



FEM-UNITED

united to prevent femicide in europe

**POLICY BRIEF ON FEMICIDE
PREVENTION: GERMANY**

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Introduction

Femicide – the gender-motivated intentional killing of women – is not only the most extreme manifestation of gender-based violence against women but also the most violent manifestation of discrimination against them and their inequality.

Despite the magnitude of the problem, and calls by the UN Special Rapporteur on Violence against Women, data on femicide was not officially and systematically collected in the EU and there was a lack of transnational tools for the study of femicide, before the European Observatory on Femicide began to develop an internationally comparable data base. Nevertheless, femicide is a notably under-researched subject. A common definition of femicide does not exist. Furthermore, harmful attitudes, behaviours and stereotypes, as well as a lack of understanding of the gendered dynamics of intimate partner femicides, impede prevention measures, including early and effective intervention.

This policy brief consists of a summing up of the findings and outcomes of the research, capacity-building trainings and multi-stakeholder meetings conducted within the framework of the EU-funded project '**FEM-UNITED - United to prevent IPV/DV Femicide in Europe**'.

The FEM-UnitED Project

The FEM-UnitED project aims to improve responses to intimate partner violence (IPV) and domestic violence (DV) in order to reduce harm to women and children, and prevent femicide. The project aims to develop system-wide responses to IPV by creating an evidence base for raising public awareness and fostering multidisciplinary cooperation and capacity-building, adopting a gender-specific, victim-centred approach. In other words, FEM-UnitED is about creating evidence for collaborative policy change.

FEM-UnitED seeks to reinforce and contribute to international efforts – such as Femi(ni)cide Watch Platform¹ and the European Observatory on Femicide (EOF)² – by a) further developing quantitative and qualitative tools dealing with transnational and applied femicide data that measure the prevalence of femicide and related risk factors; b) identifying gaps in system responses to IPV/DV across partner countries; and c) initiating change through systematic stakeholder engagement that will result in specific commitments for action for femicide prevention based on the project's findings and results.

The FEM-UnitED partnership spans five EU countries and includes the University of Malta, the Cyprus University of Technology, the Institute for Empirical Sociology (IfeS) at the Friedrich-Alexander University Erlangen-Nürnberg in Germany, the University of Zaragoza in Spain, and the University of Porto in Portugal. The project team also includes women's rights and gender equality NGOs, such as the Mediterranean Institute of Gender Studies (Cyprus), the Women's Rights Foundation (Malta), and the UMAR – União de Mulheres Alternativa e Resposta (Portugal).

This project builds on the work of the EU-funded project COST Action on Femicide across Europe (2014-2017)³ that resulted in the establishment of the European Observatory on Femicide (EOF),⁴ the first European-wide network monitoring cases of femicide and contributing to the prevention of femicide. The EOF has been systematically collecting data on femicide in Europe since 2020.⁵

¹ Femi(ni)cide Watch Platform: <https://femicide-watch.org/>.

² <http://eof.cut.ac.cy/>

³ COST Action IS1206: Femicide across Europe (2014-2017): <https://www.cost.eu/actions/IS1206/>.

⁴ European Observatory on Femicide (EOF): <http://eof.cut.ac.cy/>

⁵ Germany as project partner in this project has been participating also in the EOF network research group since 2018; the researchers collect statistical data and in-depth case information on the extent of femicide in Germany as well as analyse the findings in order to recommend ways to prevent femicides.

Prevalence of Femicide

In Germany, apart of the official police crime statistics and data on homicide, manslaughter, and bodily injury resulting in death, there are no case-related statistics on victims or perpetrators of IPF; furthermore, there is no case-related information on prosecutions and outcomes in cases of IPF. Some NGOs collect information on femicide cases, such as the German focal point of the European Observatory on Femicide,⁶ collecting case-based in-depth data, or the “One Billion Rising” project (OBR; Deutschland), which provides a record of women who have been killed by their partners.

The evaluation of the Federal Criminal Police Office 2019 about the issue of intimate partner violence demonstrates that the number of victims of Intimate Partner Violence (women, men, and others) registered by the police increased by 11% between 2015 and 2019. Specifically, among female victims reported to the police, the number increased from 104,290 cases of assault in 2015 to 114,903 in 2019. But there is some level of accuracy about the extent to which this is due to rising rates of IPV or higher rates of victim reporting to police and other agencies over time. In 2019, a total of 117 women were victims of intimate partner violence resulting in death, and in 2020, 139 women were affected. While the number was higher in 2020 than in 2019, official statistics do not indicate a long-term increase or decrease in femicides, but rather year-to-year fluctuations.⁷

On the basis of FEM-UnitED project data collected in Germany, a total of 360 women were killed in 2019 (n=177) and 2020 (n=183) by intimate partners or other persons. The annual population-based rate is 0.22 cases per 100,000 population. A total of 63 % (n=225) of women victims were killed by a current or former partner, either in the context of an existing relationship or in the context of a (planned) separation; thus, Intimate Partner Killings constitute the most common type of femicide. In 14 % (n=52) of all cases of women killed, other family members were perpetrators, and in all of these cases, except one, by male family members (in more than half of the cases the victim's son perpetrated the crime). In 15 % (n=54) of the cases of women killed, other persons who were either known to them or unknown to them perpetrated the killings. However, in 8 % (n=29) of the cases, data on the relationship and type of killing between victim and perpetrator was not known.⁸

The results show that femicide affects all age groups, social and ethnic groups. The crimes cannot be reduced to "other cultures" or marginalized social groups. Another aspect is the fact that femicide is committed almost exclusively by men: The killing of women is clearly gender-specific with regard to the perpetrators; 99 % of all perpetrators for whom the gender is known (N=347) are male. In addition, research data indicated that in 12 % of the cases, other victims were killed (i.e., 87 victims and of these: 10 children, 31 family members, 8 friends, and 38 other persons). Moreover, in every third to fourth IPF, mental impairment of the perpetrator plays a role (e.g. depression and suicidal impairments; in every fifth homicide the perpetrator committed suicide after the crime). Most killings of women were committed in the domestic sphere, and the method of killings was most often a sharp object (knife or axe), followed by strangulation. In 27 % of cases, other people were present at the time of the crime.

Focusing on IPF of women (n=225), the following specifics were identified: Previous domestic violence by the perpetrator against the victim or previous partners was already known in 8 % of the cases while the previous threat and/or violence was known to the police by 11 % of the

⁶ Coordinated by Monika Schröttle at the Research Observatory on Gender, Violence and Human Rights (FOBES) at the Institute for Empirical Sociology, Nürnberg (IfES), see <https://www.ifes.fau.de/forschungsfelder/gender-gewalt-und-menschenrechte/>

⁷ See “The Federal Report on Intimate Partner Violence. Crime Statistics Analysis” that they have been issued since the report for 2015: https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/Lagebilder/Partnerschaftsgewalt/partnerschaftsgewalt_node.html

⁸ Victims of femicide related to sexual assault, or prostitution were relatively rare, as well as honour killings (a total of 3%).

cases of women killed by a current/former intimate partner. Only in 3 % of the cases were taken protective measures and in 2 % support systems such as intervention and support centres, women's shelters, and other institutions were aware of the violence. In 7 % of the cases, other people knew about former violence (family members, neighbours or friends). However, this result has to be treated cautiously as there was no knowledge of previous violence in 87-97 % of the cases, also because of the high number of unreported cases.

The systematic quantitative data collection on femicides was based on the existing knowledge and the tools of the EOF data collection for Germany. Cases were screened to review all available information from the media (local or nationwide), police reports, and the judicial system. The individual cases were recorded using a data collection instrument in which the information contained was updated with additional information about the police investigation, prosecution and/or the outcome of the case – trial (within the available research time).

Gaps and Challenges

In Germany, despite the implementation of comprehensive legal measures and support services, the present research results indicate that the number of violent acts and killings of women has not decreased up to the years 2019 and 2020. It seems to be necessary to conduct more research on the causes in order to implement strategies to reach a significant impact on the reduction of violence and killings of women, especially with regard to early intervention in response to behavioural and attitudinal changes among perpetrators. Case-related information on investigations and proceedings, currently lacking, has to be in place at national (and EU) level and documented by state institutions such as prosecutors' offices and courts. Intervention and prevention measures (e.g. by police or support services) should not only be involved in a few cases of DV, as is the case so far according to the available data on femicides.

However, the close social environment, as well as the health system (such as medical front-line professionals) could play an important role in preventing femicide. The basic questions that need to be addressed (in relation to the social environment) are: a. how can family members, neighbours or friends etc., who may know about the threatening situation react? And b. what specific strategies might social networks support in ways that directly help victims and prevent perpetration? However, previous research indicates that in cases where violence preceded and was not recognised or known to third parties, no prevention or intervention measures by institutions can effectively prevent femicide.

Within the framework of the project action "FEM-UnitED: to prevent femicide in Europe", gaps and challenges were identified, through stakeholder meetings with policymakers from federal and state ministries, as well as through online workshops with representatives of the healthcare system, the police and judicial system, the support system, the media and cross-institutional workshops. Subsequently, a problem-action approach was worked out to develop the proposed measures.

In summary, the following gaps and challenges were identified for Germany in the following six areas of action:

1. Consistent intervention and comprehensive protection for women at risk

- a) Although risk assessments and threat assessments are available as part of police investigations, they are inconsistent across the countries; in most risk assessment tools, threat and warning signs without prior violence are missing to identify a high risk. Furthermore, it was pointed out that risk assessment is not implemented in all relevant institutions and nationwide.
- b) The main issue of perpetrator programs is that it is not widely spread and largely only reaches perpetrators who have admitted to having committed violent acts; thus, many potential perpetrators of Femicide cannot be reached.

- c) The support system is inadequately equipped: For many women and children at risk, there is a lack of protective facilities and support (women's shelters, intervention and counselling centers are underfunded).
- d) Sanctions for offender who violate removal and protection measures, are insufficient.
- e) Risks for women (mothers) and their children in the context of separation also arise during access and custody proceedings. In the current practice of family courts, protecting women is often treated less important than providing custody for the violent fathers.

2. Primary prevention and awareness raising

- a) To date, there is no effective and comprehensive primary prevention in Germany to prevent violence against women and femicides. The gender relations in terms of dominance, control, possessiveness and misogyny have not been fundamentally improved. Young boys and men have hardly been reached as a target group.
- b) The media reporting on DV and IPV is considered problematic: it is often individualising, the social context is underexposed, and there is more an understanding of perpetrators and a blaming of victims; current media reporting on Femicide can lead to a high level of stress and retraumatisation among children, family members and friends, and survivors of Femicide; there is also a lack of sufficient protection for victims during media interviews.

3. Multi-agency and multidisciplinary training

- a) Risk factors and warning signals prior to femicide are often not recognised by several institutions.
- b) There is often a lack of awareness on the issue and an insufficient understanding and competence in dealing with risk situations.
- c) Femicides can only be prevented through cross-institutional cooperation that has to be improved.

4. Legislative change and updating of judicial practices

- a) It is a fact that the legal framework in practice is not fulfilled, although cases of DV/IPV against women and girls are no longer considered a private matter since the introduction of the Protection against Violence Act 20 years ago; there is still no consistent implementation of effective protection measures and no sufficient penalties. Violations of protection measures by the perpetrators are not sanctioned effectively.
- b) The lack of recognition of the gendered background of femicide (power, control, non-acceptance of women's autonomy) in legislation and judicial practice goes along with the fact that cases where women are killed by their partners are less likely to be classified as murder; that leads to lesser degrees of punishment.
- c) There is no legal definition of the gender-based killing of a woman; femicide is not explicitly included or defined in the law.
- d) There is a lack of inter-agency anonymization of personal data and residence of women and children to protect women in high-risk cases during the separation process.

5. Data collection, monitoring and research

- a) There is a lack of systematic case-based data on femicides as a basis for better intervention and prevention.
- b) No national observatory for femicides is funded.
- c) A comprehensive monitoring system to observe practical and political processes is missing.
- d) Too limited in-depth research on national and international comparable levels.

6. Protection and measures for groups at specific risk

- a) Women affected by violence and threats often do not know what their rights are and who they can turn to (this is especially the case when language barriers among migrant and refugee women, dependencies and hurdles in the context of disability and care are existing).
- b) With an increasing need for counselling, there is a lack of appropriate counselling service capacities and of protective measures for specific target groups (at higher risk).
- c) There is a lack of specific measures to support children in the investigation and sanction procedure in cases of domestic violence/femicide.
- d) Persons who play a preventive role in cases of domestic violence/femicide (e.g. parents or siblings at risk) are insufficiently supported.

Legal and Policy

In Germany, there is currently no legal definition of femicide or on the gender-related killing of women. Most cases of violence against women (VAW) - including femicide - are usually regulated by general - and gender-neutral - legal provisions; for murder, manslaughter and other offences against the bodily integrity, such as bodily injury and harm resulting in death, with the exception of the offence of female genital mutilation (FGM). However, when the legal provisions are applied, killings of women by intimate partners during or after a separation are often not classified as murder, but as manslaughter or capital offences resulting in death. The law does not recognise the gender-based dimension as an aggravating factor in homicides against women. This also includes gender-based killings or killings committed by an intimate partner. Nevertheless, the law officially recognises cases of honour killings or cases in which the murder was committed through jealousy that are considered to be aggravating offences. Anyway, in 2021, the federal government held a public hearing on the issue and it appears that stakeholders are mobilised to improve intervention and prevention strategies and ensure adequate punishment for the crime.⁹

In the last 20 years, the federal states have taken a number of preventive measures to support victims of IPV and sexual violence and to prevent VAW within the framework of two national Action Plans (1999 and in 2007).¹⁰ While some state and federal state action plans address the full spectrum of VAW and DV, others address only specific aspects within the scope of the Istanbul Convention. Ultimately, at the national or regional levels, there is a lack of a comprehensive strategic and effective primary prevention policy on VAW/DV and femicide. At the operational level, the action plans to combat violence against women, including work with perpetrators and risk management, appear to have limited impact. Two other important steps to protect women who have been victims of violent acts and stalking, as well as victims of violence in general, are worth mentioning for Germany: the passing of the *Civil Protection from Violence Act* (2002) and the establishment of a state-funded 24-hour counselling centre for violence against women. In addition, the German government is now planning to provide more funding for women's shelters and to expand work with perpetrators; however, the lack of both

⁹ See documentation of the *Bundestag* first official hearing on the topic of femicide on the 1st of March: <https://www.bundestag.de/ausschuesse/a13/Anhoerungen/822308-822308>

¹⁰ The first strategic Action Plan was published in 1999 with the aim to combat violence against women; stakeholders were brought together at the federal level by the establishment of the federal state working group on domestic violence. The second Action Plan was published in 2007 and contained 135 measures to fight VAW including prevention, legislation, cooperation between institutions and projects, networking of support services, work with perpetrators, awareness-raising among professionals and the general public, as well as international cooperation. For more information, see Action plan of the federal government to combat violence against women (1999) (BMFSFJ): <https://www.bmfsfj.de/bmfsfj/service/publikationen/bekaempfung-von-gewalt-gegen-frauen-deutsch-und-englisch-80628>; see Second Action Plan of the Federal Government to Combat Violence against Women (2007): <https://www.bmfsfj.de/bmfsfj/meta/en/publications-en/second-action-plan-of-the-federal-government-to-combat-violence-against-women-95690>

resources and funding for intervention and counseling centres is still not being adequately addressed. Recently, the NGO network "Bündnis Istanbul Konvention" (BIK) recorded some problems that need to be improved in order to meet the requirements of the Istanbul Convention in Germany.¹¹

The most important baseline sources for femicide are the official police crime statistics as they provide gender-specific information on homicides (i.e., female victims in homicides perpetrated in the domestic context and/or by intimate partners). The Intimate Partner Violence – Crime Statistics Analysis is an annual report that has been published since 2016; it documents all forms of violence against women (and men) committed by current and ex-partners, including homicides. Beyond prevalence, the report does not include in-depth information on femicide cases.¹² Another source of data in Germany are the court statistics on convicted offenders, but these are not compatible with police data and are also not specified for (intimate partner) killings of women by men.

Framework concepts for police investigations have also been developed at the federal state level to identify high-risk cases of violence and stalking; multidisciplinary procedures are used in several regions to stop perpetrators and protect victims. Nevertheless, this good practice is not implemented across the board and risk assessment still does not include specific warning signs and risk factors to prevent femicides (see also section to gaps and challenges). The ODARA (Ontario Domestic Assault Risk Assessment) risk assessment tool is the most commonly used tool by police officers to identify high risk cases and danger of further IPV. The ODARA assessment tool covers factors such as previous domestic and non-domestic violence, threats and incarceration, the presence of children in the relationship, substance abuse and barriers to victim support. However, given that femicides are not necessarily preceded by prior violence, an appropriate risk assessment of femicide is lacking. Appropriate and standardised risk assessment tools have to be implemented for all relevant institutions on all federal state levels.

Policy Recommendations for Effective Intervention & Prevention

Within the Fem-UNITED project, several measures and strategies have been developed in six action fields for each country.¹³ The following evidence-based recommendations have been selected out of the recommendations paper to be prioritized in further policies at national and local levels to ensure women's and girls' right to protection and long-term prevention of GBV including femicide. They are built on research findings, professional insights from workshops within an institution-specific (health sector, police and justice, support system and media sector) and interagency framework, as well as input from discussions with policy makers. At this point, it is important to mention that the development and implementation of all measures should include the perspective of the women and girls affected, which has not been realised so far.

¹¹ For further information see: <https://rm.coe.int/alternative-report-2021-german-istanbul-convention-alliance/1680a1f12b>

¹²Currently, a federal-state working group (BLAG) is working on the development of a uniform federal definition in the context of combating crimes specifically against women, which is to serve as a basis for the other areas to be worked on by the Standing Conference of the Ministers and Senators of the Interior of the States (IMK) in its mandate: statistics, prevention, combating measures and research needs. Baden-Württemberg is in charge of the commission. Further information is available in the first status report (LKA - BW, 2021) under: <https://www.innenministerkonferenz.de/IMK/DE/termine/to-beschluesse/20211201-03/anlagen-zu-top-11.pdf?blob=publicationFile&v=2>

¹³ The long version of the paper can be found in the attachment.

1. Consistent intervention and comprehensive protection for women at risk

- **Develop a consistent and appropriate (high) risk assessment tool and roll it out** (nationwide and in all relevant governmental and non-governmental agencies).¹⁴
- **Development and implement action guidelines for dealing with identified high-risk cases** for all relevant fields of practice.
- **Implement multi-professional case conferences for all high risk cases in all locations** and develop guidelines on how to proceed.
- **Provide shelter and support for all victims** and fund shelters and intervention-/counselling projects adequately.
- **Provide low-threshold perpetrator work for all suspicious perpetrators** nationwide in order to minimize the danger for both women and children.

2. Primary prevention and awareness raising

- **Establish and strengthen comprehensive primary prevention and public relations work in education, culture and the media.**
- **Provide awareness-raising campaigns and media coverage which contents the following points:** background knowledge on femicide and the motives of male dominance and control towards women; warning signs and risk factors; knowledge of how to act in cases of risk of femicide in a systematic way.
- **Provide media training and ethical guidelines for constructive reporting**
- **Develop public relations measures to also reach young people and young women/men** regarding language, contents and (social) media.

3. Multi-agency and multidisciplinary training

- **Mandatory and systematic further training for all professionals who can come into contact with women affected by violence** by raising awareness, recognising warning signs and taking them seriously, and reflecting the professional role in prevention and intervention.
- **Involve all actors of the law in trainings and provide mandatory further training** for (family) judges, public prosecutors, advocates, legal advisors.

4. Legislative change and updating of judicial practices

- **Create a legal expertise to assess the current legal situation and practice,** examining where legislative changes are needed to improve the state response to and sanctioning of femicide and attempted femicide.
- **Change the legal practice in family proceedings** regarding contact and custody in the case of separation from a violent partner (safeguard absolute priority of the protection of women and provide anonymity of addresses of women in danger)
- **Provide an appropriate sanctioning of femicides** by taking into account the gender-specific backgrounds and motives (dominance, control and power dynamics).

¹⁴ To assess the risk of femicide, patterns of control, coercion and possessiveness towards the partner, isolation and extreme emotional reaction to (threatened) separation/divorce have to be included in the risk assessment tools, even if no previous domestic violence by the partner is known.

- **Strengthen the sanctions for repeated violations of the Protection against Violence Act.**

5. Data collection, monitoring and research

- **Implement comprehensive monitoring of femicide on a case-by-case basis**, building on the pre-work of initiatives like the European Observatory on Femicide (EOF).
- **Monitor all protection measures, prevention strategies, investigation and sanctioning practices of the state** on a case-by-case basis for a step-by-step improvement of prevention and sanctioning practices; in this context, also consistent monitoring of cases of failed intervention should be included.
- **Implement a national femicide observatory to collect all information on femicide cases in one database** (including realised and attempted femicides) with information from official as well as unofficial sources, e.g. from the support system, from affected persons and relatives; the data should be regularly evaluated and documented in reports.
- **Promote systematic in-depth research** to investigate and improve state interventions and prevention measures.
- **Include case experiences and knowledge from women survivors of attempted femicide (and other affected persons/relatives)** to get broader perspectives of and a better understanding on the problem.

6. Protection and measures for specific at-risk groups

- **Offer prevention and support for women who want to separate from controlling partners**; address and reach them in a low-threshold way.
- **Offer prevention and support for specific target groups** with higher risk of DV and femicide and/or barriers to get immediate support and protection (e.g. migrant women, women with specific disabilities or in difficult social situations, older women, women in care situations, with mental and addiction disorders, prostitutes). Take an intersectional perspective on vulnerabilities, prevention and intervention.
- **Offer longer-term (also therapeutic) support for affected women** coping with threat, fears and other psychological consequences of violence and strengthen them to leave and survive violent situations.