

Immigration and Refugee Board of Canada

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Responses to Information Requests

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El Salvador: The organizational structure of the National Civil Police (Policía Nacional Civil, PNC)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Structure

The Organic Law of the National Civil Police of El Salvador (*Ley Orgánica de la Policía Nacional Civil de El Salvador*) states the following with regard to the structure of the National Civil Police (Policía Nacional Civil, PNC):

Art. 6. - The National Civil Police (PNC) has a hierarchical structure and organization. It is responsible to the President of the Republic through the Minister whose department is assigned public security functions; under no circumstances will this be the Ministry of National Defence. Ordinary command of the PNC is exercised by the Director General, who is the senior administrative authority and legal representative.

The Director General will be appointed by the President of the Republic and may be removed as a result of resignation, demonstrated physical or mental disability, having been convicted of a criminal offence or gross negligence in the exercise of his duties, or if the President of the Republic deems it necessary to remove him.

The Legislative Assembly may recommend that the President of the Republic remove the Director General. Such a recommendation will be binding when it is based on serious human rights violations, in accordance with the provisions of Article 131 subsection 37 of the Constitution.

...

Art. 11. - The National Civil Police will have a centralized structure inasmuch as it will be organized at the national level so as to cover all work entrusted to the police. However, its operations will be decentralized, with police detachments at the departmental (regional) level, in line with the country's administrative divisions.

Given the nature of the functions assigned to certain offices of the National Civilian Police, these offices may remain under the operational management of other authorities. (El Salvador 2001)

The Organic Law also includes the following with regard to its Director General and the PNC's organizational structure:

Art. 9. - The Director General of the National Civil Police will have the following duties:

- a. Direct and monitor the implementation of the government's public security policy;
- b. Coordinate and supervise the work of the sub-directorates;
- c. Make appointments to job positions in the National Civil Police;
- d. Represent his institution both in and out of court, granting powers of attorney and delegating functions;
- e. Present the President of the Republic with the set of regulations that will implement this Law;
- f. Prepare the PNC's draft budget and present it to the Secretariat to which public security is assigned; and
- g. Perform all other functions provided for in this Law and its corresponding regulations.

...

Art. 12. - The following bodies are responsible to the Director General:

- a. The subdirectorates
- b. The office of the Inspector General

c. Technical support and administrative services.

Under the authority of the subdirectorates, divisional operations will be organized and given scopes of action in accordance with the administrative needs both of the Institution and of the State, and also in response to events that have a major social impact.

Police detachments will be created as necessary in each department. The head office of each detachment will be located in the capital of the corresponding department. Sub-detachments may also be located in the biggest urban areas in each detachment, and police stations may be established in rural areas.

Their structure, legal status, organization and operations will be determined by regulations and special orders issued by the President of the Republic. (ibid.)

The PNC website identifies six subdirectorates in its organizational chart: Public Security (Seguridad Pública), Investigations (Investigaciones), Specialized Operative Areas (Áreas Especializadas Operativas), Land Transportation (Tránsito Terrestre), Rural Police (Policía Rural), and Administration and Finances (Administración y Finanzas) (ibid. 29 Feb. 2012).

The National Academy of Public Security (Academia Nacional de Seguridad Pública, ANSP), the body responsible for providing training to PNC officers in security and human rights (El Salvador 20 Feb. 2012), indicates on its website that [translation] "[t]he structure and organization of the PNC is based on the hierarchical organization of its members, by levels and categories, which will be evidenced in the ranking" (ibid. 25 Feb. 2010). These levels and categories are divided as follows:

1. Basic level: Police Officer, Corporal, Sergeant
2. Executive level: Sub-inspector, Inspector, Chief Inspector
3. Superior level: Sub-commissioner, Commissioner (ibid.).

The Organic Law indicates the following with regard to consulting services:

Art. 10. - The National Civil Police may use any necessary consulting services, consisting of professionals specialized in public security, human rights, constitutional law, criminology and other disciplines. This will be organized in accordance with the different territorial and operational structures. (ibid. 2001)

2. Training

The ANSP provides training to police officers (ibid. 20 Feb. 2012) as well as continuing training to all officers [translation] "at all levels and categories in the areas of the humanities, the legal field, and police techniques that have experienced changes and require to be updated to strengthen the operability" of the PNC (ibid. 15 Nov. 2010). The ANSP also provides training in criminal investigation to officers that belong or wish to belong to [translation] "specialized units" (ibid.).

The Regulation for Promotion Courses for Members of the National Civil Police (*Reglamento de los Cursos de Ascensos para los Miembros de la Policía Nacional Civil*) indicates that promotion is contingent to passing a competition, theoretical and practical exams, and a promotion course (ibid. 2000, Art. 7). The course consists of [translation] "at least" five months of theoretical instruction and two months of practical instruction (ibid., Art. 10). The promotion course of Sergeants to Sub-inspector consists of eight months of theoretical instruction and six of practical instruction (ibid.). In addition, candidates to the post of General Commissioner must present a thesis on public security and defend it before a jury consisting of a representative from the Ministry of Justice and Public Security (Ministerio de Seguridad Pública y Justicia), the General Director of the PNC, the General Director of the ANSP, the President of the Criminal Division of the Supreme Court of Justice (Sala de lo Penal de la Corte Suprema), and the General Attorney (Fiscal General) (ibid., Art. 12).

3. Effectiveness

In a 2010 interview with the Washington Office in Latin America (WOLA), Zaira Navas, who was the inspector general of El Salvador's PNC at that time, indicated that the PNC had 19,000 police personnel (WOLA 2010). InSight, a research web portal on organized crime in Latin America and the Caribbean, reported in January 2012 that the number of police officers is 16,000 (InSight 19 Jan. 2012). According to the Central Intelligence Agency (CIA) World Factbook, El Salvador's population was estimated at 6,090,646 people in 2001 (US 8 June 2012).

According to the US Department of State's *Country Reports on Human Rights Practices for 2011* the PNC lacks enforcement of the administrative police career law, adequate training, funding and a uniform code of evidence (US 24 May 2012, Sec. 1d). The report also indicates the presence of corruption, arbitrary promotions and criminality within the force as well as an ineffective public security strategy and senior-level leadership, which "made it difficult to identify, arrest, and prosecute perpetrators of human rights abuses and other crimes" (ibid., Sec. 1d, 1e). The Office of the Ombudsman for Human Rights (Procuraduría para la Defensa de los Derechos Humanos, PDDH), which is responsible for overseeing the [translation] "protection, promotion and awareness of human rights" within the country and for Salvadorans abroad (El Salvador n.d.), also indicates in its June 2010 - May 2011 report that the PNC [translation] "has not been strengthened technologically and [that] police officers continue working in precarious conditions" (ibid. July 2011, 89). The PDDH report also indicates that the Ministry of Justice and Public Security has been [translation] "losing the lead" in the area of public security to the Ministry of National Defence (Ministerio de la Defensa Nacional) (ibid.).

The BBC reports the appointment of a former military general as Director General of the PNC in January 2012 (BBC 24 Jan. 2012). This appointment violates the 1992 peace accord according to the Farabundo Martí National Liberation Front,

"founded by Marxist guerrillas who fought the US-backed government in the 1980s" (ibid.), and a Senior Associate at the WOLA (WOLA 27 Jan. 2012). According to the Senior Associate at the WOLA,

"[t]his appointment could represent a shift in focus toward measures that favour repressive actions and greater involvement of the military in public security tasks instead of promoting the preventive and comprehensive strategy that is needed to address the country's security situation...[this decision] represents a violation of the spirit of the Peace Accords, which established a clear distinction between the roles of the military and police and excluded the military from public safety tasks." (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.

References

British Broadcasting Corporation (BBC). 24 January 2012. "Salvadoran President Funes Criticised for Police Choice." <<http://www.bbc.co.uk/news/world-latin-america-16711514>> [Accessed 7 June 2012]

El Salvador. 29 February 2012. Policía Nacional Civil (PNC). "Organigrama." <<http://www.pnc.gob.sv/core/index.php/institucion/marco-institucional/organigrama>> [Accessed 30 May 2012]

_____. 20 February 2012. Academia Nacional de Seguridad Pública (ANSP). "Filosofía." <http://www.ansp.gob.sv/index.php?option=com_content&view=article&id=50&Itemid=85> [Accessed 31 May 2012]

_____. July 2011. Procuraduría para la Defensa de los Derechos Humanos (PDDH). *Informe de labores de la Procuraduría para la Defensa de los Derechos Humanos Junio 2010 - Mayo 2011*. <<http://www.pddh.gob.sv/menudocs/menuinformes/view.download/3-informes-de-labores/77-informe-anual-de-labores-2010-2011>> [Accessed 7 June 2012]

_____. 15 November 2010. Academia Nacional de Seguridad Pública (ANSP). "Escuela de Readiestramiento." <http://www.ansp.gob.sv/index.php?option=com_content&view=article&id=80:departamento-de-actualizacion-y-especialidades&catid=96:formacion-academica&Itemid=141> [Accessed 6 June 2012]

_____. 25 February 2010. Academia Nacional de Seguridad Pública (ANSP). "Categorías policiales." <http://www.ansp.gob.sv/index.php?option=com_content&view=article&id=84&Itemid=119> [Accessed 6 June 2012]

_____. 2001 (amended in 2011). *Ley Orgánica de la Policía Nacional Civil de El Salvador*. Excerpts translated by the Translation Bureau, Public Works and Government Services Canada. <<http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscador-de-documentos-legislativos/ley-organica-de-la-policia-nacional-civil-de-el-salvador>> [Accessed 30 May 2012]

_____. 2000. *Reglamento de los Cursos de Ascensos para los Miembros de la Policía Nacional Civil*. <http://www.ansp.gob.sv/index.php?option=com_phocadownload&view=category&id=1:leyes-especiales&Itemid=122> [Accessed 7 June 2012]

_____. N.d. Procuraduría para la Defensa de los Derechos Humanos (PDDH). "Procurador para la Defensa de los Derechos Humanos." <<http://www.pddh.gob.sv/menuinfo/manustruct/menuprocurador>> [Accessed 7 June 2012]

InSight. 19 January 2012. "El Salvador." <<http://www.insightcrime.org/country-profiles/el-salvador/item/1423-el-salvador>> [Accessed 7 June 2012]

United States (US). 8 June 2012. Central Intelligence Agency. World Factbook. "El Salvador." <<https://www.cia.gov/library/publications/the-world-factbook/geos/es.html>> [Accessed 21 June 2012]

_____. Department of State. "El Salvador." *Country Reports on Human Rights Practices for 2011*. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186513#wrapper> [Accessed 30 May 2012]

Washington Office in Latin America (WOLA). 27 January 2012. "Appointment of Former General as Head of El Salvador's Police Violates the Spirit of the Peace Accords." <http://www.wola.org/news/appointment_of_former_military_general_as_head_of_the_pnc_in_el_salvador_violates_the_spirit_of> [Accessed 7 June 2012]

_____. 2010. "Interview with Zaira Navas, Inspector General of El Salvador's National Civilian Police." <http://www.wola.org/video/interview_with_zaira_navas_inspector_general_of_el_salvadors_national_civilian_police> [Accessed 24 May 2012]

Additional Sources Consulted

Oral sources: Attempts to contact representatives from the Policía Nacional Civil were unsuccessful.

Internet sites, including: Amnesty International; Committee in Solidarity with the People of El Salvador; Council on Hemispheric Affairs; Country Studies; ecoi.net; *The Economist*; El Salvador – Centro de Documentación Judicial, Corte Suprema de Justicia, Fiscalía General de la República, Ministerio de Justicia y Seguridad Pública; Elsalvador.com; Factiva; Freedom House; InfoSurHoy.com; International Law Enforcement Academy; The Jamestown Foundation; *Jane's Terrorism*

and Security Monitor; El Mundo; Organization of American States; La Página; La Prensa Gráfica; ReliefWeb; Réseau d'information et de solidarité avec l'Amérique latine; Transparency International; TrustLaw; United Nations – Office on Drugs and Crime; United States – Embassy in San Salvador; Universidad de El Salvador.

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