

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
on
Human Rights and Humanitarian Challenges in Central America

November 1, 2017 – 1:00- 2:30 p.m.
2255 Rayburn House Office Building

Statement of Rachel Dotson
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I would like to thank the Co-Chairs and members of the Tom Lantos Human Rights Commission for inviting us to testify today.

Kids in Need of Defense and the Human Rights Center Fray Matías de Córdova in Chiapas, Mexico recently published two reports documenting sexual and gender-based violence against Central American migrant children in their places of origin and transit.¹ For the reports, we interviewed 60 migrant children and reviewed the legal case files of an additional 36 KIND clients. We also interviewed 78 civil society and government representatives in Guatemala, El Salvador, Honduras, and Mexico.

Our research demonstrated that it is severe and widespread sexual and gender-based violence, combined with an almost complete lack of access to protection and justice, that forces many Central Americans, especially women, children, and LGBTI people, to flee their countries in search of safety. These brutal forms of violence driving child migration from Central America include child sexual abuse, domestic violence, gang-based sexual violence, human trafficking and sexual exploitation, and gender-based violence against LGBTI children and youth.

Sexual violence perpetrated by gangs is one of the most common forms of this violence. In the urban and increasingly rural areas where gangs dominate, women and girls are in constant danger of being targeted for sexual violence. Gangs use rape and the threat of rape as a tactic to

¹ Kids in Need of Defense (KIND) and Human Rights Center Fray Matías de Córdova, *Childhood Cut Short: Sexual and Gender-based Violence Against Central American Migrant and Refugee Children*, June 2017, <https://supportkind.org/resources/childhood-cut-short/>; Kids in Need of Defense (KIND), *Neither Security nor Justice: Sexual and Gender-based Violence and Gang Violence in El Salvador, Honduras, and Guatemala*, May 2017, https://supportkind.org/wp-content/uploads/2017/05/Neither-Security-nor-Justice_SGBV-Gang-Report-FINAL.pdf.

control the territories and populations where they operate, to control the behavior of girls and their families, and to punish those who don't comply with the "rules" imposed by the gang. For example, in many cases girls are kidnapped and raped in order to punish their families for failure to pay extortion to the gang, or as a warning to the girl's brother who attempted to resist forced recruitment by gangs. In some cases girls and women are tortured, mutilated, and killed, and their bodies are left in public spaces to demonstrate to the entire community the absolute power of the gang and the consequences for those who resist their authority.

Young women and girls, including girls as young as 13 or 14 years old, are also frequently targeted for forced relationships with gang members. Girls who resist these advances face violence or even death. Girls and young women in these relationships are trapped in situations of sexual and in some cases domestic servitude. Any attempt to leave the relationship is seen as an affront to the gang and punishable with violence toward the victim and often her entire family. Attempts by victims to relocate within the country are often futile-- gangs track them down and ruthlessly punish them.

To understand why survivors of these forms of violence flee their countries to seek safety, it is essential to understand the context of widespread impunity in the Northern Triangle. While Guatemala, El Salvador, and Honduras have progressive laws related to sexual and gender-based violence on the books, in reality these laws are rarely enforced. When victims report rape or domestic violence they face a barrage of obstacles to gaining protection and achieving justice: judicial institutions are often physically inaccessible to victims who live in rural or marginal urban areas; police officers and other officials sometimes refuse to take reports, blame victims for what happened, or even subject them to sexual harassment or abuse: and there is an almost complete lack of protection mechanisms in place for those who do report, leaving victims vulnerable to further violence during and after the judicial process. Similar obstacles exist in child protection systems, which are severely underfunded and often fail to protect child survivors from ongoing violence.

The situation is even graver when gangs or other organized criminal groups are involved-- reporting gang violence puts victims and witnesses at great risk of retaliation or death. Officials are often unwilling or unable to intervene in cases of gang related violence, or in cases of domestic violence or child abuse committed in a gang-controlled area. For example, officials are often unable to enter into gang-dominated areas to deliver restraining orders or investigate child abuse reports. In other cases corrupt police, prosecutors, and other officials work in collusion with gangs and may inform the gang that the victim has made a report, putting her in grave danger of retaliation by the gang. Access to protection for victims is also severely limited in cases where gangs are involved—few shelters for survivors of domestic violence exist, and those that do often will not shelter victims when the aggressor is a gang member, due to fear for the safety of staff and other residents.

Central America has simply become unsafe for women, girls, and LGBTI people, and without significant institutional reforms to address SGBV and impunity, victims will continue fleeing for their lives.

The United States should commit to substantial and long-term foreign assistance to El Salvador, Honduras, and Guatemala to address sexual and gender-based violence and other root causes of migration.

The United States should ensure that sexual and gender-based violence prevention and response programming, as well as gang violence prevention and intervention programming, are priority areas for foreign assistance from all U.S. agencies to El Salvador, Guatemala, and Honduras.

And finally the United States should ensure that funding to Central America supports government efforts to address violence generated by gangs and other organized criminal groups, and to meaningfully fight corruption.