

# Femicide/Feminicide and Access to Justice for Women and Girls: A Contribution to CSW70

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## Introduction

The priority theme for the upcoming 70th session of the Commission on the Status of Women (CSW70) is “Ensuring and strengthening access to justice for all women and girls, including through promoting inclusive and equitable legal systems, eliminating discriminatory laws, policies and practices, and addressing structural barriers.” Within this framework, this document will examine some of the main issues and concerns regarding access to justice in cases of femicide/feminicide, one of the most extreme manifestations of gender-based violence against women (GBVAW).

## Conceptual considerations

Femicide can be broadly defined as the gender-based or gender-related killing of women. This concept—with varying definitions—has evolved within feminist academia, activism, and research, as a specific form of GBVAW, seeking to move beyond gender-neutral or narrower expressions such as “domestic violence homicide” and to emphasize the gendered elements of these crimes. In recent decades, femicide has been increasingly introduced into the legal and public policy spheres of several countries, primarily in the field of criminal justice.

Interestingly, from the perspective of access to justice, an important distinction emerged in Latin America in the early 2000s: between femicide, on the one hand, and feminicide, on the other. While **femicide** (*femicidio* in Spanish) referred simply to gender-based killings of women, **feminicide** (*feminicidio* in Spanish) was a concept developed by feminist academics and activists to highlight State responsibility for such killings, arising from its failure to fulfill obligations regarding GBVAW—in particular, the duties to prevent, investigate, and punish these crimes.

This distinction took shape in the context of widespread impunity surrounding cases of women who disappeared and killed in certain regions along Mexico's northern border, which led to recommendations from international human rights bodies at both the regional and global levels. In 2009, the Inter-American Court of Human Rights (IACHR) issued its judgment in the *Campo Algodonero* case included several measures emphasizing the State's responsibility to prevent, investigate, punish, and provide reparations for the feminicides that had occurred in Ciudad Juárez.

The Court clearly elaborated on the relationship between these crimes and access to justice, recognizing the role of impunity in perpetuating these grave human rights violations. Those considerations were relevant for several countries in the region, where insufficient or inadequate criminal investigations had led to high levels of impunity in such crimes.

While the emphasis on State responsibility as a defining element of femicide (in contrast to femicide) has been diminished by the adoption of criminal law definitions centered on individual responsibility,<sup>1</sup> it is important to recall that the political definition of femicide aligns with a human rights approach to addressing GBVAW, with State obligations at its core. This perspective is also consistent with the ecological framework of factors contributing to GBVAW, where the justice system plays a critical role.

In fact, regardless of whether the terms *femicide* or *feminicide* are used, and whether or not it is specifically criminalized or legally recognized, gender-based killings of women have historically and continue to represent not only one of the most extreme forms of GBVAW, but also a challenge to States' ability to guarantee the most basic human rights of women and girls.

### **Persistent gaps in access to justice in femicide/feminicide cases**

There are several ways in which gender-based discrimination prevents or limits access to justice in femicide/feminicide cases. These obstacles are often similar to those encountered in other forms of GBVAW and include, among others, the absence or lack of access to adequate protection measures, insufficient investigation of crimes, inadequate treatment of victims and witnesses, the use of discriminatory justifications or the imposition of lenient sanctions on perpetrators, and the lack of access to

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<sup>1</sup> More than 20 countries have laws referring to femicide/feminicide, mostly in the Latin American region and increasingly in Europe. Most of those are criminal law definitions, where femicide/feminicide is an aggravated form of homicide.

reparations, as well as deficiencies in data collection on the crime and on the responses of the criminal justice system (CJS).

In the following sections, some of those main challenges, along with some of the measures adopted to address them, will be briefly outlined.

### **Data collection: a tool for prevention and accountability**

Data collection is essential, first and foremost, for understanding the magnitude and characteristics of femicide/feminicide in any given country or region, and for developing adequate responses to it, including prevention. Accurate data on femicide raises awareness and increases political attention, helping policymakers develop more effective strategies for prevention, early intervention and response efforts. It helps identify victims most at risk, develop targeted laws and policies to address the underlying factors leading to femicide and ensure that such cases are effectively investigated and prosecuted.

Since homicide generally has a lower dark figure than other crimes, data collection on femicide/feminicide at the global level should, in principle, be less affected by reporting and recording biases. In practice, however, challenges to data collection on femicide/feminicide range from the absence or incompleteness of administrative data on the deaths of women and girls, to limitations associated with the criminal justice system's response to the crime and shortcomings in criminal investigations.

Most countries criminalize femicide/feminicide as murder or aggravated homicide. As it has been mentioned, several Latin American countries<sup>2</sup> have expressly incorporated femicides/feminicides as punishable conduct under criminal law, differentiating it from the concept of homicide, with the intention of raising awareness of the manifestation of violence resulting from the position of subordination and risk in which women live. Some European countries have recently followed this path, too.<sup>3</sup>

While most countries do not have specific crimes such as femicide/feminicide, data available is mostly limited to women victims of intimate partner homicide. In the European Union, for example, femicide data is primarily derived from homicide statistics, which mainly allow for the identification of femicides committed by intimate partners or family members. This approach underestimates the true extent of femicide, hiding gender-related killings outside these relationships, such as killings of women in

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<sup>2</sup> Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Uruguay and in Venezuela.

<sup>3</sup> As it is the case of Malta, Croatia and, pending final parliamentary approval, Italy.

prostitution. While a growing number of States are now providing data disaggregated by sex and the victim–perpetrator relationship,<sup>4</sup> the lack of a common legal definitions for femicide hampers the measurement of femicide, which becomes hidden under general homicide statistics.<sup>5</sup> In recent years, some European countries have introduced the concept of femicide in their legislation and/or public policy, and are improving their data collection efforts.<sup>6</sup>

To facilitate the production of comparable data across countries, UNODC and UN Women developed the *Statistical Framework for Measuring the Gender-Related Killing of Women and Girls*, which was endorsed by the UN Statistical Commission in 2022 and provides a foundation for harmonized data collection and policy development.<sup>7</sup> In addition to data on the crime itself,<sup>8</sup> the Statistical Framework recommends the collection on detailed data on victims<sup>9</sup> and perpetrators.<sup>10</sup>

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<sup>4</sup> Article 44 of Directive (EU) 2024/1385 on combating violence against women and domestic violence, specifically refers to collecting data on ‘the number of victims who have been killed due to violence against women or domestic violence’.

<sup>5</sup> European Institute for Gender Equality (EIGE) (2025) Improving the collection of national administrative data on femicide in the EU.

<sup>6</sup> There are laws criminalizing femicide in Cyprus, Croatia, Malta and Italy (the bill criminalizing femicide is in its final stage of discussion in parliament), while in Belgium it is legislation focused on prevention, protection and data collection. In Spain, there is a system of data collection on intimate partner and non-intimate partner feminicide, as well as data on children killed in the context of GBV against their mothers. (EIGE, 2025).

<sup>7</sup> This statistical definition includes of women and girls killed

- by an intimate partner
- by a family member
- by other perpetrators (known or unknown to the victim) when:
  - i. the homicide victim had a previous record of physical, sexual or psychological violence/harassment perpetrated by the author of the killing;
  - ii. the homicide victim was a victim of a form of illegal exploitation, for example, in relation to trafficking in persons, forced labour or slavery;
  - iii. the homicide victim was in a situation where she was abducted or illegally deprived of her liberty;
  - iv. the victim was working in the sex industry;
  - v. sexual violence against the victim was committed before and/or after the killing;
  - vi. the killing was accompanied by mutilation of the body of the victim;
  - vii. the body of the victim was disposed of in a public space;
  - viii. the killing of the woman or girl constituted a gender-based hate crime, i.e. she was targeted because of a specific bias against women on the part of the perpetrator(s).

[https://www.unodc.org/documents/data-and-analysis/statistics/Statistical\\_framework\\_femicide\\_2022.pdf](https://www.unodc.org/documents/data-and-analysis/statistics/Statistical_framework_femicide_2022.pdf)

<sup>8</sup> Geographical location of the crime; Location of the crime; Mechanism of killing; Date and time; Criminal offence according to national legislation (the specific criminal offence according to national legislation, such as intentional homicide, femicide, dowry death, honour killing, etc.)

<sup>9</sup> Age, Marital status, Citizenship; Previous record of physical, sexual or psychological violence/harassment; Intoxication with controlled drugs or other psychoactive substances; Economic activity status; Gender identity; Sexual orientation; Pregnancy status; Disability status; Ethnicity status

Still, there is a need to develop data collection instruments that are sensitive to regional differences in femicide/feminicide cases. For example, killings of women resulting from witchcraft accusations or practices remain absent from current legal and international statistical definitions.<sup>11</sup>

In countries where femicide/feminicide has been criminalized or legally defined, data collection is usually based on the corresponding legal definitions. Considering the diversity among such legal definitions, there is a highly disparate international panorama in terms of data collection on femicide/feminicide.<sup>12</sup> Some few countries record information on whether the aggressor had a registered weapon, the affiliation of perpetrators to criminal groups; previous complaints or reports of violence, and the type of violence; the result of the risk assessment done at the time of the previous report; etc.<sup>13</sup>

The Gender Equality Observatory of the UN Economic Commission for Latin America and the Caribbean (ECLAC) compiles statistic information on femicide/feminicide since 2009 from many countries, although its comparability is limited.<sup>14</sup> In addition, in several countries—and regardless of official definitions and data collection—civil society observatories monitor media reports, conduct research, and produce their own data.

However, it must be emphasized that data collection should not be limited to the crimes themselves and their characteristics. According to CEDAW General Recommendation No. 35 (2017) on GBVAW,<sup>15</sup> information should also be collected on:

- the number of complaints or reports;
- the number and type of protection orders issued;

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<sup>10</sup> Sex; Perpetrator–victim relationship; Age; Citizenship; Intoxication with controlled drugs or other psychoactive substances; activity status; Recidivism; Being the object of a restraining order by law enforcement/judicial authorities

<sup>11</sup> Abrahams, N., Ramsoomar, L.; Shai, N (2021). National Integrated Strategy on the Prevention of Femicide in South Africa: An evidence and practice informed approach to preventing femicide. Pretoria: South Africa, South African Medical Research Council: 1-32.

<sup>12</sup> See, for example: Programa Regional de la Iniciativa Spotlight para América Latina (2022). Estudio sobre la calidad de la medición del femicidio/feminicidio y las muertes violentas de mujeres por razones de género.

<sup>13</sup> *Ibid.*

<sup>14</sup> The comparison over time is also prevented because it is associated with national legal classification, which can be reformed. For example, in Chile, initially only femicides committed by a partner or ex-partner were considered, but since 2021, other gender-based killings of women are being included as femicides. UN ECLAC (2024) Boletín Violencia feminicida en cifras. América Latina y el Caribe - N°3. Actuar con sentido de urgencia para prevenir y poner fin a los feminicidios.

<https://repositorio.cepal.org/server/api/core/bitstreams/69e978aa-ff89-4afb-afbb-e5d39904b9b1/content>

<sup>15</sup> Committee on the Elimination of Discrimination Against Women (CEDAW) (2017), *General Recommendation No. 35 (2017) on Gender-based violence against women*. CEDAW/C/GC/35.

- rates of prosecution and conviction (as well as dismissal and withdrawal of complaints, where appropriate);
- the time required for the disposal of cases;
- sentences imposed on perpetrators;
- reparations, including compensation, provided to victims/survivors.

Despite ongoing improvements in data collection on femicide/feminicide cases, this type of information remains rarely available, which limits the development of effective prevention strategies and measures as well as improvements in legal proceedings. This data may contribute to identify delays in investigation, or gaps in protection measures, and expose potential patterns of impunity (e.g., high rates of case dismissal, low conviction rates).

Particularly relevant is also the information regarding protection orders, often a critical element related to prevention of femicide/feminicide cases. Most frequently the protection measures are available for victims of intimate partner violence or domestic violence. These measures include restraining or protection orders (such as those prohibiting the contact between the perpetrator and the victim, exclusion orders – forbidding the perpetrator from approaching the victim’s home, workplace, school, or other key places– or stay-away distances); shelter or emergency housing for the victim and their children. Some emergency or immediate measures include emergency barring orders and police-issued protection measures, that are temporary restrictions issued by police before a court decision, especially in urgent situations.

Among the main concerns regarding the use and access to protection measures are the lack of effective access—including legal, geographic, social, and procedural access—and weak implementation or enforcement of available measures. Lack of access disproportionately affects women in rural areas, undocumented migrants, and other marginalized groups. Protection measures are generally linked to risk assessments, which vary widely across countries and often rely on rigid checklists that overlook the dynamics of coercive control or escalating risks. Frontline professionals frequently lack adequate training to apply or interpret these assessments. Risk is also commonly underestimated, as assessments tend to prioritize physical violence over psychological, sexual, or economic abuse, and victims’ own perceptions of danger are often insufficiently incorporated. Fragmentation further undermines their effectiveness, since the criminal justice system and GBVAW-specialized services rarely share risk information

in a coordinated way. Increasingly, algorithmic tools are being used, but these carry the risk of reproducing existing biases against marginalized groups.<sup>16</sup>

In addition, all data should be disaggregated by intersecting forms of discrimination against women and other relevant sociodemographic characteristics.<sup>17</sup> In this regard, and taking into consideration the data collected at the regional level by ECLAC, it is important to note that while official statistics often include information on the age and nationality of victims, data on ethnicity is generally absent. This reduces the potential for identifying specific barriers or discriminatory patterns or trends and developing preventive interventions from an intersectional perspective.<sup>18</sup> Data may help reveal whether certain groups of women (e.g., Indigenous, Afro-descendant, migrant, or rural women) face disproportionate obstacles in accessing justice.

This is particularly relevant, as evidence from diverse countries shows that femicide/feminicide disproportionately affects certain groups of women, particularly those in vulnerable situations, such as Afro-descendant women and lesbian and transgender women. In Brazil, for example, while there has been a decrease in the past years of murders of women, the murder rate of black women continues to be on the rise.<sup>19</sup> Additionally, approximately 80% of Latin American transgender women die before age 35, many of them, murdered.<sup>20</sup>

## Investigation and prosecution

Investigation and prosecution of femicide/feminicide cases present different challenges and complexities across regions of the world. In some regions, there is a low level of impunity in cases of intimate partner femicide/feminicide, as these crimes are often considered easier to investigate and prosecute—frequently the perpetrator is quickly identified or even turns themselves in to the police. In such cases, the main concern tends to be why earlier interventions failed to prevent the crime in the first place – a topic that will be discussed later. By contrast, investigations are often more difficult when cases involve missing women, non-intimate partner femicides/feminicides, or when these crimes are disguised as accidents or suicides.

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<sup>16</sup> <https://themarkup.org/the-breakdown/2022/06/29/police-are-looking-to-algorithms-to-predict-domestic-violence>

<sup>17</sup> CEDAW (2017). cit.

<sup>18</sup> UN ECLAC (2024), cit.

<sup>19</sup> <https://www.brasildefato.com.br/2023/12/11/homicides-rise-among-black-women-and-drop-among-non-black-women>

<sup>20</sup> See for example: <https://www.jornada.com.mx/2020/08/18/politica/017n1pol>

In other regions, particularly those experiencing high levels of violence, the situation is strikingly different, with high levels of impunity much more common.<sup>21</sup> Problems include partial or inconclusive investigations—for example, when the accused escapes, commits suicide, the case remains unresolved, or gender-based killings are concealed under other criminal offenses (such as suicide, accident, or suspicious death). Other recurring issues are the incomplete collection of evidence, often linked to the low priority given to such cases; disbelief of victims; lack of knowledge about the specific evidence required to prove gender-based violence; and the use of gender stereotypes, which may attribute some responsibility for the deaths to the victims themselves.<sup>22</sup>

In response to the pervasive impunity in femicide cases in some Latin American countries, and following the above-mentioned decision of the Inter-American Court of Human Rights (IACHR), the Regional Office of the United Nations High Commissioner for Human Rights (OHCHR) and UN Women developed the *Latin American Model Protocol for the Investigation of Gender-Related Killings of Women* in 2015. The protocol provides guidance and concrete measures to strengthen the work of justice system actors, especially in the investigation and prosecution of gender-related killings of women.

The Model Protocol was designed to clarify what conducting an investigation and prosecution 'with a gender perspective' entails for CJS actors, including investigators, prosecutors, and judges. To this end, it sets out each component of the reinforced duty of due diligence as applied to femicide/femicide investigations. Particular emphasis is placed on ensuring that investigations are timely, exhaustive, effective, and serious, and that both direct and indirect victims are guaranteed the right to participate in criminal proceedings.

In addition, the Protocol provides practical tools to identify femicide/femicide and the gender motivations underlying the crime. It recommends that all killings of women, as well as suspicious deaths—such as those presented as accidents or apparent suicides—be treated primarily as potential femicides/femicides, with this hypothesis guiding the investigation. Finally, it introduces the ecological framework for GBVAW as an analytical tool for the prosecution of femicide.

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<sup>21</sup> In El Salvador, between 2016 and 2017, convictions were obtained in only 3% of cases involving violence against women. In Guatemala, the impunity rate in 2018 was 98% for femicides and 97.05% for offenses of violence against women. See: Pulte Institute for Global Development (University of Notre Dame) (2020). *Addressing the Sex and Gender-Based Violence in Guatemala, Honduras, and El Salvador Fueling the U.S. Border Crisis*.

<sup>22</sup> Labozzetta, Mariela (2019). ¿Tenemos política criminal en materia de violencia de género? *Revista Sistemas Judiciales* N°22. <https://inecip.org/wp-content/uploads/2019/07/SJ22-Labozzetta.pdf>

Since the publication of the Model Protocol, more than a dozen Latin American countries have adopted similar manuals that adapt it to their national legal and social frameworks. In a recent assessment (yet unpublished) of these instruments by UNWomen, it can be seen that some parts the Model Protocol are more likely to be introduced in national instruments than others: the specific objectives for investigation, the due diligence standard, and evidentiary elements are widely accepted, while the guidelines for inter-institutional coordination were the least used in adaptations.<sup>23</sup>

In most countries that have adopted this type of protocol, it is not binding, and although there are some examples of legally mandatory training on GBVAW for public officials,<sup>24</sup> training and awareness-raising tools need to be improved.<sup>25</sup> According to CEDAW's General Recommendation No. 35, members of the judiciary, lawyers and law enforcement officers, including forensic medical personnel, should receive mandatory, recurrent and effective training to adequately address GBVAW. Such training should cover how stereotypes and bias fuel GBVAW and hinder adequate responses; the impact of trauma, power dynamics in intimate partner violence, and intersecting discrimination, with guidance on victim-sensitive approaches that avoid revictimization; as well as national and international legal frameworks on GBVAW, victims' rights, and the responsibilities of institutions, including coordination, referral mechanisms, proper documentation, and respect for victims' privacy and consent.<sup>26</sup>

In practice, however, such trainings are often unavailable, not mandatory –particularly for the judiciary–, or lack monitoring and evaluation. Gender stereotypes continue to shape the attitudes and practices of many criminal justice system agents.<sup>27</sup> Additionally, training is frequently delivered separately to police, prosecutors, and judges, without fostering inter-agency collaboration, joint understanding, and coordination.

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<sup>23</sup> UN Women. *Informe de diagnóstico y análisis regional sobre el proceso de implementación del Modelo de Protocolo Latinoamericano de investigación de las muertes violentas de mujeres por razones de género femi(ni)cidio. (Pending publication)*

<sup>24</sup> For example, in Argentina, Law No. 27.499, which aims to train and sensitize all the officials and workers in the three branches of government (executive, legislature, and judiciary), at every tier and hierarchy, about gender and violence against women.

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<sup>26</sup> CEDAW (2017), p. 30 e).

<sup>27</sup> Beker, Kosana (2023). Regional report: Social and Institutional Responses to Femicide in Albania, Montenegro and Serbia. [https://eca.unwomen.org/sites/default/files/2023-04/Regional-Report\\_Social-and-Institutional-Response-to-Femicide.pdf](https://eca.unwomen.org/sites/default/files/2023-04/Regional-Report_Social-and-Institutional-Response-to-Femicide.pdf); Amnistía Internacional México (2021) Juicio a la Justicia. Deficiencias en las investigaciones penales de feminicidios precedidos de desaparición en el Estado de México. <https://amnistia.org.mx/contenido/wp-content/uploads/2021/09/Informe-Juicio-a-la-Justicia-Amnistía-Internacional-México.pdf>

Furthermore, given the configuration of organized crime in Latin America, there is a need to analyze gender-related killings of women in this context. Over the past decade, the Northern Central American region has witnessed an increase in particularly vicious killings of women, which may be linked to the growing activities of organized crime networks in drug and arms trafficking, human trafficking, and migrant smuggling.<sup>28</sup>

In these contexts, gender stereotypes often permeate the response of state agencies. For example, women and girls living in gang-controlled areas are sometimes described as gang members themselves. Relatives of missing women often receive little attention when attempting to report a disappearance, and authorities frequently fail to connect women's disappearances with femicide/feminicide. This minimizes the seriousness of the phenomenon and results in far fewer cases being opened and duly investigated. In addition, the risk of reprisals against victims, their representatives, witnesses, and even public officials constitutes another obstacle to accessing justice. Judicial personnel are not always given adequate security to investigate crimes linked to organized crime, and corruption remains high in areas where local authorities and law enforcement maintain close ties with gangs and criminal groups.<sup>29</sup>

In addition to these protocols, public prosecutors' offices in the region have created specialized prosecutors' offices in recent years to address gender issues and cases of GBVAW. There are very different models: some structures are limited to addressing specific types of crimes (domestic violence or sexual violence, for example); there are also unified action plans that include support for victims or comprehensive care; in other cases, centralized or decentralized models were established in national territories; finally, we find specialized prosecutors' offices that are limited to cases of violence against women or cases of violence against LGBTI groups, among other examples.

These units have proven beneficial in improving the investigation and prosecution of such cases. However, in some contexts their budgets have been reduced, and the lack of resources and personnel, including rotation of trained personnel, undermines their ability to take effective action. As a result, these agencies may struggle to cope with the large number of complaints they receive. In addition, linguistic, geographic, physical, and cultural barriers must still be overcome to ensure access for women belonging to particularly at-risk or marginalized groups.<sup>30</sup>

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<sup>28</sup> Inter-American Commission on Human Rights (2023). Northern Central America: Impact of Organized Crime on Women and Girls: Approved by the Inter-American Commission on Human Rights on February 17, 2023. [https://www.oas.org/en/iachr/reports/pdfs/2023/nortecentroamerica\\_mujeres\\_en.pdf](https://www.oas.org/en/iachr/reports/pdfs/2023/nortecentroamerica_mujeres_en.pdf)

<sup>29</sup> Ibid.

<sup>30</sup> IACHR (2019). Violence and Discrimination against Women and Girls: Best Practices and Challenges in Latin America and the Caribbean. <https://www.oas.org/en/iachr/reports/pdfs/violencewomensgirls.pdf>

Another concern that remains highly relevant is victims' participation during legal proceedings. This involves both direct and indirect victims, such as family members and affected communities, who may wish to be informed and actively participate in the process. In various cases and countries—for example, the *Campo Algodonero* case before the IACHR—families of victims have complained of being treated in a disrespectful and discriminatory manner, with interventions that reinforced gender stereotypes, blamed families and stigmatized the victims. Prolonged and often ineffective investigations cause significant emotional and psychological harm, particularly when authorities treat victims and their families with contempt.

Also, the centralization of justice services prevents Indigenous and rural communities from participating actively in the legal proceedings, in addition to limited access to legal aid, affecting in particular victims from marginalized groups or communities.

## Reparations

Another weakness in access to justice in femicide/feminicide cases is the lack of access to comprehensive reparations. According to CEDAW General Recommendation No. 35, States should provide or ensure funding for reparations to all victims/survivors.<sup>31</sup> However, in many instances, reparations remain dependent on the perpetrator's financial capacity to compensate the victim, which often results in no reparations at all.

In addition, from a procedural perspective, victims are frequently prevented from obtaining compensation through the criminal process, since judges generally do not rule on compensatory measures—even when legal provisions allow it—often because compensation is not included in the prosecution's requests. In practice, victims are required to explicitly seek financial compensation or other forms of reparation through separate civil proceedings, which may take even longer than the criminal trial itself.

Some countries in Latin America have adopted legal frameworks and public reparation policies so that the children and other dependents of murdered women receive financial compensation and comprehensive care services provided by the State.<sup>32</sup> This goes in

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<sup>31</sup> CEDAW (2017), p. 25 b).

<sup>32</sup> Argentina: Law No. 27452, known as the “Brisa Law” (2018), which recognizes the right to receive a monthly payment and health coverage for children and adolescents who are victims of domestic or gender-based violence; Brazil: Law No. 14717, of October 31, 2023, which establishes a special pension for children and dependents under the age of 18 orphaned due to femicide (2023); Bolivia (Plurinational State of): Law No. 348, Article 36, which establishes a protection system for children and the entire family as long as they are victims of the crime of femicide committed by a spouse or partner (2013); Chile: Law No. 21565, which establishes a comprehensive protection and reparation regime for victims of femicide and femicide suicide and their families (2023); Costa Rica: Comprehensive Reparation Law for Survivors of Femicide (Law No. 10263) (2022), which creates the Comprehensive Reparation Regime for Survivors of

line with CEDAW's recommendation of establishing specific funds for reparations or allocations in the budgets of existing funds, for reparations to victims of GBVAW. The Committee also recommends the implementation of administrative reparations schemes, as well as the design of transformative reparations programs that help to address the underlying factors, considering the individual, institutional and structural aspects.<sup>33</sup>

But reparations should not be limited to monetary compensation, and they should include “the provision of legal, social and health services, including sexual, reproductive and mental health services for a complete recovery, and satisfaction and guarantees of non-repetition”.<sup>34</sup>

### Inter-sectoral coordination and femicide reviews

One of the most promising tools for identifying weaknesses and improving the responses to GBVAW is the implementation of in-depth multi-sectoral review of femicide/feminicide cases. These types of reviews –called domestic violence fatality reviews or domestic abuse-related death reviews– have been implemented in several countries in the last decades, to examine the specific circumstances in which a death related to domestic violence has taken place, and to learn lessons from them. So far, these reviews have been introduced in high-income and mostly Anglophone countries, often as a reaction to high-profile cases of gender-related killing of women, which were preceded by a number of failures in the response by services providers in the criminal justice system and other sectors.

These processes collect information from a wide range of individuals and professionals involved with the victim or perpetrator prior to the femicide/feminicide, including family members, friends, police, medical personnel, and other support services. As future-oriented mechanisms, femicide reviews offer a valuable opportunity to learn from past cases and strengthen knowledge, processes, and responses to prevent similar deaths in the future.

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Femicide and an Economic Fund for Comprehensive Reparation for Survivors of Femicide; Ecuador: Decree No. 696, through which the Ministry of Economic and Social Inclusion provides a bonus for minors under 18 years of age who are indirect victims of femicide or feminicide (2018); Peru: Emergency Decree No. 005-2020, which guarantees minimum financial assistance for children, adolescents, and persons with disabilities who are indirect victims of the crime of femicide (since 2020); Uruguay: Law No. 18850, which establishes that the children of persons who die as a result of domestic violence against them shall be entitled to compensation benefits (2011).

<sup>33</sup> CEDAW (2017), p. 33 b)

<sup>34</sup> Ibid. p. 33 a).

A 2022 comparison of available studies on recommendations by these mechanisms in various countries identified the provision and coordination of services—including services for victims, perpetrators, and children—as one of the central themes. In practice, these recommendations tend to emphasize improving both intra- and inter-agency cooperation, particularly in relation to information gathering, record-keeping, and information-sharing. Agencies that have had contact with either the victim or the perpetrator are encouraged to think holistically and avoid working in siloed ways.<sup>35</sup>

These recommendations arise from in-depth reviews, as coordination among agencies is consistently identified as a weakness in femicide/feminicide cases. Unsurprisingly, coordination is also one of the elements of the Latin American Model Protocol that has been most weakly incorporated into national protocols. This reflects the tendency—particularly within the CJS—to work in silos, with little coordination with other actors and agencies. The voices and perspectives of specialized agencies and personnel working on GBVAW, including in healthcare and social services, are often left out in processes focused on criminal procedures, and their expertise and understanding of complex cases of GBVAW is typically not shared with other agencies.

Even more concerning, in some countries, prosecution units specialized in femicide operate separately from those handling other forms of GBVAW. Such separation can result in a lack of coordination between prosecutors handling *the same case* at different stages—first as a domestic violence case, and later as a femicide/feminicide case.

In this sense, in-depth reviews offer a unique opportunity to identify limitations of existing responses to GBVAW and femicide/feminicide, including in access to justice, as well as concrete opportunities for improving responses and cross-sector collaboration, in line with the due diligence obligation of States. Femicide reviews have the potential to foster multi-sectoral coordination and whole-of-state responses to GBVAW, including also the voices of families and social networks of victims and perpetrators. Most importantly, for societies and communities, femicides reviews reinforce the understanding of GBVAW as a social problem, beyond inter-personal violence between two individuals. They emphasize the role of public and private agencies and entities, as well as communities, in adequately responding to GBVAW.

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<sup>35</sup> UNODC (2023). Background paper on Femicide Review Committees.  
[https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_32/CRPs/ECN152023\\_CRP6\\_e.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_32/CRPs/ECN152023_CRP6_e.pdf)

## Recommendations for CSW70 and beyond

Considering the challenges outlined above, and drawing on international instruments such as the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará Convention), and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), the following recommendations are proposed:

### On data collection and accountability

- States should adopt and apply the *UNODC/UN Women Statistical Framework on the Gender-Related Killing of Women and Girls* to ensure comparability and consistency of data across countries.
- Establish independent observatories or strengthen collaboration with civil society monitoring initiatives, ensuring their findings feed into policymaking.
- Make femicide/feminicide statistics publicly available in accessible formats, with regular reporting by government agencies.
- Data should be collected not only on the killings themselves, but also on:
  - prior complaints of violence,
  - protection orders issued and their enforcement,
  - prosecution and conviction rates,
  - timeframes of proceedings,
  - sentences imposed,
  - reparations ordered and delivered.
- Disaggregate all data by sex, age, ethnicity, race, disability, sexual orientation, gender identity, migration status, rural/urban location, and socioeconomic background to identify intersecting forms of discrimination.
- Ensure equitable access to protection measures through standardized risk assessments and inter-agency coordination, and monitoring algorithmic tools to prevent bias.
- Ensure that national statistical offices, justice institutions, and gender equality mechanisms receive adequate financial and human resources to collect, analyze, and disseminate data regularly.
- Mechanisms should also be put in place to ensure accountability, including regular public reporting of the data collected, independent monitoring, and the use of data to evaluate prevention measures, risk assessments, and prosecution

practices, in order to detect patterns of impunity, and improve protection for groups most at risk.

### On investigation and prosecution

- Adopt binding protocols to ensure all suspicious deaths of women are investigated as potential femicides/feminicides.
- Establish specialized units within police and prosecution services, with sufficient autonomy, resources, and training to handle femicide/feminicide cases.
- Mandate recurrent training for judges, prosecutors, law enforcement, and forensic staff, covering stereotypes, trauma-informed approaches, and legal standards.
- Promote inter-agency collaboration through joint trainings and coordinated case management mechanisms, especially where multiple units (domestic violence, sexual violence, femicide) handle different stages of a case.
- Develop guidelines for organized crime contexts, including protection for victims, witnesses, and justice officials, and measures to fight corruption.
- Guarantee victims' and families' participation in proceedings, with safeguards against revictimization, legal aid, and interpretation services, especially for Indigenous, rural, and marginalized groups of women.
- Provide adequate and sustained funding for specialized prosecution and support units, and reduce staff rotation and ensure retention of trained personnel to maintain institutional capacity.
- Expand geographical coverage of services, including rural and Indigenous communities, through decentralized or mobile units.

### On reparations

- Ensure access to reparations within criminal proceedings, requiring judges to rule on compensation and prosecutors to systematically request it, avoiding the burden of separate civil actions.
- Establish State-funded reparation schemes (independent of perpetrators' ability to pay), for victims of femicide/feminicide and their families, and comprehensive and transformative reparation programs that address not only financial compensation but also structural inequalities and root causes of GBVAW.
- Guarantee non-monetary reparations, including legal assistance, social support, and access to health services—including mental health support for families of femicide/feminicide victims.

- Provide long-term support to dependents (children and family members of victims), including financial aid, education, and psychosocial care.

### **On multi-sectoral coordination and femicide reviews**

- Improve intra- and inter-agency coordination and cooperation, including police, prosecutors, healthcare, social services, and other relevant sectors, encouraging holistic approaches to cases, avoiding siloed work and ensuring consistent communication and record-sharing.
- Implement mandatory, in-depth, multi-sectoral femicide/feminicide reviews at the national or regional level, focused on identifying weaknesses in past responses to GBVAW and lessons to improve future interventions.
- Ensure participation of specialized personnel in healthcare, social services, and CJS agencies in femicide reviews, and invite families, friends, and community members, with adequate safeguards to avoid any risk of secondary victimization. The practice of femicide reviews should highlight GBVAW as a societal problem requiring whole-of-state and community responses.
- Integrate lessons from femicide reviews into national protocols and coordinating initiatives, in line with the due diligence obligations of States.