



## **GBV: Gender-Based Violence**

*Civil Society perspectives on Sexual and  
Reproductive Health, Rights and Justice  
in Latin America and the Caribbean.*

**FÒS FEMINISTA**

# Best Practice



## Context

**Costa Rica**, a country in **Central America**, has been actively addressing the issue of **GBV**. The context is marked by efforts to enhance access to justice for victims, evident through the publication of statistics from the Gender Violence Observatory against Women and Access to Justice of the Judiciary. <sup>cclxxxiv</sup> Additionally, the establishment of the National System for the Attention and Prevention of Violence against Women and Intrafamily Violence underscores the commitment to address **GBV** comprehensively. <sup>cclxxxv</sup>



## Challenge

Despite these efforts, challenges persist, especially in the recognition and characterization of certain types of **GBV**. The existing legal framework had a restrictive definition of femicide, primarily regulating contexts within intimate relationships. <sup>ccxxxiii</sup> However, it became apparent that **GBV** is multifaceted and extends beyond partner contexts, even involving state agents.

Moreover, a significant weakness in the current legal framework on **GBV** lies in its exclusive focus on punitive measures, lacking the incorporation of restorative approaches. The emphasis is on the perpetrator rather than addressing the needs of the victim, survivor, or their family members.

# The Initiatives

**Broadened Definition of Femicide:** To address the challenge of a restrictive definition, the Judiciary introduced the category of "broad or expanded femicide" in 2021. <sup>cclxxxvii</sup> This innovation aims to capture the various forms of **GBV**, acknowledging that it can occur both within and outside intimate relationships. The initiative reflects a commitment to understanding the pervasive nature of **GBV**.

## Protocols for Victim Care:

Protocols related to the care of victims of violence have been established, showcasing the management model implemented by the National Patronage of Infancy (**PANI** for its acronym in Spanish). <sup>cclxxxviii</sup> These protocols cover a spectrum of abuses, including physical, emotional, and sexual, as well as conflicts within families and cases of trafficking. Despite these protocols, challenges arose due to gaps in the application of regulations and processes within the institution.

---

## Prosecutor's Office for Sexual Harassment:

In 2018, the State responded to the need for specialized attention to sexual harassment cases by creating the Prosecutor's Office for the Prevention and Attention of Sexual Harassment Complaints. <sup>cclxxxix</sup> This initiative demonstrates a proactive approach to addressing specific forms of **GBV**, aiming to prevent and appropriately respond to incidents of sexual harassment.

---

## Key Takeaways

### **Holistic Approach:**

The introduction of "broad or expanded femicide" recognizes the complexity of such violence and the need for a comprehensive legal framework.

### **Protocols and Implementation:**

While protocols for victim care exist, the significance of continuous review and improvement in the application of regulations and processes is key in ensuring due diligence to prevent gaps that may endanger women and girls.

### **Specialized Prosecutor's Office:**

The establishment of a specialized prosecutor's office illustrates the value of targeted initiatives. Addressing specific forms of **GBV**, such as sexual harassment, requires dedicated resources and expertise.

**Costa Rica's** initiatives showcase progress in recognizing and addressing **GBV**. By broadening definitions, implementing protocols, and creating specialized entities, the country strives to provide comprehensive and specialized care for victims. Continuous evaluation and adaptation of these initiatives remain essential for an effective response to the evolving challenges of **GBV**.

**Fòs Feminista** is an intersectional feminist organization centered on the rights and needs of women, girls, and gender-diverse people in the Global South. We recognize that the ability to make free and informed decisions about sexual and reproductive health, including the ability to access safe and legal abortion, is central to gender equity and to the fulfillment of the human rights of women, girls, and all people who can become pregnant.

**Fòs Feminista** thanks all of the organizations that took part in the data collection and analysis for this report including:

- **Red de Mujeres Afrolatinoamericanas, Afrocaribeñas y de la Diáspora – RMAAD**
- **Red Latinoamericana de Jóvenes por los Derechos Sexuales y Reproductivos – RedLAC**
- **Enlace Continental de Mujeres Indígenas de las Américas – ECMIA**
- **Alianza regional de mujeres con discapacidad para la elaboración de balances de sociedad civil en el marco del 10 aniversario del Consenso de Montevideo.**
- **United Caribbean Trans Network – UCTrans**

The process was supported by: **Dra. Anabel Yahuilt** (Lead Consultant), **Ana María Aguirre** (Coordination Consultant), **Fadekemi Akinfaderin** (Chief Global Advocacy Officer, Fòs Feminista) y **Rebecca Reisdorf** (Senior Global Advocacy Officer-LAC, Fòs Feminista). Design by **Angélica Krinis** (Consultant). Cover art by **Isabel Zumbambico** @zumbambico



**May, 2024.**