



When Commitments Don't Translate into Protection: Femicide and the Limits of Legal Reform in Latin America

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Despite widespread criminalization and decades of legal reform, femicide remains persistently high across Latin America. Drawing on comparative evidence from Argentina, Brazil, Ecuador, and Mexico, this brief shows how international commitments alone don't guarantee meaningful protection for women. World polity theory helps explain why these reforms decouple from enforcement in practice. The brief proposes policy changes that focus on enforcement, transparency, and accountability.

INTRODUCTION

Femicide, also referred to as femicide, is defined by the United Nations as the gender related killings of women and girls and represents the most extreme and brutal form of gender based violence.¹ The crime is most often perpetrated by intimate partners or family members, although it also occurs in broader contexts of insecurity and organized crime. To combat the widespread violence against women and girls (VAWG) in the Americas—one of the regions with the highest rates of femicide in the world—the *Inter-*

American Convention on the Prevention, Punishment, and Eradication of Violence against Women, better known as the *Belém do Pará* Convention, was adopted in 1994 in Belém do Pará, Brazil.² Yet over three decades later, femicide remains a pervasive human rights crisis that continues to claim the lives of thousands of women each year, particularly in Latin America, despite its ratification by nearly all states in the region.

1 UN Women, "Five Essential Facts to Know about Femicide," UN Women, November 25, 2025. <https://www.unwomen.org/en/articles/explainer/five-essential-facts-to-know-about-femicide>

2 Organization of American States, *Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Belém do Pará Convention)*, 1994, <https://www.oas.org/juridico/English/treaties/a-61.html>

This policy brief examines why international legal commitments haven't translated into sustained reductions in femicide in Argentina, Brazil, Ecuador, and Mexico, and why their impact has remained mostly symbolic. Through a comparative analysis of states' actions to combat VAWG and relevant sociological theories, it shows that while all four states have adopted extensive legal reforms, criminalized

femicide, and expanded institutional frameworks as required under the *Belém do Pará* Convention, these policy responses haven't resulted in safer conditions for women and girls. The brief, drawn from a Capstone research paper, concludes with policy recommendations aimed at improving implementation and accountability.

THE POLICY PROBLEM: FEMICIDE DESPITE LEGAL REFORMS

Scholars identify patriarchal norms (often described as machismo), racial and socioeconomic inequalities, territorial exclusion, impunity, low levels of education, organized crime and criminal networks, poverty, and broader patterns of social disorganization as the main structural factors contributing to persistently high rates of femicide in Latin America.³ While these conditions increase women's vulnerability to violence, they don't fully explain why femicide remains pervasive even in states that have enacted significant legal reforms under the *Belém do Pará* Convention. These structural factors create a high risk environment for women and girls, where gender-

based violence often goes unpunished. In 2016, approximately 98 percent of cases of femicide and VAWG in Latin America went unpunished.⁴ In Argentina, 278 femicides were recorded in 2018, yet only 7 resulted in convictions.⁵ Similar patterns of low accountability have been documented in Brazil, Ecuador, and Mexico. Additional reports indicate that in 2022 alone, at least one woman was killed every two hours in the region.⁶ Although data collection has improved in recent years, these figures are likely undercounts, as governments facing high femicide rates are motivated to underreport cases to avoid domestic criticism or international scrutiny.⁷

STATE PROFILES: IMPLEMENTATION IN PRACTICE

Argentina

Argentina ratified the *Belém do Pará* Convention in 1996 and formally criminalized femicide in 2012 through Law 26.791, which amended Article 80 of the Criminal Code to impose life imprisonment for gender-based killings.⁸ Feminist mobilization in the

state has also played a crucial role in pressuring governments to act, particularly through the *Ni Una Menos* movement.⁹ In 2022, the state allocated 14.7 percent of its national budget to programs with a gender perspective, which is notably high compared to many other states in the region.¹⁰ However, under

3 Fabio Humberto Sepúlveda Murillo, Jorge Chica-Olmo, and Ainhoa Rodríguez García de Cortázar, "The Spatial Heterogeneity of Factors of Femicide: The Case of Antioquia—Colombia," *Applied Geography*, February 6, 2018 <https://doi.org/10.1016/j.apgeog.2018.01.006>

4 Leonie Rauls and Tamar Ziff, "High Rates of Violence Against Women in Latin America Despite Femicide Legislation: Possible Steps Forward," *The Dialogue*, October 15, 2018, <https://thediologue.org/blogs/2018/10/high-rates-of-violence-against-women-in-latin-america-despite-femicide-legislation-possible-steps-forward>

5 Human Rights Watch, *World Report: Argentina*, "Women and Girls' Rights," December 10, 2019. <https://www.hrw.org/world-report/2020/country-chapters/argentina>

6 CEPAL, "In 2022, At Least 4,050 Women Were Victims of Femicide in Latin America and the Caribbean," November 23, 2023, <https://www.cepal.org/en/pressreleases/2022-least-4050-women-were-victims-femicide-latin-america-and-caribbean-eclac>

7 Fatma Tanis, "U.N. Report: 85,000 Cases of Femicide in 2023 — And That's Likely an Undercount," *KUOW/NPR*, November 25, 2024, <https://www.kuow.org/stories/u-n-report-85-000-cases-of-femicide-in-2023-and-that-s-likely-an-undercount>

8 Argentina, Law No. 26.791/2012, amending Article 80 of the Criminal Code, cited in UN Women, *Final Analysis of Femicide/Femicide Legislation in Latin America and the Caribbean* (2019), 66, <https://lac.unwomen.org/sites/default/files/Field%20Office%20Americas/Documentos/Publicaciones/2019/05/1Final%20Analysis%20of%20Femicide%20Legislation%20in%20Latin%20America%20and%20the%20Caribbean-compressed.pdf>

9 *Ni Una Menos* ("Not One [Woman] Less") is an Argentine feminist movement against femicide and gender based violence. See more at <https://niunamenos.ar/>

10 UN Women / Multi-Partner Trust Fund Office, *Spotlight Initiative Annual Report 2022*, Translated from Spanish by the author.

President Milei's administration, major gender-policy programs faced cuts of 70 to 100 percent in 2024.¹¹ Because these cuts are recent, their impact on femicide rates and protections for women remains uncertain.

Figure 1 presents Argentina's femicide rate alongside the 73 state measures adopted between 2000 and 2023 to prevent and combat VAWG. As observed in the figure, rather than declining after the 2012 criminalization, the femicide rate increased and has fluctuated since, with no sustained reduction. In addition, unlike the other three states, Argentina did not report harmonized femicide data to CEPAL for the years 2000-2007 and 2016.

Brazil

Brazil, the host state of the Belém do Pará Convention, ratified it in 1995, and criminalized femicide in 2015 through Law 13.104, which amended Article 121 of the Criminal Code. The reform established prison sentences of 12 to 30 years for gender-related killings of women.¹² Yet funding for gender-related policies remains fragmented and difficult to track. In fact, federal spending on gender policies declined drastically during the 2019-2022 Bolsonaro administration from approximately US\$19 million in 2020 to just US\$1.7 million in 2022.¹³ Moreover, former President Jair Bolsonaro promoted harmful political rhetoric that minimized the need for state intervention, arguing that addressing gender-based violence required "a change in attitudes and

behaviors, not additional funding."¹⁴

Since ratification, Brazil has adopted some laws aimed at combating VAWG, most notably the 2006 Maria da Penha Law, along with 6 additional relevant measures.¹⁵ Nonetheless, Brazil continues to record some of the highest levels of femicide in the region and world, with violence disproportionately affecting young, Black/Brown and Indigenous women in territorially excluded communities.¹⁶ Similar racial disparities can also be seen in other contexts, including the United States, where women of color face disproportionately high rates of homicide.¹⁷ Figure 2 presents Brazil's femicide rate alongside the number of state measures adopted between 2000 and 2023.

Ecuador

Ecuador ratified the Belém do Pará Convention in 1995 and criminalized femicide in 2014 through the Comprehensive Organic Criminal Code (COIP), in which Article 141 establishes prison sentences of 22 to 26 years.¹⁸ The state has one of the most extensive legal frameworks among the four states analyzed, as it has adopted 67 measures between 2000 and 2023.¹⁹ Though reliable data on Ecuador's national budget allocations for combating VAWG remains limited. A 2008 budget analysis reported that only 3 percent of the social welfare budget was devoted to gender-related programs.²⁰ While outdated, this is the most reliable publicly available estimate.

11 Human Rights Watch, Argentina Events of 2024, <https://www.hrw.org/world-report/2025/country-chapters/argentina>

12 Brazil, Law No. 13.104/2015, amending Article 121 of the Criminal Code. In UN Women, Final Analysis of Femicide/Feminicide Legislation in Latin America and the Caribbean (2019), 67, <https://lac.unwomen.org/sites/default/files/Field%20Office%20Americas/Documentos/Publicaciones/2019/05/1Final%20Analysis%20of%20Femicide%20Legislation%20in%20Latin%20America%20and%20the%20Caribbean-compressed.pdf>

13 Nestor Forster Jr. et al., "How Well Is Brazil Addressing Violence Against Women?" *The Dialogue*, October 6, 2022. <https://thediologue.org/analysis/how-well-is-brazil-addressing-violence-against-women/>

14 Global Voices. "Even with renewed laws, Brazil struggles to protect women amid rising femicide." 19 March 2020. <https://globalvoices.org/2020/03/19/even-with-renewed-laws-brazil-struggles-to-protect-women>

15 UN Women, Global Database on Violence against Women and Girls, "Brazil," <https://data.unwomen.org/global-database-on-violence-against-women/data-form>

16 Márcia Moroskoski, Franciele Aline Machado de Brito, and Rosana Rosseto de Oliveira, "Time Trend and Spatial Distribution of the Cases of Lethal Violence Against Women in Brazil," *Revista Latino-Americana de Enfermagem*, July 15, 2022, e3609, <https://pmc.ncbi.nlm.nih.gov/articles/PMC9285200/>

17 Petrosky, Emiko, Janet M. Blair, Carter J. Betz, Katherine A. Fowler, Shane P. Jack, and Bridget H. Lyons. "Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014." *Morbidity and Mortality Weekly Report* 66, no. 28 (July 21, 2017): 741–746. <https://doi.org/10.15585/mmwr.mm6628a1>

18 Ecuador, Comprehensive Organic Criminal Code (COIP), Articles 141–142 (2014), in UN Women, Final Analysis of Femicide/Feminicide Legislation in Latin America and the Caribbean (2019), 70, <https://lac.unwomen.org/sites/default/files/Field%20Office%20Americas/Documentos/Publicaciones/2019/05/1Final%20Analysis%20of%20Femicide%20Legislation%20in%20Latin%20America%20and%20the%20Caribbean-compressed.pdf>

19 UN Women, Global Database on Violence against Women and Girls, "Ecuador," <https://data.unwomen.org/global-database-on-violence-against-women/data-form>

20 María Isabel Roldós and Phaedra Corso, "The Economic Burden of Intimate Partner Violence in Ecuador: Setting the Agenda for Future Research and Violence Prevention trends in femicide policies," *West Journal of Emergency Medicine* 14, no. 4 (2013): 347–353, <https://pmc.ncbi.nlm.nih.gov/articles/PMC3735382/>

Although Ecuador expanded its institutional and legal measures especially after the criminalization of femicide in 2014, femicide rates declined only briefly between 2014 and 2018 before increasing drastically thereafter, as seen in Figure 3. This trend coincides with Ecuador's escalation of organized crime and drug-related violence since 2019. Human rights organizations report that women and girls have been increasingly affected by this security crisis,²¹ as femicide rates increased from around 2 to over 6 per 100,000 population between 2019 and 2023.

Mexico

Mexico ratified the Belém do Pará Convention in 1998 and criminalized femicide at the federal level in 2012. Under Article 325, the crime is punishable by sentences of 40 to 70 years.²² However, a limitation of that article, and one repeatedly raised by feminist organizations, is that when prosecutors are unable to prove the gender-

based motive for femicide, the case automatically reverts to ordinary homicide statutes. This lowers the likelihood that killings of women are appropriately classified and sentenced.

According to the 2019-2023 Spotlight Initiative Final Report for Mexico, the federal government allocated just over 4 billion Mexican pesos (approximately US\$225 million) between 2019 and 2022 to programs combating VAWG.²³ Despite these investments and the adoption of 49 measures between 2000 and 2023,²⁴ femicide rates remain persistently high. Researchers note that Mexico's broader security crisis exacerbated by organized crime, has also directly contributed to the environment in which femicide occurs.²⁵ As shown in Figure 4, femicide rates briefly declined after the 2012 criminalization, but increased again around 2017 and have since stabilized at a high plateau.

WHY DOES THE GAP PERSIST? EXPLAINING THE IMPLEMENTATION FAILURE

The evidence points to a clear implementation gap between states' formal commitments and what happens in reality. When femicide trends and other factors are compared across the four states, none shows a sustained decline in femicide, despite ratifying the Belém do Pará Convention, and adopting criminalization and related legal reforms. This pattern suggests that legal change, by itself, is not equivalent to increased protection when deeper institutional weakness and political constraints remain unresolved. World polity theory helps explain this disconnect. The theory argues that modern states often adopt internationally recognized laws because doing so signals legitimacy and alignment with global norms.²⁶ Over time, this means that states increasingly resemble

one another through shared laws and institutions—a process known as institutional isomorphism, without achieving substantial outcomes. This often results in decoupling, where formal commitments are adopted, but they are only loosely connected to everyday enforcement and lived outcomes.

This dynamic is particularly visible in contexts where enforcement capacity is limited, political will is inconsistent, and structural violence is deeply embedded. In Ecuador and Mexico, for instance, the expansion of legal frameworks has taken place alongside rising levels of organized crime and insecurity. The conditions have strained institutional responses and limited the state's ability to protect

21 UN Sustainable Development Group, "Shining a Light on Gender-based Violence in Ecuador," March 26, 2025, <https://unsdg.un.org/latest/stories/shining-light-gender-based-violence-ecuador>

22 Mexico, Federal Criminal Code, Article 325 (reform of 2012), in UN Women, Final Analysis of Femicide/Feminicide Legislation in Latin America and the Caribbean (2019), 72, <https://lac.unwomen.org/sites/default/files/Field%20Office%20Americas/Documents/Publicaciones/Publicaciones/2019/05/1Final%20Analysis%20of%20Femicide%20Legislation%20in%20Latin%20America%20and%20the%20Caribbean-compressed.pdf>

23 *Spotlight Initiative Mexico*, Informe Narrativo Final 2019–2023 (Final Narrative Report), 20. Translated from Spanish by the author. <https://www.spotlightinitiative.org/publications/spotlight-initiative-mexico-final-cumulative-report>

24 UN Women, Global Database on Violence against Women and Girls, "Mexico," <https://data.unwomen.org/global-database-on-violence-against-women/data-form>

25 UN Women, Global Database on Violence against Women and Girls, "Mexico," <https://data.unwomen.org/global-database-on-violence-against-women/data-form>

26 John W. Meyer et al., "World Society and the Nation-State," *American Journal of Sociology* 103, no. 1 (1997): 144–81.

women effectively, even when formal commitments continue to expand. Under such circumstances, the Convention's commitments decouple from practice and risk becoming largely symbolic rather than transformative.

Building on this insight, Hafner-Burton and Tsutsui describe what they call the “paradox of empty promises,” in which treaty ratification can function merely as a symbolic gesture or the “promise” of compliance without the practice of it.²⁷ At the same time, they note that these commitments are not entirely hollow. Transnational and domestic civil society actors strategically use these very commitments to pressure governments and demand accountability. Civil society therefore can be seen as a key mechanism for translating symbolic commitments into meaningful political pressure. This dynamic is evident in Argentina. The Ni Una Menos movement,

one of the strongest feminist mobilization movements in the region, has helped keep femicide in public debate and pressured governments to respond; this explains the comparatively lower femicide rates than those observed in the other states examined. While Ecuador, Brazil, and Mexico also have active feminist movements, their visibility and ability to pressure haven't been as impactful, given that their ability to influence policy outcomes has been mainly constrained by competing political priorities.

It may seem reasonable to assume that extensive and stronger laws, harsher sentences, or even gender-policy funding would automatically translate into safer conditions for women. Yet this hasn't consistently been the case. Understanding why international commitments often fail to translate into sustained reductions in femicide is necessary for designing policies that move beyond symbolic compliance and more toward meaningful protection.

POLICY RECOMMENDATIONS

Across Argentina, Brazil, Ecuador, and Mexico (and in much of the Americas), formal commitments to combat femicide have decoupled from implementation. If this gap is not addressed, international agreements risk remaining symbolic declarations rather than fulfilling their purpose of serving as protection mechanisms. States must therefore prioritize policies that focus on enforcement, transparency, and accountability.

Strengthening Accountability and Reducing Impunity

Reducing femicide requires effective enforcement of the law. What reinforces cycles of violence and distrust in justice institutions is the persistent failure to investigate, prosecute, or punish femicide cases. Governments must prioritize the creation of specialized prosecution offices and investigative units for femicide cases, as well as ensure mandatory gender sensitive training for law enforcement and establish clear timelines for investigations. Evidence

from regions with comparatively lower femicide rates, including parts of Northern Europe, shows that consistent systemic prosecution and low impunity,²⁸ and not merely harsher sentences, are crucial for deterrence.

Institutionalize Transparent Gender-Policy Funding

Funding for gender-related policies should be stable, transparent, and insulated from short-term political shifts. Fragmented or discretionary budgeting undermines both prevention efforts and enforcement capacity. States should therefore adopt standardized budget reporting for gender-based violence programs and make these allocations publicly accessible. The UN–EU Spotlight Initiative offers a useful model. Its annual state reports track budget commitments, policy implementation, and outcomes consistently.²⁹ Participation in such reporting mechanisms should be mandatory and tied to clear benchmarks to improve

27 Emilie M. Hafner-Burton and Kiyoteru Tsutsui, “Human Rights in a Globalizing World: The Paradox of Empty Promises,” *American Journal of Sociology* 110, no. 5 (2005): 1373–1411.

28 United Nations Office on Drugs and Crime and UN Women, *Femicide in 2024: Global estimates of intimate partner/family-member femicides (2025)*, https://www.unwomen.org/en/digital-library/publications/2025/11/femicides-in-2024-global-estimates-of-intimate-partner-family-member-femicides?utm_source=chatgpt.com

29 The *Spotlight Initiative* is a global partnership between the European Union and the United Nations, launched in 2017 to support states in preventing and eliminating violence against women and girls. See more at: <https://www.spotlightinitiative.org/>

transparency across the region. For instance, while Argentina and Mexico began submitting *Spotlight* reports in recent years, Brazil and Ecuador have either not reported or have provided reports that lack detailed and comparable budget data.

Furthermore, reliable data is essential for effective policy. The gaps in femicide reporting, inconsistent definitions, and undercounting minimize the real scale of the problem, which also limits policy evaluation. Governments should therefore harmonize femicide definitions across legal and statistical systems, as well as invest in independent data collection mechanisms. Robust and transparent data systems would allow governments and civil society movements to continuously monitor progress and identify failures.

Invest in Prevention Through Education

Long-term reductions in femicide depend on

LOOKING AHEAD

International legal frameworks, such as the Belém do Pará Convention, are not inherently ineffective. Their impact depends on whether states have the political will to move beyond symbolic compliance. Without addressing impunity, weak institutions, and political incentives, legal reforms will continue to fall short.

prevention. To that end, states should expand education programs that address violent conflict resolution and harmful gender norms from an early age. Nordic countries, for instance, invest heavily in gender-equality education, social services, early intervention programs, and related policies.³⁰ While these measures don't produce immediate results, evidence shows that they are critical for reducing violence over time and shifting social norms.

Support and Protect Civil Society Movements

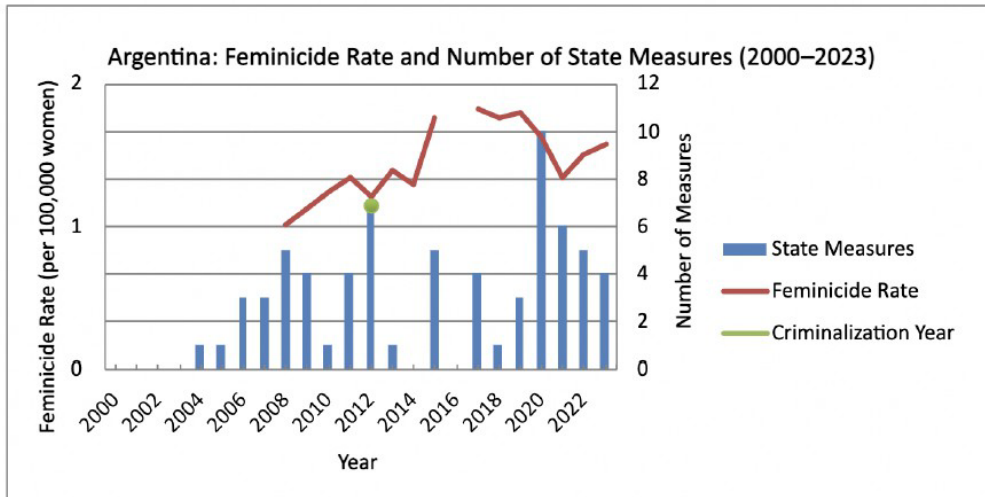
Governments should protect domestic feminist mobilization movements, fund survivor-centered organizations, and formally integrate civil society into monitoring and evaluation processes. Argentina's Ni Una Menos movement offers a clear case of how sustained mobilization can influence the state's response.

Implementing the measures outlined above would not eliminate femicide overnight, but they represent concrete steps toward translating international commitments into real protection for current and future generations of women and girls.

30 Organisation for Economic Co-operation and Development (OECD), *Is the Last Mile the Longest? Economic Gains from Gender Equality in Nordic Countries* (Paris: OECD Publishing, 2018), https://www.oecd.org/content/dam/oecd/en/publications/reports/2018/05/is-the-last-mile-the-longest-economic-gains-from-gender-equality-in-nordic-countries_g1g8d587/9789264300040-en.pdf

FIGURES

Figure 1. Femicide Rates and State Measures in Argentina, 2000–2023

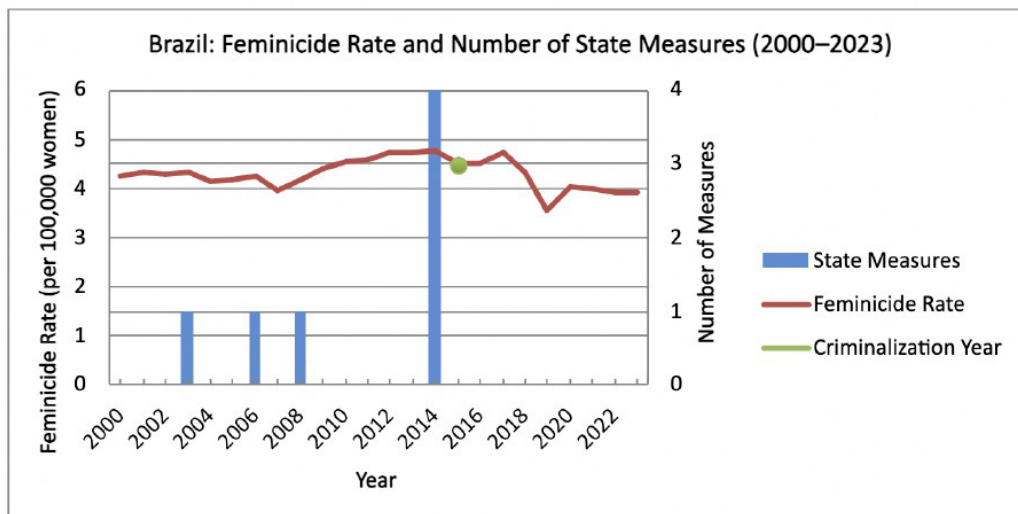


Left axis = femicide rate
 Right axis = number of measures
 Female Population: 23.56 million

Sources: CEPAL Gender Equality Observatory (<https://oig.cepal.org/en>); UNODC Data Portal on Femicide (<https://dataunodc.un.org/dp-femicide>); UN Women – Global Database on Violence against Women and Girls (<https://data.unwomen.org/global-database-on-violence-against-women/data-form>); La Casa del Encuentro – Observatorio de Femicidios (<https://www.lacasadelencuentro.org/>)

Notes: Since Argentina did not submit harmonized femicide data to CEPAL for 2000-2007 and 2016, rates for 2008-2015 were estimated using NGO femicide counts from La Casa del Encuentro and CEPAL female population data.

Figure 2. Femicide Rates and State Measures in Brazil, 2000–2023

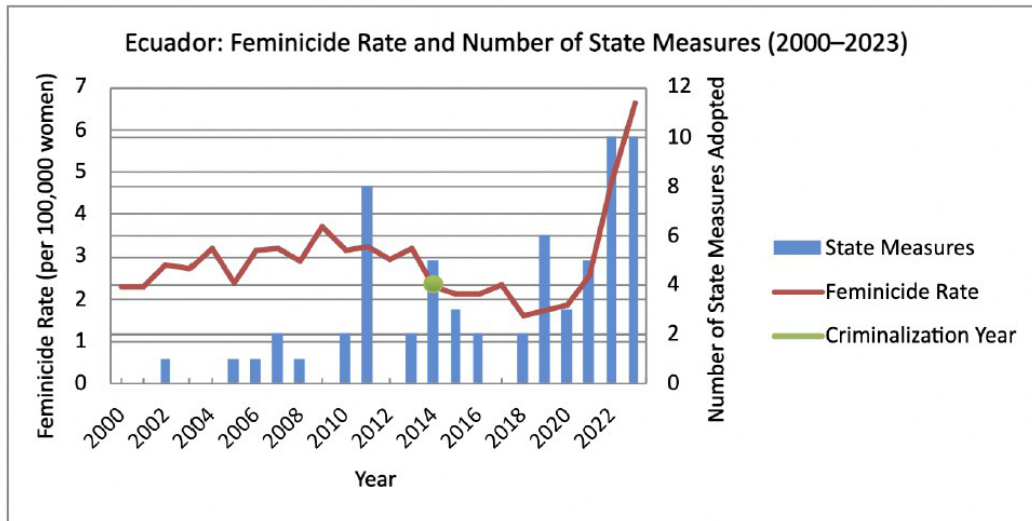


Left axis = femicide rate
 Right axis = number of measures
 Female Population: 107.23 million

Sources: CEPAL Gender Equality Observatory (<https://oig.cepal.org/en>); UNODC Data Portal on Femicide (<https://dataunodc.un.org/dp-femicide>); UN Women – Global Database on Violence against Women and Girls (<https://data.unwomen.org/global-database-on-violence-against-women/data-form>)

FIGURES (CONTINUED)

Figure 3. Femicide Rates and State Measures in Ecuador, 2000–2023



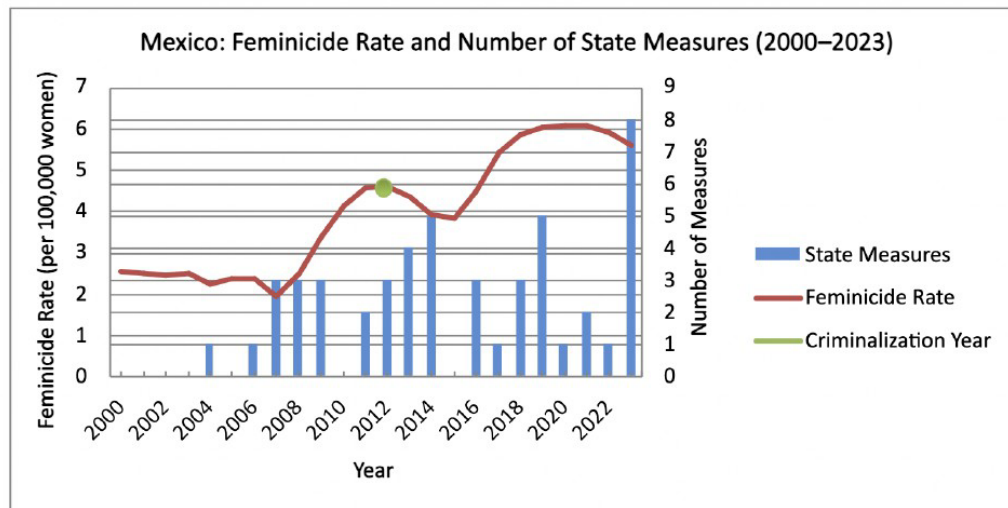
Left axis = femicide rate

Right axis = number of measures

Female Population: 9.02 million

Sources: CEPAL Gender Equality Observatory (<https://oig.cepal.org/en>); UNODC Data Portal on Femicide (<https://dataunodc.un.org/dp-femicide>); UN Women – Global Database on Violence against Women and Girls (<https://data.unwomen.org/global-database-on-violence-against-women/data-form>)

Figure 4. Femicide Rates and State Measures in Mexico, 2000–2023



Left axis = Femicide Rate

Right axis = Number of Measures

Female Population: 65.5 million

Sources: CEPAL Gender Equality Observatory (<https://oig.cepal.org/en>); UNODC Data Portal on Femicide (<https://dataunodc.un.org/dp-femicide>); UN Women – Global Database on Violence against Women and Girls (<https://data.unwomen.org/global-database-on-violence-against-women/data-form>)