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THEMATIC REPORT

Gender-Based Violence Against Afro-descendant Women in Latin America

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Executive Summary

The discrimination, lack of opportunities, and violence based on racial stereotypes faced by Afro-descendant populations in the region originate from the slavery-based nature of the colonial system implemented across the Americas by white elites. This legacy, whose consequences persist to this day, disproportionately affects women, adolescents, and girls, who endure specific forms of violence rooted in both race and gender.

Since the late 20th century, Afro-descendant women have been organizing to defend their rights and combat these forms of violence, advocating for these issues to be included in the human rights agenda. The Follow-up Mechanism to the Belém do Pará Convention (MESECVI) supports these demands, promoting attention to the intersectionality of gender, race, and ethnicity in the agendas addressing gender-based violence.

The international normative framework contains sufficient provisions to oblige States in the region to adopt strategic measures ensuring the protection of Afro-descendant women. The Belém do Pará Convention (OAS, 1994) condemns and prohibits violence and discrimination against women, establishes the principle of intersectionality, and recognizes women's right to exercise all their human rights free from the scourge of violence. This obligates States Parties to develop actions to address violence against Afro-descendant women from an intersectional perspective.

Many countries in the region have adopted regulations and established institutional mechanisms to promote the rights of Afro-descendant individuals and communities, although these often lack hierarchical relevance or adequate funding. While there are no specific laws addressing gender-based violence against Afro-descendant women, second-generation gender equality and anti-violence laws incorporate the Belém do Pará Convention. This inclusion implies an obligation to consider all intersecting factors of discrimination that increase vulnerability to violence, including race and ethnicity.

Despite the commitments arising from the 2001 Durban Declaration of the World Conference against Racism, and the adoption of related international and regional measures, progress for Afro-descendant populations, especially women, has been limited and slow. In this context, MESECVI has adopted a General Recommendation on the gender-based violence affecting them, highlighting key conclusions of this report:

- Afro-descendant populations live in conditions of greater poverty and have less access to quality services compared to non-Afro-descendant populations.

- Afro-descendant women suffer these deprivations to a greater extent than Afro-descendant men, increasing their vulnerability.
- Afro-descendant women are significantly more exposed to gender-based violence than women of other ethnicities.
- These gender-based violences, derived from racist and sexist stereotypes, are specific to Afro-descendant women due to the intersection of gender, race, and ethnicity, within a context of structural and institutional racism.
- Despite commitments and measures to combat racism, inequalities and exposure to violence persist, and in many cases, have increased.
- The limited availability of disaggregated indicators on population, gender, race, and ethnicity hampers effective diagnostics and the design of public policies.

As a result of racial and gender stereotypes, as well as institutional racism, Afro-descendant women are disproportionately exposed to multiple forms of symbolic, physical, psychological, and sexual violence throughout their lives and in all spheres (school, family, work, health services, community, society, state institutions, media, and digital networks).

Police violence disproportionately and uniquely affects Afro-descendant women. As a result of racial discrimination and racist and gendered stereotypes, they are overrepresented in criminal justice systems and subjected to racial profiling practices that discriminate based on racial prejudice. These practices have a singular and specific impact on Afro-descendant women, including humiliating practices, assaults, acts of sexual violence, and other abuses.

The exclusion of Afro-descendant populations from public spaces is reflected in the absence or limited presence of Afro-descendant women in political parties, decision-making spaces, and representative bodies. Furthermore, women who take on leadership roles to defend their rights or their territories face various forms of political violence, including harassment, intimidation, assaults, and murders. This is especially evident in the risks faced by Garifuna women in Honduras and activists from the quilombola communities in Brazil.

Afro-descendant populations face disadvantages in areas such as poverty levels, access to employment and quality services, housing conditions, infrastructure, and basic sanitation, income levels, unemployment, and discrimination in the labor market. Afro-descendant women, often heads of single-parent families, are more exposed to these human rights violations. While school attendance rates are higher for Afro-descendant girls than for boys, their right to education may be limited due to vulnerability to factors such as early pregnancy, early unions, or child labor. In several countries, women record higher illiteracy rates than men and women of other ethnicities. Additionally, Afro-descendant girls and adolescents are exposed to various forms of violence in

schools, including physical assaults, racial slurs, and humiliations, as well as abuses stemming from hypersexualization stereotypes.

Structural poverty and discrimination impact factors related to the right to health, such as life expectancy, maternal and infant mortality rates, access to quality services, and adequate information, among other aspects. Besides facing barriers to accessing services, they are subjected to racist and contemptuous attitudes and receive lower-quality care. Limited access to decent work also disproportionately affects Afro-descendant women; unemployment rates in most countries are higher among them than among their non-Afro-descendant peers. Being Afro-descendant, a woman, and young entails greater disadvantages in accessing employment, the quality of jobs, and prolonged unemployment. Afro-descendant women workers are overrepresented in precarious jobs, such as domestic and care work, or in the informal sector, often without access to social security benefits.

In this context, MESECVI considers that more ambitious and comprehensive commitments must be adopted to reduce inequality gaps, protect against violence, and ensure the rights of Afro-descendant women. These measures must guarantee, among other things:

- Their effective visibility as a differentiated and vulnerable population through disaggregated statistical records at all levels of public administration;
- The adoption of temporary special measures for their protection, care, and support, ensuring the participation and leadership of Afro-descendant women's organizations;
- The implementation of permanent, systematic awareness-raising and training programs to prevent violence against Afro-descendant women based on both gender and race, and to eliminate racist and sexist stereotypes and practices across all institutions, including the media, educational staff, and community.

Introduction

“Since the violence of racism is directly connected to gender-based violence, an intersectional and gender-based approach enables us to highlight the consequences of racial discrimination on the rights of Afro-descendant women. Failing to incorporate both factors into the analysis may lead to the mistaken assumption that violence is experienced uniformly by all women, without accounting for the specific forms of violence resulting from the intersection of racialization and gender.” — MESECVI, General Recommendation No. 5

The structural racism rooted in slavery and colonialism perpetuates inequalities that deeply affect Afro-descendant women. According to the Durban Declaration and Programme of Action (2001), Afro-descendant people “have been for centuries victims of racism, racial discrimination, and enslavement.” These historical violences manifest in contemporary conditions of poverty, exclusion, and rights violations. Within this context, the Action Plan for the Decade of Afro-descendants in the Americas (2016–2026) identifies Afro-descendant women as “one of the most vulnerable groups in the hemisphere,” due to intersecting factors such as gender, race, and poverty. The Inter-American Commission on Human Rights (IACHR) also highlights their “triple historical discrimination: gender, extreme poverty, and race,” placing them at heightened risk of gender-based violence, educational, labor, and political exclusion, and discrimination in the judicial system.

Over the past two decades, initiatives such as the International Decade for People of African Descent (2015–2024), the Permanent Forum on Afro-descendants, and the creation of the OAS Rapporteurship on the Rights of Afro-Descendants and Against Racial Discrimination have advanced the analysis of this population's rights. These actions underscore the importance of an intersectional approach, as promoted by the Belém do Pará Convention, to address the specific violences affecting Afro-descendant women throughout their life cycles.

In the Action Plan for the Decade of Afro-descendants in the Americas (2016–2026), the OAS General Assembly instructed MESECVI to incorporate the Afro-descendant perspective into its agenda for preventing violence against women. This initiative aims to promote access to justice for the Afro-descendant population in the hemisphere and include this issue as a specific focus in the country reports of States Parties to the Belém do Pará Convention.

Addressing gender-based violence affecting Afro-descendant women requires States to acknowledge the existence of multiple, distinct forms of discrimination and structural racism linked to contexts of inequality, poverty, and exclusion. These are compounded by gender and racial stereotypes pervasive across regional societies. Confronting this reality involves recognizing that such gender-based violences, widely documented by human rights mechanisms, are in direct contradiction to the principle of equality and non-discrimination. Progress in

eradicating these violences demands structural efforts for systemic transformation of societies, as well as institutional practices across all levels of public administration.

The General Recommendation by the MESECVI Committee of Experts (CEVI) and this accompanying report form part of MESECVI's mandate and its partnership with the United Nations Population Fund's (UNFPA) regional strategy. Together, these efforts aim to assist States in developing and implementing more accurate responses for effectively eradicating these intersectional violences. This document results from two complementary processes: a bibliographic review and a regional consultation process with women's organizations and experts. The bibliographic review included numerous documents from human rights and development organizations on racism and issues related to the rights of Afro-descendant women, drawing on reports from ECLAC, UNFPA, UN Women, and IACHR, spanning 2003 to 2022 and focusing on various aspects of the situation faced by Afro-descendant populations, particularly women and girls.

Parallel to the bibliographic review, several rounds of consultations were conducted with representatives of the Network of Afro-Latin American, Afro-Caribbean, and Diaspora Women, as well as with various national Afro-descendant women's organizations, such as the Petra Morga Afro-Mexican Foundation, Afro Panamanian Women's Voices, Afro-Caribbean Voices (Nicaragua), Enlace de Mujeres Negras de Honduras, Centro de Desarrollo de la Mujer Negra Peruana (CEDEMUNEP), Kilombo Negrocéntricas (Chile), Colectiva Mujeres (Uruguay), Asociación de Mujeres Afrocolombianas (AMUAFROC), and Centro de Mujeres Afro (Costa Rica). Additionally, a specific consultation involving three meetings was organized with Brazilian organizations, including the Coletivo de Mulheres da CONAQ, Rede de Mulheres do Nordeste, Instituto Odara de Mulheres Negras, Geledes, Criola, and Movimento de Mulheres de Manaus, among others.

This document begins by analyzing the historical impact of colonialism and racism on Afro-descendant women and their forms of resistance. It then examines international and regional normative frameworks, the specific violences they endure, and the intersections with economic and social rights that exacerbate their situation.

Afro-descendant Women: Population and Identity

“We reaffirm our identity as Black women... from citizenship and political participation on equal terms. We are human beings with human rights and specific rights, even though patriarchal, racist, and sexist societies have made us different to impose inequality, repression, and oppression upon us.” – Afro-Latin American, Afro-Caribbean, and Diaspora Women's Network¹

Afro-descendant Population in Latin America

Since the late 1970s, Afro-descendant women's movements have demanded the inclusion of ethnic-racial self-identification questions in censuses, as well as the collection of disaggregated data to reveal the real dimensions of these populations and improve diagnostics. During the preparatory conferences for the Durban World Conference, it was recognized that many Latin American countries had not incorporated ethnic and racial criteria into their data collection systems, resulting in the statistical invisibility of specific sectors of the population. In response, States were urged to collect data disaggregated by race and ethnic group on health, criminal justice, housing, education, employment, and racism-related crimes. According to ECLAC, this process began to break the “deafening silence”² that concealed racial hierarchies in the region.

The First Hemispheric Report of CEVI (2008)³, linked to the Belém do Pará Convention, recommended collecting disaggregated data on gender-based violence, emphasizing intersectional categories. However, information on violence and ethnic-racial identity remains limited due to the absence of variables in records, significant underreporting, and a lack of complaints, exacerbated by impunity. Vital statistics related to Afro-descendant women, such as fertility, maternal and infant mortality, and causes of death, also remain insufficient, making their reality invisible in national averages and concealing the violence they suffer from structural discrimination.

In 2022, the censuses of 16 Latin American countries estimated the Afro-descendant population at 153.3 million people, equivalent to 23.7% of the total population. Only seven countries have indicators that associate poverty with ethnic or racial variables, and in six of them, Afro-descendant populations show significantly higher poverty rates than non-Afro-descendant populations. For example, in Brazil and Uruguay, these rates are double; in Ecuador, they reach

¹ Afro-Latin American, Afro-Caribbean, and Diaspora Women's Network (RMAAD). Regional Diagnostic on Violence Against Afro-descendant Women. Undated, p. 5. Available at: <http://www.mujeresafro.org/publicaciones/investigaciones/>

² Economic Commission for Latin America and the Caribbean (ECLAC). Afro-descendant Women in Latin America and the Caribbean: Debts of Equality. Santiago (Chile): LC/TS.2018/33, July 2018, p. 20. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/28f87ae3-931d-4762-85d7-0b83e653d210/content>

³ MESECVI. First Hemispheric Report. Document MESECVI-II[1]doc.16.rev.1.esp, 2008, p. 51.

67%, and in Peru, 60%. From a gender perspective, the situation is even more concerning, as Afro-descendant women face the most adverse conditions⁴.

[Box] Durban: Global Condemnation of Slavery and Its Consequences

The Durban Declaration and Programme of Action⁵ was the first global document to condemn slavery and the transatlantic slave trade as crimes against humanity, highlighting their lasting impact on Afro-descendant communities. This instrument emphasizes the specific impact of racism on Afro-descendant women, urging the inclusion of a gender perspective in policies to overcome inequalities and address their particular vulnerability. The signatory States recognized the suffering caused by slavery, colonialism, and other forms of oppression, whose consequences are reflected in disadvantages in areas such as education, employment, health, and life expectancy (para. 99). These historical socioeconomic disparities particularly affect Afro-descendant communities in the Americas, especially women (paras. 30 and 31).

Historical and Contemporary Condition of Afro-descendant Women

Regardless of the capacity to measure their social condition, the reality of Afro-descendant populations in the Americas is highly diverse and does not conform to uniform parameters. Forms of self-identification also vary widely, reflecting a rich history of resistance to slavery and structural racism. Terms like Black women, Garifunas, Quilombolas, or Cimarronas reflect identities that emerge from their historical struggles. Although slavery was abolished, racial hierarchization persisted, perpetuating structural inequalities that affect the basic living conditions of these communities.

Colonial societies, shaped by a Eurocentric and racist narrative that justified, legitimized, and promoted discrimination and violence, were deeply sexist and patriarchal. As such, they established specific, multiple, and systematic forms of oppression against women, creating “a Eurocentric and androcentric world where white men appear as the sole references of humanity and civilization.”⁶ These structures persist today, as evidenced by the testimonies of Afro-descendant women, who face multiple discriminations. For example, Colombia’s Memory and Conflict Observatory documented how sexual violence against Afro-Colombian women

⁴ ECLAC. Population, Development, and Rights in Latin America and the Caribbean: Second Regional Report on the Implementation of the Montevideo Consensus on Population and Development. Santiago (Chile): LC/CRPD.5/3, 2024, pp. 173 and 174. Available at: <https://repositorio.cepal.org/entities/publication/666aab49-f362-492e-97b1-d8875d7c651f>.

⁵ UN. World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance. Durban Declaration and Programme of Action. Durban (South Africa), 2001. Available at: https://www.ohchr.org/sites/default/files/Documents/Publications/DurbanDecProgAction_sp.pdf.

⁶ ECLAC. Afro-descendant Women in Latin America and the Caribbean: Debts of Equality. See *supra*, note 2, p. 15.

originates from colonial domination, persisting in armed conflict contexts⁷. These dynamics reinforce racism and gender stereotypes, making Afro-descendant women more vulnerable compared to non-racialized women.

Resistance and Organization

Since the period of slavery, Afro-descendant women have demonstrated agency and resistance, actively participating in the dismantling of colonial slavery domination and in independence processes, as well as in various practices aimed at reclaiming their freedom and dignity. However, the prejudices and stereotypes constructed during the colonial period about Afro-descendant women based on their gender and ethnic identity did not disappear with the abolition of slavery. On the contrary, these stereotypes were fed, deepened, institutionalized, and normalized in contemporary society.⁸

Today, Afro-descendant women must contend not only with violence and structural discrimination stemming from the hegemonic patriarchal system but also with their invisibility as autonomous subjects within feminist agendas historically led by white European and American women. As Bell Hooks noted⁹, these struggles are rooted in lived experience and strategies of resistance against daily oppressions. In Latin America, these discourses evolved into a decolonial Afro-feminism, transforming feminist theories to adapt them to the region's realities.

Subsequently, the voices of leaders and collectives of Afro-descendant women in Latin America have contributed to decolonial Afro-feminist discourses that “not only complete feminist theory but also qualitatively transform it, making it more aligned with the region's realities,” providing it “with greater realism and capacity for political action.”¹⁰ The creation of the Afro-Latin American, Afro-Caribbean, and Diaspora Women's Network (RMAAD) in 1992 marked a milestone in the articulation of Black women's movements. This collective has denounced the intersections between racism and gender-based violence, developing strategies grounded in their ancestral heritage of struggle.

⁷ CNMH (National Center for Historical Memory). Memory and Conflict Observatory. National Day for the Dignity of Victims of Sexual Violence. Commemorative Dashboards [online]. Bogotá, May 25, 2022. Available at: <https://micrositios.centrodememoriahistorica.gov.co/observatorio/portal-de-datos/tableros-conmemorativos/dia-nacional-por-la-dignidad-de-victimas-de-violencia-sexual/>

⁸ PINEDA G., Esther. “Experiences and Resistance of Afro-descendant Women in Latin America and the Caribbean.” In: OCORÓ, Anny; ALVES, María. *Negritudes e africanidades na América Latina e no Caribe. Volume 2*. Brasília (Brazil): Associação Brasileira de Pesquisadores Negros, 2018, p. 43. Available at: <https://www.aacademica.org/estherpinedag/6.pdf>

⁹ HOOKS, Bell. “Black Women: Shaping Feminist Theory.” In: HOOKS, Bell; ANZALDÚA, Gloria; SANDOVAL, Chela, et al. *Other Inappropriate Others: Feminisms from the Borders*. Madrid: Ed. Traficantes de Sueños, 2004, p. 45. Available at: <https://traficantes.net/libros/otras-inapropiables>

¹⁰ PINEDA G., Esther. See supra, note 8, p. 47.

The commemoration of Afro-Latin American, Afro-Caribbean, and Diaspora Women's Day on July 25 seeks to highlight their contributions and promote the eradication of structural racism. As RMAAD stated in a recent report on gender-based violence against Afro-descendant women in the region:

“Afro-descendant women from Latin America and the Caribbean have identified the relationships between racism and violence against women throughout our lives, as well as the risk and vulnerability factors expressed in intimate relationships, family, community, and society as a whole. For this reason, we have pursued our struggle for individual and collective autonomy, backed by the heritage of resistance and struggle from our ancestors, who, while achieving the end of slavery, still left racial discrimination, sexism, inequalities, and social injustice present in society.”¹¹

¹¹ RMAAD (Afro-Latin American, Afro-Caribbean, and Diaspora Women's Network). Regional Diagnostic on Violence Against Afro-descendant Women. See *supra*, note 1, p. 5.

International Legal Framework

“It is thanks to the struggles of Afro-descendant women and men that we have succeeded in establishing binding legal norms in our favor at both the international and national levels... But the promulgation of laws or the approval of government programs does not in itself mean that these objectives are truly achieved.”

– Dorotea Wilson Tathum (Nicaragua)¹²

Legal Framework to Combat Gender-Based Violence and Racism

The international legal framework to combat gender-based violence and racism is grounded in the essential principles of international human rights law, such as equality and non-discrimination. The International Convention on the Elimination of All Forms of Racial Discrimination (UN, 1965) was the first treaty to underline that any doctrine of racial superiority is “scientifically false, morally condemnable, socially unjust, and dangerous,” and that there is no justification for racial discrimination. This treaty criminalizes the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, and acts of violence motivated by racial or ethnic reasons (Article 4a). Furthermore, it recognizes the right to protection against acts of violence perpetrated by any group or institution (Article 5b) and promotes affirmative actions to achieve equality and the full enjoyment of human rights and fundamental freedoms for “certain racial or ethnic groups” (Article 1, para. 4).

The International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as “any distinction, exclusion, restriction, or preference based on race, color, descent, or national or ethnic origin” that aims to undermine human rights (Article 1). Similarly, the Inter-American Convention Against Racism, Racial Discrimination, and Related Forms of Intolerance (OAS, 2013) includes a comparable definition and adds definitions of indirect racial discrimination and multiple and aggravated discrimination, which involve two or more simultaneous grounds of discrimination recognized by international law.

Meanwhile, the Convention on the Elimination of All Forms of Discrimination against Women (UN, 1979) identifies discrimination against women as “any distinction, exclusion, or restriction based on sex” that results in similar effects (Article 1).

The Belém do Pará Convention (OAS, 1994), a binding treaty for 32 States in the Americas, was a pioneer in promoting the prevention, punishment, and eradication of violence against women

¹² Speech delivered by Dorotea Wilson Tathum, then General Coordinator of RMAAD, at the 2nd Regional Conference on Population and Development in Latin America and the Caribbean. Mexico City, October 6–9, 2015. Available at: <https://crpd.cepal.org/2/sites/default/files/panel8-dwilson.pdf>

based on gender. Article 1 defines violence against women broadly, encompassing all forms of violence exercised against them because they are women. This concept recognizes that “violence is a form of discrimination that prevents women from fully or partially enjoying their human rights and fundamental freedoms.” Articles 4 and 5 affirm women’s rights to exercise all human rights and freedoms as part of a protective framework, acknowledging that gender-based violence hinders their full enjoyment of human rights. Thus, state action must be aimed at preventing and eliminating circumstances that enable such violence.

Article 9 incorporates the principle of intersectionality, establishing the obligation of State Parties to consider various situations of vulnerability to violence based on factors such as race or ethnicity, age, migratory status, and refugee or displacement status, among others. Additionally, it requires consideration of specific situations, such as violence against women who are pregnant, disabled, minors, elderly, in socioeconomically disadvantaged circumstances, affected by armed conflicts, or deprived of liberty. In this context, States Parties must implement measures addressing violence against Afro-descendant women from a human rights and intersectional perspective, which includes ethnic-racial and gender variables.

Various political declarations, such as the Beijing Platform for Action (UN, 1995), also identify violence against women as a “violation of their human rights and fundamental freedoms” and an obstacle to their enjoyment of those rights (para. 224). The declaration highlights the need to eliminate forms of violence based on cultural prejudices, racism, racial discrimination, and xenophobia, urging urgent measures to combat them “whether perpetrated or tolerated by the State or by private persons” (para. 224).

Similarly, the Durban Declaration and Programme of Action recognize that “racism, racial discrimination, xenophobia, and related forms of intolerance manifest differently in women and girls and can lead to deteriorated living conditions, poverty, violence, multiple forms of discrimination, and the limitation or denial of their human rights.” Therefore, it calls for integrating a gender perspective into policies, strategies, and programs against racism, racial discrimination, xenophobia, and related forms of intolerance to address multiple forms of discrimination (para. 69).

It also calls for developing a more systematic and coherent approach to evaluating and monitoring racial discrimination against women, as well as the disadvantages, obstacles, and difficulties they face in exercising their human rights (para. 70). Other relevant aspects of the gender agenda include the urgent call to combat human trafficking, “particularly of women and children” (para. 30), condemnation of discrimination against women derived from certain religions and religious

minorities (para. 71), and the adoption of special measures to address girls who are victims of racism and racial discrimination (para. 72).

The UN Committee on the Elimination of Racial Discrimination (CERD) emphasizes that there are circumstances where racial discrimination “affects only or primarily women, or affects women differently or to a different degree than men,” and identifying these circumstances requires explicitly recognizing “the different experiences of men and women in public and private life.” Moreover, women’s ability to report discrimination may be hindered “due to gender-based obstacles, such as legal system biases and discrimination against women in private life.” Therefore, States must ensure “a more systematic and coherent approach to assessing and monitoring racial discrimination against women, as well as the disadvantages, obstacles, and difficulties” they face in exercising and fully enjoying their human rights¹³.

Similarly, the Committee on the Elimination of Discrimination against Women (CEDAW) has stated that “in addition to suffering discrimination as women, they may also be subject to multiple forms of discrimination for other reasons,” including race and ethnic origin. The elimination of these forms of multiple discrimination and their consequences requires the implementation of “temporary special measures” as a means to achieve the substantive or de facto equality of women.¹⁴

Afro-descendant women experience forms of discrimination that lie at the intersection of the protective scope of these fundamental treaties and fall within the definition of aggravated discrimination. Therefore, addressing measures to combat gender- and race-based violence and discrimination requires more than simply considering sexism on the one hand or racism on the other. It demands adopting a dual intersectional perspective to avoid stereotypes that obscure the negative consequences of the intersection of these factors.

Additionally, gender and race may intersect with other circumstances that increase vulnerability to violence and discrimination. In this regard, the Belém do Pará Convention underscores the

¹³ CERD is the committee established under the UN Convention on the Elimination of All Forms of Racial Discrimination. See: General Recommendation No. 25 on gender-related dimensions of racial discrimination. CERD: 56th session, March 20, 2000. Paragraphs 1 and 2. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FGEC%2F7497&Lang=en

¹⁴ General Recommendation No. 25, on paragraph 1 of article 4 of the Convention on the Elimination of All Forms of Discrimination Against Women, regarding temporary special measures. CEDAW: 30th session, August 18, 2004. Paragraphs 12 and 14. Available at: [https://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(Spanish\).pdf](https://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(Spanish).pdf)

importance of analyzing the intersections affecting different groups of women to ensure that responses to violence are tailored to their distinct situations and circumstances.

Within this normative framework, violence against Afro-descendant girls, adolescents, and women encompasses a range of discriminatory and violent situations based on gender, race, and ethnic origin, as well as other factors of intersectional vulnerability that may affect them. This includes violence that causes death, physical harm, sexual or psychological suffering to women, both in the public and private spheres. It also includes forms of violence and discrimination that hinder the free enjoyment of human rights and whose eradication requires efforts that go beyond the implementation of isolated measures or short-term policies. Moreover, it encompasses specific instances of aggravated discrimination that Afro-descendant women face in their daily lives or as individuals in conditions of poverty, in custody within the criminal justice system, as displaced persons or refugees, or in contexts of armed conflict, transit, or migration, among other situations of heightened vulnerability.

State Obligations

Articles 7 and 8 of the Belém do Pará Convention establish clear obligations for States in protecting women's right to live free from violence, in line with the principle of due diligence. These obligations include refraining from committing acts of violence against women, implementing legislative and legal measures to guarantee access to justice, protecting survivors, and punishing perpetrators. While the effectiveness of the outcomes of preventive and protective measures mentioned in Article 8 may be progressive, their adoption must be immediate.

It is essential that all these actions be developed from an intersectional approach, as outlined in Article 9, and applied with an intercultural and gender-sensitive perspective. CERD highlights the need to eliminate multiple discrimination affecting women due to their descent, particularly in areas such as personal security, employment, and education, while considering their exposure to various forms of violence and ensuring the collection of disaggregated data.

At the regional level, various commitments and action frameworks specifically address the rights of Afro-descendant women, setting goals, plans, and programs to advance the protection and realization of their rights. The Santiago Declaration, resulting from the Regional Conference of the Americas held in Santiago, Chile, in 2000, recognizes the differentiated impact of racial discrimination and xenophobia on Afro-descendant women and the multiple forms of violence they face. It emphasizes the need to incorporate a gender perspective into action programs against racism, racial discrimination, xenophobia, and related forms of intolerance to address the multiple discrimination affecting women. Additionally, it highlights the importance of combating

stereotypes that underpin discriminatory practices against women and condemns the trafficking and sexual exploitation of women and girls (paras. 53 to 55).

The Regional Gender Agenda of Latin America and the Caribbean compiles documents of commitments adopted at the Regional Conferences on Women in Latin America and the Caribbean¹⁵, incorporating intersectional and intercultural perspectives. These documents focus on the right to live free from all forms of violence and discrimination, addressing specific issues concerning discrimination and violence against Afro-descendant women. They aim to promote the development of policies and measures at the national level, although the positive impact of these measures still needs evaluation.

With respect to initiatives specifically targeting Afro-descendant populations, the Action Plan for the Decade for People of African Descent in the Americas (2016–2025) recognizes that gender- and race-based violence increases the vulnerability of Afro-descendant women. This plan contemplates the gradual adoption of national public policies and administrative, legislative, judicial, and budgetary measures for Afro-descendant populations. It also promotes educational programs at the primary and secondary levels to understand the effects of slavery and acknowledge the contributions of Afro-descendant populations to the region's economic, cultural, and social development.

However, only 13 countries have included provisions against ethnic-racial discrimination in their constitutions, while at least 16 countries have enacted specific legislation that prohibits racial discrimination and classifies it as a crime punishable by imprisonment¹⁶. Among these countries, Brazil, Colombia, Ecuador, Bolivia, and Mexico explicitly recognize the rights of Afro-descendant communities.

¹⁵ The most relevant agreements of the Regional Gender Agenda are the Lima Consensus (OAS, 2000), the Mexico Consensus (OAS, 2004), the Brasilia Consensus (OAS, 2010), the Santo Domingo Consensus (OAS, 2013), and the Santiago Commitment (OAS, 2020), which includes the agreement to fight stereotypes, sexism, racism, ethnocentrism, homophobia, lesbophobia, and transphobia, and to promote measures ensuring the right to a life free from all forms of violence and discrimination for women “in their diversity and throughout their life cycle” (paragraphs 6 and 7). Additionally, the Buenos Aires Commitment (2022) focuses on care work. Moreover, within the framework of the Regional Conference on Population and Development of Latin America and the Caribbean, the Montevideo Consensus on Population and Development (2013) was adopted, addressing, among other issues, gender, racial, ethnic, and generational inequalities. Both the regional gender and development agendas converge in the Montevideo Strategy for the Implementation of the Regional Gender Agenda within the Sustainable Development Framework toward 2030 (OAS, 2016), which emphasizes the need to support the leadership and equal democratic participation of Afro-descendant women in women's and feminist movements. See: <https://www.cepal.org/es/organos-subsidiarios/conferencia-regional-la-mujer-america-latina-caribe/agenda-regional-genero>

¹⁶ ECLAC. Ending racism is everyone's task and is a central aspect in building more just, democratic, and equal societies [online]. October 28, 2020. Available at: <https://www.cepal.org/es/noticias/poner-fin-al-racismo-es-tarea-todos-constituye-un-aspecto-central-la-construccion>

All second-generation national gender equality and anti-violence laws reference the Belém do Pará Convention, which implies an obligation to consider the various intersectional factors of discrimination that increase vulnerability to violence against women, including race and ethnicity.

A recent UNFPA study revealed that none of the eight Latin American countries analyzed have specific laws or decrees focused on addressing gender-based violence against Afro-descendant women¹⁷. This gap was identified as one of the key recommendations that emerged from the consultations conducted during the preparation of this report, alongside the proposal to promote an international regulatory framework specifically addressing this issue.

In this context, agencies dedicated to advancing women's rights should incorporate institutional mechanisms aimed at combating racism and the stereotypes that affect Afro-descendant women, including the distinctive forms of community and institutional violence they experience.

¹⁷ UNFPA. Regional Diagnosis on Gender-Based Violence against Afro-descendant Girls, Adolescents, and Women in Latin America. UNFPA, Regional Office for Latin America and the Caribbean: June 2021, p. 30. Available at: https://www.observatoriojusticiaygenero.gob.do/documentos/PDF/publicaciones/Lib_descendientes_en_America_Latina.pdf

Patterns of Violence Against Afro-descendant Women

“It is a state of permanent, intense, latent, manifest, unyielding violence, characterized by frequent and widespread episodes of deprivation and direct violence, resulting in the death or incapacitation of a significant number of Black individuals”. CRIOLA (Brazil)¹⁸

According to available studies, exposure to the consequences of structural racism—such as racial profiling practices, overrepresentation in violence-related indicators, chronic poverty, lack of access to quality jobs and resources, and limited availability of healthcare, education, protection, social security, housing, and potable water—positions Afro-descendant populations, particularly women, in contexts of exclusion. These conditions are prevalent in States and societies marked by institutionalized racist practices and racial discrimination.

In addition to facing the consequences of negative social representations stemming from racial and gender stereotypes, Afro-descendant women in the region live under minimally inclusive social systems and democracies, where many elements persist that stigmatize Afro-descendant peoples. These characteristics influence the types of violence they experience and intersect with other categories of analysis, such as disability, age, sexual orientation, gender identity, and migratory status, among others.

The analysis of reports and studies, as well as the consultation processes carried out by MESECVI to draft General Recommendation No. 5 and this report, allow CEVI to share several conclusions that align with findings from other human rights, women’s rights, and development organizations:

- Afro-descendant populations on the continent live in conditions of greater poverty and have less access to quality services than non-Afro-descendant populations, with the exception of Indigenous peoples, who also exhibit unfavorable indicators.
- Available data show that Afro-descendant women suffer from these deprivations to a greater extent than Afro-descendant men, restricting their enjoyment of human rights and increasing their risk of exposure to various forms of gender-based violence.
- As a result of these inequalities and the various manifestations of racism, Afro-descendant women are significantly more exposed to situations of gender-based violence than non-Afro-descendant women.

¹⁸ Original text: “It is a state of permanent, intense, latent, manifest, and unyielding violence, marked by frequent and massive episodes of deprivation and direct violence, resulting in the death or incapacitation of a significant number of Black people. The high prevalence, intensity, and systematic nature of the violence make accountability and reparation for systematic harm seem impossible.” In: Racism, Violence, and the State: Three Faces, One Single Articulated Structure of Domination – Conceptual Approach. CRIOLA: Rio de Janeiro, October 2022, p. 13. Available at: <https://criola.org.br/racismo-violencia-e-estado-tres-faces-uma-unica-estrutura-de-dominacao-articulada-novo-estudo-de-criola/>

- Afro-descendant women face specific forms of violence derived from gender, racist, and sexist stereotypes, which stigmatize them in societies marked by gender inequalities, structural racism, and patriarchy—legacies of the region’s colonial and slave-owning past.
- Despite commitments made and the development of nascent and unequal institutions to combat racism, inequalities persist, and in some cases, exposure to various forms of gender-based violence has increased, as noted in various reports.
- Although there have been consistent calls to develop databases with disaggregated information on population, gender, race, and ethnicity, among other variables, studies consistently point to the limited availability of such indicators, hindering effective diagnostics and the design of public policies and measures.

The Right to a Life Free from Violence (Articles 3 and 4)

Afro-descendant women face multiple forms of violence throughout their lives in various settings, including the family, the community, and state institutions. These forms of violence—manifesting as symbolic, physical, psychological, and sexual violence—stem from racial and gender stereotypes that perpetuate discrimination and violate their fundamental human rights. As a result, they face particular risks to their physical and mental health, and most of them are forced into precarious economic and labor conditions.¹⁹

The lack of disaggregated data on the situation of Afro-descendant populations in information systems hinders a full understanding of how they experience gender-based violence and limits the effectiveness of public policies aimed at their protection. This invisibility is a manifestation of the institutional racism that persists in the region. Nevertheless, based on all available studies and despite insufficient records, CEVI finds it evident that Afro-descendant women across the continent are disproportionately affected by these forms of violence, including femicide.²⁰

For instance, in Brazil, more than half of the violence reports in 2017 were filed by Afro-descendant women, with 50% involving physical violence and one in 20 cases involving sexual violence²¹. In 2018, 43% of young Afro-descendant women surveyed reported experiencing

¹⁹ UNFPA, ECLAC. Afrodescendant Youth in Latin America and the Matrix of Social Inequality: Rights, Inequalities, and Policies. 2021, p. 48. Available at: <https://lac.unfpa.org/es/publications/las-juventudes-afrodescendientes-en-am%C3%A9rica-latina-y-la-matriz-de-la-desigualdad-social>

²⁰ Ibid., p. 218.

²¹ MESECVI. Brazil. Third Round Country Report, 2017. MESECVI/CEVI/doc.264/17. November 21, 2017, p. 23. Available at: <https://www.oas.org/es/mesecvi/docs/FinalReport2017-Brasil.pdf>

physical violence in the previous 12 months.²² In 2024, CEDAW expressed concern over the rising rates of femicide and other forms of violence increasingly affecting Afro-Brazilian women and girls.²³

In Panama, a UNFPA study revealed that 40% of women in urban areas feel unsafe, while more than half feared being physically attacked or sexually abused. Additionally, 33.79% had been subjected to offensive comments because they were Afro-descendant women, 17.6% had experienced humiliation due to their sociodemographic status, and 13.24% felt ignored because of their Afro-descendant heritage²⁴.

Afro-descendant girls and young women are particularly vulnerable to sexual and physical violence. In Colombia, health sector data indicate that 94% of survivors of sexual violence were young women up to 24 years old.²⁵ These cases are often underreported and face high levels of impunity due to institutional, economic, cultural, and gender barriers, as well as the social stigmatization of victims.²⁶ The consequences include child and adolescent pregnancies, forced motherhood, various forms of disability, and even premature death.

Human trafficking for sexual exploitation is one of the most insidious forms of gender-based violence, disproportionately affecting young and adolescent girls from vulnerable populations. However, global reports on human trafficking by the United Nations Office on Drugs and Crime (UNODC) do not provide data disaggregated by race and ethnicity, making it impossible to determine the specific impact on Afro-descendant women, except in cases involving specific populations such as Haitian women.²⁷ In Spain, a study noted an increase in the number of trafficking victims from Latin America, rising from 28.9% in 2018 to 50.9% in 2021. This report, based on nearly a thousand requests for assistance, also lacked data disaggregated by race and ethnicity, obscuring the specific impact on Afro-descendant women.²⁸

Afro-descendant women are also exposed to various forms of psychological violence, particularly in public spaces such as healthcare, educational, and justice administration institutions, as well as

²² UNFPA, ECLAC. Afrodescendant Youth in Latin America and the Matrix of Social Inequality. See supra, note 19, p. 50.

²³ Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Brazil. CEDAW: June 6, 2024, para. 22. CEDAW/C/BRA/CO/8-9. Available at: <https://undocs.org/CEDAW/C/BRA/CO/8-9>.

²⁴ Research on Local Action for the Prevention and Attention to Violence Against Afrodescendant Women in Panama. UNFPA: Panama, 2021, p. 59. Available at: <https://panama.unfpa.org/es/node/72942>

²⁵ In: ECLAC. Afrodescendant Women in Latin America and the Caribbean. Equality Debts. See supra, note 2, p. 65.

²⁶ IACHR. Violence and Discrimination against Women, Girls, and Adolescents: Good Practices and Challenges in Latin America and the Caribbean, 2019. November 14, 2019. Para. 238. OEA/Ser.L/V/II. Doc.233/19. Available at: <https://www.oas.org/es/cidh/informes/pdfs/ViolenciaMujeresNNA.pdf>

²⁷ See: UN Office on Drugs and Crime. Human Trafficking and Migrant Smuggling Publications [online]. Available at: <https://www.unodc.org/unodc/en/human-trafficking/publications.html>.

²⁸ More than 50% of trafficking victims now come from Latin America. Proyecto Esperanza. October 18, 2022. Available at: <https://www.proyectoesperanza.org/mas-del-50-de-las-victimas-de-trata-proceden-ya-de-america-latina/>

within the family and community. A UNFPA Virtual Survey on Gender-Based Violence Against Afro-descendant Women²⁹ conducted in eight Latin American countries in 2020 found that between 14% and 30% of women surveyed had experienced psychological violence. In Brazil, in 2015, nearly one in three reports of violence against women registered by the Secretariat of Human Rights of the Presidency of the Republic involved situations of psychological violence.³⁰

Afro-descendant women also face gender inequality and discrimination within their own communities due to sexist and patriarchal attitudes, exposing them to various forms of gender-based violence in familial and community settings. According to the UNFPA survey, physical abuse is the most frequently mentioned type of violence within families across all stages of development, including childhood, adolescence, adulthood, and old age. Women from all countries reported being victims or having relatives who experienced sexual violence within the family.³¹

Child, early, and forced marriages and unions are discriminatory practices based on gender that reflect contexts of family and community violence, with immediate and long-term consequences for the affected adolescents, as they increase their exposure to domestic and intimate partner violence. CEVI has found a correlation between the prevalence of these practices and the level of economic development in certain rural areas, as well as among Indigenous and Afro-descendant communities.³²

Afro-descendant women defending their rights, cultures, and territories—both within their communities and in broader social and political spaces—are exposed to political violence through acts of harassment, aggression, and threats, with numerous assassinations recorded. In 2021, the Inter-American Commission on Human Rights (IACHR) raised alarms about increasing gender-based violence against Afro-descendant women in the region, particularly affecting those in leadership roles within their communities and in defending human rights. The IACHR also expressed concern about the murders and violent incidents targeting Garifuna women in Honduras

²⁹ Research conducted by UNFPA, through 2,458 surveys and numerous local studies in territories with significant Afro-descendant populations in Brazil, Colombia, Costa Rica, Ecuador, Honduras, Nicaragua, Panama, and Peru. UNFPA. Regional Diagnosis on Gender-Based Violence against Afro-descendant Girls, Adolescents, and Women in Latin America. See *supra*, note 17, pp. 53, 57, 61.

³⁰ MESECVI. Brazil. Third Round Country Report. November 21, 2017, p. 23. MESECVI/CEVI/doc.264/17. Available at: <https://belemndopara.org/wp-content/uploads/2022/02/FinalReport2017-Brasil.pdf>

³¹ UNFPA. Regional Diagnosis on Gender-Based Violence against Afro-descendant Girls, Adolescents, and Women in Latin America. p. 52.

³² This information is corroborated by reports from UNICEF, UNFPA, and ECLAC. See, for example: Gender Equality Bulletin No. 1. Child Marriages and Early Unions. ECLAC, UNFPA: December 2023. p. 9. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/221b8feb-74df-4166-af31-e2ec8127fe77/content>

and the growing number of killings specifically affecting vulnerable women, such as Afro-descendant and LGBTI women.³³

The most extreme form of gender-based violence is femicide. In 2018, 3,287 femicides were recorded in 15 countries across Latin America and the Caribbean, disproportionately affecting Afro-descendant women and those from the LGBTI community³⁴. In 2021, a record high of 4,473 femicides³⁵ was documented, and although the number decreased to 4,050 in 2022 and 3,877 in 2023, it remained well above the figure for 2018. The ECLAC Gender Equality Observatory highlighted the persistence and severity of femicide in the region³⁶. While these reports lack data disaggregated by race and ethnicity, available indicators show that Afro-descendant women are victims of femicide more frequently than other women. In Brazil, in 2017, young Afro-descendant women aged 15 to 29 were more than twice as likely to be murdered as white women of the same age group.³⁷

The Mechanism has emphasized that, due to the disproportionate impact of femicide on Afro-descendant women, ensuring the effectiveness of state responses requires considering how this specifically affects them. This includes incorporating disaggregated data into records “to develop targeted prevention programs.”³⁸ In the UNFPA Virtual Survey on Gender-Based Violence Against Afro-descendant Women, 8 out of 10 Afro-descendant women in Brazil and 6 out of 10 in Colombia and Nicaragua reported feeling afraid of becoming victims of femicide. Similarly, more than half of the women interviewed in Honduras, Ecuador, Peru, and Costa Rica³⁹ answered affirmatively. Afro-descendant women from all countries also reported knowing Afro-descendant women leaders who were persecuted or murdered for defending women’s and Afro-descendant community rights, with Brazil and Colombia reporting the highest affirmative responses (87.5% and 72.3%, respectively).

³³ CIDH. Economic, social, cultural, and environmental rights of Afro-descendant people. March 16, 2021. Paragraph 136. OEA/Ser.L/V/II.Doc. 109. Available at: <http://www.oas.org/es/cidh/informes/pdfs/DESCA-Afro-es.pdf>

³⁴ CIDH. Violence and discrimination against women, girls, and adolescents: Good practices and challenges in Latin America and the Caribbean, 2019. See supra, note 26. Paragraph 156.

³⁵ ECLAC. Femicide violence in numbers. Latin America and the Caribbean. Bulletin No. 1. Gender Equality Observatory for Latin America and the Caribbean (OIG): November 2022, p. 4. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/5176486b-d060-4255-ac74-d1dc8eec9bf3/content>

³⁶ ECLAC. Femicide violence in numbers. Latin America and the Caribbean. Bulletin No. 3. OIG: November 2024, p. 3. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/69e978aa-ff89-4afb-afbb-e5d39904b9b1/content>

³⁷ UNFPA, ECLAC. Afro-descendant youth in Latin America and the matrix of social inequality: Rights, inequalities, and policies. See supra, note 19, p. 50.

³⁸ UN Women, MESECVI. Guide for the implementation of the Inter-American Model Law to prevent, punish, and eradicate the violent death of women for gender-related reasons, femicide/femicide. Spotlight Initiative: 2022, pp. 22, 29, and 36. Available at: [https://www.oas.org/es/mesecvi/docs/Guia-para-la-aplicacio%CC%81n-de-la-Ley-Modelo-Interamericana-Version-WEB%20\(1\).pdf](https://www.oas.org/es/mesecvi/docs/Guia-para-la-aplicacio%CC%81n-de-la-Ley-Modelo-Interamericana-Version-WEB%20(1).pdf)

³⁹ UNFPA. Regional Diagnosis on Gender-Based Violence against Afro-descendant girls, adolescents, and women in Latin America. See supra, note 17, pp. 61 and 67.

The Right to a Life Free from Discrimination and Stereotypes (Articles 3, 4, and 6)

Structural racism has perpetuated negative representations of Afro-descendant people based on prejudices related to their physical appearance, sexuality, psychology, culture, and religion. These stereotypes, which for women are compounded by the intersection of gender and race, are pervasive throughout the region and socially legitimize discrimination. According to **the UNFPA Virtual Survey on Gender-Based Violence Against Afro-descendant Women**, the most prevalent stereotypes in the media include hypersexualization (45.8%), aggressiveness (43.2%), subordination or dependency (38%), and perceptions of failure (33.6%). Additionally, there are persistent false beliefs that Afro-descendant women are “stronger” and “resistant to pain,” which increases their exposure to mistreatment and obstetric violence in healthcare services.⁴⁰

In 2019, the IACHR emphasized the role of the media in shaping social perceptions and raised concerns about the increase in hate speech in public spaces and on social media, particularly targeting women, LGBTI individuals, and Afro-descendants⁴¹. A recent MESECVI study identified that women with multiple identities are frequently subjected to online harassment and hate speech based on racial and gender discrimination. Activist women, human rights defenders, and Afro-descendant women who publicly assert their identity face heightened risks online, where violence is aimed at controlling their bodies and excluding them from public spaces.⁴²

The dissemination of messages and content based on racist stereotypes that devalue Afro-descendant women and girls—through media, advertising, school textbooks, jokes, and popular sayings—reinforces and legitimizes these forms of violence. Disparaging references to African-origin religious and cultural beliefs and expressions are also common, as is the minimization or erasure of Afro-descendant women’s contributions to culture, history, and art, including African-rooted feminisms. These dynamics hinder the recognition of their valuable contributions and can significantly affect the mental health and personality development of Afro-descendant girls and women, fostering the devaluation of their identity and discouraging self-recognition as Afro-descendants.

Cases of racist advertising and television programming that associate African and Afro-descendant people with apes, slaves, or servants are still being reported today. Such portrayals

⁴⁰ Ibid.

⁴¹ CIDH. Violence and discrimination against women, girls, and adolescents: Good practices and challenges in Latin America and the Caribbean, 2019. See supra, note 26, paragraph 109.

⁴² CIM/MESECVI. Report. Cyberviolence and cyberstalking against women and girls in the framework of the Belém Do Pará Convention. UN Women. Spotlight Initiative: 2022, pp. 20 and 21. Available at: https://lac.unwomen.org/sites/default/files/2022-11/MUESTRA%20Informe%20Violencia%20en%20linea%202.1%20%282%29_Aprobado%20%28Abril%202022%29_0.pdf

also present Afro-descendants as untrustworthy, lazy, impulsive, or in need of control. In 2017, a soap brand withdrew an ad from social media suggesting that a Black woman turned white after using the product.⁴³ In 2018, a mattress company and its advertising agency were sanctioned for a commercial that portrayed an Afro-Peruvian woman as “different,” disorderly, and unhygienic⁴⁴. The institutional nature of these dynamics reflects the structural nature of racism and its connection to economic interests, as seen with skin-whitening products that, despite being harmful to health, are gaining popularity in Latin America, Africa, and Asia.⁴⁵

For example, in Bolivia, CERD recently described gender and racial stereotypes as “deeply rooted” and urged authorities to intensify efforts to “change patriarchal and discriminatory attitudes and promote the equitable distribution of family responsibilities between men and women,” as well as to prevent and combat racist hate speech in both traditional media and digital social networks, including those by public officials and political figures.⁴⁶

In this context, CEVI reiterates the need to implement training programs for public servants, including healthcare personnel, teachers, administrative staff, police forces, and justice administration bodies. It also calls for capacity-building in media, targeting journalists and opinion leaders, particularly regarding their responsibility in eradicating symbolic violence.⁴⁷

Abuse and Violence by the State or Its Agents

Afro-descendant women are significantly affected in their rights to security, integrity, and personal freedom. Although Afro-descendant men are more affected by the disproportionate use of police force, women face ethnic-racial and gender stereotypes that expose them to harassment, sexual assault, and other forms of gender-based violence when reporting crimes or being accused of them. UNFPA highlights alarming levels of

⁴³ Dove apologizes and withdraws ad criticized as “racist”.

El País, 09-12-2017. Available at: https://elpais.com/elpais/2017/10/09/actualidad/1507534363_972211.html

⁴⁴ Ministry of Justice and Human Rights. Rights of the Afro-Peruvian People. Diagnostic report and baseline. Lima (Peru): October 2021, p. 57. Available at: https://globalnaps.org/wp-content/uploads/2023/01/Peru_Derechos-del-pueblo-afroperuano-Informe-de-DLB-del-PNA-2021-2025.pdf

⁴⁵ Specifically, those containing mercury have been banned in most countries, while in 2023 the World Health Organization (WHO) classified the increased use of these products as a global public health problem, stating it requires urgent attention.

See: “The dangers of using increasingly popular skin whiteners.” *BBC*, 08-06-2016. Available at:

<https://www.bbc.com/mundo/noticias-36481994>; “Skin whitening: The risks millions of women worldwide take with dangerous creams.” *BBC*, 08-06-2016. Available at: <https://www.bbc.com/mundo/noticias-48870813>

⁴⁶ CERD. Concluding Observations on the Combined 21st to 24th Periodic Reports of the Plurinational State of Bolivia. CERD/C/BOL/CO/21-24. January 4, 2024, Paragraphs 28 and 48. Available at: <https://undocs.org/CERD/C/BOL/CO/21-24>

⁴⁷ These measures correspond to Article 8(g) of the Belém do Pará Convention, which establishes the state commitment to “encourage the media to develop appropriate dissemination guidelines that contribute to eradicating violence against women in all its forms and to enhance respect for women’s dignity.”

police and armed group violence against Afro-descendant women in eight countries, including death threats and assaults.⁴⁸

In 2018, the IACHR denounced severe human rights violations in favelas, particularly affecting Afro-descendant women and youth.⁴⁹ In Colombia, testimonies gathered by the Colombian organization ILEX revealed cases of sexual harassment by police officers, based on racial stereotypes that reinforce the objectification of Afro-descendant women's bodies⁵⁰. In the United States, the IACHR highlighted the disproportionate impact of police violence and the justice system on Afro-descendant women, who also face barriers to seeking justice and are victims of sexual violence perpetrated by police officers.⁵¹

Afro-descendant women are more likely to be subjected to police stops, criminal proceedings, and imprisonment, leading to their overrepresentation in the region's prison systems—an estimation that, according to the IACHR, requires factual verification due to the lack of disaggregated data.⁵² Within this context of inequality, CEVI emphasizes that detention conditions must adhere to principles of legality and proportionality, courts should consider specific risk situations as mitigating factors to ensure proportional penalties, and statistical data on the situation of Afro-descendant women in the prison system must be collected using intercultural and intersectional approaches. Furthermore, national legislation and jurisprudence should be thoroughly reviewed to ensure the elimination of stereotypes in the criminal justice system that disproportionately and differently impact Afro-descendant women.

⁴⁸ CEPAL, UNFPA. *Afro-descendants and the matrix of social inequality in Latin America: Challenges for inclusion*. October 2020, p. 218. Available at: [link](#).

⁴⁹ CIDH. *Economic, Social, Cultural, and Environmental Rights of Afro-descendant People*. See supra, note 33. Paragraph 137.

⁵⁰ Silence and Impunity: Systemic Racism and Police Violence Against Afro-descendants in Colombia. CODHES/ILEX. p. 10. ISBN: 978-958-52847-6-0. Available at: [link](#).

⁵¹ CIDH. *Afro-descendants, Police Violence, and Human Rights in the United States*. November 26, 2018. Paragraph 160. OEA/Ser.L/V/II. Doc.156/18. Available at: [link](#).

⁵² CIDH. *States Must Adopt Concrete Measures to Address the Overrepresentation of Afro-descendant Women in the Prison System*. Press Release No. 170/23. July 6, 2023. Available at: [link](#).

[Box] Racial Profiling and Structural Racism

Afro-descendant people are particularly vulnerable to racial profiling, a practice that CERD has classified as a human rights violation⁵³. These practices by security and judicial agents, motivated by institutional racism, disproportionately affect men, who are subjected to aggressive treatment, physical violence, and extrajudicial killings. However, they also have a “singular and specific effect” on Afro-descendant women, who are often victims of humiliating practices, assaults, sexual violence, and other abuses based on hypersexualization stereotypes. These women frequently face institutional contempt and disdain when reporting violence or being held accountable for alleged crimes.⁵⁴

The Network of Afro-Latin American, Afro-Caribbean, and Diaspora Women describes this policing practice as an “institutionalized pattern of behavior” and underscores the need to develop protocols that sanction security agents “who use racial profiling in their duties and/or employ disproportionate use of force or unjustified lethal force against Afro-descendant populations, including women.”⁵⁵ However, authorities tend to deny the existence of these acts as institutional practices, and it is almost impossible to bring them to public attention, pointing to collusion with the media. It is common for police to stop and search young Afro-descendants, who may be deemed suspicious merely for running, while in shopping malls and stores, both Afro-descendant men and women are subjected to constant surveillance.⁵⁶

In this context, States must adopt measures to reduce and prevent this discriminatory overrepresentation, applying an ethnic-racial and gender intersectional perspective to criminal and penitentiary policies as a “key tool to combat multiple discrimination and systemic violence against Afro-descendant women.”⁵⁷

Political Violence Against Afro-descendant Women

Despite their crucial role in community self-organization, Afro-descendant women have historically been excluded from the public political sphere. In 2022, UN Women reported

⁵³ CERD. *General Recommendation No. 36 on Preventing and Combating Racial Profiling by Law Enforcement Officials*. CERD: 2020. p. 4. CERD/C/GC/36. Available at: [link](#).

⁵⁴ CIDH. *The Situation of Afro-descendant People in the Americas*. December 5, 2011. Paragraph 176. OEA/Ser.L/V/II. Available at: [link](#).

⁵⁵ RMAAD. “Political Platform of the Women Leaders of Latin America and the Caribbean for the International Decade for People of African Descent. Building our history out loud.” In: *Afro-descendancies. Voices in Resistance*. Buenos Aires: CLACSO. Collection of Anthologies on Latin American and Caribbean Social Thought. Silenced Thoughts Series, 2018, p. 321. Available at: [link](#).

⁵⁶ Profiling the Future: No More Afro-Peruvian Youth in the Crosshairs of the Law. CEDEMUNEP [online content]. Available at: [link](#).

⁵⁷ States Must Adopt Concrete Measures to Address the Overrepresentation of Afro-descendant Women in the Prison System. CIDH. July 26, 2023. Press Release No. 170/23. Available at: [link](#).

that only 0.1% of Latin American parliamentary members were Afro-descendant women.⁵⁸ This statistic confirms that they are even less represented than Afro-descendant men, as noted by ECLAC in 2017⁵⁹. It also highlights that they have not benefited from affirmative action measures and gender parity laws that have made Latin America the region with the highest percentage of women parliamentarians globally.⁶⁰

Furthermore, CEVI emphasizes that when Afro-descendant women take on political and leadership roles, they face specific risks related to their gender and race, including threats, harassment, and racist and sexist rhetoric aimed at discouraging them. Between 2015 and 2022, the Mesoamerican Registry documented 3,256 attacks against women human rights defenders, including 54 attempted murders and 25 murders, particularly affecting Indigenous and Garifuna women.⁶¹

The rise of hate speech across the region and the growing prominence of groups promoting such rhetoric have led to increased violence targeting women's organizations, feminist groups, human rights defenders, LGBTQI+ activists, and Indigenous and Afro-descendant leaders⁶². As recently stated by Francia Márquez, "Afro-descendant women remain invisible as political subjects, underrepresented in decision-making, and more vulnerable to violations of their rights."⁶³ UNFPA has expressed particular concern about "the physical and psychological integrity of women defenders at the forefront of addressing gender-based violence in their communities, as they are exposed to violence by association and persecution due to their political stances and conflict mediation work."⁶⁴ In a survey cited by ECLAC, 27% of Afro-Colombian women reported having limited their organizational activities due to threats they had received.⁶⁵

⁵⁸ Towards Inclusive and Equal Participation in Latin America and the Caribbean. Regional Overview and Contributions to CSW65. UN Women: 2021. p. 22. Available at: [link](#).

⁵⁹ CEPAL. *Afro-descendant Women in Latin America and the Caribbean: Debts of Equality*. See supra, note 2. p. 75.

⁶⁰ Latin American Women Confronting Democratic Backsliding. IDEA, March 6, 2024. Available at: [link](#).

⁶¹ See her profile at: [link](#).

⁶² CEPAL. *Femicide Violence in Figures: Latin America and the Caribbean. Bulletin No. 1*. See supra, note 35. p. 10.

⁶³ Francia Márquez: Afro-descendant Women Remain Invisible as Political Subjects. EFE. New York, August 15, 2024. Available at: [link](#).

⁶⁴ UNFPA. *Regional Diagnosis on Gender-Based Violence Against Afro-descendant Girls, Adolescents, and Women in Latin America*. See supra, note 17. p. 103.

⁶⁵ Plan Nacional de Desarrollo Comunidades Afrocolombianas, Negras, Raizales y Palenqueras 2010-2014 (2010). In: CEPAL. *Afro-descendant Women in Latin America and the Caribbean: Debts of Equality*. See supra, note 2. p. 78.

[Box] Progress and Risks in Political Participation

CEVI also identifies significant progress in the region. In 2018, Epsy Campbell Barr became the first Afro-descendant head of state in the Americas as Vice President of Costa Rica, while Francia Márquez⁶⁶ assumed the same role in Colombia in 2022, despite surviving assassination attempts and death threats. These cases highlight the risks associated with Afro-descendant women's political visibility, as demonstrated by the constant threats and the 2018 assassination of Marielle Franco, a political activist, defender of LBT+ rights, and then councilwoman in Rio de Janeiro, Brazil.⁶⁷

[Box] Political Violence Against Garifuna Defenders

Garifuna women face sustained political violence due to their activism for rights, land, and the environment. Since 2011, they have turned to international mechanisms, securing three favorable rulings from the Inter-American Court of Human Rights, focused on their right to consultation regarding projects affecting Garifuna territories and the obligation to respect state-granted land titles. Despite precautionary measures, harassment and murders persist. In 2019, the IACHR condemned the killing of four women defenders, highlighting a systematic pattern of gender- and race-based killings and violence⁶⁸. In 2021, the World Organization Against Torture denounced the criminalization of women defenders⁶⁹. In 2024, the UN Special Rapporteur condemned threats against Miriam Miranda, General Coordinator of OFRANEH, underscoring the urgent need for measures to halt this systematic violence.⁷⁰

[Box] Violence Against Quilombola Women Defending Their Land

Brazil's quilombola communities are descendants of Afro-descendants who reclaimed their freedom during the colonial period, forming rural societies that persist to this day. In 1995, they organized under CONAQ to combat structural racism in Brazilian society and fight for their rights. One of their recent victories was their inclusion in the 2022 Census, which, for the first time, documented 7,666 quilombola communities across the country, home to approximately 1.3

⁶⁶ Attack Against Colombian Defender Francia Márquez, Goldman Prize Winner 2018. IM Defensoras, May 7, 2019. Available at: [link](#).

⁶⁷ Marielle Franco, Feminist and Defender of Afro-descendant Populations, Murdered. IM Defensoras, March 15, 2018. Available at: [link](#).

⁶⁸ CIDH Condemns the Prevalence of Murders and Other Forms of Violence Against Garífuna Women in Honduras. CIDH, September 24, 2019. Available at: [link](#).

⁶⁹ Honduras: Criminalization of Garífuna Defenders Marianela Mejía Solórzano and Jennifer Sarina Mejía Solórzano. OMCT, March 11, 2021. Available at: [link](#).

⁷⁰ Honduras: Attack and Acts of Intimidation Against Human Rights Defender Miriam Miranda. UN Special Rapporteur for Human Rights Defenders, March 14, 2024. Available at: [link](#).

million people. According to the CONAQ Women's Collective, which advocates for their rights and against gender-based violence both within their communities and in the face of institutional racism, the countless forms of violence they endure *"are experienced within our own territory, encompassing family, the environment, religiosity, and institutional racism."*⁷¹

In 2022, CERD confirmed that these communities face unauthorized land invasions by private actors for mining, deforestation, and logging projects. CERD also expressed concern about the endemic levels of violence disproportionately affecting quilombola women, including threats, harassment, sexual violence, and femicides—crimes often marked by impunity. Within this context, CERD called on the State to adopt measures to prevent and address the root causes of these violences, ensuring timely and effective investigations of incidents.⁷²

In a recent report on climate and racial justice, the UN Special Rapporteur on Racism also denounced the violence faced by quilombola communities, noting that all recent victims of environmental activist killings in the state of Pará *"were Black women fighting for a way of life adapted to forest conservation."*⁷³

Access to Justice

As CEVI has highlighted on numerous occasions, the impact of the structural framework of patriarchy is exacerbated for Afro-descendant women, leaving them particularly exposed *"to facing obstacles in seeking institutional responses to the violations and discrimination they experience."*⁷⁴ When reporting gender-based violence, they encounter disdain, negligence, abuse, mistreatment, or humiliating treatment due to gender and racial stereotypes—a situation further compounded by other intersecting factors such as poverty, migration status, diverse sexual orientation and/or gender identity, and various disabilities.

These circumstances, combined with distrust and fear of the consequences of filing a report, inhibit most Afro-descendant women survivors of gender-based violence from

⁷¹ CONAQ. *The Leadership of Quilombola Women* [online]. [Accessed: December 4, 2024]. Available at: [link](#).

⁷² CERD. *Concluding Observations on the Combined 18th to 20th Periodic Reports of Brazil*. December 19, 2022. Paragraphs 47 and 50. CERD/C/BRA/CO/18-20. Available at: [link](#).

⁷³ UN. Human Rights Council. *"Ecological Crisis, Climate Justice, and Racial Justice. Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance."* October 25, 2022. A/77/549. Available at: [link](#).

⁷⁴ UN Women, CIM/MESECVI. *Legal Advisory Services for Addressing Gender-based Violence Against Women in Mexico and Central America*. Spotlight Initiative: 2022, p. 8. Available at: [link](#).

initiating the complaint process. They avoid doing so to escape revictimization, because they feel they will not be believed, or because they lack confidence in institutions.

According to data from the UNFPA Virtual Survey on Gender-Based Violence Against Afro-descendant Women, victims of violence seek out reporting centers for psychological support (25.7%), police protection (18.3%), or legal assistance (16%). However, 74% of respondents did not report the violence they experienced, with 14% citing shame, 12.5% deeming the issue unimportant, 11.6% fearing disbelief, and 10.2% fearing consequences or threats.⁷⁵

Afro-descendant women in rural areas face additional barriers to accessing effective judicial remedies, such as limited geographic accessibility to reporting services, lack of financial resources, and unfamiliarity with institutional contexts. In urban areas, challenges are associated with economic deprivation and racial discrimination. Other issues include institutional violence stemming from a lack of understanding of their cultural practices and worldview, as well as difficulties arising from the lack of context-appropriate information.⁷⁶

In this context, CEVI stresses that justice systems must address the specific needs of Afro-descendant women to overcome the challenges they face in seeking judicial protection. Inefficiencies, irregularities, and deficiencies in the investigation, prosecution, and punishment of cases contribute to perpetuating patterns of impunity. Therefore, in processing cases, the administration of justice must consider “worldviews, particular realities, cultural traditions, unique histories of discrimination and racism,” as well as the cultural and social diversity of the victims. A failure to make distinctions results in the invisibilization of Afro-descendant women.⁷⁷

A concrete example is the lack of racial and ethnic data in records. A UNFPA study on the prevention and response to violence against Afro-descendant women in Panama

⁷⁵ UNFPA. *Regional Diagnosis on Gender-Based Violence Against Afro-descendant Girls, Adolescents, and Women in Latin America*. See supra, note 17. pp. 58-59.

⁷⁶ CIDH. *The Situation of Afro-descendant People in the Americas*. See supra, note 54. Paragraph 73.

⁷⁷ CIDH. *Economic, Social, Cultural, and Environmental Rights of Afro-descendant People*. See supra, note 33. Paragraphs 53 and 141.

revealed that the Public Ministry often disregards the ethnic-racial variable, even though it is included in investigation forms.⁷⁸

The UN Working Group has highlighted that the lack of legal assistance is another factor that exacerbates the difficulties Afro-descendant women face in accessing justice. It recommends prioritizing legal aid by raising awareness⁷⁹. Considering that most Afro-descendant women are in low-income strata, an effective and free public defense service must be ensured to guarantee their access to justice.

To prevent discrimination and racism in access to justice, CEVI also underscores the importance of measures that foster confidence when filing a complaint. Among other steps, this includes promoting the inclusion of Afro-descendant women in complaint-receiving centers and ensuring that personnel are trained to provide services free from racism and racist stereotypes.⁸⁰

Duty to Repair Violence

Despite nascent progress in the area of reparations for gender-based violence, States must advance the development of protocols and definitions in areas related to Afro-descendant women survivors of gender-based violence. Conceptualizing reparations through an ethnic-racial and gender lens requires acknowledging the violence and discrimination based on race and gender, and recognizing that violations of Afro-descendant women's rights are rooted in gender inequality and various forms of racism. These factors are reflected in barriers to justice access and the resulting impunity.

MESECVI has noted in relation to the term “transformative reparations” that women and girls face “a situation of structural violence and discrimination that predates the violation

⁷⁸ A Public Prosecutor Official Mentioned in an Interview That the Main Challenge Is Combating Impunity: “...for the institution, the most important thing is the information provided by the victim, not their ethnic background.” In: UNFPA. *Research on Local Action for the Prevention and Attention to Violence Against Afro-descendant Women in Panama*. See supra, note 24. p. 31.

⁷⁹ UN. Human Rights Council. “*Paving the Way from Rhetoric to Reality. Report of the Working Group of Experts on People of African Descent.*” A/HRC/54/71. August 17, 2023. Paragraph 47. Available at: [link](#).

⁸⁰ See: MESECVI. *General Recommendation No. 5*. OEA/Ser.L/II.7.10 MESECVI/CEVI/doc.284/23 rev.2. Available at: [link](#).

of their rights. Therefore, repairing the damage cannot be limited to returning to the situation before the violation but must transcend it, transforming their lives and those of their communities.”⁸¹

In the case of Afro-descendant women, reparations must also incorporate the consequences of structural racism and related forms of intolerance. Thus, a transformative reparations model with a racial perspective would consider the types of violence they experience daily as Afro-descendant women, as well as the historical and cultural factors perpetuating gender- and race-based violence.

Economic, Social, Cultural, and Environmental Rights and Structural Discrimination

“The situation of Black women has not changed much since the era of slavery and colonization; we continue to work in unsafe and poorly paid conditions. Most Black women have had little formal education, and there is still a certain level of illiteracy. We receive very low wages, no recognition for 'extra services,' and the legal social benefits we are entitled to are denied.”

– CONAMUNE (Ecuador)⁸²

In the realm of economic, social, and cultural rights, Afro-descendant women face considerable disadvantages in areas such as poverty levels, access to employment and quality services, adequate housing, infrastructure and basic sanitation, income levels, unemployment, and discrimination in the labor market. Structural poverty and discrimination hinder Afro-descendant

⁸¹ UN Women, CIM/MESECVI. *Comprehensive Reparation in Cases of Femicides and Feminicides in Latin America: Advances, Challenges, and Recommendations*. Spotlight Initiative: 2022. p. 39. Available at: [link](#).

⁸² National Coordinator of Black Women of Ecuador (CONAMUNE) [online]. [Accessed: December 4, 2024]. Available at: [link](#).

girls' and adolescents' ability to enjoy social rights in terms of the accessibility, availability, and quality of services, while also exposing them to racist attitudes and violence.

Limited access to decent work also affects Afro-descendant women more severely, as they are victims of multiple discrimination, often relegating them to the informal sector or poorly paid jobs such as domestic work or caregiving. These jobs often lack access to labor benefits or social security. These factors highlight the challenges countries face in meeting commitments to equality and eradicating structural discrimination. To address these issues, it is crucial to adopt measures to remedy the lack of access to adequate services and the absence of appropriate channels and information to claim rights.

The Right to Education and Structural Discrimination

According to the Pan American Health Organization (PAHO), Afro-descendant girls have higher school attendance rates than boys. However, many Afro-descendant girls and adolescents face barriers to exercising their right to education due to factors such as poverty, early pregnancy, or child labor, resulting in lower retention rates in both primary and secondary education. Many do not complete secondary education or access higher education, limiting their opportunities in the labor market.⁸³

In Peru, for example, the illiteracy rate among Afro-Peruvians in 2017 was 6%, with Afro-Peruvian women accounting for 8.6%, compared to 3.8% among men. This rate was significantly higher than that of White women (4.2%) and Mestiza women (3.9%).⁸⁴ Similarly, in Uruguay, the Colectiva de Mujeres notes that “one of the key factors contributing to inequality is racism, expressed in lower expectations of success—by students or their families—based on experiences of discrimination or through racist attitudes and behaviors in educational institutions.”⁸⁵

Afro-descendant girls and adolescents living in rural areas face even greater challenges due to factors such as the distance and quality of educational institutions, lack of or insufficient public transportation, insecurity, and lack of resources.

Data from the UNFPA Virtual Survey on Gender-Based Violence Against Afro-descendant Women reveals that nearly 8 out of 10 women surveyed across eight countries in the region experienced some form of violence in school. Specifically, 52% faced insults related to their

⁸³ Pan American Health Organization (PAHO). *Health of the Afro-descendant Population in Latin America*. Washington, DC, 2021. p. 10. Available at: [link](#).

⁸⁴ Ministry of Justice and Human Rights (Peru). *Rights of the Afro-Peruvian People: Diagnostic and Baseline Report*. See supra, note 44. p. 37.

⁸⁵ Educational Inequalities [online]. AfroRedes. December 9, 2022. Available at: [link](#).

bodies and being Afro-descendant women, 43% feared physical attacks, 43% were subjected to insults and humiliation, and 34% were groped or kissed without consent.⁸⁶

Additionally, many textbooks perpetuate gender biases and racial stereotypes, making schools unsafe and untrustworthy spaces for Afro-descendant girls and adolescents. These prejudices negatively impact their personality development and opportunities.

Exclusionary and continuous factors further compound the issue, as educational curricula across nearly all educational and academic levels in the region distort the history of Africa and Afro-descendant populations. They erase the cultural and social contributions of Afro-descendant women and largely silence the characteristics of the Americas' colonial past and the lasting consequences of the slavery system.

For this reason, CEVI emphasizes the importance of revising curricula to align with international commitments, such as the Durban Declaration Against Racism. Additionally, programs should be implemented to combat stereotypes at the intersection of racism and gender, which are reproduced in schools.

Violence in the Context of the Right to Health

As previously highlighted, structural poverty and discrimination significantly impact human rights, particularly the right to health. Limitations in the quality and accessibility of services directly affect life expectancy, preventive and reproductive healthcare, and increase the risks of maternal and infant mortality. CEVI expresses concern over the data revealed by studies on these issues. Although there are few available indicators, the contrast between life expectancy at birth in 2011 in Colombia illustrates the inequality of opportunities for Afro-descendant women (66.7 years) compared to women nationwide (77.5 years).⁸⁷

According to a study by ECLAC, a Black woman in Brazil was 2.6 times more likely than a White man⁸⁸ to be denied care when attempting to access services. Meanwhile, Peru's Ombudsman reported that Afro-descendant women often experience mistreatment and racist insults⁸⁹ when accessing healthcare services, as well as differentiated treatment "based on negative stereotypes that result in discrimination."⁹⁰ In Brazil and Colombia, Afro-descendant women are 1.6 times

⁸⁶ UNFPA. *Regional Diagnosis on Gender-Based Violence Against Afro-descendant Girls, Adolescents, and Women in Latin America*. See supra, note 17. p. 48, Table 10.

⁸⁷ CIDH. *The Situation of Afro-descendant People in the Americas*. See supra, note 54. Paragraph 18.

⁸⁸ CEPAL. *Afro-descendant Women in Latin America and the Caribbean: Debts of Equality*. See supra, note 2. p. 54.

⁸⁹ "54.5% of Afro-Peruvians Report Experiencing Discrimination and Verbal Aggression in the Streets, With a Greater Impact on Women." In: UN. *Report of the Working Group on the Issue of Discrimination Against Women in Law and Practice*. Mission to Peru. June 26, 2015. A/HRC/29/40/Add.2.

⁹⁰ Ministry of Justice and Human Rights (Peru). *Rights of the Afro-Peruvian People: Diagnostic and Baseline Report*. See supra, note 44. p. 43.

more likely to die during childbirth, a figure that rises to 2.5 times in Suriname and three times in the United States compared to White women. This disparity reflects the impact of racist beliefs inherited from slavery and the lack of disaggregated data in national health plans.

CEVI has also received information on reproductive violence experienced by Afro-descendant women. Obstetric violence and barriers to accessing sexual and reproductive health services—due to lack of information, residence in rural areas, poverty, and exclusion—are common patterns for Afro-descendant women, who are often concentrated in urban areas lacking basic services⁹¹. High rates of teenage pregnancy also indicate inequality, as in most Latin American countries with available data, the percentages of Afro-descendant adolescent mothers are significantly higher than their non-Afro-descendant peers.⁹²

Even in countries with comprehensive and universal health policies and programs to reduce unintended early pregnancies, this inequality persists. An additional consequence of adolescent motherhood is the interruption of educational cycles, exacerbating the cycle of exclusion by reducing opportunities available to pregnant adolescent girls.

[Box] Systemic Abuse and Neglect in Healthcare Systems

Maternal mortality constitutes a violation of the right to health and life and remains a serious public health issue in the region.⁹³ Recent data indicate that approximately 8,400 women of all ethnicities die each year from complications during pregnancy, childbirth, and postpartum.⁹⁴

The disparities in treatment and specific forms of violence experienced by Afro-descendant women and girls are partly rooted in unscientific and racist beliefs inherited from the slavery era. These beliefs persist in medical school curricula, highlighting the urgent need to strengthen policies aimed at eliminating stereotypes, even within specialized higher education.

The lack of prioritization in combating racism is further evidenced by the fact that only 11 of the 35 countries in the Americas collect disaggregated maternal health data by race, and only one-

⁹¹ Maternal Mortality in Ecuador Is Up to 3 Times Higher for Afro-descendant Women Than for Non-Afro-descendant Women. CEPAL, cited in: CIDH. *The Situation of Afro-descendant People in the Americas*. See supra, note 54. Paragraph 129.

⁹² PAHO. *Health of the Afro-descendant Population in Latin America*. See supra, note 83. p. 33.

⁹³ Deadly Consequences: According to a New UNFPA Report, Afro-descendant Pregnant Women Suffer Abuse and Neglect Due to Systemic Racism and Sexism in Health Systems Across the Americas. UNFPA. July 12, 2023. Available at: [link](#).

⁹⁴ UN, RCP LAC. *Regional Gender Equality Profile for Latin America and the Caribbean*. 2024. p. 48. Available at: [link](#).

third of the 32 analyzed national health plans consider Afro-descendant women's vulnerability to discrimination in accessing healthcare.⁹⁵

Discrimination and Violence Associated with Employment

Unemployment rates for Afro-descendant people in most countries are higher than those for their non-Afro-descendant peers. Being Afro-descendant, a woman, and young compounds the disadvantages, both in accessing employment and in remaining unemployed.⁹⁶

In 2021, the IACHR noted that wage gaps persist for Afro-descendant women compared to non-Afro-descendant women, Afro-descendant men, and non-Afro-descendant men. These gaps remain in countries such as Argentina (8.7%), Panama (10.3%), Ecuador (10.8%), and Uruguay (12.5%). Afro-descendant women also face higher unemployment rates and longer durations of unemployment.⁹⁷ For example, in Colombia, women experience an unemployment rate of 17.5%, significantly higher than men's 11.3%, alongside substantial wage gaps. These inequalities particularly affect middle-aged Afro-descendant women with low education levels.⁹⁸

Additionally, in the few countries with disaggregated data (Brazil, Ecuador, Peru, and Uruguay), pension system enrollment rates are considerably lower for Afro-descendant men and women compared to their non-Afro-descendant counterparts, perpetuating precariousness throughout the life cycle.⁹⁹

As a result of these discriminatory patterns, opportunities for decent employment and associated rights are reduced, especially for young Afro-descendant women. Even when they prepare for different employment sectors, their chances of advancing in their fields of specialization are slim, as their skin color places them "at a disadvantage compared to other women."¹⁰⁰

Income levels relative to educational attainment also highlight how the intersection of ethnic-racial and gender dimensions characterizes these inequalities.¹⁰¹ Consequently, a significant proportion of Afro-descendant women remain in poverty, even while employed.

⁹⁵ Ibid.

⁹⁶ PAHO. *The Health of the Afro-descendant Population in Latin America*. See supra, note 83, p. 12

⁹⁷ CIDH. *Economic, social, cultural, and environmental rights of Afro-descendant people*. See supra note 33. P. 127

⁹⁸ The wage gap in Colombia persists; women remain at a disadvantage according to the ILO and DANE. March 20, 2023 <https://www.ilo.org/es/resource/news/la-brecha-salarial-en-colombia-no-cede-las-mujeres-continuan-en-desventaja>

⁹⁹ ECLAC. *The Challenges of Equality for Afro-Latin American, Afro-Caribbean, and Diaspora Women*. Gender Equality Observatory for Latin America and the Caribbean: Notes for Equality, No. 26, August 8, 2018. Available at:

¹⁰⁰ CEDEMUNEP. *Beyond Historical Forgiveness: Report on the Human Rights Situation of the Afro-Peruvian People*. Lima (Peru): May 2011, pp. 45-48.

¹⁰¹ In: ECLAC. *Afrodescendant Women in Latin America and the Caribbean. Equality Debts*. See supra, note 2, p. 25

One of the main employment sources for low-income Afro-descendant women is the paid domestic work sector. Nearly 1 in 5 Afro-descendant women (17.3%) work in this sector, a figure more than double that of non-Afro-descendant women (8.5%). In countries such as Brazil, Costa Rica, and Ecuador, between 13% and 21% of all Afro-descendant women over 15 years old are domestic workers.¹⁰²

In this context, the ILO emphasizes that domestic work requires an approach considering intersecting inequality variables, including Afro-descendant, migrant, and poverty status, “with particular attention to the specific risks of the job, especially the psychosocial risks stemming from violence, mistreatment, and harassment.”¹⁰³

Especially Vulnerable Groups

“We want it acknowledged that racism exists and that it prevents some people from accessing education and enjoying the same opportunities. We also want it recognized that we live in a sexist society that hinders women’s full enjoyment of their rights. After recognizing these inequalities, we seek policies that bring about change.”
—Colectivamujeres (Uruguay)¹⁰⁴

Since its earliest reports, CEVI has encouraged States Parties to implement public policies recognizing gender-based violence against women as a human rights violation, taking into account the diversity of women in Latin America and the Caribbean. This requires States Parties to specifically address the needs of Afro-descendant women and other sectors affected by intersecting vulnerabilities.¹⁰⁵ CEVI has also emphasized how these intersections affect women and girls when accessing specialized services or following up on reports of gender-based violence, particularly in cases of sexual violence.¹⁰⁶

¹⁰² ECLAC. *The Challenges of Equality for Afro-Latin American, Afro-Caribbean, and Diaspora Women*. See supra, note 99.

¹⁰³ UN Women, ISSO, and ILO. *Access of Paid Domestic Workers to Social Security in Ibero-America*. July 2022, pp. 8, 66, and 183. Available at: <https://www.ilo.org/es/publications/acceso-de-las-personas-trabajadoras-domesticas-remuneradas-la-seguridad>

¹⁰⁴ Colectivamujeres [online]. [Accessed: 12-04-2024] Available at: <https://www.colectivamujeres.org/>

¹⁰⁵ MESECVI. First Hemispheric Report. Ver supra, note 3. P. 10

¹⁰⁶ MESECVI. General Recommendation No. 2 of the MESECVI Committee of Experts on Missing Women and Girls in the Hemisphere in accordance with Articles 7(b) and 8 of the Belém do Pará Convention. December 5, 2018.

From CEVI's perspective, the situation of an Afro-descendant woman who is a migrant, domestic worker, and undocumented resident living far from an urban center clearly illustrates how multiple forms of oppression—stemming from patriarchy, racism, classism, and heteronormativity—intersect to increase her vulnerability to gender-based violence. These conditions significantly restrict her access to protection and justice services, underscoring the imperative need for an intersectional approach to make visible and address overlapping inequalities, disadvantages, and discrimination.

In this context, it is essential for States Parties to advance the enactment and implementation of laws, public policies, and other measures recognizing and addressing these structural dynamics of discrimination. These actions must ensure women's rights and aim to eradicate all forms of violence, guaranteeing that institutional responses are culturally relevant, accessible, and effective. Furthermore, it is crucial to address the persistence of sociocultural patterns that reproduce hegemonic power relations and perpetuate discriminatory practices and behaviors. Public policies must include transformative strategies to dismantle these structures and promote substantive equality.

Afro-descendant Women with Diverse Sexual Orientations

Although there is little disaggregated data on the intersection of ethnic-racial status and sexual orientation, available information highlights that Afro-descendant women with diverse sexual orientations and gender identities face high levels of multiple forms of discrimination and violence.

In 2021, the IACHR reported cases of Afro-Colombian lesbian women being subjected to violence because of their sexual orientation, both within the context of armed conflict and in other scenarios, including abhorrent practices such as “corrective sexual assaults.”¹⁰⁷ Another report on police violence in Colombia documented numerous cases of police aggression against Afro-trans women, “highlighting the clear operation of the perpetrators’ biases and preconceptions rooted in racism and transphobia.”¹⁰⁸

OEA/Ser.L/II.7.10. Available at: <https://www.oas.org/en/mesecvi/docs/MESECVI-CEVI-doc.250-EN.pdf>

¹⁰⁷ CIDH. Economic, social, cultural, and environmental rights of Afro-descendant people. See *supra*, note 33. P.131.

¹⁰⁸ CODHES/ILEX-Acción Jurídica. *Silence and Impunity: Systemic Racism and Police Violence Against Afro-descendants in Colombia*. Cuatro Ojos Editorial: N/D. N/P. Available at: https://ilexaccionjuridica.org/wp-content/uploads/2022/11/Documento-silencio-e-impunidad_ILEX-DIGITAL-1.pdf

Across the continent, it is estimated that 80% of transgender women in Latin America die before the age of 35, many of them murdered.¹⁰⁹ In 2019 alone, over 120 murders were recorded in Brazil, most of which were Afro-Brazilian trans women whose bodies bore signs of extreme violence.¹¹⁰

Afro-descendant Women with Disabilities

UN Women has emphasized the need to make girls and women with disabilities visible in all their diversity, including Afro-descendant women, noting that “each of them faces different situations that must be considered when producing and analyzing data that inform the design and implementation of inclusive public policies.”¹¹¹

According to ECLAC data from 2017, the prevalence rate of disability in Latin America and the Caribbean was higher among women than men. Additionally, in most countries with available data, Afro-descendant populations over the age of 60 exhibited higher disability prevalence rates than non-Afro-descendant populations, a situation disproportionately affecting Afro-descendant women.¹¹²

In countries like Honduras, Venezuela, and Guatemala, the gender gap is evident in statistics on labor opportunities for young Afro-descendant people with disabilities, where only half of the women are employed compared to their male counterparts with the same condition.¹¹³

Afro-descendant Migrant Women

UNHCR highlights in a survey-based study that “intersectional discrimination and the risk of gender-based violence are evident when forced displacement intersects with systemic racism in the Latin American region, particularly experienced by Haitian women.”¹¹⁴

¹⁰⁹ IACHR. Violence and Discrimination against Women, Girls, and Adolescents: Good Practices and Challenges in Latin America and the Caribbean, 2019. See supra, note 26. P.156.

¹¹⁰ Ibid, P.123.

¹¹¹ UN Women. *Accepting the Challenge: Women with Disabilities – For a Life Free from Violence. An Inclusive and Cross-Cutting Perspective*. Montevideo, Uruguay. 2021. p. 15. Available at: <https://lac.unwomen.org/en/digiteca/publicaciones/2021/09/informe-aceptando-el-desafio>

¹¹² Economic Commission for Latin America and the Caribbean (ECLAC). *Afro-descendant Women in Latin America and the Caribbean: Debts of Equality*. See supra, note 2. P. 56

¹¹³ UN Women. *Accepting the Challenge: Women with Disabilities – For a Life Free from Violence. An Inclusive and Cross-Cutting Perspective*. Montevideo, Uruguay. 2021. p. 15. Available at: <https://lac.unwomen.org/en/digiteca/publicaciones/2021/09/informe-aceptando-el-desafio>

¹¹⁴ Study based on surveys with 1,008 women, over 300 focus groups, and interviews with 126 female informants, 17% of whom were Afro-descendants. UNHCR/HIAS. *Our Right to Safety: Placing Refugee Women at the Center of Solutions to Gender-Based Violence*. N/D. p. 77. Available at: <https://segurasenmovilidad.org/wp-content/uploads/2022/12/Nuestro-derecho-a-la-seguridad-estudio-regional-ES.pdf>

Factors increasing women's risk of gender-based violence include xenophobia (31%), lack of employment opportunities (19%), and limited access to information (16%).¹¹⁵ Haitian women report double discrimination due to their refugee or displaced status and their skin color, perpetuated by both transit and host communities as well as institutional and governmental actors. This often leaves them in conditions of extreme poverty, without access to healthcare, work, food, or housing.

It should be noted that refugee women at risk of gender-based violence or survivors of such attacks tend to avoid seeking support “for fear of rejection, stigmatization, detention, and even deportation,” as well as the potential for reprisals from their aggressors.

Afro-descendant Women Deprived of Liberty

In its 2011 report, the IACHR noted the lack of studies on the conditions of Afro-descendant women deprived of liberty, emphasizing the importance of “comprehensive, disaggregated information on Afro-descendant individuals in the penal and prison system, as this data collection is the first step in identifying racial bias, its timing, and mechanisms of application.”¹¹⁶

More than a decade later, CEVI considers this issue equally relevant. Nonetheless, limited existing data suggest that Afro-descendant women deprived of liberty are exposed to acts of discrimination and violence due to their race and gender, as well as mistreatment, often perpetrated by prison staff.

[Box] Social Conflicts and Violence Against Afro-descendant Women

A trend disproportionately affecting Afro-descendant populations is the repressive response to social conflicts, both within the framework of institutional security policies and in the suppression of protests over material shortages or political motivations.

In Brazil, CEDAW has highlighted that the official fight against drugs and crime exposes Afro-descendant women and girls from particularly disadvantaged sectors to gender-based violence perpetrated by both criminal gangs and security forces. They are also at risk of being wrongfully imprisoned.¹¹⁷

¹¹⁵ Ibid. p. 77.

¹¹⁶ CIDH. *The Situation of Afro-descendant People in the Americas*. See supra, note 54. P. 190

¹¹⁷ CEDAW. Concluding observations on the combined eighth and ninth periodic reports of Brazil. CEDAW/C/BRA/CO/8-9. 6 June 2024. Paragraphs 22 and 40. Available at: <https://undocs.org/en/CEDAW/C/BRA/CO/8-9>

As the IACHR points out, this situation stems from an institutional policy rooted in a punitive approach with a “high degree of inefficacy” in combating organized crime. This approach reproduces ethnic-racial and gender-based inequalities. While women make up less than 5% of Brazil’s prison population, this proportion has increased sixfold over the past two decades, with Afro-descendant women being extremely overrepresented.

In this context, the IACHR concludes that the constant killings in marginalized and racialized neighborhoods “cannot be considered isolated acts of violence but are part of a systematic and widespread process carried out by state security institutions and judicial bodies to exterminate Afro-descendant people, with extreme cruelty.”¹¹⁸

The Brazilian organization CRIOLA argues that “the use of mechanisms for punishing, surveilling, and incarcerating Black women is strategic in creating dynamics of control that sustain economic and social inequalities within the neoliberal order,” as it “exonerates the State from its obligation to guarantee rights and protection” to socially disadvantaged groups.¹¹⁹ Regarding the increase in femicide violence against Black women, CRIOLA emphasizes the need to implement public policies with a racial and gender perspective, “addressing violence not only through criminalization but also through prevention and the guarantee of social rights.”¹²⁰

Afro-descendant Women in Armed Conflicts

Armed conflicts are accompanied by multiple forms of rights violations against the civilian population, including threats, violence (sexual, physical, and symbolic, among others), persecution of women leaders, forced displacements, the abduction of youth, sexual exploitation, and an intensification of domestic violence. Women, particularly young Afro-descendant women, are more exposed to these forms of violence. This was emphasized by the Inter-American Court of Human Rights (IACHR) in its ruling on the mass displacement of the population caused by the actions of paramilitary groups in the Cacarica River Basin, Colombia. The Court noted that the consequences suffered by displaced Afro-descendant communities “had a disproportionate impact on women and children, such as family disintegration, changes in their lives in

¹¹⁸ IACHR. Situation of Human Rights in Brazil. OEA/Ser.L/V/II.Doc. 9. February 12, 2021. P. 33, 157, and 526. Available at: <http://www.oas.org/en/iachr/reports/pdfs/Brazil2021-en.pdf>

¹¹⁹ *Racismo, violência e Estado. Três faces, uma única estrutura de dominação articulada*. CRIOLA: Rio de Janeiro, October 2022. p. 51. Available at: https://criola.org.br/racismo-violencia-e-estado-tres-faces-uma-unica-estrutura-de-dominacao-articulada-novo-estudo-de-criola/?doing_wp_cron=1731343142.6613130569458007812500

¹²⁰ CRIOLA. *Números da violência racial e de gênero contra meninas e mulheres negras cis e trans no Brasil*. August 2024. p. 7. Available at: <https://criola.org.br/wp-content/uploads/2024/09/Criola-Suma%CC%81rio-Executivo-Nu%CC%81meros-da-Viole%CC%82ncia-Racial-e-de-Ge%CC%82nero-Contra-Meninas-e-Mulheres-Negras-Cis-e-Trans-no-Brasil.pdf>

overcrowded settlements, lack of access to basic services, food, and adequate healthcare, as well as the subsequent increase in diseases and malnutrition, among other effects.”¹²¹

[Box] Sexual Violence in the Context of Armed Conflict

In 2012, CEVI stated that displaced women require protection that aligns with their specific needs, taking into account the gendered dimensions of forced displacements and the increased risk of experiencing violence.¹²² At the same time, Afro-descendant women leaders have voiced concerns about the exposure of young Afro-descendant women to various forms of physical and sexual violence, as well as to human trafficking.¹²³ Most of these cases remain in impunity due to barriers to accessing justice. Meanwhile, the high number of cases among Afro-descendant women highlights the need for the Colombian State to adopt an intersectional approach to addressing the conflict and its consequences while ensuring their protection.¹²⁴

CEVI has also stressed that States should establish reparations and justice plans, providing support and accompaniment to young women and survivors of conflicts to enable them to rebuild their lives with dignity and rights. The annual commemoration on May 25 of the National Day for the Dignity of Women Victims of Sexual Violence, which stems from reparations measures ordered by the IACHR, should serve to spotlight the need for effective reparations and the guarantee of defense for the rights and dignity of Afro-descendant women.¹²⁵

As concluded by the Observatory of Memory and Conflict in Colombia, it is important to “guarantee the right to symbolic, material, and collective reparations for historically victimized communities,” and specifically, to ensure special attention for “women who are victims of gender-based violence and sexual violence because they are women and racialized.”

¹²¹ IACHR. Case of the Displaced Afro-descendant Communities of the Cacarica River Basin (Operation Genesis) v. Colombia. Judgment of November 20, 2013 (Preliminary Objections, Merits, Reparations, and Costs), P. 291. Available at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_270_ing.pdf

¹²² MESECVI. Second Hemispheric Report on the Implementation of the Belém do Pará Convention. April 2012, P. 35 and 36. OEA/Ser.L/V/II.6.10. Available at: <https://www.oas.org/en/mesecvi/docs/mesecvi-segundoinformehemisferico-en.pdf>

¹²³ UNFPA. Regional Diagnosis on Gender-Based Violence against Afro-descendant Girls, Adolescents, and Women in Latin America. See supra, note 17. P. 103.

¹²⁴ IACHR. Truth, Justice and Reparation: Report on the Situation of Human Rights in Colombia. December 31, 2013. OEA/Ser.L/V/II. Doc. 49/13. P. 888. Available at: <https://www.oas.org/en/iachr/reports/pdfs/colombia-truth-justice-reparation.pdf>.

¹²⁵ CNMH. Observatory of Memory and Conflict. *National Day for the Dignity of Victims of Sexual Violence. Commemorative Boards* [online]. See supra, note 7.

Conclusion

“We experience the most perverse face of racism and sexism because we are Black and women. In our daily lives, the constructed superiority of the white racial component, patriarchy, and sexism underpins and drives a system of oppression that forces every Black woman to fight for her own survival and that of her community. We confront all injustices and denials of our existence while claiming inclusion every time our exclusion takes on new forms.”
—Marcha das Mulheres Negras¹²⁶

Most democratic societies in the region are not very inclusive and are marked by the structural discrimination of Afro-descendant populations, as well as by dynamics that render the various manifestations of inequality and exclusion invisible. Opposing these patterns, there exists a long tradition of cultural resistance and the reclaiming of spaces by these populations through self-affirmation, self-defense, and autonomy.

At the end of the 20th century, and especially since the Durban Conference against Racism, the recognition of ethnicity, race, and gender as intersecting barriers limiting Afro-descendant women’s enjoyment of human rights has gained increasing prominence. This intersection has significant effects on the violence these women face in their daily lives. However, this recognition has not led to the adoption of sufficiently systematic and effective measures to dismantle the violence stemming from institutional racism.

Afro-descendant populations, whether living in densely populated urban areas or rural zones, face limited access to public services related to human rights. Institutional practices often replicate and validate ethnic-racial and gender stereotypes, including various forms of contempt and mistreatment, which impact the self-esteem of many Afro-descendant women. Additionally, they are exposed to patriarchal, stereotypical, and violent behaviors within their families, relationships, and communities.

Available data show that in many cases, these forms of violence have increased, while poverty, limited access to social services, and barriers to achieving justice remain part of the structural reality for Afro-descendant women. These realities are often rendered invisible, having been

¹²⁶ Original text: “Vivenciamos a face mais perversa do racismo e do sexismo por sermos negras e mulheres. No decurso diário de nossas vidas, a forjada superioridade do componente racial branco, do patriarcado e do sexismo, que fundamenta e dinamiza um sistema de opressões que impõe, a cada mulher negra, a luta pela própria sobrevivência e de sua comunidade. Enfrentamos todas as injustiças e negações de nossa existência, enquanto reivindicamos inclusão a cada momento em que a nossa exclusão ganha novas formas”. Marcha das Mulheres Negras [online]. [Consulta: 04-12-2024]. Available at: <https://amnb.org.br/marcha-das-mulheres-negras/>

internalized as normal. Moreover, women who participate in rights defense spaces or dare to engage in politics face harassment, intimidation, and often extreme violence.

In this context, MESECVI considers that it is time for all actors and institutions involved—whether state, private, or multilateral—to openly acknowledge the insufficiency of the measures taken thus far to reduce inequality gaps and ensure Afro-descendant women's rights. Greater, more comprehensive commitments must be adopted to guarantee the implementation of specific measures, legal frameworks, plans, and programs aimed at effectively reducing violence against Afro-descendant women, with a focus on prevention and eradication.

One of the first steps toward ensuring effective protection against the violence to which they are disproportionately exposed is to strengthen their visibility as a distinct and vulnerable population. To this end, all administrations must commit to incorporating disaggregated statistical data into the collection of administrative and census records, producing studies and diagnostics grounded in a rights-based approach and an intersectional perspective. Ensuring that the consequences of structural discrimination are no longer subsumed within general gender-based violence statistics is a priority.

Public policies, plans, programs, and temporary special measures must also be developed to translate into the protection, care, and support for their needs and requirements as a population facing specific violence and exclusion contexts. These efforts must guarantee not only consultation but also their active participation and leadership. Public services related to rights such as health and education must be provided without any form of discrimination, designing inclusive curricula and healthcare models tailored to the realities and cultural practices of Afro-descendant peoples.

At the same time, efforts must be directed toward designing and implementing permanent, systematic human rights awareness, training, and education programs aimed at preventing gender-based violence from an intersectional perspective. These programs must also focus on eliminating racist and sexist stereotypes and practices among personnel working in reception, investigation, and justice administration institutions—including social and health services.

Furthermore, it is necessary to raise awareness and provide training for social communicators, teaching staff, and communities to help eliminate racial stereotypes and discrimination that revictimize and normalize these behaviors. Tangible progress related to recognizing the violence experienced by Afro-descendant women and the development and adoption of institutional measures must incorporate an intercultural perspective that considers the specificities of their identity as Afro-descendant peoples.

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