



RESPONSES TO INFORMATION REQUESTS (RIRs)

[New Search](#) | [About RIRs](#) | [Help](#)

17 July 2009

SLV103213.FE

El Salvador: Domestic violence; recourse and services available to victims (March 2006-July 2009)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Crime in El Salvador

During a 10 July 2009 telephone interview with the Research Directorate, the director of the Family Relations Improvement Program (Programa de Saneamiento de la Relación Familiar) of the Salvadoran Institute for the Development of Women (Instituto Salvadoreño para el Desarrollo de la Mujer, ISDEMU), a "recognized public institution ... that coordinates governmental and nongovernmental activities" (ILO n.d.), stated that [translation] "the phenomenon of domestic violence persists, but there were significant improvements in 2008." These improvements include [translation] "an increase in the number of reports filed, in the resources available to victims since 2003, and in public trust in the response from the authorities" (El Salvador 10 July 2009). The Director added that [translation] "two new centres that provide immediate assistance and training to victims of domestic violence opened in 2009" (ibid.). According to the ISDEMU website, 13 centres distributed among the various departments are now in operation (ibid. n.d.a).

According to data compiled by the ISDEMU, of the 6,235 cases of domestic violence that were reported to the ISDEMU in 2008, 6,073 cases concerned female victims (ISDEMU n.d.c, 18); in 2007, the figure was 5,578 cases with female victims out of 5,777 total cases (ibid. n.d.d, 17). Also according to the ISDEMU's statistics, the organization sheltered 2,319 people between 2000 and 2008; specifically, 178 in 2008 and 267 in 2007 (El Salvador n.d.c, 92). Information on the number of cases of domestic violence that were brought before the courts could not be found among the sources consulted by the Research Directorate.

The coordinator of Break the Silence to End Domestic Violence and Sexual Exploitation (Rompiendo el Silencio Frente a la Violencia Intrafamiliar y la explotación sexual), a program run by the Action Network Against Gender-Based Violence in El Salvador (Red de Acción contra la Violencia de Género en El Salvador), stated that since 2006, progress has been made in the area of domestic violence, even though it [translation] "continues to be a serious problem" (El Salvador 14 July 2009). The Coordinator explained that progress as follows:

[translation]

Legislation such as the act against domestic violence and the penal code are providing increased protection of the rights of female victims of violence; members of various organizations that help abused women are trained and know the law; there was a general increase in the number of reports filed, and the various institutions and organizations now work together. (ibid.)

However, she indicated that resources are more difficult to access in rural areas because the organizations operate mainly in cities (ibid.).

No additional information to that provided below in Response SLV101191.FE dated 3 April 2006 could be found among the sources consulted by the Research Directorate.

Context

Country Reports on Human Rights Practices for 2005 indicates that domestic violence is "a widespread and serious problem" in El Salvador (US 8 Mar. 2006, Sec. 5). According to the director of the Norma Virginia Guirola De Herrera Institute for Women's Studies (Instituto de estudios de la mujer Norma Virginia Guirola de Herrera, CEMUJER), while domestic violence has become an issue of public order in El Salvador, members of the public services approach the problem with caution (Instituto CEMUJER 27 Mar. 2006).

Country Reports 2005 indicates that the Civilian National Police (Policía Nacional Civil, PNC) "received 5,389 domestic violence complaints" and the Salvadoran Institute for the Development of Women (Instituto Salvadoreño para el Desarrollo de la Mujer, ISDEMU) received "4,033 complaints of domestic violence, compared with 4,329 complaints in 2004" (US 8 Mar. 2006, Sec. 5).

In an interview appearing on the website of Society Without Violence (Sociedad sin violencia), the ISDEMU's executive director stated that, from 2003 to 2005, nearly 82 percent of women claimed they had been victims of domestic violence (25 Nov. 2005). According to the same source, victims are reporting these acts of violence more and more, which shows that prevention programs are meeting with success and that the promotion of cultural change can impact the problem (Sociedad sin violencia 25 Nov. 2005). However, *Country Reports 2005* indicates that "few victims filed complaints against abusers, and the police reportedly at times were reluctant to pursue charges in such cases" (US 8 Mar. 2006, Sec. 5).

Yakin Ertürk, the United Nations (UN) Special Rapporteur on Violence Against Women, stated in the summary of a report of a February 2004 mission to El Salvador that cases of violence against women in El Salvador are very rarely investigated or brought before the courts, which "has contributed to an environment of impunity" (UN 20 Dec. 2004, 2). Excerpts of an unpublished report sent to the Research Directorate by a representative of the Women's Association for Dignity and Life (Asociación de Mujeres por la Dignidad y la Vida - Las Dignas) related the case of a woman murdered in April 2005 whose former partner had been acquitted of all charges, mainly because the trial judge did not at any time during the proceedings refer to the repeated abuse that the victim had suffered - and had reported to the police - while living with the accused (Asociación Las Dignas 22 Mar. 2006, 15-16). The victim had also asked for

protection, but it was refused (ibid., 16). According to the report by Las Dignas,

[translation]

it is clear that the authorities underestimate ... the level of violence that women experience and that these women still consider the issue to be a "private matter." Consequently, they hold the law [in cases of domestic violence] in very low esteem. A legal system that allows abusers to commit violent acts without investigating cases further and that lets criminals go free encourages impunity and violence. This is particularly true when the abusers are high-ranking officials in the public service. There is evidence that such people use their influence to escape the punishment prescribed by law (ibid.).

In the previously mentioned report of her February 2004 mission to El Salvador, the UN Special Rapporteur indicated that many "[w]omen reported that justices of the peace and police do not take complaints seriously and fail to promptly issue protection orders" (UN 20 Dec. 2004, para. 29). She also stated that "[t]he courts are said to favour reconciliation and family reunification over the prosecution of perpetrators, which further exposes victims to their abusers and may ignite reprisal" (ibid). Furthermore, "[w]omen's organizations believe that domestic violence ... is severely underreported" for the following reasons: "societal pressure; fear of reprisal; fear of publicity and stigmatization; discriminatory responses by authorities; and low confidence in the justice system" (ibid., para. 32). According to the director of CEMUJER, many measures to help abused women exist in El Salvador, yet the resources upon which they depend for their implementation are lacking (27 Mar. 2006).

Government actions

Salvadoran law "prohibits domestic violence and provides for sentences ranging from six months to one year in prison," the length of which "depends on the circumstances of the case and is at the judge's discretion" (US 8 Mar. 2006, Sec. 5). However, according to the UN Special Rapporteur, "violence that does not leave marks lasting for 10 days is classified as a misdemeanour rather than a crime" (UN 20 Dec. 2004, para. 29). In all cases, "convicted offenders are prohibited from using alcohol or drugs and from carrying guns" (US 8 Mar. 2006, Sec. 5). With 262 stations throughout the country offering services to families, women and children, the PNC is responsible in large part for ensuring that the [translation] "Law Against Intra-Family Violence" is enforced (Instituto CEMUJER 27 Mar. 2006). Victims of domestic abuse can also file complaints with NGOs involved in the field of women's rights (ibid.). "[B]ecause laws are not consistently applied," according to the UN Special Rapporteur, "domestic violence is widespread and tolerated" (UN 20 Dec. 2004, para. 28). Moreover, "[d]omestic violence was considered socially acceptable by a large portion of the population" (US 8 Mar. 2006, Sec. 5).

According to *Country Reports 2005*, "government institutions, such as the PDDH [Office of the Ombudsman for Human Rights (Procuraduría para la defensa de los derechos humanos)], the Attorney General's Office, the Supreme Court, the Public Defender's Office, and the PNC coordinated efforts with NGOs and other organizations to combat violence against women through education, increased enforcement of the law, and NGO support programs for victims" (US 8 Mar. 2006, Sec. 5).

The ISDEMU is a government agency (ibid., Sec. 1.d) whose mandate is to [translation] "formulate and implement the National Policy for Women [Política nacional de la mujer], and to follow up on compliance with that policy" (El Salvador 20 Mar. 2006). ISDEMU also ensures that the national legislation on domestic violence corresponds to international legislation (Sociedad sin violencia 25 Nov. 2005). The National Policy for Women, which defines a strategy for fighting violence against women, is being implemented by the ISDEMU through its Family Relations Improvement Program (Programa de saneamiento de la relación familiar, PSRF) (El Salvador 20 Mar. 2006). The four main objectives of the PSRF are [translation] "prevention, monitoring, research and follow-up" (ibid.). The PSRF's structure is inter-institutional and multidisciplinary and its scope is national, working alongside 14 inter-institutional committees and 50 local networks and NGOs that deal with the problem of violence against women and/or local development with a focus on gender (ibid.). The PSRF works to prevent domestic violence through awareness, education and communication (ibid.). Through the PSRF, the following resources are available to victims of abuse: [translation] "intervention during the crisis, psychological counselling after the assault, therapeutic support groups (for victims and abusers), social assistance, legal counselling, follow-up on the legal process, and temporary allowances" (ibid.). All services are confidential and offered free of charge (ibid.). Another important ISDEMU initiative involved increasing media awareness of and training on the issue of violence against women, as well as accessing airtime on national radio through which its personnel could raise public awareness (ibid.).

The PSRF operates seven regional offices in Cabañas, Chalatenango, La Paz, La Unión, San Miguel, San Salvador and Santa Ana (El Salvador 2003, 22). Two new offices in Sonsonate and Morazán are scheduled to open in April 2006 (El Salvador n.d.b). The PSRF's main office in San Salvador operates 24 hours a day year round, while its other offices are open 12 hours a day (El Salvador 20 Mar. 2006). All offices have a local emergency hotline (ibid.). The technical team helping victims of domestic violence consists of 90 professionals who are constantly updated on the latest innovations in the field and on legal matters and reforms (ibid.). The PSRF works in collaboration with the PNC's special youth and family services division (ibid.). Only one women's shelter (centre), located in San Salvador, is managed by the ISDEMU (El Salvador 20 Mar. 2006; ibid. n.d.b), yet its free and confidential services are available to the entire country (El Salvador n.d.b). A multidisciplinary team of psychologists, lawyers, social workers and female police officers assists victims (ibid.). According to CEMUJER's director, the city of San Salvador manages various shelters, where CEMUJER personnel train the staff (Instituto CEMUJER 27 Mar. 2006). Information on the number of people who have used the centre managed by the ISDEMU or those managed by the city of San Salvador could not be found among the sources consulted by the Research Directorate.

Instituto CEMUJER, an NGO, manages the Integrated Care Centre for Abused Women and Children (Clínica de Atención Integral a Mujeres, Niñas y Niños Violentados) and its services include a confidential telephone line, a public law consultancy (*consultorio jurídico popular*) and support groups (*círculos de reflexión*) (27 Mar. 2006).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Asociación de Mujeres por la Dignidad y la Vida - Las Dignas. 22 March 2006. *La Violencia Contra las Mujeres a través de la Prensa 2005*. Unpublished report sent by a representative.

Instituto de estudios de la mujer Norma Virginia Guirola de Herrera (CEMUJER). 27 March 2006. Correspondence from the director.

International Labour Organization (ILO). N.d. "Salvadoran Institute for the Development of Women (ISDEMU) - El Salvador."
<http://www.ilo.org/public//english/employment/skills/hrdr/init/sal_2.htm>
[Accessed 15 July 2009]

El Salvador. 14 July 2009. Red de Acción contra la Violencia de Género en El Salvador. Telephone interview with a coordinator.

_____. 10 July 2009. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). Telephone interview with a director.

_____. 20 March 2006. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). Government documentation received in correspondence from an official.

_____. 2003. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). *Memoria de labores 2003*.
<<http://www.isdemu.gob.sv/Principal/OpcionesMenu/Promocion/memoria2003.pdf>> [Accessed 15 Mar. 2006]

_____. N.d.a. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). "Oficinas departamentales."
<<http://www.isdemu.gob.sv/departamentales-msecundario.html>> [Accessed 13 July 2009]

_____. N.d.b. "Información adicional presentada por El Salvador en respuesta a la solicitud de la relatoría especial sobre violencia contra la mujer des la Naciones Unidas, Señora Yakin Ertürk." (OHCHR). Special Rapporteur on Violence Against Women, its Causes and Consequences. Information solicited in preparation of *Thematic Report 2006*.
<<http://www.ohchr.org/english/issues/women/rapporteur/El%20Salvador.doc>>
[Accessed 12 Mar. 2006]

_____. N.d.c. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). "Estadísticas del Programa de Saneamiento de la Relación Familiar. Período año 2008." <<http://www.isdemu.gob.sv/documentos/Anuario%20ISDEMU.pdf>> [Accessed 10 July 2009]

_____. N.d.d. Instituto salvadoreño para el desarrollo de la mujer (ISDEMU). "Estadísticas del Programa de Saneamiento de la Relación Familiar. Período año 2007."
<http://www.isdemu.gob.sv/documentos/Anuario_ISDEMU_2007.PDF>
[Accessed 10 July 2009]

Sociedad sin violencia. 25 November 2005. "Entrevista a Zoila de Innocenti, Directora ejecutiva de ISDEMU."
<<http://www.violenciaelsalvador.org.sv/modules.php?op=modload&name=News&file=article&sid=210&mode=thread&order=0&thold=0>> [Accessed: 15 Mar. 2006]

United Nations (UN). 20 December 2004. Economic and Social Council. Commission on Human Rights. *Integration of the Human Rights of Women and a Gender Perspective: Violence Against Women. Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, Yakin Ertürk. Addendum. Mission to El Salvador (2-8 February 2004).* (E/CN.4/2005/72/Add.2)
<<http://daccessdds.un.org/doc/UNDOC/GEN/G05/101/90/PDF/G0510190.pdf?OpenElement>> [Accessed 16 Mar. 2006]

United States (US). 8 March 2006. Department of State. "El Salvador." Country Reports on Human Rights Practices for 2005.
<<http://www.state.gov/g/drl/rls/hrrprt/2005/61727.htm>> [Accessed 12 Mar. 2006]

Additional Sources Consulted

Internet sources, including : Adital, Alianza Latina Nacional para Erradicar la Violencia Doméstica, Asociación para la Autodeterminación de Mujeres Salvadoreñas (AMS), Biblioteca virtual en salud, EFE, Human Rights Watch (HRW), Inter American Foundation for the Defence of Human Rights (FIDDH), ISIS Internacional, Mujeres Hoy, Organisation mondiale contre la torture (OMCT), Organization of American States (OAS), OXFAM América, Peace Women, United Nations (UN) World Health Organization (WHO).

The attached reproduction is a copy of an official work that is published by the Government of Canada. The reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.