

# Measuring femicide in Romania

## Femicide

Femicide can be understood as the extreme end of a continuum of violence against women that happens in all European Union Member States <sup>(1)</sup>. There is no standard agreed definition of femicide among EU Member States or around the world. The lack of a uniform definition hampers the measurement of femicide, which becomes invisible among general homicide data <sup>(2)</sup>. The general concept of femicide refers to the killing of a woman or girl because of her gender. The United Nations Vienna Declaration on Femicide <sup>(3)</sup> was the first to identify different types of femicide, including:

- murder of women as a result of intimate partner violence;
- torture and misogynistic slaying of women;
- killing of women and girls in the name of honour;
- targeted killing of women and girls in the context of armed conflict;
- dowry-related killing of women;
- killing of women and girls because of their sexual orientation and gender identity;
- killing of aboriginal and indigenous women and girls because of their gender;
- female infanticide and gender-based sex selection foeticide;
- genital mutilation-related deaths;
- accusations of witchcraft;
- other types of femicide connected with gangs, organised crime, drug dealers, human trafficking and the proliferation of small arms.

## Femicide in Romania

There is no definition of femicide in the Romanian Criminal Code. However, this type of offence may fall under other provisions of Romanian criminal law. The relevant articles for identifying femicide cases are, inter alia, Articles 188, 189, 192, 195, 218, 219 and 282 <sup>(4)</sup>.

### Article 188 – Murder

(1) The act of taking a person's life is punished with 10 to 20 years' imprisonment and the banning of certain rights.

### Article 189 – Aggravated first-degree murder

(1) Homicide perpetrated under any of the following circumstances:

(a) with premeditation;

[..]

(g) against a pregnant woman;

(h) with cruelty,

shall be punished by life imprisonment or imprisonment between 15 and 25 years and a ban on the exercise of certain rights.

### Article 192 – Manslaughter

(1) Manslaughter of an individual shall be punishable by no less than 1 and no more than 5 years of imprisonment.

### Article 195 – Death caused by battery

Battery or any other acts of violence causing death shall be punishable by no less than 6 and no more than 12 years of imprisonment.

### Article 218 – Death caused by rape

(4) Rape causing death shall be punishable by no less than 7 and no more than 18 years of imprisonment and a ban on the exercise of certain rights.

### Article 219 – Death caused by sexual assault

(3) Sexual assault causing death shall be punishable by no less than 7 and no more than 15 years of imprisonment and a ban on the exercise of certain rights.

### Article 282 – Death caused by torture

(3) Torture causing death shall be punishable by no less than 15 and no more than 25 years of imprisonment and a ban on the exercise of certain rights.

<sup>(1)</sup> This factsheet includes data collected before the United Kingdom left the EU, so the reference to EU Member States includes the United Kingdom.

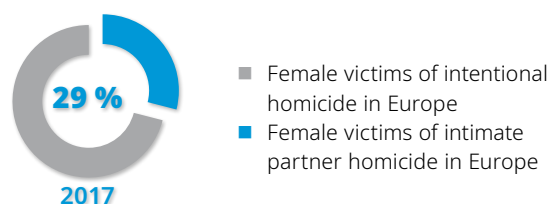
<sup>(2)</sup> European Institute for Gender Equality (EIGE) (2017), *Glossary of definitions of rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(3)</sup> UN Economic and Social Council (2012), *Vienna Declaration on Femicide*, UN, New York ([https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Sessions/CCPCJ\\_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1\\_E.pdf](https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_22/E-CN15-2013-NGO1/E-CN15-2013-NGO1_E.pdf)).

<sup>(4)</sup> For more information, see indicator 9 of the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)) and the Romanian Criminal Code ([https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2018\)042-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2018)042-e)).

### Intimate partner femicide in Europe

From a statistical perspective, and based on the International Classification of Crime for Statistical Purposes (ICCS), the UN Office on Drugs and Crime (UNODC) highlights that intentional homicide of female victims perpetrated by intimate partners or family members is the most prevalent form of femicide<sup>(5)</sup>. UNODC estimates that, in Europe<sup>(6)</sup>, about 29 % of female victims of homicide<sup>(7)</sup> are killed intentionally by an intimate partner.



### Intimate partner femicide in Romania

From a statistical perspective, the working definition that the European Institute for Gender Equality (EIGE) uses for femicide is 'killing of a woman by an intimate partner and the death of a woman as a consequence 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'. In Romania, most femicides would be covered by the articles of the Criminal Code identified above. According to the latest data from the Romanian Observatory on Homicide Studies and Prevention (Institute of Sociology), in 2015 there were 34 female<sup>(8)</sup> victims of intimate partner femicide.



## About the study

Data collection systems vary widely across EU Member States, as they draw on various sources. To improve the collection of administrative data on femicide, EIGE has been working to establish indicators that can harmonise data collection processes across Member States' jurisdictions.

EIGE has collected information from a wide variety of stakeholders through a questionnaire sent to official data providers and an online survey filled in by national experts. The ultimate goal is to identify a classification system of femicide with mutually agreed variables that can be used by all EU Member States.

## Methodology for data collection

To address the lack of comparable data on violence against women, EIGE developed 13 indicators with uniform definitions of the multiple forms of intimate partner violence, femicide and rape<sup>(9)</sup>. A detailed report regarding the methodology for the collection, reporting and validation of data, along with detailed metadata per country, has been published<sup>(10)</sup>. The data presented in this factsheet refers to indicator 9 on intimate partner violence: 'Women victims of intimate femicide (aged 18 and over) committed by a male intimate partner (aged 18 and over), as a share of the women victims of homicide aged 18 and over'.

However, the data for Romania under this indicator is not yet available.

For more information, see EIGE's Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio\\_int](https://eige.europa.eu/gender-statistics/dgs/browse/genvio/genvio_int)).

## Collecting administrative data on femicide



**What is administrative data?** Administrative data is collected for recording, organising and monitoring purposes<sup>(11)</sup>. Administrative data on femicide can be obtained from different institutions, namely those that are involved in criminal investigations, prosecutions, the punishment of perpetrators and victim support – that is, institutions in the **police and justice sectors**. Administrative data might include information about the prevalence and types of femicide, the characteristics of the victim, the perpetrator and their relationship, the characteristics of and motive for the crime, and data about the criminal process.

<sup>(5)</sup> UN Office on Drugs and Crime (UNODC) (2019), *Global Study on Homicide – Gender-related killing of women and girls*, UNODC, Vienna.

<sup>(6)</sup> Data from UNODC includes European jurisdictions other than the EU Member States. There is no estimation of the percentage of female victims of homicide who were victims of intimate partner femicide limited to EU Member States.

<sup>(7)</sup> The term 'homicide' is used when reporting UNODC data given that it is the term used in the original source (p. 17). The gender-related motivation is not recorded, because of the lack of a standardised definition. However, it is clear from the report that this data quantifies a significant share of all gender-related killings of women and girls.

<sup>(8)</sup> The term 'female' is used instead of 'woman', as it is not always possible to disaggregate data by the victim's age, meaning that the victim could be either a woman or a girl aged under 18 years.

<sup>(9)</sup> European Institute for Gender Equality (EIGE) (2017), *Terminology and Indicators for Data Collection: Rape, femicide and intimate partner violence*, EIGE, Vilnius.

<sup>(10)</sup> European Institute for Gender Equality (EIGE) (2020), *Intimate Partner Violence: Data collection methodology*, EIGE, Vilnius.

<sup>(11)</sup> UN Women (2020), *A synthesis of evidence on the collection and use of administrative data on violence against women*, UN Women, New York.

In order to help policymakers design effective policies to combat femicide, it is necessary to understand the nature and prevalence of the issue. The collection of comparable administrative data on femicide across Member States is key to gaining this understanding <sup>(12)</sup>. It is particularly important that the motive for the killing is established by the police or judiciary and that this is then translated into standardised statistical data. The ICCS is a standardised tool for obtaining comparable

administrative data. However, it lacks a gender-related motive variable. This means that the concept of femicide cannot be properly operationalised, which prevents the collection of data that fully captures the phenomenon. The collection of data on femicide would make the issue more visible, which would strengthen the political will to eradicate it. Administrative data on femicide also enables countries to monitor trends over time and evaluate the effectiveness of measures.

## What administrative data on femicide is available in Romania?

Definition of femicide and availability of data	
Definition of femicide used for statistical purposes	No
Collection of data on femicide	Yes, non-official data

One institution collects and analyses non-official data on femicide in Romania: the Romanian Observatory on Homicide Studies and Prevention (Institute of Sociology) <sup>(13)</sup>. Where data on

femicide in this factsheet is drawn from this institution, this is indicated by <sup>(e)</sup>. There may be other institutions or researchers who collect and analyse data on femicide in Romania.

	Institution <sup>(e)</sup> Romanian Observatory on Homicide Studies and Prevention (Institute of Sociology)
Type of data collection	Non-official
Sources of data	Media reports, data from police and prosecutors
Stage at which the homicide is established as a femicide	During the data analysis
Stage at which the homicide is registered as a femicide	During the data analysis
Parameters for establishing the killing as a femicide	Relationships between victims and aggressors, gender of the victims
Regularity of data collection	Occasional
Availability of data to the public	Data not publicly available

Official data from the Prosecutor's Office attached to the High Court of Cassation and Justice contain information on homicide offenses, battery and bodily harm causing death. This data is broken by relationship between the victim and perpetrator but not by sex. In 2020 there were 212 victims of homicide, from which 91 (43 %) had a previous intimate partner relationship.

The Romanian Police also analyses data on domestic violence, according to the last data published <sup>(14)</sup> in 2020, 72 people were killed by family members, of which 43 were women (60 %). Non-official data on intimate partner femicide has been collected by the Romanian Observatory on Homicide Studies and Prevention (Institute of Sociology) since 2011.

● Official data available    ● Non-official data available    ○ No data available

Data availability	2014 <sup>(a)</sup>	2015 <sup>(a)</sup>	2016 <sup>(a)</sup>	2017 <sup>(a)</sup>	2018 <sup>(a)</sup>	2019 <sup>(a)</sup>
Female victims of homicide	○	○	○	○	○	○
Victims of intimate partner femicide	●	●	●	●	●	●

<sup>(12)</sup> It is important to note that data and statistics should be produced, developed and disseminated in compliance with the principles in the *European Statistics Code of Practice*: Eurostat (2018), *European Statistics Code of Practice*, Publications Office of the European Union, Luxembourg (<https://ec.europa.eu/eurostat/documents/4031688/8971242/KS-02-18-142-EN-N.pdf/e7f85f07-91db-4312-8118-f729c75878c7?t=1528447068000>).

<sup>(13)</sup> <https://homicideobservatory.wordpress.com/>

<sup>(14)</sup> <https://violentaipotrivafemalelor.ro/statistici-violenta-in-familie-2020/>

One non-official source collects data on intimate partner femicide, as well as family-related femicide and child femicide. In 2018, the Romanian Observatory on Homicide Studies and Prevention was established. The observatory is an interdisciplinary research laboratory operating within the Institute of Sociology of the Romanian Academy. Its activities focus on four

main areas of action: research, prevention, communication and training. In 2018, the observatory established a collaboration with the Homicide Division of the General Direction of the Bucharest Police in order to collect and analyse all the homicide cases committed in Bucharest. In the future, the aim is to expand to other regions of Romania and have national-level data.

Types of femicide	
Intimate partner femicide <sup>(a)</sup>	●
Family-related femicide <sup>(a)</sup>	●
Child femicide <sup>(a)</sup>	●
Prostitution-related femicide	○
Robbery-related femicide	○
Other types of femicide	○

Characteristics of the victim and the perpetrator	Victim	Perpetrator
Age <sup>(a)</sup>	●	●
Sex <sup>(a)</sup>	●	●
Gender identity	○	○
Sexual orientation	○	○
Nationality <sup>(a)</sup>	●	●
Education <sup>(a)</sup>	●	●
Occupation <sup>(a)</sup>	●	●
Applied for protection order	○	n/a
Active protection order	n/a	○
Socioeconomic profile	○	○
Recidivist status	n/a	○
Alcohol/drug abuse <sup>(a)</sup>	●	●
Victim–perpetrator relationship <sup>(a)</sup>	●	●
Other <sup>(a)</sup>	●	●
Health status, relationship status, emigration <sup>(a)</sup>		

Contextual variables		Motive for femicide	
Method of killing <sup>(a)</sup>	●	Variables that indicate gender-related motivation	○
Location <sup>(a)</sup>	●	<b>Investigating femicide</b>	
Suicide of the perpetrator <sup>(a)</sup>	●	Protocol for investigating femicide cases	○
Killing of children <sup>(a)</sup>	●	<b>Analysing femicide</b>	
Killing of other persons in the family <sup>(a)</sup>	●	Homicide reviews / domestic homicide reviews	○
Children present <sup>(a)</sup>	●	Analysis of court cases <sup>(a)</sup>	●
Other killings in connection with the femicide <sup>(a)</sup>	●	Administrative data from police <sup>(a)</sup>	●
Other	○	Administrative data on cause of death	○
		Media information <sup>(a)</sup>	●
		Other	○

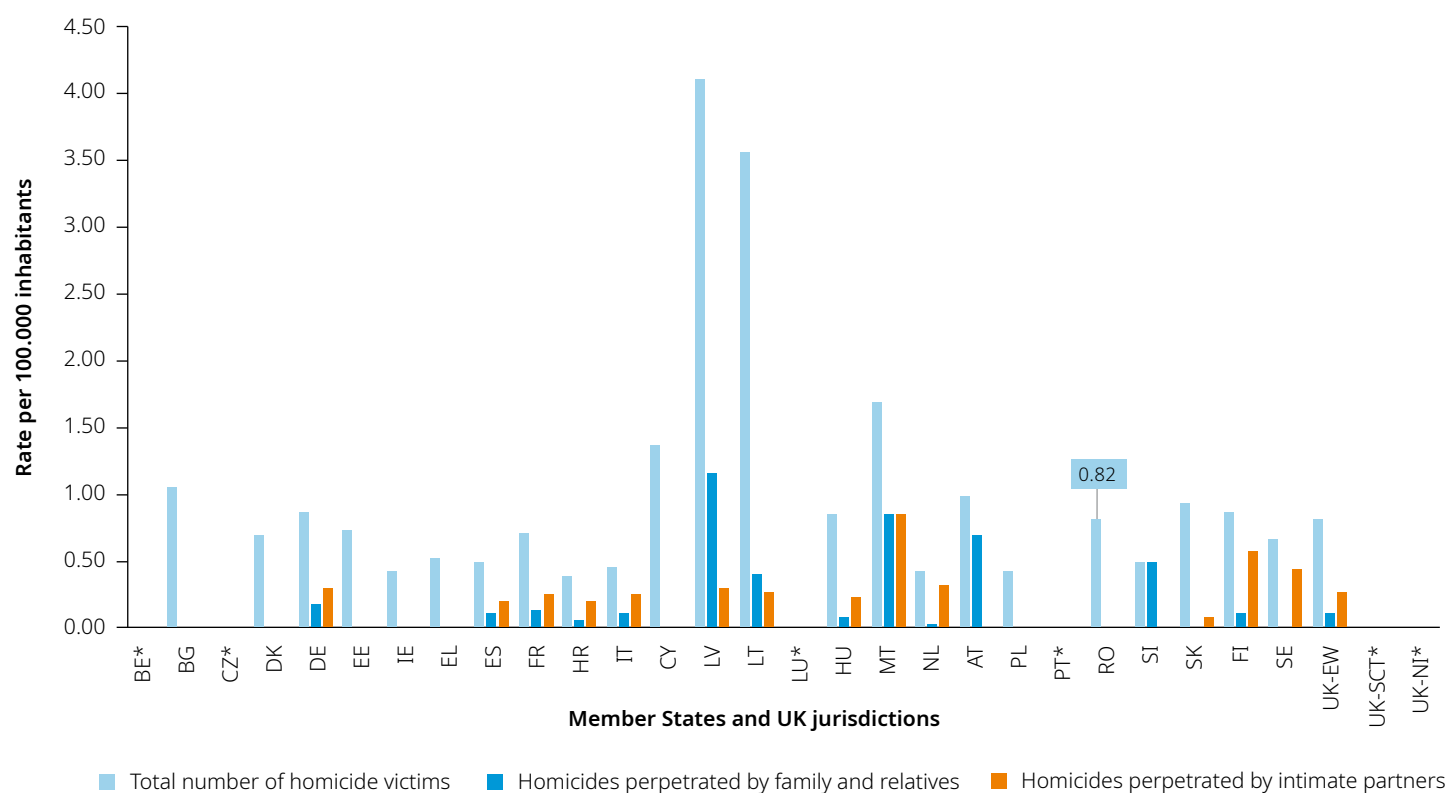
NB: n/a, not applicable.

## Female homicide in EU Member States and the United Kingdom (Eurostat)

At the EU level, based on the ICCS, Eurostat compiles data on intentional female homicides, focusing on intimate partner and family-related homicides, disaggregated by age, gender and relationship with the perpetrator. The data from Eurostat presented in Figure 2 reveals that, in 2018, the rate of female victims of homicide in Romania was 0.82 per 100 000 inhabitants, the 11th highest rate among the 24 Member States for which

information is available and the United Kingdom. Romania has no data about the rates of homicide perpetrated by family members, relatives and intimate partners in 2018. However, in 2017, the rate of female victims of homicide perpetrated by intimate partners was 0.52, the third highest rate among the 20 jurisdictions for which information is available.

Figure 2: Rate of female victims of intentional homicide in EU Member States and the United Kingdom (2018)



(\*) No data available.

NB: UK-EW, England and Wales, United Kingdom; UK-NI, Northern Ireland, United Kingdom; UK-SCT, Scotland, United Kingdom.

Source: Eurostat.

### Data information

Eurostat regularly publishes figures on crime and criminal justice. Intentional homicides are recorded by the police in each of the Member States and the United Kingdom. It is not possible to collect information about the gender-related motivation for homicide, the sex of the perpetrator or the age of the perpetrator using this database. Therefore, it is not possible to provide precise data on femicide.

Figures for 2008 onwards are based on the joint Eurostat-UNODC data collection. In this database, homicide is classified by the ICCS.

Data is available on Eurostat’s website (<https://ec.europa.eu/eurostat/data/database>).

## Key findings

- Romania does not have a legal definition of femicide. However, the perpetrator may be liable for murder, aggravated first-degree murder, manslaughter, death caused by battery, rape or sexual assault, or torture resulting in death.
- EIGE has gathered data on homicide and intimate partner femicide for 2014 to 2018; however, Romania did not populate EIGE's indicator on femicide.
- There is one non-official institution that collects data for the identification of femicide. Data on intimate partner femicide and other types of femicide is available and includes information about the characteristics of the victim and the perpetrator, and contextual variables.
- Femicide is analysed on the basis of official and non-official sources, such as data from police, data from court cases and media information.
- A lot of research has been conducted in Romania analysing femicide among different groups, such as immigrant communities<sup>(15)</sup> and young people<sup>(16)</sup>, and femicide-suicide<sup>(17)</sup>.

## Recommendations

The collection of accurate and comparable data on femicide by the police and justice sectors across Member States helps to increase knowledge and improve responses to prevent femicide<sup>(18)</sup>. It is therefore important to:

- develop a femicide definition for statistical data collection, in order to reflect the specific circumstances relating to the killing of women;
- implement a process of continuous data collection;
- establish comprehensive data collection, adding variables that are important for detecting key aspects of femicide, such as those describing the context and the circumstances of the killing, the gender-related motivation, and the victim and perpetrator characteristics, in order to systematise and harmonise the collection of data for statistical use;

- cross-reference the variables of the victim and those of the perpetrator, and analyse them using an intersectional approach;
- ensure that the gender dimension of homicide data is made visible.

### Recommendations for data collection on femicide in Romania

To populate EIGE's indicator on femicide (indicator 9) and to improve understanding of intimate partner femicide, it is recommended that the exact relationship between the victim and the perpetrator be recorded using the categories of current and former partners and current and former spouses<sup>(19)</sup>.

This factsheet is based on information from EIGE's study 'Advancing administrative data collection on intimate partner violence and gender-related killings of women' (2021) and has been prepared by the Alternative and Response Women's Association (UMAR). For more information, visit <https://eige.europa.eu/gender-based-violence/femicide>.

- <sup>(15)</sup> Balica, C. (2018), 'Femicide within the Romanian immigrants communities', *Revista română de sociologie*, Vol. XXIX, Nos 1–2, pp. 83–99.
- <sup>(16)</sup> Balica, C. (2018), 'Young intimate femicide in Romania – incidence and risk factors', *Anthropological Researches and Studies*, No 8, pp. 15–34.
- <sup>(17)</sup> Balica, C. (2018), 'Homicide-suicides in Romania – the analysis of fatal injuries within victims and aggressors', *Romanian Journal of Legal Medicine*, Vol. 26, No 3, pp. 308–313.
- <sup>(18)</sup> European Institute for Gender Equality (EIGE) (2018), *Recommendations to improve data collection on intimate partner violence by the police and justice sectors – Romania*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2017), *Recommendations for the EU to improve data collection on violence against women*, EIGE, Vilnius; European Institute for Gender Equality (EIGE) (2021), *EIGE's indicators on intimate partner violence, rape and femicide: Recommendations to improve data quality, availability and comparability*, EIGE, Vilnius.
- <sup>(19)</sup> Indicator 9 of the Gender Statistics Database ([https://eige.europa.eu/gender-statistics/dgs/indicator/genvio\\_int\\_adm\\_ipv\\_\\_ipv\\_indic\\_9/metadata](https://eige.europa.eu/gender-statistics/dgs/indicator/genvio_int_adm_ipv__ipv_indic_9/metadata)).

### European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.

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