

REGIONAL STUDY

Our right to safety

Refugee women at the
centre of seeking solutions
to gender-based violence



UNHCR
The UN Refugee Agency

HIAS
Welcome the stranger.
Protect the refugees.

Credits

This assessment was drafted as the result of joint efforts between the regional and national Offices of UNHCR and HIAS.

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List of abbreviations

| | |
|---------------------|--|
| AGD | Age, gender and diversity |
| ALPAZ | <i>Alternativas Pacíficas A.C.</i> |
| AMBAR | <i>Asociación de Mujeres por el Bienestar y Asistencia Recíproca</i> |
| AVSI | <i>Associação Voluntários para o Serviço Internacional Brasil</i> |
| BAP | Brazil Action Plan |
| CCSS | <i>Caja Costarricense del Seguro Social</i> |
| CDC | Centers for Disease Control and Prevention |
| CEDAW | Convention on the Elimination of All Forms of Discrimination Against Women |
| CEM-Peru | Women's Emergency Centres in Peru |
| CENDEROS | <i>Centro de Derechos Sociales del Inmigrante</i> |
| Centro PRODH | Centro de Derechos Humanos Miguel Agustín Juárez |
| CHAME | <i>Centro Humanitário de Apoio à Mulher</i> |
| CNDALSG | <i>Campaña Nacional por el Derecho al Aborto Legal, Seguro y Gratuito</i> |
| CONAVIM | <i>Comisión Nacional para Prevenir y Erradicar la Violencia contra las Mujeres</i> |
| COVID-19 | Infectious disease caused by the SARS-CoV-2 virus |
| DHIA | <i>Derechos Humanos Integrales en Acción A.C.</i> |
| DSOGI | Diverse Sexual Orientations and Gender Identities |
| DTM | Displacement Tracking Matrix |
| ECLAC | United Nations Economic Commission for Latin America and the Caribbean |
| ENDESA | Nicaraguan Demographics and Health Survey |
| FIHF | Fraternity – International Humanitarian Federation |
| FUDAVIS | <i>Fundación de Atención Inclusiva, Social y Humana</i> |
| GBV | Gender-Based Violence |
| HIAS | HIAS – Welcome the stranger. Protect Refugee. |
| HIV-AIDS | Human Immunodeficiency Virus-Acquired Immunodeficiency Syndrome |
| IASC | Inter-Agency Standing Committee |
| IDB | Inter-American Development Bank |
| IFRC | International Federation of the Red Cross |
| IMAS | <i>Instituto Mixto de Ayuda Social</i> |
| INA | <i>Instituto Nacional de Aprendizaje</i> |
| INAMU | <i>Instituto Nacional de las Mujeres Costa Rica</i> |
| IOM | International Organization for Migration |

| | |
|----------------|---|
| IPV | Intimate Partner Violence |
| KI | Key Informant |
| KII | Key Informant Interview |
| LGBTIQ+ | Lesbian, gay, bisexual, transgender, intersexual, queer |
| LORRAA | Organic Law on Refugees and Asylum Seekers |
| MEP | Ministry of Public Education of Costa Rica (<i>Ministerio de Educación Pública</i>) |
| MESECVI | Follow-up Mechanism to the Belém do Pará Convention |
| MIRPS | Comprehensive Regional Protection and Solutions Framework |
| MoU | Memorandum of Understanding |
| MSF | Doctors without Borders |
| OAS | Organization of American States |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| PANI | <i>Patrono Nacional de la Infancia de Costa Rica</i> |
| PIEG | <i>Política Nacional para la Igualdad Efectiva entre mujeres y hombres de Costa Rica</i> |
| PNP | National Police of Peru |
| R4V | Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela |
| SEA | Sexual exploitation and abuse |
| SEMASC | Municipal Secretariat for Women (<i>Secretaria Municipal da Mulher, Assistência Social e Cidadania</i>) |
| SJMR | <i>Serviço Jesuíta a Migrantes e Refugiados</i> |
| SOGIESC | Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics |
| STIs | Sexually transmitted infections |
| TPSV | Temporary Protection Status for Venezuelans |
| TVRH | Visitor's Card for Migration Reasons |
| UNDP | United Nations Development Programme |
| UNFPA | United Nations Population Fund |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNODC | United Nations Office on Drugs and Crime |
| WHO | World Health Organization |

1. Introduction



Gender-based violence (GBV) is a serious human rights violation and a major public health issue; one of its root causes is patriarchal power relations and gender discrimination. GBV is underreported but known to happen in all contexts and is a serious protection problem both around the world and in Latin America.

In contexts of forced displacement and crisis, the risk of GBV increases significantly. Although any person regardless of their age, gender or other diversity considerations could experience GBV, it is acknowledged that women, girls and female adolescents are disproportionately affected. The Latin American region is particularly impacted by this problem, and forcibly displaced women in all diversities are especially exposed to heightened risks, that have increased because of the COVID-19 pandemic.

Although GBV is acknowledged as a challenge with a significant impact on forcibly displaced women in Latin America, the problem needs to be better understood and collect data about GBV risks is important to inform evidence-based decision-making that strengthens prevention and response programming. Conducting a regional assessment on GBV is key to achieve progress in line with the Strategic Directions of the United Nations High Commissioner for Refugees (UNHCR)¹ and the implementation of its Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence (2020),² along with the global and regional strategy of HIAS.

In December 2020, UNHCR and HIAS signed a global memorandum of understanding (MoU) with five strategic objectives: the second objective concerns GBV prevention and response. This objective refers to the joint efforts to improve access to quality psychosocial, health, economic and legal services for refugee women and girls, through two approaches: one focused on survivors and the other based in the community. This global MoU aims to improve understanding of GBV and place refugee women at the centre of the consultation process. In the context of Latin America, a decision was made to conduct this assessment in seven countries: **Brazil, Colombia, Costa Rica, Ecuador, Mexico, Peru and Venezuela.**

1 UNHCR, *Strategic directions 2022-2026*.

2 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020.

2.

Methodological and conceptual framework



2.1. Description of the objective of the assessment

The **general objective** of this regional assessment is to understand the protection challenges and contributing factors exposing refugee women³ in all diversities to GBV in seven countries in Latin America: Brazil, Colombia, Costa Rica, Ecuador, Mexico, Peru and Venezuela. The study also seeks to identify best practices to prevent, mitigate risks and respond to GBV, and recommend specific actions to support the interventions addressing the issue.

2.2. Key concepts

Forced displacement

Forced displacement refers to a person involuntarily leaving their home or country, fleeing from conflict, violence, persecution, rights violation, serious or irreparable harm, or due to disasters resulting from climate change,⁴ or the inability or unwillingness of a State to protect the human rights of its citizens.⁵

Diversity

Diversity refers to different values, attitudes, cultural perspectives, beliefs, ethnic background, nationality, sexual orientation, gender identity, gender expression, sexual characteristics,⁶ ability, health, social status, skill and other specific personal or group characteristics.⁷

Gender equality

Gender equality refers to the equal enjoyment of rights, responsibilities and opportunities of all persons, and means that the interests, needs and priorities of all are respected, regardless of their gender⁸.

3 The term refugee women should be understood in the broadest sense, as women in need of international protection, whether or not they have formally applied to the appropriate national authorities for asylum. For this reason the term “forcibly displaced women” is also used throughout the document. In the case of Venezuelan women, the participants include refugee women and migrants of this nationality.

4 UNHCR, *Master Glossary of Terms*, 2006, p. 12.

5 UNHCR, *The 10-Point Plan in Action: Refugee Protection and Mixed Movements*, 2017b, p. 278.

6 Sexual orientation refers to each person's capacity for emotional, affective and sexual attraction to, and intimate relations with, individuals of a particular gender or more than one gender. Gender identity refers to each person's deeply felt internal and individual experience of gender, which may or may not correspond to the sex they were assigned at birth or the gender attributed to them by society. Gender expression refers to each person's external manifestation of gender, which may or may not correspond to culturally normative expectations of masculine or feminine appearance and behaviour. Sex characteristics are understood as each person's physical features relating to sex, including chromosomes, gonads, sex hormones, genitals and secondary physical features emerging from puberty. Further information available at: UNHCR, *Working with Lesbian, Gay, Bisexual, Transgender, Intersex and Queer Persons (LGBTIQ+) in Forced Displacement*, 2021, pp. 6-10.

7 UNHCR, *Age, Gender and Diversity Policy*, p. 2.

8 UNHCR, *UNHCR Gender Equality Toolkit*, 2020d, p. 7.

Human mobility

Process that encompasses various categories of people in a situation of mobility, including migrants in a regular or irregular situation. It includes as well as people who, due to situations of persecution, international or internal armed conflicts, wars, violence, human rights violations or disasters, have fled their home within their countries of origin or through international borders, or who are victims of human trafficking and smuggling.⁹

Pendular movements

Temporary and usually repeated movements between two neighbouring countries.¹⁰

Mixed movements

Mixed movements are cross-border movements in which several people travel together using the same routes and means of transport but for different reasons and with different needs and demands. Profiles may include asylum seekers, refugees, victims of human trafficking and smuggling, migrants in an irregular situation, unaccompanied or separated girls, boys and adolescents.¹¹

Stateless persons

Persons not considered as a national by any State under the operation of its law.¹²

Persons at risk of statelessness

In international law there is no formal definition of this term; however, from a protection perspective it includes those who may become stateless due to having difficulties proving relevant links with a State. UNHCR considers that the following populations may be at risk of becoming stateless:

- i) second or more generation migrants with difficulties proving their identity or nationality;
- ii) inhabitants of border areas with no birth certificate in either of the countries;
- iii) national or ethnic minorities with real or perceived links to other countries;
- iv) nomad or semi-nomad populations, whose lands cross international borders; and
- v) persons who have been illegally trafficked or smuggled.¹³

Refugees

All persons meeting the elements to be recognized as a refugee, in accordance with the international, regional or national laws, or under the mandate of UNHCR and who have been forced to flee from their country of origin or habitual residence due to persecution, threat to life, liberty or physical integrity or violations of their human rights as a result of armed conflict, serious public disorder or different situations of violence.

9 UNHCR & RIADIS, *Disability and Human Mobility*, 2021, p. 17.

10 R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, p. 17.

11 UNHCR & RIADIS, *Disability and Human Mobility*, 2021, p. 17.

12 OHCHR, *Convention relating to the Status of Stateless Persons*, 1954.

13 UNHCR, IOM, ILO & UNICEF, *Promoviendo y fortaleciendo el diálogo y la cooperación regional: Guía operativa para la aplicación del interés superior de la niñez y adolescencia en contextos de movilidad humana* (Promoting and strengthening dialogue and regional cooperation: Operational Guide for the application of the best interests of children and adolescents in human mobility contexts), 2021 (available in Spanish).

International protection

Governments normally guarantee the basic human rights and physical security of their citizens. But when people become refugees this safety net vanishes. International protection can be defined as all activities aimed at ensuring equal access to and enjoyment of the rights of women, men and children in accordance with the relevant legal instruments, including international humanitarian law, human rights law and international refugee law.¹⁴

Asylum seekers

Person who has requested international protection as a refugee before the competent national authorities and who is awaiting a decision of his/her status, in accordance with national and international applicable instruments.

Trafficking in persons

According to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, shall mean “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident”.¹⁵

Gender-based violence¹⁶

Gender-based violence (GBV) refers to any threat or action that is perpetrated against a person’s will, is based on socially ascribed differences between males and females and causes harm. It is based on gender discrimination and unequal power relationships between men and women. Women and girls are disproportionately affected by GBV. It also tends to be perpetrated against women, girls, men and boys with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC), and driven by a desire to punish those seen as defying gender norms.¹⁷

GBV takes various forms, including physical, sexual, psychological and socioeconomic violence, coercion, deprivation of liberty, forced marriage, denial of resources, opportunities or services, female genital mutilation and trafficking in persons for the purpose of sexual exploitation, including sexual slavery, domestic servitude and servile forms of marriage. These can occur in public or in private.¹⁸

Preventing gender-based violence

In the context of humanitarian action, prevention refers to actions that prevent GBV from occurring by addressing its root causes, namely gender inequality, systemic discrimination and unequal power relations between women and men, as well as people with diverse sexual orientation, gender identities, gender expressions and sex characteristics (SOGIESC).¹⁹

14 UNHCR, *Protection*, 2021e.

15 UNODC, *United Nations Convention against Transnational Organized Crime and the Protocols thereto*, 2004, p. 54.

16 UNHCR adopts the definition of gender-based violence of the Inter-Agency Standing Committee (IASC).

17 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020c, p. 5.

18 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020c, p. 5.

19 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020c, p. 8.

Mitigating the risks of gender-based violence

Risk mitigation refers to a process and specific interventions in all phases of humanitarian programming. It includes actions that are taken in each humanitarian sector and area of work to reduce risks and exposure to GBV and improve safety as part of an agency-wide mainstreaming approach.²⁰

Response to gender-based violence

Response refers to immediate interventions that address survivors' physical safety, health concerns, psychosocial needs, and access to justice, in line with the survivor-centred approach.²¹

Manifestations of gender-based violence

Sexual exploitation and abuse

Sexual exploitation and abuse (SEA) by humanitarian workers are also a form of GBV. The terms "sexual exploitation" and "sexual abuse" are defined in the Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) as follows: "the term 'sexual exploitation' means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Similarly, the term 'sexual abuse' means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions".²²

Femicide or femicide

Refers to "*the violent death of women based on gender, whether it occurs within the family, a domestic partnership, or any other interpersonal relationship; in the community, by any person, or when it is perpetrated or tolerated by the state or its agents, by action or omission*".²³

Economic and patrimonial violence

"It is the power exercised against women to make them economically dependent on men; when their economic income and disposal of same is controlled or limited, or when they are deprived of the essential resources for life".²⁴

Physical violence

An act of physical violence that is not sexual in nature. Examples include battering, hitting, slapping, choking, cutting, shoving, burning, shooting or use of any weapons, acid attacks or any other act that results in pain, discomfort or injury²⁵.

20 Idem, p. 9.

21 Idem, p. 9.

22 United Nations, *Secretary-General's Bulletin. Special measures for protection from sexual exploitation and sexual abuse*.

23 OAS, *Declaration on Femicide*, 2008. p. 6.

24 UNODC, *Violencia contra las mujeres (Violence against Women)*, 2016 (available in Spanish).

25 GBV AoR, *Handbook for Coordinating Gender-based Violence Interventions in Emergencies*, 2019, p. 217.

Intimate Partner Violence and domestic violence

Intimate partner violence (IPV) applies specifically to violence occurring between intimate partners and is defined by WHO as behaviour by an intimate partner or ex-partner that causes physical, sexual or psychological harm. This type of violence may also include the denial of resources, opportunities, or services. “Domestic violence” is a term used to describe violence that takes place between intimate partners (spouses, boyfriend/girlfriend) as well as between other family members.²⁶

Psychological violence

Any behaviour that causes emotional harm and lowers self-esteem or that prejudices and disturbs full development or attempts to degrade or control her actions, behaviour, beliefs, and decisions, by means of threats, humiliation, manipulation, isolation, constant vigilance, prolonged persecution, insults, blackmail, mockery, exploitation and limitations on the right to come and go or any other means that causes harm to mental health or self-determination. It habitually includes behaviours such as threats and public humiliation.²⁷

Sexual violence

Sexual violence is any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person’s sexuality, using coercion, threats of harm or physical force, by any person regardless of relationship to the victim, in any setting, including but not limited to home and work. Sexual violence takes many forms, including rape, sexual slavery and/or trafficking, forced pregnancy, sexual harassment, sexual exploitation and/or abuse, and forced abortion.²⁸

Trafficking in persons

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.²⁹

Xenophobia

Xenophobia includes discrimination, incitement to discrimination, as well as all acts of violence or incitement to violent acts on the grounds of descent, origin or country of birth.³⁰

26 GBV AoR, *Handbook for Coordinating Gender-based Violence Interventions in Emergencies*, 2019, p. 215.

27 UNHCR, UN Women and UNFPA, *Casa da Mulher Brasileira (Brazilian Woman House)*, 2021, p. 13. (available in Spanish, Warao and Portuguese)

28 GBV AoR, *Handbook for Coordinating Gender-based Violence Interventions in Emergencies*, p. 218.

29 UNODC, *United Nations Convention against Transnational Organized Crime and the Protocols thereto*, 2004, p. 42.

30 UNHCR, *Combating racism, racial discrimination, xenophobia and related intolerance through a strategic approach*, 2009, p. 7.

2.3. Methodological description

The methodology used included a **mixed approach** combining **both quantitative and qualitative** data-collection techniques. The central focus of the research is asylum-seeking and refugee women as well as those in need of international protection; therefore, fieldwork was carried out to provide spaces for them to share their perceptions and recommendations. Due to the lack of reliable demographic data about refugee women and women on the move in the region, a decision was made to work with an intentional non-probabilistic sample, and a sampling strategy with multiple frameworks was used. Although the findings are not representative of the whole population of forcibly displaced women, they do represent a valuable effort towards understanding the problem and achieving possible solutions.

Assessments are interventions themselves and can be either positive or disruptive experiences for participants. It is important to remember that assessments of this kind do not measure the prevalence of GBV incidents. At all times we strived to meet the minimum inter-agency standards for GBV: do no harm, respect, confidentiality, safety, non-discrimination, recognition of communities' capacities, consideration of information already available, not hindering emergency action and commitment to improve programming based on the assessment findings.³¹ To ensure this, all persons involved in data collection were trained in ethical and safe handling of GBV disclosure and local referral pathways, and on the principles for Protection from Sexual Exploitation and Abuse (PSEA).

At all stages of data collection an informed consent form was used, which was read and explained to participants. An effort was made to reach not only those who had access to UNHCR and HIAS services, but also populations with whom there had been no previous contact.

Secondary data

The first step was the bibliographical review of reports, surveys, laws, regulations, programming documents, context information, quantitative databases and other material relevant to the assessment. The goal was to compile the data available and find the main information gaps.

Primary data

The primary data was used to cross check information, combining the use of quantitative and qualitative tools with different actors involved in the context in order to obtain data to analyse the variables connected to GBV in the countries forming part of the assessment. The data-collection tools were: i) Surveys with refugee and asylum-seeking women; ii) Focus groups discussions with refugee women and men; iii) In-depth interviews with survivor women; v) Key informant interviews (KII).

31 GBV AoR, *Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Planning*, 2019a.

2.4. Geographical areas

As observed in **Figure 1**, the seven countries participating in this GBV assessment are **Brazil, Colombia, Costa Rica, Ecuador, Peru, Mexico and Venezuela**. In each of the participating countries, specific areas were selected for collecting data in the field. Some of these are border areas with significant human mobility and others are urban areas with a high concentration of refugee and asylum-seeking women.

Figure 1: Geographical areas where data collection was conducted

| Country | Department/Province/State |
|-------------------|--------------------------------|
| Brazil | Amazonas |
| | Federal District** |
| | Roraima |
| Colombia | Atlantic |
| | Capital District |
| | Cauca Valley |
| Costa Rica | San Jose |
| | Guanacaste |
| | Alajuela |
| Ecuador | Azuay |
| | Carchi |
| | Cotopaxi |
| | El Oro |
| | Esmeraldas |
| | Guayas |
| | Manabi |
| | Orellana |
| | Pichincha |
| | Santo Domingo de las Tsáchilas |
| | Sucumbios |
| | Tungurahua |
| | Mexico |
| Coahuila** | |
| Chiapas | |
| Nuevo León | |
| Oaxaca* | |
| Tabasco* | |
| Tamaulipas* | |
| Veracruz* | |
| Peru | Lima |
| | Tumbes |
| Venezuela | Bolivar |
| | Capital District** |
| | Tachira |

* only surveys

** only interviews with key informants

*** Surveys and interviews with key informants

2.5. Profile of participants

Given that **women** are disproportionately affected by GBV, the decision was made to focus the assessment on this population group, using an age, gender and diversity (AGD) approach. This assessment was conducted only with adult women aged over **18 years**³². As each of the seven countries participating in the assessment has different human mobility situations, the nationalities of participants vary according to the context.

Figure 2: Countries participating in the regional GBV assessment and priority nationality profile by country



³² This is due limited GBV response capacity to girls and female adolescents survivors in some countries and locations and also because HIAS and UNICEF were conducting a similar study with this population group.

2.6. Data-collection tools

In total, 1,008 surveys were conducted to refugee and asylum-seeking women and women in need of international protection, 46 focus groups discussion with women (324 participants), 6 focus groups discussion with men (40 participants), 24 in-depth interviews with women survivors of violence and 126 key informant interviews. As a result, a total of **1,522 persons** were reached out through various data-collection tools.

Surveys conducted with refugee and forcibly displaced women

The surveys comprised 41 questions on topics such as understanding of the meaning gender-based violence, perception of safety from gender-based violence during transit and at the destination, perception on higher risk locations, considerations about access to services, consequences of COVID-19, recommendations for addressing the issue, and others. The surveys were conducted either face-to-face or remotely, depending on the context in each country:

Face-to-face:

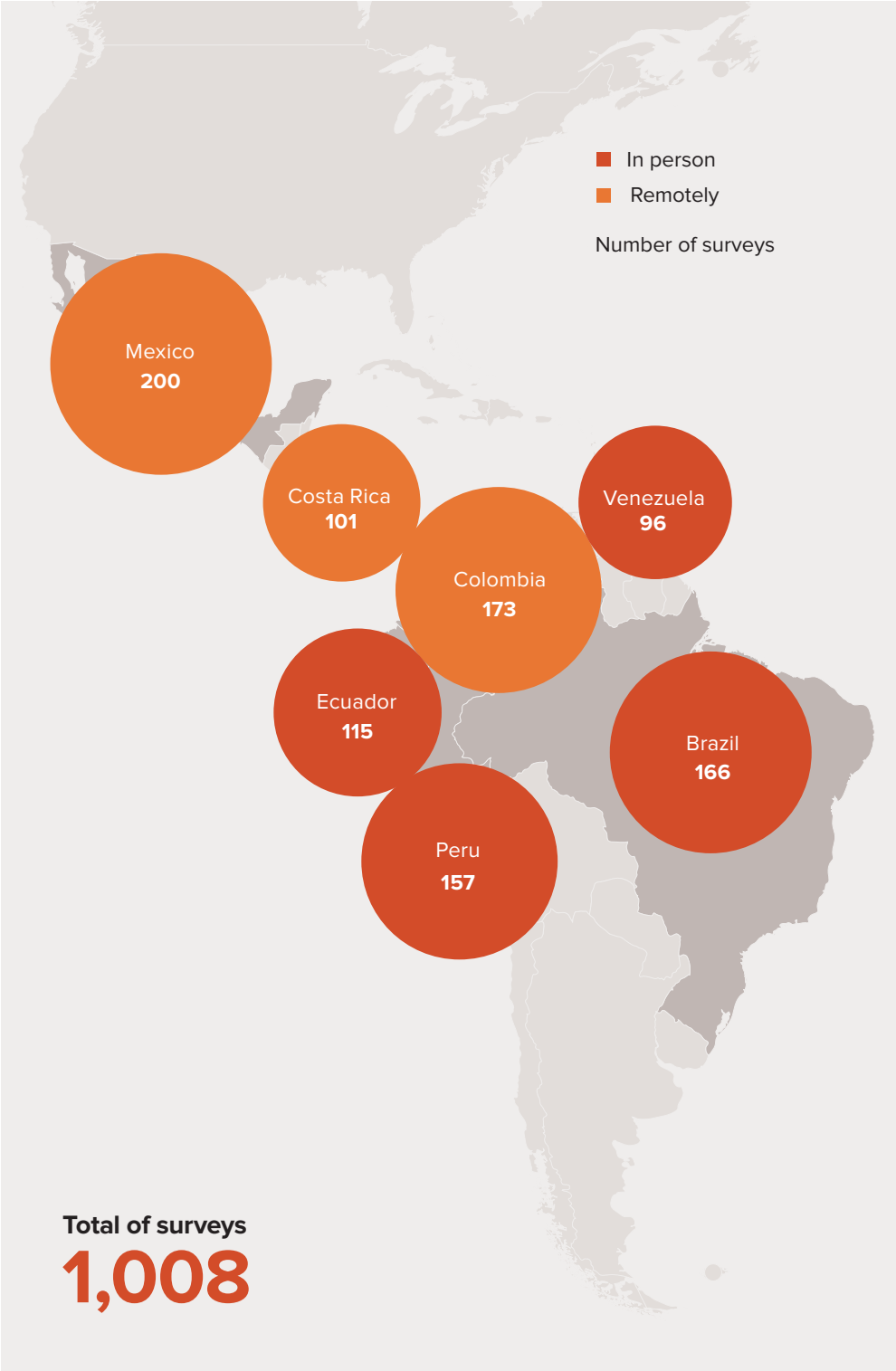
Random selection of refugee and asylum-seeking women and women in need of international protection who contacted the humanitarian action services for registration or assistance and were invited to take part in the survey with the support of UNHCR, HIAS and other partner agency teams.

Remote:

Persons identified through the databases of UNHCR, HIAS and other partners and interviewed remotely by telephone.

Figure 3: Data-collection tool applied in the field

Surveys



Focus group discussions

The profiles of the participants in the focus groups varied according to the country and context. The profiles included indigenous women; people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC); women with low levels of education; young, adult and elderly women and women of different nationalities. Similarly, six men's focus groups were also set up in order to establish a dialogue with them about gender roles, inequalities between men and women, their perception of GBV and the factors contributing to violence.

Table 1: Focus groups discussions

| Country | Focus group discussions with women | Participants | Profile | Focus groups discussions with men | Participants |
|-------------------|------------------------------------|--------------|---|-----------------------------------|--------------|
| Brazil | 6 | 60 | Indigenous Warao women Cis gender Venezuelan women in shelters LGBTIQ+ women | 0 | N/A |
| Colombia | 8 | 66 | Adult Venezuelan women LGBTIQ+ women | 1 | 9 |
| Costa Rica | 3 | 19 | Women with low level of education | 0 | N/A |
| Ecuador | 12 | 84 | Venezuelan women established in the country Venezuelan women in transit | 1 | 5 |
| Mexico | 7 | 27 | LGBTIQ+ women Haitians women Women from Central America countries Women in irregular status Women staying in shelters | 0 | N/A |
| Peru | 6 | 21 | Young women Adult women | 2 | 10 |
| Venezuela | 6 | 47 | Women head of households Young women Adult women Elderly women | 2 | 16 |
| Total | 46 | 324 | | 6 | 40 |

In-depth interviews with survivors

To understand the risks of GBV from an intersectional discrimination approach, certain profiles of women survivors who could be at heightened risk were consulted through the use of in-depth interviews. It is important to clarify that at no time were these survivors pro-actively identified, but rather they were all women who had already disclosed an incident to HIAS and/or UNHCR, and who have been supported by these organizations. The case was previously assessed before the interview to consider the risks of their participation, and all women received a detailed explanation of the objective of the interview and their consent was requested. To avoid revictimization, the interviews were conducted focusing on their experience accessing protection mechanisms and response services, and not the incidents of violence they experienced.

In total 24 women with different profiles were interviewed, including women with diverse SOGIESC, indigenous and afrodescendant women, women with low levels of education, survivors of forced marriage and trafficking and women with irregular status.

Table 2: In-depth interviews

| Country | In-depth interviews | Profile |
|-------------------|---------------------|---|
| Brazil | 1 | Indigenous transgender woman from Venezuela |
| Colombia | 3 | Woman head of household from Venezuela Transgender woman from Venezuela Adult woman from Venezuela |
| Costa Rica | 4 | Adult Nicaraguan women with low education |
| Ecuador | 4 | Young woman from Venezuela Adult woman from Venezuela Woman engaged in sale and exchange of sex as a coping mechanism Lesbian woman from Venezuela |
| Mexico | 7 | Lesbian woman from Venezuela Woman from Haiti Women from Honduras Women from Guatemala |
| Peru | 1 | Indigenous woman |
| Venezuela | 4 | Woman with disability Woman survivor of child marriage Afro descendant Colombian woman Woman head of household in irregular status |
| TOTAL | 24 | |

Key informant interviews

Seeking a wide range of diverse stakeholders, the 126 interviews included local and national actors providing direct assistance to women at risk and GBV survivors, in each of the seven countries taking part in the assessment, as well as regional stakeholders. To promote an interdisciplinary approach to risk mitigation, interviews were conducted not only with stakeholders involved in GBV response and prevention, but also actors from other technical areas such as health, livelihoods and communications. Representatives from different sectors were consulted, including national authorities, civil society organizations such as women and LGBTIQ+ organizations, United Nations agencies, intergovernmental and inter-agency coordination structures and multilateral bodies.

Table 3: Interviews with key informants

| | United Nations agencies | | National or local authorities | | Women-led organizations | | Local NGOs | | International NGOs | | Police | | Others | | Total | |
|-------------------|-------------------------|------------|-------------------------------|------------|-------------------------|-----------|------------|------------|--------------------|------------|------------|-----------|------------|------------|------------|-------------|
| | Interviews | % | Interviews | % | Interviews | % | Interviews | % | Interviews | % | Interviews | % | Interviews | % | Interviews | % |
| Brazil | 2 | 5% | 5 | 16% | 0 | 0% | 1 | 5% | 2 | 11% | 0 | 0% | 0 | 0% | 10 | 8% |
| Colombia | 1 | 3% | 0 | 0% | 2 | 67% | 4 | 18% | 0 | 0% | 0 | 0% | 1 | 13% | 8 | 6% |
| Costa Rica | 2 | 5% | 15 | 46% | 1 | 33% | 2 | 9% | 2 | 11% | 0 | 0% | 0 | 0% | 22 | 17% |
| Ecuador | 2 | 5% | 4 | 13% | 0 | 0% | 2 | 9% | 1 | 5% | 0 | 0% | 1 | 13% | 10 | 8% |
| Mexico | 4 | 10% | 1 | 3% | 0 | 0% | 9 | 41% | 2 | 11% | 0 | 0% | 0 | 0% | 16 | 13% |
| Peru | 0 | 0% | 5 | 16% | 0 | 0% | 2 | 9% | 1 | 5% | 2 | 100% | 1 | 13% | 11 | 9% |
| Venezuela | 5 | 12% | 1 | 3% | 0 | 0% | 2 | 9% | 1 | 5% | 0 | 0% | 2 | 25% | 11 | 9% |
| Regional | 24 | 60% | 1 | 3% | 0 | 0% | 0 | 0% | 10 | 52% | 0 | 0% | 3 | 36% | 38 | 30% |
| Total | 40 | 32% | 32 | 25% | 3 | 2% | 22 | 17% | 19 | 16% | 2 | 2% | 8 | 6% | 126 | 100% |

3.

Refugee women in Latin America and the impact of gender-based violence

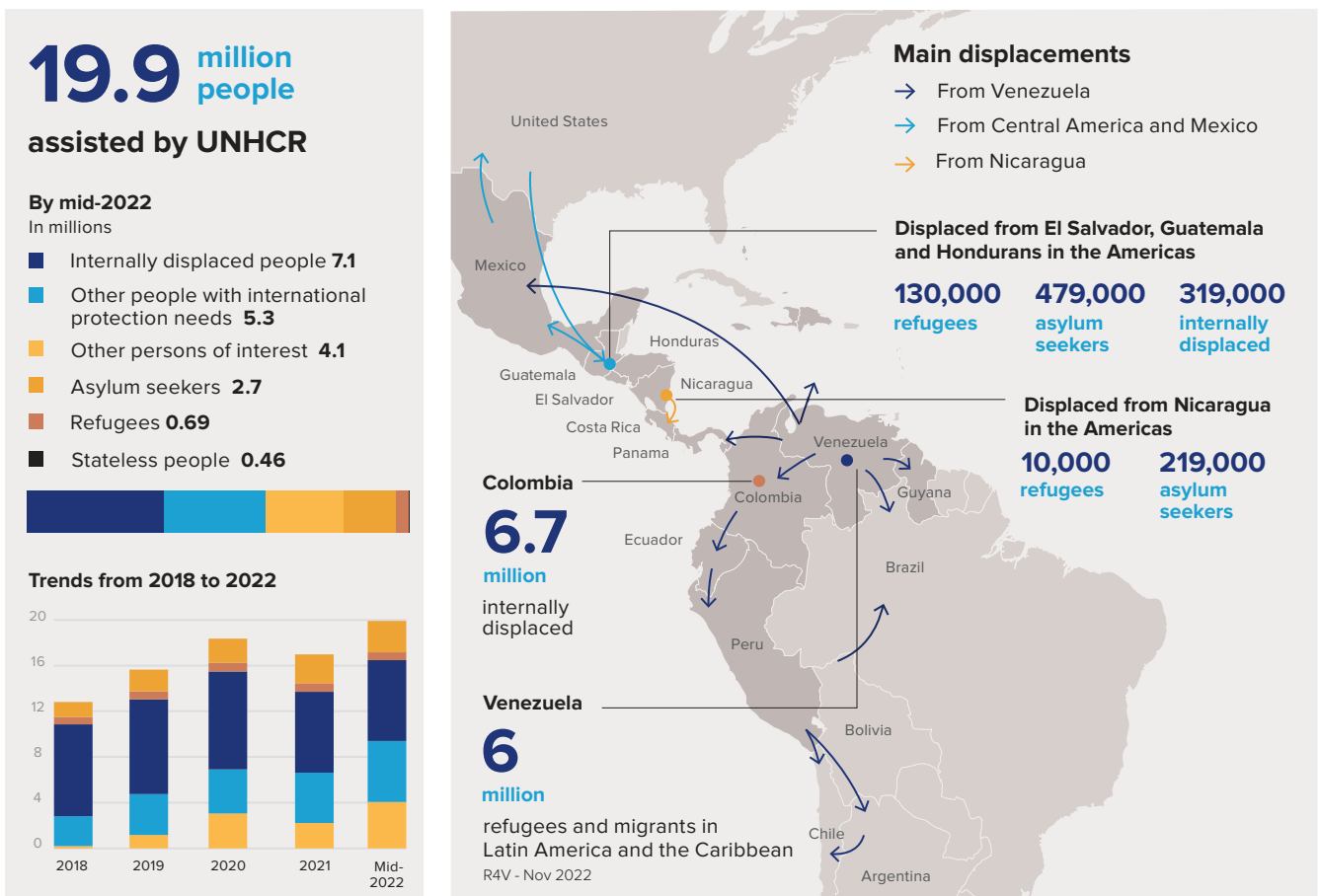


3.1. Context and demographic data

Latin American and the Caribbean faces an unprecedented number of forcibly displaced people. In total, by mid-2022 there are 19.9 million people, including refugees, asylum seekers, internally displaced people, stateless, Venezuelan people with international protection needs and other persons of interest to UNHCR.³³ In view of the humanitarian situation in Venezuela and the rising violence and insecurity in some Central American countries, there was a significant increase in the number of asylum applications during the first six months of 2022, increasing by 146% compared to the same period of the previous year.³⁴

Globally, the Venezuelan population is the second largest in terms of forcibly displaced persons³⁵, with over 6.13 million refugees and migrants. Almost 5.08 million Venezuelan refugees and migrants (i.e. 83%) have remained in the Americas.³⁶

Figure 4: Forced displacement trends in the Americas



For more information, UNHCR [Data Finder](#)

Source: UNHCR. Figures from 12 October 2022.

The Caribbean includes: Anguilla, Antigua y Barbuda, Aruba, Bahamas, Barbados, Islas Virgenes Británicas, Islas Caimán, Curazao, República Dominicana, Granada, Haití, Jamaica, San Cristobal y Nieves, Santa Lucía, San Vicente y las Granadinas, San Martín, Trinidad y Tobago, Islas Turcas y Caicos.

33 UNHCR, [Refugee Data Finder](#).

34 UNHCR, *Global Trends: Forced Displacement in 2019*, 2019b, p. 52.

35 Only exceeded by Syria.

36 R4V, *RMNA 2022: Refugee and migrants needs analysis*.

In previous decades it was identified that women were displaced within their countries in lower proportions than men, and normally together with other members of their family. However, in recent years the situation has changed. It is estimated that the number of women who have left their countries for different reasons doubled between 1960 and 2015.³⁷ Currently, Latin America is experiencing what is internationally recognized as the feminization of human mobility. The proportion of women has risen to the point that they almost equal men. According to UNHCR estimates, 37% of the total number of forcibly displaced persons in the Americas are women, 38% men, 12% girls and 12% boys.³⁸ Other United Nations agencies such as the United Nations Development Programme (UNDP) and UN Women also recognize that in the region more women are on the move, traveling alone or as heads of household, seeking protection, better employment and education opportunities, and access to services. They are displaced not only to provide better conditions for their families, but also for their physical and emotional safety when they face situations of violence and risk.³⁹ Although there are statistical estimates of the percentage of forcibly displaced women, the lack of reliable disaggregated data in Latin America continues to represent a challenge. UNHCR case management database,⁴⁰ while not representative of the population, reflects this process of feminization in the region.

Table 4 presents the information about persons registered by UNHCR in six countries that are part of this assessment.⁴¹

Table 4: Refugees and asylum seekers registered by UNHCR

| Asylum country | | Brazil | Colombia | Costa Rica | Ecuador | Mexico | Peru | Total |
|----------------|-------|----------------|----------------|---------------|----------------|----------------|---------------|------------------|
| 0-4 years | Women | 5,567 | 15,550 | 2,096 | 28,504 | 5,893 | 4,625 | 62,235 |
| | Men | 5,987 | 16,490 | 2,156 | 29,233 | 6,039 | 4,888 | 64,793 |
| 5-11 years | Women | 10,446 | 23,776 | 4,354 | 49,916 | 9,422 | 7,128 | 105,042 |
| | Men | 11,032 | 25,121 | 4,458 | 52,372 | 9,612 | 7,431 | 110,026 |
| 12-17 years | Women | 6,521 | 15,249 | 3,312 | 32,906 | 5,481 | 3,588 | 67,057 |
| | Men | 7,069 | 15,717 | 3,354 | 33,929 | 6,003 | 4,035 | 70,107 |
| 18-59 years | Women | 44,412 | 91,634 | 25,341 | 227,463 | 47,220 | 29,384 | 465,454 |
| | Men | 49,436 | 72,963 | 25,324 | 189,750 | 68,465 | 20,691 | 426,629 |
| 60+ years | Women | 2,598 | 6,101 | 2,109 | 15,776 | 1,008 | 1,428 | 29,020 |
| | Men | 2,361 | 4,205 | 1,963 | 13,858 | 1,191 | 770 | 24,348 |
| Total | | 145,429 | 286,806 | 74,467 | 673,707 | 160,334 | 83,968 | 1,424,711 |

Source: UNHCR, 2022. Data on 12 October 2022

37 United Nations General Assembly, *The impact of migration on migrant women and girls: a gender perspective*, 2019, p. 4.

38 UNHCR, *Global Trends: Forced Displacement in 2020*, 2020b, p. 17.

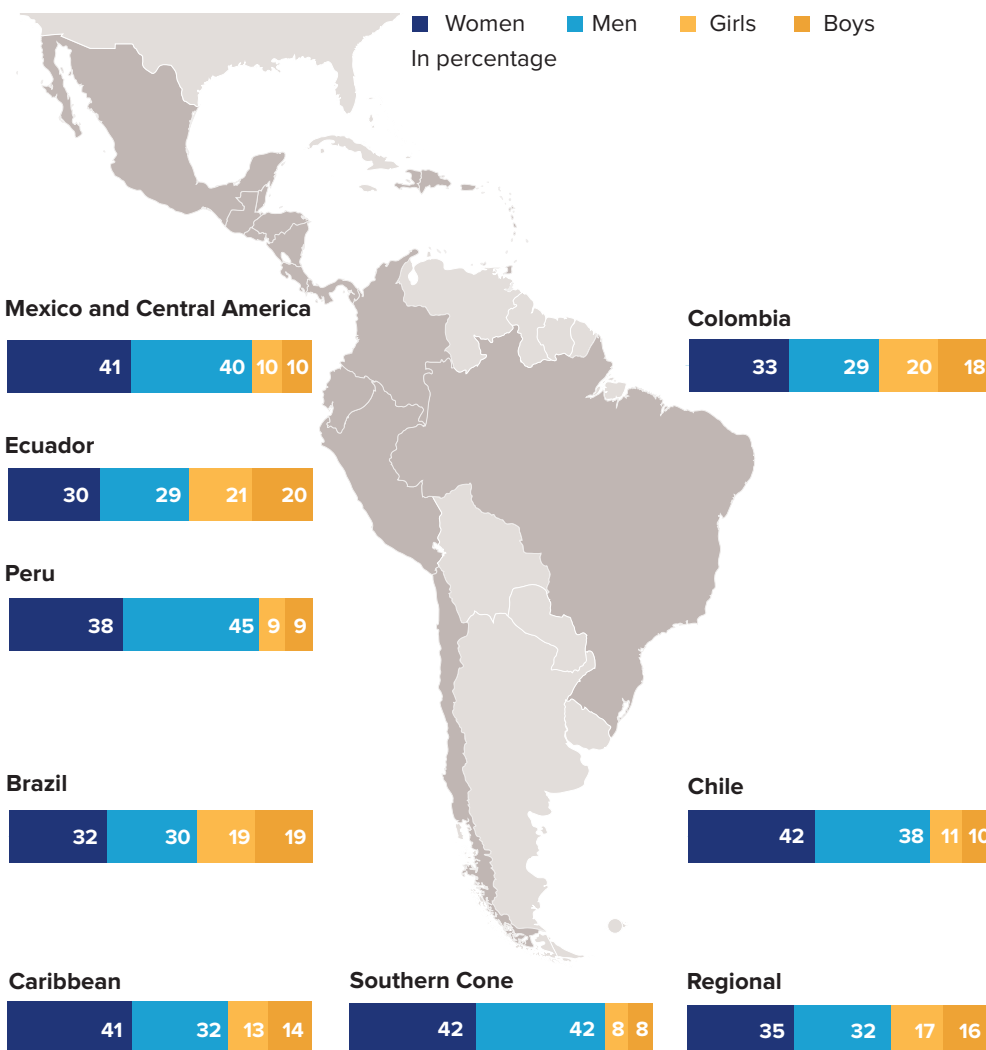
39 UN Women, *Women refugees and migrants*.

40 This database is called ProGres.

41 ProGres is not used in Venezuela, so national data is not presented for this country.

The political, human rights and socioeconomic situation in Venezuela have led to a significant human mobility flow in the Latin America and the Caribbean region for several years. Projections by the Coordination Platform for Refugees and Migrants from Venezuela (R4V) estimate that, in 2022, the Venezuelan population on the move will reach 8.9 million persons, with 34.9% of the total being women, 32.4% men, 16.7% girls and 16% boys.⁴² Also according to R4V, there are 952,246 asylum applications from Venezuelans pending resolution of the refugee status determination procedures in the region.⁴³ In 2020, around 1 million Venezuelan refugees and migrants in the region were estimated to have irregular status, a number that has probably increased following the border closures due to the COVID-19 pandemic. This makes them particularly vulnerable to labour and sexual exploitation, trafficking and smuggling, gender-based violence, discrimination and xenophobia, forced unions and marriages of young girls, and other risks.⁴⁴

Figure 5: Disaggregated projections on the population of refugees and migrants from Venezuela in the countries of Latin America and the Caribbean for 2022



Source: R4V, 2021

⁴² R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, p. 6.

⁴³ R4V, *Total pending asylum claims per country*, 2021f.

⁴⁴ R4V, *RMRP 2021 – Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela*, 2021e, p. 14.

The gender dynamics are very much present in the process of forced displacement and human mobility of Venezuelans in the region. A study conducted by CARE in Colombia, Ecuador, Peru and Venezuela shows that the situation is particularly affecting women, girls, adolescents, LGBTIQ+ persons and some specific groups such as indigenous women, female adolescents and pregnant and lactating women.⁴⁵ Women have the main domestic and childcare duties. The seriousness of the crisis has reinforced the roles and responsibilities assigned to them by society due to their gender, forcing them to seek solutions to feed their families and at the same time take over as providers.⁴⁶

At the same time, according to the 2021 Comprehensive Regional Protection and Solutions Framework to address forced displacement (MIRPS), gang violence, GBV, poverty and the effects of climate change (such as the Eta and Iota hurricanes in 2020) have forced Central Americans to flee within and beyond the borders of their countries.⁴⁷ This combination of structural and situational factors have had a massive humanitarian impact, endangering the life, safety, and access to rights and services of millions of people. Women are disproportionately affected, and are facing a feminization of poverty, unemployment, precarious employment, forced displacement, reduced autonomy and increased care work. Indigenous and rural women have particularly limited access to services due to lack of transport, resources or telephone coverage.⁴⁸ According to the Central America Humanitarian Needs Overview, over 8.3 million persons from El Salvador, Guatemala and Honduras have humanitarian needs, accounting for 25% of the total population of these countries.⁴⁹ At the end of 2021, there were 1.06 million displaced persons in and from El Salvador, Guatemala and Honduras,⁵⁰ including over 570,000 asylum seekers and refugees in other countries.⁵¹

45 CARE, *Rapid Gender Analysis. An Unequal Emergency*: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela, 2020. p. 3.

46 CARE, *Rapid Gender Analysis. An Unequal Emergency*: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela, 2020.

47 MIRPS, *Comprehensive Regional Protection and Solutions Framework*, 2021, p. 8.

48 OCHA, *Humanitarian Needs Overview. El Salvador, Guatemala and Honduras*, 2021, pp. 10, 42.

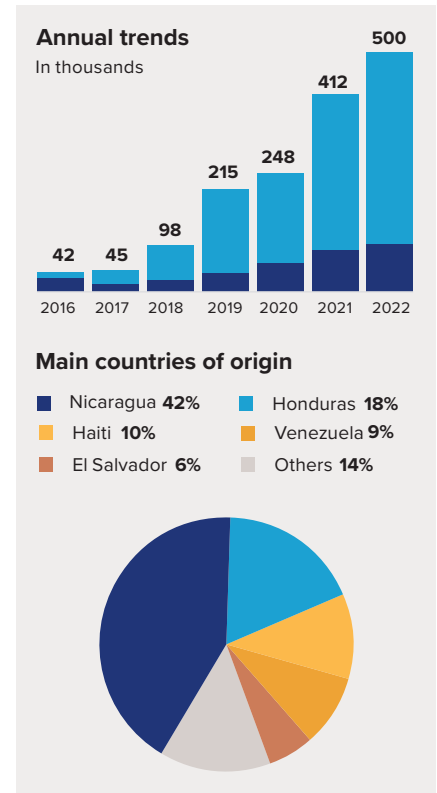
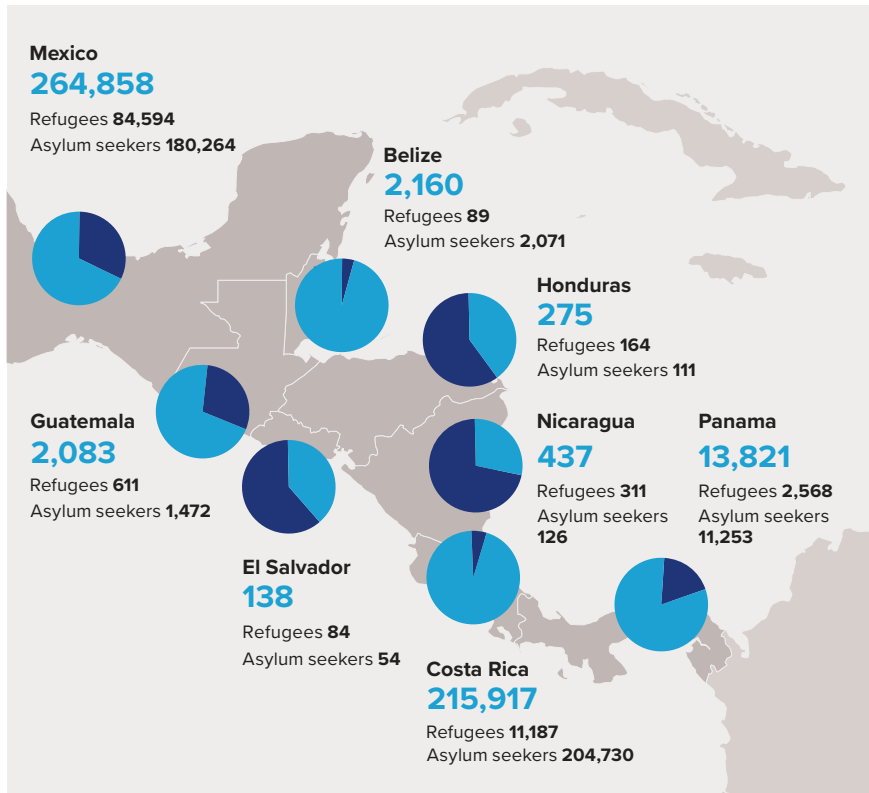
49 OCHA, *Humanitarian needs overview summary 2021*, p. 1.

50 MIRPS, *Comprehensive Regional Protection and Solutions Framework*, p. 9.

51 MIRPS, *Support Platform for the comprehensive regional protection and solutions framework (MIRPS) to address forced displacement in central America and Mexico*, 2021a, p. 1.

Figure 6: Refugees and asylum seekers in Central America and Mexico

Mid-2022



Information from 15 November 2022. Source: Official figures from governments as of 30 June 2022.

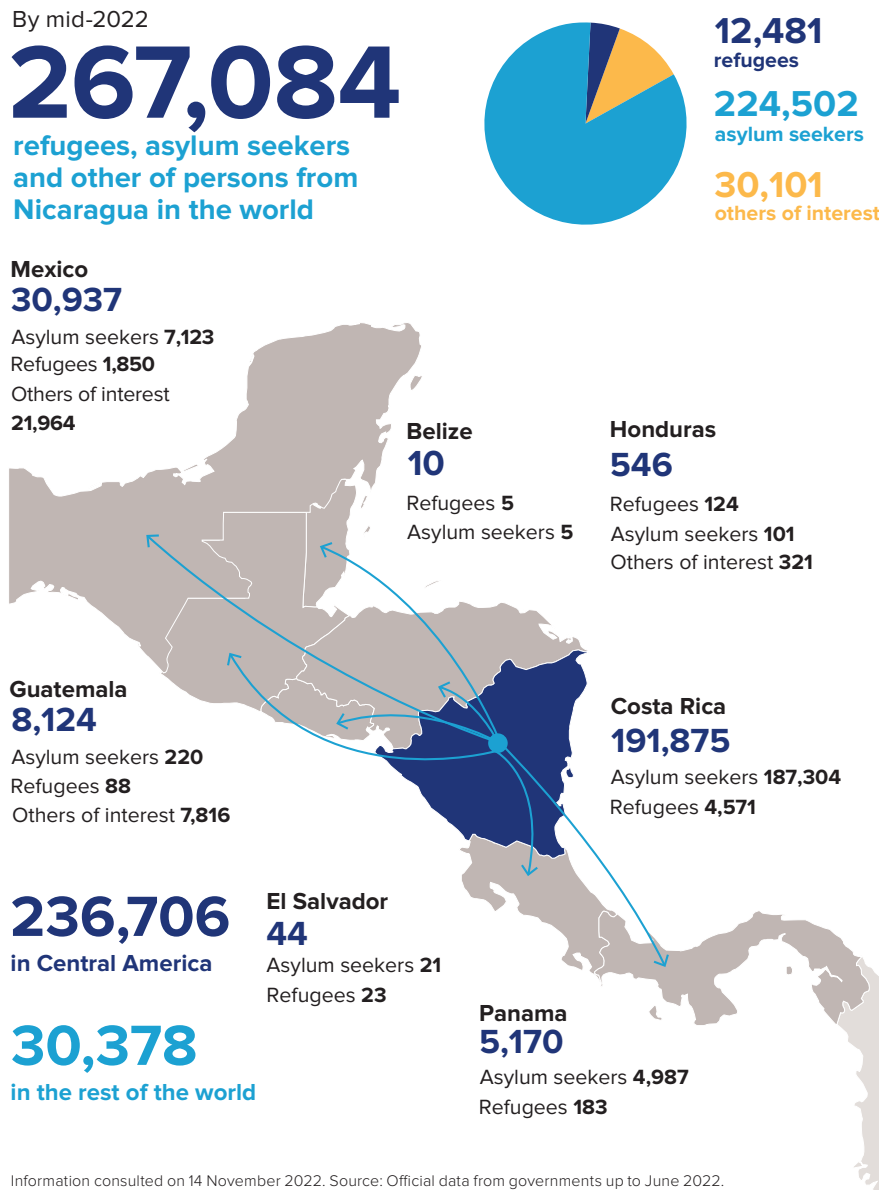
According to the World Bank, Nicaragua is one of the least developed countries in Latin America; access to basic services is a challenge,⁵² and since 2018 it has been experiencing a political and social crisis with almost 300,000 people forced to flee to safety due to persecution and human rights violations.⁵³ For mid 2022, , 236,000 Nicaraguans in need of international protection were recorded. Most of these Nicaraguans went to the neighbouring country Costa Rica, which has received two thirds of the total number of refugees and asylum seekers of this nationality (191, 875.⁵⁴

52 World Bank, *Nicaragua: general overview*, 2021.

53 UNHCR, *Refugee Data Finder*, 2021f. Accessed 13 December 2021.

54 UNHCR. *Nicaragua Situation. Persons of Concern from Nicaragua. Mid-Year 2022*.

Figure 7: Refugees and asylum seekers from Nicaragua



With its context of poverty, prolonged political instability, urban violence and recurrent disasters as a result of climate change, Haiti is also experiencing a political and humanitarian crisis: in 2021 alone it affected over 800,000 people, causing thousands of deaths and forcing tens of thousands to flee.⁵⁵ An exodus from the island has been ongoing for several years, leading to Haitians being displaced to different countries in the region, and even moving on to a third country after long periods living outside Haiti. By mid-2022, there are 28,981 Haitian refugees, 147,576 asylum seekers and another 12,505 people served by UNHCR⁵⁶.

55 UN Women, *Your questions answered: women in Haiti*, 2021a.

56 UNHCR. Refugee Data Finder, 2022.

3.2. Main legal and political frameworks

The majority of Latin American countries have ratified the main human rights and refugee treaties of the universal and regional systems, and incorporated them into their national legislations. Each country also has regulations and policies for addressing GBV, which cover refugee and asylum-seeking women.⁵⁷

International protection of refugees

Convention Relating to the Status of Refugees (1951) and its Protocol (1967)

The 1951 Convention relating to the Status of Refugees, also known as the 1951 Convention, with its 1967 Protocol, is the main binding instrument concerning refugee protection. It has been ratified by 149 countries, defines the term *refugee* and regulates the rights States must guarantee to refugees, such as the principle of no expulsion or return, which states that a refugee may not be returned to a country where they face serious threats to their life or freedom.^{58 59}

The term refugee shall apply to any person who (...) owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Even though gender is not specifically referenced in the refugee definition, it is widely accepted that it can influence, or dictate, the type of persecution or harm suffered and the reasons for this treatment. The refugee definition, properly interpreted, therefore covers gender-related claims.⁶⁰

57 ECLAC, *Si no se cuenta, no cuenta: Información sobre la violencia contra las mujeres* (If not reported it doesn't count: Information about violence against women) 2012, United Nations: Santiago de Chile. p. 21 (available in Spanish).

58 UNHCR, *Convention relating to the Status of Refugees*, 1951; *Protocol relating to the Status of Refugees*, 1967.

59 UNHCR has published the "*Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection*"; 2019c, in accordance with the 1951 Convention, the 1967 Protocol and regional instruments in order to guide government employees, judges and professionals in applying the definition of refugee. In terms of gender-based violence, the following guidelines are particularly relevant: 1 (gender-related persecution), 2 (membership of a particular social group), 7 (victims of trafficking and persons at risk of being trafficked) and 9 (sexual orientation and/or gender identity).

60 UNHCR, *Guidelines on International Protection: Gender-Related Persecution within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees*, 2002, p.3.

Table 5: Countries participating in the assessment which are state members of the 1951 Refugee Convention and its 1967 Protocol

| Country | 1951 Convention | Protocol |
|-------------------|------------------------------------|-----------------------|
| Brazil | 16 November 1960 (r) ⁶¹ | 07 April 1972 (a) |
| Colombia | 10 October 1961 (r) | 04 March 1980 (a) |
| Costa Rica | 28 March 1978 (a) | 28 March 1978 (a) |
| Ecuador | 17 August 1955 (a) | 06 March 1969 (a) |
| Mexico | 07 June 2000 (a) | 07 June 2000 (a) |
| Peru | 21 December 1964 (a) | 15 September 1983 (a) |
| Venezuela | - | 19 September 1986 (a) |

Source: UNHCR, *States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol*

Cartagena Declaration (1984)

The Cartagena Declaration is the most important regional guiding instrument based on the 1951 Convention and its 1967 Protocol. It defines the term *refugee* for the Americas widely in comparison with the 1951 Convention to include persons who:⁶²

have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.

As part of the process of evolution, updating and celebration of the Declaration, action plans were designed to contribute to the international protection system. The **Brazil Plan of Action (BPA)**, adopted in 2014 by 28 States and three overseas territories in Latin America and the Caribbean, is currently being implemented and is valid until 2024.⁶³ The plan provides for the implementation of GBV response and prevention mechanisms.⁶⁴

The Global Compact on Refugees (2019)

The Global Compact on Refugees was approved by the United Nations General Assembly and lays down a comprehensive model for responding to refugees. Its four key objectives are to: 1. Ease the pressures on countries hosting the most refugees; 2. Enhance opportunities for refugees to become self-reliant; 3. Expand access to third-country solutions such as resettlement and other pathways; 4. Support conditions in refugees' countries of origin so that they may be able to return in safety and dignity.⁶⁵

61 Ratification (r) and Adhesion (a).

62 *Cartagena Declaration on Refugees*, 1984.

63 UNHCR, *Brazil Plan of Action: Second Triennial Progress Report 2018-2020*, 2021g.

64 UNHCR, *Brazil Declaration: A Framework for Cooperation and Regional Solidarity to Strengthen the International Protection of Refugees, Displaced and Stateless Persons in Latin America and the Caribbean*, 2014.

65 UNHCR, *Global Refugee Forum*, 2022a.

Comprehensive Regional Protection and Solutions Framework (MIRPS)

Belize, Costa Rica, Guatemala, Honduras, Mexico and Panama adopted the San Pedro Sula Declaration in 2017 as a contribution to the Global Compact on Refugees. Through this Declaration they decided to work together to reinforce protection and promote solutions for the persons affected by forced displacement in Central America and Mexico, also addressing the reasons why they flee and improving safety, economic development prosperity. In 2019, El Salvador joined this sub-regional framework. Through the Declaration the countries agreed to participate in MIRPS, boosting sub-regional cooperation and sharing responsibilities among the countries of origin, transit and destination, committing to implementing national action plans.⁶⁶

Quito Process

The Quito Process was the result of a regional meeting in 2018 with representatives from 13 countries⁶⁷ at the initiative by the Government of Ecuador. The main purpose was to exchange information on the situation in each country and articulate a regional strategy to address the crisis of Venezuelan refugees and migrants. The manifesto of will resulting from the meeting is not mandatory, but urges countries to establish or reinforce reception policies, coordinate efforts through international organizations, fight discrimination and xenophobia, and promote and respect the rights of refugees and migrants.⁶⁸ It has ten areas of action,⁶⁹ one on gender equality.

Women's rights and gender-based violence

Convention on the Elimination of All Forms of Discrimination Against Women (1979)

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was unanimously adopted by the United Nations General Assembly in 1979 and took effect in 1981. At this time 189 States have ratified it and it provides a binding framework for these countries. It was the first international treaty relating to women's rights based on two principles: promoting women's rights and gender equality, and suppressing any discrimination against women.⁷⁰

66 MIRPS, *What is the MIRPS?*, 2022.

67 Member countries: Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guyana, Mexico, Panama, Paraguay, Peru and Uruguay. Group of Friends: Canada, France, Germany, Italy, Netherlands, Spain, Switzerland, United Kingdom, United States, the European Union and the Inter-American Development Bank (IBD).

68 Quito Process, *What we do?*, 2021.

69 Quito Process, *Areas of work*, 2021a.

70 United Nations, *Convention on the Elimination of all forms of discrimination against women*, 1979.

Table 6: Countries participating in the assessment which ratified CEDAW

| Country | Date |
|------------|-----------------------|
| Brazil | 01 February 1984 (r) |
| Colombia | 19 January 1982 (r) |
| Costa Rica | 04 April 1986 (r) |
| Ecuador | 09 November 1981 (r) |
| Mexico | 13 March 1981 (a) |
| Peru | 13 September 1982 (r) |
| Venezuela | 02 May 1983 (r) |

Source: OHCHR

Declaration on the Elimination of Violence Against Women (1993)

The Declaration on the Elimination of Violence Against Women is a United Nations General Assembly resolution, and the first international instrument explicitly addressing violence against women. It creates a framework for international and national action. It makes reference to specific groups of women who may be particularly vulnerable to violence, including refugee and migrant women, indigenous women, women with disabilities, elderly women and women in situations of armed conflict.⁷¹

Belém do Pará Convention (1994)

On a regional level, in June 1994 the States belonging to the Organization of American States (OAS) approved the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, known as the Belém do Pará Convention, a legally binding regional instrument that establishes standards for recognizing the right of women to live without violence, the inter-American mechanisms for protecting and monitoring the situation, through the Follow-up Mechanism to the Belém do Pará Convention (MESECVI). Article 9 of the Convention stipulates that the States Parties must take into consideration specific groups of women who may be in a situation of heightened risk, including refugee, displaced and migrant women.⁷²

*Chapter II, article 3
states:*

***Every woman has
the right to be free
from violence in
both the public and
private spheres.***

Table 7: Countries of the assessment that have ratified Belem do Para

| Country | Date of adoption |
|------------|-----------------------|
| Brazil | 27 November 1995 (r) |
| Colombia | 15 November 1996 (a) |
| Costa Rica | 12 May 1995 (r) |
| Ecuador | 15 September 1995 (r) |
| Mexico | 12 November 1998 (r) |
| Peru | 04 June 1996 (r) |
| Venezuela | 03 February 1995 (r) |

Source: OAS. Belem do Para Convention.

⁷¹ UN General Assembly, *Declaration on the Elimination of Violence Against Women*, 1993.

⁷² Organization of American States, *Belém do Pará Convention*, 1994.

Palermo Convention (2000)

The United Nations Convention against Transnational Organized Crime and its Protocols was adopted by the United Nations General Assembly in 2000. It is the main international instrument against international organized crime and is complemented by three protocols: i) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; ii) Protocol against the Smuggling of Migrants by Land, Sea and Air; iii) Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.⁷³

United Nations Security Council Resolution 1325 (2000)

The United Nations Security Council has published various resolutions concerning women, peace and security. The first of these was Resolution 1325. This resolution provides a historical legal and political framework, recognizing the relevance of women's participation and the importance of the gender perspective in peace negotiations, peacekeeping operations, peacebuilding and humanitarian action.⁷⁴

Montevideo Consensus

The Montevideo Consensus on Population and Development was signed in Uruguay in 2013; it contains a series of agreements that aim to bolster implementation of population and development matters. The document includes over 120 actions on eight themes identified as priorities to follow up the Programme of Action of the United Nations International Conference on Population and Development, held in Cairo in 1994.⁷⁵ It addresses gender, race, ethnicity and generation inequalities, considering how these dimensions intersect in situations of discrimination suffered by women and especially young women.⁷⁶

Montevideo Strategy

The Montevideo Strategy for Implementation of the Regional Gender Agenda within the Sustainable Development Framework by 2030 was approved by the member countries of ECLAC in 2017; its main objective is to promote gender equality, autonomy and women's rights. It seeks to work on four themes: socioeconomic inequality and poverty; discriminatory, violent and patriarchal patterns; the sexual division of labour and care; concentration of power and hierarchal relations in the public sphere.⁷⁷

73 UNODC, *United Nations Convention against Transnational Organized Crime and the Protocols thereto*, 2004.

74 UN Security Council, *Resolution 1325*, 2000.

75 For further information on the International Conference on Population and Development, visit: https://www.unfpa.org/sites/default/files/event-pdf/icpd_eng_2.pdf.

76 ECLAC, *Montevideo Consensus on Population and Development*, 2013.

77 ECLAC, *Montevideo Strategy for Implementation of the Regional Gender Agenda within the scope of Sustainable Development by 2030*, 2017.

3.3. Gender-based violence in Latin America

The high prevalence of GBV in Latin America is a public health problem, linked to structural causes of gender inequalities⁷⁸ and social and gender norms that perpetuate violence in all countries in the region. It is extremely concerning and there are still high levels of its most extreme form, femicide or femicide.⁷⁹ According to OHCHR and UN Women, it is systematic and affects women, girls and female adolescents in all diversities, taking place in intimate and non-intimate spaces.⁸⁰

GBV tends to have diverse and drastic consequences. It brings a high risk of health problems, from short-term to long-term, including immediate impacts on sexual, physical and psychological health, unwanted pregnancy, Sexually Transmitted Infections (STIs) or Human Immunodeficiency Virus-Acquired Immunodeficiency Syndrome (HIV-AIDS). It can also cause or aggravate chronic health conditions, impacting neurological, gastrointestinal, muscular, urinary or reproductive systems. The impacts on mental health may include depression, anxiety, abuse of alcohol and other drugs, post-traumatic stress and suicidal ideation or self-elimination. GBV survivors may face stigma within their own family or in their community.⁸¹ The situation worsened during the COVID-19 pandemic due to the lockdown, mobility restrictions, less contact with support networks and limited access to specialist services.⁸²

According to the national surveys available in the region, between 60 and 76% of women, approximately two out of three, have suffered gender-based violence or have experienced an incident in different stages of their life.⁸³ Figures show that one out of three women between the age of 15 and 49 have suffered physical or sexual violence at the hands of their partner or ex-partner at least once in their life.⁸⁴ Countries such as Peru (38%), Ecuador (33%) and Colombia (30%) have higher levels of intimate partner violence than the global average (27%).⁸⁵

Moreover, in 2020 alone an average of one in three women was subject to physical, psychological and/or sexual violence by a perpetrator who was or had been their partner.⁸⁶ The World Health Organization (WHO) also estimates that 12% of women in the Americas are at risk of some type of violence by persons other than their partner or ex-partner, double the global average of 6%.⁸⁷

78 UN Women, *Frequently asked questions: Types of violence against women and girls*.

79 ECLAC, *Femicide or femicide*, 2020.

80 OHCHR & UN Women, *Latin American Model Protocol for the investigation of gender-related killings of women (femicide/femicide)*, 2014, p. 31.

81 IASC, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action*, 2015, p. 9.

82 ECLAC, *The Persistence of Violence against Women and Girls in the Region and Femicide, its Maximum Expression, is Troubling*, 2021.

83 ECLAC, *Social Panorama of Latin America 2020*, 2020c, p. 16.

84 UNHCR, Center for Human Rights, Gender and Migration & Human Rights Center, *Intimate Partner Violence and asylum in the Americas*, 2019, p. 3.

85 IDB, *Sexual and Gender-based Violence: Road Map for Prevention and Response in Latin America and the Caribbean*, 2021, p. 9.

86 ECLAC, *Social Panorama of Latin America 2020*, 2020c, p. 16.

87 WHO, *Violence Against Women Prevalence Estimates, 2018*.

According to a 2021 study by the Inter-American Development Bank (IDB), 12 women die every day in Latin America and the Caribbean as a result of femicide, making the region the second most lethal for women, after Africa.⁸⁸ Similarly, Latin America and the Caribbean is the only region in the world where child marriages have not decreased in the last 25 years and occupies the second place in the world in the number of unintended pregnancy among adolescent girls. One in four young women were forced to marry or enter in early and forced union before the age of 18 years.⁸⁹ Women in the region also face a serious risk of being killed by their own partners. In Honduras, 0.8 out of every 100,000 women dies at the hands of their intimate partner or former partner. In Ecuador and Nicaragua the figure is 0.7 and in Peru it is 0.6.⁹⁰

In Brazil, 17 million women, i.e. one in four women over 16, have suffered some type of violence in the last 12 months between 2020 and 2021.⁹¹ Among women with cognitive disabilities, 56.9% suffered some form of GBV.⁹² In Colombia, on average 71 women report sexual violence on a daily basis, and three women are killed, one of which in her home.⁹³ In Costa Rica, 379 women died at the hands of their spouse or romantic partner from 2007 to 2020.⁹⁴ In Ecuador, it is estimated that 64% of women have experienced some type of violence throughout their life, and 32% in the last 12 months.⁹⁵ In Mexico, according to the National Survey on Household Relations, two out of three women over 15 have suffered at least one incident of violence throughout their life; one out of two women have reported emotional violence, and four out of ten sexual violence. In almost half of the cases reported (44.8%), the partner or ex-partner was the main aggressor.⁹⁶ Since 2015, the number of murders of women in Mexico has risen dramatically from 6.4 to 10.26 murders on average per day.⁹⁷ In Peru, the number of adult, child and adolescent female disappearances continues to rise; a case is reported every two hours.⁹⁸

88 IDB, *Sexual and Gender-based Violence: Road Map for Prevention and Response in Latin America and the Caribbean*, 2021, p. 10.

89 UNICEF, *Child marriage and early unions in Latin America and the Caribbean*.

90 ECLAC, *Women's deaths at the hands of their intimate partner or former partner*, 2020a.

91 Fórum Brasileiro de Segurança Pública y Datafolha, *Visível e invisível: a vitimização de mulheres no Brasil (Visible and invisible: the victimization of women in Brazil)*, 3rd Edition, 2021 (available in Portuguese).

92 IPEA, *Atlas da violência (Atlas of Violence)*, 2020 (available in Portuguese).

93 UN Women & UNFPA, *Prevención y respuesta a la Violencia Basada en Género (VBG) en contexto de pandemia de COVID-19 (Prevention and response to GBV in context of the COVID-19 pandemic)*, 2020, p. 3 (available in Spanish).

94 Judiciary of Republic of Costa Rica Observatory of gender-based violence against women and access to justice, *Femicide*, 2021.

95 R4V, *RMRP 2021 for Refugees and Migrants from Venezuela*, 2021e, p. 140.

96 INEGI, *Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares (National Survey on the Dynamics of Household Relationships)*, 2016 (available in Spanish).

97 INEGI, *Estadísticas vitales de mortalidad (Vital mortality statistics)*, 2022 (available in Spanish); SESNSP, *Reportes de incidencia delictiva (Crime incidence reports)*, 2021.

98 Defensoría del Pueblo, *¿Qué pasó con ellas? (What happened to them?)*, 2021, p. 1 (available in Spanish).

3.4. Gender-based violence in the context of forced displacement

GBV has a greater impact on women exposed to a range of social and economic vulnerabilities.⁹⁹ This means that the risk of GBV is exacerbated in contexts of persecution, emergency, forced displacement and disasters resulting from climate change, where women, girls and female adolescents are subject to sexual violence, exploitation, abuse, domestic violence, trafficking, kidnapping, forced marriage and early unions or genital mutilation.¹⁰⁰ The risk of GBV may be further increased due to intersectional discriminations in relation to ethnicity, disability, sexual orientation, gender identity and diverse sex characteristics, origin or age.¹⁰¹

GBV can force a person to flee from their country or community and is frequent during displacement and at the destination. Regardless of the reason forcing a person to leave their country, the risks of GBV tend to be higher in the context of forced displacement.

In humanitarian crises and human mobility contexts, women, girls and female adolescents are affected the most. Many are in a situation of extreme risk due to poverty, partial or total separation from their support networks, changes in the assignment of responsibilities to adults, barriers to accessing asylum or regularization procedures or protection services, and exposure to multiple forms of violence. Women still hold primary responsibility for domestic tasks and caring for persons with special needs or with disabilities, the elderly, and children and adolescents. This burden causes them additional challenges and limits opportunities for formal employment, often forcing them into informal self-employment and without security for low wages, placing them at risk of situations of precarious work, exploitation and abuse. This situation is aggravated due to limited knowledge of or lack of trust in the services available.¹⁰²

In view of these challenges, long-term socioeconomic integration is difficult for forcibly displaced women. A large proportion of forcibly displaced women work at home providing care, without guarantees or access to social protection, often putting them in a situation of invisibility and insecurity. Refugee women face double discrimination, due to being women and due to their nationality or the displacement process.¹⁰³

One in four women suffers some form of assault while in human mobility,¹⁰⁴ and at least one in five displaced women around the world experiences sexual violence.¹⁰⁵ The violence situation, already complex in times of “peace”, tends to get worse in contexts

99 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020c, p. 5.

100 IASC, *Guidelines for Gender-Based Violence Interventions in Humanitarian Settings: Focusing on Prevention and Response to Sexual Violence in Emergencies*, 2005.

101 IDB, *Sexual and Gender-based Violence: Road Map for Prevention and Response in Latin America and the Caribbean*, 2021, p. 21.

102 UN Women, *Case Study LEAP Joint Programme*, 2021.

103 UNDP, *Las mujeres migrantes en LAC: retos y realidades (Migrant women in LAC: challenges and realities)*, p. 29 (available in Spanish).

104 UNDP, *Las mujeres migrantes en LAC: retos y realidades (Migrant women in LAC: challenges and realities)*, p. 23 (available in Spanish).

105 UNHCR, *Mujeres refugiadas y desplazadas: cómo sobrevivir a la violencia sexual y de género (Refugee and displaced women: how to survive sexual and gender-based violence)*, 2021b (available in Spanish).

of forced displacement and armed conflict, including due to the fact that sexual violence can be made into a weapon of war,¹⁰⁶ as in the case of Colombia, where survivors of sexual violence connected with the conflict, mainly women, have been identified.¹⁰⁷

In the context of forced displacement, certain groups of women may be at even greater risk, such as the case of women with diverse sexual orientations and gender identities, women involved in the sale and exchange of sex as a coping mechanism, and girls and women with disabilities.¹⁰⁸ Perpetrators can be anywhere: they are spouses, relatives, strangers, traffickers, gang members, criminal groups or even humanitarian actors and authorities.

According to the UNFPA Regional Strategy for Latin America and the Caribbean to Prevent and Address Sexual Violence against Women, sexual violence increases sexual and reproductive health problems, and health problems in general. Due to discrimination and xenophobia, women in the process of forced displacement tend to face negative attitudes from staff in the various services, limiting their access to services for STI care, pregnancy prevention or emergency contraception, and prenatal medical care. There is also a fear of rejection due to lack of documentation or reporting by the medical services to the national authorities, as this could mean a real or imaginary risk of deportation.¹⁰⁹

UNHCR figures reveal that the many risks related to GBV against forcibly displaced women in the region are rising, both in the country of origin, during transit and also in the country of destination. The table below (**table 8**) presents some of these challenges for persons registered by UNHCR. It should be noted that the number of GBV incidents may be much higher than reported.

Table 8: Specific needs of forcibly displaced women registered by UNHCR¹¹⁰

| Country of asylum | Harmful traditional practices | Gender-based violence | Sell and exchange of sex as a coping mechanism | Threat of forced marriage | Threat of violence/death | Violence during transit | Violence at destination | Violence in country of origin | Total of women |
|-------------------|-------------------------------|-----------------------|--|---------------------------|--------------------------|-------------------------|-------------------------|-------------------------------|----------------|
| Brazil | 1 | 32 | 30 | 0 | 4 | 2 | 139 | 11 | 219 |
| Colombia | 0 | 353 | 166 | 3 | 7 | 17 | 763 | 451 | 1,683 |
| Costa Rica | 1 | 115 | 37 | 0 | 0 | 14 | 104 | 254 | 501 |
| Ecuador | 8 | 132 | 121 | 4 | 19 | 189 | 1,710 | 1,850 | 3,915 |
| Mexico | 2 | 138 | 245 | 7 | 11 | 224 | 640 | 1,181 | 2,333 |
| Peru | 1 | 0 | 9 | 0 | 0 | 16 | 183 | 56 | 255 |
| Total | 13 | 770 | 608 | 14 | 41 | 462 | 3,539 | 9,261 | 8,906 |

Source: proGres, UNHCR, 14 December 2021.

106 UNHCR, *Mujeres refugiadas y desplazadas: cómo sobrevivir a la violencia sexual y de género (Refugee and displaced women: how to survive sexual and gender-based violence)*, 2021b (available in Spanish).

107 Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, *Colombia*, 2021.

108 UNHCR, *UNHCR Policy on the Prevention of, Risk Mitigation, and Response to Gender-based Violence*, 2020c, p. 5.

109 UNFPA, *Estrategia Regional de UNFPA para América Latina y el Caribe para la Prevención y el Abordaje de la Violencia Sexual contra las Mujeres (UNFPA Regional Strategy for Latin America and the Caribbean to Prevent and Address Sexual Violence against Women)*, 2011, p. 17 (available in Spanish).

110 Data recorded between 2020 and 14 December 2021.

4.

Main findings of the assessment



4.1. Profile of women participants

A total of **1008** forcibly displaced women were surveyed (**graph 1**): 625 (62%) of the participants were Venezuelan refugee and migrant women, 121 (12%) Honduran, 103 (10%) Nicaraguan, 92 (9%) Colombian, 20 (2%) Salvadoran, 19 (2%) Haitians, 15 (2%) Guatemalan and 13 (1%) were of another nationality.

Many of the women surveyed were adults of working age, over half of the respondents (55%) were in the age range of 30 to 59 years, while young women aged 18 to 29 years accounted for 43% of respondents and elderly women for 2%.

In terms of education level, most had completed secondary (44%) or primary (28%) schooling; a further 17% had higher or technical education studies. However, 9% had no formal education.

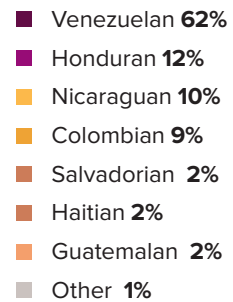
With reference to gender identity, 97% of respondents self-identified as women (cisgender), 1% as men, 1% as transgender women and 1% considered themselves “other” or preferred not to answer the question. Concerning the sexual orientation of participants, 90% were physically attracted to men, 3% to women and 2% to both. In other words, close to **6% of the women surveyed were of diverse sexual orientations and gender identities**.

Regarding ethnic self-identification, 17% identified as afrodescendant and 3% as indigenous. It should be noted that 3% of participants had a disability and 16% a chronic medical condition; 6% of the women were pregnant at the time of the survey.

One out of four women had arrived in the host country between one and three years earlier, and one out of five had been there a shorter time, between two and six months. In other words, a large number of women arrived during the period of restrictions and border closures due to the COVID-19 pandemic, often crossing through informal or unsafe entry points.

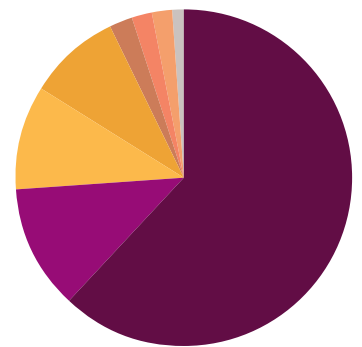
Concerning their status in the country of asylum, **61% had documentation proving their regular status in the country**; however, generally most still had temporary status as 35% were asylum seekers and 26% had temporary residence.¹¹¹ A reduced number, of 17% of the respondents were recognized as refugees. It should be noted that 10% of those with regular status had expired documentation.

Graph 1: Nationality of surveyed women



62%

625 of participants are Venezuelan refugee and migrant women



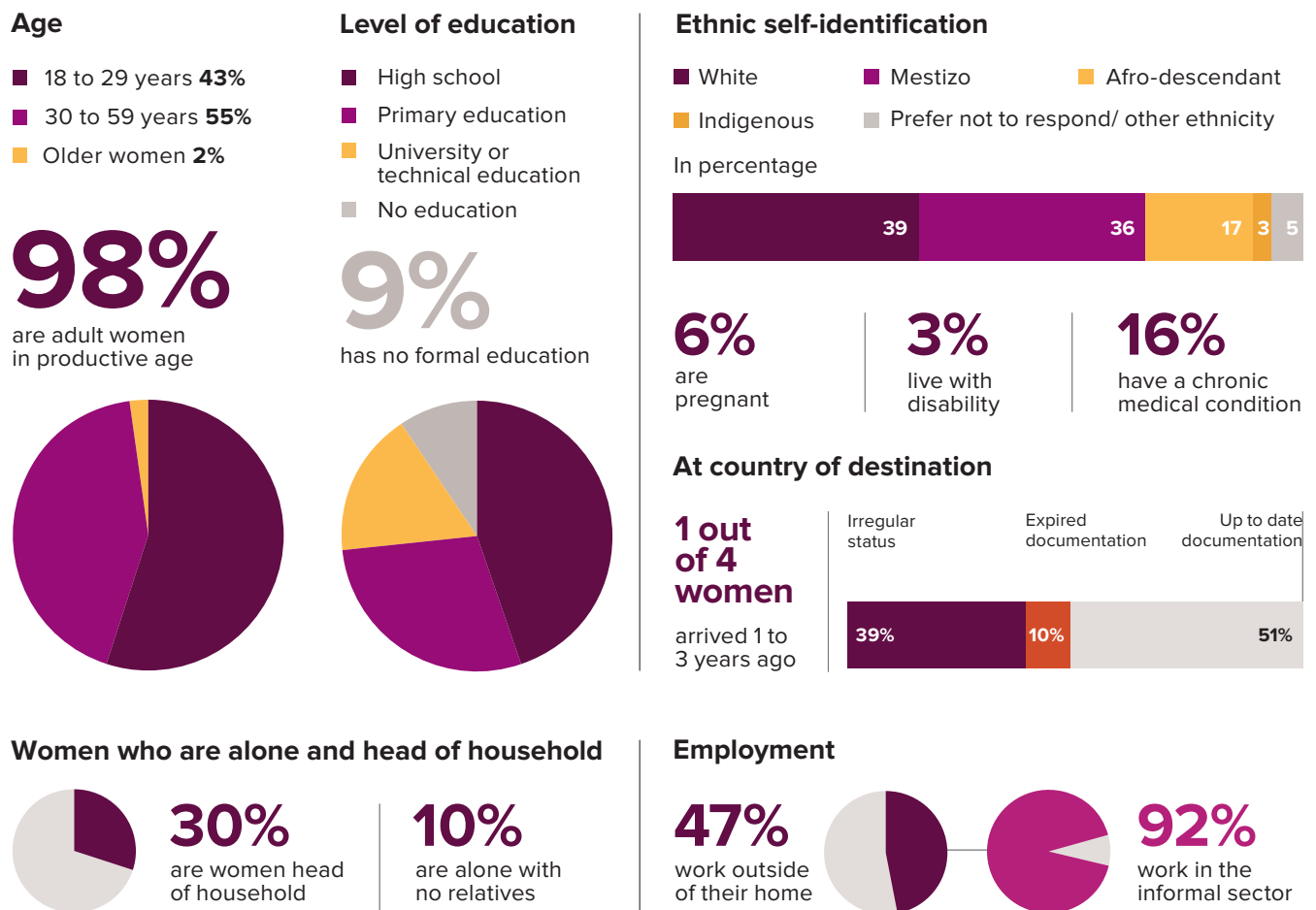
¹¹¹ In situations of temporary residence, despite having some kind of documentation the access to rights and services varies according to the country. In Mexico, holding a formal job is permitted with the proof of procedures and Visitor's Card for Humanitarian Reasons (*Tarjeta de Visitante por Razones Humanitarias - TVRH*). In Colombia even when they have temporary residence through the Temporary Protection Status for Venezuelans (TPSV), the principle of non-refoulement, stipulated for refugees, is not guaranteed.

Generally, surveyed women **were currently accompanied (90%)**, mainly by their partner and/or dependent children. Around **30% were female heads of household**, i.e. they were no other adults and with dependent children aged under 18.

Out of every two surveyed women, one did not work outside their home, and of those who worked outside their home, 92% worked informally, with variable earnings. Unemployment and informal employment were very high among the respondents.¹¹²

The women were asked where they thought they would stay for the next six months, to which 61% stated that they expected to stay in their current city/ location, 24% expected to stay in the same country but moving to another city or location, 6% wanted to move to another country, and 6% were not able to answer the question. It should be noted that only 3% of women were considering returning to their country of origin.

Figure 8: Profile of women participants



112 The data collection contexts varied between border zones and urban areas with a high concentration of refugees and displaced persons. Border zones normally have fewer formal employment opportunities as they are not in the economic centres of the countries. In any case, the unemployment rate among the assessment participants is alarming.

4.2. Gender-based violence in the context of forced displacement in Latin America

The consultation with refugee and displaced women confirmed that they face situations of vulnerability and violence in their countries of origin, with GBV being one of the reasons they are forced to flee in search of protection. During transit and in the country of destination, they experience situations exposing them to a heightened risk of GBV, such as extreme poverty, the impact of being uprooted on their mental health, barriers to accessing the asylum procedure or other regular stay arrangements, limitations on enjoying protection and social services, lack of livelihoods, discrimination and xenophobia. These vulnerability factors, along with the stereotypes of hypersexualization and objectification of women’s bodies increased their exposure to the risk of gender-based violence.

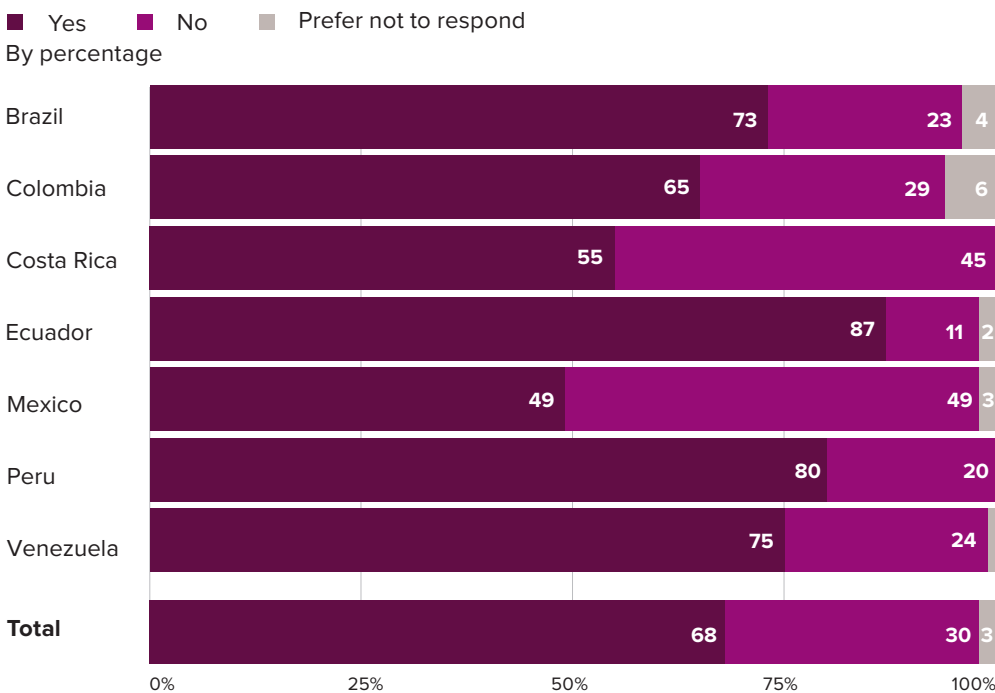
While one in three women surveyed stated they did not know what GBV referred to, as shown in **graph 2**, in the focus groups discussions participants demonstrated their ability to explain a general conception with their own words and by means of examples. They understand or intuitively know the meaning or nature of GBV, associating it with different types of harm they suffer from men. Generally, they explain it with examples referred to psychological, physical and sexual violence.



1 out of 3 women

did not know the meaning of gender-based violence

Graph 2: Do you know what gender-based violence means?



Gender-based violence as a reason to flee

Discrimination and violence against women and girls is one of the drivers for forced displacement in the region, recognized as “gender-related persecution”. While female and male applicants may be subjected to the same forms of harm, they may also face forms of persecution specific to their gender. Rape and other forms of violence, such as trafficking in persons, are examples of acts that cause severe pain and suffering – both mental and physical – and which have been used as forms of persecution, whether perpetrated by State or private actors, such as gangs. Even though a particular State may have prohibited a persecutory practice it may nevertheless continue to condone or tolerate the practice or may not be able to stop the practice effectively. In such cases, the practice would still amount to persecution.¹¹³

According to organizations such as OCHA and UNFPA, in countries such as Guatemala, Honduras and El Salvador, women experience high levels of violence, a weak response from the security and justice institutions, limited employment opportunities and difficulty in accessing services.¹¹⁴ Moreover, physical, sexual and psychological abuse by their partners, relatives and criminal groups may add to the situations they face or even be the main reason forcing them to flee. They are forced to flee from their communities or countries to escape from hunger, poverty and above all violence, in order to save their lives and the lives of their children.

“I am a survivor of gender-based violence. It happened there in Nicaragua. My husband was going through a difficult time, all the frustration at not finding work, the fear we would be killed, he took it out on me. One day he hit me so hard that I fell with the baby in my arms, and he kept hitting us. A neighbour came and helped us. That day I decided to separate from him to protect my child”.

INTERVIEW, NICARAGUAN WOMAN IN COSTA RICA

“I left because of my stepfather, because he wanted to abuse me, that’s why I came. I worked in a bar and I came home pregnant and he threw me out of the house. I saw how he abused my sister and she committed suicide, he was a drunk who hit my mother, I know nothing of her.”

INTERVIEW, COLOMBIAN WOMAN IN VENEZUELA

Similarly, a study in Ecuador shows that many women on the move were forced to flee from their country of origin, escaping persecution because of their role as defenders of human rights, multiple forms of extreme violence, risks of femicide or forced disappearance, sexual or gender-based violence, and restricted access to basic needs such as food, water and electricity.¹¹⁵

“Gender-based violence is when a woman or LGBTQI+ person suffers some kind of violence. It is not just physical abuse, but also psychological, social and other abuse.”

FOCUS GROUP DISCUSSION,
AMAZONAS, BRAZIL

113 UNHCR, *Guidelines on International Protection: Gender-Related Persecution within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees*, 2002, p. 4.

114 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, 2021, p. 18; UNFPA Venezuela, *Reporte de situación - Periodo: enero a junio 2021, (Situation Report, Period: January to June, 2021* (available in Spanish).

115 HIAS & UN Women, *Diagnóstico: mujeres en Movilidad Humana y la Violencia Basada en Género (Diagnosis: Women on the move and Gender-Based Violence)*, 2020, p. 36 (available in Spanish).

By leaving their countries of origin, they face the breakdown of family relationships and social ties, uprooting from and abandonment of their community, and in some cases separation from their children. The mourning processes caused by the material and emotional losses entailed by human mobility affect their mental health, making them more emotionally vulnerable during transit and also at the destination.

In Central America the presence of gangs, violence, social instability and disasters as a result of climate change have increased the dynamics of internal and international displacements. In accordance with the 2021 Humanitarian Needs Overview for El Salvador, Guatemala and Honduras, this is one of the most violent subregions in the world for women.¹¹⁶ GBV is chronic and structural, based on a patriarchy that leads to the unequal exercise of power by gender, exacerbated by diverse forms of violence including femicide,¹¹⁷ and impunity and corruption, aggravated in the current context of food insecurity, human mobility, forced displacement and natural disasters.¹¹⁸

In Guatemala, Honduras and El Salvador, a problem has also been identified of GBV against women human rights defenders, GBV prevention and response service providers, and civil society actors working for gender equality.¹¹⁹ In Honduras specifically, a study by UNHCR and Grupo Sociedad Civil revealed that women in political and leadership roles, with partners belonging to criminal groups or state security, and who have previously suffered from violence in a criminal context are at higher risk of being forced to flee from their communities.¹²⁰

“In fact, I came extremely threatened by him. I also wanted, well, to know because it was the truth, he also made me feel bad and threatened me, because there in Honduras he belonged to gangs... I didn’t know him well. He threatened me that if I didn’t come he would do something to my family. Then, as I already had the baby, just a few months old, he frightened me.”

INTERVIEW, HONDURAN WOMAN IN MEXICO

In El Salvador and Honduras alarming figures have been reported, with the highest homicide and femicide rates in the world: 6.8 and 5.1 femicides for every 100,000 inhabitants, respectively.¹²¹ In Honduras one woman is killed every 13.8 hours. In El Salvador, Guatemala and Honduras, LGBTIQ+ persons also run an extremely high risk, facing widespread homophobia, transphobia, stigma and discrimination, leading to rising marginalization.¹²² In Honduras, 122 violent deaths of trans women were reported between 2009 and mid-2021.¹²³ Prevention and response interventions are

116 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, 2021, p. 17-18.

117 UNHCR, Mesa de Mujeres Migrantes y Desplazadas & Grupo Sociedad Civil, *Investigación sobre violencia sexual y feminicidios como causas del desplazamiento forzado (Investigation on sexual violence and femicides as causes of forced displacement)*, 2021a (available in Spanish).

118 UNHCR, *Global Trends: Forced Displacement in 2020*, 2021.

119 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, 2021, p. 18.

120 UNHCR, Mesa de Mujeres Migrantes y Desplazadas & Grupo Sociedad Civil, *Investigación sobre violencia sexual y feminicidios como causas del desplazamiento forzado (Investigation on sexual violence and femicides as causes of forced displacement)*, 2020 (available in Spanish).

121 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, p. 46.

122 HRW, *Anti-LGBT Persecution in El Salvador, Guatemala, Honduras, US Barriers to Asylum Block Path to Safety*, 2020.

123 UNHCR, *Estudio revela que la violencia de género genera desplazamiento forzado en Honduras (Study reveals that gender-based violence leads to forced displacement in Honduras)*, 2021f (available in Spanish).

very limited, and women face many challenges in accessing services, including a lack of information and lack of trust in national authorities. Indigenous and rural women are particularly affected by the limited access to services, lack of transport and scarce resources for transport or communication.¹²⁴

“The three main risk factors for women to suffer GBV are as follows: the context of violence, organized crime and drug trafficking in Central America, linked with cases of femicides and trafficking in persons; (...) Poverty and loss of job and livelihood, factors that create greater vulnerability for women and girls; [and] Weak institutions demonstrated by state actors perpetrating violence and not protecting or providing services adequately.”

KII, GENCAP, HONDURAS

In Nicaragua, the factors leading to forced displacement include political persecution and human rights violations,¹²⁵ including GBV. Although it is not possible to obtain more recent figures on GBV specifically, the 2017 Map of Violence against Women in Nicaragua published by the National Police reveals that 1,207 women were raped in 2016 and 1,080 in 2017.¹²⁶ A further 268 women suffered serious injuries in 2016 and 198 in 2017. According to the magazine *Expediente Público*, 797 women have been victims of femicide in the last decade.¹²⁷

“I lived peacefully there until one day they started repairing the street in front of my house. I offered cold drinks to the people working, then the workers started to come closer. One day the engineer told me that he had to level the patio so it didn’t flood on me, I let them in, they did their work and the last afternoon, I don’t remember what happened, but I woke up next morning lying on the floor with a man beside me, the boss of those working on my patio. I was terrified and asked him what had happened and he answered that what happens when two people like each other. I told him that what had happened was without consent. I think they gave me something because I don’t remember anything. A few days later they came to threaten me not to report them. The threats continued when they found out I had become pregnant. They came and broke down the doors of the house, and threatened to do the same to my daughter. So I decided to leave my daughter with my mum and come to Costa Rica”.

IN-DEPTH INTERVIEW, NICARAGUAN WOMAN IN COSTA RICA

124 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, p. 46.

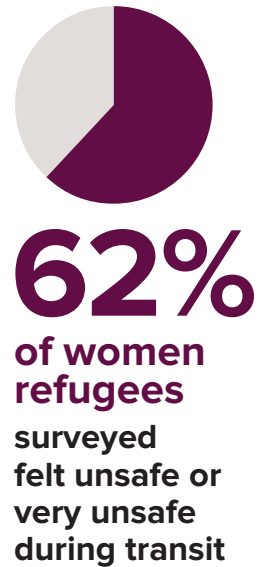
125 UNHCR, *Displacement in Central America*.

126 Nicaraguan National Police, *Mapa de la Violencia Contra la Mujer en Nicaragua 2016-2017 (Map of Violence against Women in Nicaragua)* (available in Spanish).

127 Expediente Público, *8M en Nicaragua: más feminicidios, cárcel y violencia contra las mujeres (8M in Nicaragua: More Femicides, Prison and Violence Against Women)*, 2022.

Times of crisis exacerbate the various pre-existing GBV risks against women and girls, mainly in situations of collapsing services, when family bonds and support networks break down, and income is missing.¹²⁸ According to UNFPA in Venezuela GBV especially affects the most vulnerable groups, such as female heads of household, pregnant women, women who are alone, indigenous women, women with disabilities and women with diverse SOGIESC. Both in contexts of internal mobility, mainly to the Orinoco mining area, and inhuman mobility outside the country, whether pendular or leaving the country permanently, specifically to Brazil and Colombia, there are women who are forcibly displaced or forced to become involved in the sale or exchange of sex as a survival mechanism,¹²⁹ and some go as far as forced marriage with members of criminal groups in search of protection.¹³⁰ Women and adolescents are recruited by armed groups and subjected to sexual slavery or forced to practise the sale or exchange of sex as a survival mechanism.¹³¹

Despite the wide range of services provided by the Venezuelan State and the whole regulatory framework to protect women, assessments conducted by UNFPA have revealed many difficulties in accessing these services, often due to the lack of amenities in rural areas and in territories of indigenous peoples. In humanitarian contexts the national systems become weaker, making it more difficult for the population to access multisectoral response services in areas such as psychosocial guidance, legal, health, sexual and reproductive health guidance; protection and access to justice. In Venezuela the assistance capacities are extremely limited due to lack of staff or lack of technical skills of the people available,¹³² or indeed the lack of transport due to petrol shortages.



Gender-based violence on the displacement route

Although the threat of GBV increases significantly during displacement and disproportionately affects women and girls, there are still gaps to better understand this deep problematic. Various humanitarian actors have identified that, by moving in search of safety, women and girls also run the risk of being sexually exploited or abused on the journey, where there is often a weak institutional presence, and where women have little information about their rights and access to services.¹³³ During transit from their countries of origin, normally by land – whether on foot, by bus or asking for help from private drivers – they face various situations of violence.

128 HIAS, *Living day by day and having nothing, feeling you are alone*, 2019, p. 5.

129 UNFPA, *VBG en contextos de Movilidad Humana. Levantamiento de información cualitativa sobre necesidades en el área de Violencia Basada en Género en contextos de movilidad humana en zonas fronterizas de Venezuela. Estado Bolívar* (GBV in Human Mobility Contexts: Qualitative Information on GBV-related Needs in Human Mobility Contexts Bordering Venezuela. Bolívar State), 2020, p. 16 (available in Spanish); UNFPA, *VBG en contextos de Movilidad Humana. Levantamiento de información cualitativa sobre necesidades en el área de Violencia Basada en Género en contextos de movilidad humana en zonas fronterizas de Venezuela. Estado Táchira* (GBV in Human Mobility Contexts: Qualitative Information on GBV-related Needs in Human Mobility Contexts Bordering Venezuela. Táchira State), 2020, p. 17 (available in Spanish).

130 UNFPA Venezuela, *Reporte de situación - Periodo: enero a junio 2021. (Situation Report. Period: January to June, 2021)*, p. 4 (available in Spanish).

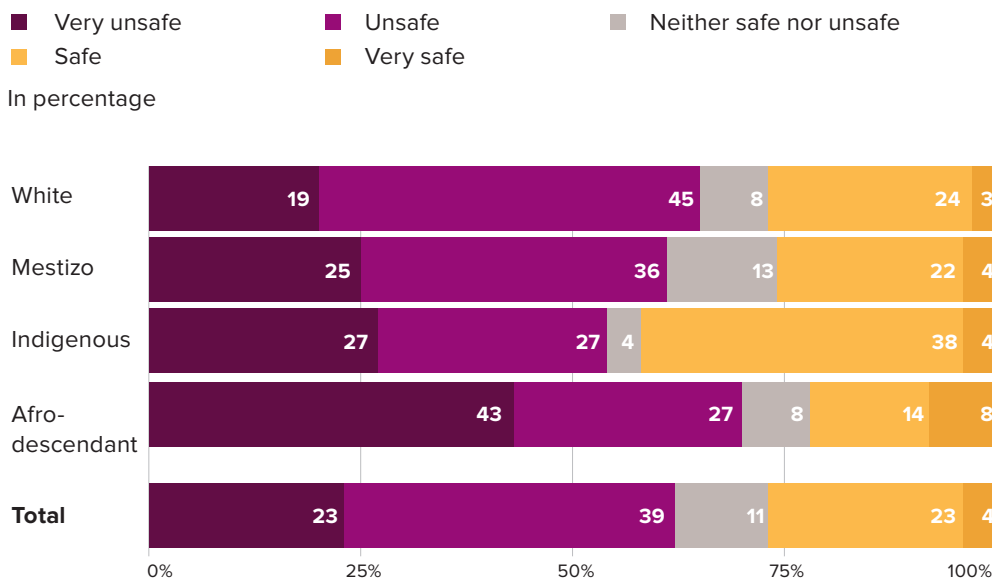
131 UNFPA Venezuela, *Reporte de situación - Periodo: enero a junio 2021. (Situation Report. Period: January to June, 2021)*, p. 4 (available in Spanish).

132 UNFPA, *VBG en contextos de Movilidad Humana. Levantamiento de información cualitativa sobre necesidades en el área de Violencia Basada en Género en contextos de movilidad humana en zonas fronterizas de Venezuela. Estado Bolívar* (GBV in Human Mobility Contexts: Qualitative Information on GBV-related Needs in Human Mobility Contexts Bordering Venezuela. Bolívar State), 2020, pp. 4, 43 (available in Spanish); UNFPA, *VBG en contextos de Movilidad Humana. Levantamiento de información cualitativa sobre necesidades en el área de Violencia Basada en Género en contextos de movilidad humana en zonas fronterizas de Venezuela. Estado Táchira* (GBV in Human Mobility Contexts: Qualitative Information on GBV-related Needs in Human Mobility Contexts Bordering Venezuela. Táchira State), 2020, p. 42 (available in Spanish).

133 OXFAM, *Women's rights are early casualties of war*.

The surveys reveal that an average of 62% of women felt unsafe or very unsafe when travelling, as shown by **graph 3** below. At the same time, it is clear that some specific profiles feel they are at heightened risk, such as afrodescendant women.

Graph 3: How safe did you feel during transit?



“On the journey to Costa Rica, while still in Nicaragua, I was raped; I don’t even know how many men there were, I counted seven and then I stopped counting. I still feel dirty, I can’t get past it, I feel guilty”.

INTERVIEW, NICARAGUAN WOMAN REFUGEE IN COSTA RICA

According to a study conducted by UNFPA in Venezuela, women face sexual abuse and physical violence at checkpoints in border areas.¹³⁴ There are risk factors that increase exposure to GBV against women during displacement, such as travelling alone, without the documentation required to cross borders regularly, transferring through irregular checkpoints, being female heads of household and having few economic resources, and facing stereotypes such as the hypersexualization of their bodies.¹³⁵ Additionally, according to the Inter-American Development Bank (IDB), the scant availability of safe refuges and the absence of protective services, combined with the presence of human trafficking and smuggling networks, exposes women to heightened risks along the migratory route.¹³⁶

By crossing through irregular border points (*trochas*) or isolated areas, they may be victims of theft, sexual violence or forced disappearance. They are exposed to the risk of being captured by human trafficking networks or caught in the violence practised by illegal armed groups, organized crime and drug trafficking structures. Human trafficking cases are made invisible and rarely identified. A study by UN Women in Ecuador indicates that the training of public employees, including border employees, is deficient and is reflected in inappropriate assistance, so beyond the lack of information that is a challenge, women tend not to report incidents of violence because they do not feel welcomed at the institutions.¹³⁷

134 UNFPA Venezuela, *Reporte de situación - Periodo: enero a junio 2021, (Situation Report, Period: January to June, 2021, p. 4* (available in Spanish).

135 HIAS & UN Women, *Diagnóstico: mujeres en Movilidad Humana y la Violencia Basada en Género (Diagnosis: Women on the move and Gender-Based Violence), 2020, p. 36* (available in Spanish).

136 IDB, *Sexual and Gender-based Violence: Road Map for Prevention and Response in Latin America and the Caribbean, 2021, p. 25.*

137 UN Women Ecuador, *Mujeres, violencias y frontera (Women, violence and borders), 2018, p. 30* (available in Spanish).

The interviews conducted with women in Ecuador as part of this assessment revealed that the participants were aware of cases of trafficking in persons. However, women normally do not wish to talk about the subject, and they do not report it. According to the UN Women study mentioned above, the victims are defenceless and unprotected. As it is a transnational offence, it is difficult to implement monitoring, investigation and control measures when the survivors from one country have been captured in other countries.¹³⁸

Figure 9: Types of violence suffered by refugee and displaced women



Starting in March 2020, various borders were closed as a measure to contain the spread of COVID-19, including the borders of Brazil, Chile, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Peru and Venezuela.¹³⁹ The borders between Colombia and Venezuela remained closed until October 2021, leading to a 94% increase in crossing through unofficial border points and therefore an increase in smuggling and the risk of human trafficking, sexual violence, physical insecurity and exposure to criminal and armed groups.¹⁴⁰

According to the respondents, transit time is becoming increasingly dangerous: 42% of women who arrived in their current country five or more years ago felt unsafe or very unsafe when travelling, while the proportion rose to 76% of women who arrived in the second half of 2021. Specifically, in Mexico 44% of women who arrived one to three years ago felt unsafe or very unsafe when travelling, while for those who arrived in the second half of 2021, the figure rose to 89%.

138 UN Women Ecuador, *Mujeres, violencias y frontera (Women, violence and borders)*, 2018, p. 30 (available in Spanish).

139 R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, pp. 69, 89, 107, 132, 151.

140 R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, p. 22.

“When we crossed they stole all our things, they made us strip and they took our money and clothes”.

WOMEN'S FOCUS GROUP, ECUADOR

According to R4V, in 2021 there were two main obstacles exposing Venezuelan refugees and migrants to the risk of trafficking, exploitation, abuse and violence, especially in Colombia, Brazil and Bolivia, due to the existence of organized crime. Firstly, the worsening economic and social crises across the region have left refugees and migrants in extremely vulnerable situations. Secondly, movements have been restricted, limiting access to regular crossing points giving access to asylum procedures or other regularization pathways.¹⁴¹

The OCHA 2021 Humanitarian Needs Overview states that in the case of El Salvador, Honduras and Guatemala women on the move face various forms of GBV, mainly sexual, physical and psychological violence. This situation has been aggravated by factors such as lack of and/or ignorance of the existing services, lack of support networks or documents, or failure to regularize their situation in the country. People on the move face challenges such as trafficking and smuggling, extortion, deprivation of liberty and family separation, particularly those who travel irregularly or lack valid documentation.¹⁴² A 2017 study by Doctors Without Borders revealed that 10.7% of women experienced rape or other forms of direct sexual violence during their transit through Mexico.¹⁴³ As borders were closed and the increased migration control measures were implemented by the authorities, persons in mixed movements faced renewed protection risks from trafficking and smuggling networks.¹⁴⁴ Mexico is identified as a context with high levels of human mobility, with various displacement contexts in a single country, including cases of refugees and migrants to the United States expelled to this country.¹⁴⁵ The high levels of mobility of women in need of international protection is a challenge for the disclosure of GBV and supporting survivors.¹⁴⁶

Of the women who took part in the survey, **36% considered that sexual violence was the main type of GBV they could suffer in transit, followed by psychological violence (31%) and physical violence (13%)**, as shown by **graph 4**. Most of the respondents who selected the option “other” said that women were at risk of suffering all types of violence when travelling, while some said theft and kidnapping.

141 R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, p. 58.

142 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, 2021, p. 30.

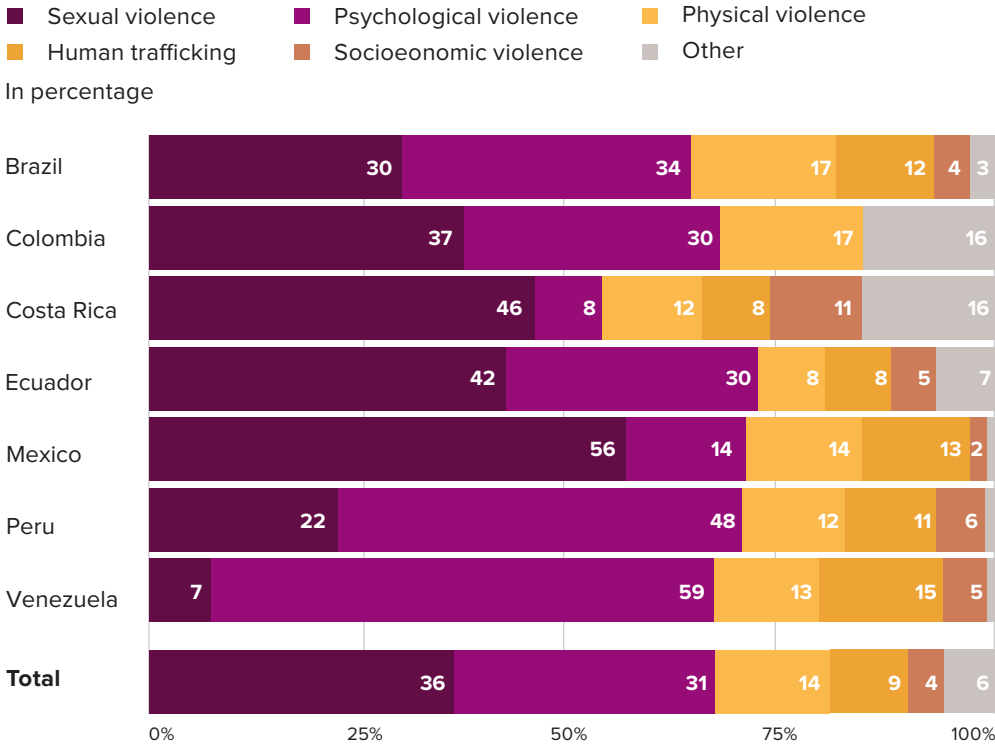
143 MSF, *Forced to flee Central America's Northern Triangle: A Neglected Humanitarian Crisis*, 2017, p. 12.

144 OCHA, *Humanitarian Needs Overview: El Salvador, Guatemala and Honduras*, 2021, p. 30.

145 UN, *UNHCR alarmed over US 'expulsion flights' to southern Mexico*, 2021.

146 UNHCR, Center for Human Rights & Red Regional de Espacios Seguros, *The Silence I Carry*, 2018, p. 11.

Graph 4: In your opinion, which is the main form of gender-based violence that refugee women could face in transit?



In the view of participants the main potential perpetrator during transit were unknown persons (48%), criminal groups or gangs (14%), partner or ex-partner (10%), illegal organized or armed groups (10%), and the police or military (8%), as shown in **graph 5**. Dialogue with women in the focus groups discussions confirmed that transit is a time of heightened risk in the displacement cycle.

“During the journey I met the father of my child. Everything went well until we got to Bogotá; there he told me to start working, that he wasn’t going to keep me. When I told him I was pregnant he hit me and told me he would make me lose the baby. I ran away with my friend and we decided to come to Ecuador. I hope to stay until I give birth, then I’ll go to Peru”

FOCUS GROUP, ECUADOR

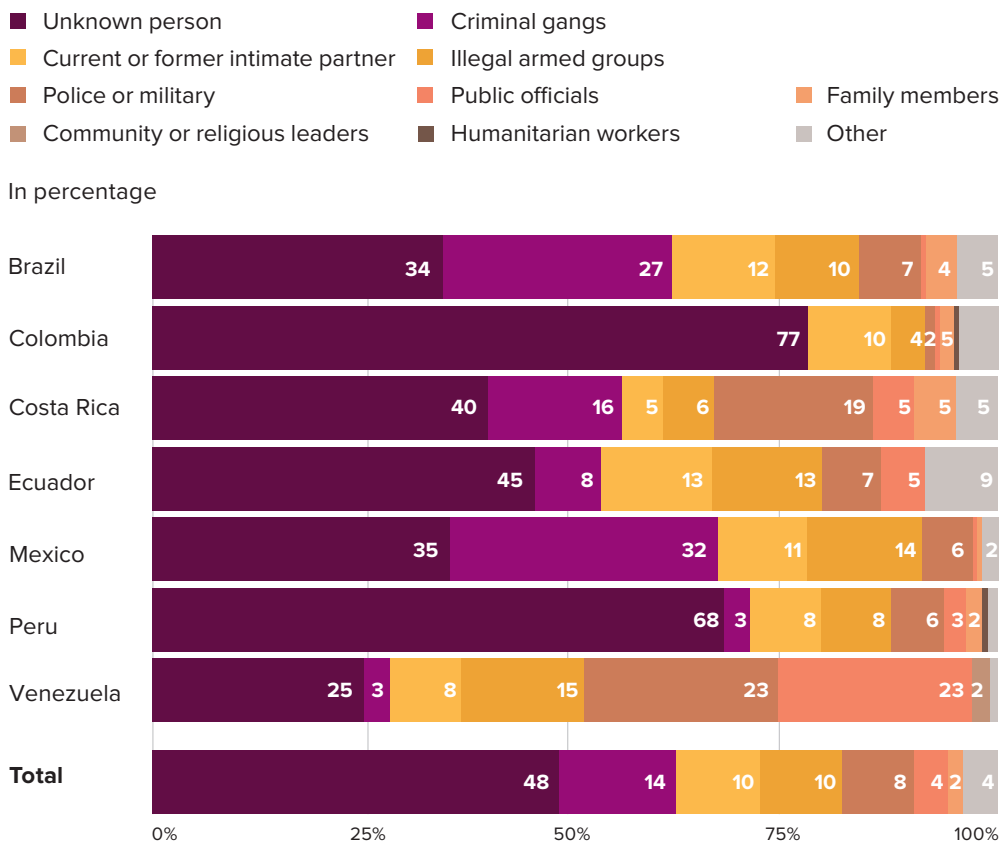
“any trocha is a point where sexual violence in particular is systematic. Many women reported that their bodies were used as part payment to pass the trochas (...) the border is very long, there are drug smuggling routes, both men and women are recruited by force, trafficking networks are operated in association with armed actors who may be dissidents or paramilitary groups, but not necessarily: civilians are also involved”

KII, CAMPAÑA NACIONAL POR EL ABORTO LEGAL, COLOMBIA

“They warned me not to cross through the plantation, people disappear there”.

FOCUS GROUP, HUAQUILLAS, ECUADOR

Graph 5: In your opinion, who could be the main perpetrator of gender-based violence affecting refugee women in transit?



According to the Ombudsman’s Office of Colombia, during displacement to the country transgender women in particular report persecution by the police and migration authorities, and by armed actors. The abuses of authority reported include arbitrary detentions, physical, sexual, psychological and verbal violence, extortion, threats and disproportionate use of force, mainly in contexts of sale or exchange of sex as a survival mechanism.¹⁴⁷ Focus group discussions and interviews in the country indicate that, as a coping mechanism, women try not to travel alone, and they state that often the only thing left is to “close your eyes, pray and not look”. The participants shared diverse incidents of insults, abuse, discrimination, threats and even sexual violence.

“When we passed, the coyote collected us, a man got one of the girls to do oral things (oral sex), because if not, he was going to kill her and a girl (unaccompanied); she had to do it, it was her life, the life of the girl and our lives. She ended up with her self-esteem on the floor, her dignity...if it weren’t for her I wouldn’t be here”.

FOCUS GROUP DISCUSSION, COLOMBIA

147 Ombudsman’s Office of Colombia, *Informe Defensorial: Análisis de género y movilidad humana en frontera* (Ombudsman’s Report: Analysis of Gender and Human Mobility at the Border), 2019, p. 75 (available in Spanish).

Gender-based violence in countries of asylum

Although they feel safer at the destination than in transit, the safety of refugee and displaced women from GBV is not guaranteed in the country of asylum. Surveys reveal that 26% of refugee and displaced women feel unsafe and 9% very unsafe in their host community. As observed in **figure 10**, this feeling of insecurity is more present in certain countries such as Colombia (69%), Brazil (37%), Ecuador (30%) and Mexico (30%). Although it is lower than the number of women who feel safe or very safe (43%), it is still a significant result.

In the host countries, discrimination, xenophobia – mainly towards women with irregular status – and the hypersexualization of the bodies of Venezuelan refugee and migrant women in some countries such as Peru and Ecuador¹⁴⁸ are factors that contribute to normalizing GBV and make it difficult to report such violence.¹⁴⁹ The presence of drug smugglers, paramilitary groups and organized crime also puts forcibly displaced women at risk.¹⁵⁰

Indigenous women participating in the surveys felt safer than average. While 43% of women in general felt safe or very safe in their current communities, this figure rose to 64% among indigenous women. It should be noted that the majority of the indigenous women in the surveys were located in a specific state in Brazil (Amazonas), so these results need to be put into perspective, as they may vary according to the context. To an extent this result is in contradiction with the information obtained in the women's focus groups in another location in the same country (in the state of Roraima), where the respondents shared tales of domestic violence, violence in public spaces and even violence by military personnel in the collective shelters.

In any case, this positive result from the surveys with indigenous women in Brazil is likely due to what community means to these populations and how they have created community wherever they find themselves. This means that indigenous women identified the street as an environment that represents a risk for them, which is shown in locations such as Manaus, capital of the state of Amazonas, where indigenous women rarely leave the collective shelters and barely know the city. When they leave the shelters definitively, they go to places that may have complex safety conditions, placing them at higher risk.



**1 out of
3 women**

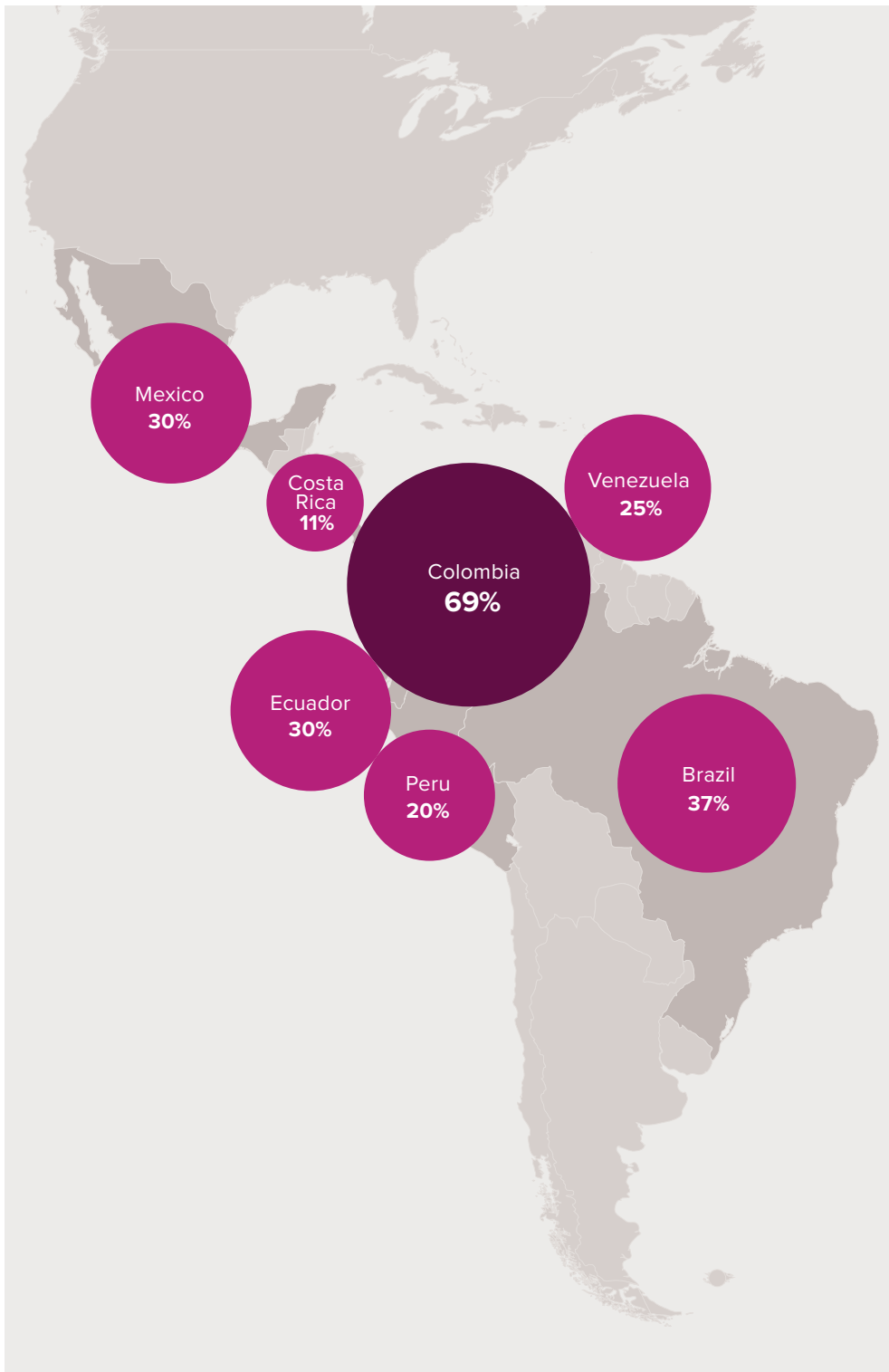
**surveyed does
not feel safe at
the destination**

148 Amnesty International Peru, *Comunicación al comité de protección de los derechos de todos los trabajadores migratorios (Communication to migrant workers' rights protection committee)*, 2022. p. 8 (available in Spanish); HIAS & UN Women, *Diagnóstico sobre las mujeres en movilidad humana y la violencia basada en género (Diagnosis: Women on the move and Gender-Based Violence)*, 2020, p. 21 (available in Spanish).

149 IOM, *Displacement Tracking Matrix (DTM) – Gender-based violence and risk factors for migrant and refugee women from Venezuela during the migration journey*, 2020.

150 BBC, *Por qué América Latina es la región más violenta del mundo (y qué lecciones puede tomar de la historia de Europa) (Why Latin America is the most violent region of the world (and what lessons it can draw from the history of Europe))*, 2019 (available in Spanish).

Figure 10: Women who feel very unsafe or unsafe where they live



Source: UNHCR & HIAS, 2022

According to a study conducted by UNFPA, one in five Venezuelan refugee and migrant women in Brazil who enter the country through the border to the north has suffered sexual violence at least once in their life, in their country of origin, during transit and/or at destination.¹⁵¹ In Colombia, forcibly displaced women are 40% more likely to experience intimate partner violence (IPV) compared to non-displaced women.¹⁵² Of the total number of cases of GBV reported to the Ombudsman's Office, 31% were from the refugee, migrant or asylum-seeking population and, of these, 12% were persons with diverse sexual orientation and gender identity (DSOGI).¹⁵³ Moreover in Colombia in 2020 the percentage of GBV and trafficking in persons incidents involving Venezuelan refugees and migrants increased by 39.7% and 47.6% respectively.¹⁵⁴ In terms of the situation of elderly women, a UNHCR and HelpAge study identified that 20% of refugee or asylum-seeking women in this age group in Colombia said they had suffered the risk of abuse or violence against their psychological or emotional integrity, 10% risk of abuse or violence against their physical integrity and 10% of GBV.¹⁵⁵

In Ecuador, Colombian and Venezuelan women reported that they had been victims of sexual harassment (34%), unwanted fondling (21%), attempted sexual assault (25%), forced sex (15%), violent or armed rape (18%) and sex forced in exchange of money (5%).¹⁵⁶ Two out of three women on the move in the country reported that they had been raped at some point of their lives, a figure well above the national average, where one in ten women has been raped.¹⁵⁷ In Peru, the Ministry of the Woman and Vulnerable Populations stated that in 2020 it had assisted 1,216 GBV survivors among the refugee and migrant population¹⁵⁸ and consultations conducted by the R4V platform identified that 63% of displaced LGBTIQ+ persons reported they had been harassed, mainly in public places.¹⁵⁹

In Mexico the official figures registered 1,418 reports by women on the move between 2016 and 2021,¹⁶⁰ including 41 cases of sexual violence, 17 attempted intentional homicides, 100 of human trafficking and 433 of illicit smuggling of migrants.¹⁶¹

Types of gender-based violence in countries of destination

Data from secondary sources on GBV risks affecting refugee and forcibly displaced women, were confirmed by this assessment. Women surveyed consider that the main

151 UNFPA, *Violência de Gênero, nacionalidade e raça/etnia em duas cidades em Roraima (Gender-based violence, nationality and race/ethnicity in two cities in Roraima)*, 2020a, p. 30 (available in Portuguese).

152 UNHCR, World Bank & UKaid, *Forced displacement and violence against women. A policy brief*, 2021, p. 3.

153 Ombudsman's Office of Colombia, *Situación de las mujeres y personas con Orientación Sexual e Identidad de Género Diversas, refugiadas y migrantes en Colombia (Situation of refugee and migrant women and persons with diverse sexual orientations and gender identities in Colombia)*, 2020, p. 1 (available in Spanish).

154 SIVIGE, *Sistema integrado de información sobre violencias de género (Integrated Information System on Gender Violence)*, 2020b (available in Spanish).

155 UNHCR & Help Age, *A claim to dignity: Ageing on the move*, 2021, p. 356.

156 R4V, *Reinventarse sobre la marcha: mujeres refugiadas y migrantes de Venezuela. Un estudio de sus condiciones y accesos a medios de vida en Colombia, Ecuador y Perú (Reinventing yourself as you go: refugee and migrant women from Venezuela. A study of their conditions and access to livelihoods in Colombia, Ecuador and Peru)*, 2020a, p. 99 (available in Spanish).

157 HIAS & UN Women, *Diagnóstico sobre las mujeres en movilidad humana y la violencia basada en género (Diagnosis: Women on the move and Gender-Based Violence)*, 2020, p. 21 (available in Spanish).

158 Register of cases for 2020 from the Women's Emergency Centres / SISEGC / AURORA National Programme / Ministry of the Women and Vulnerable Populations.

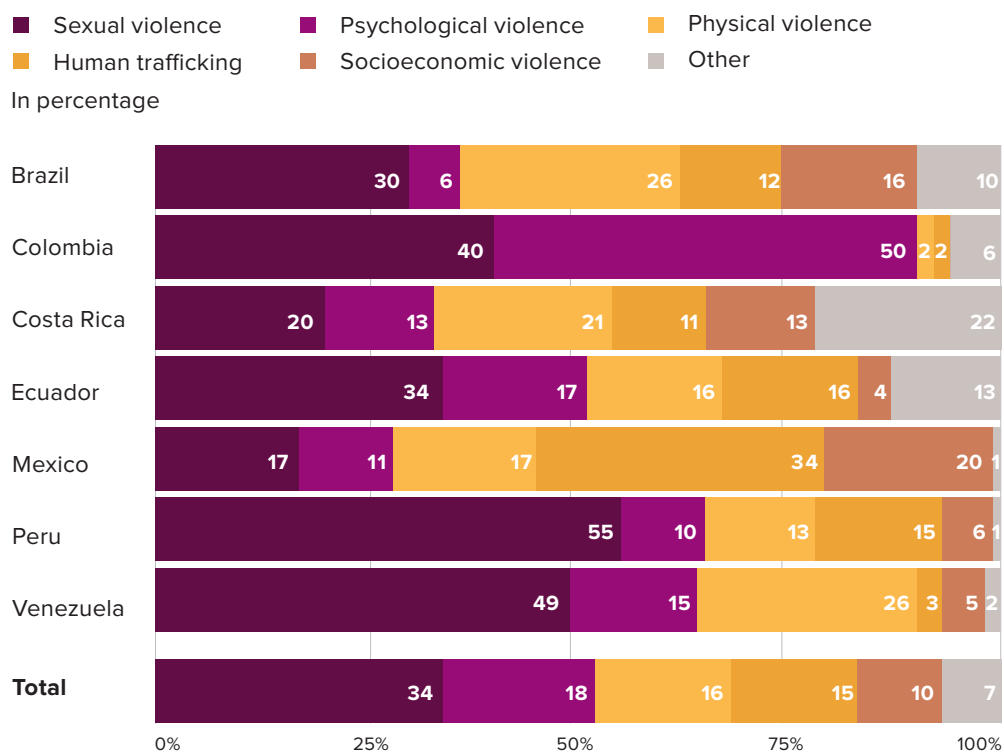
159 R4V, *RMRP 2021 for Refugees and Migrants from Venezuela*, 2021e, p. 166.

160 Until 21 March 2022, the 2021 and 2022 figures were still preliminary.

161 Government of Mexico, *Boletín de estadísticas sobre delitos perpetrados en contra de personas migrantes irregulares en México (Bulletin of statistics on offences perpetrated against irregular migrants in Mexico)*, 2022 (available in Spanish).

type of GBV faced by refugee women in the country of destination is psychological (34%), followed by socioeconomic (18%), physical (16%), sexual (15%) and human trafficking (10%). The other types of violence include femicide, robbery and kidnapping, as shown by **graph 6**.

Graph 6: Which do you believe is the main form of gender-based violence forcibly displaced women could face in your community?



Potential perpetrators of gender-based violence

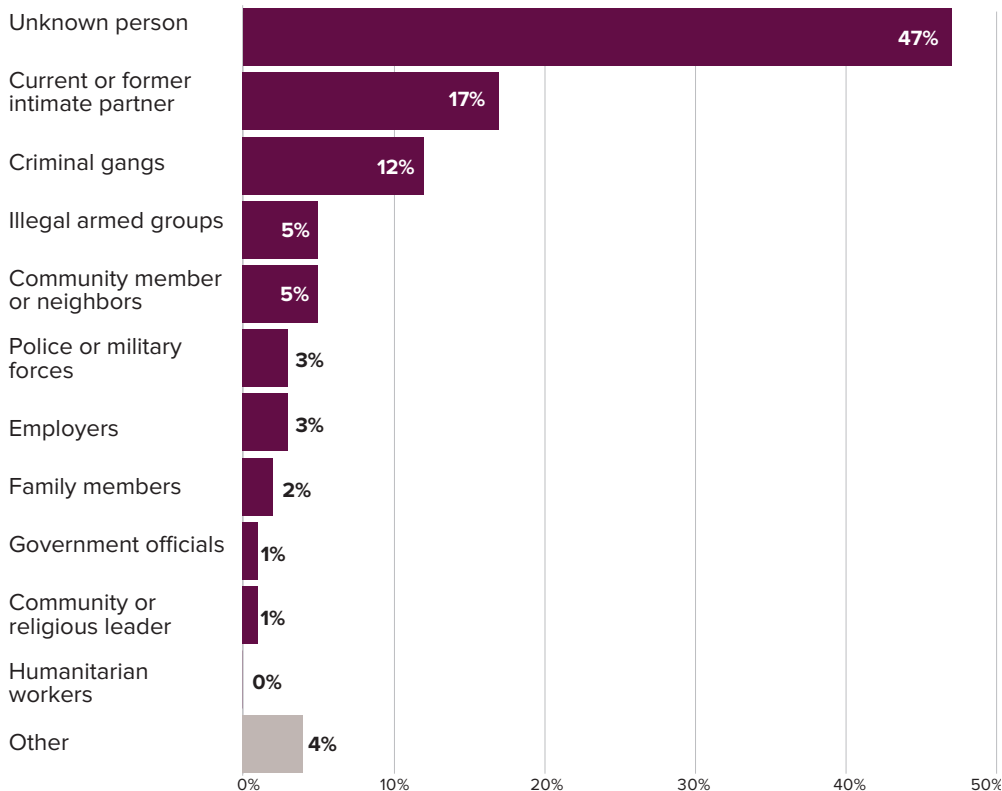
In Brazil, 105,671 cases of violence against women were reported to the police in 2020. Of this figure, 72% corresponded to domestic violence, where the main perpetrator was the partner or ex-partner.¹⁶² In Colombia, 79.4% of cases of GBV against refugee and migrant women from Venezuela in 2020 occurred in the home and 36.6% of the perpetrators were partners or ex-partners.¹⁶³ Despite the fact that various studies¹⁶⁴ show that the main perpetrator tends to be the partner or ex-partner, the majority of refugee women surveyed considered that the main player who may attack refugee women is an unknown person (**graph 7**).

¹⁶² Ministry of Women, Family and Human Rights, *Painel de dados da Ouvidoria Nacional de Direitos Humanos (Data Panel of the National Human Rights Ombudsman's Office)* (available in Portuguese).

¹⁶³ SIVIGE, *Casos de violencia de género atendidos en el sistema de salud reportados al Sistema de Vigilancia en Salud Pública SIVIGILA*, (Cases of gender-based violence handled in the health system reported to the Public Health Vigilance System SIVIGILA), 2020 (available in Spanish).

¹⁶⁴ UN Women, *Facts and Figures: Ending Violence Against Women*, 2022.

Graph 7: Who do you believe could be main perpetrator of gender-based violence against forcibly displaced women in your community?



Following unknown persons, partners or ex-partners (17%) come next as potential assailants in the country of destination or asylum, a fact corroborated by participants in focus groups, who made reference to partner and family conflicts, and at times identified the home as an unsafe place, although some types of violence were recognized by them as justified and “normal”. On various occasions the participants referred to incidents of violence not recognized as such, because they considered that life is “difficult” and sometimes there is no alternative.

While direct queries were not made at any time about incidents of GBV experienced, the space of dialogue and trust with other women facilitated the disclosure of some survivors. In Colombia, cases were reported of refugee or displaced women in intimate partner relationships with national men committing violence against them. They take advantage of the vulnerability of these women, who are extorted, blackmailed and assaulted under a false notion that they have fewer rights because they are foreign.

Although not a dominating factor, it is important to note that 3% of the women identified that the police or military can be the perpetrators of violence and 1% government employees. Four participants also identified humanitarian workers as potential assailants. When violence is perpetrated by those who are supposed to provide support, this a fundamental protection failure.

“I’m still in this situation. My partner is jealous, he wants to lock me up. He doesn’t know I’m here, he doesn’t like it, but I have to go out”.

INTERVIEW WITH
COLOMBIAN WOMAN IN
VENEZUELA

The participants who mentioned other potential perpetrators included clients of women working as street vendors or involved in the sale or exchange of sex as a survival mechanism; or their fellow nationals, mainly in common areas where forcibly displaced persons find themselves or stay temporarily. It is known that illegal armed groups, and drug trafficking and organized crime groups are present in various Latin American countries including the host countries; however, there is a lack of information about the risks these groups represent for refugee and displaced women.

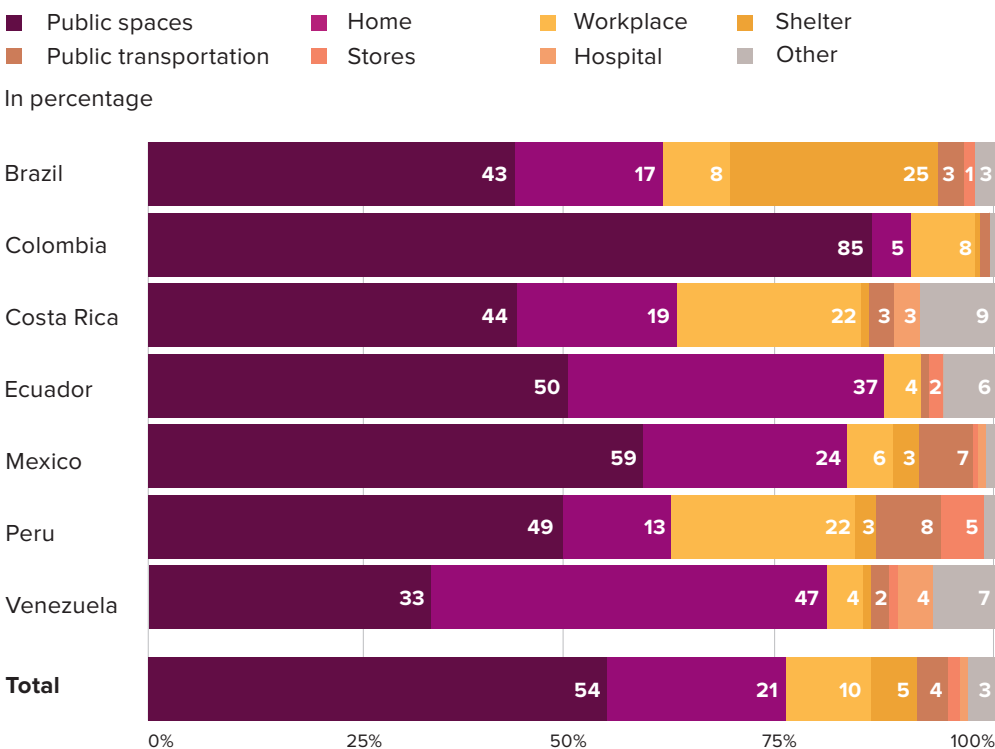
“The migration staff or police are rough and distant. The worst perpetrators, the most feared, are paramilitaries and the police. We hear about their acts of violence and assaults”.

FOCUS GROUP DISCUSSION,
CÚCUTA, COLOMBIA

Higher risk spaces

Just as women consider that the main potential perpetrator is an **unknown person**, the space where they feel most at risk is **public spaces (graph 8)**. The participants feel completely defenceless in the underprivileged communities and districts where they are forced to settle due to their precarious socioeconomic status, and fear the frequent manifestations of xenophobia and harassment they experience on the street on a daily basis.

Graph 8: Where do you believe forcibly displaced women are at higher risk of suffering gender]based violence?



While this fact may differ from other gender-based violence studies,¹⁶⁵ which identify the home as the place where women are most at risk of gender-based violence, the almost unanimous perception of risk in public spaces may be due to domestic violence being naturalized, seen as something “normal”, and part of daily life, mainly in times of crisis and forced displacement. At the same time, the real need to meet basic needs faced by refugee and displaced women drives them to search incessantly for food, housing and work, meaning that they spend a lot of time on the street, more exposed to xenophobia, discrimination and objectification of their bodies, regularly encountering people who take advantage of their vulnerability.

“I often get called “veneca” and that’s already an insult, then they think that all Venezuelan women are prostitutes. In my case we came with a goal, but they are committing a psychological war saying that we are prostitutes, we are useless. We can buy this one with something to eat and drink, she came to sell herself, and that’s not the case”.

FOCUS GROUP, TUMBES, PERU

“When I came from Maracaibo to Maicao (Colombia), I arrived and I didn’t know anyone, I was sleeping in the square. During the day I sold anything I could and at night slept on a cardboard box. You know what? I was abused! It’s something I haven’t been able to get over, three men assaulted me in a park (...)”.

INTERVIEW, VENEZUELAN WOMAN IN COLOMBIA

Participants referred to various incidents where they were insulted and harassed on the street. The conditions making them vulnerable and the need to obtain resources to cover their basic needs are perceived and used by men as a mechanism to suggest sexual transactions. They receive offers for money in exchange for sex or work proposals that implicitly include the request to dress suggestively to attract clients, especially in restaurants and shops. Women involved in the informal economy, especially street vendors, are also exposed to harassment. Generally they feel defenceless and unprotected, and they prefer not to report incidents because it is difficult to prove the offence and/or because these attitudes and practices of discrimination against women and objectification of their bodies have been normalized and naturalized.

The second place of risk identified was their **home**, in line with the fact stated above that partners or ex-partners were identified as the second main perpetrator. Unfortunately, their own home is still a place of risk for many women around the world, and this risk increases in the context of forced displacement due to intrafamily tensions, the change of roles, unemployment, and the conditions of poverty or extreme poverty in which many displaced women live. Women feel “trapped” with their abusers and their options for accessing

“A man always came up to us at the market and gave us his mobile number, some friends warned us that the man offered money in exchange for sex”.

FOCUS GROUP DISCUSSION, TULCÁN, ECUADOR

165 UN Women, *Facts and Figures: Ending Violence Against Women*, 2022.

services or receiving support are reduced because they are far from their locations of origin and they do not have their support and family networks, exacerbated by the restrictions implemented during the pandemic and economic dependency or food, care and housing needs at the destination. Witnesses state that due to their financial dependence on their partners, they decide not to report them, and even bear the violence as a sacrifice to protect their children.

“There was a fight between us at home, that time I got fed up and wanted to defend myself. I was terrified, I was with my mother-in-law, and she said ‘love, he might be my son, but report him (...)’. Next morning, I went with her, we got to the police and I filed the report. As I had bruises, they went to find him and detained him, but then our older daughter had a heart problem and we had to get him out again because she was very attached to him”.

INTERVIEW, COLOMBIAN WOMAN IN VENEZUELA

The **workplace** also appears as a space where refugee and forcibly displaced women are at risk of suffering gender-based violence. The surveys revealed that when women get a job at the destination location, the majority (92%) do so in the informal sector with no employment protection. Their displacement situation and the need to cover immediate needs leads refugee and forcibly displaced women to accept precarious jobs with low pay, normally lower pay than offered to men or local women, even with the risk of being exploited or abused. Women recounted that they worked for hours, without a rest, and when in services like bars, restaurants or shops, in many cases they were coerced or even forced to use their bodies to attract clients.

“I clean houses per the hour, but you should see how they treat us: a while ago I cleaned for twelve hours in a row in a large house, I had to wash pots and dishes from a party, clean windows, fold clothes and lots of other things, I didn’t ask how much they were going to pay me, because I was embarrassed, when I finished (...) I got two thousand colones (USD 3)”.

FOCUS GROUP DISCUSSION, COSTA RICA

This was corroborated by studies such as the one carried out by CARE in Colombia, Ecuador, Peru and Venezuela, which identified that in the area of work women face situations of harassment, sexual harassment or work offered in exchange for sexual favours.¹⁶⁶ A study in Mexico found that the situation may be even more serious for transgender women, as often the sale and exchange of sex as a survival mechanism is the only employment alternative they have.¹⁶⁷

166 CARE, *An Unequal Emergency: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela*, 2020, p. 19.

167 Coria J. B. & Zúñiga V. T., *Diagnóstico interseccional sobre la situación y necesidades de mujeres, niñas, niños y adolescentes; y personas LGTBTTTI migrantes y sujetas de protección internacional en la Ciudad de México (Intersectional diagnosis on the situation and needs of women, children and adolescents; and LGTBTTTI migrants subject to international protection in Mexico City)*, 2017, CDMX: Mexico City, p. 59 (available in Spanish).

In contexts of forced displacement, **collective accommodation centres** or shelters are set up as a means for protecting the most vulnerable populations on the move. However, if the necessary measures are not taken, these may become spaces with a risk of GBV. Overcrowding exacerbates family tensions, the lack of separation in bathrooms increases the risks of opportunistic attacks, multifamily housing can present a risk of sexual violence, and the inappropriate distribution of food and non-food items can lead people to the sale or exchange of sex as a survival mechanism. In Brazil a significant number of women surveyed lived in temporary collective centres. Against this backdrop, 25% of the participants in Brazil identified risk factors in the shelters that could cause women to be at higher risk of GBV, mainly by their romantic partners.

Underreporting of gender-based violence

While the risks are high, GBV tends to be underreported. Few survivors report it for a variety of reasons, including a feeling of blame and shame, social stigma (even from their families and communities where they live), fear of retaliation, lack of knowledge about the services available, lack of confidence in the authorities, language barriers, fear of being revictimized and limited follow-up to investigation processes. According to CARE, there is a perception among refugee and forcibly displaced women in Colombia, Ecuador, Peru and Venezuela that actors do not provide an adequate service,¹⁶⁸ mainly when women have irregular status, due to the (real or false) fear of detention or deportation.

“They come to a culture they don’t know, and in many cases with irregular status, no papers or documentation, which stops them reporting. They are more exposed to risk, lack of support networks like neighbours, family, local associations, church or state. (...) They are afraid due to the lack of documents, which combines with the lack of information to lead them believe they can’t access protection and assistance. (...) They have no information about what they can and cannot do, the online hotlines, assistance centres and where to seek help. They are afraid of being exposed to risk, they think they can be deported to their countries of origin”.

KII, UN WOMEN, REGIONAL

People with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) tend to suffer a range of other human rights violations, such as economic, social, cultural, health, inequality and discrimination, even within the services that are supposed to support them, including specialist

168 CARE, *An Unequal Emergency: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela*, 2020.

GBV assistance. According to a study conducted by the *Organización Caribe Afirmativo*, in the case of transgender persons,

they disrespect their right to gender identity, denying them opportunities to work, they tell them their documents are false because the document says a name and a gender that in reality is not the person's; they are also denied access to hormone replacement therapy, discriminated in police operations, they refer to them with the wrong pronouns; they are asked for documents with a passport with a name and sex correction, which is almost impossible in Venezuela; they are prevented from accessing exclusive services for men or women as legally recognized in their identification document.¹⁶⁹

Trafficking in persons on the move in Latin America

Trafficking in persons is one of the most profitable criminal industries that exist. The official data on trafficking victims only show a tiny part of the phenomenon, the only visible part, but it is known that it is a growing multimillion business. Buying and selling human beings does not have a high “financial cost” and the risks are much lower than trafficking in drugs or arms.¹⁷⁰ According to the United Nations Office on Drugs and Crime (UNODC) Global Report 2020, of the total number of trafficking victims in Central America and the Caribbean, 39% were women, 40% girls, 13% men and 8% boys, with 81% trafficked for sexual exploitation, 13% for forced labour and 6% for other forms of exploitation. In South America, 69% were women, 5% girls, 25% men and 1% boys, with 64% trafficked for sexual exploitation, 35% for forced labour and 1% for other forms of exploitation.¹⁷¹

The groups recognized as being at heightened risk of human trafficking are women, girls, adolescents, indigenous peoples, persons with disabilities, refugees and migrants, and LGBTIQ+ people. In Ecuador, of the 295 cases of human trafficking, 8% were international trafficking, with 91% women, mainly for sexual exploitation (84%).¹⁷² In Colombia, between January 2014 and June 2018, 375 cases of trafficking were reported, with 74.7% women, 12.8% adolescents and 1.3% persons with diverse sexual orientation and gender identity. During the reporting period 31 were foreign citizens.¹⁷³ Trafficking of Central American women is a problem identified in the State of Chiapas, on the border between Mexico and Guatemala; most of the survivors are women on the move with irregular status from Guatemala, El Salvador, Honduras and Nicaragua.¹⁷⁴

169 Caribe Afirmativo, *Desafiar la incertidumbre. Fragmentos de vida y trayectorias de personas venezolanas LGBT+ en situación de movilidad humana en Colombia* (Challenging uncertainty. Fragments of life and journeys of Venezuelan LGBT+ persons on the move in Colombia) 2021, p. 42 (available in Spanish).

170 UNICEF, *Día Mundial contra la Trata: ¿un negocio rentable?* (World Day against Trafficking in Persons: a profitable business?) (available in Spanish)

171 UNODC, *Global Report on Trafficking in Persons*, 2020a, p. 155-156; 161.

172 HIAS & UN Women, *Diagnóstico sobre las mujeres en movilidad humana y la violencia basada en género* (Diagnosis: Women on the move and Gender-Based Violence), 2020, p. 27 (available in Spanish).

173 Ombudsman's Office of Colombia, *XXVI Informe del Defensor del Pueblo al Congreso de la República* (26th Report of the Ombudsman to the Congress of the Republic), 2019 p. 99 (available in Spanish).

174 UNODC, *Transnational Organized Crime in Central America and the Caribbean* p. 53.

“That’s what happens when we get here, I feel we are worthless here, we are not equal because they are Mexicans [...] a woman sold me [...], she sold me and my girls”.

INTERVIEW, MEXICO

Mental Health and Its relationship with gender-based violence

Mental health is understood as physical, mental and social well-being, not only the absence of illness. Loneliness, fear and defencelessness affect emotional stability. In the interviews women said they had frequently felt “anxious” or “depressed” due to the uncertainty about the future, the ignorance of their travel routes, the lack of means of subsistence, mainly food, housing and transport, and the lack of protection they face during forced displacement. There are testimonies by women who had to sleep on the street or in informal settlements, as well as cases of women forced to resort to various journeys on foot and begging, a practice particularly frequent among indigenous women.

In the countries of destination, women face feelings of anxiety and stress in connection with the immediate needs for safe accommodation, food, livelihoods, health care (physical, mental, sexual and reproductive), aggravated by the COVID-19 pandemic. Mental health problems also become more acute as a consequence of violence, unmet needs and xenophobia, factors that caused greater stress and deterioration of psychological well-being. According to Judith Herman (2015), women who experience sexual violence are at extremely high risk of complex post-traumatic stress disorder, which also causes significant challenges to providing assistance.¹⁷⁵

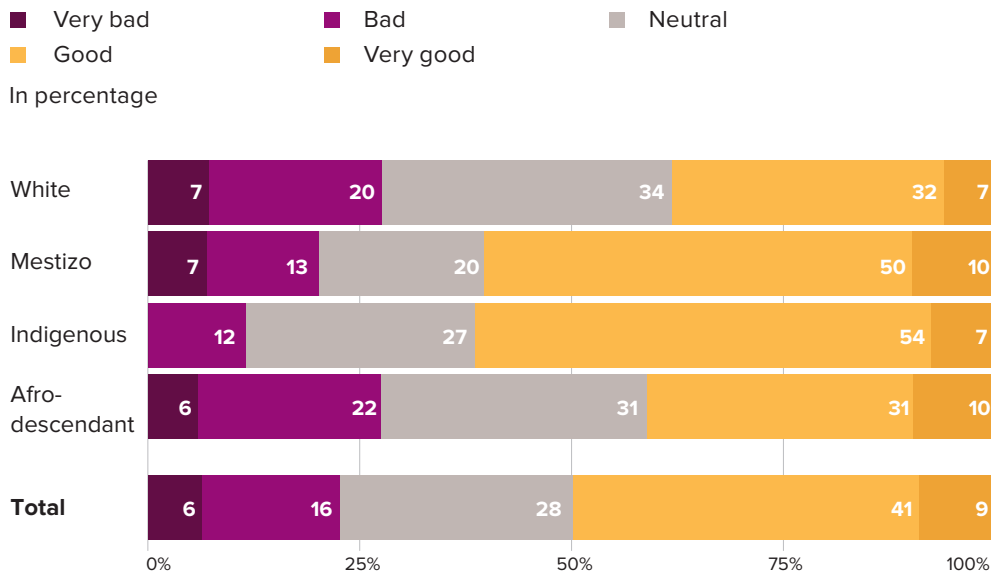
“I can’t get past so much abuse. It’s made me...I’ve been violated, mentally, psychologically, physically. And then that fear. I don’t go out. I say, if I go out I think that I already feel attacked and well maybe I will be, maybe I won’t; but this is something I’m fighting, I’m fighting because I say, well, not knowing if you’re a prisoner in your country to come and be a prisoner in this [country] is a fight, it’s a fight, feeling threatened all the time”.

INTERVIEW, HONDURAN WOMAN IN MEXICO

¹⁷⁵ Herman, Judith, *Trauma and Recovery: the aftermath of violence – From domestic abuse to political terror*, 2015.

As shown by **graph 9**, 25% of women feel bad or very bad currently; however, there is also a lot of resilience as a high percentage say they feel good or very good. It is interesting to note that, among indigenous women, 62% feel good or very good, and among mestizo women 60%, results relatively higher than the average of 50%. For indigenous women, it is important to remember that there may be some difficulties for them to open fully in the surveys for cultural or language barrier reasons.

Graph 9: How do you currently feel?
Perception per self-identified ethnicity



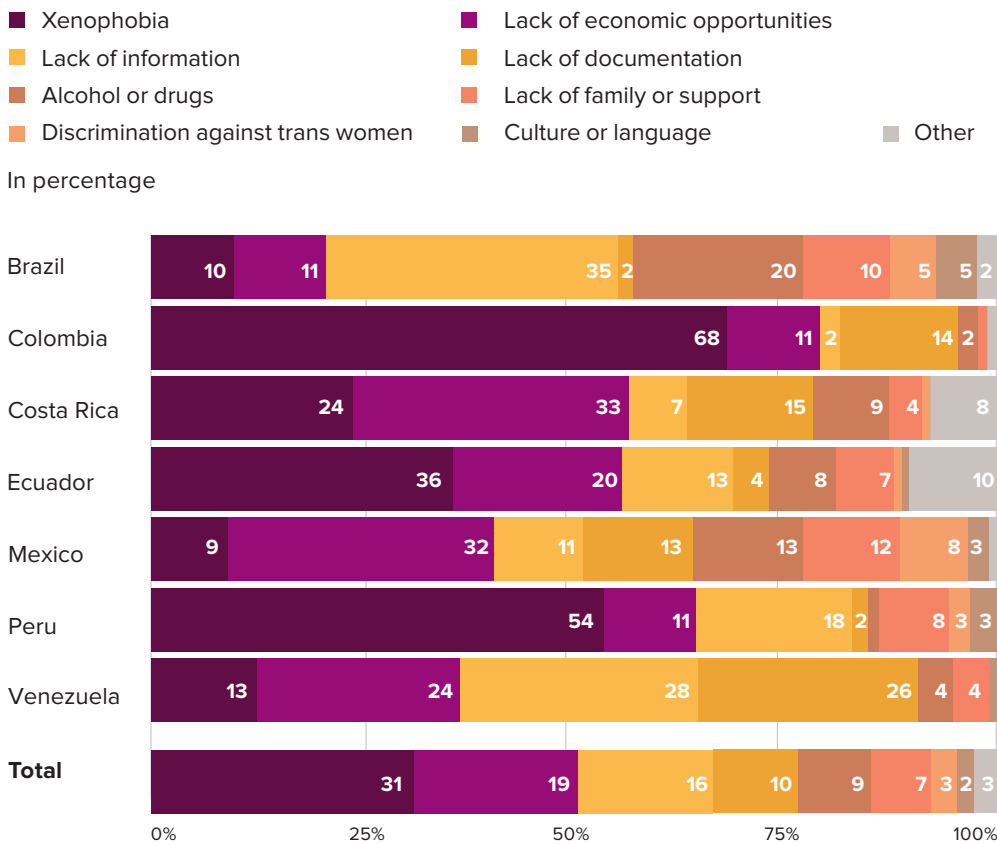
4.3. Factors that expose refugee women to a higher risk of gender-based violence

GBV is deeply rooted in discriminatory beliefs and cultural attitudes that perpetuate gender inequalities. Certain factors such as poverty, lack of education and livelihoods and impunity tend to contribute to and reinforce the culture of gender-based violence and discrimination. While all women may be at risk of gender-based violence in any location, being in a forced displacement context may expose them to greater risk.¹⁷⁶

The assessment identifies a close relationship between the different manifestations of GBV and refugee or migratory status, in addition to other intersectional discrimination factors, such as diverse sexual orientation and gender identity, age, ethnicity, disability, culture and language barriers. Generally, the participants do not have support networks, sufficient economic resources to meet their basic needs, or knowledge of the services available and their rights; they also face a constant fear of being detained and deported. All these factors place them at higher risk and make them more vulnerable to gender-based violence.

To better understand the contributing or risk factors exposing refugee women to GBV, the respondents were asked “In your experience what do you believe is the main factor putting refugee women at risk of gender-based violence?” The respondents perceived the following as the three main risk factors: xenophobia (31%), lack of economic opportunities (19%) and lack of information (16%). The graph below shows the results by country (**graph 10**).

Graph 10: Risk factors for gender-based violence



Xenophobia

Discrimination connected to the nationality of the person, known as xenophobia, is a constant throughout the forced displacement process, from the journey to the host communities, whether temporary or definitive. The accounts demonstrate that for refugee and migrant women from Venezuela the stigmas and discrimination involved make it more difficult for them to obtain a decent job and hinder their search for housing and their access to health and justice services. They are also exposed to the risk of abuse by persons in the host community and sexual and labour exploitation. The Venezuelan participants referred to the main stereotype: the belief that generally they are sex workers.

“There are stereotypes that locals repeat about the work done by Venezuelans, that are generalized to the whole population and are reductionist, meaning that the general population is affected and the doors are closed to them in different spaces. When they are offered work, employers take advantage of the informal nature and pay less for working more”.

FOCUS GROUP, BOGOTÁ, COLOMBIA

In Colombia,



2 out of 3 women

believe that xenophobia is the main risk factor for gender-based violence

Xenophobia has risen in the collective imagination and public opinion of the different countries in the region, often influenced by the media and social media, or by comments made by the authorities, marked by prejudice and stereotypes about people on the move in general, and especially refugee and forcibly displaced women. As a result, 31% of women believe that xenophobia is the factor that most puts them at risk of gender-based violence. In Colombia, xenophobia is seen as an even greater problem, with 68% of participants claiming this, followed by Peru with 54% and Ecuador with 36% (**graph 10**).

Lack of economic opportunities

Forcibly displaced women arrive at the country of destination with an urgent need to find a sustainable livelihoods to cover their basic needs, including food and non-food items and shelter. Many also seek to send remittances to their countries of origin and reunite their family if they have not been able to travel with them. Refugee and forcibly displaced women wish to build a new life in a new country and want to save money, some with the hope of one day returning to their country of origin once the conditions are better and safer, or even moving to other locations with better prospects for integration.

Although generally in Latin America governments offer the same employment rights to nationals and refugees and migrants once regularized, there are few opportunities for forcibly displaced women to find formal employment, and the situation is worse for those with irregular status. It should be noted that close to 40% of the women surveyed had an irregular status, and of those with papers the majority (62%) had temporary status and/or their document was expired (16%). In other words, irregular status appears to be a risk factor hindering access to employment opportunities.

As a result, 19% of the participants believe that the lack of economic opportunities is the factor that most puts them at risk of gender-based violence. In Costa Rica, this figure rises to 33%, in Mexico 32% and in Venezuela 24% (**graph 10**). The testimonies from women who managed to obtain paid work show that employers hire economically vulnerable women who need money urgently so that they can pay them less than national women. Their lack of documentation (irregular status) is also used as a pretext not to recognize the benefits provided under national laws.

The situation for women is even worse because they have no opportunities to generate a livelihood in the short and medium term. Although almost half of the participants (44%) have completed high school and 17% higher or technical education, just over half of the respondents do not work outside the home (53%), and of those who do 92% work in the informal sector. In Brazil (77%), Mexico (70%), Venezuela (63%) and Costa Rica (61%) the percentage of women who do not work outside the home is higher (**graph 11**). Testimonies show that

“I was discriminated for being a foreigner, they made degrading and humiliating comments in public”.

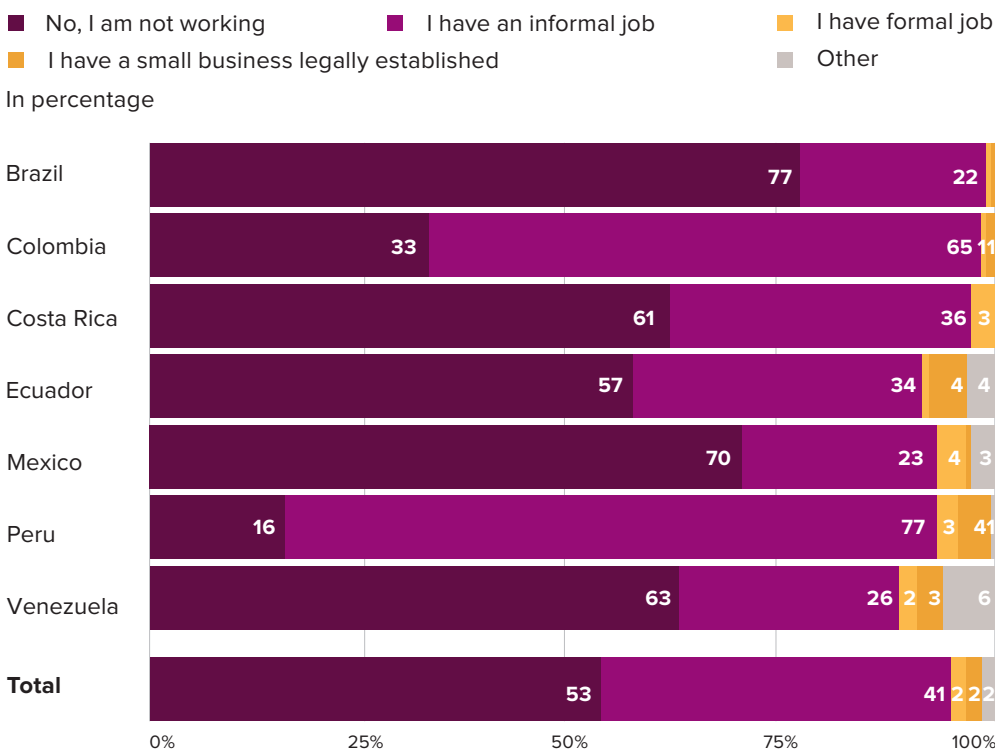
FOCUS GROUP, CALI, COLOMBIA

“They are committing a psychological war by saying that we are prostitutes, we are useless”.

WOMEN'S FOCUS GROUP, TUMBES, PERU

women meet the needs of their households alone or shared with their partner, with the daily income from street trading or poorly paid informal work, and that they divide the little they earn between food, rent, utilities and remittances to their countries.

Graph 11: Are you working outside of your home?



In Costa Rica,



1 out of 3 women

believe the lack of economic opportunities is the main factor that expose them to a higher risk of gender-based violence

Women state that they would like a new opportunity to work in their chosen career; however, they cannot find work in their professional or technical areas, or in line with their previous employment experience, although some refugee women have a high level of formal education. Generally, they do not have their diplomas recognized, and the process for doing this is slow and expensive. As a result, the host community does not benefit from this type of skilled labour and the women cannot find decent work in line with their education.

Women also find fewer opportunities than their male peers due to the sexual division of work and end up with no options, forced to follow the conventional gender norms. They spend most of their time on caring tasks, whether paid or not. When paid, the pay is normally low, less than nationals and without social security protection.

The precarious employment situation means they are often subject to scams or labour and sexual exploitation by employers, and also places them in a situation of dependence that prevents them from breaking the cycle of violence. In general, the lack of employment opportunities is a factor that contributes to exposing refugee women to a higher risk of gender-based violence.

“The first job I had was in a small hotel (...) and it was pretty nice. I even went with my sister, and this man came one day that I had a night shift. ‘Well ok, I will hire you as a receptionist, with the permission of your mum and all papers in order’. This man, when he arrived at night and he was leaving, he tried to kiss me on the mouth, I moved away and then he began to make me suggestive comments.

Poverty, the difficulty in generating livelihoods and the urgent need to obtain money to meet basic needs make women vulnerable, which is exacerbated when children are involved. In the interviews conducted, testimonies were given by women who knew other women forced into the sale or exchange of sex as a survival mechanism to obtain an income to cover their basic needs and the needs of their family.

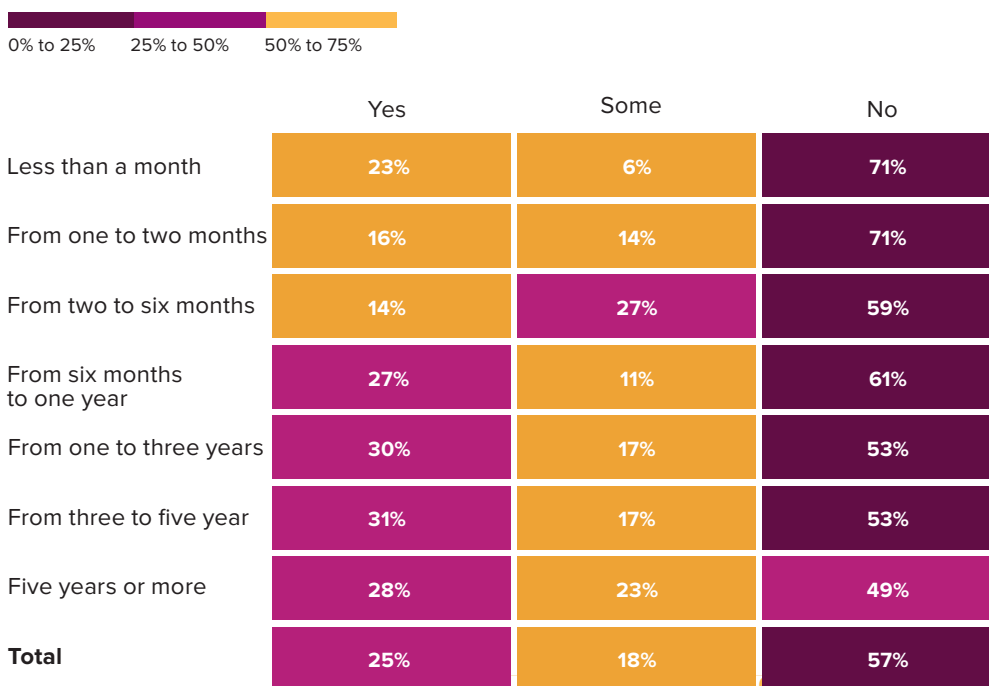
He started to make me uncomfortable, to ask me if I was a virgin, if I had ever been with anyone, if my mum didn’t mind, all sorts of things, and that same night I called my mum and told her to come and get me and my sister came to get me. (...) I went home with my sister (...).”

INTERVIEW, VENEZUELAN WOMAN IN PERU

Lack of information about rights and services available

Over half of the women surveyed (56%) did not know the services available in the community to protect GBV survivors **Graph 12**. While the level of information increased slightly the longer they have stayed in the country, the level of disinformation remained high even among participants who had been in the country for five or more years (48%).

Graph 12: Awareness about GBV services compared to time of arrival at destination



Some intersectional discrimination variables may aggravate the situation of a lack of information, including education level and language. In Costa Rica, women with a low education level face greater obstacles to knowing their rights and responsibilities and accessing channels or means for reporting and protection. In Brazil, the language imposes an additional barrier for refugee and migrant women from Venezuela, mainly for indigenous women. This leads to more difficulties for survivors in accessing services and also increases the risks of falling for scam proposals.

While digital communication channels, whether WhatsApp or Facebook, may make it easier to provide information about the existence of services in communities where forcibly displaced women are concentrated, in some areas the low connection quality can be a challenge, and false information can create more risks and vulnerability.

Use of informal routes and lack of documentation

As stated above, two out of five women surveyed did not have documents giving them regular status in the country of destination, and 16% of those with documentation had expired documents. The lack of documentation is identified as another factor contributing to a higher risk of GBV for refugee and displaced women. This is identified as a risk factor for an average of 10% of respondents, but in the case of Venezuela and Costa Rica the figure rises to 26% and 15% respectively (**graph 10**).

The difficulties in entering through official border crossing points with regular status mean that forcibly displaced persons are forced to explore high-risk routes. The route chosen may be one of the factors exposing women on the move to risks such as trafficking in persons and sexual violence.

A lack of legal documentation forces women to join the informal economy, accept precarious jobs and, in extreme cases, be exploited for sexual or labour purposes. It is harder for them to seek for assistance in case of suffering gender-based violence because they fear that by reporting they may, at minimum, be rejected from the service, or even detained or deported. Women with irregular status may also face difficulties accessing health care, social services, legal assistance and economic support to cover urgent housing and food needs. In some countries such as Peru documentation and regularization processes are expensive and many refugee and forcibly displaced women do not have the means to cover these costs.

“We didn’t have enough documents, because the authorities take a very long time and charge a lot to give these papers when you need them”.

WOMEN’S FOCUS GROUP, LIMA, PERU

In Brazil,



**1 out of
3 women**

**believe that lack
of information is
the main risk factor
for gender-based
violence**

Consumption of alcohol and other drugs by assailants

According to the 2020 UNHCR Brazil participatory assessment, 76% of indigenous persons are aware of an incident of violence in their family or community. The main problems identified include gender-based violence, which increases due to unemployment and increased consumption of alcohol and other drugs.¹⁷⁷ In the specific context of collective shelters for indigenous women in Brazil, another UNHCR study on the Warao makes reference to an increased use of alcohol in the daily routine of Warao families since the beginning of the COVID-19 pandemic, along with cases of gender-based violence.¹⁷⁸

“There are some Warao, when they drink a bit, they go crazy and bad things happen. When they drink, things don’t stay quiet in the shelter”.

FOCUS GROUP, INDIGENOUS WOMEN, AMAZONAS, BRAZIL

As a result, **graph 13** shows that 48% of indigenous women consider that the use of alcohol or other drugs by abusers is the main contributing factor exposing them to a higher risk of gender-based violence. This result is significantly higher than in other groups of women.

“Sometimes fear is when people start drinking alcohol and things turn violent”.

FOCUS GROUP WITH INDIGENOUS WOMEN, RORAIMA, BRAZIL

Lack of family or support networks

Family networks or positive community connections can be protective factors against gender-based violence, while weak or absent connections can increase the risks for forcibly displaced women. Women are at higher risk of exploitation and sexual abuse when they have no family, friends or contacts to provide connections, important information or help to find sources of income or livelihoods, or to find shelter, food or support for childcare.

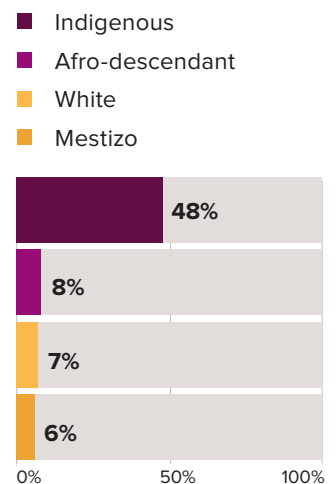
“I want to go back to Colombia now, I’m not doing well here. I want to go with my children, here I feel very alone because my family is back there, I need my family. I have had too many problems with my partner, too many fights with him, he’s Venezuelan (I’m Colombian). Here there is no training for anyone, I’m just a housewife because my partner doesn’t let me work, I used to maintain myself. Venezuela hasn’t given me any opportunities; I don’t even have friends here”.

INTERVIEW, COLOMBIAN WOMAN IN VENEZUELA

Graph 13: Alcohol & drugs consumption as risk factor per self-identified ethnic group

50%
of indigenous women

believe the consumption of alcohol and drugs is the main risk factor that expose them to gender-based violence



177 UNHCR, *Vozes das Pessoas Refugiadas (Refugee Voices)*, 2020e, p. 16 (available in Portuguese).

178 UNHCR, *Os Warao no Brasil. Contribuições da antropologia para a proteção de indígenas refugiados e migrantes (The Warao in Brazil. Anthropological contributions for the protection of refugee and migrant indigenous women)*, 2021d, p. 42 (available in Portuguese and Spanish).

Culture and language differences

When refugee and forcibly displaced women are in countries where the language is not the same as theirs, in practice the language barriers may affect effective access to information, services and assistance, as happens with other foreigners who do not speak the language. The more different the country's language is from their own, the greater the communication challenges, as happens with indigenous women.

There are also specific cultural features that should be taken into consideration when designing responses to guarantee that people receive the services and assistance they require. In Brazil, in situations of gender-based violence the Warao, Eñepa and Pémon indigenous communities prefer to seek support from a person they trust in their communities or tribal leaders, instead of seeking specialist assistance from government employees they do not know or with whom they cannot communicate.

“It becomes difficult, some don’t understand Portuguese. There are Warao who don’t understand Spanish, and it gets more difficult with Portuguese. There are also Venezuelans who don’t understand Portuguese. How do I report and seek for assistance if I don’t understand anything? It’s hard”.

FOCUS GROUP DISCUSSION, AMAZONAS, BRAZIL

“I had an experience with my niece in Pacaraima, her partner was physically and verbally abusing her. I talked to her about reporting it and she wouldn’t go, she was afraid. She often kept quiet because of fear”.

FOCUS GROUP DISCUSSION,
AMAZONAS, BRAZIL

Unequal gender relations and naturalization of violence

As identified in the focus groups discussions and in-depth interviews, in some cases women have naturalized the risks of the gender-based violence they face during the forced displacement cycle, and consider its manifestations as a “normal” part of their experience of being forced to leave their countries of origin. In view of the risky situation in which many women find themselves, there is an urgent focus on covering basic survival needs and finding ways to generate an income; they try to ignore how gender-based violence impacts their lives. They feel guilty or prefer to avoid third parties becoming involved, which often means remaining silent or avoiding seeking out the services available, making it difficult to break the cycle of violence.

Interviews with women showed that the various manifestations of gender-based violence are naturalized, justified, and made invisible. Central American women consulted in Mexico and Costa Rica stated in their accounts that violence is normalized as a way of surviving and that they do not tend to report the incidents unless they reach more serious levels that endanger their life.

The experience of forced displacement can subtly transform traditional and stereotyped visions of gender roles. In Ecuador, men began to take on greater responsibilities in caring for their children, as women were out of home. However, women continued to spend a large amount of their time preparing food, cleaning and carrying out other household tasks.

This change of roles often causes conflict and can be a trigger for physical, psychological and patrimonial violence against women. Some refugee and displaced women believe they had been judged by their own families and communities as they did not play the expected role of caring for their children, the elderly and those with disabilities and medical conditions.

Men interviewed understood that “*machismo*” (patriarchal harmful norms) is the main cause of violence against women. At the same time, they reflected about their own personal experience and life story and realized the link between this violence and how were brought up and abused as children.

“They should be ashamed that all the neighbours were listening to the fights, that is also associated with handling conflict in a macho society, where a man is in charge, any time where he feels his authority has been challenged he is ‘allowed’ to react with the violence necessary to reassert his supposed authority”.

MEN'S FOCUS GROUP, BARRANQUILLA, COLOMBIA

Hypersexualization

The stereotyped vision of refugee women and women on the move, especially Venezuelan women, that they lead on and sexually tease the national men in the countries they go to, corresponds to the stereotypes built up in the context of the recent human mobility phenomenon. These stereotypes hypersexualize women, making them vulnerable to being eroticized and considered the subject of sexual trading.

Hypersexualization is seen in public spaces, at work and by persons who are supposed to provide assistance. At the same time, women have been able to put into practice defence or self-protection strategies, from changing how they dress or speak, to rejecting or directly confronting the assailant.

“My main problem when I arrived is I felt sexualized even though I was a child. Sexualized due to my body, how I dress, the clothes I wear. Because I use affectionate words to communicate with people. As if I was always available to have sex. I have to stop wearing makeup, stop dressing as I want, to not feel harassed in the street”.

INTERVIEW, VENEZUELAN WOMAN IN PERU

“He grows up with this violence since childhood, from his home, growing with a family, he already has this resentment, and so he makes her pay”.

MEN'S FOCUS GROUP, PERU

“We are not in our country, so we are discriminated against more; it is harder to earn respect because people see us as foreigners and all the time act as though we were whores or husband-stealers”.

WOMEN'S FOCUS GROUP DISCUSSION, RORAIMA, BRAZIL

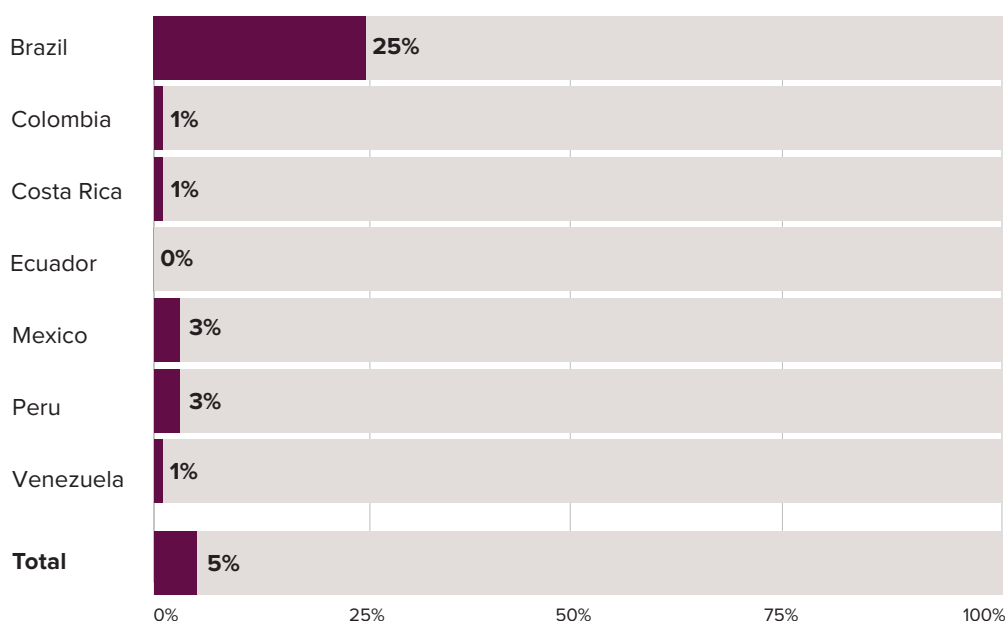
Housing conditions

Informal work and the difficulty in accessing income opportunities lead to unstable and often precarious housing options, and women moving from one place to another seeking cheaper rents and ideally (if the financial conditions so allow) safer or more comfortable places or being closer to their support networks. Renting a house is one of the most common problems for refugee families and those on the move when settling in a location; in the initial stages of the pandemic, several women reported evictions and difficulties finding a place to live because of their nationality. In Peru, they stated that if they looked for accommodation in areas further from city centres, rent was cheaper. However, these areas tend to be less safe and with lower institutional presence.

In focus groups discussions held in Colombia, several women said they lived in overcrowded conditions and had to share a room with four or five people and a house or apartment with over ten people. While sharing housing can help build support networks, mainly it represents a risk. The women participants reported risks associated with physical, verbal, psychological and financial violence.

Collective shelters represent a positive temporary housing response for the forcibly displaced population and are extremely useful to alleviate the housing problem and situation of extreme vulnerability they often face during transit or on arrival in the country of destination. However, according to the perception of the participants, specific risk factors present in the shelters can cause an increased number of GBV incidents. In some cases, there are spaces hosting over 1,000 people, with high levels of overcrowding, tensions between the people living there and limited privacy.

Graph 14: Shelters as a space of risk per country



**In Brazil,
25%
of women
believe they
are at risk at
the shelters**

“(The main risk factor for gender-based violence is) overcrowding, overpopulation. There is a gap in the response, there is not sufficient emergency housing. Despite the good intentions of shelter managers, in many cases management does not guarantee minimum protection standards. The same concern of not leaving people sleeping in the street means more people than should be invited to stay the night, with many people sleeping in a single, overcrowded room. (Another risk fact is the lack of) access to segregated bathrooms, the lack of sufficient and safe bathrooms”.

KII, UNHCR, REGIONAL

Low level of schooling

In Costa Rica the study focused on Nicaraguan women with low schooling levels. There were various reasons for not attending formal education processes, some linked to the traditional culture of dividing gender roles: as stated by the participants “men go to school because they have to support their family”, while women “stay at home helping”. Others are related with the precarious economic situation of families, pushing them to leave school early to join the job market. They also stated they did not attend school due to family problems, such as having to first look after siblings and then their children.

As the majority had a low schooling level, they faced greater obstacles in finding out their rights and accessing services for their protection and their children.

“I reported him so this man wouldn’t touch any other girl again. I’m now very afraid to go out and work, when I have nothing to eat I go to the city centre and I ask people to give me something to feed them, that’s how I survive. With the help UNHCR gave me I paid the rent and I bought medication for my epilepsy, because I can’t read so I don’t know if I have insurance or not; I’m afraid to go to the hospital without knowing and being humiliated”.

INTERVIEW, NICARAGUAN WOMAN IN COSTA RICA

4.4. Gender-based violence against refugee women and intersectional discrimination

The study findings identify that the risk of gender-based violence rises when the situation of forced displacement is connected to other intersectional discrimination variables. The accounts from women participants clearly showed the intersectionality of variables such as gender identity and sexual orientation, age, ethnicity and nationality, with other factors like being a woman with disabilities, travelling alone or with dependent children, being pregnant or nursing.

Afrodescendant refugee women

Intersectional discrimination and the risk of gender-based violence is obvious when the situation of forced displacement is linked with the systemic racism present in Latin America, especially experienced by Haitian women. In addition to being discriminated against for being refugees or displaced, they also suffer discrimination due to the colour of their skin. According to accounts from Haitian women this double discrimination is perpetuated by the transit and host communities, and by institutional and governmental actors. This causes fear and frustration and increases the challenges to their socioeconomic integration and access to protection services, resulting in conditions of extreme poverty, without health care, work, food or shelter. As a result, according to the survey results, while in general 62% of women felt unsafe or very unsafe when travelling, the level reached 71% among afrodescendants.

“I have María to run around as a prostitute’, these were comments, that’s what I put up with. (...) My hair is funny, it’s afro, that’s another thing: the partners I have had all my life have criticized my hair and I like my hair like that, so if I’m going to have a partner and he’s going to say ‘she has this’, ‘she is pretty’, ‘she’s a tease’, ‘whatever’, why am I listening to these things?, no, I can’t be listening to abuse from this person, things that hurt me”.

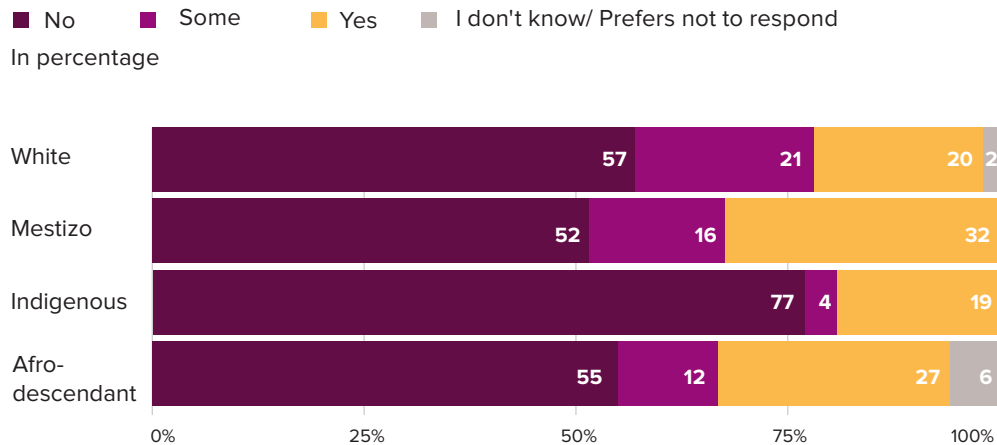
IN-DEPTH INTERVIEW, COLOMBIAN WOMAN IN VENEZUELA

Indigenous refugee women

Indigenous women perceive a high level of discrimination and stigmatization due to their cultural practices. There are also language limitations, which can lead to higher risks of GBV, revictimization and impunity from the justice institutions. Participants identified cases of xenophobia in the community, labour exploitation and discrimination in services. They also referred to the lack of information available in

their language and through culturally sensitive channels. As shown in **graph 15**, there is a clear difference between indigenous women and other groups in the level of knowledge about existing services. While 55% of surveyed refugee women did not know the services available, this figure was 77% among indigenous women.

Graph 15: Awareness about GBV services per self-identified ethnic group



“When they are on the move the knowledge is much lower, and there are also language barriers in the case of women who go to Brazil or indigenous women who move (...), it may be a limitation on indigenous women specifically. (...) Women who belong to indigenous communities not only have linguistic barriers, but barriers also to do with access to education. Many of them can’t read or write, and when they can, they can probably do it in their language of origin. So this is also a barrier to accessing information materials and inserting themselves into the protection systems that may be offered by the host countries”.

KII, UNAIDS, REGIONAL

Refugee women with diverse sexual orientation, gender expression and sex characteristics

In a region with a high level of homophobia and transphobia, refugee women with diverse sexual orientations, gender expression and sex characteristics, especially transgender women, are potentially at heightened risk of GBV. All the LGBTIQ+ women participating in the survey felt unsafe or very unsafe when travelling, and three out of four felt that way at the destination.

Violence accompanies them during transit – including rape, sale or exchange of sex as a survival mechanism, sexual exploitation and human trafficking – and continues at the destination, with recurring cases of physical and psychological violence, rape, sexual assaults and discrimination. Voluntary or forced involvement in sex work also exposes them to additional risk factors in the country of destination, such as trafficking for sexual exploitation and physical and emotional violence by persons seeking their services. They mention a wide range of difficulties when seeking decent employment opportunities; other than the sale or exchange of sex as a survival mechanism, street vending or hairdressing and beauty services are the few options available to them to earn a livelihood. They also face limitations in accessing services and discrimination and are even the target of hate crimes. They refer to being denied services as their identity document does not represent their biological sex.

Refugee women with disabilities

A research by UNHCR and RIADIS in 2021 revealed that one of the most frequent risks and threats to persons with disabilities is gender-based violence, specifically sexual violence, abuse, labour and sexual exploitation and trafficking. 2% of the participants in this study revealed they had suffered from gender-based violence during the journey.¹⁷⁹

The interviews with key informants and women's focus groups revealed that this population faced additional limitations on exercising rights and accessing the services they needed. They also have limited possibilities of being hired in decent formal employment, which generally results in them working informal jobs that can expose them to the risk of GBV.

Refugee women who travel alone or with children

Reunification with their partners already at the destination is one of the main reasons women travel alone with their children. In addition to seeking safety, another reason given was earning a livelihood and having opportunities to guarantee food, education and health for their children. In the majority of these cases, women had sole responsibility for their care. The majority of women travelling alone with their children felt unsafe or very unsafe during transit (65%).

Testimonies from the participants showed that families do not have sufficient economic resources to cover food, shelter and transport needs, and in situations of violence such as robbery and assault they are completely defenceless. 58% of women travelling alone did not know the services available at the destination. Women who travel completely alone need to seek support from strangers, who may attempt to take advantage of the situation making them vulnerable.

“Life is still hard here: I am a person without studies, I also suffer from epilepsy and I have three children with me. A year ago I got a job and to be able to do it I left the children with the women who rented to me to look after them for a few hours, but the husband tried to rape my five year old daughter. The woman even offered me 100,000 colones (USD 156) to keep quiet and not report him. I don't live there anymore, I still reported him so this man wouldn't touch any other girl again”.

INTERVIEW, NICARAGUAN
WOMAN IN COSTA RICA

179 UNHCR & RIADIS, *Disability and Human Mobility Report*, 2021, pp. 58, 59, 114 (country reports only available on the Spanish version [here](#), see pp. 174, 188).

4.5. Legal frameworks and response services in the countries of asylum

In recent decades the countries of Latin America have developed regulatory and public policy frameworks for gender-based violence prevention and response. In Costa Rica, over 20 laws have been approved in key areas on violence against women, the main ones being Law No. 7586 against Domestic Violence, of 1996,¹⁸⁰ and Law No. 8589,¹⁸¹ on Penalties for Violence against Women, of 2007, that penalizes physical, psychological and sexual forms of violence. Also in Costa Rica, a person can be recognized as a refugee due to “gender” persecution.¹⁸² At the same time, in the Mexican Law on Refugees, Complementary Protection and Political Asylum, of 2011 (updated in 2014), a sixth ground was defined for recognizing the status of refugee based on the fear of persecution for “gender” reasons, in addition to a wider legislative protection found in the General Law on Women’s Access to a Life Free of Violence (2007) which in article 34 specifies that, to access rights and protection against cases of gender-based violence, no woman can be asked to prove their migration status.¹⁸³

In South America there is also a wide range of laws and public policies on the issue. Brazil has the *Maria da Penha Law*, of 2006,¹⁸⁴ a comprehensive policy for tackling domestic and family violence, and the Femicide Law,¹⁸⁵ of 2015. In Colombia, Law No. 1257 (2008) lays down the foundations for awareness-raising, prevention and penalization of forms of violence and discrimination against women, aimed at ensuring a life without violence for women.¹⁸⁶ At the same time, “gender” is incorporated as grounds for persecution for determining refugee status in the country’s asylum legislation.¹⁸⁷ In Ecuador the Comprehensive Organic Law for Preventing and Eradicating Violence against Women has been in force since 2018.¹⁸⁸ Venezuela has the Organic Law on Women’s Right to a Life Free from Violence, enacted in 2007 and amended twice since: in 2014, to include femicide and incitement to suicide, and in 2021 to include political, electronic, gynaecological, ethnic and cultural violence.¹⁸⁹ Article 5 of the Organic Law on Refugees and Asylum Seekers (LORRAA), enacted in 2001, includes “sex” (understood as gender) as additional grounds for persecution in the procedure to determine refugee status.¹⁹⁰

“When women are vulnerable, in the case of gender-based violence, woman is the one who talks the least, who does not say, I live it and I suffer it, or for many reasons. It is such a personal thing that they don’t know how to express it or who to share it with, they are afraid”.

FOCUS GROUP DISCUSSION,
LIMA, PERU

180 Legislative Assembly of the Republic of Costa Rica, *Ley Contra la Violencia Doméstica (Law on Domestic Violence)*, 1996 (available in Spanish). Amended by *Law No. 8925*, 2011a and *Law No. 9692*, 2019 (both available in Spanish).

181 Legislative Assembly of the Republic of Costa Rica, *Penalización de la Violencia contra las Mujeres (Penalties for Violence against Women)*, 2007 (available in Spanish). Amended by *Law 8929*, 2011 (available in Spanish).

182 Legislative Assembly of the Republic of Costa Rica, *Ley de Migración y Extranjería (Migration and Foreign Nationals Law)*, 2009, p. 38 (available in Spanish).

183 UNHCR, Center for Human Rights, Gender and Migration & Human Rights Center, *Intimate Partner Violence and asylum in the Americas*, 2018-2019, p. 27.

184 Presidency of the Republic of Brazil, *Lei Maria da Penha (Maria da Penha Law)*, 2006 (available in Portuguese).

185 Presidency of the Republic of Brazil, *Lei do Femicídio (Femicide Law)*, 2015 (available in Portuguese).

186 Ministry of Justice of Colombia, *Violencia de Género (Gender-Based Violence)* (available in Spanish).

187 UNHCR, *Age, Gender and Diversity Best Practice Compilation*, p. 3.

188 National Assembly of the Republic of Ecuador, *Ley Orgánica Integral para Prevenir y Erradicar la Violencia contra las Mujeres (Comprehensive Organic Law for Preventing and Eradicating Violence against Women)*, 2018 (available in Spanish).

189 General Assembly of the Bolivarian Republic of Venezuela, *Ley Orgánica sobre el Derecho de las mujeres a una vida sin violencia (Organic Law on Women’s Right to a Life Free from Violence)*, 2007 (available in Spanish).

190 General Assembly of the Bolivarian Republic of Venezuela, 2001, *Ley Orgánica sobre Refugiados o Refugiadas y Asilados o Asiladas (Organic Law on Refugees and Asylum Seekers)*, 2001 (available in Spanish).

While the regulatory and public policy frameworks protect refugee women who are survivors of gender-based violence, there are still limitations to establishing accessible and inclusive services and prevention programmes that address the structural causes of GBV. The institutional capacity to address the extent of the issue is limited; various key informants consulted made reference to specialist service teams needing technical reinforcement and improved awareness. In some cases, the forcibly displaced population is seen as a “threat” to the safety of society, making them an undesired population and leading to various forms of violence.¹⁹¹

“My husband and his mother threw me out of the house; when I said I was going to report him he threatened he wouldn’t let me see my children. A friend told me to report it to the prosecutor, when I went they didn’t help me because I didn’t have documents, at the council they gave me a form but they couldn’t do anything for my children. A woman advised me to go to the Montecristi council because they handled cases of Venezuelan women and children. I spent a week coming and going, as I had no money for the travel, I walked three hours a day”.

INTERVIEW, VENEZUELAN WOMAN IN ECUADOR

“Yes, they assist you, but it doesn’t move forward, and if it does it’s because of [makes money sign with fingers]. Not so much not to arrest him, but if they catch him they ask for so much to let him go, and if it moves forward it’s because of money”.

FOCUS GROUP DISCUSSION,
TÁCHIRA, VENEZUELA

According to a UNFPA research, around 45% of GBV survivors in Brazil do not seek assistance due to fear of retaliation and lack of confidence in the institutions. Among the refugee population this figure rises to 89.2%.¹⁹² In Venezuela, public institutions lack resources and staff due to the political and economic crisis, and resources are even more limited for refugee women survivors. In Colombia, temporary housing and psychosocial support for women GBV survivors are not available to refugees and migrants.¹⁹³ In Peru the legislation makes no reference to access to health care for asylum seekers, although there are stories of women who have had access – not without challenges – once they obtained the provisional asylum seeker document.¹⁹⁴

To complement the response of the existing governmental structures providing specialist assistance to GBV survivors, civil society organizations and United Nations agencies also provide services to forcibly displaced persons in various contexts. They seek to complement the assistance and support system provided by the public institutions and build their capacity to provide inclusive assistance for the specific needs of refugee and displaced women. Even so, as part of the humanitarian response, in 2021 the total investment for GBV prevention and response for forcibly displaced women was 189.7 million dollars, just 1.09% of

191 Centro PRODH, *Criminalización de mujeres migrantes. Análisis de seis casos en la frontera sur (Criminalization of migrant women. Analysis of six cases on the southern border)*, 2017, p. 53 (available in Spanish).

192 UNFPA, *Violência de Gênero, nacionalidade e raça/etnia em duas cidades em Roraima (Gender-based violence, nationality and race/ethnicity in two cities in Roraima)*, 2020a (available in Portuguese).

193 Ombudsman’s Office of Colombia, *Situación de las mujeres y personas con Orientación Sexual e Identidad de Género Diversas, refugiadas y migrantes en Colombia (Situation of refugee and migrant women and persons with diverse sexual orientations and gender identities in Colombia)*, 2020, p. 5 (available in Spanish).

194 UNHCR, Center for Human Rights, Gender and Migration & Human Rights Center, *Intimate Partner Violence and asylum in the Americas*, 2018-2019, p. 19.

the total humanitarian budget. A further challenge was identified in the fact that local organizations and women's movements were not given priority for joining the humanitarian response, despite usually being the closest to the needs of refugee women.¹⁹⁵

Special assistance for GBV survivors should be a matter of public policy; however, persons consulted refer to the fact that assistance for women on the move is perceived by various government stakeholders, communities and displaced persons themselves as the responsibility of humanitarian actors and cooperation organizations, and not necessarily as an obligation of States. This perception may lead to the risk that refugee women are excluded from the existing government services, as apparently their needs are already being covered by humanitarian actors. Testimonies in Ecuador state that women on the move need staff from humanitarian organizations to accompany them to public institutions to be assisted; otherwise, they run the risk that they are denied access to the service or not assisted appropriately. As a result, specifically in countries such as Mexico and Peru, the research shows the need to work in closer coordination and establish protocols for joint action between the various stakeholders, including both public institutions and humanitarian actors.

Women participants and key informants consulted referred to how the justice system revictimizes refugee women by asking them to recount the acts of violence suffered several times; they are required to provide physical evidence and testimonies without taking into consideration the specific needs of women during the forced displacement cycle. Challenges are faced by both national survivors and those on the move; however, a differentiating factor in assisting refugee and displaced women is connected to discrimination and xenophobia, leading to biased assessments by justice providers due to the stereotypes associated with the hypersexualization of women, especially those of Venezuelan nationality.

As stated by the R4V platform, other challenges include a lack of resources for the public services available – including health, justice, psychosocial support, safe shelter and livelihoods – and lack of confidence, cultural sensitivity and language barriers.¹⁹⁶ At the same time, many service providers are not aware of the rights of refugees and migrants or are not prepared to assist women on the move with diverse profiles, whether due to nationality, diverse sexual orientation, gender identity, gender expression and sex characteristics, language, age or ethnicity, as reported by a 2019 study by UNHCR in Brazil.¹⁹⁷ A study conducted by UN Women in Ecuador even makes reference to the fact that government employees providing services, mainly in border regions, can abuse their power and/or authority to obtain sexual favours.¹⁹⁸

195 World Bank, *Forced Displacement and Violence Against Women. A policy brief*, 2021a, pp. 8, 10.

196 R4V, *RMRP 2021 – Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela*, 2021e, p. 220; OAS & R4V, *Impactos de la COVID-19 en personas refugiadas y migrantes de Venezuela (Impacts of COVID-19 on Venezuelan refugees and migrants)*, 2021, p. 10 (available in Spanish).

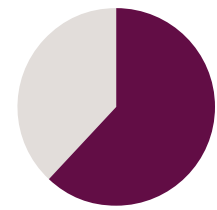
197 UNHCR, *Evaluation of UNHCR prevention of, and response to, SGBV in Brazil focusing on the Population of Concern from Venezuela*, 2019a, p. 45.

198 UN Women Ecuador, *Mujeres, violencias y frontera (Women, violence and borders)*, 2018, p. 27 (available in Spanish).

According to UN Women:

It is worrying that in the interviews the assailants identified include migration control employees in Ecuador who abuse their position of power and/or authority over Venezuelan women to obtain sexual favours. In this sense, sexual extortion practices are a manifestation of corruption connected to gender, making women travelling alone more vulnerable. As victims stigmatized by the sexual assault, their migratory status or the fear of lack of protection by the authorities, they do not report these offences, invisibilizing such offences.

(UN Women Ecuador, 2018)



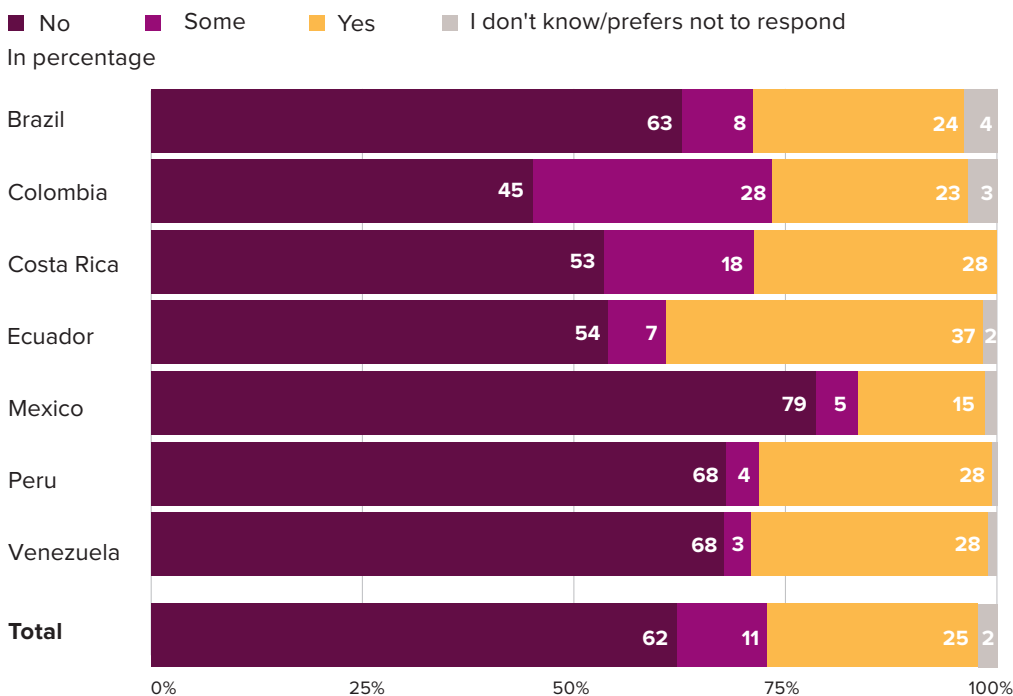
62%

of women

**do not know
their rights in case
of being at risk
of gender-based
violence**

The assessment revealed that most refugee and displaced women (62%) do not know their rights if at risk of or suffering gender-based violence, which prevents them from accessing the national protection system (graph 16). In some countries this trend is more pronounced than the regional average, such as in Mexico (79%), Peru (68%), Venezuela (68%) and Brazil (63%). At the same time, some national scenarios are more positive in relative terms. While on average 25% of refugee women know the protection services for GBV, in Ecuador this percentage rises to 37%.

Graph 16: Do you know what are the rights of women who are risk of suffering gender-based violence?



“Yes (I know my rights), but I prefer to do it alone, I’ve learned to look after myself and defend myself. I know we have rights due to our gender status, but life is hard on the street”.

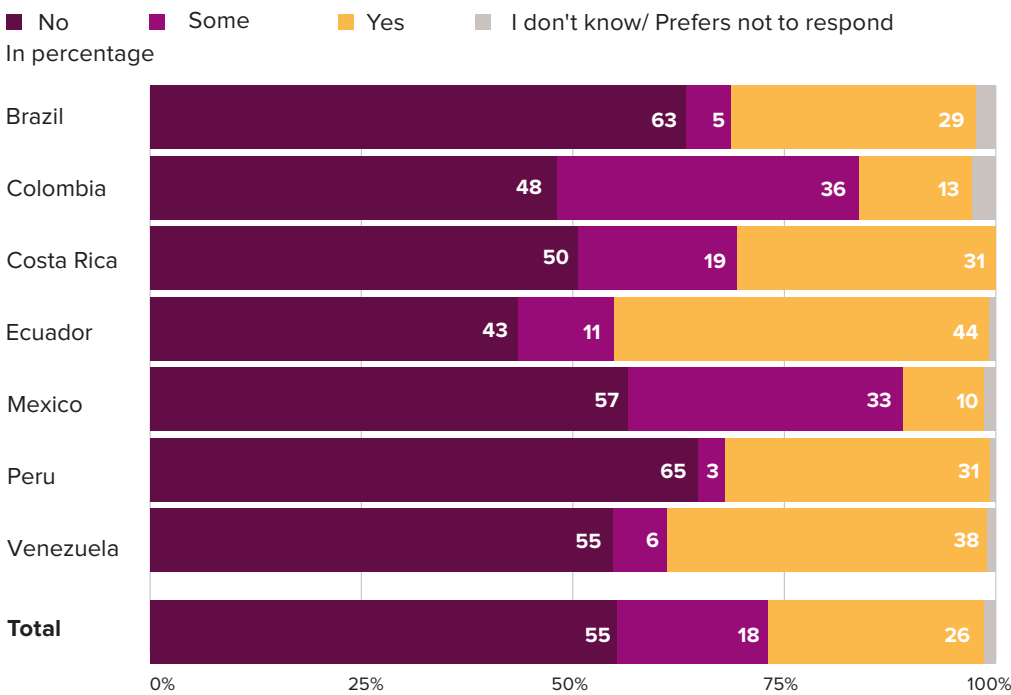
VENEZUELAN TRANS WOMAN, COLOMBIA

Just over half of the women surveyed (55%) did not know the response services for survivors of gender-based violence and the assistance options available (Graph 17). While all women regardless of their age appear not to be well informed about the services available, women over 60 are those who know the most (36%), while 21% of young women (18 to 29 years) state they know the services, and among adult women (30 to 59 years) the average is 28%. The services best known by the participants (graph 18) are the police (50%), hospital (46%) and psychosocial support services (24%), while the least known is the support for seeking employment or self-employment (9%), a factor that may be directly related to the high level of unemployment among the participants.



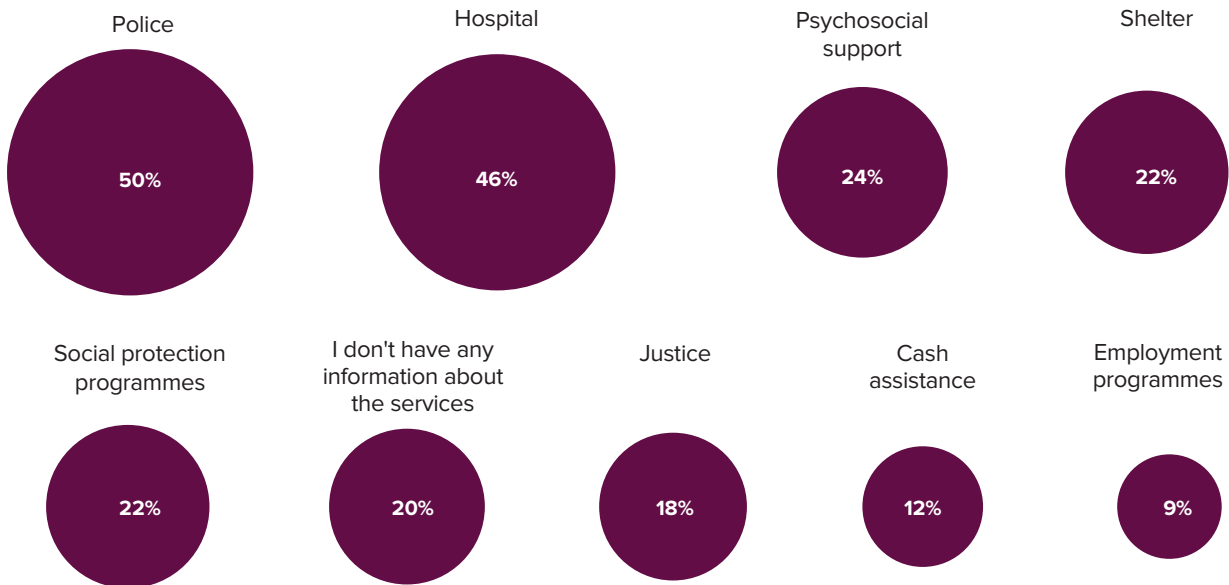
1 out of 2 women
forcibly displaced women is not aware about the gender-based violence services available

Graph 17: Do you know about the GBV services available in your community?



Graph 18: What GBV services are available in your community?

Multiple choice



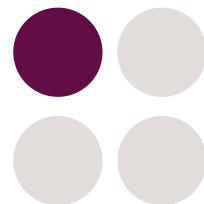
According to the refugee women surveyed, it appears that mental health is not considered a priority by the institutional response. The effects of gender-based violence on mental health may be severe and tend to cause consequences in the medium to long term. When the services exist, they are often one-off and urgent, without stable or extended assistance, if required. It should be noted that one in four respondents knows the psychosocial support services available in their communities, so access to and dissemination of information is a major barrier to GBV survivors receiving assistance.

In addition to the barrier of lack of information about the services, there are various challenges to accessing them, including lack of documentation.¹⁹⁹ There are various obstacles to accessing the asylum procedure or pathways for regularization, and the lack of documentation represents an obstacle to protecting women at risk and survivors of gender-based violence. Transport to the services is also expensive and many women have no way to pay for their journey to the location of the institutions.

“(...) Interviews have shown that people encounter obstacles to reporting. Without papers (it is) very difficult. Sex workers have been deported when they went to file a report. It is difficult to access institutions, there is a risk of revictimization and discrimination”.

KII, AMNESTY INTERNATIONAL, PERU

Only



1 out of 4 women

**is aware about the
psychosocial support
services available in
their communities**

199 CARE, *An Unequal Emergency: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela*, 2020, p. 20.

Refugee and displaced women in Brazil recognize that the regulations are serious and that, in their words, “they punish the perpetrators”; as a result they believe that the risk of gender-based violence is lower than they experienced in their country of origin, especially in the private sphere of the nuclear family. However, there are still attitude barriers preventing service providers from considering the needs of refugees and migrants based on an age, gender and diversity perspective. Barriers and impacts on the access to health care services were seen in Colombia. Many of the women consulted did not go to a health centre because they felt that they would be denied service due to being displaced or because they did not have the financial resources to cover their social security. In Costa Rica, also in the area of health, so-called “non-vital” services cannot be accessed without insurance. However, a person is assisted if there is a risk to life, regardless of their insurance status, including GBV incidents. In Ecuador, the reasons for not reporting given by women were mostly their fear of doing so, and the lack of information and confidence in the authorities. They also fear they will face discrimination due to their irregular status or lack of documentation in the country.

“(...) High levels of sexual violence are clear; however, Venezuelan women do not report it, and when we ask in the public institutions about GBV incidents, there are very few reports, mainly because there is a general fear among women that they will suffer discrimination or retaliation due to their legal situation”.

KII, UNHCR, ECUADOR

In Colombia, despite the fears and challenges in accessing assistance, participants who have already used the services of humanitarian actors or institutions recognize specific persons to trust within these organizations. In other words, although the recognition is individual and not general, they feel welcomed by certain persons who provide assistance.

According to UN Women, in the world:

Less than 40 per cent of the women who experience violence seek help of any sort. In the majority of countries with available data on this issue, among women who do seek help, most look to family and friends and very few look to formal institutions, such as police and health services. Less than 10 per cent of those seeking help appealed to the police
(UN Women, 2022).²⁰⁰

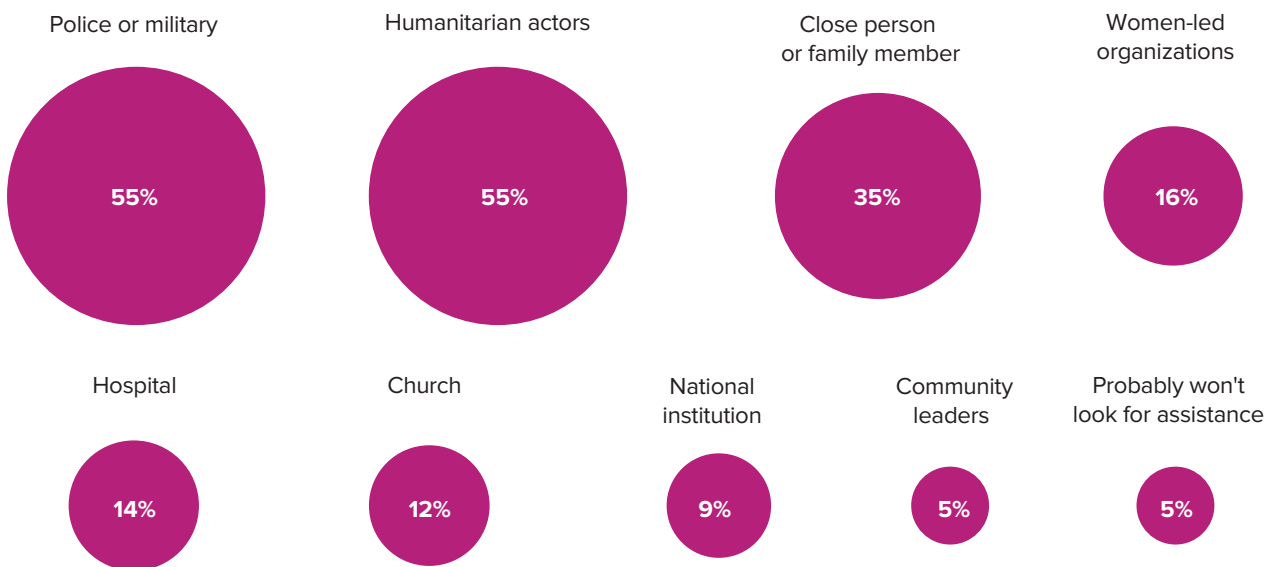
Even though only 5% of the participants stated they probably would not seek help if at risk of suffering gender-based violence, in contrast to figures previously given by UN Women, the results show the possibility that incidents are underreported, as only slightly over half the women said they would go to the police (55%). It is important to specify that 35% of respondents would seek out

²⁰⁰ UN Women, *Facts and figures: ending violence against women*, 2022.

a trusted acquaintance or relative; 16% of women identified women’s movements or organizations as a support network, 12% members of the church and 5% community leaders. It should also be noted that humanitarian actors are identified by 55% of the women participants as a space where they would seek help if at risk (graph 19).

Graph 19: Where do you believe a women will seek for support in case of suffering gender-based violence?

Multiple choice



The Inter-Agency Minimum Standards for Gender-Based Violence Programming stipulate that the humanitarian response should take on the commitment to promote effective and comprehensive communication with the local community, including mechanisms for complaints and suggestions by means of which the population can report dissatisfaction, situations of inappropriate behaviour by humanitarian workers, and cases of abuse and sexual exploitation.²⁰¹ Despite this provision, the accounts show that there are situations in which the population is unaware of the objectives of these mechanisms, mostly present through complaint mailboxes in the community. It is also stated that on many occasions refugees do not receive responses to the complaints they submit.

“The work of the agenda for protection against sexual exploitation and abuse, the 2003 bulletin, there is still a lot to do, awareness of the stakeholders and part of the population affected. They may have basic things like a complaint mailbox, but this does not mean they have clear procedures for handling the complaints they receive. A complaints mailbox does not solve everything. A feedback mechanism [is required], [a] mechanism for analysis with the community with which we work”.

KII, UNHCR, REGIONAL

201 UNFPA, *The Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Programming*, 2019, p. 23.

There is very general knowledge of the policy of zero tolerance [to exploitation and sexual abuse]. There is a perception in Colombia that ‘that doesn’t happen here’. (...) This has made it difficult to study much more carefully the risks, and for capacity-building with a differentiated focus on the territories. (...) That is where there a lot of things are to be grounded and put into action. The communities have very little information about reporting mechanisms, knowledge of the acts of violence. It is not only a matter of having a mailbox but that people trust to inform and that there is a significant impact. It is a complex process that requires more things than you would think. It is a very complex subject.

KII, UN WOMEN, COLOMBIA

Indigenous women reveal that generally GBV survivors “stay silent because they feel powerless”, “nothing helps”. And when they do decide to seek support, they do so with a person they trust. In the Warao community they normally approach a community authority, tribal chief or *aidamo*,²⁰² who resolves the matter along with the survivor, the abuser and the two families.

For the Warao, if it is an indigenous community, you have to go to an authority, the head of the community, who always looks out for their family, their Warao brothers and sisters. The chief or aidamo separates and calls the couple and the two families. The women’s family does not approve that the man is abusing the woman. The chief or commissioner draws up a report, makes an agreement it won’t happen again and they sign so it doesn’t. If it does, it goes to a higher authority.

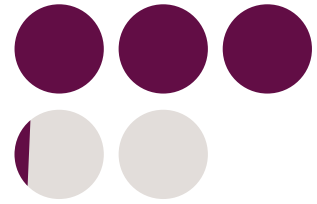
INDIGENOUS FOCUS GROUP, AMAZONAS, BRAZIL

Specialist assistance and women in transit

Forcibly displaced women who go through one or more countries before reaching their final destination find it harder to access response mechanisms: their transitory situation is an obstacle to accessing services, whether face-to-face or remote, because they are generally support processes that require regular contact with survivors.

The assistance offered to survivors of gender-based violence in transit is normally one-off assistance meeting health and psychological emergency needs. Both the testimonies of women on the move and in the interviews with protection service providers identified a need to find mechanisms for supporting women survivors of violence in transit in the country in which they are located and activate mechanisms for safe referral to response services in the neighbouring countries.

Women rated with



3,2

how inclusive they believe gender-based violence services are to the needs of refugee women

On a scale of 1 to 5 (1 strongly disagree and 5 strongly agree) the respondents assessed with an average of 3.2 whether the GBV response services take into account the needs of refugee women. In other words, a neutral valuation taking into consideration that few know of the services.

4.6. COVID-19 and gender-based violence

“Violence has increased exponentially (with COVID-19) (...) quarantine forced many women to be with their abusers. And for the reporting system they had to speak on the phone beside their abuser, or the police came to the place where the abuser was. Border closures, increased sexual exploitation. In Brazil, as borders were closed there was an increase in the number of cases of survival sex. (...) sexual and reproductive health efforts stopped by COVID. In countries where abortion is allowed it became impossible, there are no contraceptives”.

KII, IFRC, REGIONAL

The COVID-19 pandemic led countries to close their borders in 2020 to reduce the risks of the virus spreading. However, people continued to travel in search of protection. As explained above, border closures forced persons on the move to use informal border points, making women and girls even more vulnerable to violence.²⁰³ As borders were closed, it also became more challenging to access the refugee status determination procedure or other means of migratory regularization, leading to additional challenges in accessing health and education services, social assistance, employment opportunities and safe shelters for survivors, putting refugee and displaced women in a more vulnerable situation and at risk of detention, deportation and refoulement.

Women and girls on the move have been affected differently and disproportionately as they assumed most of the workload of unpaid care, such as caring for the sick and children, mainly when the schools were closed.²⁰⁴ Transgender women and men have also been seriously affected by the national mobility restriction measures imposed, exacerbating discrimination, violence and abuse, even by the local authorities.²⁰⁵

COVID-19 also had a negative impact on the process of local integration of refugees and migrants already established in the country of destination, as challenges to their economic self-sufficiency and access to basic goods and services, making them more vulnerable and exposing them to negative coping mechanisms, such as sexual exploitation by criminal groups or the sale or exchange of sex as a means for survival.²⁰⁶ In Colombia for example the women participating stated that due to the pandemic the employment opportunities were much more precarious.

203 R4V, *Consultas Regionales a Grupos con Impactos Desproporcionados: Necesidades y Propuestas para el 2022. Violencia Basada en Género (Regional Consultations of Groups suffering Disproportionate Impacts: Needs and Proposals for 2022. Gender-Based Violence)*, 2021 (available in Spanish).

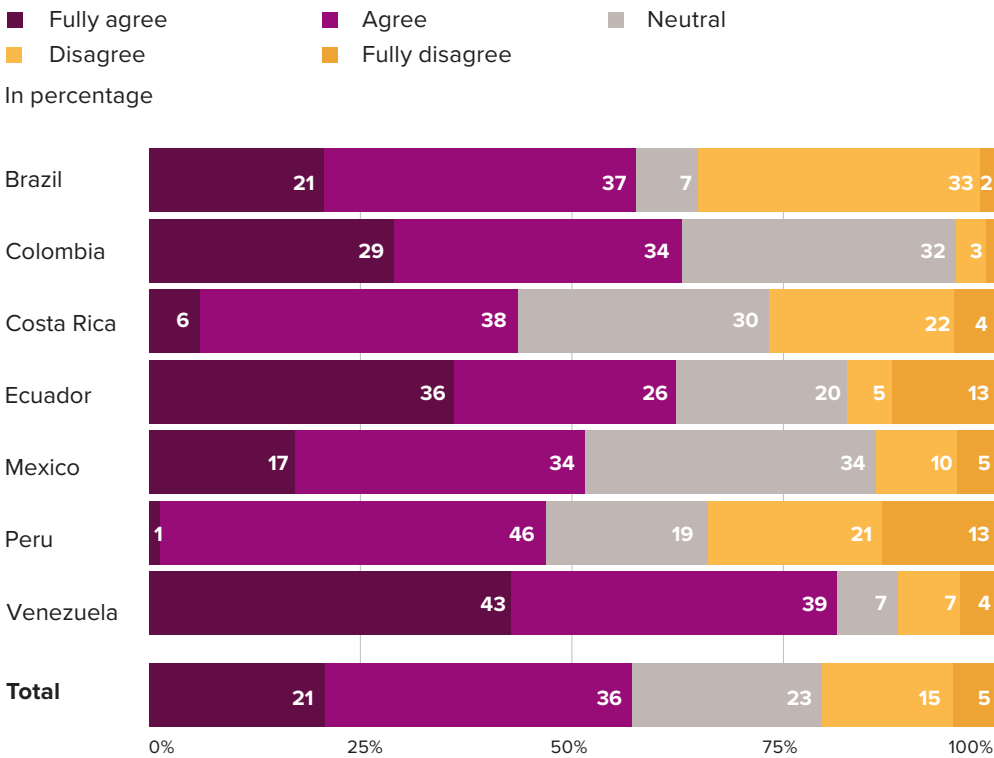
204 R4V, *Riesgos de violencia de género para mujeres y niñas refugiadas y migrantes de Venezuela (Risks of gender-based violence for Venezuelan refugee and migrant women and girls)*, 2021c, p. 1 (available in Spanish).

205 UNHCR, Caribe Afirmativo and Red de Movilidad Humana LGBTI+, *Sentir que se nos va la vida. Personas LGBTI+ refugiadas y migrantes de Venezuela en Colombia, Ecuador y Chile (Feeling our life is slipping away. LGBTI+ Refugees and Migrants from Venezuela in Colombia, Ecuador and Chile)*, 2020 (available in Spanish).

206 R4V, *RMRP 2021 - Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela*, 2021e, p. 85.

As a result, 57% of respondents stated that the pandemic has put women at heightened risk of gender-based violence, as shown in **graph 20**. For women with a chronic medical condition this figure rises to 71%.

Graph 20: Do you believe COVID-19 placed forcibly displaced women at higher risk of suffering gender-based violence?



In the context of human mobility of Venezuelan refugees and migrants, the eviction situation, already existing before the pandemic, was aggravated. According to the R4V platform, 42% of Venezuelans on the move were evicted in 2021, mainly due to the inability to pay their rent after losing their jobs. Of the persons at risk of eviction, 79% were women,²⁰⁷ and some of them reported cases of sexual harassment and violence by landlords to prevent eviction.²⁰⁸ The effects can be devastating, and in this sense 75% of persons identified homelessness as the main consequence.²⁰⁹

“COVID-19 also affected female heads of household, some were evicted with significant intimidation and violence by their landlords, and others had their rent increased, because they knew they were receiving support from cooperation”.

KEY INFORMANT, HIAS, ECUADOR

207 R4V, *Regional Consultations of Groups suffering Disproportionate Impacts: Needs and Proposals for 2022. Gender-Based Violence*, 2021.

208 OAS & R4V, *Impactos de la COVID-19 en personas refugiadas y migrantes de Venezuela (Impacts of COVID-19 on Venezuelan refugees and migrants)*, 2021, p. 37 (available in Spanish).

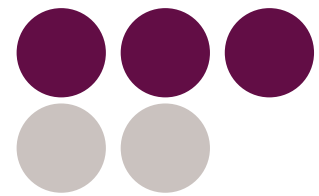
209 R4V, *No home away from home*, 2021b.

COVID-19, the social distancing measures adopted to prevent the spread of the virus and especially the *Stay at Home* mandate further isolated women from their support networks and continued to intensify the “shadow pandemic”²¹⁰ that is GBV. GBV cases rose significantly, mainly intimate partner violence (IPV), a situation that worsened due to the stress and precariousness caused within families by the pandemic and also leading to an increase in unwanted pregnancies.²¹¹ Unemployment and a higher consumption of alcohol and other drugs contributed to exacerbating the risks of GBV that women, girls and female adolescents already experienced in the domestic sphere. Cyberthreats against women and girls also rose due to increased use of virtual media.²¹² According to the annual Regional Subsector GBV report by the R4V platform for 2020, incidents of gender-based violence increased by 50% in many countries of Latin America.²¹³

There was a major impact on mental health due to the distress and uncertainty caused by forced displacement, the concern about their economic situation, mourning for loss of relatives to COVID-19 and also the increased gender-based violence they suffer.

With their reduced income during the pandemic, many survivors of IPV were forced to continue living with their abusers to meet their financial needs and those of their children, as reported by the Ombudsman’s Office of Colombia.²¹⁴ In Mexico, according to official figures, the highest number of offences of family violence and rape in recent history was reported in 2021.²¹⁵ Family violence and rape offences rose between 15.5% and 20.5% respectively compared to 2020.²¹⁶ In any case, any figure given on the basis of a time of lockdown or social distancing should be interpreted with caution, since many women living with their abusers faced additional restrictions on reporting.

The femicide figures, already alarming before the COVID-19 pandemic, suffered a potential increase. During the lockdown due to the COVID-19 crisis 49 femicides and nine attempted femicides of Venezuelan women were recorded between January and June 2021 in different countries, 23% perpetrated by partners or ex-partners.²¹⁷ In Colombia, from January to September 2020 there were 2,532 cases of violence against Venezuelan refugee and migrant women and girls according to the Ministry of Health and Social Protection, a 41.5% increase compared to 2019. 83.3% of assaults took place in the home.²¹⁸ In Costa Rica, 45 deaths of women were recorded in 2019, with 17 classified as femicides, while in 2021 homicides against



3 out of 5 women

**feel that COVID-19
has put refugee
women at greater
risk of gender-
based violence**

210 UN Women, *The Shadow Pandemic. Violence Against Women During COVID-19*.

211 IFRC, *Drowning just below the surface: The socioeconomic consequences of the COVID-19 pandemic*, 2021, p. 31.

212 UN Women & UNFPA, *Prevención y respuesta a la Violencia Basada en Género (VBG) en contexto de pandemia de COVID-19 (Prevention and response to GBV in context of the COVID-19 pandemic)*, 2020, p. 1 (available in Spanish).

213 R4V, *2020 End Year Report / Regional Gender-Based Violence Sub-Sector Chapter*.

214 Ombudsman’s Office of Colombia, *Situación de las mujeres y personas con orientación sexual e identidad de género diversas, refugiadas y migrantes en Colombia (Situation of Refugee and Migrant Women and Persons with Diverse Sexual Orientations and Gender Identities in Colombia)*, 2020, p. 4 (available in Spanish).

215 Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública de México, *Información sobre violencia contra las mujeres (Information on Violence Against Women)*, 2021 (available in Spanish).

216 Secretariado Ejecutivo del Sistema Nacional de Seguridad Pública de México, *Información sobre violencia contra las mujeres (Information on Violence Against Women)*, 2021 (available in Spanish).

217 R4V, *Consultas Regionales a Grupos con Impactos Desproporcionados: Necesidades y Propuestas para el 2022. Violencia Basada en Género (Regional Consultations of Groups suffering Disproportionate Impacts: Needs and Proposals for 2022. Gender-Based Violence)*, 2021 (available in Spanish).

218 UNHCR, *Participatory Diagnosis with Migrant Women from Venezuela*, 2020, p. 1.

women reached 62 victims, 13 of which were considered femicides and 37 have still not been classified.²¹⁹ According to the initiative *Violentadas en Cuarentena*, in El Salvador, between March and June 2020 there were more femicides than deaths due to COVID-19.²²⁰ In Mexico, between 2019 and 2021 there was a 4.1% rise in femicide cases.²²¹ During the official suggested lockdown period, from March to September 2020, on average 2.6 femicides took place a day in Mexico.²²²

Access to essential gender-based violence services, include clinical handling of rape, safe shelters, psychosocial support and enjoyment of sexual and reproductive rights was also seriously affected during the pandemic. Various services were suspended, limited and/or adapted to the remote format or affected by the rising number of people infected with COVID-19, leading to access restrictions mainly in rural and remote areas.²²³ This directly affected the assistance given to survivors of sexual violence requiring medical care.²²⁴ Specifically for cases of response to gender-based violence, it was very difficult to adapt the specialist services to remote formats, limiting such services mainly in the justice sectors and increasing the risk of impunity traditionally connected to such offences.

Although GBV service providers developed new and innovative ways of providing assistance in times of social distancing and lockdown,²²⁵ diverse refugee and displaced women do not have easy access to internet, disadvantaging them in terms of remote services. In Colombia, for example, 70% of the refugee and migrant population with diverse sexual orientation and gender identity has limitations in accessing telecommunications.²²⁶ In Costa Rica and Venezuela participants in women's focus groups pointed out that face-to-face activities were suspended and became virtual. However, in border areas the connectivity difficulties bring greater challenges in accessing protection services.



1 out of 2 women

believe is more challenging to access gender-based violence services due to COVID-19

219 Fiscalía Adjunta de Género y Sub-Comisión Interinstitucional de Prevención del Femicidio, *Feminicidio (Femicide)*, 2022.

220 Distintas Latitudes, Red LATAM de Jóvenes Periodistas and International Women's Media Foundation, *Violentadas en cuarentena (Violated in quarantine)*, 2020 (available in Spanish).

221 El País, *México cierra un año con más de 3.000 mujeres asesinadas (Mexico closes a year with over 3,000 women murdered)*, 2021 (available in Spanish).

222 UNODC, *Monitoreando la violencia contra las mujeres durante el confinamiento por la COVID-19 (Monitoring violence against women during the COVID-19 lockdown)*, 2020, p. 2 (available in Spanish).

223 R4V, *RMRP 2022: Regional Refugee and Migrant Response Plan*, 2022, p. 29.

224 ECLAC, *Addressing violence against women and girls during and after the COVID-19 pandemic requires FINANCING, RESPONSES, PREVENTION AND DATA COMPILATION*, 2020b.

225 CARE, *An Unequal Emergency: CARE Rapid Gender Analysis of the Refugee and Migrant Crisis in Colombia, Ecuador, Peru and Venezuela*, 2020, p. 30.

226 Ombudsman's Office of Colombia, *Situación de las mujeres y personas con orientación sexual e identidad de género diversas, refugiadas y migrantes en Colombia (Situation of refugee and migrant women and persons with diverse sexual orientations and gender identities in Colombia)*, 2020 (available in Spanish).

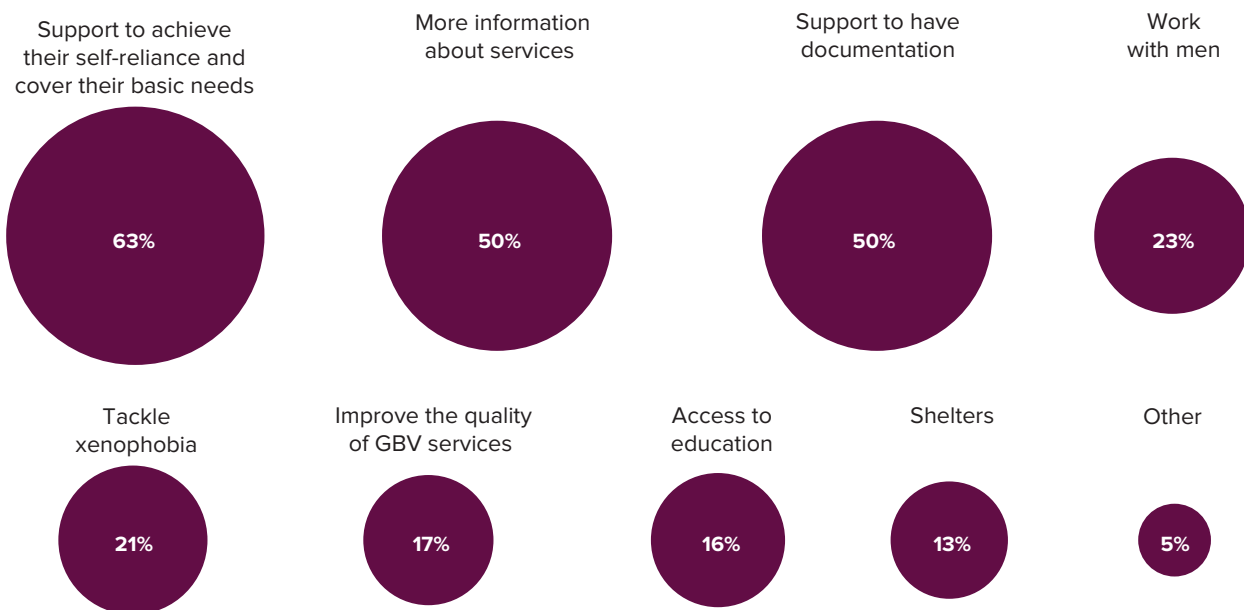
4.7. Resilience and protective factors

Despite all the challenges stated above, women showed a great capacity for resilience, and the ability to develop protection mechanisms seeking the support of their own networks, community bonds or people they trust within organizations or institutions. Women do everything possible to develop their own strategies to feel safer.

In order to understand what refugee women think about protection factors, they were asked what they felt could keep them safer (participants could select a maximum of three options). This showed that 63% of women felt that what they most needed to be safe from GBV was support to meet their basic needs, 50% felt that more information about services would help, and 50% referred to the possibility of obtaining documentation in the host country (**graph 21**).

Graph 21: What do you believe is what women need to tackle the risks of gender-based violence?

Multiple choice



Most of the accounts through interviews and focus groups identified that generally they consider humanitarian organizations or community-based organizations as possible protection and support players; however, little reference was made to governmental institutions. They mentioned workshops and talks given by humanitarian organizations as a form of prevention, and how these spaces helped them “*go home with new motivation, knowing they are not alone and getting support from each other.*” (Focus Group, Cúcuta, Colombia).

Situations were also identified where women created their own mechanisms and sisterhood networks, in which they look after each other and establish their own codes to communicate risks and dangers in daily activities. These networks are extremely important, as forcibly displaced women lose many of their support connections once they leave their countries of origin. They may also play a key role in disseminating information among peers, a mechanism that could be very valuable, in view of the challenge of accessing information mentioned above.

“We always seek help from the organization, or we quickly talk to each other to say she or I that we have a relationship of trust. To tell each other: ‘such and such is causing us violence’”.

FOCUS GROUP, TÁCHIRA, VENEZUELA

“With the little we have learned, we have focused on the community. For example: if we go to get water together, a signal is “the water is very cold.” It is a code to flee if there is a man or men on the way, on the mountain, to inform the others there is danger. It is a prevention signal. You don’t leave children alone, you leave them with a neighbour”.

FOCUS GROUP, BOLÍVAR, VENEZUELA

4.8. Best and promising practices

Some promising initiatives were also identified in each of the assessment contexts; in addition to being important mechanisms for the situation where they are currently being implemented, these can be used as an example and adapted to new situations.

GBV prevention and risk mitigation initiatives

In **Brazil**, UNHCR, UN Women and the UN Global Compact are implementing the project *Empoderando Refugiadas (Empowering Refugee Women)*, an initiative focused on the employability of women who are in refugee situations. The project coordinates formal employment opportunities with the national private sector and offers technical training for women, including raising awareness of themes of gender and access to rights.

In **Peru**, Entrepreneurship Schools with a Gender Approach have been set up, a space for building financial autonomy for survivors of violence and women at risk, facilitated by the Economic Inclusion and Gender and Gender-Based Violence areas of HIAS Peru. The participants also have the option of accessing seed capital following assessment of their business plan.

In **Mexico**, simple information sheets were created showing the *violéntómetro* violence scale, to be displayed on the walls of organizations assisting the forcibly displaced population.

Mexico also produced the magazine *Nube Rebelde* for young people, with information about GBV. In [Vol. 1](#), it discusses what harassment is and how to receive assistance using music, comic and a quiz. In [Vol. 2](#), it provides information about combating GBV, and sexual harassment specifically. It helps to identify some of the most common types of violence and offers advice on how to combat it. It includes spaces for creativity and expressing feelings.

In **Colombia, Ecuador and Peru**, HIAS is working to strengthen community organizations. In Ecuador, HIAS supports the Lunita Lunera Foundation in a campaign to promote sexual and reproductive rights with refugee, displaced and host community women and female adolescents. The campaign promotes socialization of protection resources and the exercise of sexual and reproductive rights, and safe self-care spaces.

In **Colombia**, specifically in Cali, the Espacio Seguro Las Violetas is a women's network with an emphasis on community work, focusing on both the host community and on refugee and displaced women. It addresses themes such as GBV, health and access to the Temporary Protection Status. The Espacio Las Violetas has already trained around 20 female leaders who work with the community. However, due to lack of financing, until the end of 2021 they had

no regular activity. With the support of HIAS from 2022, the network now has a space to offer its activities more sustainably.

In **Brazil**, UNHCR and its partners work with “*Promotores Comunitários*” or community outreach workers, volunteers who make the connection between the needs of the refugee community and the services available, guaranteeing access to their rights. UNHCR and its partners train community leaders who work on raising population awareness, with information about their rights and existing services, including documentation, access to health care, education, jobs and protection.

In **Ecuador**, UNHCR and the Ombudsman’s Office held practical sessions on protection mechanisms for GBV survivors, addressed at community advocates forming part of consolidated community structures and groups in 11 provinces of the country. The advocates will replicate these sessions with their communities and persons most exposed to GBV.

In **Venezuela**, UNHCR and its partners supported the creation and strengthening of 16 community women’s networks with 304 participants, which run prevention campaigns and implement community initiatives to mitigate and respond to the risks associated with GBV and child protection.

La Quinta Ola is an association founded by three women in **Peru** in order to promote, defend and guarantee the rights of diverse girls, female adolescents and women by organizing educational, communication, cultural, incident and investigation activities. In 2021, they organized a training programme called *Chamas en Acción: Hermanas sin Fronteras (Girls in Action: Sisters without Borders)*, to promote and encourage the empowerment of Venezuelan refugee and migrant girls and female adolescents, working on their leadership, connecting them with support networks and supporting their integration into Peruvian society. They were recognized by UNHCR with the regional award for Innovation 2022.

In **Costa Rica**, the municipality of La Cruz organizes activities for the integration of refugees, to raise the population’s awareness of the regularization, training and livelihood mechanisms.

Also in **Costa Rica**, HIAS participates actively in the Política Nacional para la Igualdad Efectiva entre mujeres y hombres (PIEG) 2018-2030 (National Policy for Effective Equality between Women and Men in Costa Rica (PIEG) 2018-2030), implemented by the Instituto Nacional de las Mujeres (National Women’s Institute - INAMU), organizing workshops for public employees to raise awareness about international refugee law and gender equality, intersectionality and the main situations faced by refugee and asylum-seeking women, and the promotion of strategies for integration into the host communities.

In **Ecuador**, various products (leaflets, posters, videos, radio spots, podcasts) were produced for general awareness about the principles of Protection from Sexual Exploitation and Abuse (PSEA).

In **Brazil**, UN Women, with the support of the Ombudsman's Office and UNHCR, offers the methodology "*Valente não é violento*" (A brave man is not violent), a project that seeks to work on new masculinities, active fatherhood and preventing violence on two levels: i) training humanitarian actors and the army, so that they can replicate the methodology; ii) directly with refugee men.

In **Ecuador**, cash assistance was shown to be a positive factor for preventing and mitigating risks of gender-based violence when provided jointly with training in areas such as human rights, gender equality, self-confidence and financial independence. Alongside this, it is important to offer psychosocial support and regular visits from social workers, and work with men on developing new masculinities.

In various countries, UNFPA delivers dignity kits in order to provide support to women at risk of or who have suffered GBV. The items provided may include underwear, clothing for women and their children, slippers, towels, hygiene items, condoms, soap and information materials.

So that collective shelters are safe spaces for women and girls, R4V created a Collective Shelter Management Toolkit, offering guidelines for mitigation of GBV risks.

Response initiatives

In **Venezuela**, UNFPA has Safe Spaces created to promote prevention and empowerment activities for women and girls, and to respond to GBV in humanitarian emergencies.

The Regional Safe Spaces Network is a protection strategy active on the border between **Colombia and Venezuela**; its purpose is focused on improving access to essential services for GBV survivors.

In **Colombia**, the Programa de atención psicosocial y salud integral a víctimas (PAPSIVI) (Psychosocial Victim Assistance and Comprehensive Health Care Programme) is one of the rehabilitation measures as part of the comprehensive reparation for the victims of armed conflict. It is a best practice working with women at different stages, hearing them, listening to them and empowering them. They are also peer support spaces. This experience could be adapted to the context of forced displacement.

The NGO Intersos works on what they call hospital advice centres, within medical centres in **Venezuela**. They provide case management for GBV survivors and psychosocial guidance in health units.

In **Ecuador**, the Secretariat of Human Rights has 45 comprehensive outpatient care centres "Servicios de Protección Integral - SPI" (Comprehensive Protection Services) (psychology, social work and legal services) for survivors of gender-based violence and other types of violence. These spaces are free and accessible to the whole population without distinction, including people on the move. In 2022, SPIs are receiving training led by UNHCR on

international protection, human mobility and gender-based violence in contexts of forced displacement, boosting these services to support refugee and migrant women.

In **Colombia**, the Frida Khalo Foundation promotes alternative practices such as psychosocial strategy, art therapy for women in psychosocial care and case management.

In **Mexico**, UNHCR has a GBV Response Standard Operating Protocol including the use of the specialist GBV case management module in coordination with four specialist partners, Alternativas Pacíficas A.C. (ALPAZ), Derechos Humanos Integrales en Acción A.C. (DHIA), HIAS and Doctors of the World, providing a high quality multisectoral response to GBV survivors. The UNHCR focal points and their partners are connected to shelters to guide survivors in need towards housing, livelihoods and local integration programmes.

In **Peru**, the government offers the Programa Nacional para la Prevención y Erradicación de la Violencia contra las Mujeres e Integrantes del Grupo Familiar (AURORA) (National Programme for Prevention and Eradication of Violence against Women and Members of the Family Group) which hosts women over 18, their children and members of the family group at risk of femicide or in danger for their physical or mental integrity and/or health due to said violence. They provide protection, safe shelter, food and multidisciplinary specialist assistance in line with their specific needs, helping them recover fully.

In **Venezuela**, UNHCR and its partners have implemented accessible and safe feedback and complaints mechanisms in all its 71 targeted communities, through which they can also report incidents concerning sexual abuse and exploitation.

In various countries Doctors without Borders (MSF) offers medical care in difficult to access locations far from urban centres through mobile clinics. In **Mexico**, medical and mental health services are offered, including monitoring of pregnant and post-partum women, family planning services, psychosocial support and specialist assistance in cases of sexual violence.

The Support Spaces (SS) offer quality information, guidance and basic services in eight countries in the region, at 194 different points. They seek to meet the most urgent needs and are located at key points on the borders, along the routes and in host communities. The SSs are intended to provide a comprehensive regional response to protection, assistance and integration needs of Venezuelan refugees and migrants.

In **Brazil**, the Federal Government has organized Operation Welcome, the humanitarian response to the Venezuelan displacement crisis. It has three goals: border organization (documentation, vaccines and border control), reception (shelter, food, non-food items and access to health care) and interiorization (voluntary displacement from the border to other states in the country, with the goal of socioeconomic integration and reduced pressure on border services). For women who are GBV survivors, interiorization can be a mechanism for GBV mitigation and response.

5.

Conclusions



This assessment reconfirms that the risk of suffering gender-based violence is exacerbated during forced displacement, and that it is a problem for refugee women throughout the human mobility cycle, from their countries of origin, in transit and in the host communities. While there are no official figures, the findings show that refugee women may be at higher risk compared to other groups of women. The Latin America region, as identified in the sources of information consulted and in the accounts from the participants, continues to reproduce patriarchal social norms with significant inequalities between men and women.

It should be borne in mind that in view of the lack of official statistics for the refugee population in Latin America, it was not possible to select a representative sample, and therefore the findings of this assessment cannot be considered conclusions applicable to the situation of all displaced women in the seven participating countries. Even so, it is a valuable attempt that covered over 1,500 persons and contributes towards a better understanding of the GBV problem and forced displacement. In summary, the assessment identifies that:

The risk of suffering gender-based violence is present throughout the forced displacement cycle

As explained above, **GBV is a problem present throughout the different stages of the forced displacement cycle.** It can be the reason forcing women to flee, or it can be present during transit and even in the country of asylum or destination. As a general rule, refugee women do not feel safe, and although their perception of safety from GBV improves in the country of asylum, 35% still say they feel very unsafe or unsafe.

Transit is a time of high risk, especially risk of sexual violence

Refugee and displaced women consider that the main form of GBV they may suffer when travelling from one country to another is sexual violence (36%). They also make reference to other manifestations such as psychological (31%) and physical (13%) violence. Transit is risky due to factors such as the need to travel through irregular border points as a result of border closures or requests for requirements they cannot meet to cross through official crossing points, the weak institutional presence in border areas, the presence of trafficking and smuggling networks and criminal groups, and the little access to information about rights and services. Refugee women are also at high risk when they travel alone or as head of household, without documentation and with minimal economic resources.

The risk of suffering gender-based violence continues in the country of asylum

In the country of destination, 34% of participants considered that the main type of GBV they may face is psychological, followed by socioeconomic violence (18%). As stated above, crisis and forced displacement situations exacerbate the risk to women of suffering gender-based violence. There are various factors that can expose them to a greater risk compared to other groups of women; according to the women these are xenophobia (31%), lack of job opportunities (19%) and limited access to information about rights and services (16%). It is important to remember that the unemployment rate among participants is very high, as just over half do not work outside the home, and of those who do 92% are working in the informal sector.

In the host countries, public spaces (54%) were identified as the main place of risk, followed by the home (21%) and the workplace (10%). The limited access to employment opportunities, lack of documentation and discrimination means that refugee and displaced women must remain in socially marginalized and dangerous communities and settlements. This situation, in addition to the xenophobia and stereotypes affecting particularly Venezuelan women, makes the streets and communities places of high risk. The home also appears as a place of risk, but was identified by a lower percentage of women, probably due to domestic violence being naturalized

and normalized. In terms of GBV in the workplace, the participants mentioned experiences of sexual harassment, where employers take advantage of their vulnerability and lack of documentation.

Refugee women have little knowledge of the GBV services available in their communities

62% of participants did not know the rights of refugee women and women on the move if they are at risk of gender-based violence, and 55% did not know the services available in their communities. This gap in access to information is an additional factor that exposes refugee women to a higher risk.

As a result of the same patriarchal social norms and inequality between men and women, participants tended to normalize and minimize certain manifestations of gender-based violence. Unfortunately these norms have been internalized as part of their daily life, relegating them to the background as they feel the need to meet their basic needs and those of their dependents is the priority.

There is an extensive regulatory framework, but there are still barriers to accessing GBV response services

While the seven countries participating in the assessment have significant regulatory frameworks for protecting GBV survivors, generally there is a perception that the main actors responsible for offering support to refugee and displaced women are humanitarian organizations and not governmental institutions.

Although only 5% of participants considered that a refugee woman would not seek help if at risk, there are recurring testimonies about how they do not approach the institutions due to the fear of being rejected, stigmatized, detained or even deported. Economic dependence on the abuser is also identified as a possible challenge to seeking help. In other words, being unable to cover their basic needs can deepen the cycle of violence and make its breakdown even more complex.

In line with the limited information about services, to the question about their perception of whether they cover the specific needs of refugee women, the response of the participants was neutral, being neither in agreement or disagreement. This may be related to a lack of knowledge about the existing services.

While the participants recognized that they could trust the employees of some organizations or institutions and would seek support from them, this is not a general perception about GBV response service providers, only certain individuals working for them. The women participating referred to the fact that xenophobia, lack of documentation, language barriers (in the case of

indigenous women, Haitian women and Venezuelan women in Brazil) and the lack of economic resources (e.g. to travel to the institution or organization) become barriers to receiving assistance. Key informants questioned stated that there are still challenges to making the response services accessible and inclusive for refugee and displaced women, and that progress still needs to be made on building technical capacities and allocating human and financial resources to services that should be vital.

The COVID-19 pandemic increased the risks and affected prevention and response services.

One of the main risks associated with the measures to contain the spread of COVID-19 was the closure of various borders in the region. This led women alone or accompanied by their families to need to travel via high-risk routes and border points (*trochas*).

The pandemic has had a significant impact on the social and economic situation of the countries of Latin America. The inequality gaps that already existed between men and women became more acute, and in the context of forced displacement this can have a greater impact. During the pandemic, unemployment, the risk of eviction, the household and caring burden and challenges connected to xenophobia have exposed refugee women to heightened risk.

Women surveyed and various stakeholders questioned recognized that services were affected by being suspended or the format being altered. While some services resumed in 2021 and 2022, half the respondents considered that the pandemic affected services for assisting survivors.

Gender-based violence does not affect all refugee women homogeneously

While GBV is a risk that is unfortunately common for all displaced women, the assessment confirms that there are intersectional discrimination variables that may put certain groups at higher risk. The assessment shows specific risks to lesbian, bisexual, trans or intersex and indigenous women, female heads of household, women with disabilities or health conditions and afrodescendant women. Some figures that stand out from the intersectional discrimination variables are: 71% of afrodescendant women felt unsafe or very unsafe during transit (compared to the average of 62%), 77% of indigenous women were not aware of the GBV response services available in their communities (compared to the average of 55%).

It should also be kept in mind that there are differences depending on the context. For example, xenophobia was identified as a contributing or risk factor more notably in Colombia and Peru, with 68% and 54% respectively (above the regional average of 31%). Colombia also appeared as the country of destination where women feel most unsafe (67% compared to an average of 35%). In terms of manifestations of GBV in the country of destination, psychological

violence was the main form in Peru and Venezuela, socioeconomic violence in Colombia, physical violence in Brazil and Venezuela, and sexual violence in Mexico. In Colombia, 85% of respondents considered that the place of highest risk was public spaces (regional average of 54%), while in Venezuela and Ecuador more women recognized the home as a place of danger. Possible risks in the workplace were identified as more prevalent in Costa Rica and Peru. All these countries presented results that were notably above the average responses on a regional level. Finally, it is important to specify the specific risk identified in Brazil where 25% of women identified specific risk factors in shelters that could lead to situations of GBV.

Despite the challenges refugee women are highly resilient

Refugee women have the ability to become strong in the face of adversity, and develop their own protection strategies. Therefore, despite the various challenges, 50% stated that they currently felt good or very good and 27% gave a neutral rating. They support and protect each other, provide each other with company.

6.

Recommendations



The main recommendations arising from the voices of refugee and displaced women themselves and the key informants consulted are presented below. They are divided into the three programming components for GBV assistance: risk prevention and mitigation and GBV response, and cross-cutting recommendations.

6.1. Cross-cutting recommendations

- In line with global frameworks such as the Global Compact on Refugees, it is essential to continue strengthening **the coordinated work between State authorities, civil society, humanitarian actors, the private sector, academia and the refugees and host communities themselves**. This is fundamental to establish a robust gender-based violence prevention and response approach aimed at strengthening national protection systems so that they include the needs and diversities of this population. In this sense, it is recommended that inter-agency coordination efforts are continued and the link between government institutions and humanitarian and development actors are strengthened.
- Considering that there is a wide legal framework of women's rights and GBV response at the regional level, which generally include refugee women, it is important **to continue making progress on incorporating the specific needs of this population into public policies, and national and regional action plans**. It is also essential to strive for the situation to be reflected in inter-State forums and processes, such as the Quito Process and the Montevideo Strategy.
- Keeping in mind that the right to apply for and obtain asylum is a universal human right, it is essential to continue striving to guarantee that women in need of international protection have **access to the asylum system** and that its procedures are fit for GBV survivors from the perspective of age, gender and diversity. The UNHCR guidelines on gender-related persecution include recommendations on status determination procedures to guarantee that asylum claims due to gender-related persecution are appropriately reviewed.²²⁷

²²⁷ UNHCR, *Guidelines on International Protection: Gender-Related Persecution within the context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees*, 2002, p. 9.

- Due to the multiple causes of human mobility in the region, it is also essential that national authorities consider **other regularization pathways** that promote access to documentation, and therefore the exercise of rights and access to services. Having documentation in the country of asylum or destination would undoubtedly reduce the contributing factors that place refugee women or women on the move at a greater risk of gender-based violence and would facilitate access to the response services.
- It is recommended that national and local governments, by means of women's equality ministries or offices and with the support of humanitarian actors, promote **communication strategies about what is gender-based violence, risks associated with human mobility and forced displacement, rights and care services**. It is necessary to consider different communication channels, both digital and traditional platforms, reaching different spaces where forcibly displaced women and the communities hosting them come together and are helped, along with populations of different profiles, so that the communication efforts are inclusive. Communication strategies should be designed jointly with refugees and population on the move and with the host communities by means of participatory methodologies.
- Supporting and strengthening the work of local **community organizations, networks and women's movements**, whether led by refugee women or working for the well-being of this population, is essential to address gender inequalities and strengthen the GBV survivor response. These organizations are key in disseminating information, creating a strong community with solidarity and sisterhood, and are able to get closer to women on the move themselves. It is therefore recommended that women's organizations be mapped, involving them in inter-agency and inter-institutional coordination spaces and exploring ways to work in partnership, including the possibility of financial support.
- It is essential to develop **permanent spaces for consultation and direct involvement of refugee women** in designing, monitoring and assessing gender-based violence prevention, risk mitigation and response programmes, projects and initiatives by both humanitarian actors and governmental institutions.
- **Capacity-building and awareness efforts with service providers should be continued from a human rights approach, and focused on the survivor**. Understanding of the specific needs of refugee women must be expanded, in order to consolidate higher quality and more inclusive services.
- It is recommended that both public institutions and humanitarian organizations consolidate efforts to collect disaggregated data safely, at least by gender, age and nationality. This is crucial in order to support the design of public policies that include the perspective of protecting refugee women, and to strengthen evidence-based programming.

- Working to tackle gender-based violence is a cornerstone of the humanitarian response and can save lives. To achieve this a general call is made to step up **financing efforts** for GBV prevention, risk mitigation and response programmes and services. Women's community organizations need financial support to encourage their participation and direct involvement in decision-making, developing strategies to respond to the needs of forcibly displaced women, promoting peaceful coexistence with host communities and creating networks of solidarity and sisterhood.

6.2. Preventing gender-based violence

- It is important that humanitarian actors and governmental institutions continue to develop and expand **appropriate socio-educational strategies on women's rights** and focused on the situation of forcibly displaced women and women on the move. These strategies, initiatives and materials should be developed jointly with refugee women and host communities themselves using a participatory methodology. The strategies should be **culturally sensitive**, and adapted to the different realities of diverse women: indigenous, afrodescendant, with disabilities, with diverse sexual orientation or gender identity, among others. The aim of such work is that women be empowered as rights holders.
- **Community initiatives must continue to be strengthened**, using age, gender and diversity approaches. These initiatives should not be addressed solely at survivor women to prevent them being stigmatized, but should be open generally to forcibly displaced women and even host community women, to promote peaceful coexistence and support networks.
- It is essential to work on **economic empowerment of women** to address the inequalities between men and women as one of the causes of GBV. Efforts must be redoubled so that refugee women are integrated into employment inclusion and self-employment programmes in the countries of destination, and the collaboration between governmental institutions and humanitarian and development actors is essential to achieve this. Financial autonomy can be a key protective factor to prevent exposure to heightened risk. These initiatives should not be focused on survivor women, to prevent them being stigmatized.
- It is also fundamental to work with men, male adolescents and boys to create new gender dynamics. **Capacity-building, training and psychosocial support programmes and campaigns aimed at creating positive masculinities** are needed. Developing initiatives **for both men in the host communities and refugee and displaced men** is recommended.

6.3. Risk mitigation

- It is suggested that progress be made in establishing and consolidating **safe spaces for refugee women**.²²⁸ These are spaces where women can access information and build relationships with their peers. They should be welcoming spaces with the presence of facilitators and specialists allowing women and girls to feel free to seek help in situations of risk.
- It is important that all humanitarian actors continue to move forward in incorporating a cross-cutting approach for **identifying and mitigating the risks associated with GBV** throughout their programming cycle, as stipulated in the Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action.²²⁹ While these guidelines are addressed at humanitarian actors, they are also relevant for the various governmental bodies and programmes. Basic actions such as training staff from various programmes and services on secure and ethical handling of GBV reports²³⁰ could represent major progress in line with the survivor-centred approach.
- As public spaces are recognized as places of high risk, it is important to conduct a **general assessment of the safety situation** in communities where there may be a higher concentration of refugee population, in order to take action to reduce the risks associated with GBV (e.g. better street lighting). National and local authorities, humanitarian and development actors and the refugee population and host community can all contribute to these initiatives, which can be of benefit to everyone by promoting a peaceful coexistence. UNHCR has a guide for developing safety audits that can be considered a methodological basis for these exercises.
- As transit is identified as a time of high risk, **the information dissemination channels must be diversified to women in displacement from one country to another**. Terminals and travel companies can be important spaces for transmitting key messages, and we must also take advantage of the potential of new digital platforms and the use of social media to transmit information securely. In order to promote safe routes, it would be useful to explore media like telephones and free hotlines, through which women can give the alert about risk situations.

228 Make reference to standard 8 of the [Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Programming](#).

229 IASC, [Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action](#), 2015.

230 To do so, tools can be used such as the [How to support a survivor of gender-based violence when there is no GBV actor in your area](#).

- Working with national education systems on **access to formal education** so that women have the opportunity to continue their studies can help with the development of tools to protect from gender-based violence. Access to vocational training and education opportunities will also promote their socioeconomic integration, and benefit the local economy. Work should be continued on initiatives to facilitate **validation of studies and qualifications** obtained by women before they were forced to flee their countries.
- National authorities, local governments, academia, the private sector and humanitarian and development actors can play an essential role in ensuring refugee women who do not speak the local language can learn it. Teaching the local language can boost the inclusion of women, for example Haitian and indigenous women, and facilitate their access to a range of services. It is also recommended that interpreters always be available in essential services.
- **Cash assistance** can help women to be less vulnerable to labour exploitation and negative coping mechanisms, and have a positive impact on relationships within the home. It is therefore recommended that cash assistance initiatives be continued, but linked to other interventions addressing the gender inequality gap, mainly by involving men. It should be kept in mind that gender-based violence survivors should never be the only beneficiaries of a cash assistance programme so that stigmas and/or community tensions are not encouraged. Similarly, by considering that cash assistance provided by humanitarian action is a temporary intervention and often for emergencies, it is recommended that work continue so that the most vulnerable refugee women have **access to the social assistance systems in the countries**.
- **Shelters** are a crucial mechanism for the humanitarian response in view of the increased human mobility in the region. It is therefore essential to work on **mitigating the risks** of GBV in these spaces, from the infrastructure planning stage to their management, based on international standards on the matter.

6.4. Response to gender-based violence

- Considering that **States are the main guarantors of protection of refugee women**, efforts must be made to **strengthen and support the national protection systems for survivors of GBV and influence the inclusion** of the displaced population in these systems. Humanitarian actors play a key role by complementing the work of national authorities, and therefore creating parallel mechanisms for the refugee population should not be encouraged. Establishing inclusive assistance involves work on **raising awareness among service providers so that they understand the situation experienced by refugee women** and why they may face an increased risk of GBV.
- **GBV response services must take into consideration the specific population needs** within the group of forcibly displaced women, and women with diverse sexual orientation, gender identity, gender expression and sex characteristics, indigenous women and women with disabilities, among others. It is suggested that language training spaces be considered for the interpreting teams or services assisting refugee and displaced women whose native language is different from that of the country.
- In terms of case management of GBV survivor women, it is recommended to **strengthen the coordinated response based on standardized procedures between different sectors and services**, in order to offer an comprehensive and non-revictimizing response to survivors in line with the Inter-Agency GBV Case Management Guidelines.²³¹
- **Comprehensive support spaces** have allowed refugee and displaced women to find support options more easily in a single location, contributing to them feeling safer and seeking the assistance necessary when they need and want to.
- When designing GBV response interventions it is important to keep in mind the implementation of standards as described in **GBV inter-agency guidelines**, such as the Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Programming,²³² and the Handbook for Coordinating Gender-based Violence Interventions in Emergencies.²³³

231 UNHCR, GBV IMS, IMC, IRC, Primero, UNFPA, UNICEF and USAID, *Inter-agency Gender-Based Violence Case Management Guidelines*, 2017.

232 GBV AoR, *The Inter-Agency Minimum Standards for Gender-Based Violence in Emergencies Programming*, 2019.

233 GBV AoR, *Handbook for Coordinating Gender-based Violence Interventions in Emergencies*, 2019.

- To comply with the international and national regulatory frameworks, States should take action to ensure that **women survivors of violence without regular status can have access without discrimination to the response services available.**
- As there are refugee women living in border and/or rural areas, it is suggested that **roaming services be offered** in more remote areas. To prevent stigmatization and not put survivors at greater risk, it is important that these be general services for women, not specific services for survivors of gender-based violence.
- Work must be carried out on **actions to ensure the safety of women** in transit together with national governments and border actors. It is recommended that **cross-border gender-based violence assistance protocols** be developed, including the provision of multisectoral services in line with the needs of survivors (medical care, shelter, cash assistance, legal counselling, etc.).
- Finally, and in line with the zero-tolerance policy on sexual exploitation and abuse, efforts must be continued to **strengthen capacities** of the humanitarian and governmental actors for **prevention and due response to these serious incidents. Community complaint and feedback mechanisms** should be set up and strengthened, and clear assistance pathways established for survivors.

7.

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Main national regulatory frameworks concerning protection of refugees

| Regulatory Framework | Description | Date |
|--|---|-----------------------------------|
| Brazil | | |
| <u>Law 9474 of 1997</u> | Implementation of 1951 Status of Refugees. Establishes the procedure for determining, ending and losing refugee status, the rights and responsibilities of asylum seekers and refugees and durable solutions for the population. | 22 July 1997 |
| <u>Law on Migration Law 13445 of 2017</u> | Establishes the rights and responsibilities of migrants and visitors, governs their entry and stay in the country and lays down the principles and guidelines for public policies on migrants, including the protection of stateless persons. | 24 May 2017 |
| Colombia | | |
| <u>Law 35 of 1961</u> | Convention relating to the Status of Refugees is approved. | 12 July 1961 |
| <u>Decree 216 of 2021</u> | By means of which the Temporary Protected Status for Venezuelan Migrants under Temporary Protection Regime was adopted and other provisions on migration were laid down. | 29 May 2021 |
| Costa Rica | | |
| <u>Migration and Foreign Nationals Law No. 8764</u> | Article 106 of the General Migration and Foreign Nationals Law establishes the criteria according to which a person can be recognized as a refugee in Costa Rica. While said article mostly replicates the definition of refugee set forth in the 1951 Convention on the Status of Refugees, it includes "gender" as an additional reason for recognition of the refugee status. | 01 March 2010 |
| <u>Regulation on Refugees</u> | Establishes the creation of the Refuge, Restricted and Consular Visas Unit, reporting to the Directorate General of Migration and Foreign Nationals, including the Subprocess of Visas and Subprocess of Refugees, which, due to the specific nature and confidentiality in the matter, will be independent subprocesses, to provide technical and administrative support to the Restricted Visas and and Refuge Committee. | 01 November 2011 |
| Ecuador | | |
| <u>Organic Law on Human Mobility (RLOMH)</u> | It complies with international human rights conventions, governs the entry of foreign nationals (refugees, migrants and asylum seekers) and guarantees rights and obligations for Ecuadoreans living abroad and those returning to the country. | 06 February 2017 |
| Mexico | | |
| <u>Migration Law</u> | The country's main migration regulation. | 25 May 2011 |
| <u>Law on Refugees, Additional Protection and Political Asylum</u> | Establishes the refugee status determination procedure and rights of applicants and refugees. | 27 January 2011 |
| Peru | | |
| <u>Legislative Decree 1350 – Migration Law</u> | Article 11, on "Foreign Foreign nationals in vulnerable situations", recognizes situations of vulnerability for migrants for the protection of their rights, especially those of: children and adolescents, the elderly, persons with disabilities, indigenous populations and those in need of protection. | 07 January 2017 |
| <u>Law No. 27891, Refugee Law</u> | The purpose of this Law is to govern the entry, recognition and legal relationship of the Peruvian State with the refugee, in accordance with the international instruments to which Peru is party and the domestic laws on the matter. | 10 October 2003 |
| Venezuela | | |
| <u>Organic Law on Refugees and Asylum Seekers - available in Spanish (LORRAA).</u> | Created to govern the right to asylum in accordance with the terms laid down in the Constitution of Venezuela, the basic principle of which is that any person can apply for international protection due to well-founded fears of being persecuted for the reasons and in the conditions laid down in the 1967 Protocol relating to the Status of Refugees. It also includes sex/gender as a cause for persecution. | 13 September 2001 04 July 2003 |
| <u>Regulations of the Organic Law on Refugees and Asylum Seekers (LORRAA)</u> | The regulations contain specific rules on the refugee status determination procedure, and the operation and creation of the administrative body with competency on refugees, CONARE. | |

Main national regulatory frameworks concerning gender-based violence of gender

| Regulatory Framework | Description | Date |
|---|---|------------------|
| Brazil | | |
| <u>Criminal Code Law 2848</u> | Classifies sexual offences and violence committed outside the domestic setting. | 07 December 1940 |
| <u>Political Constitution of the Federal Republic of Brazil</u> | The State guarantees assistance to every family member, meaning that mechanisms must be created to prevent violence in family relationships. Specifically, article 226 paragraph 8 reinforces the State's duty to prohibit intrafamily violence, in addition to the assistance and prevention guarantee. | 5 October 1988 |
| <u>Maria da Penha Law Law 11340</u> | Defines domestic violence as a form of human rights violation. Amends the Criminal Code and allows assailants to be detained in flagrante delicto or held on remand when they pose a threat to the physical integrity of the woman. It also lays down measures to protect the life of women at risk, such as restraining orders and injunctions. | 07 August 2006 |
| <u>Femicide Law Law 13104</u> | Incorporates femicide into the Criminal Code. It is defined as an homicide "against a woman on account of their gender. The homicide is considered on account of their gender when the crime involves domestic and family violence, contempt or discrimination against women. | 1 March 2015 |
| Colombia | | |
| <u>Law 51 of 1981</u> | Approves the "Convention on the Elimination of All Forms of Discrimination Against Women", adopted by the United Nations General Assembly on 18 December 1979 and signed in Copenhagen on 17 July 1980. | 2 June 1981 |
| <u>Political Constitution of Colombia</u> | Includes the right to equality, which recognizes that all persons, regardless of origin or nationality, race, sex, gender or any other distinction, have the same rights, freedoms and opportunities on Colombian territory. | 04 July 1991 |
| <u>Law 984 of 2005</u> | Approves the "Optional Protocol of the Convention on the Elimination of All Forms of Discrimination Against Women", adopted by the United Nations General Assembly on 6 October 1999. | 12 August 2005 |
| Costa Rica | | |
| <u>Law No. 7142 on Promoting the Social Equality of Women</u> | Stipulates in article 2 that the powers and institutions of the State are required to ensure that women suffer no discrimination due to their gender and that they have the same rights as men, whatever their marital status, in all political, economic, social and cultural spheres. | 26 March 1990 |
| <u>Law No. 7586 against Domestic Violence</u> | Article 23 states that public institutions should be involved in the detection, assistance, prevention and job placement of abused persons, and are required to direct their work to meet this purpose. | 02 May 1996 |
| <u>Law No. 9877 against sexual harassment on the street</u> | Article 1 defines sexual harassment on the street as any one-way behaviour or behaviours with sexual connotations, without the consent or acceptance of the person or persons to whom it is addressed, with the potential of causing annoyance, discomfort, intimidation, humiliation, insecurity, fear or offence, generally coming from a person not known to the recipient and taking place in public spaces or spaces with public access. It adds a section IV, with the title "Sexual harassment in public spaces or spaces with public access", to title 111 of book 11 of the Criminal Code. | 27 August 2020 |
| <u>Law No. 9975 amending the Law Penalties for Violence against Women and the Criminal Code</u> | The reform of the Law consists of expanding the classification of the offence of femicide to dating relationships, relationships without cohabitation, casual relationships or other similar; in the same way it expands the classification of the offences of abuse, restricting freedom of movement, restricting self-determination, rape, abusive sexual behaviour, withdrawal of assets, financial harm and limiting the exercise of the right of ownership. Finally, it changes the requirements for remand for offences where the person investigated has or has had a romantic partner relationship with the victim, whether marriage, de facto union, dating, cohabitation or not, casual or other similar relationship, even if divorce has taken place. | 10 June 2021 |

| Regulatory Framework | Description | Date |
|--|---|---------------------------------------|
| Ecuador | | |
| <u>Organic Comprehensive Criminal Code (COIP)</u> | Its purpose is to govern the State's punitive powers, to classify criminal offences, to establish the procedure for judging persons in strict compliance with due process, and to promote social rehabilitation of persons convicted and full reparation of victims. The COIP classifies with the corresponding penalties three manifestations of violence against women or members of the nuclear family: physical, psychological and sexual. It does not include economic or financial violence. It includes classification of femicide for the first time in Art. 141. | 10 February 2014 |
| <u>Comprehensive Organic Law for Preventing and Eradicating Violence against Women</u> | Its purpose is to prevent and eradicate all types of violence against women, whether girls, adolescents, young, adult or elderly women and lesbians or trans women, regardless of the colour of their skin, where they were born or in what conditions they live. This Law is for all women in their diversity, and in particular for those in risk of violence. It also prioritizes and provides for specialist assistance for girls and female adolescents. It applies throughout the territory to all women living in the country, whether Ecuadorean or not. | 05 February 2018 |
| Mexico | | |
| <u>Federal Civil Code</u> | Includes precepts under family law. | 26 May, 14 July, 3 and 31 August 1928 |
| <u>Federal Criminal Code</u> | Includes definitions of offences concerning violence against women. | 14 August 1931 |
| <u>General Law for Equality between Women and Men</u> | Law on gender equality between women and men. | 02 August 2006 |
| <u>General Law on Access to a Life Free from Violence for Women</u> | Main legislation on violence against women. | 01 February 2007 |
| <u>General Law on Victims</u> | Lays down the rights available to the victims of human rights violations. | 09 January 2013 |
| Peru | | |
| <u>Political Constitution of Peru</u> | Establishes that "the defence of the human person and respect for their dignity are the ultimate goal of society and the State" and that all persons have the right to "equality before the law. Nobody should be discriminated against on the grounds of origin, race, sex, language, religion, opinion, financial status or any other status." | 29 December 1993 |
| <u>Law No. 30364 to prevent, penalize and eradicate violence against women and members of the family group</u> | It is one of the main regulations promoted by the Peruvian State in order to prevent, eradicate and penalize all forms of violence against women on account of their gender and against the members of the family group, occurring in the public or private spheres. It also lays down that persons have the right to "choose their place of residence, move around national territory and enter and leave it, except if there are limitations due to health or by judicial mandate or pursuant to the Law on Foreign Nationals." | 24 November 2015 |
| <u>Legislative Decree No. 1323</u> | Introduces reforms to the criminal law on gender-based violence, including penalties for assailants of women in the case of the offence of minor and serious bodily harm. It also created the offence of sexual exploitation for women victims. | 05 January 2017 |
| Venezuela | | |
| <u>Constitution of the Bolivarian Republic of Venezuela (CRBV)</u> | Establishes guarantees on gender equality for the first time, in addition to the right of asylum and refuge with constitutional status, and orders the creation of an Organic Law on refugees and asylum seekers in accordance with international treaties. | 30 December 1999 |
| <u>Organic Law on Women's Right to a Life Free from Violence (LODMVVLV)</u> | It currently classifies 25 types of gender-based violence and the penalties for perpetrators of any kind of violence, stipulating that the Venezuelan State has the responsibility to provide information, comprehensive social assistance and free, quality, urgent, specialist and multidisciplinary legal aid to women survivors of gender-based violence without distinction, including refugee and asylum-seeking women. | 23 April 2007 |
| <u>Law on Respect for Human Rights in the Exercise of Public Duties</u> | Promulgates the obligation of employees of the public administrations to assist users without discrimination, taking reports of human rights violations particularly seriously, including gender-based violence reports. | 28 October 2021 |

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Welcome the stranger.
Protect the refugee.