



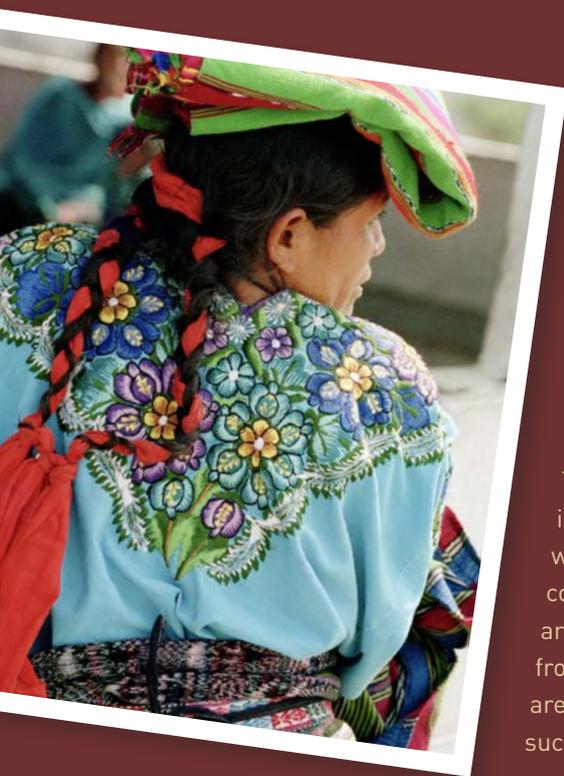
UNODC

United Nations Office on Drugs and Crime



Recommendations for action against
**gender-related killing
of women and girls**





This booklet is based on relevant United Nations Secretary-General reports and should not be considered a full précis of these official documents. Instead, this booklet provides a summary of general information about United Nations support and assistance to counter gender-related killing and offers recommendations on the subject.

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Every day, women and girls worldwide are murdered because of their gender.

Gender-related killing occurs in all our societies, be it as a result of intimate partner violence, in the name of “honour”, in connection with accusations of sorcery or witchcraft, or in the context of armed conflict. In many cases, the killing is the final step in a continuum of violence against women and girls. Too often, perpetrators are not held accountable and impunity prevails.

The United Nations recommends a number of practical measures to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls.

Several United Nations entities are supporting Member States in taking action against gender-related killing. This booklet aims to raise awareness among criminal justice practitioners, policy and decision makers, as well as United Nations staff and civil society. It presents the recommendations and the tools and assistance offered by the United Nations Office on Drugs and Crime (UNODC), UN-Women, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Population Fund (UNFPA) to implement them.



A mother shows a picture of her murdered daughter in Mexico City, Mexico

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UNITED NATIONS REFERENCE DOCUMENTS

Report of the Secretary-General on the outcome of the intergovernmental expert group meeting on gender-related killing of women and girls (E/CN.15/2015/16)

Report of the Secretary-General on action against gender-related killing of women and girls (A/70/93)

Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo (A/HRC/20/16)

United Nations support and assistance to promote action against gender-related killing

Promoting international action

The United Nations has the mandate and capacity to convene stakeholders from around the globe, build consensus and promote action. On 11-13 November 2014, delegates representing over 30 Member States came together in Bangkok to develop the recommendations presented in this booklet. They provide practical guidance on ways and means to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls. The meeting was convened by UNODC, in consultation with the Special Rapporteur on violence against women, OHCHR, UN-Women and UNFPA.

More accurate and consistent statistics are crucial to understand and respond to trends of gender-related killing and related violence. UNODC supports international efforts to improve and compare crime and criminal justice data. Its global studies on homicide found that women and girls are disproportionately affected by lethal violence at home or in intimate relationships. A key achievement is the new International Classification of Crime for Statistical Purposes. It can bring together data from different sources for analysis at the country level. In addition to covering “femicide” as a form of intentional homicide, it allows for disaggregation that may provide information on specific forms of gender-related killing.

Providing regional guidance

Regional initiatives are crucial in guiding and promoting national action. UN-Women and OHCHR developed the *Latin American Model Protocol for the Investigation of Gender-related Killings of Women* and support its adaptation and implementation in different countries. This comprehensive and interdisciplinary tool focuses on the investigation and prosecution of violent deaths of women. It provides practical guidelines for the judiciary, prosecutors, police and forensic institutions.

Supporting national action

The United Nations can help countries to prevent and address gender-related killing. This includes technical assistance to adapt legal and policy frameworks and develop the capacity of institutions. It entails working with criminal justice officials to strengthen their investigation and prosecution skills, but also supporting data collection and analysis to build a knowledge base for targeted action. United Nations efforts at country-level also raise awareness of the issue among key stakeholders and the general population. These measures complement ongoing efforts to counter violence against women and girls before it escalates into gender-related killing.

Country examples



In Papua New Guinea, OHCHR participated in awareness-raising events on violence against women and provided technical assistance to the Government to end killings of individuals accused of sorcery and witchcraft, providing, in collaboration with Oxfam and the Ombudsman Commission, human rights trainings to local government officials.

(Source: A/70/93, para. 38)

UNFPA works across countries globally to address various forms of harmful practices that can result in gender-related killings. Such approaches entail great sensitivity to local cultural, religious and traditional beliefs and behaviours, while never losing sight of the imperative of adhering to rights-based approaches. Technical assistance and cooperation is provided in that regard to multi-stakeholders in more than 156 countries to support the implementation of legislation and programmes aimed at adopting long-term measures to enhance gender equality.

In Mexico, UN-Women carried out an analysis of penal codes and civil laws with a view to identifying elements that discriminate against women and supporting decision makers in addressing all forms of violence against women, including gender-related killing. UN-Women conducted a number of studies with current data on femicide in the country and prepared a protocol on how to investigate the crime of homicide with a gender perspective. UNODC complemented those efforts by working with police in order to strengthen investigation processes in cases of “femicide” and improve investigation protocols, based on a gender perspective. In the States of Durango and Coahuila, UNODC supported the development of gender-disaggregated criminal justice data and started supporting the State of Mexico in analysing the causes of femicide.

(Source: A/70/93, para. 37)

Particular forms of gender-related killing occur in conflict and post-conflict countries, where United Nations peace operations supported efforts to hold perpetrators accountable. Technical support and advice have been provided to help establish and operationalize a special court for the prosecution of sexual and gender-based violence in Liberia and to assist the transitional authorities in the Central African Republic in establishing a special criminal court to address the most serious crimes, including sexual and gender-based violence.

(Source: A/70/93, para. 40)



The following recommendations were developed by an open-ended intergovernmental expert group on gender-related killing of women and girls, which met in Bangkok on 11-13 November 2014. In his 2015 report to the General Assembly (A/70/93), the Secretary-General reiterated the recommendations, which envisage practical measures for action by Member States to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls.

General recommendations

RATIFY AND IMPLEMENT RELEVANT INTERNATIONAL AND REGIONAL CONVENTIONS

- Consider ways to enhance international cooperation in these cases, including by ratifying and implementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention on the Rights of the Child and the Protocols thereto, the Rome Statute of the International Criminal Court, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and their follow-up mechanisms;

USE AND ADAPT TECHNICAL TOOLS

- Consider translating and disseminating the Latin American Model Protocol for the Investigation of Gender-related Killing of Women, to be used as a model for regional and country-level adaptation, and training justice officials on its contents and use, in collaboration with relevant entities of the United Nations system;

REVIEW AND UPDATE LEGISLATION

- Review, evaluate and update national laws to effectively address gender-related killing of women, including, where appropriate, by providing for specific offences or aggravating circumstances and by reviewing legislation to ensure that it does not include discriminating factors—"passion", "violent emotion", "honour" or "provocation"—that allow perpetrators to escape criminal responsibility;

DEVELOP CAPACITY

- Strengthen the capacity of criminal justice institutions to prevent, investigate, prosecute, punish and remedy gender-related killing of women, including by:
 - (i) Assessing the effectiveness of laws;
 - (ii) Implementing training programmes and awareness campaigns;
 - (iii) Identifying gender stereotypes and discrimination within institutions, providing adequate sanctions for discrimination, sexual misconduct and other misconduct, and ensuring that measures are taken to address them;
 - (iv) Promoting the recruitment, employment and appropriate working conditions of women in the legal and law enforcement professions, especially at the decision-making level;

ENHANCE COORDINATION BETWEEN ALL STAKEHOLDERS

- Promote and enhance coordination, at all levels of government, between institutions mandated to prevent, investigate, prosecute, punish and remedy gender-related killing of women, as well as coordination with other relevant sectors, including civil society and the education, health, social services and security sectors;

PROVIDE HUMAN, TECHNICAL AND FINANCIAL RESOURCES

- Provide sufficient human, technical and financial resources for the implementation of laws, policies, procedures and practices to prevent and respond to gender-related killing of women, including by adopting gender-sensitive budget policies as well as monitoring and accountability procedures;

MONITORING AND EVALUATION

- Monitor the implementation of laws, policies, procedures and practices and gender-sensitive budget policies to prevent and respond to gender-related killing of women, and evaluate their effectiveness and impact, including from a gender perspective, through transparent, participatory and inclusive processes;

INTERNATIONAL COOPERATION AND TECHNICAL ASSISTANCE

- Continue and enhance international cooperation and technical assistance to address capacity gaps and the exchange of information on the implementation of promising practices to prevent and address gender-related killing of women, with the support of relevant United Nations entities and competent regional institutions and civil society, including academic and research institutions.

Recommendations on data collection and analysis

IDENTIFY ELEMENTS TO DEFINE GENDER-RELATED KILLING

- Identify elements that could be used at the national and international levels to characterize and classify forms of gender-related killing of women, in particular for statistical purposes;

FOCUS ON QUALITATIVE AND QUANTITATIVE DATA

- Strengthen the collection, analysis and dissemination of qualitative and quantitative data on gender-related killing of women and other forms of violence against women, focusing on factors such as age, racial and ethnic origin, criminal history of perpetrators, the relationship between the victim and the perpetrator, modus operandi, context and motive, taking special care to include reports on violence in rural and marginalized areas and the situation of specific groups of women and victims;

CONSIDER THE LINKS WITH DIFFERENT FORMS OF VIOLENCE

- Collect and analyse data in an integrated manner to consider the links between gender-related killing and different forms of violence against women, such as human trafficking or harmful practices;

ANALYSE INDIRECT FORMS OF GENDER-RELATED KILLING

- Collect and analyse data on indirect forms of gender-related killing of women, such as deaths due to poorly conducted and clandestine abortions; maternal mortality; deaths from harmful practices; deaths linked to human trafficking, drug dealing, organized crime and gang-related activities; the death of girls from simple neglect, through starvation or ill-treatment; and deliberate acts of omission by the State;

COLLECT AND PUBLISH DATA REGULARLY AND TRANSPARENTLY

- Collect and publish official data and information regularly and transparently, in a format that responds to the needs of a variety of audiences, while respecting confidentiality and preserving the safety and privacy of the victims; and consider the provision of technical assistance in this regard as a matter of priority;

APPLY A GENDER PERSPECTIVE AND INVOLVE STAKEHOLDERS

- Analyse data from a gender perspective, involving, to the extent possible, relevant government agencies, civil society, academia, victims' representatives and the international community;

PROVIDE ADEQUATE RESOURCES AND TRAINING

- Provide adequate human and financial resources for the collection, analysis and dissemination of data on gender-related killing of women;
- Provide regular and institutionalized training to relevant personnel on technical and ethical aspects of the collection, analysis and dissemination of data on gender-related killing of women.

Recommendations on prevention

COUNTER HARMFUL ATTITUDES AND GENDER STEREOTYPES

- Promote changes in social norms and attitudes harmful to women through early and continuous educational programmes and awareness-raising and by conducting or encouraging work with schools and local communities;
- Encourage news media to adopt codes of ethics regarding gender-sensitive reporting on violence against women cases, to ensure that victims' dignity and privacy is respected and to avoid the dissemination of harmful and degrading gender stereotypes, as well as to promote gender equality and non-discrimination;

ENHANCE SAFETY AND PROTECTION FROM LETHAL VIOLENCE

- Adopt legislation, policies and measures to prevent lethal risks to women victims of violence and to protect victims and witnesses, including simple, quick and accessible protection and restraining or barring orders, adequate and targeted risk assessment and management strategies, and confidential 24/7 hotlines, shelters or other measures to facilitate access to safety, assistance and support; such protective measures should not be dependent on the initiation of a criminal case;

- Promote women's safety audits in order to create a safer urban environment, for example, improved street and underpass lighting and more frequent police patrols in areas prone to molestation of women;

ENCOURAGE REPORTING AND EARLY DETECTION OF VIOLENCE

- Promote strategies and measures by relevant authorities and civil society to encourage the reporting and early detection of violence that may result in gender-related killing of women;

ADDRESS THE RISK OF FIREARMS

- Regulate the possession, use and storage of firearms by violent offenders, including by providing for ownership and possession restrictions, in particular where violence against women has been reported, and carry out awareness-raising campaigns on the risks of exposure to firearms in domestic disputes;

PROHIBIT AND CRIMINALIZE VIOLENCE AGAINST WOMEN

- Review, evaluate and update criminal and civil laws in order to ensure that all forms of violence against women are penalized and prohibited and, if not, to adopt measures to do so, in order to prevent such violence from escalating into gender-related killing of women;

PROMOTE COORDINATION

- Promote and facilitate coordination among government agencies and courts responsible for different areas of law, such as family law, civil law, criminal law and immigration law, in order to coherently prevent and address violence that could lead to gender-related killing of women;

PROMOTE REHABILITATION AND RE-EDUCATION OF PERPETRATORS

- Promote the rehabilitation and re-education of perpetrators, including by developing and evaluating treatment and reintegration, rehabilitation and education programmes that prioritize the safety of the victims;

PROVIDE ADEQUATE RESOURCES

- Ensure the provision of adequate human and financial resources for the prevention of gender-related killing of women and for the monitoring and evaluation of results;

FIND OUT WHAT WORKS IN PREVENTION

- Evaluate prevention programmes and interventions to build a knowledge base on what works to prevent violence against women.

Recommendations on investigation, prosecution and sanctions

ADDRESS RISK FACTORS FOR LETHAL VIOLENCE

- Adopt or review criminal policies, including investigatory and prosecutorial policies, to address potential risk factors that can lead to lethal violence against women;

TAKE ACTION WITH DUE DILIGENCE AND WITHOUT DELAY

- Ensure that competent authorities investigate, prosecute and sanction each case of gender-related killing of women with due diligence and without delay;

ENSURE EQUAL PROTECTION AND ACCESS TO JUSTICE FOR WOMEN

- Ensure that women have equal protection under the law and equal access to justice, including, where relevant, legal aid, language support services and witness protection;

AVOID HARM DONE TO WOMEN BY THE CRIMINAL JUSTICE SYSTEM

- Minimize the risk of secondary victimization during criminal investigations, prosecutions and trials, inter alia, through testimonial aids and assistance for victims and witnesses;

USE A MULTIDISCIPLINARY AND GENDER-SENSITIVE APPROACH

- When relevant, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the investigation of gender-related killing of women, and promote and institutionalize close collaboration and appropriate information-sharing among institutions involved in the investigation of gender-related killing of women, respecting the victim's right to privacy;

ESTABLISH SPECIALIZED UNITS

Establish, where appropriate, specialized and multidisciplinary units within the police, provide prosecution services with specific expertise and sufficient human and financial resources and encourage the courts to gain specific expertise;

DEVELOP KNOWLEDGE AND CAPACITIES

- Develop and disseminate specialized manuals and protocols and provide regular and institutionalized training to officials involved in the investigation, prosecution and sanction of gender-related killing of women so as to ensure that they understand the gendered nature of violence, respond to the specific needs and vulnerabilities of the victims and conduct accountable and effective investigations and prosecutions;
- Develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons, such as centres for missing persons and DNA databases, to support the prosecution of gender-related killing of women;

ENFORCE COMPLIANCE BY CRIMINAL JUSTICE OFFICIALS

- Monitor and sanction criminal justice officials (police, prosecutors, interpreters and court officials) who deny women access to justice, including, for example, those who discriminate against women, refuse to apply legislation protecting women's rights or do not exercise due diligence in their official duties in cases involving violence against women, in particular gender-related killing of women;

ENSURE OFFENDER ACCOUNTABILITY

- Taking into account the responsibility of States to define and sanction criminal offences, ensure that appropriate sanctions for perpetrators of gender-related killing of women are in place that are proportionate to the gravity of the offence;

PROVIDE ADEQUATE RESOURCES

- Provide adequate human and financial resources for the investigation and prosecution of gender-related killing of women.

Recommendations on victim support and assistance

FOCUS ON VICTIMS' AGE AND VULNERABILITIES AND SOCIOCULTURAL FACTORS

- Make respect for the cultural identity, ethnicity, social origin and language of victims of gender-related killing of women an integral part of the legal framework and institutional policies and practices;
- Ensure that the needs of women in vulnerable conditions are addressed, including those of elderly women, rural women, indigenous women, foreign women, immigrant women in irregular situations, women victims of human trafficking, children of women victims of violence, women with disabilities and women in armed conflict;
- Ensure that laws, policies and practices concerning child victims and witnesses are child-sensitive and respect the rights of the child;

ENSURE COMPREHENSIVE PROTECTION AND SUPPORT

- Protect and support victims, drawing on the important role of civil society and ensuring effective cooperation between all relevant State agencies, including, where appropriate, the judiciary, prosecution services, law enforcement agencies and local and regional authorities;
- Ensure that health and other social services are available to the victims, independent of their cooperation with the justice system;

ENSURE EFFECTIVE ACCESS TO JUSTICE

- Ensure that adequate and effective judicial mechanisms are available to all victims to allow them to access justice and to enable them to obtain redress for harm suffered;
- Ensure that victims are provided with prompt and accurate information regarding their rights and available measures for protection, support, assistance and judicial mechanisms to obtain redress, in a way that takes into account the diversity of their language, ethnicity, race, social and economic origin, including by implementing public information campaigns;
- Enable victims to participate in the criminal proceedings, taking into account their dignity, well-being and safety, while respecting the legal rights of defendants and to prepare victims for social reintegration;

ENSURE ACCESS TO ADEQUATE REPARATIONS

- Ensure the availability of adequate reparations, including restitution and compensation, in criminal, civil and administrative proceedings, that respond to the diverse needs of victims, in accordance with national law;

PROVIDE ADEQUATE RESOURCES

- Provide adequate human and financial resources to guarantee the rights of victims of gender-related killing of women.

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