



EL SALVADOR TODAY: *Advocacy Issues Series*

Political Repression and Violence

Citizens, not Terrorists: the Case of Peaceful Protesters Arrested in Suchitoto

July 2nd of 2007 marked a public demonstration of repression by the Salvadoran government in the municipality of Suchitoto, Department of Cuscatlán, where a peaceful protest against the privatization of water was scheduled to take place. The actions of the National Civilian Police (PNC) and riot police (UMO) during the protest, as well as the circumstances surrounding the arrests of members of prominent social justice group CRIPDES (Association for the Development of El Salvador), are demonstrations of the deterioration of human rights standards and political freedoms in El Salvador.

On July 2nd, the National Civilian Police arrested four leaders of CRIPDES seven kilometers from the site where President Tony Saca was due to announce a water decentralization plan, observed by many to be a precursor to privatization. The arrested CRIPDES leaders were unarmed and had not yet arrived nor participated in the protest. During the protest, the PNC and the UMO arrived and began to shoot rubber bullets and make arrests rather than seek to de-escalate the tensions. All told, 25 people were injured by rubber bullets, 18 were severely affected by tear gas, and 14 people were detained

Thirteen of the 14 were accused of public disorder and illicit association under Article 5 of the Anti-Terrorism Law passed in 2006. The maximum sentence for such crimes is 60 years in prison. At a preliminary hearing, the judge equated organized members of society, such as CRIPDES and other social organizations, with organized crime.

While the arrests and confrontational actions at the protest were carried out by the PNC and the UMO, the presence of a truck full of military soldiers at the protest is also of concern, as it is in direct violation of the 1992 Peace Accords. The separation of the military and the police envisioned by the Accords was designed to channel police work into a focus on public safety issues, and to direct military forces away from monitoring internal affairs and instead to protecting El Salvador from outside forces. This separation of operations is crucial to rebuilding legitimacy and credibility in a police force which had been considered synonymous with the military violence and repression of the war years. The presence of the UMO was perhaps the first sign on July 2nd that the response to the Suchitoto protest would stray dangerously from democratic norms.

A report of the events by the Legal Office of the San Salvador Archdiocese reported that the political prisoners were beaten during interrogation, isolated in remote places for questioning, and threatened that they would be thrown from a helicopter during a transfer between detention centers. Moreover, the prison facilities were sorely inappropriate for the detainees, with severely limited food and restroom access, no running water, inadequate bedding, and shared quarters with dozens of other prisoners, some of whom have violent records.

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At subsequent hearings, the judge granted four of the prisoners, then all 13, provisional freedom. The 13 were required to report every 15 days to the court and await trial on charges of acts of terrorism. A network of legal teams is working to convince the court to drop the charges.

Due to the intensity and egregiousness of the situation, international pressure poured in to El Salvador to demand the release of the political prisoners, humane treatment while in prison, and the dropping of terrorism charges. Members of the US Congress wrote to President Saca calling for the protection of political freedoms in El Salvador, Human Rights Watch and Amnesty International both released statements highlighting concerns, over 50 human rights and community-based organizations and individuals published an ad in the Salvadoran papers calling for the repeal of the terrorism law, and hundreds of individuals wrote, called, and faxed Salvadoran officials and media to express their concerns. Meanwhile, Salvadorans conducted hunger strikes, peaceful protests, and a continuous presence outside the prison. Salvadorans credit the combination of national and international pressure for securing the release of the detainees.

Notably, the government of El Salvador responded to the international attention and domestic mobilization by introducing a deceptive legal reform. President Saca accepted the idea of a revision of the Special Law against Acts of Terrorism, and proposed reformation of the Penal Code and the Law against Organized Crime. In the reform, he suggested that the crime of public disorder be punished more severely than previously and be tried through special tribunals as opposed to the regular court system. Thus, while the so-called “reform” and the administration’s openness to change was meant to present the image that the government is responsive to international concerns and will rectify the situation, the suggested changes would actually allow the government to maintain virtually the same policies that engendered the current situation: stiff penalties for public protest decided by a special tribunal system. The government approved these reforms in August, increasing the punishment for public disorder from four years to eight years in prison.

While the release of the political prisoners was a victory, it was really only the first win in a seemingly uphill battle. It is important to note that the provisional freedom has no effect on the pending charges of Acts of Terrorism, and that the revisions in the penal code still promote disproportionate penalties for legitimate public protest.

Please stay alert as we define more ways to demonstrate solidarity and apply pressure so that the accused will go free and that the freedom to express ideas in El Salvador is upheld.

May the words of Oscar Romero remind us the importance of the struggle for justice:
“To me it is frightening when repressive laws or violent attitudes are taking away the legitimate escape for a people who need to express themselves. What happens when you put a top on a boiling cauldron? It can overflow. Now is the time to give voice to our people so that they can express themselves when they need to. ... (We are called) simply to understanding, to dialogue, to justice, and to love.” Homily, March 19, 1978

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