

EL SALVADOR**ISSUE**

The human rights situation in El Salvador remains of concern due to the limited effectiveness of public institutions in preventing or redressing violations by its own agents or private persons. Persistent social and economic problems together with serious crime problems have contributed to the high level of citizen insecurity.

BACKGROUND

The El Salvador peace accords have largely been implemented although some important elements remain to be completed. The Government of El Salvador has expressed formal commitment to human rights, democratic principles and social development. Human rights violations are not systematic and do not reflect government policy. However, the Government's institutional ability to deal with human rights violations remains limited and has not improved noticeably over the last year. The constitutionality of the March 1996 Emergency Law, intended to combat rampant delinquency and crime, has been challenged and remains a subject of concern.

Although the National Civil Police (PNC) has had some success in fighting organized crime and delinquency, it is seriously challenged by the increasingly lawless situation. Its limitations and shortcomings have led to increasing concerns, as expressed in the United Nations Secretary-General's August 1996 report, that the PNC could slip into the authoritarian habits characteristic of its predecessors. The Human Rights Ombudswoman reports that the PNC is subject of the greatest number of alleged human rights violations, principally, excessive use of force, mistreatment of detainees, intimidation, illegal searches.

The process of modernization of the judiciary and purging corrupt or incompetent judges continues, and has been extended to justices of the peace, although the pace appears to have slowed over recent months. The judicial system is not capable of coping with the demands placed on it and is thus cited by the Human Rights Ombudswoman as the second largest source of alleged violations. Electoral reform has remained stalled with the result that the March 1997 legislative and municipal elections may suffer from the same problems as the 1994 elections.

The Human Rights Ombudswoman has continued to play an important role as an independent advocate for respect for human rights, despite continued underfunding by the Government that has limited the effectiveness of her institution. Opinion polls suggest that it is the most credible public institution in the eyes of Salvadorans. In a positive development, the Minister for Public Security and the Human Rights Ombudswoman have signed an agreement setting out procedures intended to prevent episodes of the excessive use of force by the PNC, especially the anti-riot squad as occurred in late 1995.

Not surprising, in a country with such a high daily level of violence (an average of 21 violent deaths and 41 reported casualties daily in 1995), physical integrity and security of the person were the most frequently reported human rights abuses. Between August