

**Group of Experts on Action against Violence
against Women and Domestic Violence
(GREVIO)**



**Report submitted by Serbia
pursuant to Article 68, paragraph 1
of the Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(First thematic evaluation round)**

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**Answer to the Questionnaire for the evaluation of the
implementation of the Council of Europe Convention on
Preventing and Combating Violence against Women and
Domestic Violence by the Parties**

**1st thematic evaluation round: Building trust by delivering
support, protection and justice**

Adopted by GREVIO on 13 October 2022

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Introduction

In accordance with Article 66, paragraph 1, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) shall monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Following its baseline evaluation procedure which provided an overview of the implementation of the full spectrum of provisions of the convention by each state party, Article 68, paragraph 3, of the convention and Rule 30 of the Rules of Procedure of GREVIO (the Rules of Procedure) mandate GREVIO to carry out subsequent evaluation procedures divided into rounds. At the beginning of each round, GREVIO shall select the specific provisions on which the evaluation procedure shall be based and shall send out a questionnaire (Rule 31 of the Rules of Procedure).

For its 1st thematic evaluation round, GREVIO adopted this questionnaire to be sent to all states parties which have undergone the baseline evaluation procedure, according to an order approved by GREVIO. States parties are requested to transmit to GREVIO a reply to this questionnaire within five months from the date it was sent.

GREVIO decided to focus its 1st thematic evaluation round on the theme of building trust by delivering support, protection and justice. To address this overarching theme, the present questionnaire aims, in its first section, to identify developments in key areas such as comprehensive and co-ordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. In its second section, it sets to obtain more in-depth information on the implementation of selected provisions in the area of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the Recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further sustained implementation. In its third section, it brings its attention to emerging trends in the area of violence against women and domestic violence. Its fourth and last section requests annual statistics for two complete calendar years prior to receiving this questionnaire on specific administrative and judicial data.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French) and should contain all the relevant information on the implementation of the Istanbul Convention since GREVIO's first baseline evaluation report, including copies or extracts of relevant legislation, regulations, case law and strategic documents or action plans referred to (Rule 33 of the Rules of Procedure).

List of abbreviations

LoGE – Law on Gender Equality

LoPD – Law on the Prevention of Discrimination

CC – Criminal Code

GPGBVW – General Protocol on Action and Multi-Sectoral Cooperation in Situations of Gender-Based Violence Against Women and Domestic Violence

LoPDV – Law on the Prevention of Domestic Violence

LoPDP – Law on Personal Data Protection

FL – Family Law

LoPPO – Law on Public Prosecutor’s Office

LoRC – Law on the Regulation of Courts

LoSP – Law on Social Protection

LoMDRHC – Law on Medical Documentation and Records in the Area of Health Care

IOPHOS – Institute of Public Health of the Republic of Serbia

UIS – Unique Information System

LoOS – Law on Official Statistics

MoLEVSA – Ministry of Labour, Employment, Veteran and Social Affairs

LoFES – Law on Fundamentals of the Education System

RFCDC – Council of Europe Reference Framework of Competences for Democratic Culture

LoIET – Law for the Improvement of Education and Training

SMC – Serbian Medical Chamber

CoNMT – Chamber of Nurses and Medical Technicians of Serbia

LoCS – Law on Civil Servants

CPC – Criminal Procedure Code

CSW – Centres for Social Work

LoFLA – Law on Free Legal Aid

LoHC – Law on Health Care

LoHCI – Law on Health Care Insurance

LoF – Law on Foreigners

LoATP – Law on Asylum and Temporary Protection

LoRP – Law on the Rights of Patients

LoR – Law on Refugees

LoRPMD – Law on the Protection of Persons with Mental Disorders

LoA – Law on Associations

LoPA – Law on Public Administration

CfVSV – Centre for Victims of Sexual Violence

LoCP – Law on Civil Proceedings

LoMiDR – Law on Mediation in Dispute Resolution

LoOULS – Law on the Official Use of Languages and Scripts

LoEPS – Law on the Enforcement of Penal Sanctions

LoPPPiCP – Law on the Protection Programme for Participants in Criminal Proceedings

Part I: Changes in comprehensive and coordinated policies, funding and data collection in the area of violence against women and domestic violence

Article 7: Comprehensive and coordinated policies

1. Please provide information on any new policy development since the adoption of GREVIO's baseline evaluation report on your country to ensure comprehensive policies covering the areas of prevention, protection, and prosecution in relation to stalking, sexual harassment and domestic violence, including their digital dimension, rape and sexual violence, female genital mutilation, forced marriage, forced abortion and forced sterilization, thereby demonstrating further implementation of the convention. Please specify the measures taken particularly in relation to those forms of violence against women that have not been addressed in past policies, programmes and services encompassing the four pillars of the Istanbul Convention.

In the Republic of Serbia, gender equality is a constitutional principle and a strategic commitment of the country. The European integration process provides an additional incentive for substantial and fundamental changes aimed at advancing human rights and gender equality.

In accordance with the Law ratifying the Convention on the Elimination of All Forms of Discrimination Against Women¹ and the Law ratifying the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention),² the Government of the Republic of Serbia adopted the *Strategy for the Prevention and Fight Against Gender-Based Violence Against Women and Domestic Violence for the period 2021-2025*³. This basic strategic document was prepared in accordance with the Law on the Planning System⁴.

The objective of this strategy is to ensure effective prevention and protection from all forms of gender-based violence against women and girls and domestic violence and to develop a gender-responsive system of support services for victims of violence. This general objective of the Strategy serves for the comprehensive implementation of ratified international agreements, primarily the Convention on the Elimination of All Forms of Discrimination against Women and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. *The Strategy lays down four specific goals: 1) improved action of all actors in the prevention of gender-based violence against women and domestic violence; 2) efficient and effective protection of victims and available and adequate general and specialized support services for victims of violence; 3) all forms of violence against women and domestic violence are criminalized, in accordance with international standards, and the necessary prerequisites are provided for the adequate prosecution and punishment of perpetrators, the position of victims and witnesses is improved and victims' rights to compensation are exercised; and 4) integrated public policies exist and a comprehensive and functional system has been established for the collection and analysis of data on gender-based violence against women and domestic violence.*

Bearing in mind the scope defined by the Istanbul Convention, the Strategy is designed to focus on six key areas: 5.1. *Prevention*; 5.2. *Protection and support for victims*; 5.3. *Protection under civil law*; 5.4. *Protection under criminal law*; 5.5. *Investigation, prosecution, protection of victims and witnesses and compensation of victims*; 5.6. *Collection of administrative data*.

¹ "Official Gazette of the SFRY", NO 11/81

² "Official Gazette of the Republic of Serbia – International Treaties and Agreements", no. 12/13

³ "Official Gazette of the Republic of Serbia (RS)", no. 47/2021

⁴ "Official Gazette of RS", no. 30/2018

The Strategy determined a total of 15 regulatory, incentive, informative and educational and other measures. The unfavorable position of certain multiple vulnerable groups of women, who find themselves in an intersectional situation of unfavorable and discriminatory circumstances, such as Roma women, women with disabilities, women in the countryside, lesbians, transwomen, etc., is considered.

The Strategy establishes mechanisms for the prevention, protection, sanctioning and provision of support to victims of gender-based violence against women and domestic violence, as well as mechanisms for the monitoring and evaluation of the said strategy. It is expected that the implementation of the Strategy will improve the level of quality and effectiveness of the protection of human rights of victims of all forms of gender-based violence against women and domestic violence. The development of the *Action Plan for the Period 2024-2025 for the implementation of the Strategy for the Prevention and Fight against Gender-Based violence against Women and Domestic Violence for the period 2021–2025* is in its final phase. The action plan proposal envisages a total of 15 measures for the achievement of the specific goals, which are further specified with numerous and diverse activities.

The establishment of a control mechanism for monitoring cases of *femicide* - gender-based murder of a woman is foreseen in *Specific Goal 2: Ensuring efficient and effective protection of victims and established available and adequate general and specialized support services for victims of violence*.

At a session held on October 14, 2021, the Government of the Republic of Serbia adopted the *Strategy for Gender Equality for the period from 2021 to 2030*⁵, the goal of which is to overcome the gender gap and achieve gender equality as a prerequisite for the development of society and the improvement of the daily life of women and men, girls and boys.

This Strategy envisages the implementation of *Measure 2.3.: Improved security of women and girls in the public and private sphere through the elimination of all forms of violence, including human trafficking, sexual and other forms of exploitation, in particular during crises and emergencies*.

This measure is aimed at improving the comprehensive normative, political and institutional framework for the prevention and suppression of all forms of gender-based violence against women and domestic violence. This measure provides for the improvement of the legal framework for prevention and protection against gender-based violence against women, including its criminalization and victim compensation, in accordance with the international standards established by the Istanbul Convention, as well as the harmonization of legal definitions of various forms of violence.

In August 2022, the Action Plan for 2022 and 2023 was adopted for the implementation of the Strategy for Gender Equality for the period from 2021 to 2030⁶. The Ministry of Human and Minority Rights and Social Dialogue published the Annual Report on the Implementation of the Action Plan for 2022 and 2023 for the Implementation of the Strategy for Gender Equality for the Period from 2021 to 2023,⁷ as well as the Report for 2023 on the implementation of activities from the Action Plan for 2022 and 2023 for the implementation of the Strategy for Gender Equality.⁸

*The National strategy for the exercise of rights of victims and witnesses of criminal offences in the Republic of Serbia (2020-2025)*⁹, with the accompanying *Action Plan for its*

⁵ "Official Gazette of RS", no. 103/2021.

⁶ "Official Gazette of RS", no. 99/22.

⁷ Available under: <https://minlmpdd.gov.rs/wp-content/uploads/2024/04/Godisnji-izvestaj-o-sprovodjenju-Akcionog-plana-rodna-ravnopravnost.pdf>, accessed on: 12/05/2024.

⁸ Available under: <http://minlmpdd.gov.rs/wp-content/uploads/2024/05/Izvestaj-za-2023.-godinu-o-realizaciji-aktivnosti-iz-Akcionog-plana-za-2022.-i-2023.-godinu-za-sprovodjenje-Strategije-RR.pdf>; accessed on: 12/05/2024.

⁹ Available in Serbian and English, under : <https://www.mpravde.gov.rs/tekst/30567/nacionalna-strategija-za-ostvarivanje-prava-zrtava-i-svedoka-krivicnih-dela-u-republici-srbiji-za-period-2020-2025-godine-19082020.php> (accessed on: 4/12/2021).

*implementation for the period from 2020 to 2022*¹⁰, was adopted in order to fully harmonize this area with Directive 2012/29/EU of the European Parliament and the European Council of 25 October 2012.¹¹ The strategy envisages the formation of a National Network of services for assistance and support to victims and witnesses of criminal offences, as well as the establishment of contact points for informing victims and witnesses, development of primary (general) and secondary (specialized) assistance services.

In April 2023, the Assembly of the Autonomous Province (AP) of Vojvodina adopted the *Programme for the Protection of Women from Domestic and Partner Violence and other forms of gender-based violence in AP Vojvodina for the period from 2023 to 2026*.¹² This strategic document of the Provincial Government established several goals related to more effective actions of all actors aimed at preventing, suppressing and protecting against all forms of gender-based violence against women and domestic violence, as well as to the efficient and effective protection of victims and the establishment of available and appropriate general and specialist support services for victims of violence. The goal of the programme is also to improve the coordinated cooperation of all actors in the prevention and suppression of gender-based violence against women and domestic violence.

The programme for preventing and combating gender-based violence against women and domestic violence is substantially related to strategies that tackle areas listed as significant in the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence for the prevention of gender-based violence, violence against women and domestic violence, safety, social and health care as well as justice and protection of rights. Bearing in mind that these persons, who belong to vulnerable groups¹³ (persons with disabilities, the Roma population, children, victims of human trafficking, etc.), and who suffer gender-based violence and domestic violence, are in a particularly difficult position, the contents of the Programme are also substantially related to strategies for vulnerable groups.

The Law on Gender Equality (LoGE) was adopted in 2021.¹⁴ Part VI Prevention and suppression of gender-based violence refers to the prohibition of violence based on sex, sexual characteristics, that is, gender and violence against women. *Article 51* says: “Any form of violence based on sex, sexual characteristics, that is, on gender, and violence against women in the private and public sphere is prohibited”.

Also, the law in Article 53 stipulates the obligation to report such violence for every person, public authority, employer, association and institution. The police administration and the public prosecutor’s office are obliged to inform the centre for social work about the reported violence.¹⁵

The law lays down general support services (Article 54), as well as specialized support services for victims of violence (Article 55).¹⁶

¹⁰ Action Plan for the implementation of the National Strategy for the Exercise of Rights of Victims and Witnesses of Criminal Offences in the Republic of Serbia for the period 2020-2025 (available in Serbian and in English, under: <https://www.mpravde.gov.rs/tekst/30567/nacionalna-strategija-za-ostvarenje-prava-zrtava-i-svedoka-krivicnih-dela-u-republici-srbiji-za-period-2020-2025-godine-19082020.php>, accessed on: 14/05/2024).

¹¹ Available under: <https://www.podrskazrtvama.rs/media/medjunarodni/DIREKTIVA-2012-29-EU.pdf>

¹² Available under: https://www.europosi.com/dokumenti/APV_016_2023_002.pdf; accessed on: 13/05/2024.

¹³ In the document, marginalised, vulnerable, sensitive, multiply marginalised, multiply discriminated social groups are most often used for groups that - due to a specific difference in relation to the dominant population - need additional support in order to be able to participate equally in the life of the community.

¹⁴ “Official Gazette of RS”, no. 52/2021.

¹⁵ LoGE – Article 53: „Every person, public authority, employer, association and institution is obliged to report any form of gender-based violence and violence against women in the private and public sphere”.

Public authorities shall report any violence referred to in Article 51 of this law that they become aware of in the performance of their duties, that is, in the performance of their activities, to the competent police department or public prosecutor’s office without delay. The police department and the public prosecutor’s office shall inform the centre for social work about the reported violence.

¹⁶ LoGE: General support services, Article 54.

A victim of violence has the right to psychosocial assistance in accordance with the law and to free social protection and health care.

A victim of violence has the right to free legal aid, in accordance with the law regulating free legal aid.

Assistance and protection referred to in paragraphs 1 and 2 of this Article must be accessible to everyone and adapted to the individual needs of victims of violence, including victims from vulnerable social groups.

Public authorities shall take legislative and other measures to ensure that general support services are easily accessible to all victims of violence, and are provided in an adequately equipped space, by employees who are trained to provide assistance and support to victims of violence.

In Article 56, the Law foresees also programmes for working with persons who have committed violence. The goal of this provision is for the mentioned persons to adopt a non-violent model of behavior and to prevent the repetition of the criminal act. In accordance with the proposals from the civil sector, it is clearly stated that these programmes cannot be organized within the same bodies that provide support and protection programmes for victims of violence and their children, as well as that persons who work with victims or persons who have reported violence cannot be involved in working with persons who committed violence.¹⁷

Article 57 of the law defines the authorities, organizations and bodies for gender equality that have the obligation to organize, implement and fund measures aimed at preventing and suppressing violence.¹⁸

At the end of 2020, the Ministry of Human and Minority Rights and Social Dialogue started preparing Draft Law on Amendments and Supplements to the Law on Prohibition of Discrimination, and the Law on Amendments to the Law on Prohibition of Discrimination was adopted in 2021.¹⁹

The law introduced new personal characteristics on which discrimination is based, so the list of personal characteristics, which is open-ended, i.e. does not prescribe the *numerus clausus* of personal characteristics, was expanded by unambiguously prescribing gender and sexual characteristics as personal characteristics on which discrimination is based.²⁰

LoGG. Specialist services Article 55: "Specialist support services, within the meaning of this law, shall mean the following:

1) providing a confidential SOS telephone service for girls and women that have experienced gender-based violence, whereby such calls will not be recorded or be made available to third parties in any way. This service shall be provided and financed by the competent Ministry of Social Protection on the territory of the Republic of Serbia in the form of a free national SOS phone line, and on the territory of the local self-government or in administrative districts, by the competent body or bodies of the autonomous province and local self-government,

2) providing safe accommodation for women victims of violence and their children in safe houses or shelters, which are free of charge for all women and their children regardless of their place of permanent or temporary residence and available 24 hours a day, seven days a week, adapted to the needs of women victims of violence;

3) performing specialist and forensic medical and laboratory examinations and providing psychological support, in accordance with the needs of victims of violence;

4) providing free support to victims of sexual violence, which is available 24 hours a day, seven days a week, as well as providing contraceptive protection and protection from sexually transmitted diseases including forensic medical examination;

5) implementing a programme of specialised counselling centres for victims of violence, adapted to the individual needs of victims of violence, including victims from vulnerable social groups.

Specialist support services referred to in paragraph 1 of this article must be accessible to everyone and adapted to the individual needs of victims of violence, including victims from vulnerable social groups.

LoGE.

Article 56

The Ministry shall, in cooperation with other authorities, organisations and institutions tasked with implementing protection activities against violence, ensure the implementation of programmes for working with persons who have committed violence.

The goals of the programme referred to in paragraph 1 of this article are for persons who have committed violence to adopt a non-violent model of behaviour in interpersonal relationships and to prevent the repetition of the criminal act of violence.

Persons who committed violence may be included in the programmes referred to in paragraph 1 of this article based on the decision of the competent authority or at their own request.

Authorities, organisations and institutions that implement programmes for persons who have committed violence shall ensure that safety, rights and support for victims of violence are of primary importance, as well as that the implementation of these programmes is carried out in close cooperation with specialist services that provide support to persons who have suffered violence.

Professional workers and persons who have reported violence, and who participate in the protection of victims of violence and their children, cannot simultaneously participate in the implementation of programmes for working with persons who have committed violence, nor can these services be organised in the same space, that is, in the same authority, organisation and institution.

¹⁸ *LoGE. Prevention of violence, Article 57*

The Ministry shall, in cooperation with authorities, organisations and bodies for gender equality, organise, implement and fund measures aimed at raising public awareness of the need to prevent violence, including encouraging everyone to report every case of violence to competent authorities and institutions tasked with protection from violence .

In addition to the authorities and organisations referred to in paragraph 1 of this article, other public authorities shall also implement measures to prevent and suppress violence, such as: planning, organising, implementation and funding of measures aimed at achieving protection from violence, programmes to prevent all forms of violence and support programmes for victims of violence and persons reporting violence; raising public awareness of the need to prevent violence; specialisation of professionals who act in cases of protection of victims of violence and their regular education; training of professionals on gender equality and the phenomenon of gender-based violence; provision of social, legal and other assistance and compensation, in order to protect against violence and eliminate and mitigate the consequences of violence; provision of care services for victims of violence; provision of services to persons who committed violence, in order to prevent further violence, and other measures.

¹⁹ "Official Gazette of RS", no. 52/2021.

²⁰ *LoPD Definitions Article 2*

Within the meaning of this law:

1) the terms "discrimination" and "discriminatory treatment" shall mean any unjustified distinction or unequal treatment, i.e. omission (exclusion, limitation or giving priority), in relation to persons or groups as well as members of their families, or persons close to them, in an open or covert manner, which is based on race, colour, ancestors, citizenship, national or ethnic origin, language, religious or political beliefs, sex, GENDER, gender identity, sexual orientation, SEXUAL CHARACTERISTICS, LEVEL OF INCOME, property status, birth, genetic characteristics, health status, disability, marital and family status, convictions, age, appearance, membership in political, trade union and other organisations and other actual and/or assumed personal characteristics (hereinafter: personal characteristics);

In addition to forms of discrimination stipulated before – direct and indirect discrimination, violation of the principles of equal rights and obligations, calling to account, association for the purpose of discrimination, hate speech and harassment and humiliating treatment, this law adds also new forms: sexual and gender harassment, incitement to discrimination and segregation.²¹

The law also defines sexual harassment as any verbal, non-verbal or physical unwanted behavior that aims at or represents a violation of an individual's dignity or personal identity, and that causes fear or creates a frightening, hostile, degrading, humiliating or offensive environment. With this, the definition of indirect discrimination is harmonized with the regulations of the European Union.²²

The previous legal solution prohibited the denial of rights, that is, granting of privileges in relation to sex or due to sex change. This basis is supplemented by the prohibition of discrimination based on gender, gender identity, as well as due to gender-affirming sex reassignment. In addition, discrimination on the grounds of pregnancy, maternity leave, leave for childcare or special childcare is also prohibited.²³

The *Law on Amendments to the Criminal Code from 2016* introduced new incriminations for acts of gender-based violence whose victims are exclusively or mostly women and girls: persecution (Article 138a of the Criminal Code), forced marriage (Article 187a of the Criminal Code), female genital mutilation (Article 121a of the Criminal Code) and sexual harassment (Article 182a of the Criminal Code). The legal definitions of these offences are harmonized with the Convention. By introducing new criminal offences, in addition to those previously prescribed, all forms of violence against women and domestic violence covered by the Convention are criminalized. Femicide – the violent deprivation of a woman's life by men, is not incriminated as a separate criminal offence, so that such criminal offences qualify as different forms of murder and other criminal offences resulting in death.

The General Protocol on action and multisectoral cooperation in situations of gender-based violence against women and domestic violence (GPGBVW) was adopted at a Government session on 29 March 2024, by Government Decision 05 number 56-2476/2024/1.²⁴

The changes in the legislation imposed the need to adopt a new GPGBVW because the valid General Protocol on action and cooperation of institutions, authorities and organizations in

²¹ LoPD Article 5

Forms of discrimination

Forms of discrimination shall include direct and indirect discrimination, as well as violation of the principle of equal rights and obligations, calling to account, associating for the purpose of discrimination, hate speech and harassment and humiliating treatment, and sexual and gender-based harassment and incitement to discrimination.

²² LoPD Article 12

Harassment, humiliating treatment and sexual and gender-based harassment

Harassment and humiliating behaviour aimed at or representing a violation of the dignity of a person or a group of persons based on their personal characteristics is prohibited, especially if it creates fear or a hostile, humiliating and offensive environment.

Harassment, humiliating treatment and sexual and gender-based harassment, which aims at or represents a violation of the dignity of a person or a group of persons based on their personal characteristics, is prohibited, especially if it creates a frightening, hostile, degrading, humiliating and offensive environment.

Sexual harassment, within the meaning of this law, shall mean any verbal, non-verbal or physical unwanted behaviour, which aims at or represents a violation of a person's dignity or personal integrity, and which causes fear or creates a frightening, hostile, degrading, humiliating or offensive environment.

²³ LoPD. Article 20

Discrimination based on sex, gender and gender identity

Discrimination exists if one acts against the principle of gender equality, that is, the principle of respect for equal rights and freedoms of women and men in political, economic, cultural and other aspects of public, professional, private and family life.

It is prohibited to deny rights or grant privileges, be it publicly or covertly, in relation to sex or due to sex change. It is prohibited to deny rights or grant privileges, be it publicly or covertly, in relation to sex, gender, gender identity or due to sex change, i.e. gender-affirming sex reassignment, as well as on the grounds of pregnancy, maternity leave, leave for childcare or special childcare.

Any physical and other violence, exploitation, expression of hatred, belittling, blackmailing and harassment with regard to sex, i.e. gender and gender identity, as well as public advocacy, support and acting in accordance with prejudices, customs and other social patterns of behaviour based on the idea of gender inferiority or superiority, or stereotypical gender roles are prohibited.

²⁴ Available under: <https://www.mpravde.gov.rs/files/Закључак%20Влад%20%20о%20усвајању%20Општег%20протокола%2029.3.2024.pdf>; accessed on: 29/05/2024

situations of violence against women in the family and in intimate partner relationships from 2011 has been superseded, since it was based on regulations that were in force at the time of its adoption.

The new GPGBVW elaborates in more detail the legal obligations of government authorities and institutions in detecting and suppressing gender-based violence against women and domestic violence and providing protection and support to victims of this violence. It is based on the model of multisectoral cooperation as established by the *Law on the Prevention of Domestic Violence* (LoPDV) and harmonized with current regulations.

The general goal of the GPGBVW is to ensure comprehensive, coordinated and gender-sensitive action of competent authorities, institutions and organizations in order to effectively prevent gender-based violence against women and domestic violence, ensure safety and protection and provide appropriate support to victims to assist them in their empowerment, recovery and in gaining independence.

The specific goals of GPGBVW are the following:

- improving the actions of all stakeholders to prevent, protect and provide support to victims of gender-based violence against women and domestic violence,
- the inclusion of a gender perspective in all aspects of work and a gender-responsive approach in undertaking all measures and activities in the domain of prevention, protection and support for victims of gender-based violence against women and domestic violence in accordance with the international standard of due diligence,
- reduction of secondary victimization of victims of gender-based violence against women and domestic violence,
- increasing the level of information of experts involved in the system of protection and support for victims of gender-based violence against women and domestic violence and the general public on how to act in cases of violence and in cases where there is danger of gender-based violence against women and domestic violence,
- contributing to the achievement of the goals of the *Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025*.

2. Where relevant, please provide information on any measures taken to ensure the alignment of any definitions of domestic violence and of violence against women in national legislation or policy documents with those set out under Article 3 of the Istanbul Convention and provide the relevant applicable provisions in English or French.

The *Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025* is connected to strategies related to the key areas defined by the Convention on preventing and combating violence against women and domestic violence, which are the backbone of the strategy: justice and protection of rights, prevention of violence against women and domestic violence, security, social and health care.

It does not include an authentic definition of violence against women and domestic violence, but refers substantially to the provisions of all the most important international documents in this area (Beijing Declaration and Platform for Action (1995)²⁵, Beijing+15²⁶ and Beijing+25 – National overview of the progress achieved in the implementation of the Beijing Declaration and Platform for Action²⁷, as well as the United Nations General Assembly Declaration on the Elimination of Violence Against Women (A/Res/48/104) (1993)²⁸, Convention

²⁵ The Declaration and Platform for Action were adopted on 15 September 1995 at the Fourth World Conference on Women. Available under: http://www.e-jednakost.org.rs/kurs/kurs/download/pekinska_deklaracija.pdf ; accessed on: 29/05/2024.

²⁶ Available under: <https://www.womenngo.org.rs/vesti/vesti-arhiva-2006-2011/24-vesti-arhiva-tekstovi/133-pekings-15-i-paralelne-aktivnosti-ngo-foruma>; accessed on: 23/05/2024.

²⁷ Available under: <https://www.rodunaravnopravnost.gov.rs/en/node/533>; accessed on: 23/05/2024.

²⁸ Available under <http://www.womenngo.org.rs/publikacije-dp/medjunarodni%20dokumenti.pdf> ; accessed on: 23/05/2024.

on the Elimination of all Forms of Discrimination Against Women (UN Doc. A/34/46) (1979)²⁹ and the Optional Protocol to the Convention,³⁰ UN Commission on Human Rights Resolution 2003/45: Elimination of Violence against Women³¹, CEDAW General Recommendation No. 19 (A 47/38)³², CEDAW General Recommendation No. 30 on women in conflict prevention, conflict situations and post-conflict situations³³, General Recommendations No. 35 on gender-based violence against women).

The *Strategy for Gender Equality for the period 2021-2030* recognizes the need to protect women against all forms of violence. It does not contain definitions of violence against women and domestic violence.

*The Strategy emphasizes in part 5.2.3. Gender-based violence and violence against women and domestic violence that violence in general, and especially against women, is the most widespread and severe form of violation of fundamental human rights.*³⁴

Measure 2.3. is aimed at improving the comprehensive normative, political and institutional framework for the prevention and suppression of all forms of gender-based violence against women and domestic violence. This measure provides for the improvement of the legal framework for prevention and protection against gender-based violence against women, including its criminalization and victim compensation, in accordance with the international standards established by the Istanbul Convention, as well as the harmonization of legal definitions of various forms of violence.

The strategy highlights the problem of gender-neutral definitions of violence that do not recognize that some forms of violence are specifically aimed at women and affect them disproportionately. It emphasizes the need for adequate criminalization and prosecution of all forms of violence against women and domestic violence, which is fully in line with the requirements of the Istanbul Convention for effective protection of victims under criminal law.

In the *LoGE*, violence against women is defined in an identical manner as in the Istanbul Convention.³⁵

The *Family Law (FL)* defines domestic violence as behavior by which one family member endangers the physical integrity, mental health or tranquility of another family member. The definition of domestic violence includes a wider spectrum of behavior compared to the Law on the Prevention of Domestic Violence. This legal provision defines violence based on threatening behavior, and not through types of specific forms of violence (physical, sexual, psychological and economic), while the circle of protected persons (family members) is defined in a separate paragraph and corresponds to the definition from the Istanbul Convention.³⁶

²⁹ “Official Gazette of the SFRY – International Treaties and Agreements”, No. 11/1981.

³⁰ “Official Gazette of the FRY – International Treaties and Agreements”, No. 13/2002.

³¹ Adopted on 23 April 2003, at the 59th meeting of the Commission. Document E/CN.4/RES/2003/45.

³² Committee on the Elimination of Discrimination of Women, General Recommendation No. 19 on violence against women; available under https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_3731_E.pdf

³³ Committee on the Elimination of Discrimination of Women, General Recommendation No. 30; available under: <https://www.ohchr.org/en/hrbodies/cedaw/pages/recommendations.aspx>

³⁴ *Measure 2.3*

Improved safety of women and girls in the public and private spheres through the elimination of all forms of violence, including human trafficking, sexual and other forms of exploitation, especially in times of crisis and emergency situations.

³⁵ *LoGE Definitions*

Article 6, paragraph 1, item 11:

Violence against women shall mean a violation of human rights and a form of discrimination against women including all acts of gender-based violence that result in, or are likely to result in: physical, sexual, psychological or financial harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 6, paragraph 1, item 12:

Domestic violence shall mean all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit, or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.

³⁶ *Family Law Part 9: Protection against domestic violence*

Article 197: Domestic violence

(1) Domestic violence, within the meaning of this law, is behaviour by which one family member endangers the physical integrity, mental health or tranquility of another family member.

In the *Criminal Code (CC)*, the criminal offence of domestic violence is defined as the use of violence, threat of attacks against life or body, insolent or ruthless behavior that endangers the tranquility, physical integrity or mental condition of a family member. In addition to the basic form of domestic violence, another four qualified forms are stipulated. The circle of protected persons in the Criminal Code is narrower compared to the standard from the Istanbul Convention.³⁷

In the Law on the Prevention of Domestic Violence (LoPDV)³⁸, the definition of domestic violence is harmonized with the definition from the Istanbul Convention.³⁹

The GPGBVW defines violence against women as the violation of human rights and as a form of discrimination against women and includes all acts of gender-based violence against women that result or may result in: physical, sexual, psychological and/or financial harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, which is fully in line with Article 3, paragraph 1, a) of the Istanbul Convention.

Also, in the GPGBVW it is stated that *gender-based violence against women* represents violence directed against a woman because she is a woman, that is, violence that disproportionately affects women. Violence against women is deeply rooted in social and cultural structures, norms and values that rule in society, and is maintained by a culture of denial and silence, which is also fully in line with Article 3, paragraph 1, d) of the Istanbul Convention.

Domestic violence is any act of physical, sexual, psychological or economic violence that occurs within the family or domestic unit, or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim (Article 3, paragraph 1, item b) of the Istanbul Convention).

Victims and perpetrators of domestic violence can be persons of both sexes. The specific characteristic of domestic violence compared to violence committed outside the family is reflected in the fact that it always, regardless of its form and method of perpetration, represents abuse of power and a way of controlling family members who have less power or less resources.

In most societies, especially in patriarchal communities, men have greater power, not only physical, but also economic and social power.

Domestic violence includes two types of violence: intimate partner violence between current or former spouses or partners, and intergenerational violence, which usually occurs between parents and children.

Intimate-partner violence includes violence against current or former spouses or partners. This type of violence occurs during the marital or partner relationship, but often

(2) *Domestic violence, within the meaning of paragraph 1 of this article, means in particular the following:*

1. *Inflicting or attempting to inflict physical injury,*
2. *causing fear by threatening to kill or to inflict bodily harm on a family member or a close person,*
3. *coercion into sexual intercourse,*
4. *inciting someone into engaging in sexual intercourse or sexual intercourse with a person who has not reached the age of 14 or a helpless person,*
5. *restriction of freedom of movement or communication with third parties,*
6. *insults, as well as any other insolent, ruthless and malicious behaviour.*

³⁷ CC – Domestic Violence

“Article 194, paragraph 1

Whoever by use of violence, threat of attacks against life or body, insolent or ruthless behaviour endangers the tranquility, physical integrity or mental condition of a member of his family, shall be punished with imprisonment of three months to three years.

³⁸ “Official Gazette of RS”, no. 94/2016 and 10/2023 – as amended.

³⁹ LoPDV Article 3, paragraph 3:

“Domestic violence shall mean an act of physical, sexual, psychological or economic violence of the perpetrator against a person with whom the perpetrator is either presently or has previously been in a matrimonial relationship or common-law partnership, or with a person he/she is blood-related to in the direct line, or in the side line up to the second degree or with whom he/she is in an in-law relation up to the second degree or to whom he/she is an adoptive parent, adopted child, foster parent or foster child or with another person with whom he/she is living or has lived in a common household.

continues even after its termination, so that it exists even when the victim and the perpetrator do not share a common household. Intimate partner violence disproportionately affects women and is therefore strongly gender based.

Intergenerational domestic violence includes physical, sexual, psychological and economic violence that a person perpetrates against their child or parent, as well as any violence between family members of different generations. Violence exists regardless of whether the victim and the perpetrator share a common household.⁴⁰ In national regulations, domestic violence is defined in such a way as to include both intimate-partner violence and intergenerational violence.

By the decision of the Ministry of Justice No. 119-01-125/2021-05 dated 12 May 2021, a *Working Group for the Analysis of the Effectiveness of the Criminal Justice System based on closed cases* was established in order to identify and eliminate its weaknesses and shortcomings in the preparation of the working text of the Law on amendments to the Criminal Code, which will consider proposals for amendments to the CC in the section Meaning of Terms for the Purpose of this Code, Article 112, item 28, which lays down who is considered a family member, as well as the proposal for amendments to Article 194 – Domestic Violence.

*A Special protocol of the Ministry of Health of the Republic of Serbia for the protection and treatment of women exposed to violence*⁴¹ includes a definition of violence against women.⁴²

3. Please provide information on how your authorities ensure that policies on violence against women and domestic violence put women's rights and their empowerment at the centre and on any measure taken to enhance the intersectionality of such policies, in line with Articles 4 paragraph 3 of the convention.⁴³

The *Strategy for Preventing and Combating Gender-Based Violence Against Women and Domestic Violence for the period 2021-2025* places the victim at the centre of all measures taken to protect and support victims of violence.

The National Strategy for the Exercise of Rights of Victims and Witnesses of Criminal Offences for the period 2020-2025 does not refer to the standards that the Republic of Serbia accepted by ratifying the Istanbul Convention. The strategy envisages a measure to improve the rights of victims but does not place victims at the centre of all measures.

The LoPDV places victims at the centre of all measures and procedures by assigning jurisdiction to the court where the victim resides in case of extension of emergency barring orders. This law also lays down the method of drawing up an individual protection plan and the participation of the victim in the drawing up of the plan.

Individual protection and support plan for the victim

Article 31. Upon receipt of the risk assessment, which has established that there is an immediate danger of domestic violence, the coordination and cooperation group draws up an individual protection and support plan for the victim, which contains comprehensive and effective protection and support measures for the victim, but also for other family members who need support.

⁴⁰ Explanatory report to the Istanbul Convention, Article 41.

⁴¹ Available under: <https://www.sigurnakuca.net/sites/default/files/inline-files/TirkizniTekst.pdf>; accessed on: 10/06/2024

⁴² *Violence against women is a violation of fundamental human rights.*

Violence against women is any act of gender-based violence, which results or may result in physical, psychological or sexual harm or suffering to women, including threats of such acts, restriction or arbitrary deprivation of liberty, regardless of whether it occurs in the public or private sphere of life.

⁴³ The concept of intersectionality refers to the fact that “individuals (and groups) are affected by multiple inequalities based on various grounds of distinction rather than by discrimination based on one ground at a time. Therefore, discrimination, inequality and gender-based violence cannot be examined in relation to only one category of difference – for instance, gender – while precluding others – such as race, class, age, disability, sexual orientation or gender identity – because social categories intersect and interlock in multiple systems of discrimination that simultaneously affect an individual's life.” See in this respect the study *Ensuring the Non-discriminatory Implementation of Measures against Violence against Women and Domestic Violence: Article 4, paragraph 3, of the Istanbul Convention, A collection of papers on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*, p. 12-13.

GPGBVW stipulates that the Individual Protection and Support Plan for the victim is an operational document that the group draws up whenever it assesses that there is an immediate danger of domestic violence. Bearing in mind that the individual plan has a preventive purpose, it is drawn up regardless of whether the competent police officer has performed a risk assessment or not and regardless of the degree of risk of immediate danger of violence.

The following is defined in the Individual Protection and Support Plan for the victim:

- protection measures and support measures for the victim of violence, her children and her family members who need protection and support,
- the person in charge of the implementation of each specific measure and the deadline for its implementation,
- a plan for monitoring and evaluating the effectiveness of the planned and undertaken measures.

If the possible perpetrator is hospitalized for treatment, the persons in charge will start drawing up the individual protection and support plan while he is undergoing treatment, and not only after his release, especially in cases of high security risk.

The plan shall also be developed even if the possible perpetrator is on the run, because in such situations there is an increased risk of violence.

Protection measures are based on the assessment of the security risk, and support measures are based on the needs of the victim. In cases of domestic violence where children were also involved, the individual plan should also include measures aimed at the recovery of children, indirect victims of violence.

Protection measures include various interventions that are undertaken to ensure the safety of the victim. The quantity and type of measures to be determined by the individual plan depend on the circumstances of each individual case.

In principle, the corpus of possible protection measures includes:

- initiating civil proceedings for the determination of protection measures under family law: moving out of a family apartment or house, moving into a family apartment or house, ban on approaching a family member at a certain distance, ban on accessing the area around the residence or place of work of a family member and prohibition of further harassment of a family member,
- a request to initiate misdemeanor proceedings,
- a proposal for the determination of protective measures for the perpetrator: confiscation of objects, mandatory treatment of those addicted to alcohol and psychoactive substances, mandatory psychiatric treatment, ban on approaching the injured party, as well as buildings or the place where the offence was committed, and removal of foreigners from the territory of the Republic of Serbia,
- proposal for detention,
- initiating criminal proceedings,
- proposal for the issuance of barring orders for the perpetrator of the criminal offence: ban on approaching and communicating with the injured party.

Certain measures aimed at ensuring the presence of the accused in court and the smooth conduct of criminal proceedings can also have protective effects, such as:

- banning the defendant from leaving the apartment he is staying in without permission, banning the defendant from using the telephone and the Internet or from receiving other people in the apartment, etc.,
- granting the victim of gender-based violence and domestic violence the status of a particularly sensitive witness,
- an order to the perpetrator of violence to undergo psychosocial treatment intended for perpetrators of domestic violence and violence against women.

The individual plan determines also how the implementation of a defined measure will be monitored, as well as the deadline for evaluating the effects of the measure.

The individual plan is signed by all members of the group, as well as representatives of authorities, institutions and organizations that participated in the work of the group by invitation. The individual plan is signed by the victim himself, if the victim participated in the development of the individual plan. The victim can refuse to sign the individual plan, if the victim does not agree with the measures determined, which is noted in the minutes of the meeting.

The individual plan is delivered to all present participants, and it is also delivered to the victim who did not attend the meeting, as well as to the persons in charge of implementing measures, in case their representatives did not participate in the group meeting.

The individual protection and support plan for the victim is changed and supplemented at the next meeting of the group, based on the insight into the effects achieved by implementing the measures determined at the previous meeting, as well as based on newly emerging circumstances and needs of the victim.

In 2023, 25,396 individual victim protection and support plans were prepared, while in 2022, 21,690 individual victim protection and support plans were prepared.

In 2023, a total of 2,858 victims attended the meetings of the Coordination and Cooperation Group, while in 2022, 655 victims attended these meetings.

Article 8: Funding

4. Please provide information on any new development since the adoption of GREVIO's baseline evaluation report on your country concerning the allocation of appropriate and sustainable financial and human resources for the implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the Istanbul Convention.

The Action Plan of the *Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025* was not adopted, and therefore funds for the implementation of activities were not allocated in the budgets at all levels of government.

The total planned funds for the implementation of activities in the Action Plan for Gender Equality for 2022 and 2023 amount to 93,894,000.00 dinars, of which 64,972,000.00 dinars for 2022. In accordance with the Law on the Budget ("Official Gazette of the RS", number 110/21), 18,500,000.00 dinars were spent in 2022 (which is 28.5% of the funds spent from the budget for the implementation of activities in 2022).

Funding from donor funds is foreseen for certain activities from this Action Plan. In this regard, and in accordance with the provisions of Article 58, paragraph 1, item 4 (3) of the Regulation on the Methodology of Public Policy Management, Analysis of the Effects of Public Policies and Regulations and the Content of Individual Public Policy Documents ("Official Gazette of the RS", no. 8/19), the implementation of such measures was conditional on the available donor fund sources in 2022. With regard to certain activities that are foreseen by the programme, and which are implemented with funds provided by the budget, i.e. running costs, this refers to the regular tasks and duties of civil servants and officials performed at their workplaces, be it their participation in working groups or individual work on monitoring the implementation of regulations or the preparation of certain analyses, reports, data collection and the like.

In accordance with the Law on the Budget of the Republic of Serbia, the Ministry of Labour, Employment, Veterans and Social Affairs allocates every year financial resources within Programme 0902 – Social Protection, namely for the following: Programme Activity 0003 – Rights of Social Protection Beneficiaries; Programme activity 0004 – support to associations and local communities; Programme activity 0005 – activities of social protection

institutions; Programme activity 0013 – support to the work of foster families; and Programme Activity 0015 – budget fund for social protection institutions.⁴⁴

Public services and sustainable infrastructure of centres for social work (hereinafter: CSWs), safe houses and shelters for victims of violence do not fall under the funding responsibility of this ministry, but local self-government units. Delegated tasks assigned to CSWs, the functioning of the National SOS helpline and the Centre for the Protection of Victims of Human Trafficking are financed within the framework of Programme Activity 0005 – activities of social protection institutions (salaries, wages and benefits of employees, specialized contracts, contract-based services, fixed costs, ordinary repairs and maintenance, material, etc.).

The budget of the Republic of Serbia provides funds for earmarked transfers, which, in accordance with the Law on Social Protection and the regulations of local self-government units, are used to fund the following: social protection services that are funded by local self-government units according to the Law, in local self-government units whose level of development is below the national average; social protection services in the local self-government units on the territory of which institutions are seated that provide home accommodation and that are in a process of transformation, including the transformation costs of those institutions; innovative services and social protection services of special importance for the Republic of Serbia. For these purposes, the government allocated 600 million dinars (around 5 million euros) in total for the year 2024 for various types of services, among others SOS call centres and shelters for women victims of violence, which is the support of Local Self-Government funds for the establishment and development of these services.

In 2023, for the eighth year in a row, the Ministry of Justice held a public call for the allocation of funds collected based on the deferral of criminal prosecution (opportunity). The public call for the allocation of funds collected based on the deferral of criminal prosecution was published in the daily newspaper “Večernje Novosti” on 17 February 2023 and in the “Official Gazette of the RS”, number 13/22 of 17 February 2023. At the proposal of the Commission of the Ministry of Justice, the Government of the Republic of Serbia adopted, at the session held on 8 June 2023, the Decision on the allocation of funds collected based on the deferral of criminal prosecution, based on which half a billion dinars were distributed to 180 projects of public interest.

5. Please provide information on any development concerning the provision of appropriate and sustainable financial and human resources for women’s rights organizations that provide specialist support services to victims, including those supporting migrant women and girls.

There is no aggregated data available on funding allocated to women’s rights organizations that provide specialist support services to victims.

Article 11: Data collection and research

6. Please provide information on any new development since the adoption of GREVIO’s baseline evaluation report on your country on the introduction of data collection categories such as type of violence, sex and age of the victim and the perpetrator, the relationship between the two and where it took place, for administrative data of relevance to the field of violence against women and domestic violence emanating from law enforcement agencies, the justice sector, social services and the public health care sector.

⁴⁴ Available under: <https://www.minljmpdd.gov.rs/doc/izvestaji/Izvestaji-o-ostvarivanju-rodne-ravnopravnosti-uRSza2022.godinu.pdf>

*In the Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence (2021-2025)*⁴⁵, Measure 4.3 is defined as follows: *Establishment of a single central record of all forms of gender-based violence against women and domestic violence*. The effects of this measure are reflected in the establishment of a complete and functional data collection system on violence against women and domestic violence with the aim of enabling monitoring, analysis and creation of evidence-based policies for the prevention and suppression of violence against women and domestic violence, which will ensure a better long-term and more effective prevention and protection against domestic violence and other forms of gender-based violence.⁴⁶

Article 12, paragraph 1 of the LoGE, section Statistical Data Categorized by Sex, lays down that information and statistical data that are collected and recorded in public authorities and at employers in all areas where the measures from this law are implemented must be, except presented in aggregated form, also categorized and reported by gender and age. Paragraph 4 further specifies that information and statistical data categorized by gender and age, as referred to in paragraph 1 of this article, are an integral part of official statistics, which are kept in the Republic of Serbia and are available to the public, in accordance with the law.

Article 65, paragraph 2 of this Law, Section: Recording of Data on the Achievement of Gender Equality, also lays down that in order to monitor and achieve gender equality and report on it, public authorities and employers, as well as bodies responsible for gender equality, shall record data categorized by sex; in the item 16, it stipulates that public authorities shall record data on the number and percentage of reported cases of sex-based, i.e. gender-based violence, classified by the form of violence, the sex of the victim of violence and the sex of the perpetrator of violence and the relationship between the victim and the perpetrator of violence; according to the item 17, data must be recorded on the number and percentage of persons who committed domestic violence classified by sex and the relationship between the perpetrator and the victim of violence; and according to the item 18, data must be recorded on the number and percentage of verdicts for violence against women and domestic violence, classified by the sex of the victim of violence and the sex of the perpetrator.

*The Law on Personal Data Protection (LoPDP)*⁴⁷ governs the conditions for the collection and processing of personal data, the rights of persons and the protection of the rights of persons whose data is collected and processed, limitations regarding the protection of personal data, the procedure before the competent authority for the protection of personal data, data security, records, reporting of data from the RS and oversight over the implementation of this Law. Data on victims of violence and convictions for criminal offences, among others, are considered particularly sensitive data (Article 16).

The provisions of Article 45, paragraph 2 of the current Law on Public Prosecution ("Official Gazette of the RS" No. 10 of February 9, 2023), prescribe that the act on the administration of the Public Prosecutor's Office shall be passed by the minister responsible for justice, based on the opinion of the High Council prosecutor's office and the Supreme Public Prosecutor⁴⁸. Reports on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality are published annually⁴⁹.

⁴⁵ Available under: <https://www.minrzs.gov.rs/sr/dokumenti/ostalo/sektor-za-socijalnu-zastitu/strategija-za-sprecavanje-i-borbu-protiv-rodno-zasnovanog-nasilja-prema-zenama-i-nasilja-u-porodici-za-period-2021-2025-godine>

⁴⁶ Ibid, p. 75.

⁴⁷ "Official Gazette of RS", no. 97/2008, 104/2009 – as amended, 68/2012- Decision of the Constitutional Court and 107/2012.

⁴⁸ Law on Public Prosecution ("Official Gazette of RS" No. 10 of February 9, 2023)

⁴⁹ Available reports for 2019, 2020, 2021, 2022 and 2023 at: <http://www.vrhovnojt.gov.rs/sr/informacije-o-radu/godišni-izveštaj-o-radu-javnih-tužilaštava> ; accessed: 03.06.2024

The provisions of Article 32 of the Law on the Prevention of Domestic Violence (LoPDV) stipulate the obligation of the basic public prosecutor's office to keep records of proposals for the extension of emergency barring orders and requests for the issuance of protection measures against domestic violence. This provision stipulates that the Supreme Public Prosecutor's Office shall keep a Central Record on cases of domestic violence, which, in electronic form, consists of the records of police departments, basic courts, basic public prosecutor's offices and centres for social work. Data are entered into the Central Record only with the use of appropriate protected access codes and are stored for ten years, after which they are deleted.

Basic public prosecutor's offices have created and keep special records in accordance with Article 32 of the Law on Prevention of Domestic Violence, as well as records of the work of the Coordination and Cooperation Group according to the Group's Rules of Procedure.

The following data are recorded in the records on the implementation of the Law on the Prevention of Domestic Violence of the *Supreme Public Prosecutor's Office*: sex of the injured party (female, male) and age of the injured party (minor, adult). No data is collected on the relationship between the victim and the perpetrator and where the violence took place.

The available annual statistical reports contained in the Annual Reports on the work of public prosecutor's offices to suppress crime and protect constitutionality and legality do not contain data on the relationship between the perpetrator and the victim, nor the gender classification of minor injured parties. In order to provide the other mentioned and required data, it would be necessary to carry out an immediate review of the relevant criminal cases in order to supplement and specify the data contained in the available Annual Reports on the work of public prosecutor's offices to suppress crime and protect constitutionality and legality.

*The Law on the Regulation of Courts (LoRC)*⁵⁰ prescribes in Article 76 that the minister in charge of justice and the High Council of the Judiciary jointly adopt the Court Rules of Procedure, which, among other things, regulate the keeping of records, i.e. registers and auxiliary books..

In accordance with the abovementioned, provision of Article 32 of LoPDV foresees the obligation of the basic court to keep records of its own decisions regarding proposals for the extension of emergency barring orders.

Article 289 of the Family Law, section: Records and documentation on domestic violence, lays down the following: the court shall without delay deliver the judgment in the dispute for protection against domestic violence to the guardianship authority in whose territory the family member against whom the violence was committed resides, as well as to the guardianship authority in whose territory the family member against whom the protection order has been issued resides, either permanently or temporarily. The guardianship authority shall keep records and documentation both on persons against whom violence has been committed, as well as on persons against whom a protection order has been issued. The manner of keeping records and documentation is laid down by the minister in charge of family protection.

Article 23 of the *Law on Social Protection (LoSP)*⁵¹ stipulates the following: Records shall be kept on the beneficiaries, the rights they have exercised, and the services provided to them, in accordance with this law and other regulations. The records referred to paragraph 1 of this article are kept in electronic form and can also be kept in paper form.

*The Rulebook on the Organisation, Norms and Work Standards of Center for Social Work*⁵² stipulates the following in Article 13: Centres for social works shall keep records and documentation about their work, in accordance with the law and this Rulebook.

⁵⁰ "Official Gazette of the RS", no. 116/2008, 104/2009, 101/2010, 31/2011 – as amended, 78/2011 – as amended, 101/2011, 101/2013, 106/2015, 40/2015 – as amended, 13/2016, 108/2016, 113/2017, 65/2018 – Decision of the Constitutional Court, 87/2018 и 88/2018 - Decision of the Constitutional Court.

⁵¹ "Official Gazette of the RS", 24/2011

⁵² "Official Gazette of the RS", no. 59/2008, 37/2010, 39/2011 – as amended, 1/2012 – as amended, 51/2019 and 12/2020.

*Rulebook on the organization, norms and standards of the work of the center for social work*⁵³ (in accordance with Article 12, paragraph 3 of the Family Law and Article 120, paragraph 2 of the Law on Social Protection, as well as in accordance with Article 27 of the Law on the Prevention of Domestic Violence, adopted in 2018) regulates in more detail the activities of centres for social work – guardianship authorities in the performance of delegated tasks of family protection and family assistance, and in dealing with cases of domestic violence and intimate-partner violence.

The same Rulebook provides, in Article 26, the following list of indicators for recognizing violence against children and partner violence, as well as an overview of the data collected by CSWs in cases of domestic violence and intimate partner violence:

- 1) Lists of indicators for recognizing violence against children,
- 2) Lists of indicators for recognizing partner violence,
- 3) Lists of data collected by CSWs in cases of violence against children and partner violence.

The *Special Instruction on data records of centres for social work – guardianship authorities for the purposes of monitoring action and identification of administrative data in cases of domestic violence and violence in intimate partner relationships*, regulates in more detail the data records that are kept for the purposes of monitoring the procedure led by the CSW – guardianship authority: 1) for the purposes of monitoring actions, i.e. identification of administrative data, on undertaken activities, measures, services and other actions in cases of domestic violence and violence in intimate partner relationships; 2) for the purposes of reporting to the Republic Institute for Social Protection in Belgrade and the Provincial Institute for Social Protection in Novi Sad.

The Rulebook on records and documentation of individuals against whom domestic violence has been committed and individuals against whom a protection order for perpetrating domestic violence has been issued, adopted in 2023,⁵⁴ governs the method for keeping records and documentation on individuals against whom domestic violence has been committed and on individuals against whom protection measures have been issued for perpetrating acts of domestic violence.

In accordance with this Rulebook, the guardianship authority keeps records and documentation in electronic form in a unique system for the protection and automation of social protection instruments (SOZIS), as defined by the regulation governing the organization, norms and work standards of social work centres.

Records and documentation on individuals against whom domestic violence has been committed and on individuals against whom protection orders have been issued for perpetrating acts of domestic violence are kept by the guardianship authority in the territory of residence of the family member against whom domestic violence has been committed, and/or the authority in the territory of permanent or temporary residence of the person against whom a protection order has been issued for perpetrating an act of domestic violence.

In the records of individuals against whom domestic violence has been committed and individuals against whom a protection order against domestic violence has been issued, data from the judgment which determined a measure of protection against domestic violence and data from the judgment which terminated a measure of protection against domestic violence are entered.

Documentation in the sense of this rulebook shall be considered a judgment in a dispute for the protection against domestic violence and a certificate of a certain degree of protection.

⁵³ Available under: <https://www.minrzs.gov.rs/sites/default/files/2018-11/Posebni%20protokol%20MRZSP%20nasilje%20u%20porodici.pdf>; accessed on: 01/06/2024.

⁵⁴ “Official Gazette of the RS”, no. 88/2023.

*The Law on Medical Documentation and Records in the Area of Health Care (LoMDRHC)*⁵⁵ regulates medical documentation and medical records in the area of health care, the types and contents of medical documentation and records, the manner and procedure for keeping them, the persons authorized to keep medical records and enter data, deadlines for the submission and processing of data, the method of using data from the medical records of patients for data processing, quality assurance, data protection and storage, as well as other issues of importance for maintaining medical documentation and records.

The Institute of Public Health of the Republic of Serbia “Dr. Milan Jovanović Batut” (IOPHOS) with its network of district and city public health institutes is the contact point in the process of recording data in the Report on Suspected Abuse of Women.

In the Republic of Serbia, there is a network of 25 public health institutes that collect and process all data from health institutions at all three levels.

When it comes to violence, abuse and neglect, health care institutions:

1. Fill out the form for reporting suspected abuse,
2. In the Questionnaire of the Ministry of Health, questions are asked about cases in which the police, prosecutor's office, center for social work have been notified;
3. Prepare the Report on the invoiced service based on the Rulebook on the nomenclature of health services at the primary level of health care.re.

The reports of IOPHOS on the reported cases of violence indicate that all collected data are considered, besides the frequency and characteristics of gender-based violence, but in fact the scope of services and the age of the persons to whom services were provided are seen. The reports show, in the part related to invoiced services, if children were exposed to violence, that is, the number of treatments in pediatric units for school and preschool children is recorded.

The questionnaire of the Ministry of Health contains questions about the number of:

- recorded cases of partner/gender-based violence,
- recorded cases in which the police, prosecutor’s office, centre for social work have been notified,
- recorded cases in which no other authority has been notified,
- recorded cases where the victim sought help from the primary health care centre/medical institution,
- recorded cases of women with disabilities, pregnant women, postpartum women or elderly women,
- recorded cases of women who declared themselves as members of the Roma national minority,
- recorded cases in which the doctor reported the case of partner/gender-based violence to the police, the prosecutor's office or the centre for social work, and
- recorded cases in which violence was established but the doctor did not submit a report to the aforementioned authorities.

In accordance with Article 332 of the CC – Failure to report a criminal offence and the perpetrator, doctors are obliged to report the following offences for which the law stipulates a penalty of five or more years in prison, if they become aware of them during the performance of their official duties: serious bodily harm; all injuries caused by firearms and other weapons, dangerous tools and other means capable of seriously harming the body or severely damaging health, all criminal offences in the field of sexual crime (rape, etc.).

Doctors are obliged to report the following offences: abuse in the family if it has led to serious bodily harm or serious damage to health or has been done to a minor or has led to the death of a family member.

⁵⁵ “Official Gazette of the RS”, no. 123/2014, 106/2015, 105/2017 and 25 / 2019-3

IOPHOS “Batut” has prepared the *Professional Methodological Instruction for filling out reports on GBV with the complete content of the Form for reporting suspected abuse (the form is identified in the Form for recording and documenting violence, which is part of the Special Protocol of the Ministry of Health)*.

The Public Health Service of the Republic of Serbia created a database for entering individual reports – Reports of suspected abuse of women dated April 6, 2022. This report serves to enter data for 2021 and beyond. Health institutions have appointed coordinators for the prevention of gender-based violence.

This methodological instruction defines the method for data recording, as well as the contents of data sets in the Report on Suspicion of Abuse of Women (Form from the Special Protocol).

Data Collection Methodology

The health care institution is obliged to keep a book of records on cases of violence or suspected violence/abuse and to report data on documented violence, risk assessment and measures taken to the competent public health institute through the Public Health Service of the Republic of Serbia.

Since June 2010, the *Special Protocol of the Ministry of Health of the Republic of Serbia for the protection and treatment of women exposed to violence*⁵⁶ has been in force. The special protocol is an instrument for recognizing, recording and documenting gender-based violence, with the aim of involving health care workers in responding, detecting, suppressing and preventing this unwanted social phenomenon.

Persons in charge of the field of informatics and biostatistics within the competent public health care institutes, in cooperation with the competent person representing legal entities, control the up-to-date of data, help solve problems in keeping records of suspected abuse of women and control the accuracy of the data entered.

The basic source of information in the database on suspected abuse of women is a data set defined for the purposes of reporting to the database (Report on suspected abuse of women).

Users of data from the database are all users of the system and decision makers according to defined competences and authorizations:

- Employees,
- Managers of health care institutions/organizational units,
- Analysts and planners at the level of the competent public health institute,
- Analysts and planners at the level of the national IOPHOS,
- Planners in the Ministry of Health and the Republic Health Insurance Fund,
- International organizations.

As the authorized data manager, IOPHOS can use the available data at any time for processing purposes, analysis and reporting, taking into account the set deadlines for data collection and protection of personal data.

The basic data sets in the Report on Suspicion of Abuse of Women are the following:

- Data about the institution,
- Data on documenting violence,
- Data about the violent event,
- Data on the type of violence,
- Medical information,
- Data on history of abuse (previously registered injuries),
- Data on objective examination,
- Data about A and B risk assessment,

⁵⁶ Available under: <https://www.sigurnakuca.net/sites/default/files/inline-files/TirkizniTekst.pdf>; accessed on: 01/06/2024.

• Data about treatment/measures taken (applied health care measures and referral to competent services).

Data Description

The meta database describes the characteristics of the contents of the data set in digital form, i.e. represents a set of data that describe, explain, locate or in some other way facilitate the easier tracking of data on suspected abuse of women. The name, value type, logical controls, and specific notes related to each feature in the data sets are defined.

Data about the institution

The record “Data about the institution” encompasses the following data set:

1. Registration number of the medical institution,
2. Organizational unit,
3. Municipality of the organizational unit,
4. Date when the report was filed,
5. Registration number of the authorized person.
 - 5.1. Registration number of the medical institution
 - 5.2. Organizational unit
 - 5.3. Municipality of the organizational unit
 - 5.4. Date when the report was filled out
 - 5.5. Registration number of the employee.

Documenting violence

The record “Data on documenting violence” includes the following data set:

1. Date of examination,
2. Time of examination,
3. First name,
4. Surname,
5. Age,
6. Children – number of children,
7. Children – age,
8. Whether the patient reports the violence,
9. The grounds for violence suspicion,
10. Did the police intervene.

Data about the violent event

The record “Data about the violent event” encompasses the following data set:

1. Where the violence happened,
2. Date,
3. Time,
4. Is the perpetrator of violence familiar,
5. Relationship between the victim and the perpetrator,
6. Relationship between the victim and the perpetrator – other information.

Data on the type of violence

The record “Data on the type of violence” encompasses the following data set:

1. Physical violence,
2. Sexual violence,
3. Sexual violence – other information,

-
4. Emotional/psychological violence
 5. Emotional/psychological violence
- other information,
 6. Orientational assessment of the mental state.

Medical information

The record “Medical information” encompasses the following data set:

1. Whether the patient is pregnant,
2. Pregnancy week,
3. Whether she suffers from some chronic disease.

Data on history of the abuse

The record “Data on history of the abuse” encompasses the following data set:

1. Whether there are data or signs of injuries from the past,
2. Whether the patient is giving information about injuries from the past,
3. Other important medical data,
4. other important medical data – other information.

Data on the objective examination

The record “Data on the objective examination” encompasses the following data set:

1. Finding about the appearance of clothes,
2. Finding about bodily injuries,
3. Localization of bodily injuries.

Data about A and B risk assessment

The record “Data about A and B risk assessment” encompasses the following data set:

1. Was there a threat or use of a weapon,
2. Did the frequency and severity of violence increase over time,
3. Does the patient assess that her safety is threatened by returning home,
4. Has the patient attempted suicide or thought about suicide,
5. Were the children exposed to threats or violence,
6. Is there a history of abuse in the marriage/relationship,
7. Does the abuser currently live in a common household,
8. Did the police intervene in the previous period,
9. Is anyone else familiar with the abuse,
10. Did the abuse start or increase during pregnancy,
11. Does the patient seek medical help.

Data about measures taken

The record “Data about measures taken” encompasses the following data set:

1. What was recommended/measures taken,
2. What was recommended/measures taken – other,

In this part, there is the possibility to register the referral/visit of the victim/patient to CSOs that provide services to victims of violence,

3. Final evaluation.

The *Special Protocol of the Ministry of Health for the Protection and Treatment of Women Exposed to Violence* provides an overview of the clinical indicators of violence, based on which an

assessment of a woman's exposure to violence is made. These indicators are arranged in the following sections: anamnestic data, psychological symptoms, physical findings and characteristics of injuries, behavioral indicators and findings during pregnancy and childbirth. Documenting violence against women in health care institutions is done by filling out a form for recording and documenting violence.

This form is a medical document in which physical injuries and the health condition following the violence suffered are registered in an appropriate manner and can be used during the forensic medical examination. It is a valid indicator of the type and severity of the injuries inflicted, so that it represents significant and often decisive evidence of the violence suffered and bears weight in court.

Data summary in the form for recording and documenting violence

According to the instructions from the Special Protocol for the Protection and Treatment of Women Exposed to Violence, the procedures for dealing with the consequences of violence by health workers are as follows:

- assessing the effects of abuse on a woman's physical and mental health,
- reviewing current and recent injuries, as well as old ones,
- creating detailed medical documentation,
- treating injuries and other ailments, in accordance with the rules of good practice,
- giving the woman the addresses and phone numbers of the services that help women who have experienced violence, regardless of whether she wants to contact them or not at that given moment.

THE BASIC DATA INCLUDE:

- the main reason why the woman came to the medical institution or the history of the current illness,
- a detailed record of the abuse suffered and the connection with the existing health problem,
- a record of health problems that could be a result of the abuse.

A summary of current and past abuse, including the following:

- Social status, relationship with the abuser, and his name (if possible),
- The patient's statement about what happened (her words are to be used),
- Date, time and place where the violence occurred,
- Appearance and mental state of the patient,
- Object and/or weapon used,
- Threats or psychological abuse,
- Names or descriptions of witnesses to the violence.

DATA ABOUT THE PHYSICAL EXAMINATION INCLUDE:

- Findings related to suffered violence (general and specialist findings),
- Detailed description of injuries, including type, localization, number, size, color, which should be drawn on the body map,
- Color photographs, if possible.

LABORATORY AND OTHER DIAGNOSTIC PROCEDURES

- results of laboratory tests, X-rays, the results of other diagnostic procedures related to the violence suffered must be recorded.

NOTES ABOUT THE ASSESSMENT, REFERRAL AND FURTHER MONITORING

- information about the patient's health,
- information on the assessment of her safety, including the possibility of murder and suicide (according to her assessment and the assessment of a health professional),

- a note about where she was referred to,
- a note on the date and time of the scheduled follow-up examination.

Such an approach with a detailed description and documentation of the consequences of injury should not be exclusively reserved for doctors specializing in forensic medicine. All health workers who are in contact with victims of domestic violence, including doctors of various specialties who treat the consequences of violence suffered, can perform an adequate, clinical forensic medical examination and prepare a valid medical document on the state and consequences of violence.

The basic documentation on suspected abuse of women is the Book of Records, which is used when determining certain diseases or conditions, and when providing health services, and is kept, among other things, on the suspected abuse of women.

The detailed content of the basic documentation is prescribed by the *Rulebook on forms and content of forms for maintaining health documentation, records and reports, register and electronic medical file*⁵⁷.

The Institute for Health Protection of the Republic of Serbia prescribes unique methodological principles and statistical standards for recording data, compiling and submitting reports as stipulated by the law.

Records are kept according to the districts to which the health care institutions belong and also according to individual health care institutions at all levels. The recording of cases of violence against women is conducted according to the type of authorities and institutions to which the medical institution reported the violence, violence that was not reported to anyone but was noted, as well as the number of independent reports of women to healthcare services. The records of the healthcare system do not have data on the relationship between the victim and the person who committed the violence.

Also, the Ministry of Health collects data on required characteristics regarding belonging to vulnerable groups of women (women with disabilities, pregnant women, mothers in labour, old women, Roma women) among women victims of violence.

To effectively monitor and analyse the implementation of the LoPDV, the Ministry of Interior of the Republic of Serbia developed an application titled "Prevention of domestic violence", the implementation of which began on 12 February 2018 (up to that time, records of the implementation of the LoPDV were kept in tables). All events where the provisions of the Law on Prevention of Domestic Violence are applied are recorded electronically in the application on a daily basis.

The application has been implemented in the Unified Information System (JIS) of the Republic of Serbia MoI, in the section "Criminal Police" under the title "Prevention of Domestic Violence". In the application, the relevant police officers enter data on the following:

- event (place, time, type of violence),
- possible perpetrator (unique personal citizens number (JMBG), first name, surname, address, sex, relationship, occupation),
- victim of violence (JMBG, first name, surname, address, sex, relationship, occupation),
- data on possession of weapons, legal/illegal,
- whether the possible perpetrator is a returnee or not,
- risk assessment yes/no,
- issued emergency barring orders yes/no; both or one,
- violated emergency barring order yes/no,
- extended emergency barring order yes/no.

The Ministry of Interior keeps records of Victims of events (by kinship) related to the prevention of domestic violence recorded on the territory of the Republic of Serbia, as well as Perpetrators of

⁵⁷ "Official Gazette of the RS", no. 109/2016, 20/2019.

events (by kinship) related to the prevention of domestic violence recorded on the territory of the RS. This record recognises the following members as relatives: grandmother, former husband, brother, daughter, grandfather, emotional partner, foster parent, guardian, mother, father, partner relationship, cousin, sister, son, sister-in-law, husband, common-law husband, wife, common-law wife, father-in-law on the husband's side, mother-in-law on the husband's side, father-in-law on the wife's side, mother-in-law on the wife's side, grandson, granddaughter, adopted son, adoptive parent, son-in-law, other.

The app "Prevention of Domestic Violence" was developed and registered in accordance with Article 32 of the Law on the Prevention of Domestic Violence. This Law does not apply to minor perpetrators of domestic violence.

In the mentioned application of the Republic of Serbia MoI, minors are registered only as victims of domestic violence in events when the possible perpetrator is issued an emergency barring order in relation to a minor.

Access to records is provided to competent police officers who have undergone training for the application of the LoPDV, in terms of recording and entering data.

Access to "searches" (to obtain statistical reports, perform analysis, monitoring and control of data entry) is given to specially authorised police officers.

Statistical reports are automated and parameterised in the "Prevention of Domestic Violence" app.

The following parameters and criteria can be used to produce statistical reports:

- number of events,
- number of events according to the type of violence,
- number of perpetrators by gender, age and kinship,
- number of victims by gender, age and kinship,
- number of issued protection orders and emergency barring orders,
- number of instructions issued.

The record is subject to improvement and has been upgraded since its establishment.

Data control and intersection with other data is done on the basis of the management line level. Every case of reported domestic violence is entered by police officers into the app.

In the Republic of Serbia, judicial statistics consist of data on adult and minor perpetrators of criminal offences, as well as on responsible persons and legal entities who commit commercial offences. Statistical research is carried out by the Statistical Office of the Republic of Serbia – a special organization in charge of carrying out statistical activities. The Statistical Office of the Republic of Serbia collects and processes data on perpetrators of criminal offences and commercial offences, and these data are published once a year in statistical bulletins. The bulletins *Adult offenders* and *Juvenile offenders* contain data on reported, accused and convicted adult and juvenile offenders of murder, based on statistical research conducted by the Statistical Office of the Republic of Serbia, by using standardized questionnaires. The bulletins are divided into three sections: charges filed, indictments and convictions.

By means of the official statistics programme for the period from 2021 to 2025, pursuant to the *Law on Official Statistics (LoOS)*⁵⁸, the Republic Institute for Social Protection is defined as the responsible producer of official statistics. According to Section 6 of the Regulation on the Plan of Official Statistics for 2021,⁵⁹ the Republic Institute for Social Protection is responsible for conducting the following research in the field of social protection: Research on daily services in the community, Research on support services for independent living, Research on beneficiaries and services, rights and measures of social protection and Research on housing services.

⁵⁸ "Official Gazette of the RS", no. 104/2009.

⁵⁹ "Official Gazette of the RS", no. 55/21

The Republic Institute for Social Protection collects gender-sensitive data on beneficiaries and employees through the formats for annual reporting on the work of centres for social work, accommodation institutions and licensed local service providers in the social protection system. In all reporting formats, providers report on all basic characteristics of beneficiaries, also in relation to gender: the total number of beneficiaries during and at the end of a year, beneficiaries according to target groups (minors, adults, beneficiaries in accommodation, children with developmental disabilities and persons with disabilities, victims of violence, children with behavioral problems, adoption...).

Consolidated statistics on the number of femicides/gender-based murders of women in the Republic of Serbia do not yet exist. The Statistical Office of the Republic of Serbia publishes data on the number of deaths, according to the cause of death and gender, based on a regular survey on deaths.⁶⁰ The Ministry of Interior created the KDU application (app “Criminal Offences and Perpetrators”) in which, in accordance with the Criminal Code, criminal charges are entered. The app can show the number of murders, aggravated murders and events with a fatal outcome in family and partnership relations distributed by sex, considering that when filling out the criminal charge there is a mandatory field – kinship.

7. Where relevant, please provide information on any new development since the adoption of GREVIO’s baseline evaluation report on your country to enable disaggregated data collection:

The LoPDV lays down the establishment of a unique central record on cases of domestic violence, which is managed by the Republic Public Prosecutor’s Office, and which consists of the records of police departments, basic courts, basic public prosecutor’s offices and centres for social work.

The 2023 Rulebook on records and documentation of individuals against whom domestic violence has been committed and individuals against whom a protection order against domestic violence has been issued regulates the manner of keeping records of individual victims of domestic violence and individuals against whom a specific measure of protection against domestic violence has been issued.

The guardianship authority keeps records and documentation in electronic form in the unique system for the protection and automation of social protection instruments (SOZIS), which is established by the regulation regulating the organization, norms and work standards of centres for social work.

Records and documentation on individuals against whom domestic violence has been committed and on individuals against whom a measure of protection against domestic violence has been issued shall be kept by the guardianship authority on whose territory the family member against whom the violence was committed resides, i.e. the guardianship authority on whose territory the person against whom a measure of protection against domestic violence has been issued resides.

In the records of individuals against whom domestic violence has been committed and individuals against whom a measure of protection against domestic violence has been issued, data from the judgment ordering a measure of protection against domestic violence and data from the judgment which terminated a measure of protection against domestic violence are entered.

Documentation, in the sense of this rulebook, shall mean the following: 1) judgment in a dispute for protection against domestic violence; 2) certificate of a certain measure of protection.

The following data shall be entered in the records of individuals against whom domestic violence has been committed:

A. Basic information:

- 1) Surname and first name, for married women also their maiden surname, surname and first name of one of the parents and maiden surname of the mother,

⁶⁰ Statistical Office of the Republic of Serbia, Data on victims who died by violent death, by origin of violent death, sex and age, available at: <https://data.stat.gov.rs/Home/Result/18030304?languageCode=sr-Latn>, accessed on 30/05/2024.

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- 2) Unique personal citizen's number (JMBG),
 - 3) Date and place of birth, municipality or city, and for a person born abroad, country,
 - 4) Sex,
 - 5) Citizenship,
 - 6) Nationality,
 - 7) Occupation,
 - 8) Address of permanent or temporary residence (municipality, place, street, number),
 - 9) Whether domestic violence was committed against the person: a) for the first time; b) the second time; c) several times.
- B. Data on the person authorized to press charges for the issuance of a protection measure against domestic violence:
- 1) family member against whom violence has been committed,
 - 2) legal representative of the person against whom violence has been committed,
 - 3) public prosecutor,
 - 4) guardianship authority.
- C. Data on the judgment which determined the measure of protection against domestic violence:
- 1) the name of the court that passed the judgment on a certain measure of protection,
 - 2) the number and date of the judgment on a certain measure of protection,
 - 3) date of finality of the verdict.
- D. Data on the type of violence committed against a family member:
- 1) causing or attempting to cause bodily harm,
 - 2) causing fear by threatening to kill or cause bodily harm to a family member or a person close to the family member,
 - 3) coercion into sexual intercourse,
 - 4) incitement to engage in sexual intercourse or sexual intercourse with a person who has not reached the age of 14 or a helpless person,
 - 5) restriction of freedom of movement or communication with third parties,
 - 6) insults, as well as any other insolent, ruthless and malicious behavior.
- E. Data on the family member who has committed domestic violence:
- 1) spouse or former spouse,
 - 2) child, parent, blood relative, in-law or adoptive relative, person bound by foster care,
 - 3) a person who lives or has lived in the same family household,
 - 4) common-law partner or former common-law partner,
 - 5) a person who was or is still in an emotional or sexual relationship, that is, who has a child together with the victim, or their child is about to be born, even though they have never lived in the same family household.
- F. Data on the specific protection measure against domestic violence issued:
- 1) specific protection measure,
 - 2) duration of the specific protection measure,
 - 3) date of termination of the specific protection measure.

The following data shall be entered in the records of individuals against whom a protection order against domestic violence has been issued:

A. Basic information:

- 1) Surname and first name, for married women also their maiden surname, surname and first name of one of the parents and maiden surname of the mother,
- 2) Unique personal citizen's number (JMBG),
- 3) Date and place of birth, municipality or city, and for a person born abroad, country,
- 4) Sex,
- 5) Citizenship,
- 6) Nationality,
- 7) Occupation,
- 8) Address of permanent or temporary residence (municipality, place, street, number),
- 9) previous misdemeanor and/or criminal liability,
- 10) previously issued protection orders against domestic violence.

B. Data on the person authorized to press charges for the issuance of a protection measure against domestic violence:

- 1) family member against whom violence has been committed,
- 2) legal representative of the person against whom violence has been committed,
- 3) public prosecutor,
- 4) guardianship authority.

C. Data on the court and judgment which determined the measure of protection against domestic violence:

- 1) the name of the court that passed the judgment on a certain measure of protection,
- 2) the number and date of the judgment on a certain measure of protection,
- 3) date of finality of the verdict.

D. Data on the type of violence committed against a family member:

- 1) causing or attempting to cause bodily harm,
- 2) causing fear by threatening to kill or cause bodily harm to a family member or a person close to the family member,
- 3) coercion into sexual intercourse,
- 4) incitement to engage in sexual intercourse or sexual intercourse with a person who has not reached the age of 14 or a helpless person,
- 5) restriction of freedom of movement or communication with third parties,
- 6) insults, as well as any other insolent, ruthless and malicious behaviour.

E. Information about the family member against whom domestic violence has been committed:

- 1) spouse or former spouse,
- 2) child, parent, blood relative, in-law or adoptive relative, person bound by foster care,
- 3) a person who lives or has lived in the same family household,
- 4) common-law partner or former common-law partner,
- 5) a person who was or is still in an emotional or sexual relationship, that is, who has a child together with the perpetrator, or their child is about to be born, even though they have never lived in the same family household.

F. Data on the specific measure of protection against domestic violence issued:

- 1) specific protection measure,
- 2) duration of the specific protection measure,
- 3) date of termination of the specific protection measure.

The guardianship authority can issue a certificate from the records and documentation on individuals against whom domestic violence has been committed, as well as individuals against whom a protection measure against domestic violence has been issued, upon a justified request, to:

- 1) a person against whom domestic violence has been committed,
- 2) the legal representative of the person against whom the violence was committed,
- 3) another guardianship body,
- 4) judicial authorities,
- 5) the ministry responsible for internal affairs,
- 6) health care and educational institutions.

Data on records and documentation on individuals against whom domestic violence has been committed, as well as on individuals against whom a protection measure against domestic violence has been issued, are confidential, in accordance with the law.

The judgment, in terms of the provisions of this Rulebook, is kept in the archives of the guardianship authority in accordance with the regulations governing the administrative operations of public administration authorities.

- a. on the number of emergency barring and protection orders and the number of breaches and the resulting sanctions;

In 2022, a total of 31,623 emergency barring orders were issued on the territory of the Republic of Serbia in accordance with the Law on the Prevention of Domestic Violence (9,510 emergency barring orders “Temporary removal of the perpetrator from the apartment” and 22,113 emergency barring orders “Temporary ban on contacting and/or approaching the victim of violence”).

In 2023, a total of 31,620 emergency barring orders were issued on the territory of the Republic of Serbia in accordance with the Law on the Prevention of Domestic Violence (10,063 emergency barring orders “Temporary removal of the perpetrator from the apartment” and 22,557 emergency barring orders “Temporary ban on contacting and/or approaching the victim of violence”).

In 2022, a total of 22,100 emergency barring orders were extended, while a total of 1,407 emergency barring orders were violated.

In 2023, a total of 22,906 emergency barring orders were extended, while a total of 1,334 emergency barring orders were violated.

In 2022, 21,231 orders for the extension of an emergency barring order were issued, and in 2023, 20,900 of such orders were issued.

In total, 20,443 orders for the extension of an emergency barring order were adopted in 2022, and in 2023, 20,276 orders for the extension of an emergency barring order were adopted.

In 2022, 294 charges were filed for the issuance of protection measures against domestic violence (in accordance with the Family Law, Article 198), while in 2023, 291 such charges were filed.

There were 110 accepted charges for the issuance of protection measures against domestic violence (in accordance with the Family Law, Article 198) in 2022, and in 2023 there were 125 accepted charges.

In 2023, the police issued 21,882 emergency barring orders, which makes up 77% of the number of incidents of violence and represents 3.5% more than the number of incidents of domestic violence where it was assessed that there is a risk of further violence. In the same year, the police issued 9,809 emergency barring orders covering both measures, 10,294 orders of temporary removal, as well as 21,866 temporary bans on approaching and communicating with the victim of violence.

The police reported that 2,103 emergency barring orders/extended emergency barring orders were violated in 2023, which is (only) 9.6% of the total number of police orders. The number of perpetrators who repeated the violence was 10,365.

- b. on the number of times custody decisions have resulted in the restriction and withdrawal of parental rights because of violence perpetrated by one parent against the other.

According to the Report on the work of centres for social work for the year 2022, CSWs made, as the authority in charge of custody and in accordance with public powers, 593 decisions on the application of custody protection measures for children. The most frequent reason was withdrawal of parental rights, which occurred in 54.5% of the cases in 2022.

In the course of 2022, 2,123 decisions were made on the application of temporary custody for children. Among the reasons for the implementation of these measures, in contrast to the previous two years when the dominant cause was that parents were prevented from performing their parental duties, in 2022 the dominant cause was inadequate parental care with 40.1%.⁶¹

There is no data on the number of decisions restricting or withdrawing parental rights because of violence perpetrated by one parent against the other.

⁶¹ Available under: <https://www.zavodsz.gov.rs/media/2572/izvestaj-o-radu-csr-u-2022-godini.pdf>; accessed on 04/06/2024.

8. Please provide information on measures taken to allow cases of violence against women and domestic violence to be tracked from reporting to conviction, at all stages of the law-enforcement and judicial proceedings.

The Statistical Office of the Republic of Serbia publishes statistical data on the prosecution of criminal offences in the annual publications “Adult offenders in the Republic of Serbia” and “Juvenile offenders in the Republic of Serbia”.⁶² For each of the categories of perpetrators, data is given on the number of criminal charges, indictments and verdicts for criminal offences, including crimes against life and body (murder, grievous bodily harm), crimes against sexual freedom (rape and other crimes), against marriage and family (domestic violence) and against public order and peace (violent behaviour).

The publications also contain data on the types of criminal sanctions imposed, which are classified by gender and age, as well as by geographic area.⁶³ The statistics, however, are not gender-sensitive, as they do not contain data on the profile of victims of violence, their gender, disability, etc., nor data on the existence of a personal/family relationship between the victim and the perpetrator, nor other gender-sensitive data on victims and perpetrators of violence.

Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

Article 12: General obligations

9. Please provide information on any primary prevention measures aiming to change mentalities and attitudes in relation to violence against women and to reduce women’s exposure to gender-based violence by:
 - a. addressing harmful gender stereotypes and prejudices, customs and traditions based on the idea of the inferiority of women;
 - b. addressing the heightened exposure to gender-based violence by women and girls at risk of intersectional discrimination;
 - c. encouraging all members of society, including men and boys, to contribute actively to preventing all forms of violence against women covered by the scope of the Istanbul Convention, and promoting the empowerment of women and girls in all areas of life, notably their participation in politics at all levels and in the labor market.

The Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence for the period 2021-2025 specifies the following under Specific Goal 1: Improved action of all actors in the prevention of gender-based violence against women and domestic violence, with the following outcome indicators:

1. *In all systems and at all levels of protection, at least one annual prevention programme has been developed and included to promote the principle of gender equality in order to eliminate gender stereotypes and promote the prohibition of gender-based discrimination,*
2. *Reduced level of tolerance for all forms of gender-based violence against women and domestic violence in society through gender-sensitive reporting and public action and advocacy in the area of violence, gender equality and non-discrimination,*
3. *Reduced degree of prejudices in the public relating to stereotypical gender roles of women and men in society, that is, change in the number of public condemnations and sanctions*

⁶² Available under: <https://www.stat.gov.rs/oblasti/pravosudje/>; accessed on 01/06/2024.

⁶³ Data are shown for five regions, data for the area of the Autonomous Province of Kosovo and Metohija are not collected.

pronounced in cases that resulted in behavior caused by prejudiced opinions on stereotypical roles of women and men in society.

Measures 1.1. and 1.2. in the field of prevention contribute to a reduction of harmful gender stereotypes, customs and tradition that are based on the idea of inferiority of women.⁶⁴

The *Strategy for Gender Equality for the period 2021-2030* lays down measures to promote the empowerment of women and girls in all areas of life, especially their participation in politics at all levels.⁶⁵

The Ministry of Education has implemented several projects related to:

- the participation in the implementation of the *Joint Action Plan to Combat Terrorism in the Western Balkans* – implementation of measures and activities that raise awareness of the importance of working in this area through employee training, then activities that resulted in the revision of indicators for the preliminary identification of students who are potential victims of human trafficking and by creating a Guideline for the application of revised indicators for the preliminary identification of students who are potential victims of human trafficking. This guideline is intended for employees in education and training institutions and its purpose is to provide additional support in the application of the list of revised indicators.
- a series of projects were implemented in partnership with CSOs and international organizations – support for the sustainable inclusion of Roma children and students in the education system, establishment of a mechanism to prevent dropouts and early school leaving, activities aimed at preventing violent extremism and radicalization through intersectoral cooperation and by strengthening educational institutions in the field of prevention and response, then activities relating to the topic of gender awareness, prevention of violence and discrimination in kindergartens and schools,
- support has been provided for a *Gender analysis of textbooks* – the Team for Social Inclusion and Poverty Reduction of the Government of the Republic of Serbia, in cooperation with the Coordination Body for Gender Equality of the Government of the Republic of Serbia, conducted an analysis of curricula and textbooks for the subject Serbian language from the 1st to the 4th grade of elementary school, in order to examine the inclusion of a gender perspective in the teaching materials and documents used to programme the teaching.

⁶⁴*Measure 1.1: Raising awareness in the public about the causes, prevalence and harmful effects of gender-based violence against women and domestic violence and other forms of gender-based violence.* This measure includes activities aimed at overcoming prejudices, misconceptions and stereotyped understandings of gender roles, changing existing social patterns of behaviour, as well as sensitising and mobilising the entire society for public condemnation of violence, promoting non-violent behaviour and combatting all forms of violence against women and domestic violence, including increased public awareness that violence against women and domestic violence represent violations of human rights, and that it is the country's responsibility to react and protect the right to life of all victims of violence, regardless of whether it occurs in the private or public sphere of life.

Measure 1.2: Improving the understanding and knowledge of decision-makers, competent bodies and institutions about the causes, prevalence and consequences of gender-based violence against women and domestic violence. The measure will be implemented through the introduction of programmes on gender equality, human rights and gender-based violence against women and domestic violence into educational curricula, at all levels of education, further by organising, encouraging and supporting conferences, panels, expert meetings and public hearings on the causes, prevalence and consequences of gender-based violence against women and domestic violence, as well as through the improvement of the normative framework by harmonising it with international standards for the prevention and protection against gender-based violence against women and domestic violence.

⁶⁵*Measure 2.4. Capacity strengthening, improving the institutional and normative framework for gender equality in political life and ensuring equal participation of women and men, and in particular vulnerable groups, in decision-making regarding public affairs.* This measure includes also the harmonisation of documents on internal organisation and regulation of public authorities, acts of political parties, trade unions, citizens' associations and the taking of specific measures to reduce the gender gap and provide for a gender-balanced representation in management and supervisory bodies and in leadership positions in institutions, public institutions, especially in LSGs, local communities, on electoral lists and in bodies for the implementation of elections, political parties, trade unions and citizen associations. The measure includes also providing the conditions necessary for the equal participation of women and men and, in particular, vulnerable groups in the planning, preparation, adoption and implementation of decisions that affect their position, while respecting their interests, needs and priorities when shaping and deciding on public policies, in accordance with the Law on Gender Equality (Articles 7, 10, 26, 47 and 48), as well as the CEDAW recommendations.

Measure 1.3. Reducing the wage gap between women and men in the labour market in all sectors and increasing the participation of women in high-paying jobs. This measure also includes an analysis of the appreciation of various jobs, especially jobs that belong to the so-called social infrastructure (health, education, science, culture and art, jobs of care workers for children, the elderly, sick, disabled people, etc.) and their re-appreciation in accordance with the importance of those jobs for society. This measure also aims at removing the barriers that women face when advancing at work and in their careers in various sectors, especially in the most profitable branches of the economy and sectors where they are underrepresented, such as ICT, the financial sector, energy, etc. This measure includes a gender analysis of the pension and tax system, and the implementation of recommendations for the improvement of those systems from a gender perspective in such a way as to contribute to a reduction in the wage gap.

- promotion of gender equality - the Ministry conducted, in cooperation with the Embassy of the Republic of France in Belgrade and the French Institute in the Republic of Serbia, and based on the Memorandum of Cooperation relating to the prevention of gender stereotypes and all forms of gender-based violence and discrimination, a Competition for high school students titled “All together for gender equality”⁶⁶ and presented awards for the best works submitted on the topic of gender equality.

The indicators for the preliminary identification of students who are potential victims of human trafficking were revised and a Guideline was created for the application of the revised indicators for the preliminary identification of students who are potential victims of human trafficking.

The Ministry of Education created the manual “Psychological Crisis Interventions in Educational Institutions”, which was designed to be a practical guideline for dealing with crisis situations and an instruction on how to organise and strengthen collectives to provide timely and appropriate responses when crisis situations occur. Also, the Ministry of Education, Science, and Technological Development (MoESTD) and the Ministry of Health are preparing material consisting of two films “Teachers and children in crisis situations” and “Parents with children in crisis situations” which can serve as support materials in working with students in crisis situations.

The Ministry of Education actively participates in the work of the National Coalition to End Child Marriage in the Republic of Serbia. As part of this initiative led by the Coordination Body for Gender Equality of the Government of the Republic of Serbia and UNICEF, the media campaign “Childhood, not marriage” was implemented to raise awareness about the harmfulness of traditional child marriage practices and marriages of underage persons.

The Ministry of Human and Minority Rights and Social Dialogue participated in activities and campaigns within the project “Key steps towards gender equality”, as a partner of the Coordination Body for Gender Equality, with the support of UN Women. The aforementioned ministry also served as a sponsor of two large campaigns in 2023 titled “Stop Femicide!” and “Improve Gender Equality”, which were conducted within the project “Support to Social Inclusion in Serbia” with the support of the German Agency for International Cooperation (GIZ). These activities will also be continued in 2024. With the support of the same project, a Draft Law on Amendments and Supplements to the Criminal Code of the RS was prepared to include femicide as a criminal offense, which is awaiting the opinion of the Working Group for amending the Criminal Code.

The manual “*Changing the Attitudes of Roma Men About Child Marriage*”⁶⁷ was created as a product of a project that was implemented as part of the programme “Towards Ending Child Marriage in Serbia 2018-2020”, piloted by UNICEF and several partners in Roma communities, at the local and national level. This programme was implemented in three cities in the Republic of Serbia (Belgrade, Pirot and Novi Sad) with the aim of reaching long-term solutions, which will be a response to the factors that contribute to the survival of child marriages in Roma communities. The products of the programme so far include the establishment of a national coalition for the prevention of child marriage. In addition, systematized knowledge and understanding of the phenomenon of child marriages and data collection methods were improved, decision-making based on data collected was enabled, and specific programmes on how to work with the Roma community were created.

Research

In the period from 1 September to 8 November 2021, the Statistical Office of the Republic of Serbia conducted, in cooperation with Eurostat, and based on the contract on the implementation of the

⁶⁶ Available under: <http://www.mpn.gov.rs/wp-content/uploads/2019/11/TEKST-KONKURSA-MPNTR-FR-AMB-FR-INST.pdf>.

⁶⁷ Available under:

<https://www.unicef.org/serbia/media/18616/file/Promena%20stavova%20muskaraca%20Roma%20o%20decijim%20brakovima%20-%20priru%C4%8Dnik%20za%20trener.pdf>

regional *IPA-2017* programme, the *Survey on the safety and quality of life of women (EU-GBV)*⁶⁸. The survey was conducted on a representative sample of 7,000 households, the survey unit was a female, aged 18 to 74 years. 4,100 women participated in the survey.

As a result of the survey, two publications were created: “*Quality of life and safety of women*”⁶⁹, which presents a comprehensive presentation of valuable data on gender-based violence, and “*Woman victim of violence from the point of view of statistics*”,⁷⁰ which presents a statistical profile of a woman victim of violence.

The research “*Why women do not report domestic violence*” was conducted in 2022 as part of the project “*Integrated response to violence against women and girls in Serbia III*”, jointly implemented in partnership with the Government of the Republic of Serbia by UNICEF, UN Women, UNFPA and UNDP, with the support of the Government of the Kingdom of Sweden. The research was conducted as a joint activity of the Commissioner for the Protection of Equality and the UNDP office. The research provides insight into the causes why domestic violence to which women are exposed, especially women who experience or are at risk of multiple discrimination, is underreported. Obstacles (physical, traditional, cultural, social and personal) that prevent women from seeking help from institutions or services were mapped, as well as factors that encourage women to report domestic violence. By recognizing the complexity of the problem of domestic violence and its possible severe consequences, this research represents an important resource in improving procedures and institutional response to violence aimed at preventing violence and protecting women.

Projects

In 2021, the Ministry of Labor, Employment, Veterans and Social Affairs (MoLEVSA) partnered with UN Women to implement the project “Protection of women and girls in public space in Serbia” (the project lasted until October 2023), which had three components. The third component refers to providing support to shelters for victims of violence. The aim is to make this service more accessible and for victims to receive adequate help and information. The following was done within this project:

- the first national survey “*Violence against women and girls in public space*” was prepared. The aim was to identify safety challenges faced by women and girls in public places in Serbia, as well as the exposure of the most vulnerable groups of women to various forms of violence in public spaces, such as rural women, Roma women, women with disabilities, elderly women, etc... The goal was to determine the prevalence of different forms of violence in public spaces and to identify those spaces where it is most likely to happen. The research provided a set of detailed recommendations grouped into three categories – preventive measures, urban planning and state institutions. Based on the findings of the research, measures will be developed to increase the public safety of women and girls, which will be presented to the competent authorities at the national and local level.

- a *Gender-Based Safety Assessment Tool* adapted to the Republic of Serbia was developed. The tool consists of several elements: Guideline for assessing the safety of women in public space, Manual for strengthening the capacity of local self-government units and women’s CSOs on adapting the tool, a detailed checklist and recommendations needed for the successful planning of safety walks. Five cities were selected by means of mapping (Sombor, Kragujevac, Kruševac, Novi Pazar and Niš). In order to enable the representatives of the selected municipalities to participate in the implementation of the Gender-Based Safety Assessment Tool and in the organization of safety walks, a two-day online workshop was organized. 27 representatives of the cities participated in the workshop and were trained to successfully implement the aforementioned tool at the local level.

⁶⁸ Available under: <https://www.stat.gov.rs/sr-Cyrl/vesti/20220630-zenezrtvenasilja/?a=0&s=1102>; accessed on 15/05/2024.

⁶⁹ Available under: <https://www.stat.gov.rs/media/358198/g20226006.pdf>; accessed on 15/05/2024.

⁷⁰ Available under: <https://www.stat.gov.rs/media/358199/g20226007.pdf>; accessed on 15/05/2024.

- An analysis of the costs necessary for the stable, long-term functioning of shelters for women that meets the necessary quality standards was done.

- An analysis of the “*Specialist Safe House service in Serbia – needs, capacities and funds for long-term and smooth functioning*” was made.

- A Report on the assessment of the existing capacities of safe houses in 6 cities in Serbia (Belgrade, Novi Sad, Pančevo, Sremska Mitrovica, Zrenjanin and Sombor) was prepared under the title “*Improving the safety of women and girls by increasing the performance of safe houses for victims of gender-based violence and domestic violence*”.

- The document “*Assessment of needs and plans to improve safety and accessibility in shelters for women with experience of violence*” was done.

To improve the capacities of safe houses within this project, two grants were awarded to two civil society organizations, which were used to improve the work standards of safe houses, professional capacities, working conditions and the visibility of the work of safe houses.

In the period from 12 to 20 September 2022, a series of 5 safety walks was organized, with 50 participants from different sectors: representatives of local mechanisms for gender equality, departments for economic development, urban planning, health and social institutions, police, civil society organizations, companies, the labor inspection, the national employment service, local public enterprises responsible for the maintenance of public areas, as well as the media. The safety walks were accompanied by a comprehensive report with recommendations on ways to improve the safety of women and girls in public spaces in the mentioned cities.

As part of the same project, from 25 November to 10 December 2022, a national awareness-raising campaign titled #SafeEverywhere #Bezbednasvuda was organized, which included an exhibition in Kalemegdan Park in Belgrade. The exhibition envisioned a part of Kalemegdan as a safe space for all women and girls.

The Ministry of Human and Minority Rights and Social Dialogue of the Republic of Serbia (MoHMRSDD) is a partner on the German-Serbian development cooperation project “Support to Social Inclusion in Serbia”, implemented by GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH). The project is in line with the German feminist development policy, with the primary target group being women, while not excluding other vulnerable and marginalized social groups such as Roma, persons with disabilities, the elderly and other groups.

The scope of activities under this project includes the following: strengthening integrated social protection services at the local level; creating an enabling environment for the economic empowerment of women; raising awareness about discrimination based on gender, nationality, and other characteristics; supporting the normative framework for social and economic inclusion and its implementation at the local level.

In 2021, the Ministry of Interior of the Republic of Serbia implemented activities under the project “Empowering older women: preventing violence by challenging social norms in Serbia and Austria” in collaboration with the Red Cross of the Republic of Serbia. This project was conducted in cooperation with the Austrian Red Cross and the Austrian Conflict Research Institute. As part of these efforts, they produced a brochure and leaflet that included the telephone numbers 192 (police emergency) and 0800 100 600, along with the logo of the Ministry of Interior. The Red Cross of Serbia printed 20,000 copies of these materials, which were distributed to all police departments (1-27) across the territory of the Republic of Serbia, on the occasion of celebration of the Police Day and World Elder Abuse Awareness Day.

The cooperation continued with the plan to exhibit the created poster in public transport vehicles in several cities of the Republic of Serbia during 2021, and to show a short film in Republic of Serbia post offices, in which the police phone numbers 192 and 0800 100 600 are listed, as well as the logo of the Ministry of Interior.

The Ministry of Interior posted the above-mentioned poster and a short film on the intranet and website of the Ministry of Interior of the Republic of Serbia.

The MoI participated in the implementation of a project in the field of prohibition of discrimination and gender-based domestic violence for the period 2022-2023: “Strengthening criminal justice capacities to combat gender-based violence in South-Eastern Europe”. This project has been implemented by the Organization for Security and Cooperation in Europe (OSCE). The project was launched in January 2021 with a planned duration until the end of May 2024. The main beneficiaries of the project in the Ministry of Interior are the Directorate of Police – Department for Preventing and Combatting Domestic Violence of the Unit for Combatting Organized Crime of the Criminal Police Directorate and the relevant HR departments.

The project aims to strengthen the capacity of the criminal justice system in preventing and combatting gender-based violence, as well as increasing citizens’ trust in criminal justice institutions and reporting cases of violence. The project plan includes participating countries from the Western Balkans region (Republic of Serbia, Montenegro, Bosnia and Herzegovina, Republic of North Macedonia and Republic of Albania). The funds foreseen for the project for all participating countries is 1,982,582 euro (individual amounts cannot be specified). The project is scheduled to run from 1 January 2021 until 31 May 2024.

The planned outcomes of the project are the following:

- National training centres have improved their capacities for training police officers and prosecutors on gender-based violence, and
- Awareness about gender stereotypes, causes, signs, signals, and consequences of gender-based violence is raised among criminal justice practitioners and the general public, contributing to sustainable organizational and cultural change.

During the period from 2022 to 2023, the Police Directorate coordinated the implementation of 9 projects on the prevention of domestic violence throughout the territory of the Republic of Serbia.

Over the course of 2022, 7 preventive projects were implemented in the territory of 4 police departments in the Republic of Serbia, as follows:

× In the territory of the Police Department (PD) in Kruševac, a preventive project titled “React to Domestic Violence” was implemented. The project was carried out by police officers from the Kruševac PD, with no additional costs incurred for its implementation. The following institutions supported the project as partners: The Primary Health Care Centre in Varvarin, the Basic Court in Kruševac – Judicial Unit Varvarin, the Misdemeanour Court in Kruševac – Judicial Unit Varvarin, the Social Welfare Centre for the towns of Čićevac and Varvarin,

× In the territory under the Police Department in Pirot, 4 preventive projects titled “Stop Domestic Violence” were implemented across the cities of Pirot, Babušnica, Bela Palanka, and Dimitrovgrad. The project was carried out by police officers from the Police Department in Pirot, with no additional costs incurred for its implementation. The project was supported by partners such as local municipal safety councils, directors, and representatives of public institutions, and businesses in the mentioned municipalities.

× In the area of the PD in Niš, a preventive project called “Say no to domestic violence” was implemented. The project was implemented by police officers of the PD in Niš, there were no additional costs for its implementation, and the project was supported by various partners, such as the municipality of Palilula, JKP Tržnica (PUC Green Market) and the local media,

× In the area of the PD in Kikinda, a preventive project titled “Say no to domestic violence” was implemented. The project was implemented by police officers of the PD in Kikinda, and the costs of creating promotional materials for prevention in the amount of 45,000 dinars were borne by the Safety Councils in the municipalities of Kneževac, Kanjiža, Senta, Ada and the town of Kikinda, which supported the implementation of the mentioned project.

In 2023, two preventive projects were implemented in the area of 2 police departments in the Republic of Serbia, namely:

- In Niš, during 2023, a preventive project called “Say NO to domestic violence” was implemented. The project was implemented by the police officers of the PD in Niš, there were no additional costs for its implementation, and the project was supported by the municipality of Palilula, PUK Tržnica (PUC Green Market) and the local media as partners.
- In the area of the Police Department in Kruševac, during 2023, a preventive project called “Violence is not the solution” was implemented. The project was implemented by police officers of the PD in Kruševac, there were no additional costs for its implementation, and the project was supported by the local media, Primary Health Care Centre of Čičevac, Basic Court in Kruševac, Misdemeanor Court in Kruševac, Centre for Social Work for the Municipalities of Čičevac and Varvarin - Department in Čičevac as partners.

Article 14: Education

10. Please provide a few examples of promising teaching or prevention programmes, materials, or initiatives for use in formal education (from pre-school to higher education) that:

- a. educate children and youth about equality between women and men, the right to personal integrity, mutual respect and non-violent conflict resolution in interpersonal relationships, including the notion of freely given consent;
- b. address some or all the forms of gender-based violence against women and girls covered by the Istanbul Convention;
- c. promote the inclusion of digital literacy and online safety in formal curricula as foreseen under GREVIO General Recommendation No. 1 on the digital dimension of violence against women;
- d. ensure that teaching material used in school does not convey negative gender stereotypes of women and men of all ages;
- e. offer tailored interventions aimed at preventing gender-based violence and empowering all girls, including those at risk of intersectional discrimination.

*The Law on the Fundamentals of the Education System (LoFES)*⁷¹, section referring to the basic goals and principles of education, lays down the rights of children and students, as well as the obligations and responsibilities of all participants in education, in accordance with ratified international agreements and other laws. In particular, as stated under goal 14) “developing competences for understanding and respecting the rights of the child, human rights, civil liberties and the ability to live in a democratically organized and just society”, the education system is clearly committed to nurturing and developing the topics of human rights, prevention and protection from violence and discrimination. The education system of the Republic of Serbia lays down the general and cross-curricular competences as the most relevant ones for the adequate preparation of children for active participation in society and life-long learning: digital competences, to learn how to learn, communication, responsible relationship toward the environment, responsible participation in a democratic society, data and information handling, problem solving skills, cooperation, responsible attitude towards health. These cross-curricular competences represent a step forward in functional education and the acquisition of life skills. The curriculum is outcome-oriented and should enable the development of all cross-curricular competences. However, for this concrete report, the cross-curricular competence *Responsible participation in a democratic society* is most relevant, in particular when it comes to outcomes that refer to respecting human rights and freedoms. Outcomes related to respect for gender equality,

⁷¹ “Official Gazette of the RS”, no. 88/17, 27/18 (as amended), 27/18 (as amended), 10/19, 6/20, 129/21, 92/23

diversity and inter-cultural dialogue are introduced within certain subjects. Respect for democratic procedures, responsible, humane and tolerant behavior in society, sensitivity to social injustice, cooperation and teamwork are some of the outcomes associated with human rights, which are found in teaching and learning programmes.

In addition to the mandatory elective subject *Civic Education*, new elective programmes have been introduced in gymnasiums: *The Individual, the Group and Society*; *Language, Media and Culture*; *Health and Sports*; *Education for Sustainable Development*; *Art and Design*; *Applied Sciences, Basics of Geopolitics*; *Economy and Business*; *Religions and Civilizations*.

In order to achieve the set principles and goals, the Ministry of Education implemented the following at the policy level:

Since 2002, the system has had a compulsory elective subject *Civic Education*, the contents of which have been improved over the last 20 years of implementation, whereby also the resources for the teaching of this subject have been improved and supplemented in all grades of pre-university education.

Starting from the school year 2023/24, the optional course *Values and Virtues as a Life Compass* was introduced in elementary schools with the aim of strengthening the personal development of pupils and encouraging the development of values and virtues as the main backbone and guides in life for the benefit of individuals and society as a whole.

With the amendments to LoFES in 2013, general and cross-curricular competences were introduced as the most relevant ones for the adequate preparation of students for active participation in society and lifelong learning. The curriculum is outcome-oriented and should ensure the development of cross-curricular competences, one of which is *Responsible participation in a democratic society* – in outcomes related to respect for human rights and freedoms.

Outcomes relating to respect for gender equality, diversity and intercultural dialogue are introduced within the school subjects. Respect for democratic procedures, responsible, humane and tolerant behavior in society, sensitivity to social injustice, cooperation and teamwork are some of the outcomes associated with human rights, which are found in teaching and learning programmes.

Since 2017, the Council of Europe Reference Framework of Competences for Democratic Culture has been implemented project-based, which is a binding part of the education system from 2021 and an integral part of the Education Development Strategy 2030 (2021). RFCDC is referenced in the following documents: Rulebook on performing work useful for society, i.e. humanitarian work in educational institutions; Culture of remembrance – a resource of the Ministry of Education and the Institute for the Improvement of Education and Training; Instructions of the Ministry of Education for the organization and implementation of the educational process in the school year 2023/24.

Public calls are continuously being published in which one of the priorities for the allocation of funds to civil society organizations is the development of education for human rights and democracy.

In secondary vocational education, instructions and a recommendation has been given for all new vocational profiles published with the new programme of courses *Entrepreneurship* to use the Reference Framework of Competences for Democratic Culture.

National guidelines for the integration of the RFCDC in selected teaching and learning programmes at the national level were developed (a systemic connection between the RFCDC and teaching and learning programmes at the national level was established – 10 subjects are connected to the RFCDC and all 477 descriptors). The manuals were distributed to the addresses of 1,800 schools in the Republic of Serbia and are available on the website of the Ministry and of the Institute for the Improvement of Education and Training.

Starting from 2022, the Ministry of Education has established a network of external advisers for democratic culture in schools and appointed 20 advisers (employees in schools in the territory of all school administrations) financed by the Ministry of Education, who provide support to all schools and inform them about ways on how to implement competences for democratic culture (CDC). Every

school year, at least 1,200 teachers and school psychologists/pedagogues improve their knowledge and skills.

Human rights, prevention and protection from discrimination, gender-based violence and gender equality in teaching and learning programmes

Teaching and learning processes in all subjects in schools lead to the development of general competences in order to reach the goals that society has set for the education system. General competences are developed through all subjects and all subjects contribute even when the direct connection is not visible at first glance. They are applied in different situations and contexts, and when solving different problems. They are necessary for all students for their personal fulfillment, development and employment and form the basis for lifelong learning.

The results of the previous work of the Ministry of Education on the inclusion of contents on human rights, prevention and protection from discrimination, gender-based violence in teaching and learning programmes and the elimination of gender stereotypes and prejudices, as well as the affirmation of the principle of gender equality in education, are as follows:

a) in the domain of STANDARDS:

- Analyses prejudices, stereotypes, propaganda and other types of bias in the interpretation of historical phenomena (*History*, first grade of secondary school),
- Explains contemporary problems of humanity, e.g. discrimination (*Geography*, first grade of secondary school),
- Develops students' ability to play the role of a responsible citizen for participation in a responsible and humane society (*Sociology with citizens' rights*, fourth grade of secondary school),
- Lists how personal identity is manifested (*Logic with ethics*, third and fourth grade of secondary school),
- Differentiates the influences that form personal identity (sex/gender), (*Logic with ethics*, third and fourth grade of secondary school).

b) in the domain of OUTCOMES:

- Identifies and expresses an attitude in relation to stereotypes, prejudices and other manipulations of the past using concrete examples (*History*, first grade of secondary school),
- Analyses the position and way of life of children, women and men and members of different social classes in the Middle Ages (*History*, first grade of secondary school),
- Explains the role of social groups with special reference to marriage and family,
- Observes the importance of respecting human rights and freedoms (*Sociology with citizens' rights*, secondary school, fourth grade),
- Critically observes the system of values in society (*Values and virtues as a life compass*, first and second, fifth and sixth grades of elementary school; seventh and eighth grade of elementary school),
- Accepts others and respects their differences (*Civic education*, all levels of primary and secondary school),
- Distinguishes unacceptable from acceptable behavior when communicating on the Internet; reacts appropriately if he/she comes into contact with inappropriate digital content, unknown, malicious persons or persons communicating in an unacceptable manner; organizes his/her own learning in an online environment in a way that does not endanger health and personal safety, as well as the safety of a digital device (*Digital world*, first cycle of elementary school).

c) in the domain: TOPICS and key content-related notions:

- Life in the countryside and in the city, occupations, gender relations, position of a woman (*History*, first grade of secondary school),
- It was proposed to expand contents that are specific to male and female students (*Physical Education*, all levels),
- Personal rights and freedoms of citizens; Morality; Family law; Marriage and family (*Sociology with citizens' rights*, secondary school, fourth grade),
- The role of visual identity in the formation of personal identity (*Logic with ethics*, third and fourth grade of secondary school),
- Concepts of sex and gender (*Logic with ethics*, third and fourth grade of secondary school),
- The body and interventions on the body (*Logic with ethics*, third and fourth grade of secondary school),
- Tolerance,
- Social equality and justice,
- Love,
- Freedom,
- Critical thinking (*Values and virtues as a life compass*, first and second, fifth and sixth grades of elementary school; seventh and eighth grade of elementary school),
- Personal identity,
- Stereotypes,
- Prejudices,
- Discrimination,
- Peer violence,
- Violence at school,
- Communication,
- The position of the individual and social groups from the aspect of human rights (*Civic education*, all levels of primary and secondary schools).

Primary and secondary education – Subject: Civic Education

As part of the National Education Portal of the Institute for the Improvement of Education and Training, a platform intended for *Civic Education* teachers has been set up at the internet address zuov.gov.rs/gradjansko. The platform is primarily intended for *Civic Education* teachers in high schools as a form of assistance in the implementation of curricula for the third and fourth grade of high school. However, its contents can be interesting and useful for all teachers of *Civic Education*, *History*, *Sociology*, as well as for the elective subject *The Individual, The Group and Society* in high school. The platform contains video and text materials on the following topics: human rights; economic rights; environmental rights; peace and threats to peace (humanitarian law).

Secondary school - elective subjects in gymnasiums – Language, Media and Culture

Through the elective subject titled *Language, Media and Culture*, students especially learn to create information, but also to understand what they read in different media. This subject contributes to the development of competencies such as responsible participation in a democratic society, cooperation, problem solving and communication.

Secondary school - elective subjects in gymnasiums – The Individual, The Group and Society

The elective subject *The Individual, The Group and Society* integrates knowledge from various sciences and disciplines such as psychology, sociology, history and civic education. By learning about human rights and institutions responsible for human rights through this subject, students are trained to be socially responsible, develop critical thinking and solve problems.

Secondary school – elective subjects in gymnasiums – *Health and Sports*

The programme *Health and Sports* was created so that students can recognise the importance of physical exercise for improving their quality of life, as well as to behave responsibly towards their own health, including understanding the importance of reproductive health. In addition to physical education and biology, knowledge from chemistry, physics, psychology and mathematics is also combined.

Secondary school – elective subjects in gymnasiums – *Basics of Geopolitics*

Through the programme *Basics of Geopolitics*, the influences of different centres of power, migrations, soft power, critical understanding of politics, human rights, and social equality are studied.

Secondary school – elective subjects in gymnasiums – *Education for Sustainable Development*

Through the subject *Education for Sustainable Development*, students are prepared to perceive and recognize economic, ecological and social problems of society and to find solutions to overcome these problems. Teaching this programme contributes to the development of the competence for responsible participation in a democratic society.

Secondary school - optional subjects in gymnasiums – *Religions and civilizations*

The subject *Religion and Civilizations* enables students to shed light on and understand their own identity through comparative and interdisciplinary critical research of the phenomenon of religion and civilization, as well as to appreciate the identities of others and those who are different.

Free and optional curricular activities

Programmes of free curricular activities are designed to favour activities of students by means of which they can connect their curricular and extracurricular experiences, learn through problem solving, cooperation and teamwork, and use modern technologies for educational purposes.

These programmes are implemented in the 5th and 6th, that is, in the 7th and 8th grade of elementary school, by combining different techniques of working with students, such as: presentations, demonstrations, case studies, simulations, role playing, debates, work in small groups, working on projects, watching and analysing videos, creative workshops, working in groups on learning platforms, connecting with peers from other schools or countries, visits by experts, learning in other institutions, visits to various events, joining different actions. *Already by looking at the goals of the programmes of optional curricular activities, one can see the connection with the promotion of democratic values and protection against discrimination and violence.*

They focus on empowering students to find their way in the world that surrounds them as successfully as possible, as this world is rapidly changing and requires adaptability, openness to change, cooperation, creativity, responsibility, planning, as well as critical reflection, caution and foresight, but also the use of new technologies in the proper way.

Examples of optional curricular activities:

The goal of attending the optional curricular activity *Values and virtues as a life compass* is the development of social skills important for prosperity, physical and mental health and living in an atmosphere of mutual respect and care for each other.

The goal of attending the optional curricular activity *Media Literacy* is to encourage the development of the student's media culture and contribute to strengthening the ability to understand, deconstruct and create media content, which will help the student to develop cognitive, emotional and social skills in a modern media-centric environment.

The goal of attending the optional curricular activity *Life Skills* is for the student to master knowledge, develop skills and form attitudes that will enable him/her to better understand different life situations and challenges, increase his/her capacity to take care of himself/herself, others and the environment in a responsible manner and behave in accordance with a responsible culture of safety.

The goal of attending the optional curricular activity *How I see myself and others* is to encourage the development of students' intercultural sensitivity for interaction and communication with the world around them, to prepare them for life and work in a modern society that is culturally diverse and to contribute to the strengthening of understanding, tolerance and appreciation of other cultures.

In order to raise awareness of the role and importance of the Council of Europe and to highlight the principles and values that this international organization promotes and protects, Serbia has joined the initiative called the Council of Europe Days, which will be implemented in the member states until 2025. As part of this initiative, the 20th anniversary of the Republic of Serbia membership in the Council of Europe was celebrated in our schools in 2023. On this occasion, various programmes were organized that include the implementation of the Reference Framework of Competences for Democratic Culture in Schools, as well as programmes dedicated to cooperation with the Council of Europe.

On the website of the Ministry of Education, Publications - Ministry of Education, Science and Technological Development (prosveta.gov.rs), there are numerous resources for schools that are available in online format, as well as video trainings for the Implementation of the *Rulebook on the protocol of action in an institution in response to violence, abuse and neglect*, as well as other publications.⁷²

Article 15: Training of professionals

11. Please complete tables I and II included in the Appendix in order to provide a comprehensive overview of the professional groups that receive initial and in-service training on the different forms of violence against women and domestic violence. Please specify the frequency and scope of the training and whether it is compulsory.

The Police Training Center does not have special training for working with victims or perpetrators of all forms of violence covered by the Istanbul Convention, but the mentioned topics are dealt with within the framework of different subjects and modules, in accordance with the professional development programs of participants of the initial basic police training (for positions of police officer, traffic policeman, traffic policeman for traffic accidents and border police officer).

Within the subject Criminal Law and Criminal Procedural Law they tackle the topic that refers to the criminal offence Domestic Violence. Then, they also have the subject Psychology for police officers, within which they deal with topics that refer to psychological aspects of actions of police officers in cases of domestic violence.

With the professional module "Suppression of crime", participants acquire knowledge of general principles in the protection of victims of domestic violence and violence in partner relationships, recognition of indicators of domestic violence, procedures in the actions of uniformed police officers when intervening in cases of domestic violence, as well as recognizing characteristic traces of domestic violence.

In addition to the above, participants also gain knowledge within the professional module "Application of police powers and the use of means of coercion", through practical exercises, that is, role-playing. Knowledge gained refers to actions of police officers, i.e. intervention in cases of domestic violence, from the aspect of the application of police powers and the use of means of coercion.

⁷² "Official Gazette of the RS", no. 11/2024

The Ministry of Interior, in cooperation with the Judicial Academy and the University of Criminal Investigation and Police Studies, implemented five training cycles, and a total of 2,581 police officers were trained and certified to act according to the Law on the Prevention of Domestic Violence. Police officers of the Crime Suppression Unit participated in the implementation of the trainings, as well as in the capacity of lecturers in the practical part of the training. Based on the stated needs for training of police officers for the implementation of the Law on the Prevention of Domestic Violence in the territory of all police departments of the Republic of Serbia, the 6th training cycle was held in the period from 20 February to 4 March 2024, according to the plan and programme of the Judicial Academy at the University of Criminal Investigation and Police Studies. Within this cycle, 100 police officers were trained and acquired knowledge and skills on how to act in cases of domestic violence.

The curricula at bachelor-level studies (academic and vocational studies) and master-level studies (Master of Academic Studies in Criminology and IMT National Security, Specialist Studies in Criminology) contain teaching units and topics related to violence against women.⁷³

The following topics are included, that is to say, they are studied in the basic academic and vocational studies of Criminology within the following (compulsory or elective) subjects:

1. Police and society (representation of women in operational and managerial positions in organizational units of the MoI; female police officers in peacekeeping missions; gender agenda in the police; police work in the local community; police treatment of women victims of violence; control of (ab)use of firearms in the context of violence against women and domestic violence,
2. Crime prevention (situational prevention and safety of women in public spaces; preventive activities of the police in the community),
3. Victimology (protection of women – victims of various forms of crime),
4. Irregular migration and human trafficking (providing assistance, protection and support to women and girls as victims of human trafficking; the role and activities of the police in preventing and suppressing the trafficking of women and girls for the purpose of forced prostitution and sexual exploitation),
5. Safety in emergency situations (women in emergency situations as providers of help and support; women as victims of emergency situations),
6. Actions of the police in preventing and suppressing domestic violence (gender aspect of domestic violence and the role of the police in preventing and suppressing it; actions of the police in the implementation of the Law on the Prevention of Domestic Violence).

At the second level of studies (master's and specialist studies, IMT National Security), teaching units and topics related to violence against women are included in the following elective subjects:

1. Police and gender equality (gender agenda and police reform; police treatment of victims of gender-based violence and implementation of the Special Protocol; the UN Security Council Resolutions relating to the protection of women - 1325, 1820, 1888, 1889, 1960);
2. Police and protection of vulnerable groups (respect and implementation of the legal framework for the protection of vulnerable groups in conflict and post-conflict circumstances; women as a vulnerable group; women's human rights),
3. Migration and security (gender identity of migration; women and girls as victims of migration movements; protection of female migrants),
4. Gender and security (gender and security in the local community; gender and emergency situations; gender-based violence; gender and gun ownership; gender and safety on the Internet; gender and juvenile delinquency; gender and traffic safety; gender dimension of migrations; gender dimension of human trafficking; gender specifics of terrorism; gender and crime; gender specifics of the system for the enforcement of penal sanctions).

⁷³ Available under: <https://www.kpu.edu.rs/cms/studije/drugi-stepen/specijalisticke-studije>; accessed on 16/06/2024.

From the school year 2015/16 until the school year 2022/23, bachelor academic studies of Informatics and Computing included topics related to violence against women within the framework of the subject *Human Security*.

The Judicial Academy organizes continuous trainings on the topic of domestic violence for public prosecutors and deputy public prosecutors (now chief public prosecutors and public prosecutors), as well as for prosecutor's assistants, i.e. trainings in connection with the implementation of the Law on the Prevention of Domestic Violence. The goal is to enable them to enforce their legal powers efficiently and consistently, recognize domestic violence, ensure the victim's safety and protect their rights, as well as to enable prosecutors who act in cases of domestic violence to specialize for that field.

Within the tasks and competences awarded to it by law, the Judicial Academy organizes trainings for judges, prosecutors, judicial and prosecutorial assistants, and judicial and prosecutorial staff within continuing training programmes. Four trainings from the Continuing Training Programmes are mandatory for dealing with cases, namely trainings on the implementation of the following laws: Law on Juvenile Offenders and Protection of Minors under criminal law, Law on the Prevention of Domestic Violence, Family Law – specialization in the field of children's rights, and Law on the Protection of Whistleblowers. On the distance learning platform of the Judicial Academy - LMS platform, trainings are available in online format. Applicants apply for all trainings organized by the Judicial Academy through the platform. Every training attended after registration on the learning platform of the Judicial Academy is recorded in the participant's personal record.⁷⁴

Professional development of employees from the education system

As per the new Catalogue of programmes for the continuous professional development of teachers, educators and professional associates for the school year 2022/2023, 2023/2024 and 2024/2025, 95 programmes with the topic of prevention and protection from violence were accredited, 14 programmes with the topic of interculturality were accredited, and another 4 programmes for gender equality and 6 programmes about the Holocaust were accredited.⁷⁵

Trainings for health workers and professional associates are conducted by health care institutions in accordance with accredited training programmes, as part of the continuing education of health care workers. This type of education is regulated by the Rulebook on detailed conditions for the implementation of continuing education of healthcare workers and healthcare associates.⁷⁶ The process of quality assessment for continuing education programmes is carried out by the Health Council of Serbia, which also has data on these trainings, as well as by the Serbian Medical Chamber (SMC), the Chamber of Nurses and Medical Technicians of Serbia (CoNMT) and other chambers of health workers that have their programmes accredited by the aforementioned institutions (dentists, biochemists, pharmacists). Data in SMC and CoNMT are processed manually.

The Law on Civil Servants (LoCS)⁷⁷ stipulates that the professional development of civil servants is based on programmes that determine the forms and contents of professional development and the amount of funding for professional development. The general training programme for 2020 contained topics from the domain of human rights, including protection against discrimination and gender equality.

The central records of professional training programmes in public administration are kept by the National Academy for Public Administration in accordance with the Rulebook on the central

⁷⁴ Available under: <https://www.pars.rs/sr/%D1%81%D1%82%D0%B0%D0%BB%D0%BD%D0%B0-%D0%BE%D0%B1%D1%83%D0%BA%D0%B0>; accessed on 16/06/2024.

⁷⁵ Available under: <https://zuov-katalog.rs/>; accessed on 16/06/2024.

⁷⁶ "Official Gazette of the RS", no. 2/2011, 23/2016, and 31/2018

⁷⁷ "Official Gazette of the RS", no. 79/2005, 81/2005 - correction, 83/2005 - correction, 64/2007, 67/2007 - correction, 116/2008, 104/2009, 99/2014, 94/2017, 95/2018, 157/2020 and 142/2022)

records of professional training programmes in public administration and the issuance of certificates for participation in these programmes.

Although trainings for experts are continuously implemented, it is difficult to collect relevant data on their number, contents and quality, coverage of target groups, application of acquired knowledge and effects of training on activities in practice. Many trainings are carried out as part of project activities and depend on foreign donor funds, and they are implemented by international organizations or civil society organizations.

12. Please specify if the expertise of women's rights organisations or specialist support services is integrated in the design and/or implementation of the training.

The expertise of organizations for the protection of women's rights, as well as organizations for the provision of specialist support services, is recognized in terms of the accreditation of trainings related to gender-based violence and domestic violence. The trainings are intended for professionals who work either with women victims or with perpetrators of all forms of violence covered by the Istanbul Convention⁷⁸. These trainings are accredited by the Republic Institute for Social Protection.

Article 16: Preventive intervention and treatment programmes

13. Please provide information on measures taken to increase the number of available preventive intervention and treatment programmes for perpetrators of domestic and sexual violence both for voluntary and mandatory attendance.

The *Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence* envisages Measure 1.5.: *providing conditions for the implementation of responsible programmes, which are based on the victim's safety, of working with perpetrators of gender-based violence against women and domestic violence in the social protection system*. This measure implies the implementation of a programme for working with perpetrators and the ensuring of mechanisms to encourage the voluntary inclusion of perpetrators of violence in the programmes and the timely start of work.

The effects of the measure are reflected in the increased safety of victims of violence, better risk assessment and management of the risk of repeated violence, enhanced effects of other applied measures, changes to patterns of violent behaviour of perpetrators of violence and reduced number of repetitions of violence. Programmes for working with perpetrators of violence must be aligned with the Istanbul Convention and standards of good practice.

Based on the measures laid down in the *Strategy for the Development of the System for the Enforcement of Penal Sanctions for the period 2022-2027*⁷⁹, also five new specialized treatment programmes are implemented in correctional institutions for persons convicted, among them also a programme for perpetrators of domestic violence.

Although the intensity and risk of domestic violence is largely influenced by the abuse of alcohol or narcotic drugs, which is often a trigger for violence, the Family Law does not lay down the possibility of imposing appropriate measures for the medical treatment of perpetrators, nor does it

⁷⁸ Women's Support Centre: The role of the health care sector in protecting women who are victims of domestic and gender-based violence; Programme accredited in cooperation with the University of Novi Sad, Medical Faculty, Centre for Continuing Medical Education, accredited by the Health Council of Serbia, decision number 153-02-01202/2020-01 dated 16/11/2020. This programme carries 5 points for the participants tested and 7 points for the authors; available at: <https://edukacije.cpz.rs/>. Accessed on 01/06/2024.

Women's Support Centre, Education for health workers – National course of the first category: The role of health workers in supporting victims of sexual violence. The programme is accredited in cooperation with the Association of Health Workers of Vojvodina, by the Health Council of Serbia, under Decision No. 153-02-00118/2023-01 dated 05/22/2023 and carries 6 points for the participants tested and 12 points for the authors; available at: <http://www.cpz.rs/edukacija-za-zdravstvene-radnike-nacionalni-kurs-i-kategorije/>; accessed on 01/06/2024.

⁷⁹ "Official Gazette of the RS", no. 142/2022. Available under: <https://www.mpravde.gov.rs/tekst/33173/strategija-razvoja-sistema-izvršenja-krivicnih-sankcija-u-republici-srbiji-za-period-2021-2027-godina.php>; accessed on 10/07/2024.

stipulate the possibility of referring perpetrators to appropriate programmes for the work with perpetrators of violence. The LoPDV also does not stipulate the possibility of referral to programmes for the work with perpetrators of violence either. According to the *Criminal Procedure Code*⁸⁰ (CPC), inclusion in a domestic abuse perpetrator programme may be set as a condition for deferring criminal prosecution of the suspect by the public prosecutor. The provision of Article 283, paragraph 1, point 6) of the Code of Criminal Procedure entitled "Deferral of criminal prosecution" (principle of the opportunity of criminal prosecution) prescribes the obligation that the suspect can accept "to undergo psychosocial treatment in order to eliminate the causes of violent behavior". Practice has shown very good results in working with perpetrators of crimes with elements of violence and a reduced number of returnees. The largest number of perpetrators enter psychosocial treatment programmes precisely through the mechanism of deferred criminal prosecution.⁸¹ The very application of this mechanism is problematic because it allows for the avoidance of punishment, and it also contradicts the provisions of Article 48 of the Istanbul Convention. In practice, it is only in a negligible number of cases that the possibility of imposing a suspended sentence with protective supervision is used, which includes visiting certain professional and other counseling center or institutions and acting according to their instructions (Article 73 of CC).⁸²

The *Law on Special Measures for the Prevention of Criminal Offences against Sexual Freedom Committed against Minors*⁸³ stipulates that a perpetrator of certain criminal offences against sexual freedom, who has served a prison sentence, must be required to visit professional counselling centres or institutions (Art. 7).

The list of security measures laid down by the Criminal Code does not include the mandatory and adequate psychosocial treatment for perpetrators of domestic violence, as well as perpetrators of other criminal offences with elements of violence, including sexual violence, in order to prevent the recurrence of violence. The possibility of ordering the measure of mandatory supervision and counselling for perpetrators of rape and other forms of sexual violence is not laid down.

It should also be borne in mind that Article 15, paragraph 3 of the *Law on Special Measures for the Prevention of Criminal Offences against Sexual Freedom Committed against Minors* is not applied consistently. This Article stipulates that government authorities and other authorities, as well as legal entities or entrepreneurs who work with minors, are required to request information on whether a person who is supposed to start working for them, meaning who is about to work with minors, is registered in a special record of persons convicted of crimes against sexual freedom committed against minors.

For years, treatment services in correctional institutions have been implementing anger management and assertive communication programmes aimed at perpetrators of domestic violence, participants in fights, and perpetrators of other criminal offences. The goal of this programme is for the participants to develop and adopt socially acceptable behavior in order to reduce as much as possible the frequency of aggressive behavior and to learn to manage their emotions, strengthen self-control and react constructively to frustration. Institutions organize systemic family psychotherapy for convicted persons, which includes their family members. Convicted persons have the opportunity to participate in specialized programmes related to individual and group work and work with persons suffering from drug addiction and alcoholism, which are often the cause why domestic violence is committed.

In the course of 2023, 51 persons convicted of the criminal offence of domestic violence as referred to in Article 194 of the Criminal Code were ordered to undergo compulsory psychiatric treatment and confinement in a medical institution, and the same number of persons (51) were ordered to undergo compulsory psychiatric treatment at liberty.

⁸⁰ "Official Gazette of the RS", no. 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 – Decision of the Constitutional Court and 62/2021 – Decision of the Constitutional Court.

⁸¹ Article 283, paragraph 1, item 6 of the CPC stipulates the obligation to subject the perpetrator to a psychosocial treatment so as to eliminate the causes of violent behaviour.

⁸² Article 73, paragraph 1, item 9 of the CC.

⁸³ "Official Gazette of the RS", no. 32/2013.

The security measure of mandatory treatment of drug addicts was pronounced against 32 persons, the measure of mandatory treatment of alcoholics against 360 persons, the ban on practicing a certain profession, activity and duty was issued against 4 persons, the measure of confiscation of objects against 58 persons, the measure of expelling a foreigner from the country against 3 persons, the ban on approaching and communicating with the injured party against 662 persons and prohibition from attending certain sports events against 1 person.

In the course of 2022, 59 persons convicted of the crime of domestic violence referred to in Article 194 of the Criminal Code were sentenced to mandatory psychiatric treatment and confinement in a medical institution, while 32 persons were sentenced to mandatory psychiatric treatment at liberty. The security measure of compulsory treatment of drug addicts was pronounced against 20 persons, the measure of compulsory treatment of alcoholics against 269 persons, the ban on practicing a certain occupation, activity and duty against 3 persons, the measure of confiscation of objects against 34 persons, the measure of expulsion of a foreigner from the country against 1 person, the ban on approaching and communicating with the injured party against 500 persons and prohibition from attending certain sports events against 4 persons.

The *National Network for Programmes for the Work with Perpetrators of Violence (OPNA)*⁸⁴ was founded on 24 March 2015, with the main goal being to develop programmes for the work with perpetrators of violence in the Republic of Serbia in accordance with the Istanbul Convention, and to standardize and implement them in a sustainable manner. OPNA was founded by 9 institutions and organizations, the Centre for Social Work “Solidarnost” Kragujevac, Centre for Social Work “Sveti Sava” in Niš, Centre for Social Work Čačak, Centre for Social Work Kruševac, Centre for Social Work of the City of Novi Sad, Centre for Social Work Subotica, the City Centre for Social Work Belgrade, the Centre for Social Work Leskovac and the citizens’ association “Crisis Centre for Men”. The formation of OPNA was supported by the United Nations Development Program (UNDP). OPNA is a member of the European Network for the Work with Perpetrators of Domestic Violence (WWP EN).

The European Network for the Work with Perpetrators of Domestic Violence (WWP EN) has implemented the project “Support for the implementation of programmes for the work with perpetrators of violence against women and domestic violence in accordance with Articles 16 and 12 of the Istanbul Convention” in partnership with UN Women. The goal of this project was to increase safety and well-being for women and children by stopping and preventing violent behavior. The project aimed to assess the extent to which the countries of the Western Balkans and Republic of Turkey have aligned their methods of work with Articles 12 and 16 of the Istanbul Convention and to support the development of programmes for perpetrators of violence and programmes for the prevention of partner violence among young people.

In the database of accredited programmes in the field of gender-based violence, domestic violence, violence against children and human trafficking, two programmes were accredited: Work with violent perpetrators in centres for social work (fifth seminar within the training programme: domestic violence and institutional protection, Autonomous women’s centre, Programme for the development of good practices in the field of domestic violence) and RESTART – Training of professionals for the implementation of a programme of work with perpetrators of violence that are based on the victim’s safety.

An inspection of the database of accredited training programs in Republic Institute for Social Protection found that the program "Working with bullies in the center for social work" was last implemented in 2017. The RESTART program - training of professionals to implement a program of work with perpetrators of violence based on the safety of victims, was never realized.

14. Please provide information on measures taken to:

⁸⁴ Available under: <https://opna.org.rs/page1.html>

- a. increase the number of men and boys attending perpetrator programmes for domestic and sexual violence;
- b. ensure that the perpetrator programmes apply standards of best practice;
- c. ensure the safety of victims and co-operation with specialist support services for victims;
- d. ensure that the outcomes of the programmes are monitored and evaluated.

Article 18: General obligations

15. Please provide information on any multi-agency co-operation mechanisms, structures or measures in place designed to protect and support victims of any of the forms of gender-based violence against women covered by the Istanbul Convention (e.g., interdisciplinary working groups, case-management systems, cross-sectoral protocols/ guidelines...). Please describe:
- a. the state agencies involved in their functioning (law-enforcement agencies, judiciary, public prosecutor, local authorities, healthcare services, social services, educational institutions etc.);
 - b. whether they involve specialist support services provided by civil society organizations, especially women's rights organizations;
 - c. how they adopt a gender-sensitive approach to violence against women, including the prioritization of the safety of women and girl victims, their empowerment and a victim-centred approach;
 - d. the financial and human resources dedicated to their implementation; and
 - e. any available information on the evaluation of their outcome or impact.

In its Part 7: Procedure for the provision of protection and support to victims of violence; 7.1. Participants in the procedure of provision of protection and support, the GPGBVW defines that the participants in the process of providing protection and support to victims of violence against women and domestic violence, within the meaning of the General Protocol, are bodies, institutions and organizations that, within the framework of their legally established competences, are obliged to undertake actions aimed at recognizing and preventing violence, ensuring security and providing support to victims of violence, as well as sanctioning the perpetrators of this violence.

In accordance with legal regulations, the obligation to act in cases of domestic violence is the responsibility of: public prosecutor's offices; the police; centres for social work; social protection institutions that provide accommodation to beneficiaries and other service providers in the social protection system; health care institutions; educational institutions; courts of general jurisdiction and misdemeanor courts; persons designated for liaison in police departments, basic and higher public prosecutor's offices, in basic and higher courts and in the centres for social work.

Multidisciplinary and multisectoral joint action of the police, the public prosecutor's offices and centres for social work, in terms of providing protection and support to victims, is implemented in an organized form through coordination and cooperation groups, which are based at the basic public prosecutor's offices. Other institutions and organizations may also be involved in the work of coordination and cooperation groups.

An important resource in the system of protection against gender-based violence against women and domestic violence are the designated liaison persons, whose task it is to exchange information and data essential for the prevention of domestic violence, the detection, prosecution and proceedings for criminal offences and the provision of protection and support to victims. The manner in which information and data will be exchanged between the persons designated as liaisons shall be laid down

in agreement by the minister responsible for internal affairs, the minister responsible for justice and the minister responsible for family protection affairs.

Part 6 of the GPGBVW: *Fundamentals and principles* says that all procedures and interventions of all authorities, institutions and organizations that participate in preventing and providing protection and support to victims of all forms of violence covered by this protocol are based on common starting points and principles:

1) Everyone has the fundamental right to life without violence in the private and public sphere of life,

2) Zero tolerance for violence against women and domestic violence,

3) Violence against women and domestic violence represent a model of behaviour through which the perpetrator exercises control and exerts his power over the victim,

4) All interventions and measures of competent authorities and institutions are based on understanding the gender dimensions of violence against women and domestic violence and are aimed at protecting human rights and the safety of the victim,

5) All interventions and measures are based on the understanding that the intersection of different determinants of identity (gender, disability, sexual orientation, ethnicity, etc.) have an additional negative impact on victims of violence from marginalized and vulnerable social groups,

6) The actions of competent authorities, institutions and organizations are based on an integrated approach, which takes into account the inequality of power between the victim and the perpetrator, the relationship between victims, perpetrators, children and the wider social environment,

7) The violent behavior is the sole responsibility of the perpetrator,

8) Ensuring the safety of the victim of violence is a priority,

9) The degree of urgency of actions depends on the degree of risk of violence and vulnerability of the victim,

10) The victim of violence is at the centre of all procedures, measures and activities,

11) Every victim of violence shall be treated with respect, with full observance of their human rights, dignity and priorities,

12) Ensuring the safety and best interests of children of victims of violence, which is achieved through the provision of support services for the child's recovery and the child's stay in a family home with a non-violent parent whenever possible.

16. Please detail whether any such co-operation mechanisms or structures set up for the delivery of support services for a specific form of violence covered by the Istanbul Convention is based on a legal or policy document advocating for or requiring such approaches.

LoPDV determines in its Part 4: Cooperation in the prevention of domestic violence, Article 24. Persons designated as liaison persons, that these persons are appointed in the police department, basic and higher public prosecutor's office, basic and higher court and centre for social work.

They are appointed by the head of the police department, the public prosecutor, the president of the court and the manager of the centre for social work, from among competent police officers and judges and deputy public prosecutors who have completed specialized training, and employees of the centre for social work.

The persons designated as liaisons exchange information and data essential for the prevention of domestic violence, detection, prosecution and trial of criminal offences specified in this law and for providing protection and support to victims of domestic violence and victims of criminal offences specified in this law.

The minister in charge of internal affairs, the minister in charge of justice and the minister in charge of family protection shall, by agreement, lay down how information and data will be exchanged between persons designated as liaisons.

The LoPDV stipulates that a coordination and cooperation group will be established in the territory of each basic public prosecution office (Article 25). This group will tackle every case of domestic violence that has not been concluded by a final court decision in civil or criminal proceedings, cases where protection and support should be provided to victims of domestic violence and victims of criminal offences referred to in this law. The group also draws up an individual plan of protection and support for the victim and proposes measures to finalize court proceedings to the competent public prosecutor's office.

The group is chaired by the public prosecutor of the competent basic public prosecutor's office, and if the higher public prosecutor's office is in charge of prosecuting the perpetrators, then the public prosecutor of the higher public prosecutor's office participates in the group and chairs the working group. The powers and duties of the public prosecutor's office, the police and centres for social work, as well as the manner of their cooperation, are more closely regulated by the Rulebook on Cooperation, which is adopted by agreement by the minister responsible for judicial affairs, the minister responsible for internal affairs and the minister responsible for family protection.

Each coordination and cooperation group adopts its own rules of procedure, which regulate the way of working and decision-making. This includes scheduling and preparing meetings, the course of the meeting, the way of decision-making, the adoption of individual protection and support plans, the content and method of keeping minutes, keeping records and databases and other issues of importance for the work of the group.

The LoPDV determines the composition of the coordination and cooperation group (Article 26). The coordination and cooperation group consists of representatives of basic public prosecutor's offices, police departments and centres for social work, from the areas for which the group is being formed. The members of the coordination and cooperation group are appointed by the heads of the authorities, from among the deputy public prosecutors who have completed specialized training, and competent police officers and employees of social work centres who work on cases of domestic violence. The coordination and cooperation group is chaired by a member of the group from public prosecutors of the basic public prosecutor office.

The coordination and cooperation group holds meetings at least once every 15 days and keeps minutes of the meetings. If necessary, representatives of educational, pre-school and health care institutions and the National Employment Service, representatives of other legal entities and associations and individuals who provide protection and support to victims can attend the meetings. The coordination and cooperation group adopts the rules of procedure, which regulate in detail its way of working and decision-making.

In 2020, the Public Prosecutor's Office launched a multi-sector employment model for victims of domestic violence, bearing in mind the provision of Article 25, paragraph 4 of the LoPDV, which foresees that the meetings of the Coordination and Cooperation Group can, if necessary, when support for victims is provided, also be attended by representatives of the National Service for employment, as well as the importance of the victim's economic independence for getting out of violence, on which unique records are kept by the Higher Public Prosecutor's Office in Belgrade.

If the higher public prosecutor's office is responsible for the prosecution of the perpetrators of the criminal offences specified in this law, the higher public prosecutor appoints his deputy, who has completed specialized training, to participate in the work of the group and preside over it.

Based on the data included in the aforementioned reports on the work of the Coordination and Cooperation Group, in 2023, 2,961 Group meetings were held, 2,858 victims attended the meetings, a

total of 53,937 cases of domestic violence were tackled and 25,396 individual protection and support plans for victims were drawn up.

In 2022, 2,844 meetings of the Coordination and Cooperation Group were held, the meetings were attended by 655 victims, a total of 49,204 cases of domestic violence were discussed and 21,690 individual protection and support plans for victims were drawn up.

17. Please explain whether all or some of the services of protection and support offered for victims of the different forms of violence against women are provided on the basis of a one-stop-shop approach.

The services for victims of sexual violence that are provided in the Centres for victims of sexual violence on the territory of the Autonomous Province (AP) of Vojvodina are designed on the basis of a one-stop-shop approach.

The reception of the victim and persons accompanying the victim (close persons, the police or other persons) at the reception department of the hospital/clinic is performed by the nurse on duty. She immediately places the victim in the protected area of the Centre for Victims of Sexual Violence (CfVSV). Duty nurse immediately informs the adviser for psychosocial support by phone, who comes and prepares the victim for further steps, gives her information about the procedures and actions that follow. Then, in the premises of the CfVSV, the statement of the victim is given/interview is carried out with a police officer, and data and evidence (if not done earlier) are collected by police officers, on the order of the public prosecutor. The prerequisite for this step is that evidence has been saved.

After that, a medical specialist performs health care examinations and other interventions if they are urgently needed and collects biological material (forensic medical examination) as part of the health examination. This procedure can also be attended by support persons of the victim's choice. The victim gives written consent for a gynecological examination and a forensic medical examination, as well as for photographing the injuries.

Once the medical care and services have been provided, the victim has the opportunity to stay in the CfVSV, to rest (there is a bed), change clothes, and to receive a package of necessary hygiene products. She is always accompanied by a counsellor who, in conversation with the victim, offers the possibility of further psychosocial support to eliminate the consequences of the trauma, in accordance with the victim's needs. The victim must provide a consent for the use of services of the counsellor and for data processing.

Whether and to what extent the procedure laid down will be implemented in the CfVSV, which corresponds to the "all in one place" approach, often depends on the actions of police officers, who sometimes insist that the victim can only give a statement in the police station, and not in the CfVSV.

Article 20: General support services

18. Please provide information on programmes and measures aimed at ensuring, through general services, the recovery of victims of violence, including in the health and social areas, financial assistance, education, training and assistance in finding employment and affordable and permanent housing.

One of the most important laws for the provision of services to victims of gender-based violence and domestic violence is the Law on Social Protection (LoSP).⁸⁵ This law enabled the transfer of certain powers in the area of social protection to the provinces and local self-governments. It lays down that funds for the performance of activities are provided by the budgets of the Republic of Serbia,

⁸⁵ "Official Gazette of the RS", no. 24/2011.

autonomous provinces and local self-government units. The law also stipulates that the development of services in the community must be focused on the needs of the users, and foresees the participation of civil society organizations (CSOs) and private companies in the social protection system as new service providers, etc.

The LoSP does not recognize general and specialist support services. What is defined are social protection services⁸⁶, among others accommodation services, including accommodation in a shelter and other types of accommodation,⁸⁷ as provided by the Republic of Serbia, the autonomous province and local self-government units.⁸⁸ A shelter provides short-term accommodation and safety, while searching for sustainable solutions for crisis situations to meet the basic needs of victims and provide them access to other services. This service is provided by the local self-government.⁸⁹ It is also foreseen that the local self-government, among others, funds day services in the community, as well as counselling/therapeutic, social-educational and other social protection services in accordance with the needs of beneficiaries.⁹⁰

Apart from prohibiting violence based on sex, sexual characteristics, gender and violence against women in the private and public sphere, the LoGE lays down also special measures and programmes, as well as general and specialist support services in its Section: Preventing and combatting gender-based violence (Articles 51 through 58). This Law also lays down the obligation to provide financial resources for the organization and implementation of specialist services. General support services mean the right of victims to the following: psycho-social assistance in accordance with the law and free social and health care, as well as free legal aid in accordance with the law regulating free legal aid.

According to the provisions of the LoGE, assistance and protection must be accessible to all and adapted to the individual needs of victims, including victims from vulnerable social groups, while public authorities are obliged to take legislative and other measures to ensure that easily accessible access to general support services is provided for all victims, in an adequately equipped space, by employees trained to provide assistance and support to victims of violence.

In accordance with the LoGE, specialist support services, accessible to everybody and adapted to the individual needs of victims of violence, including victims from vulnerable social groups, are the following:

- SOS telephone services for girls and women with experience of gender-based violence,
- provision of safe accommodation for women victims of violence and their children in safe houses or shelters that are free for all women and their children, regardless of their place of permanent or temporary residence, and are available 24 hours a day, seven days a week, and adapted to the needs of women victims of violence,
- specialist, forensic and laboratory examinations and psychological support, in accordance with the needs of the victim,
- free support for victims of sexual violence 24/7, contraception and protection against sexually transmitted diseases, forensic examinations, and

⁸⁶ The Law (Article 40) stipulates five groups of services: 1) **assessment and planning services** – they include assessment of the state, needs, strengths and risks of the beneficiary(ies) and other important persons in his/her environment; assessment of guardians, foster parents and adoptive parents; development of an individual or family service provision plan and legal protection measures and other assessments and plans; 2) **day services** in the community – they include day care; help in the house; day care centres and other services that support the beneficiary's stay in the family and immediate environment; 3) **support services for independent living** - housing with support; personal assistance; training for independent living and other types of support necessary for the beneficiary's active participation in society; 4) **counselling-therapeutic and social-educational services** – they imply intensive support services for families in crisis; counselling and support of parents, foster parents and adoptive parents; support for a family that takes care of their child or an adult family member with developmental disabilities; maintenance of family relationships and family reunification; counselling and support in cases of violence; family therapy; mediation; SOS lines; activation and other advisory and educational services and activities; 5) **accommodation services** - accommodation in the family of a relative, foster or other families for adults and the elderly; accommodation in homes; accommodation in a shelter and other types of accommodation.

⁸⁷ Ibid., Article 40.

⁸⁸ Ibid., Article 47.

⁸⁹ Ibid., Article 55

⁹⁰ Ibid., Article 209.

- implementing a programme of specialist counselling centers for victims of violence, adapted to the needs of victims, including victims of violence from vulnerable social groups.⁹¹

Financial resources for organizing and implementing specialist services are provided by the budgets of the Republic of Serbia, autonomous provinces and local self-government units (LSGs). It is explicitly stated that safe accommodation services for women victims of violence and their children, as well as free support for victims of sexual violence, are provided by the local self-government unit, independently or in cooperation with one or more neighboring local self-government units.⁹²

Most social protection services are financed from the budget of local self-governments. The level of development of LSGs is extremely uneven, and their institutional and human capacities for the planning and development of services vary also, so there are big differences in the type and availability of social protection services in local communities.

Centres for social work (CSW) are social protection institutions that play an important role in the process of protection against violence, which includes special activities of CSWs and cooperation with various state bodies: police, judicial, health and educational institutions, as well as civil society organizations. The CSW's role is based on the role of guardianship authority, as they are responsible for protecting the best interests of children, adults and the elderly who are victims of various forms of violence. Their role is also based on their competences defined by the Law on Social Protection, the Family Law, the Criminal Code, the Law on the Prevention of Domestic Violence, the General and Special Protocol for protection against domestic violence and violence in intimate partner relationships.

The role of CSW in cases of domestic violence is multilayered and is primarily reflected in the assessment of risks and needs of a victim or victims of domestic violence. Based on the assessment, the CSW adopts, with the participation of the victim of domestic violence, an individual protection plan for the beneficiary, which may include numerous measures and services.

The Republic and Provincial Institute for Social Protection continuously provide support to case managers and supervisors in centers for social work in the form of consultative meetings in individual cases of domestic violence and case conferences at the request of the CSW.

According to the action plan for the period from 2024 to 2026 for the implementation of the Employment Strategy in the Republic of Serbia for the period from 2021 to 2026 ("Official Gazette of the RS", number 22/24), beneficiaries of social assistance in money and other social protection services (victims of domestic violence, victims of human trafficking, young people in residential care, foster and custodial families, parents of children with developmental disabilities; former perpetrators of criminal acts, etc.) have been identified as one of the categories of less employable persons who have priority when being included in the measures active employment policies. As of December 31, 2023, there were 382 persons (286 women) from the category of victims of domestic violence on the register of the unemployed maintained by the National Employment Service. During 2023, 41 persons (30 women) from the category of victims of domestic violence were included in the financial measures of the active employment policy (additional education and training, support for employment and self-employment, public works, etc.). An additional number of persons are covered by measures implemented by employees of the National Employment Service, which are in the function of activation, integration or reintegration into the labor market (e.g. training for active job search, job search club, self-efficacy training, etc.).

General services

⁹¹ Ibid., Article 55

⁹² Ibid., Article 58.

The Istanbul Convention (IC) stipulates the obligation of countries to provide general support services for recovery from violence, and when necessary, legal and psychological counselling services, financial assistance, housing, education, training and employment assistance, as well as to provide immediate short-term and long-term specialist support services for all women of gender-based violence and domestic violence, as well as for their children.

General social protection services for victims of domestic violence include, above all, financial social assistance, which represents an important economic type of support for unemployed women – victims of violence – to help them get out of the violent situation. This assistance is very important in a context where divorce procedures and procedures to determine subsistence are slow and there is no alimony fund.

The CSWs submit data on the number of requests submitted and decisions/conclusions made on exercising the right to material support as part of their annual work reports: monetary social assistance, allowance for assisting and taking care of another person, increased allowance for assisting and taking care of another person, one-time financial assistance, assistance for training aimed at finding work. These data are not classified either by gender or by the target group to which the beneficiaries belong.

Certain LSGs, in their decisions on rights and services in social protection, envisage the provision of various services to victims of domestic violence, such as extended housing for women and children who are victims of domestic violence and victims of human trafficking, social housing in protected conditions, the right to material support in the form of complete or partial exemption from the payment of housing and communal services, etc. Although the social protection system collects data on the number and forms of domestic violence, there is no available data on programmes for the prevention of violence against women and domestic violence in local self-governments.

Article 20 of the *Law on Local Self-Government*, which governs powers and responsibilities, lays down that Municipality, through its authorities, is responsible for meeting the needs of citizens in the field of social and child protection, as well as special needs of persons with disabilities; they are also tasked with protecting the rights of vulnerable groups, and protecting and promoting human and minority rights and gender equality.⁹³

Municipal assemblies are also responsible for establishing institutions (Article 32) in the field of social protection and monitoring and ensuring their functioning, as well as for granting work permits to social protection institutions established by other legal entities and natural persons. Municipalities and cities determine whether an entity or person has fulfilled the required conditions for the provision of social protection services and determine norms and standards for the performance of activities of institutions founded by the local self-government unit and are also responsible for adopting regulations on social protection rights.

Data on women victims of violence who used support in the form of monetary social assistance are not available.⁹⁴

According to the *Law on Free Legal Aid*⁹⁵ (LoFLA), free legal aid is provided by free legal aid services in local self-government units and by lawyers, based on the decision on the approval of free legal aid by administrative authorities. However, there is no obligation for legal aid providers to specialize in working with victims of violence. Before the adoption of LoFLA, free legal aid tailored to the needs of victims of gender-based violence and domestic violence was most often provided by civil society organizations in the form of legal information, counselling and representation. However, according to this law, they can only provide free legal support (general legal information and filling out forms), and not free legal aid (providing legal advice, representation, etc.).

⁹³ “Official Gazette of the RS”, no. 129/2007, 83/20214 – as amended, 101/2016 – as amended, 47/2018 and 111/2021 – as amended.

⁹⁴ Data from MoLEVSA and the Republic Institute for Social Protection were submitted during the drafting of this report.

⁹⁵ “Official Gazette of the RS”, no.87/2018.

In June 2021, the Government of the Republic of Serbia established the Council for monitoring the system of free legal aid and free legal support⁹⁶ as a working body of the Government, pursuant to Article 56 of the Law on Free Legal Aid.

In addition to the law, relevant bylaws were adopted to regulate this field in more detail⁹⁷: Regulation on the tariff for the provision of free legal aid ("Official Gazette of the RS", number 74/19); Rulebook on the procedure for the payment of fees for free legal aid and the method and procedure for returning received funds("Official Gazette of RS", number 80/19); Rulebook on the manner of keeping records of administrative authorities of local self-governments on requests for approval of free legal aid and free legal support ("Official Gazette of RS", number 68/19); Rulebook on referral of the applicant to a provider of free legal aid("Official Gazette of RS", number 68/19); Rulebook on the organization and manner of conducting trainings for the implementation of the Law on Free Legal Aid ("Official Gazette of RS", number 68/19); Rulebook on the format and detailed contents of the application form for the approval of free legal aid("Official Gazette of RS", number 68/19); Rulebook on the manner of keeping records of provided free legal aid and free legal support("Official Gazette of RS", number 68/19); and Rulebook on the method of registration of providers of free legal aid in the Register of providers of free legal aid and method in which the Register is kept("Official Gazette of RS", number 68/19).

The request for approval of free legal aid is submitted exclusively to the authority of the municipal administration or city administration which is competent for the matter based on the place of permanent or temporary residence of the applicant or based on the place of provision of free legal aid. The request is submitted in writing or is given orally and recorded in the protocol of the competent service, or electronically, in accordance with the law. The request can also be submitted through a legal representative, proxy or a person designated by the applicant, provided that proof of legal representation, i.e. a power of attorney, is attached to the request.

No fee is payable for the submission of a request for approval of free legal aid. The law regulating general administrative procedures applies to the actions of authorities in the process of granting the right to free legal aid, unless otherwise prescribed by this law.

All citizens of the Republic of Serbia must bear costs of court proceedings and other applicable fees. However, by fulfilling the conditions to be exempted from these costs (poverty exemption), and by applying the provisions of the LoFLA, access to justice is enabled for socially vulnerable categories, which includes victims of domestic violence. LoFLA defines a list of persons who can be beneficiaries of free legal aid, which includes a list of members of vulnerable/disadvantaged social groups. The Law specifically recognizes both persons seeking legal protection against domestic violence, as well as persons seeking legal protection against torture, inhuman or degrading treatment or punishment, or human trafficking. Oversight over the implementation of the law is carried out regularly, including ex officio oversight by the Ministry of Justice, which also acts upon complaints submitted by beneficiaries.

The Ministry is in regular contact with employees in local self-governments who decide on requests for free legal aid. Representatives of the Ministry of Justice continuously provide information regarding the possibility to use free legal aid. At the same time, local self-governments provide information to citizens. In the period from 01 July 2022 until 30 September 2022, 154 requests for free legal aid were granted and a total amount of 1,432,200 dinars was paid based on requests for the compensation of funds paid by the local self-governments for free legal aid. Bearing in mind that gender statistics of applicants for free legal aid are still not kept, i.e. that these data are not classified by gender, the Ministry of Justice adopted a *Risk Management Plan for violations of the principle of gender equality*, which foresees the measure "Collecting relevant data classified by gender and submission of data collected to the competent institutions", as necessary.

⁹⁶ "Official Gazette of the RS", no. 67

⁹⁷ All laws available under: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2018/87/15/reg>; accessed on 12/07/2024

It is not possible to add associations to the circle of providers of free legal aid for victims of violence against women, since Article 67 of the Constitution stipulates that legal aid is provided by the legal profession as an autonomous and independent service and by free legal aid services established in local self-governments, in accordance with the law. Bearing in mind that the Law on Free Legal Aid stipulates that associations provide legal aid through lawyers, prescribing these norms differently in the LoFLA would be unconstitutional.

According to the list of registered providers of free legal support, as published by the Republic of Serbia's Ministry of Justice,⁹⁸ 64 persons, 39 organizations and associations and 1 law university are registered in that list.

As to data on free legal aid provided in 2022, there were 4,601 submitted requests for free legal aid, 4,345 approved requests for free legal aid, and 602 beneficiaries referred to a lawyer.

As to data on free legal support – without the submission of a request: number of beneficiaries that were provided legal advice – 20,470, number of beneficiaries who were provided general legal information – 7,360, number of beneficiaries who were provided assistance in filling out forms – 1,325.

There are no available data about the number of users of free legal aid classified by gender.

Questions specific to the public health sector:

19. Have specific measures been taken to ensure that public health services (hospitals, health centres, other) respond to the safety and medical needs of women and girls victims of all forms of violence covered by the Istanbul Convention on the basis of national/regional standardized protocols?

*The Strategy for the Continuing Improvement of the Quality of Health Care and Safety of Patients*⁹⁹, Part 4: Definition of the quality of health care and safety of patients, defines that quality of health care and safety of patients include the “identification, analysis and correction of various events, with the aim of making health care safer and reducing the risks to the patient’s health to a minimum”. In doing so, it is recognized that adverse events are the cumulative result of numerous causes and are rarely the result of individual failures.

As a principle of health care quality, safety is mentioned, which means creating such a health care system in which patient safety is exemplary, and the potential danger of harming the patient during diagnostic and therapeutic procedures is minimized. In the same system, the danger of harming those who provide health care is also reduced. This includes both risks from practice and those from the environment in which health care is provided.

The Special Protocol of the Ministry of Health of the Republic of Serbia for the protection and treatment of women who are exposed to violence, Part 3.4 Assessment of a woman’s safety and danger to her life, determines that it is always necessary to carry out an assessment of her safety, i.e. ask the woman if her life is currently in danger. The protocol provides examples of questions for the risk assessment: Are you afraid that your husband/partner will hurt you again? Does your husband/partner know that you have come for an examination? Has your husband/partner threatened to hurt himself/you/your children? Do you feel safe to go back home or to work? Was the aggressive behavior of your husband/partner preceded by the use of drugs or alcohol?

If the woman answered yes to any (one or more) questions, the health worker assesses that there is an immediate danger to her life, in which case it is necessary to develop a safety plan.

Developing a safety plan is a necessary measure and the absence of which can endanger the lives of women and children; it helps to increase safety, both within the abusive relationship and if the woman decides to leave the abuser.

⁹⁸ Available under: <https://www.mpravde.gov.rs/tekst/26374/spisak-registrovanih-pruzalaca-besplatne-pravne-podrske.php>; accessed on 12/07/2024

⁹⁹ “Official Gazette of the RS”, no. 15/2009.

The assumption is that a woman who is a victim of violence can recognize the pattern of violence and the regularity in it, which can help in planning steps towards safety.

Developing a safety plan also requires the existence of functional resources in the community. Their role is to react through interventions, by applying the principles of intersectoral cooperation, and take care of a woman whose life is in danger at a given moment.

All these activities take place in cooperation with the woman, who is given information about available sources for further help, if these are resources that do not fall within the competencies and capacities of health workers and the health service.

The protocol lists activities aimed at increasing a woman's safety: the woman is asked if she has somewhere to go if the violence is repeated and escalates; the police must be called, if the woman wants it and she is offered that a health professional conducts the interview on her behalf; she must be offered to choose the person with whom she can discuss and plan her safety (immediately or later), the woman must be made aware of the existence of safe houses for women / SOS helplines / non-governmental organizations / institutions in the community that provide assistance to victims of violence; the woman must be given addresses and phone numbers of services that provide protection, regardless of whether she wants to contact them at the moment or not; support is also given to the woman to decide autonomously on her own safety measures.

A woman who is exposed to violence should be encouraged to think about how to plan safety measures in the following situations: A. when she lives with the abuser in the house; B. in case that she had to leave the home urgently in case of escalation of violence; C. when she has decided to leave the abuser.

20. Do such protocols detail the procedure to:
 - a. Identify victims through screening;

There is no consensus on signs, symptoms, and health disorders that any doctor can recognize as associated with current, ongoing, or previous history of violence.

The special protocol of the Ministry of Health emphasizes that doctors should think about violence, ask about violence or screen for violence. The skill of effective patient interviewing is key to violence screening.

The protocol stipulates that health workers must conduct the interview with the patient without the presence of any third person (the abuser, the person who brings the woman for examination, the staff of the health institution, etc.). There is no standardized set of questions that a woman should be asked, and each health professional adapts them to the specific situation and context of violence. The questions asked can be indirect and direct.

Proposal of questions for the purpose of checking whether violence has been experienced:

Indirect questions to check whether a person has suffered violence: • I don't know if this is the case with you, but a lot of women who come to this institution are exposed to violence. That is the reason why we brought this into the conversation. • Since violence is a frequent occurrence in women's lives, do you want to talk about it? • I am concerned about the way you got these injuries. • Did someone hurt you? • We often see such injuries in female patients who suffer violence.

Direct questions to check whether a person has suffered violence: • Are you afraid of your partner? • Over the past year, has your partner physically hurt you, slapped you, pushed you, hit you, kicked you? • Over the past year, has your husband/partner humiliated, insulted or tried to control you? • Has your partner threatened you?

If the answer is positive, additional questions follow: • Do you need help with what you have just told me? • Do you want us to inform the police, the Centre for Social Work and/or someone else?

In this way, the protocol sends a message to female patients that violence against women and children exists, that it is not socially acceptable and that medical professionals are not neutral and that this problem concerns them as well. It is important that the health worker does not insist on confirming the violence, even when everything speaks for it that it exists. In every activity, it is necessary to respect the woman's decision/autonomy. If the woman/patient denies violence, and there is a suspicion that she has been subjected to violence, in that case she should be examined, but health professionals should not insist that she speaks about it if she is not ready. The "door should be left open" for her to tell what is happening to her one day.

- b. provide treatment for all the medical needs of victims in a supportive manner;

Health workers, practically, only recognize their competence for the medical treatment of the health consequences of violence. It often happens that only acute conditions, most frequently physical injuries, are seen as the medical consequences of violence. The protocol specifically emphasizes that this is a very important segment of provision of medical assistance, however, one should not forget the whole series of health conditions and diseases that can arise because of a woman's exposure to violence.

Medical treatment does not differ from providing medical assistance for any other conditions or under any other circumstances in which they may have arisen. It is emphasized that health workers need to mobilize all their medical expertise and apply it while absolutely adapted it to the context of violence against women.

- c. Collect forensic evidence and documentation;

The victim's body is the basic and key carrier of material evidence in the criminal offence of rape. Forensic medical examination and examination of the victim's condition should, as a rule, be performed in medical institutions, by a doctor of a certain specialty, above all by a forensic physician or other doctors qualified to adequately perform an external physical examination, such as a gynecologist (gynecological examination), as well as a psychiatrist (psychologist) to prove psychological consequences and provide psychological help and support to the victim.

As many traces connected to sexual violence are of a sensitive nature and subject to rapid changes, time is a precious factor in finding and recording, i.e. analysing them.¹⁰⁰ Therefore, the victim should be taken to a medical facility as soon as possible, where the police officer, if this has not already been done, will briefly interview her in the presence of a doctor or nurse.

The relevant information collected during the preliminary examination will make it easier for the doctor to find clues. As a rule, the doctor first takes the medical history of the victim, after which he goes to the details of the rape itself. Data on the last menstruation, last sexual intercourse, bruises acquired independently of rape, as well as other facts, represent very important information. If the victim is wearing the clothes in which she was attacked, the clothes will be examined by a doctor and a forensic scientist for relevant traces, which will be photographed and adequately handled (traces of sperm, blood, lacerations, grass, soil, etc.). After that, the clothes should be removed from the victim and she should be given something else to wear, while the removed clothes, each piece separately, are packed in paper bags and sent for detailed forensic examinations.

After taking the medical history, the doctor should perform a complete physical examination of the victim. In some cases, only the genital area is examined, while many important pieces of evidence from other parts of the body are missed. Finding and recording any cuts, bruises, lacerations or

¹⁰⁰ The length of the time that has passed from the committed sexual violence to the medical examination is crucial and critical for the finding itself, especially in relation to injuries of the genitals. If the examination is not carried out within the first 72 hours of the violent sexual assault, the probability that genital injuries will be documented is significantly reduced - in other words, injuries on the mucous membrane of the reproductive organs heal very quickly.

contusions should be entered in the medical report. For this purpose, *anatomical charts* are used, in which the places of injuries are entered quickly and accurately. Any trace of grass, soil, vegetation, dried semen, dried blood, torn hair, fibres, etc., should be recorded. The presence of dried seminal fluid, dried blood, and dried saliva is particularly useful, because DNA analysis is performed on the basis of these traces. In order to find traces of sperm, a UV lamp is used, since sperm fluoresces under these rays. Photographing of observed and described marks on the victim's body should be done by a forensic scientist, that is, a crime technician. Sometimes the doctor can estimate, especially if very little time has passed between the rape and the examination, that the bruises will become fully visible only in a day, when they will become blue or black. In that case, after consultation with the victim, his examination and photographing of such traces can be done again.

The goal of the forensic medical examination and examination of the victim's condition is to observe and document the physical injuries that occurred as a result of the attack, to detect biological traces resulting from the application of force and violence, as well as to observe, document and secure all other traces from the clothing and body of the victim that are related to the committed criminal act.

If it is considered that the victim was under the influence of some psychoactive substances, samples are taken for toxicological analysis. After the examination of the victim's limbs and torso, an examination of her genitalia follows. A vaginal sample is taken with the help of cotton applicators.

The primary clinical forensic assessment of complainants and suspects of sexual assault should only be carried out by doctors and nurses who have acquired adequate specialist knowledge.

The examination of victims of domestic violence by forensic doctors free of charge is part of the measures provided for in the *Strategy for Preventing and Combatting Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025*.

Documenting violence is a very important procedure and health professionals should be trained to routinely fill out the form for recording and documenting violence.

- d. ensure that a clear message of support is conveyed to the victim;

The *Special Protocol of the Ministry of Health for the protection and treatment of women who have been exposed to violence* determines that regardless of whether or not during the examination a woman confirmed that she suffered violence from her partner, whether or not she accepted the help of the police or other relevant services, health care workers have the obligation to fully respect the woman's autonomy in terms of her decision related to the violence, except when they have the obligation to report the case according to the law.

Good practice is based on the health worker's trust in the woman's testimony. It involves establishing a good relationship with the woman, full of mutual trust and understanding, and making it clear to her that she can turn to them for help.

Health workers should have an attitude that is in accordance with the strategy or representing the victim, the message of which is: • I see what is happening to you • I respect your feelings • I will document the violence and report it • I will refer you to services and institutions that can help you • I will help you make a decision that is most suitable for you. Condemnation of violence, taking into account the impact of violence on health, timely and adequate reaction of health workers are an integral part of successful treatment and recovery.

- e. refer to the appropriate specialist support services that form part of a multi-agency co-operation structure; and

Violence against women and treatment of its consequences requires the engagement of the wider social community. It is necessary to establish multisectoral cooperation at the local level in order

to ensure effective communication between institutions and establish a functional system for providing assistance and preventing violence against women. In order to timely and adequately refer victims of violence to appropriate specialist services, mechanisms of action and mutual cooperation between the police, centres for social work, the judiciary and non-governmental organizations have been established.

- f. identify children who may have been exposed to domestic violence or other forms of gender-based violence against women and girls and require further support

The provision of Article 263, paragraph 3 of the Family Law stipulates the right and duty of all children's, health and educational institutions or social welfare institutions, judicial and other state authorities, associations and citizens to inform the public prosecutor or the guardianship authority about the reasons to take measures to protect the rights of the child.

*The Special Protocol of the Health Care System for the Protection of Children from Abuse and Neglect*¹⁰¹ defines the role of health workers and health care associates in the process of protecting children from abuse and neglect at all levels of health care. Along with them, institutions and individuals from the social protection system (as coordinators of the protection process), education system, police, judiciary and other institutions play an important role in this process. Their roles are precisely defined by general and special protocols on child protection in each of the mentioned areas.

Health professionals are often among the first to whom a child or his relatives turn for help in situations when the child is injured, when he/she exhibits difficulties in behavioral and emotional control, that is, when the family is in crisis. Because of this, they are in a unique position to effectively and timely detect the risk of or actual abuse and neglect of a child and to initiate the process of providing assistance that will protect the child and enable him/her to recover and develop further.

Every doctor is obliged to provide care and report suspected child abuse and neglect.¹⁰² Abuse and neglect of a child is reported to the professional team of the health care institution, the police and the competent centre for social work. Failure to report cases of abuse and neglect entails criminal liability and professional liability (before the appropriate body of the medical chamber).¹⁰³

Because of the complexity of this problem and following the example from other sectors (social protection, education, police, etc.), newly formed expert teams for the protection of children from abuse play an important role in the protection of children.

Secondary prevention involves identifying children and families with an increased risk of violence and working with them. Regular and full physical examinations, visits by patronage nurses and all other contacts of children and families with health care services should be used to identify children and families at risk. The best results in working with identified high-risk groups are achieved during home visits, through conversation and counselling.

In the health care system, it is very important to respect the clearly defined steps of the child protection process:

- 1) recognizing cases of child abuse and/or neglect,
- 2) reporting to the competent authority / competent service,
- 3) assessment of the risks, condition and needs of the child and family,

¹⁰¹ Available under: <https://www.minrzs.gov.rs/sites/default/files/2018-11/Posebni%20protokol%20zdravlje.pdf>; accessed on 05/07/2024.

¹⁰² The Criminal Procedure Code ("Official Gazette of the Republic of Serbia", no. 46/06, 49/07) says in Article 253 that all state authorities, authorities or autonomous provinces or local self-government authorities, public enterprises and institutions are obliged to report criminal offences which are prosecuted ex officio, about which they are notified or learn about them in another way. All natural persons and legal entities who, based on the law, possess certain public powers or are professionally engaged in the protection and security of people and property, and/or provide treatment and medical care to people, or are involved in the upbringing or education of minors, shall also report crimes, as referred to in paragraph 1 of this article, if they find out about the criminal offence in connection with their activity.

¹⁰³ Article 332 of the Criminal Code of the Republic of Serbia, subtitle *Failure to report a criminal offence and perpetrator*

4) planning services and measures for child protection.

1) Recognizing cases of child abuse and/or neglect

It is the first, most important step in the protection of a child, as well as the most sensitive part of the process. This is the step that the further course and outcome for the child's health depend on to a large extent. The role of health workers in this sense is of utmost importance, not only because almost all children come into contact with health workers, but also because children themselves expect that health workers will come to their aid. The most important role in detecting abuse and neglect is played by health workers who are working in primary health care: pediatricians (regular health checks, full physical examinations and other examinations), pediatric nurses and patronage nurses (during home visits, care of a newborn child, conversations with the family).

Child abuse and neglect are discovered in two ways:

a) By recognizing an injury or a change in the child's behavior.

Recognizing child abuse is a research job that consists of gathering elements of evidence into a logical whole. As most of the clinical signs and symptoms are not specific to child abuse, when there is a suspicion of child abuse, an active and systematic examination of the medical history and physical examination of the child should be done. Every contact of the child with the health service, whether the occasion is a regular check-up, a full physical examination, immunization or something else, should also be used to observe possible signs of injuries or changes in behavior.

b) By way of confiding, which can be direct (when the child itself opens up) or indirect (when information is obtained from other persons who suspect that the child has been abused). When the child confides in a health professional, he/she should be taken seriously and the child should be listened to carefully, without interruption. During the conversation, the child should be reassured and informed in a clear way that he/she will receive protection.

As soon as abuse or neglect is suspected, the following steps are taken:

1. Medical treatment of injuries/illnesses of the child.

2. Documenting the child's condition, which means accurate recording of information about the identity of the child, accompanying persons and the alleged perpetrator, as well as about injuries and behavioral disorders. The appropriate forms provided should be used. If possible, the child's injuries should be photographed. For recording and documentation purposes, the 10th revision of the International Classification of Diseases (ICD-10) must be used, which, in addition to category T74, which refers to abuse syndrome, also specifies a special category Z 61, which refers to problems with negative life events in childhood.

3. Consultations with a professional team trained to work in protection against abuse and neglect. This consultation process should not slow down or delay the immediate treatment of the child's injuries and illnesses if such a procedure is indicated.

4. Assessing the risk of child abuse and neglect together with a professional team that is trained to work in protection against abuse and neglect.

5. Notifying the social worker of the health center and consultation with the social worker from the reference or nearest center for social work or with other services that are assumed to have knowledge about the child and the family (schools and pre-school institutions, other health care institutions, centre for social work, SOS service and the like). The goal of these consultations is to collect additional data about the child and the family, which can be useful for risk assessment and the creation of a child protection plan.

These procedures are the same regardless of the level of health care (the procedure is the same in primary, secondary, and tertiary health care).

Children whose health and life are at risk must not be left with a person suspected of being an abuser or hiding the abuser until the competent authority (the police or a representative of the centre for social work) arrives. During that time, the child should stay in a medical institution.

21. Please provide information on the procedures in place for the documentation and collection by actors of the public health sector of forensic evidence in relation to victims of domestic violence, victims of sexual violence, including rape, and victims of female genital mutilation

In addition to the anamnesis and objective findings in the medical record, a unique Form for recording and documenting violence was introduced in order to avoid unevenness and incompleteness of documented examinations of victims, as well as careless and illegible entries in medical records, or inadequate medical reports, without an appropriate description of injuries, charts and photographs.

The first page of the form contains general information as well as the reason for the visit, the second page contains a space for describing the type of violence and history of abuse, the next page is intended for a detailed forensic description of injuries, and the last page contains a risk assessment table. It must be filled out legibly, in detail and comprehensibly, with a forensic description of injuries, specialist reports, laboratory test results, X-rays, results of other diagnostic procedures, photographs of injuries and the patient's psychological state. Codes Y05.0-Y07.0, in accordance with the ICD 10 Classification of Diseases, are recorded in the medical documentation, further referrals to other services are entered, information about when a follow-up examination is scheduled, and the form is then added to the victim's medical record, where it stays and can then be used as evidence during the forensic medical examination. It is a valid indicator of the type and severity of the injuries inflicted, so that it represents an important, not so rare and decisive evidence of the violence suffered.

Any violence as well as suspicion of violence is recorded in this way, regardless of whether the woman shows willingness to initiate court proceedings at that moment or not. If the injuries are not documented in an adequate way, the healthcare worker violates the rights of the patients and thus indirectly justifies and approves the violence committed. When summoned by the court during the court proceedings for a victim of violence, the doctor is obliged to respond to the summons as a witness. It is understood that interviews, data and documents are confidential.

21. Are all women victims of violence, irrespective of any of the grounds listed in Article 4 paragraph 3 of the Istanbul Convention, in particular asylum-seeking women, refugee women, migrant women, women from national or ethnic minorities, women with irregular residence status, women with disabilities and LGBTI women, able to benefit on an equal footing from existing healthcare services? Please describe any measure taken to reduce legal or practical barriers to their accessing regular healthcare services.

The provisions of Article 57 of the *Constitution of the Republic of Serbia*¹⁰⁴ guarantee the right to asylum in the Republic of Serbia to a foreigner who justifiably fears of persecution because of race, gender, language, religion, national affiliation or belonging to a group or because of his/her political beliefs. The procedure for obtaining asylum is regulated by law. Article 21 of the Constitution of the Republic of Serbia prohibits any discrimination, direct or indirect, on any basis, and especially on the basis of race, gender, nationality, social origin, birth, religion, political or other belief, financial standing, culture, language, age and mental or physical disability.

Everyone should have equal possibilities and equal access to the health care system in accordance with the principle of non-discrimination in the fulfilling of obligations of the state to protect human health, alone or in cooperation with public and private organizations and services.

¹⁰⁴ "Official Gazette of the RS", no. 98/2006 and 115/2021.

The constitutional prohibition of discrimination is regulated in more detail by the *Law on the Prohibition of Discrimination (LoPD)*¹⁰⁵, which governs the general prohibition of discrimination, forms and cases of discrimination, as well as procedures for protection against discrimination. The provisions of Article 2 of this Law stipulate that discrimination and discriminatory treatment shall mean any unjustified distinction or unequal treatment, i.e. omission (exclusion, limitation or giving priority), in relation to persons or groups, as well as members of their families, or persons close to them, in an open or covert manner, which is based on race, color, ancestors, citizenship, nationality or ethnic origin, language, religious or political beliefs, sex, gender identity, sexual orientation, property status, birth, genetic characteristics, health status, disability, marital and family status, convictions, age, appearance, membership in political, trade union and other organizations and other actual or assumed personal characteristics. Among other things, this law prohibits physical and other violence, exploitation, expression of hatred, belittling, blackmail and harassment based on gender, as well as public advocacy, support and acting in accordance with prejudices, customs and other social patterns of behavior based on the idea of gender inferiority or superiority, or stereotypical gender roles.

The provisions of the Geneva Convention relating to the Status of Refugees, which recognize violence against women as a form of persecution, have been transposed into the national legislation of the Republic of Serbia. Also, the asylum procedure is guided by the guidelines from the UNHCR Manual, which also recognizes gender-based violence as an act of persecution in the context of refugee protection. All the provisions of the Law on Asylum and Temporary Protection are interpreted in a gender-sensitive manner, so that the applicant who is female is enabled to submit an application and be heard by an official with the help of an interpreter of the same gender. The same applies during searches, physical examinations and other actions in the procedure that involve physical contact with the applicant.

In 2022, refugee status was granted in six cases based on political belief and four cases based on national and religious affiliation.

In 2023, refugee status was granted in five cases based on political belief and in one case based on belonging to a certain social group.

The asylum procedure considers the specific situation of persons who need special procedural or acceptance guarantees, such as, among others, persons who have been tortured, raped or exposed to other severe forms of psychological, physical or sexual violence, such as women victims of genital mutilation. Special procedural and acceptance guarantees provide appropriate assistance to the applicant who, given his/her personal circumstances, is unable to exercise his/her rights and obligations without appropriate assistance. The process of identifying a person's personal circumstances is carried out by the competent authorities continuously, and at the earliest within a reasonable time after the initiation of the asylum procedure, that is, after a person has expressed the intention to apply for asylum at the border or in the transit area.

In 2023, there were no approved asylum statuses on this basis, and in 2022, that percentage amounted to 3% of positive decisions in relation to the total number of applications submitted by persons of the female gender.

Since the right to health is a basic human right, it is not allowed to hinder its exercise based on any personal characteristic, including immigration status. The state is obliged to ensure the enjoyment of the right to health without discrimination to everyone who is on its territory, whether he is a domestic citizen, a foreigner or a migrant.

*The Law on Health Care (LoHC)*¹⁰⁶ defines health care as an organized activity of society aimed at achieving the highest possible level of preservation and improvement of health (Article 2, paragraph 1). The right to health care in the Republic Serbia, apart from domestic citizens (Article 2), is also

¹⁰⁵ "Official Gazette of the RS", no. 22/2009 and 52/2021.

¹⁰⁶ "Official Gazette of the RS", no. 25/2019.

enjoyed by foreigners, stateless persons, persons with permanent or temporary residence in the country, and persons passing through the territory of the Republic of Serbia (Article 3).

According to the LoHC and the *Law on Health Insurance*¹⁰⁷ (LoHI), health care services are provided to all users in an equally accessible way. The health care system operates on the principle of solidarity.

Asylum seekers, migrants and refugees are also provided with health care, but in accordance with special laws, first of all, the Law on Foreigners (LoF)¹⁰⁸ and the *Law on Asylum and Temporary Protection (LoATP)*.¹⁰⁹ Of course, other systemic laws in the field of health protection are also applied to them (on public health protection, protection of the population from infectious diseases, on health insurance), as well as the Law on the Rights of Patients (LoRP).¹¹⁰

According to the LoATP, asylum seekers and persons who have been granted asylum or temporary protection have right to health care and exercise it under the conditions and in the manner provided for in the regulations governing the health care of foreigners.¹¹¹

The law stipulates that the right to asylum, i.e. refugee status, is granted to an applicant who is outside his country of origin or country of habitual residence, and who justifiably fears persecution because of his race, gender, language, religion, nationality, membership of a certain social group or political belief, which is why he cannot or does not want to accept the protection of that country.¹¹² The law also includes as acts of persecution physical or psychological violence, including sexual and gender-based violence, as well as acts that are “by their nature specifically related to gender or children”. In that sense, a certain social group shall also mean a group that is based on common sex characteristics, gender characteristics, gender identity and sexual orientation, and therefore, gender-based violence against women also belongs to this category when assessing the fulfilment of conditions for granting a refugee status. In 2022 and 2023, there were no recognised cases related to the abovementioned grounds.

Although Article 4 of the LoRP stipulates that it also applies to foreign nationals who receive health care in the Republic of Serbia in accordance with the law and confirmed international agreements, the enjoyment of a whole range of patient rights does not depend on citizenship and whether or not the person in question has health/social insurance in our country. The right to be informed, informed consent, privacy and confidentiality, quality health care, even the right not to be discriminated against and to be provided equal access to health care, should apply – to the same extent and under the same conditions for every person who needs health care.

The costs of health care services covered by mandatory health insurance shall be covered from the national budget also if they are provided to: asylum seekers, registered foreigners who have expressed the intention to seek asylum, to foreigners who reside in the Republic of Serbia at the invitation of a state authority, and do not meet the conditions for acquiring the status of a person with compulsory health insurance while residing in our country, in accordance with the principle of reciprocity, to materially unsecured foreigners who have been granted asylum, foreigners who have an infectious disease and have been placed under medical supervision, in accordance with the regulations governing the protection of the population against infectious diseases, and to foreigners who are victims of human trafficking (Articles 239 and 333).

Article 2, paragraph 2 of *The Law on Refugees (LoR)*¹¹³ stipulates that refugees have the right to health care and social protection, employment, education, in accordance with the law, and are subject to work obligations under the same conditions as the citizens of the Republic of Serbia.

¹⁰⁷ “Official Gazette of the RS”, no. 25/2019 and 92/2023

¹⁰⁸ “Official Gazette of the RS”, no. 24/2018 and 3/2019.

¹⁰⁹ “Official Gazette of the RS”, no. 24/2018

¹¹⁰ “Official Gazette of the RS”, no. 45/2013 and 25/2019.

¹¹¹ Article 54, paragraph 2, Article 63 and 76, paragraph 1, item 3 of the Law on Asylum and Temporary Protection

¹¹² Article 24 of the Law on Asylum and Temporary Protection

¹¹³ “Official Gazette of the RS”, no. 18/92, “Official Gazette of the FRY”, no. 42/2002 – Decision of the Federal Constitutional Court and “Official Gazette of the RS”, no. 30/2010

*Standard operating procedures of the Republic of Serbia for the prevention and protection of refugees and migrants from gender-based violence (SOP)*¹¹⁴, in the part: Minimum standards for action, provide an overview of procedures covered by the Emergency response – first aid, as well as a description of the Procedure carried out by health workers to provide care and support to victims of rape.

Regarding the provision of first aid services, it is not important to know whether the victimization occurred recently, in the current country of transit, or in another place and at another time. The time frame of events needs to be known in cases of rape, in order to provide clinical care to victims of rape, and to prevent sexually transmitted infections, HIV and unwanted pregnancy. Also, timely recognition of risks leads to the establishment of prevention and protection measures for the victim and minimizes the likelihood that the victimization will continue in the current circumstances. This information can be important for the potential identification and punishment of perpetrators of gender-based violence.

First aid refers to emergency aid given to a sick or injured person, a person who is at risk of repeated violence, continued violence or further exposure to violence, in order to prevent the deterioration of the health condition, the consequence of which may even be death.

Regarding the response to gender-based violence in emergency situations, first aid means that, if a victim requests help, those who provide aid within the framework of emergency interventions should prioritize the following:

- emergency medical interventions and aid related to sexual and reproductive health,
- provision of psychological first aid,
- special protection measures.

Key activities for providing first aid to migrants include the following:

- immediate interventions including, if necessary, psycho-social support, with the consent of the victim (and when the victims are children – in the best interest of the child), referral to appropriate services for support and legal representation (if necessary),
- accompanying the victim to providers of protection and safety, social, health and legal services, as well as providing them assistance in accessing these services; asking for information carefully and prudently from the victim in the presence of relatives or other members of the community, so as not to jeopardize the victim's safety,
- appointing trained contact persons, by all participants, who will be in charge of referring the victim within the system of referral for gender-based violence (two such persons – a contact person and a deputy contact person in case of absence of the first one).

Procedures carried out by health workers when providing treatment and care to rape victims:

Victims should receive information in a direct conversation and/or from information materials (posters or brochures written in languages that victims or potential victims generally understand and posted in places that are easily accessible and visible to a large number of refugees and migrants), in which it is clearly stated who a rape victim can turn to for help or a medical examination and where. At that examination, the victim receives information about health care, how to get health care and further treatment (if necessary).

A violent act that took place before the victim arrived in the Republic of Serbia is revealed when the victim reports it herself or when she comes accompanied by a family member or a member of a CSO. If it is discovered that a violent act took place on the territory of the Republic of Serbia, the health service takes immediate steps in the field and reports the case to the police, the centre for social work or the health service located within the migrant reception centre or any other primary health care institution.

¹¹⁴ Available under: https://serbia.unfpa.org/sites/default/files/pub-pdf/SOP_brosura_SRB_web.pdf

a) First contact:

- a healthcare worker talks to the rape victim, according to the instructions for communication (psychological first aid),
- a doctor or a technician recognizes violence, monitoring whether there are any of the clinical indicators of violence formulated in the Special Protocol of the Ministry of Health of the Republic of Serbia for the protection and treatment of women who are exposed to violence,
- anamnestic data are taken, and a physical examination is performed,¹¹⁵ with the possibility of examining (retaining) clothing or footwear as evidence,
- it is recommended that the doctor and interpreter be of the same gender as the victim, and that the victim consents to the interpreter being there; it is also recommended that the interpreter has undergone appropriate training, primarily related to confidentiality; according to the victim's wish, a third person may also be present, except in the case of suspicion that this particular person is an abuser or a family member who will make it impossible for the victim to provide accurate and complete information important for providing appropriate protection.
- the form from the Special Protocol of the Ministry of Health of the Republic of Serbia for the protection and treatment of women exposed to violence and other usual medical documentation are filled out.

The procedure after the examination means that the doctor can refer the victim to further tests, examinations and treatment; if the victim is under 18 years of age, it is mandatory to report to the centre for social work in accordance with the law and general and special protocols regulating the protection of children; it is compulsory to issue a referral and provide medical supervision.

The injury or emergency is treated medically, the "day after" pill is administered to prevent unwanted pregnancy in cases of acute violence, prophylaxis is administered for the most common sexually transmitted infections, testing is performed (for HIV, hepatitis and other sexually transmitted diseases), a recommendation is made for further health monitoring, the victim is referred to specialist examinations, as necessary, based on the doctor's assessment.

Emergency medical intervention and protection of sexual and reproductive health include treatment of injuries, medical treatment of rape victims, prevention or termination of unwanted pregnancy, services after an abortion, prevention and treatment of sexually transmitted infections and HIV.

Psychological first aid is a preventive procedure, the purpose of which is to prevent the deterioration and long-term negative health consequences, in order to achieve the well-being of people affected by disasters and major accidents.

Treatment for victims of gender-based violence is based on four rationales: individualized service provisions, based on the choices of the victim, comprehensive assessment that is used to determine the needs of the victim; creating an individual protection and support plan that fulfils the needs of the victim and is developed in cooperation with the victim¹¹⁶ and good coordination between providers of different services.¹¹⁷

The goal of providing treatment for victims of gender-based violence is to empower the victims by helping them to learn more about the possibility of different choices and by providing them support

¹¹⁵ If the victim refuses to be examined, it is very important that the health workers talk to the victim, to point out to her that for her further safety, she needs to say what she is afraid of and what are the reasons why she does not want to be examined (probably out of fear, due to shame and fear of possible consequences that may arise for her if the perpetrator of the violence finds out), it is important to present to her all the procedures and the fact that she can also be examined if the public prosecutor orders it, and that in this way, she will not be "responsible" for the performed examination.

¹¹⁶ This plan is prepared in accordance with Article 31 of the Law on the Prevention of Domestic Violence. It is drawn up by a group consisting of the public prosecutor, an employee of the centre for social work and a competent police officer, as permanent members, and representatives of health, educational institutions, civil society organisations and the victim, if she so wishes and her emotional and physical condition permits it. If the victim does not participate in the development of the plan, she must be informed about its content. This plan is a broader concept and includes a plan of service measures prepared by the centre for social work, as well as a safety plan prepared by the centre for social work or a civil society organisation providing support to victims of domestic violence or victims of criminal offences referred to in Art. 4 paragraph 1 of the Law on the Prevention of Domestic Violence together with the victim.

¹¹⁷ Adapted from IRC, 2012.

in making informed decisions. In addition, the goal is to raise their awareness that there are different services available. Treatment for victims of gender-based violence is primarily aimed at meeting their medical, safety, psychosocial and legal needs following the event.

22. Please provide information on the measures in place to facilitate the identification and care of victims of violence against women in institutions for persons with disabilities and for the elderly as well as for those in closed reception facilities for asylum-seekers and to respond to their safety and protection needs.

The LoPDV does not explicitly recognize the role of the health care system in the protection and provision of support to women who survived violence. According to the data obtained from research about experiences, attitudes and practices of health workers¹¹⁸, only around 25% of them recognize violence and deal professionally with this problem at work. However, the obligations of health workers are clearly defined.¹¹⁹

In the available reports on the recording of cases of violence in medical institutions¹²⁰, there are no data on the number of reports of psychological violence, persecution, physical and sexual violence, forced marriages (underage pregnancies¹²¹ that may be the result of criminal offences, statutory rape and extramarital union with a minor¹²²), female genitals mutilation, forced abortions, sterilization (disabled women deprived of business capacity), sexual harassment.

Forced abortion is criminalized as a serious form of the criminal act of illegal termination of pregnancy, and sterilization is prohibited by the *Law on the Protection of Persons with Mental Disorders (LoRPMD)*¹²³ as a more severe form of the criminal offence Serious Bodily Harm. Women with disabilities in inpatient institutions are exposed to various gender-specific forms of violence - forced contraception, forced sterilization and forced abortion.

Women from particularly vulnerable groups are at increased risk of gender-based violence, such as women with disabilities, elderly women, Roma women, women whose partners are addicted to alcohol or psychoactive substances, women of different sexual orientation and gender identity, asylum seekers, women victims of trafficking people and others.¹²⁴

Women with disabilities are more exposed to violence, abuse and neglect than women without disabilities.¹²⁵ Women with disabilities are exposed to forced sterilization, which is carried out with or without their coerced consent. 13% of women with disabilities were forced to have an abortion, and they were coerced into it by family members or their doctors, with the "explanation" that they would not be good mothers.¹²⁶ Women with intellectual and mental disabilities are at a much higher risk of

¹¹⁸ Research by the Centre for Health Promotion and UNFPA entitled: Experiences, attitudes, and practice of health workers on GBV, 2019. Results presented at the Conference Strengthening the role of the health system and the intersectoral response to gender-based violence.

¹¹⁹ WHO, Responding to intimate partner violence and sexual violence against women: WHO Clinical and policy guidelines, (WHO 2013), <https://www.who.int/reproductivehealth/publications/violence/9789241548595/en/>; Caring for women subjected to violence. A WHO curriculum for training health-care providers (2019). Geneva: World Health Organization. Available under: <https://www.who.int/reproductivehealth/publications/caring-for-women-subject-to-violence/en/>

¹²⁰ Report on reported cases of gender-based violence in health institutions in the RS in 2017. Available at: <http://www.batut.org.rs/download/izvestaji/Rodno%20zasnovano%20nasilje%202017.pdf>. Report on reported cases of gender-based violence in health institutions in the RS in 2018. Available under: <http://www.batut.org.rs/download/publikacije/Izvestaji%20rodno%20nasilje%202019.pdf>. Report on reported cases of gender-based violence in health institutions in the Republic of Serbia in 2019. Available under: <http://www.batut.org.rs/download/izvestaji/Godisnji%20izvestaji%20rodno%20nasilje%202018.pdf>

¹²¹ The experience of doctors during the implementation of the "Stop, protect, help" project of the Provincial Secretariat for Health and the Women's Support Centre shows that there is no readiness to react in cases of underage pregnancy, because the police did not always react to the report of the health institution, so it was up to the centres for social work to do so or else the case ended up only recorded in the respective medical institution.

¹²² Criminal Code of the Republic of Serbia, "Official Gazette of the RS", no. 85/2005 – correction, 107/2005 – correction, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019), Articles 180 and 190.

¹²³ "Official Gazette of the RS", no. 45/2013.

¹²⁴ Ibid.

¹²⁵ The data about the position of women with disabilities were processed by the organisation "Iz kruga – Vojvodina", <http://www.izkrugajvojvodina.org>.

¹²⁶ Beker, K., Milošević, T. Nasilje nad ženama sa invaliditetom u rezidencijalnim ustanovama (Violence against women with disabilities in residential institutions), Belgrade, 2017, available under: <https://www.mdri-s.org/wp-content/uploads/2018/01/Istrazivanje-knjizni-blok.pdf>.

being victims of sexual violence than women without disabilities and women with physical disabilities, and from the moment a woman is placed in a residential institution, that risk increases even more.¹²⁷

In the Report on the reported cases of gender-based violence in health care institutions in 2019¹²⁸, it is stated that every tenth person exposed to violence was over 75 years old. The most widespread form of violence is psychological violence, which was experienced by 38% of women over the age of 15 and 7% experienced violence in the last 12 months.¹²⁹ Partner violence is more widespread among older women who live in rural areas than among those who live in urban areas (46% vs. 44.5%).¹³⁰

Women of different sexual orientation and gender identity are at greater risk of violence. Lesbians and trans women under the age of 18 face numerous challenges that fall into the domain of threats of violence and acts of violence, discrimination, marginalization and isolation. Violence is perpetrated by members of the primary family, as well as by members of the peer group.

The *Strategy for the Social Inclusion of Roma Men and Roma Women in the Republic of Serbia* (2016-2025) does not include specific measures to protect Roma women from gender-based violence, including measures to combat early and forced marriages.¹³¹

Early and forced marriage, the dominant form of gender-based violence in Roma communities in the Republic of Serbia, is considered a customary law characteristic of their group, and consequently a cultural practice, which does not necessarily imply the responsibility of the state to react. There is a noticeable difference between the percentage of women aged 20-24 in the general population (6%) who entered into “marriage” or common-law union before their 15th birthday, compared to women aged 20-24 from Roma settlements in Serbia (56%)¹³² who entered into “marriage” before their 15th birthday. Data show that marriage before the age of 18 is more common among women living in poorer households and in non-urban areas, as well as among women with a lower level of education. Exposure of women and girls passing through or seeking asylum in the Republic of Serbia¹³³ to sexual and other forms of gender-based violence is extremely high.¹³⁴

Data about the position of women and men in the Republic of Serbia from 2020 show that Roma women are still exposed to child marriages – 5.5% of girls entered into marriage before the age of 18, and 1.2% before the age of 15.¹³⁵ Child marriages represent a gross violation of children's rights, and girls are especially at risk.

Furthermore, the Special Report on Discrimination of Children¹³⁶ reports that over the course of 2020, 141 child marriages were registered, the victims were girls in over 95% of cases, mostly of Roma ethnicity, who were not enrolled in any form of education.¹³⁷ In May 2019, the Ministry of Labor, Employment, Veterans and Social Affairs issued an *Instruction on the method of work of centres for social work – guardianship authorities to protect children from child marriages*.¹³⁸ Among other

¹²⁷ Janjić, B. and Ćirić Milovanović, D. *Ovde i zidovi imaju uši, svedočenja žena sa mentalnim invaliditetom o rodno zasnovanom nasilju u rezidencijalnim ustanovama* (Even walls have ears here, testimonies of women with mental disabilities about gender-based violence in residential institutions), 2017. Available under: <https://www.mdri-s.org/wp-content/uploads/2017/09/Ovde-i-zidovi-imaju-usi-za-sajt.pdf>.

¹²⁸ Public Health Institute of Serbia „Dr Milan Jovanović Batut“. Report on provided services in primary health care institutions in 2020.

¹²⁹ Todorović, N., Vračević, M., Babović, M., Stepanov, B., Matejić, B., Đikanović, B. *Na ničijoj zemlji: Rodno zasnovano nasilje nad starijim ženama (65+) u Republici Srbiji* (On no man's land: gender-based violence against older women (65+) in the Republic of Serbia), 2021.

¹³⁰ Ibid.

¹³¹ GREVIO report, p. 13.

¹³² MICS 2019, available under: <https://www.unicef.org/serbia/en/MICS6-Multiple-Indicator-Cluster-Survey-for-2019>

¹³³ According to data from the United Nations High Commissioner for Refugees (UNHCR), only 5% of migrants who arrived in Serbia in the period from January to November 2018 were women, and 18% were children. In the same period, only 8% of registered intentions to seek asylum in Serbia were submitted by women.

¹³⁴ Marković Cvejić M., *Nasilje nad ženama i devojka u izbegličkoj i migrantskoj populaciji u Srbiji* (Violence against women and girls in refugee and migrant population in Serbia), Beograd, Atina, 2017, p. 14, available under: <http://www.atina.org.rs/sites/default/files/Nasilje%20nad%20C5%BEenama%20i%20devoj%20i%20migrantskoj%20populaciji%20u%20Srbiji.pdf>;

Drašković M., Šošić M., Vukašević, I., Lončarević J., Krnić J., Korać-Mandić, D., Vučenović, T., Stefanović, A. *Izazovi u sistemu azila i migracija - položaj posebno osetljivih kategorija* (Challenges in the asylum and migration system – position of especially vulnerable categories), Beograd: Grupa 484, 2019, str. 40. Available under: <https://www.grupa484.org.rs/h-content/uploads/2020/05/Izazovi-u-sistemu-azila-i-migracija-1-grupa-484.pdf>

¹³⁵ Žene i muškarci u Republici Srbiji (Women and Men in the Republic of Serbia), 2020, op. cit, p. 22.

¹³⁶ Special report on the discrimination of children, Belgrade, Commissioner for the Protection of Equality, 2021

¹³⁷ Ibid, p. 241.

¹³⁸ *Instruction on the method of work of centres for social work – guardianship authority to protect children from child marriages*, no. 5510000100/2019 dated 25 May 2019, Ministry of Labour, Employment, Veteran and Social Issues, available under: <https://www.minrzs.gov.rs/sites/default/files/2019-06/Deciji%20Brakovi%20Instrukcija0001.pdf>

things, this instruction stipulates the obligation of the centres for social work to intervene without delay in cooperation with other services in the local community if the child is at risk of child marriage or is in a child marriage, as well as to submit data to the Republic Institute for Social Protection, which submits these data once a year to the competent ministry.¹³⁹

23. Please provide information on how the authorities ensure that different groups of women and girls, inter alia women with disabilities, Roma women and other women belonging to national or ethnic minorities, migrant women and intersex persons are fully informed, understand and freely give their consent to procedures such as sterilisation and abortion

No health care service is provided to beneficiaries without their consent and without them being informed about the relevant procedure. Roma women additionally receive information from Roma health mediators. There are about 80 Roma health mediators in the Republic of Serbia who work directly in Roma communities. Women belonging to national minorities, as well as Roma women, receive information in the languages they speak (informational material is prepared, and some of the services are provided with the assistance of an interpreter).

Article 22: Specialist support services

24. Please describe the type of specialist support services dedicated to women victims of the forms of gender-based violence covered by the Istanbul Convention (e.g., stalking, sexual harassment and domestic violence, including their digital dimension, female genital mutilation, forced marriage, forced sterilization, forced abortion), including those specialist support services providing:

- a. shelters and/or other forms of safe accommodation
- b. medical support
- c. short- and long-term psychological counselling
- d. trauma care
- e. legal counselling
- f. outreach services
- g. SOS telephone helpline
- h. other forms of support (e.g. socio-economic empowerment programmes, online assistance platforms etc.)

Specialized support services for women with experience of gender-based violence, such as safe house/shelter services and SOS telephones, are provided by the authorities of the autonomous province and local self-government units. Specialized services are also provided by some women's CSOs, in accordance with feminist principles of work

Local self-governments on the territory of the RS do not provide continuous financial support to CSOs that work on their territory and provide specialist support services to women victims of gender-based violence, including women from vulnerable social groups, such as Roma women, elderly women, women with disabilities, migrant women and others.

Funds for the organization and provision of specialist services are provided from the budgets of the Republic of Serbia, autonomous provinces and local self-governments. It is explicitly stated that safe accommodation services for women victims of violence and their children, as well as free support for victims of sexual violence, are provided by the local self-governments, independently or in cooperation with one or more neighboring local self-governments.¹⁴⁰

Safe houses/shelters for victims of violence

¹³⁹ Items 7 and 15 of the Instruction on the method of work of centres for social work – guardianship authority to protect children from child marriages

¹⁴⁰ Ibid., Article 58.

Safe houses/shelters for victims of violence are intended for all victims of domestic violence, abuse and neglect. The purpose is to provide them with accommodation and ensure their safety, find sustainable solutions for crisis situations, meet their basic needs and provide access to other services. Safe houses are accessible to women with disabilities and are available 24 hours a day. In providing support to female victims, safe houses achieve good coordination with competent authorities: police, prosecutor's offices, courts and centres for social work.

The Rulebook on *Licensing of Social Protection Organizations*¹⁴¹ sets the standards for the licensing of all social protection service providers, including safe houses/shelters. Safe houses/shelters for victims of violence are licensed in six municipalities/cities: Pančevo, Kragujevac, Leskovac, Vranje, Niš and in the city of Belgrade (Vračar Municipality) and are available to users from the territory of other municipalities/cities. In the reports on the work of licensed shelters for victims of violence, only data on persons with disabilities, as a particularly sensitive category, are collected.

Other safe houses/shelters for victims of violence operate in Priboj, Novi Sad, Zrenjanin, Sombor, Sremska Mitrovica and Smederevo, with the safe house in Smederevo functioning exclusively as a shelter for victims of human trafficking.¹⁴²

The lack of a license makes it difficult for such institutions to operate and to provide access to this service for women victims of gender-based violence and women from multiply discriminated groups. According to legal provisions, such services can only be provided by institutions that have the appropriate license.¹⁴³ The main reason why safe houses/shelters do not have a license to work is the insufficient number of professional workers, i.e. the safe houses do not fulfil the conditions on the number of employees as defined in Article 59 of the *Rulebook specifying the conditions and standards for the provision of social protection services* due to current employment restrictions. Such a situation makes it difficult for safe houses/shelters to work and provide support services and access to this service, especially for women from multiply discriminated groups.

The 11 existing safe houses can accommodate 178 beneficiaries, meaning that the existing capacities are much lower than the recommended standards, and their territorial distribution is not adequate, nor are they available to all women who have experienced violence.¹⁴⁴ In 2020, the estimated number of inhabitants in the Republic of Serbia was 6,945,235, which means that according to CoE standards, around 690 places would be necessary.¹⁴⁵

In five out of seven administrative districts in the territory of the AP Vojvodina, where 1,852,093 inhabitants live, there are safe houses/shelters for victims of violence, but there are none in the North-Bačka and North-Banat Districts where more than 300,000 inhabitants live, and there are also no shelters in the Bor and Zaječar districts, also with around 300,000 inhabitants.¹⁴⁶ There are also no safe houses /shelters in the Moravički, Raški and Rasinski district, where around 700,000 inhabitants live. The latest available data show that, compared to 2018, when the Republic of Serbia submitted a report to GREVIO on the implementation of the Istanbul Convention, there has been a decrease in the number of functional safe houses/shelters for victims of violence, as well as a decrease in the number of places to accommodate women who have survived violence and need shelter.

There are five safe houses in AP Vojvodina: in Novi Sad, Zrenjanin, Sombor, Pančevo and Sremska Mitrovica. Safe houses in Novi Sad, Pančevo and Sremska Mitrovica function within the

¹⁴¹ Available under: https://www.minrzs.gov.rs/sites/default/files/2021-02/Licenciranje-organizacija-socijalne-zastite_lat.pdf

¹⁴² At the meeting of the Community of Safe House Practices in Public Space, whose formation was initiated by UN Women, held on 19 and 20 April 2022, representatives of safe houses stated that there are 12 functional safe houses in the Republic of Serbia, one of which is intended exclusively for victims of human trafficking.

¹⁴³ Strategy for Preventing and Combatting Gender-Based Violence Against Women, op. cit., p. 49.

¹⁴⁴ Beker, K., Milošević, T., Čović, A., Sigurne kuće – kapaciteti za pružanje pristupačne i dostupne usluge ženama sa invaliditetom, stanje u Srbiji – polazna analiza (Safe houses - capacities for providing affordable and accessible services to women with disabilities, situation in Serbia - initial analysis), op. cit., p. 48.

¹⁴⁵ Municipalities and regions in the Republic of Serbia, Estimated number of inhabitants, 2020, Statistical Office of the Republic of Serbia, available under: <https://publikacije.stat.gov.rs/G2020/Pdf/T202013047.pdf>, p. 146; accessed on 21/5/2024.

¹⁴⁶ Ibid.

framework of CSWs, and safe houses in Sombor and Zrenjanin within the local Centre for the provision of social protection services. The total capacity is 67 places, while the Coe minimum standards for support services of safe houses lay down that one family place – for a mother and the average number of children – is needed per 10,000 inhabitants, which means that around 190 additional places should be provided in AP Vojvodina. All five safe houses in AP Vojvodina are specialized and equipped to receive women and children who are victims of domestic violence. Only the safe house *Sigurna kuća* in Pancevo (Shelter for women and children who are victims of domestic violence - Safe house) meets the requirements set by the Rulebook on minimum standards for the provision of social protection services and is licensed by MoLEVSA.

Safe houses/shelters are not directly accessible to victims, as CSWs have to refer the victim to the safe house, which makes it difficult to access the service, especially in emergency situations, bearing in mind that immediate intervention services do not function in all local self-government units. The accommodation and stay of women and their children in safe houses is free of charge for people from the territory of that specific local self-government, while the costs of the victims from other municipalities are usually borne by the centres for social work from their place of residence. However, this is often not possible, because some LSGs do not plan funds for this purpose in their budget. Research shows significant differences between local communities regarding the daily price of accommodation, which puts the users of this service in an unequal position.¹⁴⁷

The average length of stay of women and children in a safe house is about three months, which is too short a time for many women. The scope and quality of services varies in different safe houses. There are difficulties in preserving the anonymity and privacy of women who use safe house services, challenges have been observed in ensuring the safety of beneficiaries, and there are cases of rejection of Roma women, women with disabilities, including women with mental and psychosocial disabilities. In that case, a complaint can be submitted to the Commissioner for the Protection of Equality.

In 2021, 160 adult women and 160 children were accommodated in shelters for victims of violence. As of 31 December 2021, 32 women and 37 children were housed in shelters. Shelters for victims of human trafficking had no beneficiaries in 2021.

In 2022, 167 adult women and 166 children were accommodated in shelters for victims of violence. As of 31 December 2022, 30 women and 33 children were housed in shelters. There were eight beneficiaries in shelters for victims of human trafficking in 2022: five minor girls and three women.

In 2023, 193 adult women and 197 children were accommodated in shelters for victims of violence. As of 31 December 2023, 22 women and 29 children were housed in these shelters. There were 14 beneficiaries, 10 women in shelters for victims of trafficking in 2023. At the end of 2023, the Center for the Protection of Victims of Human Trafficking received the approval of the Government Commission and hired 4 new employees. The coordination service got 2 more professionals (compared to the previous 3), and the Reception Center got one more professional and one associate.

The largest number of beneficiaries or 77.5% were referred to use the service by centres for social work, 13.2% of women came on their own initiative, and 6.3% were referred by police departments.

Although 41.3% of women stayed in safe houses/shelters for up to a month, as many as 21% of women stay longer than six months, which is a consequence of problems they face to organize their own independent living if they leave the shelter. One of the main causes of these problems is that women who use shelter services are mostly unemployed: 97.4% of young women and 60.3% of adult women are unemployed, and 18.2% of older women were not entitled to a pension.

The greatest challenge in the functioning of the shelter is the lack of human resources as well as access to medical support during admission and stay, while economic empowerment programs are

¹⁴⁷ Pešić, D., Protection and support for women who have experienced violence – analysis of local policies in the Republic of Serbia, op. cit., p. 74.

highly developed. The largest number of shelters remain in contact and provide support to women who leave the service, but are also open to the community in terms of prevention and information for potential victims of gender-based violence.

MoLEVSA recognized the need to do something more than the existing norms when it comes to shelters for women victims of violence, and especially after GREVIO's evaluation visit to the Republic of Serbia, when it was concluded that there are no special standards for ensuring an integrated approach for victims in terms of accommodation in a shelter, the purpose of which is to prevent secondary victimization and to empower women. That is why at the beginning of 2023, a *Draft Rulebook laying down detailed conditions and functional standards for the provision of shelter services for women who have experienced gender-based violence* was prepared. It is expected that this rulebook will be adopted in the coming period, and special structural quality standards for the provision of shelter services for women with experience of violence will also be developed.

The social protection system of the Republic of Serbia provides shelter services for children and youth with experience of neglect, abuse or misuse, as well as for children who at the moment are not accompanied by parents, or are not under parental care or care of other responsible adults.

Within the Centre for the Protection of Infants, Children and Youth, there is a Shelter for Emergency Protection of Children and Youth, which accepts children for immediate intervention and provides the following services: breaking the chain of abuse, neglect and misuse; meeting the basic needs of children and basic safety; assessment of the child's current condition and family situation and preparation for a long-term form of protection, preferably in a family environment; working on trauma recovery. In the period from 2021 to 2023, this service at the Centre was provided to 424 children of all ages from birth to adulthood.

This institution also provides a significant service that is rare in the countries of the region and beyond – a Maternity Home, for mothers with children up to 3 years of age and pregnant women. It provides this service for a duration of up to one year, with the following goals: to provide basic security for children, mothers and pregnant women during a period of crisis due to rejection by the family or experienced violence; to preserve the affective attachment in the child-mother relationship; to improve the competence of the mother/pregnant woman to take care of the child; to support her in preparations for life in a community with a child. In the period from 2021 to 2023, this service was provided to 62 mothers (of which 30 came as pregnant women) and 69 children. The service is also available in the home for children without parental care "Kolevka" in Subotica on the territory of AP Vojvodina. Due to its importance for women and their children, the Ministry plans to standardize this service in the coming period, which will create the conditions for its expansion to other cities/municipalities in Serbia, even though the existing maternity homes still accept pregnant women, women and children from all over the territory of the Republic of Serbia.

SOS helpline

The specialist service SOS helpline is provided in accordance with the *Rulebook specifying conditions and standards for the provision of the service SOS helpline for women victims of violence*.¹⁴⁸

In the Republic of Serbia, there is a National SOS helpline for women victims of violence, established in 2019, the work of which is entrusted to the Centre for the Protection of Infants, Children and Youth. Within this state institution of social protection, a special organizational unit "Telephone lines – SOS children's phone, SOS helpline for women who have experienced violence and Parents' Phone" was formed. All these lines are free of charge for users, cover the entire territory of the Republic of Serbia and are available to all citizens.

¹⁴⁸ "Official Gazette of the RS", no. 95/2015 and 90/2020.

The SOS telephone line for women who have experienced violence has existed since 2019 and is intended for women who have experienced violence as well as minor girls who have experienced violence.

The service employs 8 female advisors/consultants who have completed an accredited training programme. The service is available 24/7. In the period from 2021 to 2023, 7,204 calls were received and 2,047 conversations were held with women who experienced violence.

The functioning of this service fully complies with the requirements of the Istanbul Convention regarding anonymity and availability, the previous practice of offering optional recording of conversations at the request of the user is excluded in accordance with the provision of the Law on Gender Equality, Article 55, paragraph 1, item 1.

The National SOS Children's Line – NADEL is a service that has existed since 2005 with the aim of preventing violence and protecting the mental health of children and young people. Since 2021, within this service, the Safe Chat service has been developed with the aim of making the line available to children and young people in writing, to support communication channels that young people prefer today.

The telephone service is available 24/7, and the Secure Chat service is available every day from 18:00 to 22:00. The service employs 50 volunteers who have completed the accredited training programme "Initial Training for (Telephone) Counselling", and they are engaged under various contracts. In the period from 2021 to 2023, 16,457 counselling sessions were held with children and the youth.

The service "Parent's phone", which has existed since 2016, is a service intended for parents, guardians and all adults interested in children and young people. The basic idea of the service is to support modern parenting in the Republic of Serbia, i.e. to strengthen parental competencies.

Volunteers (30) who have completed an accredited training programme called Parental Counselling are also employed at the service. This telephone service is available from 16:00 to 22:00h. In the period from 2021 to 2023, 4,009 calls were received, and 3,068 conversations were held.

The Ministry of Interior has a free telephone line for reporting domestic violence (0800/100-600). Any form of domestic violence can be reported, regardless of the gender and age of the victim and the perpetrator.

A unique SOS helpline (0800/101010) operates in AP Vojvodina, and is managed by the Cluster of Associations "SOS Network of Vojvodina".¹⁴⁹ This network consists of five specialized women's organizations, two of which provide services to women with disabilities and Roma women. The associations are evenly distributed on the territory of the province, so that each association receives calls from the territory closest to it, and in case the telephone line is busy, the call is redirected to the next available number, thus ensuring that every call is answered. The SOS Network of Vojvodina has a license to provide an SOS phone service for victims of gender-based violence. In 2020, the SOS Network of Vojvodina developed a mobile application for reporting violence with the support of the UN agency for gender equality and the empowerment of women. The mobile application is available on the Android and IOS platforms to all women in the Republic of Serbia. The application is available in Serbian, English and Romani. The application is linked to the Integrated Information System for recording reports of violence, which enables the collection and processing of data on violence throughout the territory of the RS.

The Ministry of Labor, Employment, Veteran and Social Affairs has issued 10 licences to women's organizations for the provision of the SOS helpline service.¹⁵⁰

30 women's organizations provide SOS helpline services on the entire territory of the Republic of Serbia within the Network "Women against violence".¹⁵¹ In May 2024, the first joint telephone line

¹⁴⁹ Available under: <https://www.sosvojvodina.org>; accessed on 01/05/2024.

¹⁵⁰ Available under: <https://www.minrzs.gov.rs/sr/registri/sektor-za-brigu-o-porodici-i-socialnu-zastitu>; accessed on: 24/06/2024.

¹⁵¹ Available under: <https://www.zeneproktivnasilja.net/o-nama/spisak-organizacija>; accessed on: 12/06/2024.

for women with experience of gender-based violence of the Association of Women's Civil Society Organizations, the Women Against Violence Network, started working. The phone number is 0800 300 339 and is free for calls from all mobile and landline operators.¹⁵²

Legal advice

According to LoFLA, free legal aid is provided by free legal aid services in LSGs and lawyers, based on the decision on approval of free legal aid by administrative authorities. However, there is no prescribed obligation for legal aid providers to specialize in working with victims of violence. Until the adoption of LoFLA, free legal aid tailored to the needs of victims of gender-based violence and domestic violence was most often provided by civil society organizations in the form of legal information, advice and representation. However, according to this law, they can only provide free legal support (general legal information and assistance in filling out forms), but not free legal aid (providing legal advice, representation, etc.).

The Ministry of Justice published a report on the implementation of the Law on Free Legal Aid for 2020.¹⁵³

Civil society organizations in the Republic Serbia provide legal aid and support to victims of criminal offences regardless of whether court proceedings are conducted or not, and if court proceedings are conducted, both during and outside of the court proceedings. Some organizations provide support to all victims of all crimes, and some specialize in providing support to specific groups of victims (most often to especially vulnerable and marginalized groups). The most common types of aid and support provided by organizations are the following: specialist services such as legal information, legal aid and support (preparation for the trial, going to court and support during the proceedings).

Eligibility for free legal aid depends on whether the person in question also receives social financial assistance/children's allowance or is at least eligible to exercise these rights in case that the person is financing the legal aid costs on her own.¹⁵⁴

Apart from this general condition, there is also an alternative condition – belonging to one of the vulnerable groups, depending on their status or procedure they are a party to (proceedings concerning children, compulsory psychiatric treatment, procedure for the partial or complete deprivation/restoration of business capacity, domestic violence, torture/human trafficking, asylum/internally displaced persons, persons with disabilities, children in the social protection system, adults and elderly persons housed in social protection institutions without their own consent, determination of time and place of birth, forced eviction).¹⁵⁵

The report points to the inaccessibility of the system of free legal aid to the most vulnerable internally displaced persons. Persons who belong to particularly vulnerable groups, and who participated in the research, state that they are not adequately informed about how they can access free legal aid, that the procedures are not accessible and transparent, and that their requests are often rejected verbally.

Medical support

In accordance with the LoHC and the *Special Protocol of the Ministry of Health of the RS for the protection and treatment of women exposed to violence*, health care institutions have the obligation

¹⁵² Available under: <https://www.fenomena.org/vesti/mrea-ene-protiv-nasilja-pokrenula-prvi-zajednici-sos-telefon-za-ene-0800-300-339#:~:text=Broj%20telefona%20je%200800%20300,Srbiji%20uspostavile%20takvu%20vrstu%20podrške.>; accessed on: 02/07/2024.

¹⁵³ Available under: <https://www.mpravde.gov.rs/tekst/29776/izvestaj-o-sprovodjenju-zakona-o-besplatnoj-pravnoj-pomoci.php>; accessed on 12/06/2024.

¹⁵⁴ Article 4, paragraph 1 of the Law on Free Legal Aid ("Official Gazette of the RS", no. 87/2018)

¹⁵⁵ Article 4, paragraph 3 of the Law on Free Legal Aid ("Official Gazette of the RS", no. 87/2018)

to provide adequate medical assistance, care and treatment to victims of violence. Health workers are obliged to perform an initial risk assessment and to act in accordance with it. Health workers have the official duty to report cases of violence to the police or the prosecutor's office.

Short-term and long-term psychological counselling

Specialized women's organizations in the Republic of Serbia gathered around the "Women Against Violence" Network provide various services to women in situations of violence. As part of the provision of specialist SOS helpline services, they also provide services such as telephone and online psychological counselling, short-term psychological support – interventions during an acute crisis and psychotherapy – long-term psychological consultations.¹⁵⁶ There is no unified data on the total number of short-term and long-term psychological consultation services provided.

In the centres for victims of sexual violence in AP Vojvodina, specialized advisors provide psychosocial help and support to women victims of sexual violence in a crisis situation, immediately after the trauma experienced and during recovery, as well as long-term psychological counselling (psychotherapy). These services are provided by psychotherapists hired by CSOs, with a certificate for various types of psychotherapy.¹⁵⁷ In their work, they use different therapeutic approaches and methods, depending on the assessment of the condition and needs of the victims of violence. In 2021, a total of 290 psychosocial/psychotherapeutic and 99 medical services were provided in all Centres for victims of sexual violence; in 2022, 391 psychosocial/psychotherapeutic services and 102 medical services were provided, while in 2023, 423 psychosocial/psychotherapeutic services and 132 medical services were provided in all four centres for victims of sexual violence on the territory of the autonomous province of Vojvodina.¹⁵⁸

Centre for the protection of victims of human trafficking

Centre for the protection of victims of human trafficking is a governmental social protection institution. Their mission is to enable all victims of human trafficking to fully exercise their rights, to be safe, secure and included in the community. To this end, victims of human trafficking are recognized/identified, support is provided, the participation of state institutions and CSOs is coordinated in providing assistance and support, research is conducted and all relevant bodies participate in the work of improving the fight against human trafficking in the Republic of Serbia and the development of the social system of protection that ensures protection of rights in line with international standards and state-of-the-art professional and scientific knowledge in this field.

*The Service for the Coordination of the Protection of Victims of Human Trafficking*¹⁵⁹ is an organizational unit of the Centre for the Protection of Victims of Human Trafficking. The service is a central organizational unit that works directly with beneficiaries. The Service recognizes and identifies victims of human trafficking and coordinates the comprehensive support that each specific victim needs. The Service is part of the Centre, the central institution of the National Referral Mechanism for victims, which ensures comprehensive and joint activities in the protection and support of the victim and brings together all actors including the police, the judiciary, institutions of the state system, the civil sector and other relevant actors. In this way, the Service continuously monitors the condition and needs of beneficiaries – adult victims of human trafficking and child victims - and adjusts the necessary support, i.e. the choice of involved institutions, CSOs and other actors that provide support and their activities so as to achieve the best possible effects and improve the well-being and involvement of

¹⁵⁶ Available under: <https://www.zeneprotivnasilja.net/o-nama/mreza-zpn> ; accessed on 01/06/2024.

¹⁵⁷ The services are provided by the Women's Support Centre, an organisation that coordinates the work of centres for victims of sexual violence in the territory of the AP Vojvodina.

¹⁵⁸ Data of the Women's Support Centre; <http://www.cpz.rs>

¹⁵⁹ Available under: <https://centarzztlj.rs/sluzba-za-koordinaciju-zastite-zrtava-trgovine-ljudima/>

beneficiaries in the life of the community they live in. The Service also continuously works to improve the implementation of international regulations and the exercise of rights of victims in all procedures that concern them, and initiates and provides support to those who need it, so as to ultimately guarantee that victims will be able to exercise their rights and receive the needed support that leads to their well-being and inclusion.

Regarding the legal and psychological and social protection of victims of human trafficking, the Ministry of Interior adopted in November 2021 the *Instruction on the Method of Action of Employees in the Ministry of Interior in Cases of Human Trafficking*¹⁶⁰ with indicators for the preliminary identification of victims of human trafficking for the police and written information about the rights of victims of human trafficking and available types of support. This instruction regulates in more detail the way employees of the Ministry of Interior act when they learn about victims and perpetrators of human trafficking by using indicators for the preliminary identification of victims of human trafficking (Article 388 of the Criminal Code). This instruction, among other things, stipulates that police officers shall take into account the gender-specific needs and gender-specific vulnerabilities of the victims when dealing with suspected and identified victims of human trafficking. Apart from the described activity, there was no information on other aspects aimed at improving the protection of victims of human trafficking.

In 2022, 5 women from the migrant population were identified as victims (1 from Uganda, 2 from Cameroon, 1 from the DR Congo and 1 from Tunisia) and most of the cases were cases of sexual exploitation. Although these are small numbers, it is actually a significant increase because until then, the Centre for the Protection of Victims of Human Trafficking identified on average 1 victim of human trafficking per year in the migrant population.

The statistical report of the Centre for the Protection of Victims of Human Trafficking for October 2023 shows that 4 victims of human trafficking were formally identified: 1 case of forced marriage, 1 case of forced begging, 1 case of multiple exploitation (forced marriage, forced begging, labor exploitation), 1 case of coercion to commit a crime. Of the 4 identified victims, 2 were male and 2 female.

When it comes to migrant women who are victims of gender-based violence, there is no precise data. In 2022 and 2023, there were cases of violence reported to the police in the Republic of Serbia by women from the migrant population. The charges reached the prosecutor's offices, but none of the cases ended up in court, so there are no verdicts either.

In order to improve the system of assistance to victims of human trafficking in accordance with the dynamics of new challenges, a step forward was made and the Law on Foreigners ("Official Gazette of the Republic of Serbia" no. 24/18, no. 31/19, no. 62/23) define victims of human trafficking as particularly vulnerable persons. The status of a presumed victim of human trafficking and the status of a victim of human trafficking are defined in Articles 62 and 63 of the Law on Foreigners as a basis for granting temporary residence.

The same law prescribes the prohibition of forced removal if there are circumstances that indicate that victims or presumed victims of human trafficking are being treated.

A foreigner cannot be forcibly removed to a territory where he is threatened with persecution because of his race, sex, sexual orientation or gender identity, religion, nationality, citizenship, membership of a certain social group or political opinion.

The training of police officers of the Border Police Administration on topics related to human trafficking is carried out through the acquisition of new knowledge and the continuous improvement and development of acquired knowledge, skills and attitudes, which resulted from

¹⁶⁰ Available under:

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjY4LumloqCAxV2avEDHZqJAaIQFnoECBkQAQ&url=https%3A%2F%2Fwww.minljmpdd.gov.rs%2Fdoc%2Fjudska-prava%2Fprava-deteta%2FZIVE%25C5%25A0TAJI%2520IV%2520I%2520V%252025052022.pdf&usq=AOvVaw3r4hKHM5-D5-EouP5xYxGSf&opi=89978449>

practice, scientific research work or new normative regulation, with the aim of legal, efficient and safe performance of duties.

In addition to the above-mentioned forms of training, there is also professional training at the invitation of other state bodies and organizations or within the framework of international cooperation, where one participates in trainings, workshops and conferences.

At the initiative of the Coordination Body for Gender Equality and UNICEF, the National Coalition to End Child Marriage was established in the Government of the Republic of Serbia. This coalition works to provide safe choice options for girls, especially girls from the Roma population, as well as to empower boys and girls from the Roma community to change the current practice. The overall goal of the Coalition is to contribute to ending child marriages in the Republic of Serbia in general, but especially in the Roma population, through the removal of institutional and social obstacles to law enforcement, as well as by promoting examples of good practice through the partnership of local communities, civil, governmental and private sectors and the media. The Coalition also includes representatives of the Ministry for Human and Minority Rights and Social Dialogue, parliamentary committees for human and minority rights and gender equality, as well as children's rights, the Ombudsman, the Commissioner for the Protection of Equality, the City of Belgrade, the associations: Bibija, Ternipe, Praxis, Indigo, Team for Social Inclusion and Poverty Reduction, Office for Roma Inclusion, Roma Association Novi Bečej, Republic Institute for Social Protection and UN agencies.

Since its establishment in 2019, the National Coalition to End Child Marriage has been committed to eradicating the harmful practice of child marriage through directed and coordinated action, involving all relevant actors in the Republic of Serbia.

Since 2022, the Coalition has been preparing and distributing a newsletter providing information on the most important activities of member organizations as well as on achieved results, including success stories, as well as examples of good practice of state institutions and CSOs. The newsletter includes also interesting interviews with local leaders, experts and representatives of competent ministries in the field of child marriage prevention. In addition, its aim is to inform professionals and the general public about current projects and initiatives, preventive activities that are carried out at the local level with vulnerable communities, as well as about key data important for monitoring this harmful social phenomenon.

Programmes for the Social and Economic Empowerment of Women

*The Strategy for the Development of Digital Skills in the Republic of Serbia (2020-2024)*¹⁶¹, which was adopted at the proposal of the Ministry of Trade, Tourism and Telecommunications (MoTTT), foresees also activities for the affirmation of the field of ICT among women and girls, the introduction of special programmes for the development of advanced digital skills for young women, women from rural areas and other vulnerable groups, especially in environments where unemployment or the digital gender gap is greater, the promotion of greater inclusion of young people, especially girls, in the ICT sector, etc.

Pursuant to Article 38 of the *Law on Associations (LoA)*¹⁶², Article 23, paragraph 2 of the *Law on Public Administration (LoPA)*¹⁶³ and Article 6, paragraph 1 of the *Regulation on funds to encourage programmes or cover the missing part of funds for the financing of programmes of public interest implemented by associations*¹⁶⁴, the minister adopted the Decision to publish a public call for the allocation of funds for programmes aimed at developing information society in the Republic of Serbia in 2022. Based on this Decision, a public tender was published for the allocation of funds for

¹⁶¹ "Official Gazette of the RS", no. 21/2020 and 8/2023.

¹⁶² "Official Gazette of the RS", no. 51/2009, 99/2011 – as amended and 44/2018 – as amended.

¹⁶³ "Official Gazette of the RS", no. 79/2005, 111/2007, 95/2010, 99/2014, 47/2018 and 30/2018 – as amended.

¹⁶⁴ "Official Gazette of the RS", no. 16/18

programmes aimed at developing the information society in the Republic of Serbia in 2021 titled “Implementation of programmes aimed at raising the level of digital literacy and digital competences of women from rural areas”. Funds in the amount of 14,000,000.00 dinars were provided from the budget of the Republic of Serbia.

Based on the call and the selection of programmes in the field of development of the information society in the Republic of Serbia in 2021, by means of which funds are allocated from the budget of the Republic of Serbia for the implementation of programmes aimed at raising the level of digital literacy and digital competences of women from rural areas, 18 associations (citizens associations, women’s associations, foundations, youth networks, associations of paraplegics, associations for the protection of children's and parents' rights, centres supporting local sustainable development) fulfilled the criteria referred to in the Regulation on funds to encourage programs or cover the missing part of funds for the financing of programmes of public interest. The total number of women who were included in the MoTTT support programme in 2021 was 1,530 women from the rural areas of the municipalities and cities of Pančevo, Novi Sad, Sjenica, Novi Pazar, Tutin, Raška, Sremska Mitrovica, Sombor, Kruševac, Trstenik, Prijepolje, Nova Varoš, Indija, Aleksinac, Vranje, Trgovište, Bosilegrad, Priboj, Obrenovac, Ub.

The immediate goals of the implementation of this programme were for women to gain digital literacy skills and apply knowledge and skills in the businesses they are in or want to start (e-commerce, tourism and hospitality, entrepreneurship, requalification), new economic empowerment, reduction of the digital gap between urban and rural areas, stronger social recognition. These activities were not carried out in 2022 and 2023.

24. Which type of specialist support service includes child psychologists or other professionals specialized in supporting children who have been exposed to domestic violence, including violence perpetrated by one parent against the other?

In addition to the accommodation service, safe houses provide psychological assistance and support, as well as individual and group counselling for the beneficiaries.¹⁶⁵ Safe houses do not have records on the number of provided psychological support services and counselling sessions.¹⁶⁶ Safe houses provide psychological support to both mothers and children who are placed with their mothers in shelters, whether they are direct or indirect victims of domestic violence. These services are provided by employees of safe houses as well as workers of centres for social work who have received special training to support children who are exposed to domestic violence.

25. Do specialist support services exist that cater to the specific needs of migrant women and girls or those belonging to national or ethnic minorities who are victims of violence against women, including women and girls seeking asylum and those granted refugee or international protection status?

The service of the Shelter for the urgent accommodation of victims of human trafficking exists at the Centre for the Protection of Victims of Human Trafficking. It is intended for girls and women aged 16 or more. The shelter can also accept mothers with children. It is a facility with high security measures and is primarily intended for victims at high security risk. The capacity of the Shelter is 6 victims of human trafficking, with the additional possibility to accommodate also their children. The services of all shelters are free of charge and available to all women victims of violence without discrimination.

¹⁶⁵ Programme for the protection of women from domestic and partner violence and other forms of gender-based violence in the Autonomous Province of Vojvodina for the period 2023-2026; available under: <https://www.socijalnapolitika.vojvodina.gov.rs/wp-content/uploads/2023/08/Program-APV-za-sprecavanje-nasilja-2023-2026.pdf>; accessed on 10/06/2024.

¹⁶⁶ Specialised service of safe houses in Serbia, UN Women, 2022; available under: https://eca.unwomen.org/sites/default/files/2023-02/un-women-sigurne_kuce-pbp-Specialised-service-of-safe-houses-in-Serbia.pdf; accessed on 09/06/2024.

Article 25: Support to victims of sexual violence

26. Please indicate if any of the below services are available in your territory:

- a. sexual violence referral centres (e.g. specialist support services offering immediate medical care, forensic examination and crisis intervention to victims of sexual violence);
- b. rape crisis centres (e.g. specialist support services offering long-term counselling, therapy and support to victims of sexual violence regardless of whether the sexual violence occurred recently or in the past);
- c. any other specialized services offering short-term and/or long-term medical, forensic and psycho-social support to victims of sexual violence.

In the Republic of Serbia, there are Centres for Victims of Sexual Violence (CfVSV) that offer emergency medical care, forensic examination and crisis intervention for victims of sexual violence. Medical services are provided by medical staff at the hospital, while crisis intervention and extended psychological counselling and therapy for victims of sexual violence are provided by specialized counsellors from a women's organization.

The CfVSV are specialized in providing immediate medical care, forensic medical examinations and actions in crisis situations. CfVSV are located in health care institutions, they work 24 hours a day, seven days a week. The victim can come to the CfVSV in person, or can contact the centre by phone, or in another way.

The service is provided in accordance with the principles and standards of the Istanbul Convention.¹⁶⁷

The tasks of the Centre are the following:

1. Direct work with women who have survived sexual violence by providing them assistance and supporting their economic empowerment:
 - a) Immediate medical treatment of acute or chronic injuries, which are the result of a violent sexual act,
 - b) Preparation for the examination (explanation of the procedure and its goals) and support during the examination, if needed, in accordance with the legal procedure, taking into account the confidentiality of medical examinations and the evidence collection process,
 - c) Support during the forensic examination (determining the type, localization and severity of injuries, the presence of traces of biological origin, etc. in order to provide evidence in the event that criminal proceedings are initiated),
 - d) Psychosocial help and support in a crisis situation, immediately after the experienced trauma and during recovery,
 - e) Help and support in informing the victim about her rights – support in the process of reporting sexual violence, informing them about the further procedure once a criminal offence is reported, as preparation for criminal/court proceedings and providing support in court,
 - f) Help in a crisis and support in the process of cooperation with other state bodies in the local community – to ensure the victim's physical safety and that the victim is provided urgent care,
 - g) Support to family members of women who have survived sexual violence.
2. Efforts to increase the sensitivity of healthcare professionals in working with victims of gender-based and sexual violence,

¹⁶⁷ Available under: <http://www.cpz.rs/service/centar-za-zrtve-seksualnog-nasilja/>; accessed on: 09/05/2024.

3. Cooperation with Coordination and Cooperation Groups and other authorities and institutions in local communities to improve their work with victims of sexual violence,
4. Efforts to prevent sexual violence by informing and increasing the sensitivity of the general public to the problem of sexual violence and sexual rights.

The services of the Centre for victims of sexual violence are intended for female persons, women and girls aged 15 and over, regardless of nationality, sexual orientation, disability, origin, marital status and other personal characteristics, who are currently exposed to sexual violence, and/or have survived rape and attempted rape by a known or unknown person or have survived some other form of sexual violence, such as sexual intercourse through the abuse of a position of dependence, subordination or physical or psychological incapability of the victim to resist, trafficking in women for sexual exploitation and prostitution, sexual harassment, exploitation for pornography; humiliating sexual intercourse, procurement of women, genital mutilation, forced pregnancy or forced abortion, arranged child marriages, etc.; who are in the process of escaping out of a situation of sexual violence or have once survived sexual violence and need psychological, legal and other types of support and help; or are ready to talk about their experience for the first time, or are at risk of becoming a victim of sexual violence in the future; sex workers. Women can come to the CfVSV alone to seek help, they can come with the support of the police or some other institution or civil society organization, or they can be referred by other institutions or civil society organizations.

Victims get all the necessary help and support in one place, free of charge: medical care, psycho-social counselling and social-educational services.

In the CfVSV, it is possible to receive information about sexual violence and/or help and support for survivors of sexual violence, while respecting the confidentiality of personal and other data. The CfVSV encourages and supports the functional, cross-sectoral, interlinked action of the institutions that are obliged to participate in the protection of victims of sexual violence and that effectively respond to their needs. Violence is documented in the CfVSV based on the developed indicators, and all forms of sexual violence are recorded.

In the CfVSV, the victim is at the centre of treatment – meaning that a supportive environment is enabled in which the rights and needs of victims/women who have survived sexual violence are respected.

27. Please provide information on the number of such services and the number of women and girls supported annually.

On the territory of the Autonomous Province of Vojvodina, there are four centres for victims of sexual violence, at the General Hospital in Kikinda, the General Hospital in Zrenjanin and the General Hospital in Sremska Mitrovica, as well as at the Clinic for Gynecology and Obstetrics of the Clinical Centre of Vojvodina. These specialized services do not exist in other parts of the Republic of Serbia.

In 2021, a total of 33 cases of sexual violence were recorded in the CfVSV. There were 18 victims under the age of 15, and 8 between the ages of 15 and 19. Out of the total number of victims, 2 were Roma women, 5 were women with disabilities, and 4 were women of poor financial standing. 1 victim was a sex worker. The criminal offence of rape was reported by 16 victims, and 17 cases were other forms of sexual violence. In most cases (39.39%), the perpetrator was a close person, acquaintance, friend, family friend, mother's partner, neighbor, friend's brother, friend of other family members).

In 2022, 32 cases of sexual violence were recorded in the CfVSV. 14 victims were under the age of 14, and 6 of them were between the ages of 15 and 19. Out of the total number of victims, 3 were Roma women, 4 women with disabilities and 4 women of poor financial standing. 1 victim was a sex worker. The criminal offence of rape was reported by 14 victims, and 18 cases were other forms of sexual violence. In most cases (37.5%), the perpetrator was a close person, acquaintance, friend, family

friend, mother's partner, neighbor, friend's brother, friend of other family members).

From 1 January to 31 December 2023, 47 cases of sexual violence were recorded in the 4 CfVSV. There were 7 victims under the age of 15, and 7 victims aged 15 to 19. Out of the total number of victims, 7 were Roma women, 5 women with disabilities, 2 persons who have experienced racial discrimination, and 2 women belonging to other national minorities. Most victims – 27 of them – reported rape, and 20 cases were other forms of sexual violence. In most cases (48.9%), the perpetrator was either a young man from social networks, or a well-known male person, a local, a friend. A total of 423 psychosocial services and 132 medical services were provided in the CfVSV.

29. Please indicate the procedures and time frames for collecting and storing forensic evidence in cases of sexual violence (e.g. existence of protocols, use of rape kits) in the relevant services.

The time interval between the sexual violence committed and the examination of the victim is of crucial importance for the findings, especially when analyzing the frequency of injuries to the genitals. Namely, if the examination is not carried out within the first 72 hours following the violence, the probability that genital injuries will be registered is significantly reduced.¹⁶⁸

In addition to the protocol for the medical examination of victims of sexual violence in the collection of biological material, examination kits were introduced. These kits consist of the means necessary for the systematic collection of biological samples (e.g. swabs, vaginal contents, blood, etc.) and the documentation of genital and extragenital injuries, as well as the psychological state of the victim. Also, by using these kits and by applying the applicable protocol, the medical examination is standardized, which eliminates to a considerable extent individual variations of the individual practices of professionals involved in working with victims of sexual violence.

During the criminal-forensic expert examination and analysis, police officers act with the aim of determining the objective factual situation and securing material evidence for the needs of court proceedings. Criminal-forensic expertise is ordered by a written order by the authority in charge of the procedure, in accordance with the law. After the completion of the criminal-forensic expert examination, the police officer prepares a record of the expert examination. The result of the criminal-forensic analysis is attached in the form of a report, if it was performed independently, or in the form of findings, if it is part of an expert report.

In the case of more complex criminal-forensic expert examinations, which are performed exclusively by the competent organizational unit for forensics at the headquarters of the Police Directorate, the head of this unit or a person authorized by him, will form a commission composed of at least two members, who will perform this expert examination, whereby one of the members of the commission can be a police officer of a certain regional police department, provided he/she possesses the necessary competences.¹⁶⁹

The taking of samples for forensic - genetic analysis of a person is undertaken by an expert in the forensic profession for the purpose of discovering the perpetrator of the criminal offences or determining other facts relevant for the proceedings, with the appropriate order of the competent prosecutor's office or court, in accordance with the Criminal Procedure Code.

The regulations do not regulate the terms of keeping forensic (biological) evidence in cases of sexual violence, but institutions keep them permanently/forever. The data obtained from the expert examination of forensic evidence is also stored permanently in electronic form. After the analysis, the materials are returned to the prosecutor's office and become part of the case file, and their preservation depends on the amount of the threatened penalty in each individual case- in accordance with the

¹⁶⁸ Available under: <https://doiserbia.nb.rs/img/doi/0370-8179/2006/0370-81790610408A.pdf>; accessed on 04/06/2024.

¹⁶⁹ Rulebook on criminal forensic registration, on taking samples and other forensic expertise and analyses, Articles 2-7., available under: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/ministarstva/pravilnik/2017/54/4>; accessed on 24.06.2024.

provisions of Article 142, paragraph 3, in relation to Article 279 of the Criminal Procedure Code. After taking samples for forensic-genetic analysis, only the report in written/electronic form is submitted to the Prosecutor's Office, but not the material in physical form.

30. Please describe any applicable access criteria for use of these services (e.g. affiliation with a national health insurance, residence status, prior reporting of the case to the police, other).

Medical services provided to victims of sexual violence at Centres for Victims of Sexual Violence are free of charge for all victims who report to the CfVSV. There are no restrictions regarding the access to these services.

In the case where a court order for a forensic examination of the victim has not been given, the victims are instructed to go to the Institute of Forensic Medicine (the nearest), where they must pay for the examination themselves (the price of the examination differs). The price ranges from 3,080 dinars for a forensic medical outpatient examination to 9,000 dinars for an expert opinion on a sexual offence).

Article 31: Custody, visitation rights and safety

31. Please indicate whether under national law incidents of violence covered under the scope of the convention must be taken into account in the determination of custody and visitation rights of children. If this is the case, please clarify to what extent these provisions

- a. explicitly list domestic violence as a criterion to be taken into account when deciding on custody and/or visitation rights in the applicable legislation. If so, please clarify whether this criterion is/has been applied in practice in the determination of both custody and visitation rights;
- b. acknowledge the harm that witnessing violence by one parent against the other has on a child;
- c. ensure that custody with the non-violent parent is preferred over foster-care;
- d. foresee the screening of civil proceedings related to the determination of custody or visitation rights for a history of domestic violence among the parties;
- e. foresee that judges conduct risk assessments or request the disclosure of risk assessments drawn up by law-enforcement agencies or other competent stakeholders for victims of domestic violence, with a view to taking them into account and determining the best interest of the child in the context of custody and visitation decisions.

As a rule, the existence of violence against the spouse is valued and affects the decision on parental rights, because it is considered that in such situations the child is also a victim of violence. In situations where a parent is violent towards the other parent, and the institution conducting the procedure considers that it is still in the child's interest to see the violent parent, seeing the child and the parent can be organized, as a rule, under controlled conditions, in accordance with the assessed needs and best interests of the child. In 2021, the Republic Institute for Social Protection, in cooperation with the competent ministry, developed "Professional methodological instructions for the work of guardianship authorities in the process of maintaining the personal relations of a child with a parent, relatives and other persons with whom he has a special closeness in controlled conditions".

The purpose of applying this instruction is to improve the protection of the best interests of the child in the procedures that regulate the maintenance of the child's personal relationship with the parent, relatives and other persons with whom he has a special closeness in controlled conditions (hereinafter: "with the parent"), the exercise of the child's right to identity, maintaining personal relations with the parent in accordance with the best interests of the child, improving the work of professional workers of

centers for social work by strengthening their competences and standardizing practice in accordance with the standards of professional work.

Article 60 of the Family Law prescribes that a child has the right to live with his parents and the right to be taken care of by his parents before anyone else. The child's right to live with his parents and to be cared for by his parents above all others is an inviolable child's right based on the natural relationship and the child's best interests. However, there are situations when a child is separated from his parents, but this can only happen in cases prescribed by law, in cases where there are reasons for deprivation of parental rights or domestic violence.

Article 61 of the Family Law stipulates that the court can limit the right of the child to maintain personal relations with the parent with whom he does not live, if this is in the best interest of the child, if there are reasons to completely or partially deprive that parent of parental rights, as well as in the case of domestic violence.

Violence against the child and the child's mother is one of the relevant circumstances that the court is obliged to take into account when deciding on the exercise of parental rights and the maintenance of personal relations between the child and the violent parent.

There is no strict rule indicating that a parent can be deprived of parental rights if the principle of the best interest for the child cannot be guaranteed in any other way, which may include the safety of the victim. However, the Family Law authorizes the public prosecutor to initiate proceedings for the deprivation of parental rights¹⁷⁰, if, during the investigation of a criminal offence, he/she learns of circumstances indicating that it is necessary to do so in order to protect the child.

There is a possibility that the court may determine one or more measures of protection against domestic violence in a judgment by which it decides on the exercise of parental rights and the maintenance of personal relationships, and if they have already been determined, it may determine new measures, if they are necessary to ensure the safety of the victim and her children.

With the decision determining protection measures, the court can determine such a model of visitation rights that makes it possible to avoid contact between the victim and the perpetrator of violence, if this is necessary to prevent endangering the victim's safety.

In procedures for making a proposal to the court about the exercise of parental rights, custody of a child after the divorce of parents, modification of the decision on custody of a child and the initiation of a procedure for partial or complete deprivation of parental rights, CSW experts are obliged to respect the legal norms of the *Family Law*, *Law on Social Protection and the procedures defined by the Rulebook on the Organization, Norms and Work Standards of Centres for Social Work*, *the Law on Prevention of Domestic Violence and the General Protocol for the Protection of Children from Violence and the General Protocol on Handling and Multisectoral Cooperation in Situations of Gender-Based Violence Against Women and Domestic Violence*.

In procedures for submitting a proposal to the court on the exercise of parental rights, custody of a child after the divorce of parents, changes in the decision on custody of a child and the initiation of procedures for partial or complete deprivation of parental rights, the professional workers of the social work centres are obliged to respect the legal norms and procedures referred to in the above-mentioned laws, rulebook and protocols.

The content of the professional work of the guardianship authority in the procedures for maintaining the child's personal relationship with the parent, relatives and other persons with whom he has a special close bond in controlled conditions provides the basis for the planning and protection of the interests of the child in the family.

The visitation plan of the parents to the child is an integral part of the plan of services and measures for the family with the permanency plan for the child in situations when the child does not

¹⁷⁰ Члан 264 Family Law

live with his parents and the frequency and type of contact (supervised or unsupervised) must be planned with this plan.

The visitation plan should consider the following circumstances:

1. age and developmental stage of the child;
2. the child's adjustment to the accommodation;
3. the child's relationship with the current guardian, foster parent or educator;
4. whether parental visits are appropriate, that is, in the interest of the child, including risk assessment;
5. the manner and frequency of the child's contact with parents, siblings and other family members;
6. the duration and frequency of visits should progress gradually as the time for family reunification approaches.

The contacts between the child and parents are recorded in the beneficiary's records. The case manager informs the child's parents and family members about the visitation rules and restrictions and records the notification in the user's records.

33. Please describe the measures in place to ensure that judges, court-appointed experts and other legal professionals:

- a. have sufficient knowledge of the law and understanding of the dynamics of intimate partner violence, including the psychological impact of witnessing violence on the child;

The special protocol for the judiciary in cases of domestic violence against women and violence against women in intimate partner relationships stipulates that lectures must be organized and implemented on how to handle cases and communicate, hear victims, parties and witnesses in cases of violence against women in the family and partner relationships, and this within the framework of the initial training at the Judicial Academy, in the part related to professional knowledge and skills. The goal is to enable the participants of the training to master the knowledge and skills necessary for high-quality and efficient performance of judicial functions through the topics of communication skills and forensic psychology.

As part of the organization and implementation of the initial training, the subject Special knowledge of holders of judicial functions in the field of protection against discrimination, gender equality and domestic violence is specially taught and learned through the following activities:

- Domestic violence – to goal of this topic is for the participants of the training to become familiar with domestic and international regulations on protection against domestic violence, including norms related to actions of the prosecution and the court and a case study;
- Protection against discrimination, through which participants become familiar with domestic and international regulations on protection against discrimination, including norms related to actions of the prosecution and the court, and case studies;
- Gender equality, through which participants become familiar with domestic and international regulations on gender equality, including norms related to actions of the prosecution and the court, and a case study.

- b. duly take into account victims' grievances in cases of domestic violence and hear children victims/witnesses, where applicable, in the determination of custody and visitation rights;

The *special protocol for the judiciary in cases of violence against women in the family and in partner relationships* determines the actions of judges in cases related to violence in the family and in partner relationships:

- to respect the obligation of urgency in handling without exception;
- to prepare for the proceedings in a timely manner and thoroughly review the circumstances of the events in each of such cases;
- to treat the victim with respect for her personality, with special care, patience, tact and a strong understanding of her position and condition;
- to trust the victim during the hearing, to allow her enough time to give her statement in an undisturbed and detailed way, without unnecessary interruption, pressure, disapproval or excessive participation;
- to use their knowledge and skills in handling to discover the causes and forms of violence, because the assessment of the most effective way to protect the victim and the measures that must be taken depends on this information;
- to show the victim, depending on her needs or the state she is in, and regardless of the stage of the court proceedings, what types of protection exist and which institutions or organizations she can turn to. This includes asking for help from both the participants in the protection procedure or signatories of the Special Protocol if the victim is not capable of doing so herself;
- according to their own assessment of the victim's personality, level of mental development, sensitivity and state in which she is, as well as according to information obtained from other participants in the protection procedure, whenever possible, they shall protect the victim from secondary victimization by enabling her to give a statement without the direct presence of the perpetrator, by using adequate technical means, in the presence of experts, etc.;
- to explain to the victims the course and rules of the procedure in an understandable and clear manner and, in particular, when protection orders against domestic violence are issued, to explain the meaning of adequate protection measures against domestic violence to the victims, the changes brought about by them and the possible risks;
- to reduce the number of the victim's appointments at the court to the necessary extent,
- to use their authority to ensure that other employees in the court treat the victim with dignity;
- that when they find out that domestic violence has occurred, that is, violence against women in the family and in partner relationships in some other court procedure, they immediately proceed according to the developed instructions or instructions of the court.

The misdemeanor court is an important partner in recognizing cases of violence against women in family and partner relationships. This authority often resolves borderline cases of misdemeanors and violence against women as a form of domestic violence, sometimes even cases of this violence when they are not recognized as such by the police as a criminal offence. In such cases, cooperation is needed between the misdemeanor court, the public prosecutor and the centre for social work in order to provide the victim with a complete and adequate form of protection.

- c. are informed of the unfoundedness of notions of "parental alienation"¹⁷¹ or analogous concepts that are used to overshadow the violence and control exerted by perpetrators of domestic violence over women and their children

¹⁷¹ In its baseline reports, GREVIO consistently refers to the statement of the European Association for Psychotherapy (EAP) from December 2017, which draws attention to the fact that the concepts of "parental alienation syndrome" (PAS) and "parental alienation" (PA) are not suitable for use in any psychotherapeutic practice. This EAP statement, which includes 128 psychotherapy organizations from 41 European countries, serves as a guiding principle for European psychotherapists. Furthermore, in February 2020, the World Health Organization (WHO) also released its new draft of the International Classification of Diseases, 11th Revision (ICD-11), and confirmed that it has removed parental alienation from the term index in the final version of ICD-11. See also the May 2019 statement by the Platform of Independent Expert Mechanisms to Combat Discrimination and Violence Against Women (EDVAW Platform): "Partner violence against women in intimate partner relationships is a key factor in child custody decisions, women's rights experts say."

As part of basic and specialist training, as well as through the analysis of judicial practice, judges are introduced to the concept of “alienation from parents”. The practice of the courts in the Republic of Serbia shows that in cases of a child's refusal to spend time with one of the parents, there can be several reasons for it, these being: a case of justified refusal if the parent has injured the child or the child is afraid of him due to domestic violence or the use of harmful substances; domestic violence, a conflict that is harmful for the child, for example as a result of a long-term court case, mutual hostility between parents that can become unbearable for the child; “refusal or resistance of the child” to spend time with one parent, which may be justified or a consequence of the actions of the other parent, which alienates the child from the other parents, without reason; “other forms of harmful parenting” such as parental psychological problems or the use of illicit substances. When deciding, the court will consider the opinion of the child.

33. Please provide details on the procedures in place to ensure that the competent court for family-related issues co-operate/communicate with other relevant bodies/professionals, including, but not limited to, criminal courts, law-enforcement agencies, health and education authorities and specialist women’s support services when taking decisions on custody and visitation or when offering family law mediation. Please specify whether the law provides a legal framework for any of the procedures in place.

Cooperation between courts and institutions of social protection, especially centres for social work, police, prosecutor's offices and health institutions ensures a system of protection the purpose of which is to ensure case-tailored and coordinated intervention and effective resolution of the problem of violence against women in the family and partner relationships. Institutional cooperation is achieved in each specific case of violence against women.

When it comes to evidence, the investigative principle prescribed by the Family Law is particularly important. In proceedings related to family relations, the court can establish facts even when these are not disputed by the parties, and it can independently investigate facts that neither party has presented. In situations where the rights of the child are concerned, it is the duty of the court to take into account the best interests of the child, to investigate and determine all relevant facts, regardless of whether one of the parties proposes to present some evidence, and even if the parties oppose it.

In the dispute for the protection of the child’s rights and in the dispute for the exercise or deprivation of parental rights, the court is obliged to be guided by the best interest of the child. The law prescribes the duty of the court to request a finding and expert opinion from the guardianship authority, family counselling or other institution specialized in mediation in family relations, before making a decision on the protection of the child’s rights or on awarding or depriving a parent of parental rights.

The Family Law lays down that the investigative principle shall be applied in proceedings related to family relations, which the court should apply to the greatest extent, precisely for the purpose of making a decision that is in the best interest of the child. If it is necessary to obtain a report from a health institution – doctor where parents or children are treated, schools or kindergartens which the children attend - headmasters, psychologists, teachers, pre-school educators, or similar institutions, the court will not obtain them directly, but will order the guardianship authorities (social services) to obtain these reports from the territory of their local jurisdiction. As a rule, the same will apply if the court needs an expert report on the family environment, parents and other relatives in the family in which the children live. The court will also request this report from the guardianship authority or a team of experts, given that the court does not have the knowledge. This is because the court does not have the knowledge possessed by experts from the circle of psychologists, pedagogues and social workers, and if necessary, psychiatrists.

These teams should give the court an answer to the question which of the two parents is more suitable to be entrusted with the children, if both parents have preserved parental competence, as well

as the motivation to take care of the children, and if one of the parents or both are not suitable for exercising parental rights, this should be explained elaborated in the expert report. This is a very important question in the case of domestic violence, which is also answered by experts, in terms of clarifying the form of control and manifestation of power over family members, if it is manifested, bearing in mind the zero tolerance for violence, which is the standard in case law.

The misdemeanor court is an important partner in recognizing cases of violence against women in family and partner relationships. This authority often resolves borderline cases of misdemeanors and violence against women as a form of domestic violence, sometimes even cases of this violence when they are not recognized as such by the police as a criminal offence. In such cases, cooperation is needed between the misdemeanor court, the public prosecutor and the centre for social work in order to provide a complete and adequate form of protection to the victim.

The *Civil Procedure Code (CPC)*¹⁷² stipulates that courts are obliged to provide each other legal assistance in civil proceedings. This is important when, in another court proceeding, they find out that domestic violence has occurred, that is, violence against women in the family and in partnerships, to immediately act according to the prepared instruction or court instruction. If the court asked for legal assistance is not competent to undertake the action that was requested, it will transfer the request to the competent court, or to another state authority, and inform the court from which it received the request, and if the competent court, i.e. the state authority is not known, it will return the request. If in one place there are several courts that have subject-matter jurisdiction to provide legal assistance, the request for providing legal assistance can be submitted to any of those courts, unless otherwise prescribed.

Cooperation with other participants in the process of protecting women in cases of domestic violence and partner relationships is achieved by the public prosecution on the basis of its legally defined role and authority, and in accordance with the Law on Public Prosecution, which prescribes the duty of courts, other state authorities, authorities of local self-governments and of the autonomous province, as well as other organizations and legal entities, to submit to the Public Prosecutor's Office at its request the files and notifications necessary for taking actions for which it has subject-matter jurisdiction, as well as to immediately provide the Public Prosecutor's Office, at its request, explanations and the information it needs for take action as authorized by law.

In order to achieve high-quality and efficient cooperation between competent authorities and institutions in the field of protection against domestic violence, the public prosecutor should coordinate work with other state authorities, such as the police, centres for social work and misdemeanor courts, but also establish cooperation with CSOs that deal with the protection and provision of assistance to victims of criminal offences, including the criminal offence of domestic violence.

34. Please provide detailed information on the procedures in place (including, if applicable, the relevant personnel used, the specific infrastructure available), in the exercise of custody and visitation rights, to:

- a. eliminate the risk for the abused parent to be subjected to further violence;

In divorce proceedings and proceedings to determine custody of minor children, the condition and needs of the child and parental competence are assessed and then the CSW makes a proposal to the Court to establish contact between the children and the other parent. If one parent is identified as an abuser, whether it is intimate partner violence or violence against children, most often the abuser has no contact with the children. During that period, a non-violent parent can request protection measures against domestic violence for one year for herself/himself and her/his children.

¹⁷² "Official Gazette of RS", no.72/2011, 49/2013- Decision of the Constitutional Court, 74/2013 – Decision of the Constitutional Court, 55/2014, 87/2018, 18/2020 и 10/2023 – as amended

If it is estimated that the children were not direct victims of violence to the violent parent, contacts are organized during the proceedings under controlled conditions in the CSW, which is supervised by a professional worker and is limited in time.

If, during the supervised contact, inappropriate behavior of the violent parent is observed, the contact is terminated and the CSW reports to the court about the quality of the contact. If the contacts in controlled conditions are ruled by the court as a temporary measure, the CSW informs the court about the quality of the contact and makes a proposal for further contacts.

If the court has not determined a temporary measure, the guardianship authority assesses that it is in the best interest of the child to make contact with the parent, the contact is made in accordance with the prepared service plan signed by all three parties (both parents and the professional worker) and then that document is official and a binding document in the beneficiary's file.

During all these procedures, the degree of traumatization of the child and exposure to violence, whether indirect or direct, is assessed and the intensity and frequency of future contacts that will be proposed to the court are assessed according to the needs, interests, age and daily obligations of the child. If the child was directly exposed to violence and there is a high degree of traumatization, in that case a proposal is made for the deprivation of parental rights (partially or completely) and all contact is terminated.

If this is not the case, and it is detected that there is violence where the child directly or indirectly took part, a more restrictive model and contacts in a public place in the presence of a reliable adult in shorter time intervals and for a shorter duration (e.g. once a month for an hour) are suggested.

- b. eliminate the risk for the child to witness or experience violence;

In the procedures carried out by the CSW in the protection of children from violence, a triage assessment is carried out for the *Opening of a case* in the CSW.

The basic criterion for making a decision on whether to open a case and make further assessments in the centre should be the existence of data that a specific event or situation has occurred that corresponds to professional and legal definitions of child abuse and neglect. The decision to open a case is followed by the appointment of one of the centre's expert workers as the head of the assessment.

Immediate intervention

Already at this stage of the work, immediate interventions for the protection of the child are undertaken, which take place after an urgent consideration of the protection strategy between the CSW, law enforcement authorities and, if necessary, other services. In all cases when the centre learns that there is a suspicion that a criminal offence has been committed against a child, it must notify the public prosecutor's office and the authority in charge of internal affairs as soon as possible. CSW and the internal affairs authority consider joint steps in the early phase of working on the case and coordinate the procedures. In case of urgent intervention/relocation of the child from the biological family, the guardianship authority makes a decision/conclusion on temporary care of the child and adopts a decision on temporary guardianship.

Initial assessment

The initial assessment procedure is led by a professional worker assigned to be the leader of the assessment, with the help of the centre's expert team. The initial assessment should answer the basic questions: is the child at risk; which risks to the child can be identified based on the initial assessment; whether there are reasonable grounds to suspect that there is a serious risk of damage to the child's health and development; what services and protective measures can be provided to the child and family/non-violent parent, based on the data collected and the conclusions of the initial assessment.

It is assessed whether the child is at risk regardless of whether the risk is caused by abuse and neglect of the child, conflict between partners in the family, unfavorable health, social or financial situation of the family or other circumstances that prevent the child from reaching an adequate level of health and developing without the intervention of social or other services in the community.

The initial assessment is made within a period of seven working days, as it represents the basis for determining the direction of work with the child and family in order to provide adequate and timely services.

The initial assessment process includes:

- observation and conversation with the child (in accordance with the child's age and communication skills), with parents, family members and other persons who are well familiar with the child's and family situation. The professional worker of the centre asks questions about violence, especially about violence in the family and partner relationships, by separately interviewing the victim and the abuser, respecting the guidelines for working with families facing domestic and intimate-partner violence;
- collection and analysis of relevant data from professionals of other services with which the child and family were in contact (health care, educational, other social institutions, CSOs and the like);
- assessment of the injuries inflicted on the child, i.e. assessment of the risk to which the child is exposed. The risk is assessed as low, moderate or high by applying the appropriate risk assessment matrix;
- identification of measures and services that can be used to protect the child in the family;
- - making a decision whether the case is open for further measures and services at the centre or whether the case should be referred to other services;
- reporting on the results of the initial assessment.

The person in charge of the assessment will discuss with the members of the expert team the information gathered during the initial assessment, after which a decision is made on further procedures.

A decision to protect a child from abuse/neglect is made when the child has suffered injuries, physical and mental, as a result of abuse and neglect or the circumstances of the case indicate that the child is at risk and there is reasonable cause to believe that there may be injury to that child or other children in family, if any. In that case, CSW undertakes further coordination of planning, implementation of protection measures and monitoring of the child and family, in cooperation with all other services. Within the CSW, a professional is appointed who will be the key person for the child and family in the further protection process (case manager). This can be the same person who was in charge of the initial assessment, but also another person from the CSW can be appointed, depending on the situation.

Initial plan of services and measures for the family and plan for the family and the child

The plan is based on the results of the initial assessment and the decision of the team and is developed together with the family members. A general goal is defined that corresponds to the desired change that must be achieved to ensure the safety and development of the child in the family, the area of work, strengths, outcomes, activities, persons in charge of activities, timelines and monitoring indicators. The initial service plan is adopted within 15 days following the day when the CSW starts working with the beneficiary.

The plan of services and measures for the family and the child with the continuity plan for the child is adopted within 60 days following the day when the CSW started working with the beneficiary and the monitoring and evaluation of the plan is carried out continuously according to the activities of the plan.

The outcomes following the monitoring and evaluation of the plan can be the following: a decision that parents do not show commitment in the realization of planned activities and a conclusion that corrective supervision over the exercise of parental rights is necessary; a decision that the activities

have been implemented and that there have been positive changes in the family in terms of achieving conditions that protect the interests of the child, or a decision to intervene and separate the child from the family and place it under temporary guardianship, i.e. in another family.

Measures that the CSW can take to protect a child from domestic violence when the child's life, survival, and development are threatened are: immediate separation of the child from the family and placement in a family of relatives or foster family, placing the child under guardianship, corrective supervision over the exercise of parental rights, report of violence to the prosecutor's office and the police, submission of proposals for measures to protect the child against domestic violence to the prosecutor's office, initiation of legal proceedings for the protection of the child's rights before a court, lawsuit submitted to the court with the purpose to obtain complete or partial deprivation of parental rights.

- a. ensure that the responsible personnel are trained and that the facilities are suited to enable safe supervised visitation

In 2021, the programme "Risks, responsibility and legal protection of professional workers in social protection" was accredited by the Chamber of Social Protection. 20 professionals completed the training.

- c. Please indicate whether national provisions foresee the withdrawal of parental rights in criminal sentences if the best interest of the child, which may include the safety of the victim, cannot be guaranteed in any other way.

Complete deprivation of parental rights represents the most severe measure, i.e. a sanction under family law whose goal is to protect the personality, rights and interests of a minor child, and there are differences between complete and partial deprivation of parental rights. The rules and procedure for the deprivation of parental rights are regulated by the *Family Law* and the *Civil Procedure Code*. Deprivation of parental rights can be achieved by a court ruling in court proceedings for the deprivation of parental rights.

Article 6 of the Family Law lays down that everyone shall be guided by the best interest of the child in all activities concerning the child. A definition of the term „best interest of the child“ is not provided and the interpretation by the competent authorities on a case-by-case basis determines how they will assess the best interest of the child.

The Family Law recognizes two grounds for depriving a parent of parental rights. These are the following:

1. When the parent substantially abuses parental rights: if they physically, sexually or emotionally abuse a child; if they exploit the child by forcing him to do excessive work, or by forcing the child to perform work that endangers the child's morality, health or education, or work that is prohibited by law; if they encourage the child to commit criminal offences; if they accustom the child to indulge in bad tendencies; if they abuse parental rights in another way.

2. If a parent grossly neglects duties resulting from parental rights: if they have abandoned the child; if they take absolutely no care of the child with whom they live; if they avoid supporting the child or maintaining personal relations with the child with whom they do not live, or if they prevent the maintenance of personal relations between the child and the parent with whom the child does not live; if they deliberately and unjustifiably avoid creating the conditions that will allow them to live together with a child who is staying in a social protection housing institution; if they grossly neglect their duties resulting from parental rights in any other way.

A court decision on complete deprivation of parental rights may include one or more measures to protect the child from domestic violence. Also, the rights of only one parent can be taken away by a court decision, and in such case the custody over the child will normally be given to the other parent. Also, both parents can be deprived of parental rights, and then the child will be considered a minor without parental care. Parental rights can also be returned to a parent by a court decision in a special civil procedure, once the grounds for the deprivation have been remedied.

Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Criminal law:

36. Please provide information on the measures taken to ensure that mandatory alternative dispute resolution processes are prohibited in criminal proceedings related to cases involving the different forms of violence against women covered by the Istanbul Convention.

The CPC prescribe the possibility of deferral of criminal prosecution for all criminal offences for which a fine or a prison sentence of up to five years is prescribed (the so-called principle of opportunity). The deferral also applies to offences covered by the Convention. Criminal prosecution can be deferred if the suspect accepts one or more of the following obligations: 1) to remove the harmful consequence, that is, the damage caused by committing the crime; 2) to pay a certain amount of money, which is used for humanitarian or other public purposes; 3) to perform certain community service or humanitarian work; 4) to pay due maintenance debt; 5) to undergo alcohol or drug addiction treatment; 6) to undergo psychosocial treatment in order to eliminate the causes of violent behavior; 7) to fulfill the obligation determined by a final court decision, i.e. to respect the limitation established by a final court decision.¹⁷³

If the suspect fulfils the obligation within the set deadline, the public prosecutor rejects the criminal charge, and informs the victim about it. The public prosecutor's decision not to pursue prosecution, as well as the choice of obligations that the suspect is obliged to fulfil, does not depend on the consent of the victim of the criminal offence, nor can the victim seek remedy against the decision to reject the criminal charge.¹⁷⁴

Through the application of this legal mechanism, the perpetrator of violence against a woman remains unpunished. This can have a negative impact on achieving prevention in general, but also concretely the danger of repetition of the act remains, and the condition that the perpetrator has to fulfil certain obligations set by the prosecutor can have a negative effect on the position of the victim and her family. There are no consolidated data on the number of cases of violence against women in which criminal prosecution was deferred, nor data on the number of cases in which the perpetrator failed to fulfil his obligations that the deferred prosecution was based upon.

In proceedings conducted against perpetrators of violent crimes covered by the Convention, the institution of a plea agreement can also be applied, based on which the public prosecutor and the defendant agree that the defendant will fully confess to committing the criminal offence charged against him, and that the prosecutor in return make certain concessions, above all in terms of lighter punishment or waiver of criminal prosecution for criminal offences that are not covered by the plea agreement.¹⁷⁵

¹⁷³ Article 283, paragraph 2 of the CPC

¹⁷⁴ Article 283, paragraph 3 of the CPC

¹⁷⁵ Article 314 of the CPC

The application of this legal mechanism may weaken the protection of victims of violence under criminal law. There is no data on the number of cases of violence against women in which criminal prosecution was deferred. In criminal proceedings conducted due to criminal offences of violence covered by the Convention, an abbreviated procedural form can be applied – a hearing solely for the rendering of the judgment, that is, criminal sanction, without holding a main trial.¹⁷⁶

This institute applies to criminal offences for which a fine or imprisonment of up to five years can be imposed as the main penalty, and the public prosecutor can propose to the court that the defendant who has admitted to having committed a criminal offence be sentenced to a lighter sentence.¹⁷⁷

In 2023, investigations against 188 persons for the crime of domestic violence referred to in Article 194 of the Criminal Code were suspended, while in 2022, investigations against 162 persons were suspended.

In 2023, the prosecutor's office concluded a plea agreement with 150 defendants for the crime of domestic violence from Article 194 of the Criminal Code, while the court made a decision to accept plea agreements with 142 defendants (including agreements concluded in the previous reporting period).

In 2022, the prosecutor's office concluded a plea agreement with 151 defendants for the crime of domestic violence from Article 194 of the Criminal Code, while the court made a decision to accept the plea agreement with 154 defendants (including agreements concluded in the previous reporting period).

By applying the institute of deferral of criminal prosecution (Article 283 of the CPC), criminal charges were dismissed in 2023 in relation to 51 persons, which in relation to the total number of persons reported (12,451) represents 0.41%. In relation to the total number of persons against whom the criminal charges were dismissed (4,445), the institution of deferral of criminal prosecution was applied to 1.15% of the reported persons. The application of the mechanism of deferral of criminal prosecution is currently in progress for 23 reported persons (Art. 283 of the CPC).

In the course of 2022, by applying the mechanism of deferral of criminal prosecution (Art. 283 of the CPC), criminal charges were dropped against 58 persons, which in relation to the total number of reported persons - 12,201 (previous year 12,658), represents 0.48%. As to the total number of persons against whom the criminal charges were dismissed (4,699 persons), the mechanism of deferral of criminal prosecution was applied to 1.23% of those reported. The application of the mechanism of deferral of criminal prosecution is currently in progress for 26 reported persons (Art. 283 of the CPC).

37. Where voluntary alternative dispute resolution processes exist for any criminal offences within the remit of the Istanbul Convention, such as conciliation or mediation, please provide information on the safeguards incorporated to ensure the free and informed consent of the victim to such processes and the measures taken to avoid that direct or indirect pressure is placed on the victim. Please also state whether the offer of alternative dispute resolution processes may result in the discontinuation of criminal investigation and prosecution or other consequences for the victim.

The Family Law lays down mediation in marital disputes, which involves an attempt at reconciliation and an attempt to end the dispute amicably – with a settlement. Mediation is voluntary, meaning it is not carried out if one of the spouses does not agree to the mediation, which is expressly stipulated by law.¹⁷⁸

¹⁷⁶ Article 512 of the CPC

¹⁷⁷ Члан 521. ЗКП

¹⁷⁸ Article 230, paragraph 2, item 1 of the Family Law

All acts of violence covered by Article 55, paragraph 1 of the Convention are prosecuted *ex officio*, regardless of whether the victim has filed a criminal charge, joined the criminal prosecution, or wants to testify. Only in case of the offence sexual harassment will the public prosecutor pursue prosecution if the victim has submitted such a motion. For some minor crimes of psychological violence (insults and disclosure of personal and family circumstances) and physical violence (light physical injury), the victim should file a private lawsuit. For acts that have been determined as misdemeanors, the procedure is conducted at the request of the authorized authority, but the request can also be submitted by the victim herself/himself as an injured party.¹⁷⁹

All forms of violence covered by the Convention, with the exception of sexual harassment and some lighter forms of mental and physical violence, are prosecuted *ex officio*, which implies that such actions against perpetrators are conducted in the public interest.

The public prosecutor undertakes the prosecution of criminal offences *ex officio*, regardless of whether the victim filed or withdrew a criminal charge, joined the criminal prosecution, whether they want to testify, etc. Prosecution is also pursued even when the victim expressly opposes it. During the investigation, the public prosecutor can abandon criminal prosecution only for reasons prescribed by law.¹⁸⁰

Civil law:

38. Please provide information on the measures taken to ensure that alternative dispute resolution processes such as mediation or procedures which can be considered tantamount to the latter are not used in family law proceedings such as divorce proceedings or proceedings related to custody and visitation of children, where there is a history of violence.

*The Law on Mediation in Dispute Resolution (LoMDR)*¹⁸¹ stipulates that mediation is possible in family disputes, and mediation in those disputes is regulated in more detail by the Family Law. Mediation in a marital dispute includes a procedure for trying to reconcile (conciliation) and a procedure for trying to end the dispute amicably (settlement).¹⁸²

Mediation is voluntary, so it is not carried out if one of the spouses does not agree to the mediation, which is expressly stipulated by law.

Reconciliation is carried out only in a matrimonial dispute initiated by a lawsuit for divorce and its purpose is to resolve the disturbed relationship between the spouses without conflict and without divorce.

Mediation is an alternative to litigation.

Voluntariness is the main principle on which mediation is based. Forcing a person to participate in the mediation process is prohibited. The parties may always retain both the right not to participate in the mediation process and the right to abandon the already initiated mediation procedure. The parties may leave the mediation process at any time.

The legislator has foreseen the possibility that some disputes resulting from family relations can be resolved through mediation, such as: marital disputes, as well as disputes between married and extra-marital partners regarding the exercise of parental rights, whereby the agreement is subject to judicial review to determine whether it is in the best interest of the child. However, if it is a matter of disputes between family members in which one member is the perpetrator of violence and the other is the victim, mediation cannot be conducted due to the imbalance of power in accordance with the principle of equality of the parties, which is one of the basic principles of mediation, and is therefore not appropriate.

¹⁷⁹ Article 179 FL.

¹⁸⁰ Article 108 CDC

¹⁸¹ „Official Gazette of RS“, no. 55/2014.

¹⁸² Article 299, FL

Articles 49 and 50: General obligations and immediate response, prevention and protection

39. Please describe the human, financial and technical resources provided to law enforcement agencies to diligently respond to and investigate all cases of violence against women, including their digital dimension.

A special department has been set up within the Criminal Police Department to deal exclusively with domestic violence. There are two departments within the Department for Preventing and Combating Domestic Violence: The Department for Preventing Domestic Violence and the Department for Combating Domestic Violence. In each Police Department there is a police officer in charge of handling domestic violence cases.

The Special Department for Combating Cyber Crime at the Chief Public Prosecutor's Office in Belgrade is responsible for processing reports of digital violence. Within the Ministry of the Interior, there is the Department for combating cybercrimes which specializes in these crimes.

40. Which measures have been taken to ensure that the premises of police stations are accessible and suitable for receiving and interviewing victims of violence while ensuring their privacy? Is it possible to report cases of violence against women elsewhere than in police stations, including through digital means?

The rooms in the police stations are accessible to all victims of violence. The entrance to each police station or station is adapted for people with disabilities. The question of whether they are appropriate depends on the architectural solutions and the organization of work in each police station. It is not possible to set up special rooms for receiving and hearing victims of violence, but care is always taken to ensure that when entering or leaving the room, the victim is not exposed to the gaze of other employees who are in the vicinity or of citizens who have business to attend to at that moment, so that the victim's privacy is protected.

The *Special Protocol on the Procedure of Police Officers in Cases of Violence against Women in the Family and in Partner Relationships*¹⁸³ states that one of the ways to report violence against women in the family and in partner relationships is for the victim or another person to report it directly to police officers in the official premises of the police. When taking a statement from a victim of violence, physical protection must be guaranteed and the victim must have the opportunity to testify about the incident in the absence of the perpetrator of the violence, preferably in official premises that are separated and secured from distractions and the daily work of police officers.

Victims of violence themselves can report the violence committed or the immediate threat of violence to the police, the public prosecutor's office, a social work centre or a health facility in person, at official premises, by telephone, in writing, by post or by email.

Violence against children can also be reported online via the platform 'Čuvam te' ('I keep you safe').¹⁸⁴

Any person who becomes aware of any form of violence against women in public or private spaces or of domestic violence or of the imminent threat of such violence is obliged to inform the police or the public prosecutor's office immediately and file a complaint.

State and other public authorities, social, health and educational organizations, employers and associations are obliged to immediately report any knowledge of domestic violence and gender-based violence against women in the private and public sphere or the existence of an imminent threat of such

¹⁸³ Available at: <https://www.sigurnakuca.net/sites/default/files/inline-files/PlaviTekst.pdf>; accessed: 18.06.2024.

¹⁸⁴ Available at: <https://cuvamte.gov.rs>; accessed: 10.07.2024.

violence. The prior consent of the victim is not required to report violence, and failure to report violence is an administrative offence for the person responsible in the state or other authority, organization or institution.

The report is made to the police or the public prosecutor's office at the place of residence of the victim, i.e., at the place of residence, in the form of a written report or by telephone if the victim is aware of the act of violence committed, i.e., of the existence of an immediate threat of violence. When reporting violence by telephone, i.e., sending a written report without the prior consent of the victim, i.e., the legal representative of the minor victim, information should be provided about the reasons why the victim does not wish to report the violence.

If the report is made to the public prosecutor's office or an institution or organization, they are obliged to forward the report to the relevant police station without delay. The police officer at the police station to which the report was forwarded shall inform the police officer at the police station who specializes in the prevention of violence and the protection of victims of violence (competent police officer).

41. Please explain whether specialist police/prosecution units exist to investigate and prosecute violence against women and specify:
 - a. which forms of violence against women they are competent for;
 - b. whether such units exist in all police/prosecution districts throughout the country.

According to the Law on Violence Prevention, Art. 8, 9 and 10, the head of the regional police administration appoints police officers who have undergone specialized training in the prevention of domestic violence and the protection of victims of violence (competent police officers).

In addition, the head of the public prosecutor's office shall appoint public prosecutors in each public prosecutor's office, except those with special competence, who have undergone special training to perform the duties of the public prosecutor's office in the prevention of domestic violence and the prosecution of offences within the law.

The president of each court of general jurisdiction and misdemeanor courts shall appoint judges who have undergone special training to judge domestic violence prevention cases and criminal offences within the meaning of this Act.

The head of each centre for social work shall set up a team of experts among the centre's staff to contribute to the prevention of domestic violence and support for victims of violence.

Information and support services for victims are available at all higher prosecutor's offices in the Republic of Serbia, at the Prosecutor's Office for Organized Crime, at the Prosecutor's Office for War Crimes and at the First General Prosecutor's Office in Belgrade.

The purpose of their existence is to prioritize the injured parties, i.e. the victims of a crime, and to provide them with information and logistical support, facilitate their participation in the proceedings and prevent secondary victimization. The role of the staff of these services is to act with integrity, impartiality and confidentiality.

The role of these services is extremely important, especially in the investigation phase. Every victim and witness should be given the opportunity to express their needs, concerns and expectations. Victims and witnesses should receive information from these services about the rights and role of victims/complainants in the proceedings (including explanations of legal terminology) and, if

necessary, be referred to other organizations and institutions that can offer them support, including temporary accommodation in safe houses.

Prosecutors should ensure that victims and witnesses are not exposed to psychological trauma and repeated (secondary) victimization during the investigation and trial. If the victim or witness fears for their safety, the support services staff in the prosecutor's offices will refer them to speak to the deputy prosecutor who will take further steps to take protective measures.

Victims and witnesses can be accompanied when they arrive at the public prosecutor's office and the court and can take advantage of special measures, as these services co-operate with the Judicial Guard.

42. Please describe any measures taken to ensure swift investigation into and effective prosecution of cases of violence against women and domestic violence such as prioritization through fast-tracking, benchmarking or other initiatives, without compromising the thoroughness of the investigation.

The general protocol on actions and multisectoral cooperation in situations of gender-based violence against women and domestic violence (GPGBVW) and other specific protocols stipulate the urgency of action by all authorities in cases of domestic violence. In situations where there is a risk to the safety and health of the victim, immediate action is taken within 24 hours of becoming aware of the case.

The *Law on Police*¹⁸⁵ explicitly stipulates that police officers are obliged to immediately take the necessary measures and actions to prevent or end violence that could lead to physical injury or loss of life if domestic violence is reported, i.e. if there is a threat of domestic violence.

The special protocol on the behavior of police officers explicitly emphasizes the urgency of measures to ensure safety. Although the procedure does not stipulate any time limits, a clear obligation to intervene immediately has been established for reporting violence by telephone.

The Domestic Violence Prevention Law prescribes emergency procedures for the intervention of the police and other competent authorities when there is a risk of violence being perpetrated or repeated, with statutory time limits for intervention. Upon becoming aware of circumstances that indicate a risk of violence being perpetrated or repeated, the police officer carries out a risk assessment and on this basis orders emergency protection measures, i.e., the temporary removal of the perpetrator from the home and a temporary ban on the perpetrator having contact with and approaching the victim of violence. The police officer determines these measures immediately after establishing the risk of the perpetration or repetition of violence and informs the public prosecutor.

Failure of a state authority, organization or institution to immediately file a report or respond to a report or to obstruct the report, i.e. to respond only after becoming aware of the violence or the imminent threat thereof, is an administrative offence for which the responsible person in the authority, organization or institution is liable to a fine of 50,000 to 150,000 dinars (400 to 1,250 euros).

43. Are any measures taken to encourage women and girls who experience any of the forms of violence against women covered by the Istanbul Convention to report incidents of violence to the authorities? Please provide examples of any measures taken to instill confidence in law-enforcement officials, including those aimed at addressing any language or procedural difficulties they encounter when lodging complaints, in particular those of migrant women, asylum-seeking women, women with disabilities, women with addiction issues and other women and girls at risk of intersectional discrimination.

¹⁸⁵ „Official Gazette of RS”, No. 6/2016, 24/2018 and 87/2018

The right to use one's own language is a constitutionally guaranteed right in the Republic of Serbia. According to the Constitution of the Republic of Serbia, 'everyone has the right to use their own language in proceedings before a court, another state authority or an organization exercising public authority when their rights or obligations are being decided.'¹⁸⁶ At the same time, 'ignorance of the language in which the proceedings are conducted shall not be an obstacle to the realization and protection of human and minority rights'.¹⁸⁷ Anyone who does not speak or understand the language that is officially used in court has the right to a free interpreter.¹⁸⁸

Article 11 paragraph 2 of the Criminal Procedure Code stipulates that the proceedings shall be conducted in the language and script officially used in the proceedings. This applies to all actions taken in the course of preliminary investigations and criminal proceedings.

According to the provisions of the *Law on Official Use of Language and Script (ZSUJP)*,¹⁸⁹ first-instance criminal proceedings are conducted in Serbian, but may also be conducted in the language of the national minorities in official use in the public authority before which the proceedings are conducted, for the parties to the proceedings who, as members of national minorities, reside in the municipality in which the relevant state body operates (Article 12, paragraphs 1 to 3).

For example, in the area of the Supreme Court in Subotica, the official languages are Serbian, Hungarian and Croatian, so that the proceedings can be conducted in one of these languages. However, the interpretation of this provision leads to the conclusion that if the victim or the injured party does not speak the language officially used in the proceedings, he/she cannot request that the proceedings be conducted in his/her language, i.e. in the language of the national minority officially used in the proceedings and which is his/her mother tongue, since he/she is not a party to the proceedings.

In other words, the victim, i.e. the injured party, can only request that the proceedings be conducted in his/her language if it is the language of the national minority officially used in the main part of the proceedings, if he/she acts as a private complainant or the injured party as a complainant if he/she is a party to the proceedings, but even then only if the parties, including the accused, agree to the use of the language of the national minority as the language of the proceedings. If, on the other hand, the injured party is heard as a witness in the proceedings, which is far more common, he can only be heard in the presence of an interpreter if he does not understand the language of the proceedings.

Pursuant to Article 11(3) of the Code of Civil Procedure, parties, witnesses and other persons involved in the proceedings have the right to use their own language and script during the proceedings, which is in accordance with Article 199 of the Constitution of the Republic of Serbia. However, if the proceedings are not conducted in their language, they shall be informed of their right to translation. These persons may declare that they speak the language in which the proceedings are conducted and that they waive their right to translation. If they do not declare this, they will receive the translation of what they or others present, as well as the translation of documents and other written evidence.

The law clearly defines the right to oral and written translation. It does not set any limits on the content to be translated, meaning that the legal text is broader than in the EU Victims' Rights Directive. In this respect, the right to translation under the CPC certainly includes the minimum level of oral and written translation provided for in the Directive. The translation is provided by a translator. The translation costs are paid from budgetary funds and later, depending on the outcome of the proceedings, collected from the persons who are obliged to reimburse them.

The ZAiPZ defines the principle of free translation. An asylum seeker who does not understand the official language of the asylum procedure will be provided with a free translation service into their

¹⁸⁶ Art. 199, para. 1

¹⁸⁷ Art. 199, para. 2

¹⁸⁸ Art. 32, para. 2

¹⁸⁹ „Official Gazette of RS“, no. 45/91, 53/93, 67/93, 48/94, 101/2005 – other law, 30/2010, 47/2018 and 48/2018 – corr.

mother tongue, i.e. the language they understand. The obligation to provide a free translation service includes the use of sign language and the availability of materials in Braille.¹⁹⁰

The police are in most cases the ones who make the first contact with the victim, on the spot, when reporting a committed offence at the police station, when contacting the victim in a health facility, when being treated for injuries and the like. In these situations, the police officer recognizes from the first direct contact with the victim and from the documents the victim has with him (if he has them) that he is dealing with a person who does not speak or understand the Serbian language, i.e. the language officially used in the competent authority. In this case, the police officer, who is usually a uniformed person, will try to conduct the first, preliminary questioning of the person, which does not go into detail, but aims to collect initial, elementary information about what has been agreed, in a language that the victim understands (which does not have to be the victim's mother tongue), for example in one of the world languages or in the language of a national minority, if it is a multilingual environment in the Republic of Serbia.

If the police officer does not speak a language that the victim understands (the language of a national minority or one of the foreign languages in which he could communicate with the victim), he cannot assess what language the victim speaks or understand what the victim is complaining about, even if the victim says in front of the competent authority that he understands the language used, he will not continue the conversation but call one of his colleagues to help with the translation. For example, he can call one of his colleagues from the foreigners' authority, which is staffed by foreign-language police officers. There are also police officers who speak foreign languages, including rare languages (languages of migrants and refugees), in the negotiation team or in the counter-terrorism and extremism unit or in the organized crime unit, so that they can also help with translation, for example in the event that migrants or refugees, especially in border areas, are subject to victimization.

During this first contact with the victim, the police do not formally hire interpreters, but the police officers try to obtain the first information about the incident themselves or with the help of colleagues.

Immediately after receiving the initial information from the victim, the criminal investigation department is informed of the incident, which contacts the competent public prosecutor's office. The competent public prosecutor may instruct the police to take measures to preserve evidence. In this case, the public prosecutor hires an interpreter from the list of official court interpreters and sends him/her to the police to take further action in the presence of the interpreter, or the victim is immediately taken to the public prosecutor, who proceeds in the manner described below (especially in cases where the victims are foreign nationals).

In multilingual environments, there are police officers belonging to national minorities in the police force who are deployed in situations where translation is required at the first contact with a victim who is a Serbian citizen but does not speak the Serbian language but one of the national minority languages. Police officers who speak the language of the victim can be deployed for further proceedings so that translation is not required.

If the victim is a minor, the competent social work center is immediately involved in the procedure so that a temporary guardian can be appointed if the minor has no legal representative. In the case of minors who are foreign citizens (e.g. migrant or refugee children), a person from the diplomatic-consular mission of the respective country in the Republic of Serbia who speaks the same language as the minor is often appointed as a temporary guardian, which facilitates communication and acting in the best interest of the child. The treatment of minors who are foreign nationals is the same as for minors who are domestic nationals and are harmed by criminal offenses.

If the victim reports a criminal offense to the police, the police officer records the report, i.e. makes an official note when the victim comes to the police station to report a criminal offense. If the

¹⁹⁰ Art. 13, para. 1 and para. 2

victim does not speak the official language of the competent authority and makes the report orally in their own language, the police officer is obliged to appoint an interpreter. The interpreter is selected from the list of official court interpreters and the police are supported in this by the competent public prosecutor's office. It must be noted in the police officer's report that the victim's statement was made in the presence of an interpreter. The protocol of the report filed is signed by the victim and the court translator, who guarantees the authenticity of the translation with his signature. All of this is a signal to the public prosecutor's office and later to the court that they will also use an interpreter when hearing the victim in the further course of the proceedings.

44. Please indicate whether protocols/standard operating procedures or guidelines for police officers are in place providing guidance on how to receive reports, interview victims, investigate and collect evidence in cases of rape and sexual violence, domestic violence, psychological violence, stalking, sexual harassment (including their online manifestation), forced marriage, female genital mutilation and forced sterilization/abortion. Please provide information on how the authorities ensure the comprehensive collection of evidence beyond the victim's testimony.

*Special Protocol on the Procedure of Police Officers in Cases of Violence against Women in the Family and in Partner Relationships*¹⁹¹, Part 3.6 Notification of Citizens (Victims and Witnesses) specifies that the collection of information from the victim requires special preparations, namely: 1. Official premises where the victim is encouraged to testify about the violence she has experienced; 2. Checking how the victim feels (does she need to rest, drink water, seek medical assistance, etc.); 3. Prepare all relevant information about previous reported cases of violence, medical reports, material evidence collected; 4. Introduce the police officer taking the report and other persons present and the purpose of the interview; 5. Advising the victim before the interview begins that the police officer is there to help her and asking her to bring it to his attention each time she feels she has not understood the question correctly and to speak without hesitation in her own words about everything, including the details he believes the police are aware of.

In order to gain the trust of the victim and witnesses and to gather information about the event or events surrounding the violence, it is important that the police officer demonstrates their understanding, support, consideration and skills.

In this case, it would be desirable for female police officers to interview the victim. The interview with the children is conducted exclusively by a police officer who has the appropriate license, in the presence of an employee of the Center for Social Work, a pedagogue and possibly a trusted person.

45. Please describe the efforts taken to identify and address all factors that contribute to attrition (the process whereby cases drop out of the criminal justice system) in cases of violence against women and domestic violence.

A problem in the practical handling of domestic violence arises when the victim does not want to testify against the suspect because she has the right to do so as a privileged witness. This is one of the most common reasons why prosecutors dismiss criminal charges for lack of evidence.

The courts acquit the defendant according to the principle *in dubio pro reo* if the victim refuses to testify in court, even if the assault has been proven by an expert report. The question arises as to whether the courts rightly make such decisions in such cases, knowing the circumstances in the aforementioned family, or whether personal evidence is more credible than material evidence and

¹⁹¹ Available under: <https://www.sigurnakuca.net/sites/default/files/inline-files/PlaviTekst.pdf>; приступљено: 09.06.2024.

whether it is a matter of ignoring the victim's safety in order to comply with procedural rules. From a criminal law perspective, it may be considered right to dismiss the criminal complaint for refusal to testify because there is officially no evidence, while from a safety perspective this may not be the case.

The right of the victim not to testify against the accused, who is a family member, raises a further question. According to Article 94(1)(1) of the Criminal Procedure Code, a person with whom the accused lives in a marriage, cohabitation or other long-term relationship is exempt from the obligation to testify. There is a duty to testify if the accused was married at the time the offense was committed, but not if the victim is his ex-wife (because they divorced in the meantime), and this applies not only to the offense of domestic violence, but to any offense. Ex-spouses are not exempt from the obligation to testify. If the husband commits a crime of domestic violence against his ex-wife, then she is not a privileged witness.

The inadequate reporting of all forms of violence against women and domestic violence has also been recognized as a problem.

Comprehensive research on the causes of underreporting of domestic violence “Why don't women report domestic violence?”¹⁹² was conducted with the aim of identifying the causes of underreporting of domestic violence faced by women, especially women affected or threatened by intersectional discrimination.

The specific objectives were to identify the factors that encourage women to report domestic violence and the barriers (physical, traditional, cultural, social and personal) that prevent women from seeking help from institutions or support services. It should also identify the procedures that should be improved to protect and prevent women from domestic violence.

The main findings of this research are: one in three women in the Republic of Serbia disapprove of domestic violence; the vast majority of respondents show a medium level of trust in institutions when it comes to protection from domestic violence; two thirds of respondents believe that a situation in which a woman suffers serious physical injuries is a legitimate reason to report violence, followed by violence against children; fear of women is the most important reason why women do not report violence, immediately followed by shame and embarrassment due to the violence they have been exposed to; if exposed to violence, most women would turn to their family members, and only then to the police.

Reasons for not reporting violence:

- There are no universal and rigid reasons/factors that can be said to be a necessary and sufficient condition for (not) reporting domestic violence - whether a woman reports violence depends on individual characteristics and circumstances, family history, the woman's current family and socio-economic situation, the woman's psychological state at a certain point in time (living conditions, age, self-confidence, image of herself and her relationship, whether she can imagine living outside the relationship with the perpetrator, emotional attachment to the perpetrator), but also on more general social circumstances (e.g. whether the perpetrator is known to the public or not). (e.g. whether or not it is talked about in public).
- The following factors were cited as the main reasons for not reporting domestic violence: Distrust of institutions, fear, shame, psychological attachment to the perpetrator, dependence on the perpetrator (economic, emotional, housing), children and motherhood.
- The following factors were cited as the main reasons for reporting domestic violence: Motherhood and the perception of a threat to the safety of the children and other family members, family and community support. If a woman is economically independent, has a higher level of education, is younger and lives in an urban environment, she is more likely to report violence.
- Motherhood, attitudes towards child rearing and the woman's role in the family appear to be contradictory triggers for (not) reporting violence - these triggers may 'push' a woman to report

¹⁹² Available at: <https://www.undp.org/sr/serbia/publications/zasto-zene-ne-prijavljuju-nasilje-u-porodici-rezultati-istraganja>; accessed on: 10.07.2024.

(especially if she feels the children's safety is threatened or if she does not want the children to see violence), but at the same time there may be factors that contribute to her not reporting violence (the belief that children need both parents, that it is the woman's job to keep the family together).

- Support from the environment (especially the family) was found to be an extremely important factor contributing to the reporting of violence. In addition, women's economic empowerment and independence is a factor that increases the likelihood of reporting violence.

Women have the greatest confidence in safe shelters, followed by healthcare facilities and the police in third place.

After the worst experience of violence, 47% of women did not turn to anyone. An extraordinary encouragement to report violence is the fact that they have information and telephone numbers/contacts of institutions/organizations where they can report violence.

The women are generally dissatisfied with the work of the institutions where the violence was reported: the way the representatives of the institutions deal with them, lack of interest, and it was particularly emphasized that almost no one shows empathy and compassion for the victim who is in a state of shock at that moment (no one asked the women how they felt, no one said a kind word to them, offered support and comfort); in a conversation with the victim, the person speaking should be particularly sensitized and trained, because there is a fine line along which a word from the interviewer can “push” the victim in a certain direction (either to encourage them to report the violence and continue, or to demotivate them).

All institutions of the violence protection system need to make additional efforts to improve the perception of female citizens of the Republic of Serbia regarding their effectiveness and to increase the level of coordination of social protection, health and safety systems. In addition to the existence and consistent application of effective procedures that enable the victim to report violence and receive the protection, help and support they need, special attention must be paid to sensitive social groups, i.e. those where an increased prevalence of violence has been identified.

46. Please indicate if legislative or other measures have been taken to issue a renewable residence permit to migrant women who have become a victim of any of the forms of violence covered by the Istanbul Convention if the competent authority considers that their stay is necessary for the purpose of their co-operation in investigation or criminal proceedings.¹⁹³

Article 59, paragraph 3 of the Law on Foreigners prescribe that a foreign citizen who has been granted temporary residence for the purpose of family reunification for a period of less than four years and who is a victim of domestic violence or other particularly difficult circumstances may be granted independent residence upon his/her request if the general conditions under Article 43 of this Law are not met.

The paragraph 1 of that article prescribes that a foreigner who is a member of the immediate family of a citizen of the Republic of Serbia, a foreigner who has been granted temporary residence, permanent residence or asylum in the Republic of Serbia and who has resided continuously in the Republic of Serbia for the last four years due to family reunification and fulfills the general conditions from Article 43 of this Law, may be granted independent residence upon his or her application. A foreigner referred to in paragraph 1 of this Article, who has resided in the Republic of Serbia continuously for the last three years on the basis of family reunification, may be granted independent residence upon his or her request if a citizen of the Republic of Serbia or a foreigner with whom the right to family reunification was exercised has died.

¹⁹³ Ово питање се односи на обавезу која произлази из члана 59. став 3. Конвенције. Стране уговорнице које су изразиле резерву у вези са чланом 59. могу да одговоре на ово питање, али нису у обавези да то учине.

Accordingly, the 'independent residence' basis is not only prescribed for victims of domestic violence, but also for the listed categories of foreign nationals, so the Ministry of Interior does not keep separate records of authorized temporary stays based on the existence of domestic violence.

Article 51: Risk assessment and risk management

47. Please describe any standardized and mandatory risk assessment tools in use by all relevant authorities in all regions for forms of violence against women such as stalking, violence committed in the name of so-called honor and domestic violence and to what extent these tools are being used in practice to assess the lethality risk, the seriousness of the situation and the risk of repeated violence with a view to preventing further violence. Please specify whether the following elements are considered as red flags when carrying out the risk assessment:

- a. the possession of or access to firearms by the perpetrator;
- b. the filing for separation/divorce by the victim or the break-up of the relationship;
- c. pregnancy;
- d. previous acts of violence;
- e. the prior issue of a restrictive measure;
- f. threats made by the perpetrator to take away common children;
- g. acts of sexual violence;
- h. threats to kill the victim and her children;
- i. threat of suicide;
- j. coercive and controlling behavior.

In accordance with Article 16 of the Law on Prevention of Domestic Violence, the competent police officers carry out a risk assessment based on the information available and as quickly as possible.

The risk assessment will take into account: whether the possible perpetrator has a weapon in legal possession and whether he is threatening to use a weapon; whether there is a suspicion that he has a weapon in illegal possession or that a weapon may be available to him; whether the divorce/relationship is ongoing; other possible risks (pregnancy, acts of sexual violence, etc.) should be listed under point 27.) should be listed: whether the possible perpetrator has engaged in domestic violence previously or immediately prior to the risk assessment; whether a domestic violence protection measure was established at an earlier time, whether an emergency measure was imposed under the Domestic Violence Prevention Act, whether any other protective measure was imposed) safety measure, protective measure, measure to prevent the obstruction of criminal proceedings against the victim or another family member); whether there is a conflict over custody of the child or over how to maintain personal relationships between the child and the parent who is the possible perpetrator; whether the possible perpetrator is threatening the victim and family members; whether the possible perpetrator is threatening suicide and whether he or she has attempted suicide; what the possible perpetrator's past behavior toward the victim has been (stalking, harassment, jealousy, etc.).

GPGBVW points out that ensuring the safety of the victim is the primary responsibility of all authorities and agencies throughout the process of protecting and supporting victims of violence, from the initial intervention at the scene to the removal of the threat to the victim's safety. It is therefore crucial to assess the risk of violence in order to determine whether there is an imminent threat of violence.

The process of identifying risk factors and assessing risk is dynamic. As events and circumstances can change, both the risk assessment and the measures taken to ensure the safety of the victim must be subject to review.

The initial risk assessment is carried out by the police officer in charge, and this risk assessment is subject to evaluation or review by the prosecutor when making a decision on the request for extension of emergency measures, by the court when making a decision on the extension of emergency measures, and by the Coordination and Cooperation Group when reviewing the case and drawing up an individual protection and support plan.

As soon as the police officer learns that an act of violence has been committed, i.e. that there is a risk of violence against a woman or violence in the family, he informs the police officer in charge.

If a possible perpetrator of violence is within reach, the police officer is authorized to bring him to the premises of the police station himself or at the request of the police officer in charge, if this is necessary to prevent the crime and to conduct the proceedings.

On the basis of the knowledge gained from the police officer's observation, the information gathered and the statement of the possible perpetrator, the police officer in charge assesses the dangerous nature of the situation, recognizes the possible particularly dangerous behavior of the perpetrator, assesses the imbalance of power between victim and perpetrator and makes an initial risk assessment of the immediate risk of violence, i.e. the risk of repetition (hereinafter: risk assessment), which he combines with an assessment of the perpetrator's future behavior.

The risk assessment must be carried out as soon as possible, but no later than eight hours after the possible perpetrator has been brought to the police station. If the possible perpetrator is not brought to the police station because he was not found at the scene of the crime or the police officer does not consider it necessary to bring him to the police station, the risk assessment begins immediately after the police officer in charge becomes aware of the domestic violence or the imminent threat of such violence, regardless of how he learned about it.

In cases where the police have filed a report of violence against women or domestic violence with the competent public prosecutor's office in order to clarify whether the reported offense constitutes a criminal offense and how to proceed, the public prosecutor's office shall carry out a risk assessment on the basis of the information available to it before the police officer in charge makes an initial assessment of the risk of imminent violence.

In order to prevent the risk assessment from being generalized and based on personal convictions that lead to different measures in the same or similar situations, it is recommended that the risk assessment be based on a structured professional assessment using a questionnaire that experts have been trained to use. This can be implemented through the adoption of an internal act by the competent ministry, which contains the form of the questionnaire and is implemented by the competent bodies of the Ministry of the Interior.

Violence against women and violence in the family is caused by various factors that affect the level of risk of perpetration or repetition of violence.

Therefore, the optimal model of the questionnaire should include groups of questions that provide the opportunity to identify factors concerning: the current situation (injuries caused, the victim's fear, conflicts regarding the exercise of parental rights, the victim's pregnancy, the victim's financial dependence on the possible perpetrator, the victim's expressed intention to divorce, leave or end the relationship with the partner, the existence of a new sexual or emotional relationship of the victim or the possible perpetrator with another person and the like), the possible perpetrator's relationship with children and other family members (whether there are children in the family, whether they are exposed to violence, the possible perpetrator's relationship with children and family members who are financially dependent on him, etc.); history of violence (cycles and frequency of violence, escalation of violence, jealous outbursts, forcing sexual relations, stalking, persecution, death threats, isolation of victim, disability of victim, possession or availability of weapons, etc.); the personality of the potential perpetrator (propensity for alcohol, drug abuse, psychological problems, financial

problems, criminal history, experience of violence in the family of origin, desire for revenge, previous conviction for violence, violation of protective measures, personality traits, etc.).

The questions should allow for the identification and assessment of specific risk factors for the commission of certain forms of gender-based violence against women, such as murder, rape, persecution, sexual harassment, etc. Therefore, when assessing the risk of their perpetration, in addition to the standard questions, additional questions must be asked to allow for an adequate assessment of the risk, both in cases of intimate partner violence and in cases of gender-based violence against women committed by a person with whom the woman is not in an intimate partnership.

In assessing the risk of gender-based murder of a woman, questions should aim to identify the possible perpetrator's sexist and misogynistic attitudes towards women, his beliefs based on the notion of male superiority or female inferiority, the possible perpetrator's attitudes towards women that deviate from patriarchal ideals of a submissive and loyal woman, the experience that women are an object belonging to men, and the like.

In assessing the risk of gender-based violence, risk factors in the community and society should be taken into account - high levels of tolerance and weak condemnation of gender-based violence, wide acceptance of traditional gender roles, widespread models of violent conflict resolution, insufficient information, victim blaming for the violence experienced and other risk factors arising from existing gender relations in society, as well as specific cultural patterns that apply in certain close communities and minority groups.

On the basis of the responses and the reports collected from the official records of the authorities and departments and an overview of the social context, an initial assessment and classification of the risk of immediate danger of violence into low, medium and high risk is made. The assessed level of risk is then reviewed.

Risk management involves planning and implementing appropriate measures to eliminate or reduce risks and ensure the safety of the victim. In some cases, eliminating the risk means detention, while in other cases an appropriate no-contact and no-proximity order is imposed on the victim, depending primarily on the level of risk and the fulfillment of legal requirements for the application of certain measures.

The Special Protocol on the Action of the Centers for Social Work - Guardianship Authorities in Cases of Domestic Violence and against Women in Partner Relationships in Part 7: Initial Assessment, Initial Assessment Planning and Procedures, further defines all procedures and actions in the risk assessment by the CSW.

The initial assessment of the condition and needs of the service recipient - the victim of domestic violence - begins and is carried out after the case has been opened, the decision on the priority level of response has been made, any immediate measures have been taken and the responsible case manager has been appointed. The initial assessment begins immediately and lasts a maximum of seven working days. It is carried out by the expert case manager in collaboration with the supervisor. The initial assessment is planned on the basis of the available data and knowledge about the domestic violence case. The initial assessment process forms the basis for determining the content of the work with the user - the victim of domestic violence, the family itself - in order to provide appropriate and timely services. In determining the content and dynamics of the work, the participation of the service recipient - the victim of domestic violence and possibly other people who are important for the implementation of the initial assessment - is mandatory.

Content of the initial assessment plan: which persons relevant to a particular case of domestic violence will be contacted to gather information; which persons will be involved in the assessment process; from which services will information or data relevant to documenting domestic violence or taking certain measures be obtained (e.g. police, health service, other professionals if necessary); determining how the necessary data will be collected (standardized or semi-standardized interviews,

collection of public documents and other relevant documentation, tests, scales, questionnaires, etc.). (e.g. police, health services, other professionals as appropriate); how the necessary data will be collected (standardized or semi-standardized interviews, collection of public documents and other relevant documentation, tests, scales, questionnaires, home visits, visits to schools, workplaces, etc.); timeframe for carrying out each activity.

The following procedures are carried out as part of the initial assessment: observation and interview of the recipient/victim of domestic violence and possibly a child, the witness/indirect victim of domestic violence and any other person in the household (the interview of the child will be adapted to the child's age and communication skills); observation and interview of extended family members, other significant persons from the recipient/victim of domestic violence's environment; direct observation of living conditions in the family where the violence has occurred, is occurring or is at high risk of occurring - in the field; collection and analysis of information from other sources, including existing documentation in the center, health, education and other institutions; obtaining relevant data, i.e. evidence and expert opinions; and i.e. findings and opinions of experts employed in institutions of the socially organized system.

The initial assessment includes the following content related to the needs of victims of domestic violence and children of indirect victims, witnesses of domestic violence and the family itself; the safety of victims of domestic violence and children of indirect victims, witnesses of domestic violence; risks, social histories, needs, families and data on domestic violence itself: Description and assessment of user's needs - domestic violence victim and possibly child, indirect victim, witness of violence and family itself (personal characteristics and developmental needs - health, education, emotional development and behaviors, identity, presentation in society, ability to care for self, family and social status of user - domestic violence victim and possibly child of indirect victim, witness of violence); Description and assessment of family functioning (personal characteristics of the domestic violence victim and possibly the child of an indirect victim, the witness to the violence, members of the immediate and extended family, physical and mental health, substance abuse, mental disability, childhood abuse, stability of the family system, family history and functioning, support from extended family); Description and assessment of the social situation in the narrower sense of the victim of domestic violence and possibly the child of an indirect victim, the witness to the violence and members of the immediate family (employment, income, housing situation, position of the family in the community, community resources).

Summary assessment: Assessment of strengths, personal, family and environmental resources that can help to overcome problems or difficulties, as well as assessment of safety and description of risks, i.e. the main problem areas. The safety assessment focuses on the current situation and the potential severity of the domestic violence.

Risks refer to the prediction of unfavorable or dangerous behaviors, conditions and circumstances that may occur in the future and include factors that threaten the safety, health and existential conditions of the user, a victim of domestic violence and possibly a child of an indirect victim, witnesses of violence and members of the immediate and extended family; procedures with the family to create a safe situation for the user, a victim of domestic violence and possibly a child of an indirect victim, witnesses of violence and members of the immediate and extended family, i.e. measures to protect the user, a victim of domestic violence and possibly a child of an indirect victim, witnesses of violence and members of the immediate and extended family. i.e. measures to protect the user, the victim of domestic violence and possibly the child of an indirect victim, witnesses of violence and members of the immediate and extended family and to ensure access to services to overcome the existing situation and deal with the problem.

Reporting on the results of the initial assessment is carried out in the form prescribed by the regulations on the organization of work, norms and standards of work of the Centre for Social Work or

within the framework of a special report and expert opinion. The user - the victim of domestic violence - must be familiar with the results of the initial assessment and be able to obtain the necessary information, and a child who is an indirect victim, a witness to the violence, if he or she is able to understand what it is about, according to his or her age and maturity. Other persons, members of the immediate and extended family, and persons or services who discovered or reported the case or were involved in the assessment process may be informed of the results of the initial assessment conducted only if it does not jeopardize the safety of the beneficiary victim of domestic violence or the child who is an indirect victim. Witnesses of violence or foreseeable investigations in criminal and criminal proceedings.

Part 8 Targeted assessment, planning and procedures: In detected and reported cases of domestic violence and violence against women in partner relationships, the guardianship authority has a duty to carry out a targeted assessment as these are cases that are entering or may enter civil or criminal proceedings and there are a variety of elements that influence the decision.

The obligation to carry out a directed assessment also arises from the need to gain a detailed insight into all aspects of the condition and needs of the user - a victim of domestic violence - to ensure the provision of appropriate services within the relevant professional procedure. The directed assessment process lasts a maximum of 30 working days from the date of completion of the initial assessment. In exceptional cases, with the consent of the caregiver, the duration of the directed assessment may be extended by a maximum of 30 working days if this does not conflict with the statutory time limits.

Risk assessment and risk management are particularly important in the event of the convicted person being released from prison.

The Law on the Enforcement of Criminal Sanctions (LoECS)¹⁹⁴ requires the Institute for the Enforcement of Criminal Sanctions to inform the victim in the event of the release of a convicted person from serving a prison sentence for crimes against life and limb, against sexual freedom or against marriage and family, as well as in the case of conditional release or escape from prison, to inform the victim, but only if he or she has requested it or if the risk assessment of the institution shows the need for preventive protection of the victim, as well as the obligation to inform the police and the CSW. The obligation to inform the police and issue an arrest warrant is also prescribed if the convicted person escapes.

There is no mandatory requirement to inform victims of their right to request notification in the cases provided for by law, so realistically most victims are not even aware of this possibility.

In cases where the offender is granted special privileges that include leaving the correctional facility, such as going out freely in the city, visiting family members and relatives on weekends and holidays, paid leave and taking annual leave, there is no obligation to inform the victim whether there might be a risk of violence for the victim.

This information is very important for the risk assessment and the creation of an individual protection and support plan and/or a safety plan. The risk assessment is not always adequate, also when it comes to granting an offender the right to have his wife visit him in the premises for family visits within the prison, which in some cases leads to fatal outcomes.

48. Please specify how effective co-operation is ensured between the different statutory authorities and specialist women's support services in making risk assessments and whether the risks identified are managed by law enforcement agencies on the basis of individual safety plans that include also the safety of the victim's children

¹⁹⁴ „Official Gazette of RS“, no. 55/2014 and 35/2019)

The Law on Prevention of Domestic Violence prescribes the procedure for carrying out a risk assessment.¹⁹⁵ The risk assessment is carried out on the basis of existing reports and as quickly as possible. During the risk assessment, particular attention is paid to whether the potential perpetrator has already committed domestic violence in the past or immediately before the risk assessment and is prepared to repeat it, whether he has threatened murder or suicide, whether he is in possession of a weapon, whether he is mentally ill or abuses psychoactive substances, whether there is a conflict over custody of the child or over the way in which personal relations are maintained between the child and the parent who is the possible perpetrator, whether an emergency measure or a specific measure of protection against domestic violence has been imposed on the possible perpetrator, whether the victim feels fear and how he or she assesses the risk of violence.

The police officer in charge shall immediately transmit all available information about domestic violence or the imminent threat thereof and the risk assessment, if it indicates an imminent threat of violence, to the general prosecutor in whose jurisdiction the victim's residence is located, the Center for Social Work and the Group for Coordination and Cooperation.

If the police officer in charge detects a non-imminent danger, he or she shall forward all available information on domestic violence or the risk thereof and his or her risk assessment to the Public Prosecutor and the Social Work Center.

Under the Law on the Prevention of Domestic Violence, social work centers are obliged to immediately report any knowledge of domestic violence or its imminent danger to the police or the public prosecutor's office, i.e. they are obliged to recognize it in the course of their regular duties. This law introduces a new institute of risk assessment into our legislation for the first time, and the Center for Social Work is involved in its implementation.¹⁹⁶

The Law on Prevention of Domestic Violence stipulates that “the competent police officer may, if necessary, obtain the opinion of the Center for Social Work before completing the risk assessment”. The legislator attaches particular importance to cross-sectoral cooperation between the police, the public prosecutor's office, the court and the Center for Social Work.¹⁹⁷

In this context, the aforementioned competent authorities and institutions exchange information and data on a daily basis via “liaison persons” who are important for the handling of domestic violence cases, among other things.¹⁹⁸ The Center also participates through its representatives in the work of a new body, the “Group for Coordination and Cooperation”.¹⁹⁹ One of the tasks of this group is to draw up an “individual protection and support plan for the victim” (Law on the Prevention of Domestic Violence, 2016, Article 32), the implementation of which is recorded by the Center.²⁰⁰

After receiving the risk assessment, which identifies an immediate risk of domestic violence, the coordination and cooperation group draws up an individual protection and support plan for the victim, which includes comprehensive and effective protection and support measures for the victim as well as for other family members who need support.

Violence in the family and/or violence in partner relationships represents a high risk and an immediate threat to the safety of the child. Any categorization of violence as a “marital conflict” or “family problem” that does not impact the child leads to an inaccurate assessment of risk and inadequate protection of the child and the non-violent parent, which is contrary to the general protection principle of GPGBVW: “Ensure the safety and well-being of child victims of violence, which is accomplished by providing support services for the child's recovery and placement of the child in a family household with a non-violent parent whenever possible”.

¹⁹⁵ Article 16, Law on Prevention of Domestic Violence

¹⁹⁶ Article 13, Law on Prevention of Domestic Violence

¹⁹⁷ Article 15, Law on Prevention of Domestic Violence

¹⁹⁸ Article 24, Law on Prevention of Domestic Violence

¹⁹⁹ Article 25 and 26, Law on Prevention of Domestic Violence

²⁰⁰ Article 32, Law on Prevention of Domestic Violence

According to the Law on Prevention of Domestic Violence, it is necessary that all professionals in the competent state bodies, when assessing cases of domestic violence in which minor children are also involved, i.e. when assessing and making decisions in family law protection proceedings, take into account various security risks²⁰¹ and act in accordance with the aforementioned general principle of protection of victims of domestic violence. Parents' rights should be assessed in the context and context of domestic violence and in accordance with the principle of the best interests of the child. It is important that in these proceedings the initial risk assessment by the guardianship authority is carried out immediately and, if necessary, an immediate intervention is made within 24 hours.²⁰² This requires better cooperation of the CSW with the civil courts, but also with the police and the public prosecutor's office, in the planning and implementation of emergency protection measures and protective measures against domestic violence.

49. Please describe the efforts made to analyse retrospectively all cases of gender-based killings of women, in the context of domestic violence and other forms of violence against women to identify the existence of possible systemic gaps in the institutional response of the authorities with the aim of preventing such acts in the future

The strategy for preventing and combating gender-based violence against women and domestic violence for the period 2021-2025, contains measure 2.5. Prevention of femicide as an extreme manifestation of existing forms of violence against women.

The aim of this measure is to establish a control mechanism to monitor femicide cases in the RS. Gender-specific murders of women are not a new form of violence, but an extreme manifestation of existing forms of gender-specific violence against women. These murders are not isolated incidents that happen suddenly and unexpectedly, but in most cases represent a final act of violence that has been going on for a long time. These manifestations are deeply rooted culturally and socially, part of the society accepts them as inevitable, tolerates and justifies them, as the publicly available information and the media's portrayal of the crime show.

In order to respond to these cases with due diligence, it is necessary that an effective investigation of the crime is carried out after each femicide and that acts of violence committed by state actors and private individuals are prosecuted and punished, especially when these acts constitute a pattern of systematic violence against women. Access to adequate and effective legal procedures must be de facto guaranteed. The responsibility of the state includes recognizing and respecting the dignity of the female victim and her survivors, children and relatives. Compensation must also be granted to the victims and their families. It is necessary to identify groups of women who are at particular risk of violence, women who are subject to multiple/intersectional discrimination, members of minority groups, and these factors must be taken into account when developing measures to prevent all forms of violence.

The only currently available source of data on cases of femicide in the Republic of Serbia are press releases, various inscriptions and information in the media and reports. Although the Statistical Office of the Republic of Serbia publishes in its regular bulletins and announcements in the field of judicial statistics the number of persons reported, charged and convicted for murder, as well as data on the gender and age of the victim, it does not publish data on how many cases were gender-motivated murders, and the frequency and prevalence of femicide in the Republic Serbia cannot be determined on the basis of this data, as there is no data on the relationship between the perpetrator and the victim and on the motivation of the perpetrator to commit this crime.

²⁰¹Security risks are defined as “divorce or moving out, i.e. separation (of the victim) from a violent partner” and “conflicts over the custody of children or the way in which the personal relationship between the child and the parent is maintained, leading to domestic violence”.

²⁰² Article 50, para. 1 of the Regulations on the Organization of Work, Norms and Standards of the Centre for Social Work

In the data on violent deaths from the statistics of the Statistical Office of the Republic of Serbia, femicides are not reported separately and it is not possible to distinguish with certainty whether they fall into the category of murder or other.

The establishment of specialized state agencies to conduct investigations and initiate criminal proceedings in cases of femicide has also been recommended by the UN Special Rapporteur on violence against women to prevent impunity for the perpetrators.

Article 52: Emergency barring orders

50. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing emergency barring orders in order to align it with the requirements of Article 52? If yes, please specify whether:

a. emergency barring orders may remain in place until a victim can obtain a court-ordered protection order in order to ensure that gaps in the protection do not arise;

In cases of domestic violence protection, the public prosecutor can file a lawsuit. He has also the obligation to submit a proposal for the extension of emergency measures if he determines that there is a risk of immediate danger of domestic violence, with the threat of disciplinary liability.

Protection for victims can be achieved on multiple levels if the conditions for conducting other proceedings are met. Emergency orders under the Law on Prevention of Domestic Violence can be viewed as an instrument for the immediate and rapid separation of the victim and the potential perpetrator until a judgment is made in domestic violence protection cases / in proceedings conducted for the protection against domestic violence.

Protection measures last for one year and can be extended indefinitely if the extension request is made during their validity. Emergency measures last up to 32 days (48 hours by a police order and an additional 30 days by the court order) and cannot be renewed unless the police obtain new information about domestic violence, which triggers a new assessment, that is, an entire procedure.

The inconsistent actions of the competent state authorities, particularly the basic public prosecutor's offices, in the legal protection of victims of domestic violence, that is, when filing lawsuits for the determination of protection measures, lead to an unequal approach to the victims. Certain basic public prosecutor's offices assume roles in civil proceedings conducted for the protection of domestic violence victims, while others do not engage at all or very minimally.

b. support and advice are made available to women victims of domestic violence in a pro-active manner by the authority competent to issue an emergency barring order

The special protocol regarding the action of police officers in cases of violence of domestic violence and intimate-partner violence against women stipulates how the police act in contact with victims.

During the procedure, the police officers will inform the victim of violence in an appropriate and clear manner of his/her legal rights, and especially about the protective measures and conditions for their imposition and implementation in relation to the perpetrator, as well as the measures and actions that the police will take against the perpetrator of violence in the further proceedings, and which are particularly important for the protection of the victim's safety (e.g. about bringing the perpetrator to the official premises of the police, detention and further bringing to the judge in charge of the misdemeanor or investigation proceedings, about the discharge of the perpetrator after being questioned by the judge in charge of the misdemeanor or investigation proceedings, about the importance of self-protecting behavior and cooperation of the victim for the purpose of safety.

The police officer should consider all matters relevant to the assessment of the safety of the victim, as well as other family members, and discuss with them the measures for their safety. In cases where there is a risk of repeated victimization, the police officer should warn the victim about the potential risk in which she, and possibly her child, may find themselves.

In cases of high risk or if the victim of violence requests accommodation in a shelter/reception centre for victims of domestic violence, the competent Centre for Social Work should be called to come and take measures for the immediate care of the victim and family members who are at risk.

If it is necessary to conduct an interview or take care of a child or minor, the social worker of the Centre for Social Work should be called immediately to intervene, but taking care that the stay at the police station is as short as possible.

It is necessary for the victim to receive detailed information about all participants involved in providing assistance and ensuring safety. This includes addresses, telephone numbers and information about the services of the police, the Centre for Social Work, medical institutions, SOS telephones for victims of violence, shelters (safe houses) and other community organizations specializing in domestic violence and violence against women. It has to be made possible to find a "support person" for the victim (who will accompany her in the proceedings before the authorities).

It is important to build a relationship of trust and unequivocally indicate that violence is an unacceptable form of behavior, and that the responsibility for violence always rests with the abuser, not the victim.

STATEMENTS OF SUPPORT TO THE VICTIM

- The violence that happened to you was not caused by your fault,
- Violence is solely the responsibility of the abuser,
- No one has the right to abuse you,
- Violence is prohibited (as a misdemeanor and as a criminal offense),
- You are not alone, you can get help, I can tell you who will help you besides the police,
- Abuse has serious consequences for your health, but also for the health of your children.

c. are children specifically included in contact bans issued under the emergency barring order;

The police can issue one or both emergency barring orders. They can be issued for the protection of both minors and adults. Available data show that the police issues such orders mostly for mothers, and rarely for children, so this is important to emphasize if during the collection of information about the case, it is found out that also children suffered violence. In such cases, the competent police officer must state that the emergency barring order applies, in addition to the mother who is the victim of violence, also to the children.

Protecting the best interests of the child implies that the best interests of the child take precedence over the interests of parents, that is, guardians, institutions or communities, in situations where these interests differ from the interests of the child.

Child participation is ensured by the fact that children should be asked, receive adequate information and have the opportunity to express their wishes, attitudes and opinions on all issues that concern them and in all stages of the protection process in a way that corresponds to their age and understanding of the situation.

In accordance with the above, professionals should, in their decisions, put the child's interest and right to life, survival and development before the parents' right to maintain contact with the child.

d. whether exceptions to the no-contact ban are made and, if so, under what circumstances

The competent police officer is the one who decides whether and in relation to whom to impose an emergency barring order, the prosecutor can only make or not make a proposal to extend it, and the court can accept or reject the proposal of the prosecutor. This applies to both emergency barring orders: the measure of temporary removal of the perpetrator from the apartment and the measure of temporary ban on contacting and approaching the victim of violence. There are rare cases when only removal from the apartment is imposed without the measure of banning communication with the victim.

The law on the prevention of domestic violence does not provide for the possibility for the court to adopt the proposal of the prosecutor and change the order of the competent police officer, i.e. to partially adopt the proposal of the prosecutor and partially reject it and, for example, to adopt the proposal in relation to one victim and reject the proposal in relation to another victim. Such action by the court would be contrary to the Law on the Prevention of Domestic Violence.

51. Please provide information on the measures taken to enforce emergency barring orders and on responses to any violations of such orders

In 2022, a total of 31,623 emergency orders were issued in Serbia, in accordance with the Law on Prevention of Domestic Violence (9,510 for temporary removal of the perpetrator from the home and 22,113 for temporary prohibition of contacting the victim).

In 2023, a total of 31,620 emergency orders were issued in Serbia, in accordance with the Law on Prevention of Domestic Violence (10,063 for temporary removal and 22,557 for temporary prohibition of contact).

In 2022, 22,100 emergency orders were extended, while 1,407 were violated.

In 2023, 22,906 emergency orders were extended, while 1,334 were violated.

According to data submitted to the Ministry of Justice by the Supreme Public Prosecutor's Office, since the beginning of the implementation of the Law on Prevention of Domestic Violence, i.e. from June 1, 2017 to October 31, 2023, courts have extended a total of 119,374 emergency orders upon prosecutors' proposals.

In 2022, extension proposals were submitted in 21,131 cases, with courts approving 20,443 proposals (96.74%). The total number of victims for whom emergency measures were extended was 23,887, of which 17,508 were female (73%) and 6,379 male persons, which is 27% of the total number of victims.

Out of the total number of victims in relation to which emergency orders were extended, in 1,572 cases, emergency orders were extended to protect minors from domestic violence or immediate danger, accounting for 6.5% of the total, while 93.5% (22,315) were adults. In 4,627 cases, prosecutors continued collecting necessary information and/or conducting evidence procedures, transitioning cases from NPT to KT/KTR. From January 22 to December 22, 2022, a total of 4,627 cases were recorded in KT/KTR registry.

In 2021, emergency orders were extended for 21,770 victims, of which 15,934 are female, which is 73%, and 5,836 are male, which is 27%. Of the total number of victims for whom emergency orders were extended, in 1,298 cases it was in order to protect minors from domestic violence or the immediate danger of domestic violence, accounting for 5.8%, while 20,472 were adults, i.e. 94.2%. In 4,541 cases, after extending the emergency order, prosecutors continued gathering information and conducting evidence procedures, transitioning cases from NPT to KT/KTR.

Article 53: Restraining or protection orders

52. Have any legislative or other measures been taken to introduce and/or amend the legal framework governing restraining and protection orders in order to align it with the requirements of Article 53? If yes, please specify whether

- a. restraining or protection orders are available – in the context of criminal proceedings and/or upon application from civil courts - to women victims of all forms of violence covered by the Istanbul Convention, including domestic violence, stalking, sexual harassment, forced marriage, female genital mutilation, violence related to so-called honor as well as digital manifestations of violence against women and girls

Protection orders prescribed by the Family Law can be issued in separate proceedings for domestic violence protection or in proceedings conducted within another family relations related case. The procedure is initiated by a lawsuit filed by the victim, or if the victim is a child, by their legal representative, the guardianship authority (Centre for Social Work) and the public prosecutor, who do not need the victim's consent to file a lawsuit. The court can also issue a protection order *ex officio* if, during the course of a proceedings related to family relations, it learns of domestic violence and deems it necessary to issue the order by the claim (claimant's request) regarding the type and number of measures. The procedure is based on the principles of investigation and officiality, and the court is not bound by the type and number of measures.

Protection orders laid down by the Criminal Procedure Code are applicable if circumstances indicate that the accused might flee, obstruct the procedure by influencing the injured party, witnesses, accomplices, or receivers, or might repeat the criminal offense, complete an attempted offense, or threaten to commit a crime. The court can prohibit the defendant from approaching, meeting, or communicating with a specific person, visiting certain places, or leaving its residence, with the possibility of setting special conditions (e.g., prohibiting the defendant from using the phone and internet or receiving other persons at its residence). In addition to this measure, the court may order the defendant to report periodically to the police, the Trustee (Commissioner) of the Penitentiary Institution or another public authority determined by law.²⁰³ The court determines the order on the proposal of the public prosecutor, and after confirming the indictment, it can determine it *ex officio*.²⁰⁴ The police monitor the implementation of these orders.²⁰⁵

Protection orders prescribed by the Criminal Code are a type of criminal sanction imposed against the perpetrator to eliminate situations or conditions that might influence the perpetrator to commit future offenses.²⁰⁶ The criminal court can *ex officio* prohibit the perpetrator from approaching the victim within a certain distance, accessing areas around the victim's residence or workplace, and further harassment or communication with the victim if it is reasonably believed that such actions would endanger the victim.

Protection orders prescribed by the Law on Prevention of Domestic Violence apply to victims of all forms of gender-based violence to which the Law refers and which are covered by the Convention. Protection orders prescribed by the Family Law apply only to domestic violence victims, while orders prescribed by the Criminal Procedure Code and Criminal Code apply to all victims regardless of the crime. Protection measures prescribed by the Family Law can be applied in all cases of violence.

Protection orders prescribed by the Family Law involve initial procedure costs borne by the victim if they initiated the proceedings. These costs are determined within the procedure, and are

²⁰³ Article 197, CPC

²⁰⁴ Article 197, CPC

²⁰⁵ Article 198, paragraph 6, CPC

²⁰⁶ Article 78, CPC

covering court fees and evidence presentation costs, their amount depend on the number of evidence presented. However, at the victim's request, the court may waive all or part of the pre-payment of procedural costs if the victim is in a precarious financial situation, in accordance with the General Rules of Civil Procedure.²⁰⁷ If the court approves the request for protective measures, the court orders the perpetrator of the violence against whom the measures have been determined to pay the costs of the proceedings to the victim. If the Centre for Social Work or the public prosecutor initiated the procedure, no costs are borne by the victim. There are no costs for orders issued in accordance with the Law on Prevention of Domestic Violence, the Criminal Code, and the Criminal Procedure Code.

b. children are specifically included in protection orders

The Family Law stipulates that the procedure for protection orders is initiated by a lawsuit, which can be filed by the victim or, if the victim is a child, by their legal representative, the guardianship authority (Center for Social Work), or the public prosecutor, who do not need the victim's consent to file the lawsuit.

The court can issue a protection order ex officio if it learns of domestic violence proceedings related to family relations and deems it necessary to issue the measure. The procedure is based on the principles of investigation and officiality, and the court is not bound by the plaintiff's request regarding the type and number of measures.

The General Protocol for the Prevention of Child Abuse and Neglect mandates that in cases where there is reasonable suspicion, based on the knowledge so far and the results of the initial assessment, that caregivers or other persons have seriously endangered or are behaving in a manner that may seriously endanger a child, a consultative meeting between the center, interior authorities, and other relevant services will be convened by the assessment responsible person, to discuss the child's situation and decide on protection measures and services to be provided to the children and the family. The goal is to exchange information and agree on a joint assessment and investigation strategy, synchronizing the work of the services involved.

A consultative meeting can be scheduled even before the end of the initial assessment, if the circumstances of the case so require. All reports of serious sexual and physical abuse require a consultative meeting to be held as soon as the file is processed. At the consultative meeting, decisions are taken on the strategies and measures to be taken to ensure child protection. It must be determined first and foremost in relation to the results of the initial assessment. If the initial assessment is sufficient, it moves on to the examination and planning of services and measures to protect the child's rights or meet other needs. If not, the need for a comprehensive, usually complex assessment involving experts from different institutions is identified.

If the circumstances of the case require that the parents' right to the direct care and upbringing of the child be immediately suspended, pending a court decision, the center will appoint a temporary guardian for the child.

Temporary guardianship, in accordance with the law, provides temporary protection of the personality, rights and interests of the child. In this process, a decision can also be made about the placement of the child, i.e. the removal from a dangerous environment²⁰⁸.

This decision will be taken as a matter of urgency, at the latest within 24 hours of learning of the need to separate the child from the family. Before making a decision, the child capable of forming their own opinions must be allowed to express their views, wishes, and suggestions in an appropriate manner.

If protection of a child from abuse/neglect is needed, the Center for Social Work can:

²⁰⁷ Articles 168 and 169, CPC

²⁰⁸ Article 332, paragraph 2 of the Family Law

Apply corrective supervision over the exercise of parental rights, place the child under temporary guardianship, including removal from the family and placement in another family or social protection institution, initiate court procedures to protect the child's rights, for parental rights deprivation, or for domestic violence protection orders, etc.²⁰⁹.

c. any exceptions to contact bans are made and, if so, in which circumstances these may be made.

Protection orders against domestic violence are extended if the reasons for their issuance persist and the victim continues to fear the recurrence of violence.

The decisive factor in each specific case for determining the correct duration of the protection order against domestic violence is the period in which it can achieve its lawful purpose.

Based on the court's decision, the protection order can end before the expiration of its duration if the reasons for its issuance no longer exist.

54. Please provide information on the measures taken to enforce protection orders and on responses to any violations of such orders

In 2023, due to the crime of domestic violence under Article 194 of the Criminal Code, protection orders were imposed as an independent measure against 103 people. In addition to the main sanction, protection orders were imposed on 922 people.

In 2022, protection orders were imposed as an independent measure against 93 people, while protection orders accompanied by the main penalty were imposed on 1,222 people.

Article 56: Measures of protection

54. Please provide information on the measures taken to ensure the following

- a. that the relevant agency informs the victim when the perpetrator escapes or is released temporarily, at least when they or their family might be in danger (paragraph 1 b);

Article 178, paragraph 3 of the Law on the Execution of Criminal Sanctions stipulates that the Penitentiary Institution must notify the enforcement judge, the court that sent the convicted person to serve their sentence, and the police within eight days of the release, for record keeping.

When it comes to the protection of victims of violence, the provision of Article 181, paragraph 2 of the Civil Code is important, which stipulates that in cases where the convicted person for crimes against life and body, sexual freedom, or marriage and family is released or conditionally released, or escapes from prison, the Penitentiary Institution must notify the victim of the crime if requested by the latter and if the institution's risk assessment indicates a need for the victim's preventive protection.

- b. the protection of the privacy and the image of the victim (paragraph 1 f);

Procedural measures of protection for witnesses are prescribed by the Criminal Procedure Code and include special methods of examination and protection for witnesses in criminal

²⁰⁹ Article 332, paragraph 2 of the Family Law

proceedings. These are rules of procedures that are applied during criminal proceedings, which are conducted by the court and which refer to witnesses in general, but also to special categories of witnesses, such as on sensitive witnesses and protected witnesses. These measures are providing protection to witnesses before, during, and after testimony. This can include protecting the witness's identity and data, etc. As witnesses are often eyewitnesses or victims, with trauma and fears for what they saw, these fears being often greater than anything else, it was necessary for the legislator to foresee special measures of protection for witnesses in order to guarantee their safety and they will be given support.

Basic protection for witnesses includes protection from any discomfort, verbal or physical attacks, threats, or insults from any participant in the procedure. This protection must be ensured by the court or the prosecutor, bearing in mind the stage of the procedure.

An insult to a witness or an injured person includes any offensive remarks addressed to them, in which case existing judicial practice should be used with regard to the criminal offence of insult. It is any inappropriate, ugly word addressed to a witness aimed at deliberately insulting and belittling the witness, degrading their personality and potentially causing secondary victimization.

All these attacks on the witness represent an attack and disrespect for the personality of the witness, as well as disrespect for his basic human rights, and aim to frighten the witness and undermine his awareness of the importance of testifying and deter him from giving an accurate and complete statement.

To prevent such situations, the procedural authority must react. Any disturbance in the courtroom due to such behavior shows disrespect for the court. The legislator has provided that the prosecutor or court may issue a warning or monetary fine, to any participant or other person who insults, threatens, or endangers the injured party or victim's safety.

The prosecutor is also obliged to initiate criminal prosecution if they learn or receive information from the court that a witness is being threatened or subjected to violence.

A witness can file a criminal complaint if he is facing the mentioned situation and take measures for its own protection.

Under the general protection, the court can notify the witness about the release of the defendant, who was in custody, with explanations for such a decision and information on the milder measures to be applied.

The court may also prohibit the defendant from meeting and communicating with the witness or with another person if necessary, thus protecting the witness and keeping the defendant under control while on bail/at large. In addition to protection from the defendant and other participants in the proceedings, the witness must be guaranteed protection from violence by the authorities, inhumane behavior, and behavior that does not respect the witness's dignity and personality, coercion of testimony, and other methods that influence the freedom of will.

Article 363 of the Criminal Procedure Code stipulates that from the opening of the session until the end of the main hearing, the panel may, ex officio or at the request of a party or defender, but always after their statement, exclude the public for the entire main hearing or a part of it if necessary to protect the privacy of the participants in the proceedings.

*The Law on the Protection Program for Participants in Criminal Proceedings*²¹⁰ adopts the term endangered witness and defines it as a witness who has been seriously physically or psychologically traumatized by the circumstances under which the crime was committed or who suffers from severe psychological disorders that make him extremely sensitive, as well as a child and a minor.

²¹⁰ „Official Gazette of the RS“, no. 85/2005

The particular sensitivity of some witnesses can also be caused by the circumstances under which the crime was committed. This primarily refers to the nature, method of execution, and consequences of the crime. This particularly applies to victims of some form of violence or human trafficking, as these are individuals who have suffered trauma due to the crime and need special protection. A witness can also be particularly sensitive due to their relationship with the perpetrator of the crime.

The CPC first provides the definition of a particularly sensitive witness by stating that it is "a witness who, considering their age, life experience, way of life, gender, health condition, nature, method, or consequences of the committed crime, or other circumstances of the case, is particularly sensitive..."

- c. the possibility for victims to testify in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available (paragraph 1 i);

Article 105 of the CPC, in its second paragraph, specifies the possibility of examining a witness using certain technical means for transmitting images and sound. In this case, the examination is conducted in the absence of the parties and other participants, and the examination is conducted in the room where the witness is located.

This legal solution is very useful for the protection of sensitive witnesses who feel safer staying in a familiar place. However, this should be approached cautiously, as the quality of the testimony sometimes depends on direct contact with the witness.

In the third paragraph of Article 105, the CPC states that particularly sensitive witnesses can be examined in their home or another room, or in an institution authorized and professionally equipped for such examinations, with the possibility of using image and sound transmission devices.

The CPC also stipulates that the authority conducting the proceedings cannot order a confrontation between the witness and the defendant. Exceptionally, if the defendant requests a confrontation, the procedural authority may allow it, but it must consider the level of sensitivity of the witness.

- d. the provision of appropriate support services for victims so that their rights and interests are duly presented and taken into account (paragraph 1 e).

Support measures include a wide range of psychosocial and other support services that the specific victim needs for his recovery, empowerment and independence.

When determining the victim's needs for support services, it is necessary to take into account the real life situation in which the specific victim is. The provision of services must not depend on the victim's willingness to initiate any proceedings against the possible perpetrator or to testify against him.

In planning the support services that will be provided to women victims of violence, the gender-based nature of violence, the relationship between the victim and the possible perpetrator, children and their wider social environment, the need for measures to be aimed at the recovery, empowerment and self-reliance of the victim, including her economic independence, should be taken into account.

The range of support measures also includes exercising the right to free legal assistance, which is provided upon personal request, which implies that the victim is provided with information and support in exercising the right to free legal assistance.

When developing an individual plan for women from certain minority and sensitive groups, such as women with disabilities, Roma women, rural women, elderly women, migrant women, etc., the security risks and needs arising from the specificity of their position should be taken into account.

Each support measure should be specified and clearly described.

Taking the measures determined by the individual plan should not be left to the subsequent assessment of the risk, that is, the needs of the victim by the person implementing the measure. When planning support measures, it is necessary to take into account the availability of social protection services in the local community, including services provided by specialized women's organizations. Since in many local communities the level of development of social protection services is very low, in cases where a certain service is not available in the local community, and the specific victim needs it badly, the group can foresee the provision of that service with an individual plan, the provision of which, at the request of the chairman of the group, provided by the competent authority of the local self-government unit through the individual engagement of a licensed service provider.

The traumatic nature of sexual violence, including rape, requires a particularly sensitive response by trained and specialized personnel. Victims of this type of violence need complex services - urgent medical care and support in combination with urgent forensic examinations, in order to collect evidence needed for criminal prosecution, legal aid and support services, and more. Given the small number of centers for victims of sexual violence in which medical, psychological and legal support are combined, in cases where it is necessary, separate providers are determined for each of these services in individual plans.

Part III: Emerging trends on violence against women and domestic violence

55. Please provide information on new developments since the adoption of GREVIO's baseline evaluation report on your country concerning:
- a. emerging trends in violence against women and domestic violence, including its digital manifestations (types of perpetration, groups of victims, forms of violence);
 - b. emerging trends in domestic case law related to violence against women;
 - c. emerging trends in the allocation of funding and budgeting by your state authorities;
 - d. innovative approaches to primary prevention, for example new target audiences and means of communication, public/private partnerships etc.
 - e. emerging trends related to access to asylum and international protection for women victims of violence against women.

In the past period, significant progress has been made in terms of preventing violence against women. However, traditional cultural norms and widespread gender stereotypes and prejudices that reflect an environment in which violence against women is largely tolerated and justified show that the social, legal and institutional response to violence against women is still not at a satisfactory level.

23.5% - every fourth woman did not report experienced partner violence to the police due to shame or guilt.

36.4% - one in three women did not report non-partner violence to the police because they thought the incident was not serious enough.

97% - most women are aware of available support services

38.7% every third woman knows that she has the right to use free legal aid because of the violence she experienced.²¹¹

In 2023, there was a slight increase in the number of police orders and persons subject to restraining orders and an increase in the number of police orders for both emergency measures and the temporary leaving home measure. There was also a reduction in the number of proposals to extend emergency measures and the number of extended emergency measures.

The number of cases dealt with in the meetings of the Coordination and Cooperation Groups at the public prosecutor's offices and the number of individual protection and support plans drawn up has increased, while the number of victims attending the meetings of the Coordination and Cooperation Groups has risen significantly.

In 2021 and 2022, several women spoke publicly about the sexual violence they had survived. Women who reported this type of violence knew that the media often obtain information from the

²¹¹ A woman victim of violence from the point of view of statistics, SORS, Belgrade 2022; available under: <https://www.stat.gov.rs/media/358199/g20226007.pdf>

investigations, which they then sensationalize, violating the journalistic code, disrespecting the privacy of the victims and their families, often ridiculing them, making them feel guilty and mitigating the seriousness of the crime, etc., thus exposing them to new traumas.

Through sensationalist and unethical reporting, the media not only victimizes the victims even more, but also makes the work of the system's institutions more difficult and even supports and encourages the perpetrators to commit future crimes.

Blaming the victim and excusing the perpetrator, normalizing the crime committed, doubting the credibility of the victim's testimony, accusing the victim of making false statements and wanting to harm the Victims are exposed to secondary victimization (they are exposed to negative comments, inappropriate questions, suspicions, disrespectful treatment and ridicule) triggered by the inappropriate attitude of representatives of the institutions, lawyers of the accused or other persons supervising the trials, which leads to a new traumatic experience and they become victims again. Publicly accessible trials constitute unnecessary victimization.

In 2022 and 2023, women were also more likely to come forward with their stories about the violence they experienced when institutions did not respond appropriately and fairly to reports of violence.

In 2022, the SOS Vojvodina network developed an SOS mobile application for reporting violence. The Sound of Soul (SoS) mobile application was created as a special tool and new communication channel for women who want to report violence. It is not a substitute for the already existing ways of reporting violence (in person, SOS phones, landline and cell phones of women's organizations, Viber or e-mail communication), but represents an additional way of reporting, while respecting all principles of confidentiality and protection of data and information about the woman reporting violence.

SoS is a personalized application, which means that a woman can use it or not at her own discretion, and its use depends on the settings on each individual phone. It is important to emphasize that the use of the application requires an internet connection. The application is compatible with the existing IOS and Android operating systems, and the scope of its use in each individual case depends on the technical characteristics of the given phone. For example, to receive an accurate report with the location of the event, the user must turn on GPS; to make a call, you must have a prepaid or active postpaid mobile number. The special value and specificity of this application lies in the fact that it is a hidden application, which means that its function and purpose are not publicly visible at first glance, but it is displayed to the general public as a mobile library or media player. The actual function of the application is only opened when an instructed user attempts to use it. The application is activated by touch, which is also a particular technical advantage, because activating the application does not require complicated typing of codes or other actions, no words need to be spoken, in complete silence, hidden and very easy to activate, which is very important for women in the situation of acute violence and speeds up reporting. This way of activating and using the application ensures the complete anonymity and safety of the user while using it. Reports of violence through other communication channels require some kind of personification of the victim and often take much longer, they can hardly be hidden, and there is always the possibility that the perpetrator will react when he hears/sees the woman calling for help, while this is not the case when using this application.

As an additional benefit, the application offers the option of using it in three languages: Serbian, English and Romani. The English version was created so that migrant and other foreign women in Serbia who have installed the application can use it, while the Romani version is the only one of its kind intended for Romani women in their native language. In addition, the application is adapted for use by people with visual impairments and has a sound/vibration function when activated, which allows them to be informed that they have submitted a report. The SoS app is compatible with read/write/speak programs for people with disabilities that exist for cell phones.

One of the most important features of the application is certainly its connection to the Integrated Information System for recording reports of violence. A total of 13 civil society organizations for women (which already offer SOS telephone services) are connected to the IIS.

The Integrated Information System for Recording Reports of Violence against Women is a software application that allows the entry and classification of different types of data and information on each individual reported case. IIS is installed on a separate computer in each of the connected organizations and is accessible via special access codes they have in the organizations.

Data entry into the system is personalized, each victim has their own code under which they are registered in the system, and regardless of how many times the same victim appears, the system allows previous reports and applications to be viewed and new applications to be added to each victim's personalized file. In this way, the database allows the verification of all data and information about a victim, from the first to the last address.

The system allows the victim to remain anonymous and only enter the data and information that the victim provides and consents to the collection of. Consent can be given in person or electronically, depending on how the victim contacts the system. All data and information in the system is organized by groups and types of data relevant to each individual case (e.g. types of violence, health consequences of violence, socio-demographic data on the victim, perpetrator, children, misuse of weapons in the commission of the crime, services provided, etc.). All data can be searched by specific indicators and multiple indicators can be cross-referenced to extract specific data from the database. In addition, this system significantly improves the statistical processing of the data entered into the system, both for each individual organization and for all organizations networked through the system. This allows for faster and easier reporting, verification and comparison of data by specific time periods, which is extremely important for advocacy activities, as it gives an overview of the prevalence of a certain type of violence (e.g. it is possible to find out which type of violence has been reported most frequently in the last six months, etc.).

Since the activation of the system until today, there has been a significant increase in the number of women reporting to the organizations connected to the system, and at the same time the number of services that the victims have used has also increased.

This may be the result of better record keeping and connecting organizations in the system, information sharing and monitoring of indicators relevant to cases of violence, and it may also be the result of empowering women to report more violence that happens to them. The number of women who have installed the SoS application on their mobile devices is also increasing, but at the same time, few women have used the application to report acute violence, while the number of women contacting the application for psychological counseling is increasing.²¹²

Part IV: Administrative data and statistics

- b. Please provide annual statistics for two complete calendar years prior to receiving this questionnaire on administrative and judicial data on:
 - a. the number of reports, investigations opened, prosecutions, final convictions secured and sanctions imposed in respect of all forms of violence against women and domestic violence covered by the Istanbul Convention;
 - b. the number of emergency barring orders issued by the competent authorities, the number of breaches of such orders, and the number of sanctions imposed as a result of these breaches;
 - c. the number of protection orders issued, the number of breaches of such orders and the number of sanctions imposed as a result of such breaches;
 - d. data on the number of decisions issued by family courts on custody/visitation/residence of children that have expressly taken into account incidents of domestic violence

Data of the Ministry of Interior

During 2022, on the territory of the Republic of Serbia a total of 28,907 events were recorded (11,148 events with reported physical violence, 1,018 events with reported economic violence, 18,762 events with reported psychological violence, 234 events with reported sexual violence).

During 2023, on the territory of the Republic of Serbia a total of 29,192 events were recorded (11,109 events with reported physical violence, 1,028 events with reported economic violence, 18,747 events with reported psychological violence, 205 events with reported sexual violence).

²¹² Source: Vojvodina SOS Network; available under: <https://www.sosvojvodina.org/>

During 2022, the total number of events where there is a risk of immediate danger from domestic violence, recorded on the territory of the Republic of Serbia, is 21,048.

During the year 2023, the total number of events where there is a risk of immediate danger from domestic violence, recorded on the territory of the Republic of Serbia, amounts to 21,457.

During 2022, a total of 31,623 emergency measures were issued on the territory of the Republic of Serbia in accordance with the Law on Prevention of Domestic Violence (9,510 emergency measures "Temporary removal of the perpetrator from the apartment" and 22,113 emergency measures "Temporary ban on the perpetrator from contacting and approaching the victim of violence").

During 2023, a total of 31,620 emergency measures were issued on the territory of the Republic of Serbia in accordance with the Law on Prevention of Domestic Violence (10,063 emergency measures "Temporary removal of the perpetrator from the apartment" and 22,557 emergency measures "Temporary ban on the perpetrator from contacting and approaching the victim of violence").

During 2022, a total of 22,100 emergency measures were extended, while a total of 1,407 emergency measures were violated.

During 2023, a total of 22,906 emergency measures were extended, while a total of 1,334 emergency measures were violated.

During 2022, a total of 9,510 emergency measures "Temporary removal of the offender from the apartment" were issued on the territory of the Republic of Serbia (the number of extended emergency measures is 6,358, while the number of violated emergency measures is 483).

During 2023, a total of 10,063 emergency measures "Temporary removal of the offender from the apartment" were pronounced on the territory of the Republic of Serbia (the number of extended emergency measures is 6,802, while the number of violated emergency measures is 462).

During 2022, a total of 22,113 emergency measures "Temporary ban on the perpetrator from contacting and approaching the victim of violence" were issued on the territory of the Republic of Serbia (the number of extended emergency measures is 15,742, while the number of violated emergency measures is 924).

During 2023, a total of 22,557 emergency measures "Temporary ban on the perpetrator from contacting and approaching the victim of violence" were issued on the territory of the Republic of Serbia (the number of extended emergency measures is 16,104, while the number of violated emergency measures is 872).

In 2022, the total number of at-risk offenders was 22,461 (18,733 at-risk male offenders and 3,728 at-risk female offenders). Risk offenders aged 18-20 763, aged 21-40 9,807, aged 41-60 9,106, aged over 60 2,783. The number of perpetrators to whom an emergency measure was imposed is 22,119).

In 2023, the total number of at-risk offenders was 23,025 (19,085 at-risk male offenders and 3,940 at-risk female offenders). Risk offenders aged 18-20 838, aged 21-40 10,116, aged 41-60 9,167, aged over 60 2,902. The number of perpetrators to whom an emergency measure was imposed is 22,550).

During 2022, the total number of perpetrators of events related to the prevention of domestic violence recorded on the territory of Republic of Serbia, is 30,347 (grandmother – 122, ex-wife – 602, ex-husband – 2,076, brother – 1,945, daughter – 772, grandfather – 176, emotional partners – 2,993, foster carer – 33, foster parent – 9, mother – 1,129, father – 2,870, partnership - 321, cousin - 259, sister - 411, son - 4,278, sister-in-law - 435, husband -5,552, unmarried husband - 3,419, wife - 973, unmarried wife - 568, father-in-law - 397, mother-in-law - 342, father-in-law - 120, mother-in-law - 62, grandson - 338, granddaughter - 78, adopted son - 12, adoptive father - 9, son-in-law - 339, other - 1,850).

During 2023, the total number of perpetrators of events related to the prevention of domestic violence recorded in the territory of Republic of Serbia, is 30,860 (grandmother - 141, ex-wife - 601, ex-husband - 2,196, brother - 1,054, daughter - 801, grandfather - 176, emotional partners - 3,228, foster parent - 24, foster parent - 3, mother - 1,329, father - 3,143, partner relationship - 337, cousin - 261, sister - 426, son - 4,316, sister-in-law - 422, husband -5,601, unmarried husband - 3,426, wife - 964, unmarried wife - 535, father-in-law - 342, mother-in-law - 348, father-in-law - 105 mother-in-law - 71, grandson - 349, granddaughter - 73 adopted son - 16, adoptive father - 7, son-in-law - 328, other - 2,041).

During 2022, the total number of victims of events related to the prevention of domestic violence recorded in the territory of the Republic of Serbia is 32,984 (the number of male victims is 9,779, the number of female victims is 23,205). The number of minor victims is 2,821, while the number of adult victims is 30,162.

Age structure of the victim (2023):

up to 14 years - 2,761; from 15 to 17 years old – 1,166; from 18 to 20 years old – 1,345; from 21 to 30 years old – 5,261; from 31 to 40 years old – 6,816; from 41 to 50 years old – 6,399; from 51 to 60 years old – 4,525; from 61 to 70 years old - 3,783, over 71 years old - 2,588.

Victims of events by kinship:

During 2022, the total number of victims of domestic violence recorded on the territory of the Republic of Serbia is 32,984 (grandmother - 261, ex-wife - 2,075, ex-husband - 602, brother - 1,390, daughter - 2,127, grandfather - 158, emotional partners - 2,996, foster parent - 9, foster parent - 33, mother - 3,029, father - 2,309, partnership - 331, cousin - 269, sister - 998, son - 2,254, sister-in-law - 711, husband - 973, unmarried husband - 568, wife - 5,554, unmarried wife - 3,419, father-in-law - 132, mother-in-law - 316, father-in-law - 143, mother-in-law - 215, grandson - 156, granddaughter - 156, adopted son - 10, adoptive father - 12, son-in-law - 177, other - 2,143).

During 2023, the total number of victims of domestic violence recorded on the territory of the Republic of Serbia is 34,644 (grandmother - 287, ex-wife - 2,197, ex-husband - 601, brother - 1,404, daughter - 2,485, grandfather - 162, emotional partners - 3,223, foster parent - 3, breadwinner - 25, mother - 3,051, father - 2,423, partnership - 336, cousin - 274, sister - 1,098, son - 2,674, sister-in-law - 648, husband - 964, unmarried husband - 535, wife - 5,601, unmarried wife - 3,426, father-in-law - 125, mother-in-law - 321, father-in-law - 154, mother-in-law - 192, grandson - 170, granddaughter - 184, adopted son - 7, adoptive father - 17, son-in-law - 169, other - 2,483).

Data of the Ministry of Interior regarding crimes of murder/felony murder committed within a family/partner relationship, crimes of domestic violence (with fatal outcome):

The crime of aggravated murder from Art. 114 of the Criminal Code, paragraph 1 of the completed deed, 15 people were killed in 2022 and 15 people in 2023. The number of female persons killed in family-partner relationships will be 24 in 2022, and 25 in 2023. Of the total number of women killed, the largest number, 14 of them, were aged 50-59. In 2023, one transgender person, aged 19, was killed.

The number of female persons killed in family-partner relationships²¹³

Age	0 - 17	18 - 29	30 - 39	40 - 49	50 - 59	60 - 69	over 70	total
2022 – females		1	5	6	4	5	3	24
2023 – females	1	2	1	3	10	2	6	25
TOTAL	1	3	6	9	14	7	9	49

During 2022, refugee status was granted in six cases based on political belief and four cases based on national and religious affiliation.

In 2023, refugee status was granted in five cases based on political beliefs and one case based on belonging to a certain social group.

In 2023, there were no approved asylum statuses on this basis, and in 2022, that percentage amounted to 3% of positive decisions in relation to the total number of requests submitted by persons of the female gender.

²¹³/ The data refer to crimes of murder/felony murder committed within a family/partner relationship, crimes of domestic violence (with fatal outcome) as well as deprivation of life in a family/partner relationship where the perpetrator committed suicide after the death of a family member/partner.

Data from the Supreme Public Prosecutor's Office

Criminal act Family violence (article 194 of the Criminal Code)

In the course of 2023, a total of 8,103 persons were reported to public prosecutors' offices for the crime of family violence under Article 194 of the Criminal Code, while criminal charges filed against 4,348 persons were transferred from the previous reporting period to 2023, so that public prosecutors' offices acted on criminal charges filed against a total of 12,451 persons.

Compared to 2022, when 7,638 persons were reported for this criminal offense, this data indicates an increase in the number of persons reported for the criminal offense of family violence by 6.09%.

In the course of 2022, a total of 7,787 persons were reported to public prosecutors' offices for the crime of family violence under Article 194 of the Criminal Code, while criminal charges filed against 4,414 persons were transferred from the previous reporting period to 2022, so that public prosecutors' offices acted on criminal charges filed against a total of 12,201 persons.

Compared to the previous year, 2021, when 7,839 persons were reported for this criminal offense, this data indicates a decrease of 0.67% in the number of persons reported for the criminal offense of family violence.

During 2023, proceedings against 393 persons were initiated by the public prosecutor ex officio. The largest number of criminal charges for the crime of family violence from Article 194 of the Criminal Code was filed by the police (against 6,485 persons), against 169 persons the charges were filed by other state authorities, while the victims filed criminal charges against 867 persons, and by others against 189 persons.

In the course of 2022, proceedings against 221 persons for the crime of family violence from Article 194 of the Criminal Code were initiated by the public prosecutor ex officio. The police filed criminal charges against 6,339 persons, against 135 persons the charges were filed by other state authorities, while the victims filed criminal charges against 922 persons, and by others against 170 persons.

Primary public prosecutor's (PPP) offices filed 294 lawsuits for protection measures against family violence ex officio (in accordance with the Family Law), which is an increase compared to 2021 (by 116 lawsuits). The number of adopted lawsuits for protection measures is 110 (37.4%) in relation to the submitted lawsuits.

In 2022, PPP representatives filed 294 lawsuits for protection measures against family violence on official duty (in accordance with the Family Law), which is an increase compared to 2021 by 116 lawsuits.

In 2023, PPP representatives filed 291 lawsuits for protection measures against family violence ex officio (in accordance with the Family Law). The number of judgments in which protection measures were adopted is 125 (45% of the filed lawsuits).

Out of the total number of criminal charges filed in 2023 for the crime of family violence from Article 194 of the Criminal Code (against 12,451 persons), criminal charges filed against 4,445 persons (35.70%) were dismissed.

In 2022, out of the total number of criminal charges filed against 12,201 persons, a decision was made to dismiss criminal charges against 4,699 persons (38.51%).

In 2023, public prosecutions issued orders to conduct investigations against 456 persons for the crime of family violence from Article 194 of the Criminal Code, while at the end of the reporting period, investigations against 211 persons were not completed. In 2023, 3,241 persons (2,911 men and 330 women) were charged, which represents 40.48% of the total number of persons reported according to reports that remained in work after rejection. In terms of indictments, an indictment was filed against 2,914 persons, an immediate indictment was filed against 29 persons, while 298 persons were charged after an investigation.

In 2022, public prosecutions issued orders to conduct investigations against 444 persons for the crime of family violence from Article 194 of the Criminal Code, while at the end of the reporting period, investigations against 253 persons were not completed. In 2022, 2,885 persons (2,564 men and 321 women) were charged, which represents 38.46% of the total number of persons reported according to

reports that remained in work after rejection. In terms of indictments, indictments were filed against 2,636 persons, direct indictments were filed against 21 persons, while 228 persons were charged after an investigation.

In 2023, the courts handed down verdicts against 2,898 people for the crime of family violence under Article 194 of the Criminal Code, of which 2,681 people were convicted (which is 92.51% of the total number of people who were sentenced) . 1,045 persons were sentenced to prison terms, 21 persons were sentenced to fines, 15 persons were sentenced to work in the public interest, 1,489 persons were given suspended sentences, 17 persons were given a court warning, and 93 persons were given security measures as an independent measure. Security measures in addition to the main penalty were imposed on 1,222 persons. 111 persons were acquitted (3.83%), while for 106 persons decision on rejection was issued (3.66%).

In 2022, the courts passed verdicts against 2,713 persons, of which 2,451 were convicted (which is 90.34% of the total number of persons against whom the verdict was passed). 946 people were sentenced to prison terms, 12 people were fined, 32 people were sentenced to work in the public interest, 1,344 people were given suspended sentences, 5 people were given a court warning, and 103 people were given security measures as an independent measure. Security measures in addition to the main penalty were imposed on 922 persons. 126 persons were acquitted (4.64%), while for 136 persons decision on rejection was issued (5.01%).

During 2023, the crime of family violence from Article 194 of the Criminal Code was committed against 5,908 women, 2,099 men and 396 minors.

During 2022, the crime of family violence from Article 194 of the Criminal Code was committed against 5,061 women, 1,671 men and 364 minors.

The available reports on the implementation of the Law on the Prevention of Domestic Violence, as well as the annual statistical reports contained in the Annual Reports on the work of public prosecutors' offices in the fight against crime and the protection of constitutionality and legality, do not contain data on the belonging of injured persons to vulnerable groups, nor the classification of minor injured persons by gender.

Basic public prosecutor's offices have created and keep special records in accordance with Article 32 of the Law on Prevention of Domestic Violence, as well as records of the work of the Coordination and Cooperation Group according to the Group's Rules of Procedure.

During 2023, due to the crime of family violence from Article 194 of the Criminal Code, security measures were imposed as an independent measure against 103 persons. Security measures in addition to the main penalty were imposed on 922 persons.

In 2022, the security measure as an independent measure was pronounced against 93 persons, while the security measures along with the main penalty were pronounced against 1,222 persons.

In the course of 2023, due to the crime of family violence from Article 194 of the Criminal Code, detention was ordered against 1,126 persons, while in the course of 2022, detention was ordered against 871 persons.

Criminal act Aggravated murder (article 114 of the Criminal Code)

According to the available statistical data contained in the Annual Reports on the work of public prosecutor's offices in combating crime and protecting constitutionality and legality for the years 2022 and 2023:

- In 2023, 131 persons were reported for the crime of aggravated murder from Article 114 of the Criminal Code, while in 2022, 129 persons were reported;

- The crime of aggravated murder from Article 114 of the Criminal Code was committed against 27 women, 88 men and 10 minors during 2023, i.e. 22 women and 47 men during 2022.

Criminal act Rape (article 178 of the Criminal Code)

During 2022, a total of 116 persons were reported to the competent public prosecutors for the criminal offense of Rape under Article 178 of the CC, which is an increase of 1.75% compared to 2021. The police filed criminal charges against 86 individuals, against 23 individuals criminal charges were filed by the injured parties, against 3 individuals criminal charges were filed by other state authorities, while against 4 individuals criminal charges were filed by others.

Reports against 54 individuals were rejected, which represents 40.60% of the total number of reports in the work.

At the end of 2022, the criminal charges filed against 18 individuals were not resolved, of which 11 persons were in the public prosecutor's office and 7 individuals were in other bodies.

The order to conduct the investigation was passed against 60 individuals, until the end of 2022 there were still pending investigations against 43 individuals.

During 2022, public prosecutions filed indictments against 30 individuals, which represents 37.97% of the total number of reported individuals according to reports that remained in operation after dismissal.

Competent courts passed judgments against a total of 24 persons, 19 convicting (79.17% of the total number of persons in relation to which judgments were passed), of which 18 persons were sentenced to prison terms, and 1 person was sentenced to life imprisonment. 3 persons (12.5%) were acquitted, while 2 persons were rejected (8.33%).

Public prosecutors filed a total of 15 appeals against the first-instance decisions, of which 8 were due to the decision on punishment. Out of the total number of reported appeals, 5 were accepted, of which 3 were due to the decision on punishment, and 7 appeals were rejected.

Detention was ordered against 45 persons.

In the course of 2023, a total of 108 persons (107 males and 1 female) were reported to the competent public prosecutors for the criminal offense of rape under Article 178 of the Criminal Code, which represents a decrease of 6.90% compared to the previous year. During 2023, prosecutors' offices acted on reports against 126 persons.

The police filed criminal charges against 96 persons, against 5 persons criminal charges were filed by the injured parties, against 1 person criminal charges were filed by other state authorities, while against 6 persons criminal charges were filed by others.

The order to conduct the investigation was passed against 61 persons, until the end of 2023, pending investigations against 36 persons remained.

During 2023, public prosecutions filed criminal indictments against 47 persons, which represents 60.25% of the total number of persons reported according to reports that remained active after dismissal.

Competent courts passed judgments against a total of 38 persons, 33 of which were convictions (which is 86.84% of the total number of persons in relation to which judgments were passed), of which 31 persons were sentenced to prison terms, and 2 persons were sentenced security measure as an independent measure. 4 persons (or 10.52%) were acquitted, while 1 person was rejected (which is 2.63%).

Against the first-instance decisions, the public prosecutor's offices filed a total of 30 appeals, of which 21 were due to the decision on punishment. 10 appeals were upheld, of which 7 were due to the fine, and 5 appeals were rejected, of which 4 were due to the fine.

Detention was ordered against 44 persons.

Criminal Act Sexual Harassment (article 182a of the Criminal Code)

In the course of 2022, a total of 284 persons were reported to the competent public prosecutors for the criminal offense of sexual harassment, which represents an increase of 4.80% compared to the previous reporting period, when 271 persons were reported for this offense. During the year 2022, prosecutor's offices acted on reports submitted against a total of 495 persons.

The police filed criminal charges against 223 persons, against 39 persons criminal charges were filed by the injured parties, while criminal charges against 3 persons were filed by others.

The procedure was initiated by the official duty of the public prosecutor against 2 persons.

110 criminal reports or 22.22% of the total number of reports in the work were dismissed.

At the end of 2022, criminal charges against 214 persons were not resolved, namely against 131 persons in the public prosecutor's office, and against 127 persons in other authorities.

During 2022, public prosecutions filed indictments against 127 persons, namely 125 indictments and 2 direct indictments, which represents 32.99% of the total number of persons reported according to reports that remained in the work after rejection (385).

Competent courts passed judgments against a total of 127 persons, of which 122 persons were convicted (96.06% of the total number of persons in relation to which judgments were passed), of which 48 persons were sentenced to prison terms, 51 persons to conditional sentences, 12 persons were fined as the main one, 10 persons were given a security measure as an independent one and according to 1 person, a measure of work in the public interest. In relation to 4 persons, an acquittal verdict was passed, and against 1 person, the accusation was rejected.

Against the first-instance decisions of the court, the public prosecutor's offices filed a total of 22 appeals, of which 17 were due to the sentencing decision. Out of the total number of reported appeals, 7 were upheld and 2 were due to the decision on punishment. A total of 8 appeals were rejected, of which 7 were due to the decision on punishment.

Detention was ordered against 25 persons.

In the course of 2023, a total of 297 persons (289 males and 8 females) were reported to the competent public prosecutor's offices, which represents an increase of 4.57% compared to 2022. During 2023, public prosecutor's offices acted on criminal charges against a total of 552 persons.

The police filed criminal charges against 258 persons, against 8 persons charges were filed by other authorities, against 11 persons criminal charges were filed by the injured parties, while criminal charges against 16 persons were filed by others. The procedure was initiated ex officio against 4 persons.

114 criminal complaints or 20.65% of the total number of criminal complaints were dismissed.

At the end of 2022, criminal charges against 268 persons were not resolved, namely against 147 persons in the public prosecutor's office, and against 121 persons in other authorities.

In 2023, public prosecutions filed indictments against 169 persons, namely 168 indictments and 1 direct indictment, which represents 38.58% of the total number of persons reported according to reports that remained in the work after rejection (438).

Competent courts passed judgments against a total of 147 persons, of which 136 persons were convicted (92.51% of the total number of persons in relation to which judgments were passed), of which 61 persons were sentenced to prison terms, 53 persons to conditional sentences, 15 persons were fined as the main penalty, 5 persons were given a security measure as an independent measure, 2 persons were given a warning measure - court warning, and 1 person was ordered to work in the public interest. 6 persons were acquitted, and 5 persons were dismissed.

Against the first-instance decisions of the court, the public prosecutor's offices filed a total of 25 appeals, 12 of which were due to the sentencing decision. Out of the total number of reported appeals, 3 were upheld, 11 appeals were rejected, of which 4 were due to the decision on punishment.

Detention was ordered against 32 persons.

Criminal Act Assaulting a powerless person (article 179 of the Criminal Code)

In 2023, 14 criminal charges were filed for the crime of assaulting a powerless person. Two persons were accused and sentenced to imprisonment.

In 2022, 14 criminal charges were filed for the crime of assaulting a powerless person. 7 indictments were filed, 4 convictions were handed down, 1 suspension of proceedings, 2 acquittals due to lack of evidence.

Criminal Act Persecution (article 138a of the Criminal Code)

According to the data of the Republic Institute of Statistics, 388 persons were reported for the criminal offense of persecution in 2023, of which 114 persons were convicted. 30 persons were sentenced to prison terms, 20 persons were sentenced to fines, 77 persons were sentenced to probation, 13 persons received house arrest and 1 person was sentenced to work in the public sector.

According to the data of the Republic Institute of Statistics, 422 persons were reported for the criminal offense of persecution in 2022, of which 149 persons were convicted. 34 persons were sentenced to imprisonment, 29 persons were fined, 78 persons were sentenced to probation, 7 persons received house arrest, 1 court reprimand was issued and 1 person was given a secondary sentence.

In 2022, there were no reports of the criminal offense of female genital mutilation (Art. 121a CC), nor the criminal offense of forced marriage (Art. 187 CC).

In 2023, there were no reports of the criminal offense of female genital mutilation (Art. 121a CC), nor were there any reports of the criminal offense of forced marriage.

Table: Примена Закона о спречавању насиља у породици - 2022. година. Columns include month, gender (Женски, Мушки), age group (Малолетно, Пунолетно), and various metrics like number of proposals, convictions, and sentencing outcomes.

Table: Примена Закона о спречавању насиља у породици - 2023. година. Columns include month, gender, age group, and various metrics similar to the 2022 table.

РЕПУБЛИЧКО ЈАВНО ТУЖИЛАШТВО ЗБИРНИ ТАБЕЛА ПРИЈЕМА КРИВИЧНИХ ДЕЛА ИЗ ОБЛАСТИ ОПШТЕ КРИВИЦАЛА КСТ-2 за период 01.01.2022. до 31.12.2022. године

Table: СТРУКТУРА КРИВИЧНИХ ДЕЛА. Columns include categories like 'ПОЖЕЛНИ РЕЗУЛТАТИ', 'ПОРЕЂЕНИ ПРЕСТАПАЦИ', 'ПОДНОШЕНИ КРИВИЧНИ ПРЕСТАЦИ', and 'ПОДНОШЕНИ КРИВИЧНИ ПРЕСТАЦИ'.

Table: ОДЛУКЕ СУДА. Columns include 'РЕШЕЊЕ СУДА', 'ОСНОВНЕ ПРОЦЕДУРЕ', 'МЕРЕ БЕЗБЕДНОСТИ ПОРЕЧЕНИ У ЗАКОНУ КАДРО', and 'ЖАЛБА РАДИОМ ТУЖИЛАЦА'.

appropriate institutions 1,333, warning parents on shortcomings in the exercise of parental rights 349. Then 242 children were separated from the family alone, and 230 were separated together with a non-violent parent, where in both cases there were more girls. In 240 cases, proceedings were initiated before the court.

In 2022, CSW initiated a total of 856 proceedings before the court for the protection of child victims of domestic violence. The largest number of proceedings initiated was for the imposition of a measure of protection against domestic violence, 333, and for the protection of the rights of the child, 172. For complete deprivation of parental rights, 152 proceedings were initiated, while 98 proceedings were initiated for partial deprivation of parental care. 73 criminal charges were filed by the CSW and 28 proceedings were initiated to adopt the measure of forced treatment.

The deadline for submitting the report for 2023 is September 2024.

Number of reported cases of family violence for children (as victims) during the year, per type of family/household where the child lives and sex of child:

Type of household where children lives	Number of children		Total
	Girls	Boys	
One-parent family (children and one parent)	623	571	1194
One-parent extended family (children, one parent and relatives)	425	399	824
Complete biological family (both parents and child/children)	2593	2506	5099
Complete extended family (both parents, child/children and relatives)	607	620	1227
Household of former spouses who live together after the divorce	60	67	127
Relative or custodial family	24	6	30
Foster family	21	7	28
Adoptive family	2	0	2
Total	4355	4176	8531

Number of reported cases of family violence for children (as victims) during the year, per dominant type of violence and sex of child:

Dominant type of violence	Number of children		Total
	Girls	Boys	
Physical violence	1053	1118	2171
Emotional violence	1970	1832	3802
Sexual violence	179	41	220
Neglect or negligent treatment	1146	1178	2324
Child exploitation	7	7	14
Total	4355	4176	8531

Procedures undertaken by CSW during the year in cases of protection of children from domestic violence:

Type of procedure	Number of children		Total
	Girls	Boys	
Separation - the number of children who were separated from the family alone (without parents)	150	92	242
Separation - the number of children who were separated from the family together with a non-violent parent	131	99	230
Initiating proceedings before the court	138	102	240
Providing material, legal or professional advisory support and assistance to the child	2627	2521	5148
Referral of the child to the services of other appropriate institutions	681	652	1333
Warning parents about shortcomings in the exercise of parental rights - corrective	172	177	349
Something else	89	78	167
Total	3988	3721	7709

Number of proceedings for the protection of child victims of domestic violence initiated by the CSW before the court, on official duty during the year, according to the types of proceedings:

Type of procedure	Number of children
-------------------	--------------------

Procedure for imposing a measure of protection against domestic violence	333
Procedure for complete deprivation of parental rights	152
Procedure for partial deprivation of parental rights	98
Criminal charges	73
Procedure for adopting a temporary measure of forced treatment	28
Procedure for the protection of children's rights	172
Total	856

Protection of beneficiaries from family violence

Number of reported cases of family and partner violence during the year according to the age of victim and the type of household/family:

Type of family	Number of victims of violence according to the age			
	Young	Adults	Elderly	Total
One-parent family (children and one parent)	610	2234	555	3399
One-parent extended family (children, one parent and relatives)	411	1637	336	2384
Married or cohabiting without children	512	2765	901	4178
Married or cohabiting with biological children (both parents and children)	1806	9946	1186	12938
Complete extended family (both parents, child/children and relatives)	580	3918	982	5480
Relative or custodial family	31	232	70	333
Single household	54	478	514	1046
Contractual household - Lifetime support contract	0	7	22	29
Other families	121	335	122	578
Total	4125	21552	4688	30365

Number of reported cases of family and partner violence during the year according to the dominant type of violence, age and sex of victim of violence:

Dominant type of violence	Age of the victim of violence						
	Young		Adults		Elderly		Total
	M	F	M	F	M	F	
Physical violence	542	1519	2743	7554	710	1339	14407
Sexual violence	2	47	17	97	6	14	183
Mental violence	553	1417	2799	8019	927	1557	15272
Economic violence	7	38	84	239	54	81	503
Total	4125	1519	21552	7554	4688	1339	30365

Procedures undertaken by CSW during the year in cases of protection of adult victims of domestic violence:

Type of procedure	Age of the victim of violence								
	Young		Adults		Elderly		Total M	Total F	Total
	M	F	M	F	M	F			
Separation of the victim of violence from the family	8	52	40	248	18	36	66	336	402
Initiating proceedings before the court	7	31	65	254	18	54	90	339	429
Criminal charges	21	67	43	156	18	41	82	264	346
Providing material, legal	774	2081	4045	11758	1200	2050	6019	15889	21908

or professional advisory support and assistance to the victim of violence									
Referring the victim of violence to the services of other appropriate institutions	197	565	856	2700	276	502	1329	3767	5096
Something else	9	34	37	274	27	29	73	337	410
Total	1016	2830	5086	15390	1557	2712	7659	20932	28591

Number of notifications to the prosecutor's office and the police about domestic violence submitted by CSW during the year:

Total number:	12613
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The number of all reports of violence in CSW according to the reports/notifications during the year (all reports of violence for users of all age categories):

The origin of the report	Total
Family member	2274
Another person outside the family	609
Public institution (school, health center, kindergarten...)	994
Police	27911
Court/Prosecutor's Office	2399
Association of citizens (civil society organization)	8
Official guardianship authority in other proceedings	644
Victim	3493
Anonymous report	299
Someone else	265
Total	38896

Number of reports of violence in the CSW during the year according to the perpetrators of violence indicated in the report of violence and according to the relationship:

The perpetrator of violence according to the relationship with the victim	Number of perpetrators		Total number of perpetrators
	M	F	
Parent	5883	1802	7685
Siblings	1240	607	1847
Son/daughter	2575	1481	4056
Partner of one of the parents	658	194	852
Another family member or relative	1239	832	2071
Foster carer/custodian	30	33	63
Spouse/ common-law partner	11312	4050	15362
Ex spouse/ common-law partner	4192	1576	5768
Someone else	648	544	1192
Total	27777	11119	38896

Number of pronounced protection measures against domestic violence (according to the Family Law) recorded in the CSW during the year according to the type of measures:

Type of measure	Number of pronounced measures
Issuance of an eviction order from a family apartment or house regardless of ownership	540

Issuing an order to move into a family apartment or house regardless of ownership	15
Prohibition of approaching a family member at a certain distance	1472
Prohibition of access to the area around the family member's place of residence or work	874
Prohibition of further harassment of a family member	1926
Total	4827

Number of emergency measures imposed on perpetrators during the year (according to the Law on Prevention of Domestic Violence) according to the type of measure and the official who imposes the measure:

Type of emergency measures	The official who pronounces the measure		Total
	Police officer	Court	
Temporary removal of the perpetrator from the apartment	9888	6655	16543
Temporary prohibition for the perpetrator from contacting and approaching the victim of violence	19398	13094	32492
Total	29286	19749	49035

Number of individual protection and support plans for victims of violence, adopted at the Group for the coordination and cooperation during the year according to the age of the victim:

Age structure	No. of individual protection and support plans
Children	1138
Youth	1291
Adults	9006
Elderly	2091
Total	13526

According to the Law on Official Statistics and its plan and programme, reports on licensed service providers are developed in September of the current year for the previous year. Below presented are the table for 2021, 2022 and 2023.

Total number of beneficiaries of the service Shelter for victims of violence	During 2021		Total	As of 31/12/2021		Total
	M	F		M	F	
0 - 2 years	28	15	43	5	3	8
3 - 5 years	34	22	56	9	7	16
6 - 14 years	32	22	54	6	5	11
15 - 17 years	2	5	7	2	0	0
18 - 25 years	0	33	33	0	8	10
26 - 64 years	0	115	115	0	23	23
65 - 79 years	0	12	12	0	1	1
80 and more years	0	0	0	0	0	0

Total number of beneficiaries of the service Shelter for victims of violence	During 2022			As of 31/12/2022		
	M	F	Total	M	F	Total

0 - 2	28	30	58	6	4	10
3 - 5	27	23	50	3	6	9
6 - 14	27	25	52	4	7	11
15 - 17	2	4	6	1	2	3
18 - 25	0	40	40	0	7	7
26 - 64	0	116	116	0	21	21
65 - 79	0	10	10	0	2	2
80 +	0	1	1	0	0	0
Total	84	249	333	14	49	63

Total number of beneficiaries of the service Shelter for victims of violence	During 2023		Total	As of 31/12/2023		Total
	M	F		M	F	
0 - 2 years	26	21	47	6	3	9
3 - 5 years	35	21	56	4	6	10
6 - 14 years	35	44	79	4	6	10
15 - 17 years	4	11	15	0	0	0
18 - 25 years	1	28	29	0	2	2
26 - 64 years	0	142	142	0	17	17
65 - 79 years	0	23	23	0	3	3
80 +	0	0	0	0	0	0
Total	101	290	391	14	37	51

Overview of relevant law provisions

Law on Gender Equality,” Official Gazette of RS” no. 52/21

Article 6, paragraph 1, item 11

Violence against women constitutes a violation of human rights and a form of discrimination against women as well as all acts of gender-based violence that cause or are likely to cause physical, sexual, psychological, i.e. financial harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether in public or private life;

Article 6, paragraph 1, item 12

domestic violence constitutes any form of physical, sexual, psychological or economic violence perpetrated within the family or household, i.e. between former or current spouses or partners, regardless of whether the perpetrator shares or shared the same residence with the victim;

Article 12, paragraph 1

Information and statistical data collected and recorded by authorities and employers in all areas where the measures of this law are implemented must not only be aggregated, but also disaggregated and reported by gender and age.

Prohibition of violence based on gender, sexual characteristics, i.e. gender and violence against women

Article 51

All forms of violence based on sex, sexual characteristics, i.e. gender, and violence against women in the private and public sphere are prohibited.

Obligation to report violence

Article 53

Every person, authority, employer, association and institution is obliged to report any kind of gender-based violence and violence against women in the private and public sphere.

Public authorities are obliged to report immediately to the competent police authority or public prosecutor's office any violence within the meaning of Article 51 of this Law of which they become aware in the performance of their duties, i.e. in the course of their work.

The police authority and the public prosecutor's office are obliged to inform the Centre for Social Work of the reported violence.

General support services

Article 54

A victim of violence has the right to psychosocial support in accordance with the law and to free social and health care.

A victim of violence has the right to free legal aid in accordance with the Law on Free Legal Aid.

The assistance and protection under paragraphs 1 and 2 of this Article must be accessible to everyone and adapted to the individual needs of victims of violence, including victims from sensitive social groups.

The authorities are obliged to ensure, through legislative and other measures, that all victims of violence have easy access to general support services provided in an adequately equipped space by staff trained to assist and support victims of violence.

Specialized services

Article 55

Specialized support services, in terms of this law, are:

- 1) Provision of a confidential SOS telephone service for girls and women who have experienced gender-based violence, whose calls are not recorded or otherwise made available to third parties, provided and financed by the competent Ministry of Social Protection on the territory of the Republic of Serbia in the form of a free national SOS telephone and on the territory of the local self-government unit or in administrative districts by the competent body or bodies of the autonomous province and the local self-government unit;
- 2) Provision of safe accommodation for women victims of violence and their children in safe houses or shelters that are available free of charge to all women and their children, regardless of where they live or stay, and that are adapted to the needs of women victims of violence;
- 3) Carrying out specialist and forensic medical examinations and laboratory tests as well as psychological support in accordance with the needs of victims of violence;
- 4) Free support for victims of sexual violence, available 24 hours a day, seven days a week, as well as provision of contraceptives and protection against sexually transmitted diseases and forensic medical examinations;

5) Implementation of a programme of specialized counselling services for victims of violence, adapted to the individual needs of victims of violence, including victims from vulnerable social groups.

The specialized support services referred to in paragraph 1 of this Article shall be accessible to all and adapted to the individual needs of victims of violence, including victims from vulnerable social groups.

Programmes for violence perpetrators

Article 56

The Ministry, in cooperation with other bodies, organizations and institutions concerned with protection against violence, shall ensure the implementation of programmes for working with persons who have committed violent acts.

The aim of the programme referred to in paragraph 1 of this Article is to ensure that the violent persons adopt a non-violent model of behavior in interpersonal relationships and prevent the repetition of the criminal act of violence.

Persons who have committed violent acts may be included in the programmes referred to in paragraph 1 of this Article by decision of the competent authority or at their own request.

Agencies, organizations and institutions implementing programmes for persons who have perpetrated violence are obliged to ensure that the safety, rights and support of victims of violence are paramount and that the implementation of these programmes is carried out in close cooperation with specialized services supporting victims of violence.

Professionals and persons who have reported violence and are involved in the protection of victims of violence and their children cannot simultaneously participate in the implementation of programmes for working with persons who have perpetrated violence, nor can these services be organized in the same space, i.e. in the same authority.

Violence prevention

Article 57

The Ministry, in cooperation with bodies, organizations and institutions for equality between women and men, organizes, implements and finances actions aimed at raising public awareness of the need to prevent violence, including encouraging everyone to report any case of violence to the competent authorities and institutions dealing with protection against violence.

In addition to the bodies and organizations referred to in paragraph 1 of this Article, other authorities are also obliged to implement measures to prevent and combat violence, such as planning, organizing, implementing and funding measures to protect against violence, programmes to prevent all forms of violence and support programmes for victims of violence and persons who report violence; raising public awareness of the need to prevent violence; specializing professionals working in cases of protection of victims of violence and providing them with regular training; training professionals in gender equality issues and the phenomenon of gender-based violence; provision of social, legal and other support and compensation to protect against violence and to eliminate and mitigate the consequences of violence; provision of social, legal and other support and compensation to protect against violence and to eliminate and mitigate the consequences of violence; provision of support services for victims of violence; provision of services for persons who have perpetrated violence to prevent further violence and other measures.

Financial resources for the organization and implementation of specialist services

Article 58

Financial resources for the organization and implementation of specialized services from Articles 55 and 57 of this Law are provided in the budget of the Republic of Serbia, in the budget of the autonomous province and in the budget of the local self-government unit, in accordance with the law regulating the budget system.

Financial resources for the organization and implementation of specialized services from Article 56 of this Law shall be provided in the budget of the Republic of Serbia, in accordance with the Law regulating the budget system.

Services under Article 55, paragraph 1, items 2) and 4) are provided by the local self-government unit.

Services under Article 55, paragraph 1, items 2) and 4) are provided by the local self-government unit independently or in cooperation with one or more neighboring local self-government units.

Law on the Prohibition of Discrimination, “Official Gazette of RS”, no. 22/09 and no. 52/21

Forms of discrimination

Article 5

Forms of discrimination are direct and indirect discrimination as well as the violation of the principle of equal rights and obligations, calls for accountability, association for the purpose of discrimination, hate speech, harassment, degrading treatment and sexual and gender-based harassment as well as incitement to discrimination.

Exclusion is any act by which a natural or legal person, without objective and reasonable justification, excludes other persons or a group of persons on the basis of a personal characteristic within the meaning of Article 2(1)(1) of this law. Voluntary separation from other persons on the basis of personal characteristics does not constitute segregation.

Incitement to discrimination is also a form of discrimination. Discrimination occurs when a person or a group of persons is induced to discriminate by receiving instructions for discriminatory behavior or by inducing them to discriminate in another similar way.

Harassment, humiliating treatment, sexual and gender harassment

Article 12

Harassment, degrading treatment and sexual and gender-based harassment aimed at or constituting an offence to the dignity of a person or a group of persons based on their personal characteristics is prohibited, especially if it creates a frightening, hostile, degrading, humiliating and offensive environment.

Sexual harassment within the meaning of this law is any unwanted verbal, non-verbal or physical behavior that is intended to violate the dignity or personal integrity of a person and that causes fear or creates a frightening, hostile, degrading, humiliating or offensive environment.

Discrimination based on sex, gender and gender identity

Article 20

Discrimination occurs when the principle of gender equality is violated, i.e. the principle of respect for the equal rights and freedoms of women and men in political, economic, cultural and other areas of public, professional, private and family life.

The denial of rights or the public or hidden recognition of benefits on the basis of sex, i.e. gender and gender identity, or on the basis of gender reassignment, i.e. adaptation to gender identity, as well as on the basis of pregnancy, maternity leave, childcare leave or special childcare is prohibited. Physical and other violence, exploitation, expressions of hatred, degradation, blackmail and harassment in relation to gender, i.e. sex and gender identity, as well as public advocacy, support and action in accordance with prejudices, customs and other patterns of social behaviour are prohibited. based on the idea of gender subordination or superiority or stereotypical gender roles.

Criminal Code, “Official Gazette of RS”, no. 85/05, 88/05 - corr., 107/05 - corr., 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19

Contents of protective supervision

Article 73

Protective supervision may include one or more of the following obligations:

- 1) Notification to the authority responsible for carrying out protective supervision within the time limits established by that authority;
- 2) Training the offender for a specific occupation;
- 3) Accepting employment that corresponds to the offender's skills;
- 4) Fulfilment of obligations to support the family, care and education of children and other family obligations;
- 5) Refraining from visiting certain places, premises or events if this may provide an opportunity or incentive to repeat offenses;
- 6) Timely notification of a change of residence, address or place of work;
- 7) Abstinance from the consumption of drugs or alcoholic beverages;
- 8) Treatment in an appropriate healthcare facility;
- 9) Seeking professional and other counselling services or facilities and acting in accordance with their instructions;
- 10) The elimination or mitigation of the damage caused by a criminal offense, in particular the settlement of accounts with the victim of the criminal offense committed.

SECURITY MEASURES

Purpose of the security measures

Article 78

Within the general purpose of criminal sanctions (Article 4(2)), the purpose of security measures is to eliminate situations or conditions which may have an impact on the offender in order for him not to commit crimes in future.

Types of security measures

Article 79

(1) The following security measures may be imposed on the convicted person:

- 1) Compulsory psychiatric treatment and placement in a treatment facility;
- 2) Mandatory psychiatric treatment at liberty;
- 3) Mandatory treatment of drug addicts;
- 4) Mandatory treatment of alcoholics;
- 5) Prohibition of occupation, professional activities and duties
- 6) Prohibition from driving a motor vehicle;
- 7) confiscation of property;
- 8) Expulsion of a foreigner from the country;
- 9) Public announcement of the judgment;
- 10) Prohibition to approach and communicate with the injured party;
- 11) Prohibition from attending certain sporting events.

(2) Under the conditions provided for in this Code, certain security measures may be imposed on a mentally incompetent person who has committed an unlawful act defined as a criminal offense in the Code (Article 80, para. 2).

Imposing security measures

Article 80

(1) The court may impose one or more security measures on the perpetrator of a criminal offense if the conditions for their imposition are provided for in this Code.

(2) Compulsory psychiatric treatment and detention in an institution and compulsory psychiatric treatment of a mentally incompetent offender at liberty shall be imposed independently of each other. In addition to these measures, a ban on telephone conversations, activities and tasks, a ban on driving a motor vehicle and the confiscation of property may be imposed.

(3) The measures referred to in subsection (2) may be imposed on the perpetrator of an offense whose sanity is substantially impaired if he has been sentenced to a penalty or suspended sentence.

(4) Compulsory treatment of drug addicts, compulsory treatment of alcoholics, a ban on telephone conversations, activities and tasks, a ban on driving a motor vehicle, confiscation of property and public announcement of the judgment may be imposed if the offender has been sentenced to a penalty, suspended sentence or judicial caution or if the offender has been released from the penalty.

(5) The expulsion of a foreigner from the country and a ban on attending certain sporting events may be imposed if the offender has been sentenced to a fine or a suspended sentence.

(6) A ban on contact and communication with the injured party may be imposed if the offender has been sentenced to a fine, community service, a driving disqualification, a conditional sentence and a judicial warning.

(7) A security measure shall be imposed for concurrent offenses if it has been established for one of the concurrent offenses that.

Failure to report the crime and the perpetrator

Article 332

(1) Any person who knows that a person has committed an offense punishable by life imprisonment, or only knows that such an offense has been committed, and does not report it before the offense or the offender are discovered, shall be punished by imprisonment for up to three years.

(2) A public official or a responsible person who knowingly fails to report a criminal offense of which he/she has become aware in the performance of his/her official duties shall be punished by imprisonment of six months to five years if the criminal offense is punishable by law by imprisonment of up to five years or by a more severe penalty.

(3) An official or person in authority who knowingly fails to report a criminal offense committed by a subordinate in the performance of official, military or professional duties shall be punished by imprisonment for a term of one year to eight years if the criminal offense is punishable by life imprisonment under the law.

(4) A person to whom the perpetrator is married or with whom he lives in permanent extramarital cohabitation, a blood relative in a direct line, a brother or sister, an adoptive parent or an adopted child, as well as the spouse of one of the aforementioned persons, i.e. a person living with some of the aforementioned persons, as well as the offender's defense lawyer, doctor or priest shall not be punished for failure to report the criminal offense or the perpetrator from paragraphs 1. and 2. of this Article.

Illegal abortion

Article 120

(1) Whoever, contrary to the regulations on terminating a pregnancy, performs an abortion on a pregnant woman with her consent, initiates an abortion or helps her to perform an abortion, shall be punished by imprisonment from three months to three years.

(2) Whoever is performing the act referred to in paragraph 1 of this article shall be punished with imprisonment from six months to five years.

(3) Whoever performs or initiates an abortion on a pregnant woman without her consent, and if she is under the age of sixteen, without her consent and without the written consent of her parent, adoptive parent or guardian, shall be punished by imprisonment from one to eight years.

(4) If the offense under para. 1. to 3. of this Article results in the death, serious impairment of health or other serious bodily injury of an aborted woman, the offender shall be punished for the offense

under subsections 1. and 2. of this Article with imprisonment of one to seven years, and for the offense under subsection 3. of this Article with imprisonment of two to twelve years. The offender shall be liable to a custodial sentence of one to seven years for the offense referred to in paragraphs 1 and 2 of this Article and to a custodial sentence of two to twelve years for the offense referred to in paragraph 3 of this Article.

Family Law, “Official Gazette of RS”, no.18/05, 72/11 – other law and 6/15

Child

Article 6

- (1) Everyone is obliged to be guided by the best interests of the child in all actions concerning the child.
- (2) The state shall be obliged to take all necessary measures to protect the child from neglect, physical, sexual and psychological abuse and from all forms of exploitation.
- (3) The state shall have the duty to respect, protect and promote the rights of the child..
- (4) A child born outside marriage has the same rights as a child born in marriage.
- (5) An adopted child shall have the same rights vis-à-vis the adoptive parents as a child has vis-à-vis its parents.
- (6) The state is obliged to provide protection to a child without parental care in the family environment whenever possible.

Living with parents

Article 60

- (1) A child has the right to live with his or her parents and the right to be cared for by his or her parents above all others.
- (2) The right of the child to live with its parents may only be restricted by a court decision if this is in the best interests of the child.
- (3) The court may issue a decision on the separation of the child from the parents if there are grounds for total or partial deprivation of parental rights or in the event of domestic violence.
- (4) A child who has reached the age of 15 and is capable of judgment may decide which parent he or she wishes to live with.

Personal relations

Article 61

- (1) The child shall have the right to maintain personal relations with the parent with whom he or she does not live.
- (2) The child's right to maintain personal relations with the parent with whom he or she does not live may only be restricted by a court decision if this is in the child's best interests.
- (3) The court may decide to restrict the child's right to maintain personal relations with the parent with whom he or she does not live if there are grounds for depriving that parent of parental rights in whole or in part, or in cases of domestic violence.
- (4) A child who has reached the age of 15 and is capable of making decisions may decide to maintain personal relations with the parent with whom he or she does not live.
- (5) A child has the right to maintain personal relationships with relatives and other persons to whom he or she is particularly close, provided that this right is not restricted by a court decision.

PROTECTION FROM DOMESTIC VIOLENCE

Domestic violence

Article 197

- (1) Domestic violence within the meaning of this Law is behavior by which a family member endangers the physical integrity, mental health or peace of mind of another family member.

(2) Domestic violence within the meaning of paragraph 1 of this Law shall include in particular

1. causing or attempting to cause bodily harm;
2. causing fear by threatening to kill or physically harm a family member or a person close to them;
3. coercion to have sexual intercourse;
4. inducing sexual intercourse or sexual intercourse with a person who has not yet reached the age of 14 or with a disabled person
5. restriction of freedom of movement or communication with third parties
6. insulting and any other impertinent, inconsiderate and malicious behaviour.

(3) Family members within the meaning of paragraph 1 of this Article are

1. spouses or former spouses;
2. children, parents and other blood relatives as well as in-laws or adoptive relatives, i.e. persons placed in foster families;
3. persons who live or have lived in a joint family household
4. life partners or former life partners;
5. persons who were or are in an emotional or sexual relationship with each other, i.e. who have a child together or are expecting a child, even if they have never lived in a joint family household.

Protective measures

Article 198

(1) The court may order one or more domestic violence protection measures against a family member who is a perpetrator of violence, temporarily prohibiting or restricting the maintenance of personal relations with another family member.

(2) Protective measures against domestic violence are

1. issuance of an eviction order for the family home or apartment, regardless of ownership or tenancy of real property;
2. an order to move into a family dwelling or house, regardless of ownership or tenancy interest in real property;
3. prohibition of approaching a family member within a certain distance;
4. prohibiting access to the vicinity of a family member's home or place of work;
5. prohibition of further harassment of a family member.

(3) The measure of protection against domestic violence may last a maximum of one year.

(4) The period of imprisonment and any deprivation of liberty in connection with a criminal offense or misdemeanor shall be counted towards the duration of the protective measure against domestic violence.

Extension of the protective measure

Article 199

The protective measure against domestic violence can be extended until the reasons for ordering the measure no longer apply.

Termination of the protective measure

Article 200

The measure to protect against domestic violence can end before the end of its duration if the reasons for which the measure was decided no longer apply.

When is mediation carried out

Article 230

(1) Mediation is regularly conducted in connection with the proceedings of a matrimonial dispute initiated by an action brought by one of the spouses.

(2) Mediation in a matrimonial dispute shall not be conducted

1. if one of the spouses does not agree to mediation;
2. if one of the spouses is incapable of presenting an argument;
3. if the domicile of one of the spouses is unknown;
4. if one spouse or both spouses live abroad.

Records and documentation of domestic violence

Article 289

(1) The court shall be obliged to immediately serve the judgment in the legal dispute on protection against domestic violence to the guardianship authority on whose territory the family member against whom the violence was exercised resides, as well as to the guardianship authority on whose territory the family member against whom the protection measure was imposed resides or stays.

(2) The guardianship authority shall be obliged to keep records and documents both on persons against whom violence has been exercised and on persons against whom a protection measure has been ordered.

(3) The manner of keeping records and documentation shall be prescribed by the Minister responsible for the protection of the family.

The urgency of the proceedings

Article 332

(1) The custody proceedings are expedited proceedings.

(2) The custodial authority shall be obliged to make a provisional decision on the placement of the ward within 24 hours of being notified of the need for custody.

(3) If the ward has assets, the custodial authority shall be obliged to draw up an inventory of the ward's assets no later than eight days after the day on which it was notified of the need for custody.

(4) The custodial authority shall be obliged to make a decision on placement under guardianship without delay, but no later than within 30 days from the day on which it was notified of the need for guardianship of a minor child, i.e. from the day of receipt of the court decision on the deprivation of capacity of an adult.

Law on Prevention of Domestic Violence, “Official Gazette of RS”, no. 94/16 and 10/23 – other law

Prevention of domestic violence, imminent danger of domestic violence, domestic violence

Article 3, paragraph 3

Domestic violence within the meaning of this Law is the exercise of physical, sexual, psychological or economic violence by the perpetrator against a person with whom he or she lives in a current or former marital or extramarital relationship or partnership, or against a person to whom he or she is related in the direct line and in the collateral line up to the second degree, or to whom he or she is related by affinity up to the second degree, or with whom he or she is an adoptive, foster or custodial parent, or against another person with whom he or she lives or has lived in a shared household.

Reporting and recognizing domestic violence

Article 13

Everyone is obliged to report domestic violence or the immediate threat of domestic violence to the police or the public prosecutor's office without delay.

State and other authorities, organizations and institutions are obliged to immediately report any knowledge of domestic violence or the imminent threat of domestic violence to the police or the public prosecutor's office.

The relevant state agencies and social work centres (Art. 8-11) are obliged to identify domestic violence or the threat of domestic violence as part of their regular duties.

Recognition may result from studying the report that the victim of violence makes to anyone, from observing traces of physical or other violence on the victim and from other circumstances that indicate the existence of domestic violence or its imminent danger.

The public prosecutor who has become aware of an act of violence or the imminent threat thereof is obliged to forward the report to the police officers without delay so that they can inform the authorized police officer (Article 14(1)).

Measures taken by the authorized police officer

Article 15

The competent police officer must give the potential perpetrator who has been brought to the relevant police organizational unit the opportunity to present all relevant facts, obtain the necessary information from other police officers, immediately assess the risk of an imminent threat of domestic violence (hereinafter: risk assessment) and issue an emergency measure to prevent domestic violence (hereinafter: emergency measure) under the conditions laid down in this Act (Article 17(1)).

If the potential perpetrator is not brought to the relevant police organizational unit, the competent police officer shall carry out a risk assessment as soon as he receives a report of violence or the threat of violence from police officers.

Before completing the risk assessment, the police officer responsible may seek the opinion of the Centre for Social Work if necessary.

Risk assessment

Article 16

The risk assessment is carried out on the basis of existing reports and is carried out as quickly as possible.

During the risk assessment, particular attention is paid to whether the potential perpetrator has already committed domestic violence in the past or immediately before the risk assessment and is prepared to repeat it, whether he has threatened murder or suicide, whether he possesses a weapon, whether he is mentally ill or abuses psychoactive substances, whether there is a conflict over the custody of the child or over the way in which personal relationships are maintained between the child and the parent who is the possible perpetrator, whether an emergency measure or a specific measure to protect against domestic violence has been imposed on the possible perpetrator, whether the victim feels fear and how he or she assesses the risk of violence.

The competent police officer shall immediately forward all available information on domestic violence or the imminent threat thereof and the risk assessment - if this indicates an imminent threat of violence - to the Public Prosecutor General in whose jurisdiction the victim's place of residence is located, the Centre for Social Work and the Coordination and Cooperation Group.

If the police officer in charge determines that there is no imminent danger, he will forward all available information on domestic violence or the risk thereof and his risk assessment to the Public Prosecutor General and the Centre for Social Work.

Emergency measures

Article 17

If, following the risk assessment, he identifies an imminent risk of domestic violence, the police officer responsible orders an emergency measure to be taken against the perpetrator, who is taken to the relevant police organizational unit (Article 15(1)).

Immediate measures are: the measure of temporarily removing the perpetrator from the home and the measure of temporarily prohibiting the perpetrator from contacting and approaching the victim of violence.

Both emergency measures can be ordered by decision.

The order contains: the name of the authority issuing it, information about the person against whom the emergency measure is imposed, the type of emergency measure imposed and its duration, the date and time of the imposition of the emergency measure and the obligation of the person against whom the emergency measure is imposed to report to the police officer who imposed it after its expiry.

The order shall be served on the person on whom the emergency measure was imposed. If the person refuses to accept the order, the police officer responsible shall make a note of this and it shall be deemed to have been served.

As soon as the order has been served, the police officer in charge shall send it to the Public Prosecutor General in whose jurisdiction the victim's place of residence is located, the Centre for Social Work and the Coordination and Cooperation Group, and the victim of violence shall be informed in writing of the nature of the emergency measure ordered.

Liaison officers

Article 24

The liaisons are appointed in the police administration, the public prosecutor's offices, the higher courts and the Centre for Social Work.

They are appointed by the head of the police authority, the public prosecutor, the president of the court and the head of the Centre for Social Work from among the relevant police officers and judges and deputy public prosecutors who have completed special training, as well as the staff of the Centre for Social Work.

The persons appointed as liaisons shall exchange information and data essential for the prevention of domestic violence, the detection, prosecution and conviction of the offences referred to in this Act and for the protection and support of victims of domestic violence and victims of the offences referred to in this Act.

The Minister of the Interior, the Minister of Justice and the Minister responsible for the protection of the family shall determine by mutual agreement the manner of exchange of information and data between the persons designated as liaison officers.

Coordination and Cooperation Group

Article 25

A Coordination and Cooperation Group is set up in each public prosecutor's office.

It shall examine each case of domestic violence that has not yet been concluded by a final court decision in civil or criminal proceedings, cases in which victims of domestic violence and victims of criminal offences under this Act should be granted protection and support, draw up an individual protection and support plan for the victim and propose measures to the competent public prosecutor's office to end the court proceedings.

The Coordination and Cooperation Group holds a meeting at least every 15 days and keeps minutes of the meeting.

Representatives of educational, educational and health institutions and the state labour administration, representatives of other legal entities and associations and individuals who provide protection and support to victims may attend the meetings as required.

The Coordination and Cooperation Group draws up its own rules of procedure, which regulate its working methods and decision-making in more detail.

Members of the Coordination and Cooperation Group

Article 26

The Coordination and Cooperation Group consists of representatives of the public prosecutor's offices, police authorities and social work centres from the areas for which the group is being trained.

The members of the Coordination and Cooperation Group are appointed by the heads of the authorities from the group of deputy public prosecutors who have completed specialist training, as well as the relevant police officers and employees of social work centres that deal with cases of domestic violence.

The Coordination and Cooperation Group shall be chaired by a member of the group from among the deputy public prosecutors.

If the Chief Public Prosecutor's Office is responsible for prosecuting the offences referred to in this Law, the Chief Public Prosecutor shall appoint his deputy, who has undergone special training, to participate in the work of the group and to chair the group.

Individual protection and support plan for the victim

Article 31

After receiving the risk assessment, which identifies an immediate risk of domestic violence, the Coordination and Cooperation Group draws up an individualized protection and support plan for the victim, which includes comprehensive and effective protection and support measures for the victim and other family members who require support.

The victim also participates in the development of an individualized protection and support plan for the victim, if they so wish and if their emotional and physical condition permits.

The protection measures must ensure the victim's safety, end the violence, prevent its recurrence and protect the victim's rights, and the support measures must enable the victim to receive psychosocial and other support for their recovery, empowerment and independence.

The individualized protection and support plan for the victim determines the executors of specific measures and the deadlines for their implementation, as well as the plan for monitoring and evaluating the effectiveness of the planned and implemented measures.

An individual victim protection and support plan shall also be drawn up for victims of criminal offences within the meaning of this Law.

Records

Article 32

The relevant police department shall keep records of reported cases of domestic violence and of the imposition and implementation of emergency measures and the implementation of protective measures against domestic violence.

The records of the police station contain:

- 1) Data on reported domestic violence cases (parties involved, time, location, statements collected, circumstances of the case, data on a possible victim, etc.);
- 2) Data on the reported possible perpetrator (name, family name, unique citizen identification number, residence or location, data on previously established protective measures against domestic violence);
- 3) Risk assessment data and the names of the authorities to whom the risk assessment was submitted;
- 4) data on the imposition of emergency measures (date and number of the decision on the imposition of emergency measures, their duration and the date of commencement of their duration)
- 5) data on the extension and enforcement of emergency measures (number and date of the decision of the basic court on the extension of the emergency measures, data on the enforcement of the emergency measures);
- 6) Data on the implementation of protective measures against domestic violence.

The Basic Court keeps records of its decisions on proposals to extend emergency measures and on certain domestic violence protective measures.

The records of the Basic Court on proposals to extend emergency measures contain:

- 1) Data on the person to whom the emergency measure has been extended (first and last name, unique citizen identification number, domicile or residence, data on previously established protective measures against domestic violence);
- 2) Number and date of the decision to extend the emergency measure;
- 3) number and date of the decision rejecting the application for extension of the emergency measure;
- 4) Data on the appeal against the decision on the proposal to extend the emergency measure;
- 5) data on the decision on the appeal.

The files of the basic court on certain protective measures against domestic violence contain:

- 1) data on the person for whom a protection measure against domestic violence has been established (first and last name, unique citizen identification number, domicile or residence, data on previously established protection measures against domestic violence);
- 2) data on the court decision establishing protective measures against domestic violence (number and date of the decision, type of measure established and its duration);
- 3) data on the appeal against the court decision establishing protective measures against domestic violence
- 4) data on the decision on the appeal;
- 5) data on the extension or termination of protective measures against domestic violence.

The Attorney General's Office shall maintain records of requests for extensions of emergency protective orders and requests for the establishment of domestic violence protective orders.

The files of the General Prosecutor's Office contain:

- 1) data on the person for whom the extension of emergency measures is proposed (first and last name, unique citizen identification number, domicile or residence, data on previously established protective measures against domestic violence);
- 2) data on the extension of the emergency measures (date and number of the request for extension of the emergency measures, name of the court to which the extension of the emergency measures was requested, court decision on the prosecutor's request, data on the decision on the appeal);
- 3) data on the filing of a petition for the establishment of protective measures against domestic violence;
- 4) the type of protective measure against domestic violence whose determination is requested);
- 5) Data on the court decision on the application for the determination of a measure for protection against domestic violence (number and date of the decision, type of measure determined and duration of the measure);
- 6) Data on the extension and termination of protection measures against domestic violence.

The responsible social work center keeps records of the implementation of the individual protection and support plans for the victim.

The social work center's records shall include:

- 1) The victim's first and last name, unique citizen identity number and address of residence;
- 2) Data on the individual protection and support plan for the victim;
- 3) Information on the measures planned to protect the victim;
- 4) Data on the measures planned to support the victim;
- 5) data on the implementers of the specific protection and support measures and the deadlines for their implementation
- 6) data on the monitoring plan and the evaluation of the effectiveness of the planned and implemented measures.

The files of the police authorities, basic courts, public prosecutor's offices and social work centers are kept in electronic form and form the Central Register of Domestic Violence Cases (hereinafter: Central Register), which is kept by the Public Prosecutor's Office of the Republic of Serbia.

Data can only be entered into the Central Register with the help of appropriate protected access codes.

The data is kept in the files and in the Central Register for ten years and then deleted.

Law on Personal Data Protection, “Official Gazette of RS”, no. 87/18

Consent of a minor in connection with the use of information society services

Article 16

A minor who has reached the age of 15 may independently give his or her consent to the processing of personal data when using information society services.

In the case of a minor under the age of 15, consent to the processing of the data referred to in paragraph 1 of this Article must be given by a parent exercising parental rights, i.e. another legal representative of the minor.

The data operator must take reasonable steps to determine whether consent has been given by the parent exercising parental rights, i.e. another legal representative of the minor, taking into account the available technologies.

Law on Social Protection, “Official Gazette of RS”, no. 24/11 and 117/22 – AC

Keeping records

Article 23

Records shall be kept of users, the rights they exercise and the services provided to them in accordance with this Law and other regulations.

The records referred to in paragraph 1 of this Article shall be kept in electronic form and may also be in paper form.

Social protection institutions and other providers of social protection services are obliged to keep the user's records in the original and, if possible, in electronic form and to protect them from unauthorized access, copying and misuse, regardless of the form in which the data from the records are stored.

The nature and content of the records and documents, the method of keeping and storing them, the persons authorized to keep the records and enter the data, the time limits for the transmission and processing of the data, which data are considered confidential, the method of exemption from official secrecy and other matters relevant to the keeping of records and documents shall be prescribed by the Minister responsible for social protection.

Groups of social protection services

Article 40

Social protection services are divided into the following groups:

- 1) Assessment and planning services - assessment of the condition, needs, strengths and risks of the user and other significant persons in his or her environment; assessment of guardians, foster and adoptive parents; development of an individual or family service plan and legal safeguards and other assessments and plans;
- 2) daily services in the community - day care, in-home assistance, drop-in center, and other services that support the user's residence in the family and immediate community;

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- 3) independent living support services - supported living; personal assistance; independent living training and other types of support necessary for the user's active participation in society;
- 4) counseling, therapy and socio-educational services - intensive support services for families in crisis situations; counseling and support for parents, foster parents and adoptive parents; support for a family caring for their child or an adult family member with developmental disabilities; maintenance of family relationships and family reunification; counseling and support in cases of violence; family therapy; mediation; SOS phones; activation and other counseling and educational services and activities;
- 5) Placement services - placement in kinship, foster or other family homes for adults and the elderly; in-home placement; shelter placement and other types of placement.

Placement in a shelter

Article 55

Accommodation in a shelter provides the user with short-term accommodation and ensures safety, finding sustainable solutions for crisis situations, meeting their basic needs and access to other services.

The accommodation service in the shelter is provided by the local self-government unit, except in the cases provided by this law.

Emergency intervention services

Article 56

Social protection services can be provided in the form of emergency interventions to ensure safety in situations that threaten the life, health and development of users and are provided 24 hours a day.

Emergency intervention services are offered by the center for social work with mandatory cooperation with other competent authorities and services.

Emergency intervention services are ensured by the Republic of Serbia, i.e. the autonomous province.

More detailed conditions and standards of social protection services

Article 57

More detailed conditions and standards for the provision and implementation of social protection services shall be determined by the minister responsible for social protection.

The authority of the autonomous province or local self-government unit responsible for social protection may require the application of higher standards and more favorable conditions for the provision of services provided by the autonomous province or local self-government unit.

Cross-sectoral services

Article 58

Depending on the needs of the users, social protection services can be provided simultaneously and in combination with services from education, health and other institutions (hereinafter: cross-sector services).

The coordinated provision of cross-sectoral services is ensured by signing a cooperation protocol.

Funding from the budget of the local self-government unit

Article 209

The following services are financed from the budget of the local self-government unit

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- 1) Daily services in the community;
 - 2) support services for independent living, with the exception of housing with support for persons with disabilities;
 - 3) residential services with support for persons with disabilities in local self-government units whose level of development is determined in accordance with the regulations on the classification of local self-government units according to the level of development - above the national average;
 - 4) counseling, therapy and socio-educational services, with the exception of counseling and training of foster and adoptive parents;
 - 5) other social protection services according to the needs of local self-government;
 - 6) one- time aid and other forms of support;
 - 7) work programs of institutions whose founders are local self-government units;
 - 8) programs to improve social protection in the local self-government unit;
 - 9) innovation services.

Rulebook on the organization, norms and standards of work of the center for social work, "Official Gazette of RS", no. 59/08, 37/10, 39/11 – amended, 1/12 – amended, 51/19, 12/20 and 83/22

Keeping records and documentation

Article 13

The Center is obliged to keep records and documentation on its work in electronic form in the Unified System for the Protection and Automation of Social Protection Instruments (hereinafter: UNPASPI) using data from the Social Card Register, in accordance with the law and this Rulebook.

Priority level of the measures

Article 50

Based on the circumstances referred to in Article 49, paragraph 3 of these rules, the head of the competent service shall determine the priority of action in one of the following ways:

- 1) “immediate” - if the data collected indicate that a child, adult or elderly person is at high risk, the initial assessment procedure shall begin immediately and immediate action shall be taken as soon as possible and at the latest within 24 hours;
- 2) “urgent” - if the data collected indicates that a child, adult or older person is at moderate risk, the initial assessment process must begin as soon as possible, but no later than within three days (72 hours) of receiving the information about the user and family;
- 3) “regular” - if the data collected indicates that the safety of a child, adult or older person is not at risk or that the risks are low, the initial assessment procedure must be initiated as soon as possible, but no later than five working days after receiving the report or other information about the case.

Emergency interventions

Article 51

According to Article 49 of this Rulebook, the Center provides emergency assistance services directly and in cooperation with other services and institutions of the local community when it is necessary to protect a child, adult or elderly person and to take measures to ensure safety, i.e. when there are reasonable grounds to believe that the life, health and development of a vulnerable person is at risk if emergency measures and services are not taken within the jurisdiction of the Center.

Law on special measures to prevent the commission of criminal acts against sexual freedom against minors, "Official Gazette of RS", no. 32/13*Special measures*

Article 7

For the offender who has committed an offense within the meaning of Article 3 of this Law, the following special measures shall apply after serving the prison sentence:

- 1) Mandatory reporting to the competent police authority and the Administration for the Enforcement of Penal Sanctions;
- 2) Prohibition from visiting places where minors are present (kindergartens, schools, etc.);
- 3) Mandatory attendance at professional counseling centers and facilities;
- 4) Mandatory reporting the change of location, place of residence or place of work
- 5) Mandatory reporting when traveling abroad.

The measures referred to in paragraph 1 of this Article shall be enforced no later than 20 years after the custodial sentence has been served.

At the end of every four years from the beginning of the execution of the special measures referred to in paragraph 1 of this Article, the court that issued the judgment of first instance shall decide *ex officio* on the necessity of their continued execution.

A motion to review the necessity of the continued execution of the special measures from paragraph 1 of this Article may also be filed by the person to whom these measures apply.

The motion referred to in paragraph 4 of this Article may be filed with the court that issued the first instance judgment after the expiry of two years from the date of commencement of the application of the special measures.

In the proceedings in which it decides on the necessity of the continued application of the special measures referred to in paragraph 1 of this Article, the court shall obtain reports from authorities and organizations responsible for the implementation of these measures.

Article 14

The special records referred to in Article 13 of this Law shall be kept by the Administration for Enforcement of Penal Sanctions.

All state and other bodies as well as legal entities or entrepreneurs are obliged to submit the data to the authorized person of the Administration for the Enforcement of Penal Sanctions, which keeps special records, within three days from the date of obtaining data on which special records are kept in accordance with this Law.

The data from the special registers shall be kept permanently and cannot be deleted.

The Minister responsible for judicial matters shall regulate in detail the manner in which special registers are stored.

Availability of data from special registers

Article 15

Data from the special records can be given to the court, the public prosecutor and the police in connection with the criminal proceedings conducted against the person on whom the special records

are kept, i.e. to the competent organizational unit of the police, as well as to the organizational unit of the Directorate for the Execution of Criminal Sanctions competent for treatment and alternative sanctions, when it is necessary to carry out tasks under their jurisdiction.

Data from special records can, upon reasoned request, be given to a state authority, company, other organization or entrepreneur, if the legal consequences of the conviction are still ongoing and if there is a justified interest based on the law.

State and other authorities, as well as legal entities or entrepreneurs who work with minors are obliged to request information on whether the person who should establish a working relationship with them, that is, perform work with minors, is registered in a special record.

Data from special records can also be given to foreign state authorities, in accordance with international agreements.

If the provisions of this law do not prescribe otherwise, the provisions of the law governing the protection of personal data and confidentiality of data shall be applied accordingly to the data contained in the special records.

Law on Local Self-Government, "Official Gazette of RS", no. 129/07, 83/14 - amended, 101/16 - amended, 47/18 и 111/21 - amended

Article 20, paragraphs 4, 5 and 10

The municipality, through its bodies, in accordance with the Constitution and the law:

4. takes care of meeting the needs of citizens in the field of education (preschool education and primary and secondary education and upbringing), scientific research and innovation activities, culture, health and social protection, child protection, sports and physical education;

5. ensures realization of special needs of persons with disabilities and protection of the rights of vulnerable groups;

10. takes care of the realization, protection and promotion of human and minority rights, gender equality, as well as public information in the municipality;

Criminal Procedure Code, "Official Gazette of RS", no. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14, 35/19, 27/21 - AD and 62/21 - AD

Language and script in the procedure

Article 11

The Serbian language and the Cyrillic alphabet are in official use in the proceedings; other languages and scripts in official use are in accordance with the Constitution and the law.

The proceedings shall be conducted in the language and script that are officially used in accordance with the law in the court.

Parties, witnesses and other persons involved in the proceedings have the right to use their own language and script during the proceedings. If the proceedings are not conducted in their language and if, after being informed of their right to translation, they do not declare that they are proficient in the language in which the proceedings are conducted and waive their right to translation, they shall be provided with a translation of what they or others present, as well as a translation of documents and other written evidence, at the expense of the budget.

The translation shall be provided by a translator.

Deferred prosecution

Article 283

The public prosecutor can defer criminal prosecution for criminal offenses punishable by a fine or a prison sentence of up to five years, if the suspect accepts one or more of the following obligations:

- 1) to eliminate the harmful consequences caused by the commission of a criminal offense or to compensate for the damage caused;
- 2) to pay a certain amount of money to the account prescribed for the payment of public revenues, which is used for humanitarian or other public purposes;
- 3) to perform certain socially useful or humanitarian work;
- 4) to fulfill due support obligations;
- 5) to undergo withdrawal from alcohol or narcotic drugs;
- 6) to undergo psychosocial treatment in order to eliminate the causes of violent behavior;
- 7) to fulfill the obligation established by a legally binding court decision, i.e. respect the limitation established by a legally binding court decision.

In the deferred prosecution order, the public prosecutor shall specify the period within which the defendant must fulfill the obligations assumed, which may not be longer than one year. The monitoring of the fulfillment of the obligations is carried out by a representative of the administrative authority responsible for the enforcement of criminal sanctions in accordance with the Regulation of the Minister responsible for judicial matters.

If the defendant fulfills the obligation from paragraph 1 of this Article within the time limit, the public prosecutor shall discontinue the criminal case by decision and inform the injured party thereof, whereby the provision of Article 51, paragraph 2 of the Code shall not apply.

The funds from paragraph 1, item 2) of this Article shall be allocated to humanitarian organizations, funds, public institutions or other legal or natural persons on the basis of a public competition announced by the Ministry responsible for judicial affairs.

The public tender referred to in paragraph 4 of this Article shall be conducted by a commission formed by the Minister responsible for judicial affairs.

Exceptionally from para. 4 and 5 of this article, the commission may, at the request of a natural person, without holding a public competition, propose that funds from paragraph 1, point 2) of this article be allocated for the treatment of a child abroad, if the funds for treatment are not provided in the Republic Fund for Health Insurance.

The implementation of the public competition, the criteria for the distribution of funds, the composition and the way the commission works are regulated by an act of the minister responsible for judicial affairs.

The decision on the allocation of funds from paragraph 1, point 2) of this article is made by the Government.

Deciding on the determination of the status of a protected witness

Article 108

The determination of the status of a protected witness is decided by a ruling during the investigation by the pre-trial judge and after confirmation of the indictment by the Chamber. The public shall be excluded from decisions in the main hearing (Article 363), except for the exceptions provided for in Article 364, paragraph 2 of this Code.

The decision determining the status of a protected witness shall specify the pseudonym of the protected witness, the duration of the measure and the manner in which it is to be carried out: Modification or deletion of the information on the identity of the witness, concealment of his appearance, questioning in a special room with alteration of the witness's voice, questioning by technical means of transmission and alteration of sound and image.

The parties and the witnesses may appeal against the decision referred to in paragraph 1.

An appeal against the decision of the judge of the preliminary proceedings shall be decided by the panel (Article 21(4)), in other cases by the panel (Article 21(4)) of the immediately superior court. The decision on the appeal shall be made within three days of receipt of the file.

Questioning of a protected witness

Article 109

When the decision on the determination of the status of a protected witness becomes final, the court shall inform the parties, the defense counsel and the witness confidentially of the date, time and place of the hearing of the witness by means of a special order, which shall be secret.

Before the hearing begins, the protected witness shall be informed that his identity will not be disclosed to anyone other than the court, the parties and the defense counsel or only to the court and the public prosecutor under the conditions set forth in Article 106, paragraphs 2 and 3 of this Code, and he shall familiarize himself with the manner of his hearing.

The court shall point out to all those present that they are obliged to keep secret information about the protected witness and persons close to him or her, as well as other circumstances that may lead to their identity being revealed, and that disclosing the secret constitutes a criminal offense. The instruction and the names of those present are recorded in the minutes.

The court prohibits any question that requires an answer that could reveal the identity of a protected witness.

If the questioning of a protected witness is conducted using technical means to alter sound and images, these are processed by an expert.

The protected witness signs the record with a pseudonym.

Content of the agreement

Article 314

The plea agreement contains:

- 1) description of the criminal offense that is the subject of the accusation;
- 2) the defendant's confession that he committed the criminal offense referred to in point 1 of this paragraph;
- 3) agreement on the type, measure or range of punishment or other criminal sanction;
- 4) agreement on the costs of the criminal proceedings, on confiscation of the property benefit obtained by the criminal act and on the property law claim, if it has been submitted;
- 5) a statement on the waiver of the parties' and defense counsel's right to appeal against the decision by which the court fully accepted the agreement, except in the case referred to in Article 319, paragraph 3 of this Code;
- 6) signature of the parties and defense counsel.

In addition to the data from paragraph 1 of this article, the agreement on the recognition of the criminal offense may contain:

- 1) statement of the public prosecutor on the waiver of criminal prosecution for criminal offenses that are not included in the agreement on the recognition of the criminal offense;
- 2) the statement of the defendant on acceptance of the obligation from Article 283, paragraph 1 of this Code, provided that the nature of the obligation allows to start its execution before submitting the agreement to the court;
- 3) an agreement regarding property resulting from a criminal offense that will be confiscated from the defendant.

PROCEDURES FOR IMPOSING SECURITY MEASURES

Applicable provisions of the Code

Article 521

In procedures for the imposition of security measures, the provisions of Art. 522 to 536 of this Code, and if nothing is specifically prescribed in these provisions, the other provisions of this Code shall be applied accordingly.

Law on Health Care, "Official Gazette of RS", no. 25/19 and 92/23 - authentic interpretation

Health care

Article 2

Health care, within the meaning of this Law, is an organized and comprehensive activity of society aimed at achieving the highest possible level of maintaining and improving the health of citizens.

Health care includes the implementation of measures and activities aimed at maintaining and improving the health of citizens of the Republic of Serbia (hereinafter: citizens), prevention, suppression and early detection of diseases, injuries and other health disorders, as well as timely, effective and efficient treatment, health care and rehabilitation.

The right to health care

Article 3

A citizen, as well as a foreign citizen and a stateless person permanently or temporarily residing in the Republic of Serbia, has the right to health care in accordance with the law and the duty to protect and improve their health and that of other citizens, as well as to improve living and working conditions.

A person in transit through the territory of the Republic of Serbia has the right to emergency medical assistance in accordance with the law.

Law on Asylum and Temporary Protection, "Official Gazette of RS", no. 24/18

Right to refuge

Article 24

The right to asylum, i.e. refugee status, is granted to an applicant who is outside his country of origin or country of habitual residence, and who justifiably fears persecution because of his race, gender, language, religion, nationality, belonging to a certain social group or political belief, and because of which he cannot or does not want to accept the protection of that state.

Law on Foreigners, "Official Gazette of RS", no. 24/18, 31/19 and no. 62/23

Article 62

- (1) If, during the procedure for determining the identity of foreigners, based on special indicators, it is assumed that the foreigner is a victim of human trafficking, the competent state authority for the identification and coordination of the protection of victims of human trafficking shall assess the condition and needs of the victim, as well as the identification of the victim, in accordance with the legal authorizations. in the domain of registered activity.
- (2) The competent state body for the identification and coordination of the protection of victims of human trafficking informs the Ministry of Internal Affairs about the initiation of the procedure referred to in paragraph (1) of this article and informs the foreigner about the conditions for granting temporary residence and other rights.
- (3) A foreigner who is presumed to be a victim of human trafficking may be granted a temporary stay without meeting the general requirements from Article 43 of this law for a period of 90 days.
- (4) During the temporary stay, it is possible to recover and eliminate the possible further influence of the perpetrator of the criminal act on the victim, as well as the possibility for him, based on timely and complete information about his status, to independently, without being conditioned to testify, make a decision on further cooperation with the competent state authority for identification and coordination of the protection of victims of human trafficking by the court, the prosecution or the police.
- (5) During the validity of the temporary stay, no decision on return can be made on this basis.
- (6) During the period of validity of the temporary stay based on these grounds, the competent state authority for the identification and coordination of the protection of victims of human trafficking coordinates the protection of victims of human trafficking and cooperates with other institutions and organizations to ensure safety and protection, appropriate and safe accommodation, psychological and material assistance , access to emergency medical care, access to education for minors, counseling and exchange of information about legal rights and rights available to him, in a language he understands.
- (7) If there is a need, translation, interpretation services and assistance in exercise of rights and interests will be provided, in case of criminal proceedings.
- (8) When it is determined that a minor, who is assumed to be a victim of human trafficking, is not accompanied by a parent, guardian or legal representative, the competent authority, the guardianship authority and the police, in cooperation with the competent state authority for the identification and coordination of the protection of victims of human trafficking determines whether his family is located in the territory of the Republic of Serbia, with the aim of family reunification.
- (9) The victim will not be reunited with the family when the state authority responsible for the protection of victims of human trafficking assesses that the reunification of the minor with the family is not in their best interest, especially if there is a suspicion that the victim's family is involved in human trafficking. The reunification of a minor with a family is carried out only in cases where the competent guardianship authority, in cooperation with the competent state authority for the identification and coordination of the protection of victims of human trafficking, determines that the reunification of the family is in the best interest of the child.
- (10) If the family of the injured party is not located or cannot be found on the territory of the Republic of Serbia, a guardian shall be appointed for the minor, in accordance with the law.

Article 63

- (1) If, in the procedure referred to in Article 62, paragraph (1) of this law, it is determined that the foreigner is a victim of human trafficking and that he has made an independent decision on further cooperation with the competent state body for the identification and coordination of the protection of victims of human trafficking, the court, the prosecution or the police, the competent the body for the protection of victims of human trafficking in the form of an expert opinion on the aforementioned informs the Ministry of Internal Affairs.
- (2) A victim of human trafficking may be granted temporary residence without fulfilling the conditions from Article 41, paragraph (2) or Article 43 of this law.

**Rulebook on detailed conditions and standards for the provision of social protection services,
"Official Gazette of the RS, no. 42/13, 89/18 and 73/19"****Article 59**

The minimum number of professionals and staff working directly with shelter users is set as follows:

- 1) for victims of abuse, neglect and domestic violence, for victims of human trafficking, for vagrant children and children in crisis situations - five professionals and two staff members for a capacity of up to ten users and one professional for every additional five users, i.e. one staff member for every additional ten users;
- 2) for foreign minors - three specialists for a capacity of up to 15 users and one specialist for every five additional users;
- 3) for homeless adults and beggars - two professionals and five staff members for a capacity of up to ten users and one staff member for every additional five users, i.e. one professional for every additional ten users.

10. Specific minimum functional standards for accommodation services*Admission***Article 60**

If the user is admitted to the shelter as a matter of urgency without the instruction of the Social Work Center, the service provider shall inform the competent Social Work Center of the admission of the user within three days at the latest.

If the user is admitted to the shelter because it is suspected that he or she is a victim of human trafficking, the service provider shall inform the competent social work center and the agency responsible for coordinating the protection of victims of human trafficking within three days.

*Needs assessment***Article 61**

An integral part of the assessment for victims of human trafficking is a security assessment obtained through the service responsible for coordinating the protection of victims of human trafficking.

A copy of the assessment for victims of human trafficking is also submitted to the service responsible for the coordination and protection of victims of human trafficking.

*Planning***Article 62**

The individual service plan for shelter users must include a user discharge plan.

A copy of the individual service plan for victims of human trafficking is also submitted to the service responsible for coordination and protection of victims of human trafficking.

Law on Free Legal Aid, "Official Gazette of RS", no. 87/18*Conditions for providing free legal aid***Article 4**

Free legal aid may be granted to a citizen of the Republic of Serbia, a stateless person, a foreign citizen with permanent residence in the Republic of Serbia and another person who is entitled to free legal aid under another law or a confirmed international agreement, if the person:

- 1) fulfills the conditions for entitlement to social assistance under the Law on Social Protection or entitlement to child benefits under the Law on Financial Support for Families with Children and for the members of his/her family, i.e. a joint household, the scope of which is determined by this Law;
- 2) does not meet the conditions for entitlement to social assistance or child benefit, but would meet the conditions for entitlement to social assistance or child benefit due to the payment of legal aid from his/her own income in a particular legal matter.

A citizen of the Republic of Serbia, a stateless person, a foreign citizen permanently residing in the Republic of Serbia and another person entitled to free legal aid under another law or a confirmed international agreement may be granted free legal aid if the person is a child:

- 1) a child whose right, duty or interest is being adjudicated under the law in proceedings before a court, another state organ or an organ of public authority;
- 2) a person subject to a security measure of compulsory psychiatric treatment and detention in a health institution or a protective measure of compulsory psychiatric treatment;
- 3) a person who is the subject of proceedings for the partial or total deprivation or restoration of legal capacity
- 4) a person who provides legal protection against domestic violence;
- 5) to a person obtaining legal protection against torture, inhuman or degrading treatment or punishment or against trafficking in human beings;
- 6) to a person seeking asylum in the Republic of Serbia;
- 7) refugees, persons under subsidiary protection or internally displaced persons;
- 8) a person with a disability;
- 9) a child who is protected by the accommodation service in the social protection system;
- 10) children and young people whose social housing service has ended until they reach the age of 26;
- 11) adults and elderly persons who are placed in a social welfare institution without their own consent;
- 12) to a person exercising the right to determine the time and place of birth in accordance with the law regulating non-litigation proceedings;
- 13) to a person affected by the procedure of forced eviction and resettlement in accordance with the law regulating housing.

Rulebook on criminal-forensic registration, taking other samples and criminal-forensic expertise and analyses, "Official Gazette of RS", number 54/17

Criminal-forensic registration

Article 2

Forensic registration is an action that is carried out based on the order of the public prosecutor or the court.

Article 3

Forensic registration is performed by experts in the forensic profession in regional police administrations and police stations, by entering them into the appropriate system for automatic data processing.

If there are no technical possibilities, forensic registration is carried out on technically established forms and materials for registration, using classic methods of fingerprinting through color and urgently sending the set to the competent organizational unit for forensics at the headquarters of the Police Directorate (hereinafter: competent service) for entry into the system from paragraph 1 of this article.

The competent service informs the organizational unit for forensics in the regional police administration, that is, the police station about the entry into the system and additional information related to the registration.

Taking other samples

Article 4

In order to eliminate suspicion of connection with a criminal offense (the so-called elimination), prints of papillary lines and parts of the body and a buccal swab may be taken from the injured party

or another person found at the scene of the crime, even without consent, only with the appropriate order of the competent prosecutor's office or court.

The order is obtained by the head of the investigation team, and it is implemented by an expert in the forensic profession.

Taking samples of biological origin

Article 5

An expert in the forensic profession or a police officer handling a criminal case, with the help of technical devices, may take a voice or handwriting sample from the defendant, injured party, witness or other person for the purpose of establishing facts in the proceedings, even without a written order from the competent authority. for comparison.

After the measures and actions referred to in paragraph 1 of this article have been carried out, further action is taken in accordance with the Criminal Procedure Code.

Taking samples for forensic-genetic analysis

Article 6

Taking samples for forensic-genetic analysis of a person is undertaken by an expert in the forensic profession for the purpose of discovering the perpetrator of the crime or establishing other facts in the proceedings, with the appropriate order of the competent prosecution or court, in accordance with the Criminal Procedure Code.

Forensic expertise and analysis

Article 7

During the criminal-forensic expert examination and analysis, police officers act with the aim of determining the objective factual situation and securing material evidence for the needs of court proceedings.

The criminal forensic assessment is ordered by a written order of the procedural authority in accordance with the law.

Upon completion of the forensic examination, the police officer shall draw up a report on the examination.

The result of the forensic examination is presented in the form of a report if it was carried out independently or in the form of findings if it is part of the expert opinion.

In the case of more complex criminological and forensic examinations carried out exclusively by the competent organizational unit for forensics at the headquarters of the police administration, the head of this unit or a person authorized by him shall form a commission consisting of at least two members who shall carry out these examinations, one of whom may be a police officer of a given regional police administration, in accordance with his competence.

Administrative Offence Law, “Official Gazette of RS”, no. 65/13, 13/16, 98/ 16- AC, 91/19, 91/19 – amended and 112/22 – AC

Request for the initiation of administrative offense proceedings

Article 179

The request to initiate misdemeanor proceedings shall be submitted by the authorized body or the injured party (hereinafter: the applicant).

The authorized bodies referred to in paragraph 1 of this Article are administrative bodies, authorized inspectors, public prosecutors and other bodies and organizations exercising public powers whose competence includes the direct execution or supervision of the execution of regulations in which criminal offenses are foreseen.

Law on Civil Procedure, "Official Gazette of RS", no. 72/11, 49/13 – AC, 74/13 – AC, 55/14, 87/18, 18/20 and 10/23 - amended

Exemption from the payment of legal costs

Article 168

The court shall exempt the party who is not in a position to bear the costs of the proceedings due to their general financial circumstances from paying the costs of the proceedings.

Exemption from the payment of procedural costs includes exemption from the payment of fees and exemption from the payment of advances for the costs of witnesses, experts, investigations and court notices.

The court may only exempt the party from paying the fee in accordance with a special law.

When deciding whether to exempt the party from paying the costs of the proceedings, the court shall assess all circumstances and take into account, in particular, the value of the subject matter of the dispute, the number of persons supported by the party and the income and assets of the party and members of his family.

Article 169

The decision on exemption from the payment of procedural costs is made by the court of first instance at the request of the party.

The party applying for exemption from costs is obliged to set out the facts of the case with the application and submit evidence to confirm the facts of the case.

If necessary, the court can obtain the necessary data and information on the financial circumstances of the party making the application of its own motion and also hear the party in this regard.

A separate appeal against the court's decision granting the party's application is not permitted.

ANNEX no. 1

LIST OF ACCREDITED PROGRAMMES FROM THE AREA OF GENDER-BASED VIOLENCE, DOMESTIC VIOLENCE, VIOLENCE AGAINST CHILDREN AND HUMAN TRAFFICKING

NUMBER OF TRAININGS AND PARTICIPANTS IN 2021

1. Prevention of violence against the elderly
2. Training of social protection service providers to work with victims of gender-based violence
3. The power of change - how to establish and manage support and self-help groups for women survivors of domestic violence
4. Training of social protection service providers to work with victims of violence
5. Safe house - work in a centre for helping victims of domestic violence
6. Application of anti-discrimination practices in working with elderly people
7. Domestic violence and institutional protection
8. Organizing a conference to present cases for protection against domestic violence
9. Coordinated action of the local community in prevention and protection from domestic violence
10. Work with victims of domestic violence in a centre for social work
11. Work with perpetrators in the centre for social work
12. Interventions of the Centre for Social Work to protect children from abuse and neglect
13. Initial training for (telephone) counselors
14. Basic training package for working on the SOS helpline with women with disabilities who have experienced violence

15. Improving the capacity of professional social protection workers to protect children from violence and abuse via the Internet
16. The role and responsibility of the centre for social work in the protection of victims of domestic violence and violence in intimate-partner relationships
17. Invisible witnesses and double victims: the link between violence against women and child abuse
18. Assessment and management of security risks in situations of violence in partner relationships and domestic violence
19. Basic training programme for providing an SOS helpline service for women victims of gender-based violence
20. Violence against the elderly - specifics, recognition and prevention strategies
21. Gender-based violence and protection of children against violence
22. Actions of professionals in working with women from marginalised groups with experience of violence
23. Actions of professionals in working with women victims of sexual and other specific forms of violence
24. Patronage for a dignified future - a programme for women with disabilities to empower and support them in overcoming the experience of violence
25. The role and responsibility of centres for social work in the implementation of the Law on the Prevention of Domestic Violence
26. Instructional programme for consultative work on the SOS telephone with women who have experienced violence
27. Child alienation as a form of domestic violence - recognising alienation as psychological abuse and working with children and parents who are victims of this form of domestic violence
28. Improving competences in working with women who have survived violence
29. Prevention of violence in intimate partner relationships of young people
30. Prevention of violence against older women
31. Support for victims of human trafficking in the social protection system - detection, assessment of needs and support planning
32. Identification, assistance and protection of male victims of human trafficking
33. Centre for social work in the protection of victims of human trafficking
34. Application of indicators for preliminary identification of victims of human trafficking
35. Instruction for working on the SOS telephone line for victims of human trafficking

There are a total of 288 accredited programmes in the database of accredited programmes, managed by the Republic Institute for Social Protection, of which 218 have the status of active programmes. Of that number, 35 of them (16.05%) deal with topics related to the problems of various types of violence and human trafficking.

In 2021, the number of realizations of the mentioned programmes was lower compared to the period before the outbreak of the pandemic. Accredited programmes have not been implemented online so far, and the possibility of introducing this type of implementation is currently being considered, which would certainly contribute to an increase in the number of trainings and participants.

In 2021, five accredited programmes in the field of violence were implemented. These are the following programmes:

1. Prevention of violence against the elderly - this programme was implemented 3 times with a total of 81 participants
2. Invisible witnesses and double victims: the connection between violence against women and child abuse - this programme was implemented 3 times with a total of 65 participants
3. Assessment and management of security risks in situations of violence in partner relationships and in the family - three trainings were carried out under this programme, attended by a total of 56 participants

4. Violence against the elderly - specifics, recognition and prevention strategies - this program was implemented twice with a total of 50 participants

5. Programme of instructions for providing consultation via the SOS helpline to women who have experienced violence - this training was carried out once in 2021 with a total of 12 participants

ANNEX no. 2.

Table 1: Initial training

Please fill in the table and list the professionals in the area of healthcare who have received initial training on violence against women

Professionals	Do they benefit from the training?	Is this training mandatory?	Are training efforts supported by guidelines and protocols?	Who funds the training?	Please describe the content and the duration of the training
Medical doctors	Very useful	yes	yes	UNFPA	a. Prevention and detection of violence; b. Gender equality; c. The needs and rights of victims of violence; d. Prevention of secondary victimization; e. Adequate and effective response of relevant authorities/services; f. The importance of coordinated cooperation between authorities, services and organizations
Specialists of various fields of medicine	Very useful	yes	yes	UNFPA	a. Prevention and detection of violence; b. Gender equality; c. The needs and rights of victims of violence; d. Prevention of secondary victimization; e. Adequate and effective response of relevant authorities/services; f. The importance of coordinated cooperation between authorities, services and organizations
Psychologists	Very useful	yes	yes	UNFPA	a. Prevention and detection of violence; b. Gender equality; c. The needs and rights of victims of violence; d. Prevention of secondary victimization;

					e. Adequate and effective response of relevant authorities/services; f. The importance of coordinated cooperation between authorities, services and organizations
Medical technicians	Very useful	yes	Yes	UNFPA	a. Prevention and detection of violence; b. Gender equality; c. The needs and rights of victims of violence; d. Prevention of secondary victimization; e. Adequate and effective response of relevant authorities/services; f. The importance of coordinated cooperation between authorities, services and organizations

Table 2: in-service training

Please fill in the table and list the professionals in the area of social welfare, from support services, who have received in-service training on violence against women.

Professionals	Number of professionals trained	Is this training mandatory?	Frequency	Training efforts supported by guidelines and protocols	Please describe the content and duration of the training
Prevention and detection of violence – social protection Name of training: "Clinical assessment of a sexually abused child in the family"	29 F – 28 M – 1	No	Once per year	No	The training is focused on improving knowledge to recognize signs of sexual violence and child abuse, to improve the response of institutions, as well as to expand the awareness among employees of their own moral dilemmas. Duration: one day
Prevention and detection of violence - social protection Name of training: "Alienation as a form of domestic violence".	30 F -26 M – 4	No	Once per year	No	The goal of this training is for participants to learn to recognize timely parental alienation as a form of psychological abuse and intervention possibilities to stop the violence and remedy the psychological consequences. The lecturer brings the mentioned topic closer to the participants by presenting contents in textual and visual ways,

					by providing a short analysis of examples from practice and tests as diagnostic material. Duration: one day
Prevention and detection of violence - social protection Title: "Challenges of experts in centres for social work in the process of recognizing all forms of violence and implementing victim protection measures".	31 F – 27 M – 4	No	Once per year	No	The training is categorized as a training without a knowledge test and consists of several units of theoretical content presentation and foreseen practical exercises. Training duration: one day
Prevention and detection of violence - social protection Title: „Sexual abuse of children“	8 F – 8 M - 0	No	Once per year	No	The training is categorized as a round table and is implemented by processing key issues on recognizing sexual abuse of children through several units. After that, a group discussion follows where participants share their experience and dilemmas on recognizing indicators that point to sexual abuse of children. Training duration: one day
Prevention and detection of violence - social protection Name: "Parental competences and family violence"	15 F – 14 M – 1	No	Once per year	No	The training was categorized as a round table and was carried out in such a way that certain units were presented through the presentation of three presenters, after which all other participants participated in the exchange of experience from their practice. Training duration: one day
Prevention and detection of violence - social protection Title: "Protection of women and children from domestic violence, the impact of violence on parental competence and the relationship between parents and children"	9 F – 8 M – 1	No	Once per year	No	The training is categorised as a round table, the mutual relations and impacts of domestic violence in relation to parenting competences are presented at the training. Training duration: one day

<p>Prevention and detection of domestic violence - social protection</p> <p>Title: "Criminal profiling of pedophiles and child abusers".</p>	<p>20</p> <p>F – 20 M – 0</p>	No	Once per year	No	<p>The training was carried out in the following way: first, theory was presented to the participant, after which practice examples were used and participants practiced on models presented in the part with theoretical skills.</p> <p>Training duration: one day</p>
<p>Prevention and detection of domestic violence - social protection</p> <p>Title: "Violence in the family - problems, challenges and opportunities".</p>	<p>69</p> <p>F – 67 M – 2</p>	No	Once per year	No	<p>The training was implemented as a forum where the legal regulations, basic concepts of domestic violence, as well as challenges and possibilities of response were presented.</p> <p>Training duration: one day</p>
<p>Prevention and detection of domestic violence - social protection</p> <p>Title: "Final National Conference - child protection hub Serbia".</p>	<p>35</p> <p>F – 32 M – 3</p>	No	Once per year	No	<p>The national conference was organized with the aim of improving the protection of children from abuse and neglect, with a special emphasis on prevention.</p> <p>Duration: one day</p>
<p>Prevention and detection of domestic violence - social protection</p> <p>Title: "The impact of domestic violence on the parental competence of both the victim and the perpetrator of violence, challenges related to the complexity of the assessment"</p>	<p>17</p> <p>F – 15 M – 2</p>	No	Once per year	No	<p>Training duration: one day</p>
<p>Prevention and detection of domestic violence - social protection</p> <p>Violence: "Elements of assessment of the child's needs and rights when reporting violence against the child, assessment of the ability of parents and the family environment, interventions and protection measures"</p>	<p>14</p> <p>F – 14 M – 0</p>	No	Once per year	No	<p>The training was implemented in the form of a round table and the topic was presented through assessments of the needs and rights of the child when reporting domestic violence, but also through a group discussion.</p> <p>Duration: one day</p>
<p>Prevention and detection of domestic violence - social protection</p>	<p>18</p> <p>F – 17 M – 1</p>	No	Once per year	No	<p>The training was implemented in the form of a round table and with an emphasis</p>

Title: "Contacts of a child with a parent who is a perpetrator of domestic violence".					on peer education among the participants. Training duration: one day
Prevention and detection of domestic violence - social protection Title: "Support for professional work in protection against domestic violence".	239 F – 226 M – 13	No	10 trainings were held during the year.	No	The training was designed and implemented in the form of a round table and was attended by employees of the City Centre for Social Work in Belgrade. Training duration: one day
Prevention and detection of domestic violence - social protection Title: "Closing the circle, addressing gender-based violence in older age - responses based on public policies, laws and evidence"	120 F – 109 M - 11	No	Two times per year	No	The training was carried out in the form of a forum, in such a way that the participants were informed about the topics of recognition and protection of violence against the elderly, through the presentation of research carried out by the Red Cross of Serbia on the prevalence and indicators of violence against the elderly, as well as through the presentation of representatives of the centre for social work, Commissioner for Equality and the UN Development Fund. Duration: one day
Prevention and detection of domestic violence - social protection Title: "Child alienation as psychological violence - early diagnosis and diagnostic sources".	7 F – 7 M – 0	No	Once per year	No	The training was implemented as an education without a knowledge test with elements of the theoretical part and practical exercises Training duration: one day
Prevention and detection of domestic violence - social protection Title: "Prevention and detection of all forms of violence against women and domestic violence".	37 F – 32 M – 5	No	Once per year	No	The training was implemented as a national conference with the aim of preventing and detecting violence against women.
Gender equality - social protection Title of the training: "Support to practitioners in	10 F – 10 M – 0	No	Once per year	No	The training was implemented as an education without a knowledge test based on practical exercises in the field of prevention

approaching gender-based violence and prevention."					of gender-based violence in the family. Duration: one day
Gender equality - social protection Title of the training: "The influence of social concepts about the role of men on decision-making, measures and protection against domestic violence"	37 F – 34 M – 3	No	Once per year	No	The training was implemented as a forum where the lecturers were professors and assistants from the Faculty of Political Sciences, Department of Social Work and Social Policy. Duration: one day
Gender equality - social protection Title: "Better support for women and children victims of violence: Improvement and accessibility of services - gender dimension".	33 F	No	Once per year	No	The training was implemented as an education without a knowledge test with an emphasis on the gender component of providing services to victims of domestic violence. Training duration: one day
Gender equality - social protection Title of the training: "The importance of the gender perspective on improving the quality of accommodation in AP Vojvodina".		No	Once per year	No	The training was implemented as an education without a knowledge test and focused on the gender dimension of domestic violence.
Gender equality Title: "The importance of the gender perspective on improving the quality of accommodation in AP Vojvodina".	12	No	Once per year	No	The training was implemented as a round table.
Gender equality Title: "Marriage and sexuality - a gender perspective from tradition to postmodernity".	169	No	Once per year	No	International conference. Duration: one day
Needs and rights of victims of violence Title: „Protection of a minor child victim of sexual abuse”	12 F – 12 M – 0	No	Once per year	No	The training is focused on the protection of minors who are victims of domestic violence. The training was implemented with theoretical units, followed by a discussion among the participants. Duration: one day
The needs and rights of victims of violence	37 F – 37 M – 0	No	Once per year	No	The training is designed in such a way that the participants share experience from

Title: "Interview with a person with experience of domestic violence".					practice in interviewing victims of domestic violence. Duration: one day
The needs and rights of victims Title: "From victim to winner - using one's own capacities to get out of violence".	11 F - 6 M - 5	No	Once per year	No	The training was implemented as an education without a knowledge test, the participants were motivated to participate in the performance of practical exercises in providing support to victims of violence. Duration: one day
The needs and rights of victims Title: "The concept of alienation from parents in the context of violence in partner relationships".	9 F - 9 M - 0	No	Once per year	No	The training was implemented as an education without a knowledge test. Training duration: one day
The needs and rights of victims of domestic violence Title: "Children witnessing violence - approach and communication in accordance with developmental characteristics".	22 F - 18 M - 4	No	Once per year	No	The training was implemented as an education without a knowledge test, with the application of theoretical concepts and exercises. Training duration: one day
The needs and rights of victims of domestic violence Title: "Elements of assessment of child neglect and abuse and protection of the best interests of the child".	13 F - 12 M - 1	No	Once per year	No	The training was implemented as a round table and the participants improved their knowledge through discussion. Training duration: one day
The needs and rights of victims of domestic violence Title: "Protection of the child from the psychological abuse of the parents and creating the possibility for the child to meet the needs of seeing the other parent"	19 F - 17 M - 2	No	Once per year	No	The training was conducted in the form of a round table. Training duration: one day
The needs and rights of victims of domestic violence Title: "Prevention of violence - support systems".	31 F - 26 M - 5	No	Once per year	No	The training was implemented as a forum with the aim of improving the information of professional workers in the social protection system.

					Duration: one day
The needs and rights of victims of domestic violence Title: "Preservation of mental health of young people and prevention of violence"	15 F – 13 M – 2	No	Once per year	No	
Prevention of secondary victimization Title: "From victim to winner - using one's own capacities to get out of violence".	24 F – 24 M – 0	No	Once per year	No	The training was implemented as an education without a knowledge test with theoretical parts and practical exercises. Training duration: one day
Prevention of secondary victimization Title: "Victim support and victimization prevention: Challenges and perspectives".	12 F-11 M – 1	No	Once per year	No	The training was implemented as an international conference. The participants had the opportunity to learn about the concepts, consequences and prevention of secondary victimisation.
Adequate and effective response of services Title: "Support to practitioners in the approach to gender-based violence in the family".	44 F – 38 M – 6	No	Once per year	No	The training was implemented as an education without a knowledge test and the content related to the theoretical part and practical exercises. Duration: one day
Adequate and effective response of services Title: "Institutional proceedings in cases of reports of domestic violence"	44 F -44 M – 0	No	Once per year	No	The training was implemented as a forum and the participants had the opportunity to learn about the actions of the institutions and their competences in domestic violence cases. Duration: one day
Adequate and effective response of services Title: „Better support for women and children victims of violence“	10 F – 5 M – 5	No	Once per year	No	The training was implemented as an education without a knowledge test and the content related to the theoretical part and practical exercises. Duration: one day
Adequate and effective response of services	10 F- 9 M – 1	No	Once per year	No	The training was implemented in the form of a round table.

<p>Title: „ The role of guardianship authorities in civil proceedings for the imposition of protection measures against domestic violence - normative framework and challenges in practice"</p>					Duration: one day
<p>Adequate and effective response of services</p> <p>Title: „Regional services for victims of domestic and intimate-partner violence as a potential for cooperation and better protection“</p>	26 F -25 M – 1	No	Once per year	No	<p>The training was implemented in the form of a round table.</p> <p>Duration: one day</p>
<p>Adequate and effective response of services</p> <p>Title: „Support to supervisors in working on cases where emotional violence against children has been established“</p>	15 F -15 M – 0	No	Once per year	No	<p>The training was implemented in the form of a round table.</p> <p>Duration: one day</p>
<p>Adequate and effective response of services</p> <p>Title: "Working with child victims of violence in centres for social work".</p>	21 F – 19 M – 2	No	Once per year	No	<p>The training was implemented in the form of a round table.</p> <p>The focus of the training was to work toward achieving more efficient action of institution in relation to children victims of domestic violence, with a focus on individual work.</p> <p>Duration: one day</p>
<p>Adequate and effective response of services</p> <p>Title: "The role of centres for social work in the procedures of entrusting a minor child and partner violence that is continuously repeated"</p>	21 F-20 M-1	No	Once per year	No	<p>The training was implemented as a round table. At the training itself, the different roles of social work centers in cases of partner violence were presented, with an emphasis on entrusting a minor child to a parent, determining the differences when making a decision on entrusting a minor child to a parent, as well as continuing to maintain</p>

					contact between a parent who is violent and the child. Training duration: one day
Adequate and effective response of services Title: „Support to supervisors in procedures of protection against domestic violence“	8 F – 7 M – 0	No	Once per year	No	The training was implemented in the form of a round table, the goal of which was to improve the competences of supervisors in social work centres to support case managers in dealing with cases of domestic violence. Duration: one day
Adequate and effective response of services Title: „Intimate partner violence, danger assessment and security plan“	26 F – 26 M – 0	No	Once per year	No	The training was implemented as a round table. The topic of the training was the recognition of security risks, their assessment and the creation of a security plan for victims of domestic violence. Duration: one day
Adequate and effective response of services Title: „Work of centres for social work with women victims of intimate-partner violence“	31 F – 29 M – 2	No	Once per year	No	The training was conducted in the form of a round table. The content of the training was aimed at recognizing the needs of women victims of domestic violence and the appropriate response of social work centres and community service providers to those needs. Duration: one day
Adequate and effective response of services Title: „Work with children who have experienced sexual abuse“	10 F – 10 M – 0	No	Once per year	No	The training was implemented as a round table. The method of work was such that the trainer presented the topic of sexual abuse of children, and after that the participants exchanged their experiences in working with this category of users through a discussion. Duration: one day
Adequate and effective response of services	30 F – 23 M – 7	No	Once per year	No	The training was implemented as an education without a knowledge test, with emphasized parts that

Title: „SOS helpline for women victims of domestic violence – basic principles and experience”					clarify the basic standards and principles of the SOS line service, but also through the presentation of the different experiences of the participants. Duration: one day
Adequate and effective response of services Title: „ Stopping violence through responsible work with perpetrators of violence in the Republic of Serbia”	27 F – 25 M – 2	No	Once per year	No	The training is organised in the form of a forum. The participants had the opportunity to learn about the methods and application of the regulations of the Republic of Serbia, in order to stop domestic violence Duration: one day
Adequate and effective response of services Title: „Working with children and families in which the existence of sexual violence was discovered”.	25 F – 25 M – 0	No	Once per year	No	The training was implemented as an education without a knowledge test, by presenting the legal framework and the application of protocols in detecting and dealing with cases of sexual violence. After that, the participants had the opportunity to apply the acquired knowledge through practical examples. Duration: one day
Adequate and effective response of services Title: "Protection of victims of domestic violence and guardian protection of adult perpetrators of violence"	8 F – 8 M – 0	No	Once per year	No	The training was realized in the form of a round table, with a focus on the perpetrator who is under guardianship protection and the actions of the institutions in relation to that. Duration: one day
Adequate and effective response of services Title: "Action of centres for social work in cases of sexual violence against children - challenges in the work of small centres for social work"	19 F – 19 M – 0	No	Once per year	No	The training was held in the form of a round table with an emphasis on the exchange of examples of good practice among colleagues, as well as the challenges they encountered at work and the ways in which they overcame difficulties at work. Duration: one day
Adequate and effective response of services	18	No	Once per year	No	The training was implemented in the

Title: "Better support for women and children victims of violence - improving the accessibility and capacity of safe houses in Serbia".	F - 17 M - 1				form of a forum and aimed to increase the awareness of professional workers and other actors in the community, to ensure better accessibility of service users, accommodation in shelters for victims of domestic violence. Duration: one day
Adequate and effective response of services Name: „43. meetings of social workers - overcoming inequality"	92 F - 80 M - 12	No	Once per year	No	Professional workers of the social protection system had the opportunity to learn by attending an international conference where one part was dedicated to improving the actions of institutions in order to better protect victims of violence. Duration: one day
Adequate and effective response of services Title: „Violence – causes, measures and interventions"	263 F - 248 M - 15	No	Once per year	No	Professional workers attended an international conference dedicated to the causes, measures and interventions in the procedures for the protection of victims of domestic violence. Duration: three days
Adequate and effective response of services Title: "Improving the protection of women and girls victims of violence and human trafficking in Serbia and Kosovo".	5 F - 5 M - 0	No	Once per year	No	The training was implemented in the form of education without a knowledge test with a special reference to the specificity of the geographical area of our country. Duration: one day
Adequate and effective response of services Name: "Violence in intimate partner relationships among young people".	7 F - 7 M - 0	No	Once per year	No	The training was implemented in the form of a forum with the aim of drawing attention to the specificity of violence in partner relationships among young people. Duration: one day
Importance of coordinated cooperation between authorities, services and organizations	200 F - 160 M - 40	No	Four times per year	Yes	The training was organized as a two-day, multi-sectoral training for representatives of the social protection

<p>Title: "Effective institutional response to domestic violence"</p>					<p>system, police and judiciary (prosecutor's offices and courts). The trainers at the training were representatives of these three systems. The training was based on improving the implementation of the Law on Prevention of Domestic Violence, as well as the actions of institutions, implementation and measures in the field of protection under family law.</p> <p>Training duration: two days</p>
<p>Importance of coordinated cooperation between authorities, services and organizations</p> <p>Title: "Advantages and disadvantages of intersectoral cooperation in the protection of women and children victims of domestic violence". Training duration: two days</p>	<p>20</p> <p>F – 15 M - 5</p>	<p>No</p>	<p>Once</p>	<p>Yes</p>	<p>The training was implemented as a round table with a focus on the advantages, but also the shortcomings in the cooperation of institutions regarding the protection of victims of domestic violence, with a focus on women and children victims of violence.</p> <p>Duration: one day</p>
<p>Importance of coordinated cooperation between authorities, services and organisations</p> <p>Title: "Protection of victims of violence - system coordination".</p>	<p>45</p> <p>F – 41 M – 4</p>	<p>No</p>	<p>Once per year</p>	<p>No</p>	<p>The training was implemented as a forum and the representatives of different sectors represented, from their aspects, a way to improve the coordination of different systems in the protection of victims.</p> <p>Duration: one day</p>
<p>Importance of coordinated cooperation between authorities, services and organizations</p> <p>Title: "The necessity of an intersectoral approach in the protection of victims of violence in family relationships".</p>	<p>110</p> <p>F – 105 M – 5</p>	<p>No</p>	<p>Once per year</p>	<p>No</p>	<p>Professional workers had the opportunity to familiarize themselves with the basic principles and examples of good practice in cooperation between systems through educational content at the national conference dedicated to intersectoral cooperation.</p> <p>Duration: one day</p>
<p>Importance of coordinated cooperation between</p>	<p>15</p> <p>F– 14</p>	<p>No</p>	<p>Once per year</p>	<p>No</p>	<p>The education was realized in such a way that the professional</p>

<p>authorities, services and organizations</p> <p>Name: "Coordination in the protection of women with disabilities from domestic and partner violence".</p>	M – 1				<p>workers had the opportunity to become familiar with the basic concepts of disability and the specific way of meeting the needs of persons with disabilities, special risks for exposure to domestic violence. Also, through practical exercises, they tried to simulate the protection of victims through the reaction of different systems. Training duration: two days</p>
<p>Importance of coordinated cooperation between authorities, services and organizations</p> <p>Title: "Inter-institutional cooperation in procedures for protection against domestic violence".</p>	13 F – 11 M – 2	No	Once per year	No	<p>The training was implemented in the form of a round table attended by representatives of various institutions at the local level.</p> <p>Duration: one day</p>
<p>Importance of coordinated cooperation between authorities, services and organizations</p> <p>Title: "The possibility of improving the institutional response to domestic violence".</p>	160 F – 143 M – 17	No	Five times per year	No	<p>The training was implemented regionally and included not only employees in the social protection system, but also employees in the education system, basic and higher courts, prosecutor's office and health care, as well as the police. Through practical exercises, the participants had the opportunity to apply the knowledge from the first part of the training, which was related to the application of regulations in protection against domestic violence, primarily the Law on Prevention of Domestic Violence, the Family and Criminal Code. The training was implemented by the Chamber of Social Protection in cooperation with the Association of Lawyers JUKOM, and the lecturers were representatives of the social protection system and the judicial system.</p>

					Training duration: one day
Importance of coordinated cooperation between authorities, services and organizations Name: „28. October meetings in social protection - competencies, responsibilities and limits of the social protection system".	332 F – 290 M – 42	No	Once per year	Yes	An international conference where two segments were dedicated to the protection of victims of domestic violence and the protection of children from abuse and neglect. Duration: two days

Table 2: In-service training

Please fill in the table and list the professionals in the area of law enforcement who have received in-service training on violence against women.

Professionals (area)	Number of professionals trained	Is this training mandatory?	Frequency	Training efforts supported by guidelines and protocols	Please describe the content and duration of the training
2022					
Recognition and response to discrimination	45	yes	3 times per year	OSCE	Contents: notion and types, personal characteristics as a basis for discrimination, the role and competence of the Commissioner for the Protection of Equality, the activities of the OSCE in the field of hate crimes. The duration is two days.
Work of the police with marginalized, minority and socially vulnerable groups	30.338	yes	Continuously throughout the year	/	Content: Appreciation of diversity, overcoming prejudices and stereotypes towards members of marginalized minority and socially vulnerable groups, models of facing and opposing discrimination and inadequate attitudes and behaviors.

Commission for the implementation of standards of police action in the field of torture prevention	30.365	yes	Continuously throughout the year	/	Content: Concept of torture, prohibition of torture, cruel, inhuman and degrading punishments or procedures, criminal procedure and enforcement of punishment, use of coercion by the police, jurisdiction of the European Committee for the Prevention of Torture, Commission of the Ministry of the Interior for monitoring the implementation of the European Convention on the Prevention of Torture and Inhuman and Degrading Treatment and ethics of police action and protection of human rights of persons deprived of liberty.
Concept, recognition and response of the police to manifested forms of discrimination	33.339	yes	Continuously throughout the year	/	Discrimination - causes and consequences, forms and types. The legal and institutional framework of the fight against discrimination, gender equality and gender-based violence, the most common manifestations of intolerance, the role of language in promoting equal opportunities, the concept of persons with special needs, ways of providing assistance in the exercise of rights of persons with special needs and the police's treatment of vulnerable groups.
Actions of the police in cases of domestic violence and violence in intimate-partner relationship	30.324	yes	Continuously throughout the year	/	Family members according to the Law on the Prevention of Domestic Violence, Forms - Manifestations of Domestic Violence, General Principles in the Protection of

					<p>Victims of Domestic Violence and violence in Partner Relationships in accordance with the Special Protocol, Reporting domestic violence and violence in intimate partner relationships by phone call or by personal presence in the premises of the police, referral and arrival of police officers to the scene of domestic violence and violence in intimate partner relations in accordance with the special Protocol, the most common risks in accordance with the special Protocol. Documenting events in accordance with the special Protocol, statements of support for victims of domestic violence against women and violence in intimate partner relationships in accordance with the special Protocol, the procedure for the issuance and return of weapons of police officers participating in events with elements of violence in accordance with the Directive of the Secretariat of the Ministry and cooperation in the prevention of domestic violence in accordance with the Law on the Prevention of Domestic Violence.</p>
2023					
Recognition and response to discrimination	66	no	Four times throughout the year	OSCE	<p>Contents: notion and types, personal characteristics as a basis for discrimination, the role and competence of the Commissioner for the Protection of Equality, the activities of the OSCE in the field of hate crimes.</p>

					The duration is two days.
Work of the police with marginalized, minority and socially vulnerable groups	28.680	yes	Continuously throughout the year	/	Content: Appreciation of diversity, overcoming prejudices and stereotypes towards members of marginalized minority and socially vulnerable groups, models of facing and opposing discrimination and inadequate attitudes and behaviors.
Commission for the implementation of standards of police action in the field of torture prevention	28.679	yes	Continuously throughout the year	/	Content: Concept of torture, prohibition of torture, cruel, inhuman and degrading punishments or procedures, criminal procedure and enforcement of punishment, use of coercion by the police, jurisdiction of the European Committee for the Prevention of Torture, Commission of the Ministry of the Interior for monitoring the implementation of the European Convention on the Prevention of Torture and Inhuman and Degrading Treatment and ethics of police action and protection of human rights of persons deprived of liberty.
Concept, recognition and response of the police to manifested forms of discrimination	28.637	yes	Continuously throughout the year	/	Discrimination - causes and consequences, forms and types, Legal and institutional framework for the fight against discrimination, The concept of racial, religious and sexual discrimination, gender equality and gender-based violence, The most common manifestations of intolerance, The role

					of language in promoting equal opportunities, The concept of persons with special needs , Ways of providing assistance in the exercise of rights of persons with special needs and Police treatment of vulnerable groups.
Actions of the police in cases of domestic violence and violence in intimate-partner relationship	28.666	yes	Continuously throughout the year	/	Family members according to the Law on the Prevention of Domestic Violence, Forms - Manifestations of Domestic Violence, General Principles in the Protection of Victims of Domestic Violence and violence in Partner Relationships in accordance with the Special Protocol, Reporting domestic violence and violence in intimate partner relationships by phone call or by personal presence in the premises of the police, referral and arrival of police officers to the scene of domestic violence and violence in intimate partner relations in accordance with the special Protocol, the most common risks in accordance with the special Protocol, Documenting events in accordance with the special Protocol, statements of support for victims of domestic violence against women and violence in intimate partner relationships in accordance with the special Protocol, the procedure for discharging and re-debting the service weapons of police officers participating in events with elements of violence in accordance with the Directive of the

					Secretariat of the Ministry and cooperation in the prevention of domestic violence in accordance with the Law on the Prevention of Domestic Violence.
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Table 2: In-service training

Please complete the table and list the education professionals who have received initial training on violence against women.

Put each category of professionals in a separate row. Please add as many lines as you need.

Professionals (area)	Number of trained professionals	Is training mandatory?	How often was it organized?	Is the training followed by protocols and guides?	Please describe the content and duration of the training
Professional associates	280	no	According to the need and interest of the participants	yes	It is about two trainings: "Implementation of the Rulebook on the protocol of behavior in institutions in response to violence, abuse and neglect" and "Improving the work of SOS advisers for the prevention of violence in schools". These trainings contain modules related to the role of education and upbringing institutions in situations of suspicion or knowledge of domestic violence and procedures for dealing with those situations.
Teachers	70	no	According to the need and interest of the participants	yes	
School principals	10	no	According to the need and interest of the participants	yes	
Professional associates	73	no	According to the need and interest of the participants	yes	Training "Prevention and fight against human trafficking" (part of the program "Horizontal Facility for the Western Balkans and Turkey", phase 2), Ministry of Education in cooperation with the Office of the European Council SE, application of revised indicators for the preliminary identification of victims of human trafficking in the education system and procedures in situations of suspicion or knowledge that the student is a potential victim of human trafficking.
Educational advisers	25	no	According to the need and interest of the participants	yes	
Employees in the education system (teachers, professional associates)	15.930	no	According to the need and interest of the participants	yes	On the National Platform "Čuvam te", there is a training course "The role of educational institutions in the fight against human poisoning", which was created by the Ministry of Education.

Table 2: In-service training

Please complete the table and list the education professionals who have received initial training on violence against women.

Put each category of professionals in a separate row. Please add as many lines as you need.

ANNEX No. 3

According to the law on official statistics and its plan and program, notifications on licensed service providers are made in September of the current year for the previous year. Below are the tables for 2021, 2022 and 2023.

The total number of users of shelter services for victims of violence	In the course of 2021		Total	As of December 31, 2021		Total
	M	F		M	F	
0 - 2 years old	28	15	43	5	3	8
3 - 5 years old	34	22	56	9	7	16
6 - 14 years old	32	22	54	6	5	11
15 - 17 years old	2	5	7	2	0	0
18 - 25 years old	0	33	33	0	8	10
26 - 64 years old	0	115	115	0	23	23
65 - 79 years old	0	12	12	0	1	1
80 +	0	0	0	0	0	0

The total number of users of shelter services for victims of violence	In the course of 2022			As of December 31, 2022		
	M	F	Total	M	F	Total
0 - 2	28	30	58	6	4	10
3 - 5	27	23	50	3	6	9
6 - 14	27	25	52	4	7	11
15 - 17	2	4	6	1	2	3
18 - 25	0	40	40	0	7	7
26 - 64	0	116	116	0	21	21
65 - 79	0	10	10	0	2	2
80 +	0	1	1	0	0	0
Total	84	249	333	14	49	63

The total number of users of shelter services for victims of violence	In the course of year 2023		Total	As of December 31, 2023		Total
	M	F		M	F	
0 - 2 years old	26	21	47	6	3	9
3 - 5 years old	35	21	56	4	6	10
6 - 14 years old	35	44	79	4	6	10
15 - 17 years old	4	11	15	0	0	0
18 - 25 years old	1	28	29	0	2	2
26 - 64 years old	0	142	142	0	17	17
65 - 79 years old	0	23	23	0	3	3
80+ years old	0	0	0	0	0	0
Total	101	290	391	14	37	51