



Femicide and other forms of violence against women, context and realities

EDITORIAL

By Katherine Ronderos, Women's Rights Programme Officer, CAWN

There are challenging times ahead for work on women's rights in Central America. With the continuing persecution of women's activists in Nicaragua, the elections in El Salvador and the first ever trial on femicide in Guatemala, there is now, more than ever, a bigger need for lobbying and campaigning for the implementation of international commitments and governmental responsibilities to tackle violence against women. CAWN continues concentrating its efforts to research, publish and campaign on the work of Central American women's organisations for the promotion and defence of women's rights, as well as supporting initiatives to influence policy and decision-makers for better and more sustainable services, policies and institutions for women.

This newsletter analyses the specific form of violence against women, a phenomenon known as 'femicide' (*femicidio* or *feminicidio* in Spanish): the violent killing of women. These articles have been written by women's activists from four different countries: Guatemala, Honduras, El Salvador and Mexico, who have been campaigning for the creation and implementation of femicide laws and institutions in the region.

In a context of state impunity, it is extremely important to support the responses of feminists and women's organisations in the region, who are carrying out research and documenting cases of femicide and violence against women in a global context.

To support this work CAWN is organising a seminar on 'Femicides in Central America' to be held in London in May 2009. Participants will have the opportunity to learn about and explore the nature of femicide in Central America with experts on this subject from the region who will analyse the phenomenon from a gender perspective and discuss the forms and extreme nature of gender-based violence, discrimination and poverty. Further information will be available from our website.

With the success of our latest research report 'The Response of International Aid Agencies to Violence against Women in Central America the case of Honduras' (November 2008), CAWN has contributed to international initiatives pressing for more and sustainable funding for women's organisations, as a key tool for successful development and poverty eradication programmes.

CAWN's research report raised important conclusions and recommendations that include a multi-sectorial approach for future work on the global problem of violence against women. The research also produced a critical analysis of the international aid effectiveness environment, highlighting how the principles of the Paris Declaration do not directly address nor incorporate international commitments and responsibilities to tackle violence against women. In this time of global economic crisis it is critical to ensure that women's organisations continue to receive funding for their work, as research indicates and experience has shown that during times of economic downturn discrimination and violence against women increases. A free copy of this research is available from our website [www.cawn.org](http://www.cawn.org)



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## FEMICIDE AND OTHER FORMS OF VIOLENCE AGAINST WOMEN, CONTEXT AND REALITIES

by Centro de Estudios de la Mujer Honduras (CEMH)



Femicide is a fatal form of extreme violence against women of all ages and is derived from unequal power relations between men and women. It takes place within the family and the community and is both tolerated and perpetrated by the state. The murders and manslaughters of women in Honduras, which have been on the rise over the last five years, share some of the following characteristics:

**Savagery:** mutilation, dismembering, the use of multiple forms of violence or repetition of one form of violence, marks on the body.

**Evidence of rape or sexual abuse:** the victim's nakedness and the position of the body.

**Political significance of the murders:** messages left nearby or on the body itself.

**Deliberate destruction of identity:** damage to the face by burns or other means.

**Massacres:** the murder of a woman and her children (generally in the family home).

**Ritualisation of the crime scene:** the positioning of the bodies, the manoeuvring of the bodies post-mortem.

There were 725 women and young girls victims of femicide in Honduras from 2003 to 24<sup>th</sup> September 2007, according to information from the Documentation Centre (CEDOC) - CEM-H database combined with data from the General Division for Criminal Investigation (DGIC). Of these 35 per cent were between the age of 11 and 25 years old and 21 per cent were between 26 and 35 years old, which indicates that younger women are more affected by femicide in Honduras.

The provinces where most femicides have been committed against women are Cortés and Francisco Morazán, where 30 per cent and 27 per cent of femicides took place respectively. In these regions 93 per cent of the violent murders occurred in the more densely populated cities of Comayagua, Tegucigalpa y San Pedro Sula. While in 2005, only 4 per cent of femicides were committed in Comayagua, this figure had risen to 8 per cent by 2006.

Firearms continue to be the most commonly used weapon in these types of crimes and was used in 46 per cent of the 725 femicides.

To this day, there have been no legislative reforms regarding arms possession in Honduras. The Law which currently remains in force allows each person to carry up to five firearms despite the fact that the women's movement has persistently and consistently called upon the government to carry out a general disarmament.

Femicide occurs when the security or police forces have no presence or they fail to intervene because they are involved in the criminal networks which often operate in poorer areas. In these more deprived neighbourhoods, gangs begin to gain control and many young men escape unemployment by opting to work as private security guards, which often results in their possession of guns in the family home.

In many cases the murder of a woman is the consequence of the settling of accounts between men or gangs in a dispute or gang warfare.

On the other hand femicide also results from the control and power that men are able to assert on their partners, which they cannot exercise elsewhere. The weakness of the State's Institutions facilitates the prevailing impunity for femicide. The Forensic Medical Team of the Public Ministry, for example, lacks the vehicles, staff and necessary equipment to obtain evidence. Moreover, the institutional weakness of the general directorate of Criminal Investigation and the Supreme Court of Justice prevents the real culprits of these horrendous crimes from being found. These weaknesses translate into state impunity which encourages femicide, rather than acting to prevent it.

Member organisations of the Collective Against Violence (Colectivo Contra la Violencia) called upon the President of the Republic Manuel Zelaya Rosales and the Deputies of the National Congress, who are responsible for allocating public resources, to take action to prevent violence against women and to extend the coverage of special units to investigate violent deaths in Honduras. As a result of these actions more resources have been allocated for the Special Attorney for women, Forensic Medicine, and the creation of nine Units for the investigation of violent killing of women as part of the general directorate of Criminal Investigation.

The Collective Against Violence is now demanding that the Government of the Republic formulate and implement a policy of Integral Citizen Security in which women are included and give the necessary support to the National Commission for Internal Security (CONASIN) so that it can exercise its role of overseeing and supervising the application of an inclusive and integral policy of citizen security.



## THE SPIRALLING ASSASSINATION OF WOMEN

by Walda Barrios-Klee, president of the National Union of Guatemalan Women



This article reflects on the dramatic and violent situation which women face in the Central America region, particularly in Guatemala, which exemplifies the contempt for women. Mexico and El Salvador share first and second place in the rate of femicides in Latin America, followed by Guatemala. Despite the fact that the Guatemalan Congress passed the Law against Femicide and other Forms of Violence against Women in April 2008 (legislative decree no. 22-2008), which punishes the murder of women with a sentence of between 25 and 50 years in prison, the murder rate has not reduced. Guatemala has the third highest murder rate of women in Latin America. Only 2 per cent of the cases are resolved, leaving a 98 per cent impunity rate, as Carlos Castresana, chief of the International Commission against Impunity in Guatemala (CICIG), asserted in his report which he presented at the Latin American Conference 'No al Femicidio' ('No to Femicide'). Castresana highlights that in Guatemala there has been a rise in these crimes; in 2003 the figures increased by 416; in 2004 by 497 and in the last three years by approximately 600.<sup>(1)</sup>

CICIG's statistics regarding crimes against women committed in the last four years in Guatemala:

Recorded cases:	1,840
Victims:	1,985
Accusations:	92
Court cases:	47
Sentences:	43
Absolutions:	13

80 per cent of the crimes were committed by gun fire.

The anthropologist Rita Segato, an Argentine professor of the department of Anthropology in the University of Brasilia and director of AGENDE (Acoes em Genero, Cidadania e Desenvolvimento; Actions in Gender, citizenship and development) Brazil, in her publication *The writing on the bodies of the murdered women in Ciudad Juárez*<sup>(2)</sup>, differentiates between instrumental violence, which has some utility, and expressive violence which constitutes a form of communication. The latter form of violence is set up as a language which is used to justify the crime. As such, the murders become 'signed actions' which aim to relay a message. Only if the crime's 'expressiveness' is understood, will it be possible to recognise the structure behind the phenomenon and develop strategies to stop the murders.

These crimes respond to the creation of gang-like fraternities whose members seal their pacts of silence and loyalty when, in a dreadful communion, their hands are stained with the blood of a woman. In these rituals, the sacrificial victim is chosen for no other reason than her female anatomy. 'Far from being the cause of the crime, impunity is its consequence because the fraternity seals, in complicity, its oath of loyalty and silence with the desecrated body. The aim of the crime is a way for the members of the fraternity to prove their worthiness to enter or remain part of the gang or brotherhood.'

The author argues that female bodies have always been considered 'territories'; femicide is a crime committed against the body of a woman, on the stage of a combat between men, resulting from the

antagonism between men.

When a man loses his status, he tends to disintegrate and weaken. In order to regain his masculinity, he needs to show his contempt for the female body.

### On the terminology debate

It has been claimed that the term **femicidio** stems from the English word **femicide**<sup>(3)</sup> and refers to murders committed by men against women and perpetrated because of hatred of women. Meanwhile, the concept **feminicidio (feminicide)** expands on the first term since feminicidio only exists where there is also impunity. Marcela Lagarde, a Mexican feminist and anthropologist, introduced this debate claiming that she coined the expression **feminicidio** "with the aim to differentiate the term which only refers to the homicide of women from those homicides which are also treated with impunity."<sup>(4)</sup>

In Costa Rica, Ana Carcedo y Monserrat Sagot use the term **femicidio**<sup>(5)</sup> as does Ana Leticia Aguilar in Guatemala.

It is important to bear in mind the subtle differences of the discussion since, from a feminist perspective, emphasis has been placed on the ideological weight of the words and language.

In the context of the 3rd American Social Forum, held in the city of Guatemala in October 2008, Rita Segato wrote some *notes*<sup>(6)</sup> to direct the debate on **feminicidio**, where she explains: "we must point out that we are actively looking for words and ways to improve the categories so as to conceptually define the phenomenon.

1. The United Nations Assembly (ONU), endorsed CICIG's work in Guatemala, a document approved by 55 American and European countries. The Secretary-General Ban Kim-moon stated: 'By setting the CICIG, we are participating in an innovative endeavor to dismantle criminal groups whose actions have threatened to erode the achievements in the peace process which have been so difficult to attain. Prensa Libre, Guatemala, Saturday 15 November, p. 10.

2. *La escritura en el cuerpo de las mujeres asesinadas en Ciudad Juárez*, Claustro de Sor Juana University, Collection Voices, México, 2006.

3. Radford, Jill y Diana E. Russell: *Femicide. The Politics of Women Killing*, Twayne Publishers, New York, 1992

4. Marcela Lagarde, Lecture in the Congress of the Republic of Guatemala, 20 September, 2004.

5. Femicidio in Costa Rica: mortal outcome. In the *Journal of Legal Medicine in Costa Rica*. Vol. 19, No. 1 Heredia, March, 2002.

6. Notes distributed among the group of people who would reflect upon **feminicidio**: Isabel Vericat, Ruth Polanco, Delia Montejo, Silvia Otero, Vivian Silvero, and myself. They summarised the discussions of the Seminar in El Salvador (April, 2008).

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Naming it adequately will have positive consequences in the legal scope, the struggle to eradicate the problem and also on the level of police investigation”.

### Two types of gender murders

When talking about any type of female homicide, one must be clear that the horizon of gender relations is one of power and subordination. Power is always usurped and then recycled through the use of physical or emotional strength.

In her *notes*, Rita Segato posits that gender domination establishes the first form of inequality; the first form of the withdrawal of appreciation, through the extraction of value when women pay tribute to men with domestic labour, through sexual 'duties', through intellectual subordination and political obedience. This is the first form of 'colonisation' because the female body is represented as a territory, which can be conquered and fought over. On other hand, it is essential to classify each type of lethal aggression, its particular characteristics and its causes. It is important to characterise and understand the logic of each aggression so as to establish effective strategies that will identify and capture the perpetrators in each case. However, we have noticed a contrary tendency in the authorities and the mass media. Those in power have demonstrated, time and time again, their indifference and lack of will to distinguish between different types of crimes.

In Ciudad Juarez, for example, it is suggested that the murders are perpetrated by jealous husbands or serial murderers who roam the streets. While in Guatemala and El Salvador, the media and authorities claim that gangs are responsible for the crimes. Elsewhere, the authorities, supported by the media, give two explanations for these crimes.

The first is the husbands' defence of their honour; the second is the cruelty of the gangs. Both explanations are offered as unavoidable and natural phenomena. For this reason, it is necessary to classify the crimes, to explain each type, situating it in its context and to analyse the mode of attack on the female body. (7)

Rita Segato identifies two types of lethal aggression against women or *feminicidios*, both part of the structure of gender relations but with different socio-historical characteristics. The first are 'personalised' attacks, which occur in interpersonal relationships such as family and couple relations; in some cases they are called honour killings. In these cases, the aggression takes place in a situation where the people involved already know each other. Murders committed by serial killers based on the gender of the victim are less common. The second type of attacks can be called **impersonal crimes** and are directed towards a woman exclusively because of her gender, they occur where there are no interpersonal relations between aggressors and victims and are not attributable to biographical or specifically individual factors.

Segato poses that these are crimes whose motives are rooted in the "corporate" interests of the aggressors and their aims are: a) to consolidate a collective agreement; b) to clearly mark out dominance over a territory, the control of a scope of action or a business deal on behalf of that collective; and c) to intimidate and terrorise the community.

7. In the Panel of the 3rd Social American Forum, Silvia Otero and Vivian Silvero, said "we hear what her body is telling us, we do not see what her body is showing", referring to the bodies of murdered women.

Thus, besides being **corporate crimes**, they are crimes of territorial control or **jurisdictional crimes** (territory is understood as the contemporary form of territoriality that implies linking through a network, political influence and having a monopoly over access to resources which grows according to the expansion of people caught up in the network).

Its aim is expressive and communicative yet not instrumental or utilitarian. According to Segato, this type of crime fits the category of *feminicidio*. This crime implies the deprivation of freedom and torture by sexual or other means; hence, it inflicts more pain than necessary to kill the victim. Often, the body is mutilated to such an extent that it draws significant attention and can even attain the characteristics of exhibitionism. It is a novelty in the historical view of gender and war crimes, as Rita Segato points out, throughout history from tribal to modern wars the occupation of the enemy's territory always went hand in hand with taking women's bodies (in semantic affinity with the idea of territory) and inseminating them by individual or collective rape. However, the destruction of women's bodies through torture, in numbers that indicate the systematic characteristic of this practice, can only be considered an invention of contemporary wars.



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### Other forms of contempt for women's lives

In the case of Nicaragua, Maria Teresa Blandón Gadea, demonstrates how members of the Sandinista Front (FSLN) the Liberal Constitutional Party (PLC) and the Nicaraguan Liberal Alliance (ALN) in conspiracy with the hierarchy of the Catholic Church decided to make therapeutic abortion illegal in the context of the 2006 national elections. [editor's note: these are abortions on medical grounds when the mother's life is put in danger because of the pregnancy]

None of the scientific arguments put forward by 18 Medical Societies in Nicaragua, the Nursing College, two medical faculties of the universities of Managua and Leon and of the International Scientific Societies of Gynaecology were taken into consideration. Nor did they consider arguments stemming from the human rights perspective put forward by women's organisations and networks at national and international level. Even the international community was ignored when they called upon the Nicaraguan authorities to take responsible decisions regarding the lives of women.

Due to the ratification of Law 603, there was a 100 per cent increase in female fatalities (MINSIA 2007); 80 per cent of these were young women direct victims of fanaticism, abuse of power and political opportunism.

The political class and the government of Daniel Ortega opted to penalise therapeutic abortion, which resulted in an increase in maternal mortality by 1.6 to 9.2 for every 100,000 births (Source OPS); an increase of 50 per cent in infant mortality (source: OPS); a rise in clandestine abortions under unsafe conditions and an increase in the costs of hospital care due to abortion complications.

Despite the fact that maternal mortality is avoidable, the rates are not decreasing, therefore, the State is obliged to explain why this is happening. Chronic malnutrition, violence against women, the lack of sex education and access to family planning, the poverty and discrimination that thousands of women experience in Nicaragua, require a greater commitment from the State to widen access and improve the quality of sexual and reproductive health services.

The women's movement and the Strategic Group for the legalisation of therapeutic abortion continue to call upon the Nicaraguan State to re-legalise therapeutic abortion bringing the law in line with the recognised rights in the Political Constitution of the Republic which stipulates the rights of Nicaraguans to life, liberty, health, voluntary maternity and protection, to form a family and to live a life free from all violence.

### In conclusion

These reflections were made possible thanks to the opportunity presented by three consecutive spaces for discussion. The first of these occasions was the workshop on Gender Violence and Femicide promoted by the Association of Research and Specialisation on Spanish-American Issues (AIETI) that took place in the Casa Encendida in Madrid in March 2008<sup>(8)</sup>. This was followed by the 2nd Seminar on Violence against Women and Femicide that took place in San Salvador in April 2008. It was organized by the El Salvador members of the Feminist Network against Violence against Women (made up of the Organisation of Salvadorian Women (ORMUSA), Las Dignas y Las Melidas), who called upon women from Central America, Mexico, United States, Brazil and Spain to discuss and reflect on specific cases and theoretical models to attempt to explain violence against women. The third space for discussion was the Panel on femicide during the 3rd Social Forum of the Americas.

In each of these spaces, we were able to get to know one another, to dialogue, exchange experiences and build on our knowledge in order to continue to fight for a society free from violence and with gender equity.

The joint effort of the three organisations which fight for democracy with gender equality and analyse the reality of violence against women from a regional perspective, should also be acknowledged and valued.



8. Organised by Mercedes Ruiz-Gimenez, Tatiana Retamozo and Maria Reina. Glenda Vaquerano Cruz, from the Organization of Salvadorian Women For Peace (ORMUSA) participated as a representative for El Salvador.

## SITUATION OF LEGISLATION IN MEXICO ON VIOLENCE AGAINST WOMEN

by Maria Guadalupe Ponce, coordinator for CLADEM (Latin American and Caribbean Committee for the Defence of Women's Rights) Jalisco Mexico



In Mexico in recent years there have been important advances with respect to the Legal framework: legislation and national plans to address violence against women. On 1<sup>st</sup> february 2007 the *General Access Law to a Life free from Violence for Women (Ley General de Acceso de las mujeres a una vida libre de violencia)* was passed. Undoubtedly, this law is a big step forward as it establishes the basis for coordination between the Federal government, the federal states and local councils in order to prevent, sanction and eradicate violence against women.

It also establishes a set of codes and principles to guarantee women's access to a life free from violence, in line with principles of equality and non-discrimination. The General Law seeks to guarantee processes to incorporate a gender perspective, thus influencing the democracy and integral, sustainable development established in the Political Constitution of the United States of Mexico. It will bring our legal system in line with international legal instruments and it typifies and defines different forms of violence against women, including the surroundings where violence occurs: inter-family violence, violence in the community, institutional violence, femicide and violence in the work place.

Furthermore, it also lists the types of violence against women: psychological violence, physical violence, economic violence and sexual violence and any other form of violence which injures or can harm the dignity, integrity or freedom of women. These are just some of the most important components which form part of the legal framework of the *General Access Law to a life free from Violence for Women*.

Based on this information alone, which demonstrates Mexico's progress in adhering to the Belém do Pará Convention, we could argue that it is an exemplary Latin American State. However, although the law is an important step forward in the recognition and protection of the human rights of women, the challenge continues to be the harmonisation and implementation of the law at state and local levels. At these levels, the State has failed to function due to the disparity between the different laws: State laws, local laws and other types of law: criminal code, civil law etc., as well as the different interpretations of laws by the officials in the legal system.

Another of the principal aspects outlined in the General Access Law, to facilitate meeting its objectives, is its harmonisation with local legislation by way of local reforms as well as the local regulation of the law.

The General Law established July 2007 as the deadline to complete these reforms. However, one year after this legal deadline, only 21 out of 31 States and the Federal District have created their own 'Access Law' and of those 21, only Aguascalientes, San Luís Potosí and Yucatán have issued the corresponding regulation. Some States have not even approved the General Access Law, as is the case of Michoacán, where representatives of the local Congress do not consider the approval of the law as 'urgent'. In Guanajuato, for example, the governor and deputies have publicly declared their unwillingness to pass the law, stating that 'the unity of the family is paramount, even at the cost of women'.

Even when there is a General Access law and State Access laws to a life free from violence for women, they need to be regulated; this act determines the scope, assigns responsibilities to each government organ and institution, and provides the necessary resources to activate the law. But without regulation the laws are dead letters; not only do they prevent access to justice and the protection of human rights of women, they also cast doubt over the commitment of the State to human rights at an international level.

Moreover, not all of the 21 Access Laws are in line with the framework established by the General Access Law. An analysis by the National Citizen Observatory of Femicide (*Observatorio Ciudadano Nacional del Femicidio*) found that some laws failed to mention femicide and others were lacking definitions of the basic concepts related to violence, as is the case of 'harassment' and 'sexual harassment'. In some State legislation the concepts of 'harassment' and 'sexual harassment' are used indiscriminately; in some, the terms are included but are not defined; and in others they are included but are not in keeping with the General Access Law. These disparities indicate legal inequality between women in the same country. If we embark on a more detailed analysis, we find that the inequalities grow. For example, in Jalisco, 're-offending' was established as the appropriate requirement for inter-family violence to be defined and recorded as a criminal offence.

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This put women at risk of death, as unfortunately occurred in some cases documented by The Latin American and Caribbean Committee for the Defence of Women's Rights (CLADEM). Fortunately, in 2008 this criterion for prosecution was eliminated when the 'Access Law to a Life Free from Violence for Women' was approved in Jalisco.

The Law for the Prevention and Punishment of the Trafficking in People, which was published in the Federation's official newspaper in April 2007, is another worrying example since it did not take into account various contributions from civil society, such as the creation of the National Programme for the prevention and punishment of trafficking in people. The law should include mechanisms for the participation of civil society in public policies and the protection of victims. Instead, an Intersecretarial Commission was created which established that civil society organisations, academics and experts can participate as consultants, but only when invited to do. Moreover, the Commission considers that the correct legal interpretation is to 'respect the free development of the victims' personality' when it should prioritise 'the livelihood, integrity, security and freedom of the people'. One of the most worrying aspects of this Law is that when consent is given by the victim, Trafficking in People is not classed as a crime, while all international treaties stipulate the contrary. These are just some of the examples of the discordance between the laws in Mexico, which should adhere to the established frameworks of international human rights instruments, particularly the Belém do Pará Convention.

Finally, I want to refer to the creation of the Public Prosecutor's Office for the Attention of Violent Crimes against Women and Trafficking in People (FEVIMTRA) which I believe is a great deception by the Mexican State. FEVIMTRA was created in 2006 to tackle violence against women in Mexico and since 2007 it has had the capacity to persecute and record offences of Trafficking in People.

This is correct and in this sense we would be forced to say that the State is fulfilling its functions. However, the Mexican State failed to mention that this Public Prosecutors Office is part of the Attorney General's Office and therefore only federal offences come under its jurisdiction. The federal penal codes do not typify violent crimes against women and as a result, between its creation in 2006 and June 2008 only 167 prior inquiries were initiated. Of these 167 inquiries, 74 have been deemed as incompetent and only 6 have been recorded. There are 88 inquiries that are currently being processed, 11 of which were initiated in 2006, 30 in 2007 and 47 in 2008. Throughout this year, only one inquiry was recorded and it was decided that 31 did not come under the jurisdiction of the Attorney General.

There are similar difficulties regarding Trafficking in People since FEVIMTRA is unable to deal with offences committed by organised crime. This makes little sense as in the majority of cases of trafficking in people is committed by organised criminals. Therefore, this Public Prosecutor's office is not able to recognise the majority of the offences. The creation of a limited Public Prosecutor's Office for the Attention of Violent Crimes against Women and Trafficking in People, without jurisdiction or crimes to persecute is a great deception of the Mexican State.

This combination of situations regarding the Legal Framework: legislation and national plans in Mexico, has generated high levels of concern and attention by civil society in my country.

While the Mexican State has ratified the majority of Human Rights Conventions and always presents itself as prepared to fulfil these obligations before the international community, civil society organisations work determinedly to demonstrate the lack of existing mechanisms to guarantee the right to a life free from violence and to identify new ways of pressuring the government to fulfil its obligations.

**It is not just about passing laws**, but that these laws are in accordance with international standards of human rights.

**It is not just about passing laws that are harmonised** at all levels of the legal system, since women's rights are only guaranteed when the laws are interpreted and applied in the search for justice.

**It is not just about creating special Public and Prosecution Offices** and limited organs without any real powers of jurisdiction. It is about creating institutions which allow full access to justice for women.

If these conditions are not fulfilled: the creation of federal, State and local laws which are harmonised and regulated, the creation of administrative institutions and the search for justice which will allow real access to justice for women; women will continue to be defenceless and live in serious states of vulnerability; provoked by a State which permits the violation of their rights and generates impunity.

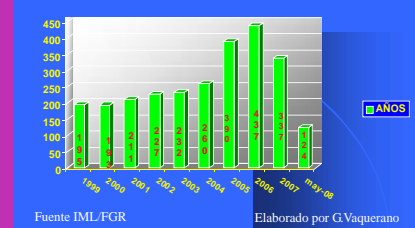


## FEMICIDE ON THE RISE IN EL SALVADOR

by Glenda Vaquerano Cruz, Independent Consultant. Former VAW Coordinator at ORMUSA (Organisation of Salvadorian Women)



### Femicides: El Salvador 99 May 08



Of these 124 femicides, more than 50 per cent of the victims were aged between 15-30. The data shows that 3 of the victims were aged between 1 and 14, there were 61 cases of women aged between 14-29, 30 victims of 30 to 39 years, 18 reports of women between 40 and 54 and 19 women aged between 55 and 65 years old.

Hundreds of cases of gender violence have been reported this year in El Salvador, although the public authorities neither record nor investigate the crimes. For example, on 22nd August 2008, a case was published in the newspaper 'El Diario de Hoy'<sup>(9)</sup> which told of a woman who was raped and whose genitals were severed by her life partner in Cantón Monteca, in the town of Nueva Esparta. This example is just one of more than 30,135 cases recorded as 'Domestic Violence' between January 2002 and June 2008<sup>(10)</sup>. Five thousand cases are recorded each year, that is 418 each month according to statistics. A report by the Institute for the Development of Women revealed that with respect to inter-family violence, 93.9 per cent of the victims are female and the remaining 6.1 per cent are male. Young girls represent 56.4 per cent and boys 43.5 per cent of victims of family abuse and sexual abuse/aggression, committed by people from outside the family.

The statistics demonstrate that the above mentioned case published in 'El diario de hoy', is by no means an isolated case. This poor women, raped and beaten by her partner of 34 years, who cut her vagina with a machete, is just one of the many cases that occur on a daily basis in El Salvador. The case was heard in the Peace Court of Nueva Esparta where the judge underestimated the crime of rape and set the man free under precautionary measures. The Attorney General appealed against the decision before a higher court which, in turn, ordered the detention of the accused, who, by this time, had already fled the country.

Despite existing legislation to the contrary, cases like these continue to be seen as natural or as private matters and exemplify the degree of social and state tolerance towards violence against women and girls.

Domestic violence, in many cases, verges on femicide: it would not be surprising if this man returned to finish the job he began, resulting in the death of his partner. This woman is a victim of a patriarchal society and state impunity because the authorities do not carry out their functions to effectively warn, prevent and sanction these types of crimes. Impunity, socio-economic inequalities and the prevailing culture of *machismo* all favour a general state of violence, in which women are subjected to murder, rape, domestic violence, sexual harassment and sexual exploitation<sup>(11)</sup>. Impunity for these offences later translates into the victims' and their families' lack of confidence in the justice system.

#### Femicide

One of the principle concerns regarding access to justice for women and the family of victims is femicide. According to data from the Institute of Legal Medicine 2,482 women were killed between 1999 and 2007, and 347 murders were recorded between January and December 2007, the majority of which were never taken to court or are still in stages of investigation. This means that each day, one to two women become victims of violence resulting in death<sup>(12)</sup>. The Institute of Legal Medicine in El Salvador reported 124 femicides, which took place throughout the country between January and May 2008.

Meanwhile, the Police, the Attorney General and other government institutions continue to explain the rise in femicide as a result of problems such as the following:

- The problem of gangs, explaining the rise in femicide as "the settling of accounts" between gangs.
- Passion killings, whereby a jealous husband kills his wife out of love.
- The rise in general levels of crime, whereby women can be 'accidental victims'.

The authorities may provide many justifications but while there is no official or efficient investigation, everything points towards a case of gender violence against women. The gender of the victims seems to play a significant role in the crime, influencing the motive, the context and the form of violence used, as well as the limited response from the State authorities.

Regarding the murders and the location of the crime, 25 of the victims' bodies were left in the streets; 17 on the public highway, 12 on fields, 4 on the motorway and the rest were located by the Legal Medicine Institute in buses, bars, cafes, houses, canals, on farms and haciendas and in restaurants.

9. El Diario de Hoy, pg 57, edition: 22nd August 2008

10. Institute of the Development of Women (ISDEMU), data on Inter-family violence, 2002-2008

11. Special Rapporteur report on violence against women, E/CN.4/2005/72/72/Add.2, presented to the Commission for Human Rights in its 61<sup>st</sup> period of sessions, Subject 12a) from provisional programme

12. Indicators of Femicide. Data from the Institute of Legal Medicine from January-December 2007, taken from ORMUSA in the document 'Femicide in El Salvador': Vaquerano Cruz Glenda.

## FEMICIDE ON THE RISE IN EL SALVADOR

Statistical data from the Legal Medicine Institute show that the type of weapon most commonly used was a gun (88 murders were by gunshots). Other methods were the following: suffocation (1), strangulation (6), other weapons (not specified) (8), a provoked fall, (1), stabbing wounds, (9), four cases with no information, and finally 4 cases where a powerful object was used.

### Sexual abuse: a minor is abused every 7 hours

The figures on child abuse in El Salvador are alarming. A newspaper recently published a report on violence and specifically rape, revealing that a minor is raped every six hours and 46 minutes. The majority of the victims were between 10 and 14 years old but 26 victims, both boys and girls had not even reached their fifth birthday.

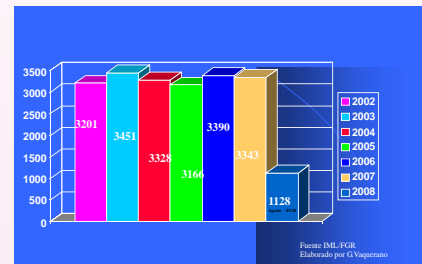
A recent headline read "He raped, impregnated and forced his daughter to abort says the public prosecutor" (General Attorney).

The young girl was abused from the age of ten until she was 18. Statistical data shows that in San Salvador alone 381 children, aged ten and under, have been abused so far this year.

At a national level, in the same time frame, 1,128 children aged between 11 and 17 were subject to sexual abuse.

According to the Attorney General, from January to June 2008 only 116 cases of abuse were followed up in court and the remaining hundreds of cases were abandoned without any form of justice.

The following table illustrates that between 2002 and 2007 the rate of sexual abuse has not decreased and has remained above 3000 cases per year, 87 per cent of the victims are female demonstrating that this is a grave problem for young girls and women, whereas the aggressors remain unpunished.



### Cases of Sexual Aggression 02-08

The rise in the sexual abuse of children, particularly in the Eastern regions, the death of minors due to crime or as a result of negligence on the part of public institutions are all facts which reflect the absence of an efficient state system for the protection of children.

These facts and data reflect the gravity of the violent situations which many women face in El Salvador. It is arguable that violence has reached epidemic levels and the state should take immediate measures to fight it. If the state fails to do so, society will continue to passively observe and tolerate violence against women and girls who are left, as a result of uncontested power relations, in a position of increasing vulnerability.

## REPORT OF A WORKSHOP

### Deconstructing masculinities and transforming patriarchal culture “for a life free from violence”

by Catherine Gallantine, Research and Communications Assistant, CAWN



In July 2008, The Centre for Women Studies-Honduras (CEM-H) organised a two-day workshop on “Deconstructing Masculinities and Transforming Patriarchal Culture: For a Life free from violence for both Women and Men”. The workshop was organised with the support of CAWN and the Big Lottery Fund and formed part of CAWN's and CEM-H's framework of actions for the prevention of violence against women in Honduras, where the incidence of violence and femicides is steadily increasing. The event was facilitated by Xavier Muñoz and Johnny Jiménez, members of the Association of Men against Violence (AHCV) an organisation which is well-known in the field for its pioneering work on the deconstruction of masculinities and the relation between masculinities, the production and reproduction of violence against women and between men, both in the public and private sphere.

The principal objectives of the workshop were to inform, build capacity and create spaces for critical-thinking in relation to the culture which perpetuates machismo and thus encourages the continuation of violence against women in society. Only male participants were invited to attend, the majority of whom were employed as officials of the justice system as judges and policemen, however, the group also included health workers and social movement activists.

CEM-H's main aim was to promote a greater awareness among different male actors of the justice system, particularly those likely to achieve a greater application of justice and bring an end to the impunity that reigns over cases of violence against women. It was hoped that the event would also create alliances between men from diverse sectors who share the aspiration of living in a democratic society, where peace, justice and gender equality prevail.

The overall aim of the workshop activities was to identify the natural and socially-assigned characteristics that form part of society's understanding of masculine and feminine identities and how these characteristics may be linked to the exercise of violence against women. The objective of this process was to encourage the search for alternatives to machismo and violent behaviour with a view to transforming patriarchal culture.

#### Methodology

The workshop ran over two days in July 2008. Given its focus and content, the chosen methodology was based on 'didactic constructivism' which considers learning as both an individual and collective process occurring when ideas are exchanged between participants and facilitators. This methodology requires a limited number of participants, therefore only 29 men, the majority aged between 35 and 45, were able to attend workshop.

The workshop was designed to work exclusively with men in order to create a secure and private space. This allowed the participants to escape from the masks imposed on them by machismo and reflect collectively upon their experiences and feelings in order to 'deconstruct' the patriarchal culture of violence between men and by men against women. The men were encouraged to reflect upon their own and others' experiences of violence, particularly violence which stems from the existing culture of machismo and is perpetuated by a society plagued with inequalities that permeate relations of class, gender and generations.

A process of self-questioning led the participants to begin to change the way they viewed history, processes of socialisation, raising their awareness of the relationship between masculinities and violence, particularly violence against women.

#### Workshop activities

Each activity began with a 'warm-up' exercise which served as an ice-breaker as well as laying the groundwork for the reflection, analysis and discussion to follow. Before the main activities commenced, the facilitators encouraged the group to come up with a list of 'rules for the workshop', which included 'listening', 'participating in all activities' and 'punctuality'. This was followed by introductions, where each participant also articulated their expectations of the workshop. These expectations varied; however, the majority expressed a desire to gain a greater awareness of the issues surrounding violence against women and to learn how they could contribute to its elimination.

## REPORT OF A WORKSHOP

### Deconstructing masculinities and transforming patriarchal culture "for a life free from violence"



#### **Silhouettes**

The main activity of the first day of the workshop was called Silhouettes. The purpose of the activity was to encourage the group to reflect upon the social constructions of masculinity and femininity. The participants were divided into four groups; two of the groups drew a silhouette of a man and the other two, a silhouette of a woman. Their next task was to label their silhouette with the characteristics that they considered belonged to their assigned sex. Characteristics such as *macho, procreator, athletic, strong, cigarette and alcohol addict, were used to describe the male and kind, homely, loyal, sensitive, compassionate, cautious, intuitive and attentive* were several of the adjectives used to describe typical female characteristics. This initial activity was followed by a group discussion which focussed on each individual characteristic and decided whether it was 'natural' or 'socially ascribed'. The session was concluded by one of the facilitators who presented on how the 'sex- gender system' can be related to violent male behaviour. The presentation summarised how many 'male' and 'female' characteristics, values and behaviours are characteristics that are ascribed during socialisation processes.

*"We've asked ourselves about nature and nurture. We can now say that we are born with our sex, which is determined by nature, but everything else; our way of looking at the world, our attitudes, values and behaviour is socially learnt."*

#### **Childhood games and violence**

On the second day of the workshop, one activity involved the group reflecting on games that they had played as children. The aim of this exercise was to reflect upon the process of male socialisation through childhood games and how it can be linked with violence. The activity started with a brainstorming session of the games that the participants used to play. Then, in small groups, they chose one game and acted it out for the whole group. This was followed by a discussion of the common features of each game and the majority involved: elements of rivalry, battles for power, aggression, elements of violence, participation of boys only, greed, taunting and cheating. The participants concluded that all the games involved some kind of violence or the generation of violence, socialising the boys to become accustomed to violent relationships and behaviour.

#### **Promise of change**

One of the final activities was an evaluation of the workshop which gave participants the opportunity to consider how they could make a personal commitment to rejecting violence from their lives. This involved writing a letter to a female member of their family or a friend, describing what they had learnt and how they intended to denounce violence. Following this period of reflection, each participant then shared their commitment with the rest of the group.

#### **A new network:**

##### ***Red de hombres contra la violencia***

The workshop ended with a final group evaluation. The majority of the participants expressed the necessity for what they had learnt to be taken further and expanded in the community;

*"It's made us see clearly about violence and our behaviour", "This is the first time I'd participated in a workshop about violence just for men, this is a seed that could be sewn in many institutions"; "It's important to assign leaders that can go to the villages and speak about this"; "The most important thing is that what we've learnt must be put into practice".*

A specific and positive outcome of the workshop was the formation by the participants of the Network of Men Against Violence (*Red de Hombres Contra La Violencia*). *This network will encourage and help continue the fight against violence and the transformation of patriarchal culture.*

The Central America Women's Network (CAWN) is a network of women united by a commitment to women's rights worldwide. Set up in 1991, CAWN works in solidarity with women's organisations in Central America, supporting them to defend their rights; fostering links, exchanges and capacity building between women's organisations in the United Kingdom and Central America; and raising awareness of the concerns of Central American women among the public, Non-governmental Organisations (NGOs) and policy makers, especially in relation to women's economic rights and gender-based violence.

**Challenging violence against women in Honduras: Identifying the links between poverty reduction and promoting women's rights**

CAWN has been working on an innovative project on violence against women with its partner the Centro de Estudios de la Mujer- Honduras (CEM-H).

The project is supporting young and adult women in poor and marginalised communities in Honduras affected by violence by providing them with resources and tools and by offering emotional and legal support in order to overcome gender-based violence. In order to support the empowerment of women to tackle gender-based violence CEM-H has set up self help groups to access services, and provide training on reproductive rights, HIV/AIDS, self-esteem and practical income generation skills.

The project has trained community leaders to contribute to the prevention of violence and to support cases of domestic violence and other forms of gender violence and also to work on promoting equitable gender relations in their communities. CEM-H has worked on preventing violence against women and girls through workshops with the wider community and with the perpetrators of violence, working with young and adult men on the construction of a new masculinity.

Through research and advocacy, CAWN and CEMH have worked to improve the legal framework and justice system in Honduras to address gender-based violence, to increase social awareness of violence in the community and to strengthen the security and human rights of women. CAWN will soon undertake research that will look into the links between poverty and violence that will be used to lobby for more responsive policies in relation to gender-based violence.

As part of the project CAWN has invited two representatives of CEM-H, to meet CAWN supporters, NGOs, the media, and other women's organisations to raise awareness and discuss the situation of women's rights in Honduras and the Central America region; the struggle to promote and defend women's rights, and the successes and challenges of CEM-H's work.



**The project is funded by a 5-year grant from the Big Lottery Fund**

*"Poverty is an issue of women's organisations but we must change the technical discussion of poverty into a political discourse. It is essential to empower women for them to come out of poverty."  
Mirta Kennedy, CEM-H Honduras*

*"Women need to be empowered with knowledge that will be tools in the search for alternative survival strategies in a globalised world."  
Mabel Aguirre, MEC Nicaragua*

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Address: CAWN c/o One World Action, Bradley Close

White Lion street, London. N1 9PF. United Kingdom

T: +44 (0) 20 7833 4174

F: +44 (0) 20 7833 4102

email: [info@cawn.org](mailto:info@cawn.org)

Edited by: Katherine Ronderos and Marilyn Thomson

Translators: Catherine Gallantine, Allison Pollock, Ana del Moral

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