

Neither Security nor Justice:

*Sexual and Gender-based Violence and Gang Violence in
El Salvador, Honduras, and Guatemala*



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Methodology

This report draws on interviews conducted with Central American migrant children, case documentation from KIND's child clients, and interviews with government and civil society representatives to demonstrate the ways in which sexual and gender-based violence (SGBV) and gang violence intersect to threaten the lives of thousands of children and families in El Salvador, Honduras, and Guatemala.

KIND and the Human Rights Center Fray Matías de Cordova (Centro de Derechos Humanos Fray Matías de Cordova, or CDH Fray Matías) conducted 60 interviews with migrant children in Tapachula, Mexico, and Mexico City between March and July 2016. Documentation was collected from an additional 36 KIND client cases of child SGBV survivors. Every child provided informed consent to participate in the study. The research also draws on 58 interviews conducted by KIND with key government and civil society actors in El Salvador, Guatemala, and Honduras, including judges, police, and prosecutors as well as representatives from organizations focused on migration and women's, children's and LGBTI rights.¹

This report forms part of a broader ongoing study focused on sexual and gender-based violence and child migration in Central America and Mexico. KIND, in collaboration with CDH Fray Matías and with generous support from the Oak Foundation, documented forms of SGBV against migrant children in their places of origin and transit, as well as the responses of Central American and Mexican governments to these forms of violence. KIND and CDH Fray Matías will publish findings and recommendations from the broader study in summer 2017.

Glossary

Gender-based violence is any form of violence, including physical, sexual, and emotional harm or threats of such harm, against a person based on their actual or assumed sex, gender, or sexual orientation. It includes violence perpetrated in any site including in the home and in public, as well as violence perpetuated or condoned by the state. Gender-based violence typically manifests against women and girls, but victims can also be men and boys, especially in the context of violence against LGBTI people.

Sexual violence is a form of gender-based violence and includes any sexual act or attempted sexual act that is carried out in the absence of freely given consent, regardless of the perpetrator's relationship to the victim. Sexual violence can also include coerced sexual acts in exchange for food, shelter, protection, or resources. While women and girls suffer the highest rates of sexual violence, boys and men are also victims. LGBTI people are also frequently victims of SGBV.

Sexual and gender-based violence (SGBV) refers to sexual and other forms of gender-based violence. Although these forms of violence can be perpetuated against men and boys, they most commonly take the form of violence against women and girls, which is "a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men."²

“When a gang says, ‘This is my territory,’ they are talking about everything, the houses, the businesses, the people, and specifically the women and girls.”

Claudia Hernández Cruz, Director, Survivor’s Foundation (Fundación Sobrevivientes), Guatemala

“Women in Honduras live in constant fear. They have no confidence that the government will provide either security or justice.”

Carolina Sierra, Director, Forum of Women for Life (Foro de Mujeres por la Vida), San Pedro Sula, Honduras

“I can tell a woman that she should report domestic violence, but she will ask me, ‘Who will support me, who will protect me?’ and I can’t answer those questions.”

Judge, Tegucigalpa, Honduras

“One of my [police] officers was talking to a 15-year-old girl who was thinking of leaving the country because she was receiving attention from gang members in her neighborhood. I said that we can’t tell her not to go, because we know the government can’t offer her protection.”

Police officer, San Salvador, El Salvador

Introduction

The Northern Triangle of Central America, which includes El Salvador, Honduras, and Guatemala, is one of the most violent regions in the world. Along with staggering homicide rates,³ all three countries have extremely high rates of sexual and gender-based violence (SGBV), including rape and sexual assault, domestic violence, human trafficking, sexual exploitation, and sexual abuse of children.⁴ The three countries also have some of the highest rates of femicide, or the gender-motivated killing of women and girls, in the world, and rates have risen dramatically over the past several years. In El Salvador, a woman was murdered every 16 hours in 2015.⁵ In Honduras, gender-based violence is the second leading cause of death for women of reproductive age.⁶ On average, two women are murdered each day in Guatemala,⁷ and the number of women murdered each year has more than tripled since 2000.⁸

The rise of violence in El Salvador, Honduras, and Guatemala is in large part attributable to gangs that have grown increasingly powerful in all three countries.⁹ These gangs employ brutal forms of violence to maintain control over the territories where they operate. Gangs dominate urban areas of El Salvador,

Honduras, and Guatemala and have increased their presence in rural and semi-urban areas in recent years, leaving children and youth in these areas vulnerable to gang violence.¹⁰ This intensified gang violence has a particularly severe impact on women and children, who are vulnerable to sexual and gender-based violence within their homes and neighborhoods, and find little hope of receiving protection or justice from the state.

Rates of SGBV in El Salvador, Honduras, and Guatemala are extremely high, and in the vast majority of cases, violence goes unreported and unpunished. When victims¹¹ of SGBV live in gang-controlled areas or when perpetrators have gang affiliations, crimes are even more likely to result in impunity. Many victims do not report violence because they do not trust authorities or because they know that doing so will put them, and their families, at greater risk of retaliation by gangs. Those few who do report violence confront the unwillingness or inability of the state to provide either protection or justice. With no place to turn, many of these women and children are forced to flee their country to save their lives. Whether they ultimately reach Mexico, the United States, or any other country, they need—and in many cases should qualify for—refugee protection.

This report examines the relationship between gang violence and SGBV in El Salvador, Honduras, and Guatemala. It describes common forms of SGBV in the gang context and the ways in which gangs use SGBV to exert and maintain control over populations and territories in the areas where they operate. It also explains the factors that prevent reporting and prosecution of SGBV, both when the perpetrator is a gang member and when the victim lives in a gang-dominated area. The report briefly outlines government

efforts to address violence and impunity. It provides recommendations on how the governments of El Salvador, Honduras, and Guatemala can work to reduce gang-related SGBV and increase assistance and justice for survivors, which in turn will provide affected individuals and families with alternatives to forced migration. The report also makes recommendations to the U.S. government on how to direct and prioritize aid to Central American countries to effectively bolster efforts to prevent and address SGBV.

Compounded Vulnerabilities: Sexual and Gender-based Violence in the Gang Context

SGBV is widespread in El Salvador, Guatemala, and Honduras

Sexual and gender-based violence, including sexual violence, domestic violence, human trafficking, femicide, and violence against LGBTI people, permeates the lives of women and children in El Salvador, Honduras, and Guatemala, disproportionately affecting girls and young women.¹² These forms of violence have deep roots in “patriarchal attitudes and a *machista* culture,” as well as structural forms of inequality that marginalize women, girls, and LGBTI people, and justify discrimination and violence against them.¹³ Afro-descendent and indigenous girls suffer doubly;¹⁴ in addition to gender-based violence and discrimination, they endure widespread discrimination and social, political, and economic exclusion based on race and ethnicity.¹⁵

While SGBV affects women, children, and LGBTI people throughout El Salvador, Honduras, and Guatemala, those who live in gang-controlled areas experience widespread and extremely brutal forms of gender-based violence.¹⁶ Gang presence also limits access to justice for those affected by violence by creating additional barriers to reporting, investigation, and prosecution, and further entrenching impunity—heightening the need for refugee protection for its victims.

Gangs use SGBV as a strategy of control

Lydia is a study participant who grew up in a gang-dominated area of a small city in Honduras. When she was 14 years old, gang members abducted her, took her to an abandoned property, and raped her. Lydia escaped and told her mother; she called the police. Lydia identified the men, and they were briefly sent to jail. Lydia became pregnant as a result of the rape, and while she was pregnant the men who raped her were released from jail and threatened to kill her. Lydia and her mother relocated within Honduras, but the gang members followed them and continued to threaten Lydia. Lydia was forced to flee to the U.S. to save her life.

Lorena is a study participant from Guatemala City. When she was 8 years old her family relocated to a small rural town in Guatemala to escape gang violence, only to confront it again in their new town. When Lorena was in middle school, a neighbor who was a gang member began to express interest in her. When she refused to become his girlfriend he began stalking and threatening her. During her walk home from school one day, the same gang member and his friend took 14-year-old Lorena by force to an isolated area and raped her. Lorena changed schools to avoid the gang member, but he continued to follow her and repeatedly threatened to rape her again. She eventually fled to the U.S. to escape further sexual violence.

As gangs have increased their control in El Salvador, Honduras, and Guatemala over the past several years,

they have systematically used sexual violence as a principal tactic for establishing and maintaining dominance over the communities and territories in which they operate, similar to violent tactics used in other contexts of armed conflict.¹⁷ Girls living in gang-controlled neighborhoods receive clear messages that they and their bodies belong to the gang, and that gang members have power to exercise sexual violence with complete impunity.¹⁸ Gang members have raped and tortured girls and left their mutilated and dismembered bodies in public places to demonstrate their dominance of the area and instill fear in the community.¹⁹ In other cases, women and girls who live in gang-controlled areas have gone missing; their bodies have been found in clandestine graves, with evidence of sexual violence and torture.²⁰

Gangs use sexual violence to control the behavior of women and girls; for example, gang members frequently use rape to punish women and girls suspected of reporting gang activity to the police.²¹ While gang members primarily target girls and young women for SGBV, they control boys and men by threatening sexual violence against sisters, girlfriends, daughters, wives, or other women and girls close to them.²²

The brutal and widespread acts of violence against women and girls perpetrated by gangs reflect both the *machista* or hyper-masculine culture inside the gang, as well as the patriarchal structure of the broader society within which gangs operate. As a leading Salvadoran women's rights organization explains, in order to understand gang SGBV, "It is important and urgent to understand how gender violence is exacerbated by gang activity, which, by definition, is enabled by two factors: on the one hand, it is carried out at the margins of the country's existing laws; and on the other hand, it operates within a society with a clear patriarchal substrate."²³

Fear of gang violence, including sexual violence, forces girls and young women to limit their movement outside the home, abandoning school, work, and other activities, and in some cases the community or country.²⁴ As Julia, a study participant from Guatemala,

explained, "Girls basically have two options: go out with a *marero* [gang member], or stay inside all the time because a *marero* will get what he wants [from a girl]."

Forms of SGBV used by gangs

Girls who participated in this study reported suffering myriad forms of SGBV by gang members, as well as ongoing threats and harassment. Their reports are consistent with the growing body of research cited throughout this report that documents the prevalence of SGBV by gangs in El Salvador, Honduras, and Guatemala. Gangs kidnap, rape, or otherwise sexually assault, harass, and traffic girls, and force them into situations of sexual and domestic slavery.

Girls, including participants in this study, have told of being kidnapped by gang members and taken to abandoned buildings or other remote sites, sometimes for days or weeks, where they are raped by one or multiple gang members.²⁵ Gang members threaten to gravely harm or even murder victims and their families if victims disclose the abuse they experienced.²⁶

Teenage girls are the most frequent targets of kidnapping and rape by gangs, but girls as young as eight and nine have been victims of sexual violence.²⁷ In some cases, boys have been targeted for sexual violence and torture by gang members.²⁸

Maria is a 16-year-old study participant from El Salvador. Gang members began to threaten Maria with sexual violence when her family refused to pay an extortion fee to the gang. Maria attempted to flee the country, but was stopped at the border by gang members who kidnapped her and took her to an abandoned house. There, Maria was drugged and continuously raped by gang members. She witnessed gang members bring other women and girls into the house and rape them. After three months in captivity, Maria managed to escape and flee to Mexico for safety.

The territorial dominance of gangs in many parts of El Salvador, Honduras, and Guatemala has also given rise to a specific form of violence, whose victims are referred to as "novias de pandillas" or "jainas" (gang

girlfriends). Gang members force or coerce these girls and young women into a sexual relationship. In many cases a gang member approaches a girl and tells her that she will become his girlfriend, and if the girl refuses, the gang member threatens to sexually assault her or to harm or kill members of her family. In other cases girls feel compelled to enter into a relationship with a gang member to gain protection from sexual violence by other gang members, or to escape sexual or physical violence in the home.²⁹

A report by the Salvadoran nongovernmental organization (NGO) Organization of Salvadoran Women for Peace (ORMUSA) cites a statement from a Salvadoran police officer explaining the dynamics of violence and coercion that women and girls experience:

“They consider that it is the gang members, the men, who decide which woman will be their partner or one of their partners. As men advance in the criminal structure [of the gang], they have the right to have more and more women... And this woman, who is the partner of a gang member, it's not her who decides if she wants to be or not, the male gang members even have the right to decide that they no longer like a woman and they are no longer interested in her and she has to be passed to another gang member, or she has to go to a prison for an ‘intimate visit’ to have sexual relations with a certain gang member who she doesn't even know. If she refuses, we have had many cases in which women have been killed for not agreeing, for example, to go to a prison [to have forced sexual relations with a gang member].”³⁰

As the “novia” or “jaina” of a gang member, girls often endure physical and sexual violence and may be obligated to perform work for the gang.³¹ These girls are considered the property of that gang member, and if they are seen interacting with other men they can be killed by the gang for treason.³² Regardless of how a girl ends up in such a relationship, once in it she is generally not permitted to leave, and any presumed lack of loyalty to the boyfriend or the gang can be punished with violence or death.³³ Even when a gang member is in prison, other gang members monitor the movements of his girlfriend or wife, and any behavior considered

inappropriate can be punished with violence.³⁴ In some cases, gangs target girls to become the “girlfriend” of an incarcerated gang member. Gang members take these girls to the jail regularly, where they are expected to have sexual relations with the imprisoned gang member and to smuggle in contraband such as cell phones.³⁵

Families of girls chosen to be girlfriends of gang members often feel powerless to protect them because gangs threaten violence against the entire family if they resist. In one case a gang leader ordered the father of a young girl to send his daughter to be the gang member’s “woman.” The father initially refused, but then acceded when the gang leader threatened to begin killing members of his family.³⁶ In some cases parents have sold their daughters into relationships with gang members in exchange for financial compensation by the gang.³⁷

Forced recruitment of girls into sexual relationships with gang members that they are not able to leave constitutes sexual servitude and a contemporary form of slavery. The United Nations Special Rapporteur on Contemporary Forms of Slavery in a 2016 report on El Salvador reported on slavery-like practices in the context of gang violence, including “forcing young women and girls to become gang members’ sexual partners.” And that, “Failure to comply is met with severe reprisals, including homicides of the girl or woman’s entire family or threats of such violence,” as well as incidents in which gang members had “physically invaded the homes of women, evicted or killed male members of the household, and forced the women to work in domestic and sexual servitude.”³⁸

Gangs also traffic and sexually exploit girls. Government and civil society groups report cases in which gangs kidnap girls and take them to jails or brothels and force them to have sex with individuals in exchange for payment to the gang.³⁹ Gangs sometimes recruit these victims from secondary schools under their control.⁴⁰

Gangs are also involved in international human trafficking operations. Refuge for Children (El Refugio de la Niñez), a leading Guatemalan children’s rights organization, provided assistance to two Salvadoran girls, ages 14 and 15, who were brought to Guatemala

by a human trafficker who promised them work in a restaurant. When they arrived in Guatemala, the girls were taken to a high security prison, where they were raped by imprisoned gang members in exchange for payment to the gang.⁴¹ The full extent of involvement of gangs in human trafficking and commercial sexual exploitation of children and adolescents is unknown and requires further investigation.

Gangs often target LGBTI people based on their actual or perceived gender identity or sexual orientation, subjecting them to physical and sexual violence as well as extortion and forced labor.⁴² Some gangs in El Salvador have reportedly required members to attack LGBTI people as part of their initiation.⁴³ These cases are extremely difficult to document. LGBTI people in El Salvador, Honduras, and Guatemala rarely report abuse

or exploitation to authorities, due to abuse and discrimination by government authorities directed at LGBTI communities, as well as widespread discrimination and stigma against them.⁴⁴

These forms of SGBV, and the reasons gangs employ them—to control, exploit, and subjugate girls and women; to control territory, gain power, and suppress resistance; to target or harm families; to harm LGBTI individuals; to extract free labor and services from vulnerable groups—can form the basis of claims for refugee protection for victims whose states fail to protect them under the internationally (and nearly universally) accepted refugee definition set out in the United Nations Convention relating to the Status of Refugees.⁴⁵

Devastating Impact of SGBV on Migrant Children

Migrant children who are survivors of SGBV can experience:

- Pregnancy as a result of sexual violence
- Sexually transmitted infections
- Post-traumatic stress disorder, depression, and anxiety
- Self harm and suicidal thoughts
- Significant educational losses due to withdrawal from school



Nowhere to Turn: How Gang Violence Further Deepens Impunity for SGBV

Generalized impunity for SGBV

Despite the existence of laws and specialized judicial institutions dedicated to addressing SGBV in El Salvador, Honduras, and Guatemala, impunity continues to be the norm. The vast majority of SGBV-related crimes, including domestic and sexual violence, go unreported. Those victims who do report face a judicial system that lacks both the capacity and the will to investigate and prosecute their cases effectively and to guarantee due process. According to the most recent available

statistics, impunity rates for violence against women and girls in El Salvador, Honduras, and Guatemala are at, or over 95 percent.⁴⁶ In all three countries, violence against LGBTI people is rarely investigated or prosecuted, and the vast majority of cases end in impunity.

High impunity rates result from multiple factors. Very few victims report SGBV-related crimes, due to the normalization of violence against women and girls, widespread lack of trust in authorities, and fear of retribution by the abuser. When SGBV is reported, state institutions often fail to effectively investigate and prosecute cases, due to lack of training, insufficient

resources to carry out an investigation or prosecution, and sometimes the intentional mishandling of cases by police, prosecutors, and judges.⁴⁷ In all three countries, judicial processes tend to be slow, burdensome, and traumatic, and victims generally do not have access to adequate information and support services.

Additionally, governments typically do not effectively protect victims from further violence and retaliation by their abusers during the judicial process, leading many survivors in all three countries to abandon or withdraw their cases before resolution.⁴⁸

Within this context of general impunity for SGBV, victims of violence perpetrated by gang members and victims who live in gang-dominated areas face additional obstacles to reporting violence and seeking protection and justice.

Fear of retribution by gangs creates an additional barrier to reporting SGBV

Nancy is a study participant from El Salvador. When she was 12 years old, gang members raped and murdered her sister Angela as punishment for her refusal to carry drugs and collect extortion money for the gang. Angela's boyfriend, a gang member who was in jail at the time, ordered her murder. Although Nancy's family knew who was responsible for Angela's death, they did not tell the police because they feared being killed by the gang, often the consequence for people who report gang crimes. An elderly neighbor had recently witnessed a murder by gang members and reported it to police; her body was found a few days later. A few years after this, Nancy and her boyfriend were both shot by gang members after her boyfriend refused to pay extortion fees. Nancy was injured, and her boyfriend was killed. Nancy was too afraid to inform the police, fearing retaliation by the gang. Even so, the gang believed Nancy had "snitched" on them to the police and began threatening her, forcing her to flee to the U.S for safety.

Gangs exercise strict control and constant surveillance over the communities in which they operate, and in many cases impose punishing "rules of conduct" that

prohibit residents from talking to the police or other authorities, and violently harm those who do not comply.⁴⁹ Vigilant gang surveillance and these rules of conduct prevent victims from reporting SGBV, whether the violence is committed by gang members or by non gang-affiliated husbands, partners, boyfriends, or other family members.

Silvia Juárez, of the Salvadoran Women's Rights NGO ORMUSA and an expert on SGBV, explains how gang presence prevents women and girls from reporting violence: "There are new police units to assist victims of gender-based violence, but what happens? Women tell us that these services may appear to be very important, very helpful, but if a man is violent to his partner, that woman cannot call the police because gangs in their communities will see her as a traitor, as an informant. They [victims of gender-based violence] are made even more vulnerable by reporting, and may even be killed."⁵⁰

In Honduras, young women murdered by gangs have been found with stones in their mouths, indicating that they were killed for talking to the police or for talking to family or friends about gang activity. These acts of violence send a clear message to other women and girls in the community—reporting any crime to the police will place them in grave danger.⁵¹ Even when women or girls are killed by gang members, in some cases their families do not report the crime for fear of retaliation. Rather, the entire family flees their neighborhood or the country, sometimes leaving in the middle of the night to avoid attention.⁵²

Police corruption and involvement in gang activities creates an additional layer of risk in reporting violence and other criminal activity. In some cases, police, prosecutors, and other authorities are involved in, or complicit with, gang activity and share information with gangs when a crime is reported, making the victim vulnerable to retaliation.⁵³ Police have been suspected of colluding with gangs in perpetrating violence against LGBTI people, further eroding the confidence of LGBTI communities that authorities will protect them.⁵⁴

Marta, a 16-year-old girl from El Salvador, was targeted by a gang member who wanted her to become his “woman,” and told her that if she refused she would, “suffer the consequences.” Marta explained why she and her family did not report the threats: “We did not call the police to report what happened to me because you cannot trust the police. Sometimes the same police officers are part of or have an agreement with the gang members.”

Police corruption also prevented Patricia, a study participant from El Salvador, from reporting gang violence.

At age 12, Patricia moved in with a man 20 years her senior to escape abuse in her home. By the time Patricia realized that her boyfriend was the leader of a local gang, she was trapped in an abusive relationship. While the physical and sexual abuse that Patricia suffered became increasingly severe, she knew she could not report it to the police because she had seen local police officers at her boyfriend’s house, selling guns to her boyfriend and other gang members. Without options for protection, Patricia fled to the U.S. with her young child.

Police often use repressive and violent tactics in gang-controlled urban neighborhoods, which further discourage victims from reporting SGBV to police. According to Juárez of ORMUSA, “If a woman sees the police come into her neighborhood and carry out raids, kick in the doors, and violently round up all the teenage boys in the community, what perception will she have of the police? Will she go to the police to report?”⁵⁵

Fear of retaliation by gang members combined with lack of trust in the police mean that women and girls in gang-controlled territories rarely seek state protection from SGBV. Government agencies interviewed for this report confirmed the challenges that victims encounter in reporting SGBV by gangs or in gang-controlled areas, citing that while they know these forms of violence are extremely common, their agencies receive few—if any—reports.⁵⁶

Widespread underreporting of gang-related SGBV results in a lack of reliable statistics on these forms of

violence. Additionally, the governments of El Salvador, Honduras, and Guatemala do not have effective systems for tracking cases of SGBV or other forms of violence in which the perpetrator is involved in a gang or organized crime. These factors contribute to challenges in determining the extent and impact of gang-related SGBV.

Barriers to investigation and prosecution of SGBV cases involving gangs

Survivors of SGBV who report these crimes encounter a barrage of obstacles within the judicial system—from lack of training of government officials on SGBV, to insufficient resources, burdensome processes, and lack of protection after making a report. In addition to these obstacles, survivors of SGBV perpetrated by gangs or who live in a gang-controlled area are often deprived of justice specifically because of the involvement of a gang in these cases.

The direct and indirect involvement of government authorities in the activities of gangs and other criminal groups undermines effective investigation and prosecution of SGBV. While corruption exists throughout El Salvador, Honduras, and Guatemala, it is especially prevalent in rural areas where police and judicial officials have close contact with gangs and narco-trafficking groups, increasing the likelihood of impunity for violence by these groups. Leaders of gangs and other organized criminal groups, as well as church and local government leaders, use their influence to ensure that they will not be held responsible for their crimes, and in many cases continue to commit violence. There is often an “unofficial agreement” that crimes committed by members of these groups will not be investigated or prosecuted.⁵⁷

Government officials, including police, prosecutors, and judges in El Salvador, Honduras, and Guatemala frequently assume that women and girls targeted by gangs or from gang-controlled areas have connections with gangs and discriminate against them, refusing to accept their reports, or publicly questioning the credibility of their accounts. In one case a woman in El Salvador attempted to report a rape by a perpetrator

affiliated with organized crime. The police intimidated and threatened her to discourage her from making the report.⁵⁸ When young women from marginal urban areas are killed, state officials and the media often criminalize the victim, claiming that she was gang-involved. This discredits the victim, is used to justify a cursory investigation, and in many cases results in a gender-motivated murder being classified as “gang conflict” rather than femicide.⁵⁹

Lack of protection and services for victims of gang-related SGBV

“There are no viable options in this country for victims of gang violence. If you report, the gang will come after you, and the state can’t protect you. Even if the gang member goes to jail, there is a network in place to harm you.” –Police officer, El Salvador⁶⁰

Judges, prosecutors, and other officials often fail to recognize or take seriously the danger victims and witnesses of SGBV face during the judicial process, and do not put in place adequate protection measures. When judges issue protection orders, including restraining orders, they lack capacity to monitor and enforce compliance.⁶¹ For example, a prosecutor in the Public Prosecutor’s Office in Honduras expressed concern that police were unable to enter certain gang-controlled neighborhoods to deliver restraining orders or orders to appear in court to perpetrators of domestic violence, forcing victims to either drop their case or deliver the documents to the abuser themselves.⁶² Lack of protection leaves SGBV survivors who seek justice and their families vulnerable to intimidation and violent retaliation by gang members.⁶³

While witness protection programs exist in all three countries, they are underfunded and lack capacity to provide protection in cases involving gangs or organized crime.⁶⁴ Programs provide protection to only the victim/witness in most cases, leaving the victim’s family members vulnerable to retribution by gangs.⁶⁵ Women and girls receiving state “protection” may suffer further abuse by authorities. For example, in El Salvador, women and girls who have entered the state witness protection program have reported that security guards

charged with protecting them have sexually harassed them, offering them improved living conditions in exchange for sexual favors, and in at least one case attempted to sexually assault a woman under their protection.⁶⁶ State-imposed protection mechanisms generally remain in force only during the course of an active judicial procedure, although protection needs persist, and may even be greater after resolution.⁶⁷ Our interviews with girls who were targets of gang-related SGBV indicate that incarcerated gang members continue to monitor and control victims,⁶⁸ meaning that victims and witnesses need ongoing protection after a case has been closed, regardless of the outcome.

Women and children fleeing gang-related SGBV also face a lack of options for safe shelter. El Salvador has just one government-run domestic violence shelter, and it can accommodate only 35 women and children.⁶⁹ Tegucigalpa, the capital city of Honduras, has no government-run domestic violence shelters, and only one NGO-run shelter.⁷⁰ Guatemala has no government-administered shelters for women fleeing domestic violence, and the civil society shelters that provide this service have very limited capacity.⁷¹

Many of the government and civil society-run shelters that exist have sub-standard living and safety conditions, and most impose criteria related to age, gender, and family size that make it impossible for families to stay together when seeking safety (for example, some shelters do not accept women with several children).⁷² Shelters also lack the capacity to ensure the safety of victims in cases in which the perpetrator has ties to gangs or organized crime, and in some cases explicitly ban victims of abuse by gang members.⁷³ In Honduras, for example, some civil society-run shelters have regulations that prohibit women or families who have ties to gangs. According to a prosecutor in the Public Prosecutor’s Office in Honduras, these policies reflect the inability of most organizations to provide security to the victim and other shelter residents in cases where a threat is posed by a gang member, as well as the widespread stigma and discrimination against women from gang-controlled areas, who in many cases are criminalized and blamed for the violence perpetuated against them.⁷⁴

The Guatemalan NGO Refuge for Children (El Refugio de la Niñez) is one of the few organizations that provide shelter and other services to children fleeing gang violence. El Refugio reports that in cases in which they have sheltered girls who are victims of gang-related sexual violence, gang members have discovered their whereabouts and attempted to force them to leave the shelter by threatening shelter staff, and in one case firing a gun at the doors of a shelter.⁷⁵

The Link between Gang-related SGBV and Forced Migration

“When gangs are involved, victims of domestic violence don’t report, they leave.” –Police officer, El Salvador⁷⁶

The above quote rings true not only for domestic violence, but for all forms of SGBV. Survivors of SGBV by gangs endure a network of gang surveillance and control that they cannot escape within the borders of their country, and from which their states do not protect them. Survivors of SGBV often have no choice but to flee their countries, seeking safety in Mexico or the United States. They often have legitimate claims for refugee protection under international, Mexican, and U.S. refugee law.

Many girls and young women migrate after being threatened with sexual violence by a gang member. Several of the girls interviewed for this study had been sexually harassed by gangs in their neighborhoods, or approached by gang members who expressed interest in them and asked them to become their “girlfriends.” They reported having friends, cousins, classmates, and siblings who had been victims of sexual violence perpetrated by gangs, including kidnapping, rape, and in some cases gender-motivated killings, and they all understood the violent consequences for refusing the advances of a gang member. When a girl receives attention from a gang member, she and her family often decide that it is not safe for her to leave the house, and she stops attending school, church, and other activities. Recognizing that even these forms of isolation cannot fully protect girls from violence, many

families feel they have no choice but to send their daughters out of the country to save their lives.

In some cases gang members threaten sexual violence against girls as a reprisal for a family member having rebuffed or crossed the gang in some way, such as by refusing to pay extortion. In these cases, the threat of violence is directed at the entire family, and if the girl flees, another family member becomes the target. Therefore, it is increasingly common for entire families to migrate or relocate internally in the face of the threat of sexual and gender-based violence.⁷⁷

Existing Efforts to Prevent and Address Gang-related SGBV

El Salvador, Honduras, and Guatemala have laws in place that criminalize SGBV and impose penalties for perpetrators, and also define and sanction the crime of femicide, or the gender-motivated killing of a woman or girl. All three countries have also created specialized entities, including special police units, prosecutors, and courts to handle SGBV cases and provide support to survivors. El Salvador and Honduras have enacted legislation that mandates harsher penalties for hate-based crimes motivated by gender identity, and sexual orientation, among other characteristics.⁷⁸ The Honduran penal code also criminalizes discrimination and inciting discrimination based on gender, gender identity, and sexual orientation, among other characteristics.⁷⁹ Honduras created a specialized unit to prosecute hate-based crimes.⁸⁰ While these efforts represent important first steps toward addressing SGBV, much work remains to be done. Laws are far from fully implemented and special units and programs lack funding and often limit coverage to urban centers.⁸¹ In addition to these shortcomings, existing laws and specialized services do not effectively address the particular vulnerabilities of survivors of SGBV who live in gang-controlled areas or in cases where perpetrators have gang affiliations.

The governments of El Salvador, Honduras, and Guatemala have recently shown some progress in implementing gang-violence prevention strategies in partnership with civil society and international partners.

El Salvador's "Plan El Salvador Seguro," initiated in 2015, includes violence prevention components aimed at creating educational and work opportunities for youth, reclaiming public space, and providing support services to families in areas affected by gang violence, in addition to security and attention to victims of crime.⁸² As part of the national plan, the Salvadoran government is working with UNICEF and the international development organization Plan International to implement the program "Hagamos Nuestra la Escuela/This School is Ours." The program aims to address the high level of gang violence in El Salvador's schools, and provides psychological support to students within schools, as well as vocational training and flexible programming to reintegrate students who have left school due to violence.⁸³ Guatemala's "Escuelas Seguras/Secure Schools" program also seeks to address violence in schools,⁸⁴ and a recent campaign by the Guatemalan Education Ministry and UNICEF provides students with an app that allows them to report violence and harassment in schools to authorities.⁸⁵ In Honduras, the recently launched "Regional Project for the Prevention of Violence Against Children, Adolescents, and Youth" includes a focus on violence prevention through the reinsertion of at-risk children and youth into the educational system.⁸⁶

This increased focus by Central American governments on the prevention of violence against children and youth, including gang-based violence, marks progress. Nonetheless, civil society representatives have expressed concern that government responses to violence continue to be primarily reactive rather than preventative, and that prevention programming has not received adequate funding to produce intended results.⁸⁷ According to Judith Erazo of the Guatemalan organization Community Research and Psychosocial Action and an expert on violence against women, "There has been a focus on the judicial system as the only response to violence against women and children. There isn't a real public policy for violence prevention to combat the widespread sexism and racism that are at the roots of these forms of violence."⁸⁸ With little prevention focus, responses to SGBV serve as a Band-Aid rather than a solution. Additionally, Central

American governments have pursued hardline security strategies to fight gang violence and crime that have been accompanied by abuses and in some cases extrajudicial killings by police.⁸⁹ This approach has undermined violence prevention efforts by deepening mistrust in government institutions and discouraging citizens from communicating or cooperating with police.⁹⁰

In support of efforts by Central American governments to address root causes of migration, in Fiscal Year (FY) 2016, the U.S. government allocated nearly \$750 million in aid for Central America, a significant increase from the \$295 million in aid allocated in FY 2015. The FY 2016 funding aims to decrease child migration from the region through investment in economic development, good governance, and security, and signals an increased commitment on the part of the United States to address the root causes of migration from Central America.⁹¹ However, SGBV prevention, response, and reduction have not been explicitly included as benchmarks for U.S. assistance.

One example of violence-prevention efforts supported by U.S. foreign assistance is community-based violence prevention programming (or "place based" programming) funded by the United States Agency for International Development (USAID) in select communities in El Salvador, Guatemala, and Honduras with high levels of violent crime. International organizations and local civil society and religious organizations have implemented violence prevention programming, including community policing initiatives and mentorship and job training for youth. These programs have shown positive results in some communities.⁹² An independent evaluation reported significantly lower rates of violent crime and high perceptions of security by residents in communities with place-based programming as compared to residents of communities where only a traditional "iron first" approach to law enforcement was used.⁹³ While such programs currently exist in a limited number of communities, they provide a valuable model for community-based approaches to violence prevention in the context of gang violence.

The U.S. government through USAID has also supported promising initiatives to address SGBV in Central America and provide assistance to victims. These include the creation of comprehensive victim service centers for survivors in El Salvador that provide legal assistance and medical and psychological services,⁹⁴ as well as the creation of 24-hour courts in Guatemala to hear cases of violence against women. These courts also contain forensic labs equipped to carry out specialized analysis of evidence in such cases.⁹⁵ There is an urgent need to scale up these efforts and increase their geographical coverage and capacity to ensure that all victims have access to these essential services.

Laws criminalizing SGBV and femicide, along with violence prevention efforts, indicate significant advances by the governments of El Salvador, Honduras, and Guatemala in addressing and preventing SGBV. However, meaningful progress can only be made through further investment by these Central American governments and long-term targeted aid from the U.S. government to prevent and respond to sexual and gender-based violence, including gang-related SGBV, and its role in driving forced displacement from the region.

Recommendations

Governments of El Salvador, Honduras, and Guatemala

- Establish and strengthen internal government entities charged with investigating and prosecuting local-level corruption and police involvement with gangs and organized crime. Create, expand, and strengthen international monitoring entities, such as the International Commission Against Corruption in Guatemala (CICIG) and the Support Mission Against Corruption and Impunity in Honduras (MACCIH), to ensure accountability for corruption at all levels.⁹⁶ Prosecute government authorities found guilty of colluding with gangs or organized crime.
- Increase by 50 percent the budget for investigation of sexual and gender-based violence crimes, including funds to purchase equipment required for gathering and preserving forensic evidence. Hire and train experts in the collection and analysis of forensic evidence and ensure that this evidence is handled according to protocols in place.
- Increase funding, personnel, and equipment dedicated to specialized units focused on gender-based violence within police, public prosecutor's offices, and courts, to provide protection, adjudicate cases, and reduce the burden on victims to follow up on their cases. Expand these specialized units beyond capital cities. Provide regular training for personnel in these units to increase awareness of laws related to SGBV, increase sensitivity and build technical capacity for identifying and assisting a variety of SGBV victims, including children, LGBTI people, and indigenous people, as well as victims of SGBV in the gang context.
- Expand and institutionalize training and oversight for regular police, prosecutors, and judges to ensure sensitivity and the application of proper procedures and due process in cases of gender-based violence. Training should be ongoing and mandatory and should build capacity to work with survivors of trauma, as

well as increase awareness of protection needs related to SGBV in the gang context.

- Strengthen civil police forces and train them in community policing strategies to build trust between police and communities and eliminate the use of repressive, violent tactics by police.
- Devote funding to the monitoring and enforcement of legal protection mechanisms (such as restraining orders) for women and girls who are victims of domestic violence and other gender-based crimes. Train judges in identifying risk factors for sexual and gender-based violence and issuing appropriate protective orders. Develop capacity and procedures to ensure that individuals granted protection orders are provided with pro-active forms of protection, not only assistance in response to re-victimization/violation of the orders. Do this by:
 - ensuring coordination between judges issuing orders and local police
 - creating a specialized unit within the public prosecutor's office to monitor and enforce protective orders
 - dedicating staff to develop mechanisms to monitor enforcement of protective orders in the context of gang violence and control.
- Strengthen victim and witness protection programs by expanding them to protect family members, and offering victims protection beyond the sentencing phase if there is a continued threat. Create witness protection programs and shelters that have capacity to provide security to victims and families in cases involving gangs, including mechanisms to provide protection outside of the country if necessary.
- Invest funding in the creation and expansion of government programs and services for comprehensive support for women, children, LGBTI people, and indigenous people who are victims of violence. Attention should include legal, psychological, and health care services, as well as basic needs such as shelter. Create additional sites and ambulatory services to make services accessible to women and children living outside major cities. Governments, in collaboration with civil society, should create a network of shelters in each country and throughout the region for victims of sexual and gender-based violence. Ensure at least some specialized shelters have the capacity to safely transport and house victims in cases where perpetrators have affiliations with gangs or other organized criminal groups.
- Implement comprehensive public education efforts to de-normalize violence against women, girls, and LGBTI people, with a focus on structural inequalities underlying these forms of violence. These efforts should include on-going education in primary and secondary schools, as well as public and community-based campaigns. Ensure that these programs and initiatives are adequately and sustainably funded.
- Invest funding in community-based violence prevention programming, including sexual and gender-based violence prevention programming and gang violence prevention and intervention programming, that is tailored to the needs and dynamics of specific communities and developed with substantive input from community members. Gang violence prevention and intervention strategies should be modeled after successful evidence-based programming and should include school-based prevention programs, programs

to strengthen families, and community policing. Programming should provide meaningful alternatives to gang involvement—such as vocational training and employment opportunities—and should support (former) gang member reinsertion into communities, families, and the workforce. Community members and youth should be involved in a substantive way in devising solutions.

- Create and implement a system for the collection of statistics on SGBV-related crime, disaggregated by age and gender of victims, to be used consistently across government agencies. This system should be used to provide more accurate and current information about the extent and forms of violence, to guide policy decisions, and to monitor progress. Make statistics available to the public while protecting the confidentiality of survivors.

Government of the United States

- U.S. funding to the region must address the root causes of migration and include support to governments to combat the epidemic of violence generated by gangs, narco-trafficking, and other criminal elements, and to fight corruption.
- To meaningfully address the root causes of migration from Central America, the United States must commit to substantial and long term funding for El Salvador, Honduras, and Guatemala. Funding should be higher than the FY 2016 funding level of nearly \$750 million, and at a minimum must be equal to this funding level.
- SGBV prevention and response should be a priority for foreign assistance from all U.S. agencies to El Salvador, Guatemala, and Honduras. Funding should support SGBV prevention efforts, increase capacity within the police and judicial systems to investigate and prosecute SGBV-related crimes, and increase services for SGBV survivors.
- Gang violence prevention and intervention should be a priority for foreign assistance and should support successful evidence-based models that include school-based prevention, strengthening of families, involvement of community members in devising solutions, development of community policing, providing meaningful alternatives to gang involvement, and support to (former) gang members seeking reintegration into families, communities, and the workforce.
- Scale up community-based programming focused on reduction of gang violence (including SGBV) through creation of meaningful educational and employment alternatives for youth who are at risk of violence and gang involvement, as well as for youth seeking to leave gangs, while providing a range of services, such as counseling, for participating youth. Programming should include a community education component on gender norms, discrimination, and SGBV.
- U.S. funding should require as a condition a process of meaningful consultation by civil society organizations with expertise in gender, SGBV, gangs, and at-risk youth in designing programming and in ensuring appropriate monitoring, transparency, and accountability mechanisms. In consultation with these organizations, the United States should set benchmarks for the progressive reduction of SGBV and should

condition release of foreign aid on reaching these benchmarks.

- Civil society organizations that receive U.S. funding directly or indirectly should be required to train staff on SGBV and LGBTI issues, and to develop policies of inclusion and non-discrimination for programs and services.
- All U.S. funding to Central America should include human rights conditions that require countries to end the use of violent and repressive policing techniques, as well as the involvement of the military in law enforcement. All assistance to police forces should be conditioned on demonstrated respect for human rights, including non-discrimination in policing, and respect for human rights defenders (including women's rights).
- The United States should develop clear metrics to evaluate the impact of all programs funded with U.S. assistance, to ensure that funding is used in the most effective and efficient way possible. The results of all evaluations should be made available to the public.

Endnotes

¹ A total of 48 interviews were conducted by KIND staff between the 2nd and 6th of November, 2015 in El Salvador; between the 8th and 19th of February, 2016 in Honduras; and between the 3rd and the 28th of May, and 19th and 24th of September, 2016. An additional ten interviews were conducted by phone or Skype.

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⁹ For more information on the historical and social context of Central American gangs see the following: “Maras y Pandillas en Honduras,” Insight Crime and Association for a More Just Society (AJS), November 2015, <http://www.insightcrime.org/images/PDFs/2015/MarasHonduras.pdf> (accessed April 4, 2017); Organization of American States, “Definición y Categorización de Pandillas,” Report Annex 4, El Salvador, June 2007, p.1, https://www.oas.org/dsp/documentos/pandillas/AnexoIV_El%20Salvador.pdf (accessed March 28, 2017) [Hereafter “Organization of American States 2007”]; Jeannette Aguilar and Marlon Carranza, “Las Maras y Pandillas Como Actores Illegales de la Region,” *Informe Estado de la Region en Desarrollo Humano Sostenible*, 2008, http://www.oas.org/dsp/documentos/pandillas/2sesion_especial/IUDOP/Las%20maras%20y%20pandillas%20como%20actores%20ilegales%20de%20la%20regi%C3%B3n.pdf (accessed April 4, 2017); Deborah T. Levenson, “Adiós Niño: The Gangs of Guatemala City and the Politics of Death,” Duke University Press, 2013.

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¹⁴ The term “Afro-descendent” refers to people of African descent or ancestry. People of African descent have arrived in Central America through diverse means, including as slaves during the colonial period and as workers in the 19th and 20th centuries (María Elisa Valásquez, “Africans and Afro-descendants in Mexico and Central America, Overview and Challenges of Studies of their Past and Present,” The Slave Route Project, United Nations Educational, Scientific, and Cultural Organization (UNESCO), n.d. http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/Maria_Elisa_Velazquez_Eng_01.pdf (accessed April 4, 2017). According to the United Nations Special Rapporteur on the Prevention of Discrimination and Protection of Minorities, “Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them [...]” (“UNESCO and Indigenous Peoples: Partnership to Promote Cultural Diversity,” UNESCO, 2006, <http://unesdoc.unesco.org/images/0013/001356/135656f.pdf>, accessed April 4, 2017);

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²⁰ Arce, 2014.

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²⁶ KIND Interview, Silvia Juárez, Program Director, Organization of Salvadoran Women for Peace (ORMUSA), Skype, June 1 2016 [Hereafter “Juárez Interview”]; C. Hernández Interview.

²⁷ Arce, 2014.

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- ⁴⁷ KIND Interview, staff members and board of directors, Association of Women for Dignity and Life (Las Dignas), San Salvador, November 6, 2015 [Hereafter “Las Dignas Interview”]; KIND Interview, Regina Fonseca, Program Coordinator, Center for Women’s Rights (CDM), February 18, 2016 [Hereafter “Fonseca Interview”]; KIND Interview, Miriam Domínguez Sebastian, Ombudsperson for Women, Office of the Ombudsman for Human Rights (PDH) Guatemala City, September 22, 2016 [Hereafter “Domínguez Interview”].
- ⁴⁸ KIND Interview, Judge with expertise in violence against women, Tegucigalpa, Honduras, February 15, 2016 [Hereafter “Judge Honduras Interview”]; KIND Interview, Prosecutor in the Public Prosecutor’s Office, Tegucigalpa, Honduras, February 18, 2016, [Hereafter “Prosecutor Honduras Interview”]; Elisa Portillo, Feminist Attorney, Latin American and Caribbean Committee for the Defense of Women’s Rights (CLADEM) and Women’s Movement, Guatemala City, Guatemala, May 24, 2016. [Hereafter “Portillo Interview”]. In Guatemala, since the creation of the 2009 Law Against Femicide, the Public Prosecutor has a responsibility to prosecute all cases of violence against women, regardless of whether the victim chooses to continue with the legal process. However, without the active participation of the victim in the investigation and prosecution it is very unlikely that a case will reach a sentence.
- ⁴⁹ Juárez Interview; Bullock Interview.
- ⁵⁰ Juárez Interview.
- ⁵¹ Fonseca Interview.
- ⁵² KIND interview, Carolina Sierra, Director, Forum of Women for Life (Foro de Mujeres por la Vida), San Pedro Sula, February 11, 2016.
- ⁵³ Boerman Interview; The Advocates, 2016, p. 4.
- ⁵⁴ Sabrina Damzast, Jenna Gilbert, and Elizabeth Salinas, “Isn’t it Safe Now? How to Reconcile Official Tolerance and an Emerging LGBT Nightlife With Our Client’s Fear of Returning Home,” *International Law News*, Vol 43(4), Fall 2014, http://www.americanbar.org/publications/international_law_news/2014/fall/isnt_it_safe_now_how_reconcile_official_tolerance.html (accessed March 15, 2017).
- ⁵⁵ Juárez Interview.
- ⁵⁶ KIND Interview, Police Officer, National Civil Police (PNC), Guatemala City, May 24, 2016; KIND interview, Police Officer, National Civil Police (PNC), San Salvador, El Salvador, November 5, 2016 [Hereafter “PNC El Salvador Interview”]; SVET Interview.
- ⁵⁷ Las Dignas Interview; C. Hernández Interview.
- ⁵⁸ Theodora J. Simon, “Gang-based Violence and Internal Displacement in El Salvador: Identifying Trends in State Response, Human Rights Violations, and Possibilities for Asylum,” (Policy Analysis Exercise, Harvard University John F. Kennedy School of Government, 2016), p. 17, http://archive.carrcenter.hks.harvard.edu/files/carrcenter/files/gang-based_violence_and_internal_displacement_in_el_salvador-identifying_trends_in_state_response_human_rights_violations_and_possibilities_for_asylum.pdf?m=1464200254 (accessed April 3, 2017) [Hereafter “Simon, 2016”].
- ⁵⁹ Portillo Interview.
- ⁶⁰ PNC El Salvador Interview.
- ⁶¹ Las Dignas Interview; Center for Women’s Rights (CDM), “Obstáculos y Desafíos que enfrentan las Mujeres Víctimas de Violencia Sexual para Acceder a la Justicia” (2013), p.31, http://www.derechosdelamujer.org/tl_files/documentos/violencia/Cuaderno%20Obstaculo%20web.pdf (accessed April 4, 2016) [Hereafter “Center for Women’s Rights, 2013”]; Judge Honduras Interview; López Interview.
- ⁶² Prosecutor Honduras Interview.
- ⁶³ Simon, 2016, p. 17; The Advocates, 2016, p. 6.
- ⁶⁴ Bullock Interview; Prosecutor Honduras Interview; C. Hernández Interview.
- ⁶⁵ PNC El Salvador Interview; Prosecutor Honduras Interview; Bullock Interview.
- ⁶⁶ Human Rights Ombudsman, El Salvador, Resolution, February 16, 2016; United States Department of State, Bureau of Democracy, Human Rights and Labor, “El Salvador 2016 Human Rights Report,” (Washington, D.C.: U.S. Department of State, 2014), p.21, <https://www.state.gov/documents/organization/265798.pdf> (accessed April 10, 2017).
- ⁶⁷ PNC El Salvador Interview; Prosecutor Honduras Interview; Bullock Interview.
- ⁶⁸ Imprisoned gang members monitor, control, and harm their targets through assistance from non-imprisoned gang members.
- ⁶⁹ Immigration and Refugee Board of Canada, “El Salvador: Violence Against Women, Including Non-domestic Sexual Violence, Legislation, State Protection and Support Services,” (SLV105266.E), 15 September 2015, <http://www.refworld.org/docid/560b8b294.html> (accessed April 4, 2017) [Hereafter “Immigration and Refugee Board of Canada, 2015”].
- ⁷⁰ Center for Women’s Rights, 2013, p.32.
- ⁷¹ Dubón Written Communication.

⁷² Las Dignas Interview.

⁷³ Prosecutor Honduras Interview; Immigration and Refugee Board of Canada, 2015.

⁷⁴ Prosecutor Honduras Interview.

⁷⁵ Dubón Written Communication.

⁷⁶ PNC El Salvador Interview.

⁷⁷ Bullock Interview; López Interview.

⁷⁸ The Salvadoran penal code mandates harsher sentences for hate-motivated murder, as well as the threat or attempt of murder, based on sexual orientation and gender identity and expression, among other factors. Salvadoran Penal Code, Chapter I, Article 129, Chapter II, Article 155. The Special Law for a Life Free of Violence for women (LEIV) defines the crime of femicide, or the hate-motivated murder of a woman, and establishes penalties for that crime. The Honduran penal code includes the crime of “femicide” in Article 118A and classifies as “aggravated” any crime motivated by hate based on sex, gender, race, ethnicity, sexual orientation, disability, and other factors in Title III, Chapter II, Article 32. The Honduran Congress is currently considering a revised penal code that includes femicide, or the gender-motivated killing of a woman, as an aggravated crime, but omits other aggravating factors. LGBTI rights groups in Honduras are urging Congress to revise the proposed code to maintain the existing categorization of hate-motivated crimes (Mendoza Interview).

⁷⁹ Honduran Penal Code Articles 321, 321A.

⁸⁰ United Nations Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights on Discrimination and Violence against Individuals based on their Sexual Orientation and Gender Identity (A/HRC/29/23), May 4, 2015, p. 11,

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⁸¹ Domínguez Interview; C. Hernández interview; Fonseca Interview; Las Dignas Interview

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⁸⁴ Ferdy Montepeque, “‘Escuelas Seguras’ en Lugares Inseguros,” *Diario Digital*, April 5, 2016, <http://diariodigital.gt/2016/04/escuelas-seguras-en-lugares-inseguros/> (accessed April 4, 2017).

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⁸⁶ “Presentan Proyecto Regional para la Prevención de la Violencia Hacia la Niñez, Juventud y Adolescencia en Honduras,” post to “UNDP,” March 31, 2016, <http://www.hn.undp.org/content/honduras/es/home/presscenter/articles/2016/03/31/presentan-proyecto-regional-para-la-prevenci-n-de-la-violencia-hacia-la-ni-ez-juventud-y-adolescencia-en-honduras.html> (accessed April 4, 2017).

⁸⁷ KIND interview, Judith Erazo, Coordinator of Migration Programs, Community Research and Psychosocial Action (ECAP) Guatemala City, September 23, 2016 [Hereafter “Erazo Interview”]; Dan Alder, “El Salvador’s ‘Plan Seguro’ Failing to Make Communities Safe: Report,” post to “InsightCrime,” March 28, 2016, <http://www.insightcrime.org/news-briefs/el-salvador-s-plan-seguro-failing-to-make-communities-safe-report>

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⁸⁸ Erazo Interview.

⁸⁹ Adriana Beltrán and Carolina Scorpio, “El Salvador: Turning a Blind Eye to Police Abuse and Extra-judicial Killings?” Washington Office on Latin America (WOLA), August 16, 2016. <https://www.wola.org/analysis/el-salvador-turning-blind-eye-police-abuse-extrajudicial-executions/>

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