Report

X Conference on Feminicide/Femicide

Not One Woman Less!

Strengthening EU-CELAC cooperation in the struggle against feminicide/femicide

Brussels, November 8, 2018

Introduction

History and Present State of Cooperation in the Struggle against Feminicide

Ernest Urtasun, MEP from the Greens/EFA, introduced the topic and structure of the 10th Conference on Feminicide and said that even though it is already the 10th conference, it would certainly not be the last one. It is absolutely important, he stressed, to always keep the struggle for an end to violence against women (VAW) as a high priority on the European Union (EU) and global agenda.

Patricia Jimenez, Director of the Global Dialogue Programme at the EU office of the Heinrich-Böll-Stiftung (hbs), gave a brief overview of how this project and the series of conferences came to existence, and how it developed during the last ten years.

The initial objective was to raise awareness about feminicide/femicide, or the gender-related killing of women, as well as the impunity that surrounds these crimes and to demand the integration of this topic in all political dialogue between the EU and Latin American and Caribbean (LAC) countries. While 15 years ago feminicide/femicide was an unknown issue at EU level, the constant advocacy of an alliance of several civil society organizations (CSOs), feminists, the Heinrich Böll Foundation and the Greens in the European Parliament resulted in the understanding of the term femicide/feminicide and its integration into official EU discourse.

The integration of a chapter on gender into the EU-CELAC Action Plan during a joint summit in 2013 was a resounding success, as both regions committed to implement this chapter that aims to guarantee gender equality, and the protection, enforcement and promotion of women’s rights. As one of its fundamental pillars, it includes the eradication of all forms of VAW. However, the implementation process has failed to fulfil the expectations of the aforementioned alliance members. It is difficult, or even impossible, to identify concrete bi-regional measures that go beyond specific activities with a restricted scope and without continuity. Unfortunately, the few initiatives promoted by certain governments, such as the ‘Workshop on Femicide/Feminicide and VAW’ organized by Argentina in 2013, did not lead to a recognition of VAW as a priority in the

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1 In this report, the terms feminicide and femicide are used interchangeably to refer to the murders of women related to gender. As Rachida Manjoo, former UN Special Rapporteur on violence against women, says in a 2012 report, “Rather than a new form of violence, gender-related killings are the extreme manifestation of existing forms of violence against women.”
work of the European External Action Service (EEAS), which shows the discrepancy between the issues discussed by the individual countries and the actions of the EU itself.

At present, the main challenge regarding the chapter on gender is undeniably its implementation. Since the entry into force of the European Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention),\(^2\) the EU has had a binding comprehensive legal framework and approach to combat VAW. The logical conclusion is that this Convention, along with the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará Convention),\(^3\) will provide guidelines for the implementation of the EU-CELAC gender chapter. Likewise, based on the recommendations made by the follow-up mechanisms of both Conventions, namely GREVIO\(^4\) and MESECVI,\(^5\) the priority actions to combat VAW in the different European and Latin American states can be easily identified. Identifying these priority actions is precisely the objective of the study ‘New framework for cooperation between the EU and Latin America to promote gender equality and eradicate violence against women and femicide’ that the Heinrich Böll Foundation made in preparation for this conference. The study includes recommendations from MESECVI and GREVIO, as well as from the Committee for the Elimination of Discrimination against Women (CEDAW) and the UN Special Rapporteur on Violence against Women.

The aim of the 10th Conference on Feminicide/Femicide is to present and discuss these priorities, as well as trying to elaborate some concrete project ideas that could be promoted for implementation by the EEAS within the framework of the EU-CELAC Action Plan.

**Manfredo Fanti, Head of the Latin America Division of the EEAS**, laid down the current state of cooperation between the EU and Latin America and the Caribbean (LAC) on the issue of VAW. According to him, a lot of progress can be observed and many policy documents clearly mention gender violence, such as the EU Global Strategy for the EU’s Foreign And Security Policy and the European Consensus on Development. Nevertheless, he acknowledged that a lot of work still has to be done before the agreements are “brought to life”.

He defined the problem itself as not just one of criminal behaviour, but the unfortunate effect that emerges in certain social behaviours and mentalities, that have to be tackled through education and prevention, awareness raising and sanction. Moreover, the EU itself is not at all immune from the issue of VAW.

Notwithstanding, Mr. Fanti emphasized how active the EU and some of its member-states are in the struggle against VAW in third countries. For example, the EU organizes and implements projects in Jamaica and Guatemala that seek to increase protection and access to justice for women. Furthermore, the EU recently started to focus more on regional cooperation with projects such as EUROsociAL+ through which the EU assists and supports LAC countries, among other things by establishing policies on gender violence. Examples of the success of this programme can be seen in the establishment of an “early warning system” in Uruguay and the empowerment of female police officers in Costa Rica, Brazil and Uruguay. He further mentioned the Spotlight Initiative, a programme devoted to the eradication of domestic violence that was established by the General Assembly of the United Nations (UNGA) recently. Despite all this progress, he concluded by pointing out that we are still a long way from achieving our objectives,

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2 https://www.coe.int/en/web/genderequality/violence-against-women
3 http://www.oas.org/juridico/english/treaties/a-61.html
4 GREVIO: Group of Experts on Action against Violence against Women and Domestic Violence: https://www.coe.int/en/web/istanbul-convention/grevio
5 MESECVI is the Follow-up Mechanism to the Belém do Pará Convention.
and argued that the issue has to be raised in all of the EU’s human rights dialogues and all other dialogue with the respective countries.

Panel I: Challenges in the Implementation of Legal Frameworks on Violence Against Women and Feminicide/Femicide

Patsili Toledo Vásquez, Lawyer and Adjunct Lecturer at the Law Department of the University Pompeu Fabra (Spain), opened the first panel by describing that a lot of public policies that are being implemented follow no coherent or consequent approach, do not recognize the existence of a legal framework regarding VAW and femicide/feminicide, and often duplicate mechanisms that are already covered by other policies. The main problem she identifies is the lack of communication between the existing mechanisms CEDAW, MESECVI and GREVIO.

Dubravka Simonovic, the UN Special Rapporteur on Violence against Women, its causes and consequences (SR), outlined the progress that has been done since her mandate was established. The SR calls for the establishment of a global Observatory of Feminicide (Feminicide Watch) for data collection, and furthermore, calls on the states to provide reliable data. She argues that it is necessary to combine all different terminologies, topics, agendas and frameworks in order to develop a holistic, global and coherent view on the current developments on VAW.

Another highlight in her presentation was the need to make appropriate use of the different terms and topics on VAW. This would allow developing a holistic and coherent vision of the current situation of VAW. For instance, many policymakers seem to believe that gender-related killings and feminicides are two different phenomena, which they are not, and thus provide inaccurate data on the issue. In Europe, especially, we have to adhere to a global definition and stop referring to feminicides as homicides in order to effectively fight it as a social phenomenon. Nevertheless, she mentions that currently there is a lot of development on the issue, such as more movements demanding change, NGOs continuing to collect data and, in some countries, the establishment of their own observatories on VAW.

The next challenge is how to coherently connect all goals and agendas from the aforementioned mechanisms: GREVIO, MESECVI and CEDAW, as well as the Inter-American Commission and her own mandate, among others. The SR is currently working on a platform initiative that seeks to establish a connection between all the mechanisms, institutions and regional organizations.

Leila Linhares Barsted, Principal Expert of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) from Brazil, argued that one of the biggest challenges is that countries do not convert the recommendations made by the mechanisms into legislation. Here, she criticizes that most policies are of punitive character, while the focus should instead be on prevention. This is because it is very easy to create new criminal laws, but very difficult to transform the mentality of a whole society.

She identifies positive progress in terms of sexual and gender education in certain countries. However, 25 years after the establishment of the Belem do Para Convention, feminicides and VAW are still increasing. Leila Linhares believes that in addition to having a gender perspective, it is also necessary to have an ethno-racial and class approach, in order to integrate all these factors in the fight against violence. This is particularly relevant given that, at least in Brazil, most of the victims of feminicide are women of colour living in extreme poverty. A feminist production
in the legal sphere is essential as the current legal culture lacks a gender-sensitive approach. Most of the new laws on gender violence focus on “intimate partner killings”, but disregard all types of feminicides that are not of intimate character, such as feminicides related to organized crime.

Asha Allen, Policy and Campaigns Officer, European Women’s Lobby, also identifies problems in the legal sphere. The Istanbul Convention is the most comprehensive legal framework in terms of VAW, as it includes prosecution, protection, prevention and integrated policies. However, many countries still have not ratified it or have not implemented it in good faith. While some countries have not ratified it because of the sheer amount of legislative changes the ratification would require, others are just very reluctant generally.

Secondly, she outlines that there is a very well funded opposition against the Istanbul Convention, especially in Eastern European countries. This opposition at the national level also affects the decision-making process at the EU level.

Apart from states’ reluctance to fully implement the convention, she sees funding for civil society as one of the main challenges and emphasizes that cooperation with civil society is a requirement of Article 7 of the Istanbul Convention.

Panel II: Protection and Access to Justice for Women that are Victims of Violence

Moderation: Marta Ibero, Executive Secretary, EU-LAT Advocacy Network, introduced the panellists and said that the purpose of this session was, on the one hand, to identify the advances and challenges in the protection of women victims of violence, as well as their access to justice in both regions, and, on the other, to identify opportunities for the exchange of good practices and EU-CELAC collaboration.

Luz Patricia Mejía, Technical Secretary of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI), opened the second panel by arguing that prevention of VAW is related to each state’s capacity to effectively govern the issue and take steps to guarantee justice, reparation, sanction and the generation of a discourse tackling impunity. The lack of access to justice is a form of discrimination that favours impunity and, as a consequence, increases VAW.

Only 8 out of the 17 states party to the convention respond to the MESECVI on a regular basis. Their lowest response rate concerns the indicator about known cases of VAW in the states’ own institutions, such as cases that happened in public schools or universities. Another important challenge is that public health institutions do not report cases of VAW to the justice system, which prevents an effective collection of data.

Another important problem is that the media outlets produce and reproduce gender(ed) stereotypes and thereby create a misleading perspective among society, as well as among the police and judges, who are responsible for delivering justice. Prejudices and stereotypes held by judges and expressed in judicial decisions are, in turn, disseminated by journalists and eventually influence public opinion yet again. For example, in Colombia, 43% of public officials in the justice system believe that cases of “intimate partner violence” do not have to be regulated or punished legally.

Furthermore, there are not enough professionals that provide support to women victims of violence. For instance, Buenos Aires saw an appalling 33,500 cases of VAW in 2015 with only 26 female therapists, 2 psychiatrists and 44 lawyers attending them. The numbers are similar
for Chile and Uruguay and give us a general idea about the magnitude of the problem in LAC countries.

Ms. Mejía concluded her presentation by outlining three recommendations to make protection and access to justice for women victims of violence more effective: (1) more widely applied gender training for legal personal, (2) the incorporation of an intersectional perspective (addressing, for example, the fact that deaf women cannot call protection hotlines), (3) and a specialization of legal processes in cases of VAW in general.

Natalia Gherardi, Director of the Latin American Group for Gender and Justice (ELA), addressed the issue of protection and access to justice for victims, and mentioned that although the legal punishment of VAW, that is, the criminalization of feminicide, satisfies feminist movements in part, the truth is that the legal approach is the easier solution; it is not enough, in itself, to achieve access to justice for women victims. Natalia Gerhardi insists that while it is necessary to transform society as a whole, it is particularly necessary to transform judicial power. Only this transformation would lead, in the long term, to achieving a more effective application of existing laws. For example, a protection order for victims of violence, by itself, does not solve any problem, as in many cases women are murdered with their protection order in the wallet.

A fundamental point that we must emphasize in this regard is the role of public institutions in supporting victims during the complaint process. **Public health and education institutions must become points of early intervention.** The intervention in this case does not mean pressuring the victim to file a complaint, but to open support spaces so that victims feel empowered and able to file a complaint.

It is clear that effectively guaranteeing access to justice goes beyond the complaint filing process; it means getting the case heard. Access to justice is also about knowing one’s rights and receiving support during the whole process. It is therefore essential to recognize women’s diversity when providing intersectional appropriate responses to the lack of access to justice. Women’s diversity refers, among other things, to geographical, economic, ethnical, cultural or physical aspects.

Education on gender equality has to be implemented from early childhood onwards in order to radically fight VAW. It is important to also incorporate private actors, such as employers, because the workplace is often either a site or a space of identification concerning VAW.

In Argentina, only one in ten women who suffered violence files a report and less than 0.5% of women know about the free support hotlines for women victims of violence.

**Rosa Logar, member of GREVIO and Director of the Domestic Abuse Intervention Centre (Austria),** presented what GREVIO is and how it functions, and continued with the **Austrian model as a leading example for effective protection of women victims of violence.**

For ten years the feminist movement has developed a network of intervention centres providing women support services. These centres are crucial elements for women to access justice. The movement also advocated for a law that specifies that the police can issue an on-the-spot "red card" that leads to an immediate eviction of the violent person from the victim's home for two weeks. This eviction order can be prolonged if needed.

Another integral part of the Austrian system is the pro-active support for the victims, consisting of a legal obligation by the police to notify one of the nine regional intervention centres in all cases of domestic violence and stalking. Hence, the centres contact the victim pro-actively and on the phone already assess the level of risk to identify what is the danger and how to provide
safety, as it is well-known that barring orders are not enough. Risk assessment needs to be victim-centred and the victim's perception about the risk of re-assault must be taken seriously, especially as studies have shown that these perceptions are accurate in most cases.

The centres also provide holistic and free psycho-social and legal support to victims and family members.

Rosa Logar ended her presentation by saying that since the change of government in Austria, and its negative and violent attitude towards the feminist movement, the sustainability of this system of support for the victims of VAW is in danger.

Panel III: Challenges in the Training of Public Officials on the Prevention of Violence Against Women

Moderation: Cornelia Hoffmann, Director of EU Programmes and Democracy at the EU office of the Heinrich-Böll-Stiftung opened this panel by saying that the previous presentations indicated that there are enough international, regional and national legal frameworks to eradicate VAW, but there is a tremendous lack of knowledge on how to implement them correctly. She noted that this panel would focus on the most common training challenges to reach a more effective implementation and good practices.

Eva Villareal Pascual, Legal Gender Specialist, Technical Secretariat of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI), emphasised that the struggle against VAW requires a profound transformation of traditional power structures and gender hierarchies. It is the states that are obliged to lead this transformation, and to do so all states party to the Convention must provide training to their officials so that they are able to treat cases of VAW appropriately.

To assess the states’ compliance with their obligations, MESECVI has a monitoring system based on indicators and a guide for its use. Nineteen of the thirty-two states party to the Convention have been trained in this monitoring system, which also serves for the creation of periodic reports. Based on the states' responses to the capacity chapter, the indicators show how the state is progressing with regard to training all its civil servants to introduce human rights and gender perspective in their practices.

Although in the 3rd Hemispheric Report on the implementation of the Belém do Pará Convention 53% of the states that responded claimed to have systematic and permanent training on gender and an interculturality approach for their officials, only 25% answered about the number of people trained in the justice system, only two states answered about the number of police officers trained, and only one about the number of people trained in the public ministry.

Moreover, the states answered and gave proof of the existence of training programs but did not respond to questions about the impact that these programs have on VAW. This clearly indicates that it is necessary to monitor the results of the training that is being done.

Vasiliki Artinopulou, Professor in Criminology at Panteion University of Social and Political Sciences (Greece), presented the PROTASIS project.

Aiming to facilitate the implementation of the Directive 2012/29/EU, or the so called “EU Victims’ Directive”, the main objective of the PROTASIS project is to contribute to the development of a victim- respectful and friendly environment during the victims’ contact with the police.
The project seeks to promote respect for the survivor's experience, as well as to improve communication skills and knowledge of police officers on how to interact with victims.

In general, the different perspectives between police officers and victims of VAW generate a conflict setting. While police officers want to be in control of the investigative process, the victim feels like she is not in control and does not feel that she is taken seriously. Vasiliki Artinopoulou emphasized the importance of understanding the concept of “trauma”, which is largely foreign to most police officers.

The benefits of the project are manifold: (1) the victims benefit due to the recognition of their needs and the impact of the crime, as well as through the appropriate and individual assessment of their cases, 2) the police benefit because the project gives them a framework of cooperation and communication with the victim, as well as an opportunity to network with public services, and 3) the police will obtain more unbiased information if the victim feels that she is taken seriously.

The project have trained over 200 public officials so far, and the ambition of those responsible for the project is to include the manual «Towards a victim-centred police response» produced in the framework of the project, in the curricula of police academies across Europe, and also in other continents.

Adriana Benjumea, Director of the Corporación Humanas Colombia, began by saying that public entities request that the feminist movement sensitize their officials in charge of dealing with VAW. However, it is not just about having officials "sensitized", but about having efficient officials who meet the norm and act efficiently regarding the protections of women’s lives. She then presented five challenges for the training of public officials in Latin America:

1) **Preventing VAW** is definitely a priority challenge, but how do you teach a public official to prevent violence? The answer is not simple, as preventing VAW implies the coordination between the officials of all the institutions in charge of attending the VAW since each one has to assume their own responsibility.

2) **The protection to avoid femicide** also involves the coordination of the work of the officials from different sectors. For instance, health is an integral part of the right to justice and only when "the perfect fusion" is achieved between these two rights, justice and health, can we talk about reparation for the victims.

3) **Fundamental regarding access to justice, due diligence** needs efficient, effective officials who fulfil their duty to protect the life and liberty of all women.

4) **Intersectionality**, which implies providing differentiated but non-discriminatory treatment to women according to whether they are indigenous, black, lesbians, etc. It also represents a difficulty to be overcome by the justice operator.

5) **Records should serve prevention** and not only be statistical mechanisms to count dead women.

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Panel IV: A Gender-Sensitive Approach to Media Coverage of Violence Against Women and Feminicide/Femicide

Florent Marcelles, MEP Greens/EFA, opened the fourth panel by asking about the role of the media: do they assume a responsible role with respect to gender equality or behave as promoters of the patriarchal system, of inequality and, as a consequence, of VAW?

Tatiana Rein Venegas, principle expert of MESECVI from Chile, said that MESECVI has not defined specific indicators for the media but there are several other indicators that refer to it. This is the case concerning indicators for equal education, which must be taught from primary to university education, including at media training centres. It is also essential to highlight how the public authorities responsible for VAW coordinate with the media and civil society organizations that have extensive knowledge on the subject.

The 3rd Hemispheric Report has identified three main challenges with respect to the media in cases of VAW:

1) The lack of training for journalists and communication experts on the issue of gender, as certain misrepresentations and romanticized narratives about feminicide and VAW keep being reproduced by the mainstream media, especially the narrative of the “crime of passion”.

2) The lack of understanding and, therefore, the lack of information about other forms of violence, in addition to physical violence, such as political or psychological violence, which is ignored and consequently not considered as “real” violence.

3) The different terminology. Everyone still seems to talk about different things when they discuss VAW, especially in different countries. This is a major challenge for effective national and regional monitoring, as well as cooperation.

She gave three concrete recommendations: (1) the evasion of gender stereotypes in the media, which she considers to be fundamental for a transformation of public discourse, (2) the promotion of self-regulatory bodies within the media, such as ethics councils, and to intensify the cooperation with CSO in these bodies in order to effectively reflect on the issue, and (3), a comprehensive education on gender, with a special focus on intersectionality for everyone who works in the media, has to be implemented. The main reason for this is that if training in gender-related issues is voluntary, only those who are already interested in the topic are reached.

She further mentioned several best practices in LAC countries. For example, the Ministry of Women and Vulnerable Populations of Peru and several journalists drafted a manual for the respectful treatment of cases of VAW in the news. A similar model has been created in Argentina. Among the proposed guidelines, it is indicated that the information must conceptualize the news within the framework of human rights and gender equality, must not stigmatize the victims, and must present the services that exist to prevent VAW and protect the victims. Human rights and feminist organisations should be part of these initiatives between the states and the media.

On a more general note, she called for respect towards, and implementation of, the already existing legal provisions directed at gender-sensitive news coverage, such as in the Declaration of Pachuca of 2014.7

Pamela Moriniere, Head of Communications at the International Federation of Journalists (IFJ), explained that many networks of journalists in Europe have drafted their own different codes of ethics, in which one of the key principles is the prohibition of discrimination on the basis of gender. However, most of the codes do not go much further than this.

When we look at the portrayal of VAW, we have to take into account the reality of the journalistic profession: they are working against the clock, they have short deadlines, they often do not have time for proper research, and they have to get as many clicks as possible to create a “buzz”. Furthermore, editorial control is usually not in the hands of journalists, so they cannot decide what is on top of the news agenda.

She criticized the general sexism in newsroom culture, where one out of two female journalists experience violence at work, there is a tendency to trivialise VAW, and not a lot is being done against it. Furthermore, Journalists often have limited knowledge on gender-based violence and tend to focus on police reports only, instead of consulting feminist organizations, lawyers and survivors of VAW. There are limited cases reported correctly on the news, where the tendency is to focus on individual cases and hold the victim responsible for what has happened, rather than mentioning the general socio-cultural context that encourages and allows VAW.

The IFJ created a gender council and defined guidelines, although they have not been updated since 2008. The guidelines give recommendations and define terminology. For example, they describe the difference between human trafficking and prostitution, and elaborate on the importance of showing that a person is not only a victim, but also a survivor. Another key point of the guidelines is the compliance with interview ethics, especially since victims of VAW are often in shock. Moreover, they outline the necessity for journalists reporting on VAW to always be in contact with, and accept the recommendations of, women’s organizations.

On the question of which concrete steps can be taken, Pamela Moriniere answered that sexism in the newsroom culture itself has to be addressed. Self-regulation mechanisms and a gender-sensitive perspective have to be adopted in a way that is transversal to the editorial line of the media outlet. Moreover, gender education needs to become an essential part of journalism academies.

Mariana Carbajal, a journalist at Page 12, states that, in Argentina, only 27% of news is produced by women, and further criticizes that women almost never appear as experts contributing to a certain topic, but instead they are mostly, and in an excessive way, represented as victims in the media. Her first recommendation to change the public discourse is to include more women with a gender-sensitive perspective and an understanding of human rights in the news production process.

Inclusive language, especially in the Spanish-speaking context, has a strong potential to change the public discourse in the long-term. Furthermore, through the intensive use of inclusive language in all types of media and the constant repetition of issues regarding gender equality, the public discourse and subsequently the societal mentality, can be effectively transformed.

As a third point, she stated that it has to be made clear that gender-sensitivity is a quality standard instead of an obligation that represses freedom of expression.
Conclusions

- We have a common, integrating and powerful normative framework, but it is still unknown to the main actors involved in the fight against VAW and femicide / feminicide.

- Actions have to be taken to strengthen the normative frameworks regarding VAW and femicide / feminicide, as well as to support the functioning of Monitoring Mechanisms (MESECVI and GREVIO) so that these in turn can better monitor and address state intervention.

- Cooperation between the mechanisms is essential to think about strategies and proposals to strengthen the mechanisms, coordinate initiatives and share good practices.

- Strengthening the role of women’s organizations, which, in addition to being at the origin of the Conventions and the monitoring mechanisms, are sources of knowledge regarding the reality of VAW in the field and key actors in any project or action on matters of VCM.

- Far from being a uniform group, women are diverse because of their ethnicity, language, culture, educational and occupational level, sexual orientation, etc. These differences result in particular discrimination against certain groups of women, as well as general discrimination against others. All generate specific situations concerning access to services and justice.

- A common backlash against the application of the gender approach in public policies (for example, education and health). Coordinated and highly financed actions threatening progress on women rights are taking place, especially in Eastern Europe and LAC countries.

- In the context of the backlash, we see that spaces that we consider key to the prevention of VAW, such as education, are the areas that anti-rights movements seek to occupy. Therefore, we have to increase the pressure to obtain education on gender equality from primary to university level so that an interdisciplinary approach can take place effectively.