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**NEGOTIATING
DISARMAMENT**

**Guns and Violence
in the El Salvador**

Peace Negotiations

Cate Buchanan & Joaquín Chávez



ABOUT THE HD CENTRE

The Centre for Humanitarian Dialogue (HD Centre) is an independent Swiss foundation dedicated to helping improve the global response to armed conflict. It attempts to achieve this by mediating between warring parties and providing support to the broader mediation community.

The HD Centre is driven by humanitarian values; its goal is to reduce the consequences of violent conflict, improve security, and ultimately contribute to the peaceful resolution of conflict. The HD Centre began operations in 1999 and has since become one of the world's leading conflict mediation organisations. Operational engagements are complemented by policy and analytical work focused on civilian protection, mediation techniques, transitional issues and arms and security matters.

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Photo: former members of the Frente Farabundo Martí para la Liberación Nacional cast shadows as they celebrate the 14th anniversary of the end of the civil war. San Salvador, 16 January 2006. © Reuters/Alex Pena

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Guns and Violence
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NEGOTIATING DISARMAMENT: STRATEGIES FOR TACKLING SECURITY ISSUES IN PEACE PROCESSES

Negotiating Disarmament explores issues surrounding the planning, timing and techniques of a range of security issues, including violence reduction, weapons control, disarmament, demobilisation and reintegration activities and justice and security sector transformation, in the processes of peacemaking—negotiations, agreements and implementation strategies. Through expert meetings, specific peace process reviews, perception studies, interviews and analysing experiences over the last two decades, as well as drawing upon the HD Centre’s own operational engagements, it aims to:

- provide practical and accessible guidance on a range of security issues to those actively engaged in peacemaking, including mediators, government

officials, armed groups, donors, civil society and UN officials;

- demystify concerns through identifying strategies, trends and lessons over time;
- identify and describe common obstacles faced in addressing security issues in peace processes, and suggest ways these may be tackled; and
- contribute to the generation of analysis and the building of linkages within the violence reduction and prevention, peacemaking, peacebuilding, conflict resolution, and arms control communities.

The project is supported by the Governments of Canada, Norway and Switzerland. For more information, go to www.hdcentre.org

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Cate Buchanan is the manager of the ‘Negotiating Disarmament’ project of which this report is one in a series of publications. Since 2001 she has managed the arms and violence reduction portfolio at the Centre for Humanitarian Dialogue. In addition to commissioning the research, she undertook research and writing for the report.

Background research and editing assistance was provided by **Chris Stevenson**, a doctoral student at Geneva’s Graduate Institute for International and Development Studies, researcher for the Small Arms Survey, and consultant to the Centre for Humanitarian Dialogue.

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INTRODUCTION

OVER A TWO year period (1990–1992), the government of President Alfredo Cristiani and the insurgent Frente Farabundo Martí para la Liberación Nacional, under the auspices of the United Nations, negotiated an end to twelve long years of civil war in El Salvador, setting the framework for a dramatic demilitarisation and transition to democracy. The negotiators covered a host of issues, often under pressing deadlines: demilitarisation; public security transformation; human rights and the end of impunity; electoral and judicial reform; the reconstruction of a war-affected nation; and the transition of the armed group into a political party and its members into civilian life.

This report aims to weave a story perhaps not told before, of how the various negotiators approached the multiple tasks of disarmament, demobilisation and reintegration of rebel and government forces; security sector reform; the control of vast quantities of weapons in circulation throughout the country after decades of militarisation; and strategies for assisting those traumatised and disabled by armed violence. It is one of three country studies—the others consider Burundi and Sudan—for the Centre for Humanitarian Dialogue’s (HD Centre) ‘Negotiating Disarmament’ project.¹ The project is part of a commitment to refining the practice of peacemaking and mediation, and enhancing the positioning of security concerns within those processes. The project explores how guns and violence, those who hold and use them, and the impacts of armed violence are understood and addressed around the peace negotiation table. As noted by one observer, “many peace agreements contain ‘silences’ on key issues. Although such silences may be a means to avoid derailment, they also may result from negotiators not appreciating what is involved in disarmament and demobilisation.”² Most parties to armed conflicts by definition have little experience of negotiation, having been enemies for often lengthy periods; there-

fore, mediators can make a significant contribution in this area. However, little information exists for mediators, facilitators, and negotiating parties on public security, weapons control and violence reduction issues. It is hoped that this Country Study contributes in some way towards filling this critical gap, both in building knowledge and identifying lessons.

This report tries to convey some of the thinking at the time of the negotiations and the consequences of decisions taken, or not taken. It is not, however, a report about the implementation of the security aspects of the accords. That subject has received detailed attention elsewhere and must be borne in mind by the reader.³ This report rather seeks to illuminate the pressures on, and perspectives of, key actors to the peace talks, and how they tackled the complicated security issues at play.

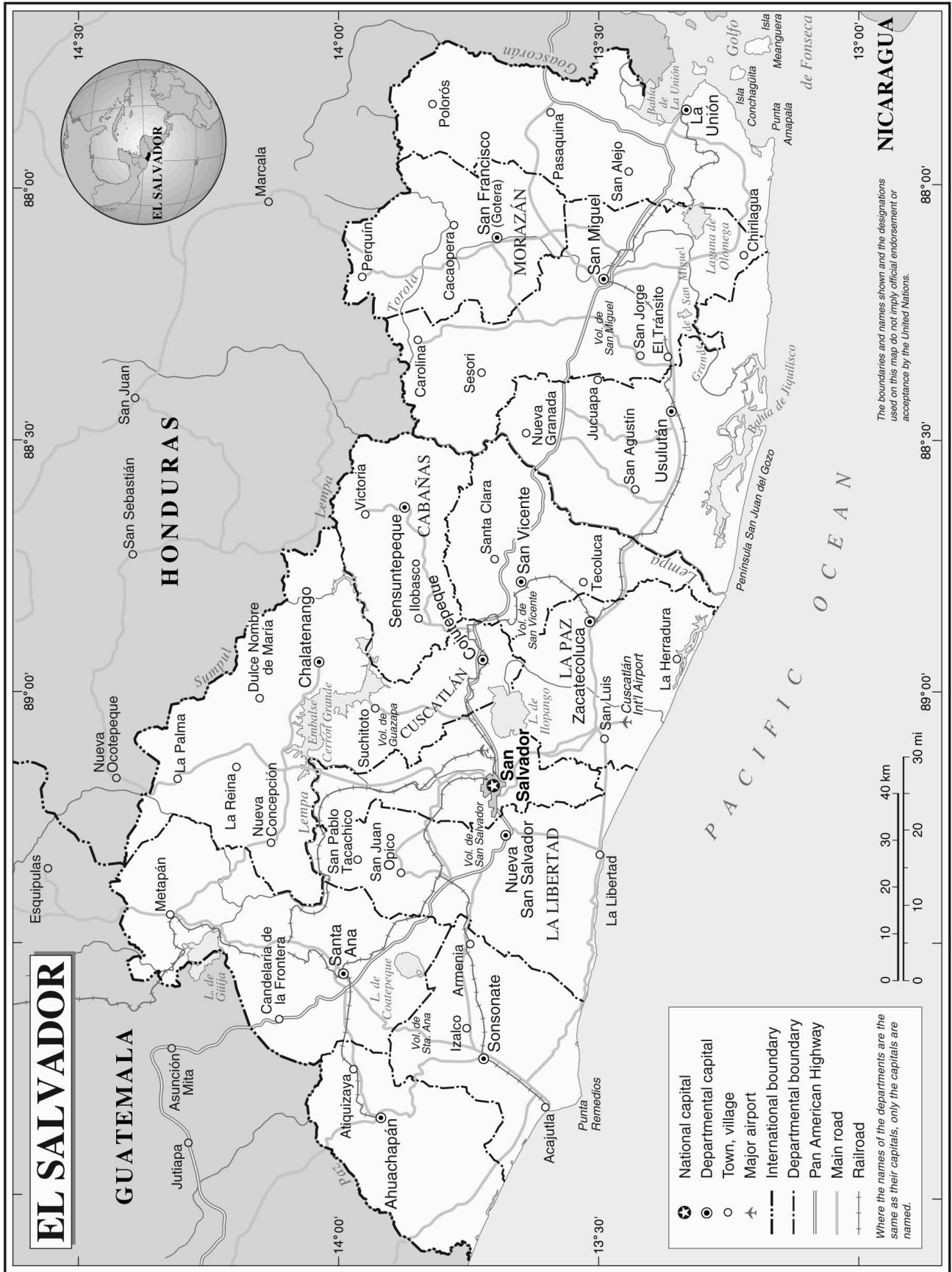
To inform the analysis, through late 2007 and early 2008, Joaquín Chávez conducted interviews with some of the individuals who negotiated various agreements and accords, and their advisers; those who mediated or assisted with the process; and individuals who watched the process closely (see Annex 1 for a list of interviewees). It is important to note that this was not an exhaustive process, and provides a sampling of viewpoints. Respondents were asked to reflect on:

- the timing and sequencing of the negotiations related to security concerns, and the relevance or importance of where these issues were situated in the overall process;
- the models or approaches that were ultimately agreed on, and how this unfolded in practice;
- the relationship between disarmament and arms control in the peace negotiations;
- the process of security sector transformation;
- the attention given to regulating and reducing the number of guns in the hands of civilians;

- consideration of violence reduction strategies; and
- provisions to promote the rights, protection and needs of victims and survivors of armed violence.

The HD Centre is appreciative of the time people gave to these inquiries. Finally, gratitude is extended to Alvaro de Soto and Mark LeVine for their insightful feedback and review of this report.

—**Cate Buchanan**
Editor, March 2008



Department of Peacekeeping Operations
Cartographic Section

Map No. 3903 Rev. 3 UNITED NATIONS
May 2004

TERMS AND DEFINITIONS

THE LAST TWENTY years have seen a broad evolution in the collective understanding of, and approach to, the resolution of violent conflict and the multiple strands of human security. This ongoing process has fundamentally altered how the simultaneously complex and simple processes of taking up and laying down arms are conceptualised and framed. Terms in this report are used by a wide range of constituencies—including violence prevention, human development, security, disarmament, mediation, and peacebuilding, amongst others. The terms are not used consistently across disciplines, and sometimes overlap. With these caveats in mind, this report uses the following definitions:

Weapons control—includes efforts to regulate, control and manage small arms and light weapons, ammunition, bombs and explosives. Small arms include grenades, landmines, assault rifles, handguns, revolvers, and light machine guns. Light weapons generally refer to anti-tank and anti-aircraft guns, heavy machine guns, and recoilless rifles. The control, regulation, management, removal, storage and destruction of weapons is understood to be distinct from disarmament in peace processes, which is usually directed at removing weapons permanently or temporarily from fighting forces. Weapons control can include a range of measures directed at numerous actors including civilians, paramilitaries, militias, police, other security forces, private security companies, and fighting forces. It can entail:

- developing new standards, laws and policies related to the use, possession, sale and movement of weapons;
- banning certain types of guns and ammunition or particular uses;
- banning particular types of people from using or possessing weapons;
- new techniques and standards for the storage of state-held (police, military) weapons;

- removing weapons from circulation—annual destruction events, for example, or amnesties for handing in illegal weapons;
- implementing a ‘weapons in exchange for development’ scheme;⁴
- creating ‘gun free zones,’ and
- awareness campaigns targeted at particular populations or actors to stigmatise weapons possession and/or misuse or to advertise changes to laws and policies or other events and processes.

In this report the terms ‘guns,’ ‘arms,’ and ‘weapons’ are used interchangeably.

Disarmament, Demobilisation and Reintegration (DDR)—is defined in the United Nations (UN) Integrated DDR Standards as:

- **disarmament** is “the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons of combatants and often also of the civilian population.”
- **demobilisation** is “the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilisation may extend from the processing of individual combatants in temporary centres to the massing of troops in camps designed for this purpose (cantonment sites, encampments, assembly areas or barracks). The second stage of demobilisation encompasses the support package provided to the demobilised, which is called reinsertion.”
- **reintegration** is “the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time frame, primarily taking place in communities at the local level. It is part of the general development of a country and a national responsibility and often necessitates long-term external assistance.”⁵

Security Sector Reform (SSR)—is defined in the UN Integrated DDR Standards as “a dynamic concept involving the design and implementation of strategy for the management of security functions in a democratically accountable, efficient and effective manner to initiate and support reform of the national security infrastructure. The national security infrastructure includes appropriate national ministries, civil authorities, judicial systems, the armed forces, paramilitary forces, police, intelligence services, private–military companies, correctional services and civil society ‘watch-dogs’.”⁶ A key goal of such reform efforts is to instil or nurture the development of democratic norms and principles of good governance in justice and security sectors.⁷ More simply, SSR has been described as a “process for developing professional and effective security structures that will allow citizens to live their lives in safety.”⁸ In the course of this report, reference to SSR implicitly entails judicial and justice-related processes and components.

Survivors and victims of armed violence—encompasses combatants and civilians who have survived war-related violence with trauma, injury or impairment.⁹ In all the Country Studies efforts were made to assess whether survivors were recognised as legitimate stakeholders in the peace process, and the extent to which measures to address their needs were highlighted in the peace talks and agreements. Such recognition can take several forms and may include access to physical or psychological rehabilitation services and long-term care or special consideration of injured fighters in the reintegration phase of DDR. It may also entail dedicated truth and accountability seeking processes, and attention to efficient justice mechanisms.

Violence reduction—is understood to include both implicit and explicit recognition of the need to contain and reduce violence over a set of time periods: short, medium and long term. It is understood to be separate from the ceasefire and demilitarisation process, and casts a spotlight on cultures of violence and weapons misuse that may be prevalent amongst a range of actors, including interpersonal, gang, youth, family, gender, ethnic and identity-based violence. It may entail a variety of processes such as research and policy development, changing laws, and awareness-raising, and can include a range of disparate strategies such as youth programming, employment schemes,

town planning, challenging gender roles, tackling urbanisation and rural decline and promoting sustainable development.

Acronyms

- ANI** Agencia Nacional de Inteligencia (National Intelligence Agency)
- ANSESAL** Agencia Nacional de Seguridad de El Salvador (Salvadoran National Security Agency)
- ARENA** Alianza Republicana Nacionalista (National Republican Alliance)
- COPAZ** Comisión Nacional para la Consolidación de la Paz (National Commission for the Consolidation of Peace)
- DNI** Dirección Nacional de Inteligencia (National Intelligence Directorate)
- DDR** Disarmament, demobilisation and reintegration
- FAES** Fuerzas Armada de El Salvador (Salvadoran Armed Forces, see also SAF)
- FDR** Frente Democrático Revolucionario (Revolutionary Democratic Front)
- FENASTRAS** Federación Nacional Sindical de Trabajadores Salvadoreños (National Union Federation of Salvadoran Workers)
- FMLN** Frente Farabundo Martí para la Liberación Nacional
- GN** Guardia Nacional (National Guard)
- Maras** Armed gangs
- NRP** National Reconstruction Plan
- OAS** Organization of American States
- ONUSCA** United Nations Mission in Central America
- ONUSAL** United Nations Mission in El Salvador
- ORDEN** Organización Democrática Nacionalista (Democratic Nationalist Organisation)
- PCN** Partido de Conciliación Nacional (Party of National Conciliation)
- PH** Policía de Hacienda (Treasury Police)
- PKO** Peace Keeping Operations (United Nations Department of)
- PN** Policía Nacional (National Police)
- PNC** Policía Nacional Civil (National Civilian Police)

PTT Programa de Transferencia de Tierras
(Land Transfer Program)

SAF Salvadoran Armed Forces

SSR Security sector reform

UNO Unión Nacional Opositora
(National Opposition Union)

UN United Nations

US United States

SECTION 1

BACKGROUND TO THE WAR

THE MARCH 1980 assassination of El Salvador's Archbishop Oscar Romero by a government paramilitary death squad, and the ensuing violence at his funeral, was part of a series of high profile murders and violent confrontations throughout the previous decade that drew the country into civil war. Military engagement between the Frente Farabundo Martí para la Liberación Nacional (FMLN) and government forces began in earnest in January 1981, when the insurgency launched its first major offensive. Over a decade later, the war was formally brought to an end with the signing of a final peace agreement at the Chapultepec Castle in Mexico City on January 16, 1992.

“Resolution of disputes through violence became the norm . . . Cynicism, fatalism, hatred, and distrust prevailed in many parts of public and private life.”

—Robert Orr, 2001¹⁰

The roots of the civil war can be traced explicitly to the four preceding decades of oligarchic-military regimes, marked by social exclusion in a largely rural society, as well as more distantly to several generations of entrenched inequality and coercive politics.¹¹ Six key reasons are typically provided as root causes of the war: the unequal distribution of land; economic inequality and poverty; human rights abuses and entrenched impunity; rigid and limited political space and processes; entrenched militarism; and international support for military regimes, particularly during the Cold War period.¹² Given the theme of this paper—the negotiation of security issues in the peace talks—the extent of militarism in El Salvador is therefore a key focus.

By the time that civil war broke out in 1979–1980, the militarisation of Salvadoran society had been

building for a century. The formation of a permanent army, as well as the adoption of a repressive police law sanctioned in 1882 during the presidency of Rafael Zaldívar (1876–1885), were linked to the creation of an agrarian economy which involved the expropriation of indigenous people's land and the control of agricultural workers.¹³ From the 1930s, the Salvadoran Ministry of Defence came to assume responsibility for internal security and the control of the three police forces: the urban-based National Police (Policía Nacional, PN), the rurally-based National Guard (Guardia Nacional, GN), and the Treasury Police (Policía de Hacienda, PH). The state gradually developed a vast network of paramilitary forces in the countryside, as well as various public security forces. A turning point in the consolidation of militarism in El Salvador occurred in 1932 under the *de facto* regime of General Maximiliano Hernández Martínez, when the army, the GN and the Civic Guard (a paramilitary force) systematically murdered between 15,000 and 30,000 civilians ('La Matanza', the mass killing).¹⁴ In 1942 Martínez adopted a repressive law which saw the National Guard become 'Agricultural Police' persecuting day labourers and other inhabitants of villages and towns considered 'suspicious' by local land owners.¹⁵

Repressive policies metastasized in the years following. Under the National Security doctrine adopted in 1963, the military in El Salvador, as in most of Latin America, functioned under the assumption that virtually any person critical of state institutions should be considered a communist and an 'internal enemy'.¹⁶ In particular, paramilitary organisations began to proliferate and operate with impunity. The largest and most organised was the Democratic Nationalist Organisation (ORDEN) created in the 1960s by General Medrano of the National Guard, with assistance from US Green Berets.¹⁷ It included peasants and civilian units in nearly every town and village throughout the country, trained by the National Guard to act as operatives for gathering intelligence and to terrorise those

“In this revolutionary war, the enemy comes from our people . . . They don’t have the rights of Geneva. They are traitors to the country . . . When they find them, they kill them.”

—General Jose Alberto “Chele” Medrano, ca. 1969¹⁸

opposed to the government. Both ORDEN and the Salvadoran National Security Agency (ANSESAL)—an elite presidential intelligence service—were created to counter communism among the population through selective violence. ORDEN was also the breeding ground of the infamous Mano Blanca (White Hand), known for the creation of death squads. It grew into a vast network of between 50,000 and 250,000 members.¹⁹ Although a brief 1979 reformist junta abolished ORDEN and ANSESAL for human rights violations, new ‘civil defense groups’ emerged to act as local militia, reportedly overlapping with ORDEN.²⁰ By the early 1980s, these militias had morphed into death squads. Meanwhile, in the early 1980s, the Salvadoran Armed Forces (SAF) adopted a counterinsurgency orientation that encompassed the restructuring of its regional military units into highly mobile battalions and the formation of elite battalions, most notably the Atlacatl Battalion, which committed numerous massacres against rural communities. At this time ANSESAL was reorganised under the army’s chief of staff office and renamed the National Intelligence Agency (ANI).²¹

“. . . due to the Sandinista victory in Nicaragua and the crisis in Guatemala, US foreign policy made El Salvador the definitive test of its foreign security in the Americas and provided extraordinary support to the army and the government, with all kinds of resources. Without US aid, the armed forces would have lost the war in the first eighteen months.”

—Edelberto Torres-Rivas, 1999²²

Box 1 El Salvador Historical Timeline²⁶

1838 El Salvador becomes an independent republic.

1870–1900 Four uprisings attempt to protect peasants’ land; each quashed by military government.

1875–1920 High world prices for coffee encourage plantation owners in El Salvador to expand estates and to create private armies to patrol plantations.

1880s New laws prohibit collective ownership of land by indigenous communities; indigenous culture increasingly crushed, with people forced to become tenant farmers or wage labourers.

1931–1944 General Maximiliano Hernández Martínez becomes president. As of 1931, 90 per cent of the wealth is held by 5 per cent of the population, and the country lacks a middle class. Coffee prices drop; wages are halved; unemployment grows.

1932 Insurrection of indigenous peasants and farmers; the recently formed Communist Party of El Salvador attempts to organise a national uprising, but Augustín Farabundo Martí and other leaders of the revolt are caught and executed. Retaliation by Martínez results in the massacre of up to 30,000 peasants in ‘La Matanza’ (the mass killing).

1941 Agrarian reform forces landless and unemployed peasants to work on private farms and prohibits labour unions.

1950–1956 Major Oscar Osorio becomes dictator, sparking several coups. As a result, an alliance of military officers and civilian rulers run the country until the late 1970s.

1950–1979 Nearly 2000 Salvadoran officers trained at the US military’s School of the Americas, at an estimated cost of USD 16.7 million.

1960–1961 President José Maria Lemus orders a military raid against the National University. Intellectuals and military loyal to Osorio topple Lemus; a reformist civilian-military junta takes power. The junta calls for democratic reforms but is ousted by a coup. The regime is reorganised under a new party, the Party of National Conciliation (PCN).

1963 Democratic Nationalist Organisation (ORDEN) is formed as a grassroots paramilitary organisation.

1962–1967 Lieutenant Colonel Rivera becomes president through uncompetitive elections.

1967–1972 General Fidel Sánchez Hernández becomes president through elections characterised by intimidation, repression, and fraud.



▶▶ **1969, July 14–18** El Salvador attacks Honduras in the 100-Hour War (the 'Football War'), preceded by the expulsion of some 300,000 Salvadorans from Honduran territory. Cease-fire negotiated by the Organization of American States on 20 July.

1972 José Napoleón Duarte, presidential candidate of the National Opposition Union (UNO), wins elections, but army commits fraud; Duarte goes into exile.

1972–1977 National Assembly declares Colonel Arturo Armando Molina President. Some 80 per cent of the population live in rural areas, and 40 per cent have no land.

1972 Students try to oust ruling class, but are crushed through military occupation of the National University. Death squads are formed.

1975, July 30 Military and security forces attack student demonstration in San Salvador. Numerous civilians are killed or injured, or disappear.

1977–1979 General Carlos Humberto Romero becomes president.

1977 National Opposition Union (UNO) members protest fraudulent elections, resulting in military attack.

1979, October Reformist sectors of the military organise a coup against Romero. Insurgency groups established.

1979, October 15 Junta takes power; Duarte returns from exile.

1980, February Archbishop Oscar Romero asks US President Carter to end military aid to El Salvador.

1980, March 3 Duarte joins the junta and becomes its head as well as head of state in December, announcing land reform programme; 37 per cent of cotton and 34 per cent of coffee growing lands confiscated and redistributed, banks nationalised. Landowners gun down peasants; the opposition moves underground.

1980, March 24 Archbishop Oscar Romero is assassinated; military attacks his funeral, killing and wounding an undetermined number of civilians. One week later, US government approves USD 5.7 million in military aid.

1980, April Fifty organisations join the Revolutionary Democratic Front (FDR).

1980, May 600 peasants tortured and massacred near the Sumpul River.

1980, August 12–15 FDR national strike takes place; violence ensues, leaving 129 people dead.

1980, October Five organisations form the FMLN.

1980, December 2 Three American nuns are raped and murdered, and two US land reform advisors killed; US military aid stopped.

1981, January FMLN attacks government targets; US military aid resumes; National Republican Alliance party (ARENA) is formed under Roberto D'Aubuisson (founder of ORDEN); government formulates counterinsurgency strategy Operation Rescue.

1981, December Approximately 1,000 civilians murdered at El Mozote by Atlacatl Battalion.

1982 Álvaro Alfredo Magaña Borja elected president.

1983, January The Contadora Group (Colombia, Mexico, Panama, and Venezuela) meets to discuss regional peace and security and produces proposals on demilitarisation and peace negotiations. Meetings continue through 1987.

1984 Duarte elected president; US support to the government reaches USD 205 million in economic aid and USD 26 million in military aid. Counterinsurgent land redistribution occurs.

1984, October Duarte meets with FMLN to discuss ending war; no agreements possible due to growing political pressure and differing perspectives on disarmament.

1985, September 10 Duarte's daughter kidnapped by the FMLN; freed on October 24, along with political prisoners and government officials abducted by the FMLN, in exchange for wounded guerrillas.

1986, October Duarte and FMLN meet again.

1987, August 7 Esquipulas Peace Agreement for Central America signed by Costa Rica, El Salvador, Honduras, Guatemala and Nicaragua.

1987, November UN Mission in Central America (ONUCA) formed.

1989, January FMLN offers to participate in elections if the presidential elections scheduled for March that year are postponed six months and basic conditions for its participation are met. Duarte government rejects the proposal, but the Bush Administration states that it merits "serious and substantial consideration."

1989, March Alfredo Cristiani of ARENA elected president.

1989, April Attorney General assassinated; military alleges a plot by Jesuits at the University of Central America.

1989, November–December Government security forces bomb the headquarters of trade union Federación Nacional Sindical de Trabajadores Salvadoreños (FENASTRAS); FMLN retaliates with the largest offensive of war; government reacts with aerial bombardment of urban areas. Fighting continues until December 12, taking 2,000 lives.

1989, November Jesuit residences at the University of Central America are attacked by the Atlacatl Battalion; six Jesuit

priests and two women murdered; United States evacuates all non-essential personnel.

1990, February 24–25 FMLN proclaims a unilateral ceasefire in an effort to promote negotiations with the mediation of the UN.

1990, October US Congress cuts military aid by 50 per cent.

1990–1992 UN mediates peace talks between the parties (see Box 2: Timeline of meetings and agreements).

1991, July UN Observer Mission in El Salvador (ONUSAL) established to ensure adherence to San José Agreement on human rights.

1992, 16 January Chapultepec Accords are signed; nine-month ceasefire commences on February 1, which is not broken. Civil war officially ends.

1992, January ONUSAL is extended a Chapter VI mandate for peacekeeping; first peacekeeping operation to have human rights, military, police and electoral divisions.

1992, December 15 FMLN registers as a formal political party.

1993 Act on Control and Monitoring of Firearms, Ammunition, Explosives, and Similar Articles and their Regulation Act agreed upon; March 20, amnesty is granted to all accused of atrocities during the war.

1994, March First national elections that include FMLN and opposition parties; ARENA's Armando Calderón Sol elected president with a five-year term.

Mid-1990s Major surge in crime and armed violence; homicide rates reach a peak of 150 deaths per 100,000 inhabitants per annum.

1995, April ONUSAL draws down; smaller UN presence established.

1996 The Patriotic Movement Against Crime, aided by the government, police, military, and the Catholic Church, implements a 'Goods for Guns' programme that lasts four years, collecting more than 6,000 firearms, 3,000 grenades and 100,000 rounds of ammunition.

1999 Francisco Guillermo Flores Pérez is elected president.

1999 Revised Arms Law enacted.

2001 Sociedad sin Violencia (Society without Violence) coalition is formed in response to proliferation of *maras* (armed gangs) in El Salvador and across the region; a decline in homicide rates is observed.

2002 Changes to Arms Law 655 of 1993 encompass a wider range of weapons, establish an authority to oversee the implementation, and create tougher sanctions for non-compliance. Between 2002 and 2007, nine amendments passed raising the weapon-carrying age from 18 to 21, limiting the number of guns a household can legally own, and extending existing prohibitions against weapons in public spaces.

2003, July Anti-gang violence strategy Plan Mano Dura (Operation Hard Hand) commences; enacted in October by Decree 158, the Anti-Maras Act; homicides increase again.

2004 Elías Antonio Saca González is elected president; heightened anti-gang strategy Plan Super Mano Dura commences.

2005 Tax on firearms established, generating funds for the health system.

2006, November National Commission on Citizen Security and Social Peace created; homicide rate at 55 deaths for every 100,000 inhabitants per annum.

2007 El Salvador ranked 103rd out of 177 countries in the UN Human Development Index, with an annual per capita GDP of USD 5,255 (7,543 for men, 3,043 for women).

By 1992 the SAF officially numbered 63,170, a total that, even if somewhat inflated due to “thousands of ghost soldiers on the original rosters whose salaries were pocketed by corrupt officers,” still represented a sizeable force for a country of five million.²³ Backing these multifaceted security forces were Cold War donors such as the United States, which provided USD 3.3 billion in economic aid and USD 1.1 billion in military aid to the Salvadoran government between 1980 and 1991.²⁴ Throughout the 1980s, the Reagan Administration maintained a policy of supporting military victory over the Salvadoran guerrillas and their main allies, the Sandinista government in Nicaragua; US intervention was “practiced in a systematic fashion during the Reagan

Administration . . . [and was] both deeply rooted and multifaceted.”²⁵

The human cost

The human cost of the conflict was immense. An estimated 75,000 people died during the war and countless others were traumatised, tortured, disabled, raped and maimed.²⁷ State agents and death squads were responsible for the killing of some 30,000 civilians between 1979 and 1983 alone.²⁸ Displacement of civilians was immense, with an estimated quarter million refugees dispersed throughout Central America and Mexico; some 25,000 people were internally displaced. In a

nine year period (1980–1989), it is estimated that one million people migrated abroad, mostly to the United States.²⁹ Between 5,000 to 8,000 people disappeared; the fate of many remains unknown.³⁰

The economic costs of the conflict were also huge. The war had a devastating impact on hundreds of towns and villages damaged by aerial bombardment by the government and localised fighting. Guerrilla sabotage to the electrical network and commercial agriculture was also constant.³¹ Meanwhile, subsistence agriculture was deeply affected, as well as cotton production on the coastline. Although coffee production remained relatively steady, most other exports crumbled. Public spending withered as war financing grew, at one stage reaching 30 per cent of the national budget during the 1980s.³²

Weapons availability and supply

The majority of military firearms held by Central American armed forces and insurgent groups came from the Cold War powers and their surrogate suppliers, including Argentina, Cuba, and Israel. El Salvador and Honduras were the largest recipients of weapons from US governments in the 1980s and early 1990s. The former Soviet Union and Cuba provided the Sandinista government in Nicaragua with the majority of its weapons; these were often re-distributed to neighbouring leftist groups. Recent studies posit that direct shipments from Cuba were key sources of FMLN weaponry, in addition to captured SAF arsenals.³³

Evolution of fighting forces

Government repression had reached new proportions in the 1970s, as the National Guard, the Treasury Police and ORDEN systematically targeted Salvadoran populations. In response, an array of social movements and organisations formed the Democratic Revolutionary Front (FDR) in April 1980, which eventually became the key political ally of the future FMLN insurgency. The FMLN was founded in October in the joining together of five organisations. By 1983 the FMLN had

developed into a highly organised fighting force which had mobilised between 12-15,000 combatants, as well as an intricate network of some 100,000 direct supporters and a further half-million indirect supporters.³⁴

“Neither the Cubans in the Sierra Maestra nor the Sandinistas in 1979 fought more than relatively short, small-scale guerrilla wars, with less than a few thousand poorly armed combatants. This very accomplishment (of the durability and size of the FMLN), along with the militarization it bred, (also) contributed to the prolonged agony of the Salvadoran negotiations.”

—Jorge Castaneda, 1994³⁵

During the war, both sides evolved strategic and tactical adaptations, most notably in the case of the SAF’s use of air power. The FMLN for its part found itself controlling one-third of the country’s territory, and was able to mount major offensives—a key factor in the move to the negotiation table. The November 1989 offensive by the FMLN in retaliation for increased targeted killings by the military is considered a turning point in the war, highlighting the inability of either side to achieve a decisive victory. The pressure for a settlement increased with the assassination of six prominent Jesuits, their housekeeper and her sixteen year old daughter by the military during this offensive, generating widespread international indignation. The government was further pressured after the US Congress cut military aid in half, making the other half conditional on progress in the investigation of the Jesuit murders and the peace talks.

SECTION 2

THE PEACE NEGOTIATIONS

IN JANUARY 1983, the foreign ministers of Mexico, Venezuela, Colombia and Panama met on the Panamanian island of Contadora to discuss regional insecurity stemming from the crises in El Salvador, Nicaragua and Guatemala. The Contadora Group declared that the wars in the region originated from socio-economic inequalities, rather than Cold War ideology, and affirmed their support for dialogue and negotiation. Between 1983 and 1987, the Group produced proposals on demilitarisation, the end of foreign intervention, and the value of dialogue, which gradually legitimised regional peace negotiations. Three members, Mexico, Colombia and Venezuela, together with Spain, went on to act as the ‘Group of Friends of the UN Secretary General’ in the El Salvador peace process, acting “as a ‘cushion’ or ‘shock absorber’ between the many actors involved in the negotiations.”³⁶ The participation of the ‘Group of Friends’ was vital in ultimately redirecting the United States from its previous role as crucial supporter of the war to that of an active sponsor of the peace negotiations.

In 1987, the presidents of the five Central American states of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua signed the so-called Esquipulas II agreement (the Procedure to Establish a Firm and Lasting Peace in Central America). Esquipulas II was born out of an initiative by Costa Rican President Oscar Arias and is generally credited as the start of the Central American peace process. The agreement articulated the importance of ceasefires, free and fair elections, democratisation, and dialogue. The initiative also gave the UN and the Organization of American States (OAS) a role in verifying the peace process.³⁷ However, it made no mention of the issue of foreign assistance to the warring parties—a point of serious contention. It also called for armed opposition groups to turn in their weapons before joining “existing legal and constitutional frameworks”—an unviable proposition from the insurgents’ viewpoint.³⁸ Despite its

inherent limitations, however, Esquipulas II generated a process of consultation between the Central American countries, and critically affirmed negotiation as the most viable path for conflict resolution.

The Salvadoran process

From 1983, the FMLN established a consensus on the need for dialogue and negotiation with the government, overcoming an internal crisis over the issue. Between October 1981 and September 1989, when the first meeting between the Cristiani government and the FMLN took place in Mexico City, the FMLN-FDR produced some ten policy proposals, which emphasised the insurgents’ willingness to engage in dialogue and negotiations without preconditions. All of these, however, were rejected by the Salvadoran government, which anticipated outright military victory.³⁹

By 1989, however, a confluence of dynamics created propitious conditions for serious peace talks to occur: the battlefield stalemate; the political evolution of the FMLN and of the National Republican Alliance (ARENA), representing some of the most powerful sectors of the Salvadoran elite; dwindling popular support for the war on all sides and the mobilisation of social groups in favour of ending the conflict; the increasing isolation, in the wake of the FMLN offensive, of right-wing hardliners opposed to negotiations; growing international diplomatic action; and the end of ideological and materiel support from Cold War allies.⁴⁰ Furthermore, the possibility of UN involvement was becoming more realistic. The FMLN had supported the participation of the UN in negotiations since its first official meeting with the Cristiani government, held in Mexico City in September 1989, prior to the offensive. However, at this time the FMLN had only vague ideas on the role of the UN in the process; the government for its part was still resisting UN

participation, because such third-party participation implicitly granted the FMLN the status of an equal party to the negotiations. The public declaration after the September 1989 meeting thus only stated that both parties agreed to the participation of “representatives of international organizations,” namely the UN and the OAS, as “witness” to the negotiations. UN Secretary-General Pérez de Cuellar appointed Assistant-Secretary General for Political Affairs Alvaro de Soto as his Personal Representative for the Central American Peace Process. Around this time de Soto was a “mute witness” during the second face-to-face meeting between the Cristiani government and the FMLN held in San José, Costa Rica in October 1989.⁴¹

After its decisive November 1989 offensive, the FMLN outlined a clear proposal on the participation of the UN as mediator between the parties at war, and formally requested UN mediation. At the same time, the Salvadoran government advanced its own model for UN participation, although still rejecting a ‘mediating’ role and proposing instead that of ‘facilitator.’ Eventually, in December 1989, the Cristiani government and the FMLN formally requested the participation of the Secretary-General to facilitate a political solution. That same month, during a summit in Malta, US President George H.W. Bush and then-Soviet President Mikhail Gorbachev reached an agreement to promote a political solution to the crisis in Central America and to avoid further military escalation.

In January 1990, in a meeting between Cristiani and Pérez de Cuellar, Cristiani accepted “reinitiating the dialogue” with the FMLN (the government’s preferred term for the negotiations due to its ambiguity—the term ‘negotiation’ was still anathema among sectors of the right), with the assistance of the ‘good offices’ of the UN, under the terms of Security Council’s Resolution 637.⁴² During this time President Cristiani maintained that the UN should simply assist with a direct dialogue between his government and the FMLN under Esquipulas II, and more precisely under the terms of the declaration of the Central American presidents at San Isidro de Coronado (December 1989), which demanded the demobilisation of the FMLN (and the Nicaraguan *Contras* fighting the Sandinista government) and a ceasefire as a precondition for dialogue—not negotiation—between the belligerents. For its part, the UN shifted from ‘good offices’ to

“good offices with a tendency toward mediation,” putting forward concrete proposals (often termed ‘work documents’) to break various deadlocks and keep the process moving.⁴³ Between February and March 1990, de Soto met with representatives of both sides to discuss “the format, the mechanics and the rhythm of the negotiation.”⁴⁴ In February 1990, the FMLN put forward a proposal to overcome the gridlock, offering a unilateral end to sabotage of military installations in exchange for an agreement on the character of the negotiations and accepting in principle to combine mediation by the UN with direct dialogue with the government. Talks between the two sides and Pérez de Cuellar then took place in Geneva in March–April 1990 and resulted in the Framework Agreement concluded on April 4, establishing the purpose and methodology of the negotiations and the role of the UN.

This report will not focus in any more detail on the UN mediation as considerable insightful analysis is available that catalogues the evolution of international involvement in the negotiations.⁴⁵

Places and positions around the negotiating table

On a daily basis, the negotiation process was handled by three-person teams; at crunch times, each side brought in their respective senior commands. The government negotiating team predominantly included six members: two ministers, the SAF Deputy Chief of Staff, and three civilians (see Annex 2). President Cristiani joined the final round of talks held at the UN in New York in December 1991. Members of the FMLN team included political leaders and members of the General Command; other members of the FMLN leadership served in various sub-commissions, working groups or as thematic advisers. The UN side was led by de Soto and Under-Secretary-General for Peace-Keeping Operations Marrack Goulding, with Pérez de Cuellar participating at critical junctures. Meanwhile, with no direct place at the negotiating table, representatives of civil society, the Catholic Church and the political parties represented in the National Assembly were convened into the Inter-party Commission, with which all actors in the talks were encouraged to consult.

Box 2

Timeline of meetings and agreements

Geneva Agreement – April 4, 1990

Written and signed by UN Secretary-General Javier Pérez de Cuellar, the government and the FMLN, the Geneva Agreement established the purpose of negotiations as being “[t]o end the armed conflict by political means as speedily as possible, promote the democratization of the country, guarantee unrestricted respect of human rights, and reunify Salvadoran society.”⁴⁶

This agreement stated that negotiations would entail “two types of complementary activities: the direct dialogue between the negotiating commissions with the active participation of the secretary general or his representative and the intermediation of the secretary general or his representative between the parties, ensuring that both the Government and the FMLN be committed at the highest level.”⁴⁷

Caracas Agreement – May 21, 1990

Established the agenda, themes and calendar for the negotiations, setting as their initial objective “political agreements which lay the basis for the cessation of the armed conflict and of any acts that infringe the rights of the civilian population” and identifying the status of the armed forces, human rights, the justice system, electoral and constitutional reform, economic and social issues, and verification methods for the UN as issues to be worked out. It also sought the “establishment of the necessary guarantees and conditions” for the reintegration of the FMLN “within a framework of full legality, into the civil, institutional and political life of the country.”⁴⁸

Oaxtepec meeting, Mexico – June 19–25, 1990

The FMLN introduced its proposal on demilitarisation, which included the following themes: the dismantling of the counter-insurgency battalions, the security forces, the National Directorate of Intelligence and the paramilitary forces; the purging of officers involved in human rights violations; the creation of a new police force; and ending conscription, amongst other reforms.

San José meeting I – July 20–26, 1990

Focused on purging the armed forces and respect for human rights. The government introduced a ceasefire proposal that offered a unilateral modernisation of the armed forces, including (a) a reconceptualisation of the role of the armed forces in a democratic society; (b) ending impunity; (c) purging of human rights abusers; (d) disbanding paramilitary forces and civil defense groups; and (e) ending conscription. The FMLN rejected the proposal due to its failure to address issues such as the redefinition of the constitutional role of the armed forces and the demobilisation of the militarised public security forces, as well as its unilateral and superficial character. However, the meeting resulted in the signing of a partial agreement on human rights that included authorising the presence of a UN human rights mission in El Salvador.

San José Agreement on human rights – July 26, 1990

A partial accord affirming respect for and guarantee of human rights, including the elimination of abductions and disappearances, and providing a preliminary framing of the verification role of the UN.

San José II meeting – 17–22 August, 1990

The FMLN introduced a new proposal for demilitarisation which hardened and broadened its position on the issues introduced at the Oaxtepec meeting. De Soto introduced a working document on demilitarisation, dubbed the ‘thematic index,’ which listed the items contained in both the government and the FMLN proposals. No agreement was reached. Media exposure of the talks regarding the deadlock led Pérez de Cuellar to demand that future talks be conducted in secret.

San José III meeting – 13–18 September, 1990

The impasse on demilitarisation and the future of the armed forces persisted.

New York – bilateral consultations with Pérez de Cuellar – 20–30 September and 25–30 October 1990

Aimed at resolving the deadlock on the issue of demilitarisation. The parties discussed a more active role for the UN and strict observance of the private character of the negotiations.

Mexico City – confidential meeting – October 31, 1990

The UN team put forward a proposal on the future of the armed forces, and the parties discussed measures to galvanise the negotiation process. De Soto introduced a working document on military reform that combined the proposals by each party, including on the purging of the armed forces; ending impunity; reconfiguring public security forces; the status of the National Directorate of Intelligence (DNI), counter-insurgency battalions, and paramilitary forces; and reintegration and compensation of military members. The document stated that full demilitarisation and the abolition of both armies were topics contingent upon international conditions and particularly regional agreements—an accommodation of FMLN demands.

New York – meeting called by Pérez de Cuellar – January 3, 1991

Focused on the future of the armed forces, specifically military reforms and the end of impunity. The government accepted the formation of an Ad-Hoc Commission to deal with the purging of the armed forces and dismantling of the Treasury Police (PH), the National Guard (GN), the DNI, and paramilitary structures.⁴⁹

Mexico City meeting – February 2, 1991

Continued discussion on status of the armed forces.

Mexico City meeting – March, 1991

Focused on the FMLN proposal for the restructuring of the armed forces, constitutional reforms, and a ceasefire.



▶▶ **Mexico Agreements – April 27, 1991**

Agreement on a series of constitutional reforms regarding the role of the armed forces, including the creation of a National Civil Police (PNC) under the control of civilian authorities and explicitly independent from the armed forces. It also defined reforms in the judicial system, human rights and the electoral system. Finally, it established the Truth Commission, entrusted with the task of investigating “serious acts of violence that have occurred since 1980 and whose impact on society urgently requires that the public should know the truth.”⁵⁰

Caraballeda (Venezuela) meeting – May 25–June 2, 1991

Continued discussion on the restructuring of the armed forces.

Querétaro (Mexico) meeting – June 16–22, 1991

Further discussions on restructuring of the armed forces and ceasefire.

Mexico City meeting – 9–11 July, 1991

Continuation of the June Querétaro meeting.

Mexico City meetings – September 16–24, 1991

In order to accelerate the negotiations process, both parties agreed to the creation of a ‘compressed agenda’ that focused on the formation of the PNC (specifically the issue of quotas of officers from either side); the creation of a Commission for the Consolidation of Peace (COPAZ), a multiparty body designed to coordinate and supervise the implementation of the peace accords; and a land redistribution programme.

New York Agreement – September 25, 1991

The compressed agenda formally reshaped the official agenda established in the Caracas Agreement. Addressing the integration of the PNC, the parties agreed on a largely civilian force, with each side to contribute a maximum of 20 percent of recruits, as well as on the design of COPAZ.

New York City and Mexico City meetings – October–December, 1991

Bilateral meetings between the parties and the UN addressing a host of themes, chiefly the formation of the Ad-Hoc

Commission, the reduction and reform of the SAF, the future of paramilitary forces, and the future of the SAF’s non-active reserves.

New York statement – December 31, 1991

The parties declared that “they have reached definitive agreements which, combined with those previously signed at San José, Mexico City and New York, complete the negotiation on all substantive items of the Caracas Agenda and the New York ‘compressed negotiations.’ Their implementation will put an end to the Salvadoran armed conflict.” They also stipulated agreement on the technical and military aspects of the separation of forces and the end of the armed conflict, and that “the cessation of the armed conflict shall take effect formally on 1 February, 1992 and shall conclude on 31 October, 1992.”⁵¹

New York meeting – January 5, 1992

Discussed the calendar for the implementation of the accords, as well as the dismantling of the FMLN armed wing and reintegration of combatants

New York statement – January 13, 1992

The parties declared that they had reached “agreements which complete the negotiations on all issues outstanding when the New York Act was signed on 31 December 1991.” This cleared the way for the signing of the final accord in Mexico City three days later.⁵²

Peace Accords of El Salvador – Mexico City, January 16, 1992

The accords were signed at a formal ceremony at the Chapultepec Castle. This comprehensive agreement contains nine chapters, preliminary paragraphs and various annexes. It includes the issues that were covered over the course of previous agreements as well as additional aspects, including the exclusive delegation of maintaining internal order to the professional, non-partisan National Civil Police, and the latter’s commitment to the observance of human rights.

Ceasefire commences – February 1, 1992

A nine-month ceasefire commences, which is not broken.

SECTION 3

THE NEGOTIATION OF DISARMAMENT, DEMOBILISATION AND REINTEGRATION⁵³

THE EVOLUTION OF DDR in the past twenty years into a detailed doctrine has been the subject of intense analysis and debate.⁵⁴ The three components are largely considered to be sequential, although there is increasing fluidity around the order and overlapping nature of the components. There is a growing shift at the conceptual level to recognise the overtly political nature of DDR, questioning the largely technical status it is assigned in peace processes, although at the operational level, this has yet to consistently unfold.

Broadly speaking, DDR is a set of procedures introduced after a violent conflict to transition fighting forces to civilian status or integration into state security forces. These transitions entail the decommissioning of armed groups, their collective disarmament, and efforts designed to ‘reintegrate’ former fighters into new occupations. In practice, DDR—especially reintegration—faces multifarious challenges in fragile post-war nations, including:

- coordination problems;
- sequencing issues;
- an absence of reliable baseline data;
- under-funding or delayed funding;
- omission of some armed actors;
- an overemphasis on short-term disarmament; and
- a tendency to neglect substantive reintegration measures.

DDR programmes typically are facilitated by actors such as the World Bank and the UN Development Programme (UNDP). The political and financial commitment of the recovering country is widely considered to be essential to a positive outcome, though this is not always forthcoming.

DDR serves not only to integrate ex-combatants, but also to address key security issues in the post-war phase. While DDR is typically conceptualised as one discrete ‘package’ of processes and measures, it has clear linkages to other doctrines, concepts and pro-

cesses. In effect, DDR is one in a series of steps logically followed by, or undertaken concurrently to, further weapons reductions and controls and longer-term, systemic efforts to create lasting security. It is often undertaken—either explicitly or implicitly—as a precondition for or complement to larger institutional reforms, particularly security sector reform (see Section 4: Security Sector Reform).

“In El Salvador, the discussion on the demobilisation and disarming of the military force of the FMLN started towards the substantive middle of the negotiation, not the chronological middle, and the operational design of this process started when the negotiation of the political agreements was concluded.”

—Salvador Samayoa, former FMLN senior negotiator, 2007⁵⁵

In the El Salvador peace talks, discussion of DDR—with the predominant focus on disarmament and demobilisation—began in September 1991, however it was finalised in detail in the very last stage of the talks, and into first week of January 1992, after the official end of the talks on 31 December 1991 but before the official signing ceremony (see Box 2: Timeline of meetings and agreements). Those interviewed for this report frequently noted with wry amusement that in the early 1990’s DDR did not exist as formal concept. Instead, the parties talked of the reintegration of fighting forces and demilitarisation, and eventually

agreed to ‘the reintegration of the FMLN, in conditions of full legality, into the civilian, political, and institutional life of the country’—a provision the details of which were not fully elucidated in the accords and required extensive renegotiation some nine months later.

The disarmament process in particular was conceived as an integral component for implementation of the political and military reforms contained in the peace accords. According to de Soto, “had the government insisted on reaching an accord on the ceasefire [first], the negotiation would have not been fruitful; that was understood and accepted.”⁵⁶ As a consequence, as recalled by Salvador Samayoa of the FMLN, discussion could only start when “the most complicated political agreements had been outlined, and had a reasonable probability of being carried out.”⁵⁷ This stage was reached toward the “substantive middle” of the negotiations, with the operational design and timetable for demobilisation established once all the other political agreements were concluded.⁵⁸ Furthermore, significant concessions from the government were necessary before the FMLN gained confidence in their commitment to the process.

The demobilisation and disarming of the FMLN military structure was the last item on the negotiation agenda. This was not only strategically optimal from the FMLN perspective, but also gave the FMLN leadership much-needed time to persuade its middle ranking officers and military units to support the political process and probable outcomes.⁵⁹ The disarming of the FMLN was thus a strategic consequence of the negotiation and not a prerequisite for it.⁶⁰ Concerned with bringing the membership along, and aware of potential terminological pitfalls, the FMLN negotiators rejected the term ‘demobilised,’ regarding it as an unsuitable description for undefeated combatants and one that cast aspersions on the motivations of the FMLN force. Their objections notwithstanding, the term came to be widely used by all parties.

Several interviewees considered the Mexico Agreement of 1991, which started the process of redefining the role of the armed forces and the move towards “a clearer definition of the subordination of the armed forces to civilian authority,” to have been a significant mid-point at which FMLN demands finally began to be fully acknowledged.⁶¹ Another milestone for the FMLN was the conclusion in September 1991 of the difficult negotiations around the size, shape and *modus*

operandi of a new police force (see Section 4: Security Sector Reform).

The Cessation of Armed Conflict (CAC) process saw the beginning of the negotiations of security concerns. It was negotiated by a Commission on Cease-Fire and included four main issues: the ceasefire; separation of forces; the drawing down of the FMLN military structure and reintegration of its fighters; and the verification role of ONUSAL. The Commission included senior commanders of the SAF and FMLN, as well as UN officials. The group held frequent joint and bilateral meetings with Goulding. The parties also had teams of advisors specialising in sub-themes, including a set focusing on the direction for the terms and conditions of the DDR process.⁶²

The separation of forces was agreed on in two stages across six days. During the first stage, the SAF and the FMLN forces concentrated in the key positions they occupied at the end of the war; during the second stage, the SAF concentrated in garrisons and civilian and military sites deemed of national security interest, such as telecommunications stations, hydro-electric facilities, while simultaneously the FMLN forces concentrated in 15 positions throughout the country. As with many fighting forces, the FMLN chose to demobilise the “less powerful contingents (first), the older or younger combatants” and turned in “old weapons that were not in good condition.”⁶³

The dismantling of the FMLN military wing specifically encompassed:

- the establishment of an inventory of weaponry (quantity, types of weapons);
- the sequestering of guns, ammunition, landmines, explosives and military equipment in sealed containers in the 15 points of concentration of FMLN forces;
- the destruction of FMLN arsenals;
- the demobilisation of forces in 20 per cent increments.

FMLN fighters retained their weapons and equipment in cantonment. Before departure, they deposited weapons and equipment into containers destined for destruction and verification by ONUSAL.

Alvaro de Soto recalls that even though the UN attempted to establish an accurate inventory of the arsenals and combatants, both sides refrained from declaring “with great clarity the forces and stocks that they had.”⁶⁴ Francisco Jovel, former member of the FMLN General Command, pointed out that the

army did not submit an inventory of the arms it confiscated from the FMLN during the war: “. . . a weapons control operation failed on the part of the UN, mainly because they did not put too much pressure on the army.”⁶⁵ He further postulated that the army did not have effective control of this confiscated weaponry and that it probably was distributed “massively” among civilians and members of the military.⁶⁶ FMLN commanders for their part maintained that the bulk of their arsenal was destroyed after the war, although they also admitted to having lost track of some stockpiles during the war due to the deaths of senior commanders in possession of crucial information.⁶⁷

“We have seen the negative effects of the lack of control over government weapons, as many military officers were selling weapons at bargain prices after the war.”

—Héctor Martínez, former FMLN commander, 2007⁶⁸

A Joint Working Group was established to facilitate the ONUSAL verification mission, made up of the chief ONUSAL military observer and one representative of each side. Several advisors from both sides also participated in the working group meetings. The FMLN leadership provided an inventory of its arsenals to the ONUSAL chief military observer prior to the beginning of the ceasefire, with local commanders turning over the keys to the containers in which weapons were sequestered as well as to arms caches. The FMLN destroyed all weapons deposited in the containers during the last stage of the demobilisation process under the observation of ONUSAL.

Both sides, however, expressed reservations about the process. From the FMLN’s perspective, Oscar Miranda, a former commander who was a member of the Commission on Cease-Fire, considered that “the apparatus [the ONUSAL military observers] that was created under the terms of the CAC was directed toward the control of the arms of the guerrillas; very little or no attention was given to the control of the weapons of the conventional forces.”⁶⁹ Former SAF negotiators, on the other hand, argued that arsenals

needed to be maintained, and not publicised, due to national security concerns. Former SAF General Mauricio Vargas further insisted that the peace accords referred not to “arms control” but to “the disarmament and demobilisation of the FMLN,” implying that establishing a full inventory of the SAF arsenals was an issue not included in the accords.⁷⁰ In fact, the peace accords made only general reference to this issue, stating that “materiel and equipment will [be appropriate to] the new organization and doctrine of the Armed Forces and to their constitutional mission.”⁷¹ Former FMLN commander Héctor Martínez reflected: “We have seen the negative effects of the lack of control over government weapons, as many military officers were selling weapons at bargain prices after the war . . . In future negotiations of this magnitude it is crucial to establish mechanisms of weapons control of the government forces.”⁷²

From the government’s perspective, the obvious concern was that the FMLN would retain arms caches and that some of its armed civilian urban forces—whose numbers and weaponry were also unclear—remained active. The most embarrassing incident was the arsenal explosion in Nicaragua in May 1993, *after* the UN Secretary-General declared the FMLN had completely disarmed—a precondition for the registration of the FMLN as a political party. After that incident, the FMLN turned over more caches, with ONUSAL recovering weapons from over one hundred caches across El Salvador, Nicaragua and Honduras by August 1993, some 30 per cent of the FMLN arsenal.⁷³ According to the Small Arms Survey, up until 2001 arms caches have continued to be found.⁷⁴ Additionally, the FMLN surrendered surface-to-air missiles, which played a major role in the last phase of the war, in exchange for a reintegration programme for some 600 mid-level officers known as Plan 600.⁷⁵

On the question of the FMLN militia forces, or ‘urban forces’ as they were referred to, Oscar Miranda recalled that the FMLN did not declare the extent of these armed actors, due to the impracticality of this process: “It was illogical to think that FMLN urban forces would be concentrated in some school or public facility in the cities.”⁷⁶ However, some members of the FMLN urban forces did report to the FMLN cantonments to be accounted for. Furthermore General Vargas commented on the “irregular character of the FMLN force” as a negotiating challenge.⁷⁷ It should be noted that due to practical reasons, the “clandestine

forces”—i.e. armed civilian FMLN forces and paramilitary government forces—were not required to concentrate in the previously mentioned positions; however, they obviously had to abstain from engaging in any “hostile activity.”⁷⁸

The dismantling of the FMLN military structure was officially completed by December 1992. The full disarmament of the FMLN was not officially completed until August 1993 due to the cache finds.

The negotiation and renegotiation of reintegration

Discussion of reintegration measures did occur during the peace talks, but was not covered in tremendous detail. As one observer has noted, “. . . negotiations on economic and social issues, of which reintegration was a crucial part, took place literally at the last minute, when negotiators came under pressure to strike a deal . . . (t)he inadequacy of the agreement in this regard also reflected the lack of technical expertise of the FMLN on these issues as well as the reluctance of the government to make major concessions on socioeconomic issues.”⁷⁹ It is perhaps not surprising, therefore, that this element was in fact renegotiated towards the end of 1992, but this time in a resentful atmosphere.

“Carpenters, line # 1. Agricultural tools, line # 2. Tailoring, line # 3, etc. How was I supposed to know after twelve years of civil war what my vocation was, or what would be viable where I resettled? I chose any program because it provided food, but I haven’t found a way to use the training I received.”

—Former FMLN combatant, 1996⁸⁰

The negotiations on combatants’ transition into society were delegated to the Commission on Cease-Fire and were seen as a process that would cap definitive disarmament and demobilisation by the government side in particular, rather than a long-term comprehensive process to ensure a dignified life of former fighters.⁸¹ However the entire question of

access to land—a key grievance in the violent conflict—continued to be sharply ideologically contested, with the government hostile to land handouts and credit schemes.

The parties agreed to formulate a National Reconstruction Plan (NRP) that would detail the reintegration strategies for FMLN combatants and to a lesser extent the government forces, as well as basic needs of the populations living in areas formerly controlled by the FMLN. This task was delegated to the Secretariat for National Reconstruction (SNR) and it was assumed during the talks that the FMLN would contribute significantly to its development. However, without a formal coordination mechanism, proposals from the FMLN National Reconstruction Committee and the Fundación 16 de Enero (the 16 January Foundation, an NGO created to oversee the reintegration of FMLN combatants) did not enjoy much attention.

The NRP was to be developed with three guiding principles:

- Equal attention: all combatants would receive similar benefits, although the SAF would devise the reintegration plan for the government forces while the FMLN would be handled by the NRP;
- Resource availability: programmes would be subject to available funding mostly from international donors;
- Information disclosure: elements of the FMLN reintegration packages would depend on the information provided by the FMLN on beneficiaries.

These principles “enabled the government to condition its commitments on the availability of external resources.”⁸² However, according to interviewees, international donor efforts were frustrating. General Vargas noted that the government received less than half of the initial international aid for reconstruction offered at the end of the war. During the negotiations, he recalled, the message from the international community was “don’t worry, do it [sign the peace accords], count on me. Those were words of hope; but we needed money not words of hope; that complicated things for us.”⁸³ The FMLN’s Salvador Samayoa also reflected on the lack of sufficient international cooperation, arguing that this deficit badly damaged prospects for sustainable reintegration: international efforts were “well-intentioned but poorly executed, because to make war everybody helps with money but to make peace it is hard to get aid.”⁸⁴ An additional challenge, Vargas



People wounded in El Salvador's civil war take part in a demonstration to demand land, medical treatment and help with reintegrating into society. 11 October 2006. © Reuters/Alex Pena.

lamented, was that foreign donors mostly granted funds for the reintegration of guerrillas.⁸⁵ The armed forces for their part had to improvise on a number of issues, and lacked the internal capacity and flexibility to move as fast as the circumstances required to find ways to relocate and support soldiers often uprooted from their original communities.

“Reintegration has been adversely affected by the low education levels of the demobilized and their limited access to health and education, as well as problems and delays in the implementation of government sponsored programs.”

— Association of Former Armed Forces Soldiers, 1995⁸⁶

Reintegration programme beneficiaries—the definition of whom had been the subject of long negotiations—were agreed to fall into three categories: the FMLN’s

combatants (approximately 22,500 people); its mid-level commanders (600 people); and the *tenedores* (some 15,000 people) who lived in FMLN-controlled territory. The numbers on the government side were more subject to flux as the down-sizing of the army and police forces unfolded (see Section 4: Security Sector reform); it is estimated that eventually some 30,000 former soldiers and police were demobilised, though not all went through a formal reintegration programme.⁸⁷

The Secretary of National Reconstruction put forward the Support Program for the Reintegration of Ex-Combatants of the FMLN in September 1992, which articulated two phases: short-term or contingency programmes and medium-term initiatives. The first phase was understood to have started from March 1992, and addressed immediate needs such as shelter and food in the 15 FMLN demobilisation sites, as well as an assessment of what combatants wanted to do in the next phase. From the perspective of one combatant, however, this appears to have been a confusing time: “How was I supposed to know after twelve years of civil war what my vocation was, or what would be viable where I resettled? I chose any program because it provided food, but I haven’t found a way to use the training I received.”⁸⁸

The medium-term programmes were split into two focal areas—rural and urban—and were made available to both FMLN and government forces. Rural programmes included access to land through the Land Transfer Program (PTT), agricultural training, financial credit and housing assistance. Catalysing small businesses was a key goal of the urban programme, including the provision of training and credit. Finally, a scholarship programme as well as training, credit and housing assistance were offered to FMLN leaders and mid-level government forces. A number of FMLN combatants and officers also participated in the formation of the FMLN as a political party, a process that required political and technical training (e.g. in electoral laws and procedures), accreditation of candidates for local and national elections, the creation of party infrastructure, and elections of the party's local and national authorities.⁸⁹

“...the government was much less careful than the FMLN on reintegration; they abandoned the paramilitary sector and disabled soldiers and they had to approach ASALDIG [Salvadoran Association of Disabled and Incapacitated War Veterans, an FMLN veterans' association] to get some help, particularly right after the war.”

—Héctor Martínez, former FMLN commander, 2007⁹⁰

Although FMLN combatants generally acknowledged that the FMLN leadership had worked hard to offer various reintegration options, there were many who were dissatisfied due to lengthy delays and inadequate or inappropriate training or assistance. Many government officials staunchly opposed the concept of credit for FMLN combatants on ideological grounds. However, these issues did not reach a breaking point, as FMLN negotiators were prepared to compromise in tacit exchange for the government's silence on the undeclared FMLN arsenals in Nicaragua. Eventually,

the “FMLN grudgingly accepted” that the agreements on reintegration had been carried out.⁹¹

In contrast to the FMLN, who—influenced and organised by collectivist values—had built up a diverse and strong network of associations and NGOs to help with the reintegration of former insurgent combatants, the transition of government forces to civilian life was handled in a disjointed manner, leading to public dissent from formerly loyal soldiers and paramilitaries. As former FMLN commander Héctor Martínez observed, “. . . the government was much less careful than the FMLN on reintegration; they abandoned the paramilitary sector and disabled soldiers and they had to approach ASALDIG [Salvadoran Association of Disabled and Incapacitated War Veterans] to get some help, particularly right after the war.”⁹² Indeed, the assistance offered to former government combatants was shabby. While many soldiers received one year's salary upon their discharge, many did not. All discharged personnel lost access to the Military Hospital, considered to have above-average resources and care. After intense lobbying by veterans associations, the army relented and “revealed that it had a retirement fund . . . but it was only for those veterans with ten or more years of service, and that the pension would last only two years.”⁹³ Negotiations between the government and its ex-soldiers dragged on into 1995 on pensions, training and land acquisition. This built upon the 1992 pressure placed by armed forces veterans on the National Reconstruction Secretariat to devise a one-year training programme for soldiers to demobilise.⁹⁴ Persistent pressure in public from the veterans associations such as occupying land and government buildings including the National Assembly, left one observer to note that they “received ostensibly better terms than those peacefully negotiated by the FMLN and FAES.”⁹⁵

Beyond the travails of regular armed forces, the status of the ‘public security corps’ (paramilitaries and death squads), medical personnel and support staff was somewhat ambiguous in the benefits process. Only after “much haggling and pressure” from the Armed Forces Veterans Association (ADEFAES) were they eventually included in credit and training schemes.⁹⁶ Eventually, some 5,000 paramilitaries were recognised as eligible for inclusion in reintegration-style programmes, with some 3,000 gaining access to the land deal.

The Land Transfer Program: 'Arms for land'

A vital part of the overall vision for reintegration was the PTT, or so-called 'arms for land' deal, which was to provide credit to purchase land as part of a grand redistribution of hundreds of thousands of hectares of land to some 47,000 beneficiaries. However this process became perilously complicated and protracted, taking more than four years to implement. It was caught up in a myriad of factors: land law; multiple administrative agencies; ideological and political tensions; coordination; and the perils of topography and soil quality. The land deal was also swept along in the currents of a rapidly changing world economy, with commodity prices reaching new peaks and troughs across its negotiation.⁹⁷ However, as former FMLN negotiator Samayoa recalled, although the programme provided limited economic opportunities for ex-combatants, it actually "bought political time" for the consolidation of the peace process.⁹⁸

"Before the war, El Salvador had one of the five most extreme concentrations of land in the world. The largest 5 per cent of farms controlled 70 per cent of the land, while the smallest 20 per cent had only 1 per cent of total land . . . with over 55 per cent of people dependent on agriculture for survival."

—Robert Orr, 2001⁹⁹

The peace accords created the National Commission for the Consolidation of Peace (COPAZ) made up of representatives of the government, the FMLN and the political parties in the National Assembly, to monitor the overall implementation of the PTT. COPAZ in turn created the Special Agrarian Commission (CEA/COPAZ) in charge of verifying the inventory of land and property included in the PTT, dealing with potential conflicts between *tenedores* and landowners, and promoting full and prompt compliance of the accords related to agrarian issues. The government's Office of Coordination of the Agrarian Theme and the FMLN's Land Commission negotiated the finer political, technical and legal aspects.

The land deal was fundamental to many of the reintegration options on offer. However, the programme was not without problems. Credit for farming start-up was provided but was contingent on a legal land deed which was often subject to lengthy delays and confusion, resulting in many people not able to repay the credit and spiralling into debt.¹⁰⁰ Furthermore, there was a shared assumption that many combatants would want to take up, or return to, farming and that in general, former fighters would reintegrate into agrarian life in a year or two.¹⁰¹ However, many young combatants lacked agricultural experience or inclinations, and instead decided to move to San Salvador to find employment opportunities, where some drifted into armed violence and crime.¹⁰²

The slow progress was also discouraging to donors, and the programme suffered from a lack of much-needed external financial support. By March 1995, only 45 per cent of the beneficiaries had received title to land.¹⁰³ Nevertheless, despite its many hurdles and the frustrations experienced at the local level, the redistribution of land in El Salvador is a noteworthy achievement in a peace process with multiple complicated angles, and a population desperate for stability.

SECTION 4

SECURITY SECTOR REFORM¹⁰⁴

DDR IS OFTEN undertaken, either explicitly or implicitly, as a precondition for or complement to larger institutional reforms, particularly security sector reform. SSR is a set of procedures designed to bring the security organs (the police, military, intelligence services and private security forces) into conformity with internationally accepted norms. While the relationship between dysfunctional justice and security sectors and the demand for guns in the population is not yet thoroughly understood, it is clear that corrupt security sectors—whether through misuse of weapons themselves or failures to prevent weapons misuse by civilians—will leave civilians with a sense of injustice and insecurity that can drive individuals to take the law (and the gun) into their own hands or to hold on to weapons as a form of ‘insurance.’¹⁰⁵ While more research is needed to better understand this relationship, in recent years it has been acknowledged that justice and security sector reform is closely linked to violence prevention and peacebuilding.¹⁰⁶

In contrast to DDR, which benefits from relatively codified formulas, there is no hegemonic recipe for SSR, and approaches vary considerably across contexts. SSR can include the application of regional and international agreements, standards, or legal instruments, such as guidelines on the use of force and firearms by police forces; civilian control of the armed forces; transparency and accountability policies; steps to downsize security forces; vetting of personnel for past transgressions; and the creation of oversight mechanisms and institutions. All such steps are widely seen as crucial to enhancing security in the post-war contexts, to addressing the structural bases of violence, and to helping to lower demand for weapons through restoring a measure of civilian confidence in the military and/or police.

At the same time, scholars and practitioners increasingly recognise the need to include the revitalisation of slow, unrepresentative or unjust judicial processes

in the concept of security sector reform. Judicial reform often moves more slowly, due to the length of time required to recruit and train judges, prosecutors and defenders, reduce backlogs, upgrade infrastructure, and improve the management and conditions of penal institutions. As a consequence, it is all the more important that judicial reform be addressed as early as possible in peace processes—an arena from which, unfortunately, it generally is omitted, as “civil war adversaries do not typically view the establishment of dispassionate judicial institutions as a priority.”¹⁰⁷

“. . . the FMLN was willing to engage in politics without arms and to accept that the official armed forces kept arms without engaging in politics.”

—Salvador Samayoa, former FMLN senior negotiator, 2007¹⁰⁸

Transformation of the security sector was a fundamental aspect of the Salvadoran peace process, and a core FMLN demand; indeed, the government’s acquiescence to SSR can be said to have made DDR possible.¹⁰⁹ In the end, the first three chapters of the Mexico Agreement deal with the reformulation of the armed forces, the creation of the National Civil Police, and the reform of the justice system. While the FMLN initially argued for the complete dissolution of the government armed forces to accompany the FMLN’s own dissolution and for an integration of both armies, they eventually accepted a dramatic downsizing and purging of government forces. There was in essence a trade-off at play: “the FMLN was willing to engage in politics without arms and to accept that the official armed forces kept arms without engaging in politics.”¹¹⁰



Salvadoran soldiers destroy M-16 rifles at a military base west of San Salvador. © Reuters.

Nevertheless, the FMLN leadership maintained significant reservations about the nature of military reform until 2004, when they concluded that the military was able to play a permanent role in a democratic society.

The armed forces

The Mexico Agreements provide the basis for the creation of armed forces explicitly subordinated to civilian constitutional rule and restricted from political decision-making, as well as for a reconfiguration of military doctrine to respect human rights and the rule of law. Critical to the re-envisioning of the military's role was clarification of the role of the armed forces as limited to responding to external threats, with sole responsibility for public security turned over to the newly created police force. The force strength of the SAF was to be halved, as agreed in the accords, by January 1994. Army officers believed to be responsible, directly or indirectly, for the most serious abuses of civilians throughout the 12-year civil war were also to be purged. An Ad-Hoc Commission on the Purifica-

tion of the Armed Forces was established in May 1992 and submitted its report in the September of that year. Just over 100 officers (including most of the generals) were identified for expulsion, and were out of the army by June 1993. "The purge of these senior commanders, the most thorough purge ever of a Latin American army not defeated in war, was only made possible by the report of the Truth Commission, a UN panel of three international notables."¹¹¹ (See below.)

The police service

Police reform is often hailed as one of the central successes of peacebuilding in El Salvador, with the creation of the National Civil Police (PNC)—separated from the Defence Ministry—a direct attempt to end the militarised policing which had come to terrorise the population. The creation of a single professional, non-partisan force committed to the observance of human rights involved the disbanding of the three existing police forces (the PN, the PH, and the GN) and the creation of one larger civilian entity. The accords

stipulated that 20 per cent of the new force's personnel could come from previous forces and 20 per cent from the FMLN, with the remaining positions to be filled by civilians. A draft law on the structure and doctrine of the PNC as well as a National Academy of Public Security (Academy) were also outlined in the accords.

The new force was "faced with several significant challenges, including the training of inexperienced personnel, a crisis of legitimacy [remaining] from the old, discredited force, and a spiking crime rate."¹¹² For instance, the integration of FMLN combatants into the PNC required an intense process of preparation. FMLN fighters who entered the Academy had to obtain personal documentation and, in the case of those who had completed high school or university degrees, academic documents. This was a fraught process for most, as necessary documents were lost during the war, and the relevant institutions were flooded with urgent requests to issue documents, lending to a general air of panic. The National University and other institutions offered short-term courses to combatants at the FMLN demobilisation sites who wished to enter the Academy. ONUSAL monitored the admissions examinations for the Academy, and provided detailed input on human rights training, in addition to other key contributions.¹¹³ By early 1995 the PNC had some 7,000 officers and 220 mid- to high-level officials, all graduates of the Academy.

The justice system

The Mexico Agreement included a National Council of the Judiciary guaranteed to be independent from the state and political parties, bringing together members of the judiciary with representatives from other sectors of society. The establishment of a National Counsel for the Defence of Human Rights was also set out. The Attorney General's office and role was also set to be reconfigured in the accords, moving from a public office that had traditionally defended the state to one that was more investigative. A Human Rights Ombudsman was also agreed.

ONUSAL was active in promoting legal and judicial reform, prompting activities such as the training of judges. A new Supreme Court was developed in 1994 to provide oversight to the many legal changes underway. In addition, El Salvador was encouraged by the international community to sign international human rights treaties to provide additional 'coverage' to citizens.

The Truth Commission

The Mexico Agreement included provisions for a Truth Commission—a pivotal component of the emerging political pact to redefine the constitutional role of the military and to end institutional impunity. Established in July 1992, the Commission was composed of three eminent international experts who in less than a year reviewed approximately 22,000 testimonies of transgressions by both the state and the insurgency since 1980. The methodical assessment of extrajudicial killings, forced disappearances, massacres, death squads, and kidnappings drew the conclusion that the state, through its network of paramilitary groups and death squads as well as the armed forces and police, was responsible for the vast majority of violations, and that a deep culture of impunity further undermined the rights of Salvadorans.¹¹⁴

The Commission reported in record time in March 1993. A few days later President Cristiani and the National Assembly pushed through an amnesty law for all those named as human rights violators. This caused widespread consternation and disappointment but according to one observer was not "actively opposed" by the FMLN.¹¹⁵ The law continues to stir controversy in Salvadoran society.

Recommendations encouraged the creation of a special fund to provide "adequate material compensation to the victims of violence."¹¹⁶ Others included the construction of a monument and a national holiday to honour victims of conflict and promote reconciliation, as well as the creation of a national forum on truth and reconciliation. Through 1993 the UN Secretary-General pressed for implementation of the recommendations through "active exchanges of views and communications between the United Nations Secretariat and the Government, FMLN and COPAZ."¹¹⁷ Progress was patchy, and few of the recommendations have been implemented; most victims of state violence have not received adequate moral or material compensation. A decade later, it was left to NGOs to inaugurate a monument to the victims of human rights violations perpetrated during the war.

The intelligence service(s)

The accords insisted on the replacement of the National Intelligence Directorate (DNI) with a civilian-run State Intelligence Office. However, the military continue to dominate the new office, as well as the National Intelligence School.¹¹⁸

SECTION 5

WEAPONS CONTROL AND REDUCTION¹¹⁹

“The general neglect of public security provisions in peace accords reflects the logic of peacemaking: the parties, and outside mediators tend to focus on the post-settlement security of the warring parties, since this is what will make or break a peace process in the short run. Indeed, inattention to public security issues has seldom, if ever, caused renewed civil war. It has, however, contributed to extreme hardships, and undermined longer-term prospects for both peace and democracy.”

—Charles Call and William Stanley, 2002¹²⁰

AS THE NATURE of contemporary armed conflicts has changed, so has the definition of ‘combatants.’ Gone are the clearly defined opposing lines of uniformed armed forces. Instead, violent conflicts over the last twenty years have featured a range of armed actors other than traditional soldiers: civil defense forces, militias, paramilitaries, criminal groups, armed gangs, child soldiers, mercenaries and inadequately demobilised and reintegrated combatants from previous cessations of war and hostilities. In addition, a wide range of people may not have been involved in direct combat, yet possess an array of weapons for hunting, sports shooting, self-protection or other reasons. Indeed, civilians hold nearly 75 per cent (650 million) of the world’s small arms and light weapons (of a total of 875 million).¹²¹

The impact of arms in civilian hands is significant. Civilians who are armed have been a feature of the violent conflicts in, among others, Afghanistan, Angola, Colombia, Côte d’Ivoire, El Salvador, Eritrea, Ethiopia, Guatemala, Haiti, Liberia, Mozambique, Sierra Leone, South Africa and Turkey. The guns they carry partly explain the spikes in violent crime and the rise of armed criminal gangs observable in the wake of armed conflict. Indeed, in “the aftermath of virtually all civil wars in the 1980s and 1990s, civilians

perceived greater insecurity, often as a result of documented increases in violent crime. Ironically, in places such as El Salvador and South Africa, civilians faced greater risk of violent death or serious injury after the end of the conflict than during it.”¹²² Meanwhile, high levels of arms in the civilian population during and immediately after war are often accompanied by low levels of confidence in the police services.

Weapons arms control and reduction—which, similar to DDR, goes by many names—is a goal and process in and of itself, with a growing coherent conceptual basis.¹²³ It has become a standard feature in societies emerging from war, as recognition increases that residual weapons—left in the hands of the military, law enforcement agencies, private security companies and civilians after various weapons collection initiatives—need to be controlled through legislative and other normative processes, including assertion or re-evaluation of cultural and social values. Thus governments, the UN, NGOs and regional bodies have actively promoted the strengthening or revision of outdated gun laws, through a combination of regulating the gun itself, the user, and the use of weapons.

Weapons reduction programmes have evolved slowly in the last decade, largely in recognition that DDR does not provide enough focus and mandate for arms control in post-war contexts. As a result, weapons reduction efforts often pick up where official disarmament processes end, typically addressing groups left out of the peace agreement as well as weapons that have not been fully declared. Such management and reduction efforts are commonly thought to ‘fill in the gaps’ after the end of a DDR process, which in fact refers to the end of the disarmament and demobilisation components, though they may be initiated before the completion of the formal reintegration process. Most settings include a mixture of reduction, control and management techniques and objectives. They may include incentive-based efforts to drain the pool of

excess weapons from the conflict area or entail the development of legislative frameworks, border controls, and other efforts to decrease access to the tools of war that often become tools of armed criminality in the post-war period. Activities can occur concurrently and include:

- revising and strengthening outmoded laws and policies regulating access, holding, storage and criteria for owning or using arms by a range of actors—civilians, police, military, or private security;
- devising national action plans to coordinate across government agencies and civil society with agreed benchmarks of progress;
- voluntary and coercive weapons collection and destruction of surplus or illegal arms (deemed illegal following changes to the gun laws);
- amnesties to allow individuals time to comply with new laws and policies or to hand in illegal weapons;
- public awareness campaigns and education to reduce gun violence and illegal or inappropriate weapons holding and use;
- securing state held stockpiles to control movement and avoid ‘leakage’ into illicit markets;
- agreements and plans with neighbouring states to tackle cross-border arms flows;
- handing in guns and ammunition in exchange for development assistance; and
- establishing arms-free zones (effectively, in peace process parlance, multiple localised ceasefires).

Weapons control and reduction programming is used both preventively and reactively in a variety of contexts: peaceful settings, situations of urban armed violence, nations recovering from war, and those teetering on the brink of armed conflict. Timeframes are more in the medium to long term as opposed to the short to medium term of DDR. Although DDR looms largest in peace processes, there is considerable room for arms reduction efforts to be utilised as a flexible set of measures to complement and multiply the impacts of DDR and SSR.

Disappointingly, weapons control and reduction—as distinct from disarmament of military and paramilitary forces—remains largely ignored in the peace-making process. However, for those around the peace table it is no longer possible to ignore or overlook the need for explicit provisions in agreements to control guns in the hands of civilians. As peace agreements provide the legal basis for post-war security gains, they

are an appropriate place for the authorisation of dedicated weapons control efforts. Leaving their discussion to the post-agreement phase can hinder the timing and follow-on aspects of these interventions, creating dangerous gaps that allow for the re-circulation and re-supply of arms.

“It was hard to control people at the individual level.”

—General Mauricio Ernesto Vargas, 2007¹²⁴

The El Salvador process was not unique in ignoring or side-stepping the challenge of reducing and regulating guns in the hands of civilians. At the time of the negotiations, “when the army was in the streets cracking down on any form of opposition”, it was unthinkable to imagine future scenarios where criminal or social violence would become so rampant.¹²⁵ Indeed, in assessing the success of the peace process in addressing this issue, it was enough for those interviewed that the country did not relapse in military confrontation or political violence after the war. However, former FMLN members now argue that had the issue come up during the negotiations, they would have firmly supported laws to ban guns in the hands of civilians “to avoid any temptation on the part of soldiers, paramilitaries and ex-combatants to bring a weapon home.”¹²⁶

De Soto recalls that the FMLN were “quite exercised” about weapons availability as part of their larger goal of demilitarising society.¹²⁷ The topic was frequently raised, but no agreement was possible because the government asserted that the “monopoly of firepower should lie with the state and its agents.”¹²⁸ An FMLN participant echoes this in his recollection that for the FMLN, the stocks of guns in both belligerent *and* civilian hands were “two facets of the same situation,” and that it made little sense not to address the latter in the accord process.¹²⁹ According to one participant at the talks, it was clear that a number of weapons were not destroyed from FMLN stocks due to individual insurgents’ distrust of the government: “it was hard to control people at the individual level.”¹³⁰ Furthermore, as previously mentioned, the handling of militias was patchy, and individuals recalled concern over the lack of transparency about the various paramilitary

forces on both sides and the prospects for their full disarmament. Although the annex of the CAC makes reference to such forces refraining from hostile operations, their disarmament did not feature in the negotiations.

Unusually, there was a focus on regulating private security companies, with an Outline for the Drafting of the Act Concerning the Authorisation, Registration and Monitoring of Security Groups or Units for

Protecting the Property of the State, Corporations or Individuals, and Private Security Personnel included as an annex of the accords. This specified the need to develop a “suitable framework for regulating the functioning of these types of groups, units and persons who provide security services, in relation to their role in a democratic society and prohibited “the existence or the functioning of any private armed groups which are not regulated.”¹³¹

Box 3 Violence and weapons in El Salvador today¹³²

El Salvador has the dubious distinction of having one of the highest rates of homicide in the world: 55 deaths for every 100,000 inhabitants (as of 2006).¹³³ This is a significant improvement from the rates in the mid-1990s, which peaked at 140 to 150 per 100,000.¹³⁴ Guns play a lethal role: in 2006, gun violence accounted for 80 out of every 100 deaths.¹³⁵ Victims tend to be males aged 15-39 years of age, although female homicides have increased in recent years.¹³⁶

In 2006, it was estimated that there were approximately half a million firearms in circulation, although only 211,577 were registered nationally.¹³⁷ To indicate the pace of growth in gun ownership, in 2000 there were 170,000 legally registered weapons.¹³⁸ El Salvador is a flourishing export destination for arms manufacturers. Between 1994 and 1999, the country was the seventh largest importer of US-made pistols and revolvers.¹³⁹

Armed violence has become a particularly urban phenomenon in El Salvador, concentrated in larger cities marked by poverty-stricken suburbs, slum areas and marginal communities. *Maras* (gangs) are a significant public security threat: dozens and perhaps hundreds of gangs, with a total membership of between 10,500 and 50,000 members, operating across Central America, with links to the United States and the broader region.¹⁴⁰ In response, private security services have become a ubiquitous component of security in El Salvador, with an estimated 18,500 to 20,000 personnel working for 158 companies.¹⁴¹ By way of comparison, the National Police has 16,800 officers, with approximately 5,000 on duty at any given time.¹⁴²

In a reminder of El Salvador’s militarised past, the country’s gun licensing system rests with the Ministry of Defence, rather than with the police as in most nations. The country is regarded as having some of the weaker gun laws in the region; for example, civilians are able to purchase high-powered weaponry such as assault rifles, provided that their mechanisms for automatic fire are disabled or removed.¹⁴³ Gun possession licenses are renewed every six years, while licenses

for carrying a weapon must be renewed every three years—lengthy time frames by international standards. Innovatively however, gun sales are taxed, and the funds are directed to the national health budget (see Section 6: Survivors of Armed Violence).

Efforts to regulate guns in civilian hands have met with opposition. The current gun law was amended in the 1990s, with significant changes in the law in terms of civilian possession occurring in 2002.¹⁴⁴ While the law represents a significant improvement on its previous iterations, there is considerable scope for tightening. Other relatively significant reforms and changes to the law have included increased criminalisation of violations, tighter restrictions on the carrying of guns in public, and the development of a psychological test for those applying for a firearms licence. There have been nine reforms by the National Assembly from 2002 to 2007, including raising the legal weapon-carrying age from 18 to 21, limitations on the number of guns a household can legally own per year, and extension of gun-free zones to parks, plazas, schools, bars and gas stations.¹⁴⁵

The government has tried to find other ways of reducing violence in society. In October 2003, Decree 158, the Anti-Maras Act, was adopted, containing a raft of anti-gang measures and penalties developed through strategies such as Plan Mano Dura (Operation Hard Hand) in July 2003. This was followed by Plan Super Mano Dura in July 2004. Contrary to their objectives, these ‘iron-fisted’ plans have struggled to make a deep dent in armed violence.¹⁴⁶ Further measures such as the Mano Amiga (Friendly Hand) and the Mano Extendida (Extended Hand) have been trialled to reduce youth violence and promote rehabilitation from gang life. Decree 176 of December 2006 prohibits the carrying of weapons for 90 days during particular periods (e.g. public holidays) has been implemented in certain municipalities. Additionally anti-*mara* initiatives occur in coordination with Central American neighbours, the United States and Mexico.

SECTION 6

ASSISTANCE TO SURVIVORS OF ARMED VIOLENCE

“We are only eligible to receive care directly related to the amputation; but if one gets a fever related to the amputation or if one has a lung illness related to the fact that we sweat and get constantly wet, there is no care . . . during the war, they sent us to die, still they don’t give us proper medical care.”

—Efraín Fuentes, Vice President, Association of Disabled Veterans of the Armed Forces of El Salvador; former member of the SAF-Atlatcatl Battalion, 2007¹⁴⁷

AN IMPORTANT CONSIDERATION in the resolution of violent conflicts is whether those who survive armed violence are recognised as legitimate stakeholders in the peace process, and the extent to which measures to address their needs are highlighted and addressed in peace talks. Such measures might include, for example, access to physical or psychological rehabilitation services and long-term care; special consideration for survivors and victims in the reintegration phase of DDR; dedicated welfare or medical services; or direct attention for those who have been sexually violated, to name a few possibilities.

The El Salvador peace process thus was distinctive both in the willingness of negotiators to address this element, and in the appreciable (if not always far-reaching) outcomes for survivors. The first significant step to alleviate the suffering caused by armed violence was the 1990 San José Agreement on human rights. This agreement, which was reached early in the negotiating process, was an attempt to mitigate human rights violations occurring during the war (see Section 4: Security Sector Reform, Truth Commission).

The final accords stipulated that the National Reconstruction Plan should include “programmes for the war-disabled and the relatives of victims among the

civilian population.”¹⁴⁸ As a consequence, the National Assembly passed a law aimed at assisting disabled veterans from both sides, as well as the families of those killed during the war. It included economic, health, equipment and prosthetic support, as well as assistance with labour market reinsertion through the Fondo de Protección de Lisiados y Discapacitados a Consecuencia del Conflicto Armado (Fund for the Protection of the Disabled and Incapacitated as a Consequence of the Armed Conflict, hereafter the Fund). Created in December 1992, the Fund was assisted in its planning by the conclusions of the Truth Commission, which provided evidence of the types of trauma and abuse that would require attention in the years ahead.

The Fund, however, has been disappointing, limited since its inception by inadequate funding. A census conducted by the European Community at the end of the war concluded that some 40,000 veterans suffered injuries and impairments, with 30,000 regarded as eligible to receive benefits.¹⁴⁹ In 2007, however, some 8,300 disabled veterans received a monthly pension from the Fund, as this is a group of people considered to be almost completely disabled.¹⁵⁰

The quality of care extended by the Fund has been limited. In particular, assistance was extended exclusively for medical services directly related to the treatment of the initial wound, and not for complications arising from the injury or the disability. Veterans interviewed for the report noted the poor quality of life of veterans after the war, with many citing cases of veterans dying from a lack of adequate medical attention, living in extreme poverty, or struggling with inappropriate employment; one person spoke of FMLN “disabled veterans in wheelchairs cultivating the land, crawling like serpents.”¹⁵¹

Although the Fund was ostensibly available to veterans from both sides of the conflict, SAF veterans reportedly found it particularly difficult to qualify. In

theory, they were first to be covered by the army pension scheme. The Instituto de Previsión Social de la Fuerza Armada (the social security arm of the armed forces) was mandated to oversee cases of former soldiers with disabilities and thus eligible for a two-year rank-based pension. After a lengthy and contentious wait the scheme became operational in 1995. Compensation for disabled soldiers was decided through an evaluation of the origin and extent of the injuries and of resulting impairment and disability. However, most were disqualified from receiving pensions as a result of this process. The most common reasons cited were that injuries were not war-related or that they had already received benefits from other reintegration programmes. Many were disqualified by virtue of having accepted a single payment of USD 665. Further-

more, in practice, these payments were reduced by 25 to 50 per cent; in many cases they also were discontinued ahead of their two-year term.¹⁵² Many former soldiers were affected by these shortfalls.

In a curious twist, protests by government veterans aimed at attaining better benefits have resulted in state forces turning against them. As one veterans' association reported: "On 20 May 1993 our demonstration was repressed by the National Police, a wounded veteran was killed, several were beaten, and dozens were incapacitated by tear gas."¹⁵³ Veterans' associations appear to have found common purpose in advocating for improved policy and response, particularly increased benefits.¹⁵⁴ These groups have assisted veterans' efforts to return to work, and have helped to develop livelihood strategies.¹⁵⁵

Box 4 Surviving armed violence in El Salvador

Currently there is no state-sponsored programme in El Salvador for the physical and psychological rehabilitation and social reintegration of those who are left with chronic injuries as a consequence of gun violence.

In mid-2006 the HD Centre commissioned an exploratory study interviewing patients and staff members at the Instituto Salvadoreño de Rehabilitación de Inválidos (ISRI, Institute for the Rehabilitation of the Disabled). This informal study provided an interesting snapshot of the situation for survivors of gun violence.¹⁵⁶ About 50 per cent of ISRI's total patient intake consists of people with firearm-related injuries. Staff interviewed indicated that since the end of the civil war there has been little change in the severity and types of injury sustained by people surviving armed violence: although there are now fewer patients requiring limb amputations due to anti-personnel landmines, the number of patients with spinal cord injuries and a range of associated injuries as a result of a gunshot wound is still significant.¹⁵⁷ In the words of one staff member, "gang violence has replaced landmines."¹⁵⁸

Health care is provided by the Ministry of Public Health and Social Assistance through public hospitals, primary care health units and community health centres; a significant proportion of public health sector funding (just over 41 per cent) comes from private sector sources.¹⁵⁹ Patients may be requested to contribute a 'voluntary payment' that varies according to the health centre and to the service required.¹⁶⁰

Taxing guns for the health budget

The Salvadoran government has advanced a ground-breaking policy initiative in response to the growing burden of gun vio-

lence and substance abuse on the health budget. In 2004 the government imposed a tax on alcohol, tobacco, and, uniquely, the manufacture of and trade in firearms. Fondo Solidario para la Salud (Health Solidarity Fund, FOSALUD) draws its resources from this tax. Civil society played an important role in the development of the FOSALUD concept. The original proposal, introduced as part of a package of election promises by presidential candidate Elías Antonio Saca in 2004, targeted the consumption and production of alcohol and tobacco. Concurrently, a broad-based movement both demanded and had named its campaign a 'Sociedad sin Violencia' (society without violence). They undertook to raise awareness about gun violence; pressed for appropriate care for the large number of survivors of armed violence; and appealed to the government to consider the impact of death and injuries on the national budget.

Ironically, FOSALUD does not provide direct care for survivors of gun violence. The provisions governing the Fund exclude care such as hospitalisation and rehabilitation services, as well as early prevention and detection of firearm misuse through programmes focussing on mental health, or family and partner violence. The Fund provides general health services, such as preventive care programmes targeting children under five, adolescents, maternal and reproductive health, and environmental health. Survivors of gun violence therefore benefit indirectly from the policy. However, a next step for FOSALUD would be to explicitly include gun violence survivors to ensure the provision of physical and psychological treatment for survivors and their families, as well as developing education programmes on the misuse of firearms.

Beyond provisions for former combatants, the assistance provided to civilian survivors has been notably limited. For parents whose children were killed during the war—a severe blow to the long-term economic viability of many families—a pension scheme was developed. However, this was only granted to fathers older than 60 and mothers older than 55, disqualifying many parents of younger fighters. In late 2007, some 3,500 people continue to receive a payment.¹⁶¹ The scheme offers a fixed payment of USD 47 a month to each parent; if only one parent is alive, he or she receives USD 52 a month, regardless of the number of children lost. As the years roll on, there are aging parents of war victims whose only source of income is this pension—an amount so small as to leave them destitute.

Psychological care for both veterans and civilians is another area that has not received the attention required. Picking up the pieces after the trauma of war is a process with complex contextual influences. In many settings, psycho-social intervention or the provision of mental health programming is inhibited by social custom, perceptions about the roles of men and women and their (gendered) capacity to withstand trauma, and self-inhibition on the part of those experiencing guilt for surviving armed violence. As one interviewee noted, “there was no psychological reconstruction . . . an extremely important factor in reintegration.”¹⁶² Many veterans and civilians have endured mental health decline, including depression, paranoia, and substance abuse, in some cases leading to suicide.¹⁶³

SECTION 7

OBSERVATIONS

THE EL SALVADOR peace process offers rich lessons for observers and practitioners of peacemaking. It provides an example of the many tensions at play when navigating and negotiating security concerns. From the Salvadoran experience, some reflections can be drawn to add to the growing body of thought *and* practice on how to approach the complex of security issues and the impacts of armed violence in peace negotiations and processes. Some general observations include:

1. Setting disarmament as a precondition for peace talks rarely pays off

Presidents Duarte and Cristiani both demanded that the guerrillas lay down arms as a precondition for negotiations—demands that were rejected by the FMLN. The government reconsidered its position only after its brutal response to the insurgency offensive of November 1989 not only failed to achieve a military victory, but jeopardised US support. Eventually the government resigned itself to the fact that a ceasefire and disarmament could only follow, not precede, a political agreement. Other processes have buckled early due to this particular precondition—as was the case in the Northern Ireland peace process—and rarely does such insistence result in the necessary confidence-building required in such delicate processes.

2. Security issues require substantive discussion and clear agreement to avoid confusion in the implementation phase

The Salvadoran peace process included extensive wrangling over ‘demilitarisation.’ Nevertheless, DDR was not substantively discussed until very late in the process—and such discussion focused primarily on disarmament and demobilisation. Paradoxically, the fact that all sides held off on raising these issues was a

testimony to their deep political significance; nevertheless, when they finally were raised, they were treated as technical issues that could be dealt with quickly. When the time came for implementation, however, these ostensibly simple issues turned into significant bones of contention, with both parties continuously challenging each other over the execution of the political agreements, linkages to military reform, and the complexities of demobilising and reintegrating combatants.

3. Consider discussing reintegration first

Reintegration demands extensive supporting detail and information, as well as input from those to be targeted by such programmes. Discussing reintegration first instead of disarmament could provide parties with a clearer focus and longer time period to consider, debate and agree on realistic clauses. Clear data and careful consideration of issues such as housing, pensions, the vocational aspirations of beneficiaries, urban–rural divides, available systems of credit, training needs, psycho-social concerns and educational opportunities are required for effective agreements on frameworks for fighters and soldiers to transition to civilian life or reconfigured security services with sustainability and dignity.

4. Cast a spotlight on survivors of armed violence.

The ultimately inadequate attention paid to disabled veterans and families of the victims of war-related violence in the peace negotiations left a number of unresolved issues. This situation has led to widespread discontent and mobilisation on the part of war veterans from both sides. It is striking that former fighters from opposing sides found common purpose in the post-war period to improve their living conditions

and future potential. The goal of ending human suffering in peace talks requires detailed consideration if words on paper are to make a difference to war-affected civilians, and former combatants. Furthermore, the situation in El Salvador affirms the importance of detailed psycho-social recovery programmes to assist individuals and families in rebuilding their lives.

5. Impartial actors and credible inventories can lend clarity to negotiations

Parties to peace talks characteristically hedge their positions, notably when it comes to the question of who holds what weapons, and how many they have. The same reticence also pervades estimates of combatant numbers and assessments of their potential needs and aspirations. The establishment of a credible inventory of both FMLN and SAF arms holdings is a case in point. The El Salvador process, as in many other

cases, attests to the value of information generated by impartial agencies or advisers on matters related to weapons holdings, potential combatant population sizes, stockpile security concerns and other relevant issues.

6. Dedicated armed violence reduction strategies are critical

El Salvador provides a salutary lesson to others engaged in peace processes about the importance of addressing the issue of access and possession of weapons across society, not just in the hands of combatants. El Salvador has one of the highest rates of armed violence in the world. The large numbers of military weapons flowing around the country and the region in the 1990s and the steady importation of handguns have fed a crime wave that has engulfed the country and led many citizens to arm themselves.

SECTION 8

SUGGESTED FURTHER RESOURCES

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www.un.org/Depts/DPKO/Missions/onucabackgr.html
www.un.org/Depts/dpko/dpko/co_mission/onusal.htm

International Action Network on Small Arms – Central America portal
www.iansa.org/regions/camerica/camerica.htm

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www.uca.edu.sv/publica/iudop/principal.htm

Small Arms Survey – Central America portal
www.smallarmssurvey.org/files/portal/spotlight/country/americas.html

United States Institute of Peace, Peace Agreements Digital Collection: El Salvador,
www.usip.org/library/pa/el_salvador/pa_el_salvador.html

Washington Office on Latin America
www.wola.org

ANNEX 1

INTERVIEWS

This paper draws on interviews in San Salvador and New York City by Joaquín Chávez in November and December 2007. Individuals include:

- Sonia Aguiñada, former FMLN and Democratic Party member
- Ruth Amaya, member of the Committee of Senior Citizens and Orphans of the War
- Jaime Ayala, former FMLN combatant, Asociación de Lisiados de Guerra de El Salvador (Association of War Disabled of El Salvador, ALGES)
- Efraín Fuentes, Vice President, Association of Disabled Veterans of the Armed Forces of El Salvador, former member of the SAF-Atlatl Battalion
- Marisol Galindo, former FMLN field commander
- Daniel Hernández, former FMLN combatant, ALGES
- Francisco Jovel, former member of the FMLN General Command
- Armando Martínez, FMLN combatant, ALGES
- Héctor Martínez, former FMLN commander
- Juan Ramón Medrano ('Balta'), former senior FMLN commander
- Guadalupe Mejía, member, Committee of Mothers of the Disappeared
- Oscar Miranda, former FMLN commander and member of the Commission on Cease-Fire
- Atilio Montalvo, former senior FMLN commander, member of the Commission on Cease-Fire
- Celina Monterrosa, former leader, Permanent Committee of the National Debate for Peace
- Salvador Samayoa, senior FMLN member, was also on FMLN negotiation team
- Alvaro de Soto, former Personal Representative of the UN Secretary-General for the Central American Peace Process
- Mauricio Ernesto Vargas, General, Salvadoran Armed Forces
- Rubén Zamora, former leader, Democratic Revolutionary Front and the Democratic Convergence

Additional material is drawn from interviews undertaken by Chris Stevenson as part of research for the Small Arms Survey in San Salvador in August 2007. The Centre appreciates the sharing of this information. Further interview material is drawn from research undertaken by Dr. Emperatriz Crispin for the HD Centre in May 2006 in San Salvador.

ANNEX 2

LIST OF MAIN PARTICIPANTS IN THE NEGOTIATION TEAMS

Salvadoran government

- Oscar Santamaria, Minister of the Presidency and Chief of Delegation
- Colonel Juan Martinez Varela
- Colonel [later General] Mauricio Ernesto Vargas, Deputy Chief of Staff, SAF
- Dr. Abelardo Torres, lawyer
- Dr. Rafael Hernan Contreras, leader of Partido de Conciliación Nacional
- Dr. David Escobar Galindo, Rector of the José Matías Delgado University

FMLN

- Ana Guadalupe Martínez, senior commander
- Salvador Samayoa, senior negotiator
- Dagoberto Gutiérrez, senior commander
- María Marta Valladares “Nidia Diaz”, senior commander
- Roberto Cañas, senior commander
- Shafik Handal, member of General Command
- Eduardo Sancho, member of General Command
- Joaquín Villalobos, member of General Command
- Francisco Jovel, member of General Command
- Salvador Sánchez Cerén, member of General Command

ENDNOTES

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- 26 In addition to various references already cited, information sourced from UN Department of Peace-Keeping Operations portal on Central America and ONUSAL; Kellogg Institute for International Studies (2008), *El Salvador Chronology: Background*, University of Notre Dame, <http://kellogg.nd.edu/romero/PDFs/Chronology.pdf>; University of Minnesota Morris (2008), 'Historical Background on El Salvador', Anthropology Department, www.mrs.umn.edu/academic/anthropology/chollett/anth3601/elsalvador.html; UN Development Programme (2005), 'Cuanto Cuesta la Violencia a El

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- 64 Ibid.
- 65 Interview with Francisco Jovel, November 2007, San Salvador.
- 66 Ibid.
- 67 Interviews with Mauricio Ernersto Vargas, Francisco Jovel, Juan Ramón Medrano “Balta,” November 2007, San Salvador.
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- 113 ONUSAL Facts and Figures, UN Peace-Keeping Operations Portal.
- 114 The Commission included former Colombian President Belisario Betancur, former Venezuelan Foreign Minister Reinaldo Figueredo Planchart, and Thomas Buergenthal, professor of law at George Washington University. The report, *From Madness to Hope: the 12-Year war in El Salvador: Report of the Commission on the Truth for El Salvador*, concluded that state agents, paramilitary forces and death squads were responsible for 85 per cent of the human right violations committed during the war; the FMLN was blamed for 5 per cent of the human rights abuses.
- 115 Call, Charles T (2003), p. 851.
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- 122 Call, Charles T and William D Stanley (2001), p. 157.
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- 125 Interview with Salvador Samayoa, November 2007, San Salvador.
- 126 Interview with Atilio Montalvo, November 2007, San Salvador.
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- 129 Interview with Salvador Samayoa, November 2007, San Salvador.
- 130 Interview with Mauricio Vargas, November 2007, San Salvador.
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- 144 Comisión Interamericana para el Control del Abuso de Drogas (2008), *National Legislation on the Control of Firearms, Munitions and Explosives*, accessed 5 March, www.cicad.oas.org/Desarrollo_Juridico/ESP/Reglamentos/Legislaciones/Leyesarmas/leyesarmas.asp#EL%20SALVADOR. The 1990s also saw the definition of the 1993 Firearm, Ammunition, Explosives, and Similar Device Control and Regulation Act and the 1999 Arms Law.
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- 147 Interviewed November 2007 in San Salvador.
- 148 United Nations, ed. (1992), Chapter V, paragraph 9.
- 149 Interviews with various members of the Asociación de Lisiados de Guerra de El Salvador (ALGES) and the Asociación de Lisiados de la Fuerza Armada (ALFAES) in November 2007, San Salvador.
- 150 Ibid.
- 151 Interview with Jaime Ayala, former FMLN combatant and member of ALGES, November 2007, San Salvador.
- 152 Interview with Efraín Fuentes, November 2007, San Salvador.
- 153 Statement from the Association of Disabled Veterans of the Armed Forces of El Salvador in Centro de Estudios Internacionales (1995), p. 50. The Association was formed in 1992 by 80 former soldiers who were dismayed that no economic or medical assistance was to be provided.
- 154 The 23 February Disabled War Veterans Association of El Salvador was formed in 1992. In its first two months it implemented two censuses to develop data to back their demands. In 1995 the observation was made that one "of the most important achievements has been the development of a good relationship with the Demobilized of the Armed Forces of El Salvador." Statement from the 23 February Disabled War Veterans Association of El Salvador, Centro de Estudios Internacionales (1995), p. 44
- 155 Interviews with Daniel Hernández, former FMLN combatant and member of ALGES, Efraín Fuentes, and Jaime Ayala, November 2007, San Salvador.
- 156 For more detailed information see Centre for Humanitarian Dialogue (2007), *Surviving gun violence in El Salvador: a tax on firearms for the health budget*, Background paper No. 3, Survivors of Armed Violence series, developed by Dr. Emperatriz Crispin, Mireille Widmer and Cate Buchanan. Interviews were conducted by Emperatriz Crispin in May 2006 with six patients and five staff members.
- 157 It is not clear whether there has been an increase in the number of patients suffering gun shot wounds, or if the number of patients suffering gun shot wounds is more noticeable in light of the reduction in other injuries caused by landmines.
- 158 Interviewed in May 2006 in San Salvador by Emperatriz Crispin.
- 159 Ministerio de Salud (2006), accessed May 15, 2006, available at www.mspas.gob.sv/glosario.asp; 2006 information from the World Health Organisation (2007), World Health Statistics 2007.
- 160 Typically, patients at ISRI pay USD 20 per month and provide their own sheets or drugs if necessary; food, however, is provided by ISRI.
- 161 Interviews with Armando Martínez, former FMLN combatant and member of ALGES; and Ruth Amaya, member of the Committee of Senior Citizens and Orphans of the War, November 2007.
- 162 Interview with Mauricio Ernesto Vargas, November 2007, San Salvador.
- 163 See Rodríguez, Jorge Jacinto *et al.* (2007), 'Mental health systems in El Salvador, Guatemala, and Nicaragua: results of a WHO-AIMS evaluation', *Pan American Journal of Public Health*, v. 22, n. 5, November.