

# Measuring femicide in Poland

## Femicide

Femicide can be understood as the extreme end of a continuum of violence against women that happens in all European Union Member States <sup>(1)</sup>. 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 <sup>(2)</sup>. 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 <sup>(3)</sup> 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 Poland

There is no definition of femicide in the Polish Penal Code. However, this type of offence may fall under other provisions of Polish criminal law. The relevant articles for identifying femicide cases are, inter alia, Articles 148, 155 and 156 <sup>(4)</sup>.

### Article 148 – Homicide

§ 1 Whoever kills a human being shall be subject to the penalty of the deprivation of liberty for a minimum term of 8 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

§ 2 Whoever kills a human being:

- (1) with particular cruelty,
- (2) in connection with hostage taking, rape or robbery,
- (3) for motives deserving particular reprobation,
- (4) with the use of firearms or explosives

shall be subject to the penalty of the deprivation of liberty for a minimum term of 12 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

§ 3 Whoever kills more than one person in one act or has earlier been validly and finally convicted for homicide shall be also subject to the penalty specified in § 2.

§ 4 Whoever kills a person due to the influence of an intense emotion justified by the circumstances shall be subject to the penalty of the deprivation of liberty for a term of between 1 and 10 years.

### Article 155 – Manslaughter

Whoever unintentionally causes the death of a human being shall be subject to the penalty of the deprivation of liberty for a term of between 3 months and 5 years.

### Article 156 – Grievous bodily harm resulting in death

§ 1 Whoever causes grievous bodily harm in a form which:

(1) deprives a human being of sight, hearing, speech or the ability to procreate, or

(2) inflicts on another a serious crippling injury, an incurable or prolonged illness, an illness actually dangerous to life, a permanent mental illness, a permanent total or substantial incapacity to work in an occupation, or a permanent serious bodily disfigurement or deformation shall be subject to the penalty of the deprivation of liberty for a term of between 1 and 10 years.

[...]

§ 3. If the consequence of an act specified in § 1 is the death of a human being, the perpetrator shall be subject to the penalty of the deprivation of liberty for a term of between 2 and 12 years.

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

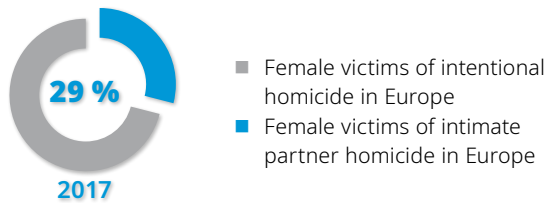
<sup>(2)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(3)</sup> 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](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/_E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf)).

<sup>(4)</sup> 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](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)) and the Polish Penal Code ([https://www.legislationline.org/download/id/7354/file/Poland\\_CC\\_1997\\_en.pdf](https://www.legislationline.org/download/id/7354/file/Poland_CC_1997_en.pdf)).

### 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 <sup>(5)</sup>. UNODC estimates that, in Europe <sup>(6)</sup>, about 29 % of female victims of homicide <sup>(7)</sup> are killed intentionally by an intimate partner.



### Intimate partner femicide in Poland

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 Poland, most femicides would be covered by the articles of the Penal Code identified above. According to data from the Polish police, in 2017 there were 192 female <sup>(8)</sup> victims of homicide <sup>(9)</sup>.

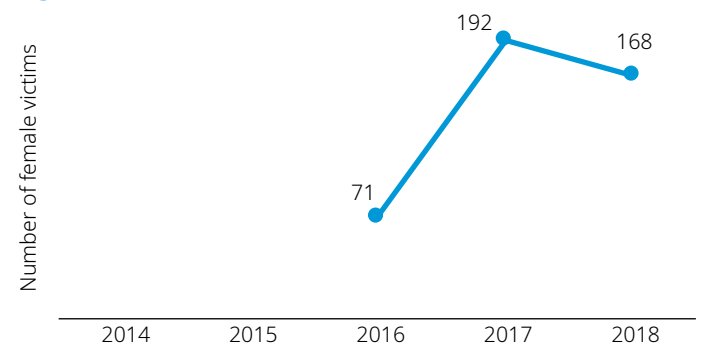
## Female victims of homicide and intimate partner femicide in Poland

The official administrative data used in Figure 1 is collected by the Polish police. EIGE has gathered data on homicide and intimate partner femicide for 2014 to 2018. However, in Poland figures on female victims of homicide are available only for 2016 onwards, and there is no information on intimate partner femicide. Figure 1 includes data regarding female victims of homicide since 2016 and shows an almost threefold increase between 2016 and 2017.

### Type of relationship between the victim and the perpetrator

As part of the Blue Card procedure, the relationship of the perpetrator with a person who is suspected of being affected by domestic violence is established. According to the Penal Code, 'a next of kin is a spouse, an ascendant, descendant, brother or sister, relative by marriage in the same line or degree, the person being an adopted relation, as well as his spouse, and also a person actually living in co-habitation'. Despite this, the relationship between the victim and the perpetrator is not systematically recorded in administrative data collection.

Figure 1: Female victims of homicide in Poland



Source: EIGE's Gender Statistics Database.

## 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 <sup>(10)</sup>. A detailed report regarding the methodology for the collection, reporting and validation of data, along with detailed metadata per country, has been published <sup>(11)</sup>. The data presented in this factsheet refers to indicator 9 on intimate partner violence: 'Women victims of intimate femicide (aged 18 and over) committed by a male intimate partner (aged 18 and over), as a share of the women victims of homicide aged 18 and over'. The data can be accessed through EIGE's Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio\\_int](https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio_int)).

<sup>(5)</sup> UN Office on Drugs and Crime (UNODC) (2019), *Global Study on Homicide – Gender-related killing of women and girls*, UNODC, Vienna.

<sup>(6)</sup> 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.

<sup>(7)</sup> 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.

<sup>(8)</sup> The term 'female' is used instead of 'woman', as it is not always possible to disaggregate data by the victim's age, meaning that the victim could be either a woman or a girl aged under 18 years.

<sup>(9)</sup> The term 'homicide' is used given that the gender-related motivation for the intentional homicides is not recorded, and therefore it is not possible to classify all the killings as femicides.

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

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

## Collecting administrative data on femicide



**What is administrative data?** Administrative data is collected for recording, organising and monitoring purposes <sup>(12)</sup>. 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.

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 <sup>(13)</sup>. 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-related 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 Poland?

### Definition of femicide and availability of data

Definition of femicide used for statistical purposes	No
Collection of data on femicide	Yes, official data

Although there is no specific data collection on femicide in Poland, some variables relevant to the identification of femicide are collected by the Ministry of Justice <sup>(14)</sup>. Where data on femi-

cide in this factsheet is drawn from this institution, this is indicated by <sup>(\*)</sup>. There may be other institutions and researchers who collect and analyse data on femicide in Poland.

	Institution <sup>(*)</sup> Ministry of Justice
Type of data collection	Official
Sources of data	Police, prosecutor's office and courts
Stage at which the homicide is established as a femicide	On the basis of the modus operandi
Regularity of data collection	No information available
Network(s) with which information is shared	Programme of statistical surveys of public statistics – data is transferred to the Central Statistical Office
Availability of data to the public	Data publicly available

Official sources inform administrative data collection in Poland. In line with EIGE's data collection, official administrative data

on the total number of female victims of homicide is displayed for 2016 to 2018 <sup>(\*)</sup>.

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

Data availability	2014	2015	2016 <sup>(*)</sup>	2017 <sup>(*)</sup>	2018 <sup>(*)</sup>	2019
Female victims of homicide	○	○	●	●	●	○
Victims of intimate partner femicide	○	○	○	○	○	○

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

<sup>(13)</sup> 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>).

<sup>(14)</sup> <https://stat.gov.pl/obszary-tematyczne/wymiar-sprawiedliwosci/wymiar-sprawiedliwosci/przestepstwa-przeciwko-zyciu-i-zdrowiu,3,1.html>

Types of femicide	
Intimate partner femicide	<input type="radio"/>
Family-related femicide	<input type="radio"/>
Child femicide	<input type="radio"/>
Prostitution-related femicide	<input type="radio"/>
Robbery-related femicide	<input type="radio"/>
Other types of femicide	<input type="radio"/>

Characteristics of the victim and the perpetrator	Victim	Perpetrator
Age <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Sex <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Gender identity	<input type="radio"/>	<input type="radio"/>
Sexual orientation	<input type="radio"/>	<input type="radio"/>
Nationality <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Education <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Occupation <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Applied for protection order <sup>(a)</sup>	<input checked="" type="radio"/>	n/a
Active protection order <sup>(a)</sup>	n/a	<input checked="" type="radio"/>
Socioeconomic profile <sup>(a)</sup>	<input checked="" type="radio"/>	<input checked="" type="radio"/>
Recidivist status <sup>(a)</sup>	n/a	<input checked="" type="radio"/>
Alcohol/drug abuse	<input type="radio"/>	<input type="radio"/>
Victim–perpetrator relationship	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Motive for femicide		Contextual variables	
Context of sexual violence	<input type="radio"/>	Method of killing <sup>(a)</sup>	<input checked="" type="radio"/>
Prior intimate partner violence	<input type="radio"/>	Location	<input type="radio"/>
Prior complaints or requests for protection measures	<input type="radio"/>	Suicide of the perpetrator	<input type="radio"/>
Recent separation	<input type="radio"/>	Children present	<input type="radio"/>
'Shame or dishonour' brought on the family	<input type="radio"/>	Other killings in connection with the femicide	<input type="radio"/>
Refusal to enter into an arranged marriage	<input type="radio"/>	Other	<input type="radio"/>
Other	<input type="radio"/>	<b>Analysing femicide</b>	
<b>Investigating femicide</b>		Homicide reviews / domestic homicide reviews	<input type="radio"/>
Protocol for investigating femicide cases	<input type="radio"/>	Analysis of court cases <sup>(a)</sup>	<input checked="" type="radio"/>
		Administrative data from police <sup>(a)</sup>	<input checked="" type="radio"/>
		Administrative data on cause of death	<input type="radio"/>
		Media information	<input type="radio"/>
		Other	<input type="radio"/>

NB: n/a, not applicable.

## Investigating femicide

There is a Blue Card procedure based on the Act of 29 July 2005 on prevention of violence within the family. This law is based on the consideration that domestic violence is a violation of fundamental human rights, including the rights to life, health and respect for personal dignity. The law stipulates that public authorities have a duty to ensure equal treatment and respect for the rights and freedoms of all citizens, and to increase the effectiveness of domestic violence prevention measures.

## Analysing femicide

The Council of Ministers submits a report annually to the Parliament of the Republic of Poland on the implementation of

the national programme for counteracting domestic violence. This report contains data on domestic violence, including homicide and female victims of homicide, and prevention measures implemented. The Ministry of Justice is one of the ministries involved in the implementation of the tasks arising from the national programme for counteracting family violence for 2014 to 2020. See the Polish government's website for more information (<https://www.gov.pl/web/rodzina/sprawozdania-z-realizacji-krajowego-programu-przeciwdzialania-przemocy-w-rodzynie>).

'Niebieska Linia' ('Blue Line') is published bimonthly in a journal of the same name devoted to psychological and legal issues related to interpersonal violence. See the journal's web page for more information (<https://www.pismo.niebieskalinia.pl>).

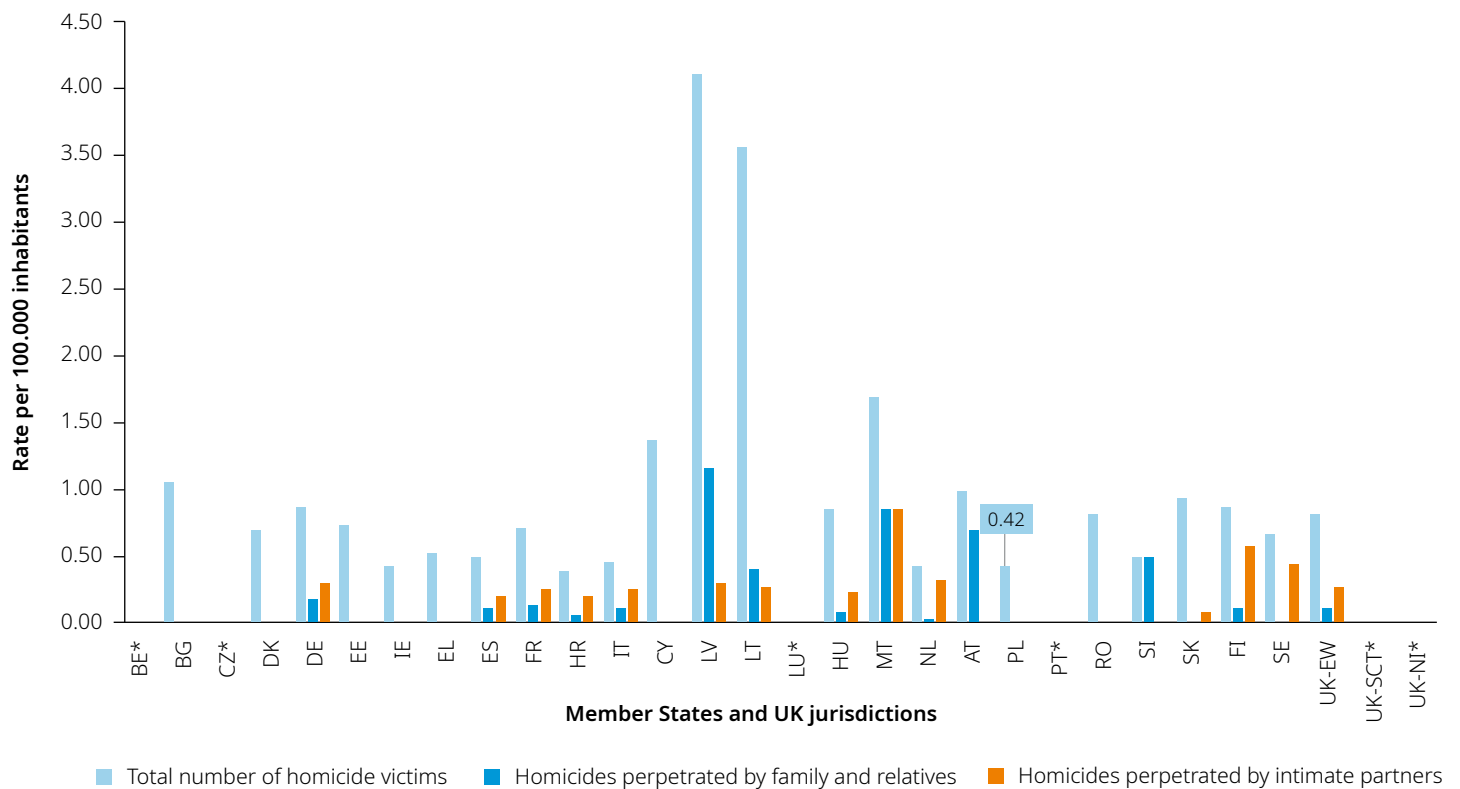
The Women's Rights Centre (a non-governmental organisation) is running a crowdfunding campaign in order to launch a femicide observatory. See the centre's website for more information (<https://cpk.org.pl/stopkobietobojstwu/>).

## Female homicide in EU Member States and the United Kingdom (Eurostat)

At the EU level, based on the ICCS, Eurostat compiles data on intentional female homicides, focusing on intimate partner and family-related homicides, disaggregated by age, gender and relationship with the perpetrator. The data from Eurostat presented in Figure 2 reveals that, in 2018, the rate of female victims of homicide in Poland was 0.42 per 100 000 inhabitants,

the third lowest rate (together with the Netherlands) among the 24 Member States for which information is available and the United Kingdom. There is no information on the rate of homicide perpetrated by family and relatives or by intimate partners in Poland.

Figure 2: Rate of female victims of intentional homicide in EU Member States and the United Kingdom (2018)



(\*) No data available.

NB: UK-EW, England and Wales, United Kingdom; UK-NI, Northern Ireland, United Kingdom; UK-SCT, Scotland, United Kingdom.

Source: Eurostat.

### Data information

Eurostat regularly publishes figures on crime and criminal justice. Intentional homicides are recorded by the police in each of the Member States and the United Kingdom. It is not possible to collect information about the gender-related motivation for homicide, the sex of the perpetrator or the age of the perpetrator using this database. Therefore, it is not possible to provide precise data on femicide.

Figures for 2008 onwards are based on the joint Eurostat-UNODC data collection. In this database, homicide is classified by the ICCS.

Data is available on Eurostat’s website (<https://ec.europa.eu/eurostat/data/database>).

## Key findings

- Poland does not have a legal definition of femicide. However, the perpetrator may be liable for homicide, manslaughter or death resulting from female genital mutilation.
- There is one institution that collects and analyses data on female victims of homicide, but there is no data collection on femicide.
- EIGE has gathered data on homicide and intimate partner femicide for 2014 to 2018; however, data in Poland is available only on female victims of homicide for 2016 onwards. Available data includes information about the characteristics of the victim and the perpetrator, some contextual variables.
- Studies on female victims of homicide are analysed on the basis of official sources, such as data from police and data from court cases.

## 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<sup>(15)</sup>. It is therefore important to:

- develop 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 Poland

To populate EIGE's indicator on femicide (indicator 9) and to improve understanding of intimate partner femicide, it is recommended that the relationship between the victim and the perpetrator be recorded, in order to identify cases of intimate partner femicide<sup>(16)</sup>.

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>.

<sup>(15)</sup> European Institute for Gender Equality (EIGE) (2018), *Recommendations to improve data collection on intimate partner violence by the police and justice sectors – Poland*, 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.

<sup>(16)</sup> Indicator 9 of the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](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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