



Greens/EFA Conference

Stop Femicide in Europe and in Latin America

Seventh Conference on Femicide

Thursday 6th March 2014, European Parliament Brussels

In cooperation with Heinrich-Böll-Stiftung, CIFCA, Grupo Sur, ALOP, ODHACO

Round Table Report

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“Reacting to Femicide, a global phenomenon”

Meeting of Civil Society from Europe and Latin America

Femicide, is the killing of a woman because she is a women. As the most extreme form of violence against women it is the manifestation of Gender inequality and men’s power over women. As the issue has been taken to different frameworks, such as but not limited to the CSW, MDGs, Belem do Para and the Convention of Istanbul, the question is how one can overcome the gaps between them and if there are possible areas of cooperation? And how can one incorporate them into the EU- CELAC dialogue on Gender?¹



The Heinrich- Böll- Stiftung in Brussels started working on the issue of femicide in 2006, when Raúl i Romeva (MEP) and Gaby Küppers proposed a resolution in the European Parliament on “Femicide in Mexico and Central America”. Since then, progress has been made with the

¹ The event took place on March 6 2014 in the context of the 7th Conference on Femicide. Guest Speakers were **Patricia Jimenez**, Heinrich-Boll-Stiftung EU Regional Office, Global Dialogue Programme Director, **Pierrette Pape**, European Women’s Lobby, Acting Coordinator, **Simona Domazetoska**, ACUNS Collaborator, Femicide News Coordinator, **Celine Mias**, CARE International, EU & CONCORD Gender Working Group Representative, and **Imelda Marrufo Nava**, Lawyer, Coordinator of the Network “Mesa de Mujeres de Ciudad Juarez”. The debate was chaired by **Patsili Toledo**, lawyer, PhD in Public law and member of Copolis Research Group at the University of Barcelona and **Katherine Ronderos**, Liga Internacional de Mujeres por la Paz y la Libertad -LIMPAL Colombia. The opinions expressed do not necessarily represent the opinions of the Heinrich-Böll-Stiftung.

last one being a chapter on the subject of Gender within the EU- CELAC Action Plan that was adopted at their last Summit in Santiago de Chile in 2013. Letter says that a EU-CELAC dialogue on gender including violence against women as one of its three pillars should be created. As a consequence, Argentina took the initiative to launch the Dialogue with in Buenos Aires at the end of 2013 with a “EU-CELAC Workshop on femicide”. The workshop focused on three main themes. These were: “Legislation on Femicide/ Femicide”, “Protocols for investigation” and “Collecting Data and Statistics”. As reported by the Argentina embassy to the UE, the participants considered the Dialogue on Gender between CELAC and the EU is an opportunity to promote international cooperation between the two regions in order to promote women’s rights in general and specifically the elimination of gender violence and expressed their interest in continuing with this Dialogue.

State responsibility or the gap between the global and the local level

Femicide is a global phenomenon, which occurs in war and peace time and affects women from all social backgrounds with severe consequences for them, their families and the society. According to the European Union’s Fundamental Rights Agency (FRA) survey of 42,000 women from the 28 member states there is at least one out of three women within the EU that has experience violence by a man during the course of her life and one out of eight women has endured such violence during the past 12 months. The actual number of violence against women might be higher, as data on this issue is insufficient and often incomparable due to the fact that there is no consensus between countries neither on definitions of concepts nor on parameters. This makes it impossible to qualify and quantify the problem of femicide and analyze it properly, which in return is crucial for fighting it. Therefore, the ratification and implementation of the [Convention on Preventing and Combating Violence against Women and Domestic Violence](#), which will be called Istanbul Convention from here on, is decisive, as it will deliver mechanisms to collect and analyze data. The equivalent convention in the Latin American context is the [Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women](#), or Convention Belém do Pará. It is in force since twenty years and has a mechanism to measure its implementation, which is widely lacking. For an even better protection of women’s rights to a life free of violence, countries from both regions, the EU and Latin America, should ratify both conventions, as they are compatible and not competitive.

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To understand the complexity of femicide one has to consider the various aspects of this problem, such as culture, social structure, economic inequality, education and social norms. Consequently, the solution to the problem is not a simple one but has to contain different aspects. Education is a key point to bring solutions as it opens opportunities for women and can create economic independence for them, which is fundamentally important, especially for those women who are experiencing domestic violence and cannot escape the situation due to economic dependence. Education furthermore changes girls' traditional mind sets and belief systems, as well as boys' and men's. Education is also needed when it comes to the police as well as people in the judicial system, such as advocates and judges, who need to be sensitized on gender issues and the correct dealing with women who experienced violence. Such trainings should also be in use for journalists and editors, who need to be educated on how to report violence against women as well as in general on how to enhance gender equality within and therefore through the media. Furthermore is a quick and effective immediate response system needed which is activated in cases of violence against women. In this context, the work of women's rights organization has to be credited as it is mainly them who accompany the victims and guide them through the judiciary process as well as support them with resources.



In order to eliminate violence against women, there are still questions that have to be answered and steps that have to be taken. How can one enforce the implementation of the Istanbul Convention? How to implement the Action- Plan adopted by the EU-CELAC? Those questions need to be answered by politicians. Unfortunately politicians from the European Union deny the existence of femicide in the EU, pretend the problem to be a Latin American one and are consequently part of the problem.

The implication of the implementation of the Istanbul Convention

The above mentioned Istanbul Convention provides strong instruments for the civil society and it includes a strong and therefore excellent definition of rape, which is in fact a lot better than the one most member states have. Therefore, the Convention will be a political tool for the member states to understand better what violence against women is. It will come into force in August 2014, as it has been recently ratified by the tenth Government. Unfortunately, many member state of the European Union have not ratified the convention yet.

Civil society has been strategizing for the most effective way to enforce the Istanbul Convention and considering also the possibility of the EU signing it. If the EU, as a whole, would ratify the Convention, only those parts of the convention that are considered as the EU's competence would become Union law and therefore citizens would only be able to call upon the European Court of Justice only on those parts. As it is undecided so far, what is EU competence within the Convention and what is not, civil society actors, such as the European Women's Lobby (EWL) would additionally like to see an EU directive. If the Convention comes into force, civil society needs to consider strategic litigation in order to bring the convention into live, whereas a directive would become legally binding for all the member states. Ratifying the Convention is not incompatible with a separate directive from the EU and therefore it should be the civil society's goal to push countries to first, ratify the convention of their own region, second, ratify the convention of the other region and third, to have a EU directive.

Fighting Femicide and Gender based violence on UN level

The United Nation's General Assembly's (UN GA) Resolution on "Taking against gender-related killing of women and girls adopted in 2013 was a major step concerning the level of awareness of the problem, as it is the first UN resolution that uses the term "femicide/femicide". Although UN GA's resolutions are not binding, the International Court of Justice has recognized their overall binding nature. This resolution references Rashida Manjoo's reports, stresses the existing problems of underreporting femicide, urges member states to end impunity, invites member states, as well as, civil society and academia to share best practices on fighting femicide. ACUNS Vienna reacted to this last request and joint forces with UNODC to invite to an open, though mainly concentrated at intergovernmental actors, academic meeting in Bangkok in 2014 on femicide and how to put it on the agenda.

Unfortunately, gender based violence and femicide is currently completely absent from the UN Millennium Development Goals (MDGs), which should change concerning the Post- MDGs. Here, there should be a two track approach: Firstly the mainstreaming of gender equality and responses to discrimination against women across all Post- MDG goals, no matter what they will be and secondly, one alone- standing goal on gender equality with a specific target on the eradication of violence against women and girls, as well as an indicator. It might also include a more general goal on a life free of violence. It should, however, most definitely focus not only on developing countries, as the MDG do at the moment, but have a more global approach. Hopefully the focus on gender based violence within the EU- CELAC dialogue will help the two regions to include the issue in the post- MDG dialogue.

The reality on the ground

Though things look gloomy, there have been positive developments in the past. The judgment “Campo Algodonero” of the Inter- American Court of Human Rights was an important step forward for Ciudad Juarez, Mexico and all Latin America. After the judgment, the Mexican government together with NGOs created the so called “Centros de Justicia para las Mujeres” (Center of Justice for Women), where in one building there are governmental agency and civil society organizations providing coordinated services for women victims and their children.

Thanks to the judgment, the Mexican state had to develop and implement an emergency action protocol for vanished women, which was supposed to be the most immediate measure to be taken by the Mexican government, as it could save many lives. Unfortunately the government did not implement it.

Another important issue for women’s rights defenders in Mexico is that in case the government makes the specialized committee on femicidio, now based in Ciudad Juarez, national, they generalize the topic of violence against women. Women’s rights organizations are worried that then the force of the movement will be scattered and hence lost. Another concern in Mexico is the follow through of prosecution, since there are only two public prosecutors at the federal level that are responsible for the north of the country while the extension of the violence against women that exists in the north of Mexico is enormous.

Furthermore the mismanagement of the money given to prevent violence on a national level is reaching outraging proportions. For example in Ciudad Juarez there were 80 Million Pesos², and not one of them was spent to prevent violence against women. Furthermore, the support and protection of women's rights defenders is crucial in the fight against femicide, as many of them get threatened when doing their work. Although there is a law now in Mexico, protecting women's rights defenders, there is little knowledge about it and therefore women's rights groups have started to collect data and analyze women's rights advocates.

However, it is important to remember the universality of the issue and that it is not only Mexico where femicide occurs and not only there appear the problems of investigation and consequently impunity. Therefore, exchange of knowledge and best practices is very important, as the head of states at the EU- CELAC summit in Santiago de Chile called for in their Action Plan.

Recommendations by Civil Society Organizations

It is very important that countries from Latin America and Europe sign and ratify the Istanbul Convention and the Convention of Belem do Para and also ratify the Optional Protocol to the Convention (CEDAW) on the Elimination of All Forms of Discrimination against Women, which would be another important instrument for women's rights advocates. The issue of Violence Against women and gender equality also needs to be included as a separate post- MDG goal and in general the MDGs have to be gender mainstreamed.

A year on violence against women would be a great step in order to create more awareness and put governments under pressure to spend money on fighting violence against women. The European Union should define a strategy consistent with the minimum standards for all member states of the European Union, as for example in Lithuania marital rape is not a crime. Fortunately, ratifying the Istanbul Convention would be a solution to this problem. Another solution is the closer cooperation between the EU and the CELAC, in order to have a consistent strategy in both regions.

² 80 million pesos is around 4,500,000 euros

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As it is the election year in Europe, the creation of an European Union Women's Coordinator, who can make sure that violence against women is on the agenda, both in terms of action and in terms of mainstreaming, for example by putting the issue into the external action policies of the EU or the bi- regional partnerships the EU has, would be a step into the right direction.