Cristosal

MAKING THE INVISIBLE VISIBLE
HIDDEN FOOTPRINTS OF VIOLENCE

REPORT ON INTERNAL FORCED DISPLACEMENT BY VIOLENCE IN EL SALVADOR 2017

Mural created by children of families who were forcibly displaced by violence in El Salvador in 2017.

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Abbreviations and Acronyms

UNHCR	United Nations High Commissioner for Refugees
AMSS	San Salvador Metropolitan Area
CSJ	Supreme Court of Justice
DGME	General Directorate of Migration and Immigration
DIGESTYC	General Directorate of Statistics and Census
EHPM	Multiple Purpose Household Survey
FAES	Armed Forces of El Salvador
FGR	Attorney General of the Republic
IDMC	Internal Displacement Monitoring Centre
IML	Institute of Forensic Medicine
INCIDE	Central American Institute of Research for Development and Social Change
IUDOP	University Institute of Public Opinion
LGBTQIA	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual
LILIC	Unlawful Limitation of Free Movement
LPG	La Prensa Gráfica (Salvadoran Newspaper)
MINED	Ministry of Education
MJSP	Ministry of Justice and Public Security
MS-13	Mara Salvatrucha-13
NNA	Children and Adolescents
OLAV	Local Victim Assistance Office
WHO	World Health Organization
PDDH	Human Rights Ombudsman's Office
PNC	National Civil Police
NTCA	Northern Triangle of Central America
UTE	Executive Technical Unit of the Justice Sector

Introduction

This document reports and analyzes the cases of internally displaced persons due to violence registered and attended to by Cristosal and the Quetzalcóatl Foundation during the year 2017. The information presented here takes into account only the displaced families who were served within the national borders and worked directly with one of the institutions. In many cases, these families received legal accompaniment to file complaints with state agencies and psychosocial accompaniment for those in specific situations.

The human mobility analyzed in this report is a consequence of the extreme violence the country has experienced over the last 15 years. This violence has led El Salvador to be characterized as a country with some of the highest regional levels of lethal violence and numbers of displaced persons for a country not currently at war (Internal Displacement Monitoring Center [IDMC] and Norwegian Refugee Council, 2017). Victims of multiple forms of violence are affected in the exercise of their human rights, while the serious physical, material, social, and psychological damage to which they have been exposed remain without an official response, forcing the victims to resort to family, social, or trafficking networks to move internally or, as a last resort, leave the country.

The present violence provokes a displacement with distinct characteristics, unlike the civil-war-era internal displacement experienced by the region in the 1980s. The displacements are individual and atomized movements; therefore, most cases go unnoticed and are difficult to detect. Those who flee seek to maintain a very low profile in the places to which they flee in order to avoid being located by their aggressors. Additionally, few displaced families present any formal complaint to state institutions, as reflected in reports from bodies such as the Human Rights Ombudsman's Office in El Salvador (PDDH) (PDDH, 2017).

Internal forced displacement caused by widespread violence has yet to be officially recognized by El Salvador's government. Recently, the phenomenon, when very briefly addressed, has been called "internal mobility due to violence" (Ministry of Justice and Public Security [MJSP], 2018). This will be examined further later in the report. The government's lack of official recognition inhibits their ability to effectively assume responsibility, provide assistance and protection, and keep an objective record of victims of internal displacement by violence. Recordkeeping has been assumed by think tanks such as the IDMC and social organizations that make up the Civil Society Working Group Against Internal Displacement.

These academic and civil society organizations can in no way substitute the state in registration and analysis of the phenomenon, but they can formulate models, create instruments and strategies for gathering information, and develop analytical schemes that work to formulate and

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execute policies and protection and assistance programs for victims. This is the objective to which this report seeks to contribute.

The registered cases referenced for the elaboration of this report do not allow for results and conclusions to be generalized for the entire country, but the results and conclusions may serve as inputs for the analysis of the phenomenon. These methodological restrictions mean that the conclusions can only identify trends, formulate questions and hypotheses about the phenomenon, and assume the biases that a statistically unrepresentative sample implies. However, it is worth noting that a good part of the figures cited correspond to specific cases in which the victims have received some type of direct assistance or attention from two non-governmental human rights organizations, which represents a primary source of information.

This report is composed of three sections. The first section analyzes the context of violence that characterized the year 2017, shown in at least three components: a) confirmation of a regional trend in northern Central America of a reduction in the homicide rate, which does not correspond to a reduction of internal displacement due to violence, in particular due to the increase in other types of crimes, such as injuries and threats, which are often linked to the crime of extortion; b) the territorial dispersion of gang activity; and c) a greater presence of extermination groups. As a whole, this has led to an increase in official complaints made to the PDDH regarding internal displacement (PDDH, 2017) and an increase in cases registered and attended to by Cristosal and the Quetzalcóatl Foundation.

The second section constitutes the core of the report: analyzing the nature and dynamics of internal displacement. This section examines the sociodemographic characteristics of the displaced population and studies the dynamics of displacement in terms of the groups or individuals involved, the acts of violence that produce displacement, and the type of human mobility that occurs. Likewise, the state's responses to the phenomenon are identified by analyzing the levels of official complaints and how victims are valued through institutional responses. Additionally, the economic and social impact of forced displacement is addressed through an analysis of the loss of family income recorded in the cases. Finally, the links between internal displacement and irregular migration are examined to the extent that internal displacement constitutes the first phase of irregular migration; a significant proportion of deportees, upon arrival in the country, become internally displaced persons when faced with the same levels of violence in the communities they had left, which prevents them from returning to their homes.

In this section, quantitative data is presented with the analysis of three case studies that explore some aspects of internal displacement, such as the stigma of being young, the deterioration of living conditions caused by displacement, and the links between irregular migration and internal displacement.

In the third section, Cristosal's interventions in the areas of legal accompaniment and strategic litigation are addressed, particularly cases in which proceedings for *amparo* appeals have been filed before the Constitutional Chamber of the Supreme Court of Justice (CSJ) for the protection of victims of internal displacement by violence. This chapter also includes interventions in the area of protection and humanitarian assistance, and analysis of the progress made through pilot initiatives based on sustainable solution principles for victims of internal displacement. The last part includes the general conclusions of this report.

More than a document of analysis and study of internal displacement by violence, this report aims to be an instrument of political and social advocacy that contributes to raising awareness specifically so that state institutions assume the responsibilities that correspond to them as duty bearers of human rights to comprehensively protect and care for victims of internal displacement.

For the purposes of this report, internal displacement is defined according to the United Nations Guiding Principles, which indicate that internally displaced persons are "persons or groups of persons who have been forced or obligated to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border."

The Inter-American Court of Human Rights (IACHR) has described a set of indicators to establish situations of "generalized violence" in some countries of the region. These indicators can be applied to the situation of violence in El Salvador, which is compatible with the definition of internal displacement. The indicators are:

1. The number of violent incidents,
2. That the existing violence inflicts serious suffering on the population,
3. Violence manifests itself in the most atrocious forms, such as massacres, torture, mutilation, summary executions, kidnapping, disappearances of persons, flagrant violation of International Humanitarian Law, and cruel, inhumane, and degrading treatment,
4. Acts of violence are performed often with the objective of causing terror and, finally, to create such a situation that people have no choice but to flee the affected area,
5. Violence can emanate from state and non-state agents, and when it emanates from the former, or from others acting through instigation or with the consent of state authorities, the perpetrators enjoy impunity,
6. The level and extent of violence is such that the normal functioning of society is seriously affected.

Methodological Aspects of the Study

The present study has been developed using a mixed methodology which integrates both the quantitative and qualitative approach, not only in the construction of instruments and data collection, but also in the analysis.

The quantitative information sources are derived from Cristosal and Quetzalcóatl's registries. Through these databases of cases of forced displacement by violence in 2017, an analysis of the characteristics of this phenomenon and the implications it has on victims' lives is possible. These characteristics and implications are measured through the case registration form. The purpose of this instrument is to obtain enough information for the cases to enter the support systems of both institutions, and also to systematically measure the variables of interest in this phenomenon.

Likewise, a variety of quantitative data sources have been used, including statistics from international organizations, official national figures, and other studies carried out by civil society organizations. This information was obtained through the bibliographic review of available statistics on the phenomenon at a national and regional level and, in some cases, access to public information was requested through legal mechanisms from different governments in the region.

Additionally, through qualitative techniques such as in-depth interviews with victims of emblematic cases of forced displacement, information was obtained that puts a face to this phenomenon and humanizes the facts about this problem. In this way, excerpts of some stories are included that make visible the most profound and least-known impacts that internal forced displacement by violence is having on the integral development and welfare of the people affected.

This methodology of triangulating sources, techniques, and ways of analyzing information aims to provide a report that quantitatively visualizes the occurrence of the phenomenon of forced displacement in the country, but also that draws attention to the profound damage that is being caused in the already weakened social fabric of the Salvadoran society. Additionally, it is expected that with the different variables addressed in this report, the state, other research centers, organized civil society working for the human rights of victims of violence, and citizens in general will be offered a critical look and a more complete set of components that will allow for more accurate information and an alternative and reliable version of the victims' experience.

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Violence and Its Impacts

In the first months of 2017, senior United Nations officials warned that the world was going through the most serious humanitarian crisis of the last 70 years. Internal military conflicts and regional wars, mainly in Africa and Asia, as well as violence from organized crime and gangs in Central America, caused human rights violations, the growth and deepening of poverty, and hundreds of thousands of refugees and internally displaced persons. They also emphasized that global efforts would be required to face this crisis (Mars, March 11, 2017).

On this side of the world, the UN highlighted the violence that began in the mid-1990s and became more profound in the second decade of the 2000s, when organized crime and gangs began to dispute the control of large territories in the countries of the Northern Triangle of Central America (NTCA). This new wave of violence has led not only to a historic increase in rates of homicide, extortion, threats, etc., but has also meant that gangs exercise territorial control through complex confrontations with public security bodies.

Despite social and political repudiations of gang activity, impunity continues to be a factor in the widespread insecurity in El Salvador. Similarly, society is affected by the cruelty with which some crimes are committed, thus contributing to the environment of insecurity and fear (IUDOP, 2014; p.36). Added to this is the persistence of some media outlets in highlighting morbidity in relation to the violence, contributing to high levels of fear and even terror in the population. This same fear facilitates gangs' control and subjugation at the territorial level, a significant element in producing the internal displacement of large sectors of the population, as will be seen later in this report.

From the beginning, gangs have built their identity on the basis of territorial control (Interpeace and Public Policies to Prevent Youth Violence [POLJUVE], 2009). However, the control of territories is not stable and harmonious, but rather the result of complex confrontations between different gangs and between the gangs and the state. Territorial control is not a clearly defined situation; it is not very visible, it lacks defined borders, and it creates a complex panorama (Central American Institute of Research for Development and Social Change [INCIDE], 2016). The truth is that the national territory presents an increasingly complex mosaic, which is not only seen in urban and suburban city spaces, but also in rural areas. Increasingly, "peaceful" spaces are diluted or reduced to a kind of "ghetto," often made secure with private investments and few public resources.

To date, there is no official map that registers different gang territories; nevertheless, this is something some journalistic investigations have tried to document. A recent document reports on the difficulties public transportation faces when entering large territories of municipalities in the Metropolitan Area of San Salvador (AMSS) such as Illopango, Mejicanos, San Martín, Soyapango, and Cuscatancingo, where after a certain hour, mainly in the evening and night, public transportation personnel can no longer circulate without authorization from the gangs that exercise control of

specific neighborhoods and communities (Labrador and Rauda, July 29, 2015). The reality is that for population groups residing in the territories that have a certain level of conflict, the scenario is complicated.

Case 1: The Price of Being Young in El Salvador

Felipe is a 19-year-old young man who was born and raised outside the city of Cojutepeque where he lived with his mother, stepfather, and three siblings in territory dominated by the MS-13. When he began high school, he had to cross over territory controlled by the rival Barrio 18 gang to reach the nearest high school in the area. Because of this, he began to be harassed by members of the gang in his place of residence who accused him of providing information to the rival gang.

Later, he and a friend were kidnapped by more than a dozen hooded MS-13 gang members. They were taken to an unpopulated rural area where the gang members began to accuse Felipe and his friend of being informants for the Barrio 18 gang. Even though Felipe and his friend insisted that they only went to the opposing gang territory to study, they were brutally beaten and tortured. Felipe's friend suffered serious head injuries from a machete and was presumed dead, while Felipe, after receiving several fractures, managed to flee by throwing himself into a ravine, thereby saving his life. The gang members assumed he had also died.

Upon regaining consciousness, Felipe managed to request help and both boys were hospitalized. After leaving the hospital, still fearing the gang members who had beaten him, his family took him to his uncle's house in the northern part of the country. Out of fear, he didn't step outside of his uncle's house for six months. After that time, he managed to finish his studies at a nearby school.

With the support of acquaintances and informal work, Felipe manage to relocate and find a place to live outside of his uncle's house; however, members of the same gang that attacked him started asking him to let them use his house to get high and to turn the house into a "destroyer house." The family members that had remained in Felipe's place of origin were threatened by the gang on several occasions. The gang warned Felipe's family that they already knew where Felipe was and that his family shouldn't ever consider bringing him back because if he returned, they would finish the job. The gang also threatened to target Felipe's other siblings if the family made any formal complaint with the police or state institutions. Afraid of being attacked again, Felipe decided to migrate to the same country where his friend who had survived the attack with him was living. Felipe's friend had been sent by his family to this country to save his life, and he told Felipe that he would send for him and would help Felipe establish his life in this new place.

At the time Felipe gave his testimony, he said that he couldn't handle his dangerous situation any longer and that he would emigrate the following week.

Generalized Violence

Violence is not new in the region. Many types of crimes have been characterized as having substantial underreporting, better known as a black figure, and because of this, when looking at official data, homicide rates are usually considered one of the most reliable indicators of violence. Even so, it is difficult to reach consensus and officialize even these data; therefore, what is reported in this section are preliminary data, reported at the beginning of 2018. In spite of the difficulties in dimensioning delinquent violence, the homicide data serve as a comparative parameter of the trend in the region. For example, a local press report indicated that 14,544 Central American people were murdered during the year 2017. In particular, the countries that make up the NTCA (Guatemala, Honduras, and El Salvador) reported 90.2% of the total homicides in the region (García and Segura, January 3, 2018), while Costa Rica and Panama show the lowest values. The NTCA countries, where the insecurity situation is serious, are at the top of the list, the most violent.

Table 1: Total Number of Homicides in Central American Countries, 2017

Country	Total Homicides
Guatemala	5,384
El Salvador	3,950
Honduras	3,788
Nicaragua	603
Costa Rica	419
Panama	400
Total C. A.	**14,544**

Source: Number of homicides reported in a journalistic report by La Prensa Gráfica (LPG)
(García and Segura, January 3, 2018).

A decrease in homicides was reported in El Salvador when 2017 was compared with the previous year, going from a rate of 81 homicides per 100,000 inhabitants in 2016 to 60 per 100,000 inhabitants in 2017. However, these rates are still among the highest in the world. It is important to highlight that the World Health Organization (WHO) classifies homicide rates that exceed 10 homicides per 100,000 inhabitants as an epidemic.

The homicide rate reported by the Central American region during 2017 was 30.4 homicides per 100,000 inhabitants, marking the region one of the most violent in the world. El Salvador's homicide rate for every 100,000 inhabitants stands out at twice the regional rate, followed by Honduras with 42.7 per 100,000 inhabitants and Guatemala with 31.8 per 100,000 inhabitants. Among the NTCA countries, the homicide rate in El Salvador is 25% higher than that reported by Honduras and 47.2% higher than in Guatemala. Costa Rica reported the lowest homicide rate of the period with

8.5 homicides per 100,000 inhabitants. When only Nicaragua, Costa Rica, and Panama are taken into account, the homicide rate is 9.2, more than four times less than that of the NTCA, which is 40.5.

Graph 1: Homicide Rate per 100,000 inhabitants
in Central American Countries, 2017
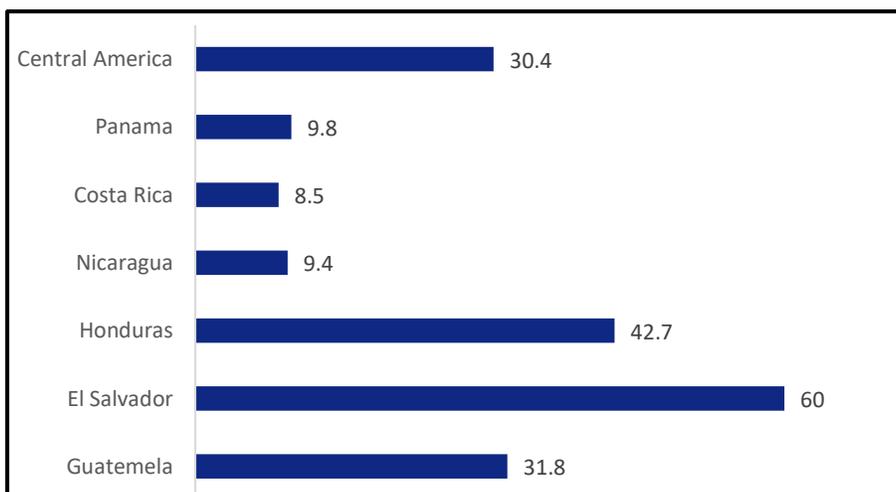
Source: Prepared by the authors from the homicide data provided by the LPG (García and Segura, January 3, 2018) and population projections taken from the National Statistics Institute of Honduras [INE-Honduras] (2016), National Statistics Institute of Guatemala [INE-Guatemala] (without date), General Directorate of Statistics and Censuses of El Salvador [DIGESTYC] (2015), National Institute of Information and Development of Nicaragua [INIDE] (2016), National Institute of Statistics and Census of Costa Rica [INEC-Costa Rica] (2014), and the National Institute of Statistics and Census of Panama [INEC-Panama] (without date).

It is important to note that the two departments whose homicide rate increased during the year 2017 have historically been characterized by low rates of violence; Morazán registered a rate of 20.5 homicides per 100,000 inhabitants and Ahuachapán 28.4 homicides per 100,000 inhabitants (IUDOP, 2014; P.16).

When comparing homicide rates recorded during 2016 and 2017, a significant decrease is observed in 12 of 14 of the departments nationwide.

Table 2: Homicide Rates per 100,000 inhabitants, 2016-2017

Department	2016	2017
Ahuachapán	55.9	**62.5**
Santa Ana	58.3	55.0
Sonsonate	78.7	56.9
Chalatenango	34.0	29.3
La Libertad	68.2	49.3
San Salvador	90.0	67.5
Cuscatlán	130.8	63.1
La Paz	77.6	46.9
Cabañas	70.1	45.4
San Vicente	102.7	42.9
Usulután	120.7	68.5
San Miguel	90.6	84.4
Morazán	60.6	**68.7**
La Unión	72.3	49.2

Source: Prepared by the authors based on data from the IML and population projections of DIGESTYC, 2014.

Although the location of a corpse does not necessarily correspond with the place of execution, and this is a weakness in being able to fully understand geographical trends, it is essential to study the municipalities that report the highest rates of homicide victims.

The situation of violence becomes clearer when the homicide rates are calculated at the municipal level. It is important to note that of the 10 municipalities with the highest homicide rates, five are from the eastern zone within the departments of Morazán, San Miguel, and Usulután. Four belong to the paracentral zone within the departments of Cabañas, Cuscatlán, with only one in the department of San Salvador. As a whole, these 10 municipalities have rural characteristics and are predominantly agricultural. In 2017, a new map of territories with relatively higher rates of homicides was formed.

Map 1: Rate of Homicides Separated by Municipality, 2017
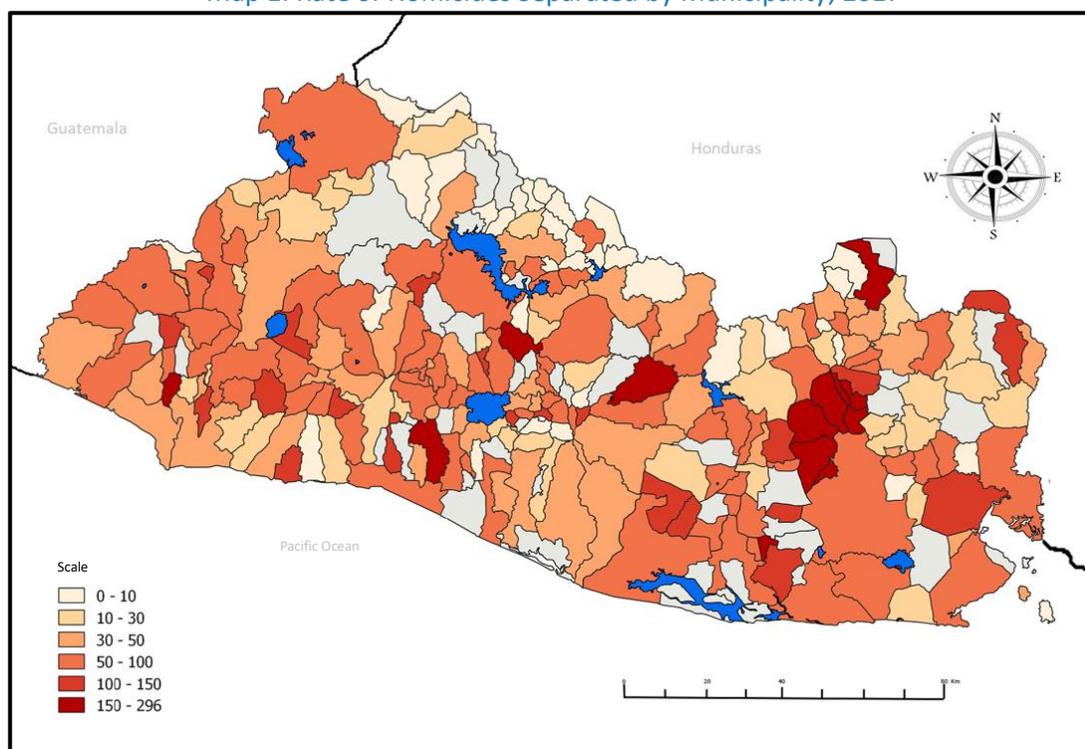
Source: Prepared by authors with the Supreme Court and IML database (2018) and DIGESTYC (2014).

There is not enough evidence to prove whether or not this new geographical configuration of homicides is the result of the extraordinary security measures in force in 2017, which may have caused gangs to migrate to "empty" areas with little police presence. However, there are journalistic reports that account for the displacement of gangs to areas with less police presence (Velásquez, June 8, 2017). What can be observed is that the municipalities with the highest homicide rates in 2017 were not municipalities targeted by extraordinary measures, nor were they municipalities prioritized by the Safe El Salvador Plan.

Table 3: Municipalities with the Highest Homicide Rates Per 100,000
Inhabitants

Municipality	# of homicides	Population projection	Rate per 100,000
Chapeltique	34	11,508	295.4
San Isidro (Cabañas)	21	8,030	261.5
Yamabal	13	5,128	253.5
El Tránsito	39	20,411	191.1
Panchimalco	90	47,662	188.8
Tenancingo	12	6,401	187.5
Santa Clara	10	5,591	178.9
Guatajiagua	24	13,695	175.2
Moncagua	46	26,590	173

Source: Prepared by the authors with the Supreme Court and IML database (2018) and DIGESTYC
(2014).

In contrast to the previous table, the homicide rates of the municipalities in
the AMSS and in some departmental capitals decreased. Although the
absolute numbers are high, the rates are lower, which means that these
municipalities are ranked lower on the national scale, regardless of the media
impact that the number of violent deaths creates.

Table 4: Homicide Rates in the Municipalities of the AMSS and
Departmental Capitals per 100,000 Inhabitants

Department Capitals		AMSS	
Municipalities	Rates	Municipalities	Rates
San Miguel	66.9	San Salvador	95.7
Ahuachapán	63.2	San Martín	94
Usulután	59.9	Nejapa	84.1
Zacatecoluca	49.2	Mejicanos	64.9
La Unión	49	Soyapango	61.8
Santa Ana	48.4	Delgado	57
Sensuntepeque	46	Apopa	56.7
Cojutepeque	39.7	Ayutuxtepeque	56.4
Sonsonate	38.4	Ilopango	52.3
San Vicente	35.8	Cuscatancingo	40.9
San Francisco Gotera	32.9	Tonacatepeque	35.9
Chalatenango	31.9	San Marcos	35.7
Santa Tecla	26	Antiguo Cuscatlán	17.7

Source: Prepared by authors with the Supreme Court and IML database (2018) and DIGESTYC
(2014).

It is necessary to investigate the cause of the upsurges. For example, is the movement related to the movement of criminal groups to municipalities in these departments, because of police and military actions against these groups in their original areas of influence, or is it linked to illicit trafficking of products because the increases are both in border areas?

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It is important to mention that very few homicide cases are prosecuted and sentenced. Therefore, the vast majority of those responsible for homicides remain without conviction.

High rates of other crimes were also reported in 2017. According to the National Civil Police (PNC), 10,378 threats were reported, representing a rate of 157.7 per 100,000 inhabitants; 5,332 injuries were reported, representing a rate of 81 per 100,000 inhabitants; 2,304 rapes were reported, representing a rate of 35 per 100,000 inhabitants; and 1,652 extortions were reported, representing a rate of 25 per 100,000 inhabitants. The increase in threats is significant. At the end of 2013, the threat rate was 101 per 100,000 inhabitants (IUDOP, 2014, p.36).

These crimes also have a significant hidden figure, since most are never reported either due to the general population's lack of trust in state institutions responsible for the investigation and punishment of crimes, or because of the fear that perpetrators will find out the crime has been reported and the person who filed the complaint will suffer reprisals.

Graph 2: Rates of Extortion, Injuries, Rape, and Threats, as Registered by the PNC for every 100,000 Inhabitants, 2017
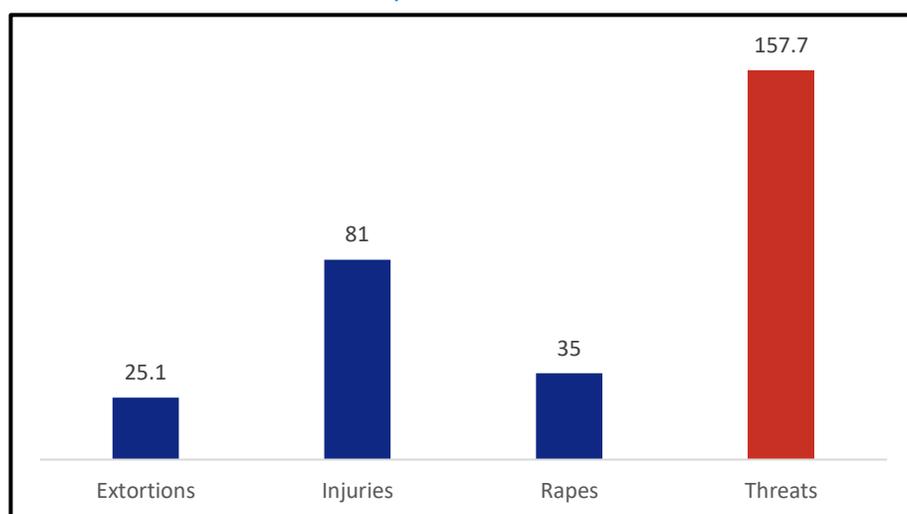
Source: Prepared by the authors based on data from the PNC (2018) and the DIGESTYC (2014).

A recent survey published by the IUDOP (2018) indicates that 23% of the population was a direct victim of a criminal act such as robbery, extortion, threats, or another delinquent act during the year 2017.

Extortion is a crime that has generally been linked to the financing of gang activities. By virtue of the data recorded by the PNC's investigation directorate, the department that reported the highest rate of extortion complaints was Sonsonate, with a rate of 3.5 people extorted per 100,000 inhabitants, followed by San Salvador (2.8) and Cabañas (2.8).

The crime of extortion is one of the least likely to be reported to police or other authorities. The act goes unnoticed and becomes a part of life for families and communities. The extortionists use threats as their main instrument of operation, leading to a relationship with the victim that is based on fear.

The practice of extortion seems to be deeply rooted in communities where there is strong gang control and where the territorial limits are clearly marked. Trespassing these territorial limits can lead to deadly confrontations with rival gangs, as occurred in the Historic Downtown of San Salvador in the last months of 2016 (El Diario de Hoy, March 15, 2017), when rival gangs disputed streets and sidewalks where informal sales are located, who constitute an important market for extortion (LPG, April 1, 2017).

Extortion does not differentiate between the size of the businesses. All businesses, without exception, have to pay to conduct business in these communities. This includes everything from small businesses selling tortillas to the distributors of consumer products produced by large companies. For example, according to the Association of Distributors of El Salvador, as of May 2017, employers paid $100,000 monthly in extortion to the gangs (López, May 11, 2017). According to tax investigations, extortion money is usually used by gangs to buy weapons or pay for the services of defense lawyers (Luna, February 20, 2018). The crime of extortion, as seen below, constitutes one of the main factors in the initiation of internal displacement by violence.

Graph 3: Extortion Rate per 100,000 Inhabitants by Department
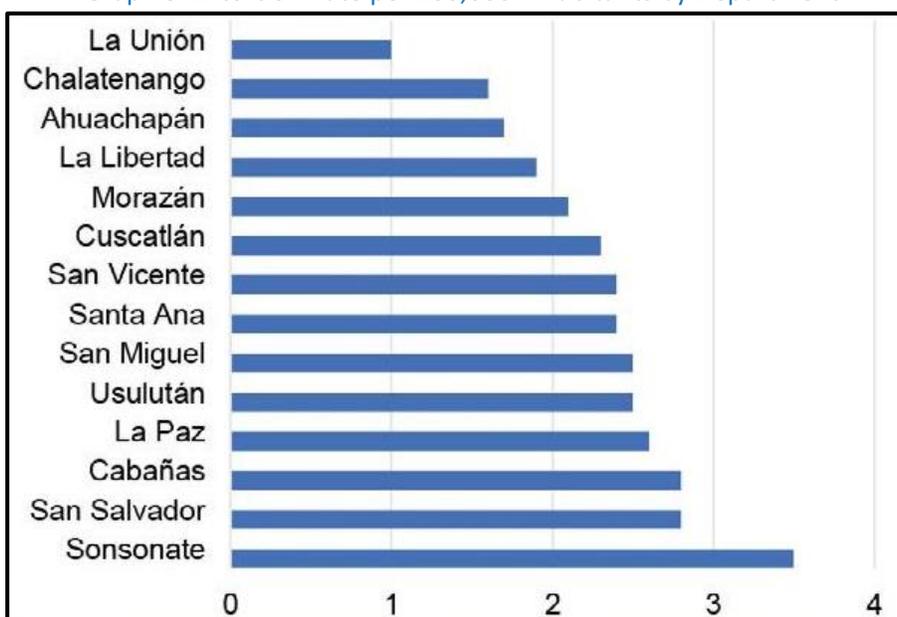
Source: Prepared by the authors with data from the Sub-directorate of Investigations of the PNC
(2018) and population projection from the DIGESTYC (2014).

However, threats were the crime with the highest record in 2017. The department of San Vicente reported the highest rate, with 238 people threatened per 100,000 inhabitants, followed by Cabañas with 229 people threatened for every 100,000 inhabitants, and Morazán with 229 per 100,000 inhabitants. The rates reported in these last two departments are alarming, since they have historically reported very low crime rates. As has already been mentioned in this report, it is essential to assess what has changed in these areas to allow for this increase in criminal activity.

Graph 4: Threat Rates Displayed by Department per 100,000 Inhabitants
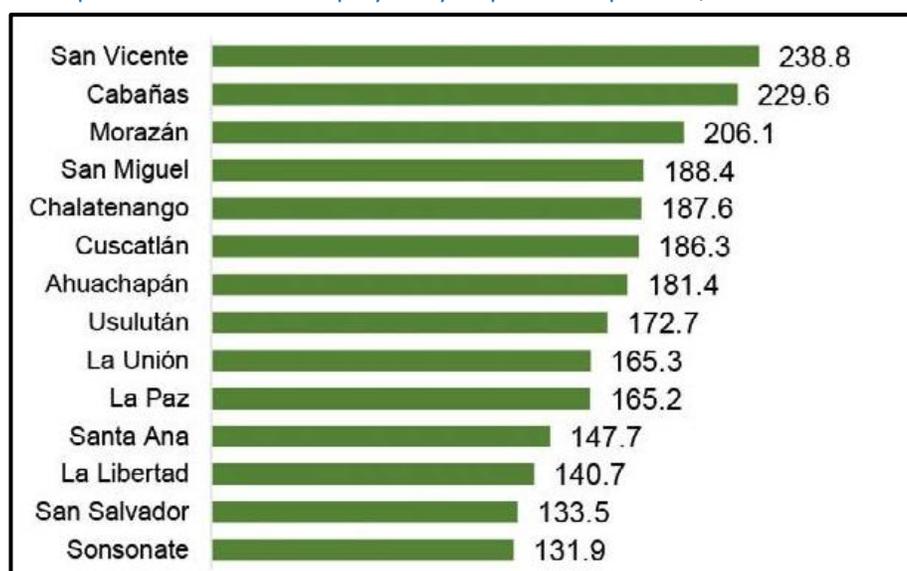
Source: Prepared by authors based on data from the Sub-Directorate of Investigations of the PNC
(2018) and the population projections of the DIGESTYC (2014).

As we have tried to demonstrate so far in this document, since the beginning of the 21st century and particularly in its second decade, violence, insecurity, and death have accompanied the story of the region and of El Salvador in a particular way. The country has been torn between the growth and territorial expansion of gangs and organized crime and the repression against them exerted by different governing political parties. There have been variations in this confrontation, but the practice known as *"iron fist" against crime* has prevailed.

The violence and confrontation thus created has caused a humanitarian crisis with unique characteristics that, according to concepts agreed upon in international regulations related to conflicts, potential conflicts, and wars, make the crisis in El Salvador different from the crises produced by traditional internal armed conflicts. This crisis is characterized not only by high levels of crime, but also by the lack of an adequate response from the state for the protection of victims and prosecution of perpetrators, and thus an inability to guarantee access to justice and due process. The violation of the human rights of victims of violence is clearly expressed, particularly those who have

had to abandon their habitual residence in the face of threats to their lives, security, and patrimony. This internal displacement is one of the most serious human tragedies the country has experienced since the signing of the Peace Accords. The victims urge the state to assume responsibility, provide them with protection and humanitarian assistance, and give them an opportunity to restart their lives, which have been destroyed in the uprooting of internal displacement and irregular migration.

Making the Invisible Visible: A quantitative approximation of internal displacement

> *"Beyond the numbers, the study confirms that there is a serious and complex problem that we have to address."* Mauricio Ramírez Landaverde, Minister of Justice and Public Security of El Salvador (cited in UNHCR, April 5, 2018).

In recent years, the phenomenon of internal forced displacement by violence has been the source of profound debates and contradictions in the country. At the beginning of 2017, the state treated this phenomenon as an issue of "mobility" of little quantitative relevance and argued that the cases of "internal mobility" were few and temporary (Avelar, March 22, 2017) and that those displaced soon returned to their places of residence or left the country for the United States through irregular migration.

In recent months, the Supreme Court, the Human Rights Ombudsman's Office (PDDH), and in March 2018, the Ministry of Justice and Public Security (MJSP) have recognized, in different dimensions, the existence of forced displacement cases. The Supreme Court and PDDH have also made recommendations to the executive branch for the immediate creation of protective measures for these families. However, in 2017, the executive branch maintained its position of negating the seriousness of the phenomenon and thus, against all evidence, systematically justified denying the movement of internally displaced persons due to generalized violence.

Civil society organizations and international agencies have produced a series of data and studies which suggest that this is an important, evident, and widespread phenomenon for which the state does not want to take responsibility (Civil Society Working Group against Forced Displacement by Generalized Violence and Organized Crime, 2015 and 2016). These data and findings must be considered approximations, but they have contributed significantly to the debate and to placing the phenomenon of forced displacement on the national political agenda. There is still a long way to go,

but the dialogue is now more frequent and the authorities, quietly and without official recognition, are opening spaces with civil society to discuss mechanisms of attention and protection to victims of violence.

Recently, the government presented a report called "Characterization of internal mobility due to violence in El Salvador" (MJSP, 2018), a document that summarizes a preliminary study on forced displacement without calling the phenomenon by its name. The research was conducted in 2016 with support from the United Nations High Commissioner for Refugees (UNHCR), the General Directorate of Statistics and Census (DIGESTYC), the Joint IDP Profiling Service (JIPS), and the Latin American Faculty of Social Sciences (FLACSO).

According to the study, "at least one member of 1.1% of families was forced to change their place of habitual residence within El Salvador between 2006 and 2016 as a result of or to avoid the effects of violence." The study also refers to 466 families in which at least one member of each family mobilized internally because of violence between the years 2006 to 2016. The study states that "the survey was completed in 501 of 542 selected segments (in the 41 segments not reached, the security conditions did not allow entry of the equipment)." Another relevant aspect of the study is that it does not record any case in which "internal mobility" was caused by persons or groups from state institutions or persons or groups linked to the state.

At first glance, the quantitative study presented by the government is far from the numbers that other studies have presented. In the first place, it is difficult to know how many people from the indicated "families" had to move, how many times, and when. It is equally important to note that the government study was not based on a national survey, only considered prioritized municipalities with government representation, and did not utilize previously completed related studies that include other data on internal forced displacement due to violence. Likewise, it is difficult to take these numbers as definitive when we compare them with the number of displaced people served in a single year by civil society organizations, which in no way represent the national sample, since the organizations have neither the capacity nor the responsibility to attend to cases of this nature. This report will provide strong evidence of this.

In addition to the political obstacle implied by the existence and magnitude of forced displacement, methodological challenges are also present, as would be the case for any research that attempts to measure this phenomenon. Due to the characteristics of violence in the region, displacement is an invisible and clandestine process, and the displacement victims themselves want it that way; surfacing could put their personal safety and the safety of their families at risk again. Invisibility is a *sine qua non* condition to keep physical integrity intact when the public security apparatus does not guarantee such integrity. This factor makes it difficult to detect or

According to the study, "by the end of 2016, at least one member of 1.1% of families was forced to change their place of habitual residence within El Salvador between 2006 and 2016 as a result or to avoid the effects of violence." The study also refers to 466 families in which at least one member of each family was internally mobilized due to violence between the years 2006 to 2016.

record the phenomenon of displacement, and even though the need for protection and assistance is serious, few cases are reported and recorded.

In the midst of these difficulties, some institutions have made progress in the quantification and characterization of the phenomenon. One of those institutions is the Internal Displacement Monitoring Center (IDMC) which, using a national service through the University Institute of Public Opinion (IUDOP, 2018), estimates the total number of internally displaced people.[1]

Unlike the figures presented in the state report, which extrapolated 1.1% of the projected population in the municipalities represented in the sample, the IDMC report presents a result of 26,108 people who were displaced during the 10-year period analyzed (2006-2016). In the 20 municipalities surveyed,[2] the IDMC IDP registry has gone from 2.1% in five years in 2012 to 5.1%, as shown by the following graph.

Graph 5: Percentage of People who had to Change Residence due to Threats
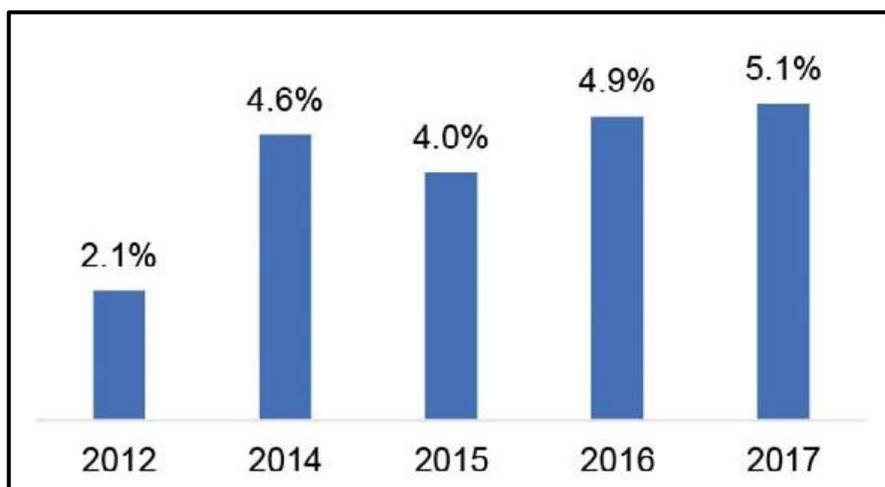
Source: University Institute of Public Opinion, (IUDOP), several years.

The study states that "the survey was completed in 501 of 542 selected segments (in the 41 segments not reached, the security conditions did not allow for entry of the equipment)." Another relevant aspect of the study is that it does not record any case in which "internal mobility" has been caused by persons or groups from state institutions or linked to the state.

During 2016, the survey indicates that 4.9% of households in the country had some displaced member. Through statistical adjustments this figure reached 220,000 (IDMC, 2017). For 2017, the percentage of people registered by the survey who had to move increased to 5.1% of the total number of people surveyed. This calculated to be approximately 226,567 displaced persons.[3]

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1. The wording of the question asked in the surveys was: "So far this year, have you had to change your place of residence due to threats?"
2. The population projection of the last year in the selected municipalities was taken in order to compute the calculation in the survey (2016).
3. This figure is calculated as follows: The data of the survey is extrapolated to the population over 18 years old in El Salvador in the year 2017 (according to population projection of DIGESTYC, 2014). That is to say, 5.1% of 4,442 is calculated, which is 495 people over 18 years old in 2017 and in this way, the number 226,567 people displaced by violence is obtained.

While these types of studies are important, a comprehensive analysis should include records from state agencies that serve victims of forced displacement in the country.

Unlawful Limitation of Free Movement: The state registry

The Salvadoran state, as mentioned above, has systematically refused to recognize cases of internal displacement due to violence. However, the "Unlawful Limitation of Free Movement (LILIC)"[4] law was created under the 2017 Criminal Law Code. This law aims to sanction groups or individuals who prevent people from entering, staying in, or leaving any place within the country through intimidation or threats of violence.

Based on this regulation, 1,195 cases of LILIC were reported and registered throughout the country in 2017, according to the Attorney General's Office (FGR). That number is equivalent to a rate of 18.1 per 100,000 inhabitants. The map below reflects the location of 707 (59.2%) of the LILIC complaints. The FGR did not report the location of the other 488 cases (40.8%)

As the map shows, the departmental capitals with the highest population densities registered the highest frequencies of this crime. Municipalities in the central area of the country also registered complaints, particularly San Salvador, Soyapango, Colón, and Apopa.

Map 2: Number of Complaints of Unlawful Limitation of Free Movement (LILIC) Shown by Municipality of Complaint Registration
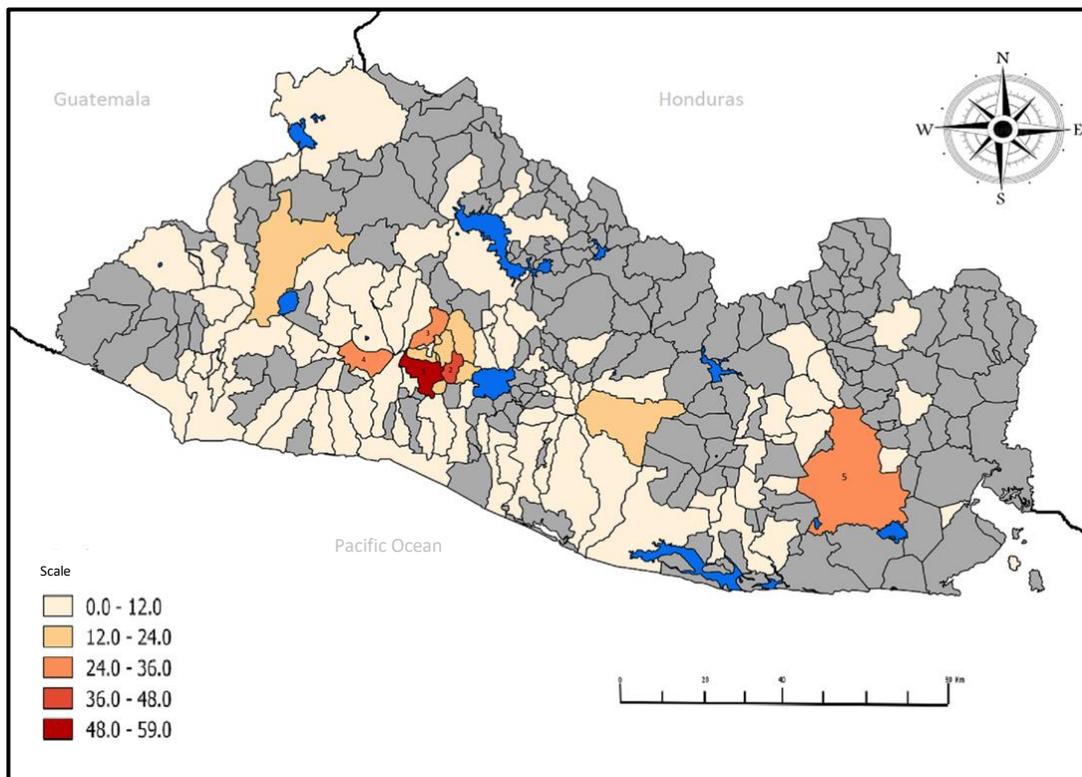
Source: Prepared by the authors with data from the Attorney General's Office (FGR) (2018) and population projections from DIGESTYC (2014).

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4. Article 152 A of the Criminal Law Code (Legislative Assembly, 1997).

The following table shows the ten municipalities which register the highest frequencies of LILIC. The 25 municipalities with the most complaints can be found in Annex 1.

Table 5: Cases of LILIC According to the Ten Municipalities with the Most Complaints Registered by the FGR

Municipality	Number of LILIC complaints
San Salvador	59
Soyapango	45
Colón	31
Apopa	30
San Miguel	30
Santa Ana	23
Tonacatepeque	19
Cuscatancingo	18
Ilopango	17
San Marcos	17

Source: Department of Statistics, according to the FGR's System of Automated Information and Management for the Fiscal Process (SIGAP) database as of February 20, 2018.

It is important to note that, like almost all crimes involved in internal displacement, LILIC reporting levels are low and these rates may be significantly underreported. These data refer to cases reported to the FGR into which the FGR has opened an investigation. Nevertheless, the FGR reported the capture of 693 people for the crime of LILIC in 2017, all of whom were members of gangs. 21 cases received definitive dismissals and 109 ended in court rulings: eight acquittals and 101 convictions.

Table 6: LILIC Sentences

Type of Sentence	Resolutions
Definitive dismissal	21
Acquittal	8
Conviction	101

Source: Department of statistics, according to the FGR's SIGAP database as of January 24, 2018.

After a request to the Access to Information Unit during the preparation of this report, the Social Fund for Housing reported 455 uninhabited houses in areas with some level of criminal risk (the Social Fund for Housing categorizes risk level in the areas where they have real estate). Their database indicates that 77.1% of the houses are in high-risk areas, 8.5% are in moderate-risk areas, 3.3% in low-risk areas, and 11.2% in areas where the

level of danger was not determined. Although there is no concrete evidence, it is probable that these 455 households abandoned their residences either as a preventative measure or because they were direct victims of a criminal act.

School Dropout Rates

Another variable that helps make the magnitude of internal displacement clear is the school dropout rate in the public education system. The Ministry of Education (MINED) reports that 12,221 students have dropped out due to insecurity-related reasons. This number represents 15.9% of the total number of children and adolescents who have left the public-school system. The proportion of male children/adolescents who have dropped out is slightly higher (56.6%) than that of their female counterparts (43.4%) (MINED, 2018).

"Leaving the country" is recognized as a cause of dropouts because, according to international organizations and national sources, a good number of children and adolescents (NNA) who migrate do so because they fear their lives are in danger (UNHCR, May 31, 2017). According to the Ministry of Education, 62.6% of students who have left public schools did so because they migrated to another country. 27.6% did so because of unspecified delinquency, 5.2% because of gangs, 4.1% because of forced displacement, and 0.5% were victims of homicide.

Table 7: School Dropouts by Reason and Gender

Cause of school withdrawal	Female	Male	Total	
			#	%
Leaving the country	3,401	4,247	7,648	**62.6**
Delinquency	1,424	1,945	3,369	**27.6**
Death of student by homicide	12	50	62	**0.5**
Victim of forced displacement	227	275	502	**4.1**
Victim of gangs	235	405	640	**5.2**
Total	**5,299**	**6,922**	12,221	**100**

Source: Prepared by the authors based on data from the Ministry of Education's 2017 Final School Census of the Public System (2018).

It is important to clarify that these reasons are the ones identified by the Ministry of Education. However, their database also includes a category called "change of address," which reports a total of 28,992 children and adolescents. It is possible that a number of forced displacement victims are hidden within this number. Faced with fear, displaced persons may prefer to report their reason for leaving school as a change of residence.

It is interesting to note that, for the first time, a government institution has registered internal forced displacement due to violence as a cause behind school dropout rates.

As the data above demonstrates, violence, in all its manifestations, is a serious problem in the country. El Salvador not only has the highest homicide rate in the region, but other crimes such as extortion and threats were reported at high levels during 2017, as previously mentioned.

The geographical distribution of homicides and other crimes in 2017 showed a different trend compared to previous years. The violence reached places that, until a couple of years ago, had been relatively safe places, such as the departments of Morazán and Cabañas.

This expansion of violence has led to social consequences and a humanitarian crisis. Internal forced displacement, and corresponding needs for protection and humanitarian assistance, are no longer focused on traditional urban areas such as AMSS, but now expand throughout the entire country, reaching even historically nonviolent areas.

Migration and Insecurity

Although there is no official record indicating whether people who migrated were previously victims of internal forced displacement due to violence, it is nevertheless important to analyze the reasons people who were deported back to El Salvador gave for their migration. According to data from the General Directorate of Migration and Foreigners (DGME) (DGME, 2018), 26,463 people were deported back to El Salvador in 2017. 64.8% indicated that they had migrated for economic reasons, 13.5% for safety reasons, 12.7% for family reunification, 7.7% did not specify a reason, and 1.3% reported other reasons.

Table 8: Reasons for Migration According to Deported Persons

| Reason for migration	NNA	Adults	Total	%
Economic Factors	346	16,800	17,146	64.8
Insecurity	221	3,345	3,566	13.5
Family Reunification	221	3,142	3,363	12.7
Other	20	324	344	1.3
Not Specified	1,439	605	2,044	7.7
Total	**2,247**	**24,216**	**26,463**	**100**

Source: Prepared by the authors based on information from the General Directorate of Migration and Foreigners [DGME] (2018).

It is interesting to note that the rates of children and adolescents who indicated insecurity or family reunification as their reasons for migrating

corresponds to international reports documenting insecurity as the main reason children and adolescents migrate from the NTCA (UNHCR, June 29, 2017). It is true that migration can appear to be a life-saving option when compared to the high-risk situations in children's and adolescents' communities. Many children migrate with consent from their parents, whether they live in the United States or in their countries of origin. As the UNHCR indicated in the same report, at least 18,000 children and adolescents traveled toward the United States completely alone during 2015. It should also be noted that family reunification and economic motivations can both be linked to violence. However, this could only be shown by conducting in-depth interviews with returnees and by allowing for more than one reason for migration in the DGME's registration tool.

The UNHCR website reports 43,302 Salvadoran applications for asylum around the world in 2016 (UNHCR, 2018). As shown in the graph below, the number of requests increased by a sustained and alarming 268% between 2014 and 2016.

Graph 6: Number of Asylum Applications from El Salvador, 2010-2016
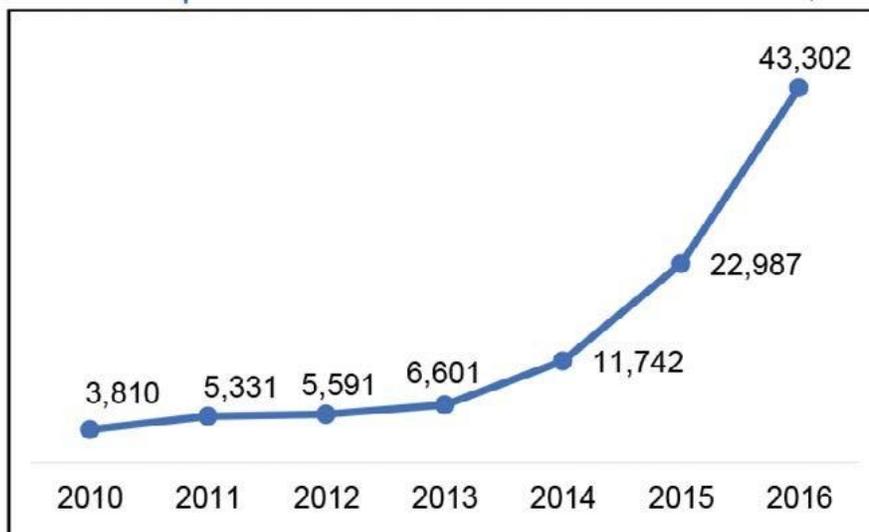
Source: Prepared by the authors based on information from UNHCR (2018).

According to the Costa Rican Administrative Court of Immigration (TAM), there has been a steady increase in asylum applications in Costa Rica (TAM, 2017). As shown in the following table, 693 applications were received from January 2011 to September 2017, of which 62.6% (434 cases) were resolved in some way.

Table 9: Cases Received and Resolved by the Second Instance of the
Costa Rican Migration Administrative Tribunal

	2011	2012	2013	2014	2015	2016	2017[5]
Cases received	3	36	30	80	30	154	360
Cases resolved	3	-	7	22	41	106	255

Source: Data from the Second Instance of the Costa Rican Migration Administrative Tribunal
(TAM, 2017).

Migration to Costa Rica has increased in the last two years. Costa Rica has a murder rate of 8.5 per 100,000 inhabitants, making it a viable destination for Salvadorans seeking international protection.

The Pérez Family: Social Damage Suffered by Victims of Forced Displacement

Drawing created by a Pérez son, expressing his feelings upon being forced to leave his country.

When government institutions are weak and slow, and the home is the most dangerous place for families, international asylum becomes a necessary part of healing and rebuilding one's life; but no one should ever have to get to that point. Given the obvious damage that forced displacement is causing to neighborhoods, communities, and families, victim protection should be an urgent priority for the Salvadoran state.

The Pérez family (name has been changed to protect the family) became refugees outside of their country in an attempt to repair the damage violence caused in their family. In February 2017, one of the organizations in the Collective of Institutions of Human Rights Defenders interviewed a family who had been forced to flee their home after one of their daughters was raped and the whole family threatened. These acts of violence were committed by members of the Mara Salvatrucha (MS-13), who demanded the family neither report what had happened nor leave their home. The Pérez family have since been forced to move to three different places, in their municipality of origin and in other municipalities in the country. Currently, the Pérez family, a father, mother, two daughters, and a son, is living outside the country, trying to recover and rebuild another life.

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5. Database corresponding to the period from January to September 2017.

This case very clearly reflects the threats faced by neighborhoods and communities in El Salvador. Violence is entrenched in the entire web of micro-social bonds: family, neighbors, and community members. Public institutions dedicated to justice, security, and victim protection must act with more diligence, quality, and warmth.

During the attack on the Pérez family, their daughter disappeared for more than 24 hours. She was kidnapped, raped by multiple attackers, and deceived by people she thought she could trust. Her family searched for her while she was gone. They went to the police and municipal authorities but received no support.

This case is emblematic because of the threats received by the family, the social vulnerabilities that come with living in an area with a high gang presence, family members in highly risky scenarios, and a slow and unhealthy response from institutions facing an anguished report from victims, among other elements. It makes visible the need for state protection for El Salvador's most vulnerable families facing criminal violence.

Several rights were violated in this case: the rights to life, freedom of movement, property, leisure, work, education, and more. Family life was altered to an extreme degree, including a radical change in routine and a loss of the roots that provided normalcy and security. Now the Pérez family are in situation of uncertainty. All of this has impacted the family's well-being. Also, the physical and psychological damage implicit in this case, which was insufficiently attended to by public authorities and then subsequently addressed by civil society organizations, compromises their recovery and overall health.

Families like the Pérez family, faced with the scourge of violence felt by so many, should not have to wait for the activation of state protection mechanisms. Due to the institutional weaknesses displayed in this case, it was necessary to file an *amparo* to make visible the urgent need to provide protection for these families. This case motivated the fifth *amparo* presented by Cristosal before the Constitutional Chamber of the Supreme Court, with the goal of identifying omissions on the part of authorities like the police, the Attorney General's Office, and the Executive Technical Unit (UTE) regarding adequate protection for affected families. The Supreme Court ruled in favor of the victims, demanding that they be guaranteed protective measures if they decided to return to the country.

The Pérez family displayed a lot of resilience and strong family unity, and these two factors have provided support as the family works to rebuild their life outside of the country. However, it is undeniable that the state can and must provide protection through public institutions. Increased political will and responsibility can make a huge difference in a family's prospects of recovering their lives after forced displacement has changed them forever.

Drawing by the Pérez daughter who was a victim of sexual assault. Her illustration reflects how important family unity has been in starting over.

The Characterization of Victims Experiencing Forced Internal Displacement: Actors, dynamics, and impacts

This section will address the social and demographic characteristics of victims of internal displacement: the actors involved, the nature and dynamic of displacement, and the impacts of displacement.

This section is composed of five parts. The first part describes the demographic and social profile of victims of internal displacement; the second analyzes the forces and actors involved in producing displacement; the third identifies state responses to victims; the fourth measures the impact displacement has on victims; and finally, the fifth describes the relationship between internal displacement and irregular migration.

The Demographic and Social Profile of the Victims: Who are the internally displaced?

Analyzing the traits of victims displaced by violence is essential to understanding the phenomenon. Studying these traits allows us to understand the victims better, but it is also crucial to formulating public policy for humanitarian assistance and protection, and to finding answers to the precarious and vulnerable situation in which victims find themselves. This understanding is fundamental to ensuring that political instruments and public policy respond to the rights, needs, interests, and wishes of the victims. Victims should be at the center of any attention and protection model.

It is important to note that the characteristics analyzed below correspond to the number of cases and victims registered by Cristosal and the Quetzalcóatl Foundation in 2017. In total, both institutions registered 186 cases of internal displacement: 134 were registered by Cristosal (2017) and 52 by the Quetzalcóatl Foundation (2017). The Quetzalcóatl cases were comprised of 63 victims; the Cristosal cases included 638. This marks a 53% increase from 2016, when 417 victims were registered by Cristosal.

The data reported by both organizations differentiates between victims who have actually left their place of residence and those who, on the day of the interview, remained confined in their place of residence but urgently needed to leave and had not yet done so due to a variety of factors. This group of victims is not homogeneous, although all of them need protection and humanitarian assistance. For the victims who still remain in their homes, the protection measures may take different forms from those that have been displaced. For these families, confinement is most likely their only option to protect their lives and assets.

This analysis is based on 2017 data from Cristosal and the Quetzalcóatl Foundation's registry of cases and victims of forced displacement due to violence. As such, the database only includes cases that the organizations have registered and attended to and, therefore, lacks statistical representation. This means that the results cannot be generalized to the country as a whole and the validity is restricted to the cases included.

The following map shows the municipalities victims reported as the places of residence they were forced to flee due to insecurity. All of the registered municipalities are listed in Appendix 2.

It is important to note that a majority of cases are from the municipality of San Salvador, due to the geographical reach of Cristosal and Quetzalcóatl. 44% of the cases attended were within AMSS. These records also indicate that the main municipalities where displacement originates (ejector municipalities) are concentrated in the same geographical area.

According to the database, people move first within municipalities and even within the same communities, looking for areas with less territorial gang control. Later, they try to leave these areas as they attempt to get farther away from their victimizers.

Map 3: Registered Cases According to Municipality of Origin[6]
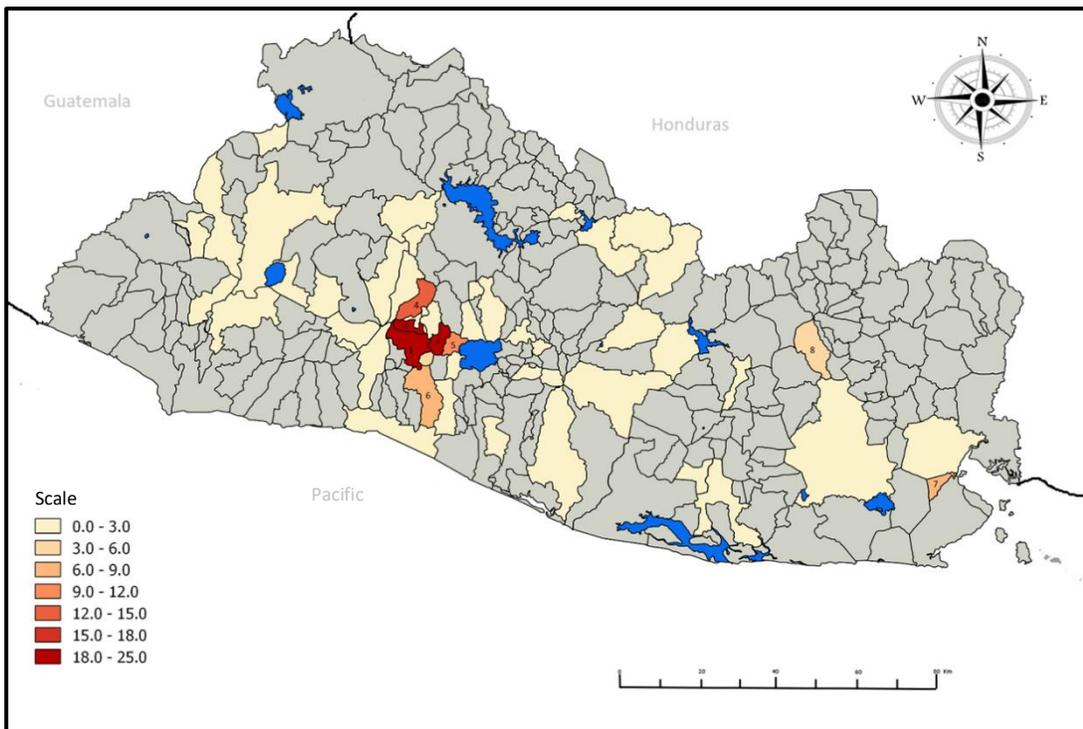
Source: Prepared by the authors based on Cristosal (2017) and Quetzalcóatl (2017) data.

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6. The map shows the first displacement, since the phenomenon can occur more than once for the same family.

#	Municipality	Number of Cases
1	San Salvador	20
2	Mejicanos	25
3	Soyapango	20
4	Apopa	13
5	Ilopango	10
6	Panchimalco	7
7	La Unión	7
8	Guatajiagua	4

Source: Prepared by the authors based on data from Cristosal (2017) and Quetzalcóatl (2017).

Of the 701 victims registered by both organizations, 375 people (53%) had moved by the time of their interview; that is, they had already changed their residence. The remaining 47% were still in their homes and had not been able to move, mainly due to scarce economic resources, the impossibility of finding a safe place to live, or because they did not have access to social networks or relatives who could help. In some cases, people refused to abandon land that had been in their family for generation and represented their life's work. These people chose to stay and care for the land at the cost of possibly losing their lives. In other cases, staying was an act of resistance and courage. Family groups often separated, with some members possibly remaining in their place of origin while others sought to relocate within the country and still others migrated in search of international protection. The last category includes people who are deported back to El Salvador and become internally displaced again.

Even considering the statistical limitations, these results allow us to identify trends and evidence on the problem of internal forced displacement, especially because this is information provided by the victims themselves who have sought help from different institutions for guidance, advice, humanitarian assistance, and legal support.

Graph 7: Percentage of Persons Internally Displaced

- Internally Displaced
- Not Internally Displaced, Despite Danger

47% 53%

A second important variable to highlight is the age of the victims, as different age groups represent specific protection, assistance, and psychosocial needs. The chart below shows the registered individuals according to age groups.

As a whole, without considering differences in gender, a third of the victims were children and adolescents aged 0 to 17. When the group of young adults aged 18 to 25 is added, the proportion increases to 56.5%. That is, more than half of the registered victims were children, adolescents, or young adults.

Graph 8: Sex of People Registered Shown by Age
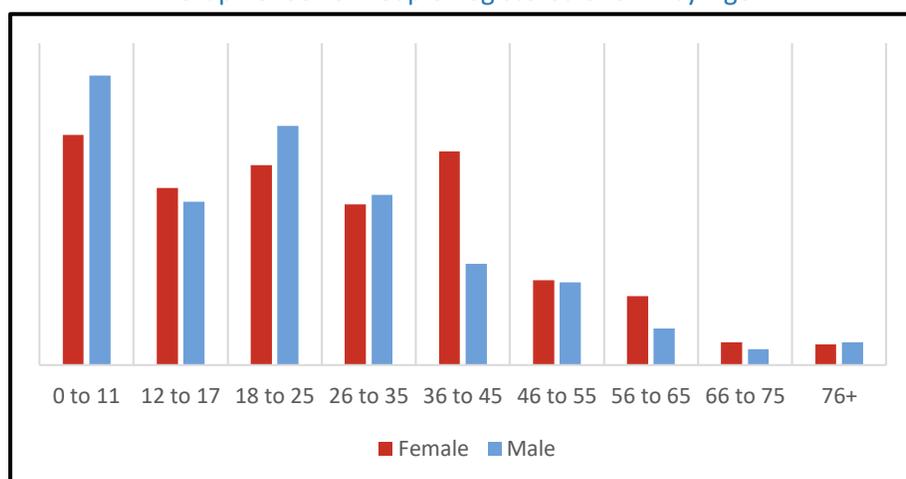
Source: Cristosal (2017) and Quetzalcóatl (2017)

A significant portion (42%) of the people registered were between 18 and 45 years of age– years of high potential and production. Almost half of those who were displaced or confined in their homes were individuals of full productive capacity. Their displacement represents a deterioration in household income.

In both males and females, the most frequent age range was between 0 to 11 years old. The high levels of displaced children are important to take into account when designing protection and humanitarian assistance strategies.

It is also important to identify the demographic characteristics (age and sex) of the direct victims; that is to say, the person or persons to whom the criminal act was effectively directed in each particular family group.

The ages of female direct victims were concentrated between 0 and 25 years, which represents 51.1% of the group. One third were young and adolescent girls, echoing the above-mentioned trend where children and adolescents are more strongly targeted. Along these same lines, women of an economically productive age were the second most-targeted group of direct victims. Women over 66 represented a minority, at 3.6%.

Graph 9: Ages of Female Direct Victims

Age	Percentage
0 to 11	19.5%
12 to 17	15.0%
18 to 25	17.0%
26 to 35	13.6%
36 to 45	18.1%
46 to 55	7.2%
56 to 65	5.8%
66 to 75	1.9%
76+	1.7%
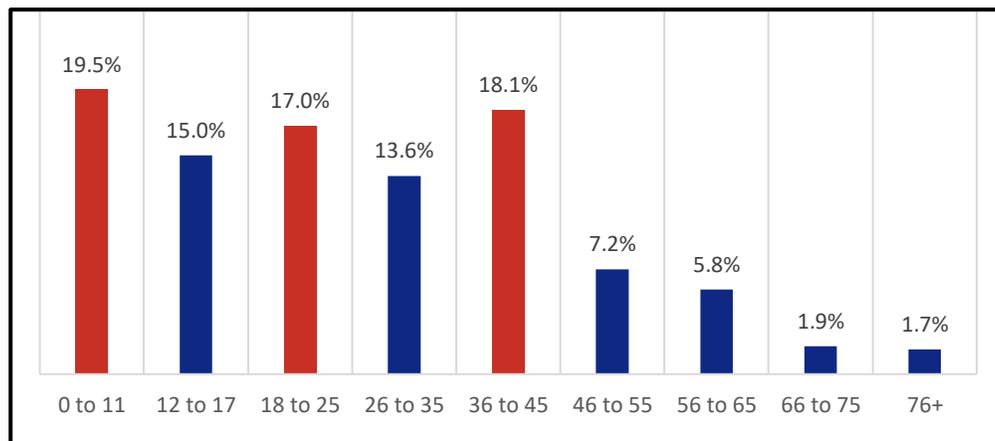
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

In regard to the ages of males who were direct victims of forced displacement, the database indicates that a quarter of them were children, while 61.6% were children, adolescents, or young adults (between 0 and 25 years of age). Finally, like female direct victims, males over 45 years of age represented a minority at 14%. The database shows that as males' ages increased, there were fewer instances of direct victimization with acts that led to internal forced displacement.

Graph 10: Ages of Male Direct Victims

Age	Percentage
0 to 11	25.7%
12 to 17	14.6%
18 to 25	21.3%
26 to 35	15.2%
36 to 45	9.1%
46 to 55	7.3%
56 to 65	3.2%
66 to 75	1.5%
76+	2.0%
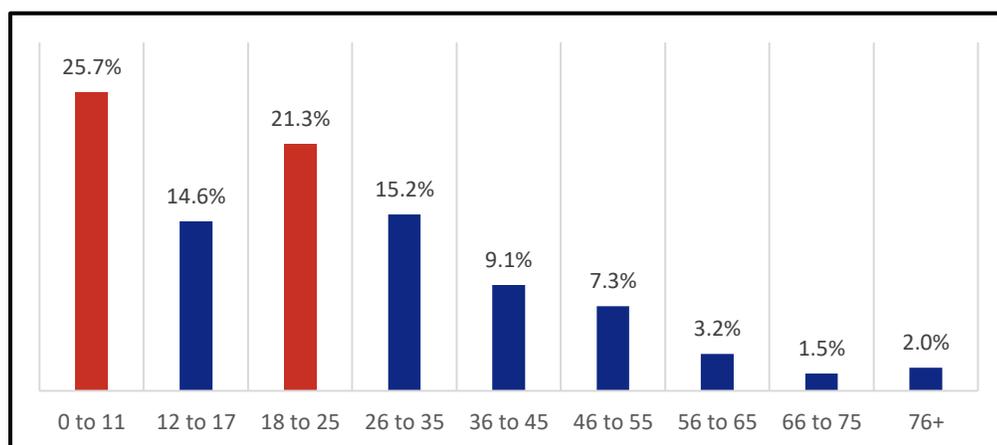
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

In terms of the global population, age characteristics among males and females directly victimized and effectively displaced are similar; victims are children, adolescents, young adults, and people of productive age. Undoubtedly, this data sheds light on official school dropout figures, which indicate that during the current year, at least 12,221 children and adolescents dropped out of public schools for reasons related to insecurity. The impact steep school dropout rates will have on future generations will have to be addressed by the Salvadoran state.

The database also indicates that there was a relatively small group of victims aged 45 or older. This face of children, adolescents, and young adults that dominates internal displacement is also an expression of the direct victims of violence: adolescents and young adults of both sexes.

In regard to the family composition of the cases registered by Cristosal (2017)[7], almost a quarter of the families (22.4%) were made up of four members, while the average family size was about 4.8 members. On a national level, the average is 3.65 members (DIGESTYC, 2017).

Graph 11: Breakdown of Families by Number of People per Family Group
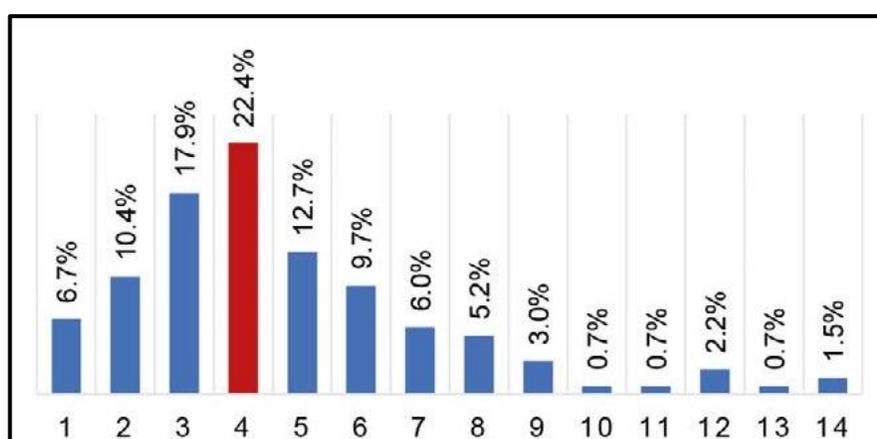
Source: Cristosal (2017) database.

Overall, considering the demographic characteristics described so far, it can be understood that victims presented non-significant differences according to sex, the population of young adults, adolescents, and children represented a little more than a third of the victims, almost half were at their most productive ages, and the families represented were relatively large compared to the national average of 3.6 people reported by DIGESTYC and cited in La Prensa Gráfica (June 23, 2017). Additionally, the data indicate that not all the members of the families registered by Cristosal and Quetzalcoatl in 2017 could or wanted to move; 47% did not or could not move and were confined to their homes, in most cases, in conditions of insecurity and vulnerability.

The data presented in the graph below shows the employment status of victims before displacement. As observed, the data indicate that only a third of the victims were working before displacement to maintain the household. This points to an economic dependence rate of close to 50%; that is, an average of two people in each family group depended on the income of another worker.

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7. This number of victims is solely from the Cristosal database since the Quetzalcóatl Foundation exclusively records information of one family representative, without including information of the people who compose the family. This limitation in the registration methodology does not allow for the inclusion of information about the entire family group.

It has been observed and corroborated that the majority of victims come from low-income families who, as a survival strategy, have to distribute family income among several family members to increase household income.

Graph 12: Employment before Displacement

- Yes
- No

33%

67%
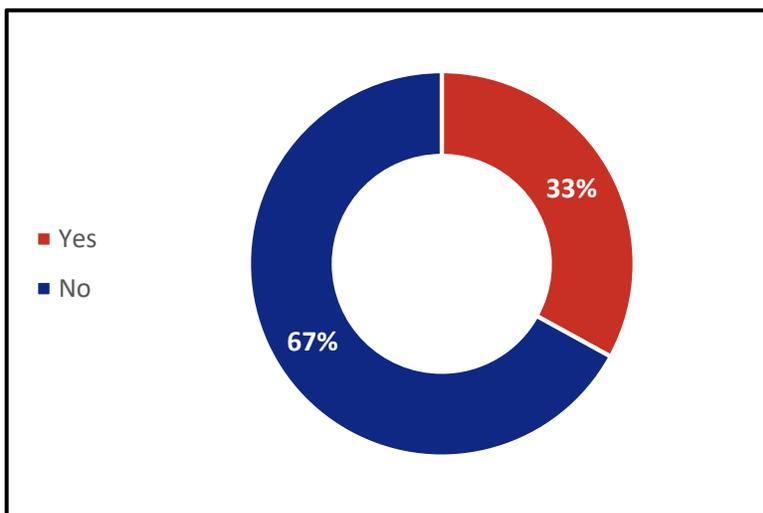
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

In confirmation of the previous supposition, the following graph shows those who were working according to their age and sex. The age group employed most was 26-35 in males (16.3%) and 36-45 in females (18%).

Graph 13: Workers According to Age and Sex

Age	Female	Male
12 to 17	0.9%	1.3%
18 to 25	8.6%	14.6%
26 to 35	9.4%	16.3%
36 to 45	18.0%	9.4%
46 to 55	7.3%	7.3%
56 to 65	2.1%	2.6%
66 to 75	0.4%	0.9%
76+	0.0%	0.9%

Female   Male
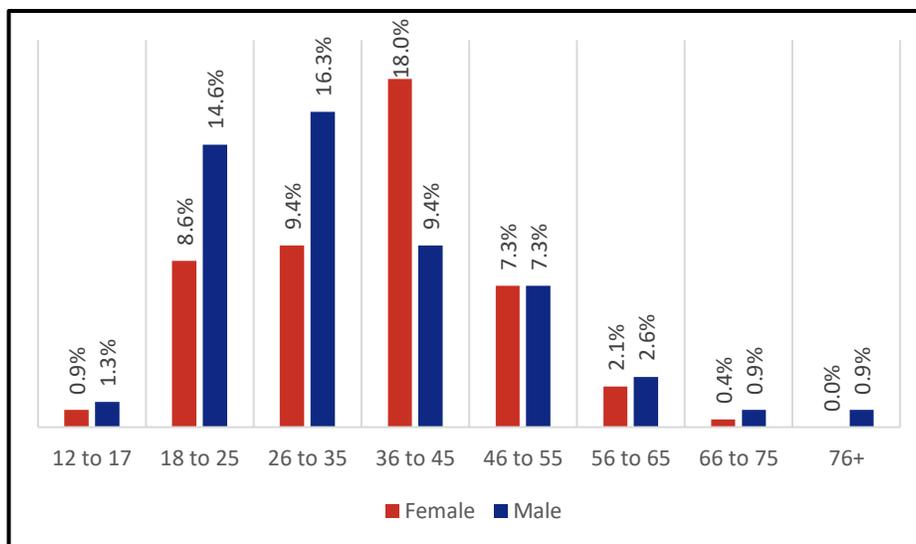
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

Employment began to increase in both sexes from the age of 18 and decrease when individuals reached the age of 55. The percentages of child labor were

noticeably low, as were rates of workers over the age of 65. That is, the distribution of employment in victims followed the life cycle; it increased after 18 years of age and decreased after 55 years of age.

As can be seen in the following graph, the number of people registered who were in school before their displacement represented a little more than a quarter (26%). These data could reflect a normal situation since only a small proportion would be of school age.

Graph 14: Population Studying before the Displacement
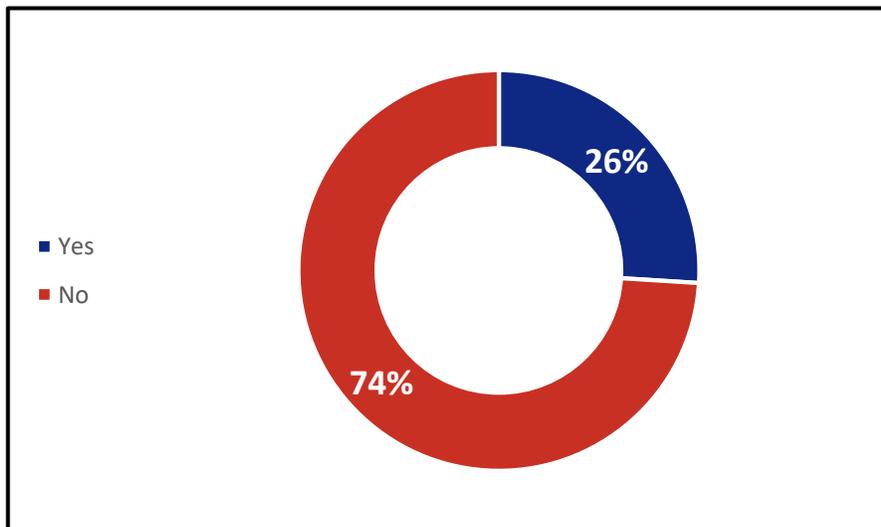
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

97.3% of the school population was between the ages of 0 to 25 years. The rest had left school, which is perfectly normal. Breaking this population down by age and sex show that the largest group of females in school, 23.8%, were between 12 and 17 years of age, while the greatest number of males was concentrated between 0 and 11 years of age. Also, 13.5% of males and 9.2% of females were between 18 and 25 years old. This suggests that compared to females, a greater percentage of males can prolong their participation in the school system.

Graph 15: School Population According to Sex and Age
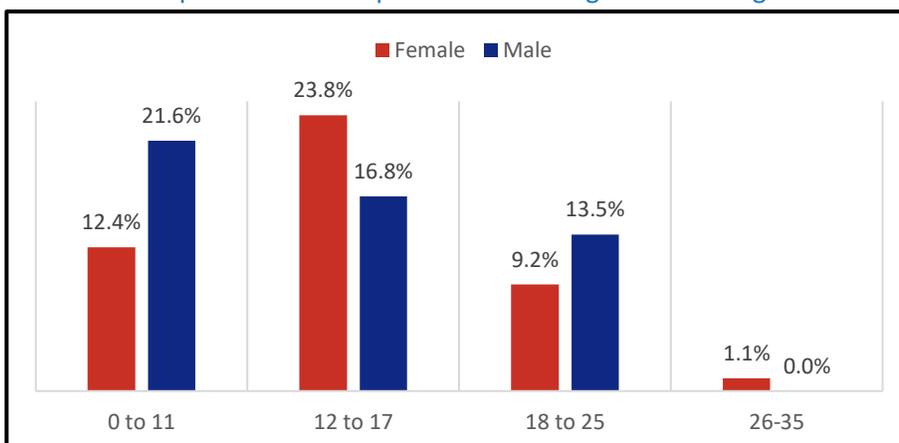
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

As reported by the data shown in the employment graphs, the age of the population that was working at the time of displacement ranged from 18 to 65 years old, without significant differences according to sex. However, the majority of the population who was studying ranged from 0 to 25 years of age and, as expected, showed significant sex differences. Later, we will see how displacement affects school attendance and employment.

The Nature of Displacement

This section aims to analyze the dynamics of internal forced displacement, including acts of violence, causes, perpetrators, and the way these factors operate according to victims' experiences.

The following graph shows the acts of violence that cause displacement. It is necessary to point out that displacement is usually preceded by several criminal acts, and the decision to move may be the result of several factors that may endanger the life, safety, or property of the victims. Displacement is the victim's response, according to the way he or she understands and internalizes the violent or criminal acts and the victim's own perceived degree of vulnerability. The percentages shown in the following graph represent the frequency with which victims mentioned a particular act of violence. 52.7% of registered victims reported at least two acts of violence.

Threats were mentioned by far the most often, in 80.1% of cases. The murder or attempted murder of a relative was present in 22.6% of cases. Extortion was mentioned in 11.3% of cases. Returning to the information presented at the beginning of this report, it is not surprising to see the high proportion of threats reported, since the National Civil Police (PNC) reported a rate of 157 people threatened per 100,000 inhabitants while this study was taking place.

Graph 16: Acts of Violence that Caused Displacement
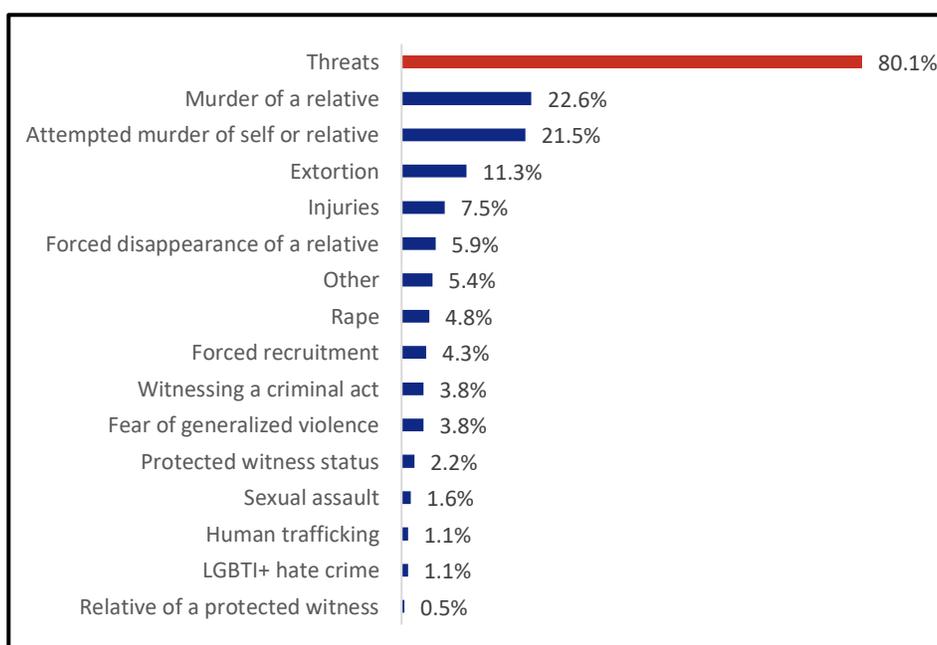
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

It is, then, perceived violence in the form of threats or attempted violence (another form of threats) which largely causes displacement. In short, criminal acts against life or physical integrity loom large in the minds of victims of displacement.

It is important to recognize that the concept of "threats" can take multiple forms. For example, an attempted murder can also be a threat to life and individual security. Even the homicide of a family member can be considered a threat to the security of the victim. Some criminal acts are accompanied by explicit threats to do more damage in the future, and other threats are more direct in indicating that the victim has to vacate the area or suffer the consequences. As such, the threat is a diluted and vague concept that tends to be a factor in the individuals' decision to leave.

The identity of the perpetrators of violence causing displacement is another indispensable factor in the analysis of the phenomenon of displacement. Within the registered cases, it has been possible to identify more than one victimizer behind a given act triggering displacement. The following graph reports the frequency with which certain perpetrators were indicated by victims. In 96% of cases, gangs were identified as provoking the displacement, and as such, are principally responsible for the phenomenon. However, it is alarming to note that the PNC and the Armed Forces of El Salvador (FAES) were the second most commonly named groups behind acts of violence producing displacement. Similar to other studies, this data shows that these institutions are responsible for some cases of displacement[8] (PDDH, 2017).

Graph 17: Perpetrators of Acts of Violence Causing Internal Displacement[9]
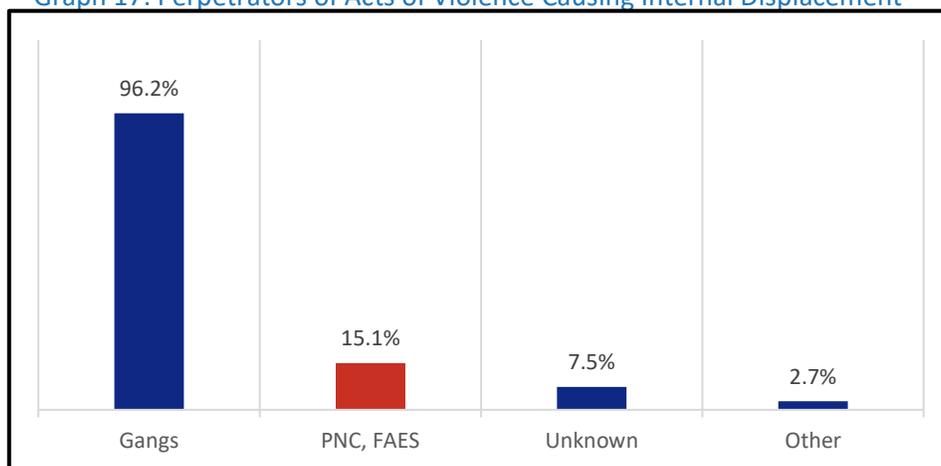
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

8. See Human Rights Ombudsman's Office, Report of Internal Forced Displacement for Violence, April 2016 to May 2017, San Salvador (PDDH, 2017).
9. Others: Extermination groups and organized crime.

It is important to emphasize that, similar to the acts of violence causing displacement, more than one perpetrator may affect a case. Within the registered cases, there are some who mention gang activity in conjunction with the PNC committing crimes that have led to the internal displacement of families.

The MS-13 gang is responsible for a significant proportion (half) of the threats and homicides of family members, as well as 57.8% of attempted homicides and 61.9% of extortion. On the other hand, the Barrio 18 gang delivered a third of the threats and carried out 42.9% of the homicides, 35% of the attempted homicides, and 42.9% of the extortions. The PNC is responsible for a relatively low proportion of crimes, but it is worrisome because this is an institution that should be fighting these crimes and providing security to citizens. It is alarming, for example, that they are involved in 19% of extortions and 12.5% of homicide attempts.

Graph 18: Acts of Violence based on Victimizer
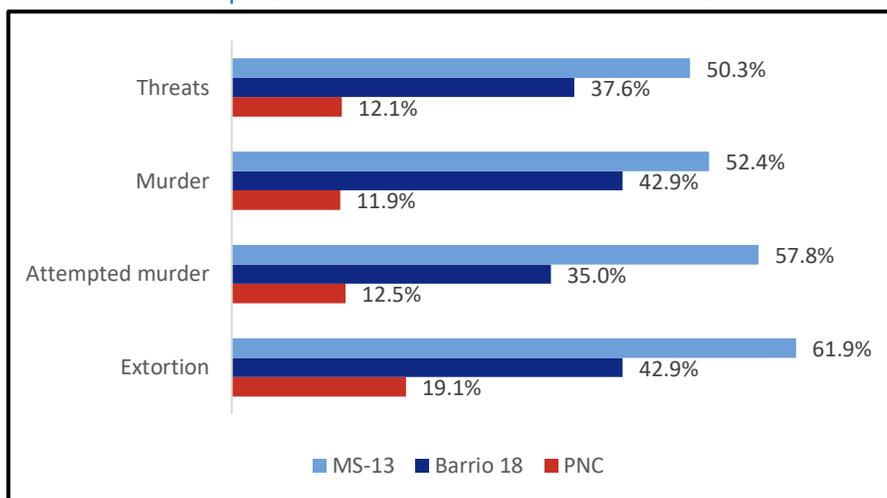
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

The data listed below describe the characteristics of the people who were effectively displaced, which comprise 53% of the total number of registered victims. The following graphs show the sex, age, and number of displaced persons per family.

The trends seen thus far are maintained here. Within the group of displaced persons, minors prevailed with 37.9% of the victims between the ages of 0 and 17. 60.9% were children and young adults (between 0 to 25 years old), and, following the overall trend, only a minority were over 45 years old.

Graph 19: Displaced Persons Separated by Age Group
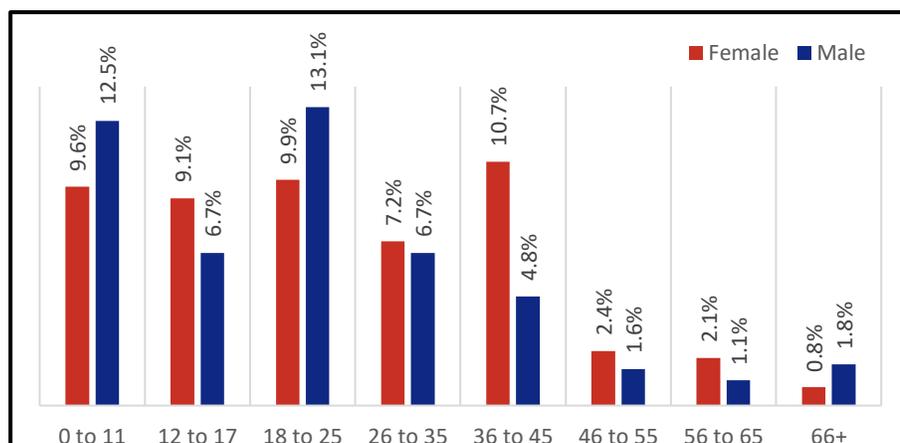
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

71.6% of registered families had members in situations of internal displacement. On average, three people per family were displaced, as shown in the following graph. 15.7% of families had at least three members in situations of internal displacement, and 52.3% had between one and four displaced family members.

Graph 20: Breakdown of Families by
Number of Displaced Persons per Family
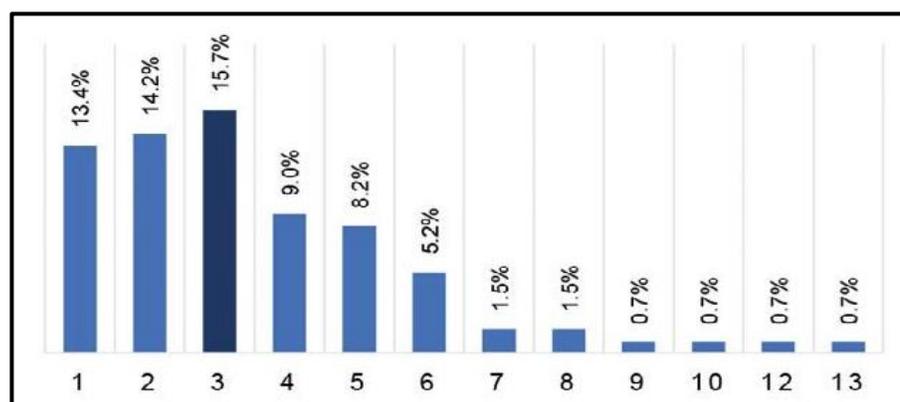
Source: Cristosal database (2017).

As mentioned in this report, the data point to the fact that not all family members were displaced. The main reasons indicated by the families were that the majority lack economic resources (71.7%), do not have safe places to move to (66.7%), or because they do not have social and family networks at their disposal to face social challenges and find necessary protection during displacement. This situation has caused some victims to be displaced several times without ever reaching a safe place, and because of this, some people return to confine themselves in their homes. This data is presented in the following graph.

Graph 21: Reasons that Prevent Displacement
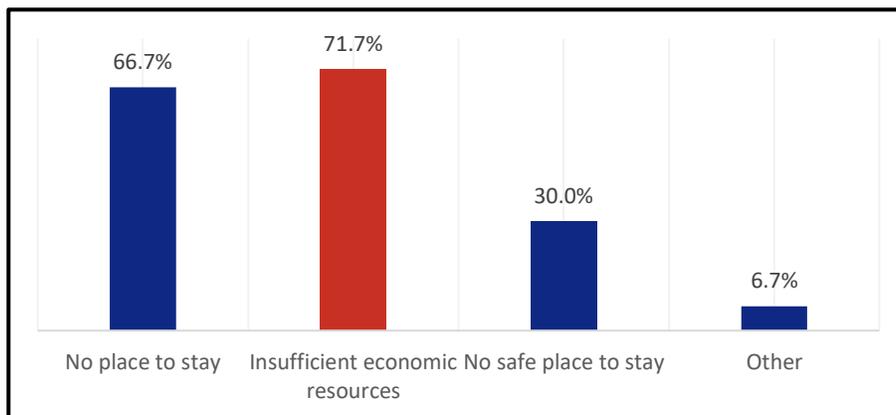
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

The internally displaced are not only vulnerable when it comes to protecting their lives and family property, but they also suffer from structural social exclusion, making their vulnerability more acute, notable, and difficult to overcome. Families displaced by violence experience double vulnerability and social exclusion of a structural and permanent nature.

The State's Response

The state has produced some responses to forced displacement, such as the aforementioned amendment to the Criminal Law Code, which adds the offense against the limitation of freedom of movement (LILIC). Some other recent efforts include the creation of the Local Victim Assistance Offices (OLAV) by the Ministry of Justice and Public Security (MJSP), among others. However, not recognizing the phenomenon according to international standards limits the obligation state institutions have to meet the protection and assistance needs of this population and to find solutions to the problem. However, some institutions, such as the Human Rights Ombudsman's Office (PDDH), the Public Prosecutor's Office (PGR), the Salvadoran Institute for Women's Development (ISDEMU), and some of the child and adolescent protection boards, which address the problem from their respective international frameworks, have shown, through specific attention and assistance given to cases, that it is possible to generate a state mechanism that guarantees the rights of persons internally displaced by violence.

The attempt to legislate only from the criminal spectrum, without considering the context of displacement in the country or the international guiding principles on internal displacement, is insufficient– it doesn't include all the factors causing displacement, many of which are already crimes.

Beyond the criminal sphere, the legal framework must guarantee full respect for and exercise of victims' rights. Given this scenario, the judicial and legislative response has been poor and lacking in clarity regarding the specific needs of displaced persons.

The creation of a victim assistance mechanism without a comprehensive state system to support and guarantee adequate attention is unviable. An example is the OLAVs, which do not have specialized resources, trained personnel, adequate care protocols, or clear plans about how to reach these objectives. According to the MJSP during 2017, 18 OLAVs were started in 14 departments of the country, where 2,194 cases were attended to and 675 legal and psychosocial assessments were extended. The largest group of registered victims were linked to sexual violence (32%) and registered in OLAVs located in nine hospitals. 13% of the cases attended to were registered as "self-inflicted violence." With regard to the LILIC crime, only 32 cases were received (MJSP, 2018). Given the dimensions of violence in the country, the interventions of the OLAVs have been rather limited, of little impact, and have not substantially modified the low levels of attention the state gives to the problems generated by violence, particularly internal displacement.

A 33-year-old woman, mother of three children, reported her now-former partner for domestic violence. Her former partner is part of state security forces, and, as retaliation for said report, he murdered one of her daughters. This act forced her to flee her home and seek help. She resorted to an OLAV, where she was only offered psychological attention. When requesting legal accompaniment to file a complaint about the crime, they said they could only offer legal accompaniment for events that happen after OLAV has been contacted.

Within this environment, the victims themselves distrust the institutions whose objectives are to provide victims with protection and security. These institutions should be able to satisfactorily address not only cases of violence and crime, but also the need to find an effective emergency response that provides protection and assistance.

Only 42% of cases were reported to public institutions. About two thirds of the victims choose not to report their case for various reasons, including a lack of trust in institutions or a fear that knowledge of the complaint may reach the perpetrator, especially when it is a gang perpetrator. The fear of reprisals prevails as the main factor in not filing a complaint, as shown in the following graph.

Graph 22: Complaint Filed

- Yes — 42%
- No — 58%
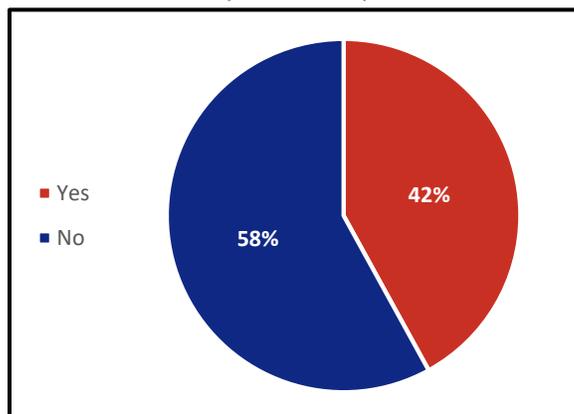
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

Although the data reveals more than one reason that prevented the filing of complaints, the tendency coincides with what was previously stated: the fear of reprisals that may come as a result of the complaint. The perception that it is useless to file a complaint because "they will not do anything" corresponds to more than 90% of victims' opinions; 13% are more specific, stating that they "do not trust the institutions." Weak institutional performance, particularly among providers of security and justice, lead to fear and lack of trust in the population.

Graph 23: Reason to Not File a Complaint

Don't have proof	Other	Don't trust public institutions	Think institutions wouldn't do anything	Fear reprisals
6.5%	7.5%	13.1%	26.2%	68.2%
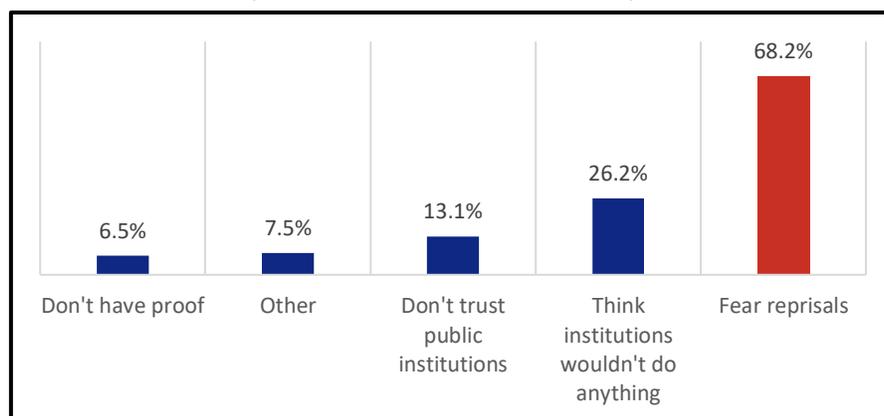
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

It can be concluded that violence and its consequences, including internal displacement, are reinforced and reproduced when solidarity and social cohesion are scarce values, when fear prevails, and when there is a lack of trust in weak public institutions.

Despite this lack of trust, some people do go to public institutions, some even reporting that they go to more than one institution to file a complaint. The National Civil Police, the Attorney General's Office, and the Human Rights Ombudsman's Office are the institutions to which most people have gone, although there are no records about the results of these complaints.

When analyzing the relationship between filing complaints about particular victimizers, the results indicate that when the victimizer is the MS-13 gang, 37.9% of victims say they are too afraid to report because of possible reprisals; 36.9% name fear of reprisals when the victimizer is the Barrio 18 gang, and 30.4% when the victimizer is the National Civil Police. But when the perpetrator is the Armed Forces of El Salvador, the proportion increases to 80% of victims who do not file a complaint with the authorities because they do not believe state institutions will do anything.

Graph 24: Institutions at which Victims Make Reports

Institution	Percentage
PNC	73.4%
FGR	51.9%
PDDH	31.6%
PGR	10.1%
ISDEMU	6.3%
Other	3.8%
Boards of Protection	3.8%
CONNA	1.3%
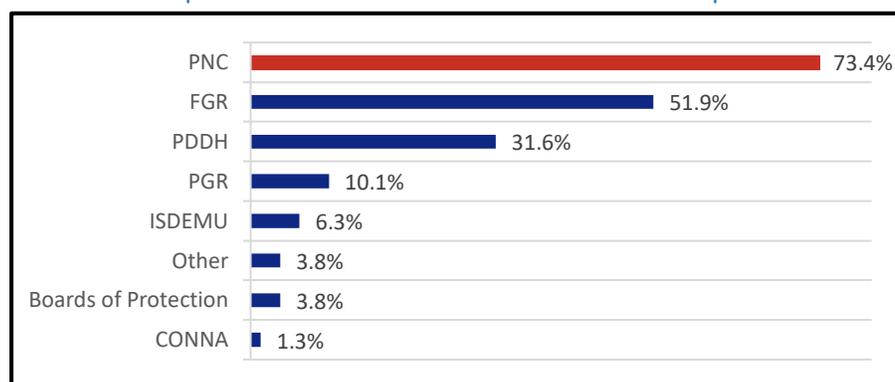
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

The experience of several victims confirms the perception that a complaint will not result in an adequate response. Even when a complaint is filed, the state's response is not always effective. During the year 2017, the Constitutional Chamber of the Supreme Court admitted several *amparo* suits regarding cases of forced displacement due to violence. The Court ordered the state to repair the rights violated by the displacement. This, without a doubt, opens a very important precedent in meeting the needs of victims, both in terms of protection and in the provision of humanitarian needs.

In summary, the state's response has been inconsistent. While most institutions and public entities constantly refuse to accept internal displacement as a phenomenon, the few responses that have been seen were motivated by the protective measures issued by the Supreme Court, rulings which have opened the possibility of action aimed at repairing the human rights violated by this calamity.

**The Economic and Social Impact of Internal Displacement**

Demanding living conditions which accentuate victims' vulnerability are not all that internal displacement entails. A complete uprooting from their home coupled with permanent fear plays to the detriment, not only of the most basic human rights, but also of access to social and cultural rights. This creates a social uprooting and a significant deterioration in living standards.

This section describes the impact displacement has on the working conditions, income, and education of victims who suddenly had to leave their homes and way of life. It is important to add that in many cases, displacement happens without prior planning because victims' lives are at stake.

When a victim is in a state of emergency and trauma, he or she is unable to make rational decisions that anticipate all the needs that will arise. This state of emergency means giving up everything, leaving one's life in the hands of others, and facing the need to build a new "life plan" in an invisible and clandestine way, which, in many cases, means leaving the country.

Of the total number of people in the database, 55% were engaged in some kind of economic activity. The following graph shows the proportion of displaced persons who had to leave work due to the change of housing. A little more than half had to abandon normal work activities, a stable job, a business, etc., when leaving their place of residence.

Graph 25: Work Abandoned
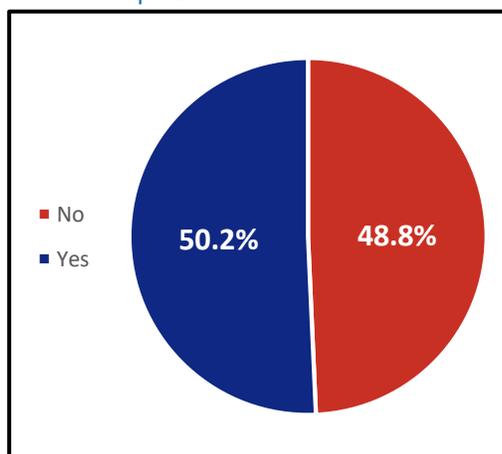
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

Displacement of this proportion has signified the uprooting of an essential component in human development: the possibility of working and earning a living. This situation has logically led to a substantial drop in income, as seen in the table below.

The following graph shows how families' monetary income fluctuates after being forcibly displaced by violence. 45.9% of families experienced a reduction in monthly income, while 4 out of 10 affected families maintained their monetary income. Only 1 in 10 families perceived an increased family income after displacement.

Graph 26: Family Income After Forced Displacement
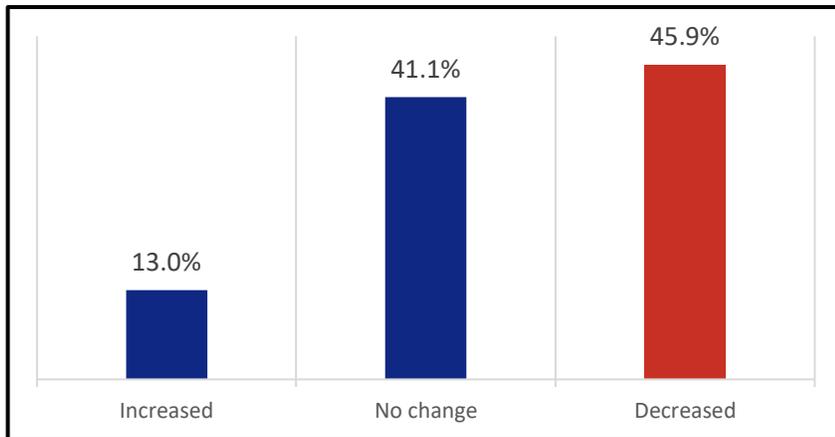
Source: Cristosal database (2017).

Victims in the registry were also asked how they survived economically after their family was forcibly displaced. As shown in the following graph, the most prominent economic activities were owning a business, at 38.2%, and temporary work, at 15.1%. Help from family and friends, which does not strictly correspond to any work activity, was fundamental for survival 34.9% of the time.

Graph 27: How Displaced Families Survive Financially
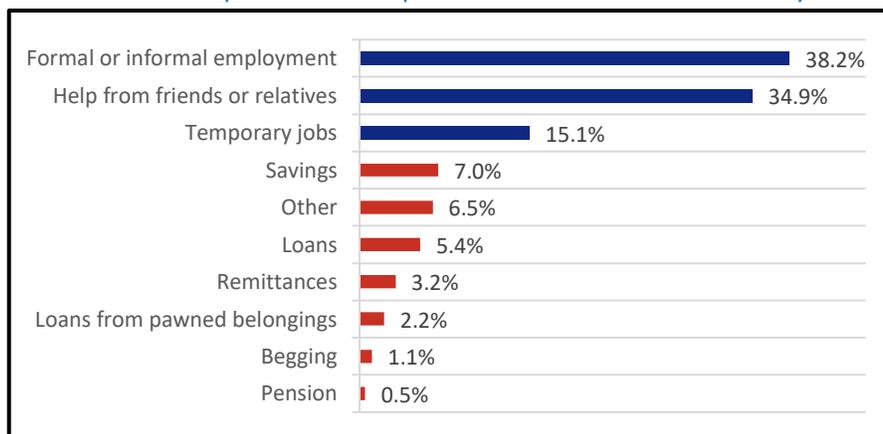
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

It should be noted that the data reflect the fact that a survival strategy can incorporate more than one activity. For example, a family can establish their own business, depend on family for help, and also do small temporary jobs.

Finally, the characteristics, age, and sex of those whom forced displacement has left unemployed are analyzed.

As can be seen below, a loss of work activity was present in all age ranges and both sexes. However, the largest proportion of men who lost their jobs were between 18 and 25 years old (17.9%), while the greatest number of women were between the ages of 36 to 45 (17.9%). Thus, work activity was present in all cases, and there were significant differences between sex and age.

Graph 28: People who Lost their Source of Income due to Internal Displacement, Separated by Age and Sex
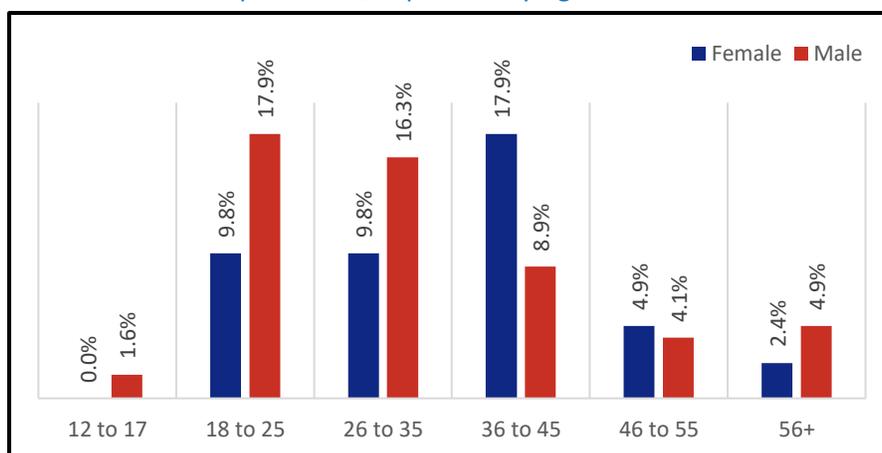
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

The following case demonstrates the destruction of family lands and property that can befall victims of internal forced displacement by violence.

Case 2: Patrimonial Destruction

Gerardo, 30, was forced to migrate to the United States in 2015 after gangs in his community murdered his 31-year-old brother. Gerardo did not suffer from a direct threat at that time, but he noticed that he and his other brothers were being watched. Six days later, Gerardo and his two brothers (aged 21 and 23) started the trip to the United States. They arrived in Las Cruces, New Mexico, and from there they traveled to El Paso, Texas. Gerardo was detained for 10 months. He passed the credible fear process, the first step to obtaining asylum status and avoiding deportation; however, the judge in the next step of the process argued that gang threats were not enough to obtain immigration benefits such as asylum or bail and endorsed his deportation. His two brothers were tried by a different judge and were able to stay in the U.S.

The brothers had managed to raise enough money to migrate to the U.S. by mortgaging their house and selling their two motorcycle taxis, which were their main source of family income. Gerardo says the problems with the gangs started because they wanted to force the family to do errands for them with their motorcycle taxis. The family decided not to report the incident for fear of reprisals.

The *coyote* (human smuggler) that took the three brothers charged $18,000 for the trip, $6,000 for each brother. However, during the trip, the *coyote* increased the price to $7,000 each. Gerardo says that usually the price charged by the *coyotes* includes a second attempt to reach the final destination; however, he has indefinitely postponed his second attempt.

Once deported, Gerardo could not return to his home because the threat was still active. He moved to a city in the eastern part of the country, where he confined himself in a motel for five days, completely alone and desperate. Subsequently, he moved to another city in the same area, where he worked for eight months. The working conditions were very harsh, and he suffered mistreatment from his bosses. Gerardo didn't receive a salary but was allowed to live in an extremely humble country house in exchange for his work. This situation was unsustainable for Gerardo, and he was fired. He then moved to another city where he received a few days' financial support from his father. At the time of the interview, he was actively looking for work and renting a room in an acquaintance's house.

After being deported, Gerardo was not able to return home because his life was in danger. He is far away from his wife and two children, who live in their municipality of origin, and he communicates with them only by phone. Gerardo hopes to relocate again with his family outside of the country, as he fears that because of the widespread gang presence in his country, he will not find a safe place within the country again. However, he shares that if he were able to find security and employment within his country, he would stop thinking about migrating.

Diego, 23, was threatened by gangs in his community in 2017 for not wanting to join them. He chose not to file a complaint with the PNC due to a lack of trust.

He told his family about the situation and, in order to save his life, found a way to flee the country with the help of his family. His mother asked the Ministry of Foreign Affairs for help to find a legal way to emigrate from the country. The response she received was that there was no program that offered that kind of help. Considering the situation, Diego and his mother decided to travel to Nicaragua to ask for asylum, because they had heard it was possible to get asylum there. However, they did not receive a positive answer. Subsequently, the family decided to send Diego to the United States. There was a two-month delay in getting the money for the *coyote,* which was approximately $11,000. They mortgaged his family home to pay for the trip. In the meantime, Diego was confined to his home.

In July, he left for the first time to the United States. When he arrived in the city of McAllen, Texas, he was arrested and deported. The second time he arrived in San Antonio, Texas, and signed the voluntary deportation document so he would not be charged a second time for illegal entry. Diego says that during his first asylum trial, he presented evidence about what he had suffered in El Salvador, but gang threats were not a valid reason to receive migratory benefits such as asylum.

At the time of the interview, Diego was waiting to leave for the United States again. He was taking shelter at his sister's house in the capital and keeping himself in a situation of confinement, since the area is controlled by the gang he fears. He does not see a future in El Salvador. He says he is afraid of finding work because he does not know where he will be sent, and he knows that being young puts him in danger.

His mother says his family is originally from the eastern part of the country, but that her children were born and raised in the capital. When her oldest son became a teenager, the gang in the community tried to recruit him. When the boy refused, he was beaten. Because of this, the family decided to move to their hometown, leaving the house they owed in the capital. At that time, 13 years ago, the oldest brother decided to migrate to the United States, and now hopes Diego will be able to join him and begin a more peaceful life.

To complete the analysis of this section, data are presented regarding the impact of displacement on access to education; that is, if internal displacement implies school dropout. Of the people registered, five out of ten who were active in the education system had been forced to abandon their studies because of violence by the time of their interviews.

Graph 29: People who Abandoned their Studies due to Acts of Violence
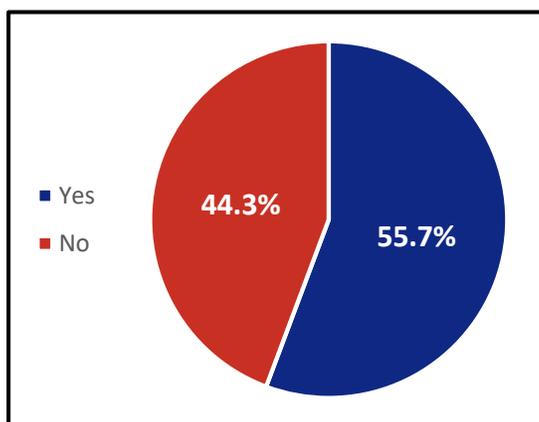
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

According to the data presented below, the majority of victims (89.5%) who left their studies were in a situation of internal displacement. 75% were children and adolescents.

Graph 30: People who were Forced to Abandon their Studies due to Internal Forced Displacement, Separated by Age and Sex
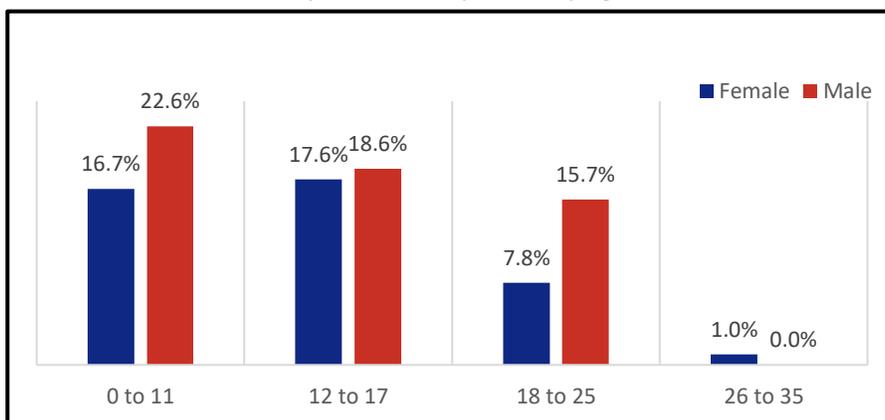
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

As a whole, internal displacement has a significant impact on the quality of life of its victims. The data confirm a deterioration of quality of life, loss of employment and income, and difficulties in accessing education. Women in displacement especially have a hard time accessing education.

A Vicious Cycle: The link between internal displacement and irregular migration

There is a link between internal displacement and migration. Given the lack of response within El Salvador, displaced persons see migration to another country as a viable option to protect their lives. The option to flee the country is always present in the minds of those who are internally displaced, mainly because migration is a way to escape an unsafe situation.

The following graph shows that most victims of forced displacement saw migration as an option. 93% thought the solution to displacement was to leave the country, while only 7% thought about staying.

Graph 31: Displacement Victims who Consider Leaving the Country
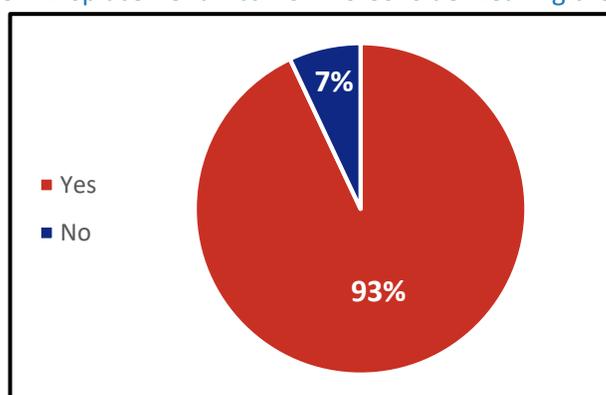
Source: Cristosal (2017) and Quetzalcóatl (2017) database.

In fact, some victims had already tried to migrate to escape unsafe situations but had either returned voluntarily or been deported. As the graph below shows, a little more than 10% had tried migrating.

## Graph 32: Victims of Forced Displacement who Tried to Migrate
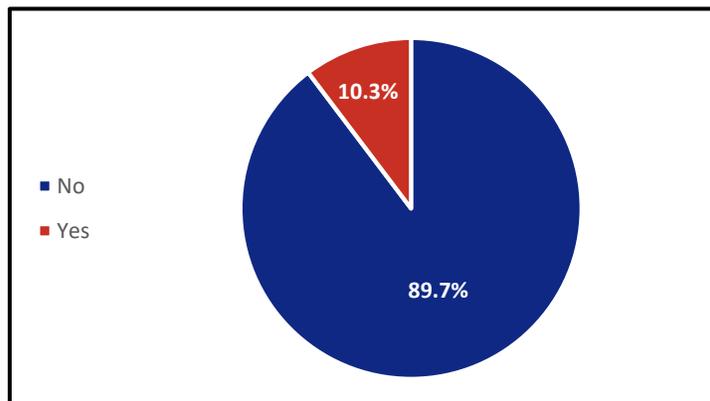
Source: Cristosal (2017) database.

While 93% wanted to migrate to get out of the situation of vulnerability, 10% of registered cases had already tried to migrate. This highlights the close relationship between expectation and reality when it comes to migration.

As shown in the following graph, the countries to which internally displaced persons tried to migrate show Guatemala and the United States with the same proportion of 26.2%, followed by Mexico with 19% and Costa Rica with 9.5%. Countries migrated to less frequently include Canada, Panama, and Honduras.

Graph 33: Country of Destination
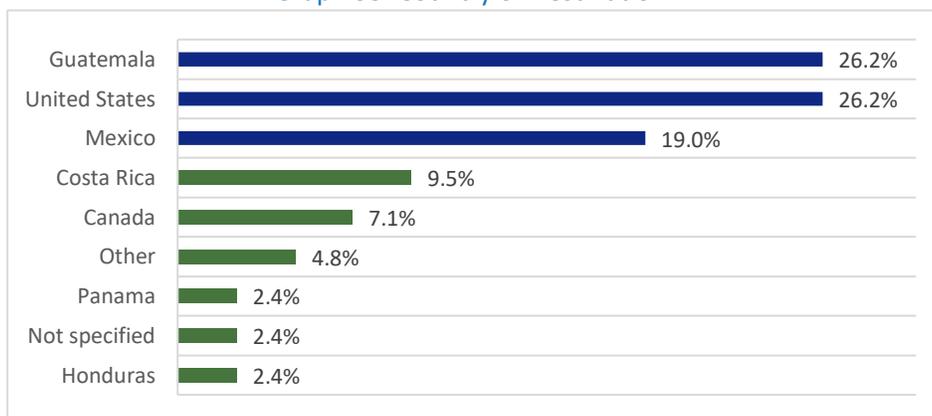
Source: Cristosal (2017) database.

Strategic Litigation and Comprehensive Models of Attention to Victims

Civil society organizations have accompanied some victims of forced displacement by violence, providing assistance, legal accompaniment, and humanitarian attention with a psychosocial approach. This is done with the goal of finding lasting solutions and integrating victims back into their communities of origin, other safe communities, or elsewhere.

Cristosal takes a human rights approach to this work, in light of the legislation and doctrine of international law through the principles and norms of the 1951 Conventions on the Status of Refugees and its 1967 protocol, the 1984 Cartagena Declaration on Refugees, the Declaration of Brazil, the 1994 Declaration of San José on Refugees and Displaced Persons, the 2010 Declaration of Brasilia on the Protection of Refugees and Stateless Persons in the American Continent, and the 1988 Guiding Principles of Internal Displacement.

This work prioritizes a preferential option for the victims; however, there is also a focus on highlighting state responsibility in attention to victims. Advocacy action, strategic litigation, and the creation of attention models are executed within a framework of direct victim accompaniment.

In addition to legal accompaniment, we have opted to create holistic attention models that provide support to victims in all stages, based on the phases outlined in the United Nations Guiding Principles on Internal Displacement. The aim is to find sustainable solutions; that is, for internally displaced persons to transition from receiving emergency support to begin the search for sustainable life alternatives. It is understood that the purpose of immediate and intermediate stages of humanitarian assistance and psychosocial and legal accompaniment for temporary relocation and integration in communities is to contribute to processes of reintegration of rights, restoration of the social fabric, and the construction and preservation of peace.

Given the increase in internal forced displacement by violence and the continued lack of state recognition, Cristosal offered legal representation and psychological assistance to several families in 2017. Five cases reflect various peculiarities of forced displacement. In these cases, suitable legal mechanisms were activated, such as the *amparo* proceedings before the Constitutional Chamber of the Supreme Court of Justice, to present the violations of constitutional rights.

The *amparo* appeals claimed two types of omissions on the part of public institutions responsible for protection: first, the omission of adequate protection and safety to victims by the National Civil Police and the Attorney

General's Office. This includes the omission of due diligence in investigations of the crimes that led families to become displaced. The second omission was of a structural nature and is attributed to institutions with the power to regulate, administer, lead, or guarantee the protection and safety of victims of violence, such as the Attorney General's Office, the National Civil Police, the Coordination Commission of the Justice Sector, the Executive Technical Unit (in charge of the victim and witness protection program), and the Legislative Assembly, among others. These omissions generated greater vulnerability and risk for this sector of the population.

Some of these families have decided that re-building their lives inside El Salvador is not a viable option, due to the severity of the traumatic experiences they have survived, the public exposure of their cases, or the fear of suffering reprisals for filing complaints. Even though these families have already received international protection, the grievances and the way their fundamental rights were affected transcend their current situation as the lives they built in El Salvador were destroyed.

All the *amparo* lawsuits filed were admitted, and the court ordered ordinary and extraordinary protection measures for the plaintiff families. The precautionary measures indicate "the presumed omission on the part of the Ministry of Justice and Public Security, the Legislative Assembly, the Coordinating Committee of the Justice Sector, and the Executive Technical Unit to issue, elaborate, and promote secondary laws, regulations, policies, programs, and protocols of action to guarantee rights to victims of internal forced displacement. Such omissions would cause violation of the rights to material security, family protection, jurisdictional and non-jurisdictional protection, freedom of movement, and property."

In one of these cases, the family appealed in a complementary manner to the Inter-American Commission on Human Rights, which ordered precautionary measures to safeguard the lives and safety of those affected, considering that the family's situation constitutes *prima facie* the requirements of seriousness, urgency, and irreparability that justified the measures.

It is important to note that, although the preliminary measures in these cases have been important in that they have forced the state to activate its protection mechanisms in favor of this population, victims have shown that they are not sufficient to safeguard their rights. One of the victims reported insufficient quality in the state shelter in terms of food, communication channels, mobilization, and dignified treatment. Through this case, the need became evident for state agencies to issue, elaborate, and promote secondary laws, regulations, policies, programs, and action protocols to guarantee the protection of victims of internal forced displacement, emphasizing the quality and guarantee of rights.

Through these actions, it is expected that changes will be made so that victims can fully demand and exercise their rights.

Conclusions

The data analyzed in this report on internal displacement in 2017 allow us to arrive at some general conclusions:

- The NTCA countries, mainly El Salvador, continue to be among the most violent in the world. Despite the fact that there was a decrease in the number of homicides in these countries in 2017, the rates remain extremely high, classified as an epidemic according to the WHO and comparable to countries with internal military conflict. The country also shows a high rate of extortions and threats, which is associated with this type of crime. The territorializing and geographic segmentation of gang activity produces a complex dynamic of confrontations between gangs and the state which contributes to internal displacement.

- Associated with these levels of violence, the number of victims of internal displacement increased in 2017 compared to previous years. The IUDOP reported that the number of households with internally displaced persons increased from 4.1% in 2016 to 5.1% in 2017. Similarly, the number of school dropouts due to violence and displacement remains significant, as do the number of cases of LILIC reported to the Attorney General. The data recorded by Cristosal and the Quetzalcóatl Foundation support the argument that 2017 was characterized by an increase in the number and severity of people displaced.

- The data reported from Cristosal and the Quetzalcóatl Foundation reveal the following: there is no significant difference in gender among victims; there is a significantly higher proportion of children and young adults; the average family size is high compared to the national average; and a significant proportion of the victims were studying and working before they were displaced.

- Not all victims are able to leave their homes. More than 45% stay in their place of residence, either because they do not have sufficient economic resources or social support networks to leave. In some cases, families have found solutions to displacement by migrating to other countries. The number of members effectively displaced on average per family is two, which is almost half the average family size.

- Threats, attempted homicides, the homicide of a relative, and extortion are seen as the most common causes of displacement. Gangs, primarily the MS-13, are the perpetrators that generate the majority of displacement, although a significant proportion (above 14%) is generated by the National Civil Police and El Salvador's Armed Forces.

- The response from the state, and especially from the executive branch, to the phenomenon of displacement has been weak and lacking in clearly integrated efforts, which creates the impression that they are more concerned with concealing and denying the existence of displacement than complying with the obligation to provide assistance and protection to victims. This reluctance to accept displacement due to widespread violence as a national phenomenon has reinforced fear and lack of trust in state institutions responsible for providing security and guaranteeing justice. Few cases are reported to authorities, and the majority go unreported due to this fear and lack of trust in institutions. However, the Constitutional Chamber of the Supreme Court of Justice has opened a window to face the challenge of this phenomenon and restore the rights of victims of internal forced displacement by violence.

- Internal displacement has a negative impact on victims' work and income. For many, displacement means the loss of work and a significant decrease in income. This has led to a depletion of economic activities and the search for social and familial networks to meet the most urgent needs. However, school desertion due to displacement has affected only a minority of school-aged children.

- Finally, the data support the thesis that there is a mutual relationship between internal displacement and irregular migration. Internal displacement seems to be the first phase of international migration, mostly irregular in nature, given that the majority of those affected by internal displacement express their decision or desire to flee the country.

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APPENDIX

APPENDIX

Reporting rate of Unlawful Limitation of Free Movement, reported by the FGR, separated by municipalities for every 10,000 inhabitants

Municipality	No. of LILIC cases	Rate per 10,000
San Cayetano Istepeque	7	11.16
Cinquera	1	7.30
Uluazapa	2	5.83
San Rafael Cedros	11	5.06
Oratorio de Concepción	2	4.85
Comalapa	1	3.57
Mercedes Umaña	5	3.47
Jerusalén	1	3.42
San Esteban Catarina	2	3.31
San Antonio Pajonal	1	3.08
San Bartolomé Perulapia	3	3.02
San Luis de la Herradura	7	2.95
Sensuntepeque	12	2.76
La Libertad	11	2.69
San Rafael Obrajuelo	3	2.63
Santa Cruz Michapa	4	2.62
San Matías	2	2.57
Santa Catarina Masahuat	3	2.56
San Isidro (Cabañas)	2	2.49
San Salvador	59	2.48
Huizúcar	4	2.36
San Marcos	17	2.34
Tepetitán	1	2.29
Colón	31	2.22
Cuscatancingo	18	2.17

Source: Prepared by the authors based on data from the FGR (2018) and DIGESTYC (2014)

APPENDIX 2

Municipalities of Origin of Registered Cases

Municipality	Registered Cases	Municipality	Registered Cases
Mejicanos	25	Usulután	2
San Salvador	20	Victoria	2
Soyapango	20	Zacatecoluca	2
Apopa	13	Atiquizaya	1
Ilopango	10	Ciudad Arce	1
La Unión	7	El Congo	1
Panchimalco	7	El Paisnal	1
Guazapa	6	El Triunfo	1
San Marcos	6	Guadalupe	1
Guatajiagua	4	Izalco	1
Chalchuapa	3	Monte San Juan	1
Ciudad Delgado	3	Oratorio de Concepción	1
Colón	3	San Cristóbal	1
El Rosario la Paz	3	San Ildefonso	1
Olocuilta	3	San Isidro Cabañas	1
Ozatlán	3	San Isidro Labrador	1
San Antonio Pajonal	3	San Luis	1
San Pedro Perulapán	3	San Martín	1
Santa Tecla	3	San Miguel	1
Aguilares	2	San Pablo Tacachico	1
Ayutuxtepeque	2	San Rafael Cedros	1
Cojutepeque	2	San Rafael Obrajuelo	1
Cuscatancingo	2	San Vicente	1
El Transito	2	Santa Clara	1
La Libertad	2	Santa María Ostuma	1
Nahuizalco	2	Santa Rosa de Lima	1
Nejapa	2	Santiago Texacuango	1
Quezaltepeque	2	Sensuntepeque	1
San Alejo	2	Tecapán	1
Santa Ana	2	Zaragoza	1

APPENDIX 3

FICHA ÚNICA PARA EL REGISTRO DE VÍCTIMAS DE DESPLAZAMIENTO FORZADO; VARIANTE CRISTOSAL

1. IDENTIFICACIÓN INSTITUCIONAL.		
1. 1. Institución que atiende:	1.1.1. Numero de caso:	1.2. Fecha de registro de la entrevista:
1.3. Institución que refiere, acompañó el caso o acudió primero (ya sea institución estatal o no gubernamental):		
1. 4. Confidencialidad: (En caso de que la persona no quiera que sus datos personales aparezcan en la ficha)	Sí☐ (Firmar anexo)	No☐
1. 5. ¿La víctima es la misma persona que brinda la información?	Sí☐ (Llenar a partir del 3)	No☐ (Llenar desde el 2)

2. DATOS GENERALES DE LA PERSONA (3°) QUE BRINDA LA INFORMACIÓN.		
2.1. Nombre:		2.2. DUI:
2.3. Género: Masculino ☐ Femenino ☐	2.4. Fecha de nacimiento: _____/_____/_____	2.5. Parentesco con la víctima.
2.6. ¿Por qué la víctima no está brindando la información? Ya se desplazó. ☐ Por miedo a represalias. ☐ Piensa que no es grave. ☐ No confía en las instituciones del Estado☐ Otros.☐ _____		

3. DATOS DE LAS VÍCTIMAS.

3.1. ¿Cuántos son los miembros que han sido afectados? ( )

En el primer cuadro se asigna al cabeza de familia.

3.2. Víctima directa: ☐	3.3. Presente en la entrevista: ☐	3.2. Víctima directa: ☐	3.3. Presente en la entrevista: ☐
3.4. Nombre:		3.4. Nombre:	
3.5. DUI:	3.6. Fecha de nacimiento:	3.5. DUI:	3.6. Fecha de nacimiento:
3.7. Edad:	3.8. Género: Masculino ☐ Femenino ☐	3.7. Edad:	3.8. Género: Masculino ☐ Femenino ☐
3.9. Parentesco. (solo en los demás familiares)	3.10. Ocupación u oficio:	3.9. Parentesco.	3.10. Ocupación u oficio:
3.11. Nivel escolar:		3.11. Nivel escolar:	
3.12. Sabe leer: ☐	3.13. Sabe escribir: ☐	3.12. Sabe leer: ☐	3.13. Sabe escribir: ☐
3.14. Tenía trabajo: ☐	3.15. Estudiaba: ☐	3.14. Tenía trabajo: ☐	3.15. Estudiaba: ☐
3.16. Ya está en situación de desplazamiento: ☐		3.16. Ya está en situación de desplazamiento: ☐	
3.17. Perdió el trabajo: ☐	3.18. Dejó de estudiar: ☐	3.17. Perdió el trabajo: ☐	3.18. Dejó de estudiar: ☐
3.19. Padece alguna enfermedad: ☐	3.20. Ha tenido acceso a servicios médicos. ☐	3.19. Padece alguna enfermedad: ☐	3.20. Ha tenido acceso a servicios médicos. ☐
3.21. Necesito atención psicológica de emergencia: ☐	3.22. Ha salido del país. ☐ 3.23. A qué país	3.21. Necesito atención psicológica de emergencia: ☐	3.22. Ha salido del país. ☐ 3.23. A qué país
3.24. Indocumentado. ☐	3.25. Fue deportado. ☐	3.24. Indocumentado. ☐	3.25. Fue deportado. ☐
3.26. Si es deportado como califica la atención de DGME: Excelente ☐ Muy Bueno ☐ Bueno ☐ Mala ☐ Muy mala. ☐		3.26. Si es deportado como califica la atención de DGME: Excelente ☐ Muy Bueno ☐ Bueno ☐ Mala ☐ Muy mala. ☐	

Para agregar más familiares utilizar la tabla familiar de nexo.

4. PERFIL ESPECIFICO DE LOS HECHOS Y PROTECCIÓN ESTATAL

4.1. En caso de no esté/n desplazado/s
- ¿Por qué no puede/n desplazarse?
- ☐ N/A
- ☐ Porque no tiene/n lugar dónde hospedarse.
- ☐ No tiene/n recursos económicos.
- ☐ No cuenta/n con un lugar seguro.
- ☐ No siente que corra/n peligro.
- ☐ Otros:

4.3. ¿Qué personas o grupos generaron o generarán su desplazamiento?
- ☐ Mara Salvatrucha
- ☐ Barrio 18
- ☐ Otras pandillas
- ☐ PNC
- ☐ FAES
- ☐ Grupos de exterminio
- ☐ Narcotráfico
- ☐ Crimen Organizado
- ☐ Pandillas en general.
- ☐ Desconocidos.
- ☐ Otros:

4.4. ¿Interpuso denuncia ante alguna(s) instancias Estatales?

☐ Sí   ☐ No

Llenar sólo 4.5 y 4.6   Llenar sólo 4.7.

4.2. ¿Cuál fue el motivo o causa que le forzó/forzará a abandonar su lugar de residencia?
- ☐ Amenazas.
- ☐ Desaparición de un miembro de la familia.
- ☐ Extorsión
- ☐ Familiar de un testigo protegido o criteriado
- ☐ Intento de homicidio a su persona o a miembro de familia o pariente cercano.
- ☐ Lesiones.
- ☐ Por discriminacion sexual (LGBTIQ).
- ☐ Reclutamiento forzoso.
- ☐ Temor por violencia generalizada
- ☐ Testigo criteriado
- ☐ Testigo de un hecho delictivo.
- ☐ Testigo protegido
- ☐ Víctima de trata de persona
- ☐ Víctima de violación.
- ☐ Víctima de agresión sexual.
- ☐ Por homicidio o asesinato de un familiar.
- ☐ Otros:

4.5. ¿Cuáles fueron las instituciones a las que acudió?
☐ N/A ☐ PNC ☐ FGR ☐ PGR ☐ PDDH ☐ CONNA ☐ ISDEMU
☐ Juntas de protección de niñez y adolescencia ☐ Dirección de atención a víctimas
☐ Unidad Técnica Ejecutiva ☐ Otra: _____

4.6. En caso de haber denunciado ¿Cómo evalúa el resultado que obtuvo de cada institución?
(E). Excelente; (MB), Muy bueno; (B), Bueno; (M) malo; (Mm), Muy malo.

Institución	Resultado				
	E☐	MB☐	B☐	M☐	Mm☐
	E☐	MB☐	B☐	M☐	Mm☐
	E☐	MB☐	B☐	M☐	Mm☐
	E☐	MB☐	B☐	M☐	Mm☐
	E☐	MB☐	B☐	M☐	Mm☐
	E☐	MB☐	B☐	M☐	Mm☐

4.7. En caso de no denunciar: ¿Razón por la cual no denunció?
- ☐ N/A
- ☐ Es inútil porque no harán nada
- ☐ Por miedo a represalias
- ☐ No tiene pruebas
- ☐ Piensa que no es grave
- ☐ No confía en las instituciones públicas.
- ☐ No sabe dónde
- ☐ Otros:

5. PERFIL SOCIOECONÓMICO

5.1. La casa donde reside(n) o residía(n) era:

☐ Propia ☐ Alquilada ☐ Casa de familiar ☐ Sólo la cuidaba
☐ Régimen de financiamiento

5.2. ¿De cuánto eran los ingresos mensuales del grupo familiar? (Estimado)

5.3. ¿Cuál es su ingreso actualmente del grupo familiar? (Estimado)

5.4. ¿Cómo ha logrado sobrevivir durante el desplazamiento?
☐ Ahorros. ☐ Trabajos. ☐ Préstamos. ☐ Mendicidad. ☐ Ayuda de un familiar. ☐ Empeños. ☐ Trabajo temporal.
☐ Remesas. ☐ Otros.

6. PERFIL MIGRATORIO

6.1. ¿En caso de no resolver la situación ha(n) pensado irse del país?
☐ Sí ☐ No

6.2. ¿A qué país se trasladaría?:
No define

6.3. Movimiento migratorio:
☐ Legal ☐ Indocumentada

6.4. ¿Cuántas personas de su grupo familiar le acompañarían?
3

7. MAPA DE DESPLAZAMIENTO

7.1. ¿Cuáles han sido su lugar de residencia en cada uno de los desplazamientos? (Iniciar desde el lugar donde residía originalmente.)

Personas	Departamento	Municipio	Motivo de elección del lugar	Tiempo de permanencia (en semanas)	¿Por qué dejo el lugar?

En la columna "Personas" ingrese las iniciales de las personas del grupo familiar que se desplazan a una misma zona; si hay diferentes rutas de desplazamiento repita el proceso en la tabla iniciando siempre con el lugar de origen.

8. NARRATIVA DE LOS HECHOS

Mural created by the children of families who were victims of forced displacement in El Salvador, 2017
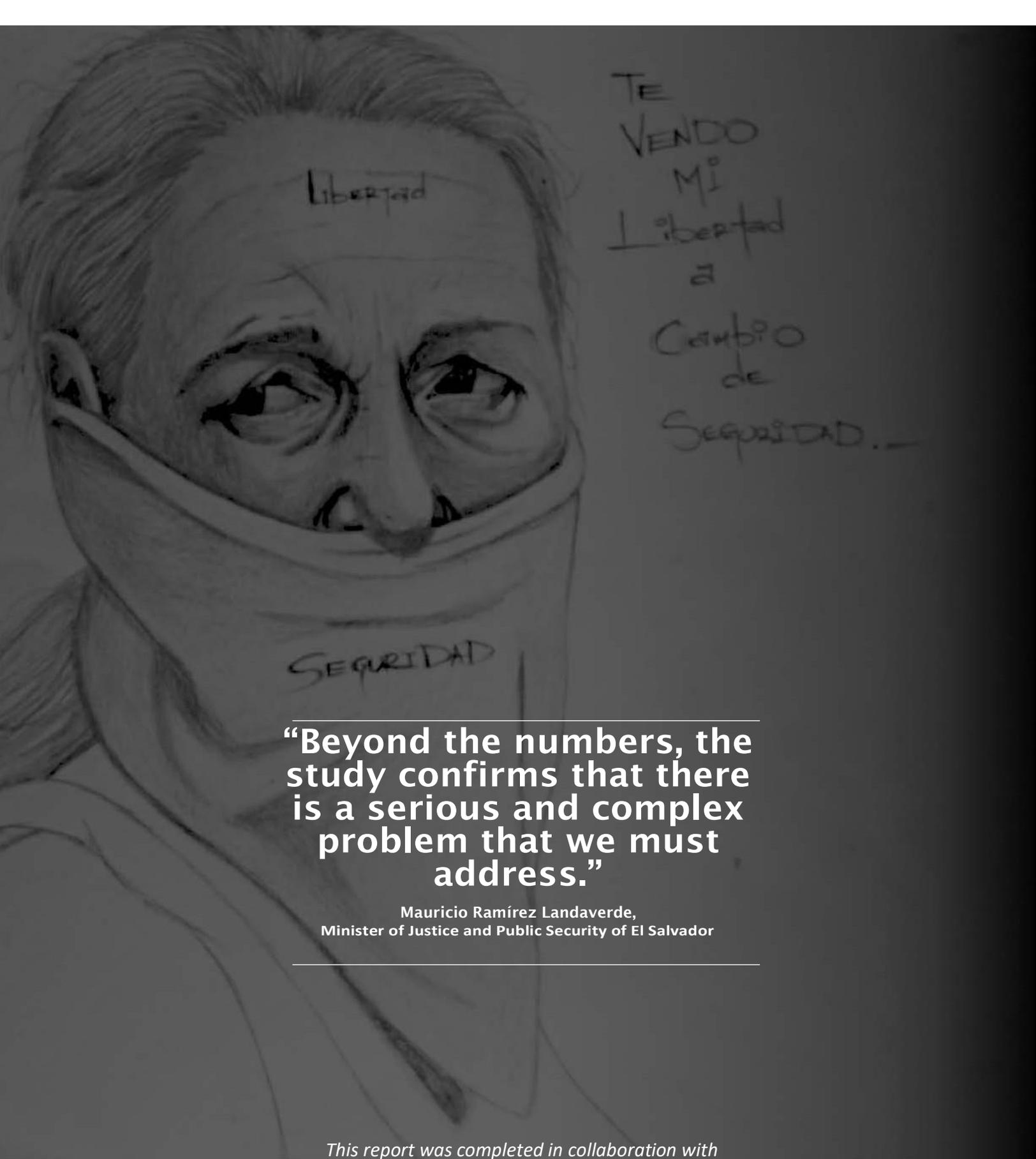
"Beyond the numbers, the study confirms that there is a serious and complex problem that we must address."

Mauricio Ramírez Landaverde,
Minister of Justice and Public Security of El Salvador

This report was completed in collaboration with