



## Special Report: Femicides committed with firearms in Argentina (2017-2022)

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(non-official translation)

This special report aims to analyze the incidence of firearms in reported femicides from 2017 to 2022 to the National Register of Femicides of the Argentine Justice (RNFJA) conducted by the Women's Office of the National Supreme Court of Justice. It includes information of the victims, the aggressors, the participation of members of the security forces and the communication with the ANMaC. It also includes comparisons with other means of commission, which demonstrate the greater chances that a femicide will be multiple if a firearm is used and that the aggressor will subsequently commit suicide. Furthermore, the topic is framed in the confluence of the gender and disarmament agendas at the international and national levels, analysing the regulations and public policies in this regard. The purpose of this report is to strengthen the Argentine justice system in its capacities for prevention, investigation, and punishment of this type of crime, with a gender perspective.

This summary includes 2 sections:

- 1) The convergence of agendas at international, regional and national levels, and**
- 2) The executive summary of data on femicides committed with firearms in Argentina (2017-2022).**

# 1. The convergence of agendas at international, regional and national levels

## Normative Background

### International Normative Framework: Towards the Convergence of Gender and Disarmament Agendas

Given that firearms were not traditionally associated with gender-motivated violence, the gender and disarmament agendas only recently converged internationally and even more so at the national level.

On one hand, the gender agenda from the perspective of international law initially focused on women's political, civil, social, economic, and cultural rights within the broader framework of human rights. The emphasis was on achieving non-discrimination based on gender and ensuring equal rights between men and women, promoting both equal opportunities and outcomes. It was only forty years after the establishment of the United Nations that, in the mid-1980s, attention began to shift towards the various specific manifestations of gender-based violence and tools to eradicate them (for international gender norms, see: <https://www.csjn.gov.ar/om/guia-de-estandares>). However, the premise generally assumed was that gender-based violence mostly occurred through physical assaults or the use of knives, overlooking the role of firearms in such violence.

On the other hand, the issue of small arms and light weapons gained prominence on the international agenda only after the post-Cold War era in the 1990s, focusing on the risk they pose to public security. Initially, the focus was on the impact of weapons on women in armed conflicts before shifting towards gender-based violence involving firearms. This, in turn, changed the focus from firearms being used in public spaces by strangers to their use in private settings by acquaintances. Additionally, it highlighted the disparity between the few women possessing small arms and the significant number of female victims of armed violence.

Among the initial instruments promoting disarmament and arms control at the international level were: the [Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts, and Components and Ammunition, which supplements the United Nations Convention against Transnational Organized Crime \(2001\)](#); the [Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects \(UNPoA\) \(2001\)](#); the International Tracing Instrument of 2005



(ITI); the [Geneva Declaration on Armed Violence and Development \(2006\)](#), and at the regional level, the [Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials of 1997 \("CIFTA"\)](#). The United Nations Security Council Resolutions (UNSCR) between 2000 and 2010 on the axis of women, peace, and security (1325, 1820, 1888, 1889, 1960) addressed three main areas: the protection of girls and women in armed conflict and post-conflict situations, especially from sexual violence; women's participation in peace and security processes equally and comprehensively; and the implementation of gender mainstreaming policies in UN peacebuilding and peacekeeping operations. While these resolutions represented significant progress in linking both agendas, they did not specifically mention small arms or arms trafficking as issues affecting the civilian population from a gender perspective.

Indeed, it was not until around 2012-2013 that the women and gender agenda converged with the small arms control agenda at the international and regional levels: on the arms side, both the UNPoA review conference in 2012 and the Arms Trade Treaty (ATT) (2013), along with the UNSCRs from 2013 onwards concerning small arms, included a gender perspective in their discussions. On the gender side, mentions of small arms' impact on gender-based violence were prominent in the General Recommendations 30 of 2013 and 35 of 2017 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and at the regional level, the proposals for Inter-American model laws from the Follow-Up Mechanism to the Belém do Pará Convention (MESECVI), among others.

Regarding arms and security regulations, in the case of the UNPoA, although some precedents were acknowledged, it was the "Declaration of the Review Conference" in 2012 that emphasized the need to involve women in efforts to combat the illicit trade in small arms, and in the implementation plan (2012-2018) for the PoA, in which states committed to "facilitate the participation and representation of women in the design of public policies on small arms [...], and explore ways to eliminate the negative impact of illicit trafficking of small arms and light weapons on women." Furthermore, in 2016, the BMS6 placed greater emphasis on the negative impact of illicit trafficking on Sustainable Development Goals (SDGs); and the guidelines for integrating the gender perspective, expanded in the Third Review Conference of the PoA (RevCon3) in 2018, were deepened in the Biennial Meeting (BMS7) of 2021. Commitments included having disaggregated data by sex and age contributing to formulating policies and programs that take into account differential impacts; recognizing that eliminating the illicit trade in arms is a fundamental part of combating gender-based violence; exchanging national experiences, lessons learned, and best practices on integrating the gender perspective into policies and programs designed to combat the illicit trafficking of small arms and light weapons; and reporting on gender-relevant initiatives as part of national reports on the implementation of the Programme of Action ([BMS7 report, 2021](#) cited in UNLIREC, 2022).



The Arms Trade Treaty (ATT) is the only legally binding international instrument that explicitly refers to the relationship between arms trade and gender-based violence (UNLIREC, 2020: 22). Indeed, the ATT in its Article 7, paragraph 4, requires that: "When conducting the assessment, the exporting State Party shall take into account the risk of conventional arms within the meaning of Article 2, paragraph 1, or items defined in Article 3 or Article 4 being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children" ([Arms Trade Treaty, 2014](#)). As part of the Working Group on Effective Treaty Implementation, a "List of potential reference documents to be examined by States Parties when conducting the risk assessment under Article 7" was developed, including a checklist specifically considering the risk of "Committing or facilitating serious acts of gender-based violence or serious acts of violence against women and children - Article 7.4." In the final report of the 9th ATT Conference (August 2023), it was agreed to:

24. g. Encourage States parties to continue to include the theme of the risk of conventional arms being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and girls and children among the priority topics, and to initiate debate and exchange of information and good practices on this topic in the CEP10 cycle.

24. h. Take note of the working documents presented on this matter by Argentina and by Mexico, Spain, and Small Arms Survey.

Regarding this last point, it should be noted that the Argentine representation proposed a questionnaire to be completed by treaty countries before each arms transfer to assess the risks of firearms being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and girls and children. This questionnaire includes, in summarized form, the following items that operationalize the risk assessment of gender-based violence for each arms transfer as contemplated in the ATT:

- National legislation aimed at protecting women and diverse individuals in situations of gender-based violence;
- Criminalization of acts of violence based on gender;
- Official statistics on incidents of gender-based violence;
- Governmental organizational structure aimed at promoting gender and inclusion policies;
- Training and education programs with a gender perspective aimed at the National Public Administration and society in general;
- Internal disciplinary procedures for members of the Security Forces, Police, and Armed Forces involved in incidents of gender-based violence;
- Convictions issued for acts of violence based on gender, etc.



As for the United Nations Security Council resolutions (UNSCR), UNSCR 1325 of the year 2000 inaugurated the agenda known as Women, Peace, and Security, which led to several subsequent similar resolutions (see the [Gender section of UNODA](#)). However, it was not until the resolutions of the year 2013 ([UNSCR 2106](#) and [UNSCR 2122](#)) that specific and concrete mentions of small arms and light weapons were made, especially UNSCR 2122, which demands the full participation of women in the control of their illicit trafficking. On the other hand, [Resolution 2117](#) of 2013 on Small Arms and Light Weapons calls for measures to "facilitate the full and meaningful participation of women in all processes of policy formulation, planning, and implementation to combat and eradicate the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons in all its aspects," recognizing the impact that weapons have as instruments in gender-based violence, especially against women and girls. Then, [Resolution 2242](#) of 2015 urges States to take into consideration the direct impact of conflict and post-conflict scenarios on women and girls, to mitigate the risk of women becoming involved in the illicit transfer of small arms and light weapons. Other subsequent UN resolutions also advance in both directions: on the one hand, increasing the participation of women in the design and implementation of controls for small arms and disarmament; and on the other hand, reducing the risks of women experiencing armed violence in different contexts ([Resolution 2467/2019](#); [Resolution 2493/2019](#), among others).

On the gender regulatory side, the Committee on the Elimination of Discrimination against Women (CEDAW) also issued in 2013 30<sup>th</sup> General Recommendation. It points out that the proliferation of firearms had "a direct or indirect effect on women as victims of gender-based violence related to conflicts, as victims of domestic violence, and also as protesters or activists in resistance movements" ([Recommendation 30/2013 CEDAW](#)). Similarly, [Recommendation 35/2017 CEDAW](#) updates Recommendation 19 and requests: "Addressing factors that increase women's exposure to serious forms of gender-based violence, such as immediate access and availability to firearms."

At the regional level, the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) has presented two proposals for Inter-American Model Laws. The first, in 2017, is the [model law to prevent, punish, and eradicate violence against women in political life](#). Among its proposals is to recognize the State's duty to take measures to prevent access to weapons by the aggressor as a protective measure against the imminent risk of serious harm (Art. 37 Chapter III, Section II, Inter-American Model Law to prevent, punish, and eradicate violence against women in political life, MESECVI, 2017). The second proposal for [model legislation aims to prevent, punish, and eradicate femicide/feminicide](#). It considers within the assumptions of femicide the killing or participation in the death of a woman in a situation of conflict or war, who is considered an enemy, as revenge, reprisal, or to use the victim as war booty, as well as prey and weapon of war (Art. 5 paragraph i.).

It also considers as an aggravating factor that the woman is in a vulnerable situation due to being in situations of armed conflict (Art. 7 paragraph d.) and finally establishes as measures of public policy prevention the duty of the State to regulate the possession and use of firearms to prevent the commission of crimes contained in the proposed Model Law (Art. 26 paragraph d.) (Inter-American Model Law to prevent, punish, and eradicate violent death of women - Femicide/Feminicide, MESECVI, 2017).

Other instruments in the same direction include Reports by the Special Rapporteur on Violence against Women (UN); the Sustainable Development Goals (SDGs) of the 2030 Agenda, particularly SDG 5.2, which calls for the elimination of all forms of violence against women and girls, both in public and private spheres, and SDGs 16.1 and 16.4, which seek to reduce all forms of violence and curb the illicit proliferation of weapons; the Disarmament Agenda of 2018; the Modular Small Arms Control Implementation Compendium (MOSAIC) of Coordinating Action on Small Arms (CASA), among others.

Finally, it is worth mentioning the [Annual Report of the United Nations High Commissioner for Human Rights in 2016](#) on "Human rights and the regulation of the acquisition, possession, and use of firearms by civilians." It points out the effects of firearm use, such as the commission of crimes and violence, including rape, domestic violence, and gender discrimination, where women are threatened with guns as a form of interpersonal violence. As prevention measures, it recommends an adequate background check system, periodic review of licenses, and automatic withdrawal of ownership permits in cases of domestic violence. It concludes by stating that "States must protect women and children, who suffer particularly harmful effects from both legal and illegal possession of firearms" (OHCHR, 2016).

#### National Regulations: Advances in Gender and Disarmament Agendas

Concerning national regulations and public policies, the same trend as at the international level can be observed, i.e., the gender and arms control agendas tended to converge later, with a few exceptions. Below, we will highlight those norms that intersect both agendas and the corresponding regulations for each of them can be consulted in the following links:

- National regulations on gender matters:  
<https://www.csjn.gov.ar/om/normativa>
- National regulations on arms control and disarmament:  
<https://www.argentina.gob.ar/seguridad/anmac/normativa>



On the one hand, regarding gender regulations, it should be noted that the aforementioned international regulations (which later incorporated aspects of armed violence) were adopted by the Argentine Republic through the enactment of the following laws:

- [Law No. 23,179](#): Approval of the United Nations Convention on the Elimination of All Forms of Discrimination against Women.
- [Law No. 24,632](#): Approval of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women - "Belem do Pará Convention."
- [Law No. 25,632](#): Approval of the International Convention against Transnational Organized Crime and its complementary protocols to prevent, suppress, and punish trafficking in persons, especially women and children, and the illicit trafficking of migrants by land, sea, and air.

Additionally, it is important to remember that Article 75, section 22 of the [Constitution of the Argentine Nation](#) grants constitutional status to the international human rights instruments mentioned therein, including the Convention on the Elimination of All Forms of Discrimination against Women, and establishes the mechanism for other instruments to acquire such status.

However, the most important regulation in this regard is Law No. 26,485 of "Comprehensive Protection to Prevent, Punish, and Eradicate Violence against Women in the Environments in which they develop their interpersonal relationships," which establishes urgent protection measures that the judge is empowered to issue in the presence of situations of violence defined in the law. Among these measures, it specifies that:

During any stage of the process, the intervening judge may, ex officio or at the request of a party, order one or more of the following preventive measures according to the types and modalities of violence against women defined in articles 5 and 6 of this law: a.4. Prohibit the alleged aggressor from purchasing and possessing weapons and order the seizure of those in their possession (Law No. 26,485, article 26, subsection a.4).

This point will be analyzed in this report, accounting for the number of victims whose femicide was committed with firearms, whether or not they had such preventive measures regarding the firearms of the alleged aggressor.

On the other hand, the Public Prosecutor's Office of the Nation, through the Office of the Attorney General of the Nation, approved different measures and resolutions elaborated by the Specialized Unit in Violence against Women (UFEM) and the General Directorate of Gender Policies (DGPG). These include protocols, guides, and recommendations for prosecutors in cases of femicides, gender violence, and domestic violence, including measures regarding firearms, both preventively and in the context of a criminal investigation. Among them, the following are noteworthy and can be consulted on the [UFEM website](#):

- Guidelines for prosecutors in urgent and risk situations in cases of gender violence (2021).
- Taking complaints of gender violence during mandatory preventive isolation due to Covid-19. Instructions for police personnel and complaint form (2020).
- Urgent measures suggested to prosecutors for cases of gender violence during the mandatory preventive isolation due to the COVID-19 pandemic (2020).
- Protocol for the investigation and litigation of cases of violent deaths of women (femicides). Public Prosecutor's Office (Res. PGN No. 31/18, 2018).
- Guide to action in cases of domestic violence against women. Public Prosecutor's Office (Res. PGN 1232/17, 2017).

Lastly, the Ministry of Women, Gender, and Diversity included measures regarding firearms in its two action plans, mentioning femicide data from the RNFJA. In summary, the following actions and measures from each plan are reported, among others:

- [National Action Plan Against Gender-Based Violence 2020-2022](#). Under the line "Restriction of the possession and carrying of standard and civilian weaponry by aggressors":
  - Create a **federal disarmament campaign**, with a special emphasis on unregistered firearms.
  - Incorporate a gender and diversity perspective into the procedure required for **obtaining standard weaponry** (detecting violent masculinities) in psychophysical examinations.
  - Review the **articulation mechanisms** for the effective application of the Ministry of Security's Resolutions on arms control (MS 1515/2012 and MS 299/2013).
- [National Action Plan Against Gender-Based Violence 2022-2024](#). Under the line "implementation of policies for the comprehensive approach to extreme gender-based violence through the Interministerial Program for the Comprehensive Approach to Extreme Gender-Based Violence":





- Implement **disarmament and regularization campaigns** for firearms and controlled materials:
  - Federal operations with a gender perspective related to the use of firearms.
  - Workshops for awareness and sensitization on the link between firearms and gender-based violence.
- Develop norms and procedures for the **urgent treatment of gender-based violence reports filed with ANMaC**: "Urgent and timely procedure of preventive measures of registry lock and disqualification to users and non-users adopted by reports of gender-based violence."
  - "Citizen opposition procedure to the granting of a Legitimate Firearms User Credential."
- "Incorporate a gender perspective module in the training of shooting instructors and mandates":
  - "Training module incorporated into the training of shooting instructors and mandates."

Regarding firearms and security regulations, it should be noted that the Approval of the Arms Trade Treaty (ATT) through [Law No. 26,971](#), and therefore, its article 7, subsection 4, which requires that: "When conducting the assessment, the exporting State party shall take into account the risk that conventional arms covered in article 2, paragraph 1, or the items covered in article 3 or article 4 are used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children."

Concerning the requirements to apply for the Individual Legitimate User Credential for Firearms (CLUSE), governed by [Decree Law 20,429/73](#) on arms and explosives and [Disposition RENAR 197/06](#), one requirement is to certify the absence of criminal records with an issuance date less than 60 consecutive days before the application.

Then, [Law No. 27,192/2015](#), creating the "National Agency for Controlled Materials" (ANMaC) (replacing RENAR), stipulates, in its article 5, subsection 10:

"Establish citizen control systems for authorizations granted by the agency, especially considering mechanisms that contribute to the prevention of gender-based violence." (Law No. 27,192/2015, article 5, subsection 10).

For this purpose, [Resolution 9/2016 of ANMaC](#) creates the Citizen Control System for Authorizations granted by ANMaC, highlighting that:

ARTICLE 3.- The grounds for opposition include the existence of criminal proceedings investigating or sanctioning:

- Acts of domestic or gender violence, committed by the applicant, regardless of whether firearms were used in them.

ARTICLE 5.- Active legitimacy shall be granted to anyone who becomes a victim of the events enumerated in Article 3 of this Annex I or, in their case, their legal representative.

ARTICLE 6.- Notwithstanding what is stated in Article 5 of this Annex I, any citizen who becomes aware of the events referred to in Article 3 of the aforementioned may report them, without being part of the referred procedure.

ARTICLE 7.- The ANMaC will publish the requests referred to in Article 1 of this on its official website for a period of FIFTEEN (15) consecutive days, during which complaints or objections as previously provided may be made.

This Article 7 was later suspended by Article 1 of [Resolution No. 20/2024](#) of ANMaC and replaced by Article 2 of the same resolution, where it was established that "interested parties may at any time inform this agency when there are grounds provided in Article 3 of ANMaC Resolution No. 9/2016 and in accordance with Articles 1, 2, 5, 6, and 9 of the aforementioned resolution."

As summarized by UNLIREC's normative analysis (2020) for the Argentine case, through Article 9 of the aforementioned Resolution 9/2016, "ANMaC is enabled to, while clarifying the circumstances that prompted the opposition or defining the judicial process in which the interested party is involved, assess the relevance of establishing any of the following preventive measures: if the legitimate user of firearms has a criminal record, they must proceed to transfer, auction, sell, etc., as appropriate." (Article 66 of Annex I of the Partial Regulation of Decree Law 20,429/73 on firearms and explosives approved by National Decree 395/75 (1975).

Additionally, the adoption of precautionary measures is authorized, such as "the provisional suspension of the permit or authorization, the provisional closure and seizure of the material in violation (...), when such measure is based on security reasons or to prevent the commission of new infractions and until a definitive resolution is issued. The seizure and destruction of the seized material may be ordered when urgent security reasons require it. In case any of the aforementioned precautionary measures are adopted, except for seizure and destruction, the interested party may file a review request within THREE (3) days before the intervening authority, in order to revoke or modify their scope. The competent authority will make a final decision within TEN (10) days" (Article 141 of Annex I of the Partial Regulation of Decree Law 20,429/73 on firearms and explosives approved by National Decree 395/75 (1975).

In addition to the licensing requirements and the citizen oversight mechanism mentioned above, the ANMaC issued other resolutions that address gender issues. In them, as indicated at the beginning, statistics from the OM-CSJN's RNFJA are cited to justify the measures issued:



- [Resolution N°35/2022](#): among the recitals, it is stated: “That, according to the figures contained in the Argentine Justice Femicide Report 2020, published by the Women's Office of the Supreme Court of Justice of the Nation, it emerges that, for the year 2020 there were 287 Femicides of which, 18% were committed with firearms.” It is resolved that: “Provide for the integration of a module on gender perspective, as mandatory evaluation content in the exams destined to the Legitimate Users who request their registration, re-registration and/or change of category of Shooting Instructors, which may undergo changes and updates according to the regulations in force, complemented with other contents on gender, which this Agency deems of interest.”
- [Resolution No. 157/2022](#): based on “the data arising from the Argentine Justice Femicide Report (RNFJA), published by the Women's Office of the Supreme Court of Justice of the Nation, (where) they state that of the femicides occurred between 2017 and 2021, 24% were committed with firearms” and that monthly approximately 300 oficios and/or judicial and administrative notifications of situations of gender and/or family violence enter the ANMaC, the ANMaC, to prevent femicides and gender violence, provides:
  - the priority and urgent processing of oficios and notifications involving facts related to gender and family violence;
  - the immediate entry into the National Computerized Data Bank;
  - the administrative registry lock for reported persons requesting an authorization to possess or carry firearms;
  - the disqualification in the case of holders of firearms licenses; and
  - the suggestion of the seizure of the weapons in possession of the denounced person.

To fulfill this, the resolution includes an "Orientation and Information Exchange Guide for Comprehensive Approach to Gender-Based and Family Violence" as an Annex to promote and facilitate communication and notification of gender-based and family violence cases to ANMaC by public agencies. This allows the Agency to intervene ensuring compliance with the guardianship obligations assumed by the National State regarding human rights and the prevention of firearm-related crimes, especially through relevant precautionary measures. The annex comprises two sections: 1) Information exchange with other public agencies sending official and/or judicial and administrative notifications, detailing various items regarding the registrational status of the accused individual at ANMaC; and 2) Guidance to referring public agencies for obtaining information required by ANMaC related to Gender-Based Violence and Family Violence.

There are other regulations linked to ANMaC that may impact the prevention of gender-based violence with firearms, although they do not imply it explicitly. Nonetheless, as mentioned earlier, these can be [consulted on their official website](#).



Finally, as previously noted, the [Action Plan for Preventing Violence with the Use of Firearms II \(2022-2023\)](#) cites data from the RNFJA, OM-CSJN for its measures to prevent gender-based violence with firearms. Additionally, ANMaC informs on its website about filing [reports to the Specialized Fiscal Unit \(UFI-ARM\)](#) for crimes related to firearms, ammunition, explosives, or other controlled materials, such as in situations of Gender-Based Violence and Family Violence involving firearms. These reports can be made in person, by phone, or via web form on the indicated site.

It is worth highlighting the resolutions of the Ministry of Security of the Nation since 2012, which propose measures and protocols for addressing gender-based violence with firearms by both private civilians and members of federal forces. These include:

- Guidelines for Police Intervention in cases of violence in family relationships ([Res. Minseg 299/2013](#) and [Res. Minseg 505/2013](#)): instructing federal security forces to follow a procedure upon becoming aware of an incident of domestic violence that includes verifying the presence of firearms through consultation with the complainant and ANMaC's database: a) at the location of the incident, cohabitation, and each party's residence; b) possession by the accused; c) access by the accused through family members and cohabitants; d) and employment involving firearms. If positive, it requests "a search and seizure order for firearms from the duty judge based on the received communication or perceived situation and the danger to the life and physical integrity of all persons involved in the violence situation". Additionally, it requires monthly systematization of incidents and processing of disqualification requests to ANMaC.
- Restriction of carrying, possession, and transport of the service firearm of Police Corps and Security Forces personnel in cases of reported gender-based or domestic violence ([Res. Minseg 1515/2012](#) updated by [Res. Minseg 471/2020](#)) under the following modalities:
  - Preventive: when "even in the absence of a precautionary measure issued by the competent judicial authority, and after evaluating one or more complaints received through any means by the National Directorate of Gender Policies, it suggests that the service firearm could pose an imminent risk to the victim." Additionally, "a Medical Recognition Board will intervene to assess the psycho-physical condition of the accused personnel, as well as their fitness for firearm possession".
  - With a precautionary measure: when "the personnel is affected by any of the measures established by articles 26 of Law No. 26.485 and/or 4th of Law 24.417". In this case, the restriction can be "partial or total":
    - Partial allowing "the affected person to use the service firearm only during working hours, with the requirement to deposit it in the armory at their destination at the end of the day."



- Total "following the assessment of a serious case like sexual abuse or attempted sexual abuse, serious injuries, attempted murder/femicide, when the accused personnel are detained at the disposal of justice due to possible commission of a crime".

Additionally, [Resolution Minseg No. 351/2019](#) creates the National System of Reports for Gender-Based Violence (SIVIOGEN) and formulates the "Police Protocol for the reception and registration of reports of gender-based violence", which includes a form for filing reports in police stations requiring information on whether the accused has firearms, with risk factors being: the use of firearms and/or knives to exert violence, and if the alleged perpetrator is a person with access and knowledge in the use of firearms and/or works with them or carries weapons. Then, if the aggressor has a firearm license or the complainant reveals the presence of firearms at home, it is mandatory to recommend to the competent judicial authority to proceed with firearm restriction. Moreover, it is anticipated that the system will have access to ANMaC's databases.

Lastly, the Action Guide for Police and Security Forces for Investigating Femicides at the Scene, formulated by [Resolution Minseg 1278/2017](#) replacing the one in [Resolution Minseg 428/2013](#), urges the criminalistics unit to collect firearms present at the scene as evidence.

This list of national regulations and measures is not exhaustive but indicative of some advancements in the field.

## 2. Executive summary of data on femicides committed with firearms in Argentina (2017-2022)

From the review of court cases in which gender-based violent deaths were investigated following the RNFA Protocol based on UN Protocol, it was found that, between 2017 and 2022:

- There were 404 victims of femicides (direct and related) with firearms out of a total of 1,628 victims, an average of almost 25% of femicides committed with firearms. This means that firearms were used in almost **1 out of every 4 femicides committed between 2017 and 2022 in Argentina**. If analyzed separately, more than 24% of direct femicides were committed with firearms, while that percentage was over 29% among related femicides.
- While 4% of femicides committed by other means were **multiple**, this rose to 8% in the case of femicides committed with firearms. The relative chances (odds ratio) of femicide being multiple and not single **doubled when the perpetrator used a firearm** to commit it instead of another means.
- **There was at least one victim of direct femicide committed with a firearm in each jurisdiction of Argentina between 2017 and 2022**. If the percentages of the Province of **Buenos Aires (39%)** and the Province of **Santa Fe (15%)** are added, more than half (54%) of all victims of direct femicides committed with firearms in the country between 2017 and 2022 died in these two provinces.
- **The percentage of direct femicides committed with firearms out of the total of direct femicides** varies among provinces between 8% and 43%, with notable percentages in **Santa Fe (37% out of a total of 149 cases)** and **Córdoba (31% out of 105 cases)**.
- Between 2017 and 2022, **there was a rate of 0.26 victims of direct femicides committed with firearms per 100,000 women nationwide**: the rates vary from a minimum of 0.08 in the Autonomous City of Buenos Aires to a maximum of **0.49 in the Province of Santa Fe**.



Among the main results, **the data of victims of direct femicides committed with firearms between 2017 and 2022 stand out:**

- Out of a total of 361 direct victims, **352 were cis women and 9 were trans/transvestite women.**
- Their average age was just **over 37 years** (37.2 years) at the time of the incident (similar to the average age of 37.5 years of victims killed by other means).
- **92% (335) were Argentine nationals and 4% (13) were foreigners.** Nationality data was not obtained for 4% (13) of the victims.
- Regarding intersectional conditions, at least **18 victims were pregnant at the time of the incident, 12 were international migrants, 10 were in a situation of prostitution, and 6 were interprovincial migrants**, among others, with each victim possibly having more than one intersectional condition.
- At the time of the incident, at least 265 direct femicide victims committed with firearms **were in charge of 322 girls, boys, or teenagers** (aged 0 to 17 years).
- Since several judicial cases included events with more than one victim and/or more than one active subject, 384 potential links between the 361 direct victims of femicides with firearms and 365 active subjects were analyzed. In over 87% (335) of cases, there was a prior link between the victim and the perpetrator: 44% (169) were couples, 25% (95) were ex-partners, and 1% (4) had another type of sex-affective relationship. Furthermore, 4% (15) were direct relatives, and another 4% (15) were other types of relatives, while nearly the remaining 10% (37) were acquaintances with another type of relationship. On the other hand, in 4% (14) of cases, they were strangers to the victims, while data on the link could not be obtained for 9% (35) of cases. In summary, **victims knew their corresponding perpetrators in almost 9 out of every 10 cases of direct femicides committed with firearms.** There are no major differences in the types of links based on the means used, although it is observed that: while they were partners or ex-partners in 69% of cases committed with firearms, this decreased to 58% of cases when another means was used, although still being the majority.
- It is verified that in 38% (145) of cases, they were cohabiting at the time of the incident. In other words, **victims and perpetrators were cohabitants in almost 4 out of every 10 direct femicides committed with firearms.**
- Out of the 384 links between victims and perpetrators of direct femicides committed with firearms, in at least 123 (32%) cases, previous gender violence incidents were reported: at least 44 (11%) victims had filed formal complaints against the perpetrators, and in at least 79 links (almost 21%), previous gender violence incidents were reported through other means. It should be noted that there is no data for 64% of cases. In summary, **in almost 1 out of every 3 links where there was a direct femicide committed with a firearm between 2017 and 2022 in Argentina, there were previous gender violence incidents.**

- Based on the complaints filed, at least 23 victims obtained protective measures: 20 were in effect, and 3 had expired at the time of the incident. From the available information and considering that there is no data for 69% of cases, none of the measures included restrictions on firearms, as stipulated in section a.4., article 26, of Law No. 26.485: "Prohibiting the alleged aggressor from purchasing and owning firearms and ordering the seizure of those in their possession."

Regarding the data on **perpetrators of direct femicides committed with firearms**:

- **365 perpetrators** of direct femicides committed with firearms were reported, of which **28 remained unknown** (almost 8% of the total) as of the cutoff date of the study.
- The average age of the perpetrators was **almost 42 years** (41.8 years), slightly higher than the average age of 37.8 years of perpetrators of direct femicides committed with other means.
- Considering the population size of each age group, the peak of 0.38 perpetrators of direct femicides with firearms per 100,000 males is observed in the **age group of 25 to 34 years**, then slightly decreasing to 0.33 in the following groups and finally reaching a rate of 0.30 active perpetrators among elder adults (aged 60 years or older).
- If the percentage of direct femicides committed with firearms out of the total of direct femicides committed by each age group is analyzed, it is observed that **elder adults used proportionally more firearms than the rest of the age groups** to commit direct femicides between 2017 and 2022 since they used firearms in 35% of the femicides they committed.
- **85% (310) were Argentine nationals, while 4% (14) were foreigners.** Nationality data was not obtained for the remaining 41 perpetrators (11% of the total). These proportions were similar for perpetrators of direct femicides committed by other means.
- **At least 19% (68) of the perpetrators of direct femicides committed with firearms belonged to some security force:** 38 between 2017 and 2019 (35 unspecified and 3 private security); and then, 30 between 2020 and 2022 (at least 21 belonged to the provincial police, 3 to the Armed Forces, 4 to federal forces, 1 to an unspecified force, and 1 worked as private security). In summary, **almost 2 out of every 10 active perpetrators of direct femicides committed with firearms were members of security forces between 2017 and 2022.**
  - **While 64% of perpetrators belonging to security forces used firearms to commit femicide, that proportion drops to 20% among perpetrators not affiliated with these forces.** Thus, **a perpetrator belonging to security forces was almost 9 times more likely to use a firearm** to commit direct femicide than a perpetrator who did not belong to these forces.

- 36% (38) of the perpetrators of direct femicide belonging to security forces who committed femicides died by suicide: 51% among those who used firearms and only 3% of those who used another means to commit femicide. Therefore, **using a firearm to commit femicide greatly increased the chances of suicide among law enforcement personnel.**
- Between 2019 and 2022, it was found that at least 22 active perpetrators of direct femicides committed with firearms had **problematic substance use** (alcohol, cocaine, and marijuana), among others.
- While **43% (156 out of 365) of the perpetrators who used firearms to commit femicide died by suicide** after committing the act, that percentage drops to 10% (118 out of 1,185) among those who used another means. They likely used the same firearm to commit suicide as they used for the femicide, showing the greater lethality of this means of commission.

Regarding the **charges** arising from judicial cases of direct femicides committed with firearms between 2017 and 2022, it was found that out of the 384 charges counted based on the links between victims and active perpetrators of direct femicides committed with firearms:

- Nearly half of the total charges per link (170), 44%, included section 11 of article 80 of the National Penal Code, meaning they involved the **aggravating factor of gender-based violence**. Additionally, 1% (3 charges) included section 4 of article 80 of the NPC, which contemplates hatred towards gender identity or expression – in these three cases, they involved trans/transvestite women victims.
- 24% of the charges (91) included references of use of **firearms**: in 72 (19%) cases, section 41 bis of the National Penal Code was included (aggravating factor for the use of firearms), in 13 (3%) section 189 bis of the NPC was mentioned – mainly related to the illegal possession of firearms, whether civilian or war weapons – and in 6 (2%) both articles were mentioned (41 bis and 189 bis of the NPC).
- **Thus, 13% (51) of the charges consider both the context of gender-based violence and the use of firearms.**

The main characteristics of **direct femicides committed with firearms** were as follows:

- 276 out of 347 cases, **nearly 80%, occurred in a context of domestic violence**, as defined by Law No. 26.485; at least 5% (16 out of 347) occurred in a context of **sexual violence**, and almost 6% (19) in the context of **human trafficking networks, drug trafficking, or other criminal networks**, which could occur in more than one context simultaneously.

- **Nearly 3 out of every 4 (74%) direct femicides committed with firearms occurred inside a home:** 15% in the home where they lived with the active perpetrator, 47% in their own home, 3% in the perpetrator's home, and 9% in a location that did not belong to either the perpetrator or the victim. Only 18% took place in public spaces, with proportions similar to femicides committed by other means.
- Between 2020 and 2022, 89% (143) of direct femicides committed with firearms occurred in **urban areas**, while 11% (17) in rural areas, similar trends to femicides committed by other means (87% and 12%, respectively). Data was not provided for the remaining cases.
- Between 2020 and 2022, more than half of femicide attacks (53%) with firearms occurred during the **night** (27%) from 18:00 to 23:59 and in the **early morning** (26%) from 00:00 to 05:59.
- From 2017 to 2022, they were relatively evenly distributed throughout the week, with **Mondays** (18%) being more frequent.
- Despite a relatively even distribution per month (from 2017 to 2022), **December** had a higher concentration of cases (12%), and when grouped by quarters, slightly over 54% of cases occurred in the **first (25%) and fourth (29%) quarters of the year**.

Finally, the most relevant results regarding additional information on direct femicides committed with firearms were as follows:

Regarding communication with the National Agency of Controlled Materials (ANMaC) when a femicide occurred between 2019 and 2022:

- At least **9% (22)** of these cases **were reported to ANMaC** by the justice system, while 54% (236) were not reported, and information was not obtained for the remaining 37% (86) of cases.
- In at least **26% (61)** of these cases, the justice system had requested ANMaC to verify the **perpetrator's status as a legitimate firearm user**. Conversely, this was not requested in 41% (95) of cases, while information could not be obtained for the remaining 33% (77) of cases.
- In at least **22% (51)** of cases, **ANMaC was asked for information regarding the registration status of the firearms used**, while this was not requested in 40% (93) of cases. This information could not be verified in 38% (89) of cases.

While the non-response rate is high, the results seem to indicate a **low interaction between the justice system and ANMaC concerning femicides committed with firearms**, which could be addressed through training in [ANMaC Resolution No. 157/2022](#), which includes an "Orientation and Information Exchange Guide for the Comprehensive Approach to Gender-Based Violence and Family Violence," as mentioned.

### Situation of firearms and active perpetrators of direct femicides with firearms concerning ANMaC:

- Between 2017 and 2022, the National Register of Femicides of the Argentine Judiciary (OM-CSJN) revealed that, **out of the total of 361 direct victims killed with firearms, at least 16% (58) were attacked with service firearms from security forces – in 3 cases, the firearm belonged to the female police victim and not the perpetrator; in 4% (14) an authorized firearm was used – non-service – and in 20% (74) an unauthorized firearm was used.** For the remaining 60% (215) of victims, data on the firearm's authorization was not obtained. In other words, according to information gathered in the RNFJA, at least **20% of firearms used in direct femicides between 2017 and 2022 were legally owned, at least 20% were unauthorized, and information on their legal status was not obtained for 60%.**
- For cases from 2019 to 2022, at least **10 (4%) active perpetrators involved in direct femicides committed with firearms had a valid legitimate user credential, 25 (11%) had a valid legitimate user credential by allocation,** meaning they were active members of security forces, **13 (6%) had an expired credential, and 33 (14%) did not have a legitimate user credential.** Data were not recorded for the remaining 152 (65%) cases.
- From 2019 to 2022, at least **15% (34) of direct femicides committed with firearms involved a firearm registered in ANMaC, 13% (31) involved an unregistered firearm in ANMaC,** while data were not available for the remaining 72% (168).

### Characteristics of firearms in direct femicides (2019-2022):

- **43% (70) of the 164 firearms with information on their type were pistols, 30% (49) were revolvers, and 18% (29) were shotguns.** Furthermore, 5% (8) of the reported firearms were carbines, 3 were homemade, and finally, there was 1 firearm each of the following types: 1 sawed-off shotgun, 1 rifle, 1 unspecified shoulder firearm, 1 modified compressed air gun, and 1 rifle (fusil). Data were not provided for the remaining 69 firearms. Thus, at least **53% of firearms used in direct femicides committed between 2019 and 2022 were handguns, and 17% were long guns** (with no data for the remaining 30%).
- The main calibers of firearms most used in direct femicides between 2019 and 2022 were **9 millimeters in 57 cases (24%), followed by .22 caliber in 32 cases (14%), .38 caliber in 24 cases (10%), and .32 caliber in 20 cases (9%).** They were followed by 16 UAB caliber in 15 cases (6%), and 12 UAB and 28 UAB in 4 cases each (2%).
- According to the typology outlined in the partial regulation of Decree Law 20,429/73 on firearms and explosives, firearms used in direct femicides committed between 2019 and 2022 were distributed as follows: **36% (85) were civilian firearms, 39% (90) were conditional civilian-use weapons of war, while 1 was a war weapon exclusive to armed institutions (representing less than 1%).**



- Additionally, 2% (4 firearms) did not fit into these categories, 3 due to being homemade firearms, and 1 due to a modified compressed air rifle. There was not enough data provided to classify the legal status of the remaining 23% (53).
- At least **48% (113) of firearms used in direct femicides in the period from 2019 to 2022 had a readable serial number. Only 6% (13) had a suppressed or unreadable serial number.** Information could not be obtained for 46% of cases (107).