
Women and the Rule of Law: A View from the Americas

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Over the course of a career devoted to the Americas, I have had the tremendous privilege to bear witness to remarkable changes in this region. Latin American and Caribbean countries have made significant progress toward consolidating democratic rule, exercising sound economic management, and encouraging greater government responsiveness and accountability. Today, the people of this region are freer, better governed, and more prosperous than ever.

The United States and our partners in the Americas understand that progress in the region depends on creating opportunity and strengthening the rule of law for all citizens. Women are fundamental to this equation, and our efforts include strengthening women's security, reducing gender-based violence, and promoting women's political and economic participation. As a friend, neighbor, and partner, the United States is helping countries in the region to forge lasting solutions to empower women. These solutions include addressing underlying causes of crime such as poverty, unemployment, lack of access to education, and weak institutions that foster corruption and impunity.

Roberta S. Jacobson was sworn in as Assistant Secretary of State for Western Hemisphere Affairs on March 30, 2012. Ms. Jacobson has held numerous positions related to U.S. interests in the Western Hemisphere, including Principal Deputy Assistant Secretary for Western Hemisphere Affairs, Deputy Assistant Secretary for Canada, Mexico and NAFTA issues, Director of the Office of Mexican Affairs, Deputy Chief of Mission at the U.S. Embassy in Lima, Peru, Director of the Office of Policy Planning and Coordination in the Bureau of Western Hemisphere Affairs, and Coordinator for Cuban Affairs. Ms. Jacobson holds a Masters of Arts in Law and Diplomacy from the Fletcher School of Law and Diplomacy (1986) and a Bachelor of Arts from Brown University. She also worked for the United Nations from 1982-1984 in the Center for Social Development and Humanitarian Affairs.

THE SCOPE OF THE CHALLENGE

Despite much progress, citizens throughout the hemisphere, particularly women and girls, face a number of significant security concerns. Homicide and femicide rates in Latin American and Caribbean countries are among the highest in the world.¹ According to the Small Arms Survey, this hemisphere accounts for more than half of the countries in its global database with high femicide rates. The United Nations Office on Drugs and Crime has found that the Caribbean islands have rates of sexual violence that exceed the world average.² High levels of violence against women tend to correspond to regions with high levels of overall violence.³ Further, violent crimes in the Western Hemisphere are frequently committed, less frequently reported, seldom investigated, and rarely end with convictions.

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This dynamic exists in many parts of the world and Latin America is no exception. In Colombia, displaced women struggling to support their families fear that their children will be forcibly recruited or targeted for retaliation by illegal armed groups. Violence along the U.S.-Mexico border has deeply impacted many women who work in that country's *maquiladora* sector, as the plants that manufacture goods for export are known. A recent UN study reported that Latin America has

outpaced Africa in the rates of murders during peacetime, with Venezuela and Honduras topping the list. In country after country, women are more likely to be the victims than the perpetrators of violence, a fact that has deep implications for these societies, but also for U.S. policies to combat violent crime.

Weak rule of law constitutes a significant obstacle to ensuring women's security. In Bolivia, for example, according to a Center for the Women's Information and Development (CIDEM) and Emancipation Fund study,

only 9 percent of the reported cases of domestic violence between 2007 and 2011 had been legally resolved. Fewer than 0.5 percent of the cases resulted in a prison sentence for the accused.⁴ These trends are prevalent throughout Latin America and the Caribbean, creating a loss of faith in the justice system which leads victims to suffer in silence without reporting the crimes committed against them. It is clear that the women of our hemisphere need—and deserve—better protection and access to justice.

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Conversely, experience shows that when women participate more fully in society, countries are safer and more prosperous for all citizens. This reality has driven U.S. policy, and we are taking concrete steps to empower women as equal participants in peace and security processes. In 2011, President Obama mandated the development of the U.S. National Action Plan for Women, Peace, and Security. This redoubled our commitment to ensuring that women's voices are heard, not marginalized; that women's views are included, not sidelined; that women's needs and interests are served, not ignored; and that women's ideas and inspiration for lasting peace and justice are at the heart of U.S. diplomatic efforts around the world.⁵

WOMEN AND SECURITY: AN INTEGRATED APPROACH

The challenges facing women and security in the Americas do not exist in a vacuum. Despite marked progress in some countries, women are still woefully underrepresented in terms of political participation at the highest levels of government and as leaders in the private sector. In order to become full and equal participants in societies throughout the Americas, women require not only equal access to services, like health care, food security, and education for their children, but also better representation at all levels of decision-making.

This is equally true when it comes to access to justice and the rule of law. While it is important that legal systems affirm the equality of women, this alone is not enough if the relevant institutions do not demonstrate sufficient participation and leadership by women. It is therefore vital for the justice system to recruit, train, and retain female police officers, prosecutors, and judges who can work with their male counterparts to reduce the barriers to justice faced by women.

The United States is working with governments and civil society

in the Americas to address the threats people face in their daily lives by breaking the influence of transnational organized crime and reducing the impact of common crime. The heart of these efforts to combat crime and strengthen the rule of law is rooted in our flagship security initiatives: our long-standing security cooperation with Colombia, where we first addressed the link between security and the broader welfare of vulnerable communities; the Mérida initiative in Mexico, where we built upon these ideas to make “Resilient Communities” a core element of our strategy; and our two regional efforts—the Central American Regional Security Initiative and the Caribbean Basin Security Initiative—that adapt the best practices developed in Mexico and Colombia to the challenging context of small, diverse states struggling with rising violence and weak institutions.

For each initiative, experience has shown that effective efforts to combat crime and strengthen rule of law must include steps to protect the most vulnerable members of society, including women and girls; youth; lesbian, gay, bisexual, and transgender (LGBT) persons; people of African

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The experience of Colombia provides a prime example of how U.S. support has succeeded in increasing security for all Colombians, including women and other vulnerable groups in historically under-served regions of the

country. This approach is integrated into various aspects of our initiatives, such as a police scholarship program that targets students from primarily culturally isolated and economically marginalized areas. This program is increasing the number of female police in Colombia, including in areas that have never had female members of the police force.

The United States’ efforts to strengthen women’s security also include our work with regional partners to support capacity building in law enforcement institutions in order to raise awareness and reduce gender-based violence. More specifically, the United States recently partnered with the Government of Chile to offer a course on countering gender-based violence at the International Law Enforcement Academy in San Salvador, El Salvador. The course is designed to teach law enforcement officers how

to prevent and respond to incidents of gender-based violence. It focuses on the risk factors associated with domestic violence and the importance of risk assessment in violence intervention. Participants included a total of thirty-five officials from El Salvador, Bahamas, Barbados, Trinidad and Tobago, and Belize.

The United States is committed to doing our part to help advance the rule of law for women in the hemisphere and to strengthen society as a whole. Through the *Mujeres Adelante* initiative, we bring emerging leaders from Central America and the Dominican Republic to the United States for training on gender-based violence. We have also convened representatives from across the English-speaking Caribbean states to share best practices on preventing and responding to gender-based violence, and to promote regional citizen security. We are working on this issue throughout the region, in countries such as Peru, where the United States has funded specialized training for over 500 law enforcement officers, judges, and prosecutors, including approximately 200 women.

We have also engaged with governments in Latin America on security-related issues. Mexico and Central America have been a particular area of focus. In Mexico, our work includes training Mexican state and municipal police officers and state prosecutors on gender-based violence. We have supported a Department of Justice project to provide training and technical assistance to law enforcement, prosecutors, and judges to combat violence against women and children.

Since 2010, we have worked with Mexico's Office of the Special Prosecutor for Crimes of Violence Against Women and Human Trafficking to provide training on trafficking in persons, assist victims of serious crimes, and combat the sexual exploitation of children. The United States and Mexico have also signed a memorandum of understanding, making the issue a bilateral priority, and are partners in Equal Futures, a multilateral initiative to promote women's full economic and political participation.

Meanwhile, through the Central American Regional Security Initiative, we support the twenty-four-hour court system in Guatemala, an effective means of reducing pre-trial detention, protecting victims, and increasing the efficiency of the judicial system. Victims of domestic or sexual crimes can report the crime twenty-four hours a day, and receive follow-up medical and social services.

Citizens from countries across Latin America are leading the charge to establish a more gender-inclusive approach to judicial and security issues. Legal professionals, civil society, and human rights commissions are playing an important role in strengthening the rule of law throughout Latin America,

and the United States celebrates and encourages their accomplishments.

One inspiring example is Claudia Paz y Paz, Guatemala's first female attorney general, who has brought accountability to perpetrators of human rights abuses. During her tenure from 2010 to 2014, the number of homicide cases resulting in conviction rose, from 264 convictions in 2012 to 286 convictions in 2013. Overall conviction rates increased 20 percent from 5,941 in 2012 to 7,122 in 2013.⁶ These are two achievements that earned her recognition from the Georgetown Institute for Women, Peace, and Security, and the Georgetown Dean's Award for achievement in advancing women in peace and security. Similarly, Brazilian Major Pricilla de Oliveira Azevedo, a recipient of the State Department's 2012 International Women of Courage award, has shown exceptional leadership as the first female

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commander of a Pacification Police Unit, where she is integrating previously marginalized populations into the larger Rio de Janeiro community.

These female leaders serve as important role models to young women and girls by modeling leadership, questioning inequality, and championing justice—all while reflecting the diversity of their nations. Other examples of female leadership include advocates of legislation formally designating violence against women a crime

in Brazil, Chile, Guatemala, and St. Lucia. Furthermore, the United States supports regional institutions such as the Inter-American Commission on Human Rights and its Rapporteur on Women's Rights, both of which play critical roles in promoting access to justice and equal rights for women.

ENHANCING SECURITY FOR ALL

The United States is committed to working with partners in Latin America and the Caribbean to advance the shared goal of building a hemisphere where all citizens can live their lives to the fullest potential, free from the threat of crime and violence. Ensuring equal access to justice, and equal treatment under the law will contribute immensely to hemispheric security, and will enable women to take their rightful place at the table during security discussions. As Secretary of State John Kerry said, "We value gender equality, knowing that countries are, in fact, more peaceful and prosperous

when women and girls are afforded full rights and equal opportunity.”⁷ The United States understands that strengthening the rule of law will contribute immeasurably towards achieving this objective, and our strong hemispheric partnerships are striving every day to make the Americas safe for everyone.*f*

ENDNOTES

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