

Corruption in El Salvador: Dimensions, Implications, and the Prison System

1. Executive Summary

Corruption poses a significant impediment to the progress and stability of El Salvador, undermining the foundations of democratic governance and hindering economic development¹. This report examines the multifaceted nature of corruption within the Salvadoran context, detailing its various manifestations across different sectors, including the executive, legislative, and judicial branches, as well as within law enforcement agencies¹. Furthermore, this analysis explores the Salvadoran prison system, with a particular focus on the recently established Terrorism Confinement Center (CECOT), and considers the potential intersections between the pervasive issue of corruption and the administration of correctional facilities, especially in light of a recent agreement with the United States to house prisoners at CECOT for a financial consideration⁷. While the research material does not explicitly reference private, for-profit prisons in El Salvador, the operational and financial aspects of the state-run prison system, particularly CECOT, warrant scrutiny for potential vulnerabilities to corrupt practices. This report aims to provide a comprehensive analysis of these interconnected issues, culminating in a summary of key findings and offering potential recommendations to address the challenges identified.

2. Defining and Contextualizing Corruption in El Salvador

Corruption in El Salvador is a deeply entrenched problem that erodes the principles of democracy and the rule of law, while simultaneously stifling economic advancement¹. It manifests in numerous forms, including embezzlement, money laundering, illicit enrichment, and the abuse of public office for personal gain¹. The historical trajectory of El Salvador reveals a concerning pattern of widespread corruption, with allegations and convictions reaching the highest levels of government, impacting nearly all former presidential administrations³. This legacy of corruption has profoundly affected Salvadoran society, breeding distrust in public institutions, exacerbating existing inequalities, and diverting crucial resources intended for social welfare programs².

The severity of corruption in El Salvador is further underscored by its performance in the Corruption Perceptions Index (CPI), which measures the perceived levels of public sector corruption in different countries. Data from Transparency International reveals a concerning downward trend in El Salvador's CPI score in recent years. As illustrated in the table below, the country's score has declined from 36 out of 100 in 2021 to 31 in 2023 and further to 30 in 2024⁴. This regression indicates a worsening perception of corruption within El Salvador's public sector, placing it among the more corrupt nations in Latin America³. The World Bank has noted that corruption in El Salvador has reduced economic growth by an estimated 2% annually, deterring foreign investment and undermining confidence in the nation's political and economic systems³. This economic stagnation can perpetuate social problems and create further opportunities for illicit activities. The declining CPI scores and the detrimental impact on economic growth highlight the urgent need to address corruption as a fundamental obstacle to

El Salvador's progress.

Table: Corruption Perceptions Index (CPI) Scores for El Salvador

| Year | Rank | Score |
|-------------|-------------|--------------|
| 2012 | 83 | 38 |
| 2013 | 83 | 38 |
| 2014 | 80 | 39 |
| 2015 | 72 | 39 |
| 2016 | 95 | 36 |
| 2017 | 112 | 33 |
| 2018 | 105 | 35 |
| 2019 | 113 | 34 |
| 2020 | 104 | 36 |
| 2021 | 115 | 34 |
| 2022 | 116 | 33 |
| 2023 | 126 | 31 |
| 2024 | 130 | 30 |

Source: *Transparency International* ⁴

3. Prevalence and Forms of Corruption

Corruption in El Salvador permeates various levels and branches of government, manifesting in diverse forms that undermine public trust and hinder national development.

3.1 Government Corruption

Government corruption in El Salvador has a long and troubling history, marked by numerous high-profile cases involving former presidents. Francisco Flores Pérez (1999–2004) was arrested in 2014 on charges of misappropriating US\$15 million during his presidency and was later implicated in the Pandora Papers for using offshore companies to hide funds⁴. Mauricio Funes (2009–2014) was found guilty of illegal enrichment and accused of embezzling US\$351 million, facing further charges for money laundering⁴. Antonio Saca (2004–2009) was sentenced to ten years imprisonment for embezzling and laundering US\$300 million in public funds and later received an additional sentence for attempted bribery³. Salvador Sánchez Cerén (2014–2019) is also facing charges for embezzlement, money laundering, and illicit enrichment and remains in exile⁴. Even Alfredo Cristiani (1989–1994) was named in the Pandora Papers for using offshore companies, leading to the seizure of his properties as part of a "war against corruption"⁴. These recurring instances underscore a systemic weakness in the mechanisms designed to prevent and prosecute corruption at the highest echelons of power.

The issue of government corruption extends to the current administration. In May 2021, the United States identified five members of President Nayib Bukele's government as being involved in corrupt activities⁴. Furthermore, allegations of corruption have surfaced concerning the Bukele government's handling of purchases during the COVID-19 pandemic⁶. Investigations into these allegations were reportedly left unfinished following the expulsion of the International Commission against Impunity in El Salvador (CICIES)⁶. The lack of transparency surrounding government spending remains a significant concern, including the state's substantial investment in Bitcoin, with authorities withholding information despite widespread allegations and indications of corruption¹. This opacity in financial matters creates an environment conducive to illicit activities and hinders public scrutiny. Additionally, politically motivated corruption charges have been used against members of opposition parties, raising concerns about the weaponization of anti-corruption efforts for political gain¹. The ability of the government to manage public funds without adhering to relevant laws, particularly under the state of exception through "express purchases," further exacerbates the risk of corruption by circumventing standard procurement procedures¹. The US government has also imposed sanctions on several Salvadoran officials, including members of President Bukele's administration, for their involvement in corruption schemes and negotiations with gangs⁶. The expulsion of CICIES, an OAS-supported anti-corruption agency, in 2021 signaled a setback for independent anti-corruption efforts in the country¹.

3.2 Judicial and Law Enforcement Corruption

The integrity of the judicial and law enforcement systems in El Salvador is also compromised by corruption. Judicial independence has been undermined by actions such as the dismissal and transfer of judges and prosecutors, particularly those perceived as critical of the government¹. The appointment of individuals with close ties to the ruling party to key oversight positions, such as the Court of Accounts, further raises concerns about impartiality¹. El Salvador's criminal justice system ranks poorly in terms of efficiency, transparency, and independence, according to the World Justice Project⁶. Under the state of exception, the focus on mass arrests and gang persecution has potentially diverted attention and resources from investigating and prosecuting corruption cases⁶.

Credible reports of police misconduct, abuse, and even involvement in extrajudicial killings and disappearances are also concerning ¹. While a survey in 2023 indicated a relatively low percentage of respondents reporting bribery in interactions with police officers and government employees ²⁸, the overall perception of increased corruption in public institutions remains high ⁶. This discrepancy might suggest that larger-scale corruption within law enforcement and the judiciary goes unreported or unaddressed. Emblematic of this is the case of Carlos Alberto Ortiz, a former president of Banco Hipotecario, a state-owned bank, who engaged in significant corruption by laundering \$97 million in exchange for bribes, highlighting the intersection of corruption with financial institutions ⁵. The concentration of power within the executive branch and the weakening of independent oversight bodies create an environment where corruption within the judicial and law enforcement sectors can persist with limited accountability.

3.3 Lack of Transparency and Accountability

A significant factor contributing to the prevalence of corruption in El Salvador is the persistent lack of transparency and accountability within government institutions. Authorities have actively restricted the right to access public information, impeding the ability of civil society organizations and journalists to scrutinize government actions and expose corrupt actors ¹. National organizations report that a substantial majority of requests for information on the management of public funds are denied, hindering efforts to ensure fiscal responsibility ⁶. The dismantling of key anti-corruption bodies, such as CICLES, further weakens the accountability framework ¹. Significant changes in the public procurement system have also been implemented, lacking transparency and potentially leading to discretionary spending of public funds without adequate oversight ¹. Even the asset declarations of public officials, which are crucial for detecting illicit enrichment, have been classified as confidential, limiting the possibility of holding government employees accountable for unexplained wealth ²². This deliberate obstruction of transparency mechanisms fosters an environment where corruption can thrive with minimal risk of detection or consequence. The absence of readily available public data, such as a register of commerce or financial disclosures of officials, further compounds this issue ²⁹.

4. The Salvadoran Prison System: An Overview

The Salvadoran prison system has undergone a dramatic transformation in recent years, largely due to the government's aggressive crackdown on gangs under the state of exception, which began in March 2022. This has resulted in a massive surge in the incarcerated population, with reports indicating that El Salvador now has the highest incarceration rate globally ³⁰. By March 2024, the number of people behind bars had reached approximately 110,000, more than double the figure reported in April 2021 ⁷. This drastic increase has placed immense strain on the country's prison infrastructure, leading to severe overcrowding and harsh, life-threatening conditions ⁷.

Reports from human rights organizations detail a lack of basic necessities such as clean water, sanitary services, and sufficient food in prisons ⁷. Allegations of abuse, torture, and lack of adequate medical attention are also widespread ⁷. The state of exception has also led to the suspension of basic rights and due process guarantees for those arrested, raising concerns about arbitrary detentions and unfair judicial procedures ¹. The sheer scale of the prison population and the challenging conditions within the facilities create a complex environment that

could be vulnerable to mismanagement and potentially corrupt practices.

5. The Terrorism Confinement Center (CECOT): A Case Study

In response to the escalating number of arrests under the state of exception, the Salvadoran government constructed the Terrorism Confinement Center (Centro de Confinamiento del Terrorismo, CECOT), a mega-prison with an unprecedented capacity of 40,000 inmates⁷. Located in an isolated rural region of Tecoluca, approximately 72 kilometers east of the capital, San Salvador, CECOT was opened in January 2023 as the cornerstone of President Bukele's aggressive anti-gang strategy⁷.

5.1 Construction and Funding

The construction of CECOT was a significant undertaking, with President Bukele disclosing that the land purchase, construction, and equipment cost \$115 million³⁷. While the identity of the construction company was initially undisclosed, it was later revealed that the contract was awarded to two Salvadoran firms, OMNI and DISA, and a Mexican firm, Contratista General de América Latina S.A. de C.V.¹⁸. The facility spans a vast 410 acres, with the prison complex itself covering approximately 57 acres¹⁸. CECOT is designed as a maximum-security prison, intentionally built in an isolated area away from urban centers to prevent contact with the outside world⁸. It boasts extensive security measures, including constant video surveillance, a fully-stocked armory, and a high-voltage perimeter fence¹⁸. The rapid construction of such a large-scale facility with initial secrecy surrounding the contracting process raises questions about transparency and potential vulnerabilities to corruption in the allocation of contracts and management of funds.

5.2 Operational Aspects and the US Agreement

Conditions within CECOT are reported to be extremely harsh. Prisoners are housed in eight expansive pavilions, with cells designed to hold 65 to 70 inmates, though occasionally accommodating over 100⁷. Inmates face severe restrictions, including no visits, no participation in rehabilitation or educational programs, and no outdoor time⁷.

In a notable development, the Trump administration in the United States reached an agreement with El Salvador to house approximately 300 alleged gang members at CECOT for a fee of \$6 million for one year⁷. This arrangement translates to a cost of roughly \$20,000 per prisoner per year¹². President Bukele described this fee as "relatively low for the US but significant for us, making our entire prison system sustainable"⁸. While the initial agreement is for one year, there is the possibility of extension¹⁰. This agreement has been met with controversy and legal challenges in the US, particularly concerning the deportation of individuals, including US citizens, to serve sentences in El Salvadoran prisons, raising constitutional and human rights concerns⁸. The financial implications of this agreement, while potentially beneficial for El Salvador's prison system, also introduce a dynamic where the management and operation of CECOT could be influenced by the need to maintain this revenue stream.

5.3 Potential for Corruption within the Prison System

The prevailing lack of transparency and accountability within the Salvadoran government raises concerns about the potential for corruption to extend to the management and operation of

CECOT⁷. The significant funds involved in the US agreement, as well as the overall budget for the prison system, could be susceptible to mismanagement, particularly given the restrictions on access to public information⁶. The weakened procurement laws under the state of exception also increase the risk of corruption in the acquisition of goods and services for the prison²².

Furthermore, the exploitation of prison labor is a potential area of concern¹⁵. While CECOT reportedly has a prison factory where inmates work¹⁸, the broader context of prison labor in El Salvador and the limited oversight could create opportunities for unethical practices or even corruption in the management of these labor programs and the distribution of any benefits. Oversight mechanisms for prisons in El Salvador are generally limited, and international human rights bodies have faced restrictions in accessing these facilities⁷. This lack of independent scrutiny further increases the vulnerability of the prison system, including CECOT, to potential corruption and human rights abuses. The financial incentives from the US agreement, coupled with the limited oversight, could inadvertently prioritize the housing of foreign prisoners for revenue generation, potentially at the expense of the rights and well-being of all inmates.

6. International Perspectives and Efforts to Combat Corruption

International organizations play a crucial role in monitoring and reporting on corruption in El Salvador. Transparency International's consistent reporting on the country's declining Corruption Perceptions Index highlights the ongoing challenges¹. Human rights organizations have also raised significant concerns regarding the human rights situation within Salvadoran prisons, particularly in the context of the state of exception and the conditions in facilities like CECOT¹. These international perspectives bring crucial attention to the issues of corruption and human rights in El Salvador, potentially influencing international policy and aid.

The United States has taken direct action against corruption in El Salvador by imposing sanctions on several Salvadoran officials for their involvement in illicit activities⁴. This demonstrates international concern and a willingness to hold individuals accountable for corruption. However, the expulsion of CICIES, an international anti-corruption commission, in 2021 marked a setback for collaborative efforts to combat corruption within El Salvador¹. Despite this, El Salvador remains a participant in the United Nations Convention against Corruption (UNCAC), indicating a formal commitment to international anti-corruption standards¹. The ongoing scrutiny from international bodies and the actions taken by individual nations like the US underscore the global concern surrounding corruption and human rights in El Salvador.

7. Conclusion and Recommendations

The analysis presented in this report reveals that corruption is a pervasive and deeply rooted problem in El Salvador, manifesting across various branches of government and undermining democratic institutions and economic progress. The historical prevalence of presidential corruption, coupled with ongoing allegations against the current administration and the weakening of transparency and accountability mechanisms, paints a concerning picture. The judicial and law enforcement systems are also vulnerable, with concerns about a lack of independence and reports of misconduct. The Salvadoran prison system, particularly the mega-prison CECOT, operates in a context of significant overcrowding, harsh conditions, and limited oversight, all of which create potential avenues for mismanagement and corruption. The recent agreement with the US to house prisoners at CECOT, while providing financial benefits,

also introduces new dynamics that could be susceptible to illicit practices if robust oversight is not in place.

To address these critical issues, the following recommendations are proposed:

- **Strengthen Judicial Independence and Oversight:** Implement reforms to guarantee the independence of the judiciary and bolster the capacity of oversight institutions like the Court of Accounts to effectively scrutinize government actions and finances.
- **Enhance Transparency and Access to Information:** Ensure unrestricted access to public information by repealing laws and practices that hinder transparency in government spending, procurement processes, and asset declarations of public officials.
- **Re-engage with International Anti-Corruption Efforts:** Re-establish cooperation with international anti-corruption bodies like the OAS to benefit from their expertise and support in strengthening domestic anti-corruption measures.
- **Improve Prison Oversight and Accountability:** Enhance oversight mechanisms within the prison system, including CECOT, by allowing regular and unrestricted access for international human rights monitors and ensuring independent investigations into allegations of abuse and corruption.
- **Ensure Human Rights in Prisoner Transfer Agreements:** Any agreements involving the transfer of prisoners to or from El Salvador must adhere strictly to international human rights standards and be subject to transparent and independent oversight to prevent abuses and ensure humane treatment.
- **Promote Ethical Conduct and Compliance:** Implement comprehensive programs to promote a culture of ethics and compliance within both the public and private sectors, fostering a greater commitment to transparency and accountability at all levels.

Addressing the deep-seated issue of corruption in El Salvador requires a concerted and sustained effort involving governmental reforms, strengthened institutions, and active engagement with international partners. Without significant progress in these areas, corruption will continue to undermine the country's development and perpetuate a cycle of impunity.

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