

"Your Body Belongs to You". Mika Baumeister on Unsplash, 2020



The Shadow Pandemic Femicide in Europe *-March 2022-*



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INTRODUCTION

Alongside the COVID-19 pandemic, another serious and very much preventable pandemic has grown exponentially. This pandemic is known as femicide. Femicide can be defined as “the murder of women because they are women, but broader definitions include any killings of women or girls” (Pan-American Health Organisation, 2012). Femicide is usually perpetrated by men, but sometimes female family members may be involved. Femicide differs from “male homicide” in specific ways. For example, most cases of femicide are “committed by partners or ex-partners, and involve ongoing abuse in the home, threats or intimidation, sexual violence or situations where women have less power or fewer resources than their partner” (Pan-American Health Organisation, 2012). The concept of femicide was first introduced by Diana Russell. In 1976, at the first International Tribunal on Crimes against Women, she stated: “I chose the new term femicide to refer to the killing of females by males because they are female” (Russell, 2011). This definition was significant because Russell added critical political meaning to it and placed it within the broader framework of feminist politics. It highlighted the gendered nature of forms of violence against women and focuses on the man's desire for power, dominance and control (Radford, 1992).

There are various global institutions mechanisms that protect women from violence and advance their rights in society. These include international bodies such as UN Women (which allows individuals and the Commission on the Status of Women. This also includes frameworks such as the Beijing Platform for Action which encourages states to adopt laws that increase gender equality and empower women. Additionally, the mandates of the UN Special Rapporteur on Violence against Women have been established as special mechanism procedures by the UN Human Rights Council. There is also the UN Convention on the Elimination of All Forms of Discrimination Against Women which prompted the establishment of the Committee on the Elimination of All Forms of Discrimination Against Women. However, for this report on femicide in Europe, the main mechanism that has the potential to address the serious issue of femicide and violence against women is provided in the Council of Europe Convention on preventing and combating violence against women and domestic violence, known as 'the Istanbul Convention'. The landmark treaty set the path for creating a legal framework at a pan-European level to protect women against all forms of violence and prevent, prosecute and eliminate violence against women and domestic violence. The Convention also established a specific monitoring

mechanism to ensure the Parties' effective implementation of its provisions (Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, 2014). The purpose of the Istanbul Agreement was to “protect women against all forms of violence, and prevent, prosecute and eliminate violence against women and domestic violence; to contribute to the elimination of all forms of discrimination against women and promote substantive equality between women and men, including by empowering women; to design a comprehensive framework, policies and measures for the protection of and assistance to all victims of violence against women and domestic violence; to promote international co-operation with a view to eliminating violence against women and domestic violence; and provide support and assistance to organisations and law enforcement agencies to effectively co-operate in order to adopt an integrated approach to eliminating violence against women and domestic violence.” (The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, 2014). While the Treaty was a landmark move in the protection of women against violence, many European states fall short of their obligations under it, which has been amplified during the COVID-19 pandemic. It is also important to note that the term femicide does not appear once in the treaty.

Femicide, like the coronavirus, occurs in every country. It is of the utmost importance to address femicide with the same urgency that the international community has paid to combat COVID-19. Across the world, approximately 90,000 women are intentionally killed each year because they are women (Weil, 2020). The pandemic has highlighted the risk of violence against women, with many women being trapped in their homes in an unsafe environment. Many countries in Europe reported spikes in instances of domestic violence during the pandemic. Many resources available to victims and survivors have been rolled back to divert health and safety services to the effort to eradicate COVID-19. Furthermore, with greater isolation, women were less in touch with social networks and support groups, further isolating them from any help. Phumzile Mlambo-Ngcuka, former Executive Director of UN Women, stated that the limitations brought on by the pandemic “fuel impunity for the perpetrators”, and in many countries, “the law is not on women's side; one in four countries have no laws specifically protecting women from domestic violence” (UN News, 2020). The impunity for perpetrators and apparent lack of attention from Member States on the issue of violence against women have enabled the number of femicides to grow, and this report aims to highlight the alarming rate of femicide in Europe and the importance of addressing the issue to protect women and girls from this preventable endemic.

EUROPE'S EASTERN FRINGES: TURKEY AND THE CAUCASUS

2.1 TURKEY

Under Erdogan's government, we have witnessed a massive curtailment of women's rights in Turkey, and femicide has become prevalent in Turkish society. The year 2019 saw the highest number of women killed for being women in the last ten years, culminating in 474 femicides (Şimşek, 2019). According to the annual report of the Turkish NGO We Will Stop Femicide, 300 women were murdered by men in 2020, and 171 women were found suspiciously dead. Of the 300 women killed in 2020, the report found that 97 were murdered by the men they were married to, 54 by the men they were with, 38 by acquaintances, 21 by men they were married to previously, 18 by their sons, 17 by their fathers, 16 by other relatives, eight by the men they were with previously, five by their brothers, and three by someone they did not know. The number of femicides decreased only in 2011 (We Will Stop Femicide, 2021).

Turkey famously became the first country to sign the Istanbul Convention in 2011, and, in the decade leading up to the ratification of the agreement, Turkey mandated equality in employment, set a minimum age of 18 for marriage, criminalised marital rape, and trained police, judges, and prosecutors to recognise gender-based violence. In 2012, it enacted a new law, the Protection of Family and Prevention of Violence against Women, to implement the Istanbul Convention, mandating that, for instance, special shelters be set up for every 100,000 people in the country and making it easier to obtain restraining orders (Farooq, 2021). However, following these changes, things began to worsen for women in Turkey, culminating on March 20, 2021, when Erdogan issued a decree annulling Turkey's ratification of the Istanbul Convention, stating that the convention "normalised homosexuality" (Bullens, 2021). In November 2021, just four months after Turkey officially withdrew from the Convention, the brutal killing of Basak Cengiz sparked national and international outrage. Cengiz was walking down a street in Istanbul's Atasehir district when a man with a samurai sword walked up behind her and repeatedly stabbed her until she died. Cengiz was just 28 years old. The suspected killer said he was simply out to kill someone. "I went out and picked a woman because I thought it would be easier", he said. (Farooq, 2021).

Unfortunately, cases like that of Cengiz are not uncommon while particularly violent. Misogyny is deeply ingrained in the fabric of Turkish society. The President of Turkey and other members of the Turkish government have made many comments publicly degrading women. For example, the country's former Deputy Prime Minister, Mehmet Şimşek, blamed the rising unemployment rate on women seeking jobs, and former mayor of Ankara, Melih Gökçek, said that women who are victims of rape should die before they have an abortion (Tremblay, 2014). This flippant and degrading attitude towards women from government officials legitimises a woman's presence in Turkish society as 'lesser' than men and perpetuates the patriarchal system in which violence against women and femicide thrives. Furthermore, the lack of attention given to the issue by the Turkish government was highlighted when the Turkish government admitted to not keeping records of violence against women. A study conducted by Sage Journals in 2009 reported that 42% of Turkish women between the ages of 15 and 60 experienced some form of physical or sexual abuse from their husband or partner (Warrick, 2021). The impunity afforded to men who attack women emotionally, verbally or physically encourages male offenders and sustains a patriarchal system in Turkey which allows femicide to become a common occurrence.

2.2 THE CAUCASUS REGION

2.2.1 Northern Caucasus

The North Caucasus is a subregion in Eastern Europe. It is the northern part of the wider Caucasus region and is entirely a part of Russia. Femicide is spreading in the Caucasus region at an alarming rate, with the most common form of femicide in the North Caucasus being documented as 'honour killings'. In various cultures in the North Caucasus, a woman's 'honour' has strong connections to that of her entire family. Male family members are able to control women, and therefore, many believe it is in their right to murder a woman if she does not uphold certain standards set by society and the family (Eddinger, 2021). For example, one such case was that of Sultan Daurbekov, a resident of Chechnya, who was on trial for the murder of his daughter, Zarema. Daurbekov's defence lawyer exemplified the cultural ties to honour killing and femicide when he said in defence of his client: "On the one hand, we have the Criminal Code. On the other, traditions, good ones. The honour and dignity of women. This is why I believe, Your Honour, that we need to find a fair balance between the interests of the State, the penal system, law enforcement and the interests of the defendant." The defence insisted that Daurbekov killed his daughter in a state of "intense spiritual conflict", and so his actions could not be classified as murder. "A father who killed his child after enduring 20 years of humiliation from her, the amoral behaviour of a Muslim daughter, cannot, in principle, face responsibility for murder" (Klimova, 2017). The concept of family honour occupies a special place in the general value system in the Caucasus, with women's behaviour reflecting the whole family in society. Due to this mentality, an environment of misogyny and control over women sustains the rising rate of femicide, specifically honour killings, and a culture that normalises ending a woman's life as a form of punishment ensures a lack of justice for victims of femicide.

Worryingly, femicide as honour killings is now becoming a common tradition in the North Caucasus, making it harder for officials to combat the problem as it continues to become synonymous with acceptable cultural practice. Victims here are most often young, unmarried women from the ages of 20 to 30. In every single case of honour killings, the perpetrators of the crimes are men, and between 2008 and 2017, 33 reported incidents of femicide resulted in 39 murders. Among these murders, only 14 cases underwent trial in court (Antonova, 2018). This custom is a violation of women's right to freedom, life and self-expression, and it escapes the attention of media and local law enforcement due to the belief that this is a cultural practice deserving of respect. In the 68th session of the Human Rights Committee of the United Nations in 2000, the Human Rights Committee established General Comment No. 28, Article 3, states that honour crimes that go unpunished by a State's legal system amount to a serious violation of the International Covenant on Civil and Political Rights (General Comment No. 28, Article 3). However, since then, the international community has paid very little attention to the growing problem of femicide and honour killings in Europe.

2.2.2 Southern Caucasus

The Southern Caucasus region is made up of Armenia, Azerbaijan and Georgia. The situation of women in the South Caucasus is, indeed, worrying, particularly in Georgia. According to official statistics of the Prosecutor's Office of Georgia, in the three years before the pandemic in 2019, 76 women were murdered (OSCE, 2019). In Georgian legislation, femicide is not classified as a separate crime but as 'willful homicide' or 'inciting suicide'. There is no definition of femicide in the Criminal Code, and therefore, gender is not taken into account (Dekanosidze, 2016). National studies on Violence Against Women in Georgia conducted between 2009 and 2017 reveal a social construct, in which violence against women is systemic and institutionalised by family, society, and cultural and religious traditions. Misogyny has become so ingrained in Georgian society that not only men but also women see violence and femicide as a social norm (UN women, 2018). A UNDP country study reported that 63% of respondents believed that a good wife should obey her husband even if she disagrees with him (UNDP, 2013).

One significant way to combat the rising rates of femicide in Europe is to achieve gender equality. However, in Georgia, this is extremely difficult due to a practice of femicide in which once a foetus is identified as a female, it is aborted because a female is considered undesirable. Often, the male members of families decide without the input of others. This practice, along with other forms of femicide in Georgia, is what Russel Radford identified as a "vivid illustration of ongoing terror against women" (Radford, 1992). Due to these sex-selective abortions, Georgia, along with Armenia and Azerbaijan are facing severe gender imbalance in society, which sustains the patriarchal fabric underlying these cultures that create an environment of fear and palpable danger for women and girls. The issue of killing a foetus identified as female was raised in a report to the European Council's parliamentary assembly in September 2011. The report explicitly mentioned Albania, Armenia, Azerbaijan, and Georgia, stating that "prenatal sex selection is to be condemned as a phenomenon which finds its roots in a culture of gender inequality and reinforces a climate of violence against women" (Council of Europe, 2011). The organisation called on its Member States to combat this extreme form of gender violence as their new challenge. Since then, however, the practice has not dwindled. On average, in the South Caucasus, 112 boys for every 100 girls are born in Armenia and Azerbaijan, and 111 girls in Georgia, according to a recent report by the Council of Europe (Comai, 2021). A 2014 paper identified that there exists a particular environment in the Southern Caucasus

region that favours sex-selective abortions. This is characterised by “the local ethics, both from the medical establishment, whose active collaboration is necessary, and from the population. Beyond economic constraints, social values, marketing from pharmaceutical companies, and the development of private medical practice, the societies of Southern Caucasus appear to be particularly tolerant to both abortion and sex-selection” (Hohmann, Lefevre & Garenne, 2014, p. 895). It also identifies that although there are similar preferences for boys in neighbouring countries, both majority Christian and Muslim, the Southern Caucasus exhibits a particular propensity towards sex-selective abortions (Hohmann, Lefevre & Garenne, 2014, pp. 894-895). While the data from these countries are from the early 2010s, this does not diminish its importance in 2022. Selective abortions of females enable the maintenance of national patriarchal structures for years to come through gender inequality. It creates an environment in which femicide is accepted and sustained.

Turkey and the Caucasus regions have some of the highest rates of femicide in Europe. While these may be seen as extreme, the violent behaviour towards women can be identified in every other country in the world. Based on interviews with 42,000 women across the 28 Member States of the European Union, the European Union Agency for Fundamental Rights reported that one in five women have experienced physical violence and/or sexual violence from either a current or previous partner. Yet, only 14% of those women reported the most serious to the police (European Union Agency for Fundamental Rights, 2014). Consequently, this traumatic experience for women may not only remain an integral part of their lives, but an invisible one to wider society. By detailing the extremes of violence against women in the aforementioned countries, this serves as a warning that every country must do more to educate and combat every act of violence against women, be it mental, emotional, verbal or physical. Increased efforts are needed to ensure that every woman feels safe and that the provision of the necessary assistance, and that reports of all forms of violence are taken seriously so they do not result in femicide.

NATIONAL LEGISLATION IN THE EUROPE UNION AND THE UNITED KINGDOM

Neither EU nor UK legislation defines "femicide", and as a result, killings of women are categorised as homicide, manslaughter, or intentional homicide in all jurisdictions. It is important to note that the commencement of the pandemic corresponded with an increase in the overall number of femicide cases, demonstrating the inadequacy of the UK and the EU Member States to manage and prevent such a serious issue appropriately. The following sections will concentrate on those EU Member States which are considered the worst offenders in the following area, with the United Kingdom included in **the scope of the review.**

3.1 UNITED KINGDOM

During the COVID-19 pandemic, the number of female homicide victims in England and Wales has reached its highest level since 2006 (BBC, 2020). According to the Femicide Census 2020, an estimated "one woman is killed by a man every three days in the United Kingdom", demonstrating the harsh reality of a pervasive epidemic of lethal violence against women in British culture (Long and Harvey, 2020).

According to the Femicide Census report, 149 women were killed by 147 males in the United Kingdom in 2018 (Long and Harvey, 2020). In the United Kingdom, men who were intimately acquainted with the victim were determined to be guilty of 94 percent of all female homicides (Long and Harvey, 2020). The fact that the vast majority of murders were committed by persons who were known to the victim is a particularly alarming aspect of the findings. Another key finding was that 61 percent of all females killed by males were preyed upon by someone with whom they were in an intimate relationship – from partners and ex-partners to someone with whom they were having a casual, on-and-off relationship (Long and Harvey, 2020). Among this finding, 41 percent of the women killed by males they were intimate with were either separated from the perpetrator or in the process of separating from him at the time of their deaths (Long and Harvey, 2020). The vast majority of them (70 percent) were murdered within the first year of their separation (Long and Harvey, 2020), demonstrating just how challenging the period immediately after the termination of a relationship can be for female victims.

The fact that 70 percent of the femicides took place in the victims' homes (Long and Harvey, 2020) is another highly alarming finding, demonstrating how exposed so many women are in the one place we

assume to be safe. According to the research findings, many women have been murdered by members of their own families, which is an important finding to underline. For instance, according to statistics, in 2020, 14 women were murdered by their sons (Long and Harvey, 2020, p.8). In 2020, only eight percent of women were killed by someone they had never met before (Long and Harvey, 2020), presenting a direct contradiction to the stereotypical belief that women are primarily killed by strangers.

In addition, the Femicide Census demonstrates that such homicides are very rarely the result of an unplanned or unforeseen incident. The Femicide Census report on femicides in the United Kingdom in 2018 found that men who have previously killed women often go on to kill again. More than half of the perpetrators (52 percent) had a history of violence against women (Long and Harvey, 2020). There have been numerous calls for the introduction of a bill to tackle domestic violence in the United Kingdom (Yvonne Roberts, 2021), which would mean that domestic abusers and stalkers would be added to the Violent and Sex Offender Register to raise awareness among women and serve as a preventative measure against femicide. The domestic violence bill will not be adopted because of budgetary constraints, even though the State has a legal duty to protect persons most efficiently feasible. According to the Home Office, when you consider that each death is expected to “cost almost £3.2 million” (Heeks, Reed, Tafsiri and Prince, 2018), the government's financial arguments may look illogical. Ultimately, it is evident that the British government needs to implement significant legislative reform, but also that the rest of society needs to alter fundamentally to battle the femicide trend that is spreading at an alarming rate throughout the country.

3.2 CYPRUS

There is no legal definition of femicide in the Republic of Cyprus. The perpetrator, on the other hand, may be responsible for murder, manslaughter, or killing as a result of provocation. Although a new legislative proposal asking for femicide to be recognised as an official sex-based hate crime was filed to the House Legal Affairs Committee in 2020 (Knews, 2020), the plan has drawn criticism, with some members of the public stating that the law is sexist and should be repealed.

Between 2010 and 2016, 40 femicide cases were reported in Cyprus, with 70 percent of these cases being committed by existing or former partners (EIGE, 2021). Since the coronavirus outbreak, there has been an increase in the number of manslaughter cases involving female victims (Knews, 2020),

which indicates that the government is failing to take the necessary steps to prevent similar situations from occurring in the future. In the absence of precise statistics on femicide, it has been impossible to take the required precautions to prevent it from happening. According to The European Institute for Gender Equality report, no non-governmental organisations in Cyprus collect non-official statistics on femicide. Only one main institution oversees collecting administrative data on female homicide victims in the country (EIGE, 2021). An official statistics collection organisation in Cyprus is required to provide more information on femicide-related crimes in Cyprus to the police and the general public. This will allow State and municipal officials, as well as members of the wider community to take the necessary steps to prevent further increase in femicide rates in the country.

3.3 LITHUANIA

In the Lithuanian Criminal Code, there is no definition of femicide. But, there are additional articles of the Lithuanian Criminal Code that might apply to this sort of offence. Femicide instances are mostly identified via the application of Articles 129 and 130. There is one institution collecting and analysing data regarding femicide in Lithuania: the Information Technology and Communications Department under the Ministry of the Interior (EIGE, 2021). According to data from the Ministry of the Interior, femicide instances decreased to 17 in 2018 from 22 in 2017 (EIGE, 2021).

It is important to point out that even though there are welcoming European legislation development on violence against women, these legislations do not take into account the fact that many Baltic countries continue to be patriarchal in terms of their social structures. In Lithuania, the primacy of the idea of the nuclear family unit is still strong, leading to many women remaining silent about abusive relationships which can explain the rise in the number of femicide cases. According to Modesta Kairyte, a Lithuanian social activist for domestic violence who helps in victim support centres, a “woman is scolded if she does not leave an abusive relationship, but she is also regarded as being a failure if she does so” (Blunt, 2019). In Lithuania, it appears that the problem stems from societal beliefs, with the majority of the population finding reasons to hold women responsible for the unlawful conduct of men.

3.4 BULGARIA

Even though Bulgaria lacks a legal definition of femicide, the offender may be prosecuted for any other type of murder, such as homicide. However, it should be noted that the Bulgarian authorities do not keep statistics on the number of victims of femicide (Alliance for Protection against Gender-Based

Violence, 2019). According to the National Statistics Institute (NSI), there were 8754 more fatalities in Bulgaria in the second quarter of 2021 than there were at the same time in 2020, a 33.8 percent increase over the same period in the previous year (The Sofia Globe, 2021). In homicide cases, however, there was no information provided on any of the homicide victims' particular gender, illustrating the country's judicial system's gender blindness.

According to the most recent figures from the Bulgarian Helsinki Committee's 'Media Monitoring' (Spansena, 2021), a 50-year-old woman was murdered by her husband in Bulgaria as recently as January 2022, representing the most extreme cases of violence against women. At least 22 women were killed in Bulgaria in 2021 (Spansena, 2021), with only three of them being killed by an unknown perpetrator, according to the most recent statistics available. This demonstrates that violence against women is one of the most serious issues confronting Bulgarian society today, with its roots deeply rooted in the unequal treatment of men and women in society. It appears that the number of women killed in 2021 has increased from the previous year's figure of 19 women killed.

Despite the lack of proper femicide legislation in place when compared to other EU Member States such as Poland, which recorded 400 femicide incidents in 2020, Germany, which reported 117 femicide cases in 2020, and Italy, which reported 102 instances in 2020, Bulgaria had a comparatively low number of cases of femicide in 2020 (Statista Research Department, 2022). Notwithstanding, the fact that each of these nations has a population that is significantly bigger than Bulgaria should be taken into consideration.

3.5 MALTA

Even though Malta approved and implemented the Istanbul Convention in 2014, violence against women and femicide continues to be a frequent phenomenon in Malta. Male-dominated discourse in everyday life, as well as societal ideals and gender roles, exemplify patriarchy's hegemony over Malta's socio-cultural character. Gender stereotypes, particularly those about men's and women's roles in the home and society, may contribute to Malta's high prevalence of femicide. According to a study by the EU's Fundamental Rights Agency (2014), one in every seven women in Malta has experienced physical or sexual assault at some time in their life, with at least 23 percent experiencing physical, sexual, or psychological abuse before the age of 15 (European Institute for Gender Equality, 2021).

It is possible that the increased frequency of domestic violence during the preceding ten years, from 848 to 1645 occurrences (European Institute for Gender Equality, 2021), explains why the number of femicide cases reported in the country is on the rise. One of the most common forms of femicide in Malta is the murder of a female by her intimate partner or member of her family, which accounts for about half of all female homicides in the nation. According to the Malta Police Department, a total of ten female homicide victims were documented between 2014 and 2018 (EIGE, 2021). According to the police department, sixty percent of individuals killed by an intimate partner occurred within this period.

The Parliament has also failed to take the necessary procedures to include a definition of femicide into the Criminal Code despite increasing general public awareness of female violence, and an alarming increase in the number of femicide cases in recent years. As a result of this lack of action, various non-governmental organisations (NGOs) have called for the prosecution and punishment of femicide. Femicide, according to a paper produced by the Women's Rights Foundation, should be prosecuted as a criminal offence or as an aggravating factor in the prosecution of other criminal offences. The report was released 48 hours after the murder of Paulina Dembska, a 29-year-old woman who had been raped and strangled in the early hours of January in Sliema's Independence Garden (Times of Malta, 2022).

TACKLING FEMICIDE IN EUROPE

As demonstrated in the preceding sections, the problem of femicide in contemporary Europe is very much present and the situation is grave. Despite the varying degrees of its severity across Europe, all European countries still have various areas of improvement to effectively tackle the problem, particularly in light of the rise of domestic violence and femicides during the COVID-19 pandemic. There are several aspects of State processes to tackle this problem that require improvement and are often interlinked.

A key point to note here is that often we discuss femicides in a passive manner, i.e. in the context of violence against women. We are starting to see a shift towards emphasising the active role of the violence committed by men as a result of the misogynistic views that are not being effectively challenged and remediated across European society. This shift in language shows an emerging deviation into focusing on eliminating violence among men as the cause of violence against women and femicide rather than solely treating the symptom of the effects of violence on women (Jamil, 2021; Katz, 2018; Levell, 2021). There is also greater recognition of the ineffectiveness of utilising gender-neutral language surrounding this issue, such as the UK government's language in its 2021 Domestic Abuse Bill, which terms murder as the final act of domestic abuse as “domestic homicides” (Levell, 2021), although it is well-known that these are mostly murders of women committed by men. Levell argues that the use of gender-neutral language such as this, although attempting to be more inclusive, serves to neglect the “role that patriarchal systems and gender-inequality play in violence worldwide” (Levell, 2021). A tendency towards a gender-neutral approach to lockdown measures was criticised by Dubravka Šimonović, UN Special Rapporteur on violence against women, as it led to an increased risk in domestic violence against women and girls and thus an elevated risk of femicides (Levell, 2021).

4.1 DATA COLLECTION

In order to be able to eliminate femicide on the national and regional scales, we must first understand the problem as it stands. To this end, data collection and monitoring on this issue at the national and regional levels are crucial. One example of the developments in this aspect comes from Spain, which became the first European state to define and register femicide in a way that truly encompasses all killings of women because of their gender by men. The Spanish minister for Equality, Irene Montero, launched a new system of gathering the national statistics on femicide that goes beyond just the

number of murders of women by partners and ex-partners. This characterised Spain's previous system, which resembles the current definition in many European states. This revised definition includes categories such as 'feminicidios familiares' (femicides of family members), which includes honour killings, and 'feminicidios sociales' - femicide of women already known to their murderer who is neither a partner, ex-partner or family member, i.e. "neighbour, colleague, friend, employer..." (Kohan, 2021). Additionally, there is the category of 'feminicidios vicarios' (vicarious femicides), meaning the murder of a woman, or of underaged children, by a man intending to cause harm or suffering to another woman (Kohan, 2021). The new definition in Spain emphasises the 'machista' (sexist) motivations of the men behind femicides which link those committed by both those who did and did not previously know the women they murdered (Kohan, 2021). Montero stressed that "what is named does not exist. We have to recognise all of the victims and make visible all forms of violence – all machista [sexist] killings – so that we can put in place policies for prevention, early detection and eradication" (Kassam, 2021).

4.2 UNDERSTANDING AND PREVENTING VIOLENCE

The majority of femicides are committed by partners or ex-partners, of which the murder itself forms the last part in a torrent of various abusive behaviours. In order to eliminate femicide, we must also attempt to diminish domestic violence. This form of violence is often underreported. UN Women has reported that less than 40% of women who face domestic abuse seek help of any kind or report the crime, due to shame, social stigma and the inadequacy of national support systems. Less than 10% seek help from the police, demonstrating the lack of trust in police worldwide to take action to help survivors and prevent further abuse (UN Women, 2020, p. 3). However, even in cases when it is reported and measures are taken, national legal protection systems still do not always prevent further violence and femicides. For example, we know that men murder women after the women have taken out a restraining order against them. Sometimes, these femicides occur when the police have been aware that the murderer has violated the terms of the restraining order several times (Kohan, 2021).

The European Institute for Gender Equality, an office of the EU, calls upon Member States to encourage accurate and comprehensive administrative data collection on violence against women "by the police, the judiciary system and other organisations, with a view to generating comparable high quality EU-wide statistics on violence in its many forms" (EIGE, 2020).

4.3 THE ROLE OF EUROPEAN INTERNATIONAL ORGANISATIONS

At present, the Council of Europe is the most overreaching international organisation in the region that could have the widest impact on the continental agenda to diminish the numbers of femicides. However, with more states becoming candidate countries for the EU, it appears that, as time goes on, more of the onus will be on the EU to create and ensure the implementation of legislation to monitor and tackle femicide. Ultimately, what would likely be the route for creating a more robust action plan across Europe to eradicate femicide would involve continuous collaboration between the Council of Europe and EU institutions.

Although it does not address femicide specifically, the Istanbul Convention, an international treaty of the Council of Europe, is widely recognised as the most comprehensive international law to prevent and eradicate the violence and domestic abuse against women and girls that often precedes femicide. However, there are gaps in its implementation that have been identified in all ratifying countries (WAVE, 2021, p. 2). Additionally, respect for the treaty as a whole among Council of Europe Member States has declined as Turkey has withdrawn from it and the Polish government has expressed its desire to follow suit, as the Europe team of Global Human Rights Defence has reported on previously in our October 2021 Poland report. Member States who signed but did not ratify (i.e. obligating themselves to fulfil its terms) include Armenia, Bulgaria, Czechia, Hungary, Latvia, Lithuania, the Slovak Republic, Ukraine, and the UK. It is likely not a coincidence that many of these countries are those with the highest rates of femicide in Europe. There are other Member States that have refused even to sign the treaty, those being Azerbaijan and the Russian Federation (Council of Europe, n.d.). This demonstrates the inefficacy of even the most highly regarded international treaties and the need for more potent international legal instruments and increased advocacy from, and cooperation between, governments supportive of initiatives that prevent violence against women and femicide, experts in this field, and civil society.

The European Institute for Gender Equality (EIGE), an autonomous body of the EU, calls for the EU itself to ratify the Istanbul Convention, thereby compelling all EU States to prevent violence against women and girls, protect those who have suffered abuse, and prosecute offenders. The EIGE acknowledges the lack of overview of available support and treatment services for those who have suffered abuse. This has resulted in the absence of minimum levels of support described in the Istanbul Convention, including “offering free, 24/7 national hotlines and minimum numbers of specialist support services”

(EIGE, 2020, p. 2). Additionally, a lack of proper justice can be witnessed across the EU as a result of “challenges faced by victims in accessing justice due to gender stereotypes, inconsistent application of legislation, high costs of legal proceedings and gender biases in the judiciary”, as well as “inadequate responsiveness of the police” also likely caused by gender biases (EIGE, 2020, p.2).

An example of the EU's support for initiatives to prevent femicide is the European Observatory on Femicide, a two-year project funded by the EU, which was established in November 2020. It aims to identify gaps in member countries' system responses to intimate partner violence and domestic violence, and more generally to improve systems-wide responses through gathering evidence on this problem to be able to raise public awareness. This is being done through an interdimensional approach, bringing journalists, academics, and policy makers together in collaboration to devise specific commitments for EU Member States (European Observatory on Femicide, 2021, pp. 11-12). As noted by the Women Against Violence Europe (WAVE) network - a group of 160 prominent feminist NGOs and experts - the EU does not currently have any legally binding instruments that specifically prevent and eliminate male violence against women and girls (MVAWG), although it states that this is high on its agenda. Moreover, the EU's anti-discrimination legislation does not even recognise MVAWG as an extreme form of discrimination, making it disjointed with the jurisprudence of the European Court of Human Rights (WAVE, 2021, p. 2).

The EU has introduced initiatives such as the European Protection Order Directive of 2011 and the Victims' Rights Directive of 2012. The former compels Member States to employ measures that protect people from crimes that “endanger [their] life, physical or psychological integrity, dignity, personal liberty or sexual integrity” (EU Directive 2011/99/EU). The latter “establishes minimum standards on the rights, support and protection of victims of crime and ensures that persons who have fallen victim to crime are recognised and treated with respect”, which includes ensuring there is “proper protection, support and access to justice” (La Strada, 2021). Nevertheless, the EIGE's analyses of these directives have found that some of the provisions within the directives “do not account for the specific nature of gender-based violence at all” (EIGE, 2016, p. 53). WAVE has stressed that “gender neutral policies endanger and denies access to safe women-only spaces for women experiencing violence” and they “diminish the root causes of gender inequality and gender-based violence by placing women only services under threat and by failing to recognise the prevalence of male violence against women”. WAVE has also criticised these directives for being overly generic and lacking in clear references to

instruments like codes of conduct which could ensure the successful application of legal solutions (WAVE, 2021, p.3).

The network therefore calls on the EU to “adopt a holistic and intersectional directive on male violence against women and girls focusing on prevention, protection and prosecution of violence, in accordance with the standards enshrined in the Istanbul Convention” (WAVE, 2021, p.5). Proposed specific measures for EU Member States include “empowerment self-defence for women and girls and bystander intervention training” designed by women's NGOs, which do currently exist in many countries but are underfunded and their effectiveness underappreciated, which prevents their full advantages from being realised in the long-term, according to the network (WAVE, 2021, p.6).

The EIGE, proposes that greater support for gender-sensitive training in Member States for law enforcement staff and judges should be sought in order to achieve better outcomes in the implementation of already existing legal instruments to encourage trust in essential services staff (EIGE, 2020, p.3), and thus a higher rate of women facing abuse could seek assistance, and that assistance more adequately protecting them from further abuse, thereby reducing the risk of escalation of such abuse into femicide. In February 2022, Stefania Zambelli, an Italian Member of the European Parliament for the Identity and Democracy group, presented a motion for a resolution “on the promotion of European states general against femicide”, which acknowledges the lack of a clear definition of femicide in EU documentation. The motion calls for the EU institutions, civil society, associations and EU citizens to collaborate on proposals and guidelines to prevent femicide. It also calls for the EU to facilitate more adequate provisions of compensation for survivors of male violence (B90088/2022). It still remains to be seen whether this motion will provoke significant changes within the EU institutions.

CONCLUSION

The extent of VAWG and femicide highlights the pervasive sexism that is underreported, under-documented and under-addressed across the European continent. This culture is often supported by notions that may not seem immediately violent, such as the differentiation of women's roles in society and the home. But, as this report has signified, these ideas directly lead to physical violence in several countries in Europe. In many European countries, the degradation of women in everyday language, such as in the Erdogan administration in Turkey or Malta, not only demonstrates the hatred of that society towards women but, when combined with inaction to tackle violence against women, also emboldens those men who wish to cause harm to women and normalises their hateful and violent acts. As a result of a lack of consideration of the killing of women for their gender by governments, it is difficult to understand the full scale of the problem.

This report has demonstrated the variety of forms femicide takes, such as the murder of women by men they know or by strangers, the murder of female foetuses, and the murder of women and children to cause harm and suffering to another woman. As this report has stressed, the common link of misogyny between these murders shows the need to understand VAWG as a multifaceted problem. It is expressed through men's desire for control and intimidation over the women in their lives and those they do not even know. Ultimately, the way to address the crime of femicide is for international organisations, governments, civil society, and citizens to acknowledge and confront the multifaceted nature of misogyny and the patriarchal structures in their societies that delegitimise femicide as a serious offence worthy of attention, legislation and resources to eradicate it.

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