

Femicide Penal Response in the Americas: Indicators and the Misuses of Crime Statistics, evidence from Peru

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Abstract

During the last decade, several countries in Latin America have enacted femicide as a gender-specific criminal figure. Legal modifications throughout the region were a corollary of political debates, broad perceptions and sensibilities regarding <<the increase in femicide rate>>, and the systematic appearance of media stories and official reports warning of an exponential growth. This article focuses upon the problem of femicide, both as a social phenomenon and a juridical figure, through a comparative socio-legal approach that takes Peru's penal reform as a case study. The aim is to account for the incidence of femicide in demographic terms and demonstrate that this is not a phenomenon of exponential growth, contrary to media stories and punitive discursive practices regarding the need of a penal reform in the country. This is achieved by recognizing an issue of increasing importance: the challenge of building gender-based indicators to measure and prosecute femicide into the criminal justice.

Introduction

The crime of femicide represents the most extreme form of violence against women. Coined by Russell (2006: 76) as "the killing of a woman because she is a woman", this critical issue has been subject of broad attention within feminist discourse and gender theory since the late seventies. Despite remaining into the juridical consciousness since then, it is only in recent years that femicide has begun to be considered worldwide by public institutions, as a social and humanitarian problem that is not limited only to wars and (post) conflict scenarios, but rather a normalized expression in the social landscape of many nations (ACUNS, 2013a; ACUNS, 2013b).

In a global context of raising awareness, Latin America is one of the regions where the penal response to femicide reveals unique features for socio-legal analysis. Since the late nineties, civil society political incidence, international organizations support, the widespread media portrayals of victims and the evidence of femicide epidemic rates, have driven States to enact penal reforms that aims to tackle gender violence and femicide in particular (ACUNSB, 2013b; Cladem 2011; Toledo Vasquez 2009). The legal specificity of this up-raising punitive structure is centred on the allocation of the term femicide as an autonomous penal figure: distinct and separated from homicide and adjacent aggravating circumstances (ACUNS 2013b; Cladem 2011 and Toledo Vasquez, 2009).

In virtue of this, the majority of penal frameworks in Latin America nowadays prescribe a higher punishment against the male offender, if the concurrency of any <<gender motivation>> is demonstrated. Following Toledo Vasquez (2009): countries in the region have transplanted Russell's (2006) core definition of femicide -theoretically grounded on a hermeneutical perspective- into the Criminal law. Far from being a domestic trend, femicide has also been embraced by the Inter-American Court of Human's Rights, whose judgement declaring Mexico responsible for the

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disappearance, torture and death of three young women is regarded as highly emblematic: for setting a new standard on the legal bodies aiming to protect women's rights to a life free from violence (see: Acosta Lopez, 2012; Tiroch, 2010; Celorio, 2010 and ICHR, 2009).

This panoramic review reveals that femicide has transcended gender theory interpretative frameworks, becoming a complex juridical reality in Latin America and an object by means of which the States deploy penal power (Garland 1993). Moreover, despite being recognized as a widespread epidemic mostly in Central America, the aforementioned punitive reaction appeared as a common denominator of penal reforms throughout the region: in countries where femicide has become a human rights issue (Mexico or El Salvador) and in countries where the incidence rates appear to be rather low or moderate, like Peru (Alvazzi del Frate 2011). The above-described penological structure remains unexplored in its socio-legal complexity, and not much has been written by specialized literature beyond the Americas.

This is relevant in order to address a contemporary debate (regarding femicide over-criminalization and gender as the core element of prosecution and data collection). First: if certain penal reforms allocating femicide into the penal codes did not infringe the principles of legality and equality against the law (Ugaz Heudebert, 2012; Villanueva, 2010; Toledo Vasquez, 2009). Second: if the concept femicide should denote all killing of women by men or only those where gender appeared to be relevant (Alvazzi del Frate and Nowak, 2013; Toledo Vasquez, 2009; Segato 2010, 2006; Russell 2006). Third, and in consequence: if criminal justice and forensic institutions have the capacity for building indicators to assess gender motivations in prosecutorial investigations and in the construction of crime statistics (Jansen 2012; Dammert et al., 2010; Cladem, 2011 and Toledo Vasquez, 2009).

It is therefore evident that positions regarding this issue are not relatedly solely with criminal law procedures, rather also with the construction of criminal records and criminal rates (Alvazzi del Frate and Nowak, 2013; Jansen, 2012). The above-described debate –specificity of legal terms and principles of definition and operationalization- can be reduced to a single question, which this article addresses: how to establish gender-based indicators for prosecution and crime statistics?

The question sets up the premise that these indicators do not exist or that they are not formalized for prosecutorial practices and crime statistics. If this is the case, hence, what are the standards of prosecutorial practices and criminal rates construction in the context of a sui generis and complex gender-based legal framework? How do statistics may account for femicide demographic incidence? Specialized reports that addresses the need of gender-based indicators to measure violence against women are copious, however, on this topic, references to femicide and the Latin American sui generis Criminal law reforms are scarce (Jansen, 2012; UN Women, 2010; UN Women et al., 2007). And though the juridical literature has addressed the problem of specificity on femicide laws in the Americas, the analysis is focus mainly on legal terminology (e.g. Toledo Vasquez, 2009).

Instead, this article accounts for the problem of gender-based indicators, from the perspective of femicide crime statistics. Crime statistics –and this is important- where the challenge is to assess the relevance of gender in crime, in accordance to recent penal dispositions. Evidence from the Peruvian legal and criminal data framework are heuristically relevant as they both show socio-legal features that are (very) similar to the ones in other countries of the region (see: Ministerio de Justicia, 2014; Villanueva, 2011; Toledo Vasquez, 2009). Peru, like the majority of countries in the region, has enacted femicide by placing gender as the main element of prosecution and punishment (Annex A).

One question, although, remains to be answered: why shall we focus on femicide crime statistics? There are three basic reasons. First: femicide crime statistics' main feedbacks are prosecutorial reports; therefore they may account for patterns of classification related with the recent penal reform. In the same line of thought: these patterns of classification must assess gender as the core explanatory element of crime. Second: crime rates appear to impact in the course of criminal policy in Latin America. As shown by Dammert (et al., 2010), crime statistics lack of quality and comparability are a common feature across the region; however that is functional to politician's electoral interests and policy maker's agenda of increasing the ratio of penal sanctions -signs of penal populism according to Larrauri (2007)-. Femicide inclusion into the penal code is not an exception, according to the evidence in this paper. Third: indicators and statistical methods used in the construction of femicide crime rates may inform about key aspects of state capacity regarding the implementation of gender responsive penal reforms (Dammert et al., 2010).

Under this analytical framework, the article is organized in three main sections. The first is concerned with describing and understanding the semantic content of the signifier “femicide” and the tensions within gender studies and criminal justice practices, tensions regarding its political dimension, which amount to a question of whether –in order to construct indicators- this term ought to denote all murders of women or rather only certain instances. The second section describes the social context in which the concern over femicide in Peru takes form. Finally, the third section, taking into account the debate and context summarized in the first two chapters, elucidates the trajectory of femicide in Peru over the course of the decade and situates the country within the Latin American and global contexts, comparing the domestic data of the various nations (in rates per 100,000 inhabitants).

Debates over the Definition of “Femicide” and the Problem of Establishing Criminological Indicators

The word “femicide” appeared for the first time in the book *A Satirical View of London at the Commencement of the Nineteenth Century*, by John Corry (1801), referring to the murder of a woman. Nearly two centuries later, Diana Russell resignified the semantic content of the category and linked it to gender theory: “[femicide is] when men kill women because they are women” (Russell, 2006: 76). Today this conceptual meaning has moved beyond feminism into a much wider usage, above all in Latin America, home to Ciudad Juárez: the site of one of the most emblematic and thoroughly documented cases of recurrent femicide (Washington, 2005; González Rodríguez, 2002). And yet, even though there is widespread consensus regarding this term, there is a parallel framework of discussion revolving around its theoretical composition as an autonomous penal figure ((Taylor and Jasinski, 2011; Toledo Vasquez, 2009; Segato 2006). What is a femicide? What are its most important characteristics? To what end this category was developed?

Russell and Caputi (1992: 34) conceptualized femicide according to the attributes of misogyny and sexism present in the majority of cases: femicide is “the murder of women motivated by hate, contempt, pleasure or a sense of ownership over women”. The difference between misogyny and sexism is subtle; however they appear as consequences of the transgression of two fundamental laws of patriarchy: “the norm of control or possession over the feminine body and the norm of masculine superiority” (Segato, 2006: 37). As later explained by Russell (2005: 78): “Misogynous murders are limited to those motivated by hate of women, while sexist murders include murders committed by men motivated by a sense of superiority over women, by pleasure or sadist desires, or by a sense of ownership over women”.

Under this theoretical framework, femicide dominant features refer to something that exceeds the individual and his psychic interiority; as is also the case with other expressions of violence against women, the explanation focuses on the equivalent signifiers “machismo”, “patriarchy” and “masculine domination” (Taylor and Jasinski, 2011; Lagarde, 2006; Segato, 2003; Coleman, 1995). Femicide, however, symbolizes “the final stage of domination”:

Femicide represents the extreme pole of a *continuum* of anti-feminine terror and includes a wide variety of verbal and physical abuses, such as rape, torture, sexual slavery (particularly prostitution), incestuous or extra-familial child molestation, beatings, emotional abuse, sexual harassment (by telephone, in public, at the office or in the classroom) [...] When these forms of terrorism result in death, they become femicides (Russell, 2006: 58).

The explanation of femicide can be found in gender domination: characterized as much by male supremacy as by the oppression, discrimination, exploitation, and, above all, social exclusion of girls and women [...] Crimes against girls and women are committed in societies or social circles with deeply entrenched patriarchal characteristics and critically elevated levels of human rights violations (Lagarde, 2006: 21-22).

As an analytic category, the term ties the criminal act to a set of motivations inherent in the individual (hate, disdain, pleasure, a sense of ownership or superiority over the victim, and sexism and misogyny in the final instance), although it remains inseparable from a structure of gender relations, which, from within the symbolic order, imposes on the practical world its hierarchical organization (Hook, 2006; Segato, 2006; Silverman, 1992; Butler, 1990; Rubin, 1975). Into this structure, the subordinate status of attributes associated with femininity constitutes the empirical manifestation of the functioning of power symbolically grounded in the figure of the father (Brennan, 1997, quoted in Segato, 2003: 57). The equation “gender = patriarchy = foundational violence” (Segato, 2006: 35) sums up a large part of what has been said up to this point about femicide, and represents the nucleus of its theoretical composition³.

What is the corollary of this intellectual itinerary? What is at issue in the efforts to settle on a category intended to evoke with precision the ultimate meaning of these murders of women? Perhaps the following expression, coined by Russell, synthesizes such efforts: “femicide is the murder of women by men for being women” (Russell, 2006: 76). This phrase —these days conspicuous in feminist literature— highlights the explanatory relevance of gender theory and gives theoretical univocity to many murders of women. But on the other hand —and this is the other dimension that we want to emphasize here— this expression synthesizes the political spirit of the gender studies tradition and its activist equivalent (Larrauri, 2007; Butler, 1990). Femicide is an analytic category for a criminal phenomenon, it is true, but first and foremost —if not at the same time— its creators intended it as a political category:

Our most ambitious aspiration is that the term femicide might soon become incorporated into the language of the men and women who work in the field of violence against women, so this term might subsequently become part of the vocabulary of all men and women (Russell, 2006: 59).

The intention of these authors, indeed of all the lineages of feminism that incorporated this category, was commendable: to unmask patriarchy as an institution that is based on the control of the body and a punitive capacity over women, and to show the political dimension of all murders of women, without exception, that result from this control and punitive capacity (Segato, 2006: 37).

So the act of nominal construction facilitates the dual function, theoretical and political, of the signifier. The theoretical link with the patriarchal symbolic economy is forged by denoting the grammars of patriarchy inscribed on the bodies of women. But on the other hand, and this is its political function, the semantic weight of the signifier makes evident -in those same grammars- the differential political sign of femicide with regard to those other crimes categorizable under the blanket term homicide (Segato, 2005). In this way, a crime motivated by gender —argues Russell against her critics—would be clearly distinguishable from ungendered homicides; according to this author, in the same way that it is possible to separate and distinguish homicides prompted by homophobia, religious belief or ethnic origin, it is also possible to separate and clearly distinguish a femicide:

According to my definition, in the same way that murders of African-Americans can be differentiated into those which are racist and those which are not, and among murders of lesbians can be divided into those which are homophobic and those which are not, murders of women can be divided into those which are femicides and those which are not. When the feminine gender of a victim is irrelevant to the perpetrator, we are dealing with a murder and not a femicide. For example, an armed

³ The equation makes evident (as far as it signifies the same structure) the equivalent use in feminist literature of the terms “patriarchy”, “gender domination”, “machismo” and “masculine domination”. For an account of the history of gender studies in anthropology, the existing tensions within the discipline, and the dialogue with psychoanalysis, see Segato, 2006: 55-83.

man that shoots and kills the owners, male and female, of a supermarket in the course of his crime, has not committed a crime (Russell, 2006: 79)

Rarely have I witnessed such fervent efforts on the part of male researchers and writers to use gender neutral terminology as when they discuss the issue of murders of women, in spite of the fact that the vast majority of murders of women are committed by men [...] The lack of such terms [criminological categories that focus on gender] reveals the inadequate attention paid to gender in the field of criminology, which is dominated by men (Russell, 2006: 74).

In this sense, even though there is widespread consensus around the category of femicide, some studies—as the last quote implies—present a conceptual approach that seeks to strip itself of political connotations. In this field of study, there is an open debate that can be divided neatly into two positions: whether the word femicide should encompass all murders of women or, alternatively, be restricted only to some. For example, Campbell and Runyan (1998, quoted in Russell, 2006) understood femicide as “any murder of a woman, without regard to the motives or status of the perpetrator”. The authors base this claim on a large body of studies that suggest the impossibility of inferring a priori motivations for criminal acts. There is a similar disposition in penology and psychology, whose authors take issue with official feminist discourse for only considering one variable (gender) in the explanation of a phenomenon they argue is complex and irreducible to a single cause (Larrauri, 2007; Stangeland, 2005; Felson, 2002; Cerezo, 2000; Dutton, 1993).

What else does this debate demonstrate? The discussion about the theoretical importance of gender and its simultaneous political function brings into focus a criminological problem. This problem refers to the “difficulty” of translating the political category and its theoretical content into the standard terms of applied criminology. The question is how to settle on categories that are important in terms of political recognition but whose sustained focus on the gender tradition complicates an applied criminological and criminalistic treatment

“The feminist movement politicized the use of the word femicide in the 1970s, restricting its meaning to the killing of a woman or a girl based on her sex (Bloom, 2008, p. 178). With time, this definition has expanded to refer to any killing of a woman. While such an approach dilutes the political connotation of violence against women based on their sex, it facilitates the comparability of cross-national data on lethal violence against women. A number of recent studies and data collection exercises focus on the issue of femicide in a stricter sense. Qualitative studies of the killing of women in Latin America, for example, seek to assess the intent of the perpetrator” (Alvazzi del Frate and Nowak, 2013; quoted in ACUNS 2013b: 49).

As Alvazzi del Frate and Nowak (2013) points out: quantitative studies tend to focus on a narrow definition regarding femicide. The same feature is patent on international records: although there is a wide variety of sub-classifications—partner femicides, familial femicides, femicides of acquaintances, femicides of strangers, etc. (Ellis and DeKesseredy, 1996)—, international records tend to focus on the categories “homicides of women” and “femicides of an intimate partner”: the most readily apparent and easy to document (Alvazzi del Frate and Nowak, 2013; UNODC, 2011; Global Burden of Armed Violence, 2011).

In effect, *femicide of an intimate partner has been considered the standard variable and central indicator for mitigating the absence of a criminological category and positive criminalistics indicators of “hate”*. This limitation is evident in national and international records: UNODC (2013) documents “homicides of women” and “intimate partner femicide”, while local institutions like the Office of the Attorney General [Ministerio Público Fiscalía de la Nación] focus much of their efforts on indicator “partner”.

The above evidence makes clear that there is a problem of a criminological nature. The question is: what are the unintended consequences of the widespread use of the term on a public and media scale? In other words: which discourses and frameworks can be traced, in part, to the measurement and documentation issues caused by the difficulties in establishing a standardized criminological category?

On the Political and Media Discourse Claiming an Increase of Femicide in Peru

In recent years, femicide has become a matter of public security and increasing notoriety in several Latin American countries. Peru is no exception to this tendency. A widespread discourse has developed around these crimes that warn of its exponential rise and the resulting need to develop public policies to combat it. This discourse focuses on and is corroborated by annual reports that, presented in unavoidably terrible figures, leave no room for doubt about the seriousness of the phenomenon: “407 cases between 2004 and 2007” (Demus, 2006) “around 406 femicides between 2007 and 2010” (Ministerio Público, 2010), “an average of ten women murdered, each month, by their male partners” (Cladem, 2011).

Even though civil society and the State both declare their interest in the matter, the former has much more of a track record in terms of activism and struggles for recognition. In Peru, civil society organizations were the first to start documenting femicide (in reports based on articles in national newspapers), and open up the debate on the necessity of a reform of the justice system that would include, among other matters, its legal classification (Demus, 2006). In this sense, we can say that today feminist movements and the State share a common interest, in which the development of public policies, the increase of sentences, and a specific legislation on violence against women are core concerns (PNCVHM 2009-2015, 2009)⁴ In this context, from the daily police blotter, to the particular agendas of defence organizations to the deliberative assemblies of Parliament, the incorporation of femicide in the Peruvian Penal Code became a reality (Annex A).

On the other hand, the growing concern within civil society and the State over the increase and seriousness of femicide has an equivalent in the press that is equally widespread and no less important. As with other domestic crimes (patricides, matricides, filicide, infanticide), murders of women at the hands of their male partners have attracted the attention of sensationalistic media outlets, on account of their extreme ferocity, plots that implicate common people in an epilogue of unforeseen violence, the aura of intimacy infusing the scene, and, at the centre of it all, the display of brutally disfigured bodies (Sunkel, 2001; Gargurevich, 2000):

A man driven mad by jealousy strangled his ex-partner in front of their barely two-year-old daughter in a Huaraz hotel and then, tormented by what he had done, travelled to Carhuaz to commit suicide. (*Ojo*, 2010a).

This morning, an individual murdered his ex-live-in partner with a screwdriver in El Porvenir (Trujillo) after the latter decided not to get back together with his couple, given the constant verbal and physical aggressions she suffered (*Perú.21*, 2012a).

He thought it was the perfect crime. Edwar Chani Fora (30) was detained by the Police on the accusation of killing and dismembering Shirley Ponce Ascuña (33), whose body was divided between two suitcases and abandoned on San Martín de la Tomilla Alley in the Cayma district of Arequipa (*Trome*, 2012b).

Beside himself, Aurelio grabbed a large knife, like the kind used by tire shop mechanics, and plunged it into her thorax, causing her death. Subsequently, he sectioned each part of the cadaver with two serrated knives and placed the members in plastic bags (*Trome*, 2010b).

In these reports, the narrative strategy consists in the systematic use of hyperbole as a technique for producing shock and sensitivity in the reader (Martini, 2008). The story is normally accompanied by a title that summarizes in just a few words all of the drama and shock laid out *in extenso* by the narrative strategy, which is followed by a photograph of the protagonists together with elements belonging to the scene of the crime (“the bloody knife”, “the revolver lying by the bed”, “sheets and

⁴ The National Plan to Combat Violence Against Women (Plan Nacional contra la Violencia hacia la Mujer) describes the actions, goals, and results of the Peruvian State in its fight to reduce violence against women.

various pieces of clothing”, etc.) (Martini, 2008; Sunkel, 2001; Gargurevich, 2000). It would be pertinent to trace the connection between this mode of crime reporting —among them femicide— and the social (re)production of an unsettling climate of generalized insecurity:

The dramatic plots serving as reference in these modes of crime reporting have created four axes of interpretation: i) that crime is in the process of increasing and diversifying; therefore, insecurity has ceased to be an exception and has become a daily occurrence; ii) that there are new delinquent actors and new forms of violence, so that there is a prevailing sense that we are facing a frequent and widespread crime; iii) that there is a surfeit of phrases expressing alarm over insecurity and concern about impunity; therefore, the resulting perception is of a society impotent in the face of fear; iv) that society feels threatened, frightened, and trapped, since no effective measures are taken and chaos is spreading; therefore, everyday life is characterized by fear of what is different and the desire for an iron fist to fight crime (Rey y Rincón, 2008: 38).

Within this scenario, it is important to recognize that the representation of the murders of women as a crime characterized by disproportionate figures and limitless brutality has created a disconnect between femicide and other forms of violence, which are probably as much or more widespread but proportionately lacking a similarly spectacular profile (sexual harassment, sexual assault, rape, abuse, etc.) (Mujica, 2011: 61-69). In effect, at issue is a scenario in which the particular discourses and modes of representation surrounding femicide have acquired as much resonance, or even more, than the actual volume of the crimes

A worrisome figure. A total of 360 women were murdered by their partners or ex-partners in the last three years in Peru. (Official from the Observatorio de Criminalidad del Ministerio Público [Crime Watch Committee of the Ministerio Público], RPP, 2012a).

The country with the highest rate of deaths of women is Peru (Luisa María Cuculiza, congresswoman, *Frecuencia Latina*, 2011).

There should be an inter-sectorial focus and this issue will be our priority because the figures in Peru are dramatic and the increase [in femicides] is exponential and unacceptable. It is preposterous that any of these attackers should still be at large (Aída García Naranjo, former director of the Ministerio de la Mujer y Poblaciones Vulnerables [Ministry of the Affairs of Women and Vulnerable Populations] *El Comercio*, 2011a).

This figure [of twenty-two femicides recorded as of May 28, 2012] is horrifying, and most of these cases are committed in the home, which is primary setting for the violation of the rights of women (María Mendieta, director of the Programa Nacional contra la Violencia Familiar y Sexual del Ministerio de la Mujer y Poblaciones Vulnerables [National Program Against Familial and Sexual Violence], *El Comercio*, 2011b).

What is the evidence up to this point? First: it is clear that there is a political component to the construction of the category of “femicide”. Second: It is clear that there are problems of how to measure the phenomenon, since the political focus has not always been apparent in criminalistic and applied criminological indicators. Third: this has led to a situation in which the standards of measurement have focused on partner femicides or female homicides. Fourth: in Peru, the category has been used to help raise awareness of the phenomenon of violence against women. Fifth: as a corollary to a discourse posting a generalized and uncontrolled increase in femicide, this category has been utilized in legal classifications (in spite of the aforementioned criminalistics and criminological problems). What is the state of this phenomenon in Peru, and what is its relation with political and media discourses as well as with the debate over its theoretical status?

On the Comparative Situation of Femicide and the Evidence that it is not an Increasing Phenomenon

We have two problems to solve. First: a problem of a criminological nature has arisen with regard to the political focus of femicide and the lack of gender-based indicators. The indicators “intimate partner” and “female homicide victims” has made up for the lack of an equivalent criminological category. Second: a problem related to the absence of rigorous statistical standards. This derives on severe calculation errors: the *sense* that femicide in Peru is widespread and increasing exponentially, which is deduced from the absolute figures found in official sources, does not correspond to the empirical reality of the phenomenon (as it will be addressed). These two problems are related, however they are not exclusive to the Peruvian situation (Dammert et al., 2010). A survey of official figures reveals that very few countries have a standardized record of femicides according to the classic definition (Alvazzi del Frate and Nowak, 2013). As a result, any account of the global state of affairs depends on the general classification “homicides”. What is the situation in Peru in terms of homicides (only homicides) of women with regard to the global situation?

According to the publicly available information collected by UNODC (2013), the ratio of homicides of men and homicides of women around the world is 79% and 21%, respectively. In the Americas, the number of women victims drops to 15% of total homicides (UNODC, 2013). Figure 1 clearly shows that on average African countries stand out for having the highest rates of female homicides in the world (6.5 per 100,000 women) and that next come the countries of the Western Hemisphere, although it should be clarified that the high average in the latter is due to the high concentration of the phenomenon in the regions of Central America and the Caribbean⁵.

⁵ Although UNODC (2013) contains updated statistics on homicide worldwide, UNODC (2011) data set was used, as the former does not account for homicide rates per 100, 000 inhabitants disaggregated by sex.

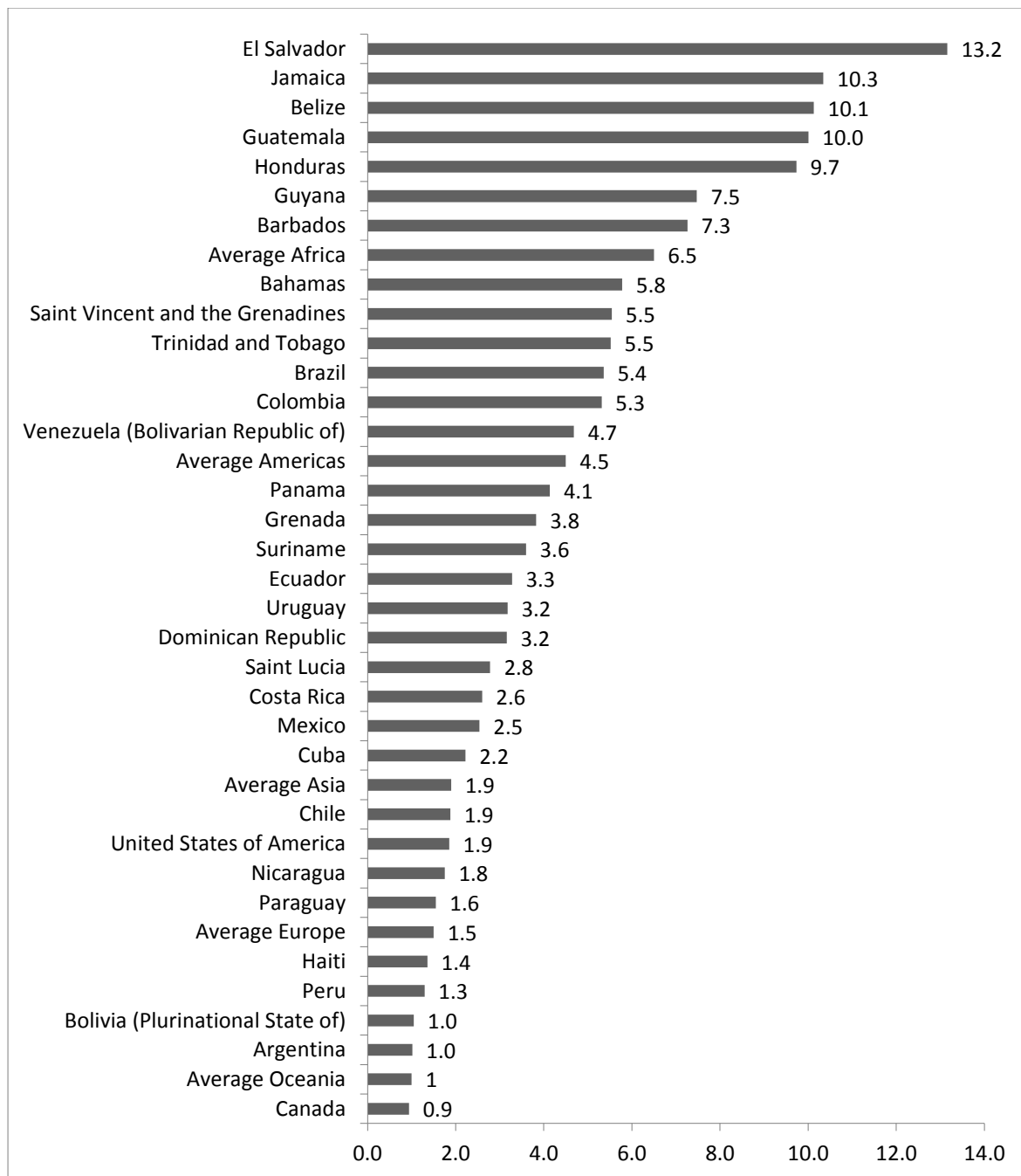


Figure 1. Global comparison of the rate of homicides of women (per 100,000 women)

Source: UNODC, 2011. Figure by the authors.

What is Peru's position in this list? As Figure 1 shows, the rate of homicides of women in the country is 1.3 per 100,000 inhabitants. This places Peru 112th out of 180 countries: below almost all of the regional averages. In the Latin American region, only Bolivia and Argentina have lower rates (each with 1.0 per 100,000 women), and taking into account the whole hemisphere, even some countries with a higher HDI than Peru—Chile and the United States—have higher rates (UNDP, 2012; UNODC, 2011). It is clear, then, that there is no exponential rise with respect to the comparative figures, and that neither do these figures situation Peru among the countries with the highest rates of homicides of women in the world. But if this is the situation regarding homicides of women, what is the situation regarding femicide in Peru?

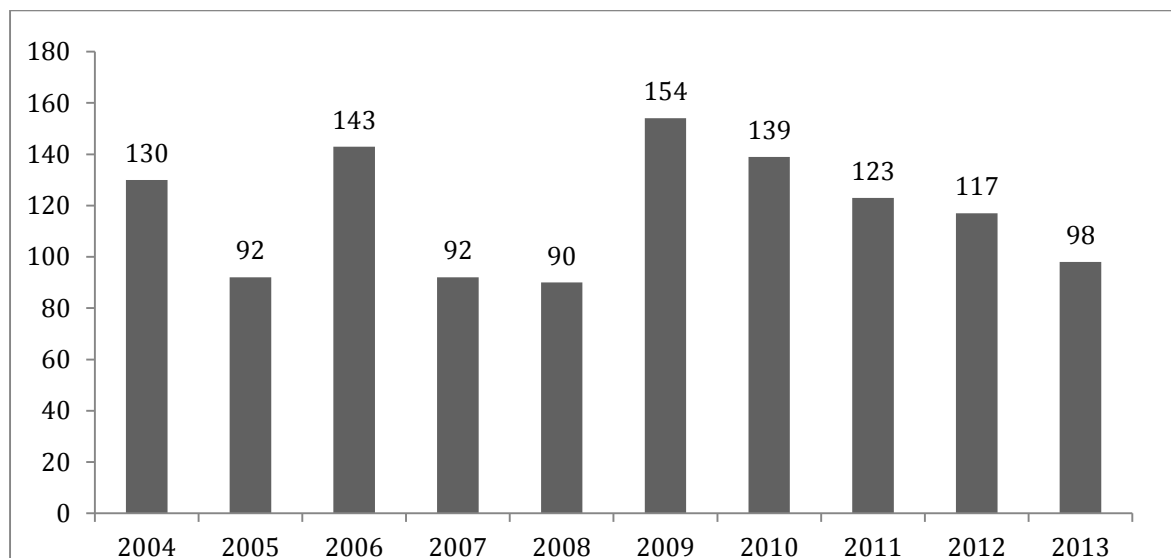


Figure 2. Total femicides in Peru in absolute figures

Source: Boletín Semanal del Observatorio de Criminalidad del Ministerio Público (2009-2011), CMP Flora Tristán, Demus (2004-2008). Figure by the authors.

Figure 2 describes the trajectory of femicide in Peru, over the course of most of the decade. The figures corresponding to the period of 2004-2009 are drawn from civil society organizations (an important exercise in reconstruction through notes on media). The figures corresponding to the period of 2009-2011 come instead from the Crime Watch Committee of the Attorney General (Observatorio de Criminalidad del Ministerio Público), which is in charge of the task of keeping an official record, on the basis of prosecutorial reports⁶. The information made publicly available by this two sources reveal a methodological problem: measurements, which are then disseminated in the media, are made in absolute numbers, when the specialized literature indicates that these phenomena should be measured in ratios (Loue, 1999; Clayton and Hills, 1993)⁷. The reason is that this type of measurement hinders a comparison and evaluation of the demographic incidence of crime. Due to this limitation of the official recording mechanisms, the following figure has been constructed, in which is shown the same trajectory but with the previous figures converted into rates.

⁶ The reports from the Ministerio Público (2009-2011) document, on the one hand, “femicides” and, on the other, “possible femicides” (cases in which there is a lack of certainty that they amount to femicides). While the figures included correspond to the former, the total of “possible femicides” each year does not exceed 200 annual deaths.

⁷ Only the Registro de Femicidios del 2010 [2010 Femicide Report] records rates per 100,000 national inhabitants and a comparison by department, while the Boletín Semanal del Observatorio de Criminalidad del Ministerio Público [Weekly Bulletin of the Crime Watch Committee of the Ministerio Público] for the month of February 2012 no longer records the national rate but rather only some regional rates (Observatorio de Criminalidad del Ministerio Público, 2012) [Crime Watch Committee of the Ministerio Público, 2012]

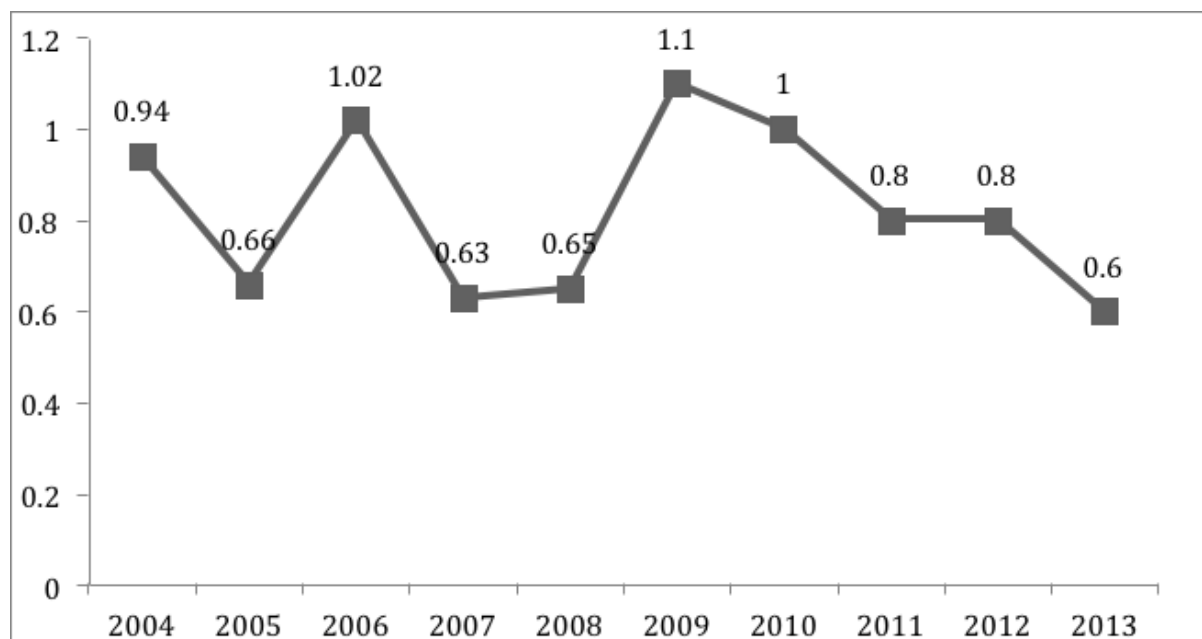


Figure 3. Rates of femicide in Peru per 100,000 women

Source: Boletín Semanal del Observatorio de Criminalidad del Ministerio Público—Femicide in Peru 2009-2013, CMP Flora Tristán/Demus (2004-2008), Instituto Nacional de Estadística e Informática (INEI 2009). Figure by the authors.

Figure 3 again questions the supposed “exponential rise of femicide”. But in addition, the conversion of absolute figures to rates clearly shows what the comparative list of homicides of women already implied and also confirms official figures: that femicide in Peru is not an *epidemiologically* regular phenomenon. This confirmation is reaffirmed in Figure 4, which compares the relative situation in Peru with that of other countries in the hemisphere (with the addition of Spain and France). The rates correspond to the most recent year available in each country’s record, are adjusted to the conventional definition by Russell (2006), and were mostly obtained from civil society organizations (for which reason the referential value of the figures should be taken into account, given that some organizations use more open definitions of femicide, while others use more narrow ones).

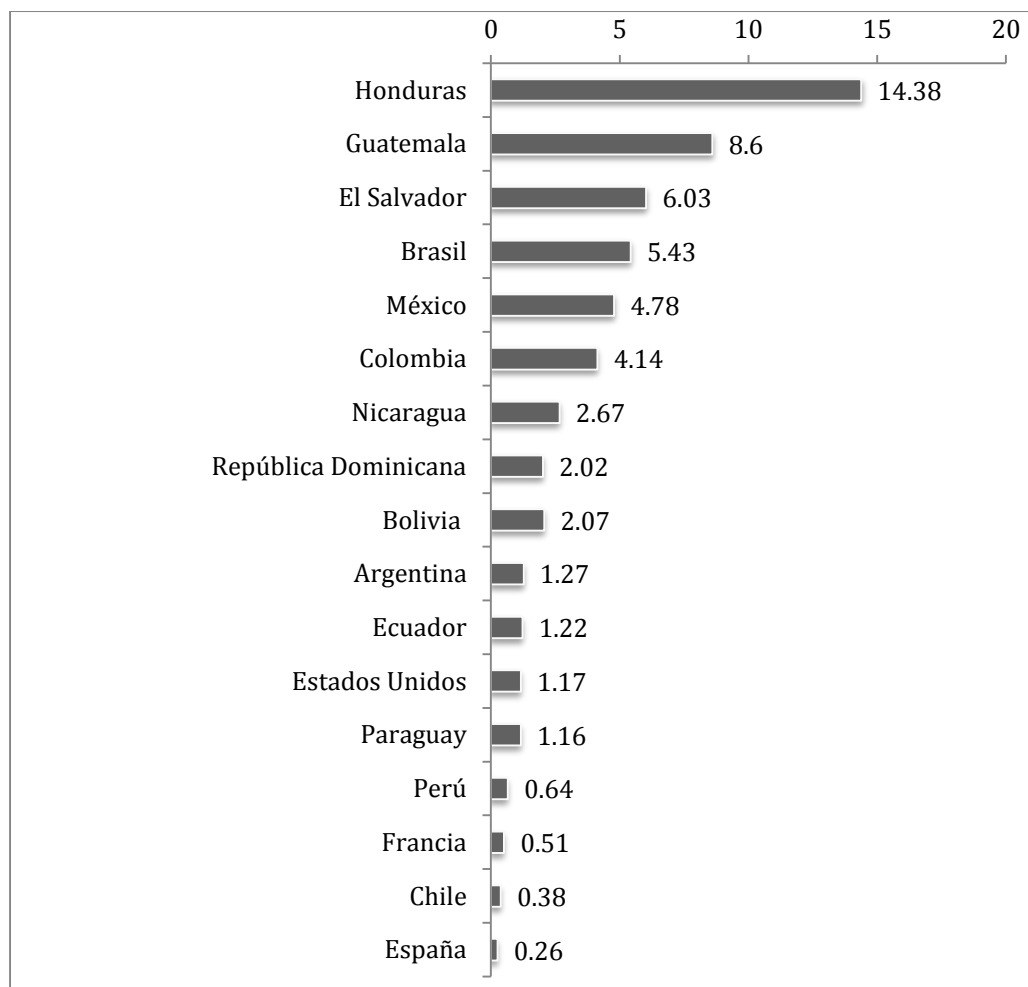


Figure 4. Comparison of Latin American rates of femicide per 100,000 women⁸.

Figure 4 corroborates a situation similar to that of the comparison focused on the sum total of homicides of women: the rate in Peru is considerably lower than that of the rest of the countries in the region. It further acknowledges that countries with a higher incidence of femicide (essentially Central American and Caribbean countries), have at the same time serious problems with structural violence related to the drug trade and other criminal phenomena (Früling et al., 2005). So the question remains: why is it claimed that the number of femicides is increasing and that there is an exponential rise in the phenomenon?

Up to this point, epidemiology conversion of homicide absolute figures into rates has been focused on communicating the state of femicide in Peru by comparing it with other countries in the

⁸ According to the most recent data: 2013 (Bolivia, El Salvador, Ecuador, Peru); 2012 (Argentina, Chile, Colombia, Dominican Republic, Guatemala, Honduras, Nicaragua, France), 2011 (Brazil, United States of America); 2010 (Mexico); 2009 (Spain); 2008 (Paraguay). Sources: Bolivia (Centro de Información y Desarrollo de la Mujer – CIDEM 2013); El Salvador (Organización de Mujeres Salvadoreñas 2013); Argentina (Asociación Civil La Casa del Encuentro 2013); Chile (Sernam 2013); Colombia (Instituto Nacional de Medicina Legal 2013); Ecuador (Comisión Ecueménica de Derechos Humanos 2013); Guatemala (INACIF 2013); Honduras (Tribuna de Mujeres Contra los Femicidio 2013); Nicaragua (Católicas por el Derecho a Decidir 2013); Perú (Observatorio de Criminalidad del Ministerio Público 2013); República Dominicana (Procuraduría General 2013); Brasil (IPEA 2013); USA (Violence Policy Center 2013); Mexico (Observatorio Ciudadano Nacional del Femicidio 2010); Francia (Ministere De l’Intérieur 2010); Spain (Instituto Reina Sofía 2009); Paraguay (Cladem 2008).

region and in the world and highlighting problems of criminological procedure resulting largely from measurements in absolute figures. Nevertheless, these problems are not mitigated in the context of local indicators; on the contrary, they are clearly evident and stand out as a regular pattern in official studies and reports.

Table 1.

Disparity in the annual calculation of victims of femicide published by the Ministerio Público

Publication	2009	2010
<<Weekly Bulletin about Femicide in Peru 2009-2011>>	154	138
<<Femicide Anual Registry 2009-2010>>	135	130

Source: Observatorio de Criminalidad del Ministerio Público. [Crime Watch Committee of the Ministerio Público] Table by the authors.

Table 1 clearly demonstrates this problem: notice the disparity between the figures corresponding to the most recent bulletin of the Ministerio Público (which compares the absolute totals of femicides in the period 2009-2011) and the figures published by this same office in its annual report. What are the criteria and indicators that facilitate the criminological classification of a case or victim of femicide in these reports? It is clear that there is a problem of how to calculate cases and victims. Still, and on the other hand, parallel to the concern over the exponential rise of femicide, the official record and discursive apparatuses have emphasized its seriousness on account of its increased occurrence within couples: there are more women murdered by their male partners than, vice-versa, men murdered by their female partners. In effect, according to the Ministerio de la Mujer y Poblaciones Vulnerables [Ministry of the Affairs of Women and Vulnerable Populations] “each month in Peru, ten women are murdered by their partners, ex-partners or relatives” (Mimdes, 2011).

Another report, entitled “The Power of Data: Documenting Femicide in Order to Confront Violence Against Women”, highlights the fact that seven in every ten cases involve a partner (Mimdes, 2010). Along the same lines: the Ministerio Público argues that “out of every ten female victims, five are victims of femicide” (Observatorio de Criminalidad del Ministerio Público, 2010), while “out of every ten male victims, one is murdered by his partner, ex-partner or relative” (Crime Watch Committee of the Ministerio Público, 2010). Nevertheless, in all these affirmations and in much of the available data, we again see the same criminological problem related to the calculation of cases and its presentation in absolute figures. The following table shows the comparison resulting from the conversion of the available absolute figures into rates per 100,000 male and female inhabitants, respectively.

Table 2.

Comparison of rates of homicide of male partners and ex partners and femicides of partners and ex partners in Peru⁹

Sex	2009	2010
Males	0.22	0.14
Females	0.64	0.61

Source: Registro de Femicidios del Ministerio Público, 2009; 2010. Table by the authors.

This conversion into rates allows us to say, strictly speaking, that between 2009 and 2010 there is a decrease in the comparative rate of femicides of female partners and a similar decrease in the number of homicides of male partners. This, nevertheless only shows a measurement whose function is to challenge the proportional comparison that emphasizes, on the basis of absolute numbers, the ratio of murders of women by their male partners.

Interrogations on the uses of terminology are not meant to downplay the importance of these phenomena but rather to call attention to problems in the way femicide is measured and how figures are used. The above evidence highlights methodological problems in the field of crime statistics, regarding femicide gender-based definition and operationalized indicators. As shown in the previous section, criminal rates with these underlying problems has the potential to support penal populists discourses and shape broad social representations on the need to increase the ratio of punishment. The latter may further reveal a problem of state capacities in the field of penal prosecution, as

⁹ The calculation was made using the official data published in the Registro de Femicidio del Ministerio Público for 2009, pp. 4 and 17, and for 2010, p. 3. These documents were chosen because, unlike the Boletín Semanal Femicidio 2009-2011 (which is more recent, published in February 2012), their data are broken down in such a way as to give information on each partner in a couple relationship. The data have been obtained on the basis of information about demographic projections carried out by the Instituto Nacional de Estadística e Informática (INEI): “Peru: Estimaciones y Proyecciones de Población por Sexo, según Departamento, Provincia y Distrito, 2000-2015” (Boletín Especial 18, 2009). Lastly, the calculation of rates was made according to the following formula: NV (number of victims)/ TP (total population) x 100,000 inhabitants (female or male, according to the case).

prosecutorial reports –and their conclusions about the gender relevance of crime- are the main source in the production of femicide crime statistics, a situation that may not be circumscribed to Peru (Dammert et al., 2012).

Conclusions

The empirical evidence of this paper intended to highlight critical issues that present themselves when translating the hermeneutical and political category of femicide into an autonomous criminal figure (with <<gender>> as the core element of punishment and the main aggravating for admitting an unequal punitive treatment towards the male offender), a penological framework that soon has become institutionalized across Latin America.

Based on Peru's penal modifications, the aforementioned problems appears not to derive from the category itself, so much as with the effort to translate it into operationalized terms, and render it documentable for criminal procedures. Since the former is not defined in reference to material elements but rather according to "motivations" (see Annex 1), criminal investigations may become a more complex duty for prosecutors. Bringing into account the lack of specificity patent on similar penal figures in the region (Villanueva. 2011; Toledo Vasquez. 2009), femicide conversion into an autonomous criminal offense poses the following question for policy makers, prosecutors and statisticians: how to account for femicide-underlying (gender) motivations and associated circumstances?

A problem of indicators is patent when trying to outline possible answers. Operationalization problems in the use of the narrow definition proposed by Russell (2006) are partially recognized on specialized reports (Alvazzi del Frate and Nowak, 2013: p.49-50; Jansen, 2012: 4; UNWomen et al., 2007: p. 27). Femicide international data collections, therefore, focuses mostly on "intimate partner femicide" and "female homicide victims" (UNODC, 2013 and 2011; GVAB, 2011). The foregoing problems, strictly regarding crime statistics, may be extensive to criminal justice procedures, when femicide is translated into a criminal offense. Criminal law analysts (therefore) coincide on attributing specificity problems to these new penal figures (Polaino-Orts and Ugaz, 2012; Villanueva 2011; Toledo Vasquez, 2009). As a paradigmatic example, annual reports provided by the Attorney General (main source for criminal statistics) categorize a considerable number of cases with the label "possible femicides", meaning lethal incidents where gender-underlying motivation could not be proven by preliminary investigations (Crime Watch Committee, 2010-2009).

The problem of constructing operationalized indicators is not the only issue. A key institution of the Peruvian criminal justice system, as the Attorney General, makes frequent use of absolute figures (not rates) to make comparisons of the phenomenon's temporal evolution and to account for its incidence. This kind of measurement results in a largely inaccurate reading about femicide magnitude, while it helps to reinforce punitive discourses and related fear of crime expressions. On the contrary, comparative evidence in this paper suggests that it is not the case that there has been an increase in the rate of femicide in Peru. Neither is it the case that the figures in Peru are the highest in the world, the hemisphere or the region. A decreasing trend is rather visible, while the annual femicide rate remains lower to 1.0 per 100,000 inhabitants.

The aforementioned empirical evidence illuminates how deeply bonded are official femicide crime statistics, media portrayal of big numbers, and broad fear of crime perceptions (see: Valera and Guàrdia, 2014; Zaffaroni 2011). To some instance, inaccurate crime statistics regarding femicide were functional to a political and social discourse demanding an increase on punitive ratios. Here are evident, up to some extent, the socio-legal determinants of an increasingly broad penological structure. An analogical movement, however, into the more internal features of the criminal justice system, reveals that there is a problem of state capacities adaptability to meet current gender responsive penal reforms. To be precise: a problem of state capacities that links precedent features of the criminal justice system (inaccuracy of the official data) with emergent features, deriving from the challenge of measuring femicide and producing equivalent criminological indicators to this figure.

References

- Academic Council on the United Nations System., 2013a. Declaration on Femicide. ACUNS, Viena. ACUNS. Retrieved from: http://www.unodc.org/documents/commissions/CCPCJ_session22/ECN152013_NGO1_eV1380536.pdf
- Academic Council on the United Nations System., 2013b. Femicide a Global Issue that Demands Action. ACUNS. Viena.
- Acosta Lopez, J., 2012. The Cotton Field Case: Gender Perspectives and Feminist Theories in the Inter-American Court of Human Rights Jurisprudence. J. International Law. Revista Colombiana de Derecho Internacional. (21), 57-87.
- Alvazzi del Frate, A. and Nowak, M., 2013. "Femicide in Global Perspective", in: ACUNS., Femicide. A Global Issue that Demands Action., ACUNS, Vienna.
- Alvazzi del Frate, A., 2011. When the Victim is a Woman, in: Geneva Declaration Secretariat., The Global Burden of Armed Violence. Retrieved from http://www.genevadeclaration.org/fileadmin/docs/GBAV2/GBAV2011_CH4.pdf.
- Butler, J., 2007. Gender Trouble: feminism and the subversion of identity, second ed. Routledge, New York.
- Caputi, J., Russell, D., 1990. Femicide: Speaking the Unspeakable. Ms. Magazine.1(2), 34-37. Retrieved from <http://www.unc.edu/~kleinman/handouts/Femicide.pdf>
- Católicas por el Derecho a Decidir de Nicaragua (2012). Femicidios 2012. CDDN, Managua. Retrieved from <http://www.catolicasporelderechoadecidir.org.ni/index.php/femicidios/femicidios-2012/summary/8-femicidios-2012/19-femicidios-2012> (última consulta: 1 de junio de 2014).
- Centro de Información y Desarrollo de la Mujer., 2014. Boletina Feminista La Escoba. 7 (21). Retrieved from http://www.cidem.org.bo/index.php/observatorio-manuela/boletina-feminista/332-la_escoba_21.html (última consulta 14 de junio de 2014)
- Cerezo, A.I., 2000. El homicidio en la pareja: tratamiento criminológico. Tirant lo Blanch, Valencia.
- Cladem., 2011. Diario El Comercio. Retrieved from <http://elcomercio.pe/peru/1337634/noticia-femicidio-10-mujeres-mueren-al-mes-manos-sus-parejas>.
- Cladem., 2010. Contribuciones al debate sobre la tipificación penal del feminicidio/femicidio [*Contributions to the debate on the typification of femicide into the criminal law*]. Cladem, Lima. Retrieved from http://www.solidaridad.org/uploads/documentos/documentos_Documentos_sobre_Femicidio_ecb546d5.pdf
- Cladem, & Jiménez, L., 2008. Femicidio. Monitoreo sobre feminicidio/femicidio en Paraguay. [Femicide. Monitoring of Femicide/Femicide in Paraguay] Retrieved from <http://www.cladem.org/images/archivos/investigaciones/nacionales/paraguay/femicidio-paraguay-2008.pdf>
- Clayton, D., & Hills, M., 1993. Statistical Models in Epidemiology. Oxford University Press, New York.
- Coleman, M.A., 1995. Intimate Femicide: Masculinity, Patriarchy and the Sexual Politics of Murder. Arcadia University, Philadelphia.
- Banco de datos de la Comisión Ecuémica de Derechos Humanos., 2013. Ecuador. Cuadro 32. Víctimas de Graves Violaciones a los DD.HH. 2000-2013. Quito. CEDUH.
- Corry, J., 2010. *A Satirical View of London*. London: Nabu Press.
- Costa, G., & Romero, C., 2011. Inseguridad en el Perú: ¿qué hacer? [Insecurity in Peru: what to do?] Ciudad Nuestra, Lima.
- Dammert, L., Salaza, F., Montt, C., Gonzalez, P.A., 2010. Crimen e inseguridad. Indicadores para las Américas [Crime and insecurity. Indicators for the Americas]. Flacso and BID, Santiago de Chile.

- DEMUS., 2006. *Feminicidio en el Perú, expedientes judiciales. Estudio para la defensa de los derechos de la mujer*. [Femicide in Peru, court records. Research in defense of women's rights] DEMUS, Lima.
- DEMUS., 2006. *Audiencia temática sobre Feminicidio en América Latina ante la Comisión Interamericana de Derechos Humanos - CIDH. Estudio para la defensa de los derechos de la mujer*. [Thematic hearing on femicide in Latin America on the Inter-American Commission on Human Rights – IACHR] Research in defense of women's rights]. DEMUS, Lima.
- Desmond, E., DeKeseredy, W., 1996. *The Wrong Stuff: An Introduction to the Sociological Study of Deviance*. Allyn & Bacon, Ontario.
- Diario el Tiempo (2013). "En 2012, 1.146 mujeres fueron víctimas del feminicidio en Colombia". In: *Diario el Tiempo*. Bogotá. 19 de Mayo de 2013. Retrieved from <http://www.eluniversal.com.co/cartagena/nacional/en-2012-1146-mujeres-fueron-victimas-del-feminicidio-en-colombia-120068>
- Dutton, D., Bodnarchuk, M., 1993. *Through a Psychological Lens: Personality Disorder and Spouse Assault*", in: Loseke, D., Gelles, R., Cavanaugh, M. *Current Controversies on Family Violence*, second edition. Sage, London.
- Felson, R., 2002. *Violence and Gender Reexamined*. American Psychological Association, Washington D.C.,
- Frühling, H., Tulchin, J., & Golding, H., 2005. *Crimen y violencia en América Latina*. [Crime and violence in Latin America]. Fondo de Cultura Económica, Bogotá.
- Garland, M., 1993. *Punishment and Modern Society. A Study in Social Theory*. Chicago University Press.
- Gargurevich, J., 2000. *La prensa sensacionalista en el Perú*. [The tabloid press in Peru] Fondo Editorial de la Universidad Católica, Lima.
- Global Burden of Armed Violence (2011). *Femicide: a Global Problem*. Retrieved from http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-14.pdf.
- González Rodríguez, Sergio., 2002. *Huesos en el desierto*. [Bones in the desert]. Anagrama, Barcelona.
- Gushiken, Alfonso., et al., 2010. *¿Quiénes son asesinad@s en Lima?* [Who are murdered in Lima?] Ciudad Nuestra, Lima.
- Harmes, R. y Russell, D. (Eds.), 2006. *Feminicidio: una perspectiva global*. [Femicide: a global perspective] Universidad Nacional Autónoma de México, México D.F.
- Inter-American Court of Human Rights., 2009. *Case of Gonzalez et al., ("Cotton Field") v. Mexico*. Judgment of November 16, 2009 (Preliminary Objections, Merits, Reparations, and Costs). Retrieved from: http://www.corteidh.or.cr/docs/casos/articulos/seriec_205_ing.pdf
- Instituto Nacional de Ciencias Forenses de Guatemala., N.A. *Homicidios por cada 100 mil mujeres*. 2013. Aragón y Asociados/ DMC Consultores S.A, Managua. Retrieved from: http://bd.cdmujeres.net/sites/default/files/documentos/publicaciones/feminicidio_en_guatemala.pdf
- Instituto Nacional de Estadística e Informática – INEI., 2010. *Perú: estimaciones y proyecciones de población por sexo, según departamento, provincia, distrito, 2000-2015*. [Peru: population estimates and projections by sex, according department, province, district, 2000-2015] Retrieved from <http://www.inei.gob.pe/biblioineipub/bancopub/Est/Lib0842/index.htm>.
- Instituto Reina Sofía., 2010. *Informe. Mujeres asesinadas por su pareja. España (2000-2009)*. [Inform: Female killed by their partners. Spain (2000-2009)] Instituto Reina Sofía, Valencia.
- Lagarde, M., 2006. *Introducción. Por la vida y la libertad de las mujeres. Fin al feminicidio* [For the lives and freedom of women. Stop Femicide], in: Harmes, R and Russell, D (Eds.), *Feminicidio: una perspectiva global* [Femicide: a global perspective]. Universidad Nacional Autónoma de México., México D.F., 15-42.
- Larrauri, E., 2007. *Criminología crítica y violencia de género*. [Critical criminology and gender violence]. Trotta, Madrid.
- Loue, S., 1999. *Forensic Epidemiology: A Comprehensive Guide for Legal and Epidemiology Professionals*. Southern Illinois University Press, Illinois.

- Martini, S. (2007). Argentina. Prensa gráfica, delito y seguridad. En G. Rey y otros. *Los relatos periodísticos del crimen*. [Los relatos periodísticos del crimen.] Bogotá: Centro de Competencia en comunicación para América Latina.
- Ministerio de Justicia (2014). *Código Penal. Sistema Peruano de Información Jurídica –SPIJ*. Retrieved from <http://spij.minjus.gob.pe/CLP/contenidos.dll?f=templates&fn=default-codpenal.htm&vid=Ciclope:CLPdemo>
- Ministère De l'Intérieur (2010). *Etude Nationale Sur Les Morts Violentes Au Sein Du Couple* [National Study on Violent Homicides within Couples]. Retrieved from http://www.interieur.gouv.fr/sections/a_votre_service/aide_aux_victimes/violence-couple/downloadFile/attachedFile/morts_violentes_au_sein_couples.pdf.
- Ministerio de la Mujer y Poblaciones Vulnerables (2010). El poder de los datos: registro de feminicidio para enfrentar la violencia hacia la mujer en el Perú. [The power of the data: documentation of femicide to combat violence against women in Peru] Lima: Mímdes.
- Mujica, J. (2011). Violaciones en el Perú 2000-2009. Un informe sobre el estado de la situación. [Violations in Peru 2000-2009. An inform about the status of the situation] Lima: Fondo de Población de las Naciones Unidas, ONU Mujeres, Promsex.
- Mujica, J. (2010). Sobre el feminicidio y el monopolio del uso legítimo de la violencia. *Brújula*, 10(20). [On the femicide and the monopoly of the legitim use of the violence] Lima: Pontificia Universidad Católica del Perú.
- Newspaper *El Comercio* (2012a). May 28, 2012.
- Newspaper *El Comercio* (2011b). July 26, 2011. Lima.
- Newspaper *Ojo* (2010a). April 7, 2010. Lima.
- Newspaper *Perú.21* (2012a). May 31, 2012. Lima
- Newspaper *Trome* (2010c). June 2, 2010. Lima.
- Newspaper *Trome* (2012a). May 2, 2012. Lima.
- Newspaper *Trome* (2012b). March 7, 2012. Lima.
- Observatorio Ciudadano Nacional del Feminicidio - OCNF (2010). *Informe una mirada al feminicidio en México 2010-2011*. [Inform a perspective about the femicide] Retrieved from http://observatoriofeminicidio.files.wordpress.com/2011/11/informe_feminicidio_2011.pdf.
- Observatorio de Criminalidad del Ministerio Público (2013). *Estadísticas sobre feminicidio según las características de las víctimas y el presunto victimario*. Lima. Ministerio Público. Retrieved from: <http://www.mpfm.gob.pe/boletinformativo/infoestadfeminicidio#> (última consulta: 4 de mayo de 2014).
- Observatorio de Criminalidad del Ministerio Público (2009). *El registro del feminicidio del Ministerio Público. Enero-diciembre 2009*. [The documentation of the femicide in the Ministerio public. January – December 2009] Retrieved from http://www.mpfm.gob.pe/descargas/feminicidioENE2008_DIC2009_REG.pdf.
- Observatorio de Criminalidad del Ministerio Público (2010). *El registro del feminicidio del Ministerio Público. Enero-diciembre 2010*. Retrieved from http://www.mpfm.gob.pe/descargas/feminicidioENE2008_DIC2010_REG.pdf.
- Observatorio de Criminalidad del Ministerio Público (2012). *Boletín Semanal. Feminicidio en el Perú. 2009-2011*. [Weekly bulletin. Femicide in Peru. 2009-2011] Retrieved from http://www.mpfm.gob.pe/descargas/observatorio/estadisticas_/20120321162629133236518942044410.pdf.
- Observatorio de Femicidios en Argentina “Adriana Marisel Zambrano” (2013). *Feminicidios*. Buenos Aires. La Casa del Encuentro. Retrieved from: <http://www.lacasadelencontro.org/femicidios.html>
- Organización de Mujeres Salvadoreñas (2014). *Indicadores de Violencia*. San Salvador. Retrieved from <http://observatoriodeviolencia.ormusa.org/feminicidios.php>
- Oxfam (2011). *Informe final. Feminicidios en Honduras*. [Final report. Femicides in Honduras] Tegucigalpa: Oxfam.
- Polaino-Orts, M., & Ugaz Heudebert, D (2012). *Feminicidio y discriminación positive en derecho penal* [Femicide and Positive Action in Criminal Law]. Lima: ARA Editores.

- Procuraduría General de la República (2013). *Informe sobre: los feminicidios en la República Dominicana 2005-2013*. Santo Domingo. Procuraduría General de la República. Departamento de Estadísticas. Retrieved from: <http://estadisticas.pgr.gob.do/Repository/Documents/Feminicidios/feminicidios-2005-al-2013-abril.pdf> (última consulta 1 de junio de 2014).
- Programa de las Naciones Unidas para el Desarrollo - PNUD (2012). *Indicadores Internacionales sobre desarrollo humano*. [International Human Development Indicators] Retrieved from <http://hdr.undp.org/es/estadisticas/>.
- Red de Mujeres contra la Violencia (2011). *Informe 2010 Femicidio/Feminicidio*. [Femicide/Femicide] Retrieved from <http://www.reddemujerescontralaviolencia.org.ni/files/Violencia%20Intrafamiliar/Feminicidios/Informe%20Anual%20de%20Femicidios%20%20Feminicidios%20RMCV%202010.pdf>.
- Rey, G. (2007). Miradas oblicuas sobre el crimen. En Germán Rey y otros. *Los relatos periodísticos del crimen*. [The journalistic stories of the crime] Bogotá: Centro de Competencia en Comunicación para América Latina.
- Rey, G. y Rincón, O. (2008). Los cuentos mediáticos del miedo. [The mediatic scary stories] *Urvio: Revista Latinoamericana de Seguridad Ciudadana*. [Urvio: A latinamerican journal of public safety] 5, 34-45. Quito.
- Reyna, C. (2010). Una apuesta por la vida. [A portrait of life] *Informe de investigación sobre el cumplimiento de la ley contra el femicidio y otras formas de violencia contra las mujeres en Guatemala*. [Report of investigation about the law against femicide and other forms of violence against women in Guatemala] Guatemala: CIFCA.
- Roncallo, S. (2007). El miedo hace el mensaje. La prensa escrita y el discurso del miedo: *El Tiempo y El Colombiano*. [The fear makes the message: the written press and the fear speech: *The Time and The colombian*] the En G. Rey y otros. *Los relatos periodísticos del crimen*. [The journalistic stories of the crime] Bogotá: Centro de Competencia en Comunicación para América Latina.
- Rubin, G. (1975). The Traffic in Women: Notes on the 'Political Economy' of sex. In R. Reiter (ed.), *Toward an Anthropology of Women*. Nueva York: Monthly Review Press.
- RPP (2012a). 2 de enero de 2012. Lima.
- Russell, D. (2006). Introducción: las políticas del feminicidio. [Introduction: the politics of the femicide] En Roberta Harmes y Diana E. Russell (eds.), *Feminicidio: una perspectiva global*, [Femicide: a global perspective] 57-71. México DF: Universidad Nacional Autónoma de México
- Russell, D. (2006). Definición de feminicidio y conceptos relacionados. [Definition of Femicide and Related Concepts] En R. Harmes y D.E. Russell (eds.), *Feminicidio: una perspectiva global*, [Femicide: a global perspective] 73-95. México DF: Universidad Nacional Autónoma de México.
- Segato, Rita (2010). "Feminicidio y femicidio: conceptualización y apropiación". In *Feminicidio: un fenómeno global. De Lima a Madrid* [Femicide: a global problem. From Lima to Madrid]. Brussels. Heinrich Böll Stiftung. pp. 5-6.
- Segato, R.L. (2006). *¿Qué es un feminicidio? Notas para un debate emergente*. [What is a Femicide? Notes for an Emerging Debate] Serie Antropología 401. Brasilia. Retrieved from <http://www.dan.unb.br/images/doc/Serie401empdf.pdf>.
- Segato, R.L. (2005). Territorio, soberanía y crímenes de segundo Estado: la escritura en el cuerpo de las mujeres asesinadas en Ciudad Juárez. [Territory, Sovereignty, and the Crimes of Second State: the Writing in the Body of the Murdered Woman in Ciudad Juarez] En I. Verticat (ed.), *Ciudad Juárez: de este lado del puente*. [Ciudad Juarez: from this side of the bridge] México DF: Epíkeia-Nuestra Hijas de Regreso a Casa-Instituto Nacional de las Mujeres.
- Segato, R.L. (2003). *Las estructuras elementales de la violencia: ensayos sobre género entre la antropología, el psicoanálisis y los derechos humanos*. [The elementary structure of the violence: essays on gender between antropology, psychoanalysis, and human rights] Buenos Aires: Bernal, Universidad Nacional de Quilmes.
- SERNAM (2013). *Número de feminicidios ocurridos en Chile entre 2007 y 2012*. Santiago de Chile. SERNAM. Retrieved from <http://estudios.sernam.cl/?m=s&rel=6>

- Silverman, K. (1992). *Male Subjectivity at the Margins*. New York and London: Routledge.
- Snyder, H. y Rand, M. (2009). Female Victims of Violence. *Bureau of Justice Statistics*. Retrieved from <http://bjs.ojp.usdoj.gov/content/pub/pdf/fvv.pdf>.
- Stangeland, P. (2005). Malos tratos y homicidios en la pareja: Una perspectiva intercultural. [Abuse and Homicides in a Couple: an Intercultural Perspective] *Revista de Derecho Penal y Criminología*, [Criminal law and criminology journal]15, 241-260.
- Stiftung, H. (2010). *Feminicidio: un fenómeno global. De Lima a Madrid* [Femicide: a Global Problem. From Lima to Madrid]. Brussels. Heinrich Böll Stiftung.
- Sunkel, G. (2001). *La prensa sensacionalista y los sectores populares*. [The sensationalist newspapers and the popular classes] Bogotá: Norma.
- Toledo Vasquez, P. (2009). *Feminicidio. Consultoría para la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos* [Consultancy for the Office of the High Commissioner for the Human Rights]. México D.F. Oficina en México del Alto Comisionado de las Naciones Unidas para los Derechos Humanos.
- Tribuna de Mujeres contra los Feminicidios (2013). *Cómo se tejen los hilos de la impunidad*. Tegucigalpa. Tribuna de Mujeres Contra los Feminicidios/ONU Mujeres.
- UNODC (2013). *Global Study on Homicide*. Vienna: UNODC. Retrieved from http://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf
- UNODC (2011). *Homicide Statistics*. Retrieved from <http://www.unodc.org/unodc/en/data-and-analysis/homicide.html>
- UNODC (2011). *Global Study on Homicide*. Vienna: UNODC. Retrieved from http://www.unodc.org/documents/data-and-analysis/statistics/Homicide/Globa_study_on_homicide_2011_web.pdf
- Valera, S., Guàrdia, J (2014). "Perceived insecurity and fear of crime in a city with low-crime rates". *Journal of Environmental Psychology*. Vol. 34. pp. 195-205.
- Violence Policy Center (2013). *When Men Murder Women: An Analysis of 2011 Homicide Data. Females Murdered by Males in Single Victim/Single Offender Incidents*. Washington D.C. VPC.
- Washington, D. (2005). *Cosecha de mujeres: safari en el desierto mexicano*. [Harvest of Women: Safari in the Mexican Desert] México DF: Océano.
- Zaffaroni, E. (2011). *La palabra de los muertos: conferencias de criminología cautelar*. Buenos Aires. Ediar.

Annex A

Femicide penal law

Main enouncement

Will be punished with prison sentence of no less than fifteen years, anyone who kills a woman for the condition of being a woman, in any of the following contexts:

Family violence

Coercion or sexual harassment

Abuse of power, confidence or of any other position or relation in virtue of which the offender had the authority

Any form of discrimination against women, regardless if there was a conjugal or spousal relation with the offender.

Aggravating circumstances

If the victim was underage

If the victim was in state of pregnancy

If the victim was under responsibility or care by the offender

If the victim was previously submitted to sexual violence or mutilation acts

If in the moment of occurrence, the victim suffered of any kind of incapacity

If the victim was submitted to ends of trafficking in persons

When it concurred any aggravating circumstance established on article 108^A

Life imprisonment may be applied in the concurrency of two or more aggravating circumstances.

A: article 108 remits to parricide and aggravating circumstances related with alevocidad

Source: Article 108-A, Law No. 30068 of the Penal Code, 2014