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GENDER-BASED VIOLENCE IMPUNITY REGIONAL STUDY: EL SALVADOR CASE STUDY

December 2023

This publication is made possible by the United States Agency for International Development and the generous support of the American People. The contents are the responsibility of NORC at the University of Chicago on behalf of Development Professionals, Inc.–Making Cents International LLC through the Analytical Services IV IDIQ Task Order Latin America and the Caribbean Learning and Rapid Response (LACLEARN). This material does not necessarily reflect the views of USAID or the United States Government.

El Salvador Case Study: Gender-based Violence Impunity for Femicide and Transfemicide

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ACRONYMS

APES	Association of Journalists of El Salvador
ASPIDH	Solidarity Association to Promote Human Development
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
COMCAVIS TRANS	Association Communicating and Training TRANS Women in El Salvador
CSE	Comprehensive Sexuality Education
CSO	Civil Society Organizations
CTE	Specialized Technical Committee
DIGESTYC	General Directorate of Statistics and Censuses
DRG	USAID’s Democracy, Human Rights, and Governance
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
FGR	General Prosecutor’s Office of the Republic (of El Salvador)
F/TF	Femicide and Transfemicide
GBV	Gender-based Violence
IACHR	Inter-American Court of Human Rights
IDI	In-depth Individual Interview
ISDEMU	Salvadoran Institute for the Development of Women
LAC	Latin America and Caribbean
LACLEARN	Latin America and Caribbean Learning and Rapid Response
LEIV	Special Comprehensive Law for a Life Free of Violence against Women
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, Plus
MINEDUCYT	Ministry of Education, Science, and Technology
MINSAL	Ministry of Health
OAS	Organization of American States
OHCHR	United Nations Office of the High Commission on Human Rights
ORMUSA	Salvadoran Women’s Organization for Peace
PEA	Political Economy Analysis
PGR	Office of the Attorney General of the Republic
PNC	National Civil Police (of El Salvador)
SOGIE	Sexual Orientation and Gender Identity Expression
SOE	State of Emergency
UNDP	United Nations Development Program
UNFPA	United Nations Population Fund
UNIMUJER-ODAC	Institutional Unit for the Specialized Care of Women in Situations of Violence— Denouncement and Citizen Service Office, National Civil Police
USAID	United States Agency for International Development
VoIP	Voice Over Internet Protocol

EXECUTIVE SUMMARY

Gender-based violence (GBV) violates human rights, harms public health, and destabilizes homes and communities. Impunity for GBV undermines human development, justice, security, and democracy. Discrimination and stigma often exclude GBV survivors¹ from protection and judicial services, as well as social relationships, education, health, safe shelter, and economic opportunity. Lack of GBV accountability pushes many survivors to leave their home, community, or country in search of safer and better life options.

The El Salvador GBV Impunity case study is one of eight case studies that compose the Latin America and Caribbean Learning and Rapid Response (LACLEARN) task order's GBV Impunity Regional Study. Each case study investigates locally specific responses to the main research question:

What constitutes meaningful GBV accountability according to diverse survivors in the LAC region?

Each case study explores a different type of GBV and the political economy contexts and structural gender inequalities that perpetuate it in the LAC region. The case studies offer country-specific, survivor-centered recommendations for improving accountability through three strategic pathways: 1) protection and recovery services, 2) judicial services, and 3) prevention initiatives.

The El Salvador case study explores the extent, social acceptance, and socioeconomic and political underpinnings of impunity for GBV, including femicide and transfemicide (F/TF). The study uses in-depth individual interviews (IDIs) with 16 participants to chart diverse views on GBV and F/TF impunity and what drives it. Interview participants include GBV and F/TF survivors along with institutional and civil society staff who provide services directly to survivors. The study considers evidence from available literature and statistics while privileging insights from the lived experiences and analysis of survivors, direct service providers, and the El Salvador research team. Finally, the case study identifies what factors perpetuate GBV and F/TF impunity in El Salvador, highlights solutions that survivors recommend to promote accountability, and recommends strategic pathways with specific investments for the United States Agency for International Development (USAID) to contribute to improved GBV accountability.

DIAGNOSIS OF GBV AND F/TF IMPUNITY IN EL SALVADOR

Gender inequitable and exclusionary norms and beliefs about women of diverse sexual orientation and gender identity expression (SOGIE), whether transgender or cisgender, contribute to the societal conditions in which F/TF persist in El Salvador. Mass and social media often perpetuate these harmful beliefs, which in turn amplify and reinforce inequitable SOGIE stereotypes and discriminatory narratives, further reinforcing the social norms and practices that make GBV and F/TF appear commonly accepted in society. These damaging stereotypes and inequitable gender norms are deeply ingrained and affect family, school, work, and community spaces. Pervasive discriminatory behaviors and decisions within law enforcement and the judiciary perpetuate GBV and F/TF impunity.

¹ "Survivors" in this report refers to either primary (i.e., victims who survived) or secondary (i.e., family, friends, colleagues) survivors of F/TF as a form of GBV. "Victim" refers to those whom F/TF killed—though some survivors prefer to use this term in court proceedings where it confers legal status as a crime victim.

In past years, El Salvador’s government developed some progressive mechanisms to address GBV accountability. These include amended and new regulatory frameworks and tools for specialized courts. Measures also included training for police, judicial, and education sector personnel to increase capacity in GBV response and prevention. Despite such efforts, lack of effective judicial services for GBV, including femicide, continues to present major challenges for survivors in El Salvador. Unfortunately, GBV protection services, recovery services, and prevention programming remain limited in scope and in active inclusion of diverse survivors. Alternative or restorative justice mechanisms are further lacking.

Despite the important progress made by the Salvadoran government, much more is needed to combat GBV and ensure justice for survivors. A 2023 UN Women report found that El Salvador’s investments in gender-equality related programs and services constituted less than 1% of the national budget.² Service providers consider that budget allocations for gender equality initiatives, including those preventing violence against women, have been persistently low under President Nayib Bukele’s administration. During his presidency, however, militarization of public security has undergone unprecedented expansion. El Salvador’s military expenditure rose from 295 million USD in 2019 to 422 million USD in 2022.³ Underinvestment in gender equality and GBV-related programs and services, combined with increased militarization of public security, has contributed to increased human rights violations.⁴ Case study participants assess that these dynamics have exacerbated GBV survivors’ already limited access to judicial, restitution, reparation, and primary prevention services. Increased funding, technical resources, and capacity-strengthening to improve diverse and inclusive GBV protection and recovery services, judicial response, and prevention initiatives are needed in the national budget and in support to civil society organizations (CSOs) implementing GBV-related programs and services.

This case study finds that patriarchal gender norms undermine investment in and legal recourse for GBV and F/TF survivors, with institutional budgets for applying relevant existing legal frameworks often under- or not funded. Survivors and service providers perceive institutions to be highly corrupt and unaccountable to diverse GBV and F/TF survivors. They describe some judges as avoiding prosecution of perpetrators with political or social power, economic influence, or celebrity status. The economic inequalities that low-income survivors face further exacerbate the multiple barriers they face in trying to access GBV and F/TF judicial, protection, and recovery support services.

Formal pursuit of judicial recourse can impose infeasible financial, time, and opportunity costs and risks for most survivors. The lack of a gender identity law and gender-inclusive legal frameworks that recognize all SOGIE rights further imposes a fundamental barrier to basic rights and accountability for survivors, particularly transgender women.

Moreover, there is a lack of reliable and available data on F/TF, including incorrect classification of crime data and gender identity of victims and survivors, leading to an underestimation of the problem’s magnitude. Considering all these findings together, the judicial system in El Salvador often fails to protect the most socioeconomically and politically excluded members of society.

² UN Women (2023). Strengthening public financial management to achieve gender equality and women’s empowerment. Progress and challenges in Latin America. Regional Report. https://lac.unwomen.org/sites/default/files/2023-10/en_informeavancesindicador5c1_vfinal10.10.23-comprimido.pdf.

³ Source: Stockholm International Peace Research Institute (SIPRI).

⁴ U.S. Department of State. 2022. 2022 Country Reports on Human Rights Practices: El Salvador. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/el-salvador/>.

SOLUTIONS TO ADDRESS GBV and F/TF IMPUNITY

Survivors of GBV and F/TF who participated in the study emphasize the need to end discrimination against women and people of diverse SOGIE as a critical step toward holding perpetrators accountable. All study participants consider that addressing gender inequitable and discriminatory practices and norms in the police, judicial, and education systems is fundamental to increasing accountability for diverse GBV and F/TF survivors. Achieving nondiscriminatory practices and norms requires a more gender-equitable distribution of protection and recovery support resources, the removal of socioeconomic barriers to judicial proceedings and alternative justice pathways, and the strengthening, expansion, and evaluation of GBV and F/TF prevention initiatives. It is crucial to demonstrate and improve the impacts of prevention programs to ensure they address the underlying causes of GBV and F/TF impunity effectively. These findings underline the urgent need for comprehensive and coordinated accountability strategies to end GBV and F/TF impunity in El Salvador.

CSOs have a vital role in generating evidence to make GBV and F/TF visible and actionable. Interview participants emphasize the need for CSOs to track and collect data on GBV and F/TF. They highlight CSOs' usefulness for advocacy for gender equality laws broadly, and gender diverse identity laws specifically, to address complex inequalities and inequities that perpetuate GBV and F/TF impunity. These findings underscore the importance of a collaborative approach between CSOs, human rights defenders, researchers, and legal experts in improving accountability for GBV and F/TF survivors.

The study participants further outline synergistic opportunities to strengthen GBV accountability, where CSOs work together to influence policy and program investments. Through collective efforts, it is possible to address the systemic barriers that perpetuate GBV and F/TF impunity in El Salvador.

RECOMMENDATIONS FOR USAID

USAID has a vital role to play in supporting survivor-centered GBV and F/TF accountability for cisgender and transgender women in El Salvador, primarily through support to CSOs. Recommendations highlight strategic pathways and specific investment opportunities for USAID to improve accountability for GBV and F/TF through supporting protection and recovery services, legal services, and prevention initiatives. This requires collaboration with CSOs that provide direct services, as well as those focused on policy and advocacy. In the immediate term, we recommend prioritizing sustained investment in protection and recovery support services. In the longer term, USAID should complement strengthened protection and recovery support with a mix of practical and aspirational investments in survivor-centered legal and other justice services and prevention initiatives.

Specific recommended strategies and investments to improve GBV accountability include the following:

Strategic pathway I: Strengthen GBV protection and recovery support services

1. **Bolster funding to strengthen CSO-provided GBV survivor protection and recovery support services:** In both urban and rural areas, CSOs fill a critical role in access to essential, comprehensive services, including psychosocial support, medical services, free legal aid, material and economic assistance, safe and inclusive shelter, and protection from further harm.
2. **Support CSOs in improving restitution or reparations mechanisms for survivors and their dependents:** Through support to CSOs, USAID should help extend efforts of the

Salvadoran Institute for the Development of Women (ISDEMU) and United Nations Population Fund (UNFPA) to offer reparations to GBV survivors and advocate to expand this initiative to include LGBTQIA+ people. USAID should further support CSOs directly who can provide diverse GBV survivors with access to services to which they are entitled according to El Salvadoran law, but do not often access in practice.

3. **Support existing women’s community groups, including specifically groups for Indigenous, Afro-descendant, migrant, or transgender women, as well as for other LGBTQIA+ groups:** Community-specific groups help diverse survivors through contextualized dissemination of information about their rights and GBV-related laws. Through specialized support, they can improve diverse GBV survivors’ access to a judicial response, restitution, and reparations. Survivors often need comprehensive, survivor group-specific support both for protection and recovery, and to pursue any form of justice process.
4. **Allocate funding and technical support for inclusive women’s economic empowerment and improved economic security:** Target funding and technical resources toward CSOs that provide direct material and economic assistance to GBV survivors. CSOs should combine direct immediate support to survivors with referrals to women’s economic empowerment initiatives for improving survivors’ economic autonomy over the mid and longer term. Allocate resources equitably to create pathways to socioeconomic empowerment and to greater economic security for both cisgender and transgender women.

Strategic pathway 2: Strengthen survivors’ access to nondiscriminatory GBV laws, judicial services, and alternative, Indigenous, or restorative justice processes.

5. **Support the establishment of independent, external monitoring and reporting mechanisms led by CSOs to ensure transparency and accountability in the application of national and international legal frameworks in national courts:** Use data generated from these mechanisms to advocate for accountability in nondiscriminatory, survivor-centered judiciary processes and rulings and legal recourse, restitution, and reparations for survivors of GBV and F/TF. USAID should further support civil society initiatives using this monitoring data for advocating for increased GBV and F/TF transparency and accountability of government-provided legal and judicial services.
6. **Develop legal aid support systems to be delivered by CSOs which increase survivors’ equitable access to legal remedies for GBV, including F/TF:** Fund and evaluate pilot programs that coordinate free legal aid with referrals to survivor-centered restitution and reparations initiatives. Such services should ensure equitable access regardless of SOGIE or any other identity characteristics. These services must be available not only to direct survivors, but to family and loved ones of people killed because of GBV.
7. **Support civil society initiatives to advocate for GBV survivor-centered, trauma-informed judicial and other alternative justice response:** This requires a focus not only on legal prosecution of perpetrators, but also on Indigenous or restorative justice processes, and other non-judicial, alternative justice processes. These must ensure the protection, recovery, and well-being of survivors at each step.
8. **Support civil society actions that promote development of a diverse and inclusive gender identity law:** Such a law would improve access to a judicial response, among other public services, for transgender women and other LGBTQIA+ people. This law should be accompanied by an accessible system that enables LGBTQIA+ individuals to change their gender identity on government-issued identification documents.

9. **Strengthen awareness-raising and skills-building initiatives of CSOs to increase capacities of judicial and law enforcement officials to recognize SOGIE diversity and implement inclusion:** Fund implementation and evaluation of CSO-led efforts to strengthen skills of judiciary staff and law enforcement to support increasing awareness, compliance, and accountability for survivor-centered services among institutional middle management and leadership, as well as front-line staff. CSO efforts should advocate for diversity and inclusion awareness raising, training on survivor-centered practices, and performance metrics to be included in institutional personnel’s standard performance reviews.
10. **Facilitate dialogues between diverse civil society groups advocating for GBV and F/TF accountability and judicial and law enforcement institutions:** USAID should promote opportunities for dialogue at the national and local level, where civil society can provide the state with feedback on policies and programs related to GBV and F/TF accountability, including from LGBTQIA+ survivors.

Strategic pathway 3: Strengthen prevention initiatives

11. **Resource and provide technical support to CSOs for designing, implementing, and evaluating GBV prevention education and response programs.** Specifically, design, implement, and evaluate prevention education and response programs engaging students and adults of all SOGIE at schools, community centers, or through family-based outreach when safe to do so. Also design, implement, and evaluate such programs separately among formerly imprisoned perpetrators of GBV and related crimes (like sexual violence against children, intimate partner violence, rape, F/TF, etc.). Integrate education on women’s and LGBTQIA+ rights and SOGIE diversity into national education sector curricula for school-based violence prevention programs, and in training programs with sentenced and served formerly imprisoned perpetrators, as key strategies to foster greater socially normative support and accountability for inclusive GBV and F/TF prevention and survivor protection.
12. **Support CSO advocacy initiatives that promote LGBTQIA+ rights and SOGIE diversity and inclusion:** Promotion of LGBTQIA+ rights and SOGIE diversity and inclusion in laws and policies—that in turn uphold essential principles of human rights, democracy, and governance—is vital for improving accountability for GBV and F/TF. To support LGBTQIA+ rights and SOGIE diversity and inclusion, it is important for CSOs to monitor and report on implementation of relevant initiatives in schools, as well as in public administration, the judiciary, and law school curricula in universities. USAID should support existing civil society initiatives that promote LGBTQIA+ rights and SOGIE diversity and inclusion.
13. **Strengthen data collection and reporting on GBV and F/TF impunity to inform CSO advocacy and public education:** Data collection, monitoring, and reporting on GBV impunity against the LGBTQIA+ population is crucial to holding institutions accountable for their response to GBV and F/TF. To support this effort, USAID should strengthen the capacity of, and provide financial and material resources to, independent civil society data observatory initiatives that ensure the ethical collection and availability of reliable data. USAID should also support training for press and journalists that improves their ability to report GBV data without revictimizing survivors or reinforcing unequal gender norms. Finally, USAID should support efforts to improve technical skills for a survivor-centered, “do no harm” approach to GBV representation in mass and social media.

LACLEARN BACKGROUND AND CASE STUDY METHODOLOGY

The United States Agency for International Development (USAID) is working to improve democracy, human rights, and governance in the Latin America and Caribbean (LAC) region. The USAID LAC Bureau's Office for Regional Sustainable Development oversees the Latin America and Caribbean Learning and Rapid Response Task Order (LACLEARN). LACLEARN uses state-of-the-art, gender-informed analytical work, assessments, research, and special studies to build an evidence base for effective programming and contribute to sector learning in the region.

Under LACLEARN, NORC at the University of Chicago leads the **Gender-Based Violence (GBV) Impunity Regional Study** with the support of partners Making Cents International and Development Professionals, Inc. This study comprises eight country case studies and regional synthesis reports, which investigate structural barriers, political economy contexts, and social norms that perpetuate or challenge impunity for different types of GBV. LACLEARN's El Salvador Case Study: GBV Impunity for Femicide and Transfemicide (F/TF) is one of the eight country case study reports.

The country case studies explore the question, "What constitutes meaningful accountability according to diverse GBV survivors in the LAC region?" They then chart survivor-centered pathways of GBV accountability to inform USAID investments in LAC for GBV prevention and recovery services, judicial services, and prevention initiatives.

CASE STUDY OBJECTIVES

This case study has three main objectives:

1. To diagnose the current state of GBV and femicide impunity and accountability in El Salvador, including their roots in structural socioeconomic, legal, and political gender inequalities;
2. To identify GBV survivor-centered and trauma-informed pathways and interventions for increasing accountability and promoting structural gender equality; and
3. To provide grounded operational recommendations to USAID on how to bring about strategic formal and informal changes needed to promote survivor-centered and trauma-informed pathways to GBV accountability.

KEY TERMS: "GBV" AND "IMPUNITY"

The GBV Impunity Regional Study and El Salvador Case Study define GBV according to the updated 2022 United States Strategy to Prevent and Respond to Gender-based Violence Globally:

Figure 1: Key GBV definitions—2022 United States Strategy to Prevent and Respond to GBV Globally

Defining Gender-based Violence

Gender-based violence is any harmful threat or act directed at an individual or group based on actual or perceived socially constructed norms around masculinity and femininity. Although individuals of all gender identities may experience gender-based violence, women, girls, and gender non-conforming individuals face a disproportionate risk of gender-based violence across every context due to their unequal status in society.

Drivers and Contexts

Gender-based violence is a human rights abuse, a form of discrimination, a manifestation of unequal power, and a public health crisis in the United States and globally. Gender-based violence is rooted in structural gender inequalities, patriarchy, and power imbalances. It has direct and indirect costs to individuals; families; communities; economies; global public health; development; and human, national, and regional security. Gender-based violence is a systemic global problem: it occurs in every country and level of society, it happens in public and private settings, including the home, work environments, transit, educational settings, and schools; criminal justice settings, including correctional facilities; the military and security sector; and digital and online spaces. Members of some populations face overlapping forms of discrimination that put them at an even higher risk of experiencing gender-based violence, including indigenous peoples; historically marginalized racial and ethnic populations; religious minority populations; LGBTQI+ persons; persons with disabilities; older persons and widows; children and youth; low-wage and informal sector workers; migrants, refugees, and internally displaced peoples; and persons in fragile and conflict-affected states.

Source: U.S. Government (2022). *United States Strategy to Prevent and Respond to Gender-based Violence Globally. 2022 update*. U.S. Department of State, Office of Global Women's Issues. <https://www.state.gov/reports/united-states-strategy-to-prevent-and-respond-to-gender-based-violence-globally-2022/>.

Defining Impunity

The study goes beyond the traditional legal definitions of impunity to address the structural and institutional factors that contribute to a lack of accountability for GBV and F/TF survivors. This includes not just formal, institutional judicial processes, but also informal societal acceptance and normalization of GBV. This lack of accountability persists across all sectors that a GBV survivor would encounter when seeking support services and a judicial response, including physical and mental health services, law enforcement protection, legal aid, shelter, economic recovery, and other sectoral assistance. The study therefore investigates diverse survivors' own definitions of what, for them, constitutes GBV impunity and accountability.

By attending to these factors and conceptualizing impunity broadly, the GBV Regional Study and El Salvador Country Case Study articulate strategic recommendations for USAID to contribute to meaningful change for survivors in the LAC region.

RESEARCH METHODOLOGY

The El Salvador GBV impunity case study applies an intersectional, gender, power, and political economy analytical approach to investigating GBV impunity related to femicide against cisgender and transgender women. The GBV Impunity Regional Study and El Salvador Case Study adaptation of political economy analysis (PEA) shares core elements with USAID’s Thinking and Working Politically through Applied Political Economy Analysis framework.⁵ To paraphrase USAID’s PEA framework, both approaches foster reflection on foundational influences, impacts of current events, institutional frameworks, and dynamics between these forces along with state and non-state actors’ incentives and interests that shape the behaviors and outcomes observed.

The GBV impunity study adaptation of PEA integrates an intersectional gender analysis.⁶ While the two approaches share similarities, there are also important and complementary distinctions between them.

“PEA explores the political and economic processes in societies to provide an in-depth analysis of the power relations between groups. Gender analysis explores the power relations between men and women [girls, boys, gender diverse, and gender-non-conforming people], and often frames this as explicitly political [and economic].”⁷

An intersectional gender, power, and political economy approach considers the complex interplay between gender, power, and political economy in understanding the issue of impunity for GBV and F/TF survivors. It recognizes the agency and influence of diverse survivors themselves, both in terms of human rights and national development. The study also highlights the importance of institutional duty-bearers in addressing underlying socioeconomic, legal, and political barriers that contribute to impunity and promoting survivor-centered pathways to accountability.

The methodological approach sheds light on “how the political economy impacts men and women [and gender diverse people] differently, whether men and women [and gender diverse people] are differentially able to access power—including patronage networks, how they are able to influence institutions, and how gender dynamics contribute to or block change.”⁸ The analysis helps identify the individuals, groups, and institutions that can drive change for improving accountability and promoting survivor-centered pathways to improved GBV protection, recovery, justice, and prevention. They also

⁵ USAID. 2018. Thinking and Working Politically Through Applied Political Economy Analysis: A Guide for Practitioners. Washington, DC. <https://www.usaid.gov/documents/1866/thinking-and-working-politicallythrough-applied-political-economy-analysis>.

⁶ In 1989, Kimberlé Crenshaw coined the sociological term “intersectionality.” In her *Stanford Law Review* article, “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color,” (Vol. 43, No. 6 July 1991, pp. 1241-99), she expanded the concept to illustrate how some feminist and anti-racist discourses excluded Black women and other women of color. The analytical framework of intersectionality helps to identify multifaceted power structures and processes that generate and maintain oppression and structural inequalities. Discrimination perpetrated based on intersecting aspects of identity (such as age, gender, biological sex, sexual orientation, ethnicity, race, religion, nationality, socioeconomic status, and other characteristics) results in cumulative injustices, inequities, and inequalities in human development, health, and well-being outcomes over the life course. Further reading includes Kapilashrami et al.’s 2018 article, “Intersectionality and Why it Matters to Global Health,” in *The Lancet* 391, no. 10140: 2589-91.

⁷ Browne, E. 2014. Gender in Political Economy Analysis. Helpdesk Research Report. Governance and Social Development Resource Centre (GSDRC). AusAID. See also: Haider, H. and Rao, S. 2010. Political and Social Analysis for Development Policy and Practice: An Overview of Five Approaches. GSDRC. AusAID.

⁸ Ibid

help to expose the informal and formal power hierarchies that contribute to maintaining gender inequalities and harmful norms that underpin and perpetuate GBV impunity.

Furthermore, these analyses look carefully at the access that GBV survivors have to protection and recovery services and resources. This includes examining the harmful or protective processes and outcomes of survivors' engagements with health, social work, judiciary, law enforcement, education, and economic systems. The analyses also consider the impact of national laws, policies, and informal gender norms on either facilitating impunity or promoting accountability. Through these important analyses, the GBV Impunity Regional Study identifies grounded strategies for addressing GBV impunity in the region and promoting accountability and gender equality for survivors.

DATA COLLECTION AND ANALYSIS METHODS

The case study protocol received approvals from two research ethics committees: NORC at the University of Chicago's Institutional Review Board and an ad hoc committee consisting of three distinguished academic experts in El Salvador with disciplinary expertise relevant for researching GBV impunity among LGBTQIA+ populations. The researchers selected contrasting emblematic cases of GBV, including cisgender and transgender femicide. They chose two cases where the perpetrators acted with judicial impunity and another two where the perpetrators were convicted for their crimes. The team conducted in-depth individual interviews (IDIs) with GBV survivors and civil society service providers who work with survivors to explore the extent and social acceptance of GBV impunity, its socioeconomic and political drivers, and survivors' recommendations for pathways to accountability.

The regional study leadership team conducted a three-day capacity-sharing, pre-data-collection workshop with the El Salvador team covering GBV survivor-centered, trauma-informed, qualitative interviewing techniques, along with role-playing exercises that included technical support feedback. The workshop also covered refresher knowledge and skills sessions on GBV research ethics and safety practices, and good communication and techniques for managing trauma and stress in GBV research. Following the training, the team finalized a map of available and verified GBV survivor referral support services and created an information sheet with relevant contact details. They then field-tested and refined the interview guide. To ensure ethical and safe procedures, the team followed a rigorous security process to contact, build trust with, and invite study participants for interviews. Over a few months, the team secured and completed 16 IDIs with GBV survivors, as well as with staff members of government institutions and civil society organizations (CSOs) providing services to GBV survivors, including survivors of F/TF attempts. Among the study participants, five were transgender women, seven were cisgender women, three were cisgender men, and one was a transgender man. One study participant was a sex worker, and another was living outside of El Salvador in a situation of forced displacement. The team conducted interviews over the Internet or by phone, using end-to-end encrypted, Voice Over Internet Protocol (VoIP) platforms, in adherence to the study's security and COVID-19 prevention protocols for privacy and safety.

The team used a qualitative data analysis Framework Method⁹ with integrated thematic analysis¹⁰ to identify, analyze, and interpret key themes in the interview transcripts. The researchers agreed collectively on a codebook for analysis that they adapted from the regional study common codebook. The codebook retained a set of *a priori* codes to enable synthesis with the other seven country case studies. To ensure consistency and reliability in the analytic process, each team researcher individually coded, analyzed, and interpreted data from transcripts and engaged in collective interpretation discussions weekly or biweekly. The team produced tables of key themes and illustrative quotes in the interview data, disaggregated by sexual orientation, gender identity, and profile of study participant (i.e., GBV survivor or CSO staff member). In this report, the study team features the voices of F/TF survivors and service providers who work with them, some of whom are GBV survivors themselves, to present their analysis and interpretation. The team places diverse survivors' priorities at the center of the findings and recommendations.

The case study's original sampling design targeted a sample of 30 IDIs, including interviews with individuals working in government institutions. Carrying out the research at the scale originally planned became prohibitively challenging due to the ongoing El Salvador State of Emergency (SOE). The SOE started on March 27, 2022, and remains in effect as of the writing of this report. It was announced originally as a measure to combat gang violence following a weekend with a spike in homicides during which 87 people died.¹¹ Among other rights that intersect with GBV impunity, the SOE suspended the rights to freedom of association, to privacy in communications and correspondence, to legal defense during investigations, and to be informed of the reason for being detained by law enforcement.

The suspension of fundamental rights, combined with widespread human rights violations¹², endangered the confidentiality and security of study participants, especially those working in government institutions. To ensure the safety and security of both study participants and researchers, the team reduced the planned sample from 30 to 16 participants. The reduced sample focused solely on GBV survivors and CSO representatives who provide services directly to survivors. The SOE further reinforced the importance of the study's existing ethics and safety protocols: for example, the emphasis on contacting study participants indirectly through trusted intermediaries to build trust and on planning security practices for conducting interviews that prioritized safety first.

REPORT STRUCTURE

Having established the background and methodology of the El Salvador GBV Impunity Case Study, this report proceeds through three sections mapped to the case study objectives.

⁹ The process of Framework Method qualitative data analysis involves several steps, including: transcribing the interviews; becoming familiar with the data; coding the data; creating an analytical framework; applying the framework to the data; reducing the data into charts; and interpreting the data. The Framework Method is a systematic and flexible approach to analyzing qualitative data that can be used effectively by research teams, even if not all members have previous experience with qualitative research, provided there is leadership from an experienced qualitative researcher. (Gale, M., Heath, M., Cameron, E., Rashid, S., and Redwood, S. 2013. "Using the Framework Method for the Analysis of Qualitative Data in Multi-disciplinary Health Research." *BMC Medical Research Methodology* 13 (no. 1): 117. <http://www.biomedcentral.com/1471-2288/13/117>.)

¹⁰ Terry, G., Hayfield, N., Clarke, V., and Braun, V. 2017. Chapter 2: Thematic Analysis. *The Sage Handbook of Qualitative Research in Psychology*. Sage Research Methods. <https://dx.doi.org/10.4135/9781526405555.n2>.

¹¹ Amnesty International. 2023. El Salvador: One Year into State of Emergency, Authorities are Systematically Committing Human Rights Violations. April 3, 2023. <https://www.amnesty.org/en/latest/news/2023/04/el-salvador-state-emergency-systematic-human-rights-violations/>

¹² Bureau of Democracy, Human Rights, and Labor. 2022 Country Report on Human Rights Practices: El Salvador. United States Department of State. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/el-salvador/>

The report first presents findings that advance the existing academic and gray literature and statistics to diagnose F/TF impunity in El Salvador, including:

- GBV impunity's history and current state concerning transgender and cisgender femicides;
- Structural underpinnings of F/TF impunity;
- Power and incentives that drive F/TF impunity related to transgender and cisgender femicides; and
- The current state of F/TF protection and recovery services, judicial services, and prevention initiatives.

Second, the report outlines solutions for improving accountability as identified by survivors and the service providers who work most closely with them. These include:

- Survivor-centered pathways to F/TF accountability;
- Formal and informal change needed to ensure F/TF accountability; and
- Examples of current good practices related to F/TF prevention and protection.

Finally, the report concludes with survivor-centered strategies recommended for USAID to contribute toward strengthening GBV and F/TF accountability in El Salvador.

LITERATURE REVIEW AND STRUCTURAL CONTEXT

PROTECTION REGULATIONS FOR A VIOLENCE-FREE LIFE FOR CISGENDER WOMEN

El Salvador's Special Comprehensive Law for a Life Free of Violence for Women (*Ley Especial Integral para una Vida Libre de Violencia para las Mujeres*, or LEIV) came into force in 2012. The state was tasked with responsibility for public policies aimed at detecting, preventing, caring for, protecting, repairing, and punishing violence against women. The LEIV established the Specialized Technical Commission (*Comité Técnico Especial*, or CTE). The CTE coordinates ministries and government institutions under the direction of the Salvadoran Institute for the Development of Women (*Instituto Salvadoreño para el Desarrollo de la Mujer*, or ISDEMU) to agree on measures for eradicating violence against women. The LEIV also created the National Data and Statistics System and Information on Violence Against Women; a Special Fund for Women Victims of Violence; housing protection measures, specialized jurisdiction, and multidisciplinary teams for the application of the criminal offenses contained in the regulations; and the obligation for the Attorney General's Office (*Fiscalía General de la República*, or FGR) to create a policy of criminal prosecution regarding violence against women. The LEIV criminalized femicide and aggravated femicide. However, because Salvadoran law does not recognize the gender identity of transgender persons, the LEIV is not applied to transgender women.

El Salvador, as a member of the Organization of American States (OAS), participates in the Inter-American System for the Protection of Human Rights. The American Convention on Human Rights establishes the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights (IACHR) as competent bodies to hear matters related to compliance with the commitments made by the party states. The Rapporteurship on the Rights of Women is included in this system, and it provides opinions and non-binding rulings on diverse issues of women's rights, such as GBV, maternity protections, equality before the law, and barriers to women's access to and enjoyment of social, economic, legal, and political rights. The Commission's primary function is to promote the observance and defense of human rights, while the Court's purpose is to apply and interpret relevant conventions. Applicable conventions include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of *Belém do Pará*).¹³ El Salvador ratified CEDAW in 1981 and *Belém do Pará* in 1995.

VIOLENCE AGAINST CISGENDER WOMEN

Despite advances in national and international legislation, and support from human rights conventions and institutions, challenges persist in effectively guaranteeing the right to a life free of violence for cisgender and transgender women. Human rights violations and structural gender inequalities persistently underpin GBV impunity against cisgender and transgender women. The World Economic Forum's Global Gender Gap Index measures gender-based disparities across four dimensions: economic participation and opportunity, educational attainment, health and survival, and political empowerment. In 2021, El Salvador ranked 43rd out of 156 countries, with an index score of 0.738. However, El Salvador

¹³ Robles, V, Manuel E. El Sistema Interamericano de Protección de los Derechos Humanos. Corte Interamericana de Derechos Humanos. <https://www.corteidh.or.cr/tablas/r34041.pdf>

falls below the global average on sub-indicators of the Global Gender Gap Index: it ranks 136th, with a score of 0.470 on wage equality for similar work.¹⁴

According to the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), in 2020 El Salvador had the third-highest rate of femicide in Latin America, with 2.1 femicides per 100,000 women.¹⁵ The InfoSegura Regional Project, implemented by the United Nations Development Program (UNDP) with funding from USAID,¹⁶ recorded 133 violent deaths of women in 2021, including 53 homicides and 80 femicides.¹⁷ Although this represents a substantial decline from 2015, when 575 violent deaths including 142 femicides occurred, the persistent incidence of violence remains unacceptably high.

Impunity persists in femicide cases, according to data from the Ministry of Justice and Public Security. As of 2020, only 48.1 percent of femicide cases resulted in conviction.¹⁸ The perceptions and experiences of the Salvadoran public corroborate the existence of impunity in the country. According to the World Justice Project Rule of Law Index—which analyzes household survey results on topics related to constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice—El Salvador ranks 94th out of 139 countries on metrics associated with the rule of law.¹⁹

Femicide²⁰ is not an isolated incident but rather an extreme manifestation of GBV against women and girls persisting at interpersonal, community, national, and international levels. Often, femicide follows an escalating series of violent emotional, physical, sexual, economic, political, or symbolic acts.

Intersectionality fundamentally shapes women's GBV experiences, compounding social, economic, legal, and political oppressions, stigmas, and harm. Intersectionality also opens possibilities for alliances within and among diverse groups of survivors to mobilize around shared interests. Violence against women is often embedded within a wider web of violence perpetrated by both state and non-state actors at local and global levels. Women may experience different types of violence in various settings, often perpetrated by different aggressors over their lifetime. In contexts of organized crime or militarization, many forms of state- and non-state-perpetrated GBV often thrive, leading to a persistent culture of impunity. In such complex and violence-prevalent contexts, women cannot break the cycle of violence alone, even if the state has developed progressive legal frameworks and policies.²¹ Although violent crime and corruption in the region have prompted the formulation of emergency security plans and policies, these plans and policies do not contain specific strategies to decisively prevent and respond to violence against women or GBV impunity.²²

¹⁴ The World Economic Forum. 2021. Global Gender Gap Report 2021. Insight Report. https://www3.weforum.org/docs/WEF_GGGR_2021.pdf

¹⁵ Gender Equality Observatory for Latin America and the Caribbean. ECLAC. "Femicide." <https://oig.cepal.org/es/indicadores/feminicidio>.

¹⁶ The project has increased the capacities of acting bodies in the Central American region and the Dominican Republic to produce security information and apply it to decision-making and public policy formulation. Its purpose is evidence-based information management to strengthen the formulation and monitoring of public policies on citizen security in Central America and the Dominican Republic.

¹⁷ Infosegura. El Salvador. Violence against Women and Girls throughout the Life Cycle. UNDP/USAID. <https://infosegura.org/wp-content/uploads/2022/08/VCM-ELSALVADOR2021-ESP.pdf>.

¹⁸ MJSP/MINEC/DIGESTYC. 2021. Violence Against Women 2020 Facts Report. <https://onec.bcr.gob.sv/observatorio.genero/docs/Informe%20Anual%20HVCM%202020.pdf>.

¹⁹ World Justice Project 2021. Rule of Law Index 2021. <https://www.gob.mx/cms/uploads/attachment/file/704367/wjp-index-21.pdf>.

²⁰ Kelly, L. 1988. Cited by Borzacchiello, E. 2021. Femicidio y resistencia: Una excavación histórica de las ciudades de Juárez contemporáneas. Universidad Complutense de Madrid. <https://eprints.ucm.es/id/eprint/72928/1/T43266.pdf>.

²¹ Infosegura. 2017. The Continuum of Violence against Women in the Central American Region. UNDP. USAID. <https://infosegura.org/2017/09/30/continuum-de-la-violencia-contra-las-mujeres/>.

²² Ibid, 2021.

In El Salvador, there is evidence of institutional tolerance toward GBV against both cisgender and transgender women, which is manifested in the lack of accountability in the prosecution of crimes, as well as resistance to the application of specialized regulations such as the LEIV or the Law on Equality, Equity and Eradication of Discrimination against Women. The LEIV provides the legal basis for the prevention, punishment, and eradication of violence against women, while the Law on Equality, Equity and Eradication of Discrimination against Women aims to ensure gender equality without discrimination in the exercise and enjoyment of rights through the design and implementation of public policies. However, the implementation of these laws has been hindered by institutional barriers and resistance, leading to the perpetuation of violence and discrimination against women, among other forms of GBV in the country.

Intersecting contextual factors, such as GBV and structural gender inequalities, contribute to the out-migration of both cisgender and transgender women from El Salvador. Several studies conducted with women who have migrated to the United States and other countries show that violence and insecurity within their family and community forced them to migrate.^{23,24} Transgender women have identified the lack of options for protection recovery support services for GBV, including attempted F/TF, as a decisive factor in choosing to flee and seek protection in other countries, such as Mexico and the United States.²⁵

PROTECTIVE REGULATIONS AND POLICIES FOR A VIOLENCE-FREE LIFE FOR TRANSGENDER WOMEN

According to human rights defenders' testimonies, previous efforts by the Salvadoran government to protect basic rights have deteriorated since the election of Nayib Bukele in 2019.²⁶ There have been concerns raised about the government's respect for the rule of law, independence of the judiciary, and freedom of expression. Additionally, there have been reports of increased use of force by security forces and extrajudicial killings, raising concerns about the government's commitment to upholding human rights.²⁷ These issues have been highlighted by both local and international human rights organizations, as well as the 2022 U.S. State Department Report on Human Rights Practices in El Salvador:

“Significant human rights issues included credible reports of: unlawful or arbitrary killings, forced disappearances; torture and cruel, inhuman, or degrading treatment or punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including censorship and threats to enforce criminal laws to limit expression; serious government corruption; lack of investigation and accountability for gender-based

²³ Baranowski K, Wang E, D'Andrea MR, and Singer EK. 2019. “Experiences of Gender-based Violence in Women Asylum Seekers from Honduras, El Salvador, and Guatemala. *Torture* 29, no. 3. <https://tidsskrift.dk/torture-journal/article/view/111970/166105>

²⁴ Gonzalez, Heydi, et al. 2016. Risk Factors and Care Needs for Migrant Women in Central America. Managua: General Secretariat of SICA. https://oig.cepal.org/sites/default/files/mujeres_migrantes_centroamerica.pdf

²⁵ Amnesty International. 2017. No Place to Protect Me: Asylum Seekers in Mexico Based on Sexual Orientation and Gender Identity from El Salvador, Guatemala and Honduras. <https://www.unhcr.org/uk/5a2ee6754.pdf>.

²⁶ Campos, M. June 2, 2021. Two Years of Setbacks for Women and Sexual Diversity in El Salvador. <https://gatoencerrado.news/2021/06/02/dos-anos-de-retrocesos-para-las-mujeres-y-diversidad-sexual-el-salvador/>.

²⁷ “‘We can arrest anyone’: Widespread Human Rights Violations Under El Salvador’s ‘State of Emergency.’” December 7, 2022. Human Rights Watch. <https://www.hrw.org/report/2022/12/07/we-can-arrest-anyone-we-want/widespread-human-rights-violations-under-el>.

violence; significant barriers to accessing sexual and reproductive health services; and crimes involving violence against lesbian, gay, bisexual, transgender, queer, and intersex individuals.”²⁸

Initiatives that the previous government administration had established to promote the inclusion of LGBTQIA+ people into government programs have lost perceived relevance in the current public political agenda. This has led to decreased financial and technical resources, as well as visibility for these important initiatives, resulting in many of them not being implemented. For instance, in 2010, the government created the Directorate for Sexual Diversity within the Secretariat for Social Inclusion. This was a significant step toward promoting inclusion and equality for the LGBTQIA+ community in the country. In June 2019, however, President Bukele dissolved the Directorate, which was then absorbed by the Gender Unit of the Ministry of Culture and renamed the Gender and Diversity Unit. Activists have voiced concerns that this new Unit does not adequately address safety and discrimination concerns. For example, the new unit has stated it cannot take complaints in cases of discrimination,²⁹ a step back from the previous Directorate for Sexual Diversity that did provide orientation to LGBTQIA+ people in how to go through a formal process to report gender discrimination.³⁰

In 2009, the Constitutional Chamber of the Supreme Court ruled that a provision of the country’s Constitution which prohibits discrimination based on nationality, race, sex, or religion, also extends to protection against discrimination based on sexual orientation, in accordance with the jurisprudence of the United Nations Human Rights Committee. While the ruling did not explicitly reference gender identity, its reasoning suggests that the categories listed in Article 3 of the Constitution are non-exhaustive examples and could thus potentially be interpreted to include gender identity as a protected category.³¹

Article 246 of the Penal Code provides some protection against discrimination in the workplace, prohibiting employers from discriminating based on several factors (including sex, pregnancy, origin, marital status, race, social or physical condition, religious or political beliefs, and union membership). However, the language of Article 246 does not explicitly include protection for sexual orientation or gender identity.

Fortunately, there is some legal recourse for individuals who experience discrimination based on their sexual orientation or gender identity. Article 292 of the Penal Code criminalizes discrimination by government officials based on “nationality, race, sex, religion, or any other condition.” This broad language leaves open the possibility of criminal prosecution for discrimination based on sexual orientation and gender identity, even if these categories are not explicitly mentioned.

Still, the effectiveness of these laws remains to be seen in practice. Discrimination against LGBTQIA+ individuals is still prevalent in many workplaces and other areas of society, and there are concerns about enforcement of these laws. However, the existence of legal protections is a step forward in the fight for LGBTQIA+ rights and equality.

²⁸ U.S. Department of State. 2022. 2022 Country Reports on Human Rights Practices: El Salvador. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/el-salvador/>.

²⁹ Unit of Access to Public Information of the Ministry of Culture. 2022. <https://www.transparencia.gob.sv/institutions/ministerio-de-cultura/documents/490102/download>.

³⁰ Unit of Access to Public Information of the Presidency of El Salvador. 2017. <https://www.transparencia.gob.sv/institutions/capres/documents/210546/download>.

³¹ Sala de lo Constitucional de El Salvador. Amparo 18-2004. <https://www.comcavis.org.sv/archivos/categorizados/63.pdf?1586958596>.

Executive Decree 56 of 2010 is an important provision that prohibits discrimination based on sexual orientation or gender identity within the Executive Branch. While this is a positive step toward promoting equality, it is worth noting that this measure is not criminal and only applies to the Executive Branch, limiting its overall impact.³²

In 2015, El Salvador passed a law against hate crimes that provides additional protections for marginalized communities. This law has led to an increase in convictions for homicides and threats based on sexual orientation or gender identity, as well as other factors such as race, ethnicity, religion, gender, and political affiliation. While this law is a significant step forward in addressing hate crimes, it is important to note that it does not extend to other crimes, such as sexual assault and rape.³³

In February 2022, the Supreme Court of Justice updated an important, historic ruling from the Constitutional Chamber. The ruling determined that the category “sex” contained in the constitutional article on discrimination includes, “gender” and, by extension, “gender identity.” This decision is a significant milestone in the ongoing fight for gender equality and LGBTQIA+ rights.

The Court’s decision is based on guidance from the United Nations Human Rights Committee and the Committee on Economic, Social and Cultural Rights,³⁴ which have called on states to protect individuals from discrimination based on their gender identity.³⁵ The Court’s ruling affirms that discrimination based on gender identity is a form of sex discrimination and is therefore unconstitutional.

This ruling has far-reaching implications for the protection of the rights of transgender and nonbinary individuals in El Salvador. It sets an important precedent for future cases involving discrimination based on gender identity and sends a powerful message that the Constitution can protect all individuals, regardless of their gender identity.

VIOLENCE AGAINST TRANSGENDER WOMEN

LGBTQIA+ individuals in El Salvador face multiple forms of violence and discrimination in every aspect of their lives. This intersectionality of violence and discrimination based on sexual orientation and gender identity expression (SOGIE) heightens safety risks and consequences and limits their life opportunities and decisions. The discrimination and violence that LGBTQIA+ individuals in El Salvador face are often major factors in their decision to migrate out of the country.^{36,37,38} They often flee to other countries in search of safety and protection, leaving behind their homes and families. These issues are compounded by the lack of comprehensive anti-discrimination legislation applied to specifically

³² Turcios y Rivera. 2017. Evaluation of the Criminal and Political Management of the Salvadoran State in Cases of Hate Crimes against LGBTI People. <https://sv.boell.org/sites/default/files/2020-07/EVALUCINDELAGESTINPOLITICO-CRIMINALDELESTADOSALVADOREOENCASOSDECRMENESPORODIOCONTRALAPOBLACINLGBTI.pdf>.

³³ Ibid.

³⁴ Republic of El Salvador. Supreme Court of Justice. Constitutional Chamber. February 18, 2022. Judgment 33-2016/195-2016. Pgs. 15 and 20.

³⁵ ORMUSA. 2020. Ormusa, Amate and FEASIES held the conversation For a social system without discrimination in El Salvador. <https://ormusa.org/ormusa-amate-y-feasies-realizaron-el-conversatorio-por-un-sistema-social-sin-discriminacion-en-el-salvador/>.

³⁶ ORMUSA. 2020. Ormusa, Amate and FEASIES held the conversation for a social system without discrimination in El Salvador. <https://ormusa.org/ormusa-amate-y-feasies-realizaron-el-conversatorio-por-un-sistema-social-sin-discriminacion-en-el-salvador/>.

³⁷ Velásquez, Eugenia. 2022. LGBTQIA+ Activist: We Are More Unprotected than Ever. El Diario de Hoy.

<https://www.elsalvador.com/noticias/nacional/comunidad-lgtbi-necesidades-gobierno/971716/2022/>.

³⁸ Amnesty International. 2017. No Place to Protect Me: Asylum Seekers in Mexico Based on Sexual Orientation and Gender Identity from El Salvador, Guatemala, and Honduras. <https://www.unhcr.org/uk/5a2ee6754.pdf>.

address the rights of LGBTQIA+ individuals in El Salvador. The failure to protect their rights has serious consequences, not just for them, but for society.

Crimes against the LGBTQIA+ community in El Salvador are underreported. While the Ministry of Justice and Public Security keeps a record of these crimes, some prosecutors refrain from asking survivors about sexual orientation or gender identity, which contributes to underreporting. In 2020, El Salvador's judicial sector institutions recorded 20 acts of violence against transgender women.³⁹ These included cases of physical violence, property violence, illegal dissemination of information, and one homicide. These numbers likely underestimate the scale of these crimes and human rights violations. The lack of reporting for these crimes and subsequent absence of a survivor-centered judicial process perpetuates the cycle of violence and discrimination against the LGBTQIA+ community.

Misclassification of crimes also emerges as a mechanism of underreporting. According to the FGR, between 2015 and the first half of 2021, there were 94 homicides and femicides against LGBTQIA+ individuals. Only 14 of these cases were classified as transgender people. Almost half of the cases, 44 in total, did not classify or misclassified the survivor's SOGIE. This lack of SOGIE classification highlights the difficulties that both survivor advocate groups and judicial institutions experience when seeking to estimate numbers of acts of violence against the LGBTQIA+ community, particularly transgender women. The lack of reliable data prevents researchers, survivor group advocates, and institutional actors from understanding the true scale of the under-reporting, misclassification, and impunity, and taking appropriate action against these persistent problems.⁴⁰

DIAGNOSIS OF GBV IMPUNITY IN EL SALVADOR

STRUCTURAL UNDERPINNINGS OF GBV AND F/TF IMPUNITY

Analysis of interview data from the El Salvador case study makes clear that GBV, including F/TF, is multi-faceted and deeply rooted. It affects every sector from which a survivor would seek protection, recovery services, or judicial services. The data underline how GBV and F/TF are driven by inequalities and injustices across multiple spheres, from the social, economic, and legal, to the political and cultural. Case study findings also highlight the role that social norms play in perpetuating GBV impunity at community and national levels. These norms significantly influence the attitudes and behaviors of individuals and make it challenging to address the issue effectively. Any meaningful efforts to address GBV in El Salvador must consider these underlying structural factors and work toward systemic change. This includes challenging societal norms and promoting gender equality within and across each sector and level of society.

INEQUITABLE SOCIAL AND CULTURAL NORMS

In interviews for this study, GBV survivors state that discrimination based on religious beliefs is a significant driver of GBV and impunity for F/TF in El Salvador. They note that public institutions' GBV prevention and judicial services are often influenced by staff members' religious biases, especially against

³⁹ MJSP/DIGESTYC. 2021. Report on the Facts of Violence against Women 2020. https://oig.cepal.org/sites/default/files/sv_informe_violencia2020.pdf.

⁴⁰ MJSP/DIGESTYC. Report on Incidents of Violence against Women Years 2019, 2020, 2021. https://onec.bcr.gob.sv/observatorio.genero/informe_violencia/index.aspx.

transgender women and women who do not conform to traditional gender roles or expected SOGIE. Quote 1 illustrates this theme:

“Sometimes impunity is legalized and other times it is legitimate[d], because the general population thinks, especially with diverse populations, of divine punishment and if God punishes it, then it must be punished also at the level of the laws or that it is not recognized [...].”

Quote 1: Cisgender man, civil society representative

Widespread social acceptance of violence combines with SOGIE stereotypes to drive persistent impunity for GBV and F/TF in El Salvador, particularly in cases of cisgender women and LGBTQIA+ survivors. Study participants discuss how these SOGIE stereotypes persist in various media and social media platforms, as well as in the statements of state personnel. The stereotypes perpetuate the cycle of violence and discrimination against cisgender and transgender women, among other identities included in broader LGBTQIA+ communities.

Survivors interviewed note that these factors pose significant obstacles to deconstructing the oppressive patterns of GBV and everyday sexism. Gender stereotypes reinforced in social media convey messages that women should focus on reproductive and care work in the home and not be involved in public discourse. These messages consistently position women as inferior to men, with limited capabilities.

Social and other media can be used further as tools for coercive control, often through emotional, physical, sexual, economic, legal, or political violence when cisgender women and people of diverse SOGIE seek to exercise their rights. This can lead to revictimization and victim-blaming when GBV survivors seek justice. Social media amplifies these messages, as one participant explains in Quote 2:

“Cyberbullying, where every day they begin to post more explicit messages against women, abuse. (...) In other words, we are made to see ourselves as weak, as incapable of exercising, as incapable of also being able to work or hold a very important position.”

Quote 2: Transgender woman, GBV survivor representative

According to participants, gender stereotypes and acceptance of GBV create a culture that blames survivors rather than perpetrators. Women are expected to conform to certain cultural patterns and roles, which often justifies violence against them. Women who speak out or demand justice are often criticized, and there is a general societal silence regarding cases of F/TF. In most cases, it is only the relatives of the victim supported by CSOs who demand justice publicly. Quote 3 highlights this issue with an example of outrage over statues being damaged during demonstrations for women’s rights juxtaposed with silence in response to femicide.

“We live in a very moralistic society. For example, on March 8, [during a protest] the statues were stained, and [this was] the most viewed [news] on social networks, the most criticized. But when there is a woman murdered, people hide it. So, we see that there is still a double standard.”

Quote 3: Cisgender woman, civil society representative

Survivors highlighted the prevalence of double standards and gender stereotypes in families, communities, and society. They also noted that law enforcement and judicial staff's behaviors and decisions reflect these biases. Even though there are legal frameworks to protect women against violence and discrimination, participants said that the values, gender norms, and religious beliefs of those applying the laws often bias police protection and court decisions. For instance, some judges favor mediation or arbitration-based reconciliation actions, which are generally considered inappropriate for GBV cases. Reconciliation actions can revictimize survivors; produce lenient, inappropriate, and unjust outcomes; and may also be noncompliant with Salvadoran legislation. This effectively minimizes the gravity of GBV crimes and their impact on survivors. Quote 4 exemplifies this issue.

“I say this from my experience through the accompaniments that I have given, where it is considered that a woman who has been beaten, is told during the trial against her perpetrator, “what did you do to make your partner angry?”, or they [judicial personnel] evangelize [using text from the Bible] the victim to make her lower her head. So, based on empirical knowledge, I realize that the impunity that revolves around gender-based violence has to do mainly with those factors that dehumanize or minimize the seriousness of gender-based violence. And this has to do with patriarchal structures, because today, in our country, when it comes to recounting who the greatest applicators of justice are, since there are more male judges than female judges, there are more sentencing courts than specialized courts for a life free of violence against women.”

Quote 4: Transgender woman, civil society representative

Participants in the interviews identified patriarchal gender norms as a factor that weakens the enforcement of laws criminalizing GBV. This is mainly because the resources allocated to the judiciary, protective accompaniment, and legal aid services, fall short at budgetary and institutional levels. This results in persistent bottlenecks in survivors' pathways to justice. The partial judiciary response, at best, does not include restitution or reparation, which serves as a persistent barrier to survivor-centered justice. Quote 5 highlights this theme.

“I have never seen compensation—other than conviction, another type of compensation—from the state, such as moral reparation, to say the least, or a more comprehensive reparation.”

Quote 5: Cisgender woman, public servant

During interviews, survivors who participated in the study note corruption as prevalent at all levels, especially in the legal and judicial system, resulting in a lack of credibility for GBV survivors and their representatives. Those with political or economic power and celebrity status often receive preferential treatment, and judges may fear retaliation and protect their positions of power. These views align with a national poll that found one in three people in El Salvador consider the Supreme Court of Justice and General Prosecutor's Office to be highly corrupt institutions.⁴¹ Quote 6 illustrates this common view:

⁴¹ IUDOP. 2022. Evaluation poll of the year 2021. <https://uca.edu.sv/iudop/wp-content/uploads/PPT-Eva.-de-ano-2021.pdf>.

“There are cases that are handled politically because the person has influence, is famous or known, then there is impunity. Also, one way or another, there are people in the justice system—in some cases, judges—that are negligent: that is, they don’t want to be discredited or to be seen badly by certain politicians.”

Quote 6: Cisgender woman, GBV survivor representative

Interview participants note that corruption and impunity are intertwined with certain privileged groups in the judicial system, such as the police, military, and politicians. Quote 7 reflects this perspective:

“I am going to refer a little to the case of Carla Ayala, the structure behind this case involves people who have quite large decision-making power within the same police institution. So, we are talking about a slightly larger power than we imagined and that this murder attracted a series of situations of corruption and, precisely, of rings of power within the police institution, that were not going to be exposed by a case of femicide like hers. So, I do believe that precisely in these factual circumstances of economic powers or the same political power embedded in institutions that guarantee rights, they also mean that the processes do not achieve good results.”

Quote 7: Cisgender woman, civil society representative

According to some interview participants, public institutions often prioritize protecting the reputation of the institution over pursuing justice for survivors of GBV and F/TF. As a result, survivors may feel discouraged from seeking formal justice because they see no guarantees that their cases will be addressed in accordance with due process. Quote 8 illustrates this issue.

“The so-called officers, I don’t know, I imagine there could be some political question of not tarnishing the supposed good name of the police that still exists, many women have complained. They [the police] are the ones who have the duty to take care of you, but often they are the ones who violate you, harm you, harass you.”

Quote 8: Transgender man, civil society representative

GENDER EQUALITY SETBACKS OF THE CURRENT GOVERNMENT

Interview participants point out that there have been recent setbacks in promoting gender equality policies, which have further eroded trust in government institutions. Although the country had previously made significant progress in this area, the current administration’s actions over the past three years have resulted in the deterioration or dismantling of gender equality policies at various levels. This makes it more difficult for survivors of GBV and F/TF to access legal gender identity change rights or judicial and reparation processes. Quote 9 and Quote 10 provide more insight into this issue:

“Well, more or less a year ago I heard about a document that was taken to the Legislative Assembly of El Salvador to grant gender identity, but nevertheless, it was filed away; it was denied.”

Quote 9: Transgender woman, GBV survivor representative

“As for policies, we are very complicated because this government is the one that has given the least new policies. So, policies are a simpler way, let’s say, to execute programs without going through a law. So, if so far they have not done policies, they’re not going to do them anymore: they have had almost three years now; they only have two left. So, we don’t have a direction, or an obligation, or a way to measure if [GBV situations] are actually being addressed or not.”

Quote 10: Cisgender woman, public servants

According to the participants, the government’s budget priorities reflect a lack of commitment to addressing gender inequality. While the national public budget has increased by 33 percent since 2019, the institution responsible for women’s rights, ISDEMU, has experienced a cut of over \$100 million USD, a 2.1 percent reduction, in the same period. Additionally, programs like Ciudad Mujer have been reduced by 40 percent.⁴² The Legislative Assembly cut the budget for the Municipalities’ Fund for Social and Economic Development, resulting in the elimination of women’s services provided by local governments. These services included psychosocial support, childcare, and vocational training.⁴³ These programs were not exclusively for GBV survivors, but for all women who needed social and economic services. They were considered basic rights.

At the local level, some municipalities had used these services to promote gender equality.⁴⁴ In Quote 11, a CSO representative reflects on the effects of budget cuts to ISDEMU, which reportedly include closure of specialized UNIMUJER-ODAC units responsible for responding to GBV survivors:

“It is a clear message that women are not important. Then, what I mentioned about this about Women’s Development, about the ISDEMU, where their budgets have been cut, where they haven’t been strengthened and where, in addition, they don’t give them their political level, is very worrying. And then, at a general level, as lawyers, we are also concerned about the appointment of judges who do not meet the technical requirements in their fields, and one example is these specialized courts for dealing with cases of violence (against women).”

Quote 11: Transgender woman, civil society representative

Study participants describe how ISDEMU has regressed in its role as the governing body that promotes and verifies gender integration in all state institutions. Consequently, programs aimed at addressing the conditions that perpetuate gender inequality and violence against cisgender and transgender women are not funded or implemented. Quote 12 highlights setbacks and stagnation in strengthening systems for protection and recovery support to survivors:

⁴² Ciudad Mujer is a public initiative created in 2010 to consolidate public services for women in one place, including sexual and reproductive health services, economic empowerment programs, legal counseling, and more.

⁴³ Campos M. November 18, 2021. Projected Budget for Women in 2022 Is the Lowest in 3 Years. <https://gatoencerrado.news/2021/11/18/presupuesto-para-mujeres-en-2022-es-mas-bajo-que-los-aprobados-en-los-ultimos-3-anos/>.

⁴⁴ Velásquez, Eugenia y Rodríguez, Milton. 2021. Nuevas Ideas Leaves the Municipalities Without Funds for Local Development. *El Diario de Hoy*. <https://www.elsalvador.com/noticias/nacional/asamblea-recorta-fodes-manejo-gobierno-bukele/898477/2021/>.

“In some previous years, much progress had been made in all this strengthening of a protection system. Now, I believe that there are some setbacks, several setbacks, and that also the role of the institution that was called to monitor this system, which is the ISDEMU, has not advanced—on the contrary, that is, it is currently stagnant.”

Quote 12: Cisgender woman, civil society representative

The setbacks in policies and services have had negative impacts on CSOs, which have become targets of both digital and physical harassment. Another study attributes this harassment to retaliation for conducting citizen audits, compiling and reporting data on possible cases of law violations, corruption, and decisions that do not promote equity and equality among Salvadorans.⁴⁵ Interview participants who work in CSOs reported an increase in campaigns against them, particularly with the proposed foreign agents' law that aimed to limit their actions, control funding levels, and complicate the processes of registration and legalization. This has negatively impacted CSOs working to defend and promote the human rights of vulnerable groups in El Salvador, as Human Rights Watch highlighted in 2021.⁴⁶

ECONOMIC STRUCTURAL INEQUALITIES

The intersection of socioeconomic class and SOGIE discrimination in accessing justice for GBV and F/TF survivors and victims' families emerge as a critical theme in interviews with survivors and CSO staff. Participants discussed the impact of discrimination from various perspectives. Individuals with greater economic resources and social acceptance have better access to private lawyers and high-status personal networks, making it easier for them to navigate the legal system and receive institutional responses, including the identification, arrest, and punishment of perpetrators. However, survivors also highlight the additional barriers faced by women with limited resources and no high-status networks, such as transgender women who engage in sex work and experience severe stigmatization when reporting to law enforcement. Quote 13 and Quote 14 illustrate how intersecting discrimination based on socioeconomic status and SOGIE drive impunity:

“Economic power is the great power to achieve justice because, for example, imagine that in order to talk to one prosecutor, we have to travel, so that involves spending this, spending that, right? But with people who do have the money, the economy and everything, it doesn't stop them, right? Or he approaches quickly to see what is happening through money or he has friends, lawyers who can pay well and they resolve some things for them, but unlike the woman who has nothing, [...] ‘may God do what He wants,’ and ‘that’s where the case ends.’”

Quote 13: Cisgender woman, GBV survivor representative

“That always happens here in El Salvador because trans[gender] women who provide services in the streets, they also see us as less and all that. [...] Because being a trans[gender] woman who wanders the streets, for them [society] one is sneaky, you look for it, you steal and beat men, and all this [...]”

⁴⁵ Oliva, Xenia. 2022. Study Detected Daily Attacks on Human Rights Defenders and Journalists Between January and June 2022. <https://gatoencerrado.news/2022/09/06/estudio-detecto-agresiones-diaras-a-defensores-dd-hh-y-periodistas-entre-enero-2021-y-junio-2022/>.

⁴⁶ Human Rights Watch. 2021. El Salvador: The Assembly Must Archive the Bill on ‘Foreign Agents.’”

<https://www.hrw.org/es/news/2021/11/12/el-salvador-la-asamblea-debe-archivar-el-proyecto-de-ley-sobre-agentes-extranjeros>

Quote 14: Transgender woman, GBV survivor representative

Participants stress that GBV and F/TF survivors, especially women who juggle earning an income and domestic caregiving, cannot afford the direct and indirect costs of lengthy legal processes. Those in poverty without influential personal connections face major hurdles in obtaining legal support and attending multiple court or legal appointments while also fulfilling paid and unpaid caregiving responsibilities. This aligns with 2017 survey data, which found that women in El Salvador spend almost 36 hours per week on average on unpaid domestic activities, which is 19 hours more than men.⁴⁷ Quote 15 highlights how the costs associated with pursuing formal justice in a judicial institution are particularly challenging for low-income women who also have high burdens of paid and unpaid care.

“Sometimes women can’t access justice because they don’t have the money to access it—that is, thinking about accessing a process and staying in a process in El Salvador, it means having the time and having the necessary resources to be able to support themselves for months and sometimes years, and this is not easy, not only emotionally, but also physically.”

Quote 15: Cisgender woman, civil society representative

These economic inequalities receive little attention from the Salvadoran state. According to the Inter-American Commission on Human Rights, justice institutions’ lack of human, financial, and technical resources significantly affects the investigation, prosecution, and punishment of cases of violence against women.⁴⁸ However, allocating more resources to judicial institutions with transparency and accountability mechanisms could contribute to a reduction in impunity in cases of GBV, especially for impoverished women and LGBTQIA+ people.

Women and girls in El Salvador face one of the most restrictive legal environments in the world regarding sexual and reproductive health and rights. For over 20 years, abortion has been criminalized in El Salvador, “even when necessary to save a woman’s life.”⁴⁹ In 2021, the UN Office of the High Commission on Human Rights (OHCHR) and women’s human rights defenders welcomed an IACHR ruling in the case of “Manuela,” a woman in El Salvador. In 2008, after suffering a miscarriage, Manuela was sentenced to 30 years in prison for “aggravated murder” based on her miscarriage being classified as an abortion. Sadly, without access to adequate treatment during her imprisonment, she died two years later from Hodgkin’s lymphoma. The IACHR case report concluded that the State of El Salvador violated numerous human rights articles, including the right to life, personal liberty, fair trial, privacy, equal protection, judicial protection, and health established in the Convention of Belém do Pará.⁵⁰ The total abortion ban puts maternal health at risk for women in El Salvador. Data from a 2023 case series study of maternal mortality in El Salvador over a six-year period, show high rates of serious complications among Salvadoran patients who were forced to carry severely malformed fetuses to term. Women who were required to carry such pregnancies to term (or until preterm labor began naturally) experienced high rates of maternal morbidity: 54.9 percent of pregnancies experienced at least one serious

⁴⁷ DIGESTYC. 2017. National Poll of Time Use 2017.

https://onec.bcr.gob.sv/observatorio.genero/uso_tiempo/Informe%20Principales%20Resultados%20Encuesta%20de%20Uso%20del%20Tiempo%202017.pdf.

⁴⁸ IACHR. 2007. Access to Justice for Women Victims of Violence in the Americas. Washington: General Secretariat of the OAS. <https://www.cidh.oas.org/women/acceso07/cap2.htm>.

⁴⁹ OHCHR. 2021. El Salvador Must Amend Reproductive Health Care Laws after Top Americas Court Ruling—UN Experts. <https://www.ohchr.org/en/press-releases/2021/12/el-salvador-must-amend-reproductive-health-care-laws-after-top-americas>.

⁵⁰ IACHR. December 7, 2018. Report No. 153/18, Case 13.069. Merits. Manuela and family. El Salvador. <http://www.oas.org/en/iachr/decisions/court/2019/13069FondoEn.pdf>.

pregnancy-related health complication. The study also found striking variation in how physicians managed pregnancies with fatal fetal malformations, suggesting that different interpretations of the law lead to inequities in individual-level patient care.⁵¹

Participants in the study note that the Salvadoran state applies abortion laws in a discriminatory manner. Women who have financial resources can access private clinics or travel to countries where abortion is legal. On the other hand, women who lack financial resources, particularly those who are poor, face up to 30 years in jail for having an abortion, even in cases of obstetric emergencies. This unequal application of the law has significant implications for low-income women who face discrimination and the risk of being criminalized. Women who cannot afford private clinics or travel end up in public hospitals where, as one participant notes in Quote 16, health care personnel often turn them over to the police.

“A person who has to have assistance from the Attorney General's Office, or from public institutions, which you know takes a lot of time in one way or another, is not the same as someone who can afford a lawyer or [private] expertise, and we can see that very clearly in the Case of the 17.⁵² All the women accused were women who did not have access to health services, or who made use of the public health system, and other young women or people with financial means may suffer an obstetric emergency, but since they go to a private hospital, that's another matter. They don't wake up in handcuffs when they wake up from the anesthesia [...]”

Quote 16: Cisgender woman, civil society representative

LEGAL AND JUDICIAL STRUCTURAL INEQUALITIES

Interview participants identify the absence of a gender identity law and a gender-inclusive legal framework recognizing all SOGIE rights as a fundamental limitation on human rights in El Salvador. This gap in the legal framework is a major concern for LGBTQIA+ individuals and professionals in both formal and informal sectors dealing with GBV cases. Without application of gender-inclusive SOGIE legal frameworks, there is persistent discrimination against GBV survivors in the government sector. This discrimination can take the form of explicit denial of public services for survivors or the lack of efforts to monitor and evaluate government actions aimed at reducing structural gender inequalities. Quote 17 demonstrates how government institution staff's discrimination, stigma, and long-held beliefs against LGBTQIA+ people manifest, particularly against transgender women.

⁵¹ Mena Ugarte, Sandra Carolina; Rodríguez Fuens, María Virginia; and Viterna, Jocelyn. 2023. Maternal Morbidity under an Absolute Abortion Ban: Insights from a 6 Year Case Series of Fatal Fetal Malformations in El Salvador. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9826817/>.

⁵² This refers to a campaign promoted by feminist organizations to highlight the cases of 17 women imprisoned with sentences of up to 40 years for having suffered obstetric complications as a result of the absolute criminalization of abortion in El Salvador.

“[In a public institution], [w]e had cases where they didn’t want to treat trans[gender] women arguing that they couldn’t because they weren’t women ‘born that way.’ So, that was a form of discrimination and [name of government entity redacted]’s protection policy for women, and also since there are specific laws on violence against women, not all of them, I can’t say that in all of them because I haven’t read all of them, but at least the ones I’ve seen, don’t have that complement of including trans[gender] women [...], because we won’t consider them as women as such. [W]e also saw that in specialized women’s courts for a life free of violence, cases of trans[gender] women victims of violence do not go to those courts, but they go to the ordinary courts and that’s worse. There should be courts [...] that know directly about the case of trans[gender] women because they are a vulnerable population, but there are none.”

Quote 17: Cisgender woman, public servant

Interview participants highlight the lack of reliable data on transfemicide. On this point, the United Nations Office of the High Commissioner for Human Rights (OHCHR) has stated that “the disaggregation of data that allows comparisons between population groups is part of the obligations of States in the field of human rights and has become an element of the approach to the use of human rights-based data. This includes data relating to demographic, economic, social, and cultural characteristics, literacy rates, unemployment rates, voting patterns, the number of reported cases of violence and other indicators. States also need such data to prepare reports to be submitted to international human rights bodies in compliance with their obligations.”⁵³

In the past three years, the General Directorate of Statistics and Censuses (*Dirección General de Estadística y Censos*, or DIGESTYC) has provided reports on acts of violence that include an LGBTQIA+ person. However, in August 2022, the executive branch initiated the dissolution of DIGESTYC, and the Legislative Assembly transferred its functions to the Central Reserve Bank.⁵⁴ This has raised concerns about the continued compilation and reporting of these data. As Quote 18 highlights, the lack of legal recognition and visibility for transgender individuals adds another layer of GBV and impunity, making it more difficult to address transgender femicide.

“[When there is a murder], [a]ccess to justice is always hampered because they [judicial staff] didn’t do their job well, because they don’t consider their rights, or because when it comes from the law, they don’t know what to call the person. And also, because the document has a male name, they think it was a man and not a trans[gender] woman, [...] there is a specific fact and not a statistical fact that she was a trans[gender] woman. Because only the legal name is given, it seems that there are no trans[gender] deaths. So, apart from the fact that they kill us, they make us invisible, and that is also another type of violence that we have to experience.”

Quote 18: Transgender woman, civil society representative

Between March and September 2022, transgender activists initiated and received favorable judgments on judicial proceedings that will allow changing gender identity in official identification documents.⁵⁵

⁵³ OHCHR. 2018. A Human Rights-based Approach to Data.

<https://www.ohchr.org/sites/default/files/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>.

⁵⁴ Magaña, Y. August 10, 2022. “They Give 120 Days to Dissolve DIGESTYC and Transfer Functions to the BCR.” *El Mundo Newspaper*. <https://diario.elmundo.sv/politica/dan-120-dias-para-disolver-digestyc-y-trasladar-las-funciones-al-bcr>.

⁵⁵ EFE. August 18, 2022. “Court endorses ‘the first name change’ of a trans man in El Salvador.” SWI. https://www.swissinfo.ch/spa/el-salvador-lgbti_juzgado-avala--el-primer-cambio-de-nombre--de-un-hombre-trans-en-el-salvador/47837648.

Strategic litigation led by CSOs and transgender activists, along with recent advances in inter-American jurisprudence on the human rights of LGBTQIA+ people, may have contributed to favorable judgments in recent cases, allowing for changes in gender identity on official identification documents. However, access to the judicial system is limited, and there is still a lack of domestic legislation that aligns with international human rights standards. This legal uncertainty contributes to GBV impunity, as legal and judicial actions depend more on individual will than on legal and institutional frameworks that guarantee state responsibility, transparency, and accountability. Although CSOs play a vital role in advocating for the rights of women and LGBTQIA+ people, the ultimate responsibility lies with the state to ensure equal protection under the law, as mandated by the national constitution and ratified international human rights conventions. Quote 19 underscores the need for the state to take a more proactive approach to post-GBV care and prevention.

“These policies must be policies of the State, not of the Government; that is, policies that endure despite the changes that may occur in the Government, in the Executive body. Because the problem of violence, and the care and prevention of cases of violence, is a problem that will not be eradicated so easily.”

Quote 19: Cisgender woman, civil society representative

CSOs play a key role in proposing gender identity related laws and creating tools for their implementation. They generate evidence, raise awareness, and mobilize citizens for change. CSOs also facilitate dialogue between decision-makers and survivors, activists, and experts. However, the Salvadoran government limits its dialogue with CSOs, and that hinders policy improvement. Transgender women are also often excluded from these discussions. Quote 20 highlights limitations to CSO’s policy-shaping efforts, such as inadequate representation of transgender women in debates. It acknowledges that the ultimate responsibility for justice and human security lies with the state.

“Our actions may fall too short because the one who should fully guarantee security is the state; it is not us—but I think that with our contribution, I do believe that we should continue to bet on continuing to create spaces for debate, a space for work where we can influence and contribute to these transformations with decision-makers and entities responsible for ensuring justice and security.”

Quote 20: Transgender woman, civil society representative

The effective application, monitoring, and evaluation of approved regulations face difficulties as institutions often lack willingness to implement them. Additionally, there is a shortage of monitoring tools to measure quantitatively and qualitatively how institutional practices align with established regulations. In Quote 21, a study participant reflects on a case where the perpetrators of a murder of a transgender woman were sentenced for committing homicide but not for committing a hate crime, due to the prosecutors’ lack of understanding that the crime matched the reformed definition of a hate crime.

“The reforms [to classify crimes as hate crimes if due to an individual’s SOGIE] only categorize and name [hate crimes], but for example there is no mechanism such as a protocol for criminal prosecution against crimes based on sexual identity and orientation, which speaks, for example, of how this malice or that feeling of hatred or that prejudice is demonstrated at the legal level. So, for me, in this [court] case, there were a lot of things that were missing; they left a lot of things unfinished and things that, I don’t know—or rather, things that were obvious but that could not be legally appealed for a better judgment.”

Quote 21: Transgender woman, civil society representative

CURRENT STATE OF GBV/F/TF PROTECTION AND RECOVERY SUPPORT SERVICES, JUDICIAL SERVICES, AND PREVENTION INITIATIVES

PROTECTION AND RECOVERY SUPPORT

Geographic and qualitative disparities exist in the response and protection services for GBV survivors. Security, health, and judicial institutions are legally required to have specialized GBV services, with national coverage at the municipal level. However, services often are not provided at a community level due to limited resources and insufficient political will to universally implement this mandate. As a result, there is no standardized way to implement the mandate, resulting in varying access to and quality of services and neglect and re-victimization of survivors. While interview participants assert that CSOs offer higher-quality protection services than the government, their coverage is limited compared to demand. The situation is worse for cisgender and transgender femicide victims’ surviving relatives who receive inadequate protection services, restitution, and reparation.

Impunity impacts GBV and F/TF survivors more severely when they lack access to protection, recovery services, restitution, or reparation—while perpetrators with socioeconomic and political status and influential networks can block their pathways to formal justice. Inequalities in power and influence can be mitigated to some extent if a case attracts media exposure, generating social outcry and demands for justice. CSOs monitoring GBV cases, supporting survivors, and exposing challenges and missteps in the legal system can apply public pressure to increase attention to survivors’ cases and their chances of reaching a court and receiving fair treatment.

The head of the Women’s Unit of the Attorney General’s Office told journalists that: “A maximum of 50 percent of all justices of the peace can provide motivated resolutions with a gender perspective.” She has collected sentences since 2018 to understand the criteria judges have used in cases of violence against women. Findings show a lack of gender-informed, survivor-centered adjudication of crimes committed under the law. Without a gender analytical perspective integrated into judicial proceedings, GBV cases proceed more slowly, result in more lenient sentences for perpetrators, and are more likely to result in a successful appeal for perpetrators, even in cases where they are initially convicted.⁵⁶

Government institutions have established specialized protection services for cisgender and transgender women who are GBV survivors. Nevertheless, the quality of the services—including legal advocacy, psychological assistance, health care, shelter, and international asylum, when necessary—is weak and inconsistent. Institutions such as the National Civil Police, Magistrates Courts, Offices of the Attorney General, and the General Prosecutor provide extensive territorial coverage, but survivor-centered post-

⁵⁶ Moreno, Karen. 2022. “Justice Stalls for Women Victims of Violence in El Salvador.” *Gato Encerrado Review*.

GBV care is not standardized. Survivors encounter “red tape,” lack of empathy, and inconsistency in the application of protocols and guidelines, leading to neglect and re-victimization. Quote 22 highlights a survivor representative’s perspective regarding how existing institutional GBV survivor protection and recovery support services are insufficient to address root causes of violence and can send survivors back into spaces where they remain at risk.

“There are people who are aware and who have a conscience where they have been able to do things right [in GBV cases]. But there are still, uh, [public institutions] where they practically only take complaints, legal support, psychological support, and well, [comprehensive support] is not provided—the real support [comprehensive support that would address the root cause of the violence]... And, well, if you don’t have a place, then [...] as far as the government is concerned, [...] sometimes [public institutions] don’t provide a safe space for [GBV survivors]. They only give them legal support and give them psychological support, but [GBV survivors] have to return to the environment where gender violence has occurred. [...] But with half an hour of attention with the psychologist, and she gets another appointment, and another appointment, and then that’s it. And even though women arrive crying, ‘No, but look, I want to continue with you.’ [Then the psychologist replies], ‘Yes, but there’s no space.’”

Quote 22: Cisgender woman GBV survivor representative

Quote 23 illustrates recurrent discrimination against and revictimization of transgender women when seeking to make a police report and access protection and recovery services.

“So, I was faced with that, that I had to explain to them rather how to treat me, how they could write or put something else about me. Really, it was exhausting for me to have to explain, hey, because no one does it when you are going to file a complaint, withdrawing a document, transferring a document, because for that people were very thorough. There was always this type of [re]victimization: It was always the victim who was to blame. It was always the victim who was wrong.”

Quote 23: Transgender woman, GBV survivor representative

Recovery support services for GBV survivors remain inadequate. Current services prioritize the conviction of the perpetrator rather than the comprehensive recovery of the survivor and their family, even though survivors often have dependents who may have lost their economic income or material support due to the violence.

“I don’t think so: they don’t do anything. Yes, there I can guarantee that there they don’t see people. The people or those affected do not receive any help, either psychological or economic, [...] in giving them relief so that those people can resort to what true justice is.”

Quote 24: Cisgender man, GBV survivor representative

Currently, there are no reparation programs for survivors or dependents of femicide victims in El Salvador, despite the LEIV calling for reparations and the creation of a Special Fund for Women Victims of Violence. This fund is supposed to be financed through resources from economic sanctions imposed on perpetrators for violations under the LEIV and dedicated to F/TF early detection, prevention, post-

GBV care, and protection. Despite this, GBV survivors and F/TF victims' surviving relatives have not received reparations. The lack of approval of the gender identity bill in El Salvador means that transgender women are not recognized under the LEIV or provisions for recovery support services. The regulations have completely excluded cases of GBV/F/TF against transgender women. The UNFPA and ISDEMU have piloted a Comprehensive Care Program for Relatives of Victims of Femicide, but transgender women are not included in the program.

CSOs provide high-quality protection services with limited coverage

CSOs support GBV/F/TF survivors by referring them to services such as legal, psychological, shelter, and economic assistance. Study participants described these services as welcoming and of good quality. CSOs strengthen institutions through awareness-raising and technical training and provide equipment and infrastructure. However, they operate with limited resources from international cooperation, which limits their ability to meet demand and comprehensively cover geographic areas.

“[Referring to CSO services] I, I feel that there is more access and they have, I think, better services. [But] the CSOs are local, right? [...] they focus their attention on very particular populations and that is why in one way or another it means that they do it in a better way, but it is focused on [specific sub-] populations.”

Quote 25: Cisgender man, public servant

CSOs not only provide practical services to GBV survivors but also conduct strategic efforts to strengthen institutions, advocate for the adoption of laws, demand compliance with laws and regulations, and mobilize public opinion to demand justice. Civil society pressure, especially from feminist movements, has been critical for historical advancements in structural gender equality in El Salvador, as shown in Quote 26.

“Yes, I believe that the struggle that took place in the feminist movement for the approval of the LEIV and the equality law is important in the country because these laws arise from the feminist movement, where it is negotiated with the rulers in office and with the politicians in office to be able to approve them. And as I said, all these laws provide a whole system of protection and also a system of prevention against cases of violence, so I think that still on paper and in theory, it is very good; very, very good.”

Quote 26: Cisgender woman, civil society representative

Community-level protection and response services lack government support

Few participants report experiences with community-based groups for GBV survivors. However, those who did described the support as successful in strengthening women's knowledge and capacities to promote women's human rights and specialized legislation, providing advice and support to access judicial processes and offering spaces for self-help and solidarity among women. Community-level GBV support services were highlighted in Quote 27 as meeting women where they are and protecting them from further harm.

“First of all, most women in situations of violence, vulnerability, and discrimination and all those things, we work that part. As I say, the program we have is complete, it goes with the golden rule, it goes with making women feel safe where they are. And, in other spaces they call it rules of coexistence, we don’t call it that because we work on what is first and foremost confidentiality—that is our first golden rule.”

Quote 27: Cisgender woman, GBV survivor representative

These groups were established pre-COVID-19 with assistance from CSOs and government institutions, but they lack support from both the government and society. Companies also have not provided sufficient GBV protection, response, and prevention measures in their operations (see Quote 28). Some self-help groups had to shut down during the pandemic, while some participants believe the government used the pandemic as an excuse to shut the groups down. Quote 29 illustrates this issue.

“Women are generally impoverished, right? So, to start a legal process [in a GBV case], one that is effective, requires time, but women are afraid of getting fired for asking too many permissions [from their employers], so they don’t follow up their processes, and they leave them unfinished, and there is when they don’t access justice, but what happens here? It’s important to recognize that the Ministry of Labor is in charge of verifying that these types of situations don’t occur [...] so that the companies where these women [GBV victims] work guarantee all the permissions without them getting fired, but as long as monitoring is not done [by the Ministry of Labor], then companies will not adapt to [GBV] legal processes.”

Quote 28: Cisgender woman, CSO representative

“We are working because we made the decision to become independent [...]. Well, all the [names of government institutions redacted] were closing those spaces under the pretext of the pandemic. We were standing firm, but under the pretext of the pandemic, as I say, we were told that meetings were suspended until further notice, and—however—outside the institution, we saw how we are aware of all the work that exists and how could we leave these women who need monitoring. So, we took the initiative to meet outside. We have sent letters. We sent letters to the mayor’s office of [municipality redacted], letters to the Banco de Fomento. [...] How could we not? We were, like I told you about, meeting in a coffee shop. So, right now the groups are closed. There are no self-help groups in the country.”

Quote 29: Cisgender woman, GBV survivor representative

JUDICIAL SYSTEM RESPONSE

Interview participants highlight that the perpetrator’s economic, social, and political status can limit access to judicial services. They say impunity seems likely in cases where an aggressor has significant economic resources, social connections, or political power.

“In the case of Carla Ayala, I think that the issue of impunity has been about protecting, about protecting [...]. It’s complicated because it’s within the police organization, and probably even senior police officers could be involved there. So, I think that from the beginning there were a lot of irregularities in the process, as I understand it. Some phases of the process went away [...]. One as an intention to probably cover up some senior officials or that a conviction would not be reached.”

Quote 30: Cisgender woman, public servant

Survivors facing economic, educational, health, or other vulnerabilities often encounter barriers in accessing judicial services, such as the resources, time, and safety needed to travel to and from court offices. CSOs offer support to overcome these obstacles and provide social, legal, and material assistance. Quote 31 highlights how CSOs offer essential protective accompaniment and support to GBV and F/TF survivors during court proceedings.

“There are organizations such as human rights, feminists, who among them always include people with good hearts who help keep the case going, right? Because there are [...] lawyers who don’t charge anything, because they don’t charge us anything to at least give them a little help or ask [them] to accompany you on some questions that you [have] for the judges or before the prosecutors [...].”

Quote 31: Cisgender man, GBV survivor representative

Survivors mention that public pressure on government officials can sometimes prompt the legal and judicial system to respond. Cases of extreme and brutal GBV and F/TF that generate public outcry and media attention have influenced state accountability for GBV. Quote 32 provides an example of the role of media pressure in holding the state accountable for GBV.

“Documentaries were made. Reports were made in newspapers. Reports were made through social networks. Reports were made in terms of public information. Pamphlets were made [and] circulated from person to person, from house to house and they were greatly emphasized. Therefore, I think that the authorities were going to be pressured a little more, that if no law was made in these cases, then the country’s legal system would look bad.”

Quote 32: Transgender woman, GBV survivor representative

Law enforcement response

Based on interview participants’ experiences, many non-specialized courts weakly enforce laws and regulations related to F/TF, leading to impunity. Quote 33 and Quote 34 describe cases where certain judges or prosecutors acted based on individual prejudices in ways that minimized the seriousness of F/TF, denied human rights and protection from violence, and conflicted with criminal law.

“Some judges even apply laws that are old [...] and always find a way not to apply recent laws that have recognized rights. So [...] even if they know that it exists [...], there is simply no will to go down that path [...] and it’s not that they don’t know, but simply their criterion is, ‘It doesn’t apply.’”

Quote 33: Cisgender man, civil society representative

Participants report that legal processes are costly, lengthy, and bureaucratic, leading many survivors to withdraw their cases due to direct and indirect costs. Participants believe that judges exercise bias in selecting cases, at times citing overwhelming caseloads as an excuse. The percentage of cases initiated versus those that proceed to trial is an important indicator. Between 2017 and 2022, the General Prosecutor’s Office received 16,091 complaints of acts of violence against women, of which courts prosecuted only 5,968 (37.1 percent).⁵⁷

“The judges [...] hold back the cases a lot. As they say, we are full of cases [...] I imagine that there are cases that they resolve quickly, but there are cases that take a lot of time.”

Quote 34: Cisgender woman, civil society representative

In addition, study participants characterize legal processes as plagued with negligence and technical deficiencies resulting in inadequate investigation and evidence gathering, mishandling and loss of evidence. Survivors’ repeated retelling of their experiences to the National Civil Police, the Institute of Legal Medicine, and the FGR revictimizes them further. Survivors are often blamed for the violence they experience. Transgender women are misgendered, and femicides are often misclassified as homicides. Technological resources are not well distributed across the country, with most resources focused in urban areas.

“[There are processes which are] flawed or flawed diligence or, for example, where the evidence is. The evidence is not safeguarded, but evidence is lost, [and] that has to do with corruption and cover-up. [They do not comply with] various protocols, [...] not requesting what should be requested: [...] camera video, cell phone geolocation information [...]. So, there are many things that are not requested for the procedural handling of the situation; there may be the protocol, but since there is already a human factor of corruption then they no longer comply.”

Quote 35: Cisgender woman, civil society representative

“We have public policies, some mechanisms, but at the time of processing the cases there is still re-victimization; there are prejudices (eh) and that causes violence and frustration for the victims or survivors [because they’d] expect [otherwise] in cases of acts of violence.”

Quote 36: Cisgender woman, civil society representative

⁵⁷ Moreno, Karen. 2022. Justice Stalls for Women Victims of Violence in El Salvador. *Gato Encerrado Review*.

When violent community groups commit acts of GBV, they explicitly threaten survivors so that they do not report the cases to law enforcement, which persists as an obstacle to accessing potential judiciary services.

The Comptroller of the Justice Sector has notable monitoring deficiencies that exacerbate the situation. However, CSOs offer protective accompaniment to survivors throughout the legal process, advocating for enforcement of the legal framework and due process. This helps ensure that institutions act according to the law and with due diligence, increasing the likelihood of complaints and denunciations being filed and crimes being documented. Quote 37 and Quote 38 exemplify how CSOs promote the application of existing laws and use protective accompaniment to increase transparency and accountability in the judicial system.

“Because there was more emphasis on civil organizations and there was more pressure on the relevant authorities to arrive at the fact that there was a law, that the weight of the law would be applied.”

Quote 37: Transgender woman, GBV survivor representative

“The accompaniment of the surviving victims of violence in any violation of their human rights has made it possible to make these accusations of impunity or corruption of the system. And this has served to cause improvements in the system or that people who are not acting in accordance with the law are prosecuted. So, I do believe that civil society has developed a monitoring surveillance mechanism through the figure of accompaniment.”

Quote 38: Cisgender woman, civil society representative

F/TF cases often end with impunity because courts usually close them without identifying the perpetrator, without holding them accountable, or without providing restitution and reparations for survivors. This sends a message to survivors that perpetrators of GBV and F/TF are unlikely to face consequences.

“Phew, several cases. For example, in trans[gender] women, most murders or hate crimes go unpunished, and many are filed away—provisionally filed away, that is—and others are definitively closed, because they never managed to find the perpetrator, they never located the victim’s relatives, for many reasons.”

Quote 39: Cisgender woman, public servant

Restorative justice, which involves active participation of both survivors and offenders in resolving matters resulting from a crime, is not commonly practiced in El Salvador.⁵⁸

Public security measures taken to alleviate the COVID-19 pandemic created additional obstacles in accessing formal or alternative justice services. Women were afraid of leaving their homes, fearing both

⁵⁸ United Nations Office of Drugs and Crime. 2006. Manual on Restorative Justice Programs. https://www.unodc.org/documents/justice-and-prison-reform/Manual_sobre_programas_de_justicia_restaurativa.pdf.

getting infected with COVID-19 and being detained⁵⁹ and taken to COVID-19 containment centers. Institutions and organizations providing services to GBV survivors operated on adjusted schedules or virtually, limiting access for many survivors without a smartphone, computer, or internet connection. Courts also suspended hearings when some of the parties appeared or reported to be ill, including defense lawyers for perpetrators.

“Women’s access to justice has decreased, since [...] the provision of services from the guarantor institutions was being provided at different staff hours that were not regular [...]. Women were afraid to go out and file complaints for acts of violence because they were afraid that they could be arrested in the street. We went through everything, through all those kinds of situations.”

Quote 40: Cisgender woman, civil society representative

PREVENTION

Despite El Salvador’s adoption of international and national legislation protecting women’s human rights, public sector institutions have implemented limited measures for GBV prevention. Interview participants highlight scarcity and short-term implementation in existing GBV prevention programs. Few programs engage men and boys in GBV prevention activities. There are no early warning systems⁶⁰ to identify risks for and incidence of GBV, which contributes to lack of public investment in prevention programs. Some notable examples among limited GBV interventions to date include:

- The Salvadoran Institute for the Development of Women has a strategy called Mobile Windows, which aims to inform and raise awareness about women’s rights and prevent violence. It reaches over 17,000 people, mostly women, each year. The strategy includes a “Carousel” that raises awareness among students and their skills for identifying what constitutes GBV.⁶¹
- ISDEMU advises municipal governments in preparing plans to prevent violence against women. Their efforts have contributed to finalizing 14 plans, drafting 33 plans, and implementing and monitoring 44 others, as of 2020.⁶² Municipal Plans for the Prevention of Violence against Women are implemented by the municipal mayors’ offices and violence prevention committees, which are inter-institutional spaces involving public, private, and civil society institutions at the territorial level.
- ISDEMU supports “Call Center 126,” a toll-free national hotline that operates 24 hours a day. It provides women and the LGBTQIA+ population with vital information and guidance regarding their rights, available care referral pathways, as well as the legal, psychosocial, or health services that they can seek out.⁶³ This service is designed to support and assist those who may have

⁵⁹ During the COVID-19 lockdown in El Salvador, the government gave police and military personnel special powers to detain people in containment centers, the majority of these detentions were considered arbitrary. <https://www.hrw.org/news/2020/04/15/el-salvador-police-abuses-covid-19-response>.

⁶⁰ An early warning system involves the collection and analysis of open-source information to enhance prevention or early response, mainly before violence has erupted or to contain the outbreak, mitigate its effects, and prevent its recurrence. See: UN Women. 2012. Gender-Responsive Early Warning: Overview and How-to Guide. <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2012/10/WPSourcebook-04E-GenderResponsiveEarlyWarning-en.pdf>.

⁶¹ ISDEMU. 2021. Work Report June 2020-May 2021.

⁶² There are 262 municipalities in total. Coverage may be greater because other municipalities can prepare their plans by themselves or with the support of other agents such as CSOs.

⁶³ ISDEMU (2021). Work Report June 2020- May 2021.

experienced or are at risk of GBV by providing them with the resources and tools they need to make informed decisions about their safety and well-being.

- The Ministry of Education, Science and Technology (MINEDUCYT) has a Gender Equity and Equality Policy. This policy prioritizes the prevention of GBV and includes plans for comprehensive sexuality education (CSE). CSE provides young people with evidence-based, scientifically accurate, age-appropriate information about sexuality and sexual and reproductive health, including how to navigate respect, consent, and bodily autonomy—topics vital for GBV prevention.⁶⁴ MINEDUCYT has developed campaigns on GBV, protection of bodily integrity, and girls’ and adolescents’ right to live free of violence. The goal is to have at least 1,250 educational centers across the country carrying out secular CSE, which is meant to be non-sexist and nondiscriminatory, by 2025.⁶⁵ However, in 2022, MINEDUCYT leadership removed the Director of the Teacher’s Training Institute after sexual orientation and sexual identity concepts and training materials were presented in an educational TV program. Though it continues to train teachers, MINEDUCYT subsequently withdrew CSE materials from schools and paused plans for CSE indefinitely.⁶⁶
- International cooperation initiatives have supported the implementation of CSE. All but one of 41 higher education institutions that provide teacher training have received awareness-raising training on the importance of CSE. Teacher training includes prevention of adolescent pregnancy, early unions, and GBV, as well as comprehensive education on sexual health and gender equality.⁶⁷
- MINEDUCYT’s 2013 “Institutional Protocol for the Prevention and Attention of Cases of Sexual and Workplace Harassment” incorporates gender equality into educational materials and includes a school counseling program for psychosocial care, violence prevention, and identification of social risks to enhance protective factors and reduce risk factors.⁶⁸
- The FGR has a psychosocial care unit that develops crisis prevention and care programs for users, including GBV survivors, referred to the Psychosocial Preventive Care and Counseling Units in educational centers and complexes during the school year.⁶⁹
- In 2022, the Ministry of Health (*Ministerio de Salud*, or MINSAL) issued the Policy for Gender Equality and Equity in Health. MINSAL views violence and GBV as public health issues.⁷⁰ The Office for Assistance to Victims of All Forms of Violence, which MINSAL oversees, implements violence prevention programs with other organizations. Institutional Units for Specialized Care for Women in the hospital network have established guidelines for managing GBV cases. The guidelines include a chapter on adolescent care that addresses CSE services and provides content emphasizing respectful and nonviolent relationships.⁷¹
- MINSAL provides training for public health facility staff who offer direct care to GBV survivors. It has also developed and disseminated protocols for health care providers, such as the Technical Guidelines for Care of People Affected by Violence.⁷²

⁶⁴ UNESCO, UNAIDS, UNFPA, UNICEF, UN Women, and WHO. 2018. International Technical Guidance on Sexuality Education. <https://www.who.int/publications/m/item/9789231002595>.

⁶⁵ MINEDUCYT. 2020. Gender Equality and Equity Policy.

https://siteal.iiep.unesco.org/sites/default/files/sit_accion_files/politicas_de_genero_mined_editada.pdf

⁶⁶ ALAS, SARAÍ. SEPTEMBER 26, 2022. MINED DESTITUYE A DIRECTOR DEL INFOD POR POLÉMICA CON MATERIAL EDUCATIVO QUE INCLUÍA TEMAS DE GÉNERO.

⁶⁷ MINEDUCYT. 2020. Work Report 2019-2020.

⁶⁸ MINEDUCYT. 2020. Work Report 2019-2020.

⁶⁹ PGR. 2021. Work Report June 2020-May 2021.

⁷⁰ MINSAL. 2022. Policy for Gender Equality and Equity in Health.

⁷¹ MINSAL. 2021. Work Report June 2020-May 2021.

⁷² MINSAL. 2022. Work Report June 2022-May 2022.

Initiatives listed above face challenging limitations. An initial plan to roll out comprehensive sexuality education nationwide has been indefinitely halted, and there remains low awareness of themes in the CSE curriculum among management staff, teachers, and students in schools. GBV prevention programming in the health sector has limited scope.⁷³

Study participants identify the strong influence of conservative, patriarchal, religious gender norms as a root cause of barriers to GBV accountability. Prevention strategies sometimes reinforce inequitable gender norms and discrimination, and this is evident in survivors' experiences with family members, teachers, health personnel, and municipal officials. Survivors reported that gender inequality and inequitable norms negatively affect child and adolescent development and intergenerational gender equality. As an example, the “Don’t mess with my children” campaign, which is widespread throughout Latin America, encourages parents, caregivers, and family members to oppose comprehensive sex education in schools.⁷⁴ In El Salvador, conservative groups promote the “Don’t mess with my children” campaign, which worsens the already-limited support for CSE implementation in the Teacher’s Training Institute. The government conducts training and media campaigns for GBV prevention, but they focus mainly on cisgender women and lack consistency over time. The quality and impacts of these efforts vary, and they do not include training on SOGIE diversity and inclusion. Quote 41 references how pro-comprehensive sexuality education and diversity inclusive media campaigns for GBV prevention are often short lived due to defunding or potential censorship.

“The tips given at the radio level and some points that for a while they do so—and then they kind of start dropping them, as if they didn’t exist.”

Quote 41: Cisgender woman, GBV survivor representative

CSO and international cooperation organizations have provided funding and technical support for CSE implementation in El Salvador. Feminist movement organizations and CSOs have played a crucial role in increasing support for CSE, including ORMUSA (Salvadoran Women’s Organization for Peace), Las Dignas, Las Mélicas, Plan International, Save the Children, Doctors of the World, Feminist Collective, Tanamikilis Collective, ASPIDH (Solidarity Association to Promote Human Development), and COMCAVIS TRANS (Association Communicating and Training Trans Women in El Salvador).

Current law enforcement and judicial sector responses to GBV and F/TF remain typically punitive and focused on perpetrators and not survivors. The judicial system emphasizes punishing the perpetrator after a crime has already been committed. However, acts of GBV, including F/TF, are embedded within a continuum of violence against cisgender and transgender women. GBV can be prevented in part through using survivor-centered, trauma-informed law enforcement and judicial sector GBV response. Yet, prevention is not prioritized in budgets, programs, or services. Lack of prioritization leaves critical gaps, especially when judiciary responses focus only on perpetrators. Few initiatives exist to end recidivism or transform masculinities for gender justice and equality, from both the public sector and CSOs. Although violence prevention programs are of critical value to human rights and security, investment in them remains extremely limited. Quote 42 emphasizes the need to invest in femicide prevention.

⁷³ Doctors of the World. 2021. Advances and Challenges in the Implementation of Comprehensive Sex Education in El Salvador.

⁷⁴ Ibid.

“Femicide [...] is the pinnacle of gender-based violence, which [...] here in the country, it is almost always addressed until [...] it comes to femicide, and it [femicide] is not addressed through prevention—of what to do to prevent femicide.”

Quote 42: Cisgender woman, civil society representative

“I am thinking of working on the topic of anger control therapy also with violent offenders. [...] I have already done it, and it works. [...] For example, anger control therapy is quite good [...]—specifically speaking of men—to develop sensitivity. For example, a methodological element that I have used a lot for the development of sensitivity is art therapy. Therapy through art is very good. [...] They develop certain levels. Of course, it is not a radical change at this time, but it is something that pays to the [...] deconstruction [...] of the macho figure of man.”

Quote 43: Cisgender man, public servant

Quote 43 highlights how government staff try to address GBV prevention creatively with violent offenders to reduce recidivism. Study participants and document review reveal the need for international cooperation agencies to invest in GBV protection, recovery services, judicial sector response, and prevention due to government under-investment.

SOLUTIONS TO ADDRESS GBV IMPUNITY

SURVIVOR VIEWS ON GBV ACCOUNTABILITY

This section presents survivors' definitions of GBV impunity and what they see as meaningful accountability. It further suggests formal and informal changes necessary to improve GBV accountability in El Salvador, based on survivors' views and review of available statistics and documents. Additionally, it highlights good practices that could be scaled up or adapted to different contexts or survivor groups.

SURVIVORS' DEFINITION OF IMPUNITY

Survivors in the study define impunity as the absence of a law enforcement and judicial response when a survivor files a complaint with State institutions. Survivors cite discrimination and subjectivity in interpreting cases as contributing factors. They report a lack of trust in security institutions due to past human rights violations and the prioritization of cases benefiting those in power. Survivors also lack awareness of the processes for engaging with law enforcement and recovery services. The study identifies underinvestment in GBV prevention and response services, with a normalization of male dominance in society. Quote 44 highlights underinvestment in preventing and responding to GBV due to societal norms that normalize male dominance.

“[Impunity is] the lack or non-application of justice in a situation. [...] [There are] patriarchal and sexist structures that consider that the violence suffered by women is not so important.”

Quote 44: Cisgender woman, civil society representative

“[Impunity] is when they do not apply the due law but rather apply their personal criteria, and their homophobic, transphobic, and very subjective criteria not objectively, just as the PNC [National Civil Police (of El Salvador)] considers that it contributes to impunity from the moment they do not support the victims from the beginning, because many times the victims come to file their complaint, and they are ignored; they make fun of [GBV survivors].”

Quote 45: Cisgender woman, civil society representative

Quote 45 highlights discrimination against survivors of diverse SOGIE when seeking law enforcement protection or a judicial sector response, perpetuating impunity and lack of transparency for GBV accountability in El Salvador.

Survivors and study participants agree that gender inequalities persist in El Salvador, with women and LGBTQIA+ individuals disproportionately affected. Improving legal protection, judicial response, and human security in matters of human rights, gender, and SOGIE diversity is urgently needed to reduce impunity. Collaboration between civil society and government entities is necessary to improve services and programs for post-GBV care and nondiscriminatory survivor protection. Standardized approaches that provide a comprehensive response to survivors' diverse needs are also crucial. Quote 46 emphasizes the need to strengthen technical capacities for survivor-centered engagement in all government sectors that interact with GBV survivors.

“I would think that it is best to first strengthen the technical capacities of the operators in general, of all of us as operators, because victims always arrive, and we all go through guardianship processes—that is, we care for victims regardless of the areas in which we are working.”

Quote 46: Cisgender woman, public servant

MECHANISMS TO ENSURE NONDISCRIMINATION BASED ON SOGIE

In El Salvador, LGBTQIA+ individuals, particularly transgender women, lack legal protection and access to a judicial response regarding their human rights. To rectify this, inclusive laws, policies, programs, and services must be established to regulate public service and address gender-based violence cases in a nondiscriminatory manner. Quote 47 emphasizes the urgent need for regulatory action to guide the judicial sector’s response to GBV survivors of diverse SOGIE.

“In the case of sexual diversity, I think that there is still a fairly large debt in terms of the protection as such [...] in the case of sexual diversity. It is not that there has been a very large regulatory development for the prosecution of the cases.”

Quote 47: Cisgender woman, civil society representative

EFFECTIVE PROTECTION MEASURES FOR GBV SURVIVORS AND THEIR DEPENDENTS

Transparent monitoring of protective measures is crucial to ensure that they effectively prevent recurring violence and do not cause further harm to survivors. Without reliable protection, GBV survivors often abandon legal processes, leading to impunity for perpetrators. Quote 48 illustrates the consequences of state failure to protect a GBV survivor under 18 years of age.

“An attempt was made to provide support, but the [parents of the victim] threatened the health promoter and then threatened the director of the health facility because she [the survivor] was under [18 years of age], and he [was] already an old person. So there [...] they were following up, there was no possibility of a major state intervention. It seemed complicated to us that the police did not act. In the end, they [survivors] are practically left alone because the institutions fail to act.”

Quote 48: Cisgender male, civil society representative

Women can request protection measures through the PNC or Peace Court, but fragmentation of information and the absence of an integrated system to record protection orders limit their effectiveness. As a result, compliance monitoring is often inadequate, and periodic checks are not carried out.⁷⁵

FORMAL AND INFORMAL CHANGE NEEDED FOR GBV ACCOUNTABILITY

Case study participants express the need to strengthen survivor-focused protection and recovery services, judicial services, and prevention initiatives in all sectors, as described in this section.

⁷⁵ ORMUSA. 2021. ORMUSA presented challenges of the records of violence against women for an early warning system. <https://ormusa.org/ormusa-presento-desafios-de-los-registros-de-violencia-contra-las-mujeres-para-un-sistema-de-alerta-temprana/>.

EDUCATION PROGRAMS TO IMPROVE GBV ACCOUNTABILITY

Implementing comprehensive sexuality education programs that address GBV prevention in primary and secondary schools, as well as community centers, is critical to preventing GBV in part through educating future generations on gender equality and SOGIE. Participants in the case study emphasized the importance of such programs in identifying violence and reducing discrimination against LGBTQIA+ individuals.

“Well, [we need] more education to promote empathy in schools. Because it’s different: we know that education in a public school is different from a private one. The private [school] thing is that they can [talk about these topics], [whereas] a public school can’t, right? Because even such a small example—talking about sexual and reproductive rights in a public school—is not done.”

Quote 49: Cisgender woman, GBV survivor representative

Comprehensive sexuality education and gender equality programs are not only crucial for children and adolescents. Participants in the case study stress the need for public officials, especially those in the judicial system, to receive training in gender equality and GBV accountability. Raising awareness and providing support can help ensure that existing laws are properly applied and promote a more equitable and inclusive integration of GBV accountability across sectors.

SPECIALIZED TECHNICAL RESOURCES FOR STANDARDIZING GBV PROCESSING

In El Salvador, the interpretation of laws protecting women from violence varies among those responsible for enforcing them. The Latin America Model Protocol⁷⁶ should be followed in F/TF cases, but implementation is limited by lack of funding and political support. To address this, resources must be allocated for specialized training and standardization of judicial processes, allowing for better classification, investigation, and processing of GBV and F/TF cases. It is also important to standardize the application of these laws across all judicial entities, not just the Specialized Courts for a Life Free of Violence and Discrimination for Women, to improve intervention and referrals to these courts.

GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY AUDITING FOR GBV ACCOUNTABILITY

Participants in the case study agree that survivor representative groups and CSOs play a crucial role in advocating for justice for GBV survivors and maintaining pressure on institutions responsible for ensuring a judicial response. Accountability for GBV/F/TF survivors can be increased through survivor participation processes and transparency and accountability auditing of government actions. The collective power of civil society can influence public officials to specialize in GBV/F/TF issues and apply laws more effectively. Civil society participation can also bring attention to unreliable and ineffective applications of GBV/F/TF-related laws and highlight the impact of impunity on survivors. However, as noted in Quote 50 by a transgender CSO representative, greater political will and increased investment for GBV/F/TF accountability may take time to achieve through civil society influence.

⁷⁶ OHCHR UNWomen. 2014. Latin American Protocol for the Investigation of Gender-related Killings of women (femicide/feminicide). <https://oig.cepal.org/en/documents/latin-american-model-protocol-investigation-gender-related-killings-women>

“These changes depend a lot on political will, very much so, and on the capacity to influence that, we are able to exert on these changes that we want to see.”

Quote 50: Transgender woman, civil society representative

GBV ACCOUNTABILITY PATHWAYS: CURRENT PROMISING PRACTICES FOR GBV PREVENTION AND PROTECTION

Participants in the study identify four existing strategies for preventing GBV, which could be adapted, evaluated, and scaled up to address the needs of diverse survivor groups and improve prevention and protection of GBV survivors.

EDUCATION AT THE LOCAL LEVEL

ISDEMU conducts community-based educational activities to raise awareness about women’s rights and GBV prevention, reaching over 17,000 people through its Mobile Windows program. These activities are carried out using innovative and engaging methodologies in public places like parks and athletic fields. Mobile Windows could contribute to key steps that study participants identified for building societal support and accountability for GBV and F/TF prevention and survivor protection. Education sector interventions for prevention and protection should include further integrating women’s and LGBTQIA+ rights education into national curricula and school-based violence prevention programs.

GBV/F/TF SPECIALIZED SERVICES

The national regulatory framework requires government institutions to have Specialized Care Units for GBV survivors. This applies across judicial, security, and health sectors, including the Offices of the General Prosecutor, the Attorney General, the Procurator for the Defense of Human Rights, the National Civil Police, the Institute of Legal Medicine, and the Ministry of Health. However, uniform quality standards have not been achieved in the operation of these units. Some units have trained personnel, support from headquarters, inter-institutional coordination, and multidisciplinary teams that provide comprehensive care to women who have experienced GBV. Others do not. Also, standards of implementation can vary from year to year due to personnel changes.

Specialized services for cisgender women are mandated by law, but some institutions such as the Attorney General’s Office also offer specialized services for LGBTQIA+ people. One example is the Institutional Unit for the Specialized Care of Women in Situations of Violence-Denouncement and Citizen Service Office, National Civil Police (UNIMUJER-ODAC) in the municipality of Chalatenango. UNIMUJER-ODAC personnel are trained to provide care tailored to women’s specific characteristics, including their SOGIE, and coordinate with other institutions for comprehensive care. Aside from training to offer specialized services for LGBTQIA+ people, the office has private rooms, Gesell cameras for sensitive recording of children’s testimonies, playrooms for children, and bedrooms with cribs for infants.

SURVIVOR RECOVERY SUPPORT SERVICES FROM CIVIL SOCIETY ORGANIZATIONS

CSOs—such as ORMUSA, Las Dignas, The Feminist Collective, ASPIDH, and COMCAVIS TRANS—offer gender and human rights-based care for GBV survivors, including secondary survivors of femicide. They provide psychological assistance, counseling, legal support, humanitarian aid, and organize survivor groups. According to interview participants, most CSOs providing these types of support prioritize survivors’ needs and ensure their protection without re-victimizing them. Their survivor-centered

approach contributes significantly to reducing GBV impunity by focusing on the needs and demands of survivors. By engaging survivors in the healing process, they facilitate access to formal or informal justice processes and contribute to ending impunity. As a transgender woman GBV survivor representative stated in Quote 51, CSOs provide survivor-centered services that address multiple survivor needs.

“Interviewer: How do you assess the quality of the services provided by civil society organizations?”

Participant: [...] I qualified it as excellent because there is legal support, psychological support, if the victim presents. [...] They are given a safe space [...] where they can be in, where they can have more privacy [...].”

Quote 51: Transgender woman, GBV survivor representative

Legal aid CSOs play a crucial role in supporting GBV survivors by providing legal aid, protective accompaniment, and oversight during GBV cases. They act as spokespersons for survivors’ justice demands and effectively refer and accompany individuals to state institutions responsible for delivering a judicial response, restitution, and reparations.

PUBLIC PRONOUNCEMENTS

Organized social movements’ public pronouncements and media support for GBV survivors play a significant role in increasing public support for survivor access to formal justice. Public statements bring attention to the status of specific GBV cases, expose weaknesses in legal or judicial processes and systems, and raise awareness about the treatment of GBV survivors. Speaking out collectively generates pressure on public institutions to exercise due process and properly apply existing laws. This practice empowers GBV survivors and victims’ representatives to become aware of their rights and forms of due process in seeking accountability through a judicial process.

However, repressive treatment of the press must be addressed, particularly against women journalists specialized in covering GBV, F/TF, and gender equality issues. The Association of Journalists of El Salvador (APES) reported an increase in the number of women journalists experiencing aggression or harassment under the Bukele administration.⁷⁷ APES data shows that women journalists in El Salvador are increasingly facing aggression and harassment, including restrictions on their work, stigmatizing statements, and intimidation. They are also subject to digital harassment, sexual harassment, physical assault, and censorship. Security forces, including the PNC and armed forces, are reported to be the primary violators, along with elected officials, political party supporters, and social media users. The magazine *Gato Encerrado*, which focuses on gender justice and equality, has also faced stigmatizing statements from officials. In response, the APES has presented a preliminary draft of the Special Law for the Comprehensive Protection of Journalists, aimed at preventing and protecting against any violations, aggression, or attack that puts journalists’ lives, integrity, and security at risk.⁷⁸ The approval of this proposal would be a sign of the government’s willingness to respect journalism and protect freedom of speech.

⁷⁷ APES. 2021. Cases of Violations against Women Journalists Increase by 165%. <https://apes.org.sv/category/comunicados/>

⁷⁸ Salvadoran Association of Journalists (APES). (s.f.). Special Law for the Comprehensive Protection of Journalists. <https://apes.org.sv/wordpress/wp-content/uploads/2018/07/Borrador-Anteproyecto-de-Ley-Especial-para-la-Proteccion-Integral-de-personas-periodistas-comunicadoras-y-trabajadoras-de-la-comunicacion-y-la-informacion.pdf>.

Gender biases in media reporting of GBV/F/TF cases persist, including the use of old photographs or images of women victims, which intensify the perception that F/TF is a private, domestic matter. Some news outlets also suggest jealousy, relationship problems, or passion as causes of F/TF, rather than contextualizing it as a structural problem of violence and gender inequality. This hinders the recognition of F/TF as a public problem concerning state accountability for human rights, governance, and democracy.⁷⁹ Participants suggest that the journalists' union should encourage its members to take feminist CSO-facilitated training courses and integrate gender justice and equality in university media training curricula. There are various trainings and curricula for integrating gender equality in the media available on the Internet and offered by CSOs and academia globally.

⁷⁹ Martí, Marta y Araujo, Ivette (coords.) 2021. The Treatment of Femicide by the Written Digital Media in El Salvador (2019-2020). Gerardo Barrios University, San Miguel, El Salvador.

RECOMMENDATIONS FOR USAID EL SALVADOR

Based on the study’s intersectional, political economy analysis of GBV impunity in El Salvador, we present recommended strategies for USAID/El Salvador to strengthen GBV accountability. The recommendations consider the current operating environment in El Salvador and therefore primarily focus on working with CSOs within each of three strategic intervention pathways. We offer practical investments pertaining to each pathway.

Figure 2: Strategic pathways of intervention to improve GBV accountability

Three strategic pathways for GBV accountability		
1. GBV survivor-centered protection and recovery support services	2. GBV survivor-centered access to judicial and alternative justice processes	3. GBV survivor-centered prevention initiatives

USAID/El Salvador should prioritize strategies and investments related to the first strategic pathway for intervention in the near-term: GBV survivor-centered protection and recovery. Survivors in violent community contexts have expressed an immediate need for support services to recover from and reduce risks of repeated incidents of GBV. Due to the lack of trust in government institutions that survivors described and their risks of being re-victimised, GBV survivors are unlikely to pursue formal legal action. Strengthening survivor-centered judicial and prevention initiatives will take time to bring about tangible change, but they too are vitally important for transforming GBV impunity.

STRATEGIC PATHWAY I: STRENGTHEN GBV SURVIVOR-CENTERED PROTECTION AND RECOVERY SERVICES

- 1. Bolster funding to strengthen CSO-provided GBV survivor protection and recovery support services.** In both urban and rural areas, CSOs fill a critical role in access to essential services, including psychosocial support, medical services, free legal aid, material and economic assistance, safe and inclusive shelter, and protection from further harm. This implies strengthening the link between government institutions and civil society that provide GBV survivor care services in a coordinated manner. For example, a woman can receive psychological assistance from a CSO, while a State office can provide aid for entrepreneurship training to improve economic self-reliance and socioeconomic status. While bolstering assistance to CSOs, it is further crucial to establish or enhance mechanisms to ensure the safety of CSO service providers who face harassment and persecution from GBV perpetrators and other violent groups in the community. Potential mechanisms could include the adoption of physical and digital security protocols and practices in the CSO and advocacy for legislation that defends CSOs’ rights to safety during service delivery to their target populations.
- 2. Support CSOs in advocating for improving restitution or reparations mechanisms for GBV survivors and their dependents.** In many cases, survivors and their dependents lose economic, psychological, and social support following instances of GBV. This situation can be exacerbated for LGBTQIA+ people, especially those with low socioeconomic status and stigmatized in the job market. USAID/El Salvador should support initiatives that ISDEMU and UNFPA developed and piloted to offer reparations to GBV survivors and advocate to extend these initiatives to include LGBTQIA+ people. CSO advocacy can be bolstered further through international human rights laws that trigger state obligations to provide reparation to crime

victims generally and of gender-based crimes specifically, including “compensation, restitution, rehabilitation and satisfaction (e.g., full and public disclosure of the truth and an apology, including public acknowledgement of the facts and acceptance of responsibility.”⁸⁰ USAID should support CSOs to advocate for GBV survivors to access support to which they are already entitled by El Salvadoran law⁸¹, but which they often cannot access in practice. This support to GBV survivors as crime victims includes study scholarships, seed capital for economic initiatives, subsidized housing, monetary compensation, and access to basic services, among others.

- 3. Support existing women’s community groups, including specifically groups for Indigenous, Afro-descendant, migrant, or transgender women, as well as for other LGBTQIA+ groups.** Strong community-specific groups help diverse survivors through contextualized dissemination of information about their rights and GBV-related laws, and service provision for protection and recovery support to GBV and F/TF survivors. International cooperation institutions like USAID can directly resource community-specific survivor groups to improve their access to legal aid, health, and psychology experts, safe and friendly spaces for survivors to meet, computer and communication equipment to improve their management, among different types of resources so that they can carry out their work plans. It is important to ensure these groups operate autonomously and have sustained minimum core operating resources over the long term. CSOs like ORMUSA, The Feminist Collective, Las Mélidas, Las Dignas, ASPIDH, COMCAVIS TRANS, DIKÉ LGBTI+, and the Alejandría Collective, for example, promote and accompany women’s groups in several municipalities.
- 4. Allocate funding and technical support for inclusive women’s economic empowerment and improved economic security initiatives** in impoverished communities, both rural and urban. Target funding and technical resources toward CSOs that provide direct material and economic assistance to GBV survivors. This requires collaboration among civil society, the private sector, academia, and others to expand reach and design effective economic empowerment programs. It is essential to demonstrate and improve the impact of these programs for survivors using a “do no harm” approach. Some examples of initiatives which have been successful include community savings groups; home orchards; cattle banks (wherein cattle are given to one woman and, when they reproduce, are given to another woman participant); and employability promotion. These actions must be accompanied by programs that empower women to take control of their income.

STRATEGIC PATHWAY 2: IMPROVE SURVIVORS’ ACCESS TO NON-DISCRIMINATORY GBV RELATED LAWS, JUDICIAL SERVICES, AND ALTERNATIVE, INDIGENOUS, OR RESTORATIVE JUSTICE PROCESSES

- 5. Support the establishment of independent, external monitoring and reporting mechanisms led by CSOs to ensure transparency and accountability in the application of national and international legal frameworks in national courts.** This includes external monitoring and reporting measures for nondiscriminatory judiciary processes and rulings, and legal recourse, restitution, and reparations provided directly to GBV and F/TF survivors. The Salvadoran regulatory framework provides tools for protection against GBV and avoiding impunity, but implementation and provisions for F/TF are problematic due to individual

⁸⁰ Amnesty International. 2021. El Salvador: Peace Can Only Be Achieved with Justice. <https://www.amnesty.org/fr/wp-content/uploads/2021/06/amr290012001en.pdf>.

⁸¹ Baker and McKenzie. Fighting Domestic Violence: El Salvador. 4.4 Restitution and remedies available to victims. <https://resourcehub.bakermckenzie.com/en/resources/fighting-domestic-violence/north-and-central-america/el-salvador/topics/4-protection-for-domestic-violence-victims-and-relief-granted>.

prejudices of judiciary staff. Overcoming this problem involves monitoring court judgments and oversight, with the Supreme Court of Justice evaluating how courts implement regulations. CSOs such as the National Council of the Judiciary should review whether judges incorporate gender equality and GBV best practices in their judicial processes and sentences. USAID could also support CSOs to monitor the outcomes of GBV cases at national and local levels at inter-institutional roundtables and ensure that local women's organizations have checklists that help them verify local institutions' compliance with international best practices standards. USAID should further support civil society initiatives using this monitoring data for their advocacy for increased GBV and F/TF transparency and accountability concerning non-discrimination and quality of government-provided legal and judicial services to survivors.

- 6. Develop legal aid support systems to be delivered by CSOs which increase survivors' equitable access to legal remedies for GBV, including F/TF.** Fund and evaluate pilot programs that coordinate free legal aid with referrals to survivor-centered restitution and reparations initiatives. Such services should ensure equal access regardless of SOGIE and any other characteristics. These services must be available not only to direct survivors, but to family and loved ones of people killed as a result of GBV.
- 7. Support civil society initiatives to advocate for GBV survivor-centered, trauma-informed judicial and other alternative justice response:** This requires a focus not only on legal prosecution of perpetrators, but also on Indigenous or restorative judicial processes, and other non-judicial, alternative justice processes, while ensuring the protection, recovery support, and well-being of survivors at each step.
- 8. Support civil society actions that promote a diverse and inclusive gender identity law.** Such a law would improve access to judicial response, among other public services, for transgender women and other LGBTQIA+ people. This law should be accompanied by an accessible system to allow individuals to change their gender identity on government-issued identification documents.
- 9. Strengthen awareness-raising and skills-building initiatives of CSOs to increase capacities of judicial and law enforcement officials to recognize SOGIE diversity and implement inclusion.** Support CSOs specialized in institutionalizing SOGIE diversity and inclusion to provide technical support to institutions. Upper and middle management of institutions must be accountable for complying with SOGIE diversity and inclusion measures in job recruitment, professional competencies, and ongoing professional certification. CSO efforts should advocate for diversity and inclusion awareness raising, training on survivor-centered practices, and metrics to be included in institutional personnel's standard performance reviews.
- 10. Facilitate dialogue between diverse civil society groups advocating for GBV and F/TF accountability and judicial institutions.** USAID should promote opportunities for dialogue at the national and local level, where civil society can provide the state with feedback on policies and programs related to GBV and F/TF accountability, including from LGBTQIA+ survivors. USAID could organize roundtables or forums that engage LGBTQIA+ people in the design of public policies and services. CSOs with experience in technical areas critical to GBV and F/TF accountability, such as ORMUSA, The Feminist Collective, Las Méridas, and Las Dignas, should be supported to expand their work to areas of public policy and services.

STRATEGIC PATHWAY 3: INVEST IN GBV SURVIVOR-CENTERED PREVENTION

- 11. Resource and provide technical support to CSOs for designing, implementing, and evaluating GBV prevention education and response programs.** Specifically, design,

implement, and evaluate prevention education and response programs engaging students and adults of all SOGIE at schools, community centers, or through family-based outreach when safe to do so. Also design, implement, and evaluate such programs separately among formerly imprisoned perpetrators of GBV and related crimes (e.g., sexual violence against children, intimate partner violence, rape, F/TF, etc.). Integrate education on women's and LGBTQIA+ rights education and SOGIE diversity into national curricula for school-based violence prevention programs, and in training programs for formerly imprisoned perpetrators, as key strategies to foster greater socially normative support and accountability for inclusive GBV and F/TF prevention and survivor protection.

- 12. Support CSO advocacy initiatives that promote LGBTQIA+ rights and SOGIE diversity and inclusion.** Promotion of LGBTQIA+ rights and SOGIE diversity and inclusion in laws and policies is vital for improving accountability for GBV and F/TF. To support LGBTQIA+ rights and SOGIE diversity and inclusion, it is important that CSOs monitor and report on implementation of related initiatives in schools, and also in public administration, the judiciary, and law school curricula in universities. USAID should support CSOs in co-developing public campaigns with LGBTQIA+ community members and GBV/F/TF survivors that promote narratives of SOGIE diversity and inclusion and LGBTQIA+ rights as fundamental principles of democracy, human rights, and good governance. These narratives should emphasize how active inclusion and upholding rights improves accountability for GBV and F/TF survivors of all SOGIE. Existing initiatives by organizations like Católicas por el Derecho a Decidir, Movimiento para una Cultura Laica, Movimiento de Cristianxs Inclusivxs Libres en Cristo, and religious leaders in the Mesa de Iglesias de El Salvador have engaged in dialogues about secularism which are important for supporting LGBTQIA+ rights and SOGIE diversity and inclusion.
- 13. Strengthen data collection and reporting on GBV and F/TF impunity to inform CSO advocacy and public education.** Strengthen the technical capacities of key CSO staff to collect, compile, and analyze data on GBV and F/TF. Involve CSOs and academia in developing a monitoring system and database platform for anonymized administrative, crime, and epidemiological data on GBV, including F/TF. Define “transfemicide,” develop new indicators, and review existing indicators for inclusion in the monitoring system. Analyze data on the gender identity of F/TF victims and develop a research agenda to understand better the mechanisms of GBV qualitatively and quantitatively. Design and evaluate programs and policies to improve services for GBV survivor protection, recovery support, judicial response, and prevention in El Salvador, incorporating insights from more reliable data. Support training for press and journalists that improves their ability to report GBV data without revictimizing survivors or reinforcing unequal gender norms. Finally, support efforts to improve technical skills for a survivor-centered, “do no harm” approach to GBV representation in other mass and social media, to prevent reproducing attitudes in support of male dominance or normalizing GBV, and to demonstrate respect, confidentiality, and dignity of survivors.