

Sexual and Gender Based Violence (SGBV) & Migration Fact Sheet

January 2017

Sexual and gender-based violence (SGBV) forces many women, girls, and LGBTI persons to flee El Salvador, Guatemala, and Honduras (“Northern Triangle countries”). SGBV is often coupled with high levels of homicide, forced disappearances, and kidnapping in these countries. Family members, gangs, and drug traffickers most frequently perpetrate SGBV, but violence by police and other authorities is also widespread. Despite pervasive SGBV in the Northern Triangle, staggering impunity levels persist, with an average of less than 10 percent of cases resulting in conviction. Those who flee their countries are also frequently subject to SGBV in transit, including abuse by smugglers, traffickers, authorities, and other migrants, and their options for reporting these crimes and seeking assistance are severely limited. Many individuals and families fleeing SGBV are potentially eligible for protection under U.S. as well as Mexican refugee law, as the governments of El Salvador, Guatemala, and Honduras fail to protect their citizens from SGBV.

Women and girls endure high rates of domestic and sexual violence in Guatemala, El Salvador, and Honduras

- According to a study conducted in 2014 by the Universidad Tecnológica (UTECH), more than half of all Salvadoran women reported some form of violence, and a quarter have been victims of sexual or physical violence.¹
- According to data recorded by the National Institute of Forensic Sciences (INACIF) of Guatemala, in 2015, every 46 minutes a new case of sexual violence was reported; 90% of the victims were women or adolescent girls. The total number of incidents is likely much higher, however, as many continue to go unreported.²
- In a survey conducted by the Honduran government in 2010 and 2011, 27 percent of women reported having experienced physical violence at some point in their lives, and 22 percent had experienced intimate partner violence in the previous twelve months.³
- According to the Honduran civil society organization Centro de Derechos de la Mujer, 30,000 women report domestic violence each year, and a woman reports sexual violence

¹ “Más de la Mitad de Mujeres Salvadoreñas Sufrieron Violencia”, *La Hora*, November 24, 2015, <http://lahora.gt/mas-de-la-mitad-de-mujeres-salvadorenas-sufrieron-violencia/>

² Claudia Palma, “Cada 46 minutos se comete una violación” *Prensa Libre*, May 16, 2016, <http://www.prensalibre.com/guatemala/justicia/cada-46-minutos-se-comete-una-violacion>.

³ National Institute of Statistics and Secretary of Health, Honduras, 2013, Encuesta Nacional de Demografía y Salud, 2011-2012, http://dhsprogram.com/pubs/pdf/SR200/SR200.pdf_p14.



every three hours.⁴ This represents a very small portion of the actual incidence of violence, due to widespread underreporting.⁵

- In Guatemala 5,100 girls under the age of 14 became pregnant in 2014, and most of these pregnancies resulted from rape by fathers, stepfathers, uncles, and other relatives.⁶ While Guatemala recently raised the legal marriage age to 18 for both boys and girls, many girls continue to enter into early marriage or partnership, increasing risks of domestic and sexual violence.⁷
- Abortion is criminalized in El Salvador, Guatemala, and Honduras, and access to emergency contraception is limited or non-existent in all three countries, forcing victims of all forms of sexual violence, including incest, to carry their pregnancies to term.⁸

Gangs use sexual violence as a strategy to maintain fear and control

- Gangs in Northern Triangle countries employ sexual violence as a strategy to maintain control over territories and populations. Rape is widespread and is employed by gang members to discipline girls, women, and their family members for failure to comply with the gang's demands and to demonstrate the gang's dominance over the community.⁹
- Girls, many aged 15 or younger, are forced to become "girlfriends" of gang members, and those who resist are subject to sexual violence, and in some cases killed.¹⁰ Forced recruitment of girls and women, and rape and sexual violence by gangs, constitutes a contemporary form of slavery.¹¹

⁴ Centro de Derechos de Mujeres. Obstáculos y Desafíos que enfrentan las mujeres víctimas de violencia sexual para acceder a la justicia. 2013. p10; Centro de Derechos de Mujeres et al. Status of Violence Against Women in Honduras, Status of Violence Against Women in Honduras, <http://www.cipamericas.org/archives/12582>

⁵ National Institute of Statistics and Secretary of Health, Honduras, 2013, Encuesta Nacional de Demografía y Salud, 2011-2012, <http://dhsprogram.com/pubs/pdf/SR200/SR200.pdf>, p 283

⁶ Moloney, Anastasia, October 2, 2015, Fathers Rape with Impunity, Fueling Guatemala's Teen Pregnancies, Reuters, <http://www.reuters.com/article/us-guatemala-teenage-pregnancy-idUSKCN0RW22D20151002>

⁷ The Guardian, November 11, 2015, Guatemala Bans Child Marriage but Cultural Shift Required, Advocates Say. <https://www.theguardian.com/world/2015/nov/11/guatemala-bans-child-marriage>

⁸ Guttmacher Institute and International Planned Parenthood Federation. July 2014. Fact Sheet: Sexual and Reproductive Health of Young Women in Honduras. <https://www.guttmacher.org/fact-sheet/sexual-and-reproductive-health-young-women-honduras>; Amnesty International. November 30, 2015. News: El Salvador's Total Abortion Ban Sentences Children and Families to Trauma and Poverty. <https://www.amnesty.org/en/latest/news/2015/11/el-salvador-s-total-abortion-ban-sentences-children-and-families-to-trauma-and-poverty/>; Center for Reproductive Rights: Guatemala's Abortion Provisions. <http://www.reproductiverights.org/world-abortion-laws/guatemalas-abortion-provisions>

⁹ Diario Libre (Dominican Republic), November 8, 2014. Violacion de mujeres: Otro Sello de las Pandillas. <http://www.diariolibre.com/noticias/violacin-de-mujeres-otro-sello-de-las-pandillas-1-de-2-AHDL870761>

¹⁰ Immigration and Refugee Board Canada, September, 2016, El Salvador: Information Gathering Mission Report, Part Two: The Situation of Women Victims of Violence and Sexual Minorities in El Salvador, <http://www.refworld.org/topic,50ffbce40,50ffbce454,57f7ac384,0,...,html>

¹¹ The Advocates for Human Rights, July 2016, El Salvador: Submission to the Committee on the Elimination of Discrimination against Women, http://www.theadvocatesforhumanrights.org/el_salvador_-_committee_on_the_elimination_of_all_forms_of_discrimination_against_women_-_violence_against_women_-_july_2016, p7

- Women and girls are frequently kidnapped and subject to repeated rape by multiple gang members, with girls as young as nine years old having been victims of gang rape.¹²
- In many cases, victims of sexual violence are tortured, killed, and dismembered, and their bodies left in clandestine graves, or in public areas to provoke fear in other women and girls.¹³
- Girls and young women threatened by gangs and subjected to forced recruitment or rape often go into hiding and stop attending school due to fear of leaving their homes.¹⁴

Rates of gender-motivated killings have increased dramatically over the past several years

- In El Salvador, 475 women were murdered during the first ten months of 2015, up from 292 in 2014 - an average of one femicide every 16 hours.¹⁵
- In Honduras, gender-based violence is the second leading cause of death for women of reproductive age.¹⁶
- On average, two women are murdered each day in Guatemala, and the number of women murdered each year has more than tripled since 2000.¹⁷

Members of the LGBTI community are targets of gender-based violence by families, gangs, and authorities

- Civil society organizations in Guatemala, El Salvador, and Honduras report that LGBTI people are at high risk for violence and extortion by gangs and organized criminal groups, hate crimes, and abuse by authorities, leading many LGBTI individuals to migrate in search of safety.¹⁸

¹² Women's Refugee Commission. October 2012. Forced From Home: The Lost Boys and Girls of Central America. Rep. Women's Refugee Commission, p7.

¹³ Diario Libre (Dominican Republic), November 8, 2014. Violacion de mujeres: Otro Sello de las Pandillas. <http://www.diariolibre.com/noticias/violacin-de-mujeres-otro-sello-de-las-pandillas-1-de-2-AHDL870761>

¹⁴ McEvers, Kelly and Jasmine Garsd. October 5, 2015. National Public Radio. #15GIRLS. Goats and Soda: Stories of Life in a Changing World. The Surreal Reasons Girls are Disappearing in El Salvador. <http://www.npr.org/sections/goatsandsoda/2015/10/05/445985671/never-leave-your-house-survival-strategies-for-el-salvador-s-15girls>

¹⁵ Albaladejo, Angelica. February 22, 2016. How Violence Affects Women in El Salvador. Latin American Working Group: Action at home for Just Policies Abroad. Retrieved online 07/08/16: <http://www.lawg.org/action-center/lawg-blog/69-general/1590-how-violence-affects-women-in-el-salvador>.

¹⁶ Women's Refugee Commission. October 2012. Forced From Home: The Lost Boys and Girls of Central America, <https://www.womensrefugeecommission.org/uncategorized/2057-forced-from-home-the-lost-boys-and-girls-of-central-america-background-and-report>, p10

¹⁷ Siu, Vivian. November 28 2011. Olga's story: Violence against women and children in Guatemala continues to devastate lives." United Nations Children's Fund (UNICEF), http://www.unicef.org/protection/guatemala_60748.html.

¹⁸ Inter-American Commission for Human Rights. 2015. Informe sobre el 154 Período de Sesiones de la CIDH, <https://www.oas.org/es/cidh/prensa/docs/Informe-154.pdf>

- At least 85 LGBTI persons in El Salvador have been murdered between 2008 and 2014,¹⁹ and the number of transgender women murdered annually has increased 400 percent since 2003.²⁰
- In Guatemala, LGBTI individuals experience discrimination in access to health care, education, and employment. While reliable statistics are not available, hate crimes against LGBTI individuals are widespread, as is discrimination and violence committed by state authorities.²¹
- In Honduras, 174 LGBTI individuals, including leading LGBTI activists, were killed between June 2009 and December 2014. LGBTI activists continue to be targets of violence and assassination.²²

The vast majority of sexual and gender-based crimes are underreported and go unpunished

- In Guatemala, an estimated 1 in 10 domestic violence victims reports sexual abuse. Causes of underreporting include social stigma toward survivors, fear of reprisal by the abuser, as well as unresponsiveness and ineffectiveness of the judicial system.^{23 24}
- Over 5,000 women have been murdered in Guatemala since 2000, and only 2 percent of these cases have resulted in convictions.²⁵
- In Honduras, 96 percent of all reported femicide cases between 2005 and 2010 went uninvestigated and unprosecuted.²⁶
- In 2014, 978 cases of violence against women were reported in El Salvador, only 4 of which resulted in convictions.²⁷

¹⁹ Haugaard, Lisa. 2016. LGBTI Salvadorans: Winning Legal Advances but Facing Unchecked Violence. Latin America Working Group: Action at Home for Just Policies Abroad. <http://lawg.org/action-center/lawg-blog/69-general/1594-lgbti-salvadorans-winning-legal-advances-but-facing-unchecked-violence>

²⁰ COMCAVIS Trans et. al., February 2015, Violaciones de los Derechos Humanos de las Personas Transgenero en El Salvador, <http://www.comcavis.org/sv/archivos-categorizados/81.pdf?1476372003>, p 18.

²¹ OTRANS et al. March 2012. Human Rights Violations of Lesbian, Gay, Bisexual and Transgender (LGBT) People in Guatemala: A Shadow Report.

<https://www.outrightinternational.org/sites/default/files/IGLHRC%20Shadow%20Report%20Guatemala%202012.pdf>

²² Inter-American Commission on Human Rights [IACHR]. December 31, 2015. Situation of Human Rights in Honduras. <http://www.oas.org/en/iachr/reports/pdfs/Honduras-en-2015.pdf>

²³ Siu, Vivian. November 28 2011. Olga's story: Violence against women and children in Guatemala continues to devastate lives." United Nations Children's Fund (UNICEF), http://www.unicef.org/protection/guatemala_60748.html.

²⁴ United States Department of State, Bureau of Democracy, Human Rights and Labor. 2015, Guatemala 2015 Human Rights Report. <http://www.state.gov/documents/organization/253229.pdf>

²⁵ Women's Refugee Commission. October 2012. Forced From Home: The Lost Boys and Girls of Central America, p11. <https://www.womensrefugeecommission.org/uncategorized/2057-forced-from-home-the-lost-boys-and-girls-of-central-america-background-and-report>

²⁶ Ibid, 10

²⁷ Immigration and Refugee Board of Canada. September 2016. El Salvador: Information Gathering Missions Report – Part 1. Gangs in El Salvador and the Situation of Witnesses of Crime and Corruption. http://www.refworld.org/publisher_IRBC,,SLV,57f7ab794,0.html

- According to a Salvadoran women's organization, 12 percent of the reported cases of violence against women were perpetrated by judges, prosecutors, lawyers, and police officers.²⁸
- In El Salvador, Guatemala, and Honduras, LGBTI victims do not report violent crimes because they fear discrimination and abuse by authorities, and the vast majority of reported crimes against LGBTI people are not investigated.²⁹

Women, girls, and LGBTI persons who flee their countries face high rates of sexual violence in transit

- An estimated 6 of 10 migrant girls and women experience sexual violence in transit through Mexico, including violence at the hands of gangs and other criminal groups, smugglers and traffickers, police and migration officials, and other migrants.³⁰
- Women and girls are frequently obligated to participate in sexual activity in exchange for protection, food, and shelter, or to be allowed to continue on their journey.³¹
- Girls traveling alone and LGBTI persons are especially vulnerable to human trafficking and sexual exploitation.³²
- Very few victims report SGBV or seek medical care, legal, or emotional assistance, and the vast majority of these crimes are never investigated or punished.³³

SGBV and the need for international protection

Sexual and gender-based violence are major drivers of forced migration from Guatemala, El Salvador, and Honduras, especially for vulnerable groups including women, children, and LGBTI persons. The governments of these countries are unable and unwilling to provide protection to SGBV victims, leaving many with no option but to flee their country in search of safety. According to United Nations High Commissioner for Refugees (UNHCR) guidelines for international protection needs of those fleeing El Salvador and Honduras, "women and girls, in particular but not limited to women and girls from areas where gangs operate or those from areas where sexual and gender-based violence against women and girls is practiced, may be in need of

²⁸ Albaladejo, Angelica. February 22, 2016. How Violence Affects Women in El Salvador. Latin American Working Group: Action at home for Just Policies Abroad. <http://www.lawg.org/action-center/lawg-blog/69-general/1590-how-violence-affects-women-in-el-salvador>.

²⁹ International Human Rights Law Clinic, University of California Berkeley, School of Law. July 2012. Sexual Diversity in El Salvador: A Report on the Human Rights Situation of the LGBT Community. https://www.law.berkeley.edu/files/IHRLC/LGBT_Report_English_Final_120705.pdf, p17

³⁰ Amnesty international, Invisible Victims: Migrants on the Move in Mexico, 2010, <http://www.amnestyusa.org/research/reports/invisible-victims-migrants-on-the-move-in-mexico>, p15

³¹ Prieto, Gabriela Diaz and Gretchen Kuhner. 2015. Un Viaje Sin Rastros: Mujeres Migrantes que Transitan por Mexico en Situación Irregular. p 83,86-87.

³² Ibid, 88

³³ Ibid, 88



LATIN AMERICA WORKING GROUP
ACTION AT HOME FOR JUST POLICIES ABROAD



international refugee protection on the basis of their membership of a particular social group, and/or their (imputed) political opinion, or on the basis of other Convention grounds.”³⁴

For questions please contact:

Rachel Dotson, Gender and Migration Initiatives Director, Kids in Need of Defense (KIND), rdotson@supportkind.org, (202) 824-8691

Leah Chavla, Program Officer, Migrant Rights and Justice, Women’s Refugee Commission (WRC), leahc@wrcommission.org, (202) 750-9598

Daniella Burgi-Palomino, Senior Associate, Mexico, Migrant Rights, Border Issues, Latin America Working Group (LAWG), dburgipalomino@lawg.org, (202) 546-7010

³⁴ UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Honduras, July 2016, <http://www.refworld.org/docid/579767434.html>