

# Femicide laws are failing

## New action is needed to stop girls and women being killed

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### Research Insights #3

Latin America and the Caribbean have one of the highest rates of hate killings of girls and women because of their gender, known as femicides. Eighteen countries across the region have introduced laws recognising such hate crimes as distinct forms of killings, often with more severe penalties than other homicides. Our analysis of Mexico shows that these laws have failed to reduce the killings.

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## Femicide: a global problem, with Latin America on the frontline

More than five girls and women are killed every hour around the world because of their gender. These crimes have a devastating impact on individuals, families and societies. Latin America and the Caribbean are particularly badly affected.

In response, over the last decade, **18 of 33 countries in the region have created new legislation** classifying femicide as a distinct hate crime.

The laws are designed as a deterrent. Despite their widespread use, the effectiveness of these laws has not been evaluated. We evaluated the impact of this new generation of femicide laws, using Mexico as a case study.

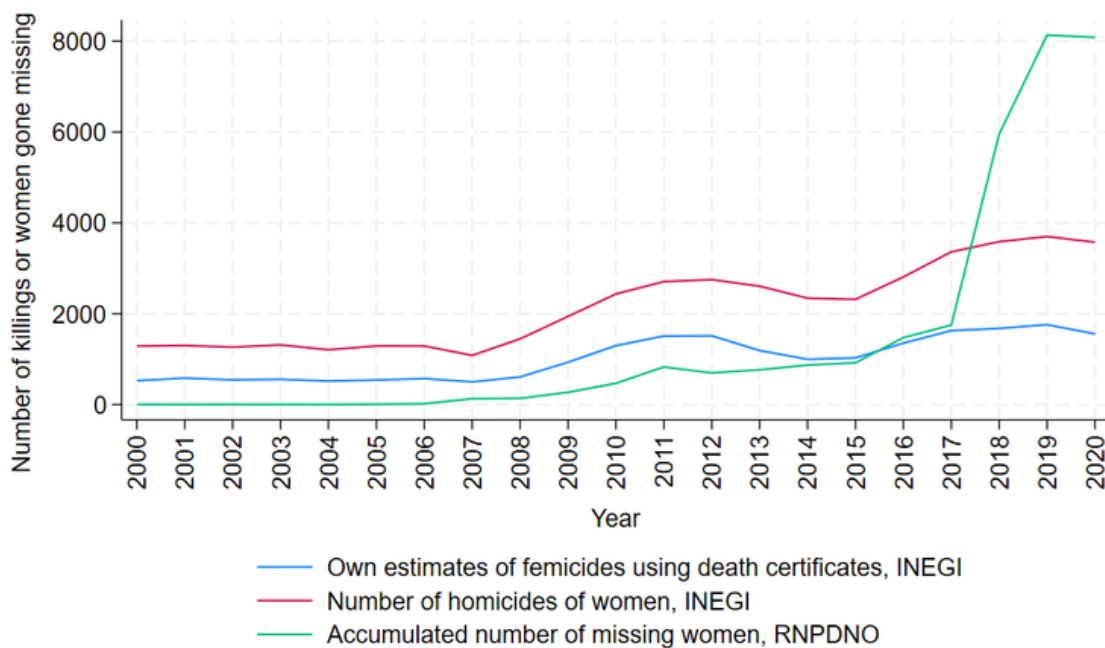
## Evaluating the new laws: our methods

Femicide laws in Mexico were introduced across all 32 states with different penalties and at different times. We exploited this variation in the timing of the laws to assess their impact.

- We compared states that had implemented the new laws, with similar states that had not.
- Due to the widespread misclassification of femicides in official data, we relied on the number of likely femicides.
- We analysed official death certificates, which provide information surrounding the crime, as well as the number of homicides of women and the number of women reported as missing (Figure 1).



**Our analysis has important implications for policymakers, legislators, researchers, feminist activist groups and campaigners working on gender violence.**



**Figure 1:** Levels of gender-related violence in Mexico 2000-2020. Sources: Homicides and death certificates, National Institute of Statistics and Geography ([INEGI](#)). Missing Women, National Registry of Missing and Non-Located Persons ([RNPDO](#)).

## Key findings



There is a **huge misclassification of crimes in the official data** in Mexico, with around 50% of femicides misclassified as homicides. This obscures the extent and potential drivers of gender-related violence. Governments, police and prosecution officers should urgently take steps to improve the classification of crimes.



The federal system in Mexico means that each of its 32 states has implemented its own femicide legislation, resulting in laws with **different definitions of what constitutes a femicide**. Governments should harmonise these laws to reduce legal ambiguities.



**Femicide laws in Mexico have failed** to reduce the number of femicides, girls and women reported missing and homicides of women.



Local and federal governments must **work together to stop the killing of women and men with such impunity**. Efforts should focus on targeting domestic violence and drug-related violence, reducing impunity, applying the law and reducing the cost of accessing justice.



**Gender-related killings are linked to an epidemic of violence** in Mexico, especially in areas where drug traffickers are battling for territory.

## Recommendations

1

**Clarify ambiguities in femicide legislation.** The definition of femicide varies across states, as do the associated penalties. Although it is widely believed that femicide laws carry harsher punishments than first-degree murder homicides, this is not always the case. Legislators should update these laws to clarify what constitutes a femicide; and ensure that prison terms are harsher than those for other types of homicides.

2

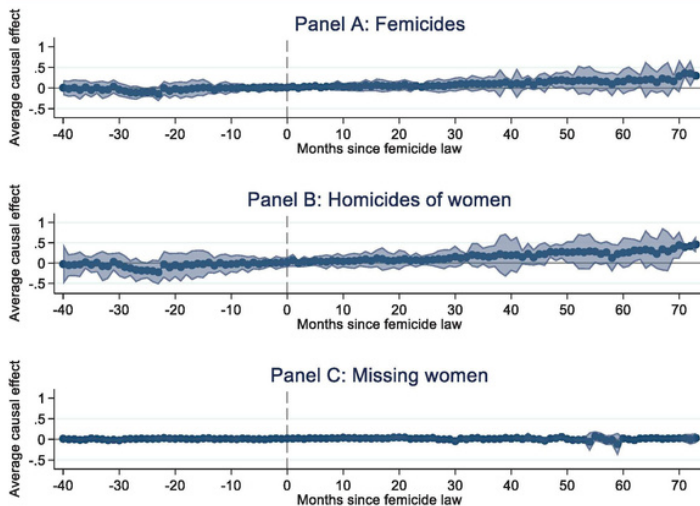
**Address the roots of the violence in Mexico.** The causes of femicides in Mexico remain poorly understood given that most cases go unprosecuted. Some are clearly linked to domestic violence, while others are linked to the ongoing conflict among drug-trafficking organisations in the country since the mid-2000s, and the wide availability of drugs and weapons. Local and federal government must change their current security strategy to reduce killings of women by developing tailored policies to support women leaving unwanted and dangerous relationships; and by better understanding the link between drug-related violence and femicides.

3

**Learn the lessons for the region and other countries.** Our evaluation of these laws in Mexico has implications for countries in the region that have implemented similar laws, and for countries considering adopting such laws (e.g. Canada and several African and European countries). Our research shows that laws alone are insufficient. They need to be supported by a judicial system capable of effectively enforcing the law.

## Mexico's femicide laws are failing

In Mexico, femicide laws were gradually implemented between 2010 and 2019. By 2019, all 32 Mexican states had adopted femicide legislation. Our analysis shows that a decade after their first introduction, there has been **no reduction in the number of hate killings of women and girls, women going missing, or overall homicides of women** (Figure 2).



**Figure 2:** This graph shows the difference in the number of killings of women in Mexican states that adopted new femicide legislation compared to states that had not – for 40 months prior to such legislation, and 70 months after the introduction of the first femicide laws. Sources: INEGI and RNPDNO.

## Underpinning research

Gutiérrez-Romero, R. (2023). Femicide laws do not reduce the killings of women, working paper.

This is true:

- across different states in Mexico
- across states with harsher penalties
- across short- and long-term timeframes
- controlling for factors that are linked to domestic violence against women, including unemployment rates, availability of guns and areas with drug trafficking organisations.

## Impact of other laws designed to reduce domestic violence

During our period of analysis, four states decriminalised **abortion**, giving women greater autonomy over their bodies. Seventeen states introduced unilateral **divorce** laws, allowing people to file for divorce without the consent of their spouse, making it easier to end unwanted marriages.

Despite these legal changes, which have been found internationally to help reduce domestic violence, there has not been any decrease in femicide or homicides, nor in the number of women reported as missing.

## About the author



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PhD in economics from the University of Cambridge (King's College), specialising in economic development, with a focus on violent conflict, the persistent effects of inequalities in wealth and poor economic governance. Professors Gutiérrez-Romero's research delves into applied quantitative methods, seeking to advance our understanding of how to overcome the most significant barriers to economic development.

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