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## **Expert Group on gender-related killing of women and girls**

Bangkok, 11-13 November 2014

Item 4 of the provisional agenda\*

**Discussion on ways and means to more effectively prevent,  
investigate, prosecute and punish gender-related killing of  
women and girls**

## **National measures taken to prevent, investigate, prosecute and punish gender-related killings of women and girls**

### Contents

	<i>Page</i>
I. Introduction . . . . .	3
II. Legal frameworks . . . . .	3
A. Relevant offences . . . . .	3
B. Other relevant legal measures to address violence against women. . . . .	6
III. Policy frameworks . . . . .	7
IV. Statistical data . . . . .	9
V. Investigation and prosecution. . . . .	12
A. Special units or specialized expertise within the police, prosecution and courts. . . . .	12
B. Training of criminal justice officials in charge of investigation and prosecution . . . . .	14
C. Inter-agency coordination and cooperation with other relevant actors. . . . .	15
D. Mechanisms to learn from past experience. . . . .	16
VI. Prevention and other operational measures. . . . .	16
A. Public information and awareness-raising measures . . . . .	17
B. Victim protection, support and assistance. . . . .	17

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C. Measures against trafficking in women and children . . . . .	19
D. Measures to fight harmful traditional practices . . . . .	19

## I. Introduction

1. In its resolution 68/191, entitled “Taking action against gender-related killing of women and girls”, the General Assembly invited Member States to provide the United Nations Office on Drugs and Crime (UNODC) with information related to best practices and other relevant information related to the investigation and prosecution of gender-related killing of women and girls, in accordance with national legislation.
2. In September 2013, UNODC sent a note verbale to all Member States requesting such information, followed by a reminder in December 2013. By 15 August 2014, the following 34 Member States had responded to the request: Angola, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Chile, China, Denmark, Ecuador, Finland, Germany, Greece, Guatemala, Honduras, Italy, Japan, Jordan, Mexico, Morocco, Myanmar, Pakistan, Peru, Russian Federation, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sweden, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland. The State of Palestine also submitted information. Additional and updated information was received from Canada, Slovakia, Turkey and the United Kingdom of Great Britain and Northern Ireland, as well as the State of Palestine.
3. The present report provides a synthetic overview of the replies received and is structured on the basis of the main aspects on which information was provided, namely the legal and policy framework, statistical data, investigation and prosecution, as well as prevention and other operational measures regarding gender-related killings of women and girls. Not all replies contained information on all of these aspects and the level of detail varied considerably.

## II. Legal frameworks

4. Most replies included information in relation to the respective domestic legal framework, including the definitions of relevant criminal offences and other legal provisions concerning the elimination of gender-related killing and other forms of violence against women.

### A. Relevant offences

5. Most States reported on their national criminal legislation and on how it related to punishing gender-related killings of women and girls. Several States reported that the killing of women and girls was covered by criminal law provisions on homicide, murder or manslaughter.<sup>1</sup> Saudi Arabia noted that the killing of women was a criminal act under the provisions of sharia law.
6. Several States made reference to criminal law provisions concerning gender-related aggravating factors for homicide and other offences. In some cases, these provisions were formulated in a gender neutral manner while others specifically applied to women. Some States considered specific motives as

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<sup>1</sup> Angola, Australia, Belarus, Bosnia and Herzegovina, Canada, China, Germany, Morocco, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Tunisia, Turkey.

aggravating factors (Belgium, Canada, Spain and Turkey). In Belgium, hatred against, contempt for, or hostility to persons because of their sex was one of the grounds on which the penalties of specified crimes could be increased (articles 33-42 of the law against certain forms of discrimination of 10 May 2007). The penal code of Canada provided for aggravated sentences where an offence was motivated by bias, prejudice or hate based on the sex of the victim (paragraph 718.2 (a)(i)). In Spain, the penal code (article 22(4)) also envisaged the commission of a crime on discriminatory grounds regarding the victim's sex as an aggravating circumstance. Committing crimes due to motives of honour and custom was included as aggravating circumstances in the penal code of Turkey (article 82(k)).

7. In other cases, factual circumstances were considered as aggravating factors. Some States considered as an aggravating circumstance the fact that the victim of homicide or other offences was pregnant (Russian Federation and Turkey) or was the spouse of the perpetrator (Belgium, Spain and Turkey). The penal code of the Russian Federation required that the offender knew that the victim was pregnant (articles 63 and 105, subpara. 2(d)), and included homicide attended by rape or violent sexual actions as another aggravating circumstance (article 105(2)(j)). In Belgium, marital rape was considered an aggravated form of rape. Spain reported on the introduction of aggravating circumstances for certain offences when the victim was a woman and presently or previously in an intimate relationship with the perpetrator (articles 33-42, organic law 1/2004). The domestic law of Sweden included an aggravated form of assault that included repeated assault and other violations committed by a closely related person. In addition, aggravating circumstances included the exploitation of another person's vulnerable position or that person's special difficulties in protecting him or herself.

8. Only States from Latin America (Chile, Ecuador, Guatemala, Honduras and Mexico) reported that they had specifically criminalized forms of gender-related killing (as "femicide" or "feminicide"). Chile's Law 20.480 provided that the offence of femicide is committed when the victim is female and is killed by former spouses or former cohabitants. It also established a broad defence of criminal responsibility in cases of women that experienced a history of violence before attacking or killing their partners. In Ecuador a code was adopted on 13 October 2013, defining the crime of femicide. Article 141 of the code defined the offence of femicide, and article 142 included aggravating circumstances of femicide.<sup>2</sup> Through a penal reform in 2013, the offence of femicide was introduced in Honduras. In Mexico, this offence was included in the federal penal code in 2012 and since then also incorporated in the penal codes of most federated states.

9. The extension of the definition of specific offences to cover gender-related acts was, however, being considered in Canada. A draft law would amend hate crime legislation, so that hate propaganda against an "identifiable group" distinguished by sex would also be captured by the offences of advocating genocide (subsection 318(1)), public incitement of hatred likely to lead to a breach of the peace (subsection 319(1)) and wilful promotion of hatred (subsection 319(2)).

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<sup>2</sup> Establishing a relationship or intimacy with the victim; relationship in regard of family status; and when the offence is committed in the presence of children or other relatives of the victim; and when the body is exposed or thrown in a public place.

Canada further reported that gender-related killing may fall within the definition under domestic law of crimes against humanity, genocide and war crimes.

10. Some States (Angola, Austria, Chile, China and Russian Federation) stated that their national constitutions provided that men and women were equal before the law. One State specified that it did not consider it appropriate to introduce a specific offence of femicide, as the current offence regime was regarded as sufficient (Australia), whereas another State stressed the importance of promoting the criminalization of femicide (Mexico).

11. Several States also made reference to other relevant offences under their domestic law, including domestic or intra-family violence,<sup>3</sup> rape,<sup>4</sup> forced marriage (Australia, Belgium, Pakistan, Spain [draft legislation] and United Kingdom of Great Britain and Northern Ireland), trafficking in persons (Australia, Chile, China, State of Palestine), stalking (Italy, Japan), acid attacks (Pakistan), female genital mutilation (Belgium), sexual harassment (Pakistan) and slavery (Australia). In some States, the breach of a protection order in cases of domestic violence was criminalized (Belgium and Spain).

12. States also mentioned criminal law provisions protecting the rights of children, such as the offence of sexual intercourse with a child (Bosnia and Herzegovina) or killing an unborn child in act of birth (Canada) and infanticide (Angola, Canada and Guatemala). In Sweden, harming the security and trust of a child in its relation to a closely related person was considered an aggravating circumstance.

13. Mitigating circumstances were available under the penal codes of Jordan (article 340) and Morocco (article 418) to both husband and wife in murder cases involving adultery. In Turkey, the Penal Code was reformed to remove the availability of reduced sentences on the grounds of unjust provocation for any family member or other relative killing a woman with honour motives after a sexual assault. In the State of Palestine, a presidential decree removed article 340 of the Jordanian Penal Code of 1960, which applies in the West Bank, and amended the provision on mitigating circumstances for crimes committed in a state of rage (article 98), to exclude this ground of mitigation if the crime is committed against a woman for “honour grounds”. However, reduced sentences were frequently imposed based on other provisions, especially on victims “relinquishing personal rights” (article 99). The Palestinian draft penal code, if adopted, would introduce a number of reforms to address existing challenges.<sup>5</sup> The draft law would also repeal article 62 (A) of Penal Code No. 16, which granted parents the authority to punish their children and was used as a pretext by parents who murdered their daughters in so-called honour cases and avoided punishment by justifying their actions as disciplinary. A draft law on legal aid was also initiated.

<sup>3</sup> Angola, Bosnia and Herzegovina, Chile, Greece, Italy, Japan, Saudi Arabia, Slovenia, United Kingdom of Great Britain and Northern Ireland, State of Palestine.

<sup>4</sup> Australia, Belgium, Bosnia and Herzegovina, China, Japan, Pakistan, State of Palestine.

<sup>5</sup> A man who murders his wife or any of his relatives would no longer benefit from mitigating circumstances under the pretext of so-called family honour; men or women who murder an adulterous spouse would face equal penalties; the murder by a man of any female member of his family would be treated as any other murder; and increased protection would be provided for victims of crimes such as domestic crimes, rape and prostitution. Forced marriage and trafficking in persons would also be criminalized.

## **B. Other relevant legal measures to address violence against women**

14. Several States referred to other domestic legal provisions, including on victim compensation, assistance and protection. In some States, such provisions were part of more comprehensive laws to address forms of violence against women.

15. Under the Austrian code of criminal procedure, victims were entitled to claim compensation for any damage caused by a criminal act or reimbursement for the infringement upon their rights protected by the penal code, as well as to psychosocial and legal trial assistance.

16. In Chile, the Family Violence Act aimed to prevent, punish and eradicate domestic violence, as well as to provide protection for the victims (also economic violence was included in the definition). Similar national legislation on the issue of violence against women was also enacted in Japan (Act on the prevention of spousal violence and the protection of victims) and Italy (Act on measures against violence in family relationships).

17. China referred to special legislation, including the Law of the People's Republic of China on the Protection of Women's Rights and Interests and the Law of the People's Republic of China on the Protection of Minors, which provided special protection for women.

18. Mexico reported on its General Law on Access of Women to a Life Free of Violence, which provided for a quasi-judicial procedure to declare an "alert of gender-based violence" that entailed a number of emergency measures by the government to counter violence against women and guarantee the safety of victims in a determinate part of the country.

19. In Pakistan, financial and legal assistance was available to women in detention or women facing extreme hardship, according with an amendment made in 2011 to the Women in Distress and Detention Fund Act of 1996.

20. In 2013, Saudi Arabia passed the Protection from Abuse Law, which outlawed all forms of abuse against all vulnerable social groups, particularly women and children, and established national mechanisms to provide protection to such groups.

21. In Slovenia, the Family Violence Prevention Act was enacted in 2008, defining types of family violence, the tasks and cooperation of State authorities and non-governmental organizations (NGOs) in dealing with family violence and protection measures for victims of family violence. It also provided for permanent professional education of all those dealing with violence and a multidisciplinary approach in the treatment of victims.

22. Spain provided extensive information on its Law 1/2004, which established protection measures against gender violence, such as awareness-raising, prevention and detection. It recognized the rights of women victims of gender violence (articles 17-28), provided for the creation of institutional bodies and collaboration plans, criminal protection and the creation of special courts on the issue of violence against women, measures on judicial protection and the safety of victims and the creation of comprehensive forensic units.

23. In Turkey, Law No. 6284 on the Protection of Family and Prevention of Violence against Women of 2012 and its implementing regulation of 2013

prescribed a number of protective measures, including provision of shelter for the victim upon the approval of the prefecture, provision of temporary financial assistance, provision of counselling, provision of temporary physical protection, changing of workplace by judicial decision, changing of place of residence, banishment of the perpetrator of violence from the common residence shared with the victim, and ordering the perpetrator to refrain from approaching the victim.

24. In the United Kingdom of Great Britain and Northern Ireland, the Code of Practice for Victims of Crime entered into force on 10 December 2013, providing victims of crime with clear entitlements from criminal justice agencies and services tailored to individual needs, including those of children and young people. A bill for Wales was expected to be introduced in June 2014 to address violence against women, domestic abuse and sexual violence in a coordinated and coherent manner, focusing on prevention, protection and support. The Anti-Social Behaviour, Crime and Policing Bill reformed civil orders to manage sex offenders.

25. Draft laws currently under consideration in the State of Palestine, would improve the protection of families against violence and create a Palestinian legal aid fund, to guarantee access to justice and a fair trial for all, including for persons with limited income and from marginalized sectors of society, particularly women.

### III. Policy frameworks

26. Fourteen States<sup>6</sup> reported that they had adopted specific policies, strategies or action plans at the national level. Some States referred to policies, strategies or action plans focusing on specific issues like trafficking in persons or specific groups like migrants or aboriginal women. For example, Belgium had adopted a new National Action Plan against trafficking and trafficking in human beings. Canada reported on a draft justice framework intended to help federal, provincial and territorial justice officials, aboriginal organizations, and other partners work together to address violence against aboriginal women, including missing and murdered aboriginal women.

27. Other States referred to broader strategies and action plans on gender equality and equity. For example, Japan adopted its Third Basic Plan in December 2010, which formulated practical actions and concrete policy measures for accelerating the development of gender equality, including in the priority area of eliminating all forms of violence against women. Angola reported on its National Policy on Gender Equality and Equity, requiring State, private and civil society institutions to observe gender-related principles in development programmes, plans and projects.

28. Most responding States had established policies, strategies or action plans for reducing different forms of violence against women and girls. One State (Mexico) had developed a specific strategy to address gender-related killing, focusing on prevention, protection and assistance, coordination between different levels of government and civil society participation.

29. Angola made reference to its Executive Plan against Domestic Violence.

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<sup>6</sup> Angola, Australia, Austria, Belgium, Chile, Germany, Italy, Japan, Saudi Arabia, Slovenia, Sweden, Tunisia, United Kingdom of Great Britain and Northern Ireland, State of Palestine.

30. Australia's National Plan to Reduce Violence against Women and their Children was released in February 2011, bringing together the efforts of government across Australia and the community.

31. Belgium reported on its fourth national plan of action against intimate partner violence and other forms of domestic violence 2010-2014. Previously limited to intimate partner violence, its scope now included also forced marriages, honour-related violence and female genital mutilation. An update of the plan was adopted on 10 June 2013. In addition, a working group on sexual violence was set up to prepare the integration of this component in the next multiannual national action plan 2014-2018.

32. Ecuador adopted a policy and a national plan to eradicate gender violence against women, children and adolescents. The national plan focused on the transformation of cultural patterns (by raising awareness of discrimination as the basis of unequal and violent relationships between men and women), comprehensive protection, assistance and access to justice for victims of domestic violence. It also highlighted the importance of reliable data, awareness-raising and training measures, allocation of stable and sustainable budgets, sectoral coordination, monitoring and evaluation.

33. Germany reported on the Second Action Plan of the Federal Government to Combat Violence against Women, which provided an overall concept and framework for tackling the current challenges in the protection of women against violence. The plan aimed at making the fight against violence more effective and at improving the protection afforded to the affected women. The Action Plan encompassed over 130 federal Government measures and programmes in the form of prevention, federal legislation, assistance systems to support and counsel women affected by violence, national networking of the support system, cooperation between State institutions and non-governmental support services, work with offenders, qualification and awareness-raising, research, cooperation at the European and international levels, and support measures for women in foreign States. The Action Plan paid particular attention to the situation of women with a migrant background and women with disabilities, as well as focusing on medical care.

34. Italy referred to the envisaged adoption of an Extraordinary Action Plan against Sexual and Gender-Based Violence by its Ministry of Equal Opportunities, as mandated by article 5 of Decree Law No. 93/2013.

35. Saudi Arabia reported on its comprehensive national plan for the dissemination of a human rights culture, which included a focus on human rights principles and standards and aimed to address social issues linked to human rights violations and wrongful practices, taking into account all age groups (from childhood to adulthood) and the social groups in question, such as children and women.

36. Slovenia adopted a Resolution on the National Programme of Family Violence Prevention, a strategic document stipulating the objectives, measures and bodies in charge of policies for the prevention and reduction of family violence in the country for the period 2009-2014. The document attempts to integrate the measures of different ministries in curbing family violence with activities aimed at its identification and prevention. Specific tasks and activities for the implementation of objectives and measures are stipulated in biennial action plans.



37. Tunisia made reference to the establishment of a national strategy against violence against women.

38. Turkey reported on its National Action Plan on Combating Domestic Violence for 2012-2015, which aimed at fostering improvements in the area of legislation, public awareness, delivery of protective and health services and inter-institutional cooperation, and was prepared with the contribution and participation of relevant public institutions, NGOs and academia under the coordination of the Directorate-General on the Status of Women.

39. In the United Kingdom of Great Britain and Northern Ireland, relevant measures were taken on the basis of the strategy “Call to End Violence against Women and Girls” of 2010, which applied to England and was accompanied by an annual action plan.<sup>7</sup> The strategy aimed at: (i) preventing violence from happening in the first place by challenging the attitudes and behaviours which foster it, and intervening early where possible to prevent it; (ii) providing adequate levels of support where violence does occur; working in partnership to obtain the best outcome for victims and their families; (iii) reducing the risk to women and girls who are victims of these crimes; and (iv) ensuring that perpetrators are brought to justice. A new national rape action plan set out clear commitments to address rape cases, focusing on prevention and responses by the criminal justice system. In Northern Ireland, a gender-neutral “Domestic and Sexual Violence and Abuse Strategy” 2014-2020 was adopted to improve services and support for all victims and witnesses, and ensure perpetrators are held responsible. The Strategy focused on social change, prevention and early intervention, support, protection and justice for victims.

40. In the State of Palestine, a National Strategy to Combat Violence against Women was adopted for the period 2011-2019, aiming at enhancing social and legal protection for women victims of violence and at enhancing prevention mechanisms and legal reforms to end violence against women.

#### IV. Statistical data

41. Several States provided statistical data on a variety of issues related to gender-related killing or violence against women,<sup>8</sup> including information from the criminal justice system or from population-based surveys on female victimization in relation to murder or other forms of violence. However, not all States recorded criminal justice data disaggregated by sex and the motivation of crimes was generally not recorded by responding States, except for those with specific legislation on hate crimes.

42. Data from different States suggested that men outnumbered women as victims of homicide and other forms of crime (Australia, Austria, Canada and Japan), but that women were more likely to be victims of intimate partner homicide (Australia,

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<sup>7</sup> [www.gov.uk/government/publications/ending-violence-against-women-and-girls-action-plan-2013](http://www.gov.uk/government/publications/ending-violence-against-women-and-girls-action-plan-2013).

<sup>8</sup> Austria, Australia, Belarus, Belgium, Bosnia and Herzegovina, Denmark, Germany, Greece, Guatemala, Italy, Japan, Mexico, Myanmar, Peru, Serbia, Slovenia, Tunisia, State of Palestine.

Canada, Denmark and Italy) and were disproportionately affected by domestic and/or sexual violence (Belgium, Germany and Slovenia).

43. Two States reported on specific studies on gender-related killing. In Mexico, a joint report, prepared by a parliamentary commission, the national institute of women, UN Women and the Colegio de México (an academic institution), analysed available official data on deaths of women with a view to identifying patterns of “femicidal violence”. The report concluded that, between 1985-2010, 36,606 women had been killed. In Australia, a research paper, published in 1999 and entitled “Femicide: the killing of women in Australia 1989-1998”, considered factors associated with the occurrence of femicide and found that, during the period under review, women in Australia were killed at an average annual rate of 1.4 per 100,000 population and men at an average annual rate of 2.4 per 100,000 population.

44. In Austria, while motivations of offenders were not recorded in the Electronic Justice Register, age, sex and nationality of a victim started to be recorded in the second half of 2011. In criminal proceedings conducted in 2012, 278,160 persons were recorded as victims of a criminal act. 135,431 thereof were male and 86,875 female; 55,584 victims were unknown or not recorded. Regarding the sex of the victims: 60.9 per cent were male and 39.1 per cent female. The number of male defendants in criminal proceedings in 2012 was higher than that of male victims of crime.

45. In Belgium, a recent study indicated that 12.5 per cent of the respondents had experienced at least one act of violence by their partner or ex-partner in the last 12 months (14.9 per cent women and 10.5 per cent men). Sexual violence during the life disproportionately affected women (5.6 per cent female victims, compared to 0.8 per cent male victims). The vast majority of sexual abuse before age 18 was made by relatives or family members, especially for women.

46. While women in Canada were less at risk of homicide or attempted murder than men, the nature of violence against women was distinctively different from violence directed at men. Data collected in Canada for 2012 indicated that 63 per cent of the victims killed by a family member and 83 per cent of those killed by an intimate partner were female. Age also played an important role in intimate partner violence, with the likelihood of female victims of intimate partner violence aged 15 to 24 years being eight times higher than males of the same age group. However, between 1991 and 2011, the rate of homicides against female spouses dropped by 46 per cent, while the rate of dating homicides against women fell by 65 per cent. Decreases were also recorded for attempted murder and physical assault of female intimate partners, according to police-reported trend data for the years 2009 to 2011. In 2011, approximately 8,200 girls under the age of 12 were victims of violent crime, representing half of all child victims of violent crime. As with most crimes, males were most often identified as the perpetrator of violence against girls. In 2011, the rate of violence against female youth (between the ages of 12 and 17) was 8 per cent higher than the rate for male youth, partly reflecting girls’ higher risk of sexual violence. Between 2001 and 2011 at least 8 per cent of all murdered women aged 15 years and older were Aboriginal, double their representation in the Canadian population which was 4 per cent. Aboriginal females were found to have a homicide rate of almost seven times higher than non-Aboriginal victims (5.4 per 100,000 compared to 0.8 per 100,000).

47. The numbers of homicide cases registered in Denmark, in the years 2012 and 2013 were 40 and 42 respectively. In 2008-2013, 16 decisions on killings and attempted killings regarding female victims were published in the Danish Weekly Law Reports and the Journal of Criminal Law. In five of the 16 cases the convicted person was in an intimate partner relationship or married to the victim. In four cases the victim and the convicted person had previously been in an intimate partner relationship. In two cases the victims were related to the convicted person. In one case the killing was honour-related and in another case the motive was revenge for sexual assault. The last three cases concerned random victims.

48. Germany reported that forty per cent of women in the country had at some point become victims of physical or sexual violence. Twenty-five per cent of women had suffered physical or sexual violence by their partners at least once in their lives. Thirteen per cent had been a victim of sexual violence.

49. In Greece, criminal statistics showed that a significant percentage of murders of women were committed against elderly women during robberies. The percentage of murders of women from domestic violence was smaller, but not less significant. In most cases the perpetrator was the husband or partner, sometimes a relative. In these cases, almost all perpetrators of homicides against women were men.

50. In Italy, the greater part of violent acts against women (about 70 per cent) took place in the framework of family/emotional relationships.

51. Japan reported that the percentage of women among the victims of non-traffic penal code offences involving fatal/bodily damage in Japan had been stable at around 30 per cent over the last 10 years. However, the total number of victims killed was decreasing since 2003, including the number of female victims killed.

52. Peru reported that 609 women had been victims of the offence of “femicide” between 2009 and 2013, of which 74.9 per cent were killed by a current or former intimate partner and 13.5 per cent by a family member. In 2013 alone, 131 cases and 151 attempts of “femicide” were registered. However, only about 15 to 26 per cent of the cases were brought to the attention of the criminal justice system. Since the creation of the offence in 2011, there had been a steady increase in the number of cases entering the criminal justice system, with a total of 351 cases at various stages of the proceedings by 2013. The number of offenders in detention increased from 16 offenders in detention in 2012 to 57 in 2013, all of them male and only two of them sentenced. However, it was acknowledged that, in several cases, the penalties imposed on perpetrators were lower than the legal minimum of 15 years’ imprisonment and that in some cases existing alternatives to imprisonment were improperly applied. The amount of civil damages award to the victims varied widely (between 800 PEN and 50,000 PEN or approximately 290 USD and 17,900 USD) and was often not superior to 5,000 PEN or approximately 1,790 USD per case.

53. In Slovenia, police data suggested that in a high percentage of family violence cases, the victims were female (in 92 per cent of cases investigated by the police by mid-2013). Annually, the police investigated about 2,100 cases of family violence. The number of cases was slowly decreasing after a peak in 2009. The data on crimes of murder and manslaughter committed within the family showed that the victims were predominately female. (In 2009 for example, 10 women were victims of murder or manslaughter within the family, out of 19, in 2012 8 women out of 13.)

54. Regarding data on murder, in Tunisia, the number of cases of murder against women reached 42 cases in 2010, 34 cases in 2012 and 49 cases in the first ten months of 2013.

55. In 2012 and 2013, in the State of Palestine 12 cases of murder were received by the Public Prosecution where the victim was a woman or a girl. Of the 98 cases of threats to kill a woman or a girl received by the public prosecution, 97 were deferred to court while 1 case was still under investigation.

## **V. Investigation and prosecution**

56. Most of the States indicated that investigations and prosecutions were carried out under the responsibility of the ministry of the interior, the police or the ministry of justice.

57. Sweden reported that the National Board of Health and Welfare had been charged with collecting information from relevant authorities concerned with the investigation of lethal violence and providing feedback to these authorities on how to better prevent and respond to similar cases in the future.

58. In Canada, specific spousal abuse policies were introduced in all jurisdictions within the country by the mid-1980's to ensure that the same criminal standard was applied to spousal offences as would be applied to any other crime against the person. Such pro-prosecution policies required that spousal abuse cases should be prosecuted where, based upon all of the evidence, there was a reasonable prospect of conviction and it was in the public interest to prosecute. The Royal Canadian Mounted Police (RCMP) had established a national policy on violence in relationships, which requires swift police intervention to protect victims.

59. In Guatemala, a series of general guidelines regulated the investigation and prosecution, crime scene management, collection and preservation of evidence, as well as for the application of the law against femicide and other forms of violence against women. Its primary objective was to institutionalize a working methodology to strengthen and guide the investigation and criminal prosecution of the crime of femicide.

60. The national police of Pakistan had established a Gender Crime Cell with the responsibility to develop policies for police concerning the prevention of gender-based crime, which had formulated standard operating procedures for dealing with women victims of violence in 2009. The national police monitored the implementation of these procedures.

### **A. Special units or specialized expertise within the police, prosecution and courts**

61. Some States reported on the creation of special units with specialized expertise within the police, e.g. on domestic violence (Bosnia and Herzegovina), hate crime (Canada), violence and victim protection (Italy), or violence against women and children (Japan and State of Palestine). Several States also referred to specialized expertise available within the prosecution service (Sweden), or even in the judiciary (Jordan).

62. The police of Sarajevo Canton in Bosnia and Herzegovina had established a special department to deal only with investigations related to domestic violence.
63. Several Canadian police services have established hate crime units for the reporting and investigation of hate crimes. Many of these hate crime units work directly with the Canadian Centre for Justice Statistics, which provides police training to improve the identification and documentation of hate crimes. In 2011, a National Centre for Missing Persons and Unidentified Human Remains was established as a division of the RCMP's Canadian Police Centre for Missing and Exploited Children.
64. Canada also reported on specialized information system that facilitated violent crime investigations through the collation and comparison of data to identify serial crimes. The Violent Crime Linkage Analysis System was a national computer program capturing information on homicides, sexual assaults, abductions and other violent crimes. Through the examination of victimology, offender characteristics and physical, verbal, or sexual offence behaviour, analysts were enabled to link violent, predatory serial crimes which were likely committed by the same offender. This information was provided to investigators in the field to aid in their investigations.
65. In 2005 in China, criminal investigation departments across the nation set up the Nationwide Information System for Missing Persons in response to the murder of missing persons, and in particular the abduction and murder of women. They have also compiled and circulated relevant documents enabling advanced involvement in the search for missing persons and investigation into suspected cases of violation against such persons, in particular suspected cases of violation against women. Those initiatives have resulted in the successful detection of a large number of cases of murder.
66. Although in Finland no difference was made between male and female victims in the process of investigation and prosecution, a social worker was at the disposal of almost every police department to provide assistance when needed in cases of domestic or partner violence. Special units within the criminal police were in charge of investigating different kinds of violence.
67. Specialized police units were established at the provincial level in Italy. These were entrusted with enhancing cooperation with agencies and non-governmental organizations (NGOs) regarding a "network" for victim protection and with setting up dedicated reception centres for violence reports.
68. In Japan, police headquarters established Juvenile and Women Aegis Teams (JWAT), exclusively tasked to identify persons showing signs of possible sexual abuse, including accosting and stalking, and to mitigate risks of sexual offences targeting women and children by issuing warnings, guidance, etc.
69. Spain reported on a practical guide for the effective forensic investigation of the crime of femicide that had been developed by civil society and experts from Spain and Latin American States and was already being used in some Latin American States.
70. In 2008, the State of Palestine established a women's protection department within the police force to receive women and children victims of domestic violence and deal with cases of sexual abuse committed both within and outside the family

sphere. It compiles reports, investigates victims of attack and takes legal action in complete confidentiality. In addition to legal measures, the department aims to preserve social and family cohesion by attempting to resolve issues and providing additional professional services in collaboration with partner institutions and relevant government ministries.

71. In Angola, the General Command of the National Police/Ministry of Interior, through the National Criminal Investigation Bureau, created a department for domestic violence, decentralized into Provincial Criminal Investigation Offices and Criminal Investigation Departments covering each municipality in Luanda, which was responsible for compiling evidence for criminal proceedings, recording all complaints filed by victims and initiating the relevant proceedings in court as promptly as possible.

72. Sweden reported that most local public prosecution offices had specialists on violence in close relationships. Expertise was maintained through experience gained in operational activities, training and regular network meetings. The specialists on violence in close relationships ensured that competence with respect to legal regulations, practice, methods and evidence was maintained among prosecutors of violent offences in close relationships within the office or, where relevant, a specific team.

73. In Jordan a specialized judicial body was established within the High Criminal Court to consider cases allegedly involving honour. Training was provided for judges and prosecutors concerning amendments in legislation regarding excuses in murder cases involving adultery.

## **B. Training of criminal justice officials in charge of investigation and prosecution**

74. The Angolan police (General Command of the National Police) carried out a range of awareness-raising campaigns targeting cross-province police units, including lectures, seminars and training to provide the police with the knowledge and skills required in situations of domestic violence, including gender-based violence.

75. In Canada, the RCMP was provided with training through a domestic violence investigations course. The RCMP also developed a training standard on domestic violence that included components on forced marriage and honour-based violence.

76. In Finland, police and prosecutors received training for technical or tactical investigation concerning homicide and other violent offences.

77. Greece reported that its police personnel were being sensitized on issues concerning the protection and support to all vulnerable individuals for preventing their victimization.

78. In Italy police training focused on victims and more effective ways to detect and prevent recurrence of violence. Specific initiatives included specialization courses for specialized units on investigation techniques concerning crimes against minors and sexual crimes and, on managing family disputes and domestic violence,

as well as annual refresher courses on domestic violence, stalking, violence against women and measures against discrimination for all police staff.

79. The national police of Pakistan supported the provincial police through a gender-responsive policing project. Several training sessions had been organized for police trainers on the application on the standard operating procedures for dealing with women victims of violence and on improving the gender orientation of police officers.

80. Slovenia was implementing a country-wide training project for police officers and criminal investigators based on the train-the-trainer principle. The project aimed at enhancing the quality of responses to family violence and at raising public awareness of the police procedure in cases of family violence. The project also included training of police officers in operation and communication centres (for professional and appropriate answering of emergency calls of family violence victims, appropriate response and feedback) and the dissemination of information concerning the police procedure in cases of family violence (comprehensive information for the wider public assessed by the media as highly relevant).

81. In Sweden, regular training programmes were held for police authorities concerning initial response, the preservation of evidence and contact with victims. Prosecutors used legal handbooks in day-to-day operational activities concerning violence in close relationships. Training was provided for prosecutors on processing of offences in close relationships, honour-related violence and offences against children.

82. Turkey reported on official study visits and training workshops for judges and prosecutors on domestic violence, trainings on violence against women for the Gendarmerie and on the planned introduction of gender equality in the curriculum of all schools affiliated to the Gendarmerie.

### **C. Inter-agency coordination and cooperation with other relevant actors**

83. Canada reported on a policy of the RCMP, which directed units to participate in multi-agency community-based initiatives or programmes to reduce the incidence of violence in relationships, improve public awareness, and develop protocols for responding to violence in relationships. A number of police projects on unresolved homicides and missing persons were developing good practices relating to information-sharing, file management, file coordination and disclosure to be shared with other investigative units or replicated in other parts of the country.

84. In Greece, cooperation between the police and other public and private bodies was considered to be very important for preventing and effectively addressing violence against women, as well as for assisting and protecting them. The police was working very closely with the National Centre for Social Solidarity/Ministry of Labour, the body for exercising social policy and for providing social care and social solidarity services. The police also cooperated with the General Secretariat for Gender Equality and other co-competent bodies in order to render support to women who became victims of violence.

85. In Peru, an inter-sectorial body was established in 2012 to oversee the National Programme against Family and Sexual Violence. It elaborated an inter-agency care pathway for cases of “femicide” and was currently developing an inter-agency protocol on this matter.

86. Spain reported on the conclusion of a protocol on coordination between law enforcement bodies and judicial organs.

87. In Sweden, the Prosecution Development Centre Gothenburg, cooperated with other agencies within the judicial system, in particular the national police board, on combating violence in close relationships and other issues. The Swedish Prosecution Authority engaged in experience exchange, knowledge dissemination and cooperation on special projects concerning violence in close relationships, together with the Ombudsman for Children in Sweden, the Swedish National Council for Crime Prevention, the Crime Victim Compensation and Support Authority, the Swedish National Courts Administration and the National Police Board.

#### **D. Mechanisms to learn from past experience**

88. Canada provided examples of relevant federal-provincial-territorial working group reports as well as coroner’s inquests and domestic violence death review committee reports that examined issues related to the investigation and prosecution of gender-related killing of women and girls.

89. The national commission on the status of women of Pakistan had the power to gather information and maintain a database regarding cases of violence against women, as well as the powers of a civil court to summon anybody within the framework of its inquiries into violations of women’s rights.

90. Turkey made reference to the annual meetings of its national committee to monitor violence against women, under the coordination of the Directorate-General on the Status of Women and with the participation of public institutions, civil society and academia, which evaluated relevant activities and improvements achieved and provided suggestions.

91. In the United Kingdom of Great Britain and Northern Ireland, a national group on sexual violence against children and vulnerable people was established as a panel of experts to coordinate and implement the learning from recent inquiries into historic child sexual abuse and current sexual violence prevention issues. A national oversight group, chaired by the Home Secretary, was established to follow up on recommendations by the Inspectorate of Constabulary concerning current police practice on domestic violence.

### **VI. Prevention and other operational measures**

92. Most States reported that their police had a specific role in crime prevention efforts. This role included situational prevention, such as patrols, supervising and monitoring in areas where national action plans were applied, as well as involvement in social prevention. Some States noted that the police had specialized expertise on prevention, assistance and protection women victims of violence, or



that the police participated in the training of young leaders, in awareness-raising campaigns and in forming coalitions with national and local stakeholders.

93. States reported on the establishment of victim protection, counselling and assistance measures as well as public awareness programmes, involving campaigns for non-violence, websites or establishing helplines. The media were also used as a tool in preventing violence against women and girls through promotional spots, interviews and participation in radio and television programmes. Several States<sup>9</sup> also reported on prevention programmes focusing on other vulnerable groups such as migrants, trafficked persons, indigenous groups and women affected by harmful traditional practices.

#### **A. Public information and awareness-raising measures**

94. In Belgium, 70,000 copies of a brochure in seventeen languages was distributed to inform victims of the possibilities of support and advice. Further measures included annual awareness campaigns, particularly on the international day against violence against women, a play to address in an innovative way the issue of violence between partners, a national website on partner violence and a television commercial to draw attention to the issue of domestic violence, as well as posters of child victims of violence (committed by friends or relatives) or sexual abuse on display in the streets.

95. In Ecuador, the campaign “NO estàs sola Denuncia!” was launched, which included an academic forum on a human rights based approach to gender equality and a fair on free legal advice and psychosocial care.

96. The United Kingdom of Great Britain and Northern Ireland reported on its national prevention campaign “This is Abuse”, aiming to encourage teenagers to rethink their views about rape, consent and abuse. In 2010, in Wales the “Right to be Safe” Strategy was launched, which focused on reducing the incidence of violence against women and domestic abuse and increasing the safety of those experiencing it. The Strategy identified four key priority areas, namely prevention and raising awareness, providing support to victims and children, improving the response of criminal justice agencies and improving the response of health services and other agencies.

#### **B. Victim protection, support and assistance**

97. In addition to the information on the legal and policy framework for measures to protect, support and assist victims, several States made reference to good practices in this regard. Some States had established toll-free telephone helplines offering counselling and advice on violence against women (Belgium, Chile, Germany and Saudi Arabia).

98. The Angolan police provided counselling and psychological support for victims, to re-establish the victim’s emotional balance and ensure the conditions and

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<sup>9</sup> Australia, Belarus, Belgium, Canada, Chile, Ecuador, Germany, Mexico, Sweden, United Kingdom of Great Britain and Northern Ireland.

individual and social welfare necessary to prevent the victim from becoming an aggressor.

99. In Canada, the RCMP had adopted a national policy on violence in relationships, which required swift police intervention to protect victims. Supervisors were directed to ensure that all investigative files were reviewed periodically.

100. In Chile, centres were established to provide psychosocial and legal assistance free of charge to women over 18 suffering from violence within a partnership. Further measures included the use of shelters for women and their children, safe houses for women victims of trafficking, prevention centres and services for women victims of sexual assault, hosting meetings and coordinating community awareness to prevent violence against women, emergency care or panic buttons, as well as legal representation in matters of femicide cases. Furthermore a victim assistance network was initiated.

101. In Mexico, the existing 66 shelters for women victims of violence and their children were in the process of standardization. By July 2012, a total of 46,209 protection orders had been issued, over 70 per cent of which by judicial organs. Between 2007 and 2011, medical services used available measures to assess the risk and detect violence against women in 4,413,900 cases, representing a coverage of 13.4 per cent for 2011.

102. In Germany, an Internet platform ([www.hilfetelefon.de](http://www.hilfetelefon.de)) offered women safe, anonymous and universally accessible online contact with hotline staff.

103. Saudi Arabia reported on new social protection centres in various areas of the Kingdom.

104. Spain reported on specialized police units to prevent gender-based violence and to ensure the execution of judicial protection orders. Several instruments had been enacted to promote inter-agency collaboration on prevention of such violence and victim protection. A cooperation protocol between the local and the national police forces was in place to protect victims more effectively.

105. In Tunisia, specialized counselling units regarding women victims of violence were established.

106. Turkey reported on the implementation of protective measures under the 2007 Witness Protection Act, which had been ordered by 92 court decisions for 159 individuals and 95 individuals had been granted new identity documents. A pilot project on the use of electronic support technologies to fight violence against women was being implemented in two provinces, where potential victims were provided with a panic button device to electronically submit location data and emergency calls in order to obtain assistance from the nearest police unit. Reference was also made to the work of violence prevention and monitoring centres, which provided support and protection to victims of violence against women, as well as to available temporary women's shelters.

107. The United Kingdom of Great Britain and Northern Ireland reported on statutory domestic homicide reviews that were put in place to establish lessons learned regarding the way in which local professionals and organizations work individually and together to safeguard victims. Other relevant instruments included

Domestic Violence Protection Orders to prevent the perpetrator from returning to a residence and from having contact with the victim for up to 28 days and the Domestic Violence Disclosure Scheme enabling the police to disclose to the public information about previous violent offending by a new or existing partner.

### **C. Measures against trafficking in women and children**

108. Australia reported that it had funded a range of domestic, regional and international anti-trafficking measures pursuant to its 2003 strategy to combat human trafficking and slavery. Key measures included the establishment of specialist teams within the Australian Federal Police to investigate human trafficking and slavery matters, an Australian Policing Strategy to Combat Trafficking in Persons, a victim support programme which provided individualized case management support, visa arrangements to enable suspected victims and witnesses of human trafficking and slavery to remain in Australia and support the investigation and prosecution of offences, regional activities to deter human trafficking and slavery, to train law enforcement officials and to assist victims under Australia's overseas aid programme, as well as regional engagement in the Asia-Pacific on human trafficking issues through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime.

109. Belarus reported on its international centre for the training, advanced training and retraining of personnel working in the area of migration and the combating of trafficking in persons, which was the main institution where experts from Member States of the Commonwealth of Independent States received specialist training. Since its establishment in 2007, around 1,100 individuals from 16 States, including the United Kingdom, Turkey and the United Arab Emirates, were trained at the Centre.

110. In Belgium, awareness campaigns were conducted in the States of origin of trafficking victims, especially women and children, in order to inform them of the practices of traffickers. A flyer was developed in 2009 to inform visa applicants of the existence of labour exploitation networks and also provided relevant information of services that can help victims. Furthermore, judges received training on trafficking in persons in 2011, organized by the Judicial Training Institute.

### **D. Measures to fight harmful traditional practices**

111. In the broader context of the protection of women's rights, Australia reported on national action against female genital mutilation (FGM), through multi-sector efforts and collaboration. At the international level, Australia was supporting a number of resolutions and agreements that encouraged coordinated action on FGM and support for the women, girls and communities affected. A recent review of FGM laws found that Australia had a comprehensive legal framework in place to criminalize FGM.

112. Belgium reported on its holistic approach to the problem of FGM, with particular attention to the prevention and comprehensive care for victims. Several civil society organizations working in the field contributed to the elimination of FGM by preventive measures, awareness-raising, training and facilitation among

targeted communities in Belgium. Several publications were developed on various aspects of FGM, a brochure on professional secrecy and a guide for the professions concerned.

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