

GENDER-BASED VIOLENCE COUNTRY PROFILE: EL SALVADOR

INTRODUCTION

El Salvador has the highest rate of intentional female homicides globally at 13.8 per 100,000.¹ In 2018, one woman was the victim of a femicide every 24 hours in El Salvador.² Authorities do seem to be slowly managing to turn the tide, and the percentage of reported femicides fell 17% between 2017 and 2018 and 40% between 2018 and 2019.³ Nonetheless, the COVID-19 pandemic has seen an increase in reported violence. In 2020, there were 131 reported homicides against women, including 73 feminicides, and the first semester of 2021 saw 82 murders with 52 which were classified as homicides.⁴

Sixty-seven percent of Salvadoran women have suffered some form of violence in their lifetime, including sexual assault, intimate partner violence, or abuse by family members, according to a 2017 national survey.⁵ Throughout their lifetime women are at risk of various forms of violence in many different environments; violence is continuous throughout their existence and is deeply rooted in gender discrimination, social norms, and harmful stereotypes. Despite this high level of violence, only 6% of victims report abuse to authorities.⁶ Advocates say many fear repercussions for speaking out, aren't able to access public services to report, or simply don't consider violent treatment unusual.

Violence against women and girls in El Salvador exists alongside high levels of social violence and the presence of gang groups and organized crime. A higher level of brutality of crimes against women is seen as a result of this intersection of gender-based and gang-related violence. There are also instances of forced displacement of women and/or family units.⁷ In 2020, there were 20 murders for every 100,000 inhabitants in El Salvador. This extensive violence and brutality in the country makes violence against women even more invisible,⁸ and fear of reprisal from gang members dissuades victims, their family members, and witnesses from coming forward.

There is a particularly high volume of GBV cases in the country's three largest cities (San Salvador, Santa Ana and San Miguel) and in some of the municipalities of the San Salvador metropolitan area, characterized by their high population density. According to data from the Office of the Attorney General of the Republic, GBV cases tend to be concentrated in 21 of 241 municipalities. This means women who experience violence and live in outlying and rural areas may find themselves pushed out of the spotlight.

While El Salvador has progressed in its response to GBV, challenges remain related to laws and policies, the capacity of state institutions and civil society organizations, the provision of essential services and program

¹ World Bank. (2015). Intention homicides, female (per 100,000 female).

https://data.worldbank.org/indicator/VC.IHR.PSRC.FE.P5?most_recent_value_desc=true.

² UN News. (2018, April 17). 67% of women have suffered some type of violence in El Salvador.

<https://news.un.org/es/story/2018/04/1431372>.

³ DIA. (2019). Informe Anual: Hechos de Violencia Contra las Mujeres.

⁴ DIA. (2019). Informe Semestral: Hechos de Violencia Contra las Mujeres.

⁵ UN News. (2018, April 17). 67% of women have suffered some type of violence in El Salvador.

<https://news.un.org/es/story/2018/04/1431372>.

⁶ ibid

⁷ Spotlight Initiative. (2020). Country Programme Document: El Salvador.

⁸ Nugent, C. (2019, May 14). Violence Against Women in El Salvador Is Driving Them to Suicide — Or to the U.S. Border.

<https://time.com/5582894/gender-violence-women-el-salvador/>.

implementation, dissemination of decision-making information, social tolerance, criminal investigations and prosecutions, and limited resources for tackling violence, among others.

PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID

UN Women Prevalence Data on Different Forms of Violence against Women:⁹

- Lifetime Physical and/or Sexual Intimate Partner Violence: 14.3 %
- Physical and/or Sexual Intimate Partner Violence in the last 12 months: 5.9 %
- Lifetime Non-Partner Sexual Violence: *Official National Statistics Not Available*
- Child Marriage: 25.5 %

Impact of COVID-19:

The data shows substantial increases in reports of gender-based violence in El Salvador since the COVID-19 pandemic. For example, nearly 200 complaints of violence against women were reported by the Organization of Salvadoran Women for Peace from March 17 to May 22, 2020, a 70% increase compared to 2019.¹⁰ Evidence from InfoSegura (which gathers data on citizen security in Central American countries) from 2020 also indicates increased levels of gender-based violence in El Salvador.¹¹ Finally, according to data from the National System of Data, Statistics and Information on Violence Against Women of El Salvador, there were 102 violent deaths of women in 2021, of which 72 were classified as femicides by the authorities.¹²

POLICY AND LEGAL FRAMEWORK

Gender equality in the legal framework: With regards to overall gender equality in the legal framework, according to the World Bank's 2021 "Women, Business and the Law" study, El Salvador scores 88.8 out of 100 (over 8 indicators). The country does well when it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints on women's starting and running a business, and gender differences in property and inheritance. However, El Salvador could consider reforms to improve legal equality for women when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and laws affecting the size of a woman's pension.¹³

The following data points illustrate various other gender aspects in El Salvador's legal framework:¹⁴ a) the Family Code of El Salvador establishes the minimum legal age for marriage without parental consent at 18 for both women and men. In the case of pregnancy, a minor can marry before the age of 18 with parental

⁹ UN Women Global Database on Violence Against Women. (n.d.). El Salvador. <https://evaw-global-database.unwomen.org/en/countries/americas/el-salvador?#>.

¹⁰ IRC. (2020, June 9). IRC data shows an increase in reports of gender-based violence across Latin America. <https://reliefweb.int/report/el-salvador/irc-data-shows-increase-reports-gender-based-violence-across-latin-america>.

¹¹ InfoSegura. (2020, Sept. 24). #SegurasWomen – Regional Campaign for the prevention of violence against women. <https://infosegura.org/2020/09/24/mujeresseguras-campana-regional-de-prevencion-de-violencia-contra-las-mujeres/>.

¹² Gender Statistics Observatory. National system of data statistics and information on violence against women, El Salvador. <http://aplicaciones.digestyc.gob.sv/observatorio.genero/informe-violencia/index.aspx>.

¹³ World Bank (2021). Women, Business and the Law 2021: El Salvador. <https://wbl.worldbank.org/content/dam/documents/wbl/2021/snapshots/El-salvador.pdf>.

¹⁴ OECD Social Institutions and Gender Index. (2014). El Salvador. <https://www.genderindex.org/country/el-salvador-2014-results/>.

consent. The prevalence of child marriage remains high with the most recent survey data indicating that 25.4% of women between 20 and 24 were married before the age of 18; b) the Civil Code establishes that either spouse can initiate divorce; c) the law criminalizes rape, and the criminal code's definition of rape may apply to spousal rape; d) abortion is illegal under all circumstances in El Salvador, even when a woman's life is at risk; e) with regards to civil liberties and political voice, women and men have the same legal rights to vote and stand for election in El Salvador. Although women continue to be underrepresented politically, the number of female members in the legislature has slowly increased over time. In February 2020, a new regulation provided for the creation of Institutional Gender Units in public institutions to promote, advise, monitor, and coordinate the implementation of the principle of equality, equity, and non-discrimination, as well as to ensure compliance with the applicable regulations.¹⁵

International treaties on GBV: El Salvador is a member of several international treaties which guarantee equality, non-discrimination and freedom from violence for women and girls, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Beijing Declaration and Platform for Action, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, "Convention of Belem Do Para," and the Convention on the Rights of the Child (CRC).

National response to GBV: In line with these agreements, El Salvador has developed its own national regulations, public policies, and coordination systems to guarantee the rights of women and girls. In 1996, El Salvador passed domestic violence legislation that covered all members of the family, including women, children, and seniors, and defined domestic violence as including "patrimonial" (i.e., lack of access to family resources, assets and entitlements), psychological, physical, and sexual violence.¹⁶ In 2009, the Legislative Assembly passed the Act on the Comprehensive Protection of Children and Adolescents (LEPINA); in 2010, it passed a specific law to combat violence against women, the Special and Comprehensive Law for a Life Free of Violence for Women (LEIV); and in 2011, it passed the Equality, Equity, and Eradication of Discrimination against Women Act. In same year, the legislative triad formed by the Women's Parliamentary Group, the Commission for Women and Gender Equality, and the Gender Unit in the Legislative Assembly was institutionalized. This group currently has a National Policy for Women's Access to a Life Free of Violence (with a corresponding Action Plan for 2016-2021) and a National Policy for the Integral Protection of Children and Adolescents of El Salvador (PNPNA), among others.

Despite these advancements, there are still limitations such as the lack of harmonization of specialized legislation on violence against women and girls with other frameworks such as the Penal Code, Criminal Procedure, and Family Code. Furthermore, there are some gaps in the alignment of the Salvadoran legal framework with international human rights standards, especially in terms of sexual and reproductive rights, financial independence of women, and access to justice.¹⁷

El Salvador is the only country in the world with a law against "femicide suicide" — the crime of driving a woman or girl to suicide by abusing them. The law, enacted in 2012 as part of broader legislation seeking to curb violence against women, is a striking recognition by the government of the psychological damage suffered by victims and the need to hold perpetrators accountable.

¹⁵ Gender Equality Observatory for Latin America and the Caribbean. (n.d.). <https://oig.cepal.org/en/countries/salvador>.

¹⁶ *ibid*

¹⁷ Spotlight Initiative. (2020). Country Programme Document: El Salvador.

GBV RESPONSE MECHANISMS AND SERVICES

The following services are available for survivors of violence in El Salvador:¹⁸

- **Women’s Unit (Attorney General’s Office):** The Women’s Unit provides comprehensive support to women victims of crime, including legal aid and attending to the physical and emotional health of victims by providing psychological and medical assistance and social support.
- **Campaign “Help is for All”:** The campaign was launched in 2013 by the Directorate for Victim Support of the Ministry of Justice and Public Security and targeted those who have been subjected to violence of various kinds – domestic or sexual violence, threats, trafficking-in-persons or extortion. An anonymous, free, confidential emergency helpline (123) was set up that can refer callers to other agencies.
- **The 126 Helpline:** The helpline began operating in August 2012 and provides free guidance to women experiencing violence. There are also various free service numbers of the Family Friendly Telephone (TAF) for each region.
- **Legal advice:** The Salvadorean Institute for Women’s Development (ISDEMU) and the Office of the Attorney General of the Republic established in 2008 provide both free counseling and solicitation services, respectively.
- **Specialized shelter:** The shelter was organized by ISDEMU in 2008 for survivors of domestic violence, sexual assault, child abuse, and human trafficking. It provides continuous attention by multidisciplinary personnel, has national scope, and a capacity of 60 beds.

The following measures were implemented during the COVID-19 response:

- **Expansion of an interactive platform “CuentaNos” providing critical information on services.** The International Rescue Committee (IRC) operates a multi-platform information hub "CuentaNos" with two-way messaging, where users in El Salvador (as well as Honduras and Guatemala) can seek information and service providers for essential services such as health and education. The IRC expanded the functionality of this existing web-based resource to address increases in intimate partner violence (IPV) and other needs related to COVID-19. The platform includes a database of IPV protection service providers and allows users to contact IRC moderators via WhatsApp for support concerning IPV and other issues. CuentaNos data as of May 2020 reveals drastic increases in searches and requests for help due to GBV since the onset of the pandemic.¹⁹
- **The establishment of an emergency psychological support center,** staffed by medical professional and psychologists, to strengthen services and support the mental health of IPV survivors who have suffered violence during the COVID-19 lockdowns.²⁰

¹⁸ UN Women Global Database on Violence Against Women. (n.d.). El Salvador. <https://evaw-global-database.unwomen.org/en/countries/americas/el-salvador?#>.

¹⁹ IRC. (2020, June 9). IRC data shows an increase in reports of gender-based violence across Latin America. <https://reliefweb.int/report/el-salvador/irc-data-shows-increase-reports-gender-based-violence-across-latin-america>.

²⁰ Andrews, S. & Klugman, J. (2021). Responding to rising intimate partner violence amid COVID-19: A rapid global review. *Georgetown Institute for Women, Peace and Security (GIWPS)*. <https://giwps.georgetown.edu/wp-content/uploads/2021/03/Responding-to-Rising-Intimate-Partner-Violence-Amid-COVID-19.pdf>.

- **A program created to provide access to information and resources (including cash transfers and basic supplies)** to women and girls at risk of or experiencing gender-based violence, implemented by the IRC's El Salvador team.

Examples of Notable Interventions to Address GBV

Ciudad Mujer: Translated as “Women City,” this initiative was created in 2011 and offers aid to victims of violence against women and provides access to women's healthcare services, financial advice, and career training. There are six Ciudad Mujer centers located throughout the country, offering services from 15 Salvadoran government agencies in one location. Services include job training and financial loans (offering a chance for economic independence); healthcare services including reproductive health care, neonatal care, and breast cancer prevention; and forensic laboratories and legal aid for victims of sexual assault. The centers were initially implemented thanks to a USD \$20M loan from the IDB, and a 2016 impact evaluation found positive impacts on the use of essential services by women between the ages of 18 and 60 in the area of influence of the three centers under study.²¹ In June 2019, Ciudad Mujer became part of the new Ministry of Local Development.

²¹ Bustelo, M., Marínex, S., Millard, M.P., & Silva, J.R. (2016). Evaluación de Impacto del Proyecto Ciudad Mujer en El Salvador. IDB. <https://publications.iadb.org/publications/spanish/document/Evaluaci%C3%B3n-de-impacto-del-Proyecto-Ciudad-Mujer-en-El-Salvador.pdf>.

APPENDIX 1 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (EL SALVADOR)²²



El Salvador.xlsx

²² UN Women Global Database on Violence Against Women. (n.d.). El Salvador. <https://evaw-global-database.unwomen.org/en/countries/americas/el-salvador?#>.

GLOSSARY

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| Gender | Roles that are determined socially, behaviours, activities, and attributes that a society considers appropriate for men and women. These roles are contextual and influenced by a society's culture and traditions, as well as by prevailing religious beliefs. |
| Gender-Based Violence (GBV) | Any act of violence that results in, or the nature of which causes, physical, sexual, or psychological harm or suffering to someone because of his or her sex. This including threats through similar acts, coercion, or arbitrary deprivation of liberty, whether in public or private life (UN, 1993). |
| Sex | Refers to the biological and physiological characteristics which differentiate men and women. |
| Sexual Exploitation | Any real or attempted abuse of a position of vulnerability, power differential, or relationship of confidence for a sexual purpose, including, but not limited to, taking financial, social, or political advantage of another through sexual means. |
| Sexual Abuse | Real or threatened physical intrusion of a sexual nature, whether it be by force or under unequal or coercive conditions. |
| Sexual Harassment | Unwelcomed sexual advances, demand for sexual favors, or any other verbal or physical behavior of a sexual nature. In the work place, submission to these advances or behaviors may made either implicitly or explicitly a condition of continued employment, promotion, or other decisions affecting a person's employment. |

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