

Immigration and Refugee Board of Canada

Immigration and Refugee Board of Canada / Commission de l'immigration et du statut de réfugié du Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

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El Salvador: Kidnapping and abductions; steps required for kidnapping victims to denounce perpetrators and whether they must identify their kidnapers; information on the anti-kidnapping unit, including information on protection offered to police officers who receive threats

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Kidnappings

According to the US Department of State's Bureau of Diplomatic Security (OSAC) *Crime and Safety Report* for El Salvador, "[e]conomically motivated kidnapping-for-ransom was a serious concern" before 2005 (US 7 Apr. 2012). In correspondence sent to the Research Directorate, an official from the Elite Division Against Organized Crime (División Élite contra el Crimen Organizado, DECO) of the National Civil Police (Policía Nacional Civil, PNC) indicated that, until 2005, most kidnappings were perpetrated by organized criminal bands that hired gangs to carry them out (El Salvador 31 May 2012). However, after 2006, gangs reportedly became more organized and started to run their own kidnapping operations (*ibid.*). News articles published in 2011 also indicate that gangs are closely involved in kidnappings (*La Prensa Gráfica* 27 Nov. 2011; InSight 28 Nov. 2011).

La Prensa Gráfica, a San Salvador-based newspaper, reports that, according to the Office of the Attorney General (Fiscalía General de la República, FGR), El Salvador is [translation] "one of the countries with the fewest cases of kidnapping in Central America," with a rate of 0.5 cases per 100,000 inhabitants (20 July 2011). In comparison, according to statistics provided by the Organization of American States (OAS), in 2010, Guatemala had a kidnapping rate of 1.2; Nicaragua, 0.61; and Mexico, 0.81 (OAS n.d).

La Prensa Gráfica reports that 45 kidnappings took place in 2010, 25 of which were carried out by gangs (27 Nov. 2010). *Elsalvador.com*, a San Salvador-based online news source, indicates that the number of reported kidnappings varies between different sources of information (5 Nov. 2010). For example, it writes that, according to the Assistant Director of the National Civil Police (Policía Nacional Civil, PNC), 20 kidnappings were reported from 1 January to 31 October 2010 (5 Nov. 2010). However, the FGR reported 43 kidnappings from 1 January to 31 March 2010 (*ibid.*). Another article by *Elsalvador.com* reports that, according to PNC sources, there were 24 cases of kidnapping from 1 January to 13 April 2010 (13 Apr. 2010).

La Prensa Gráfica also reports a rise in "self-kidnappings" in the first half of 2011, which it describes as a means to increase personal wealth [through ransom] (20 July 2011). According to the FGR, at least 12 cases of kidnapping reported in 2010 were self-kidnappings (*Elsalvador.com* 5 Nov. 2010).

The OSAC indicates that kidnapping rates have decreased "significantly" since 2005 (US 7 Apr. 2012). The official from DECO also stated that in the past three years, kidnapping rates have decreased due to authorities' efforts in this regard (El Salvador 31 May 2012). Sources report that kidnappings decreased close to 50 percent between 2010 and 2011 (*InfoSurHoy.com* 16 Jan. 2012; InSight 28 Nov. 2011). *La Prensa Gráfica* reports that, according to statistics provided by the FGR, 37 cases of kidnapping were reported between June 2010 and May 2011, representing a 51 percent decrease compared to the previous 12 months (20 July 2011). The FGR indicated that 29 of these cases were solved and 8 were under investigation in July 2011 (*ibid.*). InSight, a research web portal on organized crime in Latin America and the Caribbean, indicates that, according to the chief prosecutor of the FGR, of the 50 cases reported in 2011, 33 were cases of extortion and "only 20 were determined to be actual kidnappings" (28 Nov. 2011). *InfoSurHoy.com*, a news source sponsored by the US Southern Command (*InfoSurHoy* n.d), reports that, according to the FGR, a total of 25 kidnappings were reported in 2011, of which 18 were committed by gangs (*ibid.* 16 Jan. 2012). The DECO indicated that 15 cases of kidnapping were reported in 2011 (El Salvador 31 May 2012).

Elsalvador.com reports that, according to the PNC, two cases of kidnapping were registered in the first three months of 2012, whereas none were recorded during the same time period in 2011 (31 Mar. 2012).

According to the official from DECO, the types of victims targeted for kidnapping by gangs include professionals, students, and small-business owners (El Salvador 31 May 2012). They are [translation] "selected not for their economic resources but for other factors, such as a history of forced or voluntary collaboration with gangs, a romantic relationship with a gang member, [or] ties to a rival gang" (El Salvador 31 May 2012). The official indicated that middle class citizens are also targeted in "sporadic cases" (ibid.). Sources also indicate that kidnappings are ordered by inmates in jails (ibid.; *La Prensa Gráfica* 27 Nov. 2011).

1.2 "Express Kidnappings"

Several sources report an increase in [translation] "express kidnappings" (Elsalvador.com 4 May 2011; *La Prensa Gráfica* 27 Nov. 2011; InSight 28 Nov. 2011), which, according to InSight, involves holding victims "only for a few hours" (ibid.). Elsalvador.com reports that, according to PNC sources, three types of "express kidnappings" have been reported: first, where the kidnapped victim is forced to withdraw money from his or her bank account; second, where the kidnapped victim is "taken for a ride for at least three hours" while the kidnappers negotiate a ransom with the family of the victim; and third, where the victim is taken to a deserted area while the kidnappers demand a ransom of US\$3,000 to \$5,000 (Elsalvador.com 4 May 2011). Elsalvador.com reports that "express kidnappings" are being used by gangs to replace income previously acquired through extortion (ibid.).

Sources also report that the number of kidnappings leading to fatalities is a concern in El Salvador (InfoSurHoy.com 16 Jan. 2012; InSight 28 Nov. 2011). *La Prensa Gráfica* reports that in 2010, 14 victims were assassinated by their kidnappers, 13 of which were gangs (27 Nov. 2011). InfoSurHoy.com reports that, according to the FGR, two victims died in 2011 and the whereabouts of six others remained unknown; in 2010, twelve victims died and one had not been found (16 Jan. 2012). According to the same article, "kidnapping carries a prison sentence of 30 to 45 years, or [up to] 75 years when coupled with other crimes" (ibid.).

2. Anti-kidnapping Units

2.1 Elite Division Against Organized Crime (División Élite contra el Crimen Organizado, DECO)

InfoSurHoy.com indicates that the DECO was created by the government in 1998 to fight kidnapping (16 Jan. 2012). According to the DECO official, his unit works in cooperation with the Prosecutor's Specialized Unit Against Organized Crime (Unidad Especializada para Delitos de Crimen Organizado, UFEDCO) to investigate each kidnapping case (El Salvador 31 May 2012). Statistics provided by DECO indicate that arrests for kidnapping increased by 85 percent between 2006 and 2011 (ibid.). According to the FGR, of the 43 kidnapping cases it recorded in 2010, 33 were solved by the DECO (Elsalvador.com 5 Nov. 2010). The OSAC indicates that the PNC "has had notable success in dismantling kidnapping gangs through strong policing and investigation" (US 7 Apr. 2012). Additional information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 The Prosecutor's Specialized Unit Against Organized Crime (Unidad Especializada para Delitos de Crimen Organizado, UFEDCO)

The UFEDCO is responsible for investigating [translation] "any type of crime," especially kidnapping (El Salvador n.d.a, 30). According to its website, the functions of the UFEDCO include: coordinating the investigation of kidnapping-related crimes, reducing organized crime, initiating criminal proceedings, carrying out court-ordered investigations, reducing kidnapping rates to [translation] "controllable levels," and preventing other criminal organizations from becoming kidnapping gangs (ibid.). Further information about UFEDCO could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.3 Training and Restructuring

According to a press release issued in 2011 by the International Law Enforcement Academy (ILEA) San Salvador, the Anti-Kidnapping and Extortion Division of the Colombian National Police provided training in anti-kidnapping investigations to Central American law enforcement agencies (ibid. 12 Sept. 2011). According to ILEA's website, the training covered different aspects of kidnapping investigation such as "behavioural patterns, investigative techniques, analysis of physical and psychological evidence found at the crime scene, criminal profiles, and kidnapping prevention" (ibid.). ILEA is a bilateral agency established between the US and El Salvador to provide law enforcement professionals in both countries (ILEA n.d.a) with the "necessary, modern tools and techniques in order to effectively combat transnational crime" (ILEA n.d.b).

El Mundo, a San Salvador-based newspaper, reported in February 2012 that authorities were considering decentralizing the Central Investigation Division (División Central de Investigaciones, DCI), which includes the DECO, the Criminal Investigation Division (División de Investigaciones Criminales, DIC), the Homicides Investigation Division (División de Investigación de Homicidios, DIHO), and the Anti-extortion and Finances Unit (Unidad Antiextorsiones) (*El Mundo* 10 Feb. 2012). The four units had reportedly been integrated into the DCI in 2009 with the purpose of becoming [translation] "more effective" and coordinated (ibid.). However, the article indicates that the consolidation has not produced effective results, since these units have been "reduced to the minimum" and crime rates have been increasing (ibid.).

3. Reporting Kidnapping-related Crimes

Kidnappings can be reported to the PNC (El Salvador 31 May 2012) or the FGR (ibid. n.d.c; ibid. 31 May 2012). The PNC website indicates that reports can be filed in person, by e-mail, by phone, electronically through its website (ibid. n.d.b), and by fax (ibid. 5 Mar. 2012). For electronic reports, the person must provide an e-mail address and an explanation of the crime they are reporting (ibid.). Alternatively, reports can be made via telephone by dialling the 1-2-2 Reporting System (Sistema de Denuncias 122) and the 9-1-1 Emergency System (Sistema de Emergencias 911) at the national level (ibid. 31 May 2012). All reports are sent to the DECO (ibid.).

The FGR website indicates that reports can be made 24 hours a day, seven days a week either in person at any of its regional offices, which are listed on the website, or by phone (ibid. n.d.c).

According to the official from DECO, victims are not required to identify perpetrators (ibid. 31 May 2012). He also indicated that even if victims do not choose to proceed with a criminal prosecution, the PNC and the General Attorney Office continue investigating the case (ibid.). With regard to the protection to victims, the official indicated that victims are covered under the Special Law for Victims and Witness Protection (Ley Especial para la Protección de Víctimas y Testigos) the moment they report the kidnapping (ibid.). In accordance with this law, the PNC provides, under the supervision and oversight of the Executive Technical Unit (Unidad Técnica del Sector Justicia, UTA), protection measures that include the concealment of identity for witnesses, victims, and family members, and the relocation of witnesses (ibid.).

4. Protection Offered to Police Officers Investigating Kidnappings

According to the official from DECO, officers and their assistants who are in charge of investigating kidnapping-related cases [translation] "do not benefit from special protection or other programs if they receive threats against them as a consequence of their participation" in an investigation (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Oral sources: Attempts to contact representatives from the Fiscalía General de la República were unsuccessful.

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