



Fall 2024 Case Note

Femicides and Female Presidents: A Comparative Study on the Development of Laws Against Femicide in Mexico and Honduras

Daniela Garcia

Femicides and Female Presidents: A Comparative Study on the Development of Laws Against Femicide in Mexico and Honduras

By: Daniela Garcia *

Gender-based killings, femicides, are the ultimate form of women suppression, and this crime flourishes in countries with deeply rooted misogyny and systematic gender power imbalance. But there is a complicated phenomenon occurring in Mexico and Honduras, in which their constituents voted for female presidents yet both countries have persistent rates of femicides. President of Honduras Xiomara Castro and President of Mexico Claudia Sheinbaum organized their respective voting coalitions with support from feminist advocates who believed that a female presidency would bring gender-based issues and femicides forefront. The institutionalized power of the right-wing party hinders Castro's plan for the young democracy still recovering from the 2006 military coup. Sheinbaum's government faces the complexity of AMLO's shadow and impunity in the Judiciary. Both countries codified "femicides" and set stringent sentencing guidelines for those charged with this crime. This note contextualizes the legal typification of femicides with political challenges in each country to provide insight on Castro's shortcomings and Sheinbaum's projected issues. In doing so, this note takes a comprehensive analysis of the study of femicides, and perhaps in describing the many systematic flaws that serve as opportunities for violence against women gives too much grace to Castro and Sheinbaum.

I. Introduction

While some women in Latin America hold the highest elected office as head of the country, misogyny seeps into the domestic and public spheres of Latin American countries and not only threaten women but also *literally* end women's lives.¹ Femicides, or feminicides, are "intentional killings committed on the grounds of gender-related factors" committed against women and girls and are recognized as the "most extreme expression of inequality [and] discrimination."² More than 4,000 women were killed on gender-related factors in Latin American countries and the Caribbean in 2022.³ Recently in the Latin American region, female voters and left-leaning coalitions elected women like Xiomara Castro, in Honduras, and Claudia Sheinbaum, in Mexico, to presidency.⁴ Therefore, this paper discusses the interesting juxtaposition of female leadership and femicide.

* J.D. Candidate, SMU Dedman School of Law, 2026; Staff Editor for the International Law Review Association.

¹ See Press Release: In 2022, At Least 4,050 Women Were Victims of Femicide in Latin America and the Caribbean: ECLAC, U.N. Press Release (Nov. 23, 2023), <https://www.cepal.org/en/pressreleases/2022-least-4050-women-were-victims-femicide-latin-america-and-caribbean-eclac>. [<https://perma.cc/2T2B-JLYD>]; Gray Beltran et al., *Mexico Election Results: Sheinbaum Wins*, N.Y. TIMES, June 2, 2024. [<https://perma.cc/4TER-89BY>]; and *Quién es Xiomara Castro, la esposa del derrocado Manuel Zelaya que será la primera presidenta de Honduras*, CNN EN ESPAÑOL, Jan 25, 2022. [<https://perma.cc/9KME-Z3GA>].

² See UNITED NATIONS OFFICE ON DRUGS AND CRIME & UN WOMEN, GENDER-RELATED KILLINGS OF WOMEN AND GIRLS (FEMICIDE/FEMINICIDE), at 7, (2023). [<https://www.unwomen.org/sites/default/files/2023-11/gender-related-killings-of-women-and-girls-femicide-feminicide-global-estimates-2022-en.pdf>] [<https://perma.cc/3ZJA-52AD>].

³ See Press Release: In 2022, At Least 4,050 Women Were Victims of Femicide in Latin America and the Caribbean: ECLAC, U.N. Press Release (Nov. 23, 2023), *supra* note 1.

⁴ See Gray Beltran et al., *supra* note 1 and *Quién es Xiomara Castro, la esposa del derrocado Manuel Zelaya que será la primera presidenta de Honduras*, *supra* note 1.

In this paper, I will address the legal reforms, or lack thereof, in Honduras and Mexico during Castro's presidency and Sheinbaum's presidency, respectively. First, I will analyze the conditions of the elections of both Castro and Sheinbaum in the context of growing attention to femicide. Next, I will discuss and compare the existing penal codes in Honduras and Mexico that classify femicides. Coupled with my discussion, I will address what types of legal reforms and conversations are missing from existing scholarship. Lastly, I will conclude with the responses of multinational governing bodies to femicides.

II. Historical Background to Female Presidencies

A. BACKGROUND – HONDURAS

In their respective presidential elections, an enthusiastic voting collation inspired by a positive rhetoric for women's rights democratically elected Castro and Sheinbaum.⁵ With 68.58% of electoral participation nationwide, Xiomara Castro became the first female elected to presidency in Honduras in 2021.⁶ Running for the Partido Libertad y Refundación Libre, Castro received 51.12% of the vote against her opponent Nasry Asfura.⁷ To become the country's "first ever leftist" president, Castro organized a coalition of voters that felt like victims of a conservative, militaristic government.⁸ Undoubtedly, Castro's former role as First Lady when her husband, Manuel Zelaya, was elected in 2006 influenced her run for presidency.⁹ A coup d'état cut short Zelaya's presidency and exiled Zelaya allegedly for championing a referendum to change the constitutional limits on presidential terms.¹⁰

Therefore, Castro's presidential campaign brought hope to the voices of Honduran women.¹¹ In her plan for presidency, she openly discussed the widespread issue of femicide and violence against women.¹² She recognized that Honduran women are treated as second-class citizens forced into submission by a patriarchal system that stretches beyond the domestic sphere and into the political and social structures.¹³ Castro set forth nine proposals to remedy, and hopefully rectify, gender imparities that further misogyny.¹⁴ But none of the nine proposals targeted femicide head on; none of the nine proposals increased sentencing guidelines for crimes of femicide; none of the nine proposals addressed impunity in law enforcement and political systems.¹⁵ Instead, Castro

⁵ *Id.*

⁶ See Partido Libertad y Refundación Libre, *Plan de gobierno para la refundación de la patria y la construcción del estado socialista y democrático*, 1-65, (2021) (Hond.). [<https://perma.cc/J8S4-AU6F>].

⁷ See *Quién es Xiomara Castro, la esposa del derrocado Manuel Zelaya que será la primera presidenta de Honduras*, *supra* note 1.

⁸ See Anatoly Kurmanayev & Joan Suazo, *She Promised to Empower Women. Will Honduras's President Succeed?*, N.Y. TIMES, May 1, 2022.

⁹ See *Quién es Xiomara Castro, la esposa del derrocado Manuel Zelaya que será la primera presidenta de Honduras*, *supra* note 1.

¹⁰ *Id.*

¹¹ Anatoly Kurmanayev & Joan Suazo, *supra* note 8.

¹² Partido Libertad y Refundación Libre, *supra* note 6.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

addressed political participation of women, contraceptive methods, abortion, sex education, women in the economy, and shelters for women and children.¹⁶

Castro has a unique challenge in leading a country recovering from a military coup in 2009, being led by right wing politics, and ranking the top country in Latin America in terms of femicide rates.¹⁷ During her husband's presidency in 2009, the Honduran military organized a coup d'état effectively undermining the legitimacy of democracy in Honduras.¹⁸ As a result, Castro inherited a young democracy still suffering from an authoritarian threat and general corruption in different political and legal branches in Honduras.¹⁹ Aside from the democratic instability, the Church acts as a "powerful adversary" systemically intertwined with the conservative right-wing party politicians and elites—severely undercutting and opposing Castro's proposal.²⁰ Castro and her government concede that the extreme right has sufficient power in the political and economic sectors to advance "retrograde" agendas that limit the liberties of women and other minority groups by institutionalizing religion in the government.²¹ Political leaders, like health minister José Manuel Matheu, resort to the Catholic Church when deciding on the rights of women, and in a country where almost ninety percent of the population adhere to Christianity, the agenda for women's rights is trampled on.²²

B. MEXICO – SHEINBAUM

Representing the left coalition (principally Morena) in 2024, Claudia Sheinbaum became the first female president in Mexico.²³ In 2014, Andrés Manuel López Obrador, former Mexican President, created Movimiento de Regeneración Nacional (Morena) as a left-leaning party that champions "economic austerity, nationalism, and the welfare state" appealing to the working class while remaining more conservative on topics of "same-sex marriage, abortion, and women's rights."²⁴ Morena and Andrés Manuel López Obrador championed Sheinbaum's candidacy, so Mexicans are weary of how Sheinbaum will differentiate herself and her presidency from her predecessor.²⁵ For others, Sheinbaum is setting herself apart by being the first Jewish President in Mexico, which is largely a Catholic country; and by being viewed as "less combative and more data driven" than López Obrador.²⁶

Sheinbaum inherited a country with similar problems of violence to Honduras but in a different context.²⁷ With a deeply rooted misogynistic culture, Sheinbaum assumed presidency in early

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Partido Libertad y Refundación Libre, *supra* note 6.

¹⁹ *Id.*

²⁰ Anatoly Kurmanaev & Joan Suazo, *supra* note 8.

²¹ Partido Libertad y Refundación Libre, *supra* note 6.

²² Anatoly Kurmanaev & Joan Suazo, *supra* note 8.

²³ Christopher Sherman, *Who is Claudia Sheinbaum? Here's what to know about Mexico's next president*, PBS NEWS, June 3, 2024. [<https://perma.cc/E3VW-L6K3>].

²⁴ See Aldrin Ballesteros & Alexandra Helfgott, *Movimiento de Regeneración Nacional (Morena) - Explainer*, WILSON CTR., Oct. 18, 2023. [<https://perma.cc/4H9C-84QZ>].

²⁵ Gray Beltran, et al., *supra* note 1.

²⁶ Christopher Sherman, *supra* note 23.

²⁷ Sara España, *These are the pressing gender-related issues facing Mexico's next president*, PBS NEWS, June 3, 2024. [<https://perma.cc/5T54-XTBK>].

October of 2024.²⁸ Yet, there are high expectations for Sheinbaum’s leadership ranging from topics of organized criminal activity to López Obrador’s commandeering shadow to gender-related issues.²⁹ First, the cartels have unofficially institutionalized their culture that yield “persistently high levels of violence.”³⁰ Sheinbaum’s proposed strategy against violence, taking after López Obrador, is not to apply an “iron fist” but to further the high militarization of Mexico.³¹ But many groups voice their concerns regarding militarization and the impact on gender-related violence.³² Some scholars have noted that increasing militarization in areas of high levels of violence has led to an “increase in femicides and women’s disappearances.”³³ There is broad criticism on the apparent dissonance in Sheinbaum’s strategy to furthering militarization when she has recognized that “femicides and gender-based violence” are a “key component of Mexico’s context of insecurity.”³⁴ Next, there is a widespread skepticism of the continuing influence of López Obrador and his political agenda into Sheinbaum’s six-year presidential term.³⁵ Her strategies against the high levels of violence plaguing Mexico seemingly continue the López Obrador approach to defeating violence with military power.³⁶ Sheinbaum has continuously praised López Obrador for his leadership, but some critics want to see the first female president of Mexico distance herself from López Obrador, especially after an unfulfilled women’s agenda.³⁷ Finally, the supporting voting coalition for Sheinbaum expect that she will institutionalize the agenda for women’s rights.³⁸ But the true impediment on furthering women’s rights is whether Sheinbaum can become a “substantive change” in representing this coalition.³⁹ Some worry that the election of the first female president is a “descriptive” change without much merit—a façade for feminism.⁴⁰ In spite of the setbacks and priorities of widespread safety, Sheinbaum will have to champion the agenda against femicide and attacks on women’s rights.⁴¹

III. Legal Background: Codifying Femicide

A. LEGAL REMEDIES TO FEMICIDE IN HONDURAS

Honduras’s 2019 penal code codified the classification of homicide against as women as “femicide” in Title V Article 208.⁴² The crime of femicide is defined as, “the man who kills a woman within the framework of unequal power relations between men and women based on

²⁸ Christopher Sherman, *supra* note 23.

²⁹ Sara España, *supra* note 27.

³⁰ Christopher Sherman, *supra* note 23.

³¹ *See id.*

³² Gema Kloppe-Santamaria & Julia Zulver, *Mexico Elected its First Woman President: What Does this Mean for the Country’s Gender-Based Violence and Insecurity Crisis?*, WILSON CTR., June 4, 2024. [<https://perma.cc/3Z5Z-LWYK>].

³³ *See id.*

³⁴ *Id.*

³⁵ Christopher Sherman, *supra* note 23.

³⁶ *Id.*

³⁷ *See id.*; Xavier Medina Videl & Christopher Chambers-Ju, Commentary, *Will a Female President Improve the Lives of Mexican Women?*, U.S. NEWS, June 4, 2024.

³⁸ *See generally* Xavier Medina Videl & Christopher Chambers-Ju, *supra* note 37.

³⁹ *See id.*

⁴⁰ *See id.*

⁴¹ *See id.*

⁴² *See* Ley No. 34,940, Ley Penal Violencia Contra la Mujer tit. V, art. 208, LA GACETA, DIARIO OFICIAL [L.G.], 10 May 2019 (Hond.).

gender.”⁴³ The sentencing guidelines for the crime of femicide range from twenty to twenty-five years in prison, or twenty-five to thirty years in prison for more aggravated forms of femicide.⁴⁴ Article 208 lists an exhaustive list of factors that trigger harsher sentencing guidelines:

- 1) Any of those contemplated in the crime of murder;
- 2) That the guilty party is or has been a spouse or person with whom the victim maintains or has maintained a stable relationship of a similar nature to the previous one or is an ascendant, descendant, brother of the injured party or of her spouse or cohabitant;
- 3) That the femicide has been preceded by an act against the sexual freedom of the victim;
- 4) When the crime is committed by or in the context of an organized criminal group;
- 5) When the victim of the crime is a sex worker;
- 6) When the victim is also a victim of the crimes of human trafficking, slavery or servitude;
- 7) When injuries or mutilations have been caused to the victim or her corpse related to her status as a woman; and,
- 8) When the victim’s body is exposed or exhibited by the guilty party in a public place.

Ley No. 34,940, Ley Penal Violencia Contra la Mujer tit. V, art. 208, LA GACETA, DIARIO OFICIAL [L.G.], 10 May 2019 (Hond.).

It is important to note that the government acknowledges, in the statute, the unequal power distribution between men and women: socially, economically, and politically.⁴⁵

In 2022, Xiomara Castro took charge of the Honduran state plagued with violence and political unrest.⁴⁶ While campaigning for the presidency, Castro reconciled with the fact that every twenty-three hours, a woman is a victim of a femicide.⁴⁷ Though Castro has promised to prioritize the “political agenda of women and feminists,” she has fallen short, and her political supporters are unwilling to lose this battle for women’s rights.⁴⁸ During her first year as President, Honduras became the leading country in femicide rates in Latin America with six per 100,000 women.⁴⁹ It is reported that despite the illegality of femicides, femicides and “violent deaths of women increased by fifty-one percent in relation to 2021.”⁵⁰ Not only were more women killed because of sex-related factors in 2022, but more women were killed in violent homicides.⁵¹

Men are killing Honduran women more commonly and more brutally.⁵² For example, in 2022, a fifty-six-year-old Honduran man, Andy Garcia, killed his partner Jessica Vallencillo Cruz, twenty-

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ See *Quién es Xiomara Castro, la esposa del derrocado Manuel Zelaya que será la primera presidenta de Honduras*, *supra* note 1.

⁴⁷ See Partido Libertad y Refundación Libre, *supra* note 6.

⁴⁸ Vienna Herrera & Fernando Destephen, *Los «tres regalos» que le debe el gobierno de Xiomara Castro a las mujeres hondureñas*, CONTRA CORRIENTE, Jan. 28, 2023. [<https://perma.cc/U8P6-D72G>].

⁴⁹ Press Release: In 2022, At Least 4,050 Women Were Victims of Femicide in Latin America and the Caribbean: ECLAC, U.N. Press Release, *supra* note 1.

⁵⁰ Vienna Herrera & Fernando Destephen, *supra* note 48.

⁵¹ *Id.*

⁵² *Id.*

one years old, by causing burns to seventy-five percent of Vallencillo Cruz's body.⁵³ In another highly publicized case, three sisters were murdered by one of the sister's partner in early 2023.⁵⁴ Castro took to her social media to publicly denounce such violent femicide and asked for "no more impunity."⁵⁵ But some feminists were unsatisfied with Castro's approach and said that Castro should be guaranteeing human right and enacting reforms "more forceful and framed in the role that [Castro] has as a government."⁵⁶

Thus, female supporters of Castro and of the agenda against femicide are demanding that Castro champions legal reforms central to violence against women.⁵⁷ Some feminists activists like Jinna Rosales have voiced their discontent with the lack of reform by Castro's administration and the incapacity of the justice system to "respond effectively and truthfully to femicide investigations."⁵⁸ Even Vice President Doris Gutiérrez has acknowledged that the Castro administration owes the people of Honduras, and especially the women that formed Castro's electoral coalition, more reform to the codified law against feminism and possibly The Comprehensive Law Against Violence Against Women.⁵⁹

The Centro de Derechos de Mujeres (CDM) proposed the Comprehensive Law Against Violence Against Women as a legal reform proposal that would systematically aid Honduran women facing violence.⁶⁰ CDM targets four sections for reform: Protection for Women, Recognition of other Forms of Violence and Reinforcement of Penal Code Sanctions, Institutions at our Service, and Better Mechanisms of Coordination.⁶¹ In each of the four sections above-mentioned, CDM recognizes the gaps designed to protect women in the codified law.⁶² Section one, for instance, addresses reforms for efficient systems in law enforcement, education, and politics to educate all Hondurans on the existing violence against women and correctly penalize the affliction of women.⁶³ Section two proposes Federal Penal Code reforms that include the typification of different crimes against women, including economic and patrimonial violence, psychological and emotional violence, and the like.⁶⁴ Section three calls for the creation of new institutions like INAM and special units to assist in criminal investigations for violent crimes against women.⁶⁵ Lastly, section four addresses potential mechanisms that would increase the efficiency of social programs.⁶⁶ Regarding femicides, section four addresses the need for social programs to aid surviving family members of femicide victims: children.⁶⁷

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ Vienna Herrera & Fernando Destephen, *supra* note 48.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ See "Una Ley Integral Contra las Violencias Hacia Las Mujeres," CENTRO DE DERECHOS DE MUJERES, <https://derechosdelamujer.org/wp-content/uploads/2020/11/boletiin-ley-integral-reimpresioin2pdf-1.pdf> [<https://perma.cc/HD66-VNJW>].

⁶¹ *Id.*

⁶² *Id.*

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ "Una Ley Integral Contra las Violencias Hacia Las Mujeres," *supra* note 60.

⁶⁷ *Id.*

Though CDM does not explicitly target statutory reforms, CDM's goal with this proposed legislation is to "[address] violence against women from its different causes and dimensions, filling gaps, strengthening existing mechanisms and promoting strategies that help the State respond to the demands of Honduran women."⁶⁸ In addressing the multi-dimensional issues in the Honduran government, CDM's proposal takes a cascade approach to the persistent violence against women.⁶⁹

B. LEGAL REMEDIES TO FEMICIDE IN MEXICO

In 2012, Mexico first codified the crime of femicide in Chapter V Article 325, but the most recent revisions of the article date to 2023.⁷⁰ Therefore, the most updated version of the law defines femicide as a crime when someone "deprives a woman of life for a gender[-related] reason."⁷¹ The article then goes on to describe circumstances that fall under the requirement of gender-related reasons:

- I. The victim presents signs of sexual violence [of] any type;
- II. The victim has suffered injuries or slanderous or degrading mutilations, prior or following the deprivation of life or acts of necrophilia;
- III. There is a [history] or data of any kind of violence in the [scope of] family, workplace, community, political or school, of the active subject against the victim;
- IV. Has existed between the active subject and the victim relationship by consanguinity or affinity or a sentimental, emotional, work, teaching or some *de facto* relationship the [parties];
- V. There is data that establishes that there was direct or indirect threats related to the criminal act, harassment or injuries of the subject active against the victim;
- VI. The victims has been held incommunicado, [however long] the time prior to the deprivation of life;
- VII. The victim's body is exposed, thrown, deposited or displayed in a public place, or
- VIII. The active subject has forced the victim to carry out an activity or work or have exercised on it any form of exploitation.

Código Penal Federal [CPF], art. 325, DIARIO OFICIAL DE LA FEDERACION [DOF] 14-06-2012, últimas reformas DOF 25-04-2023 (Mex.). [<https://perma.cc/AL3L-HUM3>].

The Honduran statute is similar to the Mexican statute in some ways, but the Mexican statute includes further punishments in other instances.⁷² The sentencing guidelines indicate a prison term between forty and sixty years for those guilty of femicide.⁷³ Like the Honduran statute, the Mexican statute allows further punishment for an aggravated form of femicide, punishable by up to one-third more of the sentence, when "the victim is a minor, pregnant women, elderly or

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ Código Penal Federal [CPF], art. 325, Diario Oficial de la Federacion [DOF] 14-06-2012, últimas reformas DOF 25-04-2023 (Mex.). [<https://perma.cc/AL3L-HUM3>].

⁷¹ *Id.*

⁷² Ley Penal Violencia Contra la Mujer tit. V, art. 208; Código Penal Federal [CPF], art. 325.

⁷³ *Id.*

disabled adult, as well as when the active subject is a public servant and has committed the conduct using this condition.”⁷⁴ But unlike the Honduran statute, the Mexican statute clearly terminates the relationship between the perpetrator and victim by describing a further sanction against the perpetrator in which he “will lose all rights in relation to the victim, including those of a [natural] succession.”⁷⁵ In [such] case, [he] will also lose all rights in relation to the victim’s children, guaranteeing the best interest of the child in terms of what is foreseen by the General Law of the Rights of Girls, Boys and Teenagers.”⁷⁶ Lastly, the Mexican statute includes a clause to directly deter impunity, while the Honduran statute remains silent on the lack of enforcement of the statute.⁷⁷ Under statutory guidelines, a “public servant who delays or hinders maliciously or negligently the procurement or administration of justice” will be punished for their interference with a prison sentence of three to eight years and “will also be dismissed and disqualified from three to ten years to perform another public employment, position or commission.”⁷⁸

Even with the existing codification of femicide, Sheinbaum inherited a country where femicides are one of the “enormous challenges,” especially for its inefficient prosecution of femicides.⁷⁹ Prior to the Presidential Elections of 2024 and Sheinbaum’s inauguration, the statistics on femicides in Mexico were registered at about two feminicides per day in 2024.⁸⁰ Despite formal retributive justice against femicides, Mexican reformists call for state action that deals with the persistent levels of impunity: reforms to the execution of the codified law against femicides.⁸¹ Mexican feminist activist and 2023 Breach/Valdez Award for Journalism and Human Rights recipient Gloria Piña opines that the law is not followed in due diligence because of the “gender bias by judges and prosecutors, and on deep-rooted social and cultural patterns that discriminate against women.”⁸² The legal system is failing the victims of femicide and their families by instituting neglect in court proceedings and investigations of gender-related homicides.⁸³ The UN Human Rights in Mexico has recommended that the Mexican government should “[improve] the prosecution of femicide cases by bolstering due diligence and training forensic doctors and court officials to incorporate a gender perspective into their work.”⁸⁴ But besides the cultural shift in government officials, the deputy head of the UN Human Rights Office in Mexico Jesus Peña Palacios, blames the “overload of cases, poor funding and failure by law enforcement officials to properly investigate cases of gender-based violence” that inhibit the efficient investigations of femicides.⁸⁵

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ See Código Penal Federal [CPF], art. 325.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Gema Kloppe-Santamaria & Julia Zulver, *supra* note 32.

⁸⁰ See Ana Karen García, *Se registran 2 feminicidios al día en México en lo que va del 2024*, EL ECONOMISTA, Apr. 25, 2024, [<https://perma.cc/HLK3-7E7N>].

⁸¹ See United Nations Human Rights Office of the High Commissioner, “We’re here to tell it:” Mexican women break silence over femicides, (July 3, 2023), <https://www.ohchr.org/en/stories/2023/07/were-here-tell-it-mexican-women-break-silence-over-femicides>.

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

C. ANALYSIS

Sheinbaum's presidency differs from Castro's presidency in many of the ways explored above, but it more importantly differs in the composition of the federal government during their administrations.⁸⁶ After the 2024 presidential election in Mexico, Morena won a supermajority in Congress.⁸⁷ Without the commandeering oversight or outright challenge of the opposing party, Sheinbaum could, theoretically, propose bills to fill in the gaps and fix the "loose ends" of the laws against femicide.⁸⁸ Both "top posts" in Congress are women: Ana Lilia Rivera and Marcela Guerra Castillo.⁸⁹ Sheinbaum's legal reforms and agenda against violence against women could also stand greater chance of survival with the first female Chief Justice, Norma Lucia Piña, in Mexico's Supreme Court.⁹⁰ But Castro does not share Sheinbaum's fortune in the government composition of Honduras.⁹¹

Sheinbaum's presidency also has a different starting point from Castro's, since Sheinbaum's predecessor has committed to multinational efforts addressing femicides.⁹² In early 2021, AMLO joined France and UN leaders to publicly claim that Mexico had "no tolerance for sexism, nor is there impunity" adding that "[h]ate crimes and femicides are punished."⁹³ Aside from the formal repudiation of femicide, Mexico committed to evaluate the "progress on women's rights since the Beijing conference" and take recommendations for further developments for women's agenda.⁹⁴ The purpose of this forum, the Generation Equality Forum, in Mexico was to "catalyze landmark financial investments" that would propel women's rights.⁹⁵

D. INTERNATIONAL ACTION

Beyond local government and nationwide action, international bodies like the UN Women have provided guidance on how to address femicides.⁹⁶ Solutions to femicides focus on "comprehensive and forceful state responses" and encompass different strategies to resolve current gaps in state action: strengthening data-collection and investing in policies that support women at risk.⁹⁷ Chiefly, femicides are the ultimate crime against women; therefore, countries should take preventative measures in "timely and effective interventions" of "repeated episodes of gender-

⁸⁶ Anatoly Kurmanav & Joan Suazo, *supra* note 8.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Press Release: Presidents of Mexico and France, UN leaders, youth and civil society call for bold action at the opening of Generation Equality Forum in Mexico, U.N. Press Release (Mar. 29, 2021), <https://www.unwomen.org/en/news/stories/2021/3/press-release-opening-of-generation-equality-forum-in-mexico>. [<https://perma.cc/U7M8-R2US>].

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *id.*

⁹⁶ *Id.*

⁹⁷ See Press Release: In 2022, At Least 4,050 Women Were Victims of Femicide in Latin America and the Caribbean: ECLAC, U.N. Press Release, *supra* note 1.

based violence” that usually precede femicides.⁹⁸ Besides legal reforms to address violence against women, country leaders should address the underlying social norms of misogyny by implementing educational and social reform programs.⁹⁹

IV. Conclusion

Latin American countries should be alarmed by the persistent femicide rates and should be working on legal reforms, especially when the government is led by a female president.¹⁰⁰ Feminist organizations and their voting coalitions apply pressure to their first female national leaders for legal and social reforms.¹⁰¹ But even if Castro and Sheinbaum find themselves in an unprecedented position of great power for women in their countries, they are beholden to the tainted processes and actors of their democracies.¹⁰²

⁹⁸ See UNITED NATIONS OFFICE ON DRUGS AND CRIME & UN WOMEN, GENDER-RELATED KILLINGS OF WOMEN AND GIRLS (FEMICIDE/FEMINICIDE), *supra* note 2.

⁹⁹ See *id.*

¹⁰⁰ See Vienna Herrera & Fernando Destephen, *supra* note 48; Gema Kloppe-Santamaria & Julia Zulver, *supra* note 32.

¹⁰¹ *Id.*

¹⁰² Partido Libertad y Refundacion Libre, *supra* note 6; Sara España, *supra* note 27.