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STRATEGIES FOR THE PREVENTION AND ERADICATION OF FEMICIDE: LEGAL, INSTITUTIONAL AND SOCIETAL DIMENSIONS, CHALLENGES AND PERSPECTIVES

Abstract: *Femicide is commonly conceptualized and defined as the gender-based or gender-motivated killing of women. It is a global issue, prompting national states to implement legislative, policy and practical measures and actions to address it. The aim of the paper is to analyse current actions for preventing and suppressing femicide and explore some examples of good practice of state responses to this form of crime. The purpose is to underscore the necessity of recognizing femicide as a persistent issue, identify its characteristics and causes, and explore challenges and possible directions for developing effective preventive responses. Particular emphasize is put on femicide in the context of domestic and partner violence, as the most prevalent type of femicide, which occurs within the broader context of structural discrimination and violence against women.*

Key words: Femicide, Feminicide, Gender-Motivated Killing of Women, Domestic Violence, Intimate Partner Violence, Europe.

1. INTRODUCTION

Femicide, defined as a specific form of homicide in which the victims are women and which occurs within the context of structural and other forms of gender-based discrimination, represents a phenomenon with a distinct gender dimension. It has become an increasingly prominent issue

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globally as well as in Europe, with increasing interest in addressing it over the past decade, focusing on the development of effective mechanisms for its measurement, monitoring, and prevention.

Approximately 51,100 women and girls were killed by their intimate partners or other family members around the world in 2023, indicating that 60% of almost 85,000 women and girls killed intentionally during the observed year were actually murdered by their intimate partners or other family members (fathers, mothers, brothers, uncles, etc.).¹ In other words, worldwide an average of 140 women and girls lost their lives every day at the hands of their partner or a close relative (most often male). Thus, it appears that the most dangerous place for a woman regarding homicidal victimization is the private sphere and her home, and the perpetrators are those closest to them. The 2023 data shows that, globally, a woman is six times more likely than a man to be the victim of her intimate partner/family member.² Africa recorded the highest rates of intimate partner and family-related femicide, followed by the Americas, and Oceania. The peculiarity is that in Europe and the Americas, most women killed in the domestic sphere (64% and 58%, respectively) were victims of intimate partners, while elsewhere, family members were the primary perpetrators.³

In Europe, an average decrease in the number of murders in intimate partner/family relationships (by 21%) compared to 2010 has been observed, with differences in certain regions and an unchanged or even worse situation in some countries in Western and Southern Europe, especially following the outbreak of the COVID-19 pandemic in 2020.⁴ However, data related to the situation in the Western Balkans show stable rates and grave problems in state response, while Serbia is emphasized as one of the countries burdened with a femicidal crisis, with many cases of femicide in which the perpetrators already had a history of criminal behaviour related to (domestic) violence or illegal possession of firearms.⁵

1 UNODC, UN Women, 2024, *Femicides in 2023, Global estimates of intimate partner/family member femicides*, Vienna, United Nations Office on Drugs and Crime, p. 11.

2 Male homicide victims killed by intimate partner or family member account for 11.8% of cases, while the share of female victims in the same context is 60.2 % (*Ibid.*, p. 8).

3 *Ibid.*, p. 12.

4 UNODC, UN Women, 2023, *Gender-related killing of women and girls ("femicide/feminicide")*: Global estimates of female intimate partner/family-related homicides, Vienna, United Nations Office on Drugs and Crime, pp. 3–4.

5 Sent, L., 2023, Femicide in Western Balkans, *European Forum for Democracy and Solidarity*, 14 August, (<https://europeanforum.net/femicide-in-the-western-balkans/>, 1. 9. 2025).

Considering the aforementioned data, it is logical that in Europe research is focused on the murders of women in intimate partner relationships, murders committed by male partners, and that legislative measures are being taken in order to find the most appropriate responses to this particular type of extreme manifestation of violence against women.

Indeed, the offender – a male intimate partner – most often punishes “his” wife/partner or takes revenge on her for (often fabricated) infidelity, breakup of the relationship, her unwillingness to obey and submit to his control, thus undermining his authority and masculinity, but also for socially valued/justified reasons that are fatal for the woman, such as romantic love, tradition, and honour. The femicide usually occurs at the end of a horrible continuum of the gender-based violence, the most extreme manifestation of it, as the phenomenon with the same roots deeply ingrained in patriarchy and hegemonic masculinity. Therefore, tackling the societal and cultural factors and deconstruction of the stereotypes about gender roles and different social expectations from men and women in order to achieve equal opportunities and gender equality is indisputably the most important part of every anti-femicide policy, although the most demanding one. This is why, despite the efforts of the so-called “civilized” societies to eradicate different femicidal practices, femicide is still present in all around the world: in those more patriarchal regions, with higher tolerance for violence and discrimination in general, it has a more open expression.⁶ In other words, a universal peculiarity of femicide is the contribution of a society to its universality and survival, if not through encouragement and support, then through inadequate response and failure to prevent gender-based violence and femicidal victimization. Besides the most recognizable form of femicide occurring in the private sphere, gender-motivated killing of women also occurs in the public domain (by a known or unknown perpetrator), usually in the contexts related to sexual services, human trafficking, wartime events, and even witch hunting in some parts of the world,⁷ which corroborates the abovementioned common roots of gender-based violence and femicide. Consequently, under-

6 For more on comparative research on the legal status of women in some countries of the Global South, and the feminist battles to reform them, see Afkhami, M., Ertürk, Y., Mayer, A. E., (eds.), 2019, *Feminist Advocacy, Family Law and Violence Against Women: International Perspectives*, London and New York, Routledge.

7 For more on different forms of femicide, see Corradi, C., 2021, *Femicide, its causes and recent trends: What do we know?*, EP/EXPO/DROI/FWC/2019-01/LOT6/1/C/12, Brussels, European Parliament, pp. 6–7; European Institute for Gender Equality (EIGE), 2023, *Improving Legal Responses to counter femicide in the European Union: Perspectives from victims and professionals*, Luxembourg, Publications Office of the European Union, p. 7.

standing the context in which the killing of a woman is considered as femicide is of utmost importance in creating an adequate, i.e., effective, sensitive and efficient social response to this problem.

Assuming this as the starting point, the aim of the paper is to analyse the current efforts in European and non-European countries to recognize, prevent and suppress femicide, primarily at the legislative and policy level, and to briefly address the state of affairs in Serbia in order to identify the most significant gaps compared to the international and European legal requirements and recommendations, and provide possible ways, or at least food for thought on the possible ways to address them.

2. RECOGNIZING FEMICIDE: FROM THE FEMINIST TO THE INTERNATIONAL LEGAL APPROACH

The first documented use of the term “femicide” was in the 1801 book *A Satirical View of London at the Commencement of the Nineteenth Century*, by John Corry, referring to the killing of a woman⁸ (regardless of motivation or other circumstances). The term femicide was first used in the modern era by feminist scholar Professor Diana Russell in 1976, in the proceedings of the First International Tribunal on Crimes against Women in Brussels.⁹ Her aim was to draw attention to the phenomenon with a clear gender dimension and a global scope, where patriarchy is the same or similar denominator differently manifested in different cultures. The introduction of the term “*femicide*” was thus seen as a crucial first step toward reducing the killing of women worldwide. The concept was revived in 1992 with the publication of the book *Femicide: The Politics of Woman Killing*, though it remained largely confined to activist and academic circles.¹⁰ In defining femicide in this work, the emphasis was placed on misogynistic motives and on men as perpetrators. Thus, femicide was initially defined simply as the killing of women by men because they are women, as they “are and should be” subordinated/owed by men, because they are devaluated on the basis of the patriarchal subordination, or as misogynistic killings of women by men.

8 Canadian Femicide Observatory for Justice and Accountability, History of the Term Femicide, *Canadian Femicide Observatory for Justice and Accountability*, (<https://femicideincanada.ca/what-is-femicide/history/>, 20. 9. 2025).

9 See also Shulman, A., 2010, The Rise of Femicide, *The New Republic*, 29 December, (<https://newrepublic.com/article/80556/femicide-guatemala-decree-22>, 12. 9. 2025).

10 Radford, J., Russell, D. E. H., 1992, *Femicide: The Politics of Woman Killing*, New York, Twayne.

At the beginning of the 2000s, the concept of femicide was revitalized and expanded by feminist activists in Latin America, who demanded that their states take action to counter violence against women, whose lethal outcomes represented the most visible and extreme manifestations. During this period, the term “*feminicidio*” (feminicide) emerged, coined by the prominent Mexican politician and feminist Marcela Lagarde y de Los Ríos, who emphasized the need to condemn both the patriarchal society and the state that had tolerated violence against women. The revival of the concept in Mexico was prompted by the horrifying mass murders of women in the city of Ciudad Juárez – known as the “city of dead women”¹¹ – where, according to Amnesty International data, approximately 370 women were killed over a ten-year period (starting in 1993), with at least a third of them subjected to sexual violence; nevertheless, the authorities failed to take adequate measures to investigate and punish these crimes.¹²

This phenomenon attracted international attention and shed new light on the problem of femicide: the inactivity of the state and its neglect or tolerance of violence against women, even when it results in death. Indeed, femicide can be considered a crime of the state, which acts as an accomplice or silent observer: even if not approving, it tolerates violence against women even in its most extreme form. Therefore, a key feature of femicide is the contribution of society and the state to its persistence through inadequate responses and failure to prevent victimization and react given that femicides are not “isolated incidents which arise suddenly and unexpectedly, but are the ultimate act of violence which is experienced in a continuum of violence against women.”¹³

The “femicidal crisis” in Latin American countries also drew European attention to and interest in phenomenon, as reflected in several key documents. These include resolutions of the Parliamentary Assembly of the Council of Europe, notably one from 2005,¹⁴ which suggested the

11 Following the visit of the Special Rapporteur to Mexico in 2002, the Inter-American Commission on Human Rights adopted conclusions and recommendations regarding the issue of the “dead women of Juárez”. See ICHR, *The Situation of the Rights of Women in Ciudad Juárez, Mexico: The Right to be Free from Violence and Discrimination*, OEA/Ser.L/V/II.117, Doc. 44, 7 March 2003, (<http://www.cidh.oas.org/annualrep/2002eng/chap.vi.juarez.htm>, 12. 9. 2025).

12 Amnesty International, 2005, *Mexico: Justice fails in Ciudad Juárez and the city of Chihuahua*, *Amnesty International*, 27 February, (<https://web.archive.org/web/20120303095740/http://www.amnestyusa.org/node/55339>, 12. 9. 2025).

13 Sixth Conference on Femicide/Feminicide, 2013, *Report*, 23 January, (https://eu.boell.org/sites/default/files/uploads/2013/11/feminicide_conference_report_bi_regional_eu-celac_dialogue_en.pdf, 1. 9. 2025), p. 2.

14 Council of Europe Parliamentary Assembly, Resolution 1454(2005)Disappearance and murder of a great number of women and girls in Mexico.

possibility of introducing the concept of femicide into European criminal law, and another from 2009,¹⁵ dedicated specifically to feminicide. Additionally, the European Parliament adopted a resolution in 2007 addressing the killings of women in Central America and Mexico and the role of the European Union in combating this phenomenon.¹⁶ These resolutions highlight the existence of femicide in European countries and recommend that states exert influence on immigrant communities to abandon practices involving violence against women and femicide. They also emphasize that states aspiring to European Union membership must demonstrate respect for the human rights of women and take measures to protect women from violence and femicide. Furthermore, the resolutions call for harsher penalties for gender-based violence against women, including feminicide.

The recommendations addressed to the Committee of Ministers of the Council of Europe highlight the need for the establishment of a group/observatory for collecting data on violence against women, particularly femicide, in European countries, in order to identify gaps in the protection of women and take measures to address them.¹⁷

In 2013, the United Nations General Assembly adopted Resolution 68/191, expressing concern over the high rates of femicide, and encouraging member states to apply the principle of due diligence in strengthening their criminal justice responses to this crime. Three years later, the Special Rapporteur on Violence against Women launched the Femicide Watch initiative, aimed at collecting national-level data on femicide to monitor and compare the phenomenon globally and to develop appropriate, evidence-based responses. Within the framework of the United Nations, the so-called Vienna Declaration on Femicide provides a definition of femicide, and its various forms, establishing a foundational framework that continues to inform contemporary understanding of the phenomenon.¹⁸

15 Council of Europe Parliamentary Assembly, Resolution 1654(2009)Feminicides.

16 European Parliament Resolution on the Murders of Women (feminicides) in Central America and Mexico and the Role of the EU in fighting this Phenomenon (2007/2025(INI)).

17 Council of Europe Parliamentary Assembly, Recommendation 1861(2009)Feminicides.

18 Femicide is the killing of women and girls because of their gender, which can take the following forms: (1) the killing of a woman as a result of intimate partner violence; (2) torture and misogynistic killing of women; (3) killing in the name of “honor”; (4) targeted killings in the context of armed conflicts; (5) dowry-related murders; (6) killing on the grounds of sexual orientation or gender identity; (7) killing Aboriginal or indigenous women because of their gender; (8) female infanticide or gender-based foeticide; (9) death caused by female genital mutilation; (10) killing on charges of “witchcraft” (witch hunts); and (11) other femicides in the context of organized crime, trafficking in others, trafficking in human beings or arms trafficking (UN,

The adoption of the concept of femicide in international legal documents, along with the aforementioned recommendations, has prompted increased vigilance among national governments and particularly non-governmental organizations. Consequently, data on femicide is being collected rapidly, and governments are facing increasing pressure to engage more actively in protecting women from violence. This is particularly important in light of the adoption of legally binding documents at the European level, which represent a culmination of efforts aimed at achieving one of the United Nations 2030 Agenda for Sustainable Development Goals: gender equality through the prevention and elimination of violence against women.¹⁹ These legally binding documents include: the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention, adopted in 2011)²⁰ and Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence.²¹

The Istanbul Convention does not explicitly mention femicide, but it does contain a number of significant recommendations and requirements concerning the prevention of violence against women. Directive 2024/1385 (which reflects the EU's commitment to ensuring gender equality and protecting human rights) explicitly mentions femicide in one instance, when stating that, in addition to the offences addressed by the Directive itself, violence against women must also include acts provided for in national legislations, such as femicide (along with other criminal offences, such as rape and sexual harassment, sexual abuse, stalking, early marriage, forced abortion, forced sterilization and different forms of cyber violence, including online sexual harassment and cyber bullying).²² Although the Directive does not define femicide itself, it undoubtedly leaves this to the Member States, and even indirectly encourages them to criminalize femicide.

Some perspectives suggest that the concept of femicide should not be limited to misogynistic or sexist killings, but should encompass the murder

Economic and Social Council, Vienna Declaration on Femicide, E/CN.15/2013/NGO/1).

19 UN General Assembly, 2015, Transforming our world: The 2030 Agenda for Sustainable Development, A/RES/70/1.

20 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, CETS 210, 11 May 2011.

21 Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence, *OJ L*, 2024/1385, 24 May 2024.

22 *Ibid.*, p. 2.

of women regardless of the perpetrator's motives or status.²³ This approach reflects a return to the original interpretation of the term from 1801 and represents the depoliticization of the feminist understanding of femicide. However, conceptualizing femicide as a category of killings characterized by gender-based motivation is more appropriate, given the nature of the phenomenon, its main characteristics, and the need to develop targeted policies for its eradication. Therefore, femicide should be understood as a category located within the broader context of discrimination based on gender/patriarchy combined with discrimination based on sex, class, race, age, (dis)ability, rather than merely as the murder of a woman without consideration of the circumstances/context in which the crime occurs. Furthermore, civilizational clashes between traditionalism and emancipatory tendencies also represent an additional source of gender-based violence and femicide (honour crime has its roots precisely there).

3. NATIONAL RESPONSES TO FEMICIDE AND CURRENT CHALLENGES

The first (criminal) legal responses to femicide emerged in Latin American countries in connection with the previously pointed out femicidal cases. Consequently, specific criminal provisions regarding femicide, as well as specialized state bodies, have been established. In Mexico, for instance, the General Law on Women's Access to a Life Free from Violence was adopted, defining the concept of feminicide, while feminicide itself has been criminalized since 27 July 2011. In 2004, the Special Prosecutor for Violence Against Women was appointed.²⁴ In 2007, Costa Rica introduced new criminal offences related to violence against women, including femicide, while in 2008 Guatemala adopted the Law against Femicide and Other Forms of Violence against Women.²⁵ Nevertheless, the results of these efforts have been limited, and femicide rates in these countries remain alarmingly high. In 2020, official national statistics registered 948

23 Mršević, Z., Femicide as the criminal law deed: *pro et contra*, in: Pavlović, Z., Stevanović, I., (eds.), 2024, *The Right to Life and Body Integrity*, Belgrade, Institute of Criminological and Sociological Research / Novi Sad, Vojvodina Bar Association.

24 Amnesty International, 2004, Mexico: Ending the brutal cycle of violence against women in Ciudad Juárez and the city of Chihuahua, Amnesty International, (<https://www.amnesty.org/en/wp-content/uploads/2021/09/amr410112004en.pdf>, 25. 8. 2025), p. 7.

25 In the same year, Guatemala recorded the highest number of murders of women (722). See *Guatemala's Femicide Law: Progress against Impunity*, The Guatemala Human Rights Commission/USA, (http://www.ghrc-usa.org/Publications/Femicide_Law_ProgressAgainstImpunity.pdf, 3. 9. 2025), p. 2.

femicides in Mexico (approximately 2.5 per day), whereas, grass roots associations reported 11 femicides per day.²⁶ This clearly indicates that “declarative” efforts, despite the existence of specialized state mechanisms, are insufficient, since the root of the problem obviously does not lie in the normative framework or its shortcomings, but rather in the comprehensive understanding and acknowledgment of the issue, as well as the willingness and capacity of society and the state to address it effectively.²⁷

In European legislation, despite the recommendations of the European Institute for Gender Equality (EIGE) to introduce femicide as a distinct criminal offence,²⁸ several countries have taken measures similar to those implemented in Latin America. The most common response to femicide in Europe is the application of the qualification of aggravated murder when the act is committed by a partner or family member,²⁹ or this circumstance is considered as an aggravating factor during sentencing in murder cases. This approach aligns with the Istanbul Convention,³⁰ which does not explicitly recognize the concept of femicide, but provides for a broad interpretation of the concept of violence that encompasses femicide (Article 3(a)). The Istanbul Convention requires member states to diligently assess the risk of a fatal outcome in cases of violence and to ensure support and protection for victims (Article 51(1)). Risk assessment must be conducted both during investigations and when applying protective measures, with particular attention to whether the perpetrator possesses or has access to a firearm (Article 51(2)), in order to prevent fatal outcomes.

In Europe, national criminal legislations do not explicitly name femicide, although there is a strong argument that using this specific term would help make the problem more visible and compel institutions to respond appropriately. The relevant criminal offences in which femicide could be identified are generally gender-neutral and are most often associated with murder occurring within the context of domestic violence. The countries that have amended their criminal legislation by

26 Corradi, C., 2021, p. 21.

27 Jovanović, S., *Femicide/Feminicide in Criminal Law: Do we need a new criminal offence?*, in: Pavlović, Z., Stevanović, I., 2024, pp. 535–163.

28 EIGE, 2023, p. 11.

29 Spinelli, B., 2011, *Femicide and Feminicide in Europe: Gender-motivated Killings of Women as a Result of Intimate Partner Violence*, expert paper, (<https://femicide-watch.org/libraries/pdf.js/web/viewer.html?file=https%3A%2F%2Ffemicide-watch.org%2Fsites%2Fdefault%2Ffiles%2F2021-10%2FSPINEL-LI%2520%25282011%2529%2520FEMICIDE%2520AND%2520FEMINICIDE%2520IN%2520EUROPE%2520%25281%2529.pdf>, 25. 8. 2025), p. 42.

30 Article 46 of the Istanbul Convention.

adopting the concept of femicide are: Malta, Cyprus, Croatia, and North Macedonia.³¹

The concept of femicide was introduced into Maltese criminal law in 2022; it is foreseen that a homicide can be considered a femicide if a woman is killed as a result of domestic violence, honour killings, misogynistic intentions, religious practices such as genital mutilation, and sexual abuse.³² A similar method was used in Cypriot criminal law,³³ but Maltese law has a wider scope, thus raising the question of unconstitutional provisions that make the murder of a woman by any family member an aggravated murder irrespective of motive or other circumstances. Maltese law also made one more radical exception to criminal law: it outlaws the possibility of an accused pleading temporary insanity as a mitigating factor, thus making femicide a radical exception among homicides.³⁴

In Croatia, the concept of femicide was introduced through amendments to the Criminal Code in 2024.³⁵ Article 111a introduced a new criminal offence: aggravated murder of a female person (as a gender-based murder). The penalty is the harshest one – minimum is ten years of imprisonment, maximum: long-term imprisonment.³⁶ When determining the criminal offence, consideration is given to whether the act was committed against a close person, a person whom the perpetrator has previously abused, a vulnerable person, a person who is in a subordinate or dependent relationship, or whether the act was committed in circumstances of sexual violence or due to a relationship that places women in an unequal position, or if there are other circumstances indicating that it con-

31 In July 2025 Italy's Senate unanimously passed a bill making femicide a standalone crime punishable by life imprisonment. Peretti, A., 2025, Italian Senate approves bill targeting killings of women, *Euractive*, July 24, (<https://www.euractiv.com/news/italian-senate-approves-bill-targeting-killings-of-women/>, 4. 9. 2025).

32 Calleja, C., 2022, Making the femicide law work, *Times of Malta*, December 28, (<https://timesofmalta.com/article/making-new-femicide-law-work.1003735>, 2. 8. 2025).

33 Hazoue, E., 2022, Femicide made a distinct crime under new law, *Cyprus Mail*, July 7, (<https://cyprus-mail.com/2022/07/07/femicide-made-a-distinct-crime-under-new-law/>, 30. 8. 2025).

34 Borg, V. P., 2022, University of Malta report on femicide makes unconstitutional criminal law recommendations, (<https://victorborg.com/femicide-report-malta-criminal-law-recommendations-human-right>, 2. 8. 2025).

35 Zakon o izmjenama i dopunama Kaznenog zakona Republike Hrvatske, *Narodne novine*, No. 36/2024.

36 A long-term prison sentence cannot be shorter than 21 years nor longer than 40 years, and for cumulative offences, exceptionally, up to 50 years (Article 46 of the Criminal Code of the Republic of Croatia). Kazneni zakon Republike Hrvatske, *Narodne novine*, Nos. 125/11, 144/12, 56/15, 61/15, 101/17, 118/18, 126/19, 84/21, 114/22, 114/23, 36/24.

stitutes gender-based violence. This serious crime has no statute of limitations, nor does the enforcement of the sentence (Articles 81 and 83 of the Criminal Code). Additionally, in Article 87(32) of the Criminal Code of the Republic of Croatia, an authentic (thus binding) interpretation of gender-based violence against women is provided, defining it as violence that is directed at a woman because she is a woman or that disproportionately affects women. The same provision also stipulates that it is also considered as an aggravating circumstance, unless a harsher punishment is explicitly prescribed for it (Article 32).

Finally, the concept of femicide was introduced into the criminal legislation in the North Macedonia in 2023.³⁷ It stipulates that the murder of a woman and a girl under 18 years of age, when perpetrating gender-based violence, represents aggravated murder (Article 123 (2) of the Criminal Code). This criminal offence is punishable by a prison sentence of at least 10 years or life imprisonment. Article 122 of the Criminal Code provides the definition of gender-based violence against women, suggesting that it is “violence directed against women because of their membership of the female gender, that leads or may lead to physical, sexual, psychical or economic injury or suffering of women, including direct and indirect threats and intimidation of such acts, coercion or arbitrary deprivation of liberty, regardless of whether they occur in the public or private life”.³⁸ It is noteworthy that this new form of aggravated murder exists along previously defined forms, including taking another person’s life in a cruel or insidious manner; while performing domestic violence, or the murder of a woman whom is known to be pregnant or taking the life of a child.

Although femicide is not widely recognized as a criminal offence within the European legal framework, and even approaches with radical elements – such as the Maltese model – faces criticism, significant efforts are being made across Europe to prevent femicide. These efforts, however, are primarily focused on the prevention of intimate partner and domestic violence, operating under the assumption that reducing these forms of violence will also lead to a decrease in femicide rates.

Due to the multidimensional and heterogeneous nature of femicide, one of the major challenges in developing effective responses is the collection of data based on standardized criteria, allowing for the phenomenon of femicide to be accurately measured, monitored, and compared across countries and contexts. In this regard, suitable criteria have been

37 Gaber-Damjanovska, N., Gajdova, G., 2023, *Femicide in the Republic of North Macedonia: The state of affairs, the legal framework and the judicial practice (2018–2022)*, London, The AIRE Centre (Advice on Individual Rights in Europe), pp. 17–18.

38 *Ibid.*

established at the UN level, and the next step is perceived as establishing special national mechanisms (observatories) to collect and analyse data on femicide, which would provide a basis for evaluating and improving specific prevention and intervention measures, including the implementation of relevant legal provisions.³⁹

3.1. EXAMPLES OF GOOD PRACTICE

Several countries, such as Spain, Scotland, Georgia, England, and Wales, can serve as examples of good practice in implementing measures and actions on legislative, institutional and/or practical levels to effectively address, prevent and combat violence against women and femicide. These measures and actions mainly refer to: strengthening legal protection of women from violence (e.g., harsher punishments for offenders, imposing protective measures for victims, simplified evidentiary procedure, etc.); specialization of institutions/units and/or professionals acting in cases of violence against women, including femicide; improving the cooperation and coordination of activities of different stakeholders in cases of violence against women (multi-agency approach); and collecting, sharing, and publishing data on cases of violence against women, relevant for developing evidence-based practices in responding to violence against women and preventing femicide, and raising public awareness.

Spain serves as a notable example in Europe for preventing and combating violence against women, including femicide, due to its comprehensive approach to the issue. This approach was established through Organic Law 1/2004 on comprehensive measures to protect against gender-based violence. In the same year, a public prosecutor specializing in cases of violence against women was appointed. Spain is also the only European country that has special courts for cases of violence against women (*Juzgados de Violencia contra la Mujer*), which handle both criminal cases and related civil matters. Moreover, professionals involved in these cases, including police and judiciary personnel, are specialized (both in terms of expertise and affinity) for dealing with gender-based violence cases.

39 At his point it is worth mentioning the European Observatory on Femicide (EOF), which represents a research and advocacy initiative for the prevention of gender-related killings of women. The EOF's work is based in two thematic issues: creating a Europe-wide data collection system to measure and raise awareness about the extent of femicide, and to provide background information for better intervention and prevention, and conducting Europe-wide femicide reviews to identify gaps in response to violence against women. The EOF forms a network of country research groups in Europe and Israel (as an EU cooperating state), (<https://eof.cut.ac.cy/?repeat=w3tc>, 5. 9. 2025). The role of the research groups is to work with the EOF on collecting and analysing data on femicide.

However, when it comes to specialization of professionals and adherence to certain protocols, there are still inconsistencies and differences across Spain,⁴⁰ so the response to gender-based violence is still not uniform.

In accordance with Spanish criminal law provisions, the perpetrator of femicide is liable for murder and the penalty is harsher if the offence is committed against a spouse, former spouse, partner, former partner, or a particularly vulnerable person (regardless of gender-based motivation). Spanish Organic Law 1/2015 of 30 March 2015, has strengthened the protection of victims of gender-based violence by stipulating that gender-based motivation must constitute an aggravating circumstance. Thus, this law offers better protection in all cases of gender-based violence, which goes beyond cases of intimate partner/family violence against women. Furthermore, in 2015, the Supreme Court of Spain clarified that this provision must be applied in all cases where the victim is a woman and the act is motivated by a man's desire to demonstrate superiority, or when it involves an attempt to control and dominate a woman.⁴¹

It is believed that specialization in the police, prosecution, and judiciary has yielded good results, given the number of reports or cases that appeared before specialized courts, as well as the increase in victims' trust in institutions, and vice versa – considering that a conviction can be reached based solely on the victim's testimony. Additionally, the number of convictions has significantly increased even in cases of "first time" violence (77% of cases end in conviction) compared to the previous period, when initial threats, coercion, or abuse mostly went unpunished.⁴² Victims receive a judicial response (regarding the protective measure) within 72 hours, and there is also a special protocol on coordinated cooperation between the police and the judiciary, aimed at preventing secondary victimization of the victim in contact with state authorities, such as repeating statements or medical examinations. Important measures also include: a universal form that the victim fills out when requesting a protective measure from the police or the court; a central register of issued measures/sentences in a given case, accessible to professionals working to prevent gender-based violence, and databases where police risk assessments are stored and are easily accessed by courts.⁴³

40 EIGE, 2023, p. 27

41 *Ibid.*, p. 31.

42 Montalbán Huertas, I., 2012, Access to Justice of Victims of Gender-Based Violence. Spain, (<https://www.ohchr.org/sites/default/files/documents/HRBodies/CEDAW/AccesstoJustice/SpanishGeneralCouncilForTheJudiciary.pdf>, 1. 9. 2025), pp. 1–3.

43 *Ibid.*, p. 7.

In Scotland, a gender-neutral definition of domestic violence is used, but the state's Equally Safe strategy recognizes the gendered nature of the violence (as a form of violence against women and girls) and recommends a multi-agency approach to and reviews of intimate partner violence cases, including murders.⁴⁴ The importance of coordinated cooperation is embodied in the Joint Protocol on Domestic Violence between the police and the prosecution, which clearly defines a strict policy of encouraging arrests. Within the Scottish police, there are specialized units that take appropriate measures to ensure the safety and well-being of the victim, provide information about support available through other agencies, and conduct additional risk assessments to maximize the victim's safety. In cases where the victim is exposed to a high risk of harm, units refer the case to a multi-agency risk assessment conference (MARAC), which involves multiple stakeholders. A special (police) team for domestic violence operates at the national level, focusing particularly on "serial perpetrators/abusers" and complex cases. This, proactive police unit conducts in-depth investigations of prior offences, including the offender's past intimate relationships, in order to build comprehensive and well-substantiated cases. Moreover, when proving the existence of a criminal act, particular emphasis is placed on the broader context, potentially comprising behaviours that may not individually constitute criminal offences or appear overtly threatening or harmful, but which, when viewed as a continuous pattern, reveals what has been termed the "golden thread" of coercive control underlying the perpetrator's conduct. In such instances, the cumulative behaviour is recognized as constituting the offence of domestic violence.

It is also important to note that the Scottish Government publishes data on domestic violence convictions, relevant government policies (such as the Equally Safe strategy), as well as research findings related to this issue, while sentencing statements for intimate partner homicides are made available on the Scottish judiciary's website for a period of time.⁴⁵ This practice represents a commendable example of actions that contribute to raising awareness, both among the general population and within professional circles. Similarly, the Scottish police publishes links on their website to awareness-raising campaigns ("Don't be that Guy") and information about the Domestic Violence Disclosure Scheme (DVDS) ("Clare's Law")

44 *Equally Safe – Scotland's strategy for preventing and eradicating violence against women and girls*, 2018, Scottish Government (<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/04/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/documents/00534791-pdf/00534791-pdf/govscot%3Adocument/00534791.pdf>, 10. 9. 2025).

45 McPherson, R., 2022, Reflecting on Legal Responses to Intimate Partner Femicide in Scotland, *Violence Against Women*, Vol. 29, No. 3–4.

which gives people the right to know if a current or ex-partner has any history of violence or abuse.⁴⁶

Georgia also serves as a good example of implementing international legal recommendations on femicide, particularly in terms of monitoring and understanding the phenomenon, which are essential prerequisites for developing adequate responses. In 2016, Georgia established Femicide Watch, a special body within the office of the Ombudsman, for collecting data on femicide.⁴⁷ According to the Deputy Ombudsman of Georgia, the collected data and the identified issues/problems have led to advancements in the work of state agencies in the field of combating violence against women, as practices are being improved and lessons learned from previously identified shortcomings.⁴⁸ The Domestic Homicide Reviews in England and Wales, established in 2011, are another example of good practice: they provide useful information on all forms of partner killings and are used for risk assessment.⁴⁹ These examples prove the relevance of evidence-based development of policies and enhancement of practice in responding to violence against women, primarily domestic and intimate partner violence, in order to prevent femicide.

3.2. A SNAPSHOT OF THE CURRENT SITUATION IN SERBIA

Data on femicide is not officially collected in Serbia, e.g., by the Statistical Office of the Republic of Serbia (although progress has been made when it comes to the criminal offence of domestic violence), nor do judicial authorities specifically record circumstances related to the motivation or the context in which the murder of a woman occurred (primarily the relationship between the perpetrator and the victim).⁵⁰ Instead of being collected by an official statistical agency, such data is systematically gathered by non-governmental organizations, primarily based on media reports.

46 On the Scottish model, see Domestic Abuse Act 2018 (<https://www.legislation.gov.uk/asp/2018/5/contents>, 5. 9. 2025); Crown Office and Procurator Fiscal Service, (<https://www.copfs.gov.uk>, 5. 9. 2025); Don't be that Guy, (<https://www.scotland.police.uk/what-s-happening/campaigns/2024/don-t-be-that-guy>, 5. 9. 2025).

47 UNODC, UN Women, 2022, *Gender-related killing of women and girls ("femicide/feminicide"): Global estimates of gender-related killings of women and girls in the private sphere in 2021*, Vienna, United Nations Office on Drugs and Crime, p. 27.

48 UN Women, 2023, *Countries across Europe take first steps to address femicide*, UN Women, 4 May, (<https://eca.unwomen.org/en/stories/news/2023/05/countries-across-europe-take-first-steps-to-address-femicide>, 2. 9. 2025).

49 Chopra, J. *et al.*, 2022, Risk factors for intimate partner homicide in England and Wales, *Health & Social Care in the Community*, Vol. 30, No. 5, pp. 3086–3095.

50 This data can be obtained from the police, but even the police do not publish this data, nor are they obliged to systematize it and make it publicly available.

Data from the Femicide Memorial database⁵¹, which is managed by a women's non-governmental organization, indicate that between 2014 and 2023, a total of 297 femicides were committed in Serbia, of which 288 cases (97%) involved women and girls killed within a family or intimate partner context.⁵² Reports from the “Žene protiv nasilja” (Women against violence Network – today the Alliance of women NGSS “Women against violence Network”) suggest that since 2010, at least 30 women were killed annually on average in the context of intimate partner/family violence, and every third woman had previously reported violence to some state authority.⁵³ Apart from the media reports, a significant sources of data on femicide are studies on judicial practices for certain time periods and areas.⁵⁴

Available data indicates that even in cases where victims sought protection from state authorities, adequate and timely assistance was not provided. It has also been established that firearms (often legally owned) are frequently used in the commission of these crimes.⁵⁵ This raises important concerns regarding the effectiveness of firearms control and the accessibility of weapons, as well as the need to incorporate a gender perspective into firearms policy.⁵⁶ In assessing the safety risks associated with permit applicants owing weapons (including cases of permit renewal), family circumstances and the opinion of family members or intimate partners (including former partners) should be taken into account.

When it comes to criminal legislation, similarly to most European countries, Serbia does not recognize the specific criminal offence of

51 The Femicide Memorial database is available at <https://www.womenngo.org.rs/en/femicide-memorial>.

52 Ćopić, S., Criminological and victimological characteristics of femicide in Serbia and social response, in: Macanović, N., Petrović, J., Jovanić, G., (eds.), 2025, *Proceedings from the Conference “Women in Modern Society: Challenges and Opportunities”*, Banja Luka, Centar modernih znanja, pp. 96–107.

53 Mreža Žene protiv nasilja, n.d., *Femicid u Srbiji* (Femicide in Serbia), (<http://www.zeneprotivnasilja.net/femicid-u-srbiji>, 2. 9. 2025).

54 Simeunović-Patić, B., 2003, *Ubistva u Beogradu: Kriminološka studija*, Belgrade, Vojnoizdavački zavod; Simeunović-Patić, B., Jovanović, S., 2013, *Žene žrtve ubistva u partnerskom odnosu*, Belgrade, Institut za kriminološka i sociološka istraživanja; Konstantinović-Vilić, S., Petrušić, N., Beker, K., 2021, *Pokušaj femicide i femicid u Srbiji*, Pančevo, FemPlatz; Beker, K., 2023, *Stop Femicide: Regional Report – Social and Institutional Responses to Femicide in Albania, Montenegro and Serbia*, Belgrade, UN Women.

55 Ćopić, S., 2025, pp. 100–101.

56 Ćopić, S., Dokmanović, M., 2023, Odgovor države na zloupotrebu vatrenog oružja u porodičnom kontekstu u Srbiji: Politike, efekti i izazovi, *Zbornik Instituta za kriminološka i sociološka istraživanja*, Vol. 42, Nos. 2–3, pp. 41–59.

femicide or an offence that emphasizes the gender dimension. Neither femicide nor gender-based violence is defined as a concept in current public policy and other documents.⁵⁷ At the time of writing this paper, Serbia's Criminal Code was undergoing amendment. Nevertheless, the current draft of the amendments does not include a proposal to classify femicide as a distinct criminal offence. However, Serbia's criminal legislation is indirectly and partially aligned with international legal recommendations concerning intimate partner/family gender-motivated homicide, owing to the fact that gender-neutral criminalization provides protection to all family members who were previously abused by the perpetrator (it is a form of aggravated murder under Article 114(1) item 10 of the Criminal Code (CC)).⁵⁸ Additionally, the criminal offence of domestic violence takes the most severe form when it results in the death of a family member, but the fatal consequence must be encompassed by the perpetrator's negligence (Article 194(4)CC). The prescribed punishment for this form of domestic violence was raised in 2019; as a result, the minimum punishment is now the same as in the case of homicide (Article 113 CC), and if the victim is a minor, the minimum is the same as in the case of aggravated homicide.⁵⁹ The latest legislative intervention, which introduced a harsher punishment for this type of offence, shows (at least declaratively) interest in the issue, as a state response to the criticism about the inadequate reaction in femicide cases. On the other hand, one might say that it is always the easiest to increase the punishment and make amendments to the CC (which the Serbian legislator does almost every year, and very often with motivation and reasoning that are linked to penal populism).⁶⁰ However, direct non-alignment with European requirements still exists regarding the interpretation of the constitutive element of the crime – a family member, both in cases of homicide and the most severe form of domestic violence. Namely,

57 The absence of a definition of gender-based violence against women is noted in the Strategy on Preventing and Combating Violence against Women and Domestic Violence for the 2021–2025 period, *Službeni glasnik RS*, No. 47/2021, p. 15.

58 Krivični zakonik (Criminal Code), *Službeni glasnik Republike Srbije*, Nos. 85/2005, 88/2005 – ispravka, 107/2005 – ispravka 72/2009, 111/2009, 121/2012, 104/ 2013, 108/2014, 94/2016, 35/2019, 94/2024.

59 Zakon o izmenama i dopunama Krivičnog zakonika, *Službeni glasnik RS*, No. 35/2019.

60 About penal populism and the CC amendments in the sphere of the offences against life and bodily integrity, see Jovanović, S., Criminal Law Protection of Life in Serbia: Necessity or Penal Populism?, in Pavlović, Z., (ed.), 2021, *Human Rights Protection: Right to Life*, Novi Sad, Provincial Protector of Citizens – Ombudsman / Belgrade, Institute of Criminological and Sociological Research, pp. 147–163.

according to the binding, authentic interpretation of the legislator (Article 112(28)CC), former spouses (who do not have a common child) will be considered family members only if they live in the same household, whereas former common-law spouses (without a common child) are not considered as family members, even though it is well known that the end of a partnership does not necessarily mean the cessation of violence, and that separation is one of the risk factors for the escalation (or occurrence) of violence, including femicide. On the other hand, the Istanbul Convention envisages broader circle of possible perpetrators and victims (Art. 3b), emphasizing that “the same household” must not be a condition for enhanced protection. The same is provided for in the EU Directive on Combating Violence against Women and Domestic Violence.

The murder of a pregnant woman is also classified as a form of aggravated homicide (Article 114(1) item 9 CC), which is directly relevant to the discussion of femicide. Similarly, homicide committed out of reckless revenge or other base motives (Article 114(1) item 5 CC) may also be applicable in cases of femicide. The Serbian Criminal Code also provides for other appropriate incriminations that can be applied in cases of violence against women with a lethal outcome, but they are also gender-neutral (except for female genital mutilation, Article 121a CC), and the death of the victim must be encompassed by the perpetrator’s negligence (e.g., trafficking in human beings – Article 388 (5) CC; stalking – Article 138a(3) CC; female genital mutilation – Article 121a(4)CC).

The punishment for aggravated homicide ranges from a minimum of ten years to a maximum of twenty years of imprisonment, with life imprisonment also being a possible sentence. For the aforementioned criminal offences resulting in death as a serious consequence, the prescribed prison sentence is likewise between ten and twenty years. In the case of female genital mutilation, the punishment ranges from two to twelve years of imprisonment. This provision, along with certain aspects of the offence description (particularly the form of the offence outlined in Article 121a (2) CC) has been subject to criticism, as it may reflect a misunderstanding of the phenomenon: female genital mutilation is not part of Serbian tradition or culture, although cases may emerge due to migration.⁶¹

In addition to the absence of the specific criminal offence of femicide (despite proposals to introduce it to the criminal legislation),⁶² the implementation of existing legal provisions is hindered by numerous challenges,

61 On other criminal offences related to the concept of femicide and problems in their implementation, see Jovanović, S., *Femicide/Feminicide in Criminal Law: Do we need a new criminal offence?*, in: Pavlović, Z., Stevanović, I., 2024, pp. 535–163.

62 See Beker, K., 2023.

resulting in inadequate protection for women against gender-based violence. The primary issue, aside from shortcomings in the legal definitions of offences, is undoubtedly the insufficient understanding of the phenomenon of gender-based violence and femicide, coupled with a lack of genuine commitment to addressing the problem. Cases of (aggravated) homicide under Article 114(1) item 5 CC, are also rare in practice in the context of femicide. Motives such as jealousy or the desire to possess and control a partner are not considered as “base motives”, even though research indicates that these are among the most common motives for committing femicide.⁶³ Furthermore, there have been no cases in which femicides have been treated as “hate crimes”.⁶⁴ Judicial practice continues to rely on disputed mitigating circumstances – which are prohibited under the Istanbul Convention – related to marital or family status, including whether the perpetrator and the victim were married or divorced, the fact that a marital union has been dissolved, the age of the perpetrator, and the number of children.⁶⁵

Serbia’s approach to improving the protection of women from violence – and potentially from femicide – can be further illustrated by reviewing criminal offences such as stalking, sexual harassment, female genital mutilation, and forced marriage, which are in (in)compliance with the requirements of the Istanbul Convention. Some of them have serious shortcomings, indicating a declarative approach to the process of aligning domestic legislation with international legal requirements regarding the protection of women from violence.⁶⁶ GREVIO (Group of Experts on Action against Violence against Women and Domestic Violence) also criticizes Serbian legal provisions concerning sexual violence and the shortcomings of services for providing assistance and support to victims.⁶⁷

63 Simeunović-Patić, B., Jovanović, S., 2017, Intimnopartnerski umori v Srbiji: Pojavne značilnosti, dejavniki tveganja in spolne (ne)simetrije, *Revija za kriminalistiko in kriminologijo*, Vol. 68, No.1, p. 33; Beker, K., 2023, p. 54.

64 Mršević, Z., Security as a Prerequisite of Freedom – (Not)Efficiency of Criminal Law Protection, in: Pavlović, Z., (ed.), 2017, *Freedom, Security: The Right to Privacy*, Novi Sad, Provincial Protector of Citizens – Ombudsman / Belgrade, Institute of Criminological and Sociological Research, p. 202; Kolaković-Bojović, M., Đukanović, A., 2023, *Zločini mržnje u Republici Srbiji*, Belgrade, Institut za kriminološka i sociološka istraživanja, p. 104.

65 Beker, K., 2023, pp. 55–56.

66 Jovanović, S., Vujičić, N., Requirements of the Istanbul Convention in Domestic Criminal Law and Court Practice, in: Popović, D. V., Kunda, I., Meškić, Z., Omerović, E., (eds.), 2022, *Balkan Yearbook of European and International Law 2021*, Cham, Springer, pp. 213–238.

67 GREVIO, 2020, *Baseline Evaluation Report on Legislative and other Measures giving Effect to the Provisions of the Council of Europe Convention on Preventing and Com-*

In addition to criminal protection, the Law on Prevention of Domestic Violence⁶⁸ was adopted in 2016 with the aim of ensuring effective prevention of domestic violence and the prompt, timely, and effective protection and support for victims. This should be achieved through an integrated, multisectoral, and human rights-based approach to the prevention, prosecution, and protection of women victims of domestic violence, but also other criminal offences, most of which fall under the category of gender-based violence.⁶⁹ Nevertheless, as some data suggests, the preventive measures outlined in this legal act are not effectively applied in preventing femicide.⁷⁰ The functioning of the groups for coordination and cooperation, composed of representatives of the police, prosecution and social welfare centres, is also flawed, despite their intended purpose of providing a timely, coordinated, and above all individualized response in cases of domestic violence and other forms of violence against women, as defined in Article 4 of the Istanbul Convention. These groups are expected to ensure victim safety and conduct adequate risk assessments, yet in practice, these objectives are often not fully realized.⁷¹

To conclude, we may argue that by acting in the above-described manner, the state risks being brought before the European Court of Human Rights, for violating the principle of due diligence in the prevention, investigation, and prosecution of violence against women. Having in mind the current legislative situation in Serbia, and penal populism on the scene, introducing femicide as a separate criminal offence would certainly be a step forward at the declarative level (such as previous legal interventions have done), but the precise and clear conceptualization of the offence is necessary in order to make it applicable in practice. Undoubtedly, it would be the shorter path to achieving some positive effects, to make phenomenon more visible and condemned, and to make professionals implement existing (and applicable) legal provisions, but changing the mind of both the professional and lay communities is the most important and the most challenging task, as more legal provisions does not necessarily mean more justice and protection for the victims.

bating Violence against Women and Domestic Violence (Istanbul Convention): Serbia, Strasbourg, Council of Europe, pp. 21–22.

68 Zakon o sprečavanju nasilja u porodici, *Službeni glasnik RS*, Nos. 94/2016, 10/2023.

69 Čopić, S., 2019, Razvoj zakonodavnog okvira za zaštitu žena žrtava nasilja u Srbiji, *Temida*, Vol. 22, No. 2.

70 Beker, K., 2023, p. 58.

71 *Ibid.*; GREVIO, 2020, pp. 52–53.

4. CONCLUDING REMARKS

The killing of women, justified by beliefs in the inferiority of their existence, and in the supremacy of the male gender and its perceived “natural” right to determine a woman’s fate and even her life, is an age-old phenomenon. At its core, femicide represents the gender-motivated killing of a woman, which is deeply rooted in patriarchal conceptions of gender roles, systemic discrimination, and violence, compounded by the complicity of the state, which, even if not approving, often tolerates such violence through inadequate responses, thereby perpetuating it. Despite the efforts of contemporary societies to eradicate this practice and to ensure gender equality, it remains deeply entrenched and resistant to various measures designed to protect women from gender-based violence and femicide as its most extreme manifestation. Femicide, as a relatively recent concept, adopted in the European policy discourse and even in legislation, has contributed to making this form of crime more visible, distinguishing it from other types of homicide, and calling for targeted action.

The Istanbul Convention and EU Directive 2024/1385, as well as EIGE research and recommendations, provide a solid foundation for the development of national policies and legislation aimed at combating and eradicating femicide. A crucial initial step would be the adoption of the concept of femicide in public discourse and policymaking, as well as its potential incorporation into criminal law – an issue that requires further evidence-based exploration and discussion within professional circles. However, what remains essential is a genuine understanding of the phenomenon itself and the political and societal willingness to confront it decisively. Understanding the underlying factors that contribute to violence against women in family and intimate partner settings, including femicide, is crucial, particularly bearing in mind that this violence stems from deeply rooted social and gender norms that perpetuate inequality and discrimination, ultimately influencing the status of women in society.⁷² To address this issue, ongoing efforts for preventing lethal outcomes are essential for building the capacities of professionals within relevant institutions for coordinated action, proper implementation of legal provisions, and timely and effective responses to cases of domestic and other forms of violence against women. It is also vital to foster changes in societal attitudes toward gender roles, challenge and eliminate gender stereotypes, and promote a culture of zero tolerance for violence against

72 UNODC, 2019, *Global Study on Homicide 2019*, Vienna, United Nations Office on Drugs and Crime.

women. In addition, collecting, sharing and publishing data on violence against women in general and femicide in particular is important for evidence-based policy development, as well as for raising awareness of the negative impact of violence against women and the available preventive strategies and support mechanisms.

One of the possible solutions could be introducing femicide as a separate criminal offence, e.g., as a new form of aggravated murder, which might assist in making this phenomenon more visible, but could also achieve social condemnation. Consequently, this would mean admitting the lack of capacity of the state and society to prevent femicidal victimization and adequately implement other existing preventive mechanisms, prior to criminal law activation (as criminal law is meant to be *ultima ratio*), as well as to implement existing criminal legal provisions that envisage other offences, which could successfully “cover” femicidal practice, followed by adequate sentencing. New criminal offence could be justified by same reasons as was the case with the introduction of the domestic violence criminal offence in 2002: sufficiently adequate offences had existed previously, but there had not been enough understanding and sensitivity to apply them in cases of domestic violence. Even today, some shortages in this area still exist, thus showing that legal responses are just one piece of the puzzle of culture – which is changing slowly.

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STRATEGIJE ZA PREVENCIJU I ISKORENJIVANJE FEMICIDA: PRAVNE, INSTITUCIONALNE I DRUŠTVENE DIMENZIJE, IZAZOVI I PERSPEKTIVE

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APSTRAKT

Femicid se najčešće konceptualizuje i definiše kao rodno zasnovano ili rodno motivisano ubistvo žena. To je globalni problem, zbog čega mnoge države sprovode zakonodavne, političke i praktične mere i akcije u cilju njegove prevencije i suzbijanja. Cilj rada je da analizira aktuelne napore u borbi protiv femicida, kao i da predstavi primere dobre prakse u odgovoru pojedinih država na ovaj oblik kriminaliteta. Svrha rada je da istakne neophodnost prepoznavanja femicida kao upornog problema, identifikuje njegove karakteristike i uzroke, te razmotri potencijalne pravce za razvoj efikasnih mera prevencije. Poseban akcenat stavljen je na femicid u kontekstu nasilja u porodici ili partnerskim odnosima, s obzirom na to da je reč o najrasprostranjenijem obliku femicida, koji se dešava u širem kontekstu strukturne diskriminacije i nasilja prema ženama.

Ključne reči: femicid, feminicid, rodno motivisano ubistvo žena, porodično nasilje, partnersko nasilje, Evropa.

Article History:

Received: 14 October 2025

Accepted: 1 December 2025