

**Institutional violence and gender-based violence: A year without Ivana Rosales
and another year without reparation**

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To those concerned:

September 6 marks the first anniversary of the death of Ivana Rosales due to an epileptic seizure, which was an aftereffect of the brutal beating she suffered at the hands of her then husband, Mario Edgardo Garoglio, in 2002.

When she died, the national government publicly lamented her death. The government of Neuquén province decreed a period of official mourning.

Over the course of one night, in 2002, Ivana suffered two femicide attempts and survived after being hospitalized for 45 days. Garoglio, the perpetrator of that brutal beating, was put on trial. The prosecutor in the case said that Ivana “was not a good mother or a good wife” and asked that this discriminatory and unjust assessment be considered a factor extenuating the aggressor’s behavior. With sexist and discriminatory arguments, the provincial state denied justice to a victim of extreme violence. On top of this violation of her rights, Ivana was subjected to gender-related institutional violence, which occurs when state officials or personnel delay, hinder or prevent women from exercising their rights or accessing public policies.

Ivana Rosales’s case is paradigmatic of the way in which institutional violence works: women are not only more exposed to violence by their current or past partners, they

also face innumerable obstacles to access reparation of their rights in a justice system that re-victimizes them by applying gender stereotypes.

Nine years after the passage of Law 26.485 on the Comprehensive Protection of Women against All Forms of Violence, its implementation to prevent, sanction and eradicate sexist (*machista*) violence continues to be insufficient, and policies to guarantee access to justice continue to be highly deficient.

This is a central agenda for human rights. However, the state does not provide reliable and rigorous data on the prevalence and incidence of the violence that women face in their relationships with current and past partners, shirking its obligation to produce statistics that can guide public policy. Data from the Registry of Femicides of the national Supreme Court's Office for Women points to a phenomenon that is on the rise, revealing that in many cases the judicial branch's protection measures and interventions have proven to be ineffective for preventing the most brutal and violent outcome, which ends the lives of women, young females and adolescents. Complaints over institutional violence filed by victims of sexist violence are not addressed with effective actions to prevent it. Free legal assistance for complainants is still pending implementation and is making slow, uneven progress.

Ivana turned to the Inter-American Commission on Human Rights (IACHR) to demand justice. In this context, a dialogue with the national and provincial states has been taking place since 2014 to arrive at a friendly settlement that could provide some reparation for the rights that were violated. In 2017, two months before her death, Ivana met with Argentine officials and members of the IACHR in Lima, Peru. There, both states (national and provincial) committed themselves to making progress on the agenda of reparations solicited by Ivana. But once again, the state falls short and arrives late when responses to victims of sexist violence are demanded of it. Even when, to address growing social demands regarding the grave problem of femicides and different types of sexist violence, it took on commitments based on Ivana's case to develop public policies to avoid repetition of the successive violent occurrences that women may experience.

Ivana's daughters, Mayka and Abril, also suffered the consequences of this mistreatment. Mayka took her own life. The reparations discussed before the IACHR – which have been totally neglected to date – include them.

Groups of women, lesbians, transvestites and transgender people demand in the streets what the state has already recognized as its obligation. It is urgent that progress be made, moving from statements of intent to concrete and efficient actions to guarantee fulfillment of these commitments against the different types of sexist violence.

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