

The Issue of Femicide in Guatemala

Since the year 2000, over 2,500 women have been murdered in Guatemala, many of them first abducted, subjected to severe beatings, rape, sexual mutilation, perverse torture, or dismemberment then killed and subsequently deposited in relatively public areas. These gender-based crimes have been characterized as “femicides,” which can be defined as the murder of women specifically because the victim is a woman (Cevallos 2). It is the most extreme manifestation of violence exerted by men against women with the purpose of obtaining power, domination, or control and it includes murders caused by intra-family violence and sexual violence. While the motives for the murders may vary and may have been committed by both state and non-state individuals, a study of some of the cases show that the violence is usually gender-based; the gender of the victim would appear to be a significant factor in the crime, influencing both the motive and the context, as well as the kind of violence suffered by the woman and the manner in which the authorities respond (Amnesty International 1).

Perhaps more appalling than the murders themselves is the brutality with which the crimes are being committed. Apathy on the part of the Guatemalan government and police officials ensures widespread impunity that protects criminals and leaves the door open for more violence to occur because perpetrators know they will never face any legal consequences for their actions (Stengel).

According to Nobel Peace Prize winner, Rigoberta Menchu, “the assassination of so many women is one of the echoes of the war that Guatemala lived through and that left footprints of violence and very deep resentment,” (Sauer 36). The recent atrocities committed against women in Guatemala can be traced back to the violence committed

during the 36-year civil war during which some 200,000 people, mostly indigenous, were killed or disappeared. Of those 200,000 people, a total of 50,000 women “disappeared,” (Ramirez 2). During the internal armed conflict, paramilitary groups and government soldiers committed widespread human rights violations against women, including rape as a counterrevolutionary tactic. The sexual violence, which often resulted in pregnancy and the contraction of sexually transmitted diseases, not only robbed them of their dignity, but created deep psychological ramifications as well (Ramirez 2).

Although the 1996 Peace Accords officially ended the civil war and afforded women the right to be politically active, the consequences of the internal armed conflict in terms of the destruction of communities, displacement, increased poverty, and social exclusion has had a bearing on levels of violence against women today as does the failure to bring to account those responsible for past human rights violations (Sauer 36-37 and AI 2). The brutality of the killings and signs of sexual violence on their mutilated bodies bear many of the hallmarks of the horrific atrocities committed during the conflict that went unpunished and reveal that extreme forms of sexual violence and discrimination remain prevalent in Guatemalan society (Amnesty International 2).

Murders are often committed by men who are strangers to the victim, but murders committed by fathers, husbands, boyfriends and other male relatives have also increased and these violent acts often take place within the family circle or the workplace (Ramirez 1 and Sauer 37). Police officials claim that the violence against women is mostly gang-related, as ‘maras’ are a growing problem in Central America. According to officials, the murders can also be attributed to armed robbery or ‘crimes of passion,’ a result of drug-related violence and rape, domestic violence, and serial killers (Cevallos 3

and Stengel). Women and young girls are also victims of commercial trafficking and sexual exploitation (Amnesty International 1). However, no one knows for certain who is responsible for the recent deaths of these young women because little is being done to investigate the crimes.

Victims of femicide generally have two things in common: they are women and they are poor. The victims of these human rights abuses vary greatly and include students, housewives, professionals, domestic employees, unskilled workers, members or former members of street youth gangs, and sex workers (Ramirez 1). Many come from poor sectors of society, work in low paid jobs as domestic employees, shop or factory workers. Some are migrant workers from neighboring Central American countries (Amnesty International 5). Most of the victims are between 18 and 30 years old, but women of all ages have been murdered. Women in both urban and rural areas have been killed, with the largest number taking place in and around Guatemala City (Sauer 37). High numbers have also occurred in Escuintla and San Marcos (Stengel). According to Maria Cecilia Espinosa, in the case of many of the victims in Guatemala, “These were girls who didn’t follow traditional gender roles. They were young students who went to discotheques, and weren’t afraid to go out at night, which was seen as a transgression.”

Consider the case of 15-year-old Maria Isabel Franco, a student who worked in a shop during the holidays. On the night of December 15, 2001, she was kidnapped in Guatemala City. Her body was found shortly before Christmas. She had been raped, her hands and feet had been tied with barbed wire, she had been stabbed and strangled and put in a bag. Her face was disfigured from being punched, her body was punctured with small holes, there was rope around her neck and her nails were bent back. When her

body was handed over to her mother, she threw herself to the ground shouting and crying, but they kept on telling her not to get so worked up (Amnesty International 1).

Equally gruesome is the case of 17-year-old Andrea Fabiola Contreras, her body found in a dump in Jocotenango, Sacatepequez, the word “vengeance” carved into her right leg with a knife. “She was found with her hands tied in a plastic bag which had been thrown into a ditch used as a trash dump. Her throat had been cut, she had wounds and cuts on her face and chest and she had been shot at close range in the head. She had been raped, her plastic sandals, white blouse, and underclothes were found next to her body,” (Amnesty International 3).

Little or no progress has been made in bringing those responsible to justice. Due to incompetent authorities and a weak, poorly funded justice system, criminals in Guatemala are rarely punished (Stengel). According to current Guatemalan law, domestic violence is not a criminal offense unless the victim’s bruises last at least ten days; criminal responsibility for sexual relations with a minor is assessed according to whether or not the victim was a virgin at the time; furthermore, a rapist can be exonerated if he promises to marry his victim, unless she is under twelve years old. Of the 527 murders committed in 2004, only one person has been prosecuted (Stengel). As of October, 2005 more than a thousand women had been murdered, yet only three killers imprisoned (New York Times 2). Out of the 19,000 reports of domestic violence received in 2002, a mere 10 were fully resolved in favor of the women reporting the violence (Cevallos 3). Yakin Erturk, the U.N. Special Rapporteur on violence against women, personally traveled to Guatemala and concluded, among other things, that the

high degree of impunity regarding violence against women made it likely that at least some of the violence was condoned by the authorities (Espinosa 4).

Guatemalan officials dismiss many of the murders as “crimes of passion.” They assume domestic violence or an affair most likely caused an enraged husband or lover to kill his partner and rarely continue the investigation. Feeble attempts at investigating, tampering with crime scenes, failure to collect physical and forensic evidence, and failure to act on arrest warrants often leave victims’ families with no hope of obtaining justice. There is no laboratory in Guatemala to carry out DNA tests, though a team at the University of San Carlos examines blood samples for police, the samples often arrive in an imperfect condition, rendering the results invalid (Amnesty International 9). Police often wait 48-72 hours before commencing a search for a person reported missing, exasperating relatives and drastically reducing the possibility of finding the victim alive after so much time has passed (Stengel). The failure to hold those accountable for past and current violations continues to undermine public confidence in the justice system, weakening the rule of law (Amnesty International 2).

Over the last few years, several cases of the killings of women in which members of the PNC, National Civil Police (Policia Nacional Civil) were implicated have also been reported (Amnesty International 6). Over twenty police officers have been linked to the murders, supporting the suspicion of Guatemalan analysts that clandestine security forces linked to the police and the army are murdering people with such brutality to generate political instability and a climate of terror (Stengel). In its 2003 report on the murders of women, the Human Rights Ombudsman’s Office stated that there were indications suggesting that this type of police conduct was frequent adding that, “the

perpetrators linked to the security forces have been able to ‘fabricate’ alibis and divert the course of the investigations to maintain impunity,” (Amnesty International 7).

The shroud of silence and inaction that surrounds these murders may help to explain why the death toll continues to rise as well as the viciousness with which the murders are being committed. Hilda Morales, of Guatemala’s No Violence Against Women Network (La Red de No Violencia Contra la Mujer) explains, “Everyone knows about the murdered women of Ciudad Juarez, but it’s as if the cases of the murdered women of Guatemala were being hushed up,” (Stengel). In fact, in February, the United Nations acknowledged that the number of femicide cases in Guatemala, while almost completely ignored, far surpassed those reported in Ciudad Juarez, which has been much more widely publicized (Espinosa 1). More women have been killed in one year in Guatemala than in the past decade in Ciudad Juarez, Mexico (Stengel).

There is little support for women who speak out and most women fear that doing so will only make matters worse for them. When they do seek help they find they have few places to go. There are only two women’s shelters in the country – one in Guatemala City which is run by CGM, Grupo Guatemalteco de Mujeres, a grassroots feminist group working to raise public awareness of violence against women and femicide, and one in Xela, run by the women’s group Nuevos Horizontes (Sauer 37-38). The women also run the risk of being ostracized because of attitudes that associate women’s sexuality with honor and perceive the type of violence they have suffered as shameful. In many cases, survivors have also been abandoned by state institutions which often fail to provide judicial redress or adequate medical attention (Amnesty International 5). In Guatemala,

female victims are held responsible for the crimes committed against them and they pay the consequences for such human rights violations.

It must be acknowledged that the Guatemalan government has taken some positive steps in preventing violence against women including the ratification of international human rights treaties, the introduction of laws, and the creation of state institutions to promote and protect the rights of women. In May 2002, the Guatemalan Government ratified the Optional Protocol to the UN Convention on the Elimination of all Forms of Discrimination against Women. In 1999 the government also passed the Law for the Dignity and Integral Promotion of Women (*Ley de Dignificación y Promoción Integral de la Mujer*), and in 1996 the Law to Prevent, Punish and Eradicate Violence in the Family (*Ley para Prevenir, Sancionar y Erradicar la Violencia Intrafamiliar*). In addition, several new plans and policies have been drafted. These include the PLANNOVI, National Plan for the Prevention and Eradication of Violence in the Family and Violence Against Women (*Plan Nacional para la Prevención y Erradicación de la Violencia Intrafamiliar y Contra las Mujeres*), the National Policy for the Promotion of Development of Guatemalan Women (*Política Nacional de Promoción de Desarrollo de las Mujeres Guatemaltecas*) and the Equal Opportunities Plan (*Plan de Equidad de Oportunidades*). Several new bodies have also been created including, the DEMI, Office of the Defender for Indigenous Women (*Defensoría de la Mujer Indígena*), the National Coordination to Prevent, Punish and Eradicate Violence in the Family and Violence Against Women (*CONAPREVI, Coordinadora Nacional para la Prevención de la Violencia Intrafamiliar y contra las Mujeres*) and the Presidential Secretariat for Women (*Secretaría Presidencial de la Mujer*) (Amnesty International 7). However, the

success of these measures has been largely on paper - they are rarely implemented, monitored or reviewed and as a result have not prevented women from suffering violence (Amnesty International 2-3).

Femicide has cost the lives of thousands of women in Latin America over the last decade. Women in the region have been made particularly vulnerable by a lack of socio-economic indicators, combined with the deep-rooted patriarchal culture of machismo, misogyny is easily tolerated, and violent death is used as a form of intimidation to “keep women in line,” (Espinosa 3). For Claudio Nash, the coordinator of the Centre for Human Rights at the University of Chile, there is a cultural gender bias that serves to downplay these crimes. “...being subjected to these kinds of attacks is almost intrinsic to being a woman. They are not seen as violations of basic human rights,” (Espinosa 5). Guatemala is a quintessential misogynistic culture where women, especially indigenous women, receive less education, do more arduous work, and hold little or no power in politics (Sauer 37).

The apathy shown by the police in responding to the murders exemplifies stereotypes of patriarchal societies where violence is tolerated as a form of domination over women, who are seen as lesser beings (Espinosa 4). According to the Inter-American Commission on Human Rights, the point of all this violence against women is to “send a message of terror and intimidation” that women should leave the public space and end their role in national development (Sauer 37). It is evident that traditional systems of power and patriarchy remain largely unchallenged in Guatemala and stereotypes regarding the subordinate role of women in society are still firmly ingrained (AI 4). The legacy of a weakened female role and the impunity enjoyed by the

perpetrators continue to promote much of the discriminatory violence that still threatens the lives of Guatemalan women today (Ramirez 2).

The Guatemalan government and authorities must make a stand against the increasing violence against women. It is crucial that they recognize that the problem of violence against women is a human rights problem, and therefore should be addressed as such. The impunity that prevails in Guatemala and serves as a green light for perpetrators must come to an end. This requires that the government, in addition to signing human rights treaties and creating new plans and bodies, actually enforce these measures and ensure that they will be effective in protecting women. In order to do so, the government must allocate more funds to the police force, which is underpaid and inadequately trained. The correct methods of crime scene investigation, the collection and preservation of evidence, and the collection and testing of DNA samples, such as blood, saliva, and semen must be brought to Guatemala. Only with a sufficiently equipped police force in place can the government begin the long process of bringing those responsible for these abuses to justice.

In addition to increased funding and education of the police force and the enforcement of laws that protect women, there is a cultural barrier in Guatemala that must be broken. The machismo that pervades Guatemalan society has created a culture in which women are seen as lesser beings, and their deaths are often overlooked by their peers. Women are blamed for the terrible fate that befalls them in Guatemala. In order to create a society that cares about, protects, and defends their women, the old cultural norms must be tackled. Accomplishing this begins with an end to the widespread impunity in Guatemala. By punishing those responsible a message is sent to the people

that the government will not tolerate these grave human rights abuses and that murdering women is no longer an acceptable social norm.

On May 8, 2006 117 members of the United States congress signed a letter to call on the Guatemalan government to take action to address the killings of women and that the State Department provide technical assistance to promote the proper investigation, prosecution, and punishment of these crimes (Amnesty International 2). Although this is certainly a step in the right direction, few remain aware of the plight of Guatemalan women and even fewer are working to help them. Only by informing the international community and by pressuring the Guatemalan government can we hope to convince them to protect their women and to put those who murder them behind bars.

Bibliography

Cevallos, Diego. "Guatemala: 'Femicide' Grows, With 1,300 Women Murdered Since 2001." Global Information Network. New York: July 6, 2004. p. 1

Espinosa, Maria Cecilia. "Latin America: The Shame of Murdered, Raped and Ignored Women." Global Information Network. New York: Nov 12, 2004. p. 1

"Guatemala's Murdered Women: [Editorial]." New York Times (Late Edition (east coast)). New York: Oct. 21, 2005. p. A.24

"Guatemala: No Protection, No Justice: Killings of Women in Guatemala." Amnesty International. 9 June 2005. 2 Nov. 2006 <<http://web.amnesty.org>>.

Ramirez, Shana. "A Functioning Democracy? The Intolerable Abuses of Guatemalan Women." The Council on Hemispheric Affairs. Washington: July 22, 2005.

Sauer, Jen. "Fighting Femicide in Guatemala." Off Our Backs. Washington: Mar/Apr 2005. Vol. 35, Iss. 3/4, p. 36-38.

Stengel, Carrie J., ed. "FAQs GHRC." Guatemala Human Rights Commission. 2 Nov. 2006 <www.ghrc-usa.org>.