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S. RES. 178

Expressing the sympathy of the Senate to the families of women and girls murdered in Guatemala, and encouraging the United States to work with Guatemala to bring an end to these crimes.

IN THE SENATE OF THE UNITED STATES

MAY 1, 2007

Mr. BINGAMAN submitted the following resolution; which was referred to the
Committee on Foreign Relations

RESOLUTION

Expressing the sympathy of the Senate to the families of women and girls murdered in Guatemala, and encouraging the United States to work with Guatemala to bring an end to these crimes.

Whereas, since 2001, more than 2,000 women and girls have been murdered in Guatemala;

Whereas most of the victims are women ranging in age from 18 to 30, with many of the cases involving abduction, sexual violence, or brutal mutilation;

Whereas, from 2001 to 2006, the rate at which women have been murdered in Guatemala has almost doubled, increasing at a higher rate than the murder rate of men in Guatemala during the same period;

Whereas, according to data from Guatemala's Public Prosecutors Office, few arrests and fewer convictions have occurred, and prosecutors, forensics experts, and other state justice officials have not brought the perpetrators to justice;

Whereas, from 2001 to 2006, there were only 20 convictions for the murders of women and girls;

Whereas the Human Rights Ombudsman of the Government of Guatemala has reported that in 1 year alone police officers were implicated on 10 separate occasions in the murder of women in Guatemala, and recommended that such officers and other officials be held accountable for their acts;

Whereas an effective, transparent, and impartial judicial system is key to the administration of justice, and the failure to ensure proper investigations and prosecutions hampers the ability to solve crimes and punish perpetrators;

Whereas inadequate financial, human, and technical resources, as well as a lack of forensic and technical expertise, have impeded the arrest and prosecution of suspects;

Whereas the Special Prosecutor for Crimes Against Women of the Government of Guatemala has reported that her office has reviewed approximately 800 incidents of domestic violence per month, with some of those cases ending in murder, and that deaths could have been prevented if the legal system of Guatemala provided for prison sentences in cases of domestic violence;

Whereas the murders of women and girls in Guatemala have brought pain to the families and friends of the victims as they struggle to cope with the loss of their loved ones and

the fact that the perpetrators of these heinous acts remain unknown to the proper authorities;

Whereas many countries in Latin America face significant challenges in combating violence against women, and international cooperation is essential in addressing this serious issue;

Whereas the United States Agency for International Development (USAID) has provided assistance to the Government of Guatemala to implement judicial reform and rule of law programs, and in fiscal year 2006, Congress provided \$1,500,000 for programs to combat impunity, corruption, and crimes of violence, of which \$500,000 is to be allocated to strengthen the special prosecutorial units charged with investigating the murders of women in Guatemala;

Whereas the Government of Guatemala has undertaken efforts to prevent violence against women, as evidenced by its ratification of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, done at New York December 18, 1979, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, done at Belem do Para, Brazil June 9, 1994, and other international human rights treaties, and the enactment of laws and the creation of state institutions to promote and protect the rights of women;

Whereas the Government of Guatemala has created special police and prosecutorial units to address the brutal murders of women in Guatemala;

Whereas, in June 2006, the Government of Guatemala successfully abolished the “Rape Law” which had absolved perpetrators of criminal responsibility for rape and certain other crimes of violence upon the perpetrator’s marriage with the victim;

Whereas legislators from various parties in Guatemala have joined lawmakers from Mexico and Spain to form the “Interparliamentary Network against ‘Femicide’”;

Whereas the Government of Guatemala and the United Nations recently entered into an agreement to establish the International Commission Against Impunity in Guatemala (CICIG), which has a mandate to investigate and promote the prosecution of illegal security groups and clandestine security organizations that function with impunity and are suspected of attacking human rights defenders, justice officials, and other civil society actors; and

Whereas continuing impunity for crimes against women is a threat to the rule of law, democracy, and stability in Guatemala: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) expresses its sincerest condolences and
3 deepest sympathy to the families of women and girls
4 murdered in Guatemala, and recognizes their courageous
5 struggle in seeking justice for the victims;

6 (2) expresses the solidarity of the people of the
7 United States with the people of Guatemala in the
8 face of these tragic and senseless acts;

1 (3) condemns the ongoing murders of women
2 and girls in Guatemala, and encourages the Govern-
3 ment of Guatemala to act with due diligence in order
4 to promptly investigate these killings, prosecute
5 those responsible, and continue to work toward
6 eliminating violence against women;

7 (4) urges the Government of Guatemala to rec-
8 ognize domestic violence and sexual harassment as
9 criminal acts and to provide the resources and com-
10 mitment necessary to strengthen the integrity of the
11 prosecutorial and judicial systems;

12 (5) urges the President and the Secretary of
13 State to incorporate the investigative and preventa-
14 tive efforts of the Government of Guatemala regard-
15 ing the murder of women and girls into the bilateral
16 agenda between the Governments of Guatemala and
17 the United States;

18 (6) encourages the Secretary of State to sup-
19 port efforts by the Government of Guatemala to
20 train and equip the special police and prosecutorial
21 units of the Government of Guatemala to conduct
22 thorough and proper investigations of crimes of vio-
23 lence against women, and to implement judicial re-
24 form and rule of law programs;

1 (7) encourages the Secretary of State and the
2 Attorney General to provide assistance in estab-
3 lishing a comprehensive missing persons system and
4 an effective state protection program for witnesses,
5 victims' relatives, and human rights defenders;

6 (8) urges the Government of Guatemala to hold
7 accountable those law enforcement and judicial offi-
8 cials whose failure to investigate and prosecute the
9 murders adequately, whether through negligence,
10 omission, or abuse, has led to impunity for these
11 crimes;

12 (9) encourages the Secretary of State to sup-
13 port efforts to identify perpetrators and unknown
14 victims through forensic analysis, including assisting
15 the Government of Guatemala in adequately funding
16 the National Institute for Forensic Science
17 (INACIF) and training lab personnel in investiga-
18 tory and evidence gathering protocols;

19 (10) urges the Secretary of State—

20 (A) to express support for the efforts of
21 the victims' families and loved ones to seek jus-
22 tice for the victims,

23 (B) to express concern relating to any har-
24 assment of these families and the human rights
25 defenders with whom they work, and

1 (C) to express concern with respect to im-
2 pediments in the ability of the families to re-
3 ceive prompt and accurate information in their
4 cases;

5 (11) encourages the Secretary of State to con-
6 tinue to include in the Department of State's annual
7 Country Reports on Human Rights Practices all in-
8 stances of improper investigatory methods, threats
9 against human rights activists, and the use of tor-
10 ture with respect to cases involving the murder and
11 abduction of women and girls in Guatemala;

12 (12) recommends that the United States Am-
13 bassador to Guatemala continue to meet with the
14 families of the victims, women's rights organizations,
15 and the officials of the Government of Guatemala
16 who are responsible for investigating these crimes;
17 and

18 (13) recommends that the Secretary of State
19 develop a comprehensive plan to address and combat
20 the growing problem of violence against women in
21 Latin America.

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