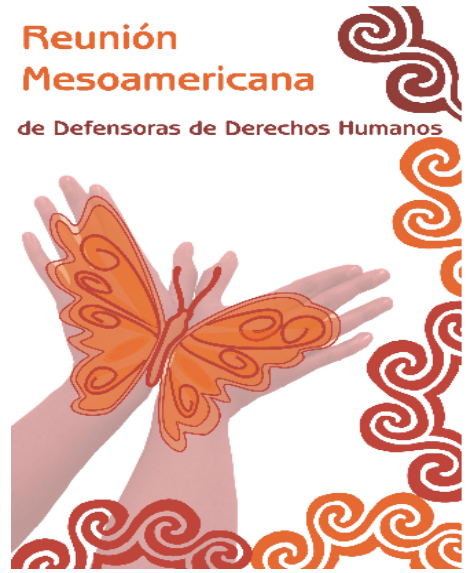


**Reunión
Mesoamericana**

de Defensoras de Derechos Humanos



**VIOLENCE AGAINST WOMEN
HUMAN RIGHTS DEFENDERS IN
MESOAMERICA**

Regional Baseline Report—Executive Summary
July 2010

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MESOAMERICA** Regional Baseline Report
Executive Summary - July 2010

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Introduction

Despite progress in acknowledging and identifying violence perpetrated against human rights defenders in Mesoamerica¹, there is still relatively little gender-specific information available about the situation of women human rights defenders (WHRDs). In addition, violence against WHRDs is overlooked by human rights and social justice organizations and by movements themselves. As a result, there has been a lack of detailed, up-to-date information and analysis of the gendered violence faced by WHRDs in the region.

In an effort to address this deficit, a number of WHRDs convened a regional meeting in Oaxaca, Mexico in April 2010. This group of women, characterized by its impressive diversity—of national origins, ages, ethnic groups, skin colors, sexual orientations and identities—brought their life stories to Oaxaca, stamped on our bodies. Some livened up the atmosphere with their laughter and strident voices, while others listened quietly and attentively. Some live in big cities; others are daughters of the earth and maize. Yet, we found common ground among our many differences—our different ways of looking at life and of making it our own; our ways of relating to each other; and even our varying sexualities. Although such differences often lead to conflict and disagreement, they are the basis of the richness and strength of feminist and women’s movements. We came together with a shared aspiration: the struggle for women’s rights, and for the rights of our communities and of our people.

¹ Mesoamerica is a term used in this report to refer to Mexico and Central America.

The purpose of this document is to give an overview of the violence faced by WHRDs in Mesoamerica. Far from being a final product, this report is intended to spur national and regional analysis of the issue and to generate synergies and solidarity to protect WHRDs, whose commitment and work are vital to advancing democracy, justice, freedom and the further development of society.

In order to facilitate the distribution of this important information, we have made it available in two formats: this printed executive summary (translated from the original Spanish); as well as an electronic copy of the report in its entirety and in the original Spanish, which can be found on a CD-ROM attached to the inside of the back cover.

Project methodology

We began by examining existing publications on the subject of violence against human rights defenders, both male and female, in the region. We then interviewed WHRDs working in a variety of social movements in El Salvador, Guatemala, Mexico and Nicaragua. An analysis of paradigmatic cases of violence against women human rights defenders was also undertaken.

At each stage in the process, we sought to identify:

- Political and social risk factors;
- Types of violence perpetrated against WHRDs;
- Impact of gender-based attacks on WHRDs;
- Who perpetrates violence against WHRDs;
- Why certain issues and struggles are more under attack;
- The extent to which the work of WHRDs is recognized;
- What resources are available to WHRDs; and

- Forms of violence against WHRDs within social movements and organizations.

The testimonies, personal reflections and analysis offered by participants during the Mesoamerican Meeting of Women Human Rights Defenders, also served as a principal source of information. The participants' diversity and the variety of movement represented made it possible to undertake a remarkably wide-ranging and deep analysis of the regional situation. Throughout the meeting, we had the opportunity to speak first-hand about our own experiences, and to share organizational analyses and our own knowledge of the situation in each country.

Context and risks

1. Shared history: armed conflict and dirty wars / peace accords and democratization processes

The impact and aftermath of the armed conflicts and dirty wars in Central America and Mexico comprise a history shared throughout the region. This history is manifested in the violence perpetrated against WHRDs.

The effects of genocide, ethnocide, state terrorism and other forms of mass violence; internal displacement, exile, and impunity for many of the perpetrators; all continue to deteriorate the social fabric, weaken the rule of law and contribute to the current dynamic of generalized violence and insecurity in the region. Literally hundreds of thousands of women who suffered violence at the hands of both state and non-state forces are still awaiting justice and reparations for the violations suffered. For their part, the peace accords and subsequent democratization

processes carried out in the region were ultimately flawed and limited in scope, failing to resolve the underlying structural causes of conflict and tolerance for impunity. Despite their efforts, these processes allowed only the minimal establishment of democratic institutions.

2. Current context

Weak democracies threatened by powerful non-State actors

The transition to democracy has not been consolidated in the region, giving rise to new forms of authoritarianism and militarization. Civil protest has increasingly been criminalized, freedom of expression restricted, and opportunities for citizen participation in policymaking limited. The increasing presence and leadership of women in all social movements has made them targets of repressive policies.

Powerful non-state actors, such as religious hierarchies, organized crime, and transnational business monopolies, have gradually increased their influence and control over public authorities and institutions, as well as over the decisions they make.

Governments tend to promote and defend conservative, fundamentalist agendas and build powerful alliances with religious leaders. These alliances have curtailed the secular nature of the State, resulted in violations of sexual and reproductive rights, and encouraged states to turn a blind eye toward violence against lesbians, gays, transsexuals and transvestites, as well as against the organizations that defend their rights.

Social and economic inequality

Every country in the region experiences high rates of poverty, extreme poverty and inequality. Trade agreements with the United States and structural adjustment policies have weakened local economies and increased dependence, deepened economic inequality, and resulted in increased violations of worker's rights.

Women are most deeply affected by this inequality. In every country, poverty has feminized and rates of maternal mortality have risen, especially in rural and highly marginalized areas. The majority of women have experienced rights violations and deterioration in their quality of life. Economic migration and women's high rate of employment in the informal sector and/or in precarious forms of work such as jobs in export-oriented clothing factories (*maquiladoras* or *maquilas*) are examples of effects of the social and economic inequality. Furthermore, women must now pay for social services once guaranteed by the state.

Heightened violence

Violence has risen in every country in the region. The prevailing impunity and corruption, coupled with the region's strongly patriarchal culture, have favored the consolidation and entrenchment of a culture of violence against women.

Secret security forces and paramilitary groups continue to operate in the region. Due to government complicity and/or incompetence, national and transnational crime syndicates now control many areas, using violence to impose their will.

As a result, every country in the region has areas that have effectively been remilitarized in the name of restoring citizen security. Armies are increasingly, and in some places routinely,

performing civil security duties, and human rights violations committed by military personnel are on the rise.

Femicide, femicide linked to organized crime, domestic violence and sexual abuse, violence perpetrated by members of the military, and forced prostitution are extreme forms of violence against women that are on the rise.

Lesbophobia, transphobia and hate crimes against the transgendered population and sex workers have also increased.

Particularly Vulnerable Groups

WHRDs working against violence. WHRDs and family members defending victims of domestic violence, femicide and femicide; advocates litigating cases of violence against women by the army and other state security forces; defenders denouncing violence against themselves.

Sexual and reproductive rights activists and advocates. Particularly women working to decriminalization of abortion and those who defend women criminalized for having an abortion. Also, women who defend the rights of sex workers and sex workers themselves, organizing their colleagues.

WHRDs advocating for sexual diversity. Particularly lesbian feminists and advocates who are transgender, who publicly combat lesbophobia, homophobia and discrimination due to sexual identity and preference.

Labor rights activists. Particularly trade union activists and women working in *maquilas* who dare to denounce labor rights

violations.

Indigenous rights activists. Women fighting for their, and their communities', right to land, traditional territories and natural resources (against infrastructure megaprojects, mines, dams and reservoirs, etc.); those fighting violence against women within their families and communities; and activists fighting to increase women's participation in community decision-making bodies, etc.

Wives and daughters of political prisoners and of the disappeared, who take on the defense of their unjustly imprisoned family members, search for their missing relatives and struggle against impunity.

Types of violence

The aim of the violence perpetrated against WHRDs is to foment fear, paralyze the defenders, and de-legitimize their work. The perpetrators also seek to intimidate WHRDs into renouncing the rejection of traditional gender roles and abandoning their demands for human rights. This violence is a product of complicity among perpetrators, state authorities and other male members of the community, who protect each other in order to allow, promote and tolerate violence against WHRDs.

In many cases violence is perpetrated at a low intensity: small, repeated attacks that are difficult to report to the authorities and that seem minimal in the greater context of violence against women in society.

Murders. In extreme cases, threats against WHRDs result in murder.

Defamation. This consists of casting doubt on a WHRD's integrity, honor, honesty, the significance of her contribution to the struggle, importance of work done, sexual preference and professionalism, as well as attacking her with personal, sexist, homophobic and racist insults.

Self-censorship. Fear of heightened violence, of provoking attacks against her friends and family, of a lack of support and recognition in family and community networks, or of being expelled from an organization may result in WHRDs remaining silent in the face of violence against them.

Sexual violence. Whether this comes in the form of a threat or a physical assault, sexual violence is oftentimes an element in attacks against WHRDs.

Death threats. These threats are not only aimed at defenders but at their family members as well. In the majority of cases, the message containing a death threat is accompanied by sexist insults and threats of sexual violence.

Violence perpetrated by husbands, romantic partners or family members. These forms of violence include discrediting the work of WHRDs; mocking them for being human rights defenders, feminists, lesbians or transgender; emotional blackmail, including threats of separation from their children and abandonment by husbands or partners, etc. WHRDs may also be victims of domestic violence and/or forbidden from continuing their work.

Surveillance of WHRDs and their organizations. This is a form of low-intensity harassment and/or threats, which is hard to

document and prove. It may be perpetrated by individuals following defenders on foot or by car, or who lurk around the offices and/or homes of WHRDs.

Criminalization of the actions of WHRDs and their organizations.

A recurrent form of criminalizing the actions of WHRDs is filing a complaint against them. Many times, action is never taken in response to such complaints, or if an arrest warrant is issued, it is never served. These complaints are simply mechanisms for making threats, for inhibiting the activities of WHRDs, and for attacking the WHRDs' character.

Lack of media coverage. Major news media outlets in the region tend to operate under conservative agendas; consequently, they do not cover feminist WHRDs because they prefer not to spotlight feminist ideology and struggles. Another form of the violation of free speech is the targeted cancellation by authorities of WHRD's programs, especially radio programs.

Impunity in cases of violence against defenders and non-compliance with protective measures granted by the Inter-American Commission on Human Rights. Authorities do not follow up on complaints by WHRDs. They fail to arrest the responsible parties and do not guarantee the safety of WHRDs. For this reason, many WHRDs decide not to press charges. Likewise, authorities usually fail to comply with precautionary measures as specified by the CIDH.

Violence and identity

- **Invisibilization, defamation, police violence and hate crimes against lesbian and transgender WHRDs, and sex workers.**

Such attacks foment a culture of intolerance and violence in society toward these groups that is expressed by government officials, families, communities, news media and social movements themselves. Attacks against lesbians and transgender WHRDs, and sex workers, are characterized by questioning and making offensive remarks against their work, sexual preference and identity. WHRDs who protect sex workers are repeatedly subject to attack by members of the police. Within social movements, derision for these groups is expressed by invisibilizing them and their issues, as well as by ignoring their contributions. In extreme cases, violence against these groups culminates in murder, which authorities dismiss as “crimes of passion”.

- **Threats and attacks against defenders and organizations working to end violence against women.**

(Particularly domestic violence, feminicide and sexual abuse by military forces). It is common for perpetrators of violence against WHRDs to threaten and attack the staff of battered women’s shelters. If the aggressors are police or public officials, or friends of such people, the attacks are usually more violent and can result in the abuse of authority, intimidation and arbitrary arrests. In other cases, WHRDs combating feminicide who denounce cases of sexual abuse by military forces are threatened by those with ties to the members of the military that they have denounced. WHRDs may also be threatened and attacked by members of organized crime, who are similarly responsible for many acts of

violence against women.

- **Violence against workers defending labor rights.** Women trade union members are faced with threats, unjustified termination, and even death, given that they put powerful economic interests at risk. Women who defend their own labor rights in *maquilas*, which are notorious for labor rights violations, are at even greater risk.

Violence against WHRDs who defend the land, territory and natural resources of indigenous peoples. Transnational corporations utilize violence against resource rights activists in order to protect their interests mining projects, dams and reservoirs. Murders, threats, violent expulsions of entire peoples from their territory, illegal sales of lands and overexploitation of natural resources are some manifestations of this violence. These businesses tend to rely on the complicity of local governments, as well as failure to act by the federal government and national human rights organisms.

Violence in conflict situations. Conflicts heighten the violence faced by WHRDs. In the framework of officially declared conflicts, forms of violence include illegal arrests, rape by police forces, sexual and political violence, death threats, and even murder. In the midst of a conflict, there is usually an increase in domestic violence and femicide; this is especially true within the current regional context of prevailing impunity. It is common for such conflicts to manifest themselves in gendered ways upon women, who are often treated as spoils of war.

Gendered violence within the framework of broader repression of activists. In addition to being victims of the same violence used against their male peers (torture, arbitrary arrests,

etc.), WHRDs face sexual violence, insults and threats specifically stemming from the fact that they are women.

Defamation and threats against organizations and WHRDs fighting for the decriminalization of abortion. Fundamentalist religious groups accuse WHRDs of being “baby killers”, thereby unfairly distorting the work of those who are defending a women’s right to choose and women’s health. Defamation campaigns (utilizing religious services, the news media, religious publications, etc.) can lead to threats or attacks against the offices of an organization and against the defenders themselves.

Violence within the organizations and movements themselves. Defamation, being discredited, restrictions and questioning of leadership, sexist comments, airing of one’s private life and sexual activity, and even rape. The testimony of the women who complain to leaders within their movements is frequently questioned or denied. Others hush up the attack for fear of being expelled or accused of weakening the movement, of contributing to an attack on the leadership, or of being “counterinsurgents”. When they do dare to denounce aggression, they tend to be isolated within their movements, as do the organizations that support them.

Principal Perpetrators

One characteristic of the violence faced by women human rights defenders is that it is perpetrated by a wide variety of actors. Many times, due to the complicity among the attackers, it is difficult to define and identify the responsible parties.

State actors. Especially notable are the authorities charged with seeing that justice is done in cases of violence, as well as police and military forces that have committed repressive acts. Attacks by local authorities also stand out.

Criminal groups. Gangs, drug traffickers, paramilitary forces, etc., are responsible for femicide and extreme forms of violence against women. When WHRDs protect women who have been attacked by these groups or denounce such attacks, they are putting themselves at serious risk.

Family members accused of domestic violence. They include accused husbands, fathers, and boyfriends, many of whom are protected by family members who know they are guilty.

Community members. In rural and indigenous spaces, actors range from neighbors to leaders to community decision-making groups. Local bosses (caciques) are also responsible for many forms of aggression.

Husbands or romantic partners and family members. Far from lending support, many times husbands or lovers of women defenders and/or family members are the ones who pressure or attack them in order to persuade them to stop doing their work.

Transnational businesses. These actors include representatives of megaprojects, mines and cross-border assembly plants.

Leaders and other men from the WHRD's own organizations or from other organizations and social movements.

Churches and religious groups. This category includes parishioners and leaders in the religious hierarchies, as well as related conservative groups such as Pro Vida.

News media. Public and private media, as well as media directed by conservative groups, are also major actors.

Final Statement of Mesoamerican Meeting of Women Human Rights Defenders

We, the diverse women activists and human rights defenders from different Mesoamerican countries who have come together in the city of Oaxaca, Mexico, April 23-25, 2010, are committed to the struggle for the defense and promotion of human rights. Conscious of our historic memory, we share a grave concern over the deepening patriarchy in our region, expressed in an increase in Inequality, poverty, violence, impunity, militarism, corruption, and the onslaught of conservatism and fundamentalism. This situation affects our work and threatens the lives of women activists and human rights defenders.

The authoritarianism that characterizes the states in Mesoamerica has led to a return to the political repression that we once believed had been successfully overcome. Rights that we won in the past have been quashed. Examples of this include the June 2009 coup d'état in Honduras and the increased weakness and illegitimacy of the electoral processes in the region, as well as the criminalization of women who exercise their right to reproductive choice by governments and religious fundamentalists.

Moreover, whether through complicity with regional States or through the absence of effective State action, power groups including organized crime, transnational corporations, religious institutions, and paramilitary groups have gained or increased their control in the area, thereby heightening violence and women's rights violations.

The activists and human rights defenders gathered here are women and trans people committed to fighting for freedom and against all forms of oppression and injustice. Many of us define ourselves as feminists. We work with different groups of people

on different issues. We fight for the rights of indigenous peoples, lesbians, trans women, working women, young women, sex workers, and many others. We work for the eradication of all forms of violence against women; the freedom to choose employment; civil and political rights; economic, social and cultural rights; the right to lasting peace, truth, memory and justice; the eradication of poverty; citizenship and democracy; land rights; environmental protection and sustainability; the decriminalization of abortion; and the full exercise of our sexual and reproductive rights.

Our commitment to defending human rights is a fundamental pillar of democracy, social justice, gender equality and the eradication of all forms of regional violence. Nevertheless, the threats, attacks and defamation campaigns, executions and feminicides, sexual attacks and violence committed against our families, as well as the diverse forms of harassment to which we are subjected for being women human rights defenders and activists, undermines democracy-building, weakens social movements and decreases our active political participation as full citizens.

In view of the above, it is a fundamental necessity to guarantee that conditions exist in which all women activists and human rights defenders can safely continue our work in a climate of respect for our right to defend and protect human rights.

Therefore, we demand:

Of society:

Respect and commitment to the work that we do as women activists and human rights defenders, which generates real concrete benefits for all citizens and contributes to building a more just and sustainable society.

Active commitment to the eradication of all forms of discrimination, oppression and violence perpetrated against all

women activists and human rights defenders in the family, community, workplace, schools and social and political institutions.

Commitment and consistency of word and action from all social movements and civil society organizations, and especially from men who participate in them, to refuse to tolerate violence against women within these movements, and to fight such violence whenever it occurs. Likewise, we ask them to recognize the leadership and contributions made by women activists and human rights defenders, and to stand in solidarity with women who denounce such violence, working alongside them to prevent further violence.

Of Mesoamerican governments and agencies:

Stop the violence against all women activists and human rights defenders, and foster a culture based on human rights, non-discrimination and gender equality through education.

Fulfill your obligation to protect all people, especially women and trans people working to defend and promote human rights.

Establish programs to promote and protect access to justice for all women human rights defenders, guaranteeing that cases of violence against activists and defenders do not go unpunished.

Recognize the need to protect women defenders against violence from non-state and private actors, as well as violence that occurs in communities and families, and create the mechanisms to assure this protection.

Eliminate regional policies of militarization and the privatization of public security.

Repeal all laws establishing a State of Exception in the region.

Guarantee the existence of the secular State, avoiding all policies and measures fostering State submission to religious institutions in establishing public policy.

Of the Inter-American Human Rights System (including the CIDH, the Court and all rapporteurs):

Issue public, ethical sanctions against states using violence against women activists and human rights defenders.

Monitor the general situation of women human rights defenders and activists in the region in a timely fashion.

Strengthen coordination between the Human Rights Defenders Unit and the Special Rapporteur on the Rights of Women, in order to respond more efficiently to cases of rights violations that occur.

Be open to convening a thematic hearing on the Situation of Women Human Rights Defenders in the Americas.

Adequately evaluate the implementation of precautionary measures dictated in the cases of women human rights defenders, ensuring that gender is considered as a factor in the definition and implementation of these measures, including their rapid adoption.

Guarantee the prompt drafting and publication of the revised 2006 report on the situation of violence against human rights defenders in the Americas and assure monitoring of the implementation of all recommendations.

Assure that the agendas for in situ visits by the Special Rapporteur on the Rights of Women and the Human Rights Defenders Unit cover cases of violence committed against a broad array of women human rights defenders.

Of the United Nations Human Rights System (treaty committees on special mechanisms):

Issue public, ethical sanctions against states using violence against women activists and human rights defenders.

Ensure that the upcoming report by the Special Rapporteur on the Situation of Human Rights Defenders contributes to visibilizing the situation faced by women activists and human

rights defenders Mesoamerica, and that the report is written from a gender perspective.

Guarantee that the situations of women human rights defenders in their diversity are integrated into the recently created Universal Periodic Review processes, carried out by the member states of the UN Human Rights Commission, and that their review results in binding consequences and effects.

Reinforce joint work and coordination between the Rapporteur on Violence Against Women and the Special Rapporteur on the Situation of Human Rights Defenders including joint recommendations or reports, and joint missions, in addition to individual communications work.

Ensure that all committees monitoring treaties on torture; civil and political rights; economic, social and cultural rights; the eradication of discrimination against women; and children's rights, among others, include a gender and women's rights perspective and, that they especially take into account the situation experienced by the wide array of women activists and human rights defenders in the region.

Widely disseminate the recommendations made to different states in the region by different entities and committees of the U.N. on the rights of all women human rights defenders, using all available mass media.

For our part, we, as diverse Mesoamerican women activists and human rights defenders, make a commitment to achieve better coordination among ourselves, which will allow us to continue acting collectively in making a timely and effective response to violence and assisting in cases of threats and attacks faced by colleagues in our region.

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