

Exchange of good practices on gender equality

Measures to fight
violence against women
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Measures to fight violence against women – the case of Serbia

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1. Introduction

Measures for combating violence against women in Serbia can only be understood in light of the specific social, institutional and policy context, marked by postponed reforms and limited success of gender equality (GE) policies. At the same time, the prevalence of domestic violence against women is relatively high, requiring efficient and diverse actions.

1.1. Socio-economic context and gender relations

Due to the socialist legacy and difficult post-socialist transition, gender regimes have gone through several changes in Serbia. During the socialist period, the ideology of equality has contributed to increased gender equality in the public sphere, particularly in the education and employment sector, while patriarchy and unequal gender power distribution were still preserved in the private sphere. However, the fall of socialism and rise of populist nationalist movement during the 1990s, together with dismantling of the state, wars, isolation from the international community and postponed of reforms, have brought the renewal of traditional and patriarchal gender regimes. Women had been pushed out of the labour market and into the private sphere of family where they were assigned the demanding role of ensuring survival of their households during harsh times. This withdrawal to the private sphere, followed by renewal of patriarchal culture assigning traditional 'caring and nurturing' roles to women was sometimes labelled as 'self-sacrificing micro-matriarchy'. This was due to the fact that the majority of women accepted this hard task of providing for family reproduction by using their own resources in a time when all resources were extremely scarce (Blagojevic, 2002).

The decade of 2000s was a period marked by initiation and implementation of reforms which were supposed to bring transformation and development to a devastated society with a destroyed institutional basis in a post-conflict environment. The restructuring of economy, initiating growth and tackling widespread poverty were the burning problems. As a result, gender equality issues came quite late on the reform agenda, despite the fact that damage done to gender regimes was extensive. Women were almost absent from all top ranks of political power, their participation in the labour market was lower than ever, and gender relations in the private sphere were marked with large power imbalances. These imbalanced power relations were also manifested in the high prevalence rates of domestic violence against women. In 2010, every second woman in Central Serbia reported personal experience of at least one form of domestic violence during the adult life. During the 12 months preceding the survey, 37.5% of adult women were exposed to at least one form of domestic abuse (psychological, physical, sexual or economic). The most widespread form of violence was psychological and then physical. Furthermore, the research shows that risks of violence is in positive correlation with poverty,

participation of male household members in the wars during 1990s, patriarchal values and alcohol or drug abuse (Babovic, Ginic, Vukovic, 2010).

1.2. Institutional and policy framework for gender equality and for combating SGBV

It is important to emphasise that the gender equality agenda remained an important issue even during the hard times of the 1990s, but only in the niches of civil society and academia, not the state and public policies. For instance, the feminist agenda was often merged with anti-war initiatives (such in the case of Women in Black and similar groups).

The development of GE institutional and policy framework occurred mostly during the second half of the 2000s. GE mechanisms were during this period developed at the central level within the executive (Directorate for Gender Equality of the Ministry of Labour and Social Policy), legislative (Parliamentary committee for gender equality), but also independent institutions (Ombudsman and Commissioner for gender equality), at the level of the AP Vojvodina (Secretariat for Labour, Social Policy and Gender Equality, Institute for gender equality) and at the local level (various forms of local GE mechanism). The Directorate for gender equality, as the main mechanism at the central level, was mandated to monitor GE in Serbia, to propose laws, and other legal provisions and policies aimed at improving gender equality.

During the same period, the legal framework was significantly improved by adopting the overarching Law on gender equality (2009) and the Anti-discrimination law (2009), as well as by reforming other key laws, such as the Family law, Law on Labour, Law on Social Protection, Criminal code, etc. Domestic violence was finally defined as a criminal act and better protection for victims of violence and sanctions for perpetrators were stipulated.

Today, the key policies for promoting GE are defined by National Strategy for Promoting of Gender Equality and Empowerment of Women, with a respective Action Plan. However, although prevention and combating violence against women was one of the priorities of the policies defined by the National Strategy and Action plan, there was a need to develop more direct policy efforts in the area of violence against women. With that purpose, the project 'Combating Sexual and Gender Based Violence' was implemented during 2009-2012 with support from the Government of the Kingdom of Norway. The main results of this project were:

- Drafted and adopted National Strategy for Preventing and Combating Domestic and Intimate Partner Violence against Women;
- Improved horizontal and vertical coordination of key stakeholders;
- Introduction of uniform standards for SGBV data collection into relevant institutions (Ministry of Labour and Social Policy, Ministry of the Interior, Ministry of Justice and Ministry of Health);
- Formulated protocol on cooperation;
- Developed training programmes for state institutions;

- Produced recommendations for the treatment of perpetrators;
- Developed more dynamic debate around SGBV policies;
- Improved services for support to victims of violence¹.

2. Policy debate and measures

2.1. Key measures for combating domestic violence against women

During the socialist period, tackling the problem of violence against women was not recognised as an important issue in public policies and services. The system of social protection was completely public, and social services were delivered through local units – centers for social work. Due to the previously mentioned problems of postponed and difficult transition, particularly in the phase of malfunctioning of public services during the 1990s, the civil sector became the main actor that provided support to victims of violence against women. Moreover, as violence against women was framed as a distinctive aspect of gender equality, which requires specific policies and measures, CSOs also took an active role in raising awareness of the general public and policy makers in regard to the need to improve legislative, institutional and policy framework for combating violence against women. As a result, the most common services provided by these organisations were, and still are, SOS phone-services, legal and psychosocial support, facilitation of access to proper health care support in cases of physical injuries, and shelters for victims of violence (Brankovic, 2007).

As reforms were implemented during the second half of the 2000s, official policies started to recognise the need for improving public institutions engaged in tackling the problems related to the violence against women – police, judiciary health care and social protection institutions. However, as professionals in these institutions were much less competent and experienced in tackling violence against women than actors from the civil sector, attempts were made to raise their capacities and introduction of standardised procedures became an important priority.

Despite all these efforts, the percentage of victims of violence asking for support from public institutions as well as CSOs was still very low. According to data from mapping domestic violence against women in Central Serbia, less than 20% of women exposed to physical violence, 24% of women exposed to sexual violence and only 10% of women who were exposed to psychological violence asked for some form of support. Of those who did seek support, seeking assistance of the police was the most frequent (in 22% of cases), followed by centres for social work (14%), SOS hotline (6%), and specialised CSOs (only 1%) (Babovic, Ginic, Vukovic, 2010).

The new Law on Social Protection (2011) marks a new approach to protection of victims of violence. Here, women who are victims of violence are for the first time recognised as a distinctive target group. The Law was based on clear objectives to

¹ More detailed information about the project and its' results available at <http://www.gendernet.rs/rpage.php?chapter=43>

prevent violence, molesting, maltreatment or exploitation and to tackle consequences of such actions. The Law envisages plurality of service providers, from private (commercial), public and civil sector. Furthermore, the quality of services should be achieved through continuous training and licencing of service providers and with regular monitoring of their work. In this system, the beneficiary has a more active role, with the right to participate in decision-making and shaping of individual services.

2.2. Key debates on policies and measures

Development of policies for preventing and combating violence against women has been accompanied by an intensive debate between, on one hand, women's and feminist CSOs (including those specialised for combating violence against women or supporting victims of violence) and, on the other hand, policy-makers, GE mechanisms and actors from public services. In order to have more power in this debate and negotiations, CSOs were organised around the Network of Women against Violence. As such, they participated in the process of drafting the Strategy for Preventing and Combating Domestic and Intimate Partner Violence against Women. Some of the key debates are:

- Marginalisation of CSOs as service providers. Although the new Law on Social Protection stipulates plurality of service providers, the practices of CSOs specialised for violence against women remain invisible in the system of the protection. Their abundant experience accumulated over two decades has been ignored, and underused, which significantly decreases the overall potential of the system for providing quality protection and support. As an example, CSOs which provide services for victims of violence should be financed from local budgets, but local authorities traditionally allocate only one budget line for all CSOs in their local community. The consequence is that CSOs specialised for support to victims of violence have to compete with other CSOs (football clubs and similar) for scarce funds, instead of being provided with funds from the social protection budget line². One of the important consequences of such a treatment of service providers from the civil sector is constant lack of funds and narrowing the spectrum of available services, as well as their quantity.
- Inadequate transfer of services from civil to public sector. Another part of the policy debate is related to the 'institutionalisation of services' as it has been labeled by CSOs. This refers to possibility of developing or transferring of certain services from the civil to the public sector. One example is the transfer SOS hotline services, although traditionally provided by specialised CSOs, they have recently become part of public service in many local communities. However, this transfer has undermined the accessibility and quality of the service provided (shorter working hours, hotline number is the same phone number as for the other services in CSWs, lack of anonymity in small communities, etc.).

² This was also one of the conclusion from recent round table 'Implementation of Law on Social Protection – services for women victims of domestic violence' organised by Women's Autonomous Centre, held in Belgrade on 28 January 2013. Notes from the round table are available at <http://www.womenngo.org.rs/vesti/259-okrugli-sto-implementacija-zakona-o-socijalnoj-zastiti-usluga-za-zene-zrtve-nasilja-u-porodici>

- Conflict of interests due to the legitimisation of double role of public servants. According to the opinion of CSOs representatives (Jovanovic, 2012) the new Law on Social Protection legitimises potential conflict of interests. Activists report cases in their local communities in which professionals from local CSWs and officials from local self-government which belong to the same political parties have been founding CSOs. Through these CSOs, they have relatively easy access to public funds from the local budget. The new Law on Social Protection thereby allows practices whereby public servants (social workers from CSWs) can at the same time manage referral of victims to CSOs in which they also act as service providers, deliver the service and at the end of the process, they can also evaluate the quality of that service.
- Inadequate standards for services and licencing. Standards for services and criteria for licencing were also burning issues related to the measures for combating violence against women. On one hand, lack of standards allows big differences in regard to quality of services. On the other hand, criteria for licencing are set rather high according to the opinion of CSOs, which would additionally endanger specialised services offered by CSOs. Namely, for provision of certain services, a university diploma is required, which would eliminate a large number of activists who have been providing those services for years. The argument against this precondition is that a diploma is not sufficient evidence of quality provision of support and that experience can be much more of a valuable asset, particularly in the case of some basic counseling (referring victims to appropriate services and similar).
- Monitoring and evaluation of services is not yet established in a proper way. Although the Institute for social protection has the mandate to produce an annual report on the state of social protection services delivered by CSWs and other public institutions, this monitoring system is relatively new, and data collected from CSWs and institutions are not sufficiently precise or adequate for proper evaluation. Furthermore, services provided by CSOs are not regularly monitored by the state.
- Debate around programmes for support to perpetrators. Recent pilot therapeutic programmes for perpetrators were not so welcomed by most influential CSOs active in the area of violence against women. According to them, these programs cannot guarantee elimination of violence and protection of victims. They also argue that there is a danger that this form of support will drain funds from programmes for support of women victims of violence. Critical evaluation of these programmes also indicates that their results are not presented correctly. The evaluation estimated an 80% success rate, but this estimation was conducted only 3 months after the completion of the program and the fact that 50% of perpetrators left the treatment program was not revealed.
- Lack of innovative services better tailored to local needs. Local self-governments do not rely on adequate needs assessment when designing services. Therefore, they usually copy practices from other communities and introduce 'standard' services: shelters, counseling, SOS hotlines. The lack of innovative services is evident (Jovanovic, 2012). One rare innovative service is the recent establishment of a specialised Centre for support of women with disabilities who are victims of violence.
- Low judicial efficiency. This is one of the key weaknesses of the system. Firstly, only a small number of charges have been raised against perpetrator (some

estimations suggest only 3.4% of cases). Secondly, processing of cases on average takes a long time. Thirdly, protective measures are under issued (some estimation - only 7.8% of cases processed by CSW) (Jovanovic, 2012).

In order to systematically monitor developments in policies and measures, the Observatory for monitoring violence against women was established by CSOs as an independent experts' body mandated to monitor policy processes and propose adequate interventions.

3. Transferability Issues

Having in mind the specific context of Serbia and features of policies and measures for combating violence against women, it can be estimated that good practices from Spain and Ireland can be of limited transferability.

3.1. Potentials and obstacles for the transferability of Spanish good practices

Presented models of use of ICT services in combating violence against women would be very useful in Serbia, but their applicability would be limited.

3.1.1. Web resource for support and prevention of gender based violence

This service would be of great use in Serbia for several reasons. Awareness of violence (recognition of different forms of violence), rights of victims and available support to victims, as well as punitive measures against perpetrators is relatively low in Serbia. Presenting information about violence and available services with contact details would contribute to raised awareness as well as better outreach and accessibility of services. However, there are several limitations related to the usage of computers and access to internet in Serbia. According to data from monitoring the use of ICT in Serbia from 2011, only 52% of households in Serbia possess a computer and only 41% have access to internet (SORS, 2012). This tool would probably be available to the younger, more urban population who make up the majority of internet users in Serbia.

3.1.2. 24-hour helpline

The unique phone line for the whole territory of Serbia is available. However, it is not accessible like in the case of service in Spain. Phone center is placed within the police service, which can be inconvenient for many women exposed to violence. It is 10 digits number and not widely disseminated, so many women in need lack the information about this service. Therefore it would be very usefull to transfer some of the functionalities and experiences from service in Spain. Particularly having in mind additional accessibility for persons with disabilities and availability of other languages, which in Serbia would be languages of minorities (particularly Roma languages). This service could be delivered by one of the already very experienced CSOs, or CSOs network. The main issue regarding implementation of this form of support is allocation of appropriate funds. As a central-level service funding should be allocated from the central budget, but the introduction of a new service requires a

lot of negotiations in Serbia and coordinated pressure, particularly, if the service would be delivered by a non-public actor.

3.1.3. Mobile telephone service

This can also be a very useful service in Serbia. However, in the absence of funds for more basic support services it is hard to expect that the state would finance this form of service on the central level. It is more likely that only some local communities with more developed social services and GE mechanisms would be ready to finance such a service. Therefore, it seems more realistic to expect that this service can, in the beginning, only be piloted by some of the most experienced CSOs with donor support.

3.1.4. Telematic tracking system for monitoring restraining orders

Although this system (a similar form) has been introduced relatively recently for monitoring of convicts sentenced to home imprisonment, it has not been used yet for monitoring restraining orders in cases of violence. Having in mind the low percentage of restraining orders issued, this service may seem 'too sophisticated' for the Serbian system for protecting victims of violence. It would probably be efficient to work on increasing the number of requests for restraining orders and on efficiency in issuing restraining orders, prior to introducing such monitoring mechanisms. In order to estimate the need for such a service, a baseline assessment would be recommended.

3.2. Potentials and obstacles for the transferability of Irish good practices

Therapeutic programmes for perpetrators are a very new form of service in Serbia that has only been piloted in a relatively small number of CSWs. Transfer of experiences from Ireland would therefore be of great importance for Serbia. For instance, some elements of these programmes could be introduced to improve the quality of service, such as the involvement of partner contact workers. Still, the main obstacles for broader introduction of these services can be lack of competent and properly trained professionals, lack of funds and possible allocation of funds from programmes dedicated for the protection of victims, inefficient referral mechanisms due to the inefficient judiciary, police and CSWs (low percentage of charges). On the top of all these obstacles, there is an additional cultural obstacle that cannot be ignored. As patriarchal culture is particularly strong in small communities, it would be hard to get perpetrators to self-refer and attend such a programme willingly.

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