



NATIONAL ANALYTICAL STUDY ON FEMICIDE





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TABLE OF CONTENTS

ABBREVIATIONS	4
INTRODUCTION	5
I. RESEARCH FRAMEWORK	9
1.1. Goal and Objectives of the Study	9
1.2. Research methodology	10
1.3. Research limitations	13
II. THE ANALYSIS OF STATISTICS ON FEMICIDE	14
2.1. Data from the General Police Inspectorate	14
2.2. Data from the General Prosecutor's Office	14
2.3. Data of the Agency for Court Administration	21
2.4. Data of the National Legal Aid Council	21
III. ANALYSIS OF CONVICTION SENTENCES IN CASES OF FEMICIDE	22
3.1. Classification of crimes in the analysed sentences	22
3.2. Profile of femicide victims	23
3.3. Profile of perpetrators	29
3.4. Peculiarities of femicide	33
3.5. Preventive measures and sanctions	35
3.6. Legal representation	37
IV. PECULIARITIES OF FEMICIDE ACCORDING TO PROFESSIONALS AND CLOSE RELATIVES	38
4.1. Risk factors	38
4.2. Possibilities to prevent the femicide	48
CONCLUSIONS	51
RECOMMENDATIONS	55
ANNEXES	
Annex 1. Data about the professionals who participated in in-depth individual interview	57
Annex 2. Data about the close relatives of femicide victims who participated in in-depth individual interviews	58

ABBREVIATIONS

- ACA** – Agency for Court Administration
- NLAC** – National Legal Aid Council
- GPI** – General Police Inspectorate
- SDGs** – Sustainable Development Goals
- UN** – United Nations
- UNODC** – United Nations Office on Drugs and Crime



INTRODUCTION

Femicide is a serious, extreme form of violence against women and girls who are permanently living in a violent environment. This form of violence is influenced by hatred, contempt, pleasure, ego, etc. and it can take place both in the private and public spheres. The perpetrators are often the victim's intimate partners, members of the family or people who know the victim.

The main objective of using the term *femicide* was to raise awareness on the fact that the violent death of women and girls is a crime which should not be mistaken with *homicide*. Femicide is different from other crimes based on several criteria: (i) most of the cases of femicide are committed by current or former intimate partners; (ii) femicide cases are preceded by continuous domestic violence, threats and intimidation, sexual violence; (iii) femicide cases are characterised by inequality in terms of force and resources with the partners.

Some researchers¹ consider that femicide involves the direct responsibility of the government, since the government was not able to take appropriate measures to prevent the violence which led to a person's death. Therefore, homicide is seen as a crime committed by the government because it failed to observe its obligation to prevent, indict and investigate such cases.

The United Nations (UN) Special Rapporteur on Violence against Women, Its Causes and Consequences² stated that such crimes are not isolated incidents that occur suddenly and unexpectedly, but are serious acts of violence, which are the result of continuous violence. They have identified a set of broad categories of femicide, and divided them into direct³ and indirect⁴, underlining that the forms of femicide depend on the sociocultural context of each state.

¹ Marcela Lagarde, anthropologist.

² *Report of the Special Rapporteur on violence against women, causes and consequences*, Rashida Manjoo, A/HRC/20/16, p.4-5. https://www.ohchr.org/Documents/Issues/Women/A.HRC.20.16_En.pdf

³ Indirect categories include: (i) deaths due to poorly conducted or clandestine abortions; (ii) maternal mortality; (iii) deaths from harmful practices (e.g. sexual mutilation); (iv) deaths linked to human trafficking, drug dealing, organized crime; (iv) death from simple neglect, through starvation or ill-treatment.

⁴ Direct categories include: (i) the killing of women and girls by their intimate partner or a family member as a consequence of domestic violence; (ii) misogynistic honour-related killings; (iii) armed conflict-related killings of women and girls; (iv) dowry-related killings of girls and women; (v) gender identity and sexual orientation-related killings of women and girls; (v) the killing of infant girls or gender-biased sex selection; (vii) ethnic and indigenous identity-related killings.

The phenomenon of femicide has come to the attention of specialists in recent decades. This is a social phenomenon, as the rate of women killed by their intimate partners or in a family context is higher than the rate of men killed in a non-intimate or family context. There are different analysis approaches to this phenomenon. The basic principle of the *sociologic approach* is that women and men are killed in different social circumstances and by different perpetrators. The *feminist approach* underlines the patriarchal dominance in investigating the killings of women, while the *human rights approach* extends femicide beyond lethal, to extreme forms of violence against women.

At the moment there is no verified data at global level containing all forms of femicide, and this makes it difficult to compare statistics across different countries. However, we emphasize that the United Nations Office on Drugs and Crime (UNODC) published in 2015 the International Classification of Crime for Statistical Purposes, which was endorsed as an international statistical standard for data collection.⁵ This classification can serve as a starting point for the collection of data on femicide at the national level and aims to allow for comparability of data.

In 2016, the new UN Special Rapporteur on violence against women, its causes and consequences⁶ repeatedly called on states to collect and publish data on femicide, disaggregated by age, ethnicity, etc., and most importantly, on the relationship of the perpetrator to the victim. Recommendations were also made to Member States in the thematic reports (A/HRC/32/42⁷ and A/71/398⁸) on the establishment of Femicide Watches to serve as a tool to document and monitor such cases and to collect and disseminate information on good practices to prevent and combat femicide. Thus, criminal justice statistics are the starting point in the collection of data on femicide and allow the identification of gaps in intervention systems, criminal justice procedures, as well as the identification of risk factors to prevent such cases.

Sustainable Development Goals (SDGs) 5 and 11 prescribe the need to eliminate all forms of violence and create a safe public space for all people, including women and children, as well as obligation of the States to collect data on femicide, in line with the SDGs.

⁵ <https://www.unodc.org/unodc/en/data-and-analysis/statistics/iccs.html>

⁶ Dubravka Simonovic.

⁷ <https://undocs.org/A/HRC/32/42>

⁸ <https://undocs.org/A/71/398>.

The 2019 UNODC *Global Study on Homicide* states that 87,000 women and girls died in 2017, a decrease from 93,000 in 2012. The share of women killed by intimate partners or other family members, however, rose from 47% of all female homicide victims in 2012 to 58% in 2017 (the total number of victims having gone up from 48,000 to 50,000). The home remains the most dangerous place for women, who continue to bear the heaviest burden of lethal victimization as a result of inequality and gender stereotypes. Although women and girls account for a far smaller share of victims of homicide in general than men (19% – women and girls, 81% – men and boys), they are most often the victims of intimate partner/family-related homicide (64% – women and 36% – men).⁹

In 2020, in the Republic of Moldova, the General Police Inspectorate (GPI) has recorded 2453/2597 cases of domestic violence, of which 866/969 cases met the constituent elements of a criminal offence, while 1587/1589 cases met the constituent elements of a contravention (Article 781 Contravention Code).¹⁰ According to the legal classification of the crime, out of 866/969 criminal offences, 23/29 cases were homicides (Article 145 of the Criminal Code), 811/871 cases of domestic violence (Article 201 of the Criminal Code), 30/38 – rapes (Article 171 of the Criminal Code).¹¹ With regard to crimes involving serious injuries, 38 cases were recorded based on the constituent elements of a criminal offence provided for in Article 201(3)(a) of the Criminal Code, 2 cases of domestic violence in which the victim was determined to commit suicide or attempted suicide – paragraph (3)(b). Similarly, 15 cases of domestic violence resulted in the death of the victims due to bodily injuries incompatible with life.¹²

Data from the General Prosecutor's Office for 2019 and 2020 shows a significant increase in the number of reports of domestic violence cases. According to the information provided by prosecutors and the GPI, 12,970 complaints related to domestic violence were registered in 2020 and 11,840 complaints in 2019, which shows an increase by 1,130 cases.¹³ The increase in the number of complaints related to domestic violence registered by law enforcement bodies is determined by several factors: (i) the development of the legal framework and enforcement mechanism of the police in the field of violence; (ii) raising awareness, informing the public about gender-based violence, about the existing legal and regulatory framework on the prevention and the fight against domestic violence and on ensuring the protection of victims; (iii) increased reporting of domestic violence cases, as well as restrictive measures imposed by the COVID-19 pandemic (many care institutions were closed for safety reasons), etc.

⁹ UNODC, *Global Study on Homicide*, Executive summary, 2019.

¹⁰ MHLSP 2020 Report on domestic violence and violence against women. Chişinău, 2021, p. 25

¹¹ Ibidem.

¹² Ibidem, p.26

¹³ Ibidem, p.31

In 2020, prosecutors carried out the prosecution for the following criminal offences in the family relationships area: 785 criminal offences under the provisions of Article 201¹ of the Criminal Code, compared to 871 in 2019; 23 criminal offences under Article 145 of the Criminal Code, compared to 29 in 2019; 30 criminal offences under Article 171 of the Criminal Code, compared to 38 in 2019; 2 criminal offences under Article 172 of the Criminal Code, compared to 31 in 2019. The analysis of gender-based criminal offences committed in the area of family relationships shows that there were 766 female victims (761 in 2019) and 86 male victims (208 in 2019). In 34 criminal cases the victims had children (2019 – 43). At the same time, there were 750 male (857 – 2019) and 90 female (112 – 2019) domestic violence perpetrators. In 2020, the prosecution was initiated for the following offences under Article 201¹ of the Criminal Code: 2 cases under article 201¹(3) (b) – domestic violence resulting in suicide or attempted suicide (7 in 2019); 15 cases under Article 201¹(4) – domestic violence causing serious harm to bodily integrity or health, resulting in the death of the victim.¹⁴

The data from the GPI and the General Prosecutor's Office show that femicide is present in the Republic of Moldova, but it is practically not studied/researched in order to understand the determining factors and to take actions to prevent and to fight against it.

¹⁴ Ibidem, 32.

RESEARCH FRAMEWORK

1.1. Goal and Objectives of the Study

The goal of the study is to determine the peculiarities of femicide in the Republic of Moldova for the period 2016-2019, in order to improve the institutional response mechanisms for cases of gender-based and domestic violence.

Specific Objectives of the Study:

- Analyse statistical data on the number of girls/women killed as a result of acts of violence;
- Analyse criminal cases of domestic violence resulting in death or serious harm to the bodily integrity of girls/women, in order to provide objective information on the trends in legal practice;
- Determine and identify the factors which caused the death and present the stories of the deceased girls/women;
- Identify the main obstacles in ensuring efficient protection for the victims in such cases;
- Draft recommendations to improve the institutional response mechanisms for cases resulting in the death of the victims.

1.2. Research methodology

In order to achieve the goal and objectives of the research, a complex methodological approach comprising several key methods was used:

1. **Collect and analyse statistical data for the period 2016-2019 on the criminal cases** initiated under articles:

- ✓ **Article 145** – Intentional homicide;
- ✓ **Article 145 (2) (e')** – Intentional homicide of a family member;
- ✓ **Article 150 (1) (b)** – Determinarea sau înlesnirea suicidului unei persoane care se află într-o dependență materială sau altă dependență față de făptuitor;
- ✓ **Article 151 (4)** – Intentional serious harm to the bodily integrity or health, resulting in the death of the victim;
- ✓ **Article 171 (2) (b²), in conjunction with (3) (e)** – Rape committed against a family member, which caused the death of the victim by negligence;
- ✓ **Article 172 (2) (b²), in conjunction with (3) (d)** – Sexual acts of violence committed against a family member, which caused the death of the victim by negligence;
- ✓ **Article 201¹ (3) (b)** – Domestic violence leading to suicide or attempted suicide;
- ✓ **Article 201¹ (4)** – Domestic violence causing serious harm to the bodily integrity or health, which resulted in the death of the victim.

Statistical data was requested from the following institutions: The GPI under the Ministry of Internal Affairs, the General Prosecutor's Office, the Agency for Court Administration (ACA), the Superior Council of Magistracy and the National Legal Aid Council (NLAC).

The analysis of the statistical data allowed to determine:

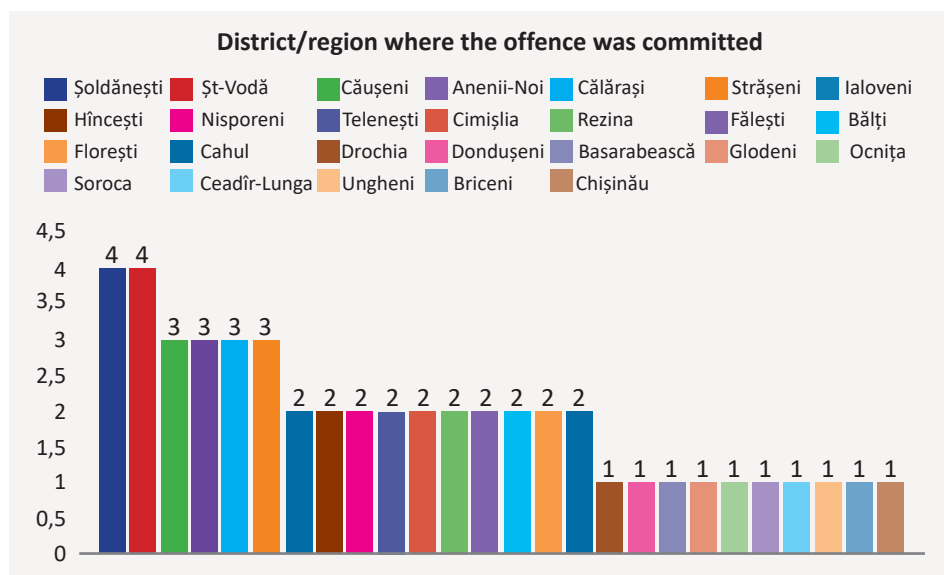
- The profile of femicide victims (age, victim-perpetrator relationship, place where the criminal offence was committed, method(s) used by the perpetrator);
- The profile of the perpetrator (age, relationship with the victim, method(s) used by the perpetrator);
- Certain correlations between the criminal cases initiated (articles of the Criminal Code) and the characteristics of the victim and the perpetrator.

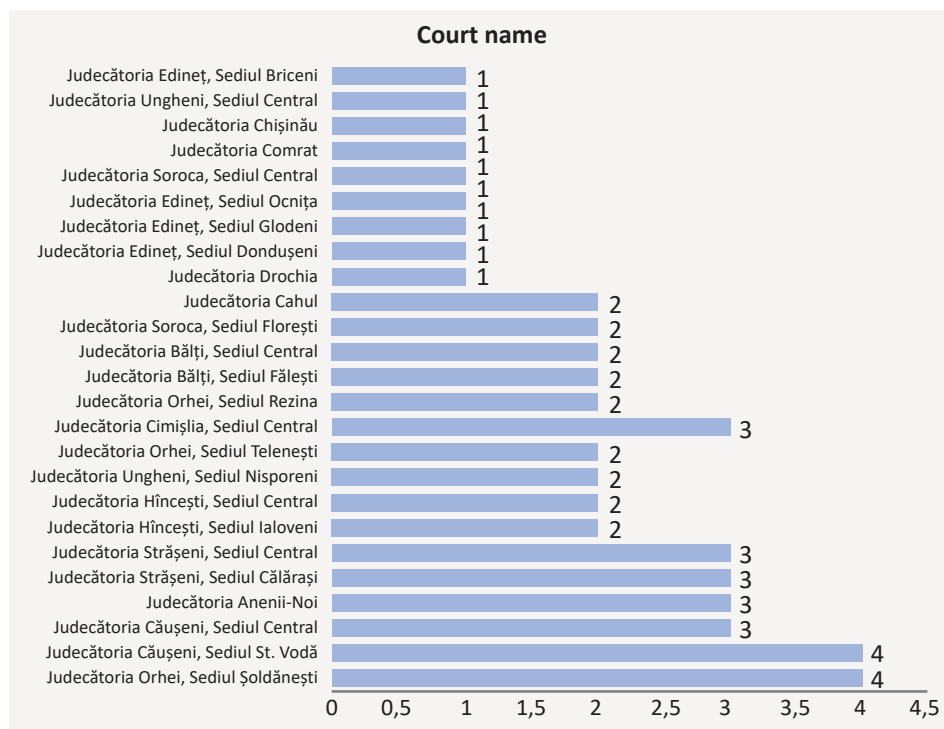
2. Analysis of conviction sentences under the above-mentioned articles.

In order to validate the statistical data collected and analysed for the study, 50 criminal cases were analysed, based on the sentences/judgements published in the courts' database. Each second published sentence in the criminal offences category under section 1 was analysed. The analysis was based on the case documentation sheet. All information registered in the sheet was processed and included in the report to validate the findings of the analysis of statistical data. The analysis of the criminal cases forms the basis of Chapter 3 of this study, which presents all findings related to the practice of the stakeholders in the justice system with regard to femicide.

Criminal cases from all courts were examined for the purposes of this research. The number of cases examined, by court and district where the offence was committed, is reflected in Figure 1.

Figure 1. Graphic representation of the localities where the offence was committed and the court which issued the sentences analysed in this research





Based on the examination of the criminal cases, data were obtained and consolidated on the:

- Circumstances in which the femicide was committed (place, time, method and motive);
- Forms of violence the victim was subjected to;
- Services the victim accessed prior to the offence;
- Examination of the cases in court;
- Sentences issues for the perpetrators.

3. **Conduct in-depth individual interviews with specialists (criminal investigators, prosecutors, members of interdisciplinary teams, etc.) and close relatives of femicide victims.**

20 in-depth individual interviews with specialists (Annex 1) and 3 interviews with close relatives of the victims (Annex 2) were conducted.

The in-depth individual interviews allowed for a better understanding of:

- Peculiarities of femicide, based on case studies;
- Risk factors;
- Ways to prevent femicide.

Thus, in the study, the information from administrative statistical data collected from various institutions was complemented with the information from the analysis of the closed criminal cases and with primary data collected via in-depth individual interviews with specialists from the justice system, prosecution, police, social care, education, but also from close relatives of femicide victims. The research methods allowed for the triangulation of data, determining and understanding risk factors, including the opinions on preventing and reducing the number of deaths among victims of domestic violence.

1.3. Research limitations

Collection and analysis of statistics

At the moment, there are no separate statistics on femicide in the Republic of Moldova. The deaths of girls/women who are victims of femicide are being classified as different types of criminal offences. Each legal institution has its own methodology for registering and tracing cases, which can be improved in order to have more accurate statistics.

Selection of the specialists participating in the research

In selecting the specialists, priority was given to those who were involved in establishing, prosecuting cases, and providing social care in the analysed cases from the period 2016-2019. We note that identifying the concerned specialists was difficult due to high staff turnover and migration for work. Also, we emphasize that the opinions of the specialists on the situation, profiles of the victim and the perpetrator, the factors that led to the offence, including the measures to combat it, are personal opinions and considerations on the events.

Examination of cases in court

Initially, the methodology of the study included the examination in court of 50 criminal cases, in order to validate the collected and analysed statistics. In order to examine the cases in court, the approval of the Superior Council of Magistracy was requested, but it was not granted. Due to the fact that the Superior Council of Magistracy refused to give experts access to the cases in courts, the research methodology was changed and the analysis of court cases was replaced with the analysis of sentences published on the courts' database, which are public information.

THE ANALYSIS OF STATISTICS ON FEMICIDE

2.1. Data from the General Police Inspectorate

According to the statistics provided by the GPI, 226 deaths of victims of domestic violence were registered in the Republic of Moldova between 2016-2019:

- 121 under Article 145(2)(e¹),
- 105 under Article 201¹(3)(b) and Article 201¹(4).

The data from GPI did not allow for disaggregation, for this period, of personal data by sex in order to identify femicide cases. This type of information is only available starting with 2018. However, we underline that, according to statistics, there were no emergency restraining orders or protective orders in place for the victim in any of the death cases.

2.2. Data from the General Prosecutor's Office

According to the data provided by the General Prosecutor's Office, **65¹⁵ criminal prosecution cases concerning the death of girls and women were initiated under Article 145 (32 cases) and Article 201¹(4) (33 cases)** in the Republic of Moldova during 2016-2019.

During the analysed period, **cases of femicide took place in 28 out of the 35 administrative-territorial units**. The highest number of cases were recorded in Ungheni district – 7, which represents 10.8% of the total number of cases. Ungheni district is followed by Chişinău municipality, Călăraşi and Cahul districts – 4 cases each (6,2%), Edineţ, Şoldăneşti, Sângerei, Străşeni, Făleşti,

¹⁵ One case from 2013.

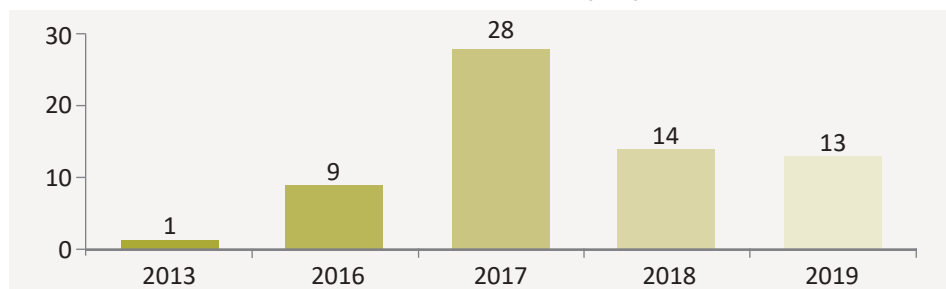
Florești districts – 3 cases each (4,6%), Bălți municipality, Anenii Noi, Criuleni, Nisporeni, Orhei, Hâncești, Rezina, Telenești, Ialoveni, Glodeni districts – 2 cases (3,1%) and Cantemir, Căușeni, Cimișlia, Dondușeni, Drochia, Soroca, Ștefan-Vodă, Taraclia districts – 1 case each (Table 1).

Table 1. Femicide criminal offences by article and administrative-territorial unit where they were committed, number of people

Administrative-territorial unit	Art.145	Art. 2011 (4)	Total
Mun. Chișinău	3	1	4
Mun. Bălți	1	1	2
Anenii Noi	2	0	2
Cahul	0	4	4
Cantemir	1	0	1
Călărași	2	2	4
Căușeni	0	1	1
Cimișlia	1	0	1
Criuleni	1	1	2
Dondușeni	1	0	1
Drochia	1	0	1
Edineț	1	2	3
Fălești	2	1	3
Florești	3	0	3
Glodeni	2	0	2
Hâncești	1	1	2
Ialoveni	0	2	2
Nisporeni	1	1	2
Orhei	0	2	2
Rezina	1	1	2
Sângerei	1	2	3
Soroca	0	1	1
Strășeni	1	2	3
Șoldănești	1	2	3
Ștefan-Vodă	0	1	1
Taraclia	1	0	1
Telenești	1	1	2
Ungheni	3	4	7
Total	32	33	65

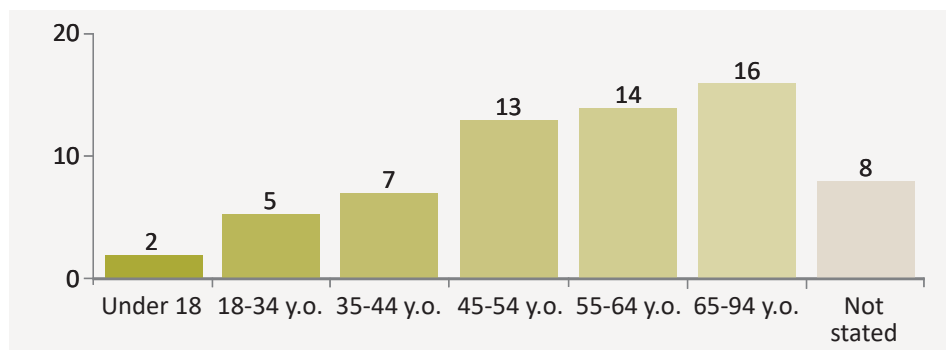
The data shows that the highest number of initiated prosecutions related to the death of girls and women was recorded in 2017 (Figure 2). **In 2017 we can see a record number of initiated criminal cases related to the death of girls and women, twice as high as in 2018 and 2019 and thrice as high as in 2016.**

Figure 2. Femicide criminal cases, according to the year the prosecution was initiated, number of people



The analysis **of the victims of femicide shows an age range from 6 months to 94 years** (Figure 3). The youngest victim (6 months old) was killed by her father, who was severely inebriated, because the infant was crying. The father hit the infant several times in the head and chest areas, which led to the death of the infant before the ambulance arrived. The oldest victim (94 years) was killed by her own son, who strangled her with a scarf, because she ‘wasn’t giving the perpetrator money and wasn’t cooking for him’.

Figure 3. Age of femicide victims, according to the prosecution cases, number of people



The analysis of the link between the age of the victim and the article under which the criminal case was initiated shows certain peculiarities (Table 2). Thus, **deliberate murder of a female member of the family** is quite frequent starting

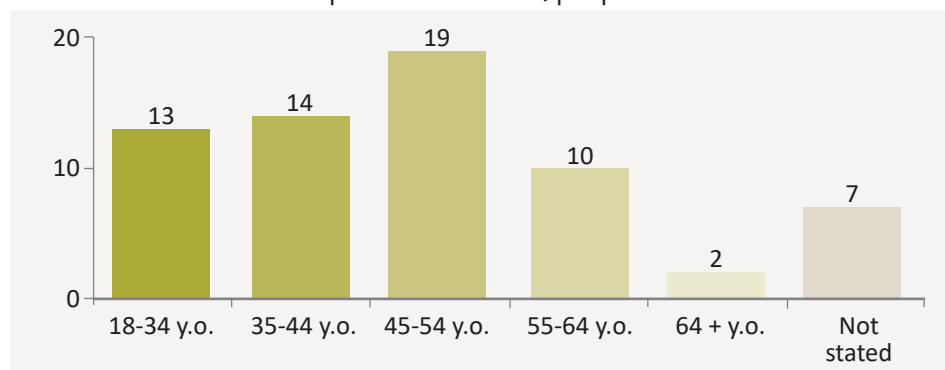
with the age of 18 and **reaches the peak at 65-94 years. For the analysed period, domestic violence causing severe harm to bodily integrity or health, which resulted in the death of the victim was most frequent among victims aged 45-54.**

Table 2. Correlation between the age of the victim and the initiated criminal case, people

Age of the victim	Art. 145	Art. 201'(4)
Under 18	1	1
18-34 y.o.	3	2
35-44 y.o.	4	3
45-54 y.o.	5	8
55-64 y.o.	4	1
65-94 y.o.	12	4
Not stated	3	5

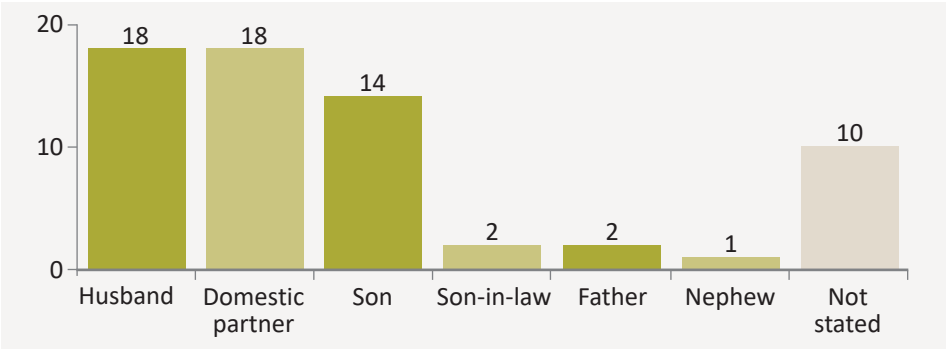
The age of perpetrators is between 18 and 77 years (Figure 4). The youngest perpetrator was 18 years old and committed a deliberate murder, and the oldest was 77 years old and killed his partner, causing her a wound in the heart.

Figure 4. Age of perpetrators, according to the criminal prosecution cases, people



The analysis of victim-perpetrator relationship reveals that the majority of cases of death were caused by the husband or by the partner, followed by those caused by the son, father, son in law, nephew. In 10 cases (15.4%) the relationship of the victim with the perpetrator was not indicated (Figure 5). Most of the victims killed by their husband or partner were women aged between 18 and 64. Women in the age category 55 to 77, are more frequently killed by their husband, son-in-law or nephew. Note that 2 minor girls (6 and 9 months old) were killed by their fathers.

Figure 5. The victim-perpetrator relationship, according to the criminal prosecution cases, number of people



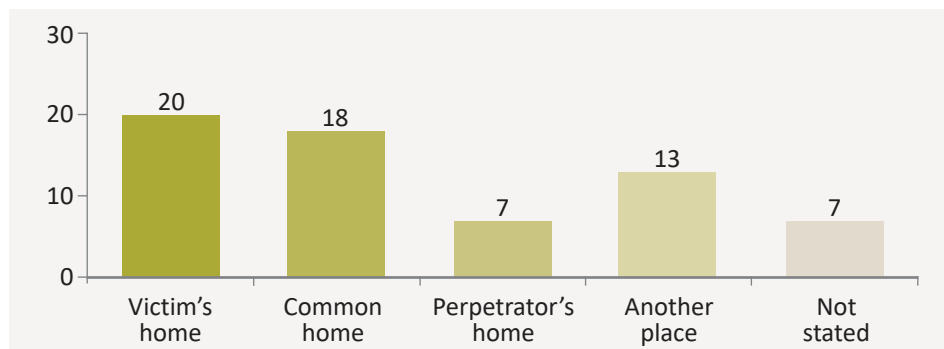
The correlation of the statistics on **the relationship of the perpetrator with the victim and the initiated criminal case revealed that certain cases of death of women, according to Article 145, are most often caused by the son, and less often by the husband (Table 3). In the case of domestic violence causing severe harm to bodily integrity or health, which resulted in the victim’s death, the defendants are most frequently husbands, followed by partners and sons.**

Table 3. Relationship between victim-perpetrator and initiated criminal case

Relation of the victim with the perpetrator	Art.145	Art. 201' (4)
Husband	5	13
Domestic partner	1	8
Son	8	6
Son-in-law	1	1
Father	1	1
Nephew	1	0
Not stated	6	4

The most common place for committing the femicide, during the analysed period, was the victim’s home (30.8%) followed by their common home (27.7%) (Figure 6). Other situations concerning the place where femicide is committed: healthcare facility, street, sheepfold, relatives, etc.

Figure 6. Place where femicide is committed, people



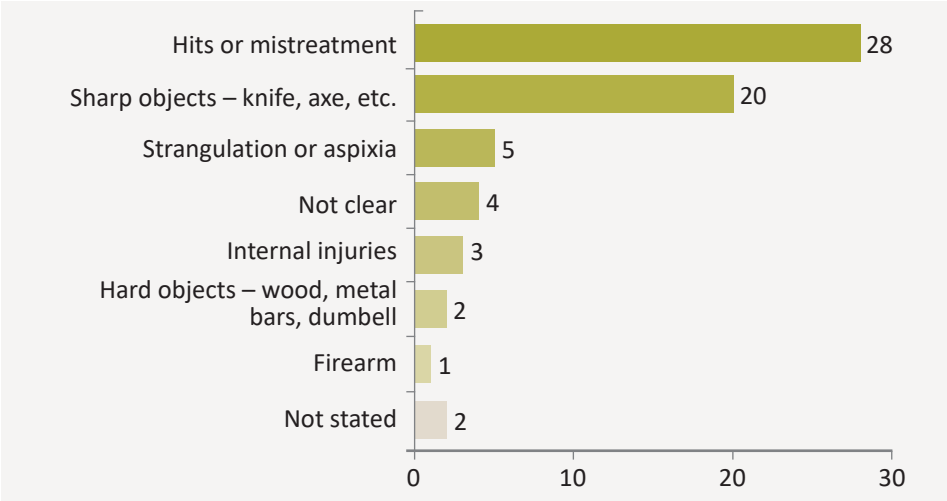
Note that there are significant differences between the place of crime and the article on the basis of which the criminal case was initiated (Table 4). **The cases initiated according to Article 145 were most frequently committed at victim's home, while those initiated under Article 201'(4) – in their common home.**

Table 4. Correlation of the place of crime with the initiated criminal case, people

Place of crime	Art. 145	Art. 201' (4)
Victim's home	13	7
Perpetrator's home	3	4
Common home	5	13
Sheepfold	0	1
Another place (relatives, street, etc.)	7	5
Not stated	4	3

The methods used by the perpetrators are different, but the hitting/mistreating (43.1%) and the use of sharp objects: knife, axe, etc. are the most common. (30.8%) (Figure 7).

Figure 7. Methods applied by perpetrators, people



We underline that there are differences between the cause of death of girls and women, as regards the applied method. **In the case of murders, under Article 145, in 16 (50%) out of 32 initiated cases, the most commonly used objects were sharp ones. In the case of domestic violence crimes** causing severe harm to bodily integrity or health, which resulted into victim’s death, **in 24 (72.7%) out of 33 cases, the perpetrator hit the victim** (Table 5).

In 6 cases, the perpetrator used several methods to murder the victim. **In 5 out of 6 initiated criminal cases, according to Article 201¹(4), several methods were used to murder the victim.**

Table 5. Correlation of the method applied by the perpetrator with the initiated criminal case, people

Applied method	Art. 145	Art. 201 ¹ (4)
Strangulation or asphyxia	5	0
Hits or mistreatment	4	24
Firearm	1	0
Burns, fire	0	0
Sharp objects (knife, axe, etc.)	16	4
Hard objects	2	0
Internal injuries	0	3
Not clear	3	1
Not indicated	1	1

2.3. Data of the Agency for Court Administration

In its standardised statistical reports for 2016-2019, ACA has data on the examination of cases on the basis of articles as a whole, not on the basis of paragraphs. The presented data did not allow for differentiation of femicide cases by Articles 145, 150, 171, 172. Note that during 2016-2019 no cases were filed with the court under Article 201¹(4) and as a result there were no convictions. Starting with 2020, the Integrated Case Management Program can generalise 2 types of electronic reports on domestic violence (1. The course of case settlement, 2. The result of the examination of applications for protection measures in cases of domestic violence), but no data on the cases of death of women in violent situations.

2.4. Data of the National Legal Aid Council

The statistics presented by NLAC show that the representatives of these institutions provided services during 2016-2019, for:

- 14 suspects under Article 172(2)(b²), in conjunction with (3)(d) – Violent actions of a sexual character committed against a family member, which caused the death of the victim by imprudence),
- 7 suspects under Article 201¹(3)(b) – domestic violence inciting to suicide or attempt at suicide,
- 5 suspects under Article 145(2)(e¹) – deliberate murder committed against a family member.

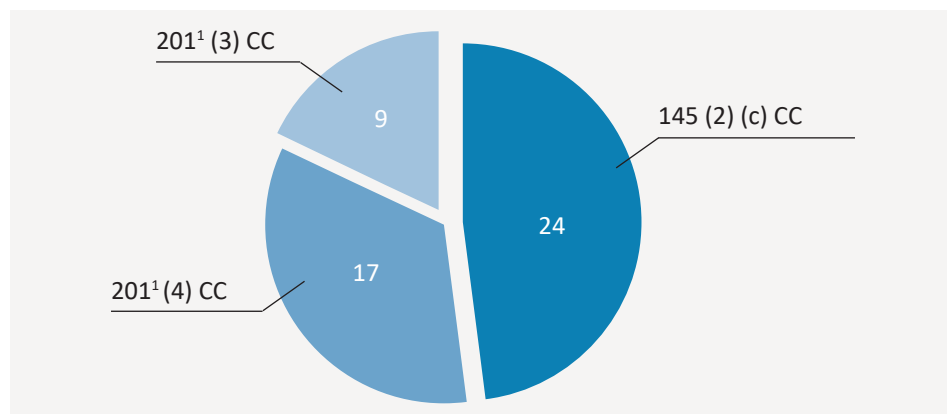
Out of 26 assisted suspects, qualified legal aid was provided at the stage of bringing the accusation against 2 persons: first one, under the Article 201¹(3)(b) in 2016 and second one, under the Article 172(2)(b²) in 2017. A possible explanation of these data may be the fact that after receiving emergency legal aid, when charges are brought against them, the perpetrators prefer a contract lawyer.

ANALYSIS OF CONVICTION SENTENCES IN CASES OF FEMICIDE

3.1. Classification of crimes in the analysed sentences

The analysis of 50 criminal cases, on the basis of sentences/decisions published on the database of courts, reveal the trend identified in the analysis of GOI statistics according to which most of the femicides are classified under Article 145(2)(e¹), followed by those under Article 201¹(4) and under Article 201¹(3) [Figure 8].

Figure 8. Classification of crimes in those 50 sentences/decisions, people

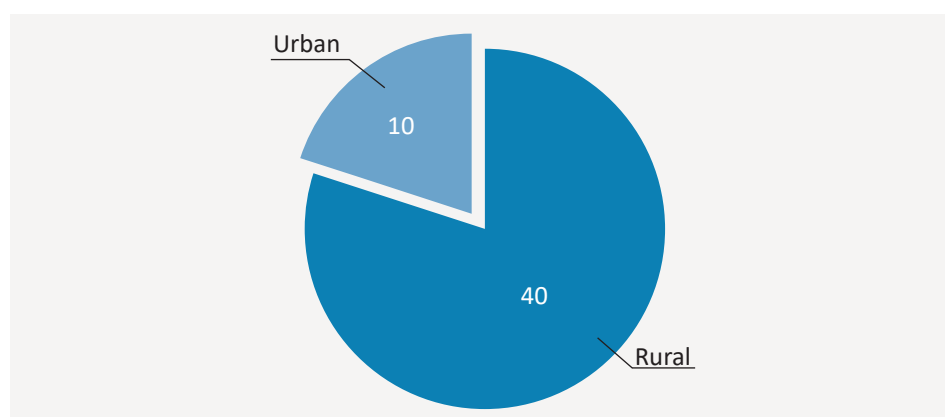


The analysis of the criminal cases allowed us to identify more aspects related to victims: living environment, occupation, presence of children, services provided to the victim and to perpetrators: occupation, presence of vices, the defendants being recorded as domestic violence perpetrators, existence of previous convictions, application of emergency restraining orders or protection orders, etc.

3.2. Profile of femicide victims

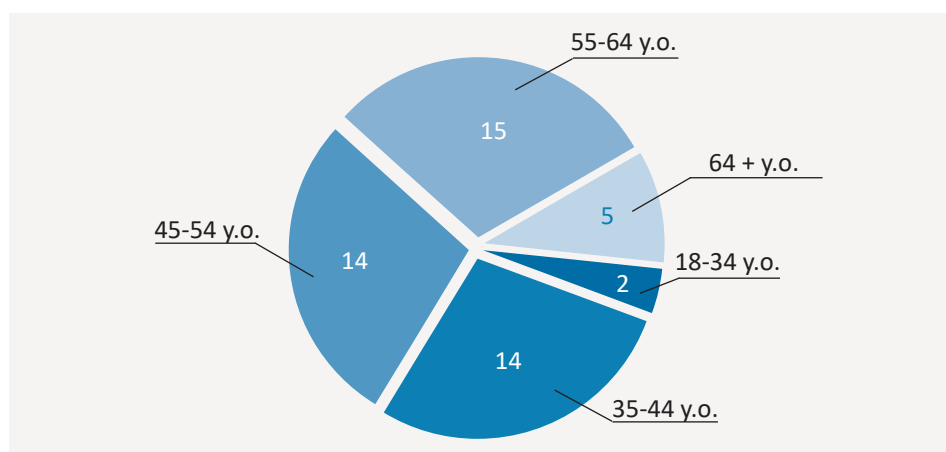
Of those 50 analysed cases, in 40 cases the femicide took place in the rural area (Figure 9). The analysed data allow us to conclude that the risk that such crimes would happen is higher in the rural area than in the urban area. This gap can be explained by the fact that women who live in rural area are more vulnerable to the actions of perpetrators, having limited access to specialised services. Women from the rural area have fewer employment opportunities. Most of them are mainly related to agricultural/seasonal work. Due to this, they are financially dependent on perpetrators, which restricts their access to essential/specialised services. The victim needs to at least be able to travel to the district centre in order to receive legal, healthcare, psychological services. In this case, the victim needs money for transport, which she doesn't always have; this makes her dependent on the perpetrator and increases the risk of femicide. Another possible explanation is related to patriarchal social norms, which prevail in rural area and justify the violence against women, which prevents them from reporting the cases of domestic violence and to access specialised/essential services.

Figure 9. Area in which the crimes from those 50 sentences/decisions took place, people



According to the analysed sentences, most of the femicides that took place during 2016-2019 involved people aged 35-64 (Figure 10). Those data reveal the differences in terms of data presented by the General Prosecution Office (45-94 years) about cases under criminal prosecution. This differences can be explained by the fact that in 8 cases that were mentioned in the information received from the authorities the victim's age was not indicated.

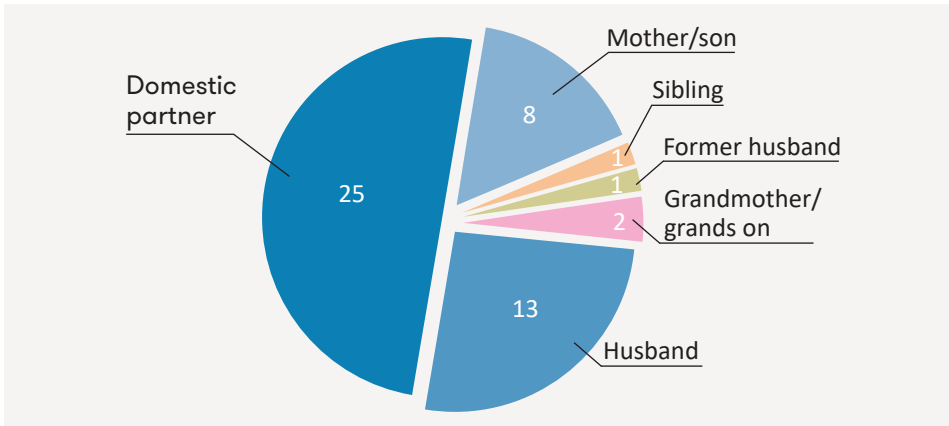
Figure 10. Age of femicide victims, people



The analysis of sentences reveals that most of femicide cases were committed by the partner, husband, son (Figure 11). Note that at the same time, in 4 cases out of 38, the femicide took place after the separation of the victim from the partner/husband.

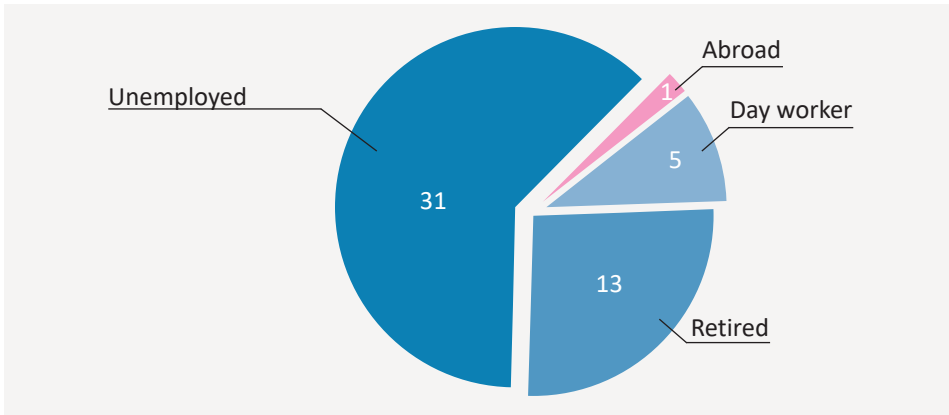
There are certain differences concerning the family relationship between the victim and the perpetrator in the data of the analysed court sentences as regards the cases when criminal prosecution was initiated. In this case too, these differences can be explained by the fact that in 10 cases the relationship between the victim and the perpetrator was not indicated.

Figure 11. Victim-perpetrator relationship, according to the sentences/decisions, people



Poverty and financial dependence of the victim on the perpetrator are an increased risk factor in cases of femicide. The analysis revealed that, in more than half of the analysed cases, the victim had the status of unemployed. At the same time, 13 out of 50 victims were retired people (Figure 12). These realities confirm the assumption mentioned above according to which poverty among unemployed women or women of retirement age makes them dependent on the perpetrators and is an obstacle to reporting the cases and accessing specialised/essential services, which can degenerate into femicide.

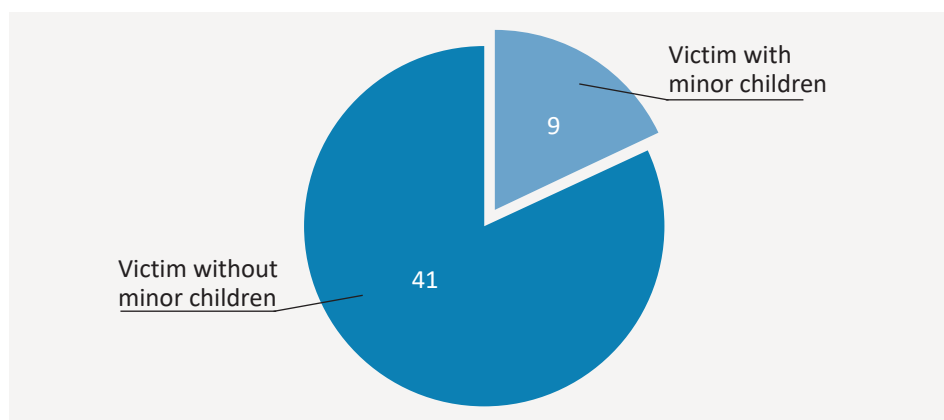
Figure 12. Victim’s occupation, according to sentences/decisions, people



As regards the analysed femicide cases, 9 victims had minor children at the time the criminal offence was committed (Figure 13). According to conviction sentences, women with children have tolerated the acts of violence in order to preserve the family and because they did not have another place to live or the

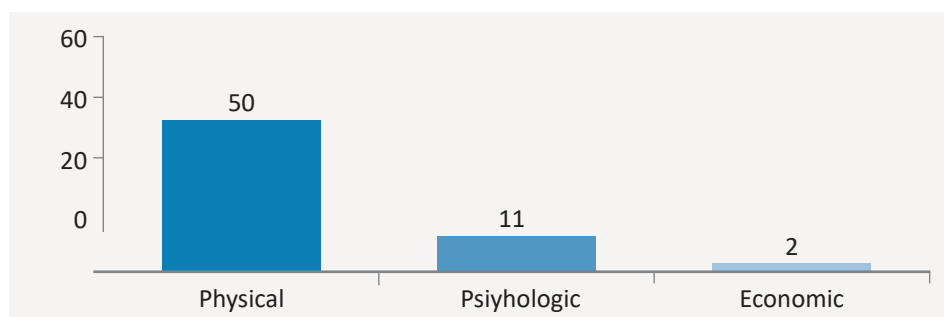
support of a person that could accommodate them during the period that were supposed to be separated from the perpetrator. These findings were validated through in-depth thorough interviews; the respondents mentioned the increase in the number of cases when perpetrators threaten women that they are going to take away their children and deprive them of parental rights. Without sufficient legal information about the procedure of establishing/determining the child's domicile, women endure the acts of violence that can degenerate into femicide or in certain cases, due to psychological violence, the victim can be pushed to suicide.

Figure 13. Presence of minor children, according to the sentences/decisions, people



The analysis of criminal cases shows that women experienced various types of violence (Figure 14). Thus, **every fifth case is one of both physical and psychological violence**, while in 2 situations – economic violence was also found to be the case in addition to the other two forms of violence.

Figure 14. Forms of violence the victims experienced¹⁶



¹⁶ Certain victims were subject to various types of violence.

These trends are confirmed by the data collected at national level. A recent survey (2019) carried out by the Organization for Security and Cooperation in Europe (OSCE), showed that in the Republic of Moldova,¹⁷ 3 out of 4 women endure psychological violence (71%), but the cases of physical violence are the ones that are most frequently reported. Poor reporting of cases of psychological and economic violence can be explained by the fact that many victims do not see these as forms of violence and do not know they are punishable in criminal law. Many women do not report the acts of psychological violence because they are afraid the law enforcement bodies will not believe them as this is difficult to prove through a document. In the case physical violence, victims know they can obtain a medical examination report that confirms the presence of injury, wound age, how it was inflicted and the degree of bodily injury, but things are different when it is necessary to prove the psychological or economic violence. In many cases, women interacted with law enforcement bodies that prioritized the physical violence over other forms of violence, which deterred the victim from reporting other cases of violence and created a permissive framework for perpetrators who use other forms of violence. The investigation of domestic violence crimes where victims claim psychological violence is challenging for the representatives of criminal prosecution bodies too. During the in-depths interviews, one participant spoke about a case when the husband reported that his wife had gone missing. Several days later the body of the woman was found in a forest close to the settlement where the spouses lived. Initially, they looked into the hypothesis of a suicide (through strangulation), but later it was proved that she committed suicide because of the psychological violence she was subject to. The woman was subject to psychological violence from her husband, but she did not report him to the services for domestic violence victims. The only witnesses of the acts of violence were the children. It was difficult to prove that namely the psychological violence inflicted by the husband drove her to suicide and not other factors, as claimed by the perpetrator. In the end, a conviction sentence was obtained (IIA 13). These findings highlight the need to train the police officers on the investigation peculiarities of femicide cases. A similar recommendation was formulated by a participant in the in-depth interviews who said that *'...being exceptional cases, such criminal causes are mostly investigated by criminal prosecution officers with large experience, but starting from the idea that we live and learn, it is necessary to train additionally the criminal prosecution officers and pay attention to the specificities of the investigation of such crimes (on site research, type and opportunity to recommend certain examinations, the procedure of applying measures to protect the victims and prevent the perpetrators)'* (IIA 14)

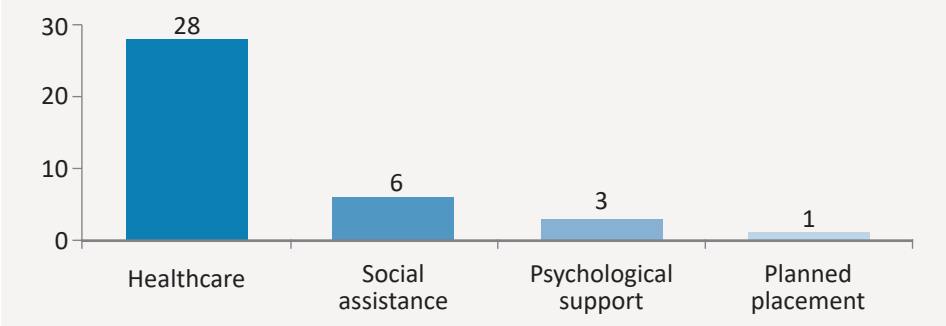
¹⁷ 'Wellbeing and Safety of Women' Survey, OSCE, 2019, p. 6

Only 28 femicide victims were provided services when they reported the cases of violence. Most of them were provided healthcare services, several of them – social assistance and only a few of them – were provided psychological support and planned placement (Figure 15). In this case it is worth mentioning that the victim was provided healthcare services at the time the criminal offence was committed. Usually the sentence contains the information about the fact that the victim received medical help, but died. Social assistance is mainly limited to one-on-one discussions with the social worker and social benefits as social aid.

Following this research, it was found that the victims of domestic violence had limited access to placement and psychological support services. Gender stereotypes and prejudice concerning the role of woman and man in the family are an obstacle to accessing specialised services. One of the people interviewed for this survey confirmed these findings saying that *'...The difficulties we face during the investigation of femicide cases and in general, of violence against women are related to the stereotypes according to which the woman is inferior to man; that man, by his nature, is violent; that the woman should endure; that relatives, neighbors and acquaintances will judge her; that she can't go to a rehabilitation centre, to a support/assistance institution because she has no one to leave her children with or household on; she is afraid of her husband's aggressiveness when he finds out she sought help'* (IIA12).

Another obstacle to accessing placement and psychological support services for domestic violence victims is poor development of these services at local level, particularly in remote settlements that are located far away from big towns. Even if according to Articles 8-10 of the Law 137 on the Rehabilitation of Victims of Crimes, the victims of crimes can receive psychological counselling paid for by the government, such services are no longer available since 9 March 2017. The mechanism of providing state psychological counselling is not currently operational because the bodies that are in charge of implementing the provisions of the above-mentioned law, do not have specialised psychologists to provide the described services. Currently, the victims can receive psychological counselling only from nongovernmental organisations, specialised in providing assistance to victims, if they have the necessary information.

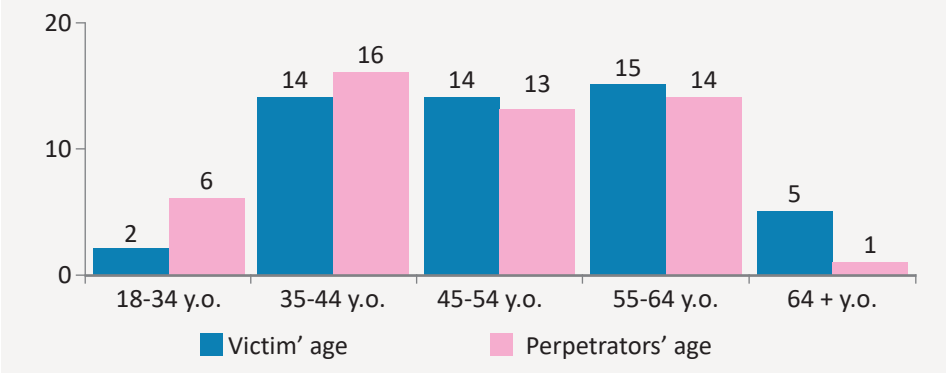
Figure 15. The services the victims were provided when they reported the cases of domestic violence, people



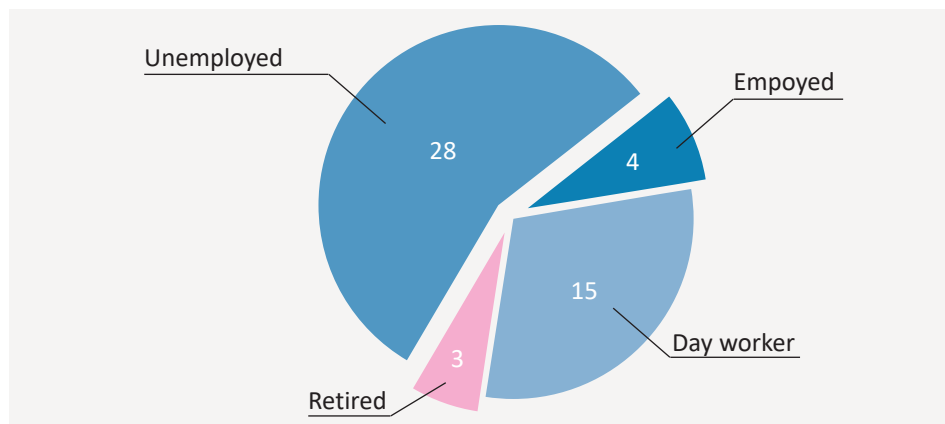
3.3. Profile of perpetrators

The age of perpetrators in 43 out of 50 sentences is within the same age range as the age of victims – 35-64 years (Figure 16). Nonetheless, the comparative analysis reveals that there are certain peculiarities. Thus, the femicide victims, aged 18-44, were killed by older perpetrators. Nonetheless, in the case of victims aged 45 and older, the average age of perpetrators is smaller than the age of victims. The difference in the age of victim and perpetrator is bigger, starting from 64 years, which confirms that women of this age become victims of their own children, nephews, etc.

Figure 16. Age of victims and perpetrators, comparative data, people



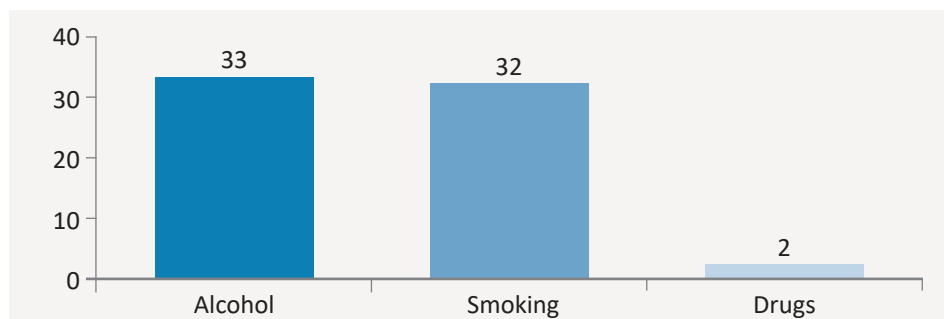
The analysis of court sentences shows **that 28 out of 50 perpetrators were unemployed**, and 15 of them were day laborers. The number of employed perpetrators is very small (Figure 17).

Figure 17. Occupation of victims, people


More than half of the perpetrators consume alcohol, which is a trigger in cases of femicide (Figura 18). The analysis of sentences reveal that perpetrators justify their violent behavior, which led to femicide, by the fact that they were under the influence of alcohol. The participants in the interviews also mentioned the alcohol as a key factor in cases of femicide. A participant in the interview confirmed these findings saying that ‘... In a case that I worked on, the perpetrator killed the victim while being under the influence of alcohol, which in my opinion, is the key factor that determined him to commit the act. Second, the perpetrator killed the victim in order to take revenge because she previously reported him to the law enforcement bodies.’ (IIA12). ‘I think that total isolation of the perpetrator from the victim, for a longer period of time with the enrolment of the perpetrator in certain treatment courses could have avoided the femicide’ (IIA 13).

At the same time, it came up that the mechanism of referral to forced treatment of perpetrators who consume alcohol is not operational and that this increases the degree of danger of crime and creates permissive environment for perpetrators. Last, but not least, we note that smoking and sometimes drug consumption are also common among perpetrators.

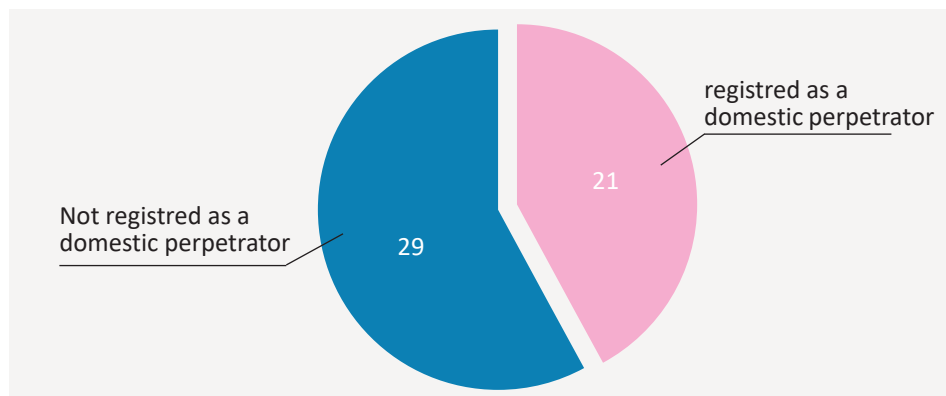
Figure 18. Perpetrators and vices¹⁸



The analysis of sentences revealed that 21 out of 50 defendants were registered with the police as domestic violence perpetrators (Figure 19). Only against 2 out of 50 perpetrators a protective order was applied. The same situation was found in case of emergency restraining orders, which were applied only against 2 domestic violence perpetrators. This is indicative of the poor/inefficient activity of the representatives of institutions tasked with preventing and combating domestic violence, who are supposed to identify crisis situations, report domestic violence cases, respond promptly to any notification, provide emergency response, with protection measures, ensure the nominal registration of domestic violence perpetrators, provide informed counselling to victims, respond to prevent the recurrence/committing of acts of violence, thus guaranteeing the safety of the victim and of other family members, in their home and outside of it. It was mentioned in interviews that the registration of perpetrators should not be limited only to their inclusion on a nominal list or in a register; measures need to be taken to force domestic violence perpetrators into a program to reduce violent behavior within centres with centres authorised with these attributions (IIA 15).

¹⁸ Some perpetrators had more than one vice.

Figure 19. Registration of the defendant as domestic violence perpetrator, people

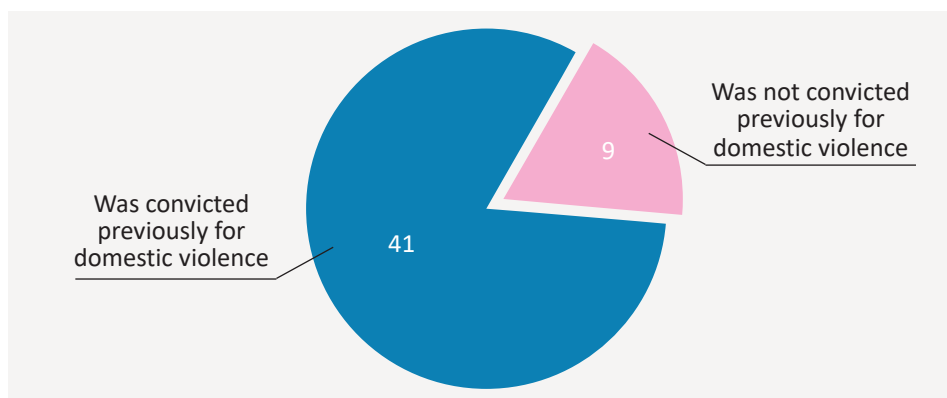


Femicide is an extreme form of violence against women and girls who live continuously in a violent environment. The analysis of the pronounced sentences in cases of femicide reveals that **even if they lived in a violent environment, only two out of those 50 victims applied for protection measures** for domestic violence victims. The shame, fear, lack of financial support and distrust in services are identified as barrier to reporting the cases of domestic violence. Another barrier to reporting the cases is the belief that domestic violence is a private life matter. This belief determines both women and witnesses who know about an act of violence to tolerate domestic violence and to hesitate to report it to authorities. The results of this survey reveal that in most cases, the mother, the mother-in-law, relatives and neighbors knew about the acts of violence and some of them even witnessed the aggressions, but they never tried to protect the victim. Asked by the court why did they not call the police or did not try to defend the victim, the witnesses mentioned different reasons among which: *'...it is their family, they are fighting, they get together,they always fight, I didn't think he would end up killing her..., I stepped in once, then they got together and I ended up being in the wrong'* (excerpt from the sentences). Moreover, some witnesses said that the victim was also guilty for initiating the conflict because they provoked their partners by nagging at them for having had too much to drink or for having neglected household chores.

It is worrying that, **one in 5 defendants was previously condemned for acts of domestic violence** (Figure 20), which means that the state was not able to take appropriate measures in order to prevent the domestic violence, which ended in deaths. According to the survey, in the case of defendants who were previously convicted for domestic violence, **the conviction was not enough to deter them from committing domestic violence and for the victim to**

be protected. In most of the previously committed cases of domestic violence, the court pronounced judgments of conviction in relation to defendants, which implied unpaid community work or conditional suspension of punishment. Note that none of the defendants who were previously convicted for domestic violence were forced to participate in probation programs for reducing violent behaviour.

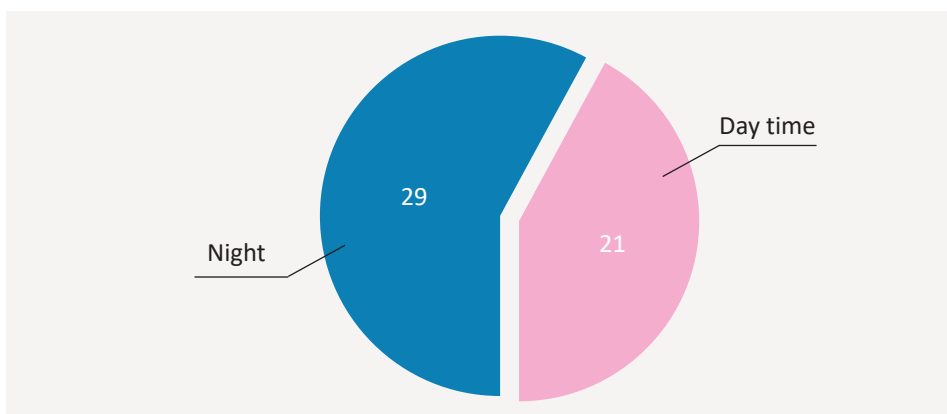
Figure 20. Previous conviction of the defendant for acts of domestic violence, people



3.4. Peculiarities of femicide

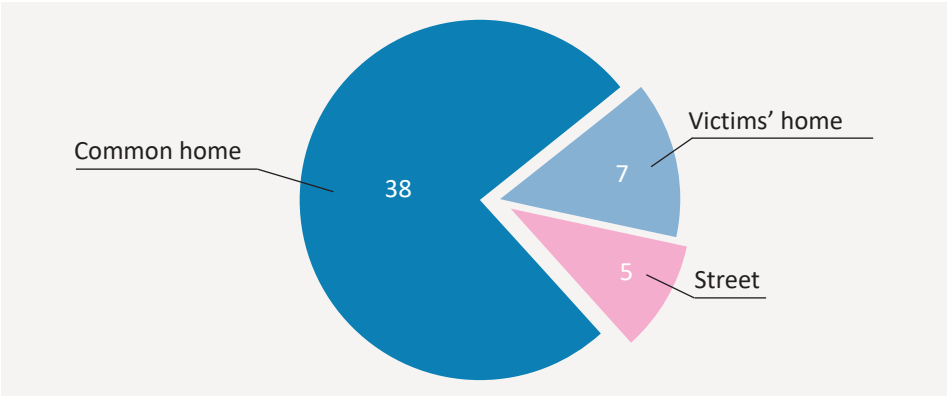
The analysis of sentences, in those 50 cases of femicide, revealed that they mainly took place at night (Figure 21).

Figure 21. Time at which the crime was committed, people



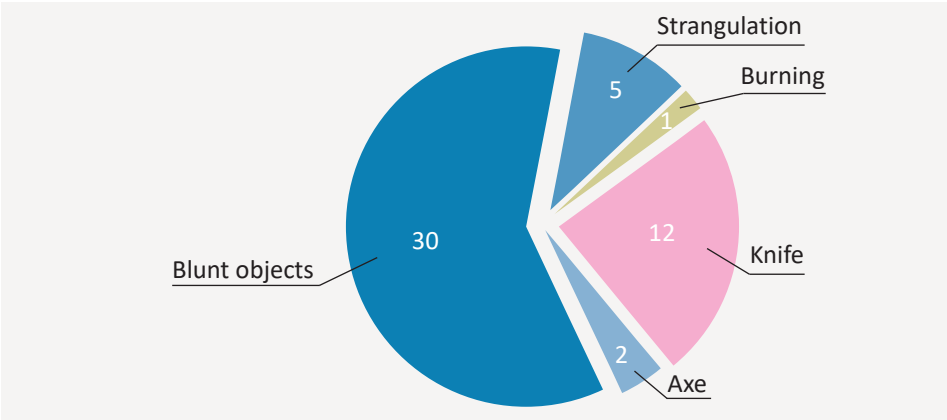
The analysis of the place where the crime was committed, based on the sentences under review, revealed that most frequently, it was the common home, sometimes – the victims home, or in other places (Figure 22). These differences with regards to where the crimes were committed are also due to the fact that the place of the crime is not always indicated in the statistics of the authorities.

Figure 22. Place where the crime was committed, people



The victims were murdered in different ways (Figure 23). Most of the victims lost their lives after being hit with blunt objects, followed by knives.

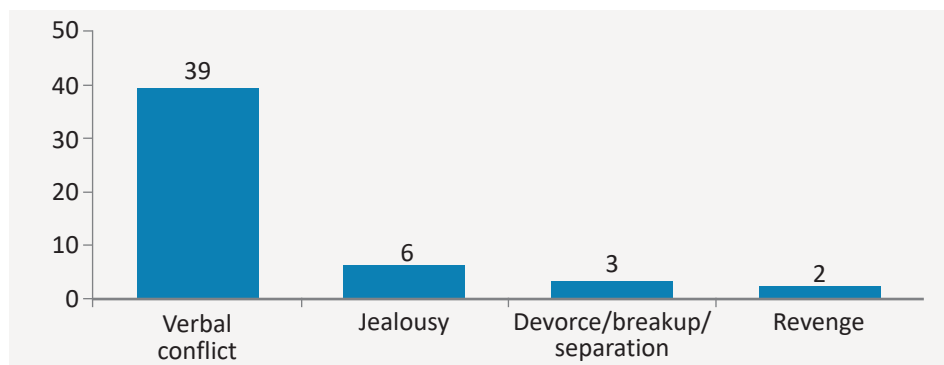
Figure 23. Murder methods, people



The most frequent reasons behind murder were verbal conflicts, jealousy, divorce/breakup/separation and revenge of the perpetrator (Figure 24). The analysis of sentences reveal that most of the perpetrators justify their violent actions by the fact that the victim instigated them. In order to obtain a milder form of

punishment, most of the lawyers of the defendants build their defending strategy by invoking the fact that the victim provoked the conflict verbally. This reveals the presence of prejudice and stereotypes, which are obstacles to convicting the perpetrators for domestic violence acts.

Figure 24. Reason for crime, people

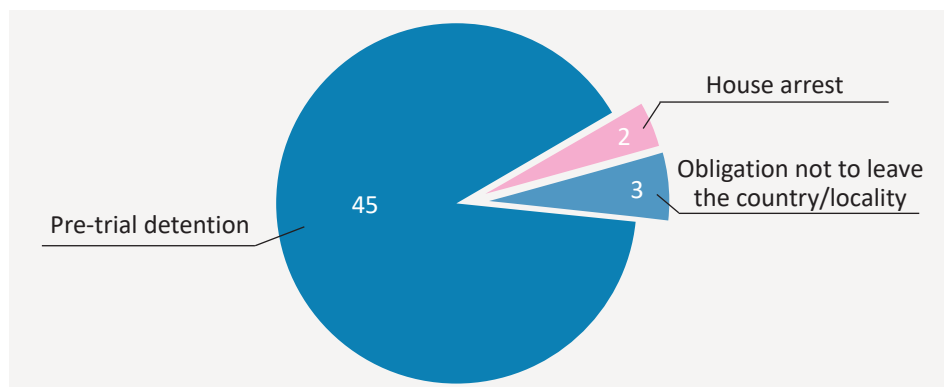


The analysis of criminal cases reveals that among the reasons for femicide were family disagreements, inability to solve peacefully the conflicts, hate, envy, poverty, material interest, revenge, jealousy, alcohol or drug consumption, poor living and culture level in the country, failure to accept the fact that the a person has the right to personal life or that she/he can make mistakes, the habit to use force in order to achieve a goal, believing that family problems and the acts of domestic violence should be kept in secret, lack of social and/or legal protection for victims, status of the victim, which generates an extremely low self esteem, etc.

3.5. Preventive measures and sanctions

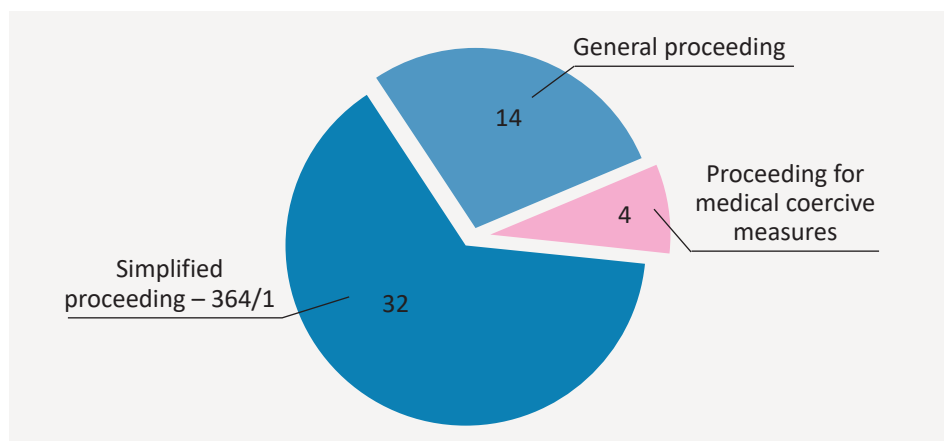
Most of the perpetrators were placed in pre-trial detention at the stage of criminal prosecution and case examination (Figure 25). In 1 out of 10 cases, the perpetrators were obliged not to leave the country or were placed in house arrest.

Figure 25. Preventive measures applied to perpetrators, people



In 32 cases of femicide, the examination of the criminal case was simplified, in 14 cases the general proceeding was applied, and in 4 cases – medical coercive measures were applied (Figure 26).

Figure 26. Proceeding according to which the criminal case was examined, people

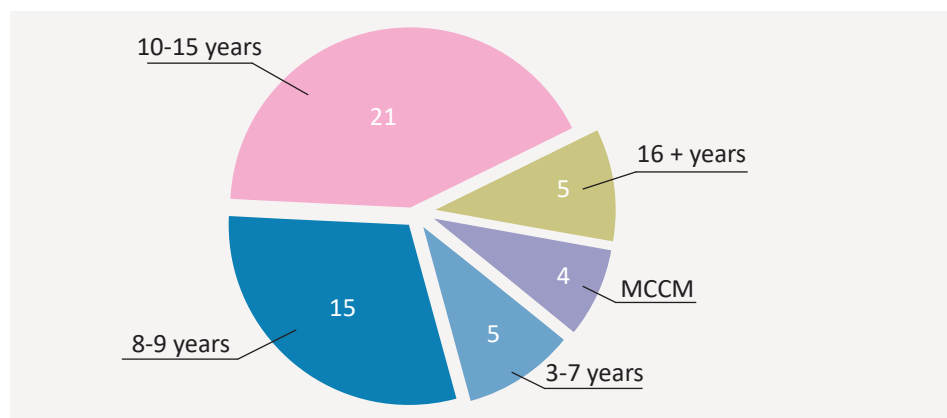


The analysis of sentences revealed different convictions for perpetrators (Figure 27). In 21 cases, the offenders were sentenced to imprisonment from 10 to 15 years, in 15 cases – from 8 to 9 years, in 5 cases – 16 years and more, in 5 cases – from 3 to 7 years, and in 4 cases medical coercive measures were applied.

The punishments received by the perpetrators are too mild, considering the severity of their actions. Among the grounds that explain the milder punishments for femicide murderers, it was indicated that, in most cases, the defendants

chose the simplified procedure, provided for in Article 364/1 of Criminal Procedure Code, which entails a reduction of the punishment provided for by the criminal law. This simplified procedure is favourable only for defendants, as they get a substantial reduction of the sanction provided for by the criminal law, without offering anything in return. In essence, the procedure provided for in Article 346/1 of the Criminal Procedure Code is also favourable for the authorities, as it reduces the workload around judicial examination of the case and, as well as judicial costs. This is a way for the defendant to receive, without any effort, a criminal punishment below the minimum limit of the sanction provided for in the respective criminal liability article. The examination of a case in a simplified procedure does not deter the defendant from resorting to violence again in the future.

Figure 27. Punishment applied to perpetrators, people



3.6. Legal representation

The analysis revealed that **in none of the examined cases, the successor of the injured party was represented either by a lawyer** providing state guaranteed legal aid or by a private lawyer. A possible explanation is that the successors of victims are not aware of their right to assistance of a lawyer providing state-guaranteed legal aid, not to mention the possibility of hiring a private lawyer, which for them seems to be an unattainable service. This practice affects the successor of the injured party in exercising their procedural rights. In this regard, we want to mention that in none of the analysed cases the successor of the injured party filed a civil case.

PECULIARITIES OF FEMICIDE ACCORDING TO PROFESSIONALS AND CLOSE RELATIVES

4.1. Risk factors

Femicide is not an isolated phenomenon. The analysed cases of femicide show that these cases do not take place as a result of an isolated incident or due to one single risk factor. Usually, there are more red flags, but they are ignored by the victims, relatives, close friends of the victim, and by the members of the community.

The research revealed that there are certain similarities across all the cases of femicide. Many murders happened in similar circumstance, having been caused by similar factors. Thus, these data underline that sometimes the cases of femicide can be reduced.

The in-depth individual interviews carried out with different professionals (criminal prosecution officers, prosecutors, police officers, social workers, etc.) and with the close relatives of the femicide victim, revealed the following **risk factors associated with femicide in the Republic of Moldova:**

- Keeping silent about the acts of violence, no desire to speak about or report domestic violence, and concealing this from close relatives;
- Persistence over time of violence, including the presence of various forms of violence (physical, psychological, economic);
- Registration of perpetrators with the police;
- Previous convictions for domestic violence;
- Alcohol abuse;
- Violent environment that the perpetrator grew up in;

- Joblessness among perpetrators;
- Abusers with psychiatric disorders;
- Jealousy of an abusive husband/partner;
- Financial dependence on the perpetrator (unemployment), etc.

Some case studies are detailed below to bring out the peculiarities of femicide cases and the factors that precipitate these crimes. These case studies will help professionals to better understand the factors and to improve response.

One of the risk factors associated with femicide in the Republic of Moldova is the **presence of long-term physical violence associated with other forms of violence including, threat with homicide**. The in-depth individual interviews carried out with the representatives of different institutions reveal that very often, the victims of violence do not seek help from law enforcement or social protection bodies, trying to hide the violence *‘women endure, usually for the sake of their children, they are afraid that they will never manage to escape, that the perpetrator will find them anyway’* (IIA_1).

Victims are ashamed to ask for help, particularly if they lived with the perpetrator for a long period of time – *‘for around 40-50 years’* (Case study 1). Sometimes, women hide certain vices of their husbands, even their mental health issues. They do not understand and cannot even imagine that these actions, in aggravating circumstances, are life-threatening.

CASE STUDY 1. Long term violence and mental health issues of the perpetrator

‘Elizaveta is a 73-year old woman who lived with her husband. They have two children who have their own families and moved out several years ago.

The victim had cancer. She got ill because of family problems: psychological and physical violence she endured her entire life from her husband, the recent death of her daughter and problems related to her son’s divorce. Her husband blamed her for all their family problems...

In the society, the perpetrator played his role of a very considerate person very well, but in his family he was violent and threatened her so the people could not find out what was actually happening. Thus, his wife never mentioned the family problems they had. The victim was afraid of being judged or labeled. Only when she got sick she, told her neighbours her husband threatened to kill her. Her neighbours advised her to ask for help from the police, but the victim didn’t do it.

She hid the violence because they lived very well, they had a good situation when they were young. Later, when the problems started to appear – they never ended. Also, the victim didn't want to speak about the mental issue of her husband due to the existing prejudice. After her daughter died, the mental issues of her husband got worse.

One night, he killed his wife – the woman he had lived with his entire life. After that, the perpetrator went to the police, said he was mentally ill and confessed to the murder...

He ended up in a psychiatric hospital. The question is why nobody noticed he had a mental illness earlier, before the murder?' (IIA_2)

In many cases, the perpetrator is the one who provides for the family, so filing a complaint/applying coercive measures/convicting the perpetrator means the family would lose the source of income (IIA 14).

Often women give up contacting law enforcement bodies because they have previously reported the case and the perpetrator received a mild punishment or was not punished at all because they didn't manage to collect evidence. The application of too mild punishments deters victims from contacting law enforcement bodies and encourages the violent behaviour of the perpetrator.

CASE STUDY 2. A case of long-term violence, in which the punishments applied to the perpetrator did not discourage his violent behaviour

'Ioana and Gelu – a family of hardworking people who lived from the money gained from agriculture and from selling dairy products they obtained from their cows. They had two children who were working in the town. Gelu was always violent, but Ioana endured. The acts of violence continued even if Gelu was convicted several times. The first time when he was convicted, the judge established a punishment in form of unpaid community work – 100 hours. The second time the punishment involved the imprisonment for 6 months, but in compliance with the Article 90 of the Criminal Code, the serving of prison term was suspended conditionally for a period of 1 year.

One morning she was getting ready to milk the cows. While preparing their things, the children heard that Ioana and Gelu were fighting. Gelu was saying that he had to go in the neighboring village to see a local land owner to receive the orchard parcel he had to clean and he was hurrying Ioana to milk the cows and go with him. Ioana yelled back at her husband as she was on her way to the barn to milk the

cows. Gelu, took a hatchet that was nearby and hit her in the back of her head. The strike didn't bring Ioana down immediately. She was still standing but she started to lose her balance. When she was about to fall, he hit her with back of the axe in the face and after that he put Ioana on the ground in front of the barn with the cows. Gelu understood she was dead; he took a piece of plastic sheet, wrapped Ioana's body in it, put it in the cart and took it to the field, where he buried it.

In the evening, when their children returned home after work, Ioana was not there. When Gelu returned later from the orchard, it was already edark. When the children asked about their mother, Gelu said he went to the orchard and she stayed at home and went to work the field on her own. They looked for her everywhere in the entire village; the searches continued the next day.

Later, Gelu filed a complaint with the police, claiming that his wife Ioana left home in an unknown direction and didn't return.

The crime was discovered 6 months later and for his deeds Gelu was convicted to 11 years of prison.' (IIA_14)

In some cases, the femicides happen in 'ordinary families, not socially vulnerable families'. The victims endure violence periodically, they hide the signs that can raise suspicions among close people (Case study 3). When they need medical care and call the emergency health service they say 'it was an accident, I fell from the attic, I bumped into the door' (IIA_7).

CASE STUDY 3. *Violența ascunsă și nesolicitarea asistenței medicale*

'Elena had an ordinary family - husband, child. Both of the spouses had jobs.

Neither neighbors nor sisters knew she was being hit. She was hiding it. She has never asked for help. I too, as a professional in the area of social protection, never knew or suspected that there was violence in this family. I was shocked when I learned about it. I thought the victim had a happy family. This family was financially well off. Compared with the other two sisters, they lived very well.

They never consumed alcohol, maybe only on special occasions. It is on those occasions that the perpetrator would become violent.

The victim was hiding the signs of beatings and she has never asked for medical help.

Following a conflict that occurred spontaneously after the perpetrator consumed alcohol, he punched and kicked his wife, causing her severe life-threatening bodily injuries.

Her sister came to visit, noticed the hidden bruises, but she was not able to persuade the victim to ask for help. Only after several days, when her health condition got worse, did she call an ambulance.

The victim was admitted to hospital, but the injuries were severe, some of them at the head (hematoma), which made it impossible to save the victim. She died several days later in the healthcare facility.

After the death of the mother, the minor child, after the preparation of documents, was taken under guardianship by the perpetrator's sister. The minor communicates with the members of the extended family.' (IIA_3)

Worse still is that certain victims arrive in healthcare facilities unconscious, when there is nothing to be done (Case study 4). Thus, social protection professionals underlined that certain crimes could be prevented, if: (i) the close people would be more attentive and would identify the violence (signs, behaviours); (ii) victims would ask for medical help and protection and would not be afraid to file complaints with the police.

CASE STUDY 4. Unconscious victim brought to hospital

'Ana was brought unconscious to the emergency unit of the hospital that she was then admitted to. She died a few hours later. The body was transported to the forensic medicine institution because there were no signs of violent death.

The forensic medical examination established that the victim died following multiple severe life-threatening bodily fractures and injuries.

Later they found out that the son was beating systematically his mother, and that she never asked for help.' (IIA_6)

Social protection professionals explained that women 'enduring violence' because of the presence of minor children. But they also underlined that 'children do not agree with their mother having to endure' (IIA_1).

In-depth interviews carried out with the victim's relatives, confirmed the assumption made by professionals. One of the interviewees said this is a consequence of our traditional education because since childhood girls are taught that women should be patient and should endure the violence of their partners

'...I taught my daughter to endure, because a man is a man and this is how things should be..., I regret a lot because of this... She endured a lot and poor little thing is now in the tomb. I say this for all the mothers; they should not make my mistake and they should not teach their daughters to endure the violence...' (IA 21).

Another important aspect is that victims do not ask for help because the support that is currently provided by different institutions is not enough *'women who try to leave the perpetrator usually have nowhere to go to move on with their lives. They are not sure they will manage on their own' (IIA_1).*

Victims will often hesitate to seek specialised services or to ask the authorities for help because they are afraid they will be stigmatised, labeled and blamed for the violence of their husbands. The professionals said in the interviews that women who have a higher social status or a better financial status report less often cases of domestic violence. Domestic violence, including, femicide has nothing to do with material and social status. Myths according to which domestic violence exists only in socially disadvantaged environments discourages the victims to ask for help. This was the case of Oana, reflected in the Case study 5.

CASE STUDY 5. Inciting another person to commit suicide

'Oana was apparently happy, she had three children, a big house, a car, everything a woman could want. Acquaintances and friends thought they were the perfect couple. Nobody noticed when Oana started to feel like she didn't enjoy her life. She stopped going out with her friends, claiming she decided to spend all her time with her children. Her close people were very surprised when they found out that Oana committed suicide. Later, they found out that since the beginning of her relationship with her partner, Oana had been the victim of psychological violence from her husband. She didn't ask for help, she was ashamed, she was afraid nobody would believe her. Although relatives filed a complaint for incitement to commit suicide, criminal prosecution was not initiated.' (IIA_19)

The failure of the state institutions to ensure security is well described in Case study 6. In some analysed situations it was found that although the victims sought support from state institutions, in few cases were they offered support in the form of emergency restraining order and protection order. Moreover, even where they were provided support, it was not enough to prevent the femicide. This case also emphasizes that the punishments applied to perpetrators are 'mild', while minor children are left without mother.

CASE STUDY 6. Inciting another person to commit suicide

Olivia and Gogu were married and had two children. The first act of domestic violence was reported in the autumn of 2014, in the evening at 09:00 p.m. when Olivia was subject to domestic violence by her husband Gogu. He grabbed her by her arms, he pushed her around and called her names.

After about 10 days, Olivia was abused physically and psychologically, in the presence of minor children, by her ex-husband, Gogu. One week later the court admitted the request filed by Olivia on the application of protection measures for a period of three months, in favour of victim and children.

Gogu violated the protective order. He came at Olivia's home, started a conflict and didn't want to leave. Later, he unplugged the landline phone to stop Olivia from calling the police. After that, the police created a contravention record for the acts committed by Gogu, for having purposefully violated the court decision.

One month later, after another domestic violence experience, Olivia filed a complaint with the police and asked for measures to be taken against her ex-husband who applied physical and psychological violence. The same day, the police initiated a criminal case on the basis of Article 2011(1) of the Criminal Code.

The acts of domestic violence continued despite the fact that several protection orders were issued. They happened systematically. Over time, they turned into acts of persecution that triggered in Olivia anxiety, fear for her own safety or safety of her close relatives. She was forced into changing her usual life behaviour.

Even after their divorce, the perpetrator wouldn't leave her alone because he wanted them to live together while she did not. He often hit her, would not let her to go anywhere and took her phone away. People who were close to the victim said that *'he was always offending and beating her... She said that if another protection order was not issued she wouldn't know what to do because she had no other way to defend herself... She couldn't live that way anymore... She had no break ...she was always under psychological attacks... She was saying she would be killed...'* (IIA_22)

Two weeks after the judge rejected the request filed by Olivia to extend the period of protection measures as unfounded, close to midnight Gogu came to Olivia's home, applied physical and psychological violence through systematic persecution, slander, humiliation of dignity. During this period, Olivia managed to escape from the perpetrator by running to the kitchen where she

fell from the 5th floor of the building. Olivia was hospitalised with various traumas. Two months later she died.

After their mother's death, the children were placed under the guardianship of their paternal grandmother, where their father lived too.

A criminal case was initiated against Gogu for incitement to suicide, a crime provided for in Article 150(1) of the Criminal Code, but one year later, it was filed away. The criminal cases initiated for domestic violence and violation of protection order were also stopped because of the milder law coming into force, and the actions no longer met the elements of a crime.

Intention to separate from the partner/husband, even if the husband is not abusive, but jealous, is another risk factor (Case study 7).

CASE STUDY 7. Jealousy

Mona and Gelu were a 'beautiful couple' and they formed a 'beautiful' family. Mona got married when she was very young, in adolescence, because she was pregnant. Shortly after the wedding, Mona gave birth to a boy.

She was from a vulnerable family 'many children, from different fathers..., the children were not supervised by parents' (IIA_8). But she was hardworking and attended the school regularly.

Although he was from a family with lots of vices, Gelu didn't consume alcohol and worked a lot to provide for his family.

People from the village said 'they were a good family, they never fought, the husband was working and taking care of the family and the wife was at home with the children'. The husband provided for the family and he was trying to 'satisfy any whim of Mona, but she was never happy' (IIA_8).

Nonetheless, Mona was saying she didn't get along with Gelu and that she wanted to divorce. Gelu was very jealous and sometimes they fought because of this. The people that knew Mona closely said that '... she was complaining that her husband offended her because she got fat. One day they said Gelu threatened her with a knife after a fight, but they never saw signs related to violence' (IIA_23). Teachers from school said Gelu was not aggressive and that he loved his wife very much.

On New Year's eve, Mona told her husband she wanted to break up because their relationship didn't work and that the child would stay with her. At the beginning she thought little of it and that it was a phase that would pass, but it didn't.

Several days later, Gelu went to work in the night shift. He started suspecting that Mona was cheating on him and that this was the reason she didn't want to live with him anymore. When he returned home, he stayed for a while in the yard to see if someone would come to see his wife. As he hid behind the door, he heard Mona speaking to her mother on the phone. She was telling her that she was waiting for a young man to come from abroad and that he was honest with her. Gelu entered the house. As he was very jealous and didn't know what to do to make Mona stay with him, he took the knife from the table and stabbed her in the neck.

When he saw Mona bleeding, he tried to kill himself with the same knife, but he was saved. After he killed his wife, Gelu was diagnosed with a mental illness and was hospitalised in a psychiatric hospital. One year later, his condition improved and he was convicted to 13 years of prison.

Intention to separate from the partner/husband who has an abusive behaviour is another risk factor (Case study 8). In such situations, particularly when a protection order is issued, it is necessary to enforce the electronic monitoring of the perpetrator.

CASE STUDY 8. Intention to separate from aggressive partner

Maria had two minor children, she worked in the social protection system, but she never told her work colleagues she had problems. The community where Maria and Ion lived knew about the violence. The perpetrator was always threatening the victim and when he would become violent, the victim would call the police.

'All the legal procedures were observed. A protection order was issued against the perpetrator, but it didn't help. When the crime was committed, a protection order was in force against the perpetrator. The perpetrator was extremely insistent and possessive' (IIA_3).

Maria said him she wanted to break up with him, but he disagreed with that decision. Being in a state of total inebriation, the perpetrator came to the house of his partner and hit her in the head with a hard object; the victim died immediately.

The minor children were initially taken under guardianship by the neighbours. Later, when one child reached the age of majority, he obtained the guardianship of his little sister.

Consumption and abuse of alcohol by the perpetrator represents another risk factor of femicide. Sometimes the perpetrator consumes alcohol together with the victim. Such situations are more and more frequent in small depopulated villages *‘small, old community, people know each other...’* (IIA_4).

The research data confirm that alcohol consumption increases in autumn, and so does the risk for femicide *‘they were a quite proper family. They were both retired. Sometimes they had alcohol together. When the crime was committed they were pressing the grapes. Ilie was drunk’* (IIA_5).

Some cases of femicide are characterised by a cruelty that is *‘hard to imagine, I never thought such this could even happen in the real life’* (IIA_6) and the factors that triggered the situation were impossible to identify (Case study 9).

CASE STUDY 9. Perpetrator with alleged mental health issues

‘The neighbours notified the police about the fact that Parascheva, 73-year old woman, disappeared. The door of her house was locked and she was not seen for several days...’

The police investigations started after pieces of flesh, appearing to be human, were found on an unauthorised landfill on the territory of a construction site. The police found that her son killed her following a conflict. After that, in order to hide the crime, he cut his mother’s body into several pieces...

At night, he called his friends to help him clean his mother’s yard. Thus, together with his friends, they took out the garbage in bags and later he treated them to grilled meat from his mother’s flesh... His friends didn’t know what they ate and they didn’t realize it.

The second day, the perpetrator went to a sanatorium. When he found out the crime was discovered, he committed suicide, throwing himself into the empty air. A large amount of money was found among his personal belongings (IIA_6).

The list of risk factors should also contain the lack of long-term complex social services. The victims of domestic violence usually fight on their own with perpetrators. The social and legal protection system usually proves to be inefficient.

The data of the research also show that authorities pay attention to the cases of domestic violence when minor children are involved. The presence of children determine mothers to seek help. In many cases of femicide, it was found that the violence was being concealed for various reasons and the families were not registered with the authorities. Some professionals from the community said that they *‘didn’t expect’* violence will end with the death of the victim. Nonetheless, during the interviews, professionals admitted there were certain signs and that people close to the victim could have done something about it to prevent the crime.

4.2. Possibilities to prevent the femicide

Social protection professionals mentioned that together with sector police officers, they take more action to combat the violence and prevent femicide *'We discussed with the perpetrator together with the police officer, from the perspective of the legislator and from the perspective of the Bible... In the cases involving children-victims, women-victims, we are always together but the perpetrators do not acknowledge the impact they have on the family. They are not aware, but even when they are, they cannot stop themselves.'* (IIA_1).

The actions taken at community level by social workers and police officers involve informing about consequences, including the emergency restraining order and the protective order, frequent discussions, but these actions are not enough – *'talking and persuading is not efficient, tougher punishments are necessary'*. Perpetrators forget their promises and go back to their violent actions *'as time passes, the perpetrators are growing more violent and other people in the community copy such behaviour'* (IIA_3).

It is necessary to improve the quality of services, including the interaction between the victim and the professionals. The attitude of professionals who work with the victims of domestic violence should be based on empathy and should be aimed at creating a relationship of trust, based on provision of help, without postponing the review of cases for the next day under the cover-up that *'it's 5 o'clock and my working day has ended'* (IIA_1).

The cases of femicide could be prevented through various activities carried out with victims of domestic violence *'women-victims should acknowledge that at one point, violence may end with their death and emphasis must be placed on the fact that physical violence affects the children'* (IIA_3), as well as by providing long-term support to women if they want to break the circle of violence. Thus, community social workers believe that victims of domestic violence should be informed about the red flags signaling danger and about the need to report the cases of aggression and existing support services about *'where they should go, but at the same time, that once they get there, they will be safe'* (IIA_6).

Certain professionals in the field of social protection underlined that introducing *'bracelets'* for monitoring the perpetrators, in the case of protection orders, is an important step in preventing the femicide cases. Also, this will determine the increase in the number of cases and they will overcome the fear to denounce domestic violence perpetrators.

Psychological support needs to be provided at community level, at worst – at district level. Psychologists need to be well trained in order to work with victims of violence in order to determine them to open themselves, to speak about what happens to them and to acknowledge the existing danger.

A good training of members of multidisciplinary teams would mean one more step towards the improvement of individual communication with the victim. It is necessary for women-victims to trust more one of the people in the team (family doctor, social worker etc.) in order to be able to speak about the most hidden thoughts, because they 'endure' violence for a long time.

Members of the community don't quite report cases of domestic violence. For them to report violence and prevent femicide, they need to be explained about the presence of violence in different families, and that it doesn't happen to poor families only. People need to be informed in order to know how to act and how to help. Currently, the members of rural communities are afraid to report cases and even if they do so, they ask for their names not to be mentioned and not to be summoned to the police or to court, etc.

The different bodies from communities need to work better to support more efficient communication between the all the people living in one community. An open communication would help the representatives of different local bodies to find out more from citizens and could improve both prevention and response. People from settlements can create support groups, which would report certain incidents, situations.

Last, but not least, note that the population in the Republic of Moldova should trust the state bodies. Often, they do not report the case because they do not trust the authorities. Due to the fact that there are cases without response or solution, people think it there is no point in reporting to authorities.

According to representatives of law enforcement bodies that participated in interviews, the cases of femicide could be prevented if the registered harmful actions, the causes and the conditions that determined the crime would be taken into account by the entity that manages the intersectoral mechanism for monitoring and analysing the criminal cases concerning the domestic violence that end with death and/or severe harm to bodily integrity (IIA_9).

Certain criminal justice specialists believe that in order to reduce the cases of femicide, victims must go to law enforcement bodies in due time and receive assistance for victims of domestic violence. Last, but not least, sector police officers should issue urgently the emergency restraining orders, and the criminal prosecution officers must submit immediately the application for protection measures – *'laws are good, they should be applied rapidly and correctly'* (IIA_13).

The participants in the interviews mentioned that the response of police to prevent the cases of femicide can be improved through prevention actions with the perpetrators and potential perpetrators and efficient monitoring of cases of abuse in order to exclude them in the future. Both the actions of criminal prosecution officers during the investigation of such cases and the actions of prosecutors can be improved by creating an efficient mechanism of interaction with other

institutions in this field, such as social workers, representatives of local administrations and health professionals who unfortunately, do not engage (IIA 12).

In order to prevent/reduce the cases of femicide, and in general, the cases of domestic violence against women, it is necessary that all the representatives of the state with such duties engage actively. Unfortunately, this role is currently assumed in a visible and efficient manner by nongovernmental organisations. At the same time, it is necessary to create institutions to provide assistance to victims of domestic violence at least at regional level because usually victims are forced to travel hundreds of km to receive assistance (IIA 17).

On the other hand, harsher sanctions, the publication of sentences and of protection and prevention measures, working permanently with the abusers and with victims will help to prevent and combat the gender based violence and the femicide.

CONCLUSIONS

GENERAL

- The Republic of Moldova should observe the recommendations made in 2016 by the United Nations Special Rapporteur on Violence Against Women, Its Causes and Consequences, according to which the member states should establish the Femicide Watches, which would document and monitor such cases, as well as collect and disseminate information about good practices for preventing and combating the femicide.
- Criminal justice statistics are the starting point in the collection of data on femicide, which allow for the identification of gaps in response systems, criminal justice procedures, as well as the identification of risk factors, which is required in order to prevent such cases.
- The International Classification of Crime for Statistical Purposes, approved by UNODC in 2015, which represents a standard on statistics collection at international level, can serve as a starting point for the collection of data on femicide at the national level and aims at allowing for comparability of data.

ANALYSIS OF STATISTICS

- The data from the GPI and from the General Prosecutor's Office show that femicide is present in the Republic of Moldova, but it is practically not researched.
- According to the statistics provided by the GPI, 226 deaths of victims of domestic violence were registered in the Republic of Moldova between 2016-2019 (121 under Article 145(2)(e¹) and 105 under Article 201(3)(b) and Article 201(4)). The GPI data did not allow the disaggregation of crimes, for this period, by sex in order to identify femicide cases.
- According to the data provided by the General Prosecutor's Office, 65 criminal prosecution cases concerning the death of girls and women were initiated under Article 145 (32 cases) and Article 201(4) (33 cases) in the Republic of Moldova between 2016-2019.
- ACA, in the standardised statistical reports, for 2016-2019, has data on the examination of cases on the basis of whole article, and not on the basis of paragraphs. The presented data did not allow for differentiation of femicide cases by Articles 145, 150, 171, 172.
- The statistics presented by NLAC show that the representatives of these institutions provided services during 2016-2019, only for suspects.

- During the analysed period, cases of femicide took place in 28 out of the 35 administrative-territorial units.
- The analysis through the lens age showed that femicide victims' age ranges from 6 months to 94 years.
- The most common form of femicide is the murder of women and girls following domestic violence, by intimate partner or family member. The analysis of victim-perpetrator relationship reveals that the majority of cases of death were caused by the husband or by the partner, followed by those caused by the son, father, son in law, nephew. The correlation between the relationship of the perpetrator with the victim and the initiated criminal cases reveal that the death of women, under Article 145, are most often caused by the son, and less often by the husband. In the case of domestic violence causing severe harm to bodily integrity or health, which resulted in the victim's death, the defendant is most frequently the husband, followed by the partner and son.
- The most common place for committing the femicide, during the analysed period, is the victim's home (30.8%) followed by their common home (27.7%). There are significant differences between the place of crime and the article on the basis of which the criminal case was initiated. The cases initiated under Article 145 were most frequently committed at victim's home, while those initiated under Article 201¹(4) – in their common home.

ANALYSIS OF SENTENCES

- The risk of femicide is higher in the rural area than in urban area. Of those 50 analysed cases, in 40 cases the femicide took place in rural area.
- Poverty and financial dependence of the victim are an aggravating risk factor in cases of femicide. In more than half of the analysed cases, the victim had the status of unemployed. At the same time, 13 out of 50 victims were retired women.
- Thus, in one in 5 cases of femicide, the victim experiences both physical and psychological violence, while in two of the cases – the victims also experienced economic violence, but did not report to law enforcement bodies.
- As regards the analysed cases of femicide, it was found that women who were previously victims of domestic violence had limited access to placement and psychological support services.
- The analysis of victim-perpetrator relationship reveals that most of the murders were committed by the husband or by the partner, followed by those committed by the son, father, son-in-law, nephew.

- The number of employed perpetrators is very small, 28 out of 50 perpetrators were unemployed, and 15 of them were day laborers.
- More than half of the perpetrators consume alcohol, which is a trigger in cases of femicide. The inefficiency of the mechanism for determining the perpetrators to participate in treatment programs increases the degree of danger for the victim and creates a favorable environment for perpetrators.
- Just keeping records of the perpetrators is not an effective femicide prevention measure. 21 out of 50 defendants were registered with the police as domestic violence perpetrators.
- The protection measures for domestic violence victims are poorly applied where the risk of femicide exists. Out of 50 analysed criminal cases, only against 2 perpetrators out of 50 were issued protective orders. The same situation was found in case of emergency restraining orders, which were applied only against 2 domestic violence perpetrators.
- One in 5 defendants was previously convicted for acts of domestic violence. The previous conviction of the perpetrator was not enough to deter him from committing domestic violence and to protect the victim. None of the defendants who were previously convicted for domestic violence were forced to participate in probation programs addressing violent behaviour.
- Most of the cases of femicide happen at night. The most common place for committing the femicide, during the analysed period, is the victim's home (30.8%) followed by their common home (27.7%).
- The methods used to commit the femicide are mainly represented by hitting/mistreating (43.1%) and the use of sharp objects (knife, axe, etc.).
- The most frequent reasons for femicide are verbal conflicts, followed by jealousy, divorce/breakup/separation and revenge of the perpetrator.
- In 32 cases of femicide, the examination of the criminal case was simplified. The trial of the case in a simplified procedure, provided by Article 364/1 CPC, which entails a reduction of the punishment provided for by the criminal law. This simplified procedure is favourable only for defendants, as they get a substantial reduction of the sanction provided for by the criminal law, without offering anything in return.
- In none of the examined cases, the successor of the injured party was represented by a lawyer providing state guaranteed legal aid (paid by the state) or by a private lawyer.
- In none of the analysed cases the successor of the injured party filed a civil case.

ANALYSIS INTO RISK FACTORS AND FEMICIDE PREVENTION

- The risk factors associated with femicide in the Republic of Moldova are: (i) hiding the violence, lack of desire to speak about and/or report the domestic violence, including hiding this from close relatives; (ii) persistence over time of violence, including the presence of various forms of violence (physical, psychological, economic); (iii) registration of perpetrators with the police; (iv) previous convictions for domestic violence; (v) alcohol consumption; (vi) violent environment where the perpetrator grew; (vii) lack of a workplace of the perpetrator; (viii) abusers with psychological disorders; (ix) jealousy of an abusive husband/partner; (x) poor financial situation of certain victims (unemployment), etc.
- The actions taken at community level by social workers and police officers involve informing about consequences, including the emergency restraining order and the protective order, frequent discussions, but these actions are not enough.
- The cases of femicide could be prevented through various activities carried out with victims of domestic violence as well as by providing long-term support if they want to break the circle of violence.
- The training of members of multidisciplinary teams would mean one more step towards the improvement of individual communication with the victim. It is necessary for women-victims to have more trust in one of the people in the team (family doctor, social worker etc.) in order to be able to speak about the most hidden thoughts, because they 'endure' violence for a long time.

RECOMMENDATIONS

- Keep data on murders, disaggregated by gender, area of residence, relationship between the victims and the perpetrators etc. and conduct annual analyses to inform further measures to prevent and stop femicide. The International Classification of Crime for Statistical Purposes, approved by UNODC in 2015, which was approved as a standard on statistics collection at international level, can serve as benchmark for the collection of data on femicide at national level, while also pursuing comparability of data.
- Generalize the judicial practice on criminal cases of domestic violence resulting in victims' death or severe harm to bodily integrity, which should be reflected in a judgement of the Plenum of the Supreme Court of Justice.
- Conduct information campaigns, develop and disseminate a standard package of information materials for different social groups in order to inform the victims of domestic violence about how to access the protection and assistance services.
- Develop and disseminate information among professionals in the justice, social assistance and health sectors that will ensure the referral of victims to specialized services.
- Ensure the operation of the Commission in charge of monitoring and analysing the cases of domestic violence resulting in victims' death or severe harm to bodily integrity. The monitoring activity of the Commission will help in the long run to reduce the incidence of acts of violence and deaths. The objectives of the Commission are: assess the cases of domestic violence that result in death, identify the trends and conduct an in-depth analysis in order to develop reports containing specific recommendations for the amendment of existing policies and procedures assumed by the Republic of Moldova, which provide for the responsibility of the state to protect people and guarantee the right of citizens to be free from violence. The recommendations of the Commission will determine the adjustment of practices or policies on preventing and combating domestic violence in order to approach those obstacles and when necessary, will initiate certain drafts for the amendment of regulatory framework.
- Review the internal guidelines on response to cases of domestic violence by introducing certain tools for the assessment of femicide risk.

- Take institutional and administrative measures to strengthen the skills of employees (police officers, social workers, doctors) to assess the risk of femicide by developing methodological recommendations/guidelines and ensure their training.
- Develop methodological guidelines for experts in the justice sector, which will explain the peculiarities of femicide.
- Make improvements the work of Mental Health Centers. Periodic reporting on the actions taken in relation to registered cases, analyses into the dynamics of the situation of patients, the identification of cases and provision of the necessary treatment could reduce the crimes committed by people with mental illnesses.
- Revise the regulatory framework in order to toughen the punishments for acts of domestic violence.
- Revise the regulatory and implementing framework as regards the forced treatment of perpetrators who consume alcohol.

ANNEXES

Annex 1. Data about the professionals who participated in in-depth individual interviews

No	Code	Area of activity	Professional experience, years	Current position
1.	IIA_1	Social assistance	18 y.o.	Community Social Worker
2.	IIA_2	Social assistance	15 y.o.	Head of Community Social Assistance Service
3.	IIA_3	Social assistance	18 y.o.	Head of Department of Family and Child Protection
4.	IIA_4	Social assistance	5 y.o.	Community Social Worker
5.	IIA_5	Social assistance	4 y.o.	Community Social Worker
6	IIA_6	Social assistance	6 y.o.	Community Social Worker
7	IIA_7	Social assistance	5 y.o.	Community Social Worker
8	IIA_8	Education	26 y.o.	Teacher
9	IIA_9	Prosecution Office	13 y.o.	Prosecutor
10	IIA_10	Prosecution Office	11 y.o.	Prosecutor
11	IIA_11	Prosecution Office	9 y.o.	Prosecutor
12	IIA_12	Criminal prosecution	7 y.o.	Criminal prosecution officer
13	IIA_13	Criminal prosecution	5 y.o.	Criminal prosecution officer
14	IIA_14	Criminal prosecution	4 y.o.	Criminal prosecution officer
15	IIA_15	Criminal prosecution	19 y.o.	Criminal prosecution officer
16	IIA_16	Police	5 y.o.	Sector police officer
17	IIA_17	Police	7 y.o.	Sector police officer
18	IIA_18	Social assistance	17 y.o.	Social worker (male)
19	IIA_19	Social assistance	30 y.o.	Head of Child Protection Department
20	IIA_20	Social assistance	14 y.o.	Social worker (male)

Annex 2. Data about the close relatives of femicide victims who participated in in-depth individual interviews

No	Code	Age	Sex	Kinship with the victim
1.	IIA_21	52	F	Mother
2.	IIA_22	39	F	Godmother
3	IIA_23	37	F	Aunt

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