



Femicide and Feminicide in the World

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Abstract: Femicide is the worst manifestation of gender violence. It is deeply rooted and a manifestation of power imbalances in society, which promote an unequal status for men and women. Femicide is broadly defined as the killing of a woman or girl because of her gender and can take many forms, such as killing women as a result of intimate partner violence; the misogynistic torture and killing of women; killing women and girls in the name of "honour". The European Institute for Gender Equality (EIGE) supports member states in their efforts to call the killing of females femicide, as the gender-neutral term homicide overlooks the realities of inequality, oppression, and systematic violence against women. The institute also provides statistical data to member states because the consistent and publicly available collection of administrative data is the first step towards preventing femicide. EIGE conducts research on Member States' legal responses to help them end femicide, which requires effective prevention, thorough investigation, and diligent prosecution. "A silent war against women". This is how the phenomenon of femicide was defined by the Mediterranean Institute of Investigative Journalism (MIIR) in Athens. Feminicide is a phenomenon that manifests itself through the selective killing of members of a community or of fetuses according to the criterion of their sex.

Keywords: social phenomena; criteria; data; crimes; prevention

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1. Introduction

Femicide is the serious, extreme form of violence against women and girls who continuously live in a violent environment. This form of violence is influenced by hatred, contempt, pleasure, pride, etc. and can take place in both the private and public spheres, with perpetrators often being intimate partners, family members or people who know the victim.

The main objective of the term femicide was to raise awareness that the violent death of women and girls is a crime that should not be confused with the term homicide. Femicide differs from other crimes, based on several criteria: 1. in most cases, acts of femicide are committed by current or former life partners; 2. acts of femicide are preceded by continuous family violence, threats or intimidation, sexual violence; 3. acts of femicide are characterized by an unequal ratio of strength and resources compared to those of the partners.

The legal doctrine¹ claims that the women involved are directly the responsibility of the state, for the reason that the state could not take adequate measures to prevent the violence, which culminated in the death of people. Thus, women are seen as a crime committed by the state, by not complying with the obligations of prevention, prosecution, and investigation of such cases.

2. Femicide in the World

In 1976 Diana Russell first used it in a church the international term "femicide" refers to the killing of women because they are not human, they are women (Russell, 2001, pp. 12-28).

The term has since been adopted internationally and has been translated into the modern languages of several countries. Today, there are separate terms in English - femicide and French - le féminicide, in Spanish - feminicidio, in Italian - femminicidio and in Portuguese - feminicídio. The meaning of the term "femicide" has changed over time. Sometimes it is used only to mean killing a woman, an intimate partner. (Abrahams, Mathews, Martin, Lombard, & Jewkes, 2013, pp. 23-45; Stockl, et al., 2013, pp. 33-36) The 2012 Vienna Declaration created a definition of femicide in relation to the killing of women: intimate partner homicide, femicide, "honour killings", crimes related to the absence of the girl child, killing women as the opposite sex, killing indigenous women, killings of girls and female fetuses, the killing of women in war or organized crime" (Laurent, et al., 2013, pp. 22-24), and today the word is used to refer to all forms of murder related to a female person, i.e.

¹ https://elpais.com/diario/2011/06/02/opinion/1306965604_850215.html accessed on 06.04.2024

a woman, regardless of the relationship between the murdered woman and the attacker (Weil, 2016, pp. 1124–1137).

The term “femicide” began to be used in Europe. It was used in the discussions initiated at the level of the international organizations “Academic Council of the United Nations Network (ACUN) and the COST Femicide Europe project, edited by Shalva Weil and Consuelo Corradi (Weil, 2016a, pp. 6–21; Vives-Cases, et al., 2016, p. 788).

The COST project brought together researchers from 27 European countries (including Romania). An attempt was thus made to determine specific methods of identifying and diagnosing femicides, as well as general indicators for measuring femicide and launching national and regional investigations in relation to the factors that determine femininity.

The word “femicide” seems to have been taken as a result of these discussions, not existing in the Romanian language, being taken from other languages, and thus was used in some studies (Balica, Marinescu, & Brane, 2014, pp. 24–34) and National Conferences organized by the Romanian Society of Criminology, Criminalistics and Penology (Balica, 4 September 2015). The term was first used in a 2014 study to represent all crimes committed against women, regardless of the relationship between women and the perpetrator, or the age of the perpetrator or the victim (Balica, Marinescu, & Brane, 2014, pp. 24–34). Since statistical data did not allow analysis of homicides with female victims, the term femicide was also used to describe acts of homicide of women by intimate partners. (Balica, 4 September 2015) Also in 2015, at the national conference, the term “femicide-suicide” was also introduced, by which we identified femicide crimes of an intimate partner that involve the suicide of the aggressor within a period of time that should not exceed 48 hours.

3. Femicide outlined at the European Level

Femicide can be understood as the extreme end of a long line of violence against women that occurs in all member states of the European Union, including the United Kingdom. There is no standard definition of femicide agreed between the member states of the Union or worldwide. The lack of a uniform definition is an obstacle to the measurement of femicide, which becomes invisible through general homicide data¹. The general concept of femicide refers to the killing of a woman or a girl

¹ European Institute for Gender Equality (EIGE) (2017), Glossary of definitions of rape, femicide and intimate partner violence, EIGE, Vilnius; Popescu Getty Gabriela, The social reaction against crime - The annual session of scientific communications LAW AND SOCIETY

because of her gender. The United Nations Vienna Declaration on Femicide¹. was the first to identify different types of femicide, including the killing of women as a result of intimate partner violence, the torture and misogynistic killing of women, the killing of women and girls in the name of honor, the targeted killing of women and girls in the context armed conflict, dowry killing of women, killing of women and girls because of their sexual orientation and gender identity, killing of Aboriginal and Indigenous women and girls because of their gender, female infanticide and gender-selective feticide, deaths related to genital mutilation, accusations of witchcraft, other types of gang-related femicide, organized crime, drug traffickers, human trafficking and the proliferation of firearms.

According to EUROSTAT, at the EU level, according to the ICCS, it summarizes data on intentional homicides committed against females, focusing on homicides committed by intimate partners and those related to the family, broken down by age, gender and relationship with the perpetrator. Eurostat data presented at the level of 2018 summarizes the rate of female homicide victims in Romania as being 0.82 per 100,000 inhabitants, the 11th highest rate among the 24 member states for which it is available information and the United Kingdom. Romania does not have data on homicide rates by family members, relatives, and intimate partners in 2018. However, in 2017, the rate of female victims of homicide by intimate partners was 0.52, the third highest rate of the 20 jurisdictions for which information is available.²

4. Femicide in Asia

Despite the fact that women because of XX chromosomes have the advantage of having better health and a better physiological response in terms of cardiovascular diseases and a higher life expectancy their numbers are decreasing sharply in many Asian countries. If in a European country like Spain, the ratio of women to men is 1,030 women to 1000 men in India the ratio is 915 women to 1000 men. In India due to sex selection of the unborn the ratio of female to male newborns is 100 to 111, compared to a normal ratio of 108 to 105. In the People's Republic of China, the phenomenon is even greater, here legislation regulating the number of births to one per woman made the balance even more unbalanced and women chose to have their child be a boy or else have an abortion. Due to popular tradition, boys are considered

IN TRANSITION, Institute of Legal Research Acad. Andrei Rădulescu Bucharest, April 2023, in the volume of the Conference

¹ United Nations Economic and Social Council (2012), Vienna Declaration on Femicide, UN, New York found in

https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/_E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf accessed on 13.04.2024.

² <https://ec.europa.eu/eurostat/data/database> accessed on 11.04.2024

to be the ones who will take care of their parents in their old age, and they are also considered to lead an easier life and have more rights in society and family life. This phenomenon has made 24 million men of marriageable age unable to find a partner. The ratio in China is 121 newborn boys for every 100 baby girls. The situation in other Asian countries is as follows:

- Armenia and Azerbaijan: 117 boys for 100 girls
- Georgia: 112 boys for every 100 girls
- South Korea: 110 boys to 100 girls, South Korea is the only country where the balance tends to rebalance, in the other countries the ratio between the sexes increases every year.
- Hong Kong and Singapore: 107 boys for every 100 girls¹

One in 10 men in some parts of Asia admitted to raping a woman who was not their partner, according to the first two large-scale studies of rape and sexual violence. When the researchers included the men's wives and partners in the statistics, 1 in 4 men was classified as a rapist.

The researchers say that the disturbing results of this study should change perceptions about how widespread violence against women is and should stimulate the launch of extensive violence prevention campaigns. The authors point out that the results were obtained from a survey conducted in only 6 Asian countries, it being unclear what the statistics are in other countries in the region.

Scientists say entrenched sexist attitudes are one cause, but point out that other factors such as poverty or emotional and physical abuse in childhood are a major risk factor for men's violent behavior. From violence to murder is less than one step and hence, the frightening figures that tend towards genocide.

Other causes of female mortality are the abandonment of baby girls at birth in countries such as India or China, or female mortality due to the deprivation of food and medicine in favor of male counterparts: brothers, fathers, husbands or culturally, in conditions where women they may be killed due to tradition for honor defense or ransom killings. The mortality caused by live meat trafficking involving high-risk drugs for the "taming" of women is not to be neglected either.

¹ <https://www.undp.org/ro/moldova/press-releases/mai-multe-femei-din-regiunea-europei-si-asiei-centrale-se-implica-politica-insa-egalitatea-de-gen-e-departe-de-fi-realizata>
accessed on 10.04.2024

5. Violence in the couple is a decisive factor in the assessment of femicide

Today, the idea is accepted in scientific circles that no one factor gives plausible explanations for the causes of violence, but a different determination that interacts at various levels and is behind the phenomenon. Examining them proves difficult and requires some vigilance with the concept of "cause." Many factors are associated with the occurrence of violence, and analysis of specific cases shows that no single factor explains the occurrence of violent behavior.¹

Establishing causality, i.e. identifying the true basis of violence, aggravating factors such as drug and alcohol consumption and purely descriptive characteristics of the individual, such as age or profession, is a particularly difficult process, if not almost impossible in the true sense of the word. Therefore, it has been recognized at least at the regional level and not quite scientifically proven that direct or indirect victims of domestic violence as minors are particularly prone to become victims or perpetrators of violent acts in adulthood. How then do you explain that most of these men and women do not reproduce the violence they suffered?

Research to date has focused primarily on the study of violence and preventive measures such as violence studies. Only recently has research focused on nonviolence and measures that promote it, such as research on resilience and self-healing. It should also be emphasized that, with the exception of violence perpetrated by men against women, insufficiently representative results are available to develop a framework based on intimate partner violence in terms of causes and risk factors. Studies examining male victims and perpetrators of intimate partner violence are rare, although their existence cannot be disputed. The view that these causes and risk factors are the same as the causes and risk factors associated with violence against women in heterosexual relationships cannot be accepted a priori. Therefore, there is a need for research in this area. The DVD Research Gap report clearly underlines this need². Therefore, the above explanations of intimate partner violence causes, and risk factors are limited to the framework of "female victims and male perpetrators of domestic violence".

The findings of studies on the causes and risk factors of violence committed by men against women within a relationship are not homogeneous. From the set of identified factors emerges a concerted source of closely related causes and the same putative risk factors.

¹ <https://www.europarl.europa.eu/factsheets/ro/sheet/59/egalitatea-intre-femei-si-barbati> accessed on 08.07.2023

² <https://asociatia-anais.ro/cauzele-violentei-relatiile-de-cuplu-si-factorii-de-risc/> accessed on 08.07.2023

There is no factor that does not cause violent behavior and there are no simple cause and effect relationships. On the contrary, it is necessary to consider several factors at several levels.

The causes and main risk factors of violence in the intimate partner can be related to the individual and can be violent experiences that occurred as a minor as a direct or collateral victim, through antisocial attitude and delinquency in society, the abusive consumption of alcohol or drugs, stress or other strategies.

As for the couple relationship, there are power imbalances, systematic dominance and control, spontaneous conflicts, which attract impressive strategies for managing these conflicts.

The community is the first way of socializing the couple in which they can intervene through advocacy, and if social support is missing, things can get out of control even to the detriment of the collective, especially if it is a social environment that tolerates violence (Egger & Schar Moser, 2008).

Society may have a stereotype in the idea of the roles of the two sexes, which may lead to the development of inequalities between women and men in various fields by tolerating intimate partner violence and trivializing violence, as well as by a passive attitude towards violence as a way out of conflicts.

Looking at individual-related factors, the indicated surveys lead to the fact that the characteristics of male perpetrators influence the risk of intimate partner violence to a greater extent than the characteristics of the female victim, and that experiences of family violence in childhood strongly contribute to later manifestations of violence.

A series of representative Swiss and foreign studies claim that men who have experienced physical or sexual abuse in childhood - direct victims - or witnessed scenes of violence in the family - indirect victims, are inclined to commit acts of violence against their partners. When it comes to women, the results are mixed: some studies show that females who are victims of domestic violence or who witness parental violence as children are more likely to experience an abusive relationship, other studies show that there is no such relationship.¹

As with all isolated factors, the fact that they have suffered directly or indirectly from childhood violence should not be considered a determining factor for the occurrence of violence in relationships. In fact, most men who are victims of violence do not repeat this pattern of being. The observation unequivocally highlights that these influencing factors that determine the occurrence of violence or the maintenance of the situation of non-violence are located on different levels.

¹ <https://www.consilium.europa.eu/ro/policies/eu-measures-end-violence-against-women/> accessed on 08.07.2023

Another determining factor is alcohol consumption, as numerous studies and statistics from many countries demonstrate that there is a close interaction between drug or alcohol use and intimate partner violence. The correlation invoked is, on the whole, true for most forms of drug addiction. However, the issue of the impact of illicit use of these substances and drug addiction is not sufficiently explored. People whose partners abuse these substances are at greater risk of being abused by their partner than other women with a similar condition, except that.¹

Taking these correlations calls for some caution. It is known from practice that both perpetrators and injured persons refer to alcohol consumption as a reason for justifying violent behavior and exonerating the perpetrator. It is clear that "typical alcohol consumption by a violent partner" cannot be interpreted as an outcome of violence. On the contrary, the consumption of such substances can at best facilitate or increase the occurrence of violence.

This anti-social behavior and criminality are other determinants of intimate partner violence.

Engaging in extramarital behavior contrary to the rules is a risk factor for the occurrence of domestic violence. Women who experience intimate partner or ex-partner violence outside the family circle have an increased risk of experiencing intimate partner or ex-partner violence during their lifetime. In addition, it has been shown that there is a correlation between socially rejected behaviors such as stealing, lying, traffic violations, etc., and intimate partner violence.

Stress and its coping strategies indicate some studies that highlight the effects of stressful situations such as unemployment, overwork, etc. and violence. Stress is a risk factor for the initiation of intimate partner violence and it obviously increases when other risk factors also intervene: this stress has a triggering role, for example, when other risk factors are added to the existing risk factors, such as internalized patterns of violent behavior in childhood or a relationship where men show little respect for their partner and when there are no strategies to stop the stress.²

Various untreated or undertreated, undiagnosed or underdiagnosed mental illnesses of any kind are additional risk factors for the development of intimate partner violence.

At the relationship level, several studies highlight elements that actually play a role in the occurrence of violence.

¹ <https://www.drinkiq.com/ro-ro/support-with-drinking/what-is-the-connection-between-drinking-and-violent-behaviour/> accessed on 08.07.2023

² <https://osha.europa.eu/ro/publications/building-safe-spaces-domestic-violence-and-workplace> accessed on 08.07.2023

Empirical research shows that there is a close relationship between the distribution of power in the couple and intimate partner violence. The imbalance of power relations within the relationship is analyzed at different levels, and initially the most documented relationship associates systematic dominance and controlling behavior with partner violence. There is much less violence in understanding couples compared to patriarchy relationships. In another vein, systematic, dominant, and controlling behaviors occur more often in abused couples than in other couples. Among other things, verbal abuse and humiliation are much more common.

Several other studies hypothesize a link between the unequal distribution of socioeconomic resources or the inequality of social status within a couple and the occurrence of violence. Based on the above, research findings are inconsistent and it is not possible to determine to what extent structural dependence contributes to victims' decisions to defend themselves or engage in a relationship with their abuser.

On the other hand, most studies that analyze the distribution of occupational activity and unpaid work (e.g. child rearing, housework) do not provide as clear results. Cross-national studies have failed to establish a significant relationship between spousal burden-sharing arrangements and violence. As in Germany and France, studies show that physical or sexual violence is less common in couples who share housework equally¹.

Research shows that there is a clear link between frequent conflict between spouses and violence. However, it is a mistake to think that these conflicts are the cause of violence. As mentioned above, men who resort to violence are characterized by verbal abuse and abuse of their partner. In these cases, it is misleading to talk about conflict because it can mask the uneven way in which decisions are made. In these cases, it is not a conflict between two equals, but a question of dominant behavior.

Research into the causes of violence often focuses on communication skills or communication problems. However, this aspect has been the subject of relatively few studies. Existing research shows that women living in couples who rarely discuss their problems are at greater risk of becoming victims of violence.²

Most studies show that life events identified as risk factors are associated with frequent occurrence of violence. Pregnancy or childbirth is a major event that leads to violence, as is marital separation. In fact, there are significant risks in life when there are no constructive strategies for dealing with difficult situations, resorting to violence or normal thinking.

¹ https://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-at-a-glance-oct14_ro.pdf accessed on 08.07.2023

² www.egalite-suisse.ch accesat în data de 07.07.2023 – Domaine violence Domestique. Violence domestique. Feuille d'information 2012

The fourth level focuses on society and the broader social factors that contribute to climates conducive or unfavorable to violence. These are gender roles and socio-cultural norms related to the management of violence at political, legal and media levels. To date, little representation has focused on the community level. Some studies show that inequality between women and men in society, society's tolerance of violence in general and relationships in particular are risk factors for intimate partner violence. These two elements strongly interfere with other levels – personal, relational, community – as cultural and collective values and norms are adopted by families, neighbors, couples, and individuals.¹

In the first stage, the socio-demographic, socio-economic and sociological characteristics allow the description of social groups at high risk of exposure to violence. The following factors seem to play a major role: the presence of partners, a very young wife, children, an unemployed partner, and a large age difference in family income.²

Statistics show that violence occurs more frequently in foreign or bisexual couples. When other characteristics, such as family income, living conditions, and the distribution of power between spouses, are considered, the Swiss studies no longer allow for a direct link between ethnicity and intimate partner violence. However, it should be noted that this topic has not been the subject of much research, mainly because of its complexity.

6. Conclusions

From the data emerging from the European analysis, what impresses the most is the scale taken by these crimes after the pandemic, especially in Greece, which had the highest annual increase in femicides (+187.5%), from 8 episodes in 2020, to 23 detected in 2021, but also in Slovenia, where a 100% increase was recorded in 2020. Comparing the data from the pandemic period (two years) with those from 2019, it can be seen that an increase was also recorded in Germany and Italy significant of the phenomenon.

“The data from European countries are quite similar, but the phenomenon of femicides in recent years is more felt in Latin countries, where the sensitivity towards gender violence is constantly increasing, also for socio-cultural reasons”,

¹ <https://clinnicaalegria.ro/gestionarea-conflictelor-in-relatia-de-cuplu/> accessed on 08.07.2023

² <https://www.scrigroup.com/educatie/sociologie/FACTORII-SI-CONDITIILE-VIETII-51696.php> accessed on 08.07.2023

says Stefano Delfini¹ the director of the criminal analysis service of the Central Directorate of Criminal Police, talking about the latest Italian data on gender violence, developed by the Public Security Department of the MAI, which will be presented on March 8, on the occasion of the celebration of Women's Day.

The very difficulty of collecting homogeneous data on femicides at the European level is an integral part of this "war". "There is no specific type of crime and the statistics we publish weekly to monitor the phenomenon are based only on police operational information that allows us to reconstruct what happened. This is the only way we can classify the crime, depending on the context in which it took place and the relationship between the victim and the perpetrator" explains Delfini.

The debate on recognizing femicide as a separate crime is present in many European countries. So far only two states have dared to take this step, Cyprus and Malta. The others (Greece, Serbia, France, Austria, Germany and France) do not have a legal framework for real recognition of the crime. Similar situation in Italy, where there are aggravating circumstances for domestic and sexual violence, but where so far there is no aggravating circumstance for this crime defined by the European Institute for Gender Equality (EIGE), the main statistical reference in this matter, as murder a woman because of her sex. That is, for the simple reason that she is a woman. The definition belonging to the UN Statistical Commission was also adopted by ISTAT, in Italy.

The same institute (EIGE), which conducts research and monitors policies on violence against women, launched a survey on femicide in 2020, but the results will not be published before 2024. The difficulty in finding consolidated European data on the phenomenon is related to the lack of homogeneity of homicide classifications at European level.

In order to classify the voluntary homicide of a woman as femicide, it is necessary to wait for the judicial outcome, to identify the culprit and his motives. Or it is necessary that the homicide occurred by male perpetrators and occurred between former or current spouses or partners, or in the domestic sphere. For more reliable results, due to the different methods of recording femicides from one country to another, the authors of the survey chose to compare the percentage variation of femicides over the years in countries with available data, rather than the absolute number. In addition, the data were extrapolated to comparable rates per 100,000 inhabitants.

Overall, Italy has the second lowest homicide rate in Europe for the total population: 0.48 per 100,000 inhabitants. Higher than that of Luxembourg (0.32) and well below

¹ <https://www.mai.gov.ro/despre-noi/organizare/aparat-central/directia-generalajuridica/> accessed on 17.04.2024

the EU average (0.89). Also, regarding crimes against women, the Italian figure is lower than the EU average (0.38 versus 0.66).

However, if over the years, in Italy the number of men who have been the perpetrators of homicides has decreased drastically, the same cannot be said about women. ISTAT reports that in the early 1990s, for every woman killed, five men were killed. Over time, this ratio has gradually decreased until it reached 1.6 in 2021. "The number of women killed over the years has remained substantially stable, while homicides have decreased," comments the head of the Criminal Police from the Ministry of the Interior.

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