after they have indicated their interest, an *assessment* is needed. The responsible officials will need to understand the ways in which their sector can be most effective, over what period of time, and with what resources. Leaders will want to study the plan or programs that are envisioned. Hence it is useful to identify the specific strengths of the institutions in each sector and how these strengths can be deployed. Even if the leadership is content to leave programmatic matters to its staff, it is essential to prepare written plans and a timetable for implementation and for evaluation.

For example, if schools and police are to become involved in promoting a culture of lawfulness, it will take the approval and encouragement of both senior administrators and their political superiors—elected or appointed officials at the community, regional, or national level.

This, of course, leads immediately to the question of *resources*. Fortunately experience demonstrates that fostering a culture of lawfulness can be undertaken relatively inexpensively, especially compared to the expense of regular police and prisons. Fortunately, schools, media, religious institutions, and law enforcement have many of the requisite resources, buildings, staff, educational and media outlets, and important audiences.

However, it will be necessary, at least initially, to supplement the resources of these sectors for a few years. Few in school systems and religious institutions will be familiar with effective anticrime and corruption practices that have worked elsewhere. They will almost certainly need to adapt them to the complexities of their own societies. Hence it will be useful for those undertaking new programs—in schools, media, law enforcement, and centers of moral authority—to become aware of effective techniques from other regions and benefit from experienced practitioners in other societies. Again, fortunately, there are now centers in various parts of the world that are prepared to share their practices with others, so that new programs can build on, adapt, and perhaps improve upon them.

Moreover, these countries can assist in the training of key staff in other countries, (e.g., through “train the trainers,” and demonstrating evaluation techniques, etc.) In preparing assessments of the new programs, consideration should be given to “pump priming” with resources that may be available in other regions. But after this pump priming, assessments should consider how the program will be sustained over a period of years as part of the regular operation or work of these sectors.

After assessing and securing the support of key institutions and leaders and obtaining the necessary commitment of resources, a culture of lawfulness program can be implemented. Bringing together local and national coalitions and harmonizing plans and activities over years are not easy. Most sectors of society have their own subcultures. For example, law enforcement and educators do not usually travel in the same social circles, even though they both have a major stake in the rule of law and culture of lawfulness. Hence, coordinating political leaders, law enforcement, schools, cultural, media, the business and labor sectors, and community activists is not easy.

Moreover, making culture of lawfulness programs part of the normal work of the key sectors in society for some years will take time. Preparing and training staff of each sector will take two or three years, maybe longer. It will require developing, testing, and evaluating progress. Commitment and patience are important and flexibility is essential. What works in one place or society often requires considerable adjustment if it is to work in another. Further, while one sector is making progress (e.g., schools) others (e.g., the media, police, and religious institutions) may not be. Little short-term change may be apparent, and disillusionment can result. Real progress should not be expected for five to ten years and maybe longer. Change depends on whether all sectors can be mobilized at more or less the same time, so that they reinforce each other’s methods and effectiveness.

Developing and institutionalizing programs is an achievement in itself. *Evaluating and reevaluating progress* periodically in each sector will help determine whether the programs are having the desired effect and help ensure that the programs are operating as efficiently as possible. Almost certainly some aspects will be more effective than others. After ascertaining what is and what is not working well, adjustments can be constructed to improve overall effectiveness. Establishing methods of evaluation—quantitative and qualitative—is a skilled task. For example, in the United States considerable efforts have been made to develop the methodology to test the effectiveness of school-based crime prevention education. Various types of testing, some using quasi-experimental designs involving control and experimental classes and pre- and post-testing, can be used to measure longitudinal change over several years and even longer. Fortunately, there are evaluators at various universities and research centers who are available to assist with evaluations and to train evaluators from other countries.

### Conclusion

The argument here is that regulatory and law enforcement measures alone cannot confront the scope of global crime and corruption. Rather, they need to be complemented and supported by a society that embraces a culture of lawfulness. This is difficult to establish. Yet, there are examples, in diverse circumstances, of major changes in values, skills, and attitudes about the rule of law in a relatively short

time. While there is no “one size fits all” approach, certain key principles can provide a guide for societies seeking to foster a culture of lawfulness.

In sum, *civic and school-based culture of lawfulness education* reaches children and through them their parents, siblings, and the community. *Centers of moral authority* exist in most societies and often have extensive networks through which to reach large segments of the population. These centers are also the source of heroes or role models who provide living examples of the sacrifice and struggle that often accompanies and helps to forge societal change. The *mass media* can play an important role in fostering and reinforcing the requisite culture, highlighting its everyday strengths and weaknesses. Finally, *law enforcement* is essential. Police in some countries are beginning to integrate education in the rule of law into their academic programs for entry-level and supervisory personnel. This initiative aims to foster an understanding of how and why respect for the rule of law contributes to effective law enforcement. It also imparts skills that will enable police to promote a culture of lawfulness, and earn the trust and participation of citizens.

Together, these sectors can establish the framework to develop and sustain community efforts to create a culture of lawfulness. Some societies have achieved this on their own, even in difficult circumstances. Others will benefit from the experiences and resources available from those who have already tackled change. When local communities are willing to foster the culture of lawfulness, they deserve our support.

#### Appendix: Synchronizing the Sectors to Develop a Culture of Lawfulness

Sector	1) School-Based Education	2) Centers of Moral Authority	3) Mass Media	4) Law Enforcement
<b>A. Roles</b>	<ul style="list-style-type: none"> <li>Reach students, families, communities</li> <li>Help young people understand how rule of law improves quality of life</li> <li><b>Build knowledge and skills</b> to prevent crime, corruption, drug trafficking</li> </ul>	<ul style="list-style-type: none"> <li>Reinforce school-based COL lessons</li> <li><b>Build awareness of citizens' role</b> and responsibility</li> <li>Show activists and believers that crime, corruption, &amp; drugs are robbing them of their cultural values and identity</li> </ul>	<ul style="list-style-type: none"> <li>Popularize COL message</li> <li>Involve citizens, particularly youth and families</li> <li><b>Foster hope</b> by publicizing effective government and citizen efforts</li> </ul>	<ul style="list-style-type: none"> <li><b>Set an example</b> that rule of law matters and corruption is not rewarded</li> <li>Involve citizens in community crime and disorder problems.</li> </ul>
<b>B. Methods</b>	<ul style="list-style-type: none"> <li>School-based COL curriculum taught by regular classroom teachers during normal school day</li> </ul>	<ul style="list-style-type: none"> <li>COL education by religious and cultural institutions</li> </ul>	<ul style="list-style-type: none"> <li>Seminars to build media leaders' knowledge, capacity</li> <li>Programs enhance the value and popularize ROL</li> </ul>	<ul style="list-style-type: none"> <li>COL taught to cadets, officers</li> </ul>
<b>C. Sustainability</b>	<ul style="list-style-type: none"> <li>COL curriculum institutionalized as part of normal education of children</li> </ul>	<ul style="list-style-type: none"> <li>Religious and civic leaders adopt COL as integral part of their teaching and pastoral message</li> </ul>	<ul style="list-style-type: none"> <li>COL programs are entertaining and profitable in short and long term</li> </ul>	<ul style="list-style-type: none"> <li>COL integrated into police education and performance reviews</li> </ul>

Mr. ENGEL. Thank you very much.

Mr. Burton has a conflict and has to leave, so I am going to give him the opportunity to ask the first question.

Mr. BURTON. Thank you very much, Mr. Chairman. I once again appreciate you having this hearing.

I don't know if you have been to Peru or Colombia, up in the Upper Huallaga Valley where they produce drugs. I flew in there, and the day I flew in they found eight torsos. They cut the arms and legs and heads off and threw them in the river.

The radical group there that didn't like any foreign country intervening in their drug production and what they were doing there was very active. We were able, through using herbicides and other technology, to be able to curtail some of the production there.

Like a balloon where you push in on one part, it pops out someplace else. Where you go over this part you get that, and it pops out someplace else. These drug cartels and these producers of cocaine and heroin and everything else, they move around wherever it is possible to produce these things, and when it gets too hot in one place they move someplace else.

The reason I bring this up is you indicated that we shouldn't expect immediate results. I have been going to these things for 41, 42 years. That is not immediate. I have heard these kinds of statements and arguments for 41, 42 years.

The statements remain pretty much the same. Times change, people change, but the issue and the solutions remain the same. Education, investment, all these things that you suggested today and making sure that we split the money in the right way and the right place, but there is a root cause that we never, ever get at, and that is the profitability in the drugs.

As long as they can make a 1,000 percent profit you are always going to have somebody else that will produce them and somebody else that will pick up the slack and move forward and take over the reigns of leadership when they get somebody like the head of the Median Cartel and kill him.

Now, granted you might create a solution to the problem in one area, but, like I said with the balloon, it pops out someplace else. Now, I am proposing a solution. I am telling you the problem as I see it over a long period of time, and I would like for you as major thinkers and think tanks and people who we rely upon for judgment and the people who write the articles in the newspapers listen to, because you are professors with great credentials and people who have great expertise in researching these things.

What I would like for you and others like you to do is to say with a pencil and paper what are the problems. I know you have written these out before. Now, what is the main problem? What is the thing that is creating the vast majority of the problems?

When you look at all those I think you come down to the one issue, and that is where the money comes from to do these things. Honestly I know that you say that the family problems and poverty and all those things, we have spent I am sure a trillion dollars, a thousand-thousand-million dollars, in fighting this issue of crime and drugs and violence against women and everything in Central and South America over the years that I have been in public service.

Can you imagine what we could have done if we had taken that money and used it for education and job creation and other things to deal with the problem instead of just continually going over and over again, fighting the problem the same old way?

You know, I was talking to my colleague down here a while ago. I can't remember whether it was you, Jerry, or who it was. We were talking about an attorney general in one of the states—I think it was the attorney general—who was just indicted for being

a distributor of cocaine. There is so much money involved. A lot of public officials, law enforcement officials, get involved in that.

I think one of the problems that we have to address, and I am likely to real briefly address it because I have to leave here pretty quick, is what you think can be done about cutting that Gordian knot of perpetual number of people getting involved in the drug trade, an ever increasing number getting involved. It leads to violence. It leads to just every crime you can think of in my opinion. It is a major root cause. It may not be the only cause, but it is a major root cause.

One of the things that the great thinkers need to think about is how do you deal with it? Now necessarily talking about legalization, but we have to have, in my opinion, a different approach than we have tried over the last 40 years.

With that, I have about 5 minutes so I will be happy to listen. Anyone?

Mr. GODSON. Well, Congressman, with deepest respect to you and—

Mr. BURTON. Suspect or respect?

Mr. GODSON. Respect. I am sorry. Respect.

Mr. ENGEL. Both, Mr. Burton.

Mr. BURTON. Both? Thank you.

Mr. GODSON [continuing]. For all the efforts you have made over the years which I have been able to study and talk to some of your staff over the decades actually, I just want to say I do think one of the root causes is how young people are socialized.

I think the profitability issue is actually a secondary issue, and I have evidence to substantiate this point of view. It isn't just my opinion. Further, actually I would even ask because I don't think you have ever been to Sicily. I would ask that you—

Mr. BURTON. I have been to Italy.

Mr. GODSON. Well, but I would ask you, for example, to contrast the area of Western Sicily with what goes on in the Naples/Campania region now, and you would see two very different areas.

In one organized crime has been not eliminated, but diminished. It no longer has control of the minds of the people. If you go to the Naples area you will see a very different situation in which drug trafficking and the minds of the people are still dominated by organized crime and criminality.

This is the same country with the same law enforcement institutions, the same laws, the same justices, the same state structure. You will see a very different situation, and I would submit to you the reason why these two cities in the same country are different is because in one people cracked what we in social science call the socialization process; how young people are raised and taught to believe in the role of law and what they think about crime and criminality.

I would suggest the same thing is happening in Colombia. One has to explain why the crime rate and why violence has decreased so dramatically in Bogotá, Medellín and other cities in Colombia, and there I do know that you do study this issue.

It is a remarkable sort of secret in the world how peaceful those cities are. They are not perfect—no area of the world is perfect—but I would suggest to you we have seen a dramatic change.

Ten or twenty years ago we saw this change in Hong Kong. A very different culture, another part of the world with a very different set of circumstances, but organized crime, corruption were endemic in those societies. There were years, decades, in which they were the dominant players in that society, and even the British tolerated it, but finally people decided that they had identified the cause, and the cause was education.

When I say education I don't mean just what goes on in schools, although schools are important in this, but what goes on in the formal and informal education, inside the police, inside the schools, include the churches. It is not enough to say the church is involved.

In Sicily we saw the church involved on the wrong side for decades. The change in Sicily came about partially because the church changed its view about education on this subject, and that, I would argue, is evidence to show that in fact it is not just education. It is the specific role of institutions in teaching about the rule of law.

I am afraid until we do this, and I hope that you will still be in Congress for a number of years, but I suspect you are going to still be dealing with this problem unless we deal with what I would call one of the major root causes, which is the minds of people, the socialization of people, which I would suggest until very recently we in the United States were not well aware of.

Thank you.

Mr. THALE. If I could comment very quickly? Congressman Burton, I think you are absolutely right that the profitability of drugs is what drives drug trafficking, and drug trafficking is not the only, but one of the major sources of violence in Central America.

Ultimately it is the U.S. market, and it is U.S. consumption that is the issue there. From our point of view, from the point of view of all, I think the appropriate focus is to look toward harm reduction in the United States.

Treating drug abuse here is a public health problem and in the region to focus our efforts on going after the most violent and most corrupting groups, rather than focus either on arresting street level drug dealers in the United States or focusing on eradication and fumigation efforts in the region.

Ms. REISMAN. I would just like to add to some of the comments by my colleagues. Bringing the conversation back to Central Americans, specifically the gangs in Central America and the report that Chairman Engel mentioned that was recently put out by the UNODC actually argues that there is not a significant link between drug trafficking and the gangs in Central America.

I am specifically citing—I won't read it to you, but I suggest that perhaps it be considered for the record, the chapter on gangs in this particular document that puts forward a number of arguments about why although certainly a factor it is not considered to be a major contributing factor in the rise of Central American youth gangs.

To answer your question, Congressman Burton, about the problems, I strongly believe it is a lack of opportunities that are available in Central America, whether that is economic opportunities, educational opportunities or related issues, and I think that the solution lies, for both our government and the governments of the region, in very targeted secondary prevention policies.

I come from a meeting held this morning at the National Academies which is bringing together a variety of public health and other officials working specifically on the issues of violence prevention in less developed countries, and the information that is coming out of that meeting is that secondary prevention is more cost effective. The World Bank specifically has done a variety of studies on that.

Looking for the urban hot spots where these gangs have a significant presence and putting into place a comprehensive system and balanced approach to deal with it when saying targeted secondary prevention is what I am referring to, which I think goes beyond a more general scope for certain educational programs, employment programs, job creation, trade, et cetera, but really looking at targeting the most at risk youth.

Mr. BURTON. As I depart, and I heard all of your remarks, 90 percent of the cocaine that comes into the United States, which is the preferable drug of choice, in addition to marijuana. Ninety percent comes through Central America, so it has to have a major impact on the problem down there. Anyhow, thank you very much for your comments.

Thank you for your leniency, Mr. Chairman. Thank you very much.

Mr. ENGEL. Thank you. Thank you, Mr. Burton.

Let me just ask a question or two. Let me start with Mr. Thale because you mentioned in your remarks the question similar to that that I asked to Ambassador Castillo.

What impact will be felt on the Guatemalan Government's ability to tackle violence and organized crime if the U.N. Commission Against Impunity in Guatemala is not approved?

Mr. THALE. Thank you. I think it is a very serious problem. I mean, I think the reason that President Berger approached the United Nations and asked to establish a joint commission was that the government found itself unable to carry out these investigations. The criminal groups, the organized crime groups, the clandestine organizations, were too strong and too untouchable to be able to be effectively investigated and prosecuted.

If they fail to pass CICIG, you know, there are other approaches they can take, and we certainly hope they will. Some of the Presidential candidates have said they will try other approaches, but I think if they fail to approve CICIG the government will be seriously hobbled in its ability to address the problem of organized crime and drug trafficking and the clandestine groups, and that is a major, major setback for the rule of law in Guatemala.

Mr. ENGEL. Let me ask you, Mr. Thale. In your written testimony you note that although we often think about violence in Central America, in terms of youth gangs and drug dealers that the spectrum of violence, and we have heard this repeatedly today, begins with interfamilial violence.

You cite the International Violence Against Women survey which found that 60 percent of women in Costa Rica, often considered the least violent country in Central America, reported having experienced domestic violence during their lives.

So let me ask you what is currently being done to curb domestic and gender-related violence in Central America, and what can we do?

Mr. THALE. Thank you for that question. I think it is really clear that a lot of the evidence shows that those likely to engage in street gang and street crime, to join gangs, et cetera, are people who have experienced family and domestic violence.

One survey of imprisoned gang members in Honduras found that 35 percent of them reported they had been beaten at least once a week as children, so there is a clear connection between domestic and family violence and later criminal activity, and I think that has been shown to be the case in Central America and across the board.

The Guatemalan Government, as part of the response to the problem of femicide, created a commission to look at the general problem of family and domestic violence. That commission has a series of recommendations, most of which have not yet been implemented, and we hope those will be implemented either by the Berger government or its successor.

I think there is a set of general recommendations. Obviously family and domestic violence is a long-term problem that isn't cured from one day to the next. I think there is a series of things that could be done in the schools in particular and in joint government and civil society outreach and education programs to address the problems.

I think that the United States and USAID in particular ought to take a look at what it can do to help with that.

Mr. ENGEL. Thank you.

Ms. Reisman, let me ask you this. In your testimony you talk a lot about the lack of professionalization of the police.

You write, and I am quoting you:

“A lack of adequate funding continues to be a major factor with meager police salaries eclipsed by money to be made in both the legitimate private sector, as well as the ever present temptation of criminal activities.”

That is a quote from you.

What can be done? Will increasing police salaries be enough? What other incentives do Central American police need to be free from corruption? Mr. Burton talked about the drugs and how that is tied in.

Ms. REISMAN. I certainly think that increasing salaries would certainly not be the panacea, but could go a way in terms of promoting a more equitable resource base for the police forces.

I think your average Salvadoran police officer makes about \$300 a month, which is pretty close to the minimum wage in El Salvador, and if we compare it to income here in the United States or what someone can make under different circumstances is quite low.

I think that the leadership of the police forces and the Ministries of Gobernacion in Central America need to make a strong case and create a sense of morale in the civilian police corps that argue and create stronger processes and internal processes to root out corruption and to encourage the promotion of qualified, honest and capa-

ble police officers that will rise to the top and set an example for the police forces, much in the way that we see the police forces operating here in the United States.

Mr. ENGEL. You know, in New York City we are having difficulty recruiting young police officers because in the last agreement that was signed they dropped the starting salary of police officers. They raised the other salaries, and to compensate they dropped the starting salaries.

When you compare the amount of money that a starting officer gets in New York City and then the surrounding suburbs it is like night and day.

Ms. REISMAN. Well, and to follow up on that, I think that in the case of Central America it bears noting that it is much easier to find a position in private security forces, often making much more than what a local police officer can make.

Again, the police are just simply not able to recruit the best people, nor are they necessarily able to ensure their performance.

Mr. ENGEL. Thank you.

Dr. Godson, would you like to comment on anything that was just said?

Mr. GODSON. Thank you, Chairman Engel. Just on the professionalization of the police and salaries, of course if they would be in a situation where one can afford to pay them more or resources are available for one or more reasons it would be a good idea to increase their salaries so that it reduces temptation and they have a reasonable standard of living.

However, in the areas of the world where we have actually seen some change in reducing police involvement with criminals, police corruption, police efficiency, one of the things that stands out was that the police became much more sympathetic to and supportive of the rule of law.

They didn't know about the rule of law when they were children growing up. Someone had to teach them about the rule of law because they came from societies in which there had never been a real rule of law. People were not treated equally. People did not have a chance to participate in the development of the law, implementation of the law, oversight of the law. They hadn't ever seen this, and somebody had to teach them that there was a rationale for the rule of law that the police benefit from being good role models. Then the community will support them, the community will protect them, the community will make them more efficient in their work if in fact they follow the rule of law.

And so I would argue that particularly in this area of the world that we are talking about this afternoon, but I would argue in general, that if one can introduce in the police training programs, in the police educational process that exists, and we talked about ILEA earlier this afternoon, but unfortunately ILEA, and not only ILEA in this region, but also in other regions, has very little of what I would call integrity education in the formal police education process.

We are pretty good at teaching a number of technical subjects, and we benefit from their contact with us and their cooperation with us and the friendships that develop and the contacts that develop from ILEA and these kind of programs, but one of the weak-

nesses I would suggest in our program, and a very easy-to-fix, very inexpensive thing that we can do is to actually introduce integrity education.

Unfortunately, we see in other regions and particularly where we are fighting in Iraq and Afghanistan that in our police training programs we have relatively little integrity education, and we have a problem with the policemen we train. That is the dramatic example, but I would suggest that where you have this kind of training one can change the professional capabilities.

It is good to have the salaries, but we will never be able to compete with the salaries that the gangs and traffickers can pay. What we can do is compete with them in terms of integrity and what I referred to earlier as the socialization of the society.

The police need to understand that the rule of law makes them stronger, more effective, and they can be competitive even if their salaries aren't the same as their opponents.

Mr. ENGEL. Thank you. Let me ask one final question, and then I am going to give Mr. Weller a chance.

I mentioned in my remarks the murder of the three Salvadoran legislators in February. Their murders were followed by the subsequent murder of the Guatemalan policemen who were accused of the original murders. That raises serious questions obviously about impunity in Central America.

Can anyone update us on where this case stands and what are the Salvadoran and Guatemalan Governments doing to address this case or the symptoms of this case? Anyone who cares to comment on it.

Mr. THALE. I could very briefly comment. Following the murders of the four police officers who were murdered while in a prison cell, the chief of the police and the Minister of Government, Minister of Interior, both offered their resignations, and after a couple weeks both resignations were accepted. The new Minister of the Interior has launched a review of the police force, has already purged a number of officers.

I think that the process there underscored what a number of people here have said, which is that particularly in Guatemala, but throughout the region, institutional police reform is a major challenge, and that requires the kind of not just technical training through the ILEA, which is important, but a broader support from the international community for a reform process that looks at leadership, structure and command systems, inspector generals and all those sorts of issues.

I think we are often tempted to provide this kind of narrow technical support, and I think it is important to broaden it out from there.

Mr. ENGEL. Thank you.

Mr. Weller?

Mr. WELLER. Thank you, Mr. Chairman, and again thank you for the courtesy of allowing me to join you today in what I feel is a very important hearing, which not only affects Central America, but those of us here at home because of the relationships and the linkage economically, but also the impact of criminal activity in Central America and how it impacts our neighborhoods here.

Professor Godson, I spoke earlier and we brought up the International Law Enforcement Academy, which I feel is an important part of our strategy to professionalize police, as Ms. Reisman has mentioned, but also to improve cooperation.

The Culture of Lawfulness Program, you are spearheading that effort. The State Department of course has provided funds to the Organization of American States to administer as part of the International Law Enforcement Academy to develop a Culture of Lawfulness Program within the ILEA, the International Law Enforcement Academy.

Can you tell me the status of that grant and where it is on moving forward on implementing this program at the International Law Enforcement Academy?

Mr. GODSON. The Department of State, the International Narcotics and Law Enforcement part of the Department of State, has recently become interested in this approach of in addition to providing technical assistance to foreign police to also being aware that the integrity, what I will call the integrity and professionalism, of the police is enhanced through its various programs.

Unfortunately after considering the necessity to do this, to my knowledge there have been no contracts or grants made to actually support any of the ILEA programs in this regard.

My understanding is the Department of State did make a grant to the Organization of American States, and they, after a year or 2 of considering the matter, have now or are about to submit an RFP for that particular aspect of their training and education program.

Hats off to the Department of State for approving this and those who encouraged them to add this to the ILEA program, but still we are quite a way off from seeing anything happen on this subject.

Mr. WELLER. Yes. I was wondering if perhaps, Mr. Chairman, I know you commented about New York, and we have seen with the change in policing style, community policing and zero tolerance for little things that eventually become big things, and that really ties in with culture of lawfulness.

Perhaps we can work together on expediting and moving this through the Organization of American States. I have spoken to Mr. Insulza about this particular grant, and my hope is after sitting there for a year they can move forward so this program can be implemented into the International Law Enforcement Academy.

As we have seen now, the ILEA is now 3 years old. In San Salvador we have seen over almost 1,000 law enforcement professionals from Latin American and the Caribbean have participated.

Over half of those are from Central America, so we are seeing involvement, and I would certainly encourage our friends that are representing the United States in our Embassies to encourage greater participation by police from the Central American countries that are addressing the problems of violence.

Ms. Reisman, you talked about what you witness as the lack of professionalism within law enforcement. What do you see as the role of the International Law Enforcement Academy from your perspective in helping address the lack of professionalism in law enforcement in Central America?

Ms. REISMAN. Well, I think we have discussed quite a bit here potentially expanded roles of the ILEA from a more technical focus to incorporating some more general principles.

I actually met in El Salvador with the State Department rep who was overseeing that, and he was very open to the ideas of bringing in other sorts of training and also bringing in non-law enforcement officials and non-law enforcement practitioners in order to really have a better understanding.

I think one of the challenges that we face in the area of youth and gang violence, and I believe we would agree on this, is that there often seems to be two camps in this field. You have the law enforcement side and the prevention side.

I believe that we have all come to an agreement that these two sides need to come together, need to work together. The U.S. Government is starting to do that. The Gang Task Force has members from USAID, Department of Justice, INL and various other institutions.

I think it still needs some representatives of the public health sector which have quite a bit of experience domestically in the U.S., but we still tend to focus the interventions very specifically on one area or another, so I think that one of the things that would be very beneficial would be to begin to expand viewing it as solely a forum in which police receive training on police tactics, but more broadly a forum perhaps whether we term it as the culture of lawfulness or rule of law, whatever we want to term that as, but using it as the space to create and encourage greater interaction between distinct sectors of the populous, which really do need to come together and find a solution.

I think that applies very much so at the community level as well. If there is not a direct interaction at the community level with the local police forces, the local government, which we spoke a bit about earlier, Institute of Legal Medicine, the justice sector, the education sectors, the health sectors, it is simply an issue that is multicausal.

I think that the very promising experiences that we are seeing in Central America and indeed around the world are those that are operating at the local level and involving multiple actors.

Mr. WELLER. You know, President Bush of course recently traveled through Latin America, a very important trip that he took.

Since the President's visit to Central America we have seen increased priority given to the International Law Enforcement Academy, the reprioritization of INL funds. There is about \$4 million or \$5 million to begin construction of classrooms, as well as essentially a headquarters for the ILEA there outside of San Salvador.

Mr. THALE, does your organization support the International Law Enforcement Academy? If so, what role do you believe it should play?

Mr. THALE. We do support the Academy, Congressman. We have raised questions at one time or another about transparency issues and oversight issues in the academy, and I think some of those questions we actually talked about them this morning with officials of the State Department. I think we still have some of those questions. Nonetheless, we think police training and the training that ILEA offers are important and critical.

I think what Lainie Reisman suggested is just right; that particularly on the issue of violence and youth violence the solutions involve the police and other sectors working together, and to the extent that ILEA training programs can bring those different sectors together and look at the effect of its successful best practices in other places in the region and in the United States, the stronger we will be.

Mr. WELLER. Professor Godson, you seem to have a strong support for the approach you are taking in the culture of lawfulness. We look forward to working with you.

Mr. Chairman, you have been very generous in allowing me to join you at this important hearing. It is always a pleasure to work with you. I look forward to continuing to do that in the future.

Thank you for the opportunity, and I thank our witnesses for being here today.

Mr. ENGEL. Thank you, Mr. Weller. As usual, you always contribute mightily to these hearings and I hope you continue to come and participate. The Ways and Means Committee may be lofty, but the Foreign Affairs Committee is more interesting. [Laughter.]

I want to thank our witnesses. I think the testimony has been great, and the questions that were answered were great. I look forward to working with you and picking your brains on all of these important issues.

Thanks again for coming here. The hearing is now adjourned. [Whereupon, at 4:47 p.m. the subcommittee was adjourned.]



## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

#### STATEMENT OF BUREAU OF WESTERN HEMISPHERE AFFAIRS, U.S. DEPARTMENT OF STATE

The U.S. Government recognizes that crime and violence pose serious threats to democratic states in Central America and the safety and security of their citizens. We are working with our partners in the region to combat these challenges and have taken important steps to build a comprehensive regional approach to combat the destabilizing crime and insecurity in the region. Specifically, we are working to build a genuine security partnership as called for by President Bush during his trip to Latin America in February.

President Bush's conversations with leaders in Mexico and Guatemala crystallized the gravity of the interrelated threats of trafficking in drugs, people, weapons, and other contraband by violent, transnational syndicates in Mexico and Central America. Since then, we have engaged with our partners through a number of fora to advance our common agenda of creating a safer, more secure Central America. Attorney General Gonzales traveled to Cuernavaca, Mexico to meet with his counterparts from Central America and Mexico. At these meetings, the attorneys general discussed concrete actions that can be taken to fight violent street gangs, also known as maras, as well as actions to combat human trafficking, money laundering, and drug trafficking. In April, representatives from across the U.S. Government traveled to El Salvador to attend the 3rd Annual International Anti-Gang Conference where they met with Central American law enforcement officials to share ideas on the threat of transnational gangs and discuss best practices.

In July, we will hold the first, of what we hope to make regular, high-level exchanges between the United States and the Central American Integration System, or SICA, to discuss security issues of mutual concern. The agenda for this inaugural meeting includes gangs, narcotics trafficking, and illicit trafficking of small arms.

The U.S. Government supports a number of initiatives addressing gang activity, and more are coming on-line as different government agencies begin implementing a common strategy that includes diplomacy, law enforcement, repatriation, capacity enhancement, and prevention. A Department of State Regional Gangs Program will provide a regional advisor in El Salvador as well, to serve El Salvador, Honduras, and Guatemala, the three most heavily affected countries, with technical assistance and training. Drug abuse prevention programs are also a key component of our anti-gang activities and the Regional Gangs Program.

To identify, track and apprehend gang members more effectively, the United States is working to implement the Central American Fingerprinting Exploitation (CAFE) initiative. Under the CAFE initiative, the Department of State and the FBI are collaborating to provide equipment and training to help law enforcement agencies in Central American nations acquire digital fingerprints of violent gang members and other criminals who travel and commit crimes under different identities in Central America, the U.S. and other countries. The prints will then be integrated into a computerized system that will allow law enforcement officials from participating countries to exchange information and track criminals as they travel across borders.

Furthermore, later this summer, in cooperation with the Government of El Salvador, we will stand up the Transnational Anti-Gang, or TAG, unit in El Salvador. With FBI support, this vetted unit of Salvadoran law enforcement personnel will focus on gang related crime in El Salvador and the crime-related linkages in the United States.

Additionally, the United States is in the process of implementing the Department of Homeland Security's (DHS) new *electronic* Travel Document (eTD) system which

will provide law enforcement officials in El Salvador, Honduras, and Guatemala with electronic information on gang members and other criminals who have been deported from the United States to their home countries in Central America after serving their sentences in the United States.

The United States has increased its anti-gang training in Central America, including efforts through the International Law Enforcement Academy (ILEA) in San Salvador. The Academy completed its third anti-gang program in January, training police and prosecutors from Central America in the best practices of targeting and fighting gang activity and other crimes. The pilot Model Precinct Program in Villanueva, Guatemala is another cornerstone of our on-going anti-gang activities. The program addresses gang activity by improving community-based law enforcement, bringing together police, prosecutors, and the community in efforts to prevent and solve crimes.

The U.S. Government appreciates the tough work that is being done by the Central American governments to turn the tide on criminal elements operating in their societies. The Tegucigalpa Declaration issued by SICA in October 2006 is one example of this regional progress. Through this Declaration, Central American states committed to work together and focus joint actions in the areas of legislation, training, and operations to combat the growing trend of violent crime and drug-trafficking.

Another example of the good work that is going on in the region is the Berger Administration's efforts in Guatemala to approve the International Commission against Impunity in Guatemala, or CICIG. As expressed publicly by Undersecretary of State Burns and Ambassador Derham, the U.S. Government fully supports the agreement between the United Nations and the Government of Guatemala to establish CICIG. The Commission's goals of investigating and supporting the prosecution by Guatemalan authorities of illicit groups engaged in violence affecting the human rights of Guatemalan citizens will help the Government of Guatemala strengthen the rule of law. We applaud the Berger government for undertaking this groundbreaking and promising initiative and will continue to seek ways to support CICIG, including by encouraging the Guatemalan Congress to expeditiously pass enabling legislation.

In a time of tightening budgets and resource constraints, we recognize that we must search for innovative and creative ways to support our partners in the shared fight against the crime and violence that would prey upon Central American societies. While much work remains to be done, through joint efforts by the U.S. Government and the governments of Central America, we have laid a solid groundwork upon which we can continue to build and move forward, strengthening the democracies and improving the economies of Central America.

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STATEMENT OF LINDA H. EDDLEMAN, EXECUTIVE DIRECTOR OF THE TRUST FOR THE AMERICAS, A NON PROFIT AFFILIATE OF THE ORGANIZATION OF AMERICAN STATES (OAS)

Thank you for the opportunity to brief this Subcommittee on the programs for children at risk that the Trust for the Americas is currently implementing in Central America. The Trust is a 501 (c) (3) non profit corporation affiliated with the Organization of American States (OAS) in Washington D.C. One of the Trust's principle initiatives provides job opportunities and civic education to at-risk young people. We are currently implementing several related programs in Central America, the Andean Region (Ecuador), Mexico and the Caribbean.

As recognized by Chairman Engel, in his Opening Statement, violent crime has been on the rise in Central America. Disaffected young people who have few opportunities in their countries are at least partially to blame for this increase in crime, according to government officials in both the United States and Central America. The following provides some background information on two major programs currently implemented by the Trust that provides services to vulnerable young people: *Mi Zona*, a program that works promoting civic values and refusal skills to children under 16 and *POETA*, an initiative that gives disadvantaged youth ages 17 to 29 an alternative education through technology. I will elaborate on both.

#### MI ZONA PROGRAM:

On July 2005, the Attorney General of Guatemala and the Guatemalan Ambassador to the OAS approached the Trust for the Americas with a request to implement a civic education program for children at risk. (The Guatemalan officials were impressed with "*Plan V*," a program that the Trust had implemented in Colombia

that promoted ethical values to more than 2,500 children ages 6 to 14 in ten Colombian municipalities).

The Guatemalan government was concerned by the large number of small children being recruited by criminal organizations as lookouts and mules. In 2006, the Trust received a grant from the U.S. Department of State to run a civic education program in Guatemala. The initiative, called "*MI ZONA*" (my community), provides young children (ages 6–10) with the tools to manage difficult situations such as those involving corruption, crime, drugs and gangs.

*MI ZONA* operates in six of the most dangerous zones in Guatemala and is modeled on the successful Plan V program. It teaches participants how to effectively and safely say "no" to illicit activity. For this purpose, the Trust uses a participative approach that involves students, teachers and parents in after school activities and open discussions about risk-taking behavior.

*MI ZONA*'s results are achieved through a series of workshops for children and seminars for parents. In each workshop participants discuss ethical dilemmas and their own life experiences. The program also includes training-the-trainer component for community leaders and teachers and an NGO capacity building seminar. Through these activities, the Trust replicates its curricula in schools and community centers ensuring program sustainability.

I want to share with the Subcommittee some measurable results of the program in just ten months:

- Approximately 200 children trained in prevention and refusal techniques
- 300 adults trained in support and curricula development for prevention. Adults trained include teachers, parents and community leaders involved in gang prevention.
- A crime prevention methodology with surveys and activities workbook developed for the program
- More than 20 training workshops held in 6 different Guatemalan Municipalities

In just ten months of implementation, the initiative has attracted the interest from different stakeholders. For example, a group of private companies have expressed interest in "adopting" different schools and community centers where the *MI ZONA* curriculum could be replicated. More than 19 local NGOs have also participated in our training activities, and they are now replicating program components at no cost and with their own beneficiaries. Finally, we have trained a group of journalists in how to provide a more sensible and accurate coverage of youth related issues.

Although *MI ZONA* is set to conclude in August, we are actively seeking additional sources of funding to continue, and hopefully expand the initiative

#### POETA

In 2001, the Trust received a grant from the World Bank to implement a pilot program to provide computer skills to people with disabilities in El Salvador, Guatemala, Honduras, and Nicaragua. Later that year, the Trust received a \$1.4 million grant from the U.S. Department of Labor to work primarily in El Salvador with people with disabilities. Thanks to this grant, the Trust opened three community technology training centers in San Salvador and adjacent municipalities. The program trained more than 450 people with disabilities, mostly young people affected by the civil war.

Building from this experience and with the goal of reaching a greater number of beneficiaries, the Trust established its Partnership in Opportunities for Employment through Technology in the Americas (POETA). POETA is a hemispheric initiative implemented jointly by the Trust and the Organization of American States (OAS). The goal of the program is to fight poverty and improve the living condition of participants through technology and job-readiness training. POETA provides disadvantaged youth with the necessary skills and the opportunity to apply for and hold a job, earn a living, and become active citizens in their countries.

Currently, the Trust for the Americas operates thirty POETA centers in twelve Latin American countries. The initiative is made possible by a \$1.5 million per year contribution from Microsoft Corporation, and the support of 65 NGOs, 30 academic institutions and over 200 local businesses. This year we plan to open an additional ten POETA centers and expect to provide services to approximately 30,000 individuals in 18 countries.

*POETA/Youth*

Last year, the Trust expanded the POETA program to provide services to a new class of beneficiaries—at risk youth. Specifically, centers were established in Mexico, Ecuador and El Salvador. Thanks to a \$750,000 grant from the government of Canada that we received this year, POETA centers for at risk youth—will be established in the following six Eastern Caribbean States: Antigua and Barbuda, the Commonwealth of Dominica, Grenada, St Kitts and Nevis, St Lucia and St Vincent and the Grenadines.

In each of these POETA centers, young people (ages 16 to 29) receive training in Information and Communication Technologies and job readiness. These centers train approximately 200 participants a year. To date, more than 60% of participants in these programs obtain a job, form a micro enterprise, or pursue additional educational opportunities. At the same time, POETA builds the capacity of local partner institutions giving them the tools to provide training to young beneficiaries. POETA training curriculum is directly related to the current job market demand for higher skilled technical labor in each community. The training curriculum also equips youth with interpersonal skills and values. For example, we recently introduced a civic education module that teaches youth practical approaches to conflict resolution, respect for the law, emotion control, and refusal skills. This enables beneficiaries to become more informed and better citizens.

*Assisting Central American Communities Affected by Gang Violence:*

I would like to provide this Subcommittee an example of the work POETA does in Central America. In El Salvador, the Trust for the Americas opened its first POETA Center for disadvantaged youth in 2006, in partnership with Fundación Amigos de la Educación (FUNDAEDUCA). This center is located in Ciudad Credisa, Soyapango and trains at-risk youth and their families in Information and Communication Technology and job readiness skills. This year, we opened an additional center for disadvantaged youth in Soyapango. This new center, managed by Universidad Don Bosco, will not only offer courses in ICTs, but will also provide the program's participants with the opportunity to enroll and graduate from the Cisco Certified Network Associate (CCNA) program. This will enhance the participants' competitiveness, which will in turn increase their chances of employment. By the end of 2007 we expect to have trained more than 175 young participants. These are 175 young people that will not join a criminal group. Rather, they will become workers in a local company or, perhaps, become their own bosses in small productive enterprises created by themselves.

This is precisely, the key to the success of the program. POETA works because it gives youth a much more attractive alternative than criminal activity and vice. The POETA centers become a second home for participants. A place where they can use computers to learn, obtain job skills and have fun. After completing the training modules, young participants stay out of trouble. They remain in the centers as mentors. Others are hired by local companies. A large group also receives scholarships from local universities to pursue more advanced technical education. In sum, POETA works because it treats youth as part of the solution, and not as part of the problem.

*Promoting Reinsertion of Deportees in their Home Countries*

Some countries in the region receive between 50 and 70 deported citizens every day from the United States. Of these, a large number are between the ages of 18 and 22. The majority of these deportees do not fit the profile of the violent criminal deportees of the 1990s. Indeed, less than one third of today's deportees to El Salvador, for example, have a criminal history. Instead, the majority are persons without a criminal history who have either been interdicted while attempting to cross the border or have been identified through common traffic or other non-criminal violations of law while living and working in the U.S.

Despite the fact that the majority of deportees have no criminal history, they are nonetheless at-risk for criminal behavior or matriculation into gang culture upon the return to Central America. Having left their countries to escape a lack of economic opportunity in the first place, many return with feelings of hopelessness and resentment. This makes them ripe for recruitment by criminal organizations or, at the very least they are likely to attempt a return to the United States.

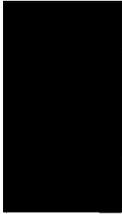
To stem this risk, deportees must be better integrated into the society upon their return to their countries. This includes both social and economic integration. Leveraging its experience in employment training and civic education, The Trust for the Americas has developed an innovative approach to address the problem of re-integration of Central American young deportees from the United States. The program will aim to better re-integrate non-criminal deportees back into their countries' society and economy.

With support from the OAS, the Trust intends to open training centers for deportees in Central America. In the centers, beneficiaries will receive employability training beginning with a basic curriculum that will be enhanced by additional modules relevant to the identified employment market demands in the hospitality and tele-marketing/call center industries in the target country. *Civic education* modules will be integrated into employability training modules where relevant. In addition, Center trainers will conduct stand alone civic education modules on relevant issues. We expect the initiative to reduce the number of young deportees that intend to return to the U.S. illegally, while also preventing those who remain in the country to engage in criminal activities.

To conclude, I ask the Subcommittee to consider focusing on the prevention of youth violence through innovative programs such as those under the auspices of the Organization of American States and its affiliate the Trust for the Americas. I further ask the Subcommittee to work closely with our OAS Member States as partners in preventing and reducing the damage to all of our societies from gang and criminal activities.

Thank you for the opportunity to provide this testimony.

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**Youth**

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**Iran's Young Opposition**

Jared Cohen

**Iraq's Youth in a Time of War**

Jonathan Powers

**Urban Riots in France**

Catherine Wihtol de Wenden

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**Youth and Electoral Revolutions in Slovakia, Serbia, and Georgia**

Valerie J. Bunce and Sharon L. Wolchik

**Ukraine Is Not Russia: Comparing Youth Political Activism**

Taras Kuzio

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**Youth and Nationalism in Japan**

Hironori Sasada

**The Assertive Nationalism of South Korean Youth**

Sook-Jong Lee

**Photo Essay: Abduction in Sudan**

Molly J. Miller

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## Breaking the Vicious Cycle: Responding to Central American Youth Gang Violence

*Lainie Reisman*

*This article explores the relationship between gang violence, and the widely varying responses to such violence, in North and Central America. With a specific focus on transnational gangs like the Mara Salvatrucha (MS13) and 18<sup>th</sup> Street Gang (Calle 18), both of which have their roots in the United States, the author describes the cyclical nature of Central American gang activity and the inter-connectivity between the countries in the region. Emphasizing the important role of prevention programs, as a balance to coordinated rehabilitation and law enforcement efforts, the article argues for a comprehensive approach championed and implemented by the most affected countries in the region, namely the United States, El Salvador, Honduras, Guatemala, and Mexico.*

Youth gang violence is a serious problem in North and Central America, threatening the basic security of residents as well as democratic processes throughout the region. The governmental responses vary greatly, but most have focused on adopting tougher law enforcement, otherwise known as suppression, efforts while assigning minimal resources to rehabilitation, reinsertion of reformed gang members into society at large, and prevention. Although international law enforcement agencies are beginning to increase coordination across borders, there is still an overall lack of recognition of the cyclical and transnational nature of the gang phenomenon. This international factor is crucial to the problem and its solution. Each country, acting in its own national self-interest, enacts policies and programs that both explicitly and implicitly impact other countries in the region, thus establishing a vicious cycle of violence that is difficult to stem. Clearly, this is an international crisis. In order to break this self-reinforcing pattern of youth violence and ineffective state responses, governments should implement cross-border initiatives that focus on prevention and intervention as a complement to existing law enforcement efforts.

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Lainie Reisman is an alumnus of the London School of Economics Masters in Development Studies Program and has been working on violence prevention in Central America for the past six years. She lived and worked in Guatemala for several years following the signing of the peace accords, first working with the United Nations Verification Mission in Guatemala (MINUGUA) and then as the Team Leader for the United States Agency for International Development (USAID) Peace Program for Guatemala. Upon her return to the United States in 2004, she took over the Directorship of the Inter-American Coalition for the Prevention of Violence.

While rooted in the specific realities of the countries in the region, youth gang violence is closely linked to the problems facing the Central American immigrant communities in North America. It is also a manifestation of a growing global phenomenon of youth violence. Although accurate data are hard to come by, conservative estimates indicate that there are up to 150,000 active Central American gang members in Guatemala, Honduras, El Salvador, Nicaragua, Mexico, and the United States—the majority of whom are members of the notorious *Mara Salvatrucha* (MS13) gang and the *Calle 18* (18<sup>th</sup> Street) gang.<sup>1</sup> Both of these gangs established their roots in the Los Angeles area after fleeing violent Central American armed conflicts in the 1970s and 1980s. Once in Los Angeles, they established their own networks to rival the existing Mexican and African-American gangs. These gangs have flourished over the past two decades, establishing active strongholds in North and Central America alike, and proliferating in semi-urban and rural areas.

Recent policy changes have responded to the crisis. Most notably, in El Salvador, Honduras, and to some extent the United States, tough legislation has been passed targeting gang members through illicit association laws, mandatory minimum sentencing for young offenders, use of the death sentence for gang-related offenses, prosecution of juveniles as adults for gang-related crimes, and gang-racketeering laws.<sup>2</sup> But anti-gang initiatives have become mired in controversy. Human rights and service organizations in the region recognize that gang violence is a very serious problem but also note that gangs are now blamed for virtually all crime, leading to an increase in human rights and due process violations. In Central America, the number of arrests and detentions has increased dramatically, contributing to already overcrowded prison conditions, even though a mere fraction of detainees are actually convicted. With the perception that the justice system is unable to provide adequate solutions, self-styled vigilante justice is also commonplace as residents attempt to take matters into their own hands.

Confronting the Central American gangs at home and abroad has become a top priority within U.S. law enforcement circles, with the FBI going so far as to set up an MS13 task force in 2005 as part of its attempt to address this problem. In addition to tough legislation and prosecution, deportation has become an increasingly important tool in this battle. Deportations increased dramatically in the late 1990s as a result of immigration reform legislation that dramatically expanded the number and kinds of crimes for which non-citizens, including legal residents, could be deported. The impact of this legislation has been to increase significantly the number of Central American immigrant youth deported to their home countries, many of whom had been exposed to gang culture in the United States. More recently, the Department of Homeland Security (DHS) and more specifically Immigration and Customs Enforcement (ICE) have begun to use deportation actively and explicitly as a tool of anti-gang law enforcement, as evidenced by its recent Operation Community Shield.<sup>3</sup>

Although recent U.S. efforts may have led to a temporary reduction in gang membership, this targeted deportation policy has had a complex

impact on the United States and its southern neighbors. Upon arrival in Central America, the deported youth—many of whom have lived in the United States for decades and some of whom do not speak Spanish—often are quickly integrated into local MS13 and 18<sup>th</sup> Street cells, thus strengthening ties between these gangs in different countries. It is not at all uncommon for a deported gang member, having benefited from newly established links to the drugs, weapons, and other criminal networks in Central America, to make his way back to the United States within a matter of months.

The law enforcement crackdowns throughout the region also have had other, less visible, results as gang activity seemingly has become more sophisticated. Gang members are no longer easily identifiable by their tattoos or clothing styles. Instead, many leaders of gang cells display no identifying traits. They are therefore able to move around easily and engage in increasingly sophisticated crimes, blurring the distinction between gangs and organized crime networks. While the U.S. Department of Justice is using the Racketeer Influenced and Corrupt Organizations Act (commonly referred to as RICO) laws to prosecute high-level gang leaders in the United States, Central American countries have neither the legislation, nor the investigative and prosecutorial capacity, to try RICO-type cases.

Indeed, the resource-strapped Central American countries have little to no capacity to deal adequately with the influx of gang members, as the justice sector—the courts, penitentiary systems, and police—are notoriously understaffed, underfunded, and unable to carry out basic mandates, let alone deal with the complex issues of youth gangs and newly arrived

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Prisons in many cases serve as “graduate schools” or “training camps” for gang members.

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deportees. The juvenile justice sectors are even less equipped to provide an adequate solution to the problem, and neither adult nor juvenile detention centers have been able to incorporate rehabilitation and training programs into prison life. Rather, these countries face the problem that prisons in many cases serve as “graduate schools” or “training camps” for gang members who will be out of the streets and causing trouble once more.

Retaliation by rival gang members is also a constant threat to any past or present gang member. Luis, an MS13 gang member who has lived as a legal resident in the United States since he was 13, is currently under immigration custody in Los Angeles. When asked about the possibility of returning to his birth country of Honduras, he said, “I would rather be in custody here, than wait and die in Honduras.” He has known many young men who were killed immediately upon return to their country of origin.<sup>4</sup> Additionally, deadly fires, riots, and murders in prisons in El Salvador, Honduras, and Guatemala, often fueled by inter-gang warfare, have become common. Because they have had to channel a disproportionate percentage of their scarce resources into security, the governments of the region have continually and consistently short-changed social investment.<sup>5</sup>

In seeking to answer the question of why Central American gangs have formed such a visible stronghold throughout the region, experts have

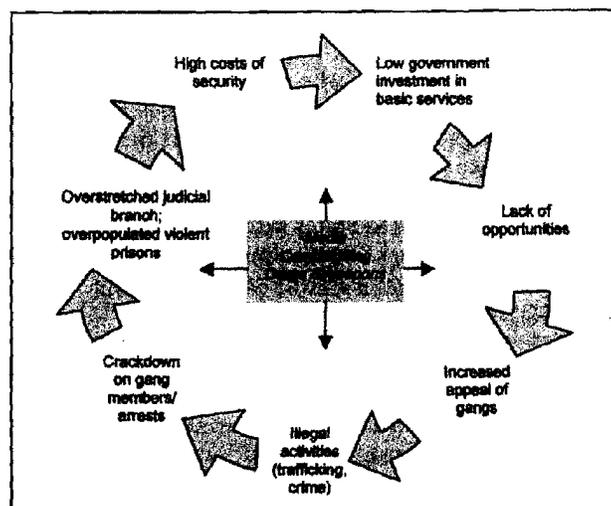


Figure 1. Circular Nature of Central American Gangs

pointed to armed conflicts, poverty, U.S. deportation policy, and a host of other explanatory factors. However, it is clear that no single explanation is adequate. The prevalence of Central American gangs results from a multitude of contributing factors that continually interact, as well as a lack of coordination in efforts to respond. Figure 1 is a simplified representation of this cycle of violent gang activity.

The precarious socio-economic conditions confronting young people throughout the region pose a serious challenge. With limited access to education and job opportunities, young people often look to gang life as a way to gain much-needed financial resources through lucrative criminal activities. Furthermore, gang life often provides a sense of belonging that many young people do not obtain from their families and communities.

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**Gang life often provides a sense of belonging that many young people do not obtain from their families and communities.**

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Three additional contributing factors underpin the cycle of gang activity. The first is the media, which have a strong tendency to sensationalize their coverage of gang activity, often displaying images of tattooed young men being arrested or bloody shots of injured victims and corpses. This media coverage has contributed to a culture of fear that encourages government suppression, with little public support for a more balanced approach. A second factor is the use of the widely publicized gang threat as a tool for political campaigning. For example, in Honduras, the highly publicized anti-gang policy of President Maduro (whose son was murdered in gang-related violence in 1996) was a major pillar of his election campaign

in 2002. In the 2006 elections, President Maduro's preferred candidate to succeed him in office lost to liberal President Manuel Zelaya, who promoted a more balanced approach to dealing with youth violence. Many argue that the ineffectiveness of the Maduro anti-gang and security strategy was a major factor in the outcome of this election. Finally, the easy availability of weapons and drugs provides gang members with both a currency for doing business and a link to international trafficking networks that stretch throughout the hemisphere.

In the face of the challenges outlined above, the governments of North and Central America have undertaken several initiatives to confront the problem of youth gangs.<sup>6</sup> However, despite these efforts, it has become increasingly clear that no single sector, institution, or country can tackle this issue on its own. The problem requires a comprehensive, regional strategy of cooperation within and among the countries of Central and North America.

As a contribution to this process, a conference titled "Voices from the Field" convened in February 2005. My organization, the Inter-American Coalition for the Prevention of Violence (IACPV),<sup>7</sup> was one of the sponsors. Also sponsoring the conference were the Pan-American Health Organization (PAHO), the Washington Office on Latin America (WOLA), and the Due Process of Law Foundation (DPLF). These four institutions come to the gang violence problem from very different perspectives, with diverse backgrounds in public security, human rights, due process, rule of law, public health and prevention, and education and youth work. With more than 250 attendees, the conference was an important step forward.<sup>8</sup> As a direct result of this event, a group of Central American practitioners formed the Central American Coalition for the Prevention of Youth Violence (CCPYV)<sup>9</sup>. With representatives from national governments, NGOs, police forces, and academic institutions, the CCPYV initiative is the first of its kind to bring together diverse actors to promote prevention as an important complement to more traditional approaches to youth violence. The first regional conference on youth violence prevention in Central America convened in Managua in June 2005, with a follow-up event held in Honduras in May 2006.

These initiatives are based on the strong belief that only by bringing together the different key sectors, including the private sector, will it be possible to design and implement an effective response to the Central American gang problem. They recognize that youth violence is multi-faceted and closely linked to transnational developments. They concede that youth and gang violence, and the response to this problem, constitute a continued threat to public security and democracy in the region. They acknowledge that no individual sector, nor country, can independently solve this regional problem, which must be addressed in a comprehensive and carefully nuanced way. They are a tentative first step in the right direction, but much more work is needed to overcome the threat that these youth gangs pose to public safety in Central and North America.

*Notes*

<sup>1</sup> USAID Central America and Mexico Gang Assessment, 2006.

<sup>2</sup> This passage refers to the *Mano Dura* and *Super Mano Dura* laws in El Salvador, the *Leyes Anti-Maras* passed under the Maduro Administration in Honduras, and a compendium of U.S. legislation, including the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) and the Gang Deterrence and Community Protection Act of 2005, popularly known as the "Gangbusters Bill," (H.R. 1279) passed by the U.S. House of Representatives in May 2005.

<sup>3</sup> For more details see [www.ice.gov](http://www.ice.gov).

<sup>4</sup> The interviewee requested that his last name be withheld.

<sup>5</sup> As an example, in El Salvador, the United Nations Development Program estimates the annual cost of violence to be as much as 12 percent of GDP. This amount represents double the combined annual budget of the Ministries of Health and Education. *¿Cuánto cuesta la violencia a El Salvador?*, 2003.

<sup>6</sup> A comprehensive list is not available, but promising initiatives include the OAS/CICAD Conference and Declaration (Tapachula, Mexico, June 2005), the Summit meeting of the Presidents of the Central American countries (Tegucigalpa, Honduras, April 2005), as well as various international studies and conferences.

<sup>7</sup> Membership in the IACPV includes the Inter-American Development Bank (IDB), Organization of American States (OAS), Pan American Health Organization/World Health Organization (PAHO/WHO), United Nations Educational, Scientific, and Cultural Organization (UNESCO), United States Agency for International Development (USAID), United States Centers for Disease Control and Prevention (CDC), and the World Bank Group (WB).

<sup>8</sup> More details on the Voices from the Field Conference can be found at [www.wola.org](http://www.wola.org).

<sup>9</sup> The founding member organizations of the CCPYV include the Association for Crime Prevention (APREDE, a Guatemalan NGO), the Institute of Public Opinion of the University of Central America (IUDOP/UCA, a regional university based in El Salvador), the National Police of Nicaragua (Juvenile Affairs Unit), and Honduran Youth Forward, Advancing Together (JHA-JA, a Honduras NGO).

"Young women in the Middle East/North Africa region are a strong human capital resource. Throughout the region, they show higher performance and more ambition than their male counterparts—as measured by exam results, school completion rates, and willingness to move into new job fields. In addition, they appear more eager to support and participate in societal change.... This trend is significant, and it is misleading to view young women as a footnote to development, as often happens in the literature. Rather, changes in the status and societal role of women have been an essential component of the successful transition to modernity and development wherever it has occurred. The status of women directly affects key areas linked to social advancement."

*Cheryl Bernard*

"Post-Soviet political elites share two common features in their attitudes toward youth: one, they fear youth involvement in politics, and two, they want to control it."

*Alisher Khamidov*

"Available evidence suggests the emergence of an asocial, apolitical, unhealthy, often delinquent, and generally disaffected younger generation, with all this implies for the future of Russia. Already by the mid- to late-1990s, awareness of these spiraling problems led to mounting anxiety that Russia was truly on the verge of 'losing an entire generation.' Repeatedly, public and private commentaries, as well as official policy statements, have reflected the same concerns—that young people are losing their national grounding and, moreover, are becoming self-indulgent idlers with no clear sense of responsibility."

*Douglas W. Blum*

"Latin America's youth are hit particularly hard by the general increase in inequality and social exclusion. For more and more young people, youth gangs provide the only source of recognition and positive social identity, and gang-related crimes increasingly become a key strategy for economic survival. As long as the structural root causes are not addressed, youth gangs will continue to exist and grow in Latin America and in other parts of the world."

*Cordula Stroeka*

"Although recent U.S. efforts may have led to a temporary reduction in gang membership, this targeted deportation policy has had a complex impact on the United States and its southern neighbors. Upon arrival in Central America, the deported youth—many of whom have lived in the United States for decades and some of whom do not speak Spanish—often are quickly integrated into local MS13 and 18<sup>th</sup> Street cells, thus strengthening ties between these gangs in different countries. It is not at all uncommon for a deported gang member, having benefited from newly established links to the drugs, weapons, and other criminal networks in Central America, to make his way back to the United States within a matter of months."

*Lainie Reisman*

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