

Table 5: Member State definition of femicide

| Member State | Definition of femicide | Reference |
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| BE | <p>No definition of femicide identified.</p> <p>Article 392 (Voluntary homicide): 'Are qualified as voluntary homicides and injuries those caused with the intention of attacking a particular person, or one found or met, even though this plan would be dependent on some circumstance or any condition, and even when the author was mistaken in the person who was a victim of the attack.'</p> <p>Article 418 (Involuntary homicide): 'Is guilty of involuntary homicide or injury, the one who caused harm by lack of foresight or precaution, but without the intention of attacking the person.'</p> <p>Article 393 (Murder): 'Homicide committed with the intention to kill is qualified as murder.'</p> <p>Article 405quater (Aggravating circumstance): 'When one of the motives of the crime or offence is hatred, contempt or hostility towards a person on the ground of (...) sex (...) the punishment will be as follows (...)'</p> | Criminal code, Articles 392-393, 405 quater and 418. |
| BG | <p>No definition of femicide identified.</p> <p>Article 115 (Murder/homicide): 'A person who deliberately kills another person.'</p> <p>Article 116 (Different types of homicide/ murder, e.g. of public officials, parents/ children, of a person in a helpless state, in an organised criminal group, with xenophobic/ racial intent).</p> <p>Article 118 (Murder committed in a state of high agitation provoked by the victim of violence by a severe defamation or other illegal activities).</p> <p>Article 119 (Murder committed in exceeding the limits of self-defence).</p> <p>Articles 120 — 121 (Killing of a newborn).</p> <p>Article 122 (Homicide caused through negligence).</p> <p>Article 123 (Through ignorance or negligent performance of vocation or other legally regulated activity).</p> <p>Article 124 (As the result of an intentionally inflicted bodily injury).</p> <p>Articles 125 and 126 (Murder of a fetus).</p> | Criminal code, Articles 115-116, 118-126. |



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| CZ | <p>No definition of femicide identified.</p> <p>Section 140 (Murder): '(1) Whoever intentionally kills another person shall be sentenced to imprisonment for 10 to 18 years. (2) Whoever intentionally kills another person with premeditation and after prior consideration sentenced to imprisonment for 12 to 20 years.' (3) Aggravating circumstances [...].</p> <p>Section 141 (Manslaughter): '(1) Whoever intentionally kills another person in strong derangement caused by fear, shock, confusion or another excusable mental motion or as a result of previous condemnable conduct of the aggrieved person, shall be sentenced to imprisonment for three to 10 years.' (3) Aggravating circumstances [...].</p> <p>Section 142 (Murder of a newborn child by its mother).</p> <p>Section 143 (Killing by negligence): '(1) Whoever causes the death of another person out of negligence, shall be sentenced to imprisonment for up to 3 years or to prohibition of activity [...].'</p> | Criminal code, Sections 140-143. |
| DK | <p>No definition of femicide identified.</p> <p>Section 237 (Manslaughter): 'He who kills another shall be punished for manslaughter with imprisonment from 5 years up to life imprisonment.'</p> | Criminal code, Section 237. |
| DE | <p>No definition of femicide identified.</p> <p>Section 211 (Murder under specific aggravating circumstances): '(1) Whosoever commits murder under the conditions of this provision shall be liable to imprisonment for life. (2) A murderer under this provision is any person who kills a person for pleasure, for sexual gratification, out of greed or otherwise base motives, by stealth or cruelly or by means that pose a danger to the public or in order to facilitate or to cover up another offence.'</p> <p>Section 212 (Murder): '(1) Whosoever kills a person without being a murderer under Section 211 shall be convicted of murder and be liable to imprisonment of not less than 5 years. (2) In especially serious cases the penalty shall be imprisonment for life.'</p> | Criminal code, Sections 211 and 212. |
| EE | <p>No definition of femicide identified.</p> <p>Article 113 (Manslaughter in provoked state): 'Manslaughter, if committed in a state of sudden extreme emotional disturbance caused by violence or insult inflicted on the killer or a person close to him or her by the victim.'</p> <p>Article 114 (Murder): 'Murder is a manslaughter where one of following characteristics occur: committed in a torturous or cruel manner or in a manner which is dangerous to the public; committed by two or more persons and at least twice, committed in connection with robbery or for the purpose of personal gain or in order to conceal another offence or facilitate the commission thereof; by using an explosive device or explosive substance, in retaliation for professional activities.'</p> <p>Article 117 (Negligent homicide): 'Killing another person through negligence.'</p> | Criminal code, Articles 113, 114, 117 and 118. |



2. Definitions of rape, femicide and intimate partner violence for statistical purposes

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| EE | <p>Article 118 (Causing serious health damage): Causing health damage which results in:</p> <ul style="list-style-type: none"> (1) danger to life; (2) a health disorder which persists for at least 4 weeks or which results in permanent loss of capacity for work to the extent of at least 40 per cent of total capacity for work; (3) severe mental disorder; (4) miscarriage; (5) permanent mutilating facial injury; (6) loss or cessation of functioning of an organ; or (7) death; <p>is punishable by 4 to 12 years' imprisonment (entered into force on 1 January 2015).</p> | |
| IE | <p>No definition of femicide identified.</p> <p>The Irish crime classification system has a specific code for homicide (01), including murder (0111); manslaughter (0112); infanticide (0113), no disaggregation by gender.</p> <p>Murder occurs if a person intended to kill, or cause serious injury to, another person who dies as a result.</p> <p>Manslaughter is an unlawful killing that is not murder and currently consists of two categories, voluntary manslaughter and involuntary manslaughter. Voluntary manslaughter deals with what would otherwise be murder but where there is some excusing circumstance (such as provocation) which reduces the offence from murder to manslaughter.</p> <p>Involuntary manslaughter currently comprises two sub-categories. First, manslaughter by an unlawful and dangerous act, where the killing involves an act constituting a criminal offence, carrying with it the risk of bodily harm to the person killed. The second sub-category is gross negligence manslaughter, where the death arises from a negligent act or omission by the accused involving a high risk of substantial personal injury.</p> | O'Malley, Sentencing law and practice, 2nd ed., Dublin, 2006, p. 249. |
| EL | <p>No definition of femicide identified.</p> <p>Femicide is included in the Domestic Violence Law as fatal injury for specific cases, but not recognised as a separate category of crime.</p> <p>Article 299 (Manslaughter): 'Killing of a person by intention.'</p> | Criminal code, Article 299. |
| ES | <p>No definition of femicide identified.</p> <p>Article 138.1 (Homicide): 'Homicide is to kill somebody else.'</p> <p>Article 23 (Aggravated circumstance for homicide): The punishment for homicide is more serious when the victim is the spouse or a person linked to the offender by a relationship equivalent to marriage.</p> <p>Article 177: 'If the abuse described under Article 173.2 (see above) results in killing the persons therein included, the punishment for this offence will accrue to the punishment for homicide.'</p> | Criminal code, Articles 138.1, 177 and 23. |



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| FR | <p>No definition of femicide identified.</p> <p>Article 221-1 (Murder): 'The fact of voluntarily killing another constitutes murder. It is punished by 30 years' imprisonment.'</p> <p>Article 221-4: 'Murder is punished by criminal imprisonment for life where it is committed: (1) against a minor under 15 years of age ...</p> <p>(10) by the spouse or the cohabitant of the victim or by the partner linked to the victim by a civil solidarity pact (PACS)'</p> | Criminal code, Article 221. |
| HR | <p>No definition of femicide identified.</p> <p>Article 110 (Homicide): 'Whoever kills another person shall be punished by imprisonment for not less than 5 years.'</p> <p>Article 111 (Aggravated murder): Punishment by imprisonment for not less 10 years or by long-term imprisonment shall be imposed on a person:</p> <ol style="list-style-type: none">1. whoever kills another person in a cruel or devious way;2. whoever takes the life of a person who is particularly vulnerable because of age, serious physical or mental disorder or pregnancy;3. whoever takes a life of a close person after subjecting him/her to abusive behaviour;4. whoever takes a life of another person because of greed, ruthless revenge, hatred or other base motives;5. whoever takes a life of another person in order to commit or cover up another crime;6. whoever takes life of a public officer in connection with his/her performance of official duties. | Criminal code, Articles 110 and 111. |
| IT | <p>No definition of femicide identified.</p> <p>Article 575 (Homicide): 'Whoever causes the death of a person shall be punished with imprisonment for not less than 21 years.'</p> | Criminal code, Article 575. |
| CY | <p>No definition of femicide identified.</p> <p>Article 203 (1) (Murder with intent): 'Every person who of malice aforethought causes the death of another through an unlawful act or omission is guilty of murder with intent.'</p> <p>Article 205 (1) (Manslaughter): 'Every person who causes the death of another through an illegal act or omission is guilty of manslaughter.'</p> <p>Article 208 (Killing due to provocation): 'When a person who unlawfully kills another under circumstances which, but for the provisions of this section would constitute murder with intent, does the act which causes death in the heat of passion caused by a sudden provocation, in other words an unfair act, insult or irritation of such nature that it deprives a reasonable person of the capacity for self-control and before the passage of time for allowing the passion of such a reasonable person to cool down, such person is guilty only of manslaughter.'</p> | Criminal code, Articles 203(1), 205 (1) and 208. |
| LV | <p>No definition of femicide identified.</p> <p>Article 116 (Intentional unlawful homicide (murder) of another person).</p> <p>Article 123 (Unlawful homicide through negligence).</p> | Criminal code, Articles 116 and 123. |

2. Definitions of rape, femicide and intimate partner violence for statistical purposes

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| LT | <p>No definition of femicide identified.</p> <p>Article 129 (Murder): ‘(1) A person who murders another person.</p> <p>(2) A person who murders:</p> <ul style="list-style-type: none"> (1) a young child; (2) a person in a helpless state; (3) his close relative or family member; (4) a pregnant woman; (5) two or more persons; (6) torturing or in another particularly cruel manner; (7) in a manner endangering other persons’ lives; (8) by reason of disorderly conduct; (9) for mercenary reasons; (10) by reason of performance of official or citizen’s duties by the victim; (11) in order to conceal another crime; (12) in order to acquire the victim’s organ, tissue or cells; (13) in order to express hatred towards a group of persons or a person belonging thereto on grounds of age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions or views; <p>shall be punished by imprisonment for a period of 8 up to 20 years or by life imprisonment.’</p> <p>Article 130 (Murder in a state of passion): ‘A person who murders a person in a state of sudden passion due to the victim’s conduct which is unlawful or particularly offensive in respect of him or a person close to him.’</p> <p>Article 132 (Negligent Homicide): ‘1. A person who commits a homicide through negligence.’</p> | Criminal code, Articles 129, 130 and 132. |
| LU | <p>No definition of femicide identified.</p> <p>Article 392 (Voluntary homicide): ‘Is qualified voluntary, the homicide and injuries caused with the intention to injure a specified person or, the one found or met, even if this plan would be dependent on some circumstances or conditions, and even if the perpetrator has made a mistake and attacked the wronga person.’</p> <p>Article 393 (Murder): ‘The homicide committed with the intention of killing is a murder.’</p> <p>Article 394: ‘Is qualified ‘assassination’, the pre-meditated murder.’</p> | Criminal code, Articles 392-394. |
| HU | <p>No definition of femicide identified.</p> <p>Section 160 (Homicide): ‘Any person who kills another human being is guilty of a felony punishable by imprisonment between 5 to 15 years.’</p> | Criminal code, Section 160. |
| MT | <p>No definition of femicide identified.</p> <p>Article 211 (Homicide): ‘Person commits homicide if, maliciously, with intent to kill another person or to put the life of such other person in manifest jeopardy, he causes the death of such other person. A homicide can also be established where the offender did not intend to cause the death of any particular person, or, by mistake or accident, shall have killed some person other than the person whom he intended to kill.’</p> | Criminal code, Article 211. |



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| NL | <p>No definition of femicide identified.</p> <p>Article 287 (Manslaughter): 'Any person who intentionally takes the life of another person shall be guilty of manslaughter and shall be liable to a term of imprisonment not exceeding 15 years or a fine of the fifth category.'</p> <p>Article 288 (Aggravated manslaughter).</p> | Criminal code, Articles 287 and 288. |
| AT | <p>No definition of femicide identified.</p> <p>Section 75 (Murder): 'Whoever kills another shall be punished with imprisonment from 10 to 20 years or life imprisonment.'</p> <p>Section 76 (Manslaughter): 'Who gets carried away in a generally understandable violent emotion to kill another, shall be punished with imprisonment from 5 to 10 years.'</p> | Criminal code, Sections 75 and 76. |
| PL | <p>No definition of femicide identified.</p> <p>Article 148 (Homicide):</p> <p>'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.</p> <p>2. Whoever kills a human being:</p> <p>(1) with particular cruelty,</p> <p>(2) in connection with hostage taking, rape or robbery,</p> <p>(3) for motives deserving particular reprobation,</p> <p>(4) with the use of firearms or explosives</p> <p>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.</p> <p>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 item 2.</p> <p>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.'</p> | Criminal code, Article 148. |
| PT | <p>No definition of femicide identified.</p> <p>Article 131 (Murder):</p> <p>'Whoever kills another person shall be punished with imprisonment for 8 to 16 years.'</p> <p>Article 132 (Qualified murder):</p> <p>'1. If the death occurs in circumstances which show special reprehensibility or perversity, the offender shall be punished with imprisonment of 12 to 25 years.</p> <p>2. Are likely to reveal special reprehensibility or perversity (...), among others, the fact that the offender: (...) (f) Is determined by (...) sex (...) or the victim's gender identity.</p> | Criminal code, Articles 131, 132. |

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| RO | <p>No definition of femicide identified.</p> <p>Article 188 (Murder): '(1) The act of taking a person's life is punished with 10 to 20 years imprisonment and the banning of certain rights. (2) Attempted murder is punishable crime.'</p> <p>Article 189 (Aggravated murder).</p> | Criminal code, Articles 188 and 189. |
| SI | <p>No definition of femicide identified.</p> <p>Article 115 (Manslaughter): '(1) Whoever takes the life of another human being shall be sentenced to imprisonment between 5 and 15 years. (2) If two or more persons, who joined in order to commit manslaughter, commit the offence under the preceding paragraph, the perpetrator shall be sentenced to imprisonment between 10 and 15 years.'</p> <p>Article 116 (Murder): 'Whoever murders another human being by taking his life: (1) in a cruel or perfidious manner; (2) due to taking action in official acts to protect public security, or in a pre-trial criminal procedure, or due to decisions of state prosecutors, or due to the proceeding and decisions of judges, or due to criminal complaint, or testimony in a court proceeding; (3) because of violation of equality; (4) out of desire to murder, out of greed, in order to commit or to conceal another criminal offence, out of unscrupulous vengeance, or from other base motives; (5) with the act committed within a criminal organisation to commit such offences; shall be sentenced to imprisonment for not less than 15 years.'</p> | Criminal code, Articles 115 and 116. |
| SK | <p>No definition of femicide identified.</p> <p>Section 144 (First degree murder): (1) Any person who intentionally kills another person with premeditation shall be liable to a term of imprisonment of 20 to 25 years. (2) The offender shall be liable to a term of imprisonment of 25 years or to a life imprisonment sentence if he commits the offence referred to in paragraph 1: (a) and he was already convicted for murder, (b) against two persons, (c) acting in a more serious manner, (d) against a protected person, (e) by reason of specific motivation, or (f) with the intention to obtain tangible profit. (3) The offender shall be liable to life imprisonment if he commits the offence referred to in paragraph 1: (a) and he was already convicted for such offence, (b) in a dangerous grouping, or (c) under a crisis situation.</p> | Criminal code, Sections 144-149. |





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| SK | <p>Section 145 (Second degree murder)</p> <p>(1) Any person who intentionally kills another person shall be liable to a term of imprisonment of 15 to 20 years.</p> <p>(2) The offender shall be liable to a term of imprisonment of 25 years or to life imprisonment sentence if he commits the offence referred to in paragraph 1:</p> <ul style="list-style-type: none">(a) against two persons,(b) acting in a more serious manner,(c) against a protected person,(d) by reason of specific motivation, or(e) with the intention to obtain tangible profit. <p>(3) The offender shall be liable to a term of imprisonment or to life imprisonment if he commits the offence referred to in paragraph 1:</p> <ul style="list-style-type: none">(a) and he was already convicted for such offence or for the first degree murder,(b) in a dangerous grouping, or(c) under a crisis situation. <p>Section 146 (Infanticide).</p> <p>Section 147 and 148 (Killing).</p> <p>Section 149 (Homicide): (1) Any person who causes death to another person by negligence shall be liable to a term of imprisonment of up to 3 years [...].</p> | |
| FI | <p>No definition of femicide identified.</p> <p>Section 1 (Manslaughter):</p> <p>‘(1) A person who kills another shall be sentenced for manslaughter to imprisonment [...] An attempt is punishable.’</p> <p>Section 2 (Murder):</p> <p>(1) If the manslaughter is:</p> <ul style="list-style-type: none">(1) premeditated,(2) committed in a particularly brutal or cruel manner,(3) committed by causing serious danger to the public, or(4) committed by killing a public official on duty maintaining public order or public security, or because of an official action, <p>and the offence is aggravated also when assessed as a whole, the offender shall be sentenced for murder to life imprisonment.</p> <p>(2) An attempt is punishable.’</p> <p>Section 3 (Killing):</p> <p>‘(1) If the manslaughter, in view of the exceptional circumstances of the offence, the motives of the offender or other related circumstances, when assessed as a whole, is to be deemed committed under mitigating circumstances, the offender shall be sentenced for killing to imprisonment for at least 4 and at most 10 years.’</p> | Criminal code, Sections 1-4, 8 and 9. |



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| FI | <p>Section 4 (Infanticide): '(1) A woman who in a state of exhaustion or distress caused by childbirth kills her baby shall be sentenced for infanticide to imprisonment for at least 4 months and at most 4 years. (2) An attempt is punishable.'</p> <p>Section 8 (Negligent homicide): 'A person who through negligence causes the death of another shall be sentenced for negligent homicide to a fine or to imprisonment for at most 2 years.'</p> <p>Section 9 (Grossly negligent homicide): 'If in the negligent homicide the death of another is caused through gross negligence, and the offence is aggravated also when assessed as a whole, the offender shall be sentenced for grossly negligent homicide to imprisonment for at least 4 months and at most 6 years.'</p> | |
| SE | <p>No definition of femicide identified.</p> <p>Chapter 3: Section 1 (Murder): 'A person who takes the life of another shall be sentenced for murder to imprisonment for 10 and at the most 18 years, or, in aggravating circumstances, for a lifetime.'</p> <p>Section 2 (Manslaughter): 'If, in view of the circumstances that led to the act of for other reasons, the crime referred to in Section 1 is considered to be less serious, imprisonment for manslaughter shall be imposed for at least six and at most 10 years.'</p> | Criminal code, Chapter 3: Section 1 and 2. |
| UK | <p>No definition of femicide identified.</p> <p>'Homicide' covers the offences of murder, manslaughter (including corporate manslaughter) and infanticide. Murder and manslaughter are common law offences that have never been defined by statute, although they have been modified by statute.</p> <p>In police records, the manslaughter category includes the offence of corporate manslaughter which was created by the Corporate manslaughter and corporate homicide act 2007, which came into force on 6 April 2008. The offence of infanticide was created by the Infanticide Act 1922 and refined by the Infanticide Act 1938 (Section 1).</p> | Common law offences. |