

# ***MESOAMERICA***

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## **EL SALVADOR**

### **Constitutionality of CAFTA Questioned**

More than two years after the Legislative Assembly approved the Central American Free Trade Agreement (CAFTA), the Supreme Court agreed to review 14 of the 30 arguments presented by the Farabundo Martí National Liberation Front (FMLN) regarding CAFTA. Some of the violations found by the Supreme Court refer to investments, most favored nation status and conflict resolution.

The FMLN was satisfied with the Court's decision but critiqued the tardiness of the decision. "If the Court had agreed to review the motions before, some of the damages caused by the CAFTA would have been avoided," indicated Salvador Sánchez Cerén, Legislative Coordinator of the left-wing party. For Cerén, the Court's decision to review the arguments against CAFTA raised by civil society organizations, small producer unions, and well-known jurists is an encouraging sign.

President Elías Antonio Saca, however, is not concerned about the findings of the Supreme Court. "I do not believe that it is unconstitutional to have a free trade agreement, but the Supreme Court has to review it. It is a normal procedure that we are experiencing and the institutions are working," he stated.

The right-wing Nationalist Republican Alliance (ARENA) affirmed that it will try to convince the Supreme Court that those irregularities do not exist and will not allow the "benefits" of the trade agreement to be put at risk.

The Executive and Legislative branches have 10 days from 23 Mar to present their counter-arguments to the Supreme Court. The FMLN hopes that the Supreme Court will confirm its findings and emit a resolution as soon as possible in order to revert or, at least, provoke renegotiations and reforms of CAFTA by El Salvador in order to stop its negative impacts, even though the US has stated that there can be no renegotiation.

### **Social Program Receives Funding from Spain**

The Solidarity Network, a social program created by President Saca to alleviate extreme poverty in El Salvador, will receive \$10 million from Spain for its continuance in '08. This includes \$7.5

million from the Spanish International Cooperation Agency and \$2.5 million from the autonomous government of Andalusia.

“The best part,” according to Cecilia Gallardo de Cano, Commissioner of the program, “is that the donation is now available.” Already \$2.6 million from Spain has entered the Social Investment Fund for Local Development (SIFLD). The SIFLD is the overseeing government program of the Solidarity Network whose mission is to eradicate poverty in El Salvador.

Gallardo also explained that this was not the first donation for the project to help the poor, but there have been other donations from friendly countries. For example, Luxemburg is supporting the Solidarity Network with \$33 million and the European Union is donating \$49 million. Another \$5.3 million is to be added at the end of the year for use in '08.

The program, which is made up of volunteers, works with approximately 100 extremely poor municipalities to improve the living conditions of families through an increase in education, healthcare and nutrition. In addition, it promotes an increase in accessibility to basic services, the support of economic growth projects, and the use of micro-credits to benefit the poor.

The main goals of the Solidarity Network are to mitigate extreme poverty and hunger, decrease the rate of global malnourishment in children under five, obtain universal primary education, reduce maternal and child mortality, and promote gender equality and the autonomy of women.

### **Legislature Approves Funding for ILEA**

On 8 Mar, the Legislative Assembly approved \$110,000 for the construction of the International Law Enforcement Academy (ILEA) in El Salvador. The measure was supported by right-wing parties, including the Nationalist Republican Alliance, the National Conciliation Party and the Christian Democratic Party.

In addition, the proposed US Federal Budget for '08 includes \$4.8 million for El Salvador in order to “strengthen the security for the US and promote peace in general.”

According to the US State Department, the “mission of the regional ILEAs has been to support emerging democracies, help protect US interests through cooperation and promote social, political and economic stability” by training law enforcement officials in the area of transnational crime that incorporates narco-trafficking, financial fraud, organized crime, terrorism and sexual tourism (Vol. 22, No. 8).

However, Salvadoran human rights advocates have protested the construction of a permanent building for ILEA since “terrorism” is not a threat in El Salvador. After the recent high profile murders of Salvadoran legislators in Guatemala in Feb (Vol. 26, No. 3), Jeanette Aguilar of the University Public Opinion Institute explained that “organized crime under the protection of the State” is a much more of a threat than gangs and international terrorism. As the ILEA intends to give law enforcement officials specific skills, it will not remedy the underlying problems.

In addition, the FMLN and social movement organizations protested the installation and funding for the ILEA, declaring that the school violates national sovereignty and that the ILEA is a continuation of the infamous US School of the Americas (SOA), now known as the Western Hemisphere Institute for Security Cooperation. The SOA is known for training Latin American military officers whom later carried out human rights abuses during the '70s and '80s in their own countries.

The ILEA started to offer courses temporarily in '05 to police officials from the Dominican Republic, Colombia and El Salvador at the military airbase in Comalapa and also at the Salvadoran National Police Academy even before receiving official approval in the Salvadoran Legislative Assembly on 31 Nov '05 (Vol. 24, No. 12). Subsequently, the first official ILEA class graduated in July '06. New Firearms Restrictions Implemented

New firearm restrictions began on 19 Mar and will continue for 60 days in areas around the capital city, San Salvador. The ban is based upon an executive decree issued by President Saca, and is be carried out by the National Civil Police (PNC).

The plan, which prohibits carrying firearms in the heart of San Salvador as well as four other surrounding zones, was set in motion by police authorities eager to confront the uncontrollable wave of violence in El Salvador. "The population demands better control of weapons; many homicides have had to do with firearms, therefore, it is necessary to set in motion the ban," assured Minister of Security René Figueroa.

The prohibition will apply in the designated *Zona Rosa*, an exclusive zone of bars and restaurants in neighborhood of San Benito on the west side of San Salvador. The measure also will be enforced in two other zones along the northern and northeastern edge of San Salvador, which the police consider to have high criminal activity.

According to the PNC, at least 60% of the crimes that occur daily are in the five zones where the ban is in effect. The civil authorities placed large signs that read, "Carrying Firearms is Prohibited," while the police distributed flyers explaining the ban.

Only the police, private security guards, bodyguards, municipal agents, and the military are allowed to carry a weapon. Police data indicates that 2,657 illegal firearms were seized in '06, including pistols, shotguns and rifles, all of which were connected to some type of crime.

—Christina Patchett