



## **Ending Domestic Violence in Southeast Europe and Turkey: Towards a Regional Strategy for Action**

An analysis of responses to domestic violence in Southeast Europe and Turkey  
supported by UNIFEM CEE, Bratislava

*There is a significant and unacceptable gap between the international standards on violence against women and the concrete commitment of political capital and resources to implement these standards.*

*Securing gender equality and ending violence against women must not be treated as optional or marginal tasks. A coordinated, cross-cutting and multisectoral response is required to address violence against women. Strong institutional mechanisms at local, national, regional and international levels are needed to ensure action, coordination, monitoring and accountability.*

(UNSG, In-depth study on all forms of violence against women)

*Presently, we are facing a huge gap between the legislation in power and its concrete implementation in practice.*

(Women's Forum, Albania)

UNIFEM CENTRAL AND EASTERN EUROPE  
BRATISLAVA  
July 10, 2007

## Acknowledgments:

UNIFEM CEE is grateful to the following organizations for returning their answers to the UNIFEM-BGRF questionnaire and making possible the preliminary analysis that informed the sub-regional meeting in Sofia, May 9-10, 2007: Gender Alliance for Development Center, Counseling Center for Women and Girls and Women's Forum, from Albania; United Women, Banja Luka and Foundation of Local Democracy, from Bosnia and Herzegovina; SOS Families at Risk, "Animus" Association and Foundation for Care in the Community "Diva", from Bulgaria; B.a.B.e, from Croatia; Women's Wellness Center and Medica Kosovo, from Kosovo; Association for Emancipation, Solidarity and Equality of Women (ESE) and National SOS Line, from Macedonia; SOS Hotline for Women and Children, from Montenegro; Provincial Secretariat for Labor, Employment and Gender Equality of Vojvodina and Autonomous Women's Center, from Serbia; and Women's Fund, from Turkey. UNIFEM CEE would also like to thank the two regional experts, Mirjiana Dokmanovic, and Jasna Dzumhur, who provided their expert opinions in advance of the sub-regional meeting in Sofia.

The sub-regional meeting "Towards a New Regional Model for Combating Domestic Violence", that took place in Sofia, Bulgaria, May 9-10, 2007 would not have been possible without the effort and unfaltering commitment of the Bulgarian Gender Research Foundation, and particularly its director, Genoveva Tisheva.

UNIFEM CEE is above all thankful to the organizations and experts who participated in the sub-regional meeting and contributed their time and substantial effort to the initiative. (A full list of participants is available in Annex 2.)

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## Introduction and main findings

The present analysis is part of an initiative by UNIFEM CEE, Bratislava and the Bulgarian Gender Research Foundation to support a sub-regional meeting of organizations working to end domestic violence in Southeast Europe and Turkey in order to stimulate strategic thinking about future initiatives and programs to stop domestic violence in the region. As part of the preparatory process for the meeting, a questionnaire on responses to domestic violence was distributed to NGOs and gender equality mechanisms. The following organizations have answered the UNIFEM-BGRF questionnaire: Gender Alliance for Development Center, Counseling Center for Women and Girls and Women's Forum, from Albania; United Women, Banja Luka and Foundation of Local Democracy, from Bosnia and Herzegovina; SOS Families at Risk, "Animus" Association and Foundation for Care in the Community "Diva", from Bulgaria; B.a.B.e, from Croatia; Women's Wellness Center and Medica Kosovo, from Kosovo; Association for Emancipation, Solidarity and Equality of Women (ESE) and National SOS Line, from Macedonia; SOS Hotline for Women and Children, from Montenegro; Provincial Secretariat for Labor, Employment and Gender Equality of Vojvodina and Autonomous Women's Center, from Serbia; and Women's Fund, from Turkey. **(The full questionnaire that was distributed to participants is attached in Annex 1.)**

The meeting "Towards a New Regional Model for Combating Domestic Violence" took place in Sofia, May 9-10, and was organized by the Bulgarian Gender Research Foundation. Representatives of sixteen NGOs working to end domestic violence in Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Serbia, alongside two representatives of gender equality mechanisms from Montenegro and Vojvodina, Serbia, two regional experts and three UNIFEM representatives joined their efforts and expertise for one day and a half in order to review current initiatives to address domestic violence in the region, to identify gaps in the work of state institutions, regional bodies, as well as NGOs, and to suggest strategies for moving forward on the ending-domestic violence agenda in SEE. UN Resident Coordinator Neil Buhne opened the meeting with a brief speech in which he emphasized the link between human development and the fight against domestic violence. **(A full list of participants is attached in Annex 2.)**

The present report submits the main findings from the UNIFEM-BGRF questionnaire and the main conclusions and recommendations of the meeting "Towards a New Regional Model for Combating Domestic Violence", Sofia, May 9-10, 2007.

The following are the main findings from the UNIFEM-BGRF questionnaire:

- Most countries in the region have developed adequate legislation for addressing domestic violence, including specific legislation on protection against domestic violence/ violence in the family in Albania, Bulgaria, Bosnia and Herzegovina, and Croatia.
- However, the full enforcement of the legislation is hindered by the lack of specific policies addressing domestic violence, and insufficient institutional development in the field of combating domestic violence. National Action Plans/Programs and/or National Strategies on preventing and combating domestic violence exist only in Albania, and Croatia. Almost all countries have National Action Plans for Gender Equality, sometimes with a separate chapter addressing domestic violence.

- The most significant challenge for ending domestic violence work in Southeast Europe remains the gap between legal provisions and governmental commitments, under national strategies to promote gender equality and/ or combat domestic violence and their translation into concrete action and particularly into financial support and budgets to address domestic violence. Separate budget lines in the state budget have been allocated for implementing strategies to combat domestic violence only in Macedonia (the budget for domestic violence is prescribed within the budget of the Ministry of Labor and Social Affairs under the category of “socially excluded persons”), Croatia (the Ministry of Family has a special department dealing with the issue), and Kosovo (the Kosovo Police Service contains a line item for financing the operation of the special unit dealing with domestic violence).
- There are no institutionalized programs for offenders, although the legislation includes requirements to establish rehabilitation programs in some countries in the region, such as Macedonia, as part of the Family Law.
- The usefulness of international instruments is limited, respondents argued, by their insufficient transposition into national legislation; their very limited application by judges; the unsatisfactory level of awareness and knowledge of the instruments among both professionals and the general public; the fact that governments do not fully endorse the values of women’s rights and gender equality, and the insufficient insight on local conditions at the level of international bodies that monitor the application of international instruments.
- Cooperation and coordination between various stakeholders is not common practice among the nine countries under review. Thus, an important precondition for the development of a holistic and multidisciplinary model for responding to domestic violence is absent in Southeast Europe.
- The regional pattern for providing services to victims of domestic violence, particularly shelter, counseling, and free legal assistance is defined by a combination of actions taken by women’s civil society organizations and slowly increasing involvement of the governmental social services.
- Organizations working to end domestic violence overwhelmingly evaluate the provision of services to victims of domestic violence in Southeast Europe as unable to meet the needs of communities, insufficiently funded and often inadequate.
- The work to end domestic violence in Southeast Europe is affected by more general problems in the functioning of public administration and the justice system in the region, such as small state budgets, unreformed social services and wide-spread corruption.
- Preoccupation for issues of diversity, disability, and language is almost completely absent both from the legal framework for addressing domestic violence in Southeast Europe, and even more importantly from the practice of working with victims of domestic violence. The lack of sensitivity for issues of diversity, disability, and language further weakens the ability to seek help and justice for victims of domestic violence who belong to marginalized ethnic groups, such as Roma in Southeast Europe, or groups of immigrants, or for women who struggle with different forms of disability.
- Most respondents argued that responding to domestic violence is different in a post-conflict situation, because the issue is “more complex and the results are more devastating”.
- National and regional networking of women’s groups is still not a wide spread practice in the region.

- Most respondents to the UNIFEM-BGRF questionnaire agreed that cooperation with international/ regional bodies was active and fruitful in at least two directions. First, international/ regional organizations provide a body of knowledge and regulations that offer essential advocacy tools for national and local NGOs. Second, international/ regional bodies are the most important donors that fund NGOs in Southeast Europe.

The following additional conclusions, suggestions and recommendations can be formulated based on the discussions at the meeting “Towards a New Regional Model for Combating Domestic Violence”, Sofia, May 9-10, 2007:

- Participants at the sub-regional meeting in Sofia agreed that a particularly worrying feature of current policy responses to domestic violence was the removal of the gender aspects of violence against women. The current tendency to merge the strategies on gender equality and eliminating violence against women expressed a lost momentum in the work against domestic violence.
- Sharing of experience among participants showed that a number of successful practices of responding to domestic violence have been developed in the region. Interdisciplinary units that intervene in cases of domestic violence have been created in Serbia (the ‘Sombor model’), and are emerging in Bosnia and Herzegovina (the ‘Banja Luka model’); coordinated approaches for action to implement legislation against domestic violence have been pioneered in Bulgaria (at the local level) and Macedonia (at the national level); procedures and ethical codes for police interventions in cases of domestic violence have been developed in Montenegro.
- The NGO participants in the sub-regional meeting in Sofia identified several gaps in their own work on domestic violence. The self-identified gaps refer to the content of NGO work, the relations between NGOs and the larger social and institutional environment and the cooperation and coordination among NGOs.
- A firm agreement was reached among participants on the need for regional cooperation and the development of regional approaches to end domestic violence.
- Numerous ideas for actions on the regional level have been generated along three dimensions: strengthening cooperation and coordination; using the regional level as significant platform for advocacy on measures to end domestic violence; and producing and accessing information and knowledge.

## **I. CURRENT MEASURES:**

### ***I.1. Legal framework, governmental action plans and related measures to protect victims of domestic violence***

Several countries in the region (Albania, Bosnia and Herzegovina, Bulgaria, and Croatia) have adopted separate laws to address domestic violence.<sup>1</sup> Special legal provisions against domestic violence are in place in Kosovo also, under a UNMIK Regulation on Domestic Violence. For all other countries, as well as for the four countries that have adopted specific laws against domestic violence, legal provisions addressing domestic violence are provided for in Criminal Codes and Family Law.

National Action Plans/Programs and/or National Strategies on preventing and combating domestic violence exist in Albania, Croatia and Montenegro. Almost all countries have adopted National Action Plans for Gender Equality with a separate chapter addressing domestic violence. Separate budget lines in the state budget have been allocated for implementing strategies to combat domestic violence only in Macedonia (the budget for domestic violence is prescribed within the budget of the Ministry of Labor and Social Affairs under the category of “socially excluded persons”), Croatia (the Ministry of Family has a special department dealing with the issue), and Kosovo (the Kosovo Police Service contains a line item for financing the operation of the special unit dealing with domestic violence). Table 1 below presents a summary of the current situation of regulations and measures against domestic violence in SEE.

The nine countries under review display a relative homogeneity with respect to institutionalized structures for protecting and counseling victims of domestic violence (mostly women). The regional pattern for providing services to victims of domestic violence, particularly shelter, counseling, and free legal assistance is defined by a combination of actions taken by women’s civil society organizations and slowly increasing involvement of the governmental social services.

Free legal assistance to victims is mainly provided by NGOs and funded by international donors. Only in Kosovo there is a unit within the Supreme Court that offers legal assistance and free legal representation before the court to all victims of violence free of charge. In Bosnia and Herzegovina and Serbia, the Centers for Social Work, which are institutions of local government, provide counseling.<sup>2</sup>

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<sup>1</sup> As women’s advocates rightfully point out, the development of separate (special) laws to prevent and combat domestic violence (violence in the family) does not necessarily mean that a holistic approach to domestic violence has been included in the legislation. For more on examples of comprehensive laws that provide for a holistic approach to violence against women, including legislative developments in Spain, Switzerland, Cyprus, or Poland, see: Council of Europe. 2006. *Combating Violence against Women. Stocktaking Study on the Measures and Actions Taken in Council of Europe Member States*, available at: [http://www.coe.int/T/E/Human\\_Rights/Equality/PDF\\_CDEG\(2006\)3\\_E.pdf](http://www.coe.int/T/E/Human_Rights/Equality/PDF_CDEG(2006)3_E.pdf) (last accessed July 5, 2007).

<sup>2</sup> Nikolic-Ristanovic, Vesna and Mirjana Dokmanovic. *International Standards on Domestic Violence and Their Implementation in the Western Balkans*. Belgrade: Prometej, 2006.

Participants at the sub-regional meeting in Sofia and respondents to the UNIFEM-BGRF questionnaire evaluate the capacity of services in the region is insufficient. Victims of domestic violence are usually offered minimal, temporary protection, but holistic measures that aim to ensure that victims gain independence from their abusive environments are very slow in developing.

Shelters, SOS hotlines, and counselling for women victims of domestic violence exist in each country. As mere illustrations, seventeen state-run and thirteen NGO-run shelters exist in Turkey, ten shelters and twenty-four hotlines in Croatia, nine shelters and thirty-nine hotlines in Serbia, and two shelters in both Bulgaria and Montenegro.<sup>3</sup> Crisis intervention centres exist only in Bulgaria, Kosovo and Macedonia<sup>4</sup>. Safe houses are predominantly situated in urban areas, a majority of them do not meet minimum standards, and not all of them are accessible around the clock (24/7).

Shelters, telephone helplines and counseling are still predominantly run by women's NGOs, and mostly funded by international donors. Some state support is available to shelters, but no systematic efforts and strategies in this area exist. Government-operated shelters run in Macedonia (five)<sup>5</sup>, and Albania (one)<sup>6</sup>. A number of hotlines in Serbia are operated by Centers for Social Work<sup>7</sup>, which are part of the local public administration. In Bulgaria, the law defines the obligation for the state to maintain shelters and other services for victims of domestic violence. Thus, the Government is required to set aside funds to establish and support the work of shelter rooms in each district centre.<sup>8</sup> Similarly, Turkey has passed a law that mandates municipalities with over 50,000 residents to provide shelters for women and children<sup>9</sup>. However, these laws have not been implemented yet.

There are no institutionalized programs for offenders, although the legislation includes requirements to establish rehabilitation programs in some countries in the region, such as Macedonia, as part of the Family Law. Some NGOs working to end violence against women have run very small-scale programs for offenders. For example, in 2006, the Foundation of Local Democracy, in cooperation with the Centers for Social Affairs in Bosnia and Herzegovina organized supportive groups for abusers whose wives were accommodated in the shelter run by the organization. The Croatian NGO B.a.B.e has

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<sup>3</sup> Republic of Turkey. Prime Ministry. "Response of the Republic of Turkey to the Questionnaire on Implementation of Beijing Platform for Action." April 2004.

<http://www.kssgm.gov.tr/belgeler/uaicevaping.html> (Accessed 11 April 2007)

<sup>4</sup> [http://www.stopvaw.org/Domestic\\_Violence\\_Research\\_and\\_Reports.html](http://www.stopvaw.org/Domestic_Violence_Research_and_Reports.html)

<sup>5</sup> "Violence against Women. Does the Government Care in Macedonia? NGO Fact sheet on the State Response." 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MACEDONIA\\_VAW\\_FACT\\_SHEET\\_2006\\_2.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MACEDONIA_VAW_FACT_SHEET_2006_2.pdf) (Accessed 6 April, 2007)

<sup>6</sup> "Violence against Women: Does the Government Care in Albania? Fact sheet." 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/ALBANIA\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/ALBANIA_VAW_FACT_SHEET_2006_3.pdf) (Accessed 5 April, 2007)

<sup>7</sup> "Violence against Women: Does the Government in Serbia Care? NGOs Fact sheet on the state response." 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/SERBIA\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/SERBIA_VAW_FACT_SHEET_2006_3.pdf)

<sup>8</sup> "Violence against Women: Does the Government care in Bulgaria? NGOs Fact Sheet." 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/BULGARIA\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/BULGARIA_VAW_FACT_SHEET_2006_3.pdf)

<sup>9</sup> "Shadow NGO Report on Turkey's Fourth and Fifth combined Periodic Report to the Committee on the Elimination of Discrimination against Women." January 2005, pp.8-11. <http://www.wwhr.org/images/CEDAWingilizce.pdf>; Amnesty International. "Turkey: Shelters Need Government Support." <http://web.amnesty.org/actforwomen/tur-251106-shelteraction-eng>.



recently hosted an international conference in Zagreb to address the issue of programs for offenders.

**Table 1. Regulations and measures against domestic violence in SEE**

Country	Legal provisions against domestic violence	Separate law against domestic violence	National Action Plan for Gender Equality	National Strategy to Combat Domestic Violence (Violence in the Family)
Albania	Family Code, 2003 Criminal Code (battery)	Law on measures against domestic violence.	YES – National Strategy on Gender Equality.	National Strategy against Domestic Violence (drafted 2006)
Bulgaria	Criminal Code	YES	YES	No governmental plan on domestic violence. An action plan against VAW, including domestic violence has been elaborated as part of the Council of Europe campaign against domestic violence.
Bosnia and Herzegovina	Incrimination of domestic violence introduced by changes of the Criminal Codes in both entities (2003)	YES (each entity has a different law)	YES – Gender Action Plan of Bosnia and Herzegovina (adopted 2006); chapter on domestic violence	NO (Government plans to adopt an action plan for combating domestic violence, in 2007)
Croatia	Criminal Code Family Law	YES	YES	National Strategy for Protection against Violence in the Family (2005-2007)
Kosovo	Interim Criminal Code of Kosovo enforced since April, 2004	UNMIK Regulation on Domestic Violence (2003)	YES (adopted 2004)	Component on domestic violence in National Action Plan for Achieving Gender Equality
Macedonia	Criminal Code Family Code	NO	YES – National Action Plan for Gender Equality	NO – a National Program to combat domestic violence is currently being prepared

Montenegro	Criminal Code of the Republic of Montenegro (Article 220 – Violence in the family or family community)	NO. A proposal was drafted in the beginning of 2006, but has not been adopted yet.	National Action Plan for achieving Gender Equality has been drafted; one of the chapters addresses violence against women.	Program for Violence Prevention, 2003 Development of the “Proposal of National Program for Violence Prevention”
Serbia	Introduction of protective measures in the Family Law in July 2005 (articles 197 and 198) Adoption of amendments to the Criminal Code in January 2006 (article 194).	NO	DRAFT National Action Plan for Achieving Gender Equality – component on DV	NO
Turkey	Law for Protection of the Family	NO	Planned equality act?	Municipality law requiring establishment of shelters

National contexts:

ALBANIA<sup>10</sup>

A Law for measures against violence in family relations was presented to the Parliament as an initiative of 20.000 citizens, and adopted in 2006. The recently adopted law defines domestic violence as: “Any act of violence between persons who are related or used to be in a family relation”. However, the Albanian legislation, including the special law on violence in the family does not make domestic violence a specific crime.

The legal framework which supports actions against domestic violence includes the Ratification of the Convention for the Elimination of all forms of Discrimination against Women (CEDAW), 1993; Ratification of the Beijing Platform for Action, 1995; Article 18 of the Albanian Constitution, which guarantees equality between citizens, 1998; Protocol of the CEDAW convention, 2003; the Family Code, 2003; and the Law on Gender Equality, 2004.

Article 61 of the Family Code provides that immediate measures can be taken towards the spouse who fails to meet his/her obligations and endangers the interests of the family. Courts can decide on such measures upon request from the damaged spouse. Article 62 of the Family Code recognizes the right of the damaged spouse to request an

<sup>10</sup> Country information was provided by the Gender Alliance for Development Center, the Counseling Center for Women and Girls, and Women’s Forum.

order from the Court to remove the violent spouse from the marital residence. There are examples in the jurisprudence of the implementation of this provision.

Certain manifestations of domestic violence are covered under provisions of the Criminal Code. Battering, like any other act of violence, represents a penal contravention and is punishable by fine. If, as a result of the battering, the victim was unable to work for up to nine days, the perpetrator should receive a fine or up to six months of imprisonment. Life threats and severe injuries are penal contraventions punishable by a fine or up to one year of imprisonment. There are no provisions for special compensation for women victims of violence in the Family Code or Civil Code, but the general provisions for moral or material damage may be used.

The Strategy against Violence in the Family and the accompanying Action Plan were approved at the end of 2006. "There is expressed political will to bring change in terms of fighting domestic violence", the Gender Alliance for Development Center states, but "there is still a lot to do in terms of planning and implementing strategies and action plans". The strategy on social services designed by the Ministry of Labor this year (2007) foresees an increase in the budget for social services and for supporting existing NGOs that provide services to victims of domestic violence.

A network of social services for women victims of domestic violence, children and to a smaller extent, the elderly has been established in Albania over the past fifteen years and is supported by civil society and governmental action. The network of services is made up of: Centers that aim to sensitize the wide public opinion, especially women and girls, children and youth as well as professionals of different backgrounds, about gender based violence; Centers that offer psychological support; Centers that offer legal counseling; Centers that offer temporary shelter and specialized treatment for women and girls in critical situations; Centers that offer specialized treatment for children; Programs that support professional training and employment for women in need.

Counseling centers for women and girls are operating in Shkodër, Pogradec, Durrës, Elbasan and Berat, with the support of foreign donors. The centers offer telephone counseling (helplines), or face-to-face meetings. The counseling centers for women and girls have a multidisciplinary staff trained to respond to the needs and specific characteristics of domestic violence victims. Their staff includes social workers, psychologists, doctors and educators for children. In some cases, staff members are supported by legal experts. In the Elbasan region, the NGO Women's Forum is planning to run programs for offenders in the near future.

#### BOSNIA AND HERZEGOVINA<sup>11</sup>

The legal framework relating to domestic violence in Bosnia and Herzegovina comprises: the Law on Gender Equality; the Law on Protection from Family Violence, in both entities<sup>12</sup>; and criminalization of domestic violence introduced by changes in the Criminal Codes in both entities, 2003.<sup>13</sup> The Gender Equality Law of Bosnia and Herzegovina (2003) forbids discrimination based on gender and sexual orientation, and guarantees

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<sup>11</sup> Country information provided by United Women, Banja Luka; Foundation of Local Democracy and Ms. Jasna Dzumhur, legal expert on violence against women.

<sup>12</sup> Law on protection from family violence, Official Gazette of FBiH, No. 22/05 from April 2005.

<sup>13</sup> The Criminal Code of the Federation of Bosnia and Herzegovina, Art. 222; the Criminal Code of the Republic Srpska, Art. 208; the Criminal Code of the Brcko District, Art. 218.

equal opportunities to all citizens, men and women, in both the public and private sphere. The Gender Equality Law also defines the crimes of sex-based violence, harassment and sexual harassment. The Law on Protection from Family Violence of the Federation of Bosnia and Herzegovina (FBiH) and the one of Republika Srpska (RS) provide a definition of domestic violence that is very similar to the one introduced by the Criminal Code of the Federation of Bosnia and Herzegovina (FBiH). The crime of domestic violence comprises acts of violence, aggression and battery that threaten the physical integrity, harmony or psychological wellbeing of a family.

The application of the legal framework on domestic violence is hindered by the lack of harmonization of different legal provisions that apply in RS and FBiH. As a result of legal ambiguity in defining cases when domestic violence should be considered a crime, and cases when it should be considered a minor offence, Courts often charge perpetrators of domestic violence with minor offence, and thus provide them with lighter sanctions. In response to this situation, the UN Committee on Economic, Social and Cultural Rights (CESC) urged the State of Bosnia and Herzegovina: “to ensure harmonization of the criminal law provisions of the Entities and of the Brcko District on the crime of domestic violence with the State Law on Gender Equality, as well as their application by judges, prosecutors and the police.” The Committee also recommended that the State party “take measures to sensitize law enforcement officials and the general public to the causes, and criminal nature of acts of domestic violence, as well as the specific needs of victims.”<sup>14</sup> The CEDAW Committee formulated a similar recommendation, calling upon the State party “to harmonize the laws of the two entities and to speed up the formulation and adoption of by-laws and the establishment of relevant structures and institutions needed for implementation”.<sup>15</sup>

Support to victims of domestic violence is provided mainly by NGOs that are running telephone helplines, shelters for victims of family violence, and offer free legal and psychological help. These organizations are mainly funded by international donors and only a few of them partly supported by the government.

Several promising practices in the provision of services in BiH have developed as a result of cooperation between responsible state institutions and NGOs. One successful example is the Sarajevo Canton, where the shelter run by Foundation for Local Democracy is funded under a Co-financing Contract signed with Cantonal Ministry for Labor, Social Policy, Refugees and Displaced Persons. Moreover, a Coordination Body was established in Sarajevo Canton, joining together representatives from: the Ministry of Justice and Administration of Sarajevo Canton, Ministry of Labor, Social Policy, Displaced Persons and Refugees of Sarajevo Canton, Ministry of Health of Sarajevo Canton, Ministry of Interior of Sarajevo Canton, the Association of BH

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<sup>14</sup> E/C.12/BiH/CO/1, Concluding observations of the UN Committee on Economic, Social and Cultural Rights, para 43.

<sup>15</sup> The Concluding comments of the Committee for the Elimination of Discrimination against Women: Bosnia and Herzegovina, 35<sup>th</sup> session, 15 May- 2 June 2006. The CEDAW Committee was concerned that the legal texts adopted in both entities may allow for differing judicial interpretations and inconsistent application of penalties due to the fact that in the Federation of Bosnia and Herzegovina domestic violence is defined as a crime while in the Republika Srpska it is defined both as crime and a misdemeanor. In addition, the implementation of the law is hampered by the lack of necessary by-laws and structures.

Journalists and the Foundation of Local Democracy. The Coordination body ensures the continuity in the local government's approach to domestic violence.

United Women Banja Luka is currently partnering with the Centre for Social Work and the Banja Luka Police to develop a multidisciplinary model for addressing domestic violence. A team of representatives from the Centre for Social Work, United Women Banja Luka and 2 police officers is ready 24 hours to intervene when domestic violence cases are reported. When a victim reports domestic violence to a police hotline, the police also contact a social worker, who in turn informs the representative of United Women. The entire team visits the victim; the members of the multidisciplinary team offer first assistance together, and decide on further steps that can be undertaken to help the person who suffered domestic violence. The mobile team operates 24 hours a day. Since the teams became operational, in May 2007, there were on average 1-5 interventions per day.

There are seven shelters in Bosnia and Herzegovina, located in Banja Luka, Bihac, Mostar, Modrica, Sarajevo (run by the Foundation for Local Democracy), and Zenica.

#### BULGARIA<sup>16</sup>

The Law for Protection against Domestic Violence has come into force on 1 April, 2005. The Bulgarian Law on Protection against Domestic Violence was assessed by experts like representatives of Minnesota Advocates for Human Rights (MAHR) as one of the best laws in the field, in Eastern Europe in that it ensures effective protection of victims. The Law for Protection against Domestic Violence formulates an obligation for the state to secure shelters and other services and rehabilitation for victims of violence. Art. 5 and 6 of the law contain the legal basis and also the obligation for the state to engage in education of professionals and in providing and supporting services for victims. The Final provisions of the law create an obligation for the state to support the cooperation of NGOs and local government for protection of victims and to establish an inter-governmental mechanism for implementation.

There is no Governmental Action Plan against Domestic Violence, but a national plan has nevertheless been elaborated with the participation of the Government, as part of the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

Efforts are currently being made to implement legal provisions, and NGO reports confirm that progress is steady. The Bulgarian Gender Research Foundation has found that Courts are active in the implementation of the Law for Protection against Domestic Violence, including the issuing of order of protection for victims. Promising practices in responding to domestic violence have also been reported in the activity of the police. Foundation for Care in the Community "Diva" evaluates that police have good skills in rendering initial support to the victims and referring them to appropriate services. The same organization has observed that police management have also shown steady motivation for cooperating with civil society partners. Many times, police refer victims of domestic violence to women's organizations that are active in fighting domestic violence.

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<sup>16</sup> Country information provided by Bulgarian Gender Research Foundation, Animus Association, Foundation for Care in the Community "Diva" and SOS Families at Risk.

In the sphere of social services, some municipalities, such as Varna, are starting to provide financial support to services for victims of domestic violence, through their Social programs.

Although progress has been made in involving local and national authorities in responses to domestic violence, it is still NGOs that provide most services to women and children victims of physical, sexual and emotional violence.

#### CROATIA<sup>17</sup>

The legal framework for preventing domestic violence in Croatia has been in the process of constant change for the past five years. At the moment, the legal framework comprises the Croatian Constitution, Criminal Code, Family Law and the Law on Protection against Domestic Violence.

All governments of Croatia have recognized the problem of violence, thus ensuring consistency of governmental approaches. A National Strategy for Protection against Violence in the Families (2005-2007) is currently being implemented. The implementation of the National Strategy is coordinated by a special department within the Ministry of Family, which has its own budget.

State-sponsored actions in support of efforts to end domestic violence in Croatia encompass both measures of intervention (police intervention) and protective measures (provision of services). Some financial support from governmental and local funds is currently available for NGOs shelters, but the concrete conditions vary from county to county.

Most services for women victims of domestic violence continue to be provided by NGOs that offer legal advice, psychological support, and shelters. In Croatia, there are presently ten shelters that can accommodate 211 women victims with children. Twenty-four SOS helplines operate currently, providing psychological, legal and other forms of help for victims of violence against women. Some of these helplines are specialized in domestic violence cases.<sup>18</sup>

#### KOSOVO<sup>19</sup>

The legal framework sets in place various mechanisms for addressing domestic violence. Provisions in the UNMIK Regulation on Domestic Violence (2003/12) create special legislation for punishing perpetrators of violence in the family, as well as protecting victims of domestic violence. The UNMIK Regulation on domestic violence introduces the requirement for the perpetrator to leave the house and remain in custody from one week up to 12 months (depending on the level of penalty). However, this provision is not harmonized with the existing Property Law, according to which women have no ownership over the houses and as such “have no rights to expel their husbands from their properties”. The Interim Criminal Code of Kosovo enforced since April 6, 2004 legislates measures against all criminal activity, including violence in the family.

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<sup>17</sup> Country information provided by B.a.B.e.

<sup>18</sup> “Violence against Women: Does the Government care in Croatia? NGOs Fact Sheet”. 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/CROATIA\\_VAW\\_FACT\\_SHEET\\_2006\\_2.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/CROATIA_VAW_FACT_SHEET_2006_2.pdf)

<sup>19</sup> Country information provided by Medica Kosova, and Women’s Wellness Center.

The elimination of violence against women, including domestic violence is a specific component of the National Action Plan for Achieving Gender Equality, adopted in 2004. In its response to the UNIFEM-BGRF questionnaire, Women's Wellness Center declared that "as a mechanism for gender equality, the National Action Plan for Achieving Gender Equality was written in line with Kosovar women's needs".

Kosova Police Service has a separate Unit against domestic violence that has the capacity to intervene without an order from the Court in emergency cases of domestic violence.

It is almost exclusively local and international NGOs that offer shelter for victims of domestic violence, as well as legal, psychological and social support for them. There are five women's shelters in Kosovo and many more small and confidential shelters for the victims of domestic violence and trafficking. In each municipality in Kosovo (30 in total), between two to six NGOs work in support of victims of domestic violence offering social services, legal assistance, medical support and humanitarian assistance. In 2006, for the first time, five domestic violence shelters were supported with 50% of their budget from the Ministry of Labor and Social Work.

There is at least one SOS line in Kosovo that offers emotional support and counseling for cases of domestic violence and trafficking. The line operates 24-hours and is mainly staffed by shelter workers and/or students from the Department of Psychology at Prishtina University. Additionally, each shelter has a protected phone line where victims of domestic violence can call and receive assistance 24-hours.

There are no programs for offenders. In cases of addiction, mental illness or trauma, perpetrators of domestic violence would be sent to mental health centers, which operate in every municipality. However, medical facilities only offer medication and do not have the professional capacities for psychological assistance or counseling for social integration.

#### MACEDONIA<sup>20</sup>

Changes in the Criminal Code of the Republic of Macedonia were adopted in March 2004, and amendments to the Family Law were passed in June of the same year. The current legislation provides for the following measures: prosecution of offenders, protective measures for victims (services) and a system of legal protection of victims of domestic violence that combines criminal and civil legal protection system. Macedonian Family Law also prescribes that the offender is required to compensate medical and any other costs arising from domestic violence.

Responsible governmental bodies have invested considerable effort in recent years to develop a functional strategy for action to address domestic violence. Initiatives to move towards action in combating domestic violence resulted in the development of protocols, procedures and standards that would ensure functionality of the current framework to address domestic violence. A National program to combat domestic violence is currently being prepared by a group of representatives of the Ministry of Labor and Social Affairs, with the help of civil society experts from the Association for Emancipation, Solidarity and Equality of Women (ESE).

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<sup>20</sup> Country information was provided by Association for Emancipation, Solidarity and Equality of Women (ESE) and National SOS Line – Organization of Women of City of Skopje.

In its response to the UNIFEM-BGRF questionnaire, the Association for Emancipation, Solidarity and Equality of Women (ESE), a leading NGO in initiatives to end domestic violence evaluated that the governmental approach to domestic violence was consistent, mainly due to the close cooperation that was established between NGOs and the Ministry of Labor and Social Affairs. NGOs were involved both in policy development and in the implementation of actions to combat and prevent domestic violence.

On the national level, the Ministry of Labor and Social Affairs, Unit for Social Protection, has a mandate to establish and coordinate protective measures for victims of domestic violence (services), as well as to propose temporary measures of legal protection. On the local level, the twenty-seven Centers for Social Welfare, which are coordinated by the Ministry of Labor and Social Affairs, have responsibilities under the law to deal with cases of domestic violence. They are required to provide protection through delivering needed services and to propose or initiate temporary measures of protection, which should then be issued by Courts. The Ministry of Labor and Social Affairs allocates funds to support state shelters, operation of the National SOS line and other activities to address domestic violence.

In respect of punitive measures, the Ministry of Interior has a pivotal role on the national level. On the local level, a juvenile delinquency inspector is appointed in each internal affairs authority to coordinate those measures to fight domestic violence that require police intervention. Within the rest of the relevant governmental stakeholders, such as Ministry of Health, no professionals have been appointed to design/ coordinate measures to end domestic violence.

There are five governmental shelters that provide temporary housing for victims of domestic violence. In total, there are approximately 50–60 places available within these shelters.<sup>21</sup>

Beside the institutional response that should carry out the formal response to situations of domestic violence, equally important and essential is the NGOs response to the phenomenon. The following services are provided by NGOs: National SOS line, two Crises intervention Centers for 24 or 48 hours, in the capital, Skopje, one Shelter Center in Skopje, and three Legal Aid centers in Skopje, Tetovo and Stip, run by the Association for the Emancipation, Solidarity and Equality of Women. Besides the National line, there are several other SOS lines operating within NGOs from different parts of the country.

There are no separate programs for the offenders, even though the Family law stipulates that the court shall order the abuser to visit appropriate counseling. This type of service or program is not yet established.

## MONTENEGRO<sup>22</sup>

The legal framework for combating domestic violence in Montenegro comprises the Criminal Code and the Family Law. The Criminal Code makes domestic violence a specific crime, under article 220, “Violence in family and family union”. The Family Law

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<sup>21</sup> “Violence against Women: Does the Government care in Macedonia? NGOs Fact Sheet”. 2006. [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MACEDONIA\\_VAW\\_FACT\\_SHEET\\_2006\\_2.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MACEDONIA_VAW_FACT_SHEET_2006_2.pdf)

<sup>22</sup> Country information was provided by SOS Hotline, Montenegro.



regulates marital and domestic relations. A Law on Protection from Violence in the Family was drafted at the beginning of 2006, but has not been adopted yet.

The national policy to combat domestic violence is outlined in the Program for Violence Prevention, adopted by the Government of Montenegro on November 2003. A National Action Plan for Gender Equality has been drafted that addresses violence against women in a specific section. Standards for responding to domestic violence are also formulated in the Rulebook for police officers, issued by the Ministry of Interior in March 2004 and the Ethics Code for Policy, published by the Ministry of Interior in January 2006.

Victims of domestic violence can seek help from local Security Centers, ambulances and health institutions, and SOS Helplines in acute situations. In nine Montenegrin cities (Nikšić, Podgorica, Bar, Berane, Plav, Rozaje, Pljevlja, Bijelo Polje and Ulcinj), victims of domestic violence can turn to the local, autonomous NGOs SOS Hotlines for Women and Children Victims of Violence that provide legal and psychological help, and help in mediation and representation before institutions.

#### SERBIA<sup>23</sup>

Legislation against domestic violence was first passed in 2002, when domestic violence was defined, regulated and sanctioned as a crime. Legislation has since moved forward with the introduction of protective measures in the Family Law in July 2005 (article 198) and the adoption of amendments to the Criminal Code in January 2006 (article 194). The Family Law of the Republic of Serbia defines the notion of domestic violence and provides measures for the protection of victims of domestic violence, including the eviction of the perpetrator from the home (regardless whether or not the property is his) and restraining order. The Criminal Code of the Republic of Serbia recognizes domestic violence as a crime and determines sanctions depending on the consequences of the violent behavior of the perpetrator.

A policy to address violence against women is specifically outlined in the Draft National Action Plan for the Improvement of the Status of Women and Gender Equality, which has not been approved yet by the Serbian Parliament. At the level of the Autonomous Province of Vojvodina, a Decision on Gender Equality was adopted, containing an article in which the establishment of help lines for victims of violence is recommended to Centers for Social Work.

The Centers for Social Work (CSW) have the responsibility to provide services to women victims of domestic violence. Several partnership projects of NGOs and Centers for Social Work have been established for the operation of several shelters. However, the majority of shelters in Serbia are still run and funded by NGOs, with the support of foreign donors. Psychological and/or legal consultancy to women is still available only from women NGO's. There are only sporadic attempts to work with offenders, primarily projects of women's NGOs.

#### TURKEY<sup>24</sup>

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<sup>23</sup> Country information was provided by Provincial Secretariat for Labour, Employment and Gender Equality, Vojvodina and Autonomous Women's Center, Belgrade.

<sup>24</sup> Country information was provided by the Women's Fund, Turkey and Women for Women's Human Rights, Turkey.

Over the past ten years, Turkey has witnessed major reforms in the sphere of women's human rights, largely due to the successful advocacy efforts of the women's movement in Turkey. The adoption of a Family Protection Law (1998), the reform of the Turkish Civil Code (2001), the reform of the Turkish Criminal Code (2004), and recently the Directive of the Prime Ministry on Prevention of Violence Against Women and Children and Customary and Honor Killings (04 July 2006) have all brought forth major advancements for women's rights and established legal ground and mechanisms to eliminate violence against women.

Domestic violence is regulated and sanctioned by the 1998 Family Protection Law. Under the law, any person who becomes a victim of domestic violence can file a court case and request a protection order against the member of the family who perpetrated violence. However, the law applies only to officially married couples, and thus fails to offer protection to so many women who live in religious nuptials, especially in rural areas.

Seventeen state-run shelters and thirteen shelters run by NGOs provide support for women victims of domestic violence in the whole country. Sixty-six state-sponsored community centers offer psychological and legal counseling. There is a phone helpline, but no other mechanisms for protecting women who become victims of domestic violence. Legal counseling services (Women Advisory Services) are provided by different sections of the Bar, throughout the country.

## ***1.2. Usefulness of international instruments***

The development of national legislation in the field of combating domestic violence for countries in Southeast Europe has been greatly influenced by models and/ or requirements of international women's rights instruments, such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). The sixteen women's NGOs and one governmental body that have answered the UNIFEM-BGRF questionnaire state that international instruments are still potentially very useful. Among international instruments that have made an impact on their activities, the respondents singled out CEDAW, Optional protocol to CEDAW convention, the Beijing Platform for Action, UN SC Resolution 1325, and the Convention on the Political Rights of Women.

Organizations agreed that international instruments provide a set of values, principles and standards for gender equality, protection of women's rights and the endorsement of a life free of violence for women, which can be invoked in support of legislative changes and policy developments in the region. In her presentation at the sub-regional meeting in Sofia, regional expert Mirjana Dokmanovic stressed the importance of international instruments in formulating internationally endorsed standards for legislation and policies to respond to domestic violence. However, she also concluded that governments of countries in SEE and Turkey "only partially comply with their obligations from the CEDAW and other international human rights documents with respect to domestic violence."

According to the sixteen NGO respondents to the UNIFEM-BGRF questionnaire, international instruments are powerful advocacy tools, which women's advocates can use as foundation for lobbying the governments to adopt and implement measures to address domestic violence. International instruments are also tools for policy

development, and they have been used for strategizing, planning ahead, and defining key areas of work in the field of gender equality. Some respondents indicated they used international instruments also in awareness-raising campaigns. As an example, the Autonomous Women's Center in Belgrade has translated all international documents regarding domestic violence, and used the collection as required educational material for professionals within institutions dealing with domestic violence on the local level.

International instruments have an important role in monitoring to what extent governments deliver on their promises. The regular reporting that governments have to undergo under international instruments, and particularly under CEDAW provides an accountability mechanism, which women's NGOs can use to further pressure governments to act upon their commitments.

The usefulness of international instruments is nevertheless limited, respondents argued, by their insufficient transposition into national legislation; their very limited application by judges; the unsatisfactory level of awareness and knowledge of the instruments among both professionals and the general public; the fact that governments do not fully endorse the values of women's rights and gender equality, and the insufficient insight on local conditions at the level of international bodies that monitor the application of international instruments.

Animus Association in Bulgaria showed that the Convention on the Elimination of All Forms of Discrimination against Women, and the Optional Protocol to the Convention have not been promulgated and thus are not an integral part of the internal law of the country and legal subjects are not obliged to abide by them. Similarly, provisions of international instruments have not been fully incorporated in the national legislation in Serbia, according to the Provincial Secretariat for Labour, Employment and Gender Equality of the Autonomous Province of Vojvodina. According to ESE, in Macedonia, and United Women Banja Luka, in BiH, the general awareness about the meaning, content, obligations and standards that derive from the international women's human rights documents is on very unsatisfactory level, even among women activists.

Respondents to the UNIFEM-BGRF questionnaire from Serbia and Croatia think that the usefulness of international instruments is especially limited in their capacity to influence court decision, as "judges never base their verdicts on CEDAW" (Autonomous Women's Center, Serbia). SOS Hotline in Montenegro indicated that a further hindrance to making international instruments useful for local gender advocates is that "international bodies that supervise the implementation of these documents do not have the insight into the actual condition and the level of protection of women's human rights in Montenegro."

Participants in the sub-regional meeting "Towards a New Regional Model for Combating Domestic Violence" stressed that the implementation of international standards was a cross-border issue. In their opinion, cross-border cooperation is needed in order to advance the usefulness of international instruments in various national contexts. Cross-border cooperation may strengthen the application of non-legally binding international or regional instruments, such as some of the resolutions and recommendations emerging from European institutions and the Council of Europe.

## **II. CURRENT GAPS IN ADDRESSING DOMESTIC VIOLENCE**

### ***II.1. Legislation and policies: the challenge of turning commitments into action***

Most respondents to the UNIFEM-BGRF questionnaire have found the legislative framework for combating domestic violence adequately developed in Southeast Europe. However, gender advocates from Bosnia and Herzegovina, Kosovo, and Serbia still indicate gaps in current legislation. In Bosnia and Herzegovina, the Foundation of Local Democracy argues that the lack of a unique Law for the whole of BiH, as opposed to the current situation when legislation differs in the Federation of BiH and Republika Srpska, hinders action against domestic violence. In Serbia, the lack of a law on gender equality or a specific law against domestic violence negatively impacts the work of gender advocates.

In Bosnia and Herzegovina, the legislative framework is insufficiently harmonized, a situation which creates significant problems for implementation. As United Women Banja Luka explains, courts are not able to rule on restrictive measures in cases of domestic violence, because of the lack of harmonization between the two laws in effect. In turn, the Courts inability to rule also renders police action unattainable. In Kosovo, the NGO “Medica Kosovo” observed that contradictions in the legislation obstruct the work of Kosovar Courts. UNMIK Regulation on domestic violence contradicts the existing laws on property and custody rights over the children, and thus its provisions cannot be applied in Courts.

Even in cases when the legislation has been adequately developed, its full enforcement is hindered by the lack of specific policies addressing domestic violence, and insufficient institutional development and coordination in the field of combating domestic violence. The Institute for Social Policy and Social Work (ISPSW) in Bulgaria shows that better coordination between different agencies, working with different vulnerable groups is needed to ensure adequate responses to domestic violence, especially in cases that involve both women and children as victims. In such case, the ISPSW has found that child protection services are not informed when a woman is reporting violence in her family. “Animus” Association in Bulgaria points to the need for more consistent policies regarding domestic violence, at the national level, in Bulgaria. In Turkey, the capacity to effectively implement responses to domestic violence is diminished by the lack of national and local action plans to address domestic violence.

Medica Kosovo attributes the slow implementation of provisions to combat domestic violence in Kosovo partly to the lack of a special governmental institution or department dealing with violence against women. The Provincial Secretariat for Labour, Employment and Gender Equality in the Autonomous Province of Vojvodina, Serbia indicates that among the most significant gaps in current responses to domestic violence in Serbia are the lack of a national policy or national action plan on combating domestic violence and the lack of a gender equality body within the national government. Even when they exist, gender equality bodies do not have enough decision making power to advance a gender

equality agenda. For example, every municipality in Kosovo has officials for gender issues but they have no decision making mandate, and have no rights to vote or veto.

**The most significant challenge for ending-domestic violence work in Southeast Europe remains the gap between legal provisions and governmental commitments, under national strategies to promote gender equality and/ or combat domestic violence, and their translation into concrete action and particularly into financial support and budgets to address domestic violence.**

Insufficient or lack of state funding for implementing commitments to address domestic violence negatively affect ending-violence work in all nine countries under review. All respondents have indicated that one of the main gaps at both the national and local level is the lack of funding for services and activities for prevention of and protection against domestic violence. Some examples can be quoted to substantiate this general point. The Albanian Strategy against Violence in the Family and the Action Plan were approved at the end of 2006, but they were not accompanied with a supplement in the state budget for 2007. The lack of state funding is a threat to NGOs that provide social services, explained the Counseling Center for Women and Girls in Albania, because “many donors have withdrawn from Albania and NGO social services providers are on the verge of closing down”. Should NGOs cease to provide social services, even the minimal guarantees for the protection and safety of victims of domestic violence would disappear, as local governmental structures for addressing violence in the family have not established concrete services yet.

In Montenegro, the SOS Hotline for Women and Children assessed the governmental approach as superficial towards domestic violence and values of gender equality. The SOS Hotline for Women and Children evaluated there was no consistency in the Government’s engagement with issues of domestic violence, and the only visible Government activities in support of women’s human rights were those initiated by the Gender Equality Office of the Government of Montenegro. However, the Gender Equality Office does not have a mandate or the power to make basic institutional and legal changes. Furthermore, successive governments of Montenegro have supported the activities of women’s organizations with only symbolic funding of up to 1,000 Euro, although a state budget line was allocated for funding non-governmental organizations.

The lack of funding for action to end domestic violence is linked to a more general lack of funds in public administration in the region and possibly also to the effects of corruption. In fact, the implementation of legislation and policies to end domestic violence on the whole faces the systemic obstacles which affect the proper functioning of governments in Southeast Europe more generally: corruption, small state budgets, inappropriate social infrastructure, and political instability. Frequent changes in the governments in the region negatively affect the work against domestic violence, as initiatives lack continuity and partnerships have to be rebuilt every time a new government takes office. Changes in the government frequently mean that civil servants are also replaced, and institutions and in particular gender equality mechanisms are easily reformed.

Respondents to the UNIFEM-BGRF questionnaire, and participants at the sub-regional meeting in Sofia indicated that the lack of statistics on the phenomenon of domestic violence and the lack of reporting by the responsible institutions on the number of cases dealt with were widespread problems in the region. Moreover, lack of monitoring and

evaluation of responses to domestic violence, in particular lack of any indicators was singled out as a particularly significant problem by organizations in Kosovo that responded to the UNIFEM-BGRF questionnaire.

Participants at the sub-regional meeting in Sofia also agreed that a particularly worrying feature of current policy responses to domestic violence was the removal of the gender aspects of violence against women. While strategies to end domestic violence in the region do not have clear a gender dimension, some Governments (such as in Albania) also exercise pressure towards merging the specific strategies on violence against women with the strategies on gender equality. Women's advocates present at the sub-regional meeting in Sofia felt that such pressures will ultimately result in the issue of domestic violence as gender-based violence being taken off the policy agenda.

## ***II.2. Diversity, disability, and language***

Preoccupation for issues of diversity, disability, and language is almost completely absent both from the legal framework for addressing domestic violence in Southeast Europe, and even more importantly from the practice of working with victims of domestic violence. The lack of sensitivity for issues of diversity, disability, and language further weakens the ability to seek help and justice for victims of domestic violence who belong to marginalized ethnic groups, such as Roma in Southeast Europe, or groups of immigrants, or for women who struggle with different forms of disability.

In their responses to the UNIFEM-BGRF questionnaire, organizations from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Montenegro, Serbia, and Turkey stated that diversity, disability, and language were not specifically addressed in the legal framework as factors that influence the capacity to prevent and respond to domestic violence. The absence of these issues from legislation is indicative of a lack of awareness about the impact that diversity, disability and language have on the ending-domestic violence work.

The same organizations declared that in practice, diversity, disability, and language were addressed only in an isolated manner, or on a case by case basis, without being standardized as institutionalized policies. Concern for these issues is unfortunately restricted to a few specialized NGOs in each country that target the needs of Roma women, women with disabilities, and women belonging to sexual minorities. Furthermore, the Autonomous Women's Center in Zagreb stressed that women who belong to marginalized groups, such as women living in poverty, or women refugees and those who belong to ethnic minorities had to face marked prejudices from professionals working in public services. Safe houses rarely admit Roma women, regardless of whether they are run by state institutions or NGOs. Shelters are inaccessible to disabled women or women who have children with disabilities, and they do not have trained professionals for working with mentally disabled women, or women who are on treatment for addiction. It is becoming increasingly difficult for poor women to get access to shelters. Thus, far from being offered conditions that are adapted to their needs, women who belong to vulnerable groups are actually further victimized by professionals working with victims of domestic violence.

Medica Kosovo emphasized the specific issue of lack of marriage certificates they have come across in their work with women from rural areas, mostly from Roma, Ashkalinj

and Egyptian communities. The lack of marriage certificates, as a result of many couples not having registered the marriage with the local municipality, raises numerous legal obstacles to achieving the rights of common property for women, and difficulties in the process of custody over their children.

### ***II.3. Challenges for successful implementation***

As noted above, the most significant challenge for ending-domestic violence work in Southeast Europe remains the translation of legal provisions and governmental commitments into concrete and sustainable action. The main challenges for successful implementation of measures to respond to domestic violence seem to be very similar in the countries of Southeast Europe under review, as well as in Turkey. The obstacles reside both in social attitudes and patriarchal cultural models, and in the functioning of responsible institutions.

The main challenges highlighted by respondents to the UNIFEM-BGRF questionnaire are: prejudiced perceptions of domestic violence and lack of information on available measures to fight domestic violence; the insufficient application of laws against domestic violence in Courts; the insufficient involvement of police in the work against domestic violence, because of lack of training or prejudices; the under-development and under-funding of social services to support victims of domestic violence; the insufficient coordination and cooperation among stakeholders and the lack of national-level, reliable and comparable data on domestic violence.

#### **II.3.a. Challenges for implementation: Perception of domestic violence**

Social rejection of domestic violence and firm attitudes against the phenomenon among professional are necessary conditions for successfully fighting this severe violation of women's rights. The organizations who answered and UNIFEM-BGRF questionnaire and participated in the sub-regional meeting in Sofia underline that these preconditions are not yet in place in Southeast Europe and Turkey. Women's organizations are increasing their efforts to determine a shift in attitudes towards what they term "zero tolerance to domestic violence" in the society, but they are constantly faced with high levels of tolerance for domestic violence, among both men and women.

Public perception of domestic violence as a private issue is still widespread in the region. Besides the centuries-entrenched patriarchal views about women's subordinate position and legitimacy of violence against them, new attitudes against gender equality have also developed. The Gender Alliance for Development in Albania observes that more and more men feel threatened by the notion of women's freedom, and thus reject gender equality values.

The legislative treatment of domestic violence does not always offer corrections to the view that domestic violence is a family matter. In many countries in the region, the fight against domestic violence is framed as an attempt to preserve and protect the family. To illustrate this point, the recent Law against family violence in Albania marks a tendency to treat domestic violence as a matter of protecting the family. Similarly, the Law against domestic violence in Croatia defines the phenomenon as a family issue. The legislation

in Serbia does not define domestic violence as a gender equality or women's human rights issue either. In Turkey, state efforts to end domestic violence are subsumed under the goal of protecting the family, and not under gender equality or promoting women's human rights. Therefore, the priority of legislators, judges, and social workers who interact directly with women victims of domestic violence seems to be the protection of the family of the victims and not of the victims themselves.

Perceptions of domestic violence as private or a family issue are strong and resilient even among professionals dealing with the phenomenon. The Gender Alliance for Development in Albania maintains that the work of police, judges, civil servants and social workers is still limited by their lack of understanding and awareness of the seriousness of the issue of domestic violence. B.a.B.e, in Croatia supports the same view, claiming that many civil servants and police perceive domestic violence as a private matter into which no intervention from outside is needed or welcome. In the experience of SOS Hotline for Women and Children in Montenegro, the employees of responsible institutions do not treat domestic violence in the same manner as other crimes; they do not focus on sanctioning the offender, but on stimulating the victim to justify the domestic violence situation. The work to end domestic violence is further weakened by the media, which keep silent about the issue of domestic violence, or report it in a sensational manner, that overlooks the tragedy of the victims.

Evidence shows, however, that attitudes and behaviors are slowly changing, as a result of developments in the legislative and policy frameworks, as well as due to efforts by women's organizations. In Macedonia, according to preliminary data from a survey conducted by the Association for Emancipation, Solidarity and Equality of Women (ESE) in 2006, 59% of women interviewed were aware that domestic violence was a crime. However, 30% of respondents in the same survey said that their husbands had a legitimate right to physically punish their wives if they had a good reason for doing so. Women's NGOs report some positive results in their work with journalists also. The SOS Hotline for Women and Children, in Montenegro noticed that some journalists in Montenegro started to use gender language, which showed that some specific positive steps were made, and encouraged further work with target groups of journalists.

### **II.3.b. Challenges for implementation: Justice system**

Most respondents to the UNIFEM-BGRF questionnaire expressed strong criticism to the functioning of courts in the region. The respondents and participants in the sub-regional meeting in Sofia who criticized the work of the Courts expressed discontent with the Courts ruling in only minimal compliance with the legal provisions against domestic violence and sometimes in disagreement with the interests of victims of domestic violence.

From the point of view of B.a.B.e, in Croatia, courts are the main obstacles to effective work against domestic violence, because they reluctantly prosecute offenders and show no sympathy for victims and no understanding of the problem of domestic violence in general. In court proceedings, victims are too often exposed to tough interrogation, and treated as co-offenders or held responsible for the situation they live in. The Women's Forum in Albania maintains that courts privilege the perspective of the offenders, which is part of the reason why most women victims of domestic violence lose their cases in



Albanian Courts (according to statistics collected by the Gender Alliance for Development).

Bulgarian organizations found the activity of Courts satisfactory from the point of view of the number of cases of domestic violence that have been considered in recent years. However, they also maintain that Courts should be better informed about the cycle of violence and its consequences.

According to the Association for Emancipation, Solidarity and Equality of Women (ESE), Macedonian Courts do not use all available legal means to combat domestic violence. The police and Public Prosecutors Offices only bring to court cases of physical abuse, but not those of sexual abuse. The sentences given for crimes of domestic violence are lower than the minimum prescribed by law. The burden of proof lies with the victims of domestic violence.

Similar practices have been witnessed in Montenegrin Courts by the SOS Hotline for Women and Children in Montenegro. In their experience, domestic violence offenders usually get minimal sentences (parole or financial penalties), and rarely receive imprisonment sentences. There are problems with enforcing court decisions also. For example, there are no mechanisms to ensure that single mothers with children get alimony as decided by the court. Most judges in Montenegro do not have adequate knowledge about causes or consequences of domestic violence. More general dysfunctions in the operation of the justice system as a whole also affect the proceedings in domestic violence cases. Courts often do not have minimal facilities for their work, such as computers, printers, or copy machines, and the salaries of their employees are very low, thus de-motivating them additionally from offering good quality services, and increasing the risk of corruption.

The tendency to pronounce minimal sentences for offenders in domestic violence cases has been observed for Serbia also, according to the Autonomous Women's Center in Belgrade. The majority of penalties in cases of domestic violence are suspended sentences and fines. Imprisonment sentences are meted out to a period which is the legal minimum. Even though the legislation provides protection measures for victims of domestic violence, these are not implemented in Court practice. In Civil Law procedures, the accused has many opportunities to avoid court appearing, because of the way of delivering court invitations or complaints.

### **II.3.c. Challenges for implementation: Police responses**

Police are the target of both criticism and positive evaluations from women's organizations working to end domestic violence in Southeast Europe. The record of police performance seems to be uneven in the countries under review. The criticism from women's organizations in Albania, Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia points to the lack of training of police personnel, and lack of sensitivity to and understanding of domestic violence. On the other hand, positive evaluations, mainly in Bulgaria and Croatia, are based precisely on police demonstrating good skills and a satisfactory level of training in issues of domestic violence.

In Albania, the Women's Forum found that police do not offer proper services to the victims of domestic violence; victims who are taken to police offices are subject to

interrogation without guarantees of security and privacy. Moreover, the police seem to be indifferent to the issue of domestic violence. In a recent case that the Gender Alliance for Development examined, a woman from a very small city in south-east Albania (Librazhd) reported the physical violence she was suffering from her husband three times to the local police, but the response she got from the policeman was “to get back home and forgive the husband because he was such a nice man, but probably he was drunk at the time he was beating her”.

Bulgarian organizations evaluate that police have good skills in rendering initial support to victims of domestic violence and referring them to appropriate services. However, the experience of the team at “Animus” Association in Sofia shows that the police need more information on the Law on Protection against Domestic Violence, as well as more training, skills and knowledge in order to recognize cases of domestic violence.

B.a.B.e, in Croatia states that police is best educated among institutions that hold responsibilities for implementing measures against domestic violence, but they often act very formally, without any interest in understanding the whole context of violence situation.

Although a domestic violence unit exists in every municipal police office in Kosovo, they are not on alert in late hours. The Women’s Wellness Center in Kosovo often receives cases that are brought to their attention by the regular patrol police, not by the special domestic violence unit. Sometimes, police bring trafficking victims to domestic violence shelters, due to their low level of information on available services in the communities they serve.

SOS Hotline for Women and Children in Montenegro finds that police are not adequately trained, nor sensitive enough to give appropriate support to victims of domestic violence. Police also have bureaucratic procedures which slow down the process of offering help and protection to victims of domestic violence.

### **II.3.d. Challenges for implementation: Provision of services**

Organizations working to end domestic violence overwhelmingly evaluate the provision of services to victims of domestic violence in Southeast Europe as unable to meet the needs of communities, insufficiently funded and often inadequate. Direct services to victims of domestic violence, including shelters and counseling, are mainly offered by NGOs, but these are also too few and under constant financial strain. State-sponsored services to victims of domestic violence exist in all the countries under review, but they are under-staffed, under-financed, and overburdened by multiple responsibilities. Their personnel lack expertise and training and often share wide-spread prejudices against intervention in cases of domestic violence. Although this is the main picture emerging from the answers of women’s organizations to the UNIFEM-BGRF questionnaire, the record is not even in the nine countries under review. The evaluation of the performance of social services providers in answers to the UNIFEM-BGRF questionnaire ranges from “terrible” (Croatia) to “positive” (Bulgaria). Social services for victims of domestic violence are however very difficult to evaluate due to the lack of data on their results and outcomes.

In Albania, offices of the public administration that have been assigned responsibilities in cases of domestic violence lack the predisposition to offer help to the victims of domestic

violence, as they do not perceive the issue as a priority. Only few services are available, especially in big cities and many other areas, especially small cities and rural areas are completely devoid of any kind of services addressing domestic violence. Local municipalities lack training and financial resources to support shelters or crisis centers for victims of domestic violence.

Special institutions for dealing with domestic violence have not been established in Bosnia and Herzegovina. The responsibilities of Centers for Social Welfare have been expanded by legislative reform to cover domestic violence, without strengthening their capacities and resources. The social workers in the Centers for Social Welfare are the main bearers of this responsibility, but they are not able to implement the obligations defined by the existing legislation, because they are not trained in the field of domestic violence and no financial resources are available to them.

In the field of social services, in Bulgaria, there have been positive developments in recent years. However, organizations working directly with victims of domestic violence, such as Foundation for Care in the Community "Diva", in Plovdiv or SOS Families at Risk, in Varna maintain that prejudices against victims of domestic violence are still prevalent among social workers, and they still have to develop skills of receptivity and empathy towards the victims.

According to B.a.B.e, in Croatia, the entire system of social services should be reformed in order to achieve a satisfactory capacity and knowledge to react immediately and adequately to the issue of domestic violence. The lack of sufficient shelters and lack of state support to existing shelters is one of the gaps that affect responses to domestic violence in Kosovo. Social workers do not focus on supporting the women victims of domestic violence, but their families and especially minor children. Women victims of domestic violence with no children are often not given any help.

Social services for victims of domestic violence in Macedonia suffer from insufficient human capacities, insufficient financial means, insufficient resources of any kind, and lack of expertise.

In Montenegro, Social Welfare Centers have a mandate to protect the interests of children; women victims are not their primary focus. Women victims of domestic violence turn to Social Welfare Centers only for financial help or in case of divorce. Social Welfare Centers have an expert role in estimating who is entitled to the custody of children, and they are responsible for monitoring the relations between children and parents. These services focus on conservation of the family and practice shows that their employees often encourage the victim to return to the situation of violence and continue her life with the offender.

Shelters in Montenegro are run by NGOs, but they do not have the capacity to accommodate all victims of domestic violence who turn to them for help. In addition, existing services are not equally accessible to all women in Montenegro, and women in rural areas have particular difficulties to reach them, and so do Roma women who live in secluded ethnic settlements. The lack of Crisis Centers that could offer accommodation for victims of domestic violence in urgent situations is one of the significant problems for ending-domestic violence work in Montenegro.

One of the problems that negatively affects the capacity of social services providers to respond to domestic violence in Serbia is the lack of systematic training for their employees on issues of violence against women. The Centers for Social Work (CSW) display a high level of prejudice in their work on domestic violence. There are no state-supported services that offer free legal assistance to women victims of domestic violence.

### **II.3.e. Challenges for implementation: Cooperation and coordination among stakeholders**

The women's organizations who have answered the UNIFEM-BGRF questionnaire discussed the cooperation between governmental institutions, at the national and local level and non-governmental organizations, on one hand and the level of coordination among responsible institutions that are involved in the work against domestic violence, on the other hand.

The NGOs who have filled in the UNIFEM-BGRF questionnaire have very different experiences of establishing partnerships with local and/ or national governmental bodies; hence, their statements range from reports of very good cooperation to accounts of an "evident lack of cooperation between the government and non-government sector". Examples of very good cooperation include the partnership between Women's Forum in Elbasan, Albania and the local Police; Foundation of Local Democracy, in Sarajevo and the Cantonal Ministry for Labour, Social Policy, Refugees and Displaced Persons; Foundation of Care in the Community "Diva" in Plovdiv, Bulgaria and the local Police and the Child Protection Department; Association ESE and Akcija Zdruzenska, in Macedonia and governmental agencies. Several organizations have reported unsuccessful attempts to establish partnerships with state-sponsored institutions. United Women, Banja Luka stated that "cooperation between stakeholders (police, courts, Center for Social Care), and our organization as representatives of NGO sector was still on the level of dialogue" (i.e., not effective yet). B.a.B.e, in Croatia maintains that although "state institutions started to collaborate with women's NGOs recently, and have developed several joint projects", there is still "a certain level of resistance and lack of understanding". SOS Hotline for Women and Children in Montenegro shows that although cooperation between governmental bodies and NGOs is more developed now than it has been in previous years, it is still only formally accepted by the institutions. The Provincial Secretariat for Labor, Employment and Gender Equality of Vojvodina recognizes that there is an evident lack of cooperation between the government and non-government sector, but appreciates that the latter has substantial knowledge and experience in preventing domestic violence.

Domestic violence is a multifaceted and complicated phenomenon that necessitates concerted action from a variety of institutions that include policy-making offices of governmental institutions, courts, police, health providers, and social services providers. As respondents to the UNIFEM-BGRF questionnaire overwhelmingly remarked, the success of initiatives to respond to domestic violence is closely linked to the level of integration of different institutional approaches and activities of different stakeholders. However, cooperation and coordination between various stakeholders is not common practice in countries in Southeast Europe.

The Counseling Center for Women and Girls in Albania estimates that cooperation between stakeholders in Albania is very weak, as networking between responsible parties takes place only on the basis of private relationships. The Foundation of Local Democracy in Sarajevo states that the main problem that Courts, Police, Centers for Social Affairs, and Shelters in Bosnia and Herzegovina face is the insufficient joint collaboration and sharing of data and experience. United Women from Banja Luka further claims that there is no coordination between local stakeholders and the national/entity officials and institutions in Bosnia and Herzegovina.

In Serbia, there are good examples of institutional networking and partnerships at the local levels, according to the Autonomous Women's Center, in Belgrade. The Provincial Ombudsman in the Autonomous Province of Vojvodina has implemented the project "Life Without Violence Network" to facilitate the creation of local networks of all relevant stakeholders that would cooperate on regular data exchange and identification of the best community-specific method of working together in preventing domestic violence. Such networks have already been established in 20 municipalities of Vojvodina. Despite such good examples of cooperation, there is nevertheless no mechanism to ensure harmonization of attitudes and practices of the police, the prosecution and the courts.

Women NGOs in the region have been active in trying to forge partnerships not only between governmental and non-governmental sectors, but also between different governmental institutions, on the national and local levels. Some examples of good practices in this field can be quoted, such as Bulgaria, where the level of cooperation between stakeholders is good, according to "Animus" Association, and Croatia, where actions against domestic violence are coordinated on a national level by a Governmental Working Group, where all stakeholders are represented, including NGOs.

### **II.3.f. Challenges for implementation: Collection of data on domestic violence**

Lack of data and reliable records about domestic violence cases significantly hinders advancements in work to combat domestic violence. While progress can be noted in all countries in respect of collecting data at the level of various institutions, none of the countries has established an integrated system of data collection on domestic violence. Furthermore, many institutions do not have a practice of collecting and publicizing data; they only offer data on domestic violence upon request.

There are many differences among the nine national contexts under review with respect to the availability of statistics on domestic violence, but none of the countries has official data on domestic violence, at the national level.

In Albania official statistics on the prevalence and scale of domestic violence are not registered, reported, and published on a national level. Data on cases of domestic violence in Albania have been made public by the Ministry of Interior, according to which 102 cases of domestic violence occurred in the country, in 2005. NGOs that run shelters or counseling services for victims of domestic violence collect their own data on the number of cases. Such data is not yet comparable and cannot be aggregated on a national level.

The situation is similar in Bosnia and Herzegovina, where there is no national-level data on domestic violence. However, each Police station in BiH has the obligation to collect data on the number of cases of domestic violence and to transfer it further to the Cantonal Ministries and Gender Centers. Shelters and SOS lines collect their own data on the number of cases of domestic violence. A database of all individual cases of domestic violence has been set up only in Sarajevo Canton. The database is run by the Cantonal Ministry for Interior.

In Bulgaria, all relevant institutions collect data separately, but there is no coordination and thus no global system of data collection, at the national level. Similarly, in Croatia, institutions involved in work on domestic violence collect data separately. It is compulsory for police to have records on domestic violence related to sex, type of violence, and injuries. Hospitals have started recently to produce reports on cases of domestic violence too. NGOs keep their own records.

In Kosovo, there is a lack of harmonization in the methods for data collection among NGOs dealing with domestic violence and institutions and as a result no precise statistics on domestic violence can be delivered.

The same is the case in Macedonia, where there is no unified methodology of data collection by the relevant governmental institutions and NGOs. Each of them gathers data according to their needs. Publicly the only available source of data is the website of the Ministry of Interior. The rest of the relevant actors in the field of domestic violence - Courts, Centers for Social Care and medical institutions - gather and share data only upon written request.

There are no state-level data on domestic violence in Montenegro either. The nine local SOS Hotlines have their own statistics on numbers of women and children who seek help, and conduct various research and estimations on the scale of domestic violence in communities where they work. Local Safety Centers have data about the number of interventions, but they do not publicize them, except upon official request from an interested subject. Social Welfare Centers, health institutions and courts in Montenegro do not keep records on domestic violence cases.

Statistics on domestic violence are not available at the national level in Serbia either. According to new Family Law, the Centers for Social Work have the obligation to collect data about victims, as well as offenders. The Centers of Social Work and healthcare providers do not make publicly available statistics on the cases of domestic violence, the kinds and forms of violence, or gender of victims and perpetrators. Such data are available only on request, and are often inconclusive because cases of domestic violence tend to be recorded as “marital issues” or “marital problems”. The police keep records of petitions, but there are no statistics about the relations between perpetrator and victim. The Association of Misdemeanor Judges is the only professional association that has conducted a survey of domestic violence cases in misdemeanor proceedings in the course of 2003 on the entire territory of Republic of Serbia. Data are also collected by the Statistical Office on special request.

Turkey has not established a system of data collection on domestic violence yet.

### **II.3.g. Other challenges for implementation**

Several respondents to the UNIFEM-BGRF questionnaire have identified other challenges to the successful implementation of measures to address domestic violence in Southeast Europe that seem to apply more specifically to the context of different countries in the region.

The Gender Alliance for Development in Albania discusses the **differences in development between regions/ areas** of the country as one specific factor that raises problems for the implementation of programs and projects for the prevention and combating of domestic violence. The problem that arises is that of “geographical imbalance”, which means that under-developed regions do not benefit from such programs. The same factor is discussed by the Foundation of Local Democracy in Bosnia and Herzegovina. The organization explains that rural areas are faced with exceptional problems of access to education and information, since no NGOs dealing with domestic violence work in those areas.

Medica Kosovo quotes the **poor economic situation** as one of the main factors that influence women’s decision to remain under violent family circumstances and live with the offenders. **Lack of job opportunities for the women**, which leads to economic dependency on men, is one of the biggest gaps in preventing and rejecting domestic violence in Kosovo.

### ***II.4. Education, awareness raising, training***

Governments in Southeast Europe do not act upon the requirement to provide training for officials responsible for implementing measures to respond to domestic violence. None of the countries under review has plans for institutionalizing training for professionals in the field of violence against women generally and domestic violence more specifically. Turkey is exceptional in this respect, as the General Directorate on the Status and Problems of Women, within the Prime-Ministry office is planning to establish an agency that would provide training for practitioners involved in preventing and responding to domestic violence, in 2007.

In Southeast Europe training for police, judges and other professionals involved in work against domestic violence has been provided mainly by NGOs. Respondents to the UNIFEM-BGRF questionnaire have quoted various training initiatives for professionals involved in work against domestic violence that have been conducted by NGOs and supported by international and foreign donors. The Counseling Center for Women and Girls in Albania has conducted a UNICEF-funded training program for all the specialists working on domestic violence in the Social Service Departments in all municipalities of the country. United Women Banja Luka has provided training for practitioners involved in preventing and responding to domestic violence in Bosnia and Herzegovina. “Animus Association” in Bulgaria has a training unit that provides trainings in domestic violence work for practitioners (police, magistrates, judges, social workers, etc.), as well as for students, volunteers, and teams of government and non-governmental organizations. All police officers in Kosovo have been required to attend gender trainings where they learned to handle victims of domestic violence, sexual violence and trafficking. These trainings were provided by Kosovar NGOs dealing with domestic violence and funded by international donors. SOS Hotline Niksic has conducted seminars on domestic violence

and gender equality for more than two hundred people who are involved in prevention and actions against domestic violence at the local level, in Montenegro.

There have been some state-sponsored training initiatives on domestic violence in Macedonia. In the period November 2004 – May 2005, the Ministry of Labor and Social Affairs conducted a UNICEF-sponsored training entitled “Work with victims of domestic violence in the communities”; the beneficiaries were 86 professionals from different areas: social workers, police, health workers, judicial and NGO sector. The Ministry of Interior conducted an OSI-funded training on domestic violence for its own personnel. Two hundred police officials attended the training on legislation in the field of domestic violence and police jurisdiction in the field. The Ministry of Labor and Social Affairs has also organized a UNICEF-sponsored Training of trainers in December 2006. Fifteen participants have passed the TOT for working with victims of domestic violence. The Academy for Judges and Public Prosecutors in Macedonia is planning to incorporate training on domestic violence in the mandatory curricula for judges and public prosecutor. A similar initiative exists in Serbia, where the Association of Misdemeanor Judges organizes trainings on domestic violence for magistrates. The Judicial Training Center provides training on domestic violence for judges who wish to work in special councils for family disputes.

The NGOs that provide training on domestic violence issues have also been at the forefront of awareness raising, lobbying, and advocacy regarding domestic violence. The women’s organizations that have answered the BGRF-UNIFEM questionnaire stressed the need to strengthen awareness-raising campaigns on domestic violence, especially in remote and rural areas.

## ***II.5. Initiatives to address gaps in responses to domestic violence***

The sub-regional meeting “Towards a New Regional Model for Combating Domestic Violence” was especially fruitful in facilitating exchanges of good practices among participants.

Some participants offered the practice of creating special domestic violence units as a successful initiative to address gaps in police responses to domestic violence. Special units have been established in only a few countries. In Serbia, there is a successful practice at the local level in establishing a round-the-clock interdisciplinary mobile team for intervention in cases of domestic violence, in partnership between the Centre for Social Work and the local police.<sup>25</sup> The practice is recognized in Serbia as the “**Sombor model**”. Special units on domestic violence exist in Kosovo also, as part of every police station.<sup>26</sup> Specially trained police forces have been appointed to handle cases of

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<sup>25</sup> "Violence against Women: Does the Government in Serbia Care? NGOs Fact sheet on the state response." 2006. *Stop Violence against Women Web site*. Open Society Institute. 5 April 2007 [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/SERBIA\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/SERBIA_VAW_FACT_SHEET_2006_3.pdf)

<sup>26</sup> "Violence against Women: Does the Government Care in Kosovo? NGOs Fact sheet on the state response." 2006. *Stop Violence against Women Web site*. Open Society Institute. 6 April 2007 [http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/KOSOVO\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/KOSOVO_VAW_FACT_SHEET_2006_3.pdf)



domestic violence in Croatia<sup>27</sup> and Montenegro.<sup>28</sup> Some countries, as Croatia, Serbia and Kosovo, take steps to recruit more women into police.<sup>29</sup>

A coordinated response from NGOs and state institutions has emerged as a good practice in Albania. In order to address gaps in their cooperation with key stakeholders, the Counseling Center for Women and Girls in Albania has developed the successful strategy of nominating representatives of municipality, Ministry of Labor, police and health centers as board members of the center. At the moment, the Director of Social Services in Tirana Municipality, the PR Director in the Ministry of Interior, the Director of Tirana Maternity Hospital and the Director of the School of Magistrates are board members of the Center.

Several **initiatives to establish national networks** or working groups of women's NGOs can also be quoted as examples of good practices of coordination in view of conducting more effective lobbying and advocacy campaigns. In Bosnia and Herzegovina, coalitions of women's NGOs have been involved in lobbying campaigns for the adoption of the Law against domestic violence and of the Gender Equality Law.

The Foundation for Local Democracy spoke about the successful **Sarajevo canton model for cooperation**. In this successful model, the Foundation for Local Democracy has secured funding for its shelter under a Co-financing Contract signed with Cantonal Ministry for Labor, Social Policy, Refugees and Displaced Persons. Moreover, a Coordination Body was established in Sarajevo Canton, joining together representatives from: the Ministry of Justice and Administration of Sarajevo Canton, Ministry of Labor, Social Policy, Displaced Persons and Refugees of Sarajevo Canton, Ministry of Health of Sarajevo Canton, Ministry of Interior of Sarajevo Canton, the Association of BH Journalists and the Foundation of Local Democracy. The Coordination body ensures the continuity in the local government's approach to domestic violence.

The Autonomous Women's Center in Belgrade also makes strong efforts to connect all stakeholders and to implement good practices from Europe in the region. Autonomous Women's Center has created a model of coordinated actions between stakeholders in 10 local municipalities in Serbia. The aim of this initiative is to generate good practices on the local level.

Strategies for women's empowerment have also been offered as good practices by several participants in the sub-regional meeting in Sofia. The principle of women's empowerment is applied by women's organization in Turkey who initiated studies and confidence-building groups for women. In Kosovo, the NGO Medica has implemented income generation programs as a strategy for women's empowerment to gain independence from their abusive environments.

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<sup>27</sup> "Violence against Women. Does the Government Care in Croatia? Fact sheet." 2006. [Stop Violence against Women Web site](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/CROATIA_VAW_FACT_SHEET_2006_2.pdf). Open Society Institute. 4 April 2007 <[http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/CROATIA\\_VAW\\_FACT\\_SHEET\\_2006\\_2.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/CROATIA_VAW_FACT_SHEET_2006_2.pdf)

<sup>28</sup> "Violence against Women: Does the Government Care in Montenegro? NGO Fact sheet of the state respons." 2006. [Stop Violence against Women Web site](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MONTENEGRO_VAW_FACT_SHEET_2006_3.pdf). Open Society Institute. 7 April 2007 <[http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MONTENEGRO\\_VAW\\_FACT\\_SHEET\\_2006\\_3.pdf](http://www.stopvaw.org/sites/3f6d15f4-c12d-4515-8544-26b7a3a5a41e/uploads/MONTENEGRO_VAW_FACT_SHEET_2006_3.pdf)

<sup>29</sup> Nikolic-Ristanovic, Vesna and Mirjana Dokmanovic. [International Standards on Domestic Violence and Their Implementation in the Western Balkans](#). Belgrade: Prometej, 2006, p. 101

The experiences and examples shared by participants in the sub-regional meeting in Sofia suggest, counterintuitively, that municipalities (local level) are making faster progress than the governments in implementing policies to address domestic violence. The Bulgarian Gender Research Foundation shared their preliminary experiences from their 2006 Trust Fund project to promote the community model of responses to domestic violence, which show that local authorities are more easily adjusting to new models than national authorities.

The Association for Emancipation, Solidarity and Equality of Women (ESE) was able to present the successful initiative they carried out in partnership with Akcija Združenska to **coordinate national action in Macedonia on the implementation of unified practices of responses to domestic violence** as an example of good practice that could be used by the Bulgarian Gender Research Foundation, at the local level.

### **III. CAPACITY OF NGOs TO RESPOND TO DOMESTIC VIOLENCE**

#### ***III.1. At the forefront of action to end domestic violence against women***

The UNIFEM-BGRF questionnaire asked respondents to describe their own capacity to respond to domestic violence. The following descriptions are summaries of their own accounts.

**Women's Forum, Elbasan, Albania** Since 1999, the organization offers services to girls and women who experience domestic violence. The organization is managing a Counseling Center and a Legal Studio. Women's Forum has conducted trainings with police, judges, prosecutors, social workers in local government, health workers etc. A very important component of their activities consists of meetings in community with small groups of 20-50 people. At a community level, the organization works both with separate groups of women in order to raise their awareness of their equal rights with their husbands and persuade them they should not accept violence from their partners, and with mixed groups of men and women to discuss about their equal rights.

**Gender Alliance for Development Center (GADC), former Women's Center, Albania** has played and continues to play an important role in the preparation of the information materials, sensitizing activities, conferences, round tables, media discussions, studies with field experts, trainings with different professionals as well as media monitoring about the phenomenon of domestic violence. This center has started its activity in 1994 and has made a steady contribution to increasing public awareness of gender issues and gender equality. It also coordinates common activities of a series of organizations to address gender issues.

Currently the center is involved in the following activities:

- A. *Organization and coordination of local and regional conferences and seminars*
- B. *Trainings on gender issues and domestic violence in Albania*
- C. *Media monitoring (print) on gender issues in Albania.*
- D. *The 16 days of activism against domestic violence in Albania.*
- E. *Publications on domestic violence.*

GADC in collaboration with Ministry of Social Affairs and Equal Opportunities prepared the National Strategy against Domestic Violence.

**Counseling Center for Women and Girls in Tiranë** is one of the main centers in Albania that fight domestic violence through counseling services, referral to other services for victims of domestic violence, research, publication, awareness raising, lobbying and advocacy for women's rights. The Center has been active for eleven years and is the first and most experienced center which has made a valuable contribution to the capacity building of all the other centers in different cities. Trainings on the specificity of counseling techniques, communication, referrals to specialized services, decision making, group therapy, the means and techniques to sensitize the public, etc., have been provided for the personnel of all other centers.

**The Shelter for Women and Girls in Tiranë** is the first center specialized in the treatment of victims of domestic violence and it is secret. The address of the shelter is unknown to the public in order to protect its staff and clients from the perpetrators. It started in 1998 and operated without interruptions since. The shelter has offered its services to more than 200 women and 250 children together with their mothers. The mission of the shelter is to treat victims and empower them to deal with the situation in which they find themselves in. The center has a permanent staff of qualified professionals.

**The Shelter of Elbasan**, has been operating for several years; it offers shelter and support to abused women and children, but it is not secret. It serves as a daily center for women and girls in difficulty.

**Foundation of Local Democracy, Sarajevo** runs a shelter for victims of domestic violence, which is funded through a co-financing Contract with the Cantonal Ministry for Labor, Social Policy, Refugees and Displaced Persons. The center is opened 24-hours and offers the services of thirteen employees (neuro-psychiatrists, psychologists, social workers, medical workers, sociologist). The Shelter accommodates victims of domestic violence directed by Centers for Social Affairs or by Police, but also those women/children who call the SOS Red Line directly. The mobile team of the shelter monitors the families of the survivors of domestic violence, after they leave the shelter. If necessary, the shelter continues to offer therapy for the woman and/or the entire family (family therapy), from case to case.

The Foundation of Local Democracy continues to be involved also in lobbying and advocacy for better prevention, protection and fight against domestic violence.

**United Women Banja Luka, Bosnia and Herzegovina** offers legal and psychosocial assistance to victims of domestic violence. The organization runs an SOS hotline, as well as a recently opened shelter for victims of domestic violence, for which financing is still not secured from the local/entity officials.

**Bulgarian Gender Research Foundation, Bulgaria** is working to promote gender equality and support the full implementation of women's human rights in Bulgaria through: proactive research, education, building infrastructure for protection of women against violence and other forms of discrimination, litigation and legislative changes. BGRF was a leading organization in drafting, campaigning and lobbying successfully for the special law against domestic violence, which came into force on April 1, 2005.

**Foundation for Care in the Community Diva (FCC Diva), Bulgaria** is the sole organization within the Plovdiv region whose services specifically target the needs of women, children and families suffering from violence (domestic, trafficking, forced prostitution, rape, other). In 2006 Diva's Crisis Unit received 671 calls; 86 victims - women and children - were sheltered and 182 clients received emergency psychological and social help. The organization maintains good contacts with representatives of the institutions in Plovdiv and the region. Official agreements on cooperation were concluded between FCC Diva and the Regional Office for Social Assistance, the Regional Labor Office and the Police. Diva Foundation develops different preventative activities and conducts trainings of professionals on the issue of violence.

FCC Diva's Crisis Unit includes a 24-hour Crisis Telephone Line for information and support and also serving as entry point for the rest of the services; accommodation; emergency psychological and social help; medical help and legal aid when needed.

**“Animus Association”, Bulgaria** offers the following services to victims of domestic violence: psychological and social assistance, short term accommodation, networking in the community, advocacy and networking with institutions, medical and legal services, multidisciplinary work in cases of domestic violence. The organization develops these activities in the framework of the Rehabilitation Center for Women, Adolescents and Children, Survivors of Violence. “Animus Association” runs several programs for victims of domestic violence: a 24- hour Helpline for Victims of Violence, 24-hour Crisis Unit, Counseling and Psychotherapeutic Program for Women Survivors of Domestic Violence, Program for adolescents victims of violence, Program for the families of adolescents survivors of violence, Psychological counseling of couples with violence problems, Social program, Empowerment program. The organization has also established a network of like-minded individuals and organizations in order to refer victims to other services they might need, such as medical and legal services, or social assistance. The programs of “Animus Association” are accessible and visible in the society.

**SOS Families at Risk, in Varna, Bulgaria** runs the following services for victims of domestic violence: Psychological consulting ; Psychotherapy; Family therapy ;Self – help groups for women, victims of domestic violence; Short – phone crisis consulting; Directing to institutions and other NGOs; Inclusion in training programs; Informative and explanatory events about Law for Protection against Domestic Violence; Consultation about Law for Protection against Domestic Violence; Help with preparing of complaint and /or claim and declarations; Legal consultations about Code of Civil Procedure and Code of Penal Procedure. The organization has three case-managers, a psychologist, a psychotherapist, and a lawyer.

**B.a.B.e, Croatia** responds regularly to domestic violence by providing the following services: 3 times per week legal advice; Every day from 9 to 19 hot line; Monday afternoons psychological support; Shelter in the Vukovar-Srijemska County; Legal representation in courts; Participation in the Government Working Group; Lobbying and advocacy activities.

**Medica Kosovo** is mainly supporting women traumatized by war with a special focus on women who have suffered rape during the war. Around 20% of the women who have been assisted have been referred to the organization by the local Police and UNMIK. Until January 2006, the organization was able to cover the costs of court fees for the women who initiated divorce proceedings and custody over their children, as well as free counseling and representation before the courts. Since 2006, women have to bear the costs of court proceeding on their own. The lawyer working for Medica Kosovo has faced a lot of obstacles in achieving the legal rights for the victims of domestic violence due to corruption in the legal system and delayed procedures by the judges who often lack knowledge of gender based violence.

**Women’s Wellness Center, Kosovo** benefits from a team of professionals who have been trained to respond to gender based violence and trafficking. The organization works with both victims and abusers.

**Association for Emancipation, Solidarity and Equality of Women (ESE), Macedonia** has 15 years of experience in dealing with domestic violence. For many years, ESE has continuously organized educational activities for professionals working in structures that are dealing with domestic violence. ESE has also focused its efforts on raising the

degree of legal literacy of women and promoting the position of women in the legal system, thus providing legal advice and protection to women-victims of domestic violence. ESE has been the leading organization in preparing and advocating for changes in the Criminal Code and Family Law of Macedonia, which were adopted in 2004. ESE has also been involved in the development of the policy framework to address domestic violence in Macedonia. ESE in partnership with relevant Ministries prepared protocols for dealing with cases of domestic violence. At the moment, ESE is working on preparation of the National program for combating domestic violence, in partnership with the Ministry of Labor and Social Policy.

In the field of providing direct services for victims of domestic violence, since 2002, ESE has supported three Legal Aid Centers, in Skopje, Tetovo and Stip. Legal Aid Centers provide free psychosocial support, legal aid and court representations.

**SOS Hotline Niksic, Montenegro** is a local NGO which has been working for ten years on providing support and help to domestic violence victims. Organization members have extensive knowledge and experience in working with domestic violence victims. The organization has all necessary infrastructure (personnel, place, technical equipment, procedures, strategic development projects, website) for securing sustainable services to victims/survivors of domestic violence. In the framework of the Program of Coordinated Activities for the Elimination of Domestic Violence, SOS Hotline Niksic established formal cooperation with local institutions responsible for responding to domestic violence. The Program of Coordinated Activities for the Elimination of Domestic Violence is regarded as an example of good practice by neighboring municipalities. SOS Hotline Niksic establishes and conducts activities that provide appropriate help and support to Roma women and children and women from rural areas, as part of the Program of Work with Minority Groups.

**Autonomous Women's Center, Belgrade, Serbia** has been professionally dealing with family violence since 1993. Activities encompass: direct consultation work with women, cooperation with relevant institutions on developing the concept of integral intervention (coordinated action) of the community in prevention and protection from domestic violence, educational and preventive activities, research work, campaigns for sensitizing public opinion, policy analyses and participation in activities of international networks against violence against women.

**Women's Fund, Turkey** aims to create social awareness of the violation of women's human rights, as part of an on-going campaign. In addition, the organization gives grants to NGOs promoting women's human rights.

### **Networks of women's groups and regional initiatives**

National and regional networking of women's groups is still not a wide spread practice in the region. In some cases, responses to the UNIFEM-BGRF questionnaire from the same country greatly differ in their indication of the existence of networks of women's groups, which shows there is insufficient communication and information about networks and their activities, both within and outside their membership.

The following national and regional networks/ initiatives have been indicated by respondents:

- The Network against gender based violence and trafficking in Albania is a chain of NGOs providing services for victims of domestic violence and trafficking which

includes the Gender Alliance for Development Center, Counseling Center for Abused Women and Girls, the Civic Legal Initiatives Center, the “Refleksione” Association, and the Shelter for Abused Women. In the Elbasan region of Albania, the regional network is composed of “Women Forum of Elbasan”, “Other Vision”, the daily center for women and qualification courses for youth with social problems managed by “Useful to Albanian Women”.

- A network of 32 NGOs operates on the entire territory of Bosnia and Herzegovina. The network was created in 2001, as part of the project “Safe Network” of the Foundation of Local Democracy. United Women Banja Luka are part of the “Sisters from East” network of SOS hotlines from countries of ex-Yugoslavia.
- The National network of organizations in support of women, survivors of violence in Bulgaria has the following goals: 1) to organize a united national campaign for lobbying on topics connected with violence against women, and 2) to exchange experience and good practices among the organizations in the field of prevention of violence and support of women survivors. The network includes the following organizations: Bulgarian Gender Research Foundation, “Puls” Foundation - Pernik, “Diva” Foundation for Care in the Community – Plovdiv, “Demetra” Association – Burgas, “SOS Families in disgrace” Association – Varna, and others.
- The Kosovo Women’s Network includes 85 local organizations throughout Kosovo and mainly organizes joint awareness campaigns. An informal network of domestic violence shelters also functions in Kosovo and it is in the process of registration.
- There are no networks of organizations and groups working to end domestic violence in Macedonia. However, fruitful partnership of organization that are working on domestic violence issues have developed, such as those between ESE, Akcija Zdruzenska, Shelter center, Crisis center Hope and National SOS line as joint efforts.
- In Montenegro, there is an informal network of SOS Hotlines that cooperate internally on solving specific problems, whenever necessary.
- There is an informal network of women’s NGOs and help lines that encompasses organizations in Serbia. Their activities include occasional joint awareness-raising campaigns and participation in the international campaign “16 days of activism against gender violence”.
- Autonomous Women’s Center co-founded the Violence Against Women Network in Serbia and is part of a national network of SOS hotlines for women victims of domestic violence. The activities of these networks include occasional joint awareness-raising campaigns and participation in the international campaign “16 days of activism against gender violence”. There is also a network of shelters for victims of domestic violence.
- “Women Shelter Council” in Turkey is a network founded by women’s organizations providing shelters to victims of domestic violence. Women’s Fund, Turkey is member of European Women’s Lobby as Coordinator for Turkey.
- Some of the networks that exist on a regional level are: Karat Coalition for Regional Action, Network East West Women (NEWW), WAVE (European Info

Center), NAWO (Connecting Women to Europe), Vital Voices-the Network of women participants in the Vienna Conference, and SEELIDA (Southeast Europe Leadership Initiative: a Dialogue for Action), a regional coalition including representatives of Croatia, Bosnia and Herzegovina, Romania and Greece.

### ***III. 2. Self-identified gaps in the work of NGOs***

The NGO participants at the workshop “Towards a New Regional Model for Combating Domestic Violence” in Sofia, May 9-10, 2007 engaged in an up-front discussion and assessment of “gaps in their own work”. Looking back on a long-term experience of both direct service provision to victims of domestic violence and lobbying with legislative bodies and governmental agencies for adoption of regulations, measures and standards for work against domestic violence, the participants formulated self-evaluating opinions about gaps in the work of NGOs from Southeast Europe active in the movement to end domestic violence against women.

#### **On the content of NGOs work:**

1. Women’s organizations and groups did not incorporate a multidisciplinary approach in their work until recently.
2. Initiatives by women’s NGOs have tended to have an urban-only and local focus (i.e., very seldom oriented towards national, and much less regional or Europe-wide action). As a consequence, some groups such as rural women and disabled women have rarely been the target of NGOs initiatives against domestic violence.
3. Actions by NGOs towards ending domestic violence against women have been time-limited. Time constraints were probably the result of NGOs being dependent on the flow of donor money. Donor-driven action also raises problems for the sustainability and continuity of projects.
4. Many women’s NGOs have focused on institutions, rather than on victims. One of the participant stated that NGOs “do not know the gaps [in ending violence work] from victims’ perspectives”.
5. The participation of NGOs working to promote women’s rights and gender equality has not been consistent on domestic violence issues.
6. Many NGOs have not emphasized women’s rights in their ending-domestic violence work. NGOs have made very little use of international standards and legally binding international documents in their work against domestic violence. As a consequence, domestic violence was often not presented as an issue of discrimination.
7. Although NGOs have undertaken efforts to document domestic violence, there is still a lack of systematic mapping, and data collection on cases and nature of domestic violence.
8. NGOs have not undertaken budget analyses of costs of domestic violence.

#### **On the relations between NGOs and the larger social and institutional environment:**

9. Women’s organizations and groups have not focused enough on sensitizing civil servants, professionals, and the general public to the phenomenon of domestic violence against women.
10. Women’s NGOs have not been able to acquire visibility.



11. Women's NGOs fail to make a stronger impact, because too few women are involved.
12. Women's NGOs have been closed to cooperation with state institutions. To some extent, one may argue there is a culture of distrust on both sides between women's NGOs and state institutions. A particular situation of failed cooperation is the increasing gap between gender equality mechanisms and NGOs.

**On the relations among NGOs:**

13. The work of NGOs active in promoting women's rights and gender equality has often been characterized by fragmentation and lack of coordination. Initiatives to coordinate the work of NGOs on actions to end domestic violence mostly belonged to donors and thus resulted in donor-driven coordination.
14. Sharing of information has not been common practice among women's organizations and groups so far.
15. Lack of solidarity and lack of unity of action and focus have dispersed the efforts of NGOs working to promote women's rights and gender equality.

## IV. CROSS-BORDER/ REGIONAL APPROACHES

### *IV.1. Value of cross-border/ regional approaches*

All respondents to the UNIFEM-BGRF questionnaire affirmed that cross-border/ regional approaches to ending domestic violence are very valuable, because they offer occasions for NGOs to exchange good practices, and learn from different experiences. Regional initiatives also offer mutual support and encouragement to their members, and provide a larger supporting frame for national advocacy. Regional approaches also make possible the development and use of regional expertise. While recognizing the value of regional approaches, some organizations add that cross-border cooperation of organizations that engage in protection of women's human rights in the region already exists and it is visible through conferences, seminars, campaigns and regional projects, such as "16 Days of Women's Activism against Male Violence".

Some organizations state that regional approaches are necessary in the context of intensified migration, which creates more and more transnational families and 'globalizes' the phenomenon of domestic violence.

At the sub-regional meeting in Sofia, representatives of NGOs and gender equality mechanisms re-affirmed their strong commitment to the value of cross-border and regional approaches. The participants argued there were many similarities between countries in Southeast Europe and Turkey, and hence many problems could be addressed on a regional level, and thus benefit from regional expertise and complementing approaches. However, participants stressed that cross-border cooperation of NGOs should not be focused on copying existing successful models. Besides the similarities in historical, social and economic conditions, countries in Southeast Europe are engaged in the regional process of EU enlargement. The **EU accession processes** provide countries in Southeast Europe and Turkey with common aspirations and challenges, as well as with a common context of advocating for the full realization of women's human rights. Gender advocates in Southeast Europe and Turkey have a common ally in the political criteria for EU accession, which include "human rights" as a specific chapter, and promote gender equality.

Regional approaches that include local and international organizations are beneficial not only for the local organizations, that participate in the exchange of experience and expertise, but also for the international agencies that could thus become more familiar with the different national contexts, and make better decisions about spending funds.

The Autonomous Women's Center in Belgrade offered WAVE network as an example of a successful regional initiative to combat domestic violence. WAVE is currently working on a Pan-European Campaign for combating domestic violence.

Some organizations expressed doubts about the possibility of forging sub-regional cooperation among international and regional bodies, such as the UN agencies and the European Commission. In fact, the Foundation of Local Democracy thinks that UN Agencies in Bosnia and Herzegovina need to coordinate better on their activities in support of work against domestic violence and cooperate more with local NGOs. ESE, in Macedonia also recommends raising the level of interagency coordination, especially in order to eliminate funding for actions that are not needed or outright miss the point.

## ***IV.2. Cooperation with international/ regional bodies***

Most respondents to the UNIFEM-BGRF questionnaire agreed that cooperation with international/ regional bodies was active and fruitful in at least two directions. First, international/ regional organizations provide a body of knowledge and regulations that offer essential advocacy tools for national and local NGOs. Many respondents stated that, even in cases when direct cooperation had not been established, the international and regional bodies were nevertheless influential and useful because their recommendations, reports or studies provided gender advocates with a solid ground for building their arguments and making their case in relation with national governments and governmental agencies. Respondents referred in particular to the importance of CEDAW and the Recommendations of the Council of Europe for their work as gender advocates.

At the sub-regional meeting in Sofia, representatives of NGOs and gender equality mechanisms stressed the impact of the Council of Europe as the most important regional organization for protection and promotion of human rights, including women's human rights. The role of the Council of Europe was especially influential in formulating and promoting standards of work against domestic violence, in the absence of clear standards and firm policies against domestic violence at the level of the European Union.

Second, international/ regional bodies are the most important donors that fund NGOs in Southeast Europe. The respondents quoted a variety of programs that have been funded by UN agencies. However, only three respondents, Foundation of Local Democracy, in Bosnia and Herzegovina, Animus Association in Bulgaria and B.a.B.e., in Croatia were able to mention their programs had been funded by grants from the European Commission. In fact, SOS Hotline in Montenegro stated that the access of women's NGOs to cooperation with the European Commission is difficult because of insufficient knowledge, skills and information about the demanding application procedures for EU funding. The Provincial Secretariat for Labour, Employment and Gender Equality in Vojvodina added that the programs of the European Commission against VAW are not promoted well at the local level and NGOs and government bodies are generally poorly informed about the possibilities of cooperation with the European Commission.

The following international/ regional bodies were specifically mentioned as partners by the women's NGOs who answered the UNIFEM-BGRF questionnaire: UNDP, UNICEF, UNFPA, UNIFEM, and UNHCR. Respondents singled out the contribution of UNIFEM and UNDP to the elaboration of Action Plans for Gender Equality and to the institutional development of gender mechanisms. Cooperation with Council of Europe was also noted, while very few of the respondents actually indicated they have cooperated with the European Commission. In fact, one organization stated that in their experience, the European Commission did not work very much on domestic violence. Other respondents, however, spoke about specific support they had received from the European Commission and stressed that the EC had a very transparent way of supporting different NGOs.

A particularly difficult situation for entering regional cooperation is that of organizations in Kosovo. Because of the unsolved political status of Kosovo, the cooperation between women's NGOs in Kosovo and the Council of Europe or the European Commission on addressing domestic violence is not possible.

Most respondents mentioned the **Council of Europe Campaign to Combat Violence against Women**, but expressed mixed views about the development of the campaign. Some organizations/agencies from the countries under review are part of the Council of Europe campaign to end violence against women: Gender Alliance for Development, in Albania; “Animus Association”, in Bulgaria; Provincial Secretariat for Labour, Employment and Gender Equality, in Vojvodina, and Autonomous Women’s Center in Serbia. Other organizations directly claimed that cooperation with Council of Europe did not exist, except for symbolic information on the campaign. Yet others requested more information about concrete actions that were being taken as part of the Council of Europe campaign. One of the participants stressed that the Council of Europe Campaign to Combat Violence against Women is merely generating promises and ‘words’, but does very little to push governments to implement their commitments.

Respondents suggested the UN should cooperate much more with local NGOs on monitoring the implementation of national laws and the work of state institutions responsible for their implementation. Some respondents, based on their experience, claim that non-governmental organizations are secondary partners of UN agencies. Especially for the case of Serbia, one of the respondents to the UNIFEM-BGRF questionnaire evaluated that the work of UN agencies in Serbia was not transparent enough, that NGOs did not know what the UN agencies did, what results they achieved and who their partners were. Women’s NGOs in the region would like to receive more support from UN agencies in their efforts to participate in the decision-making processes in their countries, particularly when they are about reforms and changes to the political, administrative or judicial system.

One specific suggestion was offered in respect of the on-going reform of the UN and of the place of the specialized fund for women, UNIFEM. The Provincial Secretariat for Labour, Employment and Gender Equality of Vojvodina appreciates that in light of UN reforms, the concept “deliver as one” is good and can enable the presence of gender equality in all UN agencies, not just as a separate agency-UNIFEM, and this will improve the capacities of UN agencies as well as their local partners to be more focused on VAW through other programs, e.g. the program of local self-government reforms.

### ***IV.3. Needs that could be addressed on a regional level***

A majority of respondents agreed that some needs in the work against domestic violence could and possibly should be addressed on a regional basis. The same opinion was repeatedly affirmed by the representatives of NGOs and gender equality mechanisms who attended the sub-regional meeting in Sofia.

Most respondents envisage a significant role for the UN agencies and the EU in developing and promoting a regional approach to ending domestic violence in Southeast Europe and Turkey. Participants in the sub-regional meeting stressed the importance of a regional/ multi country approach in advocating for change at a political level, particularly in relation with the EU accession process, and the use of pre-accession funding instruments. Political lobbying at a regional level could also ensure that women’s human rights are taken into serious consideration in the process of constitutional reforms in Southeast Europe.

Participants in the sub-regional meeting stressed the importance of cross-border approaches as a way of drawing the attention of governments in the region to the issue of domestic violence, and their obligations under international instruments to create and support a legal and institutional framework to address the problem. Thus, participants added, regional approaches should stress the obligations governments have under international documents. There is a need to use the regional level as a platform for disseminating international human rights instruments that have been developed by the United Nations and regionally by the Council of Europe and the European Union, and advocate for women's human rights more widely.

Mirijana Dokmanovic, a regional expert on domestic violence who participated in the sub-regional meeting in Sofia stressed that regional cooperation should monitor the variations across countries in the transposition of internationally agreed definitions of domestic violence into national legislations. Mirijana Dokmanovic showed that definitions of domestic violence across most countries in SEE do not identify domestic violence as a form of gender-based violence. Some differences exist on whether definitions of domestic violence include only legally married partners and family members, or they are comprehensive enough to include intimate and ex-partners. Finally, none of the definitions of domestic violence available in the legislation of SEE countries pronounces domestic violence a matter of public concern. In the opinion of expert Mirijana Dokmanovic, regional advocacy should also focus on developing a regionally agreed definition of domestic violence that fully complies with international standards.

Cooperation at the regional level and the development of regional approaches are important, participants felt, not only because of their potential stronger impact in terms of exercising pressure on the governments to comply with internationally or regionally agreed standards, but also because of the possibility of developing knowledge and expertise more easily. Discussions and sharing of experiences on a regional level should be very well focused and should address specific topics, so as to maximize the production of useful, regional knowledge. Thus, participants at the sub-regional meeting in Sofia saw a lot of value in potentially organizing regional meetings that would deal with specific topics in the field of combating domestic violence, such as data collection, indicators on domestic violence, standards for services, collaboration with stakeholders, financing, budgeting and costs of domestic violence. Specialized cooperation could also result in developing standardized educational materials and training tools for different stakeholders, and possibly also organizing the training of different stakeholders on a regional level.

Some of the dimensions of work against domestic violence that did not make a significant impact on the national levels could be addressed on a regional level so as to maximize the scope and visibility of initiatives. Specifically, participants in the sub-regional meeting in Sofia mentioned the need to support regional awareness raising campaigns. There is also a need to promote regionally the involvement of victims of domestic violence in creating proper policies and responses to domestic violence.

Coordination among women's advocates on a regional level is also needed in order to better inform donors on local priorities and achieve more strategic financing of various initiatives.

#### ***IV.4. Is responding to domestic violence any different in a post-conflict situation?***

An overwhelming majority of respondents to the UNIFEM-BGRF questionnaire declared that responding to domestic violence is different in a post-conflict situation, because of at least two reasons.

First, in a post conflict situation tensions and problems are aggravated. The war in former Yugoslavia has led to an unstable and stressful environment marked by poverty, unemployment, corruption of public administration, lack of capacity to combat organized crime, rise in discrimination based on ethnicity, race and gender, and violations of basic human rights. Women are particularly disempowered by these traumatic social and economic conditions, and it is often extremely difficult if not impossible for women victims of domestic violence to assert their independence from the abusive home environment.

Second, it is argued that war produces an increase in domestic violence. The easy availability of arms and the escalation of male aggression imminently lead to increase in violence against women and children. There are reports that ex-warriors even used heavy weapons or bombs, "*souvenirs from the war*" to threaten female family members and children.

In short, domestic violence in a post-conflict situation is "more complex and the results are more devastating".

Participants in the sub-regional meeting in Sofia showed that in many cases the end of conflicts was the start of a focus on domestic violence among women's groups and later on policy-makers. It would then be difficult to compare the situation prior to and after the conflict, since no attention was paid to domestic violence before the conflict period.

## **V. FORWARD-LOOKING STRATEGIES AND RECOMMENDATIONS**

During the second day of the sub-regional meeting on responses to domestic violence in Southeast Europe, the discussions focused almost entirely on possible regional strategies for action.

The participants suggested the following possible directions for action on a regional level.

### **Strengthening cooperation and coordination on a regional level:**

The participants argued that in many cases the regional level provides a more productive environment for fostering cooperation. Participants also submitted that regional cooperation could reduce the costs of ending-domestic violence work.

In the opinion of the participants, the following initiatives could be undertaken on a regional level:

1. Regional and international organizations should support initiatives to bridge the gap between national gender equality mechanisms (GEMs) and NGOs. It would also be important to facilitate regional meetings of members of parliamentary Committees responsible for women's rights and/ or gender equality.
2. Initiatives to support coordination of work between parties responsible for combating domestic violence could be developed regionally. Such initiatives could take the form of:
  - a. Conferences of social workers or Centers for Social Work from the region, focusing on domestic violence;
  - b. Conferences on the role of the educational system in raising awareness on issues related to DV;
  - c. Conference on the role of media in portraying and combating domestic violence;
3. The participant from Turkey stressed it would be important to support the efforts of women's organizations in Turkey to reformulate the definition of domestic violence, by organizing a regional conference in Turkey on domestic violence and specifically understandings of domestic violence.
4. Participants would benefit from regular exchanges of best practices. NGO to NGO initiatives should be strengthened on the regional level by starting joint initiatives, developing strategies, exchange of experience and networking among women's NGOs.

### **Using the regional level as significant platform for advocacy on measures to end domestic violence:**

5. Common standards should be developed on a regional level for services provided to victims of domestic violence by NGOs, governmental and municipal authorities. Some participants suggested that a comprehensive model for combating and preventing domestic violence based on multidisciplinary work should be developed for the SEE region.
6. A system of monitoring for the implementation of international standards should be strengthened at the regional level. Particularly, regional monitoring should have a specific focus on budgeting/ financing for measures to end domestic violence within national and local budgets.

7. The regional level could be used as a platform for disseminating international legal and policy standards.
8. The regional level should also be used as a platform for advocating for awareness of diversity, disability and language in the regulations and practices of responding to domestic violence.

**Producing and accessing knowledge and information on a regional level:**

9. Participants suggested it would be useful to document and make easily accessible case law from different SEE countries, by establishing an online legal database or strengthening existing projects such as SEELINE or STOPVAW. It would also be useful for other documents such as the National Action Plans on Gender Equality, Strategies for Preventing and Combating Domestic Violence to be made available through an online database.
10. More information, advocacy tools and knowledge on domestic violence should be made available online. Participants stressed the need to better manage information by collecting websites and linking them to existing online information pages such as STOP VAW. Other types of information should be added to pages such as STOP VAW. For example, compiling and managing (regularly updating) a list of stakeholders in the field of domestic violence would greatly facilitate regional work on DV.
11. It would be useful to develop regional training tools and training programs for prosecutors and judges on international women's human rights documents and standards.
12. The work to end domestic violence would be strengthened by the development of regional curricula and text books for professionals, such as social workers, police, or doctors.
13. A regular training of trainers program on responses to domestic violence should be developed at the regional level.
14. Participants at the sub-regional meeting in Sofia saw a lot of value in potentially developing knowledge on specific topics in the field of combating domestic violence. The following priority topics were selected: Assessment and standardization of methodologies of data collection on DV in SEE countries.
15. Participants at the sub-regional meeting in Sofia would find it useful to engage in translation of relevant manuals to local languages. A particularly high interest was expressed in manuals that have been produced in Spain.



# Annexes

## Annex 1. UNIFEM-BGRF Questionnaire on responses to domestic violence

**1. The nature of the problem:** How is domestic violence addressed in your national/ regional context?

1a. What is the legal framework for preventing and responding to domestic violence? Are diversity, disability and language addressed in the legal framework as specific factors that influence the capacity to prevent and respond to domestic violence?

1b. How would you characterize the local conditions for addressing domestic violence? What is the level of cooperation between stakeholders?

1c. What is the public perception of domestic violence? How is DV defined: as a family issue, as a gender equality issue, as a women's human rights issue or other (which)?

1d. What type of services are available for both victims of domestic violence and offenders? What is the level of available services? How accessible are these services to women/ other potential victims?

1e. What is the level and capacity of responsible parties for addressing domestic violence? Please refer concretely to the capacity of the courts, the police, public administration, social services providers, and any other responsible parties.

1f. Would you argue that responding to DV is any different in a post-conflict situation?

1g. How would you describe your own capacity to respond to DV?

## **2. Gaps in addressing domestic violence**

2a. What are the biggest gaps in addressing DV (prevention and response to) at the

- i. national level
- ii. local level

Please refer concretely to gaps in responses from courts, the police, public administration, social services providers, and any other stakeholders.

2b. What initiatives and strategies have been used to address these gaps? What has worked/ has not worked, and why? What would you do differently?

2c. Is there a system of data collection on DV in your own country and if yes, how does it work?

2d. Are diversity, disability and language addressed in the practice of responding to DV?

2e. Are there national networks of organizations and groups working to end domestic violence? If yes, which?

2f. Is there any agency/ organization providing training for practitioners involved in preventing and responding to domestic violence in your local and national context?

**3. Usefulness of international instruments:** Are international instruments on women's human rights useful at the national and local levels? How are they useful? How are they not useful?

#### **4. Cooperation with international/regional bodies working to end VAW**

4a. Do gender advocates cooperate with the UN on addressing DV in your country? (and which agencies within UN?) To what extent is this cooperation efficient and helpful? Given that the UN is undergoing reform what are the considerations that the UN should take into account to be more responsive to DV? What are your recommendations?

4b. Do gender advocates cooperate with the Council of Europe on addressing DV in your country? To what extent is this cooperation efficient and helpful?

4c. Do gender advocates cooperate with the European Commission on addressing DV in your country? To what extent is this cooperation efficient and helpful?

**5. Government:** Given the frequent changes in government, is there consistency in the government's approach and response to DV in your country? How would you describe the government's approach? Does the government (national or local) financially support the work to end domestic violence?

**6. Value of cross-border/ regional approaches:** Are there needs that should be tackled on a regional basis? Who should attend to these needs? UN, EU, women's networks? Are you aware of any regional initiatives/ cooperation to eliminate domestic violence?

## **Annex 2: Full list of participants**

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