



FEM-UNITED

united to prevent femicide in europe

**Country report on femicide research and data:
SPAIN**

Authors: Chaime Marcuello Servós, Santiago Boira Sarto, Patricia Almaguer Kalixto, Antonio Eito Mateo, Paz Olaciregui Rodríguez.

Authors

Marcuello Servós, Chaime; Boira Sarto, Santiago; Eito, Antonio; Almaguer, Patricia, Olaciregui Rodríguez, Paz.

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Facultad de
Ciencias Sociales
y del Trabajo
Universidad Zaragoza

Table of contents

The FEM-UNITED Project	5
1. Definition and methodology of Femicide	6
1.1 Femicide definition	6
1. Basic Data	7
2. Characteristics of victim(s)	7
3. Additional victims	7
4. Characteristics of perpetrator/s	7
5. Victim-Perpetrator-Relationship	8
6. Situational Factors	8
7. Background information on cases	8
2. Introduction to Femicide in Spain.....	10
3.1 The legal framework on gender-based violence and femicide in Spain.....	12
3.2 Former and current policies to prevent gender-based violence and femicide in Spain	13
3.3 Official reports on VAW and femicides and institutional protocols	17
3.4 Research on femicides in the country.....	17
3.5 The support and intervention system in Spain	19
3.6 Multi-professional networks for the prevention of gender-based violence and femicides	19
3.7 Femicide and VAW in the media	20
3.8 Gender values and gender equality in the country as a background to femicides	21
3.9 Impact of COVID-19 on legislation, service delivery, action and prevalence of femicide.	22
4.The extent of femicide in Spain.....	23
4.1 Data sources and methods of data collection.....	23
4.1.2 Experiences with the use of the EOF data collection tool	24
4.2 Scope of the problem and additional case information	24
4.2.1 Extent of femicides on the basis of official statistics	24
4.2.2 Information on the scope of studies or NGOs	27
4.2.3 Total IPF and Familial Femicide Cases	27
4.2.4 Victim-perpetrator relationship and type of murder	28
5. Background information on the cases.....	28
5.1 Background information on the victims.....	28
5.1.1 Age of the murdered women.....	28
5.1.2 Other characteristics of the victims	29
5.2 Characteristics of the perpetrators	32
5.2.1 Number of perpetrators.....	32

5.2.2 Gender of perpetrators.....	32
5.2.3 Age of perpetrators.....	32
5.2.4 Other characteristics of the authors.....	32
5.3 Institutional knowledge before the killings and institutional reactions.....	34
6. Summary of quantitative analysis.....	35
7. In-depth knowledge of the case as an example for cases that can be informative for prevention.....	36
7.1. Case 1	36
i. Characterization of victim, perpetrator and their relationship.....	36
ii. Coercive control and victim’s strategies to deal with perpetrator.....	36
iii. Previous help-seeking and reports to the authorities.....	36
iv. Family, formal and informal networks.....	37
v. Social and economic status.....	37
vi. Official reports and risk assessment.....	37
vii. Social and cultural norms relevant to the specific cases.....	37
7.2. Case two	38
i. Characterization of victim, perpetrator and their relationship.....	38
ii. Coercive control and victim’s strategies to deal with perpetrator.....	38
iii. Previous help-seeking and reports to the authorities.....	39
iv. Family, formal and informal networks.....	39
v. Social and economic status.....	40
vi. Official reports and risk assessment.....	40
vii. Social and cultural norms relevant to the specific case.....	40
7.3. Similarities and specificities of the cases.....	40
8. Conclusions.....	41
9. Preliminary recommendations.....	43
10. References.....	46
ANNEX.....	47
A. Government institutions against gender violence.....	47
B. Guidelines and protocols that operate in Spain as reported by the Judicial Power of Spain.....	48
C. Most relevant studies related to femicide from 2019 to 2021 in Spain.....	50
D. Key elements of the system support at state level.....	51
E. Royal Decree-Law to ensure the operation of comprehensive assistance and protection services for victims of gender-based violence within the framework of the state of alarm decreed on March 15, 2020 and further measures.....	54

The FEM-UNITED Project

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 is not systematically collected in the EU and there is a lack of transnational tools for the study of femicide. It is a notably under-researched subject and 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 violence (IPV), impede prevention measures, including early and effective intervention.

The FEM-UNITED project aims to improve responses to IPV and domestic violence (DV) in order to reduce harm to women and children, and prevent femicide. The project aims for improved systems-wide responses to IPV by creating an evidence base for raised public awareness and the fostering of multi-disciplinary 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 will reinforce and contribute to international efforts – such as Femicide Watch Platform – by a) developing quantitative and qualitative tools dealing with transnational and applied femicide data that measures the prevalence of femicide and related risk factors, b) identifying gaps in system responses to IPV/DV across the partner countries, and c) enacting 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) Institute at the Friedrich-Alexander University Erlangen-Nuremberg, the University of Zaragoza, and the University of Porto. The project team is also comprised of advocacy NGOs and women's specialist services including the Mediterranean Institute of Gender studies (Cyprus), the Women's Rights Foundation (Malta), and the UMAR – União de Mulheres Alternativa e Resposta (Portugal). The FEM-UNITED team comprises advisory board members and country focal points of the European Observatory of Femicide (EOF), the first European-wide network established with the aim of monitoring cases of femicide and contributing to the prevention of femicide.

1. Definition and methodology of Femicide

1.1 Femicide definition

In national and international contexts, the term Femicide is and was used to politicise that women and girls are killed by men on the basis of patriarchal beliefs, practices and power structures. Several definitions have been used, but all of them describe femicide similarly as the murder or killing of women because of their gender. The overall motive is to express the subordination of women and girls and to gain power and control over them.

The term Femicide was first used by Diana H. Russell in 1976 at the first International Tribunal on Crimes against Women. Later, the concept of *feminicidio* was developed by the Mexican anthropologist and feminist Marcela Lagarde and used in Latin America since the 1990s in regard to the rise in extreme violence against women and killings of women in Mexico, and the failure of state authorities to prosecute and punish perpetrators. In United Nations documents Femicide/Feminicide appear since the early 2010s and are described as gender related killings of women that can take many forms (e.g. intimate partner killings, honour killings, killings as a result of sexual orientation or gender identity). In Europe the term Femicide was conceptualized first by the Cost Action on Femicide since 2014, followed by the European Observatory on Femicide (EOF) and the European Institute for Gender Equality (EIGE) since 2017/18 (Corradi et al. 2018, p. 17ff).

The FEM-UNITED project that was developed within the European research context, uses the term femicide for intentional killings of women because they are women. Femicides are seen against the background of gender-specific power and hierarchy relations and patterns of control. As killings of women are most often committed by male partners or ex-partners, the project focuses on intimate partner killings of women. Broader definitions include all killings of women or girls, or killings of women and girls by family members and in the context of sexual violence.

For the data collection of FEM-UNITED, first all cases of women who had been killed in the country are collected and then the killings by partners or ex-partners are analysed more in-depth. In the EOF, additionally to intimate partner femicides, further forms are investigated, like killings in the context of sexual violence, hate crimes against women and killings by other male family members.

1.2 Developing and measuring tools

Within the work of the COST Action on Femicide the existing data and information on Femicide across Europe was selected and analysed (Weil et al. 2018). The official national data of the police and courts is not comparable between countries due to different legal definitions and/or different statistical frameworks of counting the cases (Schrötle and Meskova 2018; Corradi et

al. 2018). Thus, more comparable and more in-depth-information on the cases was collected through the EOF focal points to further explore the roots and backgrounds of femicide and to get important information for effective prevention across Europe.

A priority action of the EOF since 2019, was the development of two data collection tools - one for quantitative and one for qualitative data collection. This provided a common agreed variable selection and comparable data. These tools were piloted, with the support of the EOF's focal points, initially in seven European countries, and have been further developed since then. Currently, the EOF is using the tools in 23 EU countries and plans to expand it to all European countries. The final version of the data collection tools was tested and modified and is now used within the project FEM-UNITED, where five countries are preparing awareness raising campaigns and multi-professional training, also for the media, police, social workers and other stakeholders.

In the following, the method of the quantitative and qualitative tools is described.

a) Quantitative data collection tools

The tools for the quantitative data collection are based on an excel file for the input of the data collected, together with detailed instructions for the national researchers' work. In-depth information on all cases of women killed, aged 15 years and over, is inserted, as can be found through the media or police press release or other available sources. Later (in the second and third stages), the data is verified through additional information from the police and justice system. Thus, the data base is a work-in-progress.

The quantitative data collection tools of the EOF includes the following information:

1. Basic Data

(dates and time of killing, as well as the city or region of killing)

2. Characteristics of victim(s)

(age group, marital status, occupation, employment, minority ethnic background, country of origin and possible disabilities)

3. Additional victims

(number and relationship of additional victims killed during the femicides)

4. Characteristics of perpetrator/s

(number of perpetrators, age-group, gender, marital status, occupation, minority ethnic background, country of origin, mental health problems and prior perpetration of violent crimes)

5. Victim-Perpetrator-Relationship

(containing current/former intimate partner, marital status, other family member, other relationship specified)

6. Situational Factors

(area of femicide, crime scene, method of killing, witnesses, pregnancy of the victim, context of sexual violence/rape, suicide of the perpetrator after the murder, prior domestic violence or abuse by same perpetrator specified with description on forms/intensity of violence, context of elder/ill/suicidal victim, prior stalking, other situational factors, e.g. alcohol, revenge, jealousy or factors which are important to mention)

7. Background information on cases

(incident after/during separation and weeks after separation, perpetrator threatened to kill victim prior to femicide with threats specified, prior violence or threat known to the police, protection orders, previous convictions of perpetrators for assaults/criminal codes, case known to the support system, case known to others, outcome of the trial, type of femicide and further comments).

The quantitative data collection tools functioned quite well in the countries that have tested and used them, though a lot of in-depth information is not available or only available after the trial and further investigations. In the next steps, the project will try to get more information on the cases through the support system, the trials and other sources with support of the state and multi-professional systems. As through the EOF data collection the number of cases to be analysed is growing from year to year, a higher cases basis will be available for further in-depth statistical analyses on background, motives and institutional reactions. For Fem-United, data from 2019 and 2020 was collected in five countries.

b) Qualitative tools for the analyses of femicides

Within the EOF and the FEM-UNITED project, further methods have been developed to gain qualitative information and data on the cases and the societal and political background factors of femicides within the European countries.

Therefore, the background situation on the countries was collected as per the following:

- Information on the multi-professional network on preventing gender-based violence and the social responses to women in the country
- Information on the legal framework on gender-based violence in the country
- Information on the prevention of gender-based violence
- Institutional protocols on identifying and/or reporting gender-based violence

- Information about gender values and data on gender (in)equality
- Social and cultural values around “the family” and around domestic and gender-based violence
- Published studies on prevalence of domestic violence in the country
- Published studies on the media portrayals of femicide and gender-based violence
- Data on gender parity and differentials in politics/media/public figures in the country
- Impact of COVID-19 in legislation, service provision, measures and prevalence of femicide
- Other relevant background information.

Additionally, for a qualitative in-depth analysis, some case files have been studied in the countries to explore more about the environmental social, legal and policy backgrounds that contribute to the femicides. More in-depth information on single cases was analysed, regarding:

- Characterization of victim, perpetrator and their relationship
- Coercive control and victim’s strategies to deal with perpetrator
- Previous help-seeking and reports to the authorities
- Family, formal and informal networks
- Social and economic status
- Official reports and risk assessment
- Social and cultural norms relevant to the specific cases.

The findings are presented in four levels: individual, **immediate**, institutional and societal levels, aiming to achieve an ecological understanding of femicide, and paving the way to make recommendations for its prevention relevant to these various levels.

Individual Level

In the Individual level the data was collected in regard to the victim, the perpetrator and their relationship, and main characteristics and risk factors were analysed (e.g. previous separation or divorce, previous history of domestic violence, coercive control, victims strategies of survival).

Immediate Level

The Immediate level includes people (family and friends) and places (community, work, school) with which the victim and perpetrator have daily and close association. Here, it was analysed,

whether the social relationships play an active or passive role regarding support to the victims. Furthermore, stereotypes and victim blaming discourses were tackled.

Institutional Level

At the Institutional level, information was collected according to what institutional responses (through police, the support system, youth protection offices and the judiciary systems) were available and how these responses and institutions were articulated in the specific case for reducing risks, ensuring the victims' safety and punishing the offender.

Societal Level

The Societal level contains those cultural, social and economic indicators that are perceptibly reflected in the specific cases. Here, different aspects of the patriarchal systems were analysed in regard to gender roles and gender equality, social and economic situation of women, gender stereotypes and values. Furthermore, media reporting was included in the analyses as well.

2. Introduction to Femicide in Spain

As a result of the incorporations in international texts and following the mandate of responsibility of the public authorities in the matter, the Spanish constitutional framework incorporates the right of women to a life free of violence in its legal system. The clearest proof of this was the enactment of O.L. 1/2004, which is explicitly configured in terms of Rights, and this was a milestone, both in terms of institutional response and in the perception of the issue as a public problem in society.

Despite this, some of the criticisms regarding implementation are linked precisely to the conceptualisation of violence, given that the object of O.L. 1/2004 has a restrictive character in relation to what is included in the Istanbul Convention, where all forms of violence against women are considered a crime, outside and within the partner or ex-partner, given that this restrictive consideration implies contradictions and difficulties in practice.

What there is consensus on is the consideration that the key to avoiding violence or mitigating its effects in cases where it has already occurred lies in the different phases of prevention. In a bid to reinforce preventive strategies, various fields of action have been consolidated in our country, which have involved, in material terms, the incorporation of new professionals, new techniques and new procedures.

The effort that has been made in terms of prevention, especially secondary prevention, is undeniable: design and implementation of police tools for risk assessment and management, development of specialised courts, specialised teams (social, police and judicial), and an

unprecedented agreement approved unanimously in 2016 and with a budget for 2021 of 180000,000 euros.

All the regulatory machinery plus the public policies (local, regional and national) developed to deal with violence against women, although they have achieved greater public awareness and will probably have an impact in the long term, have not managed to curb the number of femicides, which has remained stable at an average of 50 women murdered for more than a decade¹, 1080 since 2003 when the official count began.

Although in Spain, officially the murders that are counted, judged and investigated in terms of gender are those committed by male partners or ex-partners, in this report, following the instructions, we will also consider family femicides.

In this case we decided to use the **statistical definition** of EIGE:

“The killing of a woman by an intimate partner and the death of a woman as a result of a practice that is harmful to women. Intimate partner is understood as a former or current spouse or partner, whether or not the perpetrator shares or has shared the same residence with the victim”.

¹ You can see the evolution year by year in <https://es.statista.com/estadisticas/599214/numero-de-victimas-mortales-por-violencia-de-genero-espana/>

3. The national legal and political background

3.1 The legal framework on gender-based violence and femicide in Spain

In Spain, with the arrival of the Spanish Constitution of 1978 and its subsequent legislative development, political changes are established regarding the fundamental rights of equality.

Organic Law 3/1989 is the first to classify physical violence in the family nucleus, establishing punishment of sexist behavior. During the years 1998 and 1999, women's organizations that worked on the study of gender violence and care for victims, raised the need for a more Comprehensive Law (Mujeres en Red, 2021). In December 2001, the Socialist Group presented its Proposal for a Comprehensive Organic Law against gender violence to the Congress of Deputies, however all political groups support the initiative, the Popular Group (PP) voted against it.

Parallel to this political process, other components of the legal framework on gender violence were articulated, including Law 14/1999 for precautionary measures for the acute defense of women who are victims of mistreatment from the aggressor. In 2002, Law 38/2002 was established, referring to the fact that there should be a rapid procedure for certain crimes, specifically, family violence, consolidating steps for a more comprehensive organic law.

The Organic Law of Comprehensive Protection Measures Against Gender Violence, which came into force under the socialist government of José Luis Rodríguez Zapatero in 2004, being approved unanimously with 320 votes, although with amendment proposals by other parties. It made it possible to start carrying out protection and prevention measures to protect victims of abuse, in addition to making the population aware of the need to report.

In 2005, after the Organic Law 1/2004 came out, in Royal Decree 233/2005, of March 4, the Specialized Courts on Violence against Women came into operation. It was the Protection Order of 2003 that made these courts to be held so that the procedure was easier and faster, to avoid situations of confrontation between the victim and the aggressor. The characteristics of the actions of the courts in reference to gender violence are understood in the legislative sphere as an expression of the violence exercised against women committed by the partner or ex-partner of the victim, which are resolved in the Violence Courts on the Woman, while when the aggressor does not have that relationship with the victim, the court case would be resolved via the Investigating Courts.

As a result of Organic Law 1/2004, the Strategic Plan for Equal Opportunities was developed, with Organic Law 3/2007, of March 22, for the effective equality of women and men.

Spanish national law does not expressly define femicide, though the Organic Law 1/2004, of December 28, 2004, on Integral Protection Measures against Gender Violence (hereinafter, L.O. 1/2004) was drafted to address the historic inequality between women and men. The national law defines it as murder / homicide of women and is part of the “gender violence” legislation. But it is worth mentioning that some regional laws such as those of Navarra, the Canary Islands, Castilla y Leon and Andalusia already make mention of this specific definition Organic Law 1/2015², of March 30, introduces modifications to strengthen the protection of victims of gender violence, incorporating gender as a reason for discrimination in the aggravating circumstance of committing the crime.

It does not apply only to homicide, it may be applicable to all those cases in which a subjection to the victim is appreciated due to the fact of being a woman, without any consideration of the circumstances related to coexistence or romantic relationships (attack on legal assets based on gender, murder and homicide, attempt to homicide / murder, sexual assault, illegal detention, aggravated injuries, threats and crimes against privacy, damages, breaking and entering and arson).

3.2 Former and current policies to prevent gender-based violence and femicide in Spain

Spain has a regulatory framework that has articulated a set of preventive tools, awareness-raising and multidisciplinary approach to violence against women.

The Spanish state has transferred to the autonomous communities the powers related to counseling and support for victims of gender violence. The autonomous community is a territorial entity that, within the Spanish constitutional legal system, is endowed with autonomy, with its own institutions and representatives and certain legislative, executive and administrative powers. Spain is organized into 17 Autonomous Communities and 2 cities with autonomy status, Ceuta and Melilla, Spanish exclaves bordered by the Mediterranean and Morocco 14 and 130 kilometers from the Iberian Peninsula. The complexity of the territorial organization requires significant effort to coordinate and exchange information between the different public administrations responsible for protecting and guaranteeing the human rights of women victims of gender-based violence, as well as their children (See annex A for details on the Government institutions against gender violence).

² Article 22.4 and 23 PC. Introduced by Organic Law 1/2015, of 30 March, which amends Organic Law 10/1995, of 23 November, of the Criminal Code.

These aspects are relevant as most of the scope of counselling social work/support centres is decentralised and organised at regional level by each autonomous community, leading to different ways to rule, organise and manage support for gender violence victims.

Each autonomous community will then have different urban and rural coverage, data on number of victims counselled, and any other relevant information. All victims of gender violence, regardless of their nationality and administrative situation, have the right to full social support. Autonomous Communities have a Network of drop-in and support resources (specialist services offering information, advice and intervention, emergency accommodation, long-term accommodation and sheltered accommodation) for victims of gender violence and their children. Synergies are mainly structured regionally and although the instruments are very similar between autonomous communities, they are not the same insofar as they adhere to their administrative peculiarity.

In 2014, the Istanbul Convention on the prevention and fight against violence against women and domestic violence was ratified in Spain. The National Agreement on Gender Violence was signed in December 2017. The reports of Congress and Senate incorporated a set of substantive and procedural legal-criminal reforms. The State Pact against Gender-Based Violence is seen as an essential tool in the prevention and eradication of violence against women on the basis of gender.

There is a guide to the system of action and coordination in cases of gender violence in Spain, produced in 2019. It is one of the main sources for this report which contains further information.

In general terms, both the police and the justice system are obligated to react to cases of gender-based violence. Both in the police and in the judicial system there are specialized services that deal with violence.

In relation to the Police and National Security Forces, in accordance with Organic Law 2/1986, are entrusted with the mission of protecting the free exercise of rights and liberties and to guarantee public safety, performing this function across the country as follows: National Police in provincial capitals and municipal and designated urban centres, and the Guardia Civil in the remaining national territory and sea.

Local Police Forces: Local authorities, through their Local Police Forces, will take part in ensuring public safety in their municipal areas, under the terms contained in the Law regulating Local Authorities, the laws of Autonomous Communities and Organic Law 2/1986 of Police and Security Forces. At present, 404 Local Police Forces collaborate with the State Police and Security Forces to protect victims of gender violence.

At the justice system level, the Courts for Violence against Women were created under Organic Law 1/2004 as specialised courts with jurisdiction for criminal and civil cases on acts that constitute crimes of gender violence.

Under Title V, Legal Process of Organic Law 1/2004 there is a first mention of Courts for Violence against Women as part of the judicial organization as courts that specialise in criminal and civil responsibilities for acts that constitute crimes of gender violence.

In order to ensure a unified approach towards all the legal procedures that victims of gender violence may find themselves involved in, it was decided that these courts would assume responsibility for issues of civil law as well as the issues covered by criminal law, so that at least in the first instance, both aspects are handled by the same court.

Therefore, in accordance with Organic Law 1/2004, there must be a criminal prosecution case for gender violence for the courts of instruction to adopt civil measures. If this were not the case, the responsibility would lie exclusively with the civil courts.

In order to improve actions against gender violence, Organic Law 7/2015 of 21 July, modifying Organic Law 6/1985 of 1 July, on the Judiciary, contains an extension of the powers of the courts dealing with violence against women:

- Offences against the right to privacy, to protection of one's personal reputation and the right to honour for women.
- Instruction of proceedings to demand criminal responsibility for the crime of breach of sentence or precautionary measure of article 468 of the Criminal Code.

The transfer of these proceedings to the Court of Violence against Women will result in greater efficiency in terms of protecting the victim, accumulating a larger number of facts that any other judge in order to assess the situation of risk, but only if she agrees to cooperate with criminal prosecution.

In those jurisdictions where courts dealing exclusively with cases of Violence against Women are not created, the Judicial Council may agree that these issues are heard in one of the Courts of Instruction or First Instance and Instruction, where relevant, so that these functions are compatible with the rest of the criminal and criminal-civil order in the jurisdiction in question.

Since Organic Law 1/2004 of 29 June 2005 came into force, a total of 106 Courts dealing exclusively with cases of Violence against Women and 353 compatible courts have been created.

Groups of jurisdictions of Courts for Violence against Women

Organic Law 1/2004 makes it possible to extend the jurisdiction of Courts of Violence against Women over two or more court districts through a royal decree without the need to modify Law 38/1988 of 28 December, in Demarcation and Judicial Organization. The purpose of grouping together the court districts for Violence against Women is to reach a balance between maintaining a reasonable distance of the court from the victim and offering the specialised response that this type of procedure calls for.

Specialization in Criminal Courts for Violence against Women

In Royal Decree 233/2005, of March 4, the Specialized Courts on Violence against Women came into operation. Some of these courts should also be assigned the trial and verdicts in relation with crimes of breach of sentence or of safety measures in relation with cases of violence against women. The specialization of Criminal Courts for Violence against Women is the responsibility of the Judicial Council. At present, 33 of the 388 Criminal Courts in operation today are courts specializing in violence against women.

Specialization in gender violence in certain sections of the Provincial Courts

Appeals on civil and criminal matters against the verdicts handed down by the Courts of Violence against Women within a particular province shall be tried by the Criminal and Civil Sections, respectively, of the Provincial Court. To enable these appeals to be heard, and in view of the number of cases presented, the Judiciary Act requires Provincial Courts to ensure that one or more Sections are specialized in criminal law and to have the same specialization in civil law. The Criminal and Civil/Criminal Sections of Provincial Courts that specialise in violence against women, or are compatible with them, shall have exclusive responsibility for hearing:

- Appeals on civil and criminal matters against the verdicts handed down by the Courts of Violence against Women.
- Appeals against verdicts handed down on these issues by Criminal Courts in these provinces.
- Issues that correspond to the Provincial Court to judge in first instance, except for those which are the responsibility of the Jury.

On 31 December 2018, the Judicial Council has specialized 70 Sections in violence against women.

3.3 Official reports on VAW and femicides and institutional protocols

The General Council of Judicial Power (C.G.P.J.) publishes annual data on violence against women in the judicial statistics where homicide crimes are reported. The Observatory for Domestic and GBV of the CGPJ created in 2007, publishes annually since 2007 the “Report of dead victims due to domestic violence and GBV within intimate relations”. It includes homicide/murder of women older than 15. (<http://www.poderjudicial.es/cgpj/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Informes-de-violencia-domestica/>).

The comprehensive treatment of violence against women requires the articulation of protocols that ensure the global and comprehensive action of the different public administrations and services involved that help to improve prevention, protection and even evidentiary activity in the processes that are followed. See annex B, for the guidelines and protocols that operate in Spain as reported by the Judicial Power of Spain.

3.4 Research on femicides in the country

The Observatory against domestic and gender-based violence of the General Council of the Judiciary, since 2015, develops and publishes annual reports and analytical reports on femicide sentences. These reports provide specific data on a case-by-case basis, as well as general patterns and judicial responses in each case.

Despite the fact that femicide does not exist as a specific criminal offense, we can find jurisprudence that, within the framework of gender violence, includes the aggravating factor of gender. The body in charge of bringing together and analysing these judgments is the Observatory against Domestic and Gender Violence of the General Council of the Judiciary. In its latest report (2018), it offers particularly interesting conclusions in this regard.

The analysis has focused on 46 sentences, 36 of them are intimate femicides (IPV), two of them for the murder of 2 minors in the gender based violence context; 3 in that of intimate domestic violence (when it is not the action exerted by a man on a woman); and 5 refer to femicides in the extended sense given to this term by the Istanbul Convention (murder / homicide of women outside the scope of the couple, due to the fact of being a woman).

The judicial bodies classified the facts as a crime of murder³ in 31 of the 36 sentences for femicide in the sphere of the couple (86%), which implies that the death was carried out with

³ The term murder is used throughout the report, although we also refer to homicides. This decision responds to the fact that, according to the data of the Observatory against Gender Violence of the General Council of the Judiciary compiled in the REPORT ON THE FIRST 1000 CASES OF FATAL VICTIMS OF GENDER-BASED

treachery, cruelty or price, reward or promise; three sentences considered that it was homicide and only one, reckless homicide. The sentence for murder was prison, with an average duration of 21.9 years; the average penalty for homicide was 14.7 years in prison. Reckless homicide was punishable by 4 years in prison.

The most frequently applied aggravating circumstance has been that of kinship, appreciated in 89% of the convictions; it is followed by treachery (77%). In third place (31%) is the aggravating factor of gender, this study being the first to include cases in which this circumstance has been applied.

The aggravating circumstance of gender was introduced in art. 22.4 of the Penal Code, with the reform that entered into force in July 2015.

From the analysis of the causes that triggered the crime (in the sentences that specify it in their accounts of proven facts), the report concludes that the pre-existence of a dominance relationship of the male aggressor over the female prevails again. This type of relationship is evidenced either by the previous abuse or by the refusal to accept that the victim wants to end the relationship. This last circumstance occurred in 13 of the cases analysed.

The Public Prosecutor's Office also publishes a specific section every year in its report on cases of femicide (protection orders, previous complaints, institutional response, etc.)⁴.

At the level of studies on femicide (specifically), the information from the entity femicidio.net is significant⁵. Some relevant studies collected from the Government Delegation against Gender Violence refer to partial aspects and specific groups of women who suffer violence⁶ (we share here only those of the last three years. But reports are available on their website for more than a decade). See annex C for most relevant studies on femicide from 2019 to 2021.

VIOLENCE IN PARTNERSHIP OR FORMER PARTNERSHIP, the facts were classified as murder in 77.6% of the cases sentenced.

This probably responds to the fact that in 2012, the second chamber (Criminal) of the Supreme Court included and coined a new type of treason, a special type based on the relationship of trust that is generated within the cohabitation, which defines what is known as cohabitation treason, understood as the aggravating circumstance that is based on a relationship of trust arising from the cohabitation itself, This is an aggravating circumstance which is based on a relationship of trust arising from living together, generating in the victim a total lack of concern for a possible attack which could come from the actions of the person with whom he/she lives.

It is clear that this circumstance fits in with a multitude of episodes relating to crimes committed in the context of violence against women, I believe that the High Court intends to protect the victims of gender violence, given that many of the treacherous murders that take place in the context of this type of violence are carried out in the victim's common home.

This circumstance applies in practically all IPF cases and is therefore used in this report.

⁴Direct access to reports and research of the Observatory of the CGPJ: [C.G.P.J - Memorias \(poderjudicial.es\)](http://C.G.P.J - Memorias (poderjudicial.es)) and direct access to reports and research of the State Prosecutor's Office: <https://www.fiscal.es/memorias/>

⁵ Femicidio.net is an observatory of organised civil society that was created with the aim of documenting and making femicide visible, through a methodology designed specifically for this purpose and thanks to the work of professional experts in the field. <https://femicidio.net/category/informes-y-cifras/>

⁶Available in: https://violenciagenero.igualdad.gob.es/violenciaEnCifras/estudios/investigaciones/home_Copy.htm

3.5 The support and intervention system in Spain

Based on the legal framework and existing protocols, the Organic Law 1/2004 enshrines and guarantees a series of rights for all women who are or have been victims of gender-based violence in relation with their partner or ex-partner, regardless of the administrative situation in which the woman finds herself, her country of origin, age or disability. All the rights that women can claim are contained in the “Guide to the rights of Women Victims of Gender Violence”, which was updated in May 2019.

The Comprehensive Monitoring System in cases of Gender Violence (VioGén System⁷), of the Secretary of State for Security of the Ministry of the Interior, was put into operation on July 26, 2007, in compliance with the provisions of Organic Law 1 / 2004, of December 28, "on Comprehensive Protection Measures against Gender Violence", its objectives are:

- (1) Bring together the different public institutions that have competence in matters of gender violence,
- (2) Integrate all the information of interest that is deemed necessary,
- (3) Make risk prediction, taking into account the level of risk,
- (4) Monitor and protect the victims throughout the national territory,
- (5) Carry out preventive work, issuing warnings, alerts and alarms, through the "Automated Notifications Subsystem", when any incident or event is detected that could endanger the integrity of the victim.
- (6) Finally, seeking to establish a dense network that allows the monitoring and protection of battered women, and their children, in a fast, comprehensive and effective way, in any part of the national territory⁸.

See annex D to know key elements of the system support at state level.

3.6 Multi-professional networks for the prevention of gender-based violence and femicides

⁷ Viogen is the tool designed by the Secretary of State for Security-Ministry of the Interior, by virtue of art. 32 of the LO 1/2004, to prevent and protect women victims of gender violence (once they have filed a complaint against their partner or ex-partner). Risk assessment and management is carried out by means of a computer application designed for this purpose, which has been updated to its current version 5.0, in which children are incorporated as risk factors. In addition to the Security Forces and Corps (who mainly carry out the risk assessment), the following institutions carry out assessments and have access to the programme: penitentiary institutions; victim assistance offices; institutes of legal medicine and forensic science; public prosecutors and the judiciary; social services, equality bodies of the Autonomous Communities and the Violence against Women Units of the Government Delegations and Subdelegations, although not all are involved to the same degree. The aim of the Viogen tool, with which more than 5 million assessments (source: Secretaría de Estado de Seguridad del Ministerio del Interior and Olaciregui Rodríguez, 2020) have already been carried out, are:

⁸ Access to the exclusive website Sistema del Seguimiento Integral en los casos de Violencia de Género (Sistema VioGén), of the Secretaría de Estado de Seguridad del Ministerio del Interior <http://www.interior.gob.es/web/servicios-al-ciudadano/violencia-contra-la-mujer/sistema-viogen>

In Spain there is a wide support network for victims of gender violence that includes counseling of a psychological, social, legal and labor nature. Decentralization is also a characteristic of the dimension of non-governmental organizations, although there are efforts to “map” existing resources, there is no permanent update. Below is a list of the main Associations with which the Government Delegation for Gender Violence collaborates⁹:

Asociación Mujeres Juristas Themis , Confederación Nacional de Mujeres en Igualdad , Federación de Mujeres Progresistas, Federación Nacional de Asociaciones de Mujeres separadas y divorciadas , Fundación Mujeres , Federación UNAE , Asociación Rumiñahui Hispano ecuatoriana para la colaboración al desarrollo , CERMI Cross, Comisión para la investigación de malos tratos a mujeres, AFAMMER: Asociación de familias y mujeres del medio rural , Fundación Ana Bella , Fundación Luz Casanova , Fundación ANAR , Save the Children, ACNUR , Asociación de hombres por la igualdad (AHIGE) , Fundación ASPACIA, Red Estatal de Organizaciones Feministas Contra la Violencia de Género.

This extensive network is made up of various actors, private foundations, civil society associations, NGOs, women victims' foundations, etc. political, academic, professional, etc. The Violence Observatory, the regional Women's Institutes and certain working commissions bring together the efforts and channel communications. The more local the network is, the more practical the work it carries out and the closer it is to the practical cases.

3.7 Femicide and VAW in the media

In Spain, there is still a long way to go in relation to the treatment of cases of gender violence and femicide in the media. Although the conferences are relatively frequent, the development of guides for the improvement of the informative treatment in many occasions is not carried out correctly and it continues to focus on irrelevant information, on morbid aspects or on the victim herself without focusing the information on the aggressor and the victims or on causes that motivate this type of violence. The Government Delegation against Gender Violence has signed agreements with the main audiovisual groups to improve the situation¹⁰.

⁹ Given the large number of organisations that make up the network of care and intervention to prevent gender-based violence and femicide, only a few are mentioned here. In addition, it is particularly important to mention the role of local entities and grassroots social services that in some municipalities (some more than others) have developed multi-agency responses to prevention (e.g. Seville, Vitoria or the Community of Madrid's system of assistance to women victims of gender violence is composed of: (a) The Network of Municipal Points of the Regional Observatory on Gender Violence, which acts in coordination with the Network of Local and District Judicial Offices, among others).

¹⁰Available in

<https://violenciagenero.igualdad.gob.es/sensibilizacionConcienciacion/laSociedad/mediosComunicacion/home.htm>

In this regard it can be added that there are some protocols with guidelines for action designed by the media themselves. This is the case of Diario Público, La Marea, eldiario.es (among others).

It is worth mentioning that in the last 10 years the change in the "way of reporting has been notorious"; the media (especially the written press) usually have specialised teams to deal with these issues and there are national and regional conferences and congresses on the subject. Gender violence is introduced transversally in the media.

There is still work to be done in television (general media and programmes) although, at least in the news programmes, progress has been made, for example, after each news item on a femicide a reference to 016 is added, key concepts are introduced when the news is given and information is given on the sentences handed down to the aggressors.

It is also necessary to reinforce the role of the media as key agents in primary prevention, avoiding the reproduction of gender stereotypes, addressing violence in fiction or giving a voice to the victims in empathetic and non-morbid approaches.

3.8 Gender values and gender equality in the country as a background to femicides

Spain, like other southern European countries (Portugal, Italy and Greece), has been described as a family welfare state. It is a country with a family-oriented tradition, which depends to a large extent on the support of the family and which preserves, mainly in structures such as the judicial system, values rooted in the conception of the "*pater familias*".

Some institutional practices reflect that these values and conceptions permeate judicial decisions (they are sometimes paradoxical and have been denounced by several associations of Orphaned Children such as the Women's Foundation, for example the case of a minor who was not considered a direct victim because the man who murdered his mother, although he had raised him, was not his biological father, or the decision to maintain visits with the parent in prison, established by court order).

Support for traditional gender values still prevails and influences gender inequality. Most Spanish women, as in many European countries, work full-time outside the home, but are still responsible for the most demanding and time-consuming family and domestic tasks, making a significant effort to reconcile work and family life.

Spanish laws are making significant progress in the fight for equality, and the latest changes to paternity leave, for example, are in line with this.

Even so, it's very complex and risky to answer the question on the relationship between gender values, gender equality and femicides without sufficient data. A causal association between a series of values and murders is not possible. We can intuit that patriarchal or macho values, that certain cultures or beliefs, or that the myth of romantic love could play a role, but without reliable data this association is not accurate. As far as we know, in Spain there is no clear pattern among murderers either¹¹.

There is evidence that certain life situations (unemployment, break-ups, history of family aggression, consumption, possessive behaviours) combined with a particular value structure can operate as a risk factors and vulnerability when it comes to predicting femicide, but we cannot affirm that gender values or equality rates have a direct influence. A specific report would be needed to make this association.

3.9 Impact of COVID-19 on legislation, service delivery, action and prevalence of femicide.

Some studies in Spain are also assessing the impact of the pandemic on women who suffer violence. Izquierdo (2020) points out that the confinement of the woman with her aggressor "is going to translate into multiple effects on women's health, on their well-being, on their physical, sexual, reproductive health, on their mental health and their health of their sons and daughters" (p. 26). And it also points out that when the situation becomes normal it will be necessary to assess different factors that may increase the risk of the woman, due to the appearance of new fears, the permanence of stress, a situation of economic uncertainty, or the perception that the aggressor may have of loss of control over her. In the same perspective, Ferrer-Perez (2020) highlights the consequences for people who have been forced into forced coexistence in confinement and continue with other people and, especially, for women and minors who suffer gender violence.

Regarding the measures with women who suffer gender violence, Royal Decree-Law 12/2020, of March 31, circumscribes them within the possible consequences of the State of Alarm decreed on March 15, 2020. As stated in the Royal Decree, "women victims of gender violence are a particularly vulnerable group in situations of home isolation, because they are forced to live with their aggressor, which places them in a situation of greater risk, as has been demonstrated by the partially analogous situations, such as vacation periods without a

¹¹ A study by the University of Barcelona (Loinaz, Andres Pueyo y Marzabal, 2018) has analysed data from all cases of men convicted of murder or attempted murder of their female partner in Barcelona between 2004 and 2009, and compared them with a sample of men convicted of killing women with whom there was no intimate relationship. The results show that there are risk factors that make the crime more likely that are common to both types of murder. According to the researchers, intimate partner femicides are phenomena more similar to those of other murders than to the more common acts of intimate partner violence, such as physical aggression or psychological abuse. Available in <articulo20180618114734.pdf> (copmadrid.org)

residence situation, periods in which cases of gender violence and domestic violence skyrocket”. See annex E to find out the six articles contained in the Royal Decree-Law to ensure the operation of comprehensive assistance and protection services for victims of gender-based violence within the framework of the state of alarm and further measures.

4. The extent of femicide in Spain

4.1 Data sources and methods of data collection

4.1.1 Sources of data on the extent of femicides in Spain

In Spain, official statistics on gender-related deaths of women are collected by the Observatory against Domestic and Gender Violence of the General Council of the Judiciary. Following the legal definitions of Law 1/2004, of 28 December, on Comprehensive Protection Measures against Gender Violence, the Observatory collects the cases of gender violence resulting in death in the context of the relationship of a partner or ex-partner and, therefore, other manifestations of violence against women resulting in death, which are included in both the Istanbul Convention and the State Pact against Violence, are not counted.

The Observatory against Domestic and Gender Violence publishes an annual report on the number of victims, the main characteristics of victims and perpetrators and the circumstances of the murder.¹²

In this sense, the report is structured under the following headings:

- Number of cases
- Characteristics of the victims
- Children in a situation of orphanhood
- Circumstances of the aggression
- Characteristics of the aggressors
- Previous complaints
- Protection measures
- Cases with multiple victims

This report also includes deaths in the area of domestic violence, which includes deaths due to gender violence of minor children in the context of intimate partner or ex-partner violence and cases of intimate domestic violence. In this case, all cases of violence in the sphere of the partner or ex-partner are included, except for cases of violence exercised by a man against a

¹² The latest published report is for 2019 and is available at: <https://www.poderjudicial.es/cgpi/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Informes-de-violencia-domestica-y-de-genero/Informe-sobre-victimas-mortales-de-la-violencia-de-genero-y-domestica-en-el-ambito-de-la-pareja-o-expareja-en-2019>.

woman. This section would include acts of violence resulting in death directed by a woman against a man as well as those occurring in the sphere of so-called intra-gender violence.

In the case of Spain, the statistics of the Observatory against Domestic and Gender Violence do not offer data on non-intimate family femicides where the aggressor has another type of relationship with the victim (son, brother, father, son-in-law, etc.).

In order to try to correct this information and follow the indications, this report has been drawn up using the register kept by *femicidio.net*, an organisation that systematically collects the information on the *casos de femicidio* in Spain and which include a category for family femicides¹³.

As a consequence of the above, the data sources to be used for the elaboration of this report are, for IPFs, the official data of the Observatory against Domestic and Gender Violence and for family femicides, the data provided by *Femicidio.net*, who collect data from the media on all murders of women.

4.1.2 Experiences with the use of the EOF data collection tool

Although the EOF data collection tool was very clearly structured, in some cases the type of variables provided by the official data sources did not correspond to those indicated by the EOF or other variables were not included, such as the existence of children, which are included in the case of Spain.

The Task Force believes that the indicators collected by the Spanish Observatory are adequate in the case of the indicators. These are the following:

- Type of femicide, Date/ Month, Day of the week, Locality, Population, Province/ Autonomous Community, Place of the crime, Age of victim, Nationality victim, Total number of children in the couple, No. of minor children of the partner, Total number of children of the victim outside the couple, No. of minor children of the victim's non-partner, Relationship to aggressor, Cohabitation, Age of the aggressor, Nationality of the aggressor, Offender's response, Method of offence, History of abuse, Restraining order in force, Other victims.

4.2 Scope of the problem and additional case information

4.2.1 Extent of femicides on the basis of official statistics

¹³ All the information provided by this entity can be consulted at: <https://femicidio.net/>

In relation to the impact of gender violence in Spain, according to data from the General Council of the Judiciary (CGPJ), 168,057 complaints were filed in 2019¹⁴.

Developments in recent years are as follows:

Table 1. Evolution of the number of complaints of gender violence in Spain.

Year	Number of reports of gender-based violence
2009	135.539
2010	134.105
2011	134.002
2012	128.477
2013	124.893
2014	126.742
2015	129.193
2016	143.535
2017	166.260
2018	166.961
2019	168.057
2020	150.804

Source: Own elaboration based on data from the General Council of the Judiciary (CGPJ).

As can be seen, with the exception of the last year 2020, the trend is towards an increase in the number of reports. However, there is a certain degree of uncertainty as to what extent this may be due to a real increase in violence between partners or to an increase in reporting by victims.

On the other hand, according to the latest Macro-survey on Violence against Women conducted by the Ministry of Health, Social Services and Equality (2019), 1 in 2 women (57.3%) living in Spain aged 16 or over have suffered violence in their lifetime because they are women (11,688,411 women) and 1 in 5 (19.8%) have suffered violence in the last 12 months (4,048,273 women) (Delegación del Gobierno contra la Violencia de Género, 2020).

With regard to official data on gender violence resulting in death, the number of women presumably murdered by their male partners or ex-partners in 2019, according to data from the judicial investigation, was 56 and in 2020 it was 44 women.

The evolution of the murders over time is as follows:

Table 2. Evolution of gender-based violence resulting in death (male partners or ex-partners).

¹⁴ General Council of the Judiciary: Quarterly report on gender violence. Year 2019, CGPJ, Madrid, 2020. Available on: <http://www.poderjudicial.es/stfls/SALA%20DE%20PRENSA/DOCUMENTOS%20DE%20INTERES/Violencia%20sobre%20la%20mujer%20%20Informe%20Anual%20de%202019.pdf>

Year	Nº
2020	44
2019	56
2018	51
2017	50
2016	49
2015	60
2014	55
2013	54
2012	52
2011	61
2010	73
2009	56
2008	76
2007	71
2006	69
2005	57
2004	72
2003	71

Source: Own elaboration based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ).

The year-on-year average number of deaths is 59.8 deaths per year. However, the evolution over time of the rate of femicides per million women aged 15 and over reveals a significant decrease if we compare the period 2003-2010 with the period 2011-2020.

With regard to official data on gender-based violence against minors resulting in death¹⁵, it should be recalled first of all that Article 1 bis of Law 13/2007 of 26 November on measures for the prevention and comprehensive protection against gender-based violence, as amended in August 2018, determines in its section b) that the concept of victim of gender-based violence extends to daughters and sons who suffer the violence to which their mother is subjected.

Thus, between 2013 and 2020, 39 minors have lost their lives at the hands of their biological fathers or their mothers' partners or ex-partners. Of these children, three lost their lives in 2019 and three in 2020.

¹⁵ For the Spanish case it is necessary to refer to minor children. We have listed the deaths of children because Spanish regulations consider minors as direct victims of gender violence. The death of children is usually associated with the death of the mother, in some cases it may be that the aggressor has killed the children and not the mother, but always in a context of gender violence.

Of these children, five were boys and one was a girl. The age brackets of the children are as follows:

Table 3. Child victims of gender violence murdered.

Year	Age group of the victim	Number of child fatalities
2019	9-10 ys.	1
2019	11-12 ys.	1
2019	15-17 ys.	1
2020	3-4 ys.	1
2020	9-10 ys.	1
2020	15-17 ys.	1

Source: Own elaboration based on data from the Statistical Portal. Government Delegation against Gender Violence.

4.2.2 Information on the scope of studies or NGOs

As mentioned above, due to the fact that official data does not include family femicides, data provided by feminicidio.net has been used for this report. This entity, which collaborates with the Ministry of Equality of the Spanish Government, systematically collects the figures of the different types of femicide that occur in Spain.

In the case of family femicides, these refer to non-intimate family femicides where the aggressor is not a partner or ex-partner, but has another type of relationship with the victim (son, brother, father, son-in-law...). During 2019 there were 22 murders in this category and in 2020 the number of women murdered rose to 26.

4.2.3 Total IPF and Familial Femicide Cases

According to the data collection system within this project that incorporates IPF and Familial Femicide cases, a total of 148 were murdered.

- 78 women were murdered in 2019 (56 IPF and 22 Family Femicide).
- 70 women were murdered in 2020 (44 IPF and 26 Family Femicide).

In addition to these data, a total of 6 minors were murdered in the two years under study.

Case-Base: Women killed in Spain in 2019 and 2020

Year / Women killed	All women killed (age 16+) ¹⁶	Rate per 100.000 inhabitants	All women killed by family member (including partners)	Alle women killed by partners
2019	104	0,50	78	56
2020	81	0,40	70	44
2019 + 2020	185	0,9	148	100

4.2.4 Victim-perpetrator relationship and type of murder

67.6% of the women were killed by current or former intimate partners and 32.4% had been killed by other family members. In case of Family Femicide in all cases the perpetrator was male and in 68% of the cases it was the so.

In terms of the type of murder included for this report, of the 148 total murders for the period 2021-20, 100 were IPF and 48 were family femicides.

5. Background information on the cases

5.1 Background information on the victims

5.1.1 Age of the murdered women

The range of women killed reaches all age groups, the average age of the murdered women is 58.4 years, however, there is an important difference if we differentiate between the two types of murder. The average age of the women in the IPF is 45.8 years while in the case of family femicide it is 62 years.

The following table breaks down the different age groups according to the type of murder: IPF and Family Femicide.

Table 4. Women murdered by IPF and Family Femicide.

Range	IPF		FF		Total	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
>75	6	6,0	11	22,9	17	11,5
16-17	1	(1,0)	0	0,0	1	(0,7)
18-25	4	(4,0)	4	(8,3)	8	5,4
26-35	19	19,0	2	(4,2)	21	14,2
36-45	30	30,0	4	(8,3)	34	23,0
46-55	23	23,0	6	12,5	29	19,6
56-65	11	11,0	6	12,5	17	11,5
66-75	6	6,0	14	29,2	20	13,5

¹⁶ Includes all murdered women. By family members, partners, strangers and others.

desconocido	0	0,0	1	(2,1)	1	(0,7)
Total	100	100	48	100	148	100

Source: Prepared by the authors based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ).

The table shows that in the case of women killed by femicide in the family, 36.5% are over 56. Similarly, in IPF murders, 54% of the women are under 45 years of age.

5.1.2 Other characteristics of the victims¹⁷

As stated in the Report on fatal victims of gender-based and domestic violence in the sphere of the partner or ex-partner. Year 2019 of the Observatory against Domestic and Gender Violence (General Council of the Judiciary (2020:11), "the approximation to the profile of the victims, based on the objective data contained in the judicial files, only allows us to draw an exhaustive picture regarding a limited number of indicators: age, relationship with the aggressor or nationality. Unfortunately, as has been highlighted in the periodic studies, in very few cases is there complete information that allows us to profile the socio-economic circumstances of victim and aggressor and the way in which these circumstances could condition the relationship between the two".

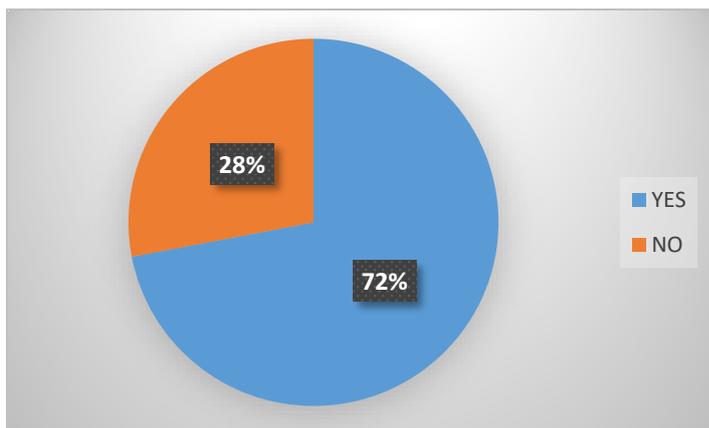
5.1.2.1 Living with the aggressor

During 2019 and 2020 72 of the 100 women murdered by their male partners or ex-partners were cohabiting with the aggressor at the time of death, which represents 72% of the total. This figure is higher than the average of the historical series 2003-2018, which reflects the existence of cohabitation in 58.4% of the cases.

Figure 1. Living with the aggressor at the time of death.

¹⁷ Due to the scarcity of data to characterise women killed by femicide in the family, the information presented here refers only to IPFs. Information on family femicides is no official data, the press does not report this data and the little information that does exist is unverifiable. For the year 2019, we have only been able to recover the ages of the victims: Five of them were between 80-89 years old, 4 between 70-79 y., 4 between 60-69 y., 3 between 50-59 y., 2 between 40-49 y. 2 between 30-39 y. and 2 between 20-29 y.

In the year 2020, feminicidio.net does a more exhaustive survey of data and allows for more disaggregated information than in the previous year. The most relevant is: 6 of them were between 80-89 y., 4 between 70-79 y., 6 between 60-69 years old, 3 between 50-59 y., 3 between 40-49 y., 3 between 20- 29 + for one woman the age is not known. 17 of the 26 murders were committed by the sons, who in 90% of the cases lived with their mothers + 1 case in which the murderer was the son of her partner. In 4 cases the perpetrator was a brother, in 2 cases a son-in-law, in 1 case a father and in 1 case an uncle. 23 of the murdered women were Spanish + one French, 1 Romanian and 1 Brazilian.



Source: Prepared by the authors based on data from the Observatory against Domestic and Gender Violence (CGPJ).

5.1.2.2 Relationship or relationship between victims and perpetrators

During 2019 and 2020 in 41% of cases a marital relationship existed at the time of the assault, or had previously existed, which is significantly lower than in 2018 when a marital relationship existed in 52.8% of cases.

Table 5. Relationship between victim and offender

RELATIONSHIP OFFENDER	Nº
Partner	32
Partner in crisis of coexistence	5
Ex-partner	11
Ex-husband	3
Ex-boyfriend	4
Husband	30
Husband in separation process	8
Boyfriend	7
	100

Source: Prepared by the authors based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ).

5.1.2.3 Nationality of the victims

Regarding the nationality of the victims, of the 100 women murdered during 2019 and 2020, 59 of them were Spanish (59%) and 41 were foreign (41%). These figures are higher than in 2018 (35.8%) and the average figure for the historical series 2003-2018 (34.5%). In relation to the percentage of foreigners in Spain, in 2019, 47 million people resided in Spain, of which 10.71% were registered foreigners.

5.1.2.4 Daughters and sons and orphaned children

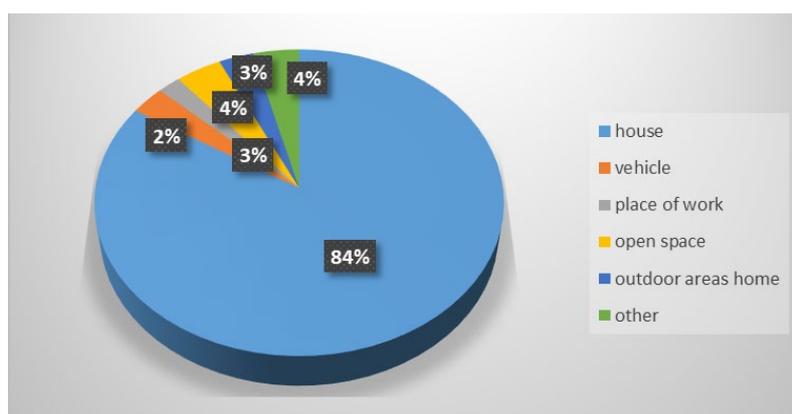
A total of 105 children were orphaned by the murder of their mothers in gender-based violence assaults in 2019 and 2020. More than half of the murdered women, 46%, had minor children.

5.1.2.5 Place of the aggression

The home, common or of one of the partners or ex-partners, is the place where the highest number of femicide cases are registered. 84% of the cases took place inside the home in 2019 and 2020, and in the former reports¹⁸.

With regard to assaults inside or outside the home, 70% of the cases took place in a home or in the outside areas of the home. In 4 cases, the aggression took place in the common home or in the home of the victims, despite the existence of a sentence or measure of punishment. despite the existence of a sentence or restraining order in force.

Figure 2. Place of the aggression



Source: Own elaboration based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ).

5.1.2.6 Method used¹⁹

The use of a knife was the method employed in 51.5% of the femicides registered in 2019 and 2020, higher than the average of 49.5% of the historical series 2003-2018. Beatings and blows with an object were used in 18.5% of cases and the use of a firearm occurred in 15.4%.

¹⁸ In relation to family femicides in 2020 (as already mentioned, for 2019 there is no data beyond the age of the victims) the most common place of aggression is the home. From the data obtained, in 20 of the 26 cases the murder took place in the victim's home, mostly shared with the aggressor. In the rest of the cases, in the aggressor's house, in a country house owned by the family, and in the rest it is unknown.

¹⁹ From the scarce data on family femicides-2020, we summarize that the method of murder was: trauma: 7; stabbing weapon: 11; firearm: 2; strangulation: 1; arson: 1.

5.2 Characteristics of the perpetrators²⁰

5.2.1 Number of perpetrators

In both IPFs and family femicides, a single perpetrator is identified for each of the femicides under study, a total of 148 perpetrators are identified.

5.2.2 Gender of perpetrators

Regarding the authors in which gender is recorded, all of them are male.

5.2.3 Age of perpetrators

Of the 148 authors, the age of 121 (81.7%) is known. The average age of the perpetrators is 47.4 years. If disaggregated by type of femicide, the average age of the perpetrators of IPF is 49 years while the average age of the perpetrators of family femicide is 41 years.

Unlike what happened with the age of the victims, where the women who died as a result of a family femicide were significantly older than those who suffered an IPF, in the case of the aggressors the figures are reversed. Let us remember that in the case of family femicides the most frequent situation is that the son kills his mother. The following table shows the age of the perpetrators by age group and type of femicide.

Table 6. Perpetrators of IPF and Family Femicide. Age groups.

Range	IPF		FF		Total	
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage
>75	8	8	0	0,0	8	5,4
16-17	0	0	2	4,2	2	1,4
18-25	6	6	1	2,1	7	4,7
26-35	12	12	4	8,3	16	10,8
36-45	24	24	5	10,4	29	19,6
46-55	34	34	6	12,5	40	27,0
56-65	10	10	3	6,3	13	8,8
66-75	6	6	0	0,0	6	4,1
desconocido	0	0	27	56,3	27	18,2
Total	100		48	100	148	100

5.2.4 Other characteristics of the authors²¹

5.2.4.1 Nationality of perpetrators

In cases of intimate partner femicides, 64% of the perpetrators of femicide cases in 2019 and in 2020 were Spanish; about one third was of foreign origin. In relation to the percentage of

²¹ Due to the scarcity of data to characterise the perpetrators of a Family Femicide, the information presented here refers only to IPFs.

foreigners in Spain, in 2019, 47 million people resided in Spain, of which 10.71% were registered foreigners.

Table 7. Nationality of perpetrators

Country	Nº
GERMANY	1
ARGENTINA	1
BELGIUM	2
BULGARIA	1
COLOMBIA	3
CUBA	1
ECUADOR	4
SPAIN	64
HOLLAND	1
HUNGARY	1
MOROCCO	3
MEXICO	1
PERU	3
UNITED KINGDOM	2
DOMINICAN REPUBLIC	1
ROMANIA	7
RUSSIA	1
SWEDEN	1
URUGUAY	1

Source: Own elaboration based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ)

5.2.4.2 Profession of perpetrators

There is insufficient evidence to refer to type of work, employment status or social class as a risk factor. The professions of the perpetrators are not usually among the official data collected, but from other sources we have been able to identify some of them corresponding to 2019. The files of the Government Delegation for Gender Violence do not include this information and the reports of the Observatory of the General Council of the Judiciary 2020 are not yet available.

Some of the data found that the majority of men were employed. Among the professions were: farmer, fireman, military, policeman, waiter, bodega worker, miner, real estate owner, worker in an agricultural cooperative, unemployed begging, barman, and some older retired men.

5.2.4.3 Consequences for perpetrators

In 2019 and 2020, 42.4% of perpetrators of femicides were arrested, in 19.1% of cases handed themselves in to the police, and in 29.2% of cases they committed suicide. The following graph shows the typology of offenders' responses:

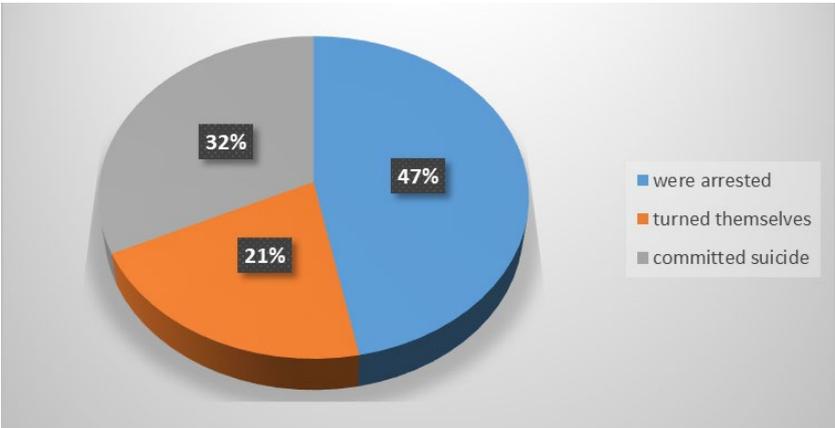
The breakdown of the cases in which the assailant was arrested shows that in 3 cases the assailant was arrested after fleeing, and in 11 cases after hiding.

cases, the aggressor was arrested after fleeing, and in 11 cases after hiding or denying the facts or denial of the facts.

In the analysis of the cases followed by suicide, we observe that in 2019, a percentage of cases, 30.4%, were registered.

a significantly higher percentage of cases, 30.4%, than in the historical series 2003-2018 (22% of cases), (22% of cases).

Figure 3. Consequences for the perpetrator



Source: Prepared by the authors based on data from the Observatory against Domestic and Gender Violence. General Council of the Judiciary (CGPJ).

5.2.4.4 Previous complaint

In 2019 and 2020, 17.1% of women victims of femicide had filed a previous complaint against their aggressors. This is lower than in 2018 (34%) and the 2003-2018 time series (24.7%).

5.3 Institutional knowledge before the killings and institutional reactions

In relation to women who were victims of fatal gender violence, based on data from the Government Delegation against Gender Violence, Ministry of Equality in the year 2020, of the total of 45 cases of IPF, 7 had previous complaints, 6 of them filed by the victim and 1 by others. 4 of these cases had decided to continue with the judicial process, the rest, had decided not to continue with the process (adhering to art. 416: dispensation not to testify).

In 3 of the 7 cases protective measures were requested, in 1 case not and in the remaining 3 cases there is no record. Of the 5 cases in which measures were adopted, 2 were in force and 3 were not, as their period of validity had expired.

Regarding the year 2019, of the total number of intimate partner femicides, 11 had a previous complaint, of which only 7 women decided to continue with the process.

In 5 cases protection measures were requested and granted and in 4 cases they were in force, in the remaining case the period of validity had ended. 4 of the murdered women had not requested it and in 2 cases there is no information available.

6. Summary of quantitative analysis

In Spain, official statistics on the death of women for gender-related reasons²² in the context of intimate partner or ex-partner relationships are collected by the Observatory against Domestic and Gender Violence of the General Council of the Judiciary, so this source was used for the LPI. For family femicides, the register provided by femicidio.net has been used.

A total of 148 women were murdered in the years 2019 and 2020.

- 78 women were murdered in 2019 (56 IPF and 22 Family Femicide).
- 70 women were murdered in 2020 (44 IPF and 26 family femicide).

To these data we must add a total of 6 minors murdered in these two years. 67.6% of the women were murdered by current or former intimate partners and 32.4% had been murdered by other family members. In relation to family femicides, the perpetrator was male and in 68% of the cases it was the son.

The range of women killed reaches all age groups, the average age of the murdered women is 58.4 years, however, there is an important difference if we differentiate between the two types of murder. The average age of the women in the IPF is 45.8 years while in the case of family femicide it is 62 years.

In the case of the aggressors, their average age is 47.4 years. If disaggregated by type of femicide, the average age of the perpetrators of IPF is 49 years while the average age of the perpetrators of family femicide is 41 years.

²² In Spain it is necessary to specify that a murder committed by a man against a woman is a gender-based murder. This, both in cases of intimate/familial and non-intimate femicide, must be accredited in the judicial process. For this reason, in the current legal framework, the expression: on killings of women by men cannot be used generically.

7. In-depth knowledge of the case as an example for cases that can be informative for prevention

7.1. Case 1

i. Characterization of victim, perpetrator and their relationship

Victim: 29 years old, valencian by birth, she had returned to Spain after living for several years in Malta with her partner, with whom they had started a hostelry business. She worked as a waitress in an ice cream parlour in a small coastal town in the Valencian Community. Lover of nature and blues music. Fan of volleyball and motorcycles, according to his close friends. They remember that she was smart, friendly and outgoing, although they acknowledge that she has been sad at work lately.

Perpetrator: 49 years old. Originally from Romania. He worked as a cook in a pizzeria and shared a flat with his partner. He was defined by his neighbours as a strange and antisocial person with an imposing physical appearance. He had no criminal record. When he found out that his partner wanted to end the relationship, he committed the murder in the shared flat and then attempted suicide in three different ways until he finally threw himself out of a fifth-floor window.

Relationship: The two had been dating for more than seven years. They had lived in Malta (during three years), where they met and fell in love. In 2015 they returned to her village to start a business together. They worked for a while in the same catering business, but she changed jobs. Friends say that the woman had left her partner on several occasions but that they always got back together. In the summer of 2019, she had finally decided to leave the house and end the relationship for good. She told him the night of the murder.

ii. Coercive control and victim's strategies to deal with perpetrator

The coercive strategies of the perpetrator are not known, but several sources said that he was not a sociable person, but a controlling person who commanded respect because of his height and his physical build, which was striking compared to her short stature. Despite this, sources acknowledge that the two had a very reserved relationship and had never had any problems with him or heard any arguments between them until that night when he flew into a rage.

iii. Previous help-seeking and reports to the authorities

Regarding this case, this topic does not apply, there were no references to prior violence between victim and perpetrator.

iv. Family, formal and informal networks

The information published by various communication sources is always linked to the nucleus closest to it. He was a foreign man who had only been living in Spain for 4 years and according to sources he was not very sociable. On the contrary, she maintained a very close relationship with her mother, who according to sources was her supportive funeral. Upon returning from Malta, both members of the couple worked in her mother's partner's business, then continued on their own.

While they were watching in Malta she wanted to return to Spain because she missed her family and environment. He maintains a close relationship with those who had been his classmates from the College. Despite this, no one knew the intimacies of the couple, except her mother, who knew the difficulties and was aware of the decision her daughter had made. For this reason, when he did not hear from him the morning after the murder, he reported the events to the police, suspecting that his daughter's partner could have harmed him.

The media do not collect testimonies or data about the life and personal characteristics of the murderer, but you can find multiple articles about her, her family and friends, who have wanted to make statements and value her figure, highlighting her kindness and education. Her coworkers did not want to make statements out of respect for his memory.

v. Social and economic status

There is no important information about the social and economic situation of the victims and the aggressor. Available information indicates that both were middle class, salaried workers, and lived in urban settings.

vi. Official reports and risk assessment

Considering that there was no information related to previous violence, there is no official reports and risk assesment available for this case.

vii. Social and cultural norms relevant to the specific cases

The media discourse surrounding this case, the 1,000th femicide since 2003 (when official statistics began to be collected and published), is evidence of progress in communication strategies on gender-based violence.

There are no allusions to the responsibility of the victim or her environment, no concepts similar to passion, jealousy or love, which avoids justifications. The information published is, for the most part, free of personal assessments.

Some sources highlight specific data (such as nationality) and others choose not to do so, but all media, national and local, maintain a minimum common denominator when communicating: the murder is titled in all cases as male violence/gender violence.

What can be observed is a tendency towards the configuration of the ideal victim. Testimonies are reproduced which highlight her good qualities (loving, polite, intelligent and hard-working), while the aggressor is either ignored or negative subjective evaluations are given by sources who assume that they hardly knew him.

Nor is it easy to find information about the post-suicide, which may be due to the fact that the criminal proceedings are closed with the suicide of the murderer.

7.2. Case two

i. Characterization of victim, perpetrator and their relationship

Victim: 41 years old. Gijón (Asturias). She had worked as a cleaner in a local company for several years and also in private homes. According to those close to her, she was a generous, optimistic woman and a good companion.

She was an "excellent and willing" girl, who regularly attended demonstrations for labour rights. A convinced feminist, she constantly shared on social networks proclamations in favour of equality and messages against sexual abuse and mistreatment. The victim lived alone and was separated, although there was no record of a previous complaint of male violence.

Perpetrator: 41 years old, born and resident in Gijon (Asturias). He worked as a waiter in a cider house and after his separation from the victim, he shared a flat with 4 other people in a private home. The man had three previous complaints of ill-treatment from his ex-wife and two other women. According to sources, he was a consumer of alcohol and drugs and, according to him, on the night of the murder, he had done so in an uncontrolled manner. This has been refuted by forensic reports, concluding that he was "fully conscious" at the time of the crime.

Relationship: The victim and the offender had been in a relationship for 8 years, which ended in November 2019. The victim's brother says that the killer was his sister's first formal partner and that she was very much in love.

Despite the break they continued to maintain their relationship, as in the early days they continued to share a house while he found a new place to live. This apparently cordial relationship was frustrated when in a fit of jealousy, the murderer cut off the victim's underwear and a dress with scissors, who threw him out of her home and severed all ties.

ii. Coercive control and victim's strategies to deal with perpetrator

According to those around her, he had a violent and possessive character and did not accept that she had ended the relationship. On the surface, "everything seemed absolutely normal" after the breakup, but it soon became clear that he did not accept it. Relatives of the murdered woman explained that she probably did not know that her ex-partner had a history of abuse.

The first complaint of mistreatment that appears in the detainee's record was filed by his ex-wife, with whom he had six children, and the other two, with different women, were settled with community service. The victim had not previously filed a complaint, but she had made it known to those closest to her that her ex-partner was harassing her through social networks to the point that she ended up blocking him, something which, according to family members, could have been a trigger for the tragic outcome. Colleagues of the victim, who knew more about the relationship and the break-up, had recommended that she file a complaint.

iii. Previous help-seeking and reports to the authorities

There are no previous complaints or applications for assistance in the 8-year relationship. After the break-up, only a few friends knew about the harassment she was experiencing and recommended the complaint, although no authority or agency registered it.

iv. Family, formal and informal networks

The victim was a very sociable person who maintained close relationships with both her family and her work colleagues. On the day of the murder, her former employer issued a statement highlighting the values of her former employee, and all those close to her agree in highlighting her values.

Many people decided to talk about the case in the media (friends, family, co-workers and neighbours), especially because the murderer was unaccounted for for four days, and there were several interviews and public denunciations issued by her family.

Her brother was the visible face and confessed that his sister's ex-partner maintained a good relationship with the family, a close bond with his niece and that only now, looking back, is he able to distinguish some "strange" behaviour or violent conduct on the part of the murderer towards his sister; but that in general the relationship was apparently cordial.

The victim was killed when she was returning home with a Portuguese man, who upon seeing the killer inside her flat (he had gained access because he kept the key) fled the scene. It is not known whether this man was a new partner or a recent acquaintance, although the victim's family has denounced him for omission of assistance.

The perpetrator lived with four flatmates who stated that they had little contact with him, as he spent most of his time locked in his room. He also hid there after committing the murder, without his companions being aware of what had happened until the police came to the house.

v. Social and economic status

There is no relevant information on the socio-economic status of either the victim or the perpetrator. Both were Spanish and resided in the same city where they were born. It is known that they lived in urban environments and that both were employed. The housing situation was worse in the case of the perpetrator, who, once the relationship had broken up, asked his ex-partner to allow him to stay in the home they shared because he had nowhere to sleep.

vi. Official reports and risk assessment

Despite the fact that he had previous reports of gender violence, filed by previous partners, the victim had not reported him. Therefore, there are no previous reports or risk assessments.

The victim's brother has denounced through the media that if she had known the background of her partner, she probably would not have continued with the relationship.

vii. Social and cultural norms relevant to the specific case

In this case, the perpetrator's inability to accept the refusal of his former partner and to assimilate that she could have started a new relationship is evidenced.

In addition, as reported by the relatives, this case reveals the lack of knowledge of the closest environment about what happens within the couples, as if they were still private problems / matters. Somehow the impossibility of offering help and activating mechanisms without complaints is evidenced, something that needs to be reviewed.

7.3. Similarities and specificities of the cases

As in most cases of femicide in Spain, none of the murdered women had previously filed a complaint. Therefore, the institutions had no knowledge of what was happening and there were no protection measures in place. Even so, in one of the cases the perpetrator had a serious history of gender violence of which the victim was unaware. This generated some debate and put on the table the possibility of women being able to know this history as in the case of sexual offenders; a thorny issue that refers to individual rights and that has not yet found consensus.

A fundamental difference is the outcome of the case. When the offender committed suicide, the feeling of injustice lingers, as do the questions, doubts and bewilderment. In the case where the murderer confessed to his crime, the judicial process, although hard, was a starting point for the family towards recovery.

In both cases the families were grateful to the public institutions (specialised units of the police, justice system and social services).

Another important difference is the attempt in one of the cases to use drugs and alcohol as alleged mitigating factors in the murder.

Although both victims had jobs and close family, an important difference lies in the support network they both had. In one case, the circle of friends claimed not to have even known the partner, and in the other case it was precisely this circle that recommended separation and reporting.

Finally, with regard to the media discourse, it is worth mentioning that in both cases the treatment was accurate, linking the news with other cases of gender violence and with the network of services to prevent it.

In both cases the information, details and testimonies are much more frequent about the victims, limiting the information about the perpetrators to basic issues.

8. Conclusions

Organic Law 1/2004 was a step forward in the treatment of gender violence. Despite this, although it is true that formal equality is a fact and the general discourse shows a high degree of social intolerance towards violence, women continue to be delineated as a structurally different other, exposed, mostly with fewer resources, to multiple risks, the most notorious evidence of which is the stable and unacceptable number of femicides per year, which for the last decade has remained at an average of 50 women murdered by their partners or ex-partners. It is also relevant to say that Spain has a light decrease of femicides as the only European country and it might have to do with active policies.

The daily life of women victims of violence is based on a network of interpersonal relationships where the weakening of formal and informal institutions facilitates, to a certain extent, isolation and the process of individualisation of problems, conditioning the perception of risk and security.

Although femicides have common patterns, it is necessary to continue investigating and promoting preventive strategies that address cases of violence from a holistic perspective including a wider set of actors in the prevention system and improving the forms of alert to the risk of femicide.

The violence against women also responds to other factors that should not be subjugated to mono-causal explanations for preventive intervention. Without observing and incorporating other variables besides gender into the diagnosis, preventive policies are proving to be discriminatory and ineffective. These factors must include cultural elements and, on some occasions, those related to religious beliefs—for instance, without falling into Islamophobia—as well as generational aspects or social class conditions.

Femicides are not only a question of values, they are also a consequence of poverty, precarious work, lack of integration policies, and this necessarily requires a greater commitment on the part of the State in cross-cutting public policies, focused on different areas of administration, in terms of housing, transport, employment or access to culture.

The ability of prediction (as a task) to reduce risk factors at all levels and to increase protective factors for victims and perpetrators, as well as to improve the environmental conditions that might be associated with violent actions, needs to be recognised. Considering the Spanish experience of risk assessment, it allows professionals (mainly police officers) to address the situation specifically and dynamically, and thus to make gradual and above all re-evaluated decisions in each of the systems involved.

Prediction has meant a qualitative leap, both internationally and in our country, by allowing professionals to know the level of risk of recidivism, to design and implement strategies that benefit the subjects involved and, above all, to make better use of resources. In this way, the possibilities of intervention have gained specificity and have made it possible to adjust risk control and minimisation procedures to different levels: individual and contextual.

In relation to risk assessment and risk management, the main stumbling block is in the judicial sphere. Judicial decision-makers rarely take into consideration information provided by other professionals in the police or social sphere, and even more rarely ask for it. Between suspicion, disbelief and the principle of hierarchy that governs the judicial system, clinical judgement continues to prevail as the most reliable diagnosis.

The risk or needs reports provided by the police or social services are considered as an "accessory" element for the judge when making a decision, despite the fact that reality itself has shown that the account of the facts at a specific moment in time means dealing with the risk as a static element, which does not allow an accurate response to be offered.

The prevention of gender-based violence is presented as an inexactly defined scenario where diverse epistemologies converge: legal constructs and forensic practices, police strategies and social interventions, all with their own relatively independent approach to risk assessment and management.

The low number of complaints among murdered women is a cause for concern, as is the low number of protection orders or measures to guarantee the safety of those women who had dared to report. One of the problems is how to get ahead of the toxic relationship that ends with the death of the woman. This is one of the difficulties in preventing violent deaths and daily violence.

The distance between women and institutions is a disadvantage. In many cases, victims perceive themselves in the opposite way to how they are perceived by the system from which they expect a response, and this often leads to confusion, unease and anguish.

Nevertheless, many women continue to begin the process of coming to terms with their situation, recognising the risk and asking for help. They do so on the assumption that by legitimately claiming a life free of violence they may be giving up (temporarily or permanently) others, such as privacy or freedom. Although this is not ideal, it is one of the practical effects it has on your daily life. Similar to those who, due to their institutional position or political and social relevance, are forced to live with a bodyguard. In the case of Spain, this was a price that many people had to pay in the face of the terrorist threat of ETA.

Finally, and regardless of the relevance or not of criminalising the concept of femicide (an open debate in the country, although not widespread), we do believe that it is necessary to broaden the concept of gender violence in the terms set out in the Istanbul Convention and to give cases of murder and special treatment, both in relation to primary, secondary and tertiary prevention (care for orphaned children and collateral victims - compensation and reparation measures, which are still lacking in Spain).

While statistics, data and reports are complete and transparent, it is still important to collect specific data for murder cases. Mainly on the aggressor.

In this sense, the work of the media, as data collectors and communicators, is particularly relevant. Despite the progress made in this area, further training and awareness-raising work with journalists and editors is needed.

9. Preliminary recommendations

Given that the legal framework in Spain, as well as the structure (institutions, resources, agents - policies, plans and programmes) is certainly extensive, we understand that it is necessary to

focus efforts on early action by institutions to prevent cases of femicide. It is necessary to be aware of cases of violence before the murder takes place. In Spain, the focus on the legal response may have neglected other fundamental instances for the early detection of violence and the management of risk when it becomes known.

Many of the intervention instruments are conditional on women filing a complaint, which "leaves" many non-institutionalised cases on the sidelines; thus, when analysing the data, we observe that only a low percentage of murdered women had filed a complaint.

Risk assessment and management can contribute in multiple ways to the transformation of subjectivities and gender positions, but its applicability cannot be carried out automatically or unquestionably; we must appeal to the reflexivity of those who design and those who implement, in order to guarantee this transformation.

Although the legal framework provides a defined scenario in which to act, daily practice shapes its own dynamics and rules, which are constituted precisely on the basis of the different realities faced by professionals. In this sense, we believe it is necessary to direct efforts towards the development and evaluation of judicial, police and social practices in order to ensure that, in each of the instances, the particularities of the cases are sufficiently investigated and recognised among the different types of violence. Only then can the appropriate crime, risk management strategies, and safety and recovery plans be implemented on a case-by-case basis.

We consider that the creation of a multidisciplinary body to deal with cases of gender violence is a real and urgent need.

We refer to an autonomous body, detached from the strategies already existing in the formal systems (judicial, police, social) but made up of professionals from these same fields, capable of bringing together data and information from other fields, with the aim of cross-referencing them in order to design primary, secondary and tertiary prevention strategies at different levels and as personalised as possible.

This could be carried out at the local level, which would, at the same time, allow for the strengthening of municipal networks for attention to gender violence. Local bodies, because of their proximity to the people, are a very good place for early detection, first steps and accompaniment. Therefore, well-equipped grassroots social services could be a very effective way of preventing risk.

If we assume that risk has to be assessed from various perspectives, professionals from the different systems should be incorporated into a comprehensive care network, where it would not be necessary to use a single tool to assess risk, but rather a common approach to each case. This requires the involvement of the different services and sectors, coordination,

collaboration and cooperation, with the understanding that this implies assimilating the fact that the ways of conceiving risk are different and complementary, and that it is precisely in this difference that the usefulness lies.

Multi-agency prevention implies real accompaniment and the development of a comprehensive preventive policy capable of articulating channels that allow for the design of a system with a greater capacity to respond to the needs of victims.

Efforts to prevent gender-based violence are nowadays presented as a strategic value of developed societies, because equality is a reliable sign of how a society. In the cases analysed in depth, the need to activate protection mechanisms and institutional responses independently of the complaint and to promote the involvement (through complaints, referrals to specialised services, testimonies or accompaniment) of friends, family and neighbours in order to avoid fatal outcomes is also evident. One of the strategies implemented in some regions, which it would be desirable to expand throughout the territory, has to do with the elaboration and implementation of protocols for action for neighbourhood communities in each residential building. Bearing in mind that most murders are committed in the home, the involvement of the closest neighbours could be of great help.

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ANNEX

A. Government institutions against gender violence

The Government Delegation against Gender Violence (DGVG) is the governing body of the Secretary of State for Equality and against Gender Violence of the Ministry of Equality. It was officially created in March 2005. It is responsible for proposing the policy of the Government of the Nation against the different forms of violence against women and promote, coordinate and advise on all measures carried out in this area. In 2008 the delegation was transferred to the new Ministry of Equality and depended on the General Secretariat for Equality Policies. However, it disappeared in 2010 with the change to the Conservative government, and its competencies were transferred to the Ministry of Health, remaining as such until 2018, when the new government transferred the equality agenda to the Ministry of the Presidency. In 2020, the Ministry of Equality was recovered, integrating the delegation in it and renaming itself as the Government Delegation against Gender Violence.

The following bodies depend on the Government Delegation: The General Subdirectorate for Inter-institutional Coordination on Gender Violence, which is responsible for promoting the application of the gender perspective of the measures aimed at combating forms of violence against women. It collaborates with the Public Administrations and competent ministerial departments, of the measures foreseen in the State Pact against Gender Violence; the promotion of coordination and collaboration between the institutions, Public Administrations, and competent ministerial departments to prevent and combat all forms of violence against women, through the appropriate legal instruments and the development of strategies, plans and protocols for action; the promotion of institutional coordination in matters of trafficking in women and girls for sexual exploitation.

The second body is the General Subdirectorate for Awareness, Prevention, and Studies of Gender Violence, which is responsible for social awareness and prevention of all forms of violence against women, promoting for this the training of professional groups and equal civil society. Among other things, it deals with promoting the incorporation into the Spanish legal system of the measures provided for in the Council of Europe Convention on preventing and combating violence against women and domestic violence; conducting, promoting, and disseminating reports, studies, and research on issues related to all forms of violence against women; the design, preparation and permanent updating of an information system based on the collection, analysis and dissemination of data related to violence against women from the Public Administrations and other entities. As well as the performance of the secretariat functions of the State Observatory of Violence against Women.

B. Guidelines and protocols that operate in Spain as reported by the Judicial Power of Spain²³:

1. [Guía práctica contra la violencia doméstica y de género. Previa a la Ley Integral/ Practical guide against domestic and gender-based violence. Preceding the Comprehensive Law](#)
2. [Guía práctica contra la violencia doméstica y de género \(2005\)/ Practical Guide against Domestic and Gender-based Violence \(2005\)](#)
3. [Guía de buenas prácticas para la evaluación psicológica forense del riesgo de violencia contra la mujer en las relaciones de pareja \(VCMP\) \(2012\)/ Good Practice Guidance for Forensic Psychological Risk Assessment of Violence Against Women in Intimate Partner Relationships \(FPVAW\) \(2012\).](#)
4. [Guía de buenas prácticas para la elaboración de informes psicológicos periciales sobre custodia y régimen de visitas de menores adaptada a casos de violencia de género \(2013\)/ Good practice guidelines for the preparation of expert psychological reports on child custody and visitation adapted to cases of gender-based violence \(2013\).](#)
5. [Guía de criterios de actuación judicial frente a la violencia de género \(2013\) Guía práctica de la Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género \(2016\) / Guía de criterios de actuación judicial frente a la violencia de género \(2013\) Guía práctica de la Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género \(2016\)](#)
6. [Derechos de las víctimas de violencia de género en el proceso penal \(Comisión Provincial Coordinación VG Gipuzkoa - 2020\)/ Rights of victims of gender violence in criminal proceedings \(Provincial Commission for the Coordination of Gender Violence in Gipuzkoa - 2020\)](#)
7. [Guía de buenas prácticas para la toma de declaración de víctimas de violencia de género/ Good practice guide for taking statements from victims of gender violence](#)
8. [Guía informativa sobre el proceso penal para víctimas de violencia de género \(Comisión Provincial Coordinación VG Gipuzkoa - 2020\)/ Information guide on criminal proceedings for victims of gender violence \(Comisión Provincial Coordinación VG Gipuzkoa - 2020\).](#)

²³ Links to official reports and protocols keep the titles in spanish to preserve the hiperlinks. In general terms, these are informative guides on criminal proceedings, with criteria for action and good practices, as well as on victims' rights. Protocols for risk assessment and risk management, health care, action in the penitentiary environment, cooperation and collaboration are also mentioned.

9. [Guía para mujeres víctimas de violencia de género durante el confinamiento por COVID-19 / A Guide for Women Victims of Gender-Based Violence during Confinement by COVID-19](#)

In relation to institutional protocols, reference can be made to:

1. [Protocolo de valoración forense urgente del riesgo de Violencia de Género \(2020\)/ Protocol for urgent forensic assessment of the risk of Gender Violence \(2020\)](#)
2. [Código ético y de buenas prácticas de las unidades de valoración forense integral del Ministerio de Justicia \(2020\)/ Code of Ethics and Best Practice of the Ministry of Justice's Comprehensive Forensic Assessment Units \(2020\)](#)
3. [Instrucción 4/2019, de la Secretaria de Estado de Seguridad, por la que se establece un nuevo protocolo para la valoración policial del nivel de riesgo de violencia de género \(Ley Orgánica 1/2004\), la gestión de la seguridad de las víctimas y seguimiento de los casos a través del sistema de seguimiento integral de los casos de violencia de género \(Sistema VIOGÉN\)/ Instruction 4/2019, of the Secretary of State for Security, which establishes a new protocol for the police assessment of the level of risk of gender violence \(Organic Law 1/2004\), the management of the safety of victims and the monitoring of cases through the comprehensive monitoring system for gender violence cases \(VIOGÉN System\).](#)
4. [Protocolo de actuación en el ámbito penitenciario del sistema de seguimiento por medios telemáticos del cumplimiento de las medidas y penas de alejamiento en materia de violencia de género / Protocol for action in the penitentiary environment of the system for monitoring compliance with restraining measures and sentences in the area of gender violence by telematic means.](#)
5. [Protocolo de actuación del sistema de seguimiento por medios telemáticos del cumplimiento de las medidas y penas de alejamiento en materia de violencia de género/ Action protocol for the telematic monitoring system for compliance with restraining measures and sentences in the area of gender-based violence](#)
6. [Dispositivos electrónicos de control en condenados violencia de género/ Electronic monitoring devices for convicted gender-based violence offenders](#)
7. [Acuerdo por el que se aprueba el procedimiento de coordinación y cooperación institucional para la mejora en la actuación ante la Violencia de Género en Andalucía/ Agreement approving the procedure for institutional coordination and cooperation to improve action against gender-based violence in Andalusia.](#)
8. [Protocolo común para la actuación sanitaria ante la violencia de género - 2012/ Common protocol for health action in the face of gender-based violence - 2012/.](#)

9. [Protocolo de actuación coordinada de los organismos competentes en materia de agresiones sexuales – Partido Judicial de Madrid Capital/ Protocol for coordinated action by the competent bodies in matters of sexual aggression - Judicial District of Madrid Capita.](#)
10. [Protocolo para la valoración policial del nivel de riesgo de violencia sobre la mujer en los supuestos de la Ley Orgánica 1/2004, de 28 de diciembre/ Protocol for the police assessment of the level of risk of violence against women in the cases of Organic Law 1/2004, of 28 December.](#)
11. [Protocolo de actuación y coordinación de Fuerzas y Cuerpos de Seguridad del Estado y Abogados ante la violencia de género regulada en la Ley Orgánica 1/2004, de medidas de protección integral contra la violencia de género/ Protocol for action and coordination of State Security Forces and Corps and Lawyers in the face of gender-based violence regulated in Organic Law 1/2004, on comprehensive protection measures against gender-based violence.](#)
12. [Protocolo de coordinación entre los órdenes jurisdiccional penal y civil para la protección de las víctimas de violencia doméstica/ Protocol of coordination between the criminal and civil jurisdictions for the protection of victims of domestic violence.](#)
13. [Protocolo de actuación de las Fuerzas y Cuerpos de Seguridad y coordinación con los órganos judiciales para víctimas de violencia doméstica y de género : \(adaptado a la LO 1/2004, de Medidas de Protección Integral contra la Violencia de Género\)/ Protocol for action by the Security Forces and Bodies and coordination with judicial bodies for victims of domestic and gender-based violence: \(adapted to LO 1/2004, on Comprehensive Protection Measures against Gender-based Violence\)](#)
14. [Protocolo para la implantación de la orden de protección de las víctimas de la violencia doméstica/ Protocol for the implementation of the protection order for victims of domestic violence.](#)

C. Most relevant studies related to femicide from 2019 to 2021 in Spain

- 2019:

[Estudio sobre el tiempo que tardan las mujeres víctimas de violencia de género en verbalizar su situación/ Study on the time it takes for women victims of gender-based violence to verbalise their situation](#)

[El Estado de la cuestión en el estudio de la violencia de género/ The state of the art in the study of gender violenceDe la violencia se sale 17 + 2. Historias de vida/ 17 + 2. Stories of life](#)

[Análisis de medidas para mejorar la protección policial y judicial de las víctimas de violencia de género/ Analysis of measures to improve police and judicial protection for victims of gender-based violence](#)

[Actitudes de la población ante la violencia de género en España/ Public attitudes towards gender-based violence in Spain.](#)

- **2020:**

[Estudio sobre mujeres víctimas de violencia de género en el mundo rural/ Study on women victims of gender-based violence in the rural world](#)

[Macroencuesta de Violencia contra la Mujer 2019/ Violence Against Women Macro-Survey](#)

- **2021:**

[Análisis temporal de los asesinatos de mujeres por violencia de género en España a lo largo de 15 años \(2003-2017\)/ Temporal analysis of gender violence murders of women in Spain over 15 years \(2003-2017\)](#)

[La situación de la violencia contra las mujeres en la adolescencia en España/ The situation of violence against women in adolescence in Spain.](#)

D. Key elements of the system support at state level

016 Service: the 016 service offers information and legal advice on issues of gender-based violence and is available through the quick-dial number 016 and the email address: 016-online@msssi.es.

Calls to this number are free and guaranteed to be confidential, because no personal details are collected from callers, nor are the incoming calls recorded. It is available 24 hours a day, every day of the year. It is accessible for people with hearing and/or speaking difficulties and is available in 53 languages. The 016 service reroutes emergency calls related with gender-based violence to the 112 Autonomic service; it reroutes calls to the telephone numbers of Autonomous Communities which have information and legal advice services similar to the 016 system.

ATENPRO: is the telephone device for assistance and protection of victims of gender-based violence. The service offers the victims of gender violence immediate remote assistance through the use of a mobile terminal that enables them to be in permanent contact with a support centre that can respond quickly to cope with any situation that may arise, 24 hours a day, 365 days a year, wherever they may be.

Remote monitoring devices: the remote monitoring system makes it possible to monitor compliance with precautionary measures and restraining orders prohibiting approximation to the victim imposed by procedures against gender violence in cases where the Courts approve their use for this purpose. Their main purpose, therefore, is to increase the safety and protection of victims of gender-based violence. It provides permanently updated information about issues that affect compliance or non-compliance of precautionary measures or sentences, or any possible incidents, whether accidental or deliberate, in the operation of the equipment used.

Accreditation of victims of gender violence: As part of the Sectoral Conference on Equality, the Government and Autonomous Communities reached agreement on the design of the basic procedures to set up and start accreditation systems for situations of gender violence. Two documents were approved to comply with this requirement for the Sectoral Conference on Equality that was held on 3 April 2019:

- A list of social services, specialist services or shelters for victims of gender violence that can accredit the condition of victim of gender violence for administrative purposes and for the rights included in articles 21 and 22 of Organic Law 1/2004 (employment rights, social security rights and labour market integration benefit);
- A Common Accreditation Model so that different autonomous administrations can apply standard procedures for official accreditation of victims of gender violence. At regional level, it is possible to find:
 - Drop-in resources and support services: all victims of gender violence, regardless of their nationality and administrative situation, have the right to full social support. Autonomous Communities have a Network of drop-in and support resources (specialist services offering information, advice and intervention, emergency accommodation, long- term accommodation and sheltered accommodation) for victims of gender violence and their children.
 - Drop in resources and support resources: Local Entities may also run drop in and care services, which may consist of arrangements for emergency situations, information, advice and intervention centres for the short, medium or long term, emergency accommodation or short-term shelters.

EMERGENCY CENTRES

Total No. of emergency centres: + than 60 emergency centres

Total No. of professionals working in the emergency centres: more than 309 (in 2017)

INTEGRATED SUPPORT CENTRES

Total No. of integrated support centres: more than 110 integrated support centres

Total No. of professionals working in the integrated support centres: more than 607

Total No. of places available: more than 494 staffed houses

Source: (Ministerio de la Presidencia, Relaciones con las Cortes e Igualdad, 2019: 18)

Existence and scope of emergency accommodation

In the Spanish State there are also once reception flats both at a public and private level. Depending on the characteristics of the case and its urgency, the reception of the woman is possible in the following resources. Each Autonomous community manages its own formula of emergency accommodation they can be public, private/public partnership (also known as “concertados”), and private, managed by associations, foundations and other forms of the third sector.

Emergency centers. They are centers that temporarily provide comprehensive care and protection to women in situations of gender violence and the sons and daughters who accompany them, guaranteeing them immediate reception. They cover the needs of protection and security.

Shelter Homes. They are residential centers configured by independent accommodation units and spaces for common use, allowing comprehensive care with sufficient autonomy for the family. In these, women and minors who accompany them are welcomed. Protection and security are offered, guaranteeing them comprehensive care through the programming of those social, psychological and legal interventions necessary for women to be able to overcome the violence suffered.

Tutored Apartments/Staffed houses: They are a service of independent single-family homes, temporarily ceded. Located in standard buildings and areas. They are intended to offer temporary housing to women victims of gender violence and their daughters and sons, until they have the means with which they can live independently. Access to this resource will take place after having passed through a foster home and if your situation so advises.

In this phase of action, comprehensive support will continue to be provided to women and minors who accompany them from the team of professionals from the Shelter.

SHELTERS

Total No. of shelters: more than 71 shelters

Total No. of professionals working in shelters: more than 660

No. of places available: more than 1580

STAFFED HOUSES

Total No. of staffed houses: more than 96 houses with live-in staff

Total No. of professionals working in shelters: more than +125

Total No. of places available: more than 494 staffed houses

E. Royal Decree-Law to ensure the operation of comprehensive assistance and protection services for victims of gender-based violence within the framework of the state of alarm decreed on March 15, 2020 and further measures

Regarding the measures with women who suffer gender violence, Royal Decree-Law 12/2020, of March 31, circumscribes them within the possible consequences of the State of Alarm decreed on March 15, 2020. The Royal Decree-Law contains six articles intended to ensure the operation of comprehensive assistance and protection services for victims of gender-based violence within the framework of the state of alarm.

These articles refer to:

- Declare as an essential service the services referred to in the Royal Decree-Law.
- Ensure the normal functioning of the information services and legal advice 24 hours a day, by telephone and online, as well as tele-assistance services and comprehensive social assistance to victims of gender violence.
- Guarantee the normal functioning of emergency centers, shelters, sheltered flats, and safe accommodation for victims of gender violence, sexual exploitation, and trafficking for sexual exploitation.
- Guarantee the monitoring system by telematic means of compliance with the precautionary measures and penalties prohibiting approximation in matters of gender violence.

- Guarantee the measures related to personnel who provide comprehensive social assistance services to victims of gender violence and other forms of violence against women that, by their nature, must be provided in person.
- Establish institutional campaigns to prevent gender violence during the state of alarm.

Some of these measures are within the Contingency Plan against gender violence in the face of the COVID-19 crisis. This Plan is specified in two areas: 1) the partner, the ex-partner, and other forms of gender violence, and 2) trafficking, sexual exploitation, and women who are in a context of prostitution. Regarding minors, guidelines are established on the visitation regime of sons and daughters of victims of gender violence during the state of alarm. Likewise, an information note was prepared on "Protection of the rights of boys and girls victims of gender violence during the state of alarm", jointly promulgated by the Government Delegation against Gender Violence of the Ministry of Equality and General Directorate for Children and Adolescents of the Ministry of Social Rights and the 2030 Agenda.

In addition, we can state that the GUIDE FOR ACTION FOR WOMEN WHO ARE EXPERIENCING GENDER-BASED VIOLENCE IN A SITUATION OF HOME CONFINEMENT OR HOME STAY BY COVID-19 gathers information on the prevention and response actions that continue to be underway from the Ministry of Equality in order to attend women who may be experiencing gender-based violence, especially in emergency situations.

The guide lists the services made available and provides answers to some questions that may arise depending on the situation in which the victim is. The exceptional circumstances that confinement entails have meant the incorporation of a new instant messaging service through WhatsApp with expert psychologists in gender violence who provide emotional and psychological victims support²⁴.

The Ministry of Equality, in collaboration with the Government Delegation against Gender Violence, launched a Contingency Plan against Gender Violence in the face of the COVID19 crisis, approved by the Council of Ministers on March 17, 2020, and legally collected in the RDL 12/2020, of urgent measures in the matter of protection and assistance to the victims of gender violence. Among the measures promoted, an institutional campaign "We stop sexist violence united" was carried out to prevent sexist violence. Besides, and while the state of alarm lasted, an immediate psychological support service was launched by WhatsApp.

²⁴ More information in:

<https://violenciagenero.igualdad.gob.es/informacionUtil/covid19/GuiaVictimasVGCovid19.pdf> . There is also a document with the information of the offices of Attention to Victims of Crime updated after COVID19 context https://violenciagenero.igualdad.gob.es/informacionUtil/recursos/estadoAlarma/docs/Triptico_Oficinas_Atencion_Victimas.pdf.

