

# Violence perpetrated by police, military, and other public security forces against gay, bisexual, and other men who have sex with men in El Salvador

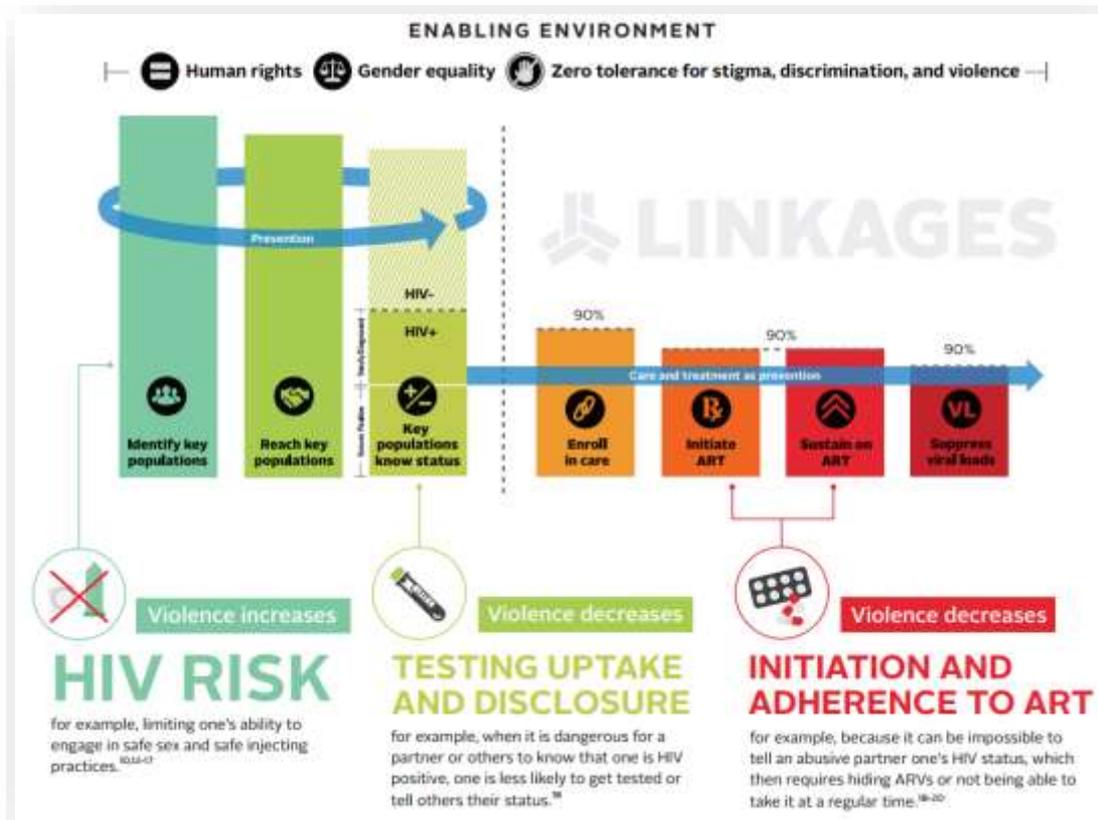
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*SVRI Forum*  
*October 22, 2019*



# Study background

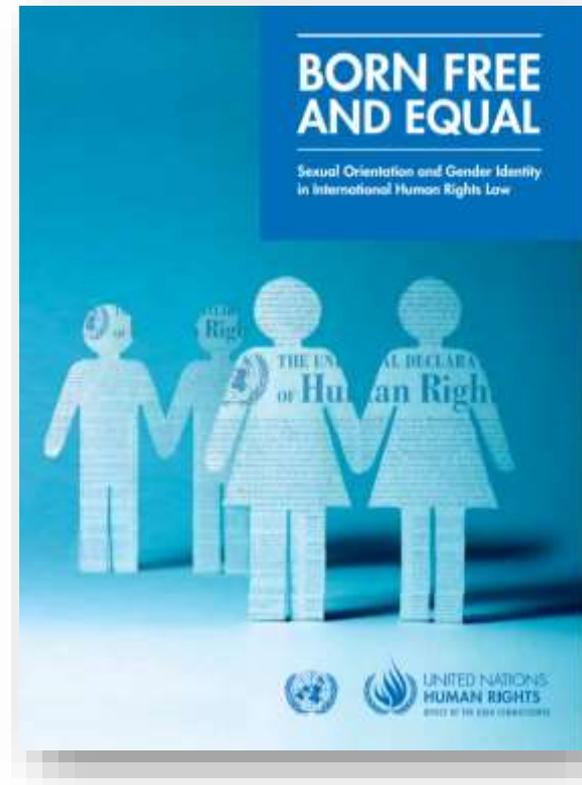
- Key populations most affected by HIV (gay, bisexual, and other men who have sex with men; sex workers; and transgender women) experience a disproportionate burden of GBV
- GBV is a risk factor for HIV and a barrier to HIV service seeking
- Key populations members' experiences of GBV should be understood and addressed in HIV programs



<https://www.fhi360.org/sites/default/files/media/documents/infographic-hiv-gpv.PDF>

# Using the term “gender-based violence”

- The United States President’s Emergency Plan For AIDS Relief (PEPFAR), states that GBV refers to “any form of violence that is directed at an individual based on his or her biological sex, gender identity or expression, or **his or her perceived adherence to socially-defined expectations** of what it means to be a man or woman, boy or girl.”<sup>1</sup>
- The United Nations notes that “LGBT individuals are at particular risk of targeted violence at the hands of private actors... **These attacks constitute a form of gender-based violence, driven by a desire to punish those seen as defying gender norms.**”<sup>2</sup>



1. United States President’s Emergency Plan for AIDS Relief. PEPFAR 2018 country operational plan guidance for standard process countries. Washington: Office of the United States Global AIDS Coordinator, 2018.
2. United Nations Human Rights Office of the High Commissioner. Born free and equal: sexual orientation and gender identity in international human rights law. New York and Geneva: UN, 2012. Available from: <https://www.ohchr.org/Documents/Publications/BornFreeAndEqualLowRes.pdf>.

# Larger qualitative study: Gender-based violence, HIV, and key populations in Latin America and the Caribbean

- Supported by United States Agency for International Development (USAID), PEPFAR, and United Nations Development Programme (UNDP)
- Community-based participatory research in Haiti, Trinidad and Tobago, Barbados, and El Salvador
- Explored experiences of violence in 12 contexts:

Health care	Sex work
Police/military	Judicial/correctional system
On the street/public spaces	Intimate partners
Other state institutions	Before age 18
Economic	Religious
Educational	Other workplace settings

# Asking about gender identity

Gender identity refers to a person's internal sense of themselves as being male, female, transgender, or another gender. This may be different than or the same as a person's assigned sex at birth. What is your current gender identity?

Male

Female

Transgender woman

Transgender man

Decline to state

# Study objective

Document violence perpetrated by public security forces against gay, bisexual, and other men who have sex with men in El Salvador, including perceived motivations and types of violence committed



# Context: El Salvador

- One of the highest violent crime rates in the world
- 12-year civil war ended in 1992
- Homosexuality is not criminalized
- Anecdotal reports of violence committed by public security forces; no official studies completed



**CNN** Latinoamérica » México | Caribe | Centroamérica | Zona andina | Cono sur

**EL SALVADOR**

## Aumentan crímenes de odio contra la comunidad LGBTI de El Salvador

Por Merlin Delcid  
10:44 ET(14:44 GMT) 8 Junio, 2015

<https://cnnespanol.cnn.com/2015/06/08/aumentan-crimenes-de-odio-contra-la-comunidad-lgbti-de-el-salvador/>

# Sample and recruitment

- Purposively sampled
- Eligibility: 18+ years old; cisgender man reporting sex with other men
- Recruited through local LGBT-led NGO, Asociación Entre Amigos
- 20 structured qualitative interviews of gay, bisexual, and other men who have sex with men conducted by peers



# Methods

- Systematic coding and narrative analysis
  - Perpetrators
    - National Civil Police, City Police, Military, Prison Guards
  - Types of violence
    - Physical, emotional, sexual, economic
  - Perceived motivations of perpetrators
  - Impact of violence

# Results

- 19/20 reported experiencing emotional, physical, sexual, AND/or economic violence by public security forces

Public security forces	Number of participants reporting violence	Most common examples
National Civil Police	15	Unwarranted searches
City Police	7	Removal from public spaces
Military	8	Physical violence
Prison Guards	4	Sexual violence

## Results: Unwarranted searches by National Civil Police

*Well, we were sitting with my friends, at my business. Not doing anything. The police arrived and... made us get up. They started to search us, and they even wanted to take us away in the police car. Without us doing anything. They only did it to mess around. **They had us standing there for almost half an hour, with our hands on our heads.** – Eduardo, age 31*

## Results: Theft by city police

*So anyways, we would be looking for taxis, and most of the time an agent would stop us and look through our purses, and they would always rob our cell phones or our money. It was very common. Common, common, common. **I knew that every Sunday for me meant getting my phone stolen.** – Erick*

## Results: Perceived motivations of perpetrators

- Perceived sexual orientation due to gender expression
  - Most often connected to clothing and accessories
- Perceived sexual orientation due to other reasons
  - Messages from boyfriend on cell phone
  - Gay dating apps
  - Carrying condoms

## Results: Perceived sexual orientation due to gender expression

*...and all of a sudden, the soldiers arrived... they got us to put our hands up and they hit one of my feet ... so that I would spread my legs. So, I told him that I couldn't open my legs very wide because of my tight pants, because the pants didn't let me spread my legs any further, so he came and told me... "and who are you, asslicker, to go around with long nails?" **He said, "chew off your nails," and he made me bite all of them off ... I bit them off, and he said that I had to swallow them. – Mario, age 31***

# Results: Impact of violence (1)

## Personal

- Emotional distress
  - Humiliation, fear, insecurity, depression, suicidal ideation
- Distrust of authorities
  - Inability to report incidents

*Well, [I feel] disappointed, feeling like I want to die... Sometimes, when I'm depressed, I don't know, I start to feel bad and well yes, I start to talk to myself... "I would be better off dead." – Nelson, age*

20

# Results: Impact of violence (2)

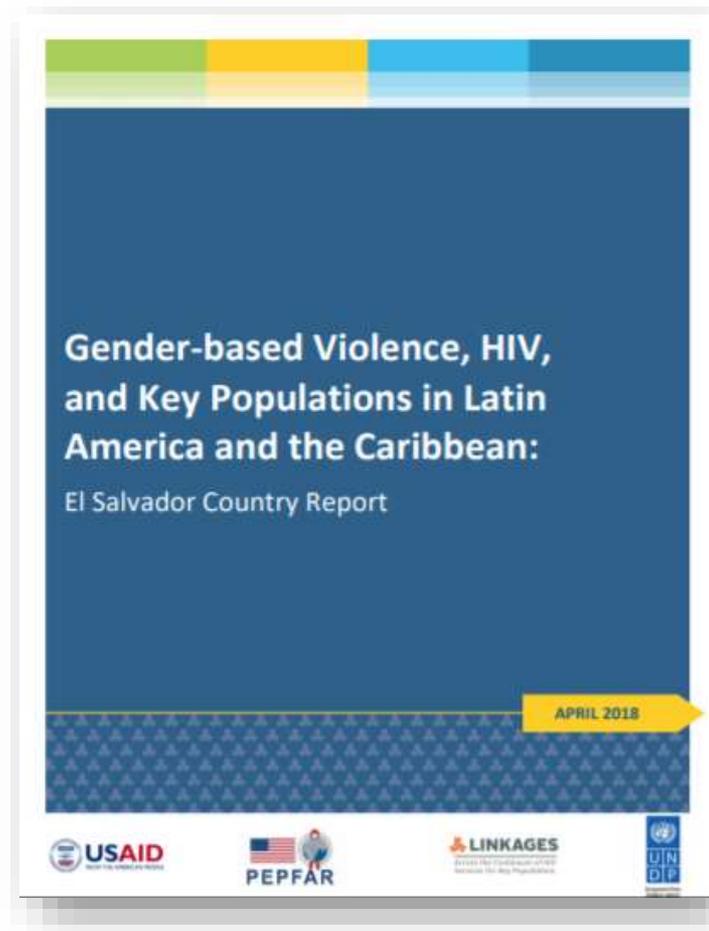
## Interpersonal

- Further stigma and violence
  - Violence perpetrated by people in power encouraged bystanders to commit violence
  - Violence as reprisal for seeking accountability

*Then [the police] started to hassle me... supposedly, I was the one who would end up losing out...they already knew where I lived... So, I didn't make a big deal out of it, because if I were to press charges that could start to cause trouble for me.—Manual, age 33*

# Discussion

- Contributes to the growing body of peer-reviewed evidence on abuses of LGBT people by duty bearers
- Supports community and HIV programmers' calls for work with security forces to create successful HIV programs
- Documents the gendered causes of violence against LGBT people, opening opportunities for collaboration with others working on GBV



# Recommendations (1)

>DECRETO N.º 38-

NOSOTROS, REPRESENTANTES DEL PUEBLO SALVADOREÑO REUNIDOS EN ASAMBLEA CONSTITUYENTE, PUESTA NUESTRA CONFIANZA EN DIOS, NUESTRA VOLUNTAD EN LOS ALTOS DESTINOS DE LA PATRIA Y EN EJERCICIO DE LA POTESTAD SOBERANA QUE EL PUEBLO DE EL SALVADOR NOS HA CONFERIDO, ANUNCIAMOS DEL FERVIENTE DESEO DE ESTABLECER LOS FUNDAMENTOS DE LA CONVIVENCIA NACIONAL CON BASE EN EL RESPETO A LA DIGNIDAD DE LA PERSONA HUMANA, EN LA CONSTRUCCIÓN DE UNA SOCIEDAD MÁS JUSTA, ESENCIA DE LA DEMOCRACIA Y AL ESPÍRITU DE LIBERTAD Y JUSTICIA, VALORES DE NUESTRA HERENCIA HUMANISTA,

DECRETAMOS, SANCIONAMOS Y PROCLAMAMOS, lo siguiente:

**CONSTITUCIÓN**

**TÍTULO I**

**CAPÍTULO UNICO**

**LA PERSONA HUMANA Y LOS FINES DEL ESTADO**

Art. 1.- El Salvador reconoce a la persona humana como el origen y el fin de la actividad del Estado; que está organizada para la consecución de la justicia, de la seguridad jurídica y del bien común.

ASIMISMO RECONOCE COMO PERSONA HUMANA A TODO SER HUMANO DESDE EL INSTANTE DE LA CONCEPCIÓN (12)

En consecuencia, es obligación del Estado asegurar a los habitantes de la República, el goce de la libertad, la salud, la cultura, el bienestar económico y la justicia social.

**TÍTULO II**

**LOS DERECHOS Y GARANTÍAS FUNDAMENTALES DE LA PERSONA**

**CAPÍTULO I**

**DERECHOS INDIVIDUALES Y SU RÉGIMEN DE EXCEPCIÓN**

**SECCIÓN PRIMERA**  
**DERECHOS INDIVIDUALES**

Art. 2.- Toda persona tiene derecho a la vida, a la integridad física y moral, a la libertad, a la seguridad, al trabajo, a la propiedad y goce, y a ser protegido en la consecución y defensa de los mismos.

Se garantiza el derecho al honor, a la intimidad personal y familiar y a la propia imagen.

Train all security forces using a gender transformative approach; include:

- The unique needs and legal rights of LGBT Salvadorans
- Appropriate operationalization of existing laws, including guidance on stop and search
- Documentation and response to incidents of violence reported by the LGBT community

## Recommendations (2)

Collaborate with traditional actors working in GBV prevention and response to make a wide array of services available while addressing common causes of violence (including perceived failure to conform to restrictive gender norms)

- Increase mental health services available to gay, bisexual, and other men who have sex with men

### Teenage girls most at risk amid rising sexual violence in El Salvador - report

Study reveals 31% increase in sexual attacks since 2017, with many related to gang culture



<https://www.theguardian.com/global-development/2019/apr/17/teenage-girls-el-salvador-rising-sexual-violence-report> The Guardian. April 17, 2019.

# Thank you!

- Dirk Davis: [dirkd@email.unc.edu](mailto:dirkd@email.unc.edu); Robyn Dayton: [rldayton@fhi360.org](mailto:rldayton@fhi360.org)
- Davis, Dirk A., et al. "The health impacts of violence perpetrated by police, military and other public security forces on gay, bisexual and other men who have sex with men in El Salvador." *Culture, health & sexuality* (2019): 1-16.
- Evens, Emily, et al. "Experiences of gender-based violence among female sex workers, men who have sex with men, and transgender women in Latin America and the Caribbean: a qualitative study to inform HIV programming." *BMC international health and human rights* 19.1 (2019): 9.

Data collectors working with gay, bisexual, and other men who have sex with men in El Salvador:

- Francisco Javier Aquino Rosa
- Carlos Adalberto Garay Torres
- Mauricio Ernesto Batres Reyes
- Jairo Isaías Trigueros Ortiz



# Acknowledgments

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**USAID**  
FROM THE AMERICAN PEOPLE



**PEPFAR**  
U.S. President's Emergency Plan for AIDS Relief

 **LINKAGES**

*Across the Continuum of HIV Services for Key Populations*

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Resilient nations.*

