

Measuring femicide in Belgium

Femicide

Femicide can be understood as the extreme end of a continuum of violence against women that happens in all European Union Member States ⁽¹⁾. There is no standard agreed definition of femicide among EU Member States or around the world. The lack of a uniform definition hampers the measurement of femicide, which becomes invisible among general homicide data ⁽²⁾. The general concept of femicide refers to the killing of a woman or girl because of her gender. The United Nations Vienna Declaration on Femicide ⁽³⁾ was the first to identify different types of femicide, including:

- murder of women as a result of intimate partner violence;
- torture and misogynistic slaying of women;
- killing of women and girls in the name of honour;
- targeted killing of women and girls in the context of armed conflict;
- dowry-related killing of women;
- killing of women and girls because of their sexual orientation and gender identity;
- killing of aboriginal and indigenous women and girls because of their gender;
- female infanticide and gender-based sex selection foeticide;
- genital mutilation-related deaths;
- accusations of witchcraft;
- other types of femicide connected with gangs, organised crime, drug dealers, human trafficking and the proliferation of small arms.

Femicide in Belgium

There is no definition of femicide in the Belgian Penal Code. However, this type of offence may fall under other provisions of Belgian criminal law. The relevant articles for identifying femicide cases are, *inter alia*, Articles 392, 393, 394, 405*quater*, 417*quater* and 418 ⁽⁴⁾.

Article 392 – Voluntary homicide

Voluntary homicides and injuries are those committed with the intention of attacking a particular person, or a person encountered by chance, even if this plan was dependent on some circumstance or any condition, and even when the perpetrator was mistaken about the identity of the victim.

Article 393 – Murder

Wilful killing constitutes murder, and the perpetrator will be sentenced to 20–30 years' imprisonment.

Article 394 – Murder with premeditation

Premeditated killing constitutes murder. The perpetrator shall be punished with life imprisonment.

Article 405*quater* – Aggravating circumstances

When a crime or misdemeanour is motivated by hatred, contempt or hostility towards a person, on the ground of [...] sex, change of sex or sexual orientation [...] the sentence will be increased [with imprisonment from 5 to 10 years] ⁽⁵⁾.

Article 417*quater* – Death without intention resulting from inhuman treatment

Inhuman treatment is punished with imprisonment from 5 to 10 years. If the offence causes the victim's death, it will be punished with 15–20 years' imprisonment.

Article 418 – Involuntary homicide

A person is guilty of involuntary homicide if death is caused by harm, or by lack of foresight or precaution, but without the intention of attacking the person. The perpetrator shall be punished by imprisonment of 3 months to 2 years and a fine ranging from EUR 50 to EUR 1 000.

⁽¹⁾ This factsheet includes data collected before the United Kingdom left the EU, so the reference to EU Member States includes the United Kingdom.

⁽²⁾ European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius.

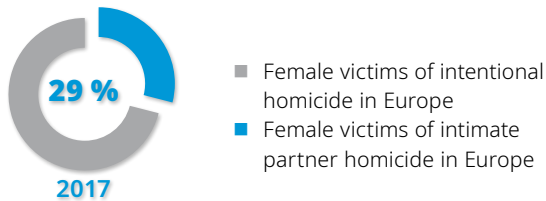
⁽³⁾ UN Economic and Social Council (2012), *Vienna Declaration on Femicide*, UN, New York (https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf).

⁽⁴⁾ For more information, see indicator 9 of the Gender Statistics Database (https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata) and the Belgian Penal Code, (in French) (http://www.ejustice.just.fgov.be/cgi_loi/loi_a1.pl?language=fr&caller=list&cn=1867060801&la=f&fromtab=loi#LNK0105).

⁽⁵⁾ The current version of Article 405*quater* sets out aggravating circumstances in cases of murder and homicide. The legislator removed from the scope of this classification the criminal offences already punishable by the highest penalty (e.g. parricide, infanticide and poisoning). Reintroducing aggravating circumstances for these offences when the motive is based on the criterion of sex would make the criminal legislation more consistent and would permit the Institute for the Equality of Women and Men to intervene in these cases.

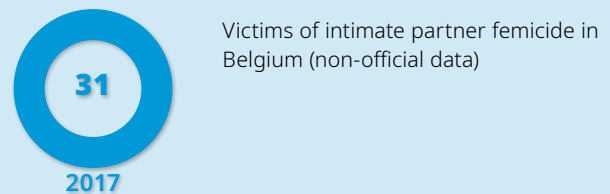
Intimate partner femicide in Europe

From a statistical perspective, and based on the International Classification of Crime for Statistical Purposes (ICCS), the UN Office on Drugs and Crime (UNODC) highlights that intentional homicide of female victims perpetrated by intimate partners or family members is the most prevalent form of femicide ⁽⁶⁾. UNODC estimates that, in Europe ⁽⁷⁾, about 29 % of female victims of homicide ⁽⁸⁾ are killed intentionally by an intimate partner.



Intimate partner femicide in Belgium

From a statistical perspective, the working definition that the European Institute for Gender Equality (EIGE) uses for femicide is 'killing of a woman by an intimate partner and the death of a woman as a consequence of a practice that is harmful to women. Intimate partner is understood as a former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim'. In Belgium, most femicides would be covered by the articles of the Penal Code identified above. According to data from the Stop Femicide platform ⁽⁹⁾, in 2017 there were 43 femicides, of which 31 were intimate partner femicides.



About the study

Data collection systems vary widely across EU Member States, as they draw on various sources. To improve the collection of administrative data on femicide, EIGE has been working to establish indicators that can harmonise data collection processes across Member States' jurisdictions.

EIGE has collected information from a wide variety of stakeholders through a questionnaire sent to official data providers and an online survey filled in by national experts. The ultimate goal is to identify a classification system of femicide with mutually agreed variables that can be used by all EU Member States.

Methodology for data collection

To address the lack of comparable data on violence against women, EIGE developed 13 indicators with uniform definitions of the multiple forms of intimate partner violence, femicide and rape ⁽¹⁰⁾. A detailed report regarding the methodology for the collection, reporting and validation of data, along with detailed metadata per country, has been published ⁽¹¹⁾.

Data can be accessed through EIGE's Gender Statistics Database, available at: https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio_int

Data on indicator 9: "Women victims of intimate femicide (aged 18 and over) as a share of the women victims of homicide (aged 18 and over)" is not yet available in Belgium.

Collecting administrative data on femicide



What is administrative data? Administrative data is collected for recording, organising and monitoring purposes ⁽¹²⁾. Administrative data on femicide can be obtained from different institutions, namely those that are involved in criminal investigations, prosecutions, the punishment of perpetrators and victim support – that is, institutions in the **police and justice sectors**. Administrative data might include information about the prevalence and types of femicide, the characteristics of the victim, the perpetrator and their relationship, the characteristics of and motive for the crime, and data about the criminal process.

⁽⁶⁾ UN Office on Drugs and Crime (UNODC) (2019), *Global Study on Homicide – Gender-related killing of women and girls*, UNODC, Vienna.

⁽⁷⁾ Data from UNODC includes European jurisdictions other than the EU Member States. There is no estimation of the percentage of female victims of homicide who were victims of intimate partner femicide limited to EU Member States.

⁽⁸⁾ The term 'homicide' is used when reporting UNODC data given that it is the term used in the original source (p. 17). The gender-related motivation is not recorded, because of the lack of a standardised definition. However, it is clear from the report that this data quantifies a significant share of all gender-related killings of women and girls.

⁽⁹⁾ Data can be consulted via the platform (<http://stopfemicide.blogspot.com/p/violences-machistes.html>).

⁽¹⁰⁾ European Institute for Gender Equality (EIGE) (2017), *Terminology and Indicators for Data Collection: Rape, femicide and intimate partner violence*, EIGE, Vilnius.

⁽¹¹⁾ European Institute for Gender Equality (EIGE) (2020), *Intimate Partner Violence: Data collection methodology*, EIGE, Vilnius.

⁽¹²⁾ UN Women (2020), *A synthesis of evidence on the collection and use of administrative data on violence against women*, UN Women, New York.

In order to help policymakers design effective policies to combat femicide, it is necessary to understand the nature and prevalence of the issue. The collection of comparable administrative data on femicide across Member States is key to gaining this understanding⁽¹³⁾. It is particularly important that the motive for the killing is established by the police or judiciary and that this is then translated into standardised statistical data. The ICCS is a standardised tool for obtaining comparable

administrative data. However, it lacks a gender-based motive variable. This means that the concept of femicide cannot be properly operationalised, which prevents the collection of data that fully captures the phenomenon. The collection of data on femicide would make the issue more visible, which would strengthen the political will to eradicate it. Administrative data on femicide also enables countries to monitor trends over time and evaluate the effectiveness of measures.

What administrative data on femicide is available in Belgium?

Definition of femicide and availability of data	
Definition of femicide used for statistical purposes	No
Collection of data on femicide	Yes, official data Yes, non-official data

The Belgian police provide relevant information on intimate partner violence. Data covers several forms of violence, physical, psychological, economic and sexual, more precisely on offences and suspects⁽¹⁴⁾. In addition, the number of cases of murder, murder with premeditation and manslaughter related to intimate partner violence is registered by the prosecutor's office and published by the Institut pour l'Égalité entre les femmes et les hommes (Institute for the Equality of Women

and Men)⁽¹⁵⁾. However, the data collected has some significant limitations, such as the inclusion of attempted crimes and the non-existence of information regarding the sex of the victim. One official and one non-official institution collect data regarding homicide/femicide in Belgium: the Stop Femicide platform⁽¹⁶⁾ and the Belgian Police. Where data on femicide in this factsheet is drawn from the non-official source, indicated by (°).

Type of data collection	Institution (°) Stop Femicide platform
Sources of data	Non-official
Stage at which the homicide is established as a femicide	Press reports
Stage at which the homicide is registered as a femicide	During the initial data collection
Parameters for establishing the killing as a femicide	During the initial data collection
Regularity of data collection	Information not available
Network(s) with which information is shared	Continuous
Availability of data to the public	Information not available
	Data publicly available

⁽¹³⁾ It is important to note that data and statistics should be produced, developed and disseminated in compliance with the principles in the *European Statistics Code of Practice*: Eurostat (2018), *European Statistics Code of Practice*, Publications Office of the European Union, Luxembourg (<https://ec.europa.eu/eurostat/documents/4031688/8971242/KS-02-18-142-EN-N.pdf/e7f85f07-91db-4312-8118-f729c75878c7?t=1528447068000>).

⁽¹⁴⁾ Data can be consulted on the Belgian police's website (<http://www.stat.policefederale.be/statistiquescriminalite/>).

⁽¹⁵⁾ <https://igvm-iefh.belgium.be/en>

⁽¹⁶⁾ Data can be consulted via the platform (<http://stopfemicide.blogspot.com/p/violences-machistes.html>).

Non-official sources inform data collection in Belgium. The most recent data from the Stop Femicide platform ^(a) show that, in 2020, 25 femicides were registered in Belgium. Despite the richness of the data gathered by the Belgian Police in relation to intimate partner violence and homicide, data recorded on the victims is very scarce. Data covers information on the "event"

(offence) such as location, time, weapons used, modus operandi, etc., and on the "person" (suspect) such as sex, age and nationality. However data on race or ethnicity, political preferences, religious beliefs, trade union membership or sexual orientation is not recorded in the General National Database due to the sensitivity of the data, that might affect privacy.

● Official data available ● Non-official data available ○ No data available

Data availability	2014	2015	2016	2017 ^(a)	2018 ^(a)	2019 ^(a)
Female victims of homicide	○	○	○	○	○	○
Victims of intimate partner femicide	○	○	○	●	●	●

The Stop Femicide platform ^(a) collects administrative data on intimate partner femicides, but also on other types of femicide,

such as sexual violence-related femicides, prostitution-related femicides and femicides committed by an unknown person.

Types of femicide	
Intimate partner femicide ^(a)	●
Family-related femicide	○
Child femicide	○
Prostitution-related femicide ^(a)	●
Robbery-related femicide	○
Other types of femicide ^(a)	● Sexual violence-related femicides and femicides committed by an unknown person ^(a)

Characteristics of the victim and the perpetrator	Victim	Perpetrator
Age ^(a)	●	●
Sex ^(a)	●	●
Gender identity	○	○
Sexual orientation	○	○
Nationality ^(a)	●	○
Education	○	○
Occupation ^(a)	●	○
Applied for protection order ^(a)	●	n/a
Active protection order ^(a)	n/a	●
Socioeconomic profile ^(a)	●	○
Recidivist status	n/a	○
Alcohol/drug abuse	○	○
Victim-perpetrator relationship ^(a)	●	●
Other	○	○

Motive for femicide		Contextual variables	
Context of sexual violence ^(e)	<input checked="" type="radio"/>	Method of killings ^(e)	<input checked="" type="radio"/>
Prior intimate partner violence ^(e)	<input checked="" type="radio"/>	Location ^(e)	<input checked="" type="radio"/>
Prior harassment and/or stalking by the perpetrator ^(e)	<input checked="" type="radio"/>	Suicide of the perpetrator	<input type="radio"/>
Prior genital mutilation	<input type="radio"/>	Killing of children	<input type="radio"/>
Prior complaints or requests for protection measures ^(e)	<input checked="" type="radio"/>	Killing of other persons in the family	<input type="radio"/>
Recent separation ^(e)	<input checked="" type="radio"/>	Children present ^(e)	<input checked="" type="radio"/>
'Shame or dishonour' brought on the family	<input type="radio"/>	Other killings in connection with the femicide	<input type="radio"/>
Dowry-related problems	<input type="radio"/>	Other	<input type="radio"/>
Refusal to enter into an arranged marriage	<input type="radio"/>	Investigating femicide	
Political role / feminism / activism of the woman who was killed	<input type="radio"/>	Protocol for investigating femicide cases	<input type="radio"/>
Context of prostitution / pornography ^(e)	<input checked="" type="radio"/>		
Human trafficking context	<input type="radio"/>	Analysing femicide	
Targeted killing of a woman in an armed conflict	<input type="radio"/>	Homicide reviews / domestic homicide reviews	<input type="radio"/>
Sexual orientation and gender identity	<input type="radio"/>	Analysis of court cases	<input type="radio"/>
Disfigurement/mutilation of the body	<input type="radio"/>	Administrative data from police	<input type="radio"/>
Other	<input type="radio"/>	Administrative data on cause of death	<input type="radio"/>
		Media information ^(e)	<input checked="" type="radio"/>
		Other	<input type="radio"/>

NB: n/a, not applicable.

Key findings

- Belgium does not have a legal definition of femicide. However, the perpetrator may be liable for voluntary homicide, involuntary homicide, murder, murder with premeditation, aggravated murder / homicide and death without intention resulting from inhuman treatment.
- There is one non-official organisation that collects data for the identification of femicide. Data is available for intimate partner femicide and other types of femicide.
- EIGE collected data on homicides and intimate partner femicides for 2014–2018. However, non-official administrative data on femicide in Belgium is available only for 2017 onwards. Available data includes information about the characteristics of the victim and the perpetrator, contextual variables and motive.
- Despite the richness of the data gathered by official sources, data on femicide is analysed on the basis of non-official sources, namely media information. The prosecutor's office gathers data on the number of cases of murder, manslaughter and involuntarily manslaughter related to a context of intimate partner violence and the Belgian police gathers information on intimate partner violence and homicide. Both data sources lack data on the victims, since the main unit of measurement and information is the event (offence) and the suspect.

Recommendations

The collection of accurate and comparable data on femicide by the police and justice sectors across Member States helps to increase knowledge and improve responses to prevent femicide⁽¹⁷⁾. It is therefore important to:

- create a femicide definition for statistical data collection, in order to reflect the specific circumstances relating to the killing of women;
- implement a process of continuous data collection;
- establish comprehensive data collection, adding variables that are important for detecting key aspects of femicide, such as those describing the context and the circumstances of the killing, the gender-related motivation, and the victim and perpetrator characteristics, in order

to systematise and harmonise the collection of data for statistical use;

- cross-reference the variables of the victim and those of the perpetrator, and analyse them using an intersectional approach;
- ensure that the gender dimension of homicide data is made visible.

Recommendations for data collection on femicide in Belgium

To populate EIGE's indicator on femicide (indicator 9) and to improve understanding of intimate partner femicide, it is recommended that the victim–perpetrator relationship be registered in the official administrative sources and data be disaggregated by sex⁽¹⁸⁾.

This factsheet is based on information from EIGE's study 'Advancing administrative data collection on intimate partner violence and gender-related killings of women' (2021) and has been prepared by the Alternative and Response Women's Association (UMAR). For more information, visit <https://eige.europa.eu/gender-based-violence/femicide>.

⁽¹⁷⁾ European Institute for Gender Equality (EIGE) (2018), *Recommendations to improve data collection on intimate partner violence by the police and justice sectors – Belgium*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2017), *Recommendations for the EU to improve data collection on violence against women*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2021), *EIGE's indicators on intimate partner violence, rape and femicide: Recommendations to improve data quality, availability and comparability*, EIGE, Vilnius.

⁽¹⁸⁾ Indicator 9 of the Gender Statistics Database (https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata).

European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.

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