

Committee of the Parties
Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Istanbul Convention)



**Reply by SERBIA to the reporting form on the implementation of the
Recommendation of the Committee of the Parties adopted on 30 November 2020**

Document received by the Committee of the Parties
on 9 March 2023

IC-CP/Inf(2023)6

In accordance with Article 68, paragraph 12, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Committee of the Parties adopts, on the basis of the report and conclusions of GREVIO, recommendations addressed to state parties concerning the measures to be taken to implement the conclusions of GREVIO.

The applicable procedure for issuing recommendations was settled by the Committee of the Parties at its 4th meeting and is described in document IC-CP(2018)6. In accordance with this procedure, the recommendations call upon state parties to implement all the proposals and suggestions set out in GREVIO's baseline evaluation report. However, the obligation to report on measures taken is limited to those specifically outlined in section A of the recommendation, namely: a) all the proposals and suggestions formulated by GREVIO throughout the report which require immediate action – these are qualified by the use of the verb “urge”, and b) the proposals and suggestions related to Chapters I and II of the convention which require taking remedial action in the near future and are qualified by the use of the expression “strongly encourage”. According to the agreed procedure, state parties are given a period of three years to implement the recommendations of the Committee of the Parties and report back to the Committee.

To facilitate this reporting, state parties are requested to use this questionnaire to report on the implementation of recommendations issued by the Committee of the Parties. Recommendations not issued in relation to Serbia do not need to be reported on. As a result, the Serbian authorities are not required to answer the following questions in the reporting form: questions 1, 2, 3, 25, 26, 27, 28, 29, 30 and 31.

I. Fundamental rights, equality, and non-discrimination (Article 4)			
1	Have your authorities taken measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination on any grounds listed in Article 4, paragraph 3, of the convention, including in terms of the availability of services and the protection by law enforcement agencies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
1.1	If yes, please specify:		
1.2	[Optional question: if not, please specify the reasons]:		
2	Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.1	If yes, please specify:		
2.2	[Optional question: if not, please specify the reasons]:		
3	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 4, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		

II. Comprehensive and co-ordinated policies implemented under the responsibility of an adequately mandated and resourced co-ordinating body (Articles 7 and 10)			
4	Have your authorities developed a long-term plan/strategy to prevent and combat violence against women?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A (a plan/strategy was already developed at the time of GREVIO's baseline evaluation) <input type="checkbox"/>
4.1	[Optional question: if not, please specify the reasons]:		
5	<p>Which forms of violence against women covered by the Istanbul Convention are addressed by the plan/strategy? Please offer a brief description specifically indicating the forms of violence not previously addressed in plans or strategies at national level.</p> <p>The Specific objective 3 of the Strategy is related to the criminalization of all forms of violence against women and domestic violence in accordance with international standards, and by achieving this objectives, all forms of violence will be criminalized in accordance with the Istanbul Convention, including all forms of sexual violence, which will enable all acts of violence against women and of domestic violence are effectively prosecuted and adequately sanctioned. The position of victims and witnesses of all forms of violence against women and domestic violence will also be improved through the establishment of effective and gender-responsive mechanisms for providing support to victims and witnesses and preventing secondary victimization</p>		
6	Was specific attention given to place the rights of women victims at the centre of all measures planned?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
6.1	<p>If yes, please specify how:</p> <p>The General Objective of the Strategy is: Effective prevention and protection against all forms of gender-based violence against women and girls and domestic violence is ensured, and a gender-responsive system of support services for victims of violence developed.</p> <p>The General Objective of the Strategy is intended for the comprehensive application of ratified international treaties, which are primarily prescribed by the Istanbul Convention and the CEDAW Convention, as well as the provisions of domestic legislation. By implementing the Strategy, 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 will be improved.</p> <p>The objectives of the Strategy are aligned with the objectives and measures included in other national strategic documents, primarily in the area of</p>		

	justice and the promotion of human rights. Their interdependence was considered, and the implementation and fulfilment of the objectives and measures set here is connected with the fulfilment of other reform goals that are defined by valid public policy documents related to EU accession and the improvement of human rights in the Republic of Serbia.		
6.2	[Optional question: if not, please specify the reasons]:		
7	Do the plan/strategy and the measures contained therein involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
7.1	Please specify the actors involved: Coordination Body for Gender Equality, Ministry of Labour, Employment, Veteran and Social Affairs, Ministry of Family Care and Demography, Ministry of Interior, Ministry of Human and Minority Rights and Social Dialogue, Ministry of Justice, Ministry of Health, Ministry of Education, Judicial Academy, Republic Public Prosecutor's Office, civil society organizations, Republic Institute for Social Protection, Provincial Institute for Social Protection, centres for social work, social protection service providers, Institute for Public Health, Statistical Office of the Republic of Serbia, National Employment Service, international organizations (UN Women, UNDP, UNFPA), etc.		
7.2	[Optional question: if not, please specify the reasons]:		
8	Have the authorities assigned the role of co-ordinating body to one or more fully institutionalised entities? In 2014 the Government of the Republic of Serbia established Coordination Body for Gender Equality. In 2017, the Government of the Republic of Serbia established the Council for Suppression of Domestic Violence with the aim of monitoring the implementation of the Law on Prevention of Domestic Violence and improving the coordination of competent state authorities in preventing and protecting against domestic violence. The Ministry of Justice provides professional and administrative-technical support to the Council, and the Council for Suppression of Domestic Violence is chaired by the Minister of Justice.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A (a co-ordinating body was already established at the time of GREVIO's baseline evaluation) <input type="checkbox"/>
8.1	[Optional question: if not, please specify the reasons]:		
9	Please specify the mandate, powers, and competences, as well as the composition, of the co-ordinating body/bodies:		

	<p>Mandate of Coordination Body for Gender Equality (CBGE) was established in order to consider all issues and coordinate the work of state administration bodies related to gender equality. CBGE considers issues and coordinates the work of state administration bodies in order to improve gender equality. CBGE, also, can request data, documents and reports from state administration bodies, organizations that are essential for improving gender equality in Republic of Serbia.</p> <p>The Council for the Suppression of Domestic Violence makes recommendations aimed at preventing domestic violence and in the work of the Council, in addition to the Minister of Justice who is the Council's president, representatives of the Ministry of Internal Affairs, the Ministry of Labour, Employment, Veterans and Social Affairs, the Ministry of Education, the Ministry of Health also participate. The Ministries for Family Care and Demography, the Ministries for Human and Minority Rights and Social Dialogue, representatives of the Republic Public Prosecutor's Office, the Coordinating Body for Gender Equality as well as representatives of the Provincial Secretariat for Social Policy, Demography and Gender Equality of AP Vojvodina. representatives of scientific and other professional institutions dealing with protection from domestic violence should also participate.</p>		
9.1	In particular, please indicate whether the co-ordinating body/bodies is/are responsible for:		
	<p>- Co-ordination of policies and measures to prevent and combat violence against women</p> <p>The Council has the authority to issue recommendations for the purpose of improving the coordinated action of all competent authorities that apply the law and for the purpose of uniform application of the law in order to prevent and protect against domestic violence and violence against women as effectively as possible.</p>	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is:	No <input type="checkbox"/>
	<p>- Implementation of policies and measures to prevent and combat violence against women</p>	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is:	No <input type="checkbox"/>
	<p>- Monitoring and evaluation of policies and measures to prevent and combat violence against women</p>	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is:	No <input type="checkbox"/>
	<p>- Co-ordination of the collection of data, analysis and dissemination of its results</p>	Yes <input checked="" type="checkbox"/> The co-ordination	No <input type="checkbox"/>

	The Council for Suppression of Domestic Violence is authorized to collect data, analyses, notifications and reports from competent state bodies and institutions in connection with prevention and protection from domestic violence.	body responsible is:	
10	Please specify the human and financial resources allocated to the co-ordinating body/bodies: CBGE is Government body which is not financed by the budget of the Republic of Serbia.		
11	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 7 and 10, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
III. Financial resources (Article 8)			
12	Have your authorities allocated specific funds at the		
	- national	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	- and/or regional	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	- and/or local	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention?		
12.1	If yes, what is the annual amount of these funds? If possible, please specify the percentage of the total national state budget that the amount represents.		
12.2	[Optional question: if not, please specify the reasons]:		
13	Have these funds increased since the publication of GREVIO's baseline evaluation report?	Yes <input type="checkbox"/> If yes, by what amount:	No <input checked="" type="checkbox"/>
14	Have your authorities taken measures to foster long-term and sustainable financial support for non-governmental organisations working to support victims and prevent violence?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
14.1	If yes, please specify: The possibility of financing projects of small value from the Budget of the Republic of Serbia.		
14.2	[Optional question: if not, please specify the reasons]:		

15	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 8, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
IV. Non-governmental organisations and civil society (Article 9)			
16	Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including in terms of funding and co-operation?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
16.1	If yes, please specify: Involvement of representatives of the Association in the creation and drafting of legislation, supporting the work of the Association, the possibility of financing projects of small value from the Budget of the Republic of Serbia, which are planned and implemented by the Association.		
16.2	[Optional question: if not, please specify the reasons]:		
V. Data collection and research (Article 11)			
17	In implementation of the recommendation addressed to your authorities, have new sectors of the administration started the collection of data in accordance with the requirements of Article 11, paragraph 1?	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
17.1	If yes, please specify which sectors: Since November 2018, the Ministry of Justice has been analyzing data related to the nature of the perpetrator and the victim, according to which emergency measures have been extended under the Law on Prevention of Domestic Violence, and this data is publicly available on the website of the Ministry of Justice "Exclude Violence" in the Statistics section. (www.iskljucinasilje.rs). The collection of this data enables all forms of violence against women to be monitored, which enables a clear distinction to be made between intergenerational violence in the family and violence in intimate partner relationships. Ministry of health: In Serbia, there is a network of 25 public health institutes that collect and process all data from health institutions at all three levels. The data is available to everyone.		
17.2	[Optional question: if not, please specify the reasons]:		
18	In implementation of the recommendation addressed to your authorities, have sectors of the administration improved their data collection?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
18.1	If yes, please specify which sectors and how, in particular whether new data categories were added:		

	Ministry of health: In Serbia, there is a network of 25 public health institutes that collect and process all data from health institutions at all three levels. The data is available to everyone.	
18.2	[Optional question: if not, please specify the reasons]:	
19	Does statistical data collection by law-enforcement agencies and the judiciary enable cases of violence against women to be tracked in order to indicate:	
	- Conviction rates	Yes <input type="checkbox"/> No <input type="checkbox"/>
	- Types of sentences	Yes <input type="checkbox"/> No <input type="checkbox"/>
	- Attrition rates	Yes <input type="checkbox"/> No <input type="checkbox"/>
	- Time-barred proceedings	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
20	As regards population-based surveys, please indicate any survey conducted since the publication of GREVIO's baseline evaluation report, while specifying the forms of violence covered:	
21	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 11, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:	
VI. Custody, visitation rights and safety (Article 31)		
22	Have your authorities taken measures contributing to ensure that incidents of violence covered by the scope of the Istanbul Convention are taken into account in the determination of custody and visitation rights of children, notably by judicial authorities?	Yes <input type="checkbox"/> No <input type="checkbox"/>
22.1	If yes, please specify how this has been done (by legislative amendments or other means)	
22.2	If yes, please specify how the above obligation is implemented in practice, including by providing data indicating to what extent judicial authorities consider all issues related to violence against women in their decisions on custody and visitation rights:	
22.3	[Optional question: if not, please specify the reasons]:	
23	Have your authorities taken measures contributing to ensure that visitation rights do not jeopardise the rights and safety of the victim or children?	Yes <input type="checkbox"/> No <input type="checkbox"/>
23.1	If yes, please specify:	

23.2	[Optional question: if not, please specify the reasons]:		
24	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 31, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
VII. Immediate response, prevention, and protection (Article 50)			
25	Have your authorities taken measures contributing to improve the prompt and appropriate response of law enforcement agencies, in particular by:		
	- Enhancing training of law enforcement officials on the gendered nature of violence against women and its consequences	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Ensuring a sufficient number of female police officers	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Setting up premises designed to establish a relationship of trust between the victim and the law enforcement personnel	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Ensuring the efficient collection of evidence so that the reliance on the victim's testimony is lessened	Yes <input type="checkbox"/>	No <input type="checkbox"/>
25.1	If yes, please specify:		
25.2	[Optional question: if not, please specify the reasons]:		
26	Have your authorities taken measures contributing to enable the identification and careful analysis of any failure of protection?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
26.1	If yes, please specify what kind of measures, and if further preventive measures were adopted to remedy this situation:		
26.2	[Optional question: if not, please specify the reasons]:		
27	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 50, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
VIII. Emergency barring, restraining or protection orders (Articles 52 and 53)			
28	As regards emergency barring orders, have your authorities taken measures contributing to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk, and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

28.1	If yes, please indicate which authorities have the power to issue emergency barring orders:		
28.2	If yes, please indicate the length of time for which emergency barring orders may remain in force:		
28.3	[Optional question: if not, please specify the reasons]:		
29	Have your authorities taken measures contributing to ensure the availability of restraining or protection orders to victims of the following forms of violence against women?		
	- Domestic violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Stalking	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Sexual violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Sexual harassment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced marriage	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Female genital mutilation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced abortion	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced sterilisation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
29.1	If yes, please specify:		
29.2	[Optional question: if not, please specify the reasons]:		
30	Have your authorities taken measures contributing to ensure the effective enforcement of barring, restraining or protection orders?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
30.1	If yes, please specify:		
30.2	[Optional question: if not, please specify the reasons]:		
31	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 52 and 53, which were not covered by the questions above, in particular in relation to the collection of data on the number of orders issued and their violations, please report on these measures [word limit: 1000 words]:		

Specific recommendations	
32	<p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to provide for gender-sensitive specialist women's throughout the country and for all forms of violence covered by the Istanbul Convention (paragraph 122), including by setting up rape crisis and /or sexual violence referral centres offering free of charge professional forensic examinations (paragraph 140) and by ensuring that the national helpline is confidential and anonymous and refers victims to specialist support services provided by the women's NGOs (Recommendation A.8, IC-CP/Inf (2020)5).</p>
33	<p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to speedily reform the Criminal Code provisions covering sexual violence to be based on the notion of freely given consent as required by Article 36 of the Istanbul Convention and to ensure appropriate sanctions for all sexual acts without the consent of the victim, irrespective of personal characteristics. (Recommendation A.11, IC-CP/Inf (2020)5).</p> <p>The Ministry of Justice formed a working group to draft the working text of the Law on Amendments to the Criminal Code. Work on amendments to the Criminal Code is underway, so the issue of harmonizing the provisions of the Criminal Code with the Convention on the Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention) will be regulated.</p>