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DATA ON VIOLENCE AGAINST WOMEN IN LATIN AMERICA AND CARIBBEAN

Invited Paper

Submitted by ECLAC ¹

Introduction

1. Were we to take a representative sample of 10 women aged 15 and over in each of the countries of Latin America and the Caribbean, we would see that four Peruvian women and four Nicaraguan women have been subjected to physical violence by their husbands; in Mexico, three women out of ten have suffered emotional abuse and another two have undergone economic violence; three Brazilian women have been subjected to extreme physical violence and two Haitian women have suffered physical violence.

2. From 1990 to 2007 over 880 Chilean women died as a result of homicide, most of them being the victims of their partners or former partners. Similar situations exist in Costa Rica, where femicides make up 61% of the total number of killings of women; in El Salvador, where half the cases of violence reported in the press in 2005 resulted in homicide; in Puerto Rico, where 31 women were murdered in cases of domestic violence in 2004; and in Uruguay, where domestic violence results in the death of one woman every nine days. In all cases, more women die at the hands of their partners than as a result of the actions of strangers. These figures are met with repulsion on the part of the general public, as is shown in *Latinobarómetro 2006*, in which 90% of the respondents consider family violence to be a serious problem.²

3. The figures contained in the regional report entitled "Not one more! Women's right to a life free of violence in Latin America and the Caribbean" are only the tip of the iceberg which is

¹Document extracted of the interagency study "*Ni una más!!! El derecho a vivir una vida libre de violencia en América Latina y el Caribe*", prepared by Sonia Montañó Virreira, Chief of Women and Development Unit.

² See data in *Latinobarómetro 2006* (Lagos, 2007).

concealed by statistical silence, social tolerance and impunity in respect of gender violence – which has now become one of the most widespread forms of human rights violation.

4. The voices of women who have now for three decades been bringing this issue out of private life and making it a subject of social debate – defying anachronistic legal frameworks and defining physical, sexual and psychological violence – have had an impact on legislative authorities, which have gradually removed legislative barriers to penalizing such violence and have adopted legal instruments based on the Convention of Belém do Pará.³ As a result, Latin America and the Caribbean is among the regions which have the world's best legislation in this area.

5. This study has sought to identify the specific nature of gender violence in the region, as a complementary contribution to the in-depth study on all forms of violence against women presented by the Secretary-General of the United Nations to the General Assembly in October 2006. When the analysis was concluded, more similarities than differences were observed in respect of other continents. The women of Latin America and the Caribbean are neither more nor less the victims of violence than those of other parts of the world. Violence is a threat to all women –regardless of their social, racial or ethnic origin– and its main characteristics are the same as in other regions. Certainly, some groups are more vulnerable than others and face greater obstacles in obtaining protection from the state and the system of justice,⁴ and they are faced with an additional form of violence resulting from the failure to enforce the law: institutional violence.

6. The distinctiveness of the problem in Latin America and the Caribbean has to do with the levels of development of the region's countries. To a great extent, the manifestations and circumstances of violence against women differ as a result of widespread democracy, institutional and legislative development, and the tradition of religious freedom which characterizes most of the countries. Nonetheless, while the adoption of legislation and the creation of institutions are necessary for the eradication of violence, the societies of the region have failed to free themselves from the patriarchal culture still present in people's mentalities, a culture which has since its origin been rooted in a colonial system which is profoundly violent in both ethnic and gender terms, as well as the beliefs and practices of broad social sectors and institutions such as the police, health services, the judicial system and the media.

7. In extreme situations such as wars and internal conflicts of a political or criminal nature, women are the victims of rape and sexual offences which they are subjected to as a means of inflicting a defeat upon adversaries, be they political, military, gangs or drug rings. It is in extreme situations, such as that of the women of Juárez, Mexico, that such pernicious behaviour comes to light.⁵

³ Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, signed at the twenty-fourth regular session of the General Assembly of the Organization of American States (OAS), Belém do Pará, Brazil, 6-10 June 1994).

⁴ Organization of American States (OAS)/Inter-American Commission on Human Rights (ICHR), Access to justice for women victims of violence in the Americas (OEA/Ser.L/V//II.Doc. 68), Washington, D. C., 2007 [online] <https://www.cidh.oas.org/women/Access07/tocaccess.htm>

⁵ See paragraph B.4 (ii) on non-intimate femicide in the public arena.

8. Rather than protecting women, prevailing traditions generally tend to reinforce their subordination by reinforcing habits and customs which legitimize discrimination. The persistence of traditions, certain religious and other values which enshrine the inferiority of women, but above all the weakness of institutions and the low priority attached to the issue in most countries' state budgets are all barriers to the eradication of this serious problem. Although Latin America and the Caribbean does not suffer from the infanticide, "female foeticide," genital mutilation and dowry-related violence seen in other parts of the world, there are situations prevalent in the region which are not sufficiently brought to public attention and which infringe the most elementary rights, such as trade and trafficking in persons, incest and the abuse of girls involved in child labour.

9. Innovative rules and mechanisms such as the Convention of Belém do Pará and its monitoring mechanism coexist with the impunity that affects the victims of violence, referred to as "survivors" in the report of the Secretary-General. This is reflected in the fact that the causes of femicide include long chains of slackness, ineffectiveness and impunity, which contribute to the deaths of many women. Although many countries have enacted new legislation in accordance with the Convention, as will be seen below, much remains to be done in order for justice to be done properly. All legislation must be harmonized with the principles of human rights, eliminating where necessary the remnants of legislation which is patriarchal, and providing appropriate legal definitions of all forms of violence; new investment is needed in sectoral policies in fields such as education, health, public safety and labour, and international agreements must be incorporated into states' foreign policies so that the protection of women's rights becomes part of the backbone of countries' activities.

10. The institutional changes which have taken place in the past ten years in the executive, legislative and judicial branches of government have failed to keep up with social and legal changes. This contrasts with growing social awareness of the gravity of the problem. Some 90% of the people surveyed in the region on the issue of whether the problem of domestic violence is "important" or "somewhat important" respond that it is important. This ranges between 97% of respondents in Chile and 80% in the Dominican Republic.⁶ The scale of statistics on the prevalence of domestic violence and society's perception of its seriousness contrast with the scarce presence of this issue in political agendas, the scant resources allocated to it and the behaviour of judicial systems. This reveals a gap between public demand for action and the response of the state.

11. This report is an appeal, firstly for governmental authorities swiftly to adopt all necessary measures so that the region can move forward from feeling proud of its words and its legislation to providing protection and eradicating all forms of violence against women. The report also calls on international bodies, civil society organizations and the media to promote broad consensus for the eradication of violence and impunity.

12. The report is in four parts. The first defines violence against women in the region and places it in context; the second provides an analysis based on available sources, considers the status of information and describes the impacts and costs of violence; the third part describes existing progress, initiatives and best practices; and the fourth describes the challenges and possible measures to be taken by governments and society, proposing a tried and tested model

⁶ See data in *Latinobarómetro 2006* (Lagos, 2007).

for care and a regional observatory for full-time monitoring of violence against women. The annexes reflect the information available in the countries of the region, legislation on violence against women, policies, programmes and budgets, and international instruments to combat violence against women.

13. The information used comes from bibliographical sources, material published on the Internet, government reports, research by non-governmental organizations and academic centres, and documents from the United Nations system, updated to the end of 2006. Another source was the analysis of responses to the questionnaire for United Nations entities on activities addressing violence against women”, circulated in January 2005 by the Division for the Advancement of Women (DAW) and to two questionnaires sent in January 2006 to organizations of the United Nations system and to offices for the advancement of women in the countries.

The data on violence

14. The production of an updated analysis in order to achieve full awareness of the nature, prevalence, causes, consequences and repercussions of violence against women upon the women themselves and upon society as a whole is a task which remains to be performed. There is still no baseline from which to monitor and assess the impact of policies, legislation, plans and programmes. There are still no data as to the true magnitude of the various types of violence against women. Many countries in Latin America and the Caribbean have no basic information with which to measure that magnitude and construct indicators and those States where surveys have been conducted on the subject and data are available still lack indicators to represent the magnitude of violence on a basis which is standardized and comparable over time, within and outside the countries.⁷

15. This analysis seeks to provide such a baseline, from which it will be possible to assess the impact of the application of legislative frameworks and the execution of various strategies, as well as the consequences of the plans and programmes which have been implemented in the region for the purpose of prevention, caring for victims and penalizing violence against women.

16. In general, the collection of information on violence against women is based on the definition contained in national laws, which includes physical, psychological and sexual violence, and economic or property violence is covered in the legislation of some countries in the region, as the expression of violence which consists of depriving a woman of the economic means of subsistence for herself and her children or harming her property.⁸ Economic violence is based on the mechanisms used by men —usually spouses— to control women’s economic behaviour. It includes deprivation of the basic resources needed for sustenance and wellbeing, which isolates them socially, deprives them of freedom of movement and of independence.

⁷ For additional information on the methodological aspects of the measurement of gender violence which were taken into consideration in preparing this report, see annex I on the information available in the countries of Latin America and the Caribbean.

⁸ The following countries have adopted legal definitions of economic or property violence: Costa Rica (Law against Domestic Violence N° 7,586, 1996); Dominica (Act on Protection against Domestic Violence, 2002); El Salvador (Law against Family Violence, 1996); Guatemala (Law to Prevent, Punish and Eradicate Family Violence, 1996); Guyana (Law on Equal Rights N° 19, 1990); Honduras (Law to Prevent, Punish and Eradicate Violence against Women, 1997, and Law on Domestic Violence, 1998); y Uruguay (Law on the Prevention, Early Detection, Handling and Eradication of Domestic Violence, 2002).

17. The various expressions of physical, sexual and psychological violence against women, girl children and adolescent girls, as well as femicide –the ultimate link in the long chain of violence to which women are subjected– can be distinguished on the basis of different factors such as situations of great vulnerability (such as HIV/AIDS, migration by women, trafficking in girl children, adolescent girls and women, poverty, and the ethnic dimension), the relationships involved (family violence, incest) and the life cycle (violence against girl children, adolescent girls, adult women and older women). In all cases, institutional violence by action or omission serves to wrap the issues in a cloak of impunity, which is part of the generalized perception of violence against women.

18. The authors of this regional report have chosen to analyse all these forms of violence in the framework selected for the Convention of Belém do Pará, in other words, to consider violence that (a) occurs within the family or domestic unit or within any other interpersonal relationship; (b) occurs in the community; and (c) is perpetrated or condoned by the state or its agents regardless of where it occurs.

Information available in the Latin American and Caribbean countries

19. To date, the fact that countries use different criteria to measure violence against women makes it difficult to compare results across Latin America and the Caribbean. The differences are due to the measurement methodologies used, as well as the lack of national bodies to centralize, systematize and consolidate existing information.⁹ Data from both specific surveys and administrative records are required to produce indicators that are accurate and measurable. There are currently standardization initiatives under way to create information systems using single forms in countries including Bolivia, Brazil, Chile and Colombia. Special mention should be made of the work carried out by the Organization of Salvadorian Women for Peace (ORMUSA), which in November 2006 published an extensive analysis of the records used by the health, police and justice services, in order to help systematize information on and raise the profile of the murder of women.¹⁰

20. Given that it is fairly laborious to devise and conduct specialized surveys (which constitute an extremely effective way of measuring various forms of violence against women), specific modules on violence have been incorporated into population surveys. Surveys that use a representative sample of female victims of violence are a reliable way of compiling information on the prevalence and types of violence found. Other highly useful sources of data are the statistical records of police, judicial, criminal and health institutions and those of non-governmental victim-support organizations.

21. To systematize and process the databases and statistical records, a search was conducted for information on gender violence and HIV/AIDS that could be compared across countries. From the comparability viewpoint, the best sources of information were the Demographic and Health Surveys (DHS). The Demographic and Health Survey Programme (Measure DHS +) helps government and private institutions in developing countries to conduct national surveys.

⁹ ECLAC has proposed two types of indicator: one based on information from surveys, and another using data from administrative records (Alméras et al., 2002).

¹⁰ See Urquilla Guzmán (2006).

The aim of the programme is to provide databases and analysis to population bodies, so as to help them consider options and make informed decisions, expand the international database on population and maternal and child health, contribute to advances in sample survey methodology and consolidate technical capacities and resources for the implementation of complex population surveys in participating countries. The consultancy ORC Macro is implementing the Measure DHS + programme with funding from the United States Agency for International Development (USAID).

22. Most countries do not yet have a statistical system on violence against women, and there is no official regional system to compile data on the subject. Although progress has been made in terms of statistics on partner violence, reliable figures remain scarce on many other forms of violence against women. In the region, there are no regular nationwide surveys on violence against women that would enable methods to be standardized and comparable statistical data to be collected. This has a negative impact on the design of programmes aimed at combating violence against women.

23. This report includes data from surveys carried out from 2000 that include a module on gender violence. Information was provided by the following countries and territories:

- **Bolivia:** Demographic and Health Survey (MEASURE DHS+) (October, 2003), for which 17,654 women aged 15 to 49 were interviewed. The sample was designed for analysis with various levels of geographical disaggregation and to provide a nationwide, stratified, two-stage probabilistic sample. Technical and financial assistance was provided by the Ministry of Health and Sports, through the Health Reform Programme, and with funding from the World Bank. Assistance was also provided by the United States Agency for International Development (USAID), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP), the FORSA-CANADA Health Fund and the Integral Health Project (PROSIN). The survey was part of the fourth phase of the Demographic and Health Survey Programme (DHS) that ORC Macro is implementing in several developing countries. ORC Macro provided technical support and assistance throughout all stages of the survey.
- **Chile:** Data on the murder of women supplied by the National Drug Control Council (CONACE).
- **Colombia:** National Demographic and Health Survey (ENDS, 2005). This was the fourth in a series of surveys carried out since 1990. The Association for Family Welfare (Profamilia) has carried out studies every five years to analyse various aspects of sexual and reproductive health in Colombia.
- **Dominican Republic:** Population and health survey (ENDESA, 2002).
- **Ecuador:** Ecuadorian Demographic and Maternal and Child Health Survey (ENDEMAIN, 2004), which compiled data on family violence at the national level. A total of 9,576 women aged 15 to 49 answered questions about violence.
- **Haiti:** Mortality, Morbidity, and Service Use Survey (EMMUS-III, 2000 and EMMUS-IV, 2005/2006): The EMMUS surveys are periodically carried out by the Haitian Institute of Childhood (IHE) and include a module that is one of the main sources of specific information on the situation of women in Haiti.

- **Mexico:** National Survey on the Dynamics of Household Relationships (ENDIREH, 2003), carried out by the National Institute of Statistics, Geography and Informatics (INEGI).
- **Peru:** Population and family health survey (ENDES, 2004).
- **Puerto Rico:** Statistics on the murder of women from the Office of the Women's Advocate (2005).

ECLAC initiatives to combat violence against women

24. ECLAC has proposed violence indicators;
A technical assistance guide has been produced for the formulation and use of gender indicators;
There are plans for a regional gender observatory;
Publication of the inter-agency regional report "Not one more! Women's right to a life free of violence in Latin America and the Caribbean".
