

# **DPLF's Contribution to the United Nations Committee on Enforced Disappearances (CED) on Women Disappearances**





Washington DC and San Salvador, July 2025

This submission is in response to the call for inputs made to civil society organizations to share information on the situation of women, girls and enforced disappearances, for the Project of General Comment No. 2 of the Committee on Enforced Disappearances. In this document, which draws on DPLF's transitional justice work in Latin America and in particular our extensive work in El Salvador over the past several years,<sup>1</sup> we begin by highlighting some relevant standards and jurisprudence on these issues from the Inter-American system for human rights protection. The document then goes on to share information regarding the enforced disappearance and other modalities of disappearance of women and girls in El Salvador, as well as the search for those disappearance victims in that country.

DPLF is a non-profit organization dedicated to human rights and the rule of law in Latin America. DPLF is headquartered in Washington DC, with a multinational team of professionals working with civil society organizations throughout Latin America. DPLF provides technical legal assistance, promotes dialogue with government representatives, and creates opportunities for the exchange of information and experience. DPLF also conducts research and produces publications that analyze and discuss the main human rights challenges in the region, in light of international law and comparative perspectives.

In El Salvador, as in other countries in Latin America, the enforced disappearance of women and girls is one horrific manifestation of gender-based and sexual violence, and at the same time, women also play a key role in the search for disappearance victims, particularly in the absence of an effective and comprehensive State response to the crisis.<sup>2</sup> The disappearances of women and girls today also occur in

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<sup>1</sup> For more detailed elaborations on the information shared herein and on which this contribution is based, please see DPLF's publications *An Innovative Response to Disappearances: Non-judicial search mechanisms in Latin America and Asia*, co-written with Asia Justice and Rights (AJAR), the International Coalition of Sites of Conscience (ISCS), the Forensic Anthropology Foundation of Guatemala (FAFG), and the Humanitarian Law Center (HLC), May 17, 2022, available at <https://back.dplf.org/en/report/disappearances-non-judicial-search-mechanisms-latin-america-asia>; "The Vanishing Women of El Salvador," by Hannah Ahern and Leonor Arteaga Rubio, December 18, 2024, available at: <https://dplf.org/en/2024/12/18/the-vanishing-women-of-el-salvador/>; and "To Be a Woman and Disappear: Gender-related Standards of the Inter-American Court of Human Rights in Cases of Enforced Disappearance," December 2023, available at <https://dplf.org/wp-content/uploads/2023/12/to-be-a-woman-and-disappear-gender-related-standards-of-the-inter-american-court-of-human-rights-in-cases-of-enforced-disappearance.pdf>.

<sup>2</sup> See I/A Court H.R., *Case of Cuéllar Sandoval et al. v. El Salvador*. Merits, Reparations and Costs. Judgment of March 18, 2024. Series C No. 521. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_521\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_521_esp.pdf). Also see I/A Court H.R., *Case of Serrano Cruz Sisters v. El Salvador*. Merits, Reparations and Costs. Judgment of March 1, 2005. Series C No. 120. Available at: [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_120\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_120_ing.pdf)

an increasingly politically conservative context, where the use of a gender perspective has been prohibited by the current Salvadoran government in virtually all public institutions, especially in the areas of healthcare<sup>3</sup> and education,<sup>4</sup> and where amplified militarization and repressive public security policies have given rise to a generalized climate of fear.

## **I. Relevant standards: Inter-American norms and jurisprudence on the disappearance of women and girls<sup>5</sup>**

In international law, the legal protection instruments specific to enforced disappearance recognize that the obligation to investigate, prosecute, and ultimately convict perpetrators is essential to the fight against impunity, and that States must not adopt measures that interfere with meeting this obligation, such as amnesty laws. In the Inter-American system for human rights protection, the American Convention on Human Rights establishes that States have a fundamental obligation to investigate the commission of serious human rights violations, including the enforced disappearance of persons, which is derived from the obligation of guarantee that requires States to respect and protect the human rights of all persons.<sup>6</sup> Article I(b) of the Inter-American Convention on Forced Disappearance of Persons, the principal instrument of the Inter-American system on this issue, affirms that the States parties to the Convention undertake to punish those persons who commit the crime of enforced disappearance, with the ensuing obligation to investigate such cases.<sup>7</sup>

In the regional human rights system, enforced disappearance has been one of the main subjects of the decisions of the Inter-American Court of Human Rights. The work of this regional body over the past several decades has had a major impact on the countries of the Americas that have signed the American Convention on Human Rights and have recognized the contentious jurisdiction of the Court. At the same time, the case law of the Inter-American Court has advanced significantly in the area of gender discrimination since 2006 with the *Case of the Miguel Castro Castro Prison v. Peru*<sup>8</sup> and the landmark case concerning femicide, the *Case of González et al. ("Cotton Field") v. México* in 2009.<sup>9</sup> However, in its decisions on cases involving the disappearance of women, the impact of this scourge on women has not always been acknowledged or addressed comprehensively by the Court, even in cases where the

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<sup>3</sup> See Global Equality Caucus, "El gobierno salvadoreño intensifica su lucha contra la 'ideología de género,'" March 25, 2024. Available at <https://equalitycaucus.org/es/noticias/articulos/el-gobierno-salvadoreo-intensifica-su-lucha-contra-la-ideologia-de-gnero>.

<sup>4</sup> El País, "Bukele arremete contra la perspectiva de género y la saca de las escuelas públicas de El Salvador," February 28, 2024. Available at <https://elpais.com/america/2024-02-29/bukele-arremete-contra-la-perspectiva-de-genero-y-la-saca-de-las-escuelas-publicas-de-el-salvador.html>

<sup>5</sup> This section is based on the DPLF publication "To Be a Woman and Disappear: Gender-related Standards of the Inter-American Court of Human Rights in Cases of Enforced Disappearance," published in December 2023, available at [https://dplf.org/wp-content/uploads/2023/12/to\\_be\\_a\\_woman\\_and\\_disappear\\_gender-related\\_standards\\_of\\_the\\_inter-american\\_court\\_of\\_human\\_rights\\_in\\_cases\\_of\\_enforced\\_disappearance.pdf](https://dplf.org/wp-content/uploads/2023/12/to_be_a_woman_and_disappear_gender-related_standards_of_the_inter-american_court_of_human_rights_in_cases_of_enforced_disappearance.pdf).

<sup>6</sup> *American Convention on Human Rights*, art. 1.1.

<sup>7</sup> *Inter-American Convention on Forced Disappearance*, art. 1(b).

<sup>8</sup> I/A Court H.R., *Case of the Miguel Castro Castro Prison v. Peru*. Merits, Reparations and Costs. Judgment of November 25, 2006. Series C No. 160. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_160\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_160_ing.pdf)

<sup>9</sup> I/A Court H.R., *Case of González et al. ("Cotton Field") v. Mexico*. Preliminary Objection, Merits, Reparations and Costs. Judgment of November 16, 2009. Series C No. 205. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_205\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_205_ing.pdf)

Inter-American Commission or the victims' representatives have expressly alleged the gender-based violence suffered by women victims of enforced disappearance; this has usually been because, in those cases, the Court has found that there is no evidence that would allow it to establish that the woman was the victim of gender-based violence.<sup>10</sup>

There are, however, a few cases where the Inter-American Court has ruled on acts of gender-based violence, and/or specifically applied a gender perspective, in relation to the enforced disappearance of women. In the *Case of Gelman v. Uruguay*, the Court determined the enforced disappearance of María Claudia García and referred to her pregnancy at the time of her detention as a “condition of particular vulnerability, reason for which—in her case—there was differential treatment.”<sup>11</sup> The Court also found that the body of María Claudia García had been used “in order to give birth, and for her daughter to be breastfed.”<sup>12</sup> According to the Court, these facts “reveal a particular conception of women that threatens freedoms entailed in maternity, that which forms an essential part of the free development of the female personhood.”<sup>13</sup> In the Court’s opinion, the acts committed against María Claudia García:

“can be classified as one of the most serious and reprehensible forms of violence against women, perpetrated against her by State officials from Argentina and Uruguay, which severely affected her personal integrity [and] were clearly based on her gender (...).”<sup>14</sup>

In another case, *Gutiérrez Hernández et al. v. Guatemala*, the Court did not establish, as the Inter-American Commission had maintained, that Mayra Gutiérrez had been the victim of enforced disappearance; however, it did point out that the deficiencies, shortcomings, and omissions in the investigation “constitute a violation of the requirement of due diligence and reasonable time in the investigation and prosecution of the disappearance.”<sup>15</sup> In relation to the shortcomings in the investigation, the Court considered that “Mayra Gutiérrez was stereotyped, and the motive was prejudged, with the investigation focusing on her personal relationships and lifestyle.”<sup>16</sup> In the words of the Court: “[n]egative gender biases and stereotypes affected the objectivity of the investigating officers,

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<sup>10</sup> See, inter alia, See I/A Court H.R., *Case of Vereda La Esperanza v. Colombia*. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 31, 2017. Series C No. 341, para. 209. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_341\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_341_ing.pdf)

<sup>11</sup> I/A Court H.R., *Case of Gelman v. Uruguay*. Merits and Reparations. Judgment of February 24, 2011. Series C No. 221, para. 97. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_221\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_221_ing.pdf)

<sup>12</sup> I/A Court H.R., *Case of Gelman v. Uruguay*. Merits and Reparations. Judgment of February 24, 2011. Series C No. 221, para. 97. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_221\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_221_ing.pdf)

<sup>13</sup> I/A Court H.R., *Case of Gelman v. Uruguay*. Merits and Reparations. Judgment of February 24, 2011. Series C No. 221, para. 97. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_221\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_221_ing.pdf)

<sup>14</sup> I/A Court H.R., *Case of Gelman v. Uruguay*. Merits and Reparations. Judgment of February 24, 2011. Series C No. 221, para. 98. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_221\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_221_ing.pdf)

<sup>15</sup> See I/A Court H.R., *Case of Gutiérrez Hernández et al. v. Guatemala*. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 24, 2017. Series C No. 339, para. 184. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_339\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_339_esp.pdf)

<sup>16</sup> See I/A Court H.R., *Case of Gutiérrez Hernández et al. v. Guatemala*. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 24, 2017. Series C No. 339, para. 184. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_339\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_339_esp.pdf)

closing off possible lines of inquiry into the circumstances of the case,”<sup>17</sup> including the one related to her enforced disappearance.<sup>18</sup>

More recently, in 2024, in the case of *Cuellar Sandoval et al. v. El Salvador*, the Court ruled that the State of El Salvador was responsible for the enforced disappearance of three people, including two women, by the Salvadoran military and State security agents in 1982; the victims were Patricia Emilie Cuéllar Sandoval, her father Mauricio Cuéllar Cuéllar, and a domestic worker in their home, Julia Orbelina Pérez.<sup>19</sup> The Inter-American Commission, in presenting the case to the Court, indicated that

“this investigation should address a possible context describing the violence to which women may have been subjected in the context of the armed conflict and adopt a gender perspective in the investigation of the enforced disappearances of Patricia Emilie Cuéllar Sandoval and Julia Orbelina Pérez.”<sup>20</sup>

And, in its sentence, the Court ordered the State to adopt specific measures in training its security forces and members of the justice system in order to “ensure that all investigations and any prosecutions of cases of enforced disappearance of women are conducted with a gender perspective and an intersectional approach.”<sup>21</sup>

## II. The situation of women, girls, and enforced disappearances in El Salvador

In El Salvador, there are several modalities of disappearance that women and children have been, and continue to be, victims of. First among these are **conflict-era enforced disappearances**: enforced disappearances were carried out in the context of political violence as part of widespread and systematic practice of terror by the Salvadoran military during the country’s 12 year-long internal armed conflict (1980-1992); the majority of victims remain missing to this day. In recent years, the disappearance of women and girls in El Salvador has occurred in a context of widespread gang-related criminality, with **disappearances perpetrated by gangs and organized criminal groups** making up the majority of disappearances of women and girls.<sup>22</sup> Most recently, the context of increasing authoritarianism and

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<sup>17</sup> See I/A Court H.R., *Case of Gutiérrez Hernández et al. v. Guatemala*. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 24, 2017. Series C No. 339, para. 184. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_339\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_339_esp.pdf)

<sup>18</sup> See I/A Court H.R., *Case of Gutiérrez Hernández et al. v. Guatemala*. Preliminary Objections, Merits, Reparations and Costs. Judgment of August 24, 2017. Series C No. 339, para. 175: “In the particular case of Mayra Gutiérrez, a stereotype was used to blame the victim for what happened, excluding other theories and discarding any other line of investigation, such as the one related to the alleged victim’s work on the adoption and trafficking of children in Guatemala and the report of her alleged enforced disappearance.”

<sup>19</sup> I/A Court H.R., *Case of Cuéllar Sandoval et al. v. El Salvador*. Merits, Reparations and Costs. Judgment of March 18, 2024. Series C No. 521. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_521\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_521_esp.pdf).

<sup>20</sup> I/A Court H.R., *Case of Cuéllar Sandoval et al. v. El Salvador*. Merits, Reparations and Costs. Judgment of March 18, 2024. Series C No. 521, para. 120. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_521\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_521_esp.pdf)

<sup>21</sup> I/A Court H.R., *Case of Cuéllar Sandoval et al. v. El Salvador*. Merits, Reparations and Costs. Judgment of March 18, 2024. Series C No. 521, para. 157. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_521\\_esp.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_521_esp.pdf)

<sup>22</sup> While gang-perpetrated disappearances may not fit the historical technical definition of *enforced* disappearances, as they are committed by non-State actors (some perpetrators who are part of organized criminal groups may also have ties with the State), an analysis of the situation of disappearances of women and girls in El Salvador would be

repressive public security policies under El Salvador's current government has given rise to an increase in **enforced disappearances of people detained by security forces**. In addition to thousands of men who have been detained under the State of Exception – a draconian public security policy put in place by the Salvadoran government to suppress gang violence, and under which normal constitutional guarantees have been suspended in El Salvador – civil society organizations have documented hundreds of cases of women and girls detained arbitrarily under the policy;<sup>23</sup> some of those detentions have ended up becoming cases of enforced disappearance. Finally, in addition to State-perpetrated disappearances and disappearances in the context of gang and organized crime-related violence, **intrafamilial and intimate partner violence (Gender Based Violence, GBV)**<sup>24</sup> continue to be a cause of the disappearance of women and girls in El Salvador.<sup>25</sup> Below, we will briefly discuss the first three of these kinds of disappearances.

## CONFLICT ERA ENFORCED DISAPPEARANCES

The Truth Commission for El Salvador reported that about 5,000 people were disappeared during the internal armed conflict, but civil society groups estimate that the figure may be as high as 10,000 disappeared persons. Most conflict-era disappearance cases remain unresolved, with family members still searching for information about their loved ones' fates; the vast majority of perpetrators have never been held accountable. According to CONABÚSQUEDA, the National Commission for the Search for Disappeared Persons in the Context of the Armed Conflict in El Salvador established in 2017, **22% of conflict-era disappearance victims were women**.<sup>26</sup> They include women arbitrarily detained for perceived insurgent political activity, as well as victims of massacres; most of them were sexually assaulted before being disappeared.

Another appalling and widespread human rights violation committed during El Salvador's civil war was **the enforced disappearance of children**. One of the ways that children were forcibly disappeared during the

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incomplete without their inclusion. Including them in our analysis is also in line with the work of the Committee on Enforced Disappearance and the concept note for this call for inputs, which states that “[m]ore frequently, women and girls are victims of enforced disappearance by organised crime groups, illegal armed groups, and paramilitaries either as spoils of war or as a tool to maintain control over territories and populations.”

<sup>23</sup> See *Informe de organizaciones de Sociedad civil de El Salvador al Grupo de Trabajo de Naciones Unidas (WGEID) sobre Desapariciones Forzadas o Involuntarias*, April 2024. Available at [https://cristosal.org/ES/wp-content/uploads/2024/05/informe\\_al\\_grupo\\_de\\_trabajo\\_de\\_onu\\_sobre\\_desapariciones\\_forzadas\\_e\\_involuntarias\\_wgeid\\_sobre\\_el\\_salvador.pdf](https://cristosal.org/ES/wp-content/uploads/2024/05/informe_al_grupo_de_trabajo_de_onu_sobre_desapariciones_forzadas_e_involuntarias_wgeid_sobre_el_salvador.pdf).

<sup>24</sup> While not the focus of this submission, the disappearance of women and girls in the context of domestic violence – whether intimate partner or intrafamilial – is a significant phenomenon in El Salvador, and one that has been researched by other civil society organizations. For more information on the different kinds of disappearances carried out against women and girls, including in contexts of domestic violence, see Ormusa, *Estudio sobre normas y procesos de búsqueda de personas desaparecidas, especialmente mujeres, en El Salvador: La Ruta Crítica de las Mujeres que Buscan a sus personas desaparecidas*, 2023. Available at: <https://ormusa.org/wp-content/uploads/2023/08/Estudio-sobre-desapariciones-mujeres-ESA.pdf> See also *Informe de organizaciones de Sociedad civil de El Salvador al Grupo de Trabajo de Naciones Unidas (WGEID) sobre Desapariciones Forzadas o Involuntarias*, April 2024. Available at [https://dplf.org/wp-content/uploads/2024/07/informe\\_al\\_grupo\\_de\\_trabajo\\_de\\_onu\\_sobre\\_desapariciones\\_forzadas\\_e\\_involuntarias\\_wgeid\\_sobre\\_el\\_salvador.pdf](https://dplf.org/wp-content/uploads/2024/07/informe_al_grupo_de_trabajo_de_onu_sobre_desapariciones_forzadas_e_involuntarias_wgeid_sobre_el_salvador.pdf).

<sup>25</sup> Voz de America, “Denuncian que la violencia es la principal causa de las 22.000 desapariciones que registra El Salvador, October 21, 2021. Available at <https://www.vozdeamerica.com/a/denuncian-22000-desaparecidos-el-salvador/6280532.html>.

<sup>26</sup> CONABUSQUEDA and CNB, *Re-Cordis—CNB: 10 años de reparaciones*, 16th Ed., No. 3, November 2021, available at <https://t.co/pxdThnT86b>.



conflict was through the kidnapping of children,<sup>27</sup> in particular the sons and daughters of individuals who were persecuted, disappeared, or killed by State agents. These child victims were often abducted and kept alive, with their birth identities then erased and replaced. Some of them were later appropriated by perpetrators into their own families; given to other families who falsely registered them as their own; or put up for pseudo-legal adoption, either in El Salvador or abroad, through the institutions responsible for organizing adoptions at the time. According to figures given to the UN Truth Commission by the UN Working Group on Enforced Disappearances, the total number of children disappeared during the conflict is at least 2,598; however, it is likely that the figure is higher.<sup>28</sup> The National Commission on the Search for Children - CNB has registered only 516 cases of disappeared children from the conflict (of which it has “resolved” or found 182), and according to their most recent institutional publication, 35% of those disappeared children were girls.<sup>29</sup>

One example of a case of children disappeared during this period is the case of three children of María Maura Contreras, taken by the Salvadoran military in 1982; they were just four years old, one and a half, and four months old, respectively, at the time.<sup>30</sup> With assistance from the civil society organization Asociación ProBúsqueda de Niñas y Niños Desaparecidos (Pro Búsqueda Association) and through the use of DNA evidence, María Maura was able to locate her eldest daughter, Gregoria, 24 years after her abduction, and her son Serapio Cristian, 30 years later. When Gregoria was located, she recounted that she had been the victim of acts of sexual violence at the hands of her captors (the military officers who kidnapped her). The case later went to the Inter-American Court, which found El Salvador responsible for the enforced disappearance of Maria Maura’s children.<sup>31</sup> Maria Maura’s youngest daughter, Julia Ines, remains missing to this day.

## DISAPPEARANCES BY GANGS AND ORGANIZED CRIME GROUPS<sup>32</sup>

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<sup>27</sup> See I/A Court H.R., Case of the Serrano Cruz Sisters v. El Salvador. Preliminary Objections. Judgment of November 23, 2004. Series C No. 118. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_118\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_118_ing.pdf). See also I/A Court H.R., Case of Contreras et al. v. El Salvador. Merits, Reparations and costs. Judgment of August 31, 2011. Series C No. 232. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_232\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_232_ing.pdf).

<sup>28</sup> Amnesty International, *El Salvador: Where are the “disappeared” children?*, July 2003. Available at <https://www.amnesty.org/fr/wp-content/uploads/2021/06/amr290042003en.pdf>.

<sup>29</sup> See CNB El Salvador and CONABUSQUEDA El Salvador. RE-Cordis. 19 Edición. Nueva época. Volumen VI. Available at <https://www.calameo.com/read/003512072ad3fa54a56bd>. The civil society organization Asociación Pro Búsqueda has documented over 2,000 cases of children disappeared during the internal armed conflict and have located approximately 400 young adults who were part of the group of children forcibly disappeared and appropriated/illegally adopted into new families. See Héctor Rosemberg y Leonor Arteaga Rubio, “La otra historia: el robo de niños y niñas en la guerra de El Salvador,” March 30, 2021. Available at: <https://dplf.org/la-otra-historia-el-robo-de-ninos-y-ninas-en-la-guerra-de-el-salvador/>.

<sup>30</sup> Andrea Lampros, “Separating Salvadoran families: we’ve done this before,” Medium Human Rights Center, June 15, 2018. Available at: <https://medium.com/humanrightscenter/separating-salvadoran-families-weve-been-here-before-9893728708c4>. For more detailed information on the children disappeared during El Salvador’s internal armed conflict, including additional several additional examples of cases of disappeared girls, see Amnesty International’s comprehensive report *El Salvador: Where are the “disappeared” children?* (July 2003, available at: <https://www.amnesty.org/fr/wp-content/uploads/2021/06/amr290042003en.pdf>).

<sup>31</sup> I/A Court H.R., Case of Contreras et al. v. El Salvador. Merits, Reparations and costs. Judgment of August 31, 2011. Series C No. 232. Available at [https://www.corteidh.or.cr/docs/casos/articulos/seriec\\_232\\_ing.pdf](https://www.corteidh.or.cr/docs/casos/articulos/seriec_232_ing.pdf)

<sup>32</sup> DPLF understands that these are disappearances by non-State actors apparently without ties to the State and therefore do not technically constitute enforced disappearances according to the international legal definition of the term. However, the State does have an obligation to prevent and investigate these disappearances, according to international law.

Following the end of El Salvador's civil war, the country became notorious as one of the most dangerous places in the world. The rapid growth of criminal gangs led to a surge in violence, with two main gangs controlling large areas of the country. Women and girls became more frequent victims of gang-related violence; in 2021, civil society groups reported that 40% of disappearance victims were women.<sup>33</sup> Since the current government crackdown on gangs went into effect three years ago there has been a dramatic reduction in gang violence, including disappearances perpetrated by gangs, in El Salvador. Still, the number of women and girls who were disappeared by criminal groups and gangs and remain missing likely numbers in the thousands.<sup>34</sup>

Gang-perpetrated disappearances of women and girls in El Salvador have diverse causes: some are revenge against a male family member, or a response to some perceived slight; others in retaliation for refusing to have a relationship with a gang member or participate in a gang themselves. Some women and girls are disappeared by organized criminal groups in a context of human trafficking and/or exploitation, including sexual exploitation and violence; similarly to Mexico, some occur not only at the hands of gang and/or organized criminal group members but also in complicity with police or military agents.

When women and girls in El Salvador are disappeared by a gang,<sup>35</sup> the disappearance usually begins with a kidnapping, sometimes in broad daylight. Civil society and journalists have reported that victims have been disappeared while leaving their homes, or while working or returning home from work or school, often in front of witnesses. Two of these cases are those of Marcela Rodas, and Paulina Maldonado. Marcela was just 22 years old at the time of her disappearance three years ago; she was last seen near the market where she worked in a flower stall. She would often bring flowers home to her mother, who is still searching for her; she left behind two young babies.<sup>36</sup> Paulina was a 15-year-old girl who was disappeared last July after leaving school in the district of Colón with some of her friends; to this day no one knows what happened to her.<sup>37</sup>

In other cases of women and girls being disappeared by gangs, Salvadoran civil society has documented that they were deceived by an acquaintance into going somewhere and then handed over to gang members.<sup>38</sup> In some cases, their remains might eventually be found, often with evidence of torture and

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See <https://dplf.org/en/2022/03/30/non-state-actors-as-perpetrators-precedents-from-inter-american-jurisprudence-and-their-applicability-to-disappearance-cases/>

<sup>33</sup> Voz de America, "Denuncian que la violencia es la principal causa de las 22.000 desapariciones que registra El Salvador, October 21, 2021. Available at <https://www.vozdeamerica.com/a/denuncian-22000-desaparecidos-el-salvador/6280532.html>.

<sup>34</sup> At a [hearing at the Inter-American Commission on Human Rights \(IACHR\)](#) in 2021, civil society organizations reported that [at least 22,000 people](#) had been disappeared by gangs since 2014, with 40% of the victims being women. Within the context of the State of Exception, as of November 2023, hundreds of disappearances had been reported by civil society organizations, and during the first few months of 2024 alone, an investigation uncovered that the National Civil Police registered 158 reports of disappeared people, 68 of whom were women.

<sup>35</sup> Voz de America, "Denuncian que la violencia es la principal causa de las 22.000 desapariciones que registra El Salvador, October 21, 2021. Available at <https://www.vozdeamerica.com/a/denuncian-22000-desaparecidos-el-salvador/6280532.html>.

<sup>36</sup> Voces, "Conmemoran natalicio de Marcela Rodas, víctima de desaparición hace 3 años," July 26, 2024. Available at <https://voces.org.sv/conmemoran-natalicio-de-marcela-rodas-victima-de-desaparicion-hace-3-anos/>.

<sup>37</sup> SSPAS, "Conocen la historia de Verónica Delgado en "Luchas que transforman: historias de vida y resistencia," August 5, 2024. Available at: <https://voces.org.sv/reportan-como-desaparecida-a-nina-de-15-anos-de-colon/>.

<sup>38</sup> FESPAD, *Desaparición de Personas en El Salvador. La desaparición de personas y el contexto de violencia actual en El Salvador: Una aproximación inicial*. April 2021, p. 52. Available at <https://www.fespad.org.sv/investigacion-desaparicion-de-personas-en-el-salvador/>.



sexual violence. In 2021 the Salvadoran non-profit organization FESPAD reported that there were also more frequent cases of adolescent girls and women being taken and deprived of liberty for hours or days before being released alive, “with serious physical and psychological damage due to the sexual aggressions and various other violations to which they [were] subjected.”<sup>39</sup> As with disappearances committed during El Salvador’s internal armed conflict, the majority of disappearances of women and girls by gangs have not been resolved.

In spite of families, survivors, and activists in El Salvador sounding the alarm about the disappearance of women and girls for years, and unlike in other some other countries in the region where there is a crisis of enforced disappearance of women and girls and where it has been widely publicized both in national and international media –such as in Mexico, for example – there has been relatively little publicity or visibility regarding the crisis of disappearances of women and girls in El Salvador. This lack of visibility and public awareness contributes to a cycle of fear for victims and families, and impunity for perpetrators.

## CONTEMPORARY DISAPPEARANCES BY THE STATE

Women and girls disappeared in the current context of El Salvador’s State of Exception are usually accused of being the girlfriends of gang members or having some other connection to gangs, and then arrested by police or military officers. As with men detained under the State of Exception, most of the detentions of women can be considered arbitrary;<sup>40</sup> some of these arbitrary detentions turn into **short-term disappearances**, with the victims being held incommunicado or at an undisclosed location for a short period of time (a few hours to a few days). Some “secret detentions,” which are distinct from short-term detentions in that their duration may vary (including going on indefinitely), have also been documented<sup>41</sup> in the context of the State of Exception in El Salvador. In these cases, the pattern has typically been for the detained person’s initial detention by the State to be acknowledged, but for them to later be transferred to a prison facility without any details provided to their families about their whereabouts.

In one case (which was reported to the United Nations Working Group on Enforced or Involuntary Disappearances (WGEID)), Dominga Morales, the sister of indigenous leader Silverio Morales (whose son Leví was arbitrarily detained in 2022 under the State of Exception and held in prison for 17 months<sup>42</sup>), was arrested at her place of work in a public market, in May 2022. Her family was told that she was being held at the central police headquarters, and were asked to bring her food and clothes, but they were not allowed to see her. On the third day of her detention Dominga’s family was told that she had been transferred to a prison in San Salvador; for four months they brought her food and supplies to that facility, but still never saw her. In November 2022, Dominga’s family was told she had been transferred again, and that it was possible she was being held in a prison in a different state; to this day, the family does not know her location.

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<sup>39</sup> FESPAD, *Desaparición de Personas en El Salvador. La desaparición de personas y el contexto de violencia actual en El Salvador: Una aproximación inicial*. April 2021, p. 52. Available at <https://www.fespad.org.sv/investigacion-desaparicion-de-personas-en-el-salvador/>.

<sup>40</sup> See DPLF, *Arbitrary Detentions in the State of Emergency in El Salvador*, November 20, 2024. Available at <https://dplf.org/en/2024/11/20/arbitrary-detentions-in-the-state-of-emergency-in-el-salvador/>.

<sup>41</sup> See Leonor Arteaga, “Desapariciones en El Salvador: una deuda en ascenso,” *El Faro*, Wednesday February 8, 2023. Available at <https://elfaro.net/es/202302/columnas/26702/desapariciones-en-el-salvador-una-deuda-en-ascenso>.

<sup>42</sup> La Prensa Gráfica, “Leví Morales, hijo de líder indígena detenido en el régimen, ya fue liberado,” May 14, 2024. Available at <https://www.laprensagrafica.com/elsalvador/Levi-Morales-hijo-de-lider-indigena-detenido-en-el-regimen-ya-fue-liberado-20240514-0073.html>.

In addition to gang members or those accused of gang membership being detained, and sometimes disappeared, under the State of Exception, another group being targeted is those who are critical of the government or are considered as being voices of opposition. This group includes human rights defenders, journalists, activists, and other members of civil society. In May 2025, the human rights attorney Ruth Eleonora López Alfaro, who directed the Anti-Corruption and Justice program at the NGO Cristosal, was arbitrarily detained at her home and then became the victim of a short-term enforced disappearance; following her detention, for over 40 hours, the Salvadoran government did not disclose her whereabouts to her family or attorneys.<sup>43</sup> Ruth, whose location was later disclosed and who remains in detention, is accused on embezzlement charges; although her location is now known, she is being held incommunicado, as is the case with virtually everyone detained under the State of Exception. Ruth's detention and the charges against her are part of a larger pattern of criminalization of human rights defenders and those critical of the current government in El Salvador and is just one case of someone detained in this context becoming a victim of an enforced disappearance.

### **III. The search for disappeared women and girls in El Salvador**

Today in El Salvador there are two official State mechanisms dedicated to the search for victims of enforced disappearances, including women and girls, carried out during the country's internal armed conflict. These mechanisms were created following years of advocacy from victims, experts, and civil society urging the government to address the massive human rights violations committed during the war, and which, for many years, had been denied by the Salvadoran State and gone completely unpunished. The two search commissions mentioned above, the National Commission on the Search for Children, CNB, established in 2010 by executive decree<sup>44</sup> in response to an Inter-American Court ruling that required El Salvador to set up "... a national commission, to trace the young people who disappeared when they were children during the armed conflict, with the participation of civil society,"<sup>45</sup> and the National Commission on the Search for Adults Disappeared during the Armed Conflict in El Salvador, CONABÚSQUEDA, established in 2017, also by executive decree<sup>46</sup>. The commissions, which were unified into a single mechanism in 2018, the 'Integrated Search Mechanism in El Salvador,'<sup>47</sup> represent a major advance in the fight for truth for the conflict's victims, although they continue to face ongoing challenges and work with limited resources and little political will or support. The CNB in particular has been successful overall, developing search protocols to find child disappearance victims who are still alive, as well as psychosocial support measures based on the model developed by the Pro Busqueda Association.<sup>48</sup>

Regarding contemporary disappearances in El Salvador, given that there is no specific search mechanism for victims of this crime, the Attorney General's office is the institution responsible for searching for

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<sup>43</sup> New York City Bar, "The Detention of Lawyer and Human Rights Defender Ruth López Alfaro In El Salvador," May 23, 2025. Available at <https://www.nycbar.org/reports/the-detention-of-lawyer-and-human-rights-defender-ruth-lopez-alfaro-in-el-salvador/>.

<sup>44</sup> Executive Decree No. 5, of January 15, 2010, subsequently amended (regarding civil society representation, independence and co-operation, and duration) by Executive Decrees No. 45, of April 9, 2010; No. 133, of August 31, 2011, and No. 18 of February 19, 2014.

<sup>45</sup> Inter-American Court of Human Rights, *Serrano Cruz sisters vs. El Salvador* Merits, Reparations and Costs, Judgment of March 1, 2005, Series C, No. 120.

<sup>46</sup> Executive Decree No. 33, August 17, 2017.

<sup>47</sup> Ministerial Agreement No. 1925, 2018.

<sup>48</sup> See Héctor Rosemberg y Leonor Arteaga Rubio, "La otra historia: el robo de niños y niñas en la guerra de El Salvador," March 30, 2021. Available at: <https://dplf.org/la-otra-historia-el-robo-de-ninos-y-ninas-en-la-guerra-de-el-salvador/>.

women and girls disappeared by gangs and criminal groups; to address this issue, at one point the Attorney General's office created a special unit dedicated to investigating those cases,<sup>49</sup> as well as a specialized policy on how gang-related disappearances should be addressed;<sup>50</sup> today, however, everything indicates that the special unit has been dismantled.<sup>51</sup> Salvadoran civil society has also documented how the government has labeled contemporary disappearance cases by gangs and organized criminal groups as "subject to reservation," meaning that their files are not publicly available and family members are unable to access information about the cases and their investigation, including the search process.<sup>52</sup> Regarding contemporary State-perpetrated disappearances carried out under the State of Exception, these are not recognized as such, and thus there are no efforts by the State to search for those disappearance victims or carry out a criminal investigation into their disappearances.

In the absence of government transparency and adequate State resources to search for people who are disappeared today, civil society and relatives have taken a leading role in the search process. In fact, the majority of those searching for the disappeared in El Salvador are women, family members of the disappeared; the terms "*buscadoras*" is now well-known, just as in Mexico, and there are organized movements to search for missing women – the Alerta Raquel movement<sup>53</sup> and the collective of relatives Bloque de Búsqueda de Personas Desaparecidas en El Salvador (BPPD).<sup>54</sup> Troublingly, the *buscadoras* are not only victims as family members of the disappeared; in El Salvador today they themselves are often criminalized, and even detained, as they search for their loved ones. Such was the case of Verónica Delgado,<sup>55</sup> whose teenage daughter Paola was disappeared in May 2022. After protesting Paola's disappearance, Verónica was arrested and held in detention for nearly a month<sup>56</sup> under the pretext of the State of Exception public security policy.<sup>57</sup> Hers is but one of many cases where the government has sought to silence women seeking answers about their disappeared daughters.

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<sup>49</sup> Fiscalía General de la Republica, "FGR creará un grupo especial para investigar casos de personas desaparecidas", July 8th, 2019. Available at: <https://www.fiscalia.gob.sv/fgr-creara-un-grupo-especial-para-investigar-casos-de-personas-desaparecidas/>

<sup>50</sup> See: Fiscalía General de la República, Protocolo de Accion Urgente y Estrategia de Búsqueda de personas desaparecidas en El Salvador. Available at: <https://escuela.fgr.gob.sv/wp-content/uploads/pdf-files/PROTOCOLO-DE-ACCION-URGENTE-Y-ESTRATEGIA-CF.pdf>

<sup>51</sup> La Prensa Gráfica, "Unidad de Desaparecidos de la Fiscalía dejó de existir y pasó a ser parte de una subdirección", August 15th, 2024. Available at: <https://www.laprensagrafica.com/elsalvador/Unidad-de-Desaparecidos-de-la-Fiscalia-dejo-de-existir-y-paso-a-ser-parte-de-una-subdireccion-20240815-0078.html>

<sup>52</sup> See Audiovisuales UCA, "Searching Mothers of El Salvador," July 2025. Available at [https://www.youtube.com/watch?v=g\\_fY0cWT41I](https://www.youtube.com/watch?v=g_fY0cWT41I).

<sup>53</sup> Cuéntanos, "¿Qué es la Alerta Raquel?" May 24, 2024. Available at <https://elsalvador.cuentanos.org/es/articles/10777037963805>.

<sup>54</sup> See Bloque de Búsqueda de Personas Desaparecidas en El Salvador Facebook page at <https://www.facebook.com/p/Bloque-de-B%3C3%BA-squeda-de-Personas-Desaparecidas-en-El-Salvador-100083075151923/>.

<sup>55</sup> SSPAS, "Conoce la historia de Verónica Delgado en: "Luchas que transforman: historias de vida y resistencia," August 5, 2024. Available at <http://www.facebook.com/SSPAS/videos/864988798296115/>.

<sup>56</sup> See La Prensa Gráfica, "Liberan a Verónica Delgado, madre buscadora que había sido capturada en régimen de excepción," April 3, 2024. Available at <https://www.laprensagrafica.com/elsalvador/Liberan-a-Veronica-Delgado-madre-buscadora-que-habia-sido-capturada-en-regimen-de-excepcion-20240403-0075.html>.

<sup>57</sup> Leonor Arteaga Rubio, "Estado de excepción y populismo punitivo en El Salvador," *Justicia en Las Américas*, May 10, 2022. Available at <https://dplfblog.com/2022/05/10/estado-de-excepcion-y-populismo-punitivo-en-el-salvador/>.



#### IV. Conclusion

As we have seen, the disappearances of women and girls in El Salvador do not follow a singular pattern, as there are several different modalities and perpetrators of these crimes.<sup>58</sup> There are, however, some common threads that connect disappeared women and girls today: many victims are poor and come from marginalized communities, often areas that were, until recently, dominated by gangs, and today are subject to ever-increasing militarization. In addition, there have been significant consequences for women whose loved ones have been captured under the State of Exception. Losing a family member to an indefinite incarceration, or to a disappearance of any duration, alters the existence of those who love them, redirecting the trajectories of their lives and having far-reaching psychological, social, and economic consequences.<sup>59</sup>

El Salvador has made significant strides in the process of searching for women and girls disappeared during the country's internal armed conflict, in particular with the establishment of CONABÚSQUEDA and the CNB. In order to more effectively search for victims of conflict-era disappearances and meet their obligation to victims and families, the Salvadoran government should dedicate more resources to these commissions. In addition to these existing mechanisms, it is recommended that the State establish another mechanism specifically to focus on the search for people disappeared more recently in the country – and that this mechanism be separate from the Attorney General's office. While the efforts initiated in the Attorney General's office to address contemporary disappearances represent a start, as discussed earlier those efforts have been largely stalled, and also suffer from a significant lack of transparency with victims' families. Within any efforts to address contemporary disappearances, a gender perspective should be applied, taking into account the differential risks and impacts experienced by women and girls in relation to enforced disappearances. In addition, if El Salvador is to begin to address the current epidemic of disappeared women and girls, it must also make a concerted effort to adequately address gender-based and sexual violence as a whole.

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<sup>58</sup> See Leonor Arteaga, "Desapariciones en El Salvador: una deuda en ascenso," *El Faro*, Wednesday February 8, 2023. Available at <https://elfaro.net/es/202302/columnas/26702/desapariciones-en-el-salvador-una-deuda-en-ascenso>.

<sup>59</sup> Julia Zulver and María José Méndez, "El Salvador's State of Exception" Makes Women Collateral Damage," Carnegie Endowment. May 4, 2023. Available at <https://carnegieendowment.org/posts/2023/05/el-salvadors-state-of-exception-makes-women-collateral-damage?lang=en>.



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