

# How conceptualizing and understanding femicide frames data collection

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# What is femicide

- ▶ „The killing of females by males because they are females“ (Russell, D. 1976)
- ▶ „the misogynous killing of females by males motivated by hatred, contempt, pleasure or a sense of ownership over women rooted in historically unequal power relations between women and men (Radford and Russell 1992)
- ▶ Femicides can be understood as a form of hate crimes perpetrated against women

# How to differentiate between a homicide and a femicide

- ▶ According to the International Classification of Crime for Statistical Purposes (ICCS) homicide is the ‘unlawful death inflicted upon a person with the intent to cause death or serious injury’

Key elements -homicide:

the act of killing

Intention to cause serious harm to the victim

Unlawfulness of the killing (legal element, perpetrator liable for unlawful death)

# Investigation of a female homicide

- ▶ Steps:
- ▶ Crime scene
- ▶ Notification of a possible homicide (official notification to the police)
- ▶ Suspect taken to custody (if one or several can be identified at the scene)
- ▶ Preliminary investigation at the scene (detectives)
- ▶ Collection of evidence (identity and life history of the deceased)
- ▶ Autopsy

# At which point can it be established if the killing of a woman was a femicide?

## ► Analytical parameters:

1. Relationship between the victim and perpetrator
2. Way in which the killing was committed: any indication of overkill, severe brutality, a frenzied attack?
3. Any traces of sexual violence left on the victim's body?
4. Any traces of bodily harm or mutilation suffered by the victim before or after the killing?

# Latin American Countries adopted specific legislation to criminalize femicide as an offence

- ▶ 17 countries in Latin America adopted specific femicide legislation (as of December 2018): Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru and Uruguay.
- ▶ Laws create legal definitions of femicide, these differ from each other
- ▶ Influences which crimes are considered to be femicides
- ▶ Laws establish certain characteristics of this offence relating to the relationship between victims and perpetrators, the victim, and the amount of harm inflicted on the victim before or after the killing

# A set of common elements identifiable across these definitions:

- ▶ All of the laws cover brutal, violent killings of women...
- ▶ Killing of a woman by a current or former intimate partner
- ▶ Killing of a woman by a family member
- ▶ Killing of a woman in the presence of her children
- ▶ Killing of a woman who was subjected to sexual violence and/or bodily mutilation prior to the killing
- ▶ Killing of a pregnant woman
- ▶ Killing of a woman after a cycle of physical, psychological or sexual abuse inflicted by the perpetrator (irrespective if the abuse was previously reported or not - in some countries)

# In practice laws do not always lead to prevention of femicide or facilitate the prosecution of relevant female homicides as femicides

- ▶ In some circumstances a perpetrator is not easily identifiable
- ▶ There may be cases of disappearances of women with presumption of homicide (no actual body of the victim found)

# Key observations

- ▶ Easier to identify killings of women perpetrated by current or former intimate partners and family members, and categorize these as femicides (relationship between victim and perpetrator).
- ▶ Much more difficult to identify femicides committed by a perpetrator outside the intimate partner/family sphere (or when no perpetrator is identifiable)
- ▶ These challenges and limitations impact on data collection, and the number of femicides recorded every year in a given country

# Conclusion

- ▶ Important to be aware of feasible, practical measures that can be undertaken when conducting data collection on femicide
- ▶ Useful to use clear indicators, that can be easily understood across countries when it comes to recording and categorizing such crimes
- ▶ Legal definitions are not very useful for the purpose of data collection (differences across countries)
- ▶ Useful to stick to indicators that are related to behaviours/crime elements associated with femicide/gender-related killing of women
- ▶ Femicide is a complex phenomenon; better, more comparable data across countries may reveal risk factors, patterns and trends that can guide policy-makers