

# Measuring femicide in Spain

## 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.

## 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.

## Femicide in Spain

There is no definition of femicide in the Spanish Penal Code. However, this type of offence may fall under other provisions of Spanish criminal law. The relevant articles for identifying femicide cases are, inter alia, Articles 138.1, 139, 140.1, 22 and 23 <sup>(4)</sup>.

### Article 138.1

Whoever kills another will be punished, guilty of homicide, with a prison sentence of 10–15 years.

### Article 139

Whosoever kills another person with malice, for a price, reward or promise, with cruelty, or to facilitate the commission of another crime or to prevent it from being discovered will be punished by imprisonment of 15–25 years.

### Article 140.1

Murder will be punished with a permanent reviewable prison sentence when any of the following circumstances occur:

1. The victim is under 16 years old or is a particularly vulnerable person because of their age, illness or disability.
2. The act was subsequent to a crime against sexual freedom that the perpetrator had committed on the victim.

### Article 22

Among aggravating circumstances are committing a crime motivated by racism, discrimination, the victim's sex, orientation or sexual identity, and gender reasons.

### Article 23

The following circumstances can aggravate penal responsibility: being or having been an injured spouse or person who maintains or maintained a stable relationship ... or being a close relative of first degree kinship (parent, child or brother/sister) by nature or adoption of the offender or their spouse or partner.

## 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>(5)</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>(6)</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>(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)).

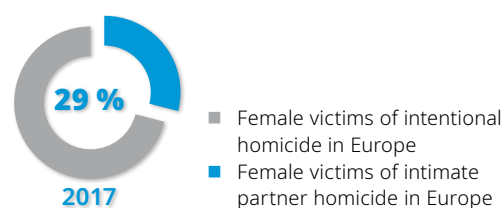
<sup>(4)</sup> For more information, see indicator 9 of the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)) and the Spanish Penal Code (in Spanish) (<https://www.boe.es/buscar/pdf/1995/BOE-A-1995-25444-consolidado.pdf>).

<sup>(5)</sup> European Institute for Gender Equality (EIGE) (2017), *Terminology and Indicators for Data Collection: Rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(6)</sup> European Institute for Gender Equality (EIGE) (2020), *Intimate Partner Violence: Data collection methodology*, EIGE, Vilnius.

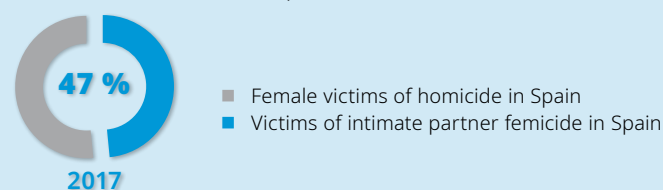
### Intimate partner femicide in Europe

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 (7). UNODC estimates that, in Europe (8), about 29 % of female victims of homicide (9) are killed intentionally by an intimate partner.



### Intimate partner femicide in Spain

From a statistical perspective, the working definition that the European Institute for Gender Equality (EIGE) uses for femicide is the '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 Spain, most femicides would be covered by the articles of the Penal Code identified above. According to data from the Ministry of the Interior, in 2017 there were 106 female (10) victims of homicide (11), of whom 47 % were victims of intimate partner femicide ( $n = 50$ ) (12).



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

The official administrative data used in Figure 1 is collected by the Ministry of the Interior. EIGE has gathered data on homicide and intimate partner femicide for 2014 to 2018.

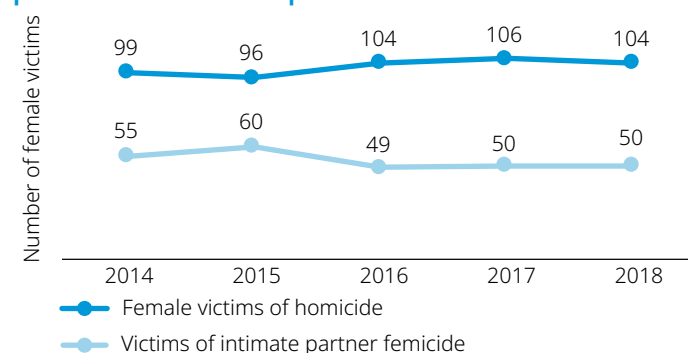
Figure 1 includes data regarding female victims of homicide and intimate partner femicide. In 2015, although the number of female victims of homicide fell, the number of victims of intimate partner femicide increased. However, in 2016 intimate partner femicides dropped again, whereas the opposite occurred for the total number of female homicides. Both figures then remained fairly stable until 2018.

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

The Ministry of the Interior collects data on the type of relationship between the victim and the perpetrator according to the categories set out in Article 173.2 of the Spanish Penal Code: 'person who is or has been the spouse or the person who is or has been bound to the perpetrator by a similar emotional relation, even without cohabitation, or against descendants, ascendants or biological, adopted or fostered siblings of the spouse or cohabitating partner, or against minors or persons with disabilities requiring special protection who live with the perpetrator or who are subject to the parental rights, guardianship, care, fostership or safekeeping of the spouse or cohabit-

ing partner, or against a person protected by any other relation by which that person is a member of the core family unit, as well as against persons who, due to their special vulnerability, are subject to custody or safekeeping in public or private centres'.

Figure 1: Female victims of homicide and intimate partner femicide in Spain



Source: EIGE's Gender Statistics Database.

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

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(12) Data is available at: [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)

## Collecting administrative data on femicide



**What is administrative data?** Administrative data is collected for recording, organising and monitoring purposes<sup>(13)</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>(14)</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 adminis-

trative 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 Spain?

Definition of femicide and availability of data		
Definition of femicide used for statistical purposes	Yes (*)	
Collection of data on femicide	Yes, official data	Yes, non-official data

(\*) For statistical purposes, official sources considered femicide when a male perpetrator maintained or had maintained an intimate relationship with the victim, regardless of cohabitation. Organic Law 1/2004 of 28 December<sup>(15)</sup> on integrated protection measures against gender violence defines gender violence (Article 1) as all situations in which a woman is subject to a relationship of dominance and control by the man with whom she maintains or has maintained an intimate relationship. In 2021 the Government Office against Gender-based Violence plans to collect data on women killed by unrelated perpetrators due to gender motives.

Official data regarding femicide in Spain is collected and analysed by the Government Office against Gender-based Violence<sup>(16)</sup>, the State Public Prosecutor's Office<sup>(17)</sup>, the General Council of the Judiciary<sup>(18)</sup>, the Ministry of the Interior, through the comprehensive monitoring system of gender-based violence cases (VioGén System)<sup>(19)</sup>, the National Statistics Institute<sup>(20)</sup> and the Institute of Women and for Equal Opportunities, Ministry of Equality<sup>(21)</sup>. In addition, non-governmental

organisations including Femicidio.net<sup>(22)</sup> collect non-official data from various sources. Where data on femicide in this fact-sheet is drawn from these sources, this is indicated by (a), (b), (c), (d), (e), (f) and (g), respectively. There may be other institutions or researchers who collect and analyse data on femicide in Spain, mainly non-governmental organisations and media outlets<sup>(23)</sup>.

<sup>(13)</sup> UN Women (2020), *A synthesis of evidence on the collection and use of administrative data on violence against women*, UN Women, New York, 2020.

<sup>(14)</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>(15)</sup> <https://www.boe.es/boe/dias/2004/12/29/pdfs/A42166-42197.pdf>

<sup>(16)</sup> <http://estadisticasviolenciagenero.igualdad.mpr.gob.es/>

<sup>(17)</sup> [https://www.fiscal.es/memorias/memoria2019/FISCALIA\\_SITE/index.html](https://www.fiscal.es/memorias/memoria2019/FISCALIA_SITE/index.html)

<sup>(18)</sup> <https://www.poderjudicial.es/cgpj/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Informes-de-violencia-domestica-y-de-genero/>

<sup>(19)</sup> <http://www.interior.gob.es/ca/web/servicios-al-ciudadano/violencia-contra-la-mujer/sistema-viogen>

<sup>(20)</sup> <https://www.ine.es/up/FCRIhuOL>

<sup>(21)</sup> <https://www.inmujer.gob.es/MujerCifras/Violencia/VictimasMortalesVG.htm>

<sup>(22)</sup> See the website of Femicidio.net for its annual reports (<https://femicidio.net/femicidios-y-otros-asesinatos-de-mujeres-cometidos-en-2020/>).

<sup>(23)</sup> For example, non-governmental organisations – (i) Federación de Asociaciones de Mujeres Separadas y Divorciadas (<https://www.separadasydivorciadas.org/2020-mujeres-parejas/>), (ii) Ibasque (<https://ibasque.com/mujeres-muertas-en-espana-por-violencia-machista/>) and (iii) 65ymas, this NGO gathers data on murdered women with a focus on older women. Women over 60 years old account for 27% of the total number of women murdered in 2020 ([https://www.65ymas.com/sociedad/mujeres-mayores-60-anos-asesinadas-por-violencia-genero-2020\\_21577\\_102.html](https://www.65ymas.com/sociedad/mujeres-mayores-60-anos-asesinadas-por-violencia-genero-2020_21577_102.html)); and the media – (i) *El País* (<https://elpais.com/sociedad/2020-03-27/cronologia-de-victimas-mortales-de-violencia-de-genero-de-2020.html#:~:text=Cuarenta%20y%20tres%20mujeres%20han,se%20empezaron%20a%20contabilizar%20oficialmente.>) and (ii) *20 minutos* (<https://www.20minutos.es/noticia/4134452/0/enero-termina-con-siete-asesinadas-por-violencia-de-genero-y-ninguna-habia-denunciado-previamente-su-maltrato/?autoref=true>).

	Institution <sup>(a)</sup> Government Office against Gender-based Violence	Institution <sup>(b)</sup> State Public Prosecutor's Office	Institution <sup>(c)</sup> General Council of the Judiciary	Institution <sup>(d)</sup> Ministry of the Interior	Institution <sup>(e)</sup> National Statistics Institute	Institution <sup>(f)</sup> Institute of Women and for Equal Opportunities	Institution <sup>(g)</sup> Feminicidio.net
Type of data collection	Official	Official	Official	Official	Official	Official	Non-official
Sources of data	Government Office against Gender-based Violence	Criminal proceedings	Observatory against Domestic and Gender-based Violence – judicial reports / criminal proceedings	Police reports	For 1999 to 2005, Ministry of the Interior and press reports; for 2006 onwards, Government Office against Gender-based Violence	Government Office against Gender-based Violence	Official data sources; media reports; information provided by independent women's associations
Stage at which the homicide is established as a femicide	During the initial data collection	During the (criminal or court) investigation	During the (criminal or court) investigation	During the police investigation	During the initial data collection	Not established	During the data analysis
Stage at which the homicide is registered as a femicide	During the initial data collection	During the (criminal or court) investigation	During the (criminal or court) investigation	During the initial data collection	During the initial data collection	Not registered	During the data analysis
Parameters for establishing the killing as a femicide	Male perpetrator and previous/current victim-perpetrator intimate relationship (regardless of cohabitation)	Male perpetrator and previous/current victim-perpetrator intimate relationship (regardless of cohabitation)	Male perpetrator and previous/current victim-perpetrator intimate relationship (regardless of cohabitation) and family members or relatives.	Male perpetrator and previous/current victim-perpetrator relationship (regardless of cohabitation)	Male perpetrator and previous/current victim-perpetrator intimate relationship (regardless of cohabitation)	Male perpetrator and previous/current victim-perpetrator intimate relationship (regardless of cohabitation)	Gender-motivated murder of women
Regularity of data collection	Continuous	Annual	Annual	Information not available	Annual	Annual	Continuous
Network(s) with which information is shared	General Council of the Judiciary, State Public Prosecutor's Office, Ministry of the Interior and statistics authorities	Information not available	Government Office against Gender-based Violence, Ministry of the Interior and State Public Prosecutor's Office	Information not available	Information not available	Information not available	Public institutions, non-governmental organisations and women's associations
Availability of data to the public	Available in the statistical portal	Available through annual reports	Available through annual reports	Data not publicly available	Data publicly available	Data publicly available	Data publicly available

Official and non-official sources inform administrative data collection in Spain. In line with EIGE's data collection, official administrative data on the total number of female victims of homicide and intimate partner femicide is displayed for 2014 to 2019. However, data may be available in Spain for other years. Data from the statistical portal of the Government Office

against Gender-based Violence shows that, in 2019 and 2020, 55 and 46 intimate partner femicides were registered, respectively, and 3 children each year were killed in the context of intimate partner violence against their mothers <sup>(24)</sup>. According to the same Office, the data collection started in 2003, since then 1117 women have been killed by their intimate partners.

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

Data availability	2014 <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup> <sup>(e)</sup> <sup>(f)</sup> <sup>(g)</sup>	2015 <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup> <sup>(e)</sup> <sup>(f)</sup> <sup>(g)</sup>	2016 <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup> <sup>(e)</sup> <sup>(f)</sup> <sup>(g)</sup>	2017 <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup> <sup>(e)</sup> <sup>(f)</sup> <sup>(g)</sup>	2018 <sup>(a)</sup> <sup>(c)</sup> <sup>(d)</sup> <sup>(f)</sup> <sup>(g)</sup>	2019 <sup>(a)</sup> <sup>(f)</sup> <sup>(g)</sup>
Female victims of homicide	●	●	●	●	●	●
Victims of intimate partner femicide	●	●	●	●	●	●

<sup>(24)</sup> <https://violenciagenero.igualdad.gob.es/violenciaEnCifras/victimiasMortales/home.htm>

Official and non-official sources collect data on intimate partner femicide, but also on several other types of femicide, as listed below. In 2020, Femicidio.net identified 26 family-related femicides, 2 non-intimate femicides, 1 prostitution-related femicide and 2 child femicides in Spain (25). Some institutions provide regular reports with an analysis of data collection (c) (e) (f) (g). For example, the National Statistics Institute produced a report in 2018 entitled *Women and Men in Spain* that

includes a section on the death of victims of gender-based violence (26). The General Council of the Judiciary produces annual reports (27) on judicial decisions on murder and manslaughter due to gender-based and domestic violence, on killings due to domestic violence, on killings due to gender-based violence in the context of an intimate partner and on killings of children in the context of intimate partner violence.

Types of femicide	
Intimate partner femicide (a) (b) (c) (d) (e) (f) (g)	●
Family-related femicide (g)	●
Child femicide (c) (g)	●
Prostitution-related femicide (g)	●
Robbery-related femicide (g)	●
Other types of femicide (g)	●
Femicide related to transphobia, lesbophobia, female genital mutilation, international crimes, trafficking, racism and abortion ( <i>mala praxis</i> ); non-intimate femicide (g)	

Characteristics of the victim and the perpetrator	Victim		Perpetrator		Motive for femicide	
Age (a) (c) (e) (f) (g)	●		●		Context of sexual violence	○
Sex (a) (c) (d) (e) (f) (g)	●		●		Prior intimate partner violence (a) (b) (c) (d) (g)	●
Gender identity (g)	●		●		Prior harassment and/or stalking by the perpetrator	○
Sexual orientation (g)	●		●		Prior genital mutilation (g)	●
Nationality (a) (b) (c) (f) (g)	●		●		Prior complaints or requests for protection measures (a) (b) (c) (e) (f) (g)	●
Education	○		○		Recent separation (c) (g)	●
Occupation (g)	●		●		'Shame or dishonour' brought on the family	○
Applied for protection order (a) (b) (e) (f) (g)	●		n/a		Dowry-related problems	○
Active protection order (a) (b) (f) (g)	n/a		●		Refusal to enter into an arranged marriage	○
Socioeconomic profile (g)	●		○		Political role / feminism / activism of the woman who was killed	○
Recidivist status (b) (g)	n/a		●		Context of prostitution/pornography (c) (g)	●
Alcohol/drug abuse	○		○		Human trafficking context (g)	●
Victim-perpetrator relationship (a) (b) (c) (d) (e) (f) (g)	●		●		Targeted killing of a woman in an armed conflict	○
Other (a) (c) (f)	●		●		Sexual orientation and gender identity (g)	●
Cohabitation (e) (f) (g); orphaned minor children (e) (f)					Disfigurement/mutilation of the body (b) (c)	●
					Other (g)	●
					Discussion; rejection; robbery; psychological/psychiatric illness (g)	●

NB: n/a, not applicable.

(25) <https://femicidio.net/femicidios-y-otros-asesinatos-de-mujeres-cometidos-en-2020/>

(26) Instituto Nacional de Estadística (INE) (2020), *Mujeres y Hombres en España*, INE, Madrid ([https://www.ine.es/ss/Satellite?L=es\\_ES&c=INEPublicacion\\_C&cid=1259924822888&p=1254735110672&pagename=ProductosYServicios/PYSLayout&param1=PYSDetalleGratis&param4=Ocular](https://www.ine.es/ss/Satellite?L=es_ES&c=INEPublicacion_C&cid=1259924822888&p=1254735110672&pagename=ProductosYServicios/PYSLayout&param1=PYSDetalleGratis&param4=Ocular)).

(27) See the General Council of the Judiciary's website for the full reports (<https://www.poderjudicial.es/cgpj/en/Subjects/Domestic-and-gender-violence/Activity-of-the-Observatory/Reports-of-domestic-and-gender-violence/>).

Contextual variables		Investigating femicide	
Method of killings <sup>(b)</sup> <sup>(c)</sup> <sup>(9)</sup>	●	Protocol for investigating femicide cases	○
Location <sup>(b)</sup> <sup>(c)</sup> <sup>(e)</sup> <sup>(9)</sup>	●	<b>Analysing femicide</b>	
Suicide of the perpetrator <sup>(a)</sup> <sup>(c)</sup> <sup>(f)</sup> <sup>(9)</sup>	●	Homicide reviews / domestic homicide reviews <sup>(d)</sup> <sup>(e)</sup>	●
Killing of children <sup>(e)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(9)</sup>	●	Analysis of court cases <sup>(b)</sup> <sup>(c)</sup>	●
Killing of other persons of the family <sup>(c)</sup> <sup>(9)</sup>	●	Administrative data from police <sup>(a)</sup> <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup>	●
Children present <sup>(c)</sup>	●	Administrative data on cause of death	○
Other killings in connection with the femicide <sup>(c)</sup> <sup>(9)</sup>	●	Media information <sup>(9)</sup>	●
Other <sup>(b)</sup> <sup>(c)</sup> <sup>(d)</sup>		Other	○
Arrest; voluntary surrender or escape of the perpetrator <sup>(d)</sup> ; orphaned children; body missing <sup>(b)</sup> ; risk assessment <sup>(e)</sup> <sup>(c)</sup>	●		

NB: n/a, not applicable.

## Analysing femicide

Several institutions have been analysing administrative data on femicide in Spain. The Government Office against Gender-based Violence is the most comprehensive available data source <sup>(28)</sup> on intimate partner femicide and killings of children in the context of intimate partner violence. The Ministry of the Interior conducts domestic homicide reviews, and the General Council of the Judiciary, through the Observatory against Domestic and Gender-based Violence, publishes annual reports that include a thorough analysis of femicides and their collateral victims.

Each year, the observatory analyses and produces a report on the judgments on gender-related murder and homicide cases made during the previous year. The report contains an exhaustive statistical analysis of the judgments, together with a detailed legal analysis carried out by specialists. It also includes sections dedicated to the forensic analysis of cases, carried out by a specialist in legal medicine. In recent years, the report has aimed to cover judgments related to the new forms of gen-

der-based violence set out in the Istanbul Convention. It is published annually and sheds light on relevant criminal proceedings.

In 2018, the observatory analysed 35 judicial decisions on intimate partner femicide. The analysis indicated that 31 men were convicted of murder, 3 were convicted of homicide and 1 was convicted of negligent homicide. Only in 8 % of the cases was alcohol abuse considered a mitigating circumstance. This finding demonstrates that, according to the judiciary, alcohol abuse cannot be considered a justification for femicide. In 2020, the observatory published a study <sup>(29)</sup> on the first 1 000 cases of death due to gender-based violence in Spain, 26 % of them (261) had previously filled a complaint against the perpetrator and 124 (12,4 %) had a protection order in force. The study analyses the evolution of the phenomenon over time, using a large statistical sample. The report also contains an annex of 1 000 case files, as a tribute to all the victims.

All the annual reports are accessible through the website of the General Council of the Judiciary <sup>(30)</sup> under its transparency policy.

<sup>(28)</sup> <https://violenciagenero.igualdad.gob.es/en/violenciaEnCifras/victimasMortales/home.htm>

<sup>(29)</sup> Observatory against Domestic and Gender-based Violence (2020), *Informe sobre los 1 000 primeros casos de víctimas mortales por violencia de género en el ámbito de la pareja o ex pareja*, General Council of the Judiciary, Madrid (<https://www.poderjudicial.es/cgpj/en/Subjects/Domestic-and-gender-violence/Activity-of-the-Observatory/Reports-of-domestic-and-gender-violence/Informe-sobre-los-1000-primeros-casos-de-victimas-mortales-por-violencia-de-genero-en-el-ambito-de-la-pareja-o-ex-pareja--Mayo-2020->).

<sup>(30)</sup> <http://www.poderjudicial.es/cgpj/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Informes-de-violencia-domestica-y-de-genero/>

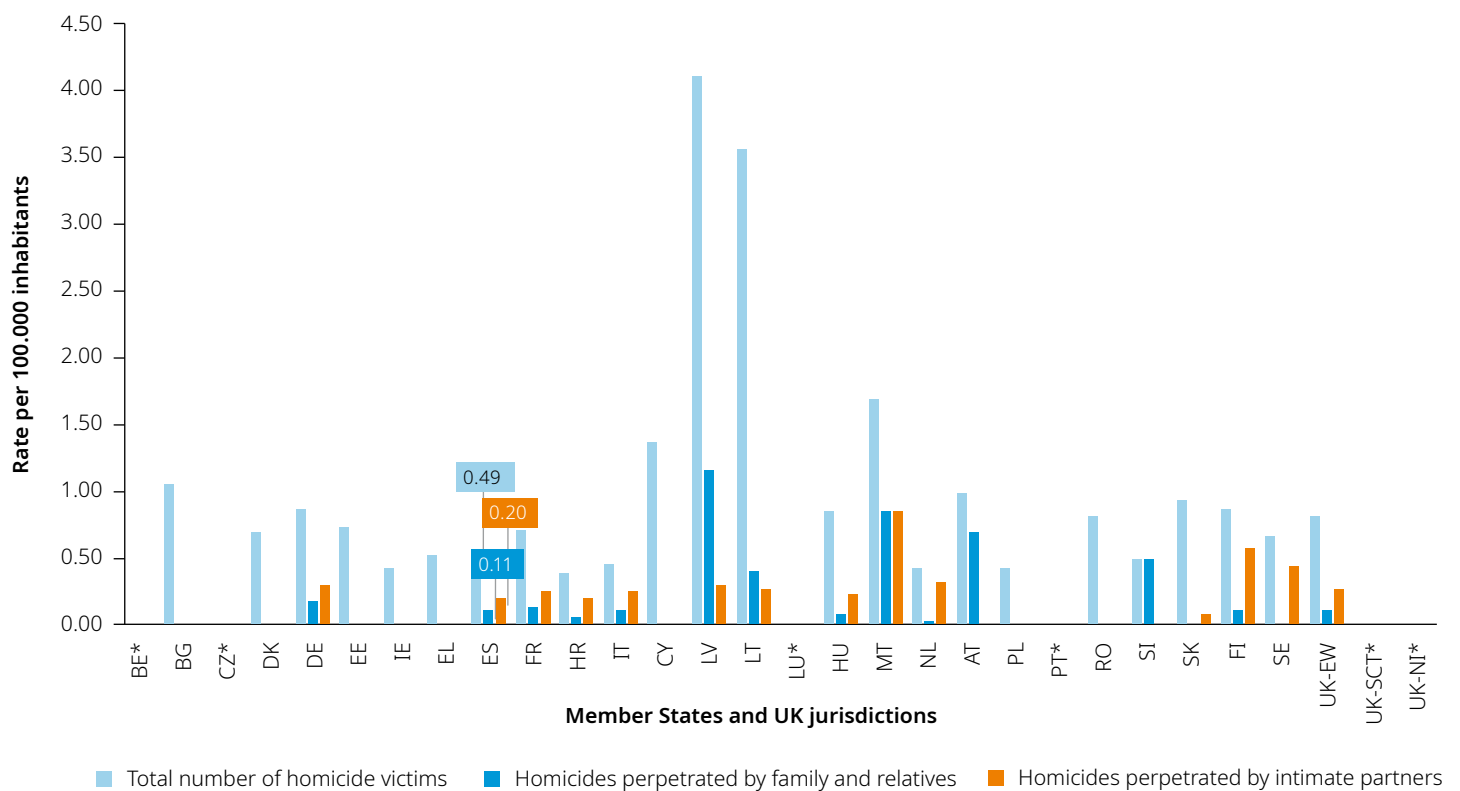


## Female homicide in EU Member States and the United Kingdom (Eurostat)

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 Spain was 0.49 per 100 000 inhabitants, the

seventh lowest rate among the 24 Member States for which information is available and the United Kingdom. Spain has the fourth lowest rate (0.11) of female victims of homicide perpetrated by family and relatives (out of 14 jurisdictions) and the fourth lowest rate (0.20) of female victims of intentional homicide perpetrated by intimate partners (out of 15 jurisdictions).

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

- Spain does not have a legal definition of femicide. However, the perpetrator may be liable for homicide or murder, including under aggravating circumstances, such as 'gender reasons' <sup>(31)</sup>.
- Six institutions collect and analyse official data for the identification of femicide. Data on intimate partner femicide and other types of femicide is available. Non-official data is also gathered by non-governmental organisations and the media.
- EIGE has gathered data on homicide and intimate partner femicide for 2014 to 2018; however, data may be available in Spain for other years. Available data includes information about the characteristics of the victim and the perpetrator, contextual variables, and motive.
- Femicide is analysed on the basis of official and non-official sources, such as data from court cases, domestic homicide reviews and media information.
- In 2002, the Observatory against Domestic and Gender-based Violence was established in Spain under the auspices of the General Council of the Judiciary as a result of a partnership between several official institutions. The observatory has been analysing and publishing annual reports on femicide cases since that date.
- Data on children killed in the context of intimate partner violence and femicide is also a priority in the analyses carried out by the official institutions <sup>(32)</sup>.
- In addition to carrying out regular data collection, the Observatory against Domestic and Gender-based Violence produces reports analysing judicial decisions in cases of gender-related killings, the context and circumstances of the deaths, and collateral victims.

## 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>(33)</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.

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>(31)</sup> The ruling handed down by the Supreme Court (STS 565/2018 of 19 November 2018) confirms that the aggravating circumstance of 'gender' must be applied when a crime is committed against a female victim because of her gender with a clear intention of reinforcing males' superiority.

<sup>(32)</sup> <https://violenciagenero.igualdad.gob.es/violenciaEnCifras/victimasmortales/home.htm>

<sup>(33)</sup> European Institute for Gender Equality (EIGE) (2018), *Recommendations to improve data collection on intimate partner violence by the police and justice sectors – Spain*, 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.

### 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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European Institute for Gender Equality  
Gedimino pr. 16  
LT-01103 Vilnius  
Lithuania

### Contact details

<http://eige.europa.eu/>   
[facebook.com/eige.europa.eu](https://facebook.com/eige.europa.eu)   
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<https://www.linkedin.com/company/eige>   
[eige.sec@eige.europa.eu](mailto:eige.sec@eige.europa.eu)   
+370 52157444   
<https://eurogender.eige.europa.eu/> 



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