

## ORIGINAL RESEARCH

# Attempted Femicide in Mexico

## Feminicidio en grado de tentativa en México

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### Abstract

The goal of this document is to contribute to visibility, and emphasize the importance of considering, attempted femicide, as a key objective to prevent and avoid the deaths of women due to their gender. Attempted femicides refer to the attempt, without success, to take the life of a woman because of her gender. This phenomenon has been socially and legally less visible than completed femicides and disappearances. Therefore, it is necessary to contribute to generating academic, research, and legal spaces regarding its impacts, including the social, family, and individual consequences. Often, attempts eventually end in completed femicides, which could have been avoided. Public policies are urgently needed to adequately address this. It is essential to raise awareness of the extreme gender-based violence against women, including severe forms such as disappearances, human trafficking, and both completed and attempted femicides, to prevent, address, and eradicate these issues.

**Keywords:** Mexico, femicides, attempted femicides, feminism, Federal Penal Code.

### Resumen

El objetivo de este documento es contribuir a hacer visible y a enfatizar la importancia de considerar el feminicidio en grado de tentativa como un objetivo clave para prevenir y evitar la muerte de mujeres por su condición de género. Los feminicidios en grado de tentativa se refieren al intento, sin consumar, de quitarle la vida a una mujer por el hecho de serlo. Este fenómeno ha sido social y legalmente menos visible que los feminicidios consumados y las desapariciones. Por ello, es necesario contribuir a generar espacios académicos, de investigación y legales acerca de sus impactos y consecuencias sociales, familiares e individuales. Con frecuencia los intentos terminan en feminicidios consumados que pudieron haberse evitado. Urgen políticas públicas que los atiendan adecuadamente. Es necesario contribuir a hacer visibles las violencias de género extremas en contra de las mujeres, con expresiones máximas, como los delitos de desapariciones, trata de personas, feminicidios consumados o en grado de tentativa para su prevención, atención y erradicación.

**Palabras clave:** México, feminicidios, feminicidios en grado de tentativa, feminismo, Código Penal Federal.



## Introduction

There have been and continue to be multiple forms of violence exercised against women simply because they are women, which is referred to as gender-based violence.<sup>1</sup> These forms of violence are understood as actions or omissions with the intent to cause harm, within the framework of power, control, and the legitimacy of the patriarchal culture. Recognizing the problem in Mexico, Marcela Lagarde y de los Ríos, as a federal deputy, promoted the issuance of the General Law on Women's Right to a Life Free of Violence (hereinafter, the General Law),<sup>2</sup> with the aim of guaranteeing women their right to live free from violence in all spheres. The General Law was published in the Official Federal Gazette on February 1, 2007.

The General Law expressed, and currently encompasses, the interest and activities of the broad women's movement, feminists, and supporters in the construction of gender equality. It defines six forms of gender-based violence: psychological, physical, property, economic, sexual, and by proxy. In addition, seven other forms are recognized: familial, labor and educational (including sexual harassment and sexual bullying), within the community, institutional, political, digital and media-based, and finally, femicide violence.

The types and forms of violence intersect and all are significant. However, we wish to highlight the most extreme forms of violence to which women are subjected in Mexico. Among these are completed femicides and attempted femicides.<sup>3</sup>

Regarding femicides,<sup>4</sup> according to Statista Research Department, from January to December 2022, 960 murders were registered as femicides.<sup>5,6</sup> According to the Executive Secretariat of the National Public Security System, around 500 gender-based crimes were recorded in the first half of 2023.<sup>7,8</sup> However, it is important to note that while the figures may vary depending on the source, they indicate that femicides represent a social issue of significant personal, familial, and collective impact. Additionally, they contribute to the reproduction of patriarchal culture, including

the machismo often seen in Mexico, and the vulnerability of women.

Furthermore, within Mexico there are cases, still unquantified, in which femicide could and should have been prevented, as a state obligation to undertake effective measures for the protection of its citizens, including especially the obligations to take actions after a report of attempted murder, to properly classify the crime, and to correctly administer justice with a perspective that includes gender. This lack of effective measures becomes even more critical given that Mexico has committed itself to international organizations to create public policies that contribute to eliminating gender-based violence in all its forms. Marcela Lagarde considers one of the most negative aspects of society to be the presence of femicides and the inadequate response of the state to prevent them.<sup>9</sup>

Attempted femicide and completed femicide not only express the absence of effective prevention measures but also reflect gender relations marked by power inequality. It is evident that many women have lost their lives at the hands of men who, in theory, should have been trusted individuals, being close or within their family circle: partners, ex-partners, boyfriends, stepfathers, uncles, neighbors, etc. Globally, according to data from the United Nations,<sup>10</sup> it is estimated that 47,000 women and girls were killed by their partners or family members in 2020. In Mexico, according to official data, considering the relationship and location of the femicides, 47% of murders of women occurred in the home in 2004. These gender-based crimes fluctuate; for instance, in 2012, they represented 49%, and in 2016, 41% of the total femicides. These high percentages indicate the masculinist violence of individuals connected by kinship or affinity to the victims.<sup>11</sup> Close men are the predominant perpetrators, but it is even more concerning that women are murdered after having filed previous reports of various forms of violence, including those that escalated to attempted femicide.

Thus, in the case of attempted femicide, the importance of having a common baseline for gender perspective in victim care, and the administration of justice, are crucial. For example, from 2012 to 2021, national prosecutors registered

595 daily investigations into assaults, burns, strangulations, and injuries with weapons (knives or firearms). Out of these 1.7 million reports, only 781 were classified as attempted femicide.<sup>12</sup> These acts of violence, often accompanied by cruelty, result in the deterioration of women's physical and psychological health, and in cases of extreme violence, lead to the loss of life.

Derived from this, the objective of this document is to contribute to making visible and emphasizing the importance of considering attempted femicide as a key objective to prevent and avoid the deaths of women due to their gender. Attempted femicides have been socially and legally less visible than completed femicides. Therefore, it is necessary to contribute to the generation of academic, legal, research, inter-institutional, civil society, and survivor victim spaces regarding the social, familial, and personal impacts and consequences. Attempted femicides have often led to completed femicides that could have been prevented. For this reason, public policies that address this issue and contribute to creating social sensitivity with a gender perspective are a priority in this matter.

This text is the result of a research project carried out through a postdoctoral stay in the Physical Anthropology Program at the National School of Anthropology and History by the first author, with the second author acting as her supervisor, funded by the National Council of Humanities, Science, and Technology (CONAHCYT, now SECIHTI). The third co-author participated in the search for information, systematization, and empirical and conceptual analysis. The fieldwork period extended from January 2022 to August 2023. Interviews were conducted with specialists from different disciplines, including law, forensic anthropology, psychology, ethnology, and criminology, to recover a broad context of the phenomenon.

### **Normative Framework of the Crime of Attempted Femicide**

As previously mentioned, an “attempt” is a classification or degree of a crime where the alleged offender intends to complete the criminal act but fails to do so. Legally, an attempt applies to various crimes such as theft, kidnapping, homicide, and in

the case at hand, femicide. This is of great importance because when an attempted femicide is reported, it could become an opportunity to ensure effective protection for the victims by the authorities, preventing them from becoming another statistic of murdered women. However, this is generally not the case. The victims remain defenseless and even more vulnerable to their aggressor. The crime of attempted femicide is extremely impactful for the victim and her close circle. The experience of facing the intent to take one's life is devastating.

Therefore, attempted femicides have multiple negative repercussions for the victims, including: post-traumatic stress, anxiety crises (which take time to process and resolve), restructuring of their family life (especially when the aggressor is their partner, ex-partner, or close family member), decreased self-esteem, suicidal ideations, guilt, shame, and insecurity. These effects lead to profound transformations in their family, work, and social life. Sometimes this includes unexpected financial costs, such as relocating out of fear of being located and murdered, spending money, emotional, and social resources to provide self-protection, attending therapy, or pursuing legal processes.

In recursive interaction, the attempt of femicide correlates with various types and modalities of other gender-based violence considered in the General Law, including psychological or emotional violence, causing chronic insecurity, devaluation, jealousy, restriction of self-determination, and threats; and, of course, physical violence, due to intentional harm inflicted on her body, which generally results in injuries. With conceptually inadequate or negligent attention, often revictimizing or downplaying the event, victims experience institutional violence.

When the aggressor is in an intimate relationship with the victim, the synergy of violence could include economic violence, meaning the victim may have personal objects, documents, material or symbolic goods taken, destroyed, or withheld. If combined with financial dependency, the victim of the attempt finds herself in a relationship of inequality due to differing income and the

restrictions on physical and social mobility that may be imposed on her. If children are involved, motherhood deepens their vulnerability. It is also possible that sexual violence is involved, due to the perpetrator's dominance and the consequent objectification of women, which can result in non-consensual sexual encounters.<sup>13</sup>

In other words, attempted femicides involve the intersection of various types and modalities of gender-based violence, generally perpetrated by suitors, partners, ex-partners, or fathers of their children. It is highly contradictory for women that the space that should be their safest becomes the one that puts them at risk and threatens them. If justice is not pursued to process their lived experiences and reconfigure the axes of emotional bonds, the female victims go through extremely difficult emotional periods.

The full range of gender-based violence in its different forms also involves the social and symbolic spaces in which it occurs; it is contradictory that extreme forms of violence, such as attempted femicide, are experienced within families. It is documented that many completed femicides occur within the home, as previously mentioned, but the creation and systematization of official statistics and data regarding the number and location of attempted femicides remains an unfinished task. With these statistics, more appropriate proposals for prevention and care can be generated. It can be surmised that the behavior of patriarchal violence in these cases is virtually identical to that of completed femicides.

The United Nations Office on Drugs and Crime<sup>10</sup> and UN-Women<sup>11</sup> conducted a global analysis on gender-based violence in 2021, highlighting the vulnerability of girls and women in the home:

Globally, it is estimated that 81,100 women and girls were intentionally killed in 2021. The total number of female homicides has remained virtually unchanged over the last decade.

Although most homicides worldwide are committed against men and boys (81%), women and girls are disproportionately affected by homicidal violence in the private sphere. Approximately 56% of all female homicides are

committed by their intimate partners or other family members, while only 11% of all male homicides occur in the private sphere.<sup>14</sup>

These findings are representative of the diverse realities of violence that women face in their domestic environment, which, being considered a private space, places the victims at great risk. When judging attempted femicides, it is essential to employ a gender perspective, so that during the process of reporting and investigation by authorities, awareness of the consequences the victim may face from being in the same physical space as their aggressor is considered, especially if they report the aggressor. UN Women<sup>11</sup> itself highlights the gaps in collecting data on femicides of women and girls:

Of the 81,100 female homicides estimated for 2021, approximately four out of ten lack contextual information that would allow them to be identified and counted as gender-related homicides (femicide/feminicide). Data on gender-related killings in the public sphere are especially scarce, making it difficult to develop prevention policies for this type of homicide.

As mentioned by the interviewed specialists, it is alarming that four out of ten cases are not classified as femicides for various reasons, such as lack of due diligence, political will, and the dynamics of the Mexican judicial system (such as influence peddling and the buying of sentences). We also see public policies that fail to train personnel in institutions responsible for protecting female victims of gender-based violence, a lack of effective investigations and reviews of protocols and their relevance, and the absence of links with academia and civil organizations, just to mention some of the shortcomings in our country. It is also concerning that, in the public sphere, cases of murdered women are not always recognized as femicides due to poor forensics and poorly processed investigations.

This leads to the importance of emphasizing, as a priority on the current feminist agenda, the need to prevent femicides, especially when they were preceded by attempts.

In 2021, about 45,000 women and girls worldwide were murdered by their intimate partners or other family members. This means that, on average, more than five women or girls are murdered every hour by someone from their own family (p. 7).<sup>9</sup>

Such attempts not only occur within homes and at the hands of family members, but community violence also reflects and reinforces the gender relations shaped by patriarchal culture, as seen in every woman who is targeted or murdered for gender-based reasons.

It has been previously noted that female victims of such traumatic situations face anxiety, uncertainty, feelings of vulnerability, and sometimes, self-devaluation. Overcoming this requires a deep engagement with their personal emotions, but generally, they do not receive the necessary official support. Added to this is the disappointment, anger, and helplessness they feel when they cannot access proper justice, nor find efficient processes or sanctions for the aggressor. In the framework of attempted femicide, it is essential to guarantee non-repetition. In this context, encountering this form of violence hinders or prevents the exercise of women's human rights, confronting them with another form of violence: institutional violence, which revictimizes them by "delaying, hindering, or preventing the enjoyment and exercise of women's human rights" (Ley General, Art. 18).

In interviews with Alicia Elena Pérez Duarte and Valeria Baltazar, specialists in the field, both agree that in attempted femicide cases, institutional violence begins with the opening of the case files but deepens when the perpetrators are charged with domestic violence or assault. This shifts the focus away from the central issue: the power dynamics between men and women, and the masculinist behaviors and ideologies that perceive men as having the right to exert total control over women, to the extent of threatening the lives of those who "transgress."

In a report, Piña highlights:<sup>15</sup>

Only 13.6% of attempted femicide cases across the country have orders or protection measures in place to prevent victims from being re-victimized,

according to information requests made by EMEEQUIS to all the country's prosecutors' offices.

Three lawyers and one attorney, who work on criminal cases of femicide and attempted femicide, and were interviewed, all concur with this information. In their experience, approximately fourteen out of every one hundred women receive protection from the state, leaving 86% at risk of becoming another femicide, and, as previously mentioned, not being counted as such. Piña reports:<sup>15</sup>

During the last three years, from 2020 to early 2023, the prosecutors' offices reported the opening of 1,958 case files for attempted femicide, however, only 267 of the victims were granted protection measures during the judicial process—just 13%.

In cases where victims of attempts file reports, it is common for their aggressors to be judged for domestic violence, assault, suicide attempts, or, in some cases, for the investigation files not to be opened at all. In these situations, the vulnerability of these women is further exacerbated by the potential reprisals that their aggressors may carry out. It should be noted, as indicated by the Federal Criminal Code, that the attempt to commit a femicide remains classified as such—an attempt—against the will of the aggressor. This highlights the importance of proper legal action with a gender perspective and appropriate penal and conceptual classification. In this sense, the following can be read:

Federal Criminal Code (hereinafter referred to as CPF for "Código Penal Federal"). Chapter II - Attempt. An attempt is punishable when the decision to commit a crime is externalized by partially or fully carrying out the executive acts that should produce the result, or by omitting those acts that should prevent it, and if the crime is not completed due to reasons beyond the will of the agent.<sup>16</sup>

Legal advancements have been built as feminist struggles and movements have gained ground. Thus, the Criminal Code of the Federal District (now Mexico City) classified femicide as a crime in July 2011, and later, the CPF included it starting in 2012, as a consequence of feminist demands in

response to the numerous femicides that occurred in the 1990s, initially identified and framed as a public issue in the city of Juárez, Chihuahua, and later throughout the rest of the country. Ultimately, every law and regulation are adjusted to the needs and context of its historical moment. In Article 21, the General Law also addresses femicide-related violence.

**ARTICLE 21 - Femicide Violence:** The extreme form of gender-based violence against women, adolescents, and girls, resulting from the violation of their human rights and the abusive exercise of power, both in public and private spheres, which may lead to social and state impunity.

The General Law does not define criminal behaviors, and it does not explicitly include attempted femicide. However, this Law has served as support for the classification and execution of criminal actions by the Federal Criminal Code (CPF), which has included the types and modalities of violence perpetrated against women, including gender-based violence. In Article 325, it defines the crime of femicide, emphasizing the need for exemplary punishment when it occurs in an attempted form. It is necessary to act consistently and firmly to penalize actions aimed at causing the death of a woman, even if the perpetrator does not achieve their goal.<sup>17</sup> Charging the perpetrator with mere injuries is unjust for the victim. In addition, it is urgent that the protocols for addressing this issue be reviewed and updated.<sup>18</sup>

As previously mentioned, in various parts of the country, there have been cases where victims who had reported their aggressor for attempted femicide are later actually murdered. Therefore, we reiterate the importance of clearly establishing the crime of attempted femicide in the **Federal Criminal Code** (CPF) and including the necessary protection measures for these victims. Femicides, including attempts, are intentional acts by the perpetrators aiming to inflict harm on a woman. Intent is also involved when an action is deliberately omitted, knowing that by failing to act, harm will result; in the latter case, authorities often incur this omission.

### Collateral Damages

Femicide carries very negative collateral consequences; perhaps the most severe is that, with high frequency, it leaves the children of murdered

women orphaned. In many cases, they are left either partially or fully abandoned or must try to protect themselves from the attempted murder or aggression of the femicide, including when the perpetrator is the father, as happened with Astrid Cruz and her son Fernando, who were murdered with hammer blows.<sup>19</sup> Often, daughters and sons do not have relatives who can take responsibility in the absence of their mothers. Even when there are relatives who take on this responsibility and do not mistreat them, it is not easy for them to assume financial support overnight. Most importantly, the loss of a mother causes profound emotional pain, which is intensified when it occurs violently, requiring significant time and effort to process the grief and the personal impact of the experience.

In cases where women report an attempted femicide, if the aggressors are only charged with causing injuries or, worse still, if no grounds are found for their detention, both the initial situation and the potential subsequent completion of the femicide affect the entire circle of the victims, turning them into indirect victims or affected third parties.

When children and adolescents are orphaned, they present symptoms such as depression, anxiety, academic difficulties, aggressive and disruptive behaviors, and substance abuse.<sup>20</sup> These orphans should be considered in the repair of harm to the victims, especially if they were first targeted by an attempt, reported it, and the women did not receive the proper legal protection. But it is not only their daughters and sons who are affected: the impact spreads across the entire family group: father, mother, sisters, brothers, and even to more distant relatives.

All these people can become indirect victims. Moreover, every femicide, even if only attempted, has repercussions on society as a whole, contributing to women becoming a vulnerable and unprotected group, spreading fear, and when femicides are not prosecuted, discouraging the act of reporting. On the other hand, femicide violence and the urgent need for its prevention, attention, and eradication can unite political activism and raise awareness through the broad women's movement, feminist groups, and their supporters, highlighting the responsibility of various levels of government and state institutions.<sup>21, 22, 23, 24</sup>

### Three Cases as Emblematic Examples

The event considered a turning point for the legal consideration of attempted femicide occurred in the Xochimilco case, named for having taken place in that borough, located in the south of Mexico City.

**Case 1:** A woman living in an apartment in this borough recounts that in 2016, she ended a romantic relationship. Three years later, in March 2019, her ex-partner, upon learning that she was in a new relationship, stalked her near her home, harassed her, and threatened her. Violently, he entered her home, demanded to see her cellphone and computer. Out of jealousy, he beat her and raped her. At the same time, he attempted to suffocate her by covering her mouth and nose.

The woman's screams alerted the neighbors, who called the police. The aggressor tried to escape but was detained. A judge at the *Reclusorio Sur* (Southern Prison) in the capital decided to charge him with attempted femicide and imposed pretrial detention as a precautionary measure. The aggressor filed an appeal, arguing that the crime did not warrant pretrial detention. He also argued that he had not committed femicide but only attempted it. However, the federal judge reviewed the case and decided not to grant the appeal.

This case set the foundation for considering that the crime of attempted femicide warrants pretrial detention to safeguard the victim, who in this case survived, but with the uncertainty of whether she would face another attack and whether she would survive again. For this judge, pretrial detention was necessary, even though it was not specified in Article 19 of the Constitution.<sup>25</sup> Following the Xochimilco case, an initiative was presented to the Senate of the Republic during its LXV legislature, in which it was indicated:

Initiative with a project of decree to reform Article 325 of the Federal Criminal Code, presented by Senator Rocío Adriana Abreu Artiñano, a member of the National Regeneration Movement parliamentary group.<sup>26</sup>

In this context, few states in the Mexican Republic had classified the attempted femicide as a crime. What was emblematic about the Xochimilco case is

that, because of it, Article 325 of the Federal Criminal Code was reformed, bringing national reach:

Anyone who commits the crime of femicide will be sentenced to forty to sixty years in prison and a fine of five hundred to one thousand times the daily minimum wage. In the case of attempted femicide, the sentence will be from twenty to forty years in prison and a fine of two hundred to four hundred times the daily minimum wage. The penalty may increase by up to two-thirds if the victim suffers permanent sequelae.

This was an achievement, but even though it is classified in the Federal Criminal Code, it is often not prosecuted as such, nor is this sentence executed. Therefore, it is important to continue analyzing and raising awareness of the issue to identify legal and practical gaps, with the aim of providing protection to victims who report it, offering them precautionary protection.

**Case 2.** Another emblematic case that changed the feminist movement's fight against attempted femicide is the case of Abril. Abril Cecilia Pérez Sagaón had been married to Juan Carlos García for 25 years, and they had three children: Juan Carlos, Andrés, and Ana Cecilia, their eldest daughter. Ana Cecilia was the one to give voice to the violence they had endured as children, who has repeatedly spoken out against the authorities' decision to release her father, the intellectual author of her mother's femicide.<sup>27</sup>

Physical and psychological violence by her father had already occurred, reaching the point where he attempted to kill her mother with a bat, striking her in the head. She had to be hospitalized due to the severity of the situation. Abril had reported these incidents, but her ex-husband, the aggressor, was the director of Amazon Mexico, so his social position and economic power played a significant role in the lack of protection measures that should have ensured safety for her and her children.

Juan Carlos García was imprisoned for attempted femicide from January to early November 2019. However, on November 8 of that year, two judges released him, determining that there were no grounds to classify the event as attempted femicide, instead reclassifying it as domestic violence and bodily harm.<sup>28</sup>

Abril moved to Monterrey while the legal process continued in Mexico City. Her ex-husband requested custody of the minor children, which required her to travel with them to the city. On November 25, 2019, while returning to Monterrey and heading to the airport, she was shot and killed in front of her children by two hitmen who reached her on a motorcycle. Paradoxically, the date of her murder coincided with the celebration of the International Day for the Elimination of Violence Against Women, with many women marching. It was proven that Juan Carlos was the intellectual author and paid 180,000 pesos for the assassination of his ex-wife. The eldest daughter continues to demand justice and that her father not remain a fugitive.

The case of Abril was used to propose modifications to certain sections of the articles in General Law, through an initiative sent to the Senate. The outrage caused by the biased handling of the case by the authorities clearly highlighted the importance of classifying attempted femicide as a serious crime to prevent it from turning into completed femicides.<sup>29</sup>

In these cases, it is necessary to revisit what Gladis Proaño<sup>30</sup> points out, namely that in the gathering of evidence at the crime scenes of completed and attempted femicides, there is a lack of implementation of a gender-sensitive perspective. The forensic anthropologists, lawyers, and criminologists interviewed agree with this author: there is no ministerial investigation that truly probes and analyzes whether gender-based violence existed against the women victims.

The perspective of the attempted femicide survivors interviewed is also important: Yuridia (a pseudonym) participated in the dialogues as part of the project; her case was taken up by an Observatory in Aguascalientes, which provided her with all the legal and psychological support she required. She had a three-year-old daughter and was pregnant by a partner other than the biological father of her child. She had lived through physical, property, and psychological violence, to the extent

that she aborted due to the blows she had received. She reported it, but there were no legal consequences.

Yuridia decided to separate, trying to live peacefully with her daughter. However, after a few months, she was attacked by her ex-partner, who savagely beat both her and the child, who later died from the serious injuries inflicted. Nevertheless, Yuridia was arrested under suspicion of being the murderer. After a year, and with the help of the Observatory, her case was reopened, and ultimately, the aggressor was arrested for femicide against the child and attempted femicide against her.

All these cases clearly illustrate that the separation of a couple, and the women starting new relationships, are critical moments when femicide aggression can follow.<sup>31</sup>

From this last example, the importance of the work carried out by these organizations, consultancies, societies, and civil society groups becomes evident. In the absence of proper action from the official justice system, these other organizations have been crucial in the lives of many women and people who are victims of severe human rights violations. Part of their work has involved questioning poor expert assessments and reopening poorly assembled cases to ensure proper follow-up. Their services are often free, since justice in our country, in practice, is expensive and is fundamentally carried out with financial resources. This leaves many women without the possibility of achieving it. The work of these groups is monumental, but, unfortunately, the number of people in legal vulnerability far exceeds their capacity.

Some statistical data shows the increasing trend of completed femicides. From January 2015 to July 2023, a considerable rise was recorded (Table 1). Furthermore, in several cases, such as Abril's or Yuridia's, the State and its institutions could have intervened to prevent the officially reported attempted femicide from becoming a completed femicide.

**Table 1**



**Source:** Report from the Executive Secretariat of the National Public Security System. Secretariat of Security and Citizen Protection from 2015 to July 2023.

Contributing to making gender-based violence against women visible, including extreme expressions such as crimes of disappearances, human trafficking, and completed or attempted femicides, which occur in alarmingly high numbers in our society, to eradicate them, is the challenge faced by various specialists, as well as activists and personnel committed to these tasks. It is necessary to continue pressing for authorities to assume responsibility, which so far has been insufficient and marginal.<sup>32</sup>

**Conclusions**

Attempted femicide is a crime in which the aggressor attempts, unsuccessfully, to take the life of a woman, often due to the social vulnerability that is constructed by the mere fact of her being a woman. Although attempted femicide has been classified as a crime in Mexico's Federal Criminal Code (CPF), it is common for cases to be processed so that perpetrators are judged for domestic violence or causing injuries, which, if they are found guilty, allows them to receive minimal sentences and sometimes even be released on bail. The state and its institutions have the obligation to follow up and provide effective protection to

women who have been targeted by this crime. However, this is generally not the case, leaving women very vulnerable.

From the experiences gathered from various specialists, it is concluded that in the official handling of attempted femicides, it is common for forensic investigations to suffer from deficient evidence collection, lack of due diligence in collecting and systematizing the serious violations of victims' human rights, and even ignorance of the existence of the criminal classification of this offense by some authorities.

Organizations that provide support to victims of extreme violence, such as the Digital Observatory and the Behavioral Sciences Lab consultancy, both located in Aguascalientes, have documented cases and files of girls and women whose aggressors were judged for domestic violence or injuries. In these cases, these organizations advocate for reopening the files, providing support to victims of trafficking, disappearances, torture, as well as to the families of femicide victims and women who have experienced attempted femicides. In this latter crime, they collaborate in ensuring the safety of the victims and

in gathering evidence to review and strengthen the case files.

Efforts by these organizations are monumental, but minimal and insufficient, given the ongoing human rights violations occurring daily in our country. This text focused on women who are victims of attempted femicide, but in Mexico, poorly drafted and poorly investigated cases by the state are common in many other serious crimes, such as forced disappearance, the search for missing persons or those disappeared by individuals, among many others, resulting in institutional violence against victims, families, and the groups that search for and support them, thereby leading to revictimization. Attempted femicide is one of many crimes that fill files with cases that remain unanswered and without justice.

The consequences of state inefficiency are severe on several levels:

- Women's human rights are violated. The most fundamental, but not the only, is the right to life. Also included is a life free from violence, the opposite results in negative consequences for physical and emotional health, personal integrity, family ties, and general social relationships.
- It leads to a deterioration of access to justice, damage repair, and the guarantee of non-repetition. In this sense, the integration of a gender perspective seems to be poorly or insufficiently implemented, both in legal instruments and in the cultural perceptions of their specialized agents. For women victims, it leads to the development of learned helplessness syndrome.
- It reinforces the framework of a patriarchal culture based on control and informal legitimacy of exercising power against women. These abusive power practices, intended to harm women (gender-based violence), in their femicide expression, even in attempted femicide, represent one of the most extreme angles of masculinist culture. Furthermore, impunity in some cases, the minimization of the severity of the incidents in others, reproduces and reinforces the logic of systemic gender inequalities.

However, some positive cultural processes should also be highlighted for their relevance:

- The increase and strengthening of networks of women dedicated to supporting female victims in legal, political, social, and group contexts, to push an agenda that highlights the importance of eradicating this violence in the public sphere, emphasizing that the issue is not only legal, but also historical, social, and cultural, involving gender relations. Additionally, these networks have created spaces for containment, reflection, analysis, and proposal generation.
- It has become clear that there is an urgent need to increase training for ministerial and legal personnel, starting with law schools, so that women victims of attempted femicide receive timely and effective justice, in accordance with the state's obligation. It is essential to properly address the severe human rights violations faced by women in these cases, providing victims and their families with protection and damage repair.
- In the case of completed femicides, policies are urgently needed to assist the children of the victims; however, in the case of attempted femicides, it is crucial to implement the necessary actions to save their lives, effectively protecting them. In this regard, the guarantee of non-repetition is vital, which integrates the virtuous circle that involves access to and prosecution of justice, damage repair, and, importantly, the social, cultural, political, and legal construction that leads to the non-repetition of femicide or attempted femicide.
- To achieve these objectives, it is necessary to promote a culture of peace in society at large, which impacts legal personnel. These personnel need to be continuously trained to foster empathy and understanding of the victims' situations, including a gender perspective and an intersectional approach.

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