

Firearms Misuse and Gender-Based Violence





Belgrade, 2017

FIREARMS MISUSE AND GENDER-BASED VIOLENCE

Authors:

Danijela Spasić PhD

Marina Tadić

Research Associates:

Jelena Šapić

Filip Stojanović

Reviewers:

Marina Hughson PhD

Vladimir Bilandžić PhD

Editor:

Branka Anđelković

Published by:

Association CENTER. Public Policy Research Centre

Proofreading:

Antigona Andonov

Translation:

Uroš Vasiljević

Design and prepress:

Žolt Kovač

Printed by:

Mala Knjiga

Print run:

200 copies

The Public Policy Research Centre (CENTER) is a non-governmental think tank established in July 2010 with the objective of examining the effects of public policies on security and the social and economic status of citizens. The CENTER's goal is to enhance the implementation of such policies or bring about changes to them.

The publication of this study was made possible by the Embassy of the Kingdom of the Netherlands to Serbia.

The views expressed in this publication are solely those of the CENTER and do not necessarily reflect the official position of the Embassy of the Kingdom of the Netherlands to Serbia.



Kingdom of the Netherlands

Danijela Spasić, PhD
Marina Tadić

FIREARMS MISUSE AND GENDER-BASED VIOLENCE

FOREWORD

The research presented in this report was conceived by Svetlana Đurđević Lukić+, one of the co-founders and for many years the Director of the Public Policy Research Centre (CENTER), an expert in small arms and light weapons and human security.

In her research and analytical work Svetlana continuously underscored the necessity and significance of controlling the proliferation and ownership of firearms, especially in a post-conflict environment and with regard to the security of particular vulnerable groups. Continuing her research efforts, the CENTER's team, headed professionally by Danijela Spasić PhD, has in this study highlighted the issues that hinder the efficient prevention of gender-based and family violence involving firearms. In addition, the study provides a number of policy proposals that the CENTER believes could contribute to the performance of obligations undertaken by action plans for negotiating chapters 23 and 24 for Serbia's

accession to the European Union, as well as the implementation of activities envisaged under the National Action Plan (NAP) to implement United Nations Security Council Resolution 1325 on Women, Peace, and Security in Serbia, 2017-2020. As a noted expert and member of the Government's Working Party to draft the NAP, Svetlana significantly contributed to addressing these issues of strategic significance and developing the concept of the NAP.

Thanks are also due to our reviewers, Marina Hughson PhD and Vladimir Bilandžić PhD, whose proposals and suggestions contributed to shaping the final content of the study.

The project "Firearms Misuse and its Impact on Gender-Based Violence through Civic Action and Public Policy Advocacy" was supported by the Royal Netherlands Embassy as part of its MATRA programme.

Note: Words/terms used in this report in the masculine gender are to be understood as including persons of both male and female gender they refer to.

ABBREVIATIONS AND ACRONYMS

CAHVIO Istanbul Convention

LGBT Lesbian, gay, bisexual, and transgender community

MATRA (Maatschappelijke Transformatie)
Social Transformation Programme

MoI Ministry of Interior

MoJ Ministry of Justice

MoD Ministry of Defence

MP Member of Parliament

GP General Practitioner

CO Case Officer

CSO Civil society organization

NAP National Action Plan

GBV Gender-based violence

SALW Small Arms and Light Weapons

UNSC United Nations Security Council

UNDP-SEESAC United Nations Development Programme South Eastern and Eastern Europe
Clearinghouse for the Control of Small Arms and Light Weapons

UNECE United Nations Economic Commission for Europe

WHO World Health Organisation

TABLE OF CONTENTS

Foreword	5
Abbreviations and Acronyms	6
Table of Contents	7
Summary	9
Introduction	11
Scope and objectives of the research	13
Methodology	15
Methodological limitations	16

I CONCEPTUAL FRAMEWORK

1. Femicide	21
1.1 Risk factors for lethal family and partner violence against women	21
2. Firearms and GBV	23
2.1 Firearms misuse in the context of GBV and family violence ..	23
3. Firearms in Serbia	25
3.1. Legal framework governing firearms possession in Serbia ..	25
3.2. How many firearms are there in Serbia?	28
4. Gender-based violence	30
4.1 Family violence	30
4.2 Factors of family and partner violence	30
4.3 Legal framework for protection from family violence in Serbia	31
4.4 Law on Preventing Family Violence	33
4.5 State of play in Serbia	35

II CONTEXTUAL FRAMEWORK

1. Quantitative findings	39
1.1. Firearms and femicide in Serbia	39
2. Qualitative findings	43
2.1. Opinions of vulnerable groups	43
2.1.1. Perceptions of GBV and family violence	43
2.1.2. Perceptions of firearms possession and GBV (femicide) ..	47
2.2. Opinions of institutional representatives	51
2.2.1. Gender-based and family violence in Serbia	51
2.2.2. Opinions of institutional performance	52
2.2.3. Role of the media	53
2.2.4. Firearms misuse and GBV and family violence	54
Conclusions	57
Recommendations	59
Literature	63

SUMMARY

Of the nearly 875 million pieces of small arms and light weapons (SALW) globally, more than 75 percent are to be found in the possession of individuals and entities other than government-controlled armed or police forces (private security contractors, private armies, paramilitary groups, etc.), or concealed in private homes. Research has revealed that women throughout the world are not most at risk of injury and violent death from SALW in the streets or battlefields, but rather in their own homes. The demographics of lethal family violence involving SALW show that murder in the family is the only form of homicide where women are victims much more often than men. According to studies conducted by the World Health Organisation (WHO), murders of women by their intimate partners account for between 40 and 70 percent of all murders of women.¹ For every woman killed or exposed to physical violence involving firearms, there are far more women who face intimidation by firearms.

Findings of research into the impact of SALW on family violence indicate that firearms possession and family violence are linked. By collecting and analysing newspaper articles, the Women against Violence Network, co-ordinated by the Autonomous Women's Centre of Belgrade identified 33 murders of women in Serbia in a family/partner setting in 2016 (as compared to 35 such murders in 2015). In its quantitative and narrative *Femicide Report*, the Network stated that possession of and access to firearms were indicators of high risk of lethal violence. Femicide is defined as *gender-based murder, committed against women, young women, girls, or even female infants, by persons of the male sex. For a murder to be characterised as femicide, the perpetrator must see as rele-*

*vant the sex of the victim – the fact that the victim is a woman.*²

In view of these facts, the Public Policy Research Centre (CENTER) has continued the research efforts and professional expertise of its late Director, Svetlana Đurđević Lukić, and conducted research into firearms misuse and its impact on gender-based violence (GBV) in a study entitled "Firearms Misuse and its Impact on Gender-Based Violence through Civic Action and Public Policy Advocacy". The ultimate aim of this project was to mainstream this issue into relevant strategies and debates, and to formulate specific policy recommendations in connection with GBV and firearms misuse in the context of European integration, through Chapter 24 negotiations, the new Law on Preventing Family Violence, Firearms and Ammunition Law, etc., as well as through the National Action Plan (NAP) to implement United Nations Security Council (UNSC) Resolution 1325 on Women, Peace, and Security in Serbia in the period 2017-2020.

This research was complementary in character, and used both quantitative and qualitative approaches. The quantitative segment relied on secondary analysis of data from statistical databases held by government authorities (Ministries of the Interior and Justice) and civil society organisations (Women against Violence Network). In addition, documents making up the current national legal framework in this area were also reviewed. The qualitative approach entailed expert interviews with representatives of relevant public authorities and civil sector institutions (a total of 14) and local focus-group interviews with members of vulnerable groups (five in total) de-

¹ L L Dahlberg, E G Krug, A J Mercy, A Zwi and R Lozano, *World report on violence and health*. Geneva, World Health Organisation, 2002.

² Available online at <http://www.zeneprotivnasilja.net/femicid-u-srbiji>, accessed on 29.5.2017.

voted to GBV and firearms misuse. We identified vulnerable groups as groups of individuals that differ from the general population by a particular characteristic that makes them especially vulnerable to various forms of discrimination – in this case, violence, as the most pronounced and most dangerous form of discrimination.

The CENTER's research revealed that economic insecurity, poverty, unemployment, pressure exerted by the patriarchal environment, violence as 'behavioural model', risks specific to the local context, and mistrust of organisations and institutions that ought to provide security, all contribute to feelings of insecurity amongst women in society. The findings of focus-group interviews performed in the field suggest that vulnerable groups feel firearms ownership is generally widespread, and that the primary motive for possessing a firearm is the need to ensure one's own security. Some of the interviewees claimed that weapons surrender programmes have to date failed to achieve their objectives as members of the public generally hold firearms due to the feeling of security they provide, and are as such reluctant to hand over all or some firearms in their possession.

Gender-based violence is, on the other hand, associated more frequently with physical and verbal violence, but fear and dislike of firearms are noticeable, as is the view that firearms possession is proof of the presence of traditional notions of male dominance over women. Victims find firearms a major obstacle to taking any action to end violence, and also see them as instruments that perpetuate traditional behavioural patterns and division of roles in the household. At the same time, vulnerable groups continue to mistrust institutions, which is yet another reason for not reporting violence. Focus group members, both men and women, were able to identify errors made by the authorities when intervening,

particularly in cases where firearms are not confiscated, and underscored the importance of personal accountability of professionals for action, or lack thereof, in the event violence is reported.

These examples show that, in spite of the widely held belief that family violence and GBV are not commonly perpetrated using firearms, widespread firearms possession is a specific marker in assessing the risk of family violence and the institutional response to it under the Law on Preventing Family Violence. Moreover, it can be concluded that family violence, as a form of GBV, is a complex phenomenon requiring tailor-made measures to prevent and combat. Currently, potential obstacles here include: lack of policymaker sensitivity to firearms misuse in GBV; increasing tensions in the region; and a renewed focus on firearms as means of personal defence.

Although the new Law on Preventing Family Violence envisages a comprehensive central register of cases of family violence, and its risk assessment provisions refer to firearms possession, it would be beneficial to consider exactly which firearms information could prove relevant for a thorough review of firearms misuse in the context of GBV.

The removal of illegally held firearms requires a long-term strategy, complete and resolute political will, and complex solutions. Firearms legislation and surrender campaigns are part of the solution, but, for them to be effective, they must be long-term, well-planned, safe, and innovative efforts, and must more actively involve members of the public in activities at the local level and contribute to building trust between the police and the general population. Firearms ought to be handed over to the police securely, avoiding any danger to either members of the public or police officers.

INTRODUCTION

'If they'd taken away his gun, she'd still be alive...'

Small arms and light weapons (SALW) account for a vast number of lives lost every day, in both war and peace, in the contexts of crime and violence, suicide, and domestic disputes.³ Unlike other types of weapons, most SALW are in the possession of civilians: according to the Small Arms Survey, in excess of 75 percent of these firearms are held by individuals and entities other than government-controlled armed or police forces (private security contractors, private armies, paramilitary groups, etc.) or are kept concealed in private homes.⁴ Numerous international organisations have for decades focused on this problem, which gained additional currency with the rise of terrorism and increasingly frequent terror attacks in developed Western nations. However, it is of the utmost importance to understand that widespread possession of firearms, both legal and illegal, is one of the greatest threats to human security in the modern age. This problem can be linked to various forms of structural and cultural violence, especially those directed against vulnerable and marginalised groups, but is also an indicator of socio-economic differences in a society, as well as of lower public confidence in the ability of institutions to provide security.⁵ As such, it can adversely impact multiple dimensions of human security: physical or personal and economic and health-related, as well as community and political security.

In the context of this finding, analyses of the overall structure of violent crimes and the manner of their perpetration, especially in public places, fo-

cus on the role of illegally held light weapons. Yet most light weapons used in family murders are legally owned by the perpetrators of violence.⁶ Research⁷ has also revealed that women throughout the world are not exposed to the greatest risk of injury or violent death from light weapons in the street or on the battlefield, but rather in their own homes.⁸ It is with good reason that it has been said that '...for women, war is not finished once it is over.'⁹

The home is usually viewed as a safe place and a secure refuge, but if there is a firearm in the home, the likelihood of a woman dying a violent death increases threefold.¹⁰ Worldwide surveys of statistical data show that, on average, some 44,000 murders in the context of family violence were reported annually in the 104 countries and territories reviewed from 2009 to 2013. The findings of these analyses show that some 66,000 women are murdered every year globally. Women are victims of lethal family violence in about 17 percent of all premeditated murders perpetrated annually. This means that, per 100,000 population, one woman is killed in family violence situations for every five men murdered in violent incidents.¹¹

Although the forms of femicide differ in both cultural and geographical terms (e.g. honour killings in the Middle East, dowry-related murder in India, murders by gangs and in conflicts in Mexico), the most common type of femicide appears in the context of intimate partnerships. Studies performed in Australia, Canada, Israel, South Africa,

³ The term 'small arms and light weapons' denotes conventional firearms that are readily available and inexpensive and easy to use and maintain. Such firearms include revolvers, rifles, machine guns, assault rifles, etc. For more information about this concept, for more information please see the following link <http://www.smallarmssurvey.org/weapons-and-markets/definitions.html>, accessed on 24.5.2017. For ease of discussion, in this study we will use the term 'firearms' for this type of weapon.

⁴ Small Arms Survey, available online at <http://www.smallarmssurvey.org/weapons-and-markets.html>, <http://www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2007.html>, accessed on 15.4.2017.

⁵ Svetlana Đurđević-Lukić, "Small Arms and Human Security in the Western Balkans: Beyond Conflicts and Fatal Victims", in Ivica Đorđević et al (eds.), *Twenty Years of Human Security: Theoretical Foundations and Practical Applications*, Belgrade, 2015, pp. 436-452 (pp. 438-439).

⁶ In this context, it is important to highlight the misuse of firearms by members of security forces, primarily police and military, especially when not on duty.

⁷ UNECE Statistical Database: Gender Statistics-Crime and Violence." available online at http://w3.unece.org/pxweb/dialog/varval.asp?ma=ZZZ_GECr_VictimHomicide_r8ipath=../database/STAT/30-GE/07CV/8<lang=i8<ti=Victims+of+homicide+by+relationship+of+perpetrator+to+victim+and+sex/, accessed on 14.4.2017.

⁸ Alvazzi del Frate, "When the Victim is a Woman" in: *Global Burden of Armed Violence 2015: Every Body Counts*, Cambridge University Press, Cambridge, 2015, pp. 113-144.

⁹ Ibid.

and the US show that between 40 and 70 percent of murders of women are results of intimate partner violence.¹² The UK's Femicide Census Report for 2009-2015 also shows that 62.7% of all women murdered in this period were victims of violence perpetrated by their intimate partners.¹³

The Western Balkans are hit particularly hard by this problem, given the region's recent history of conflict, but also the fact that the former Yugoslavia had a highly-developed arms industry and weapons manufacturing sector. The presence of large numbers of illegal firearms is usually cited as a threat to the security of the entire region. The proliferation of firearms in post-conflict societies is an indicator of many adverse social phenomena and processes, such as unfinished reconciliation, human rights abuse, powerful criminal structures, incomplete reform of the security sector, and fragile rule of law. On the other hand, vast numbers of the region's inhabitants hold firearms legally, and the cult of the gun is still exceptionally strong. Owning a gun is seen as proof of maturity and manliness, and is inextricably linked with 'folklore', as well as with celebration and mourning. In the strictest sense, therefore firearms possession and the high level of violence in Serbia can, at a deeper theoretical level, be explained scientifically on the one hand through critical theory of masculinity, and, on the other, by sociological insight into the structural factors of the generation of violence and criminality in a country 'in transition', the post-socialist region, and transnationally. These two types of explanations are not mutually exclusive, but are rather complementary, as it is equally important to understand factors conducive to behavioural changes under altered conditions (economic crises and wars) as it is to comprehend the matrices that govern behaviour, roles, and expectations (the gender regime) that enable such changes at the deepest level, that of identity.¹⁴

According to police data and estimates, there were between 960,000 and 970,000 firearms in Serbia in 2016, of which between 200,000 and 900,000 were held illegally. Firearms are a potent symbol of unequal power dynamics in society and male dominance over women. Gender-based violence, the most extreme form of discrimination against women, is one such symbol. Family violence has been recognised as the most common form of GBV. On average 3,150 crimes involving family violence are recorded every year in Serbia. The reported perpetrators are mainly men aged between 30 and 50, whilst the victims are most commonly women of the same age groups.¹⁵ The direct connection between firearms possession and GBV in Serbia is further borne out by the fact that between 30 and 40 women die every year in cases of family or intimate partner violence, meaning that in one in every three instances the violence is lethal due to the use of firearms.¹⁶

Apart from the national legislative framework, as governed by the Firearms and Ammunition Law and the Law on Preventing Family Violence, the prevention of GBV and family violence is also an objective of activities envisaged under the National Action Plan (NAP) to implement UNSC Resolution 1325 on Women, Peace, Security in Serbia (2017-2020).¹⁷ The NAP's measures include gender mainstreaming in all defence and security policies, as well as enhancing efforts of all relevant stakeholders designed to fully investigate, punish, and prevent all violent crimes against women, and protect women employed by or working with the security system from all forms of violence and discrimination.¹⁸ This document also envisages the provision of comprehensive legal, psychological, and social support to girls and women who experience GBV, especially if members of marginalised groups, as well as support for the production of media content on the importance of preventing violence against women.¹⁹ Strengthening the system to prevent and combat

¹⁰ Hemenway, David. (2011) "Risks and benefits of a gun in the home", *American Journal of Lifestyle Medicine*, available online at <http://ajl.sagepub.com/content/early/2011/02/01/1559827610396294.full.pdf+html>, accessed on 25.5.2017.

¹¹ Alvazzi del Frate, "When the Victim is a Woman", op. cit., p. 131.

¹² Heise, Lori; Garcia-Moreno, Claudia (2002) "Chapter 4. Violence by intimate partners". In: World report on violence and health, Etienne G. et al. (edited), World Health Organization, Geneva, pp. 87-123.

¹³ Brennan, D. Redefining an isolated incident. Bristol: Women's Aid., 2016. Dostupno na: <https://1q7dqy2unor827bqjls0c4rnwengine.netdna-ssl.com/wp-content/uploads/2016/12/TheFemicide-Census-2016.pdf>, cited in: Femicid: Kvantitativno – narativni izveštaj za 2016., str. 10. Internet, <http://www.zeneprotivnasilja.net/pristupljeno 20.4.2017>.

¹⁴ Blagojević, M. „Muškarc i nasilje: neki novi pristupi u teoriji i praksi”, u: Blagojević, M. i Stevanović, Z. (ur). *Prevenција kriminala i socijalnih devijacija: evropske i regionalne dobre prakse*, Beograd: Institut za kriminološka i sociološka istraživanja 2012.

¹⁵ Simeunović-Patić, B., Kesić, T. *Kriminalistička viktinologija*, Beograd: Kriminalističko-policajska akademija, 2016. p. 45.

¹⁶ Femicid: Kvantitativno – narativni izveštaji za 2016, 2015, 2014, 2013, 2012, 2011. i 2010. godinu. Internet, <http://www.zeneprotivnasilja.net/pristupljeno 20.4.2017>.

family violence and GBV is also envisaged under the Action Plan for Chapter 23 of the European Union's *acquis communautaire*, Judiciary and fundamental rights. The Action Plan mandates alignment of Serbian criminal law with the Istanbul Convention; enactment of a new Gender Equality Law to require the creation of new safe houses; introduction of a national telephone helpline; inter-departmental co-operation and collaboration with the civil sector; enactment of a new strategy and accompanying action plan to prevent violence against women in the family and in intimate partnerships; training for police officers; and greater co-operation between the police, local communities, and the civil sector.²⁰ On the other hand, enhanced control of the movement of illegal firearms and stricter requirements for issuing firearms permits are part of the Action Plan for Chapter 24 of the *acquis*, Justice,

SCOPE AND OBJECTIVES OF THE RESEARCH

In setting the methodological framework for the research and defining its objectives, the CENTER's team of researchers focused its analysis of GBV on family violence as defined by the Istanbul Convention, since findings of past studies have revealed that, of all forms of violence, it was family violence or violence against women that had the gravest consequences, including involving all lethal cases.

The demographics of lethal family violence involving firearms show that women are its victims much more frequently than men. When a woman is murdered in her own home, it can be assumed that her intimate partner or relative was the perpetrator, as well as that the murderer usually already had a police record of family violence. Violence involving the use of a handgun, revol-

ver, rifle, or other firearm can be part of the cycle of violence that many women suffer at the hands of their partners. For every woman murdered or exposed to physical violence involving a firearm, there are many more women who experience threats and intimidation using firearms. In 2016 alone, 33 women were murdered in Serbia; an earlier survey performed by UNDP-SEESAC, in which the CENTER's team took part, showed that women were five times more likely to be victims of firearms incidents than men.²² In spite of findings that reveal firearms possession is a major threat to security in case of GBV, this problem is yet to be addressed systemically. As such, the research activities on this project were aimed at answering the following questions:

freedom and security.²¹ This Action Plan calls for capacity-building for implementation of the new Firearms and Ammunition Law; creation of an information system to process applications for purchase and possession of firearms and issuance of permits; and enactment of a new SALW control strategy and action plan. Both of these areas are also transitional measures for the negotiating chapters referred to above, which additionally bears out their significance. The Republic of Serbia has already made great strides in both fields, and many activities envisaged under these documents have already been implemented. On the other hand, there is still the need for synergy between the various activities to ensure more effective improvement of the state of play regarding these complex social issues.

¹⁷ The NAP was enacted pursuant to a conclusion of the Government of the Republic of Serbia on 19 May 2017. A major contribution to the security of women and their protection from violence and misuse of firearms can also be made by *mainstreaming activities in support of the security needs of women, young women, and girls, particularly members of multiply discriminated and vulnerable groups*, from the Policing Strategic Plan and the Community Policing Strategy (Activity 2.8.). Special attention should here be devoted to meeting the requests of women from vulnerable groups for greater numbers of women police officers in uniform and on patrol, and especially as part of anti-family violence teams.

¹⁸ NAP, Activities 4.1, 4.3, and 4.4.

¹⁹ NAP, Activities 4.6 and 2.10.

²⁰ Chapter 23 Action Plan, April 2016, available online at <http://www.mpravde.gov.rs/files/Akcioni%20plan%20PG%2023.pdf>, accessed on 21.5.2017.

²¹ The Chapter 24 Action Plan also contains specific activities in support of the development of an information system and training for police officers to apply the new Firearms and Ammunition Law and its associated byelaws. Chapter 24 Action Plan, 2016, available online at http://www.mup.gov.rs/wps/wcm/connect/36e98096-9938-4aaf-b36c-e413bfbccac57/Treca_verzija_AP_27_03_2015.pdf?MOD=AJPERES&CVID=kTXD4Ry, accessed on 21.5.2017.

²² „Oružje na meti: Zloupotreba vatrenog oružja u Srbiji”, Centar za istraživanje javnih politika za UNDP-SEESAC, Belgrade, April 2015, available online at <http://www.publicpolicy.rs/publikacije/5c031aa12dd69f63b76879b469a3bd87419ac70.pdf>, accessed on 21.5.2017.

1. Do government statistics show a correlation between legal or illegal possession of firearms and GBV and family violence, in particular lethal violence?

2. How do vulnerable groups in the local context perceive the impact of the presence and possession of firearms on their personal security and GBV in the community and the family?

3. What are the views of policymakers with regard to legal and illegal possession of firearms and their impact on the extent and features of GBV and family violence?

4. Which policymaking activities, measures, or decisions ought to be undertaken or made to place the purchasing and control of firearms under the control of the appropriate authorities, or rather, how can the local security environment prevent firearms misuse in the context of GBV and family violence?

Answers to these research questions led to the development of a set of recommendations for policy- and decision-makers at the national and local levels. These aim to promote an environment that would significantly reduce the potential for firearms misuse in GBV and, at the same time, permit its prevention.

The overarching goal of the project, thus, is to mainstream this issue into relevant strategies and public debates and draft specific policy recommendations relating to GBV and firearms misuse in the context of European integration, through Chapters 23 and 24 of the *acquis*, the new Law on Preventing Family Violence, Firearms and Ammunition Law, etc., and the NAP to implement UNSC Resolution 1325 on Women, Peace, and Security, in Serbia (2017-2020). The objectives of the project are to:

- Identify linkages between family violence and purchase and possession of firearms, and underline the need for continuing monitoring of the extent and characteristics of these issues, so as to reduce the number of fatalities, injuries, and threats due to firearms in the family;
- Assess linkages between the statutory regime for purchase and possession of firearms and family violence legislation, so as to allow the development of strategies and recommendations to enhance regulations and schemes for the implementation of these regulations and so provide greater and more effective protection to victims of family violence;
- Raise awareness amongst policymakers and the civil society of the ways in which they can engage to minimise the consequences of firearms misuse in the family and increase and enhance protection offered to victims of such violence, with a focus on the local context.

The research was performed in the territory of the Republic of Serbia (excluding Kosovo and Metohija) from October 2016 to March 2017. This research is complementary in character. Its complementary nature allowed the collection and processing of both statistical data and information based on respondents' personal perceptions, which permitted greater understanding of the peculiarities and characteristics of GBV and the context of firearms misuse. The research applied both quantitative and qualitative approaches. The quantitative segment used the secondary data analysis approach, which involved analysing information from statistical databases held by government authorities (Ministry of Interior and Ministry of Justice) and civil society organisations (Women against Violence Network). Police statistics were obtained from the MoI's Analytics Directorate under freedom of information requests, and included records of cases of family violence (criminal offences under Art. 194 of the Criminal Code of the Republic of Serbia) reported between 2012 to 2015 held by regional police departments of the MoI's Police Directorate, disaggregated by year. A separate aspect of the secondary data analysis involved looking at the demographic features of the reported cases of family violence (gender, age, educational attainment, and occupation of the perpetrator and victim), with particular focus on cases under Art. 194(4) of the Criminal Code (lethal family violence).

The qualitative approach involved expert interviews with representatives of relevant public and civil sector institutions (a total of 14), and local focus group interviews with members of vulnerable groups (five in total) devoted to GBV and firearms misuse. Criteria for selection of vulnerable groups were based on earlier studies performed by the CENTER.²³ The CENTER's team of research-

ers asked for and obtained interviews with: Tamara Skrozza (of the Press Council); police officers of the Family Violence Division with the MoI Criminal Police Directorate (two interviews); Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate; Slobodanka Raković, Prosecutor with the Kragujevac Basic Public Prosecutor's Office; members of the Women's Parliamentary Network in the Serbian Parliament (Gordana Čomić, Elvira Kovač, and Dubravka Filipovski); Meho Omerović, Chairman of the Parliamentary Committee on Human and Minority Rights and Gender Equality; the Equality Commissioner; Dragan Knežević of the Gender Equality Improvement Unit at the Development and Planning Department of the Ministry of Construction, Transportation and Infrastructure; Vesna Stanojević, Co-ordinator of the Safe House for Victims of Family Violence; and Stanislava Otašević PhD, Director of the Centre for Promotion of Women's Health. The only institution not to respond was the Office of the Ombudsman, which cited its General Recommendation on the Protection of Women from Family and Partner Violence, adopted in August 2016.²⁴

The interviews were semi-structured and adhered to a predetermined interview protocol; they contained initial, general questions about violence and issues relating to GBV and firearms misuse, as well as questions pertaining to proposed policies and institutional solutions able to contribute to reducing the extent of GBV and firearms misuse in this context.

As specified in the outline of the research project, the focus group interviews involved representatives of vulnerable groups in a number of local communities: LGBT persons (Belgrade); young people (Novi Pazar); rural women (Tutin); and

²³ Available on line at <http://www.publicpolicy.rs/bezbednost-ranjivih-grupa#.WSyHTNSLRKU>, accessed on 25.5.2017.

²⁴ Available online at <http://www.ombudsman.rs/attachments/article/5031/Zbirna%20preporuka%20ZG%20Zastita%20zena%20od%20nasilja%20u%20porodici%20i%20partnerskim%20odnosima%20SRPSKI.pdf>, accessed on 25.5.2017.

Roma women (Kruševac and Novi Bečej); based on previously conducted research with these vulnerable groups, the interviews permitted researchers to gain an understanding of their perception of firearms misuse in the context on GBV. Focus group interview guides contained general questions that sought to examine understanding of the concept of security, GBV as a challenge to security in the local community, and experiences with and perception of firearms in the family and intimate partnerships, and also contained proposals for improving the local security envi-

ronment and enhancing the personal security of members of these groups both at the local level and in the field of government policy regulating firearms misuse in the context of GBV. In addition, the national legal framework governing this area was also analysed.

The findings of the research served as the basis for developing this study and an online platform, both of which are intended to raise awareness amongst policymakers dealing with issues of GBV, the media, and members of the public.²⁵

METHODOLOGICAL LIMITATIONS

There are a number of methodological limitations that must be borne in mind when analysing and interpreting the findings of this research, the first one of which has to do with the reach of the sample used. The expert interviews involved individuals and/or officers of institutions that were assumed to be able to influence to some extent, by virtue of their positions and participation in policymaking, decision-making that could affect the regulation of firearms purchasing and control, or limitation of firearms misuse in the context of family violence. On the other hand, respondents were selected for focus-group interviews based on the findings of previous research carried out by the CENTER, which indicated that it was primarily members of the LGBT community, young people, rural women, and Roma women who felt their security and personal safety were threatened by various forms of violence, both in the community and in their immediate environment, such as their family or intimate partnerships.²⁶ The reach of both samples shows that findings of the interviews cannot be generalised, but can

rather be taken only as illustrative conclusions and signposts for future exploration and research.

In connection with this limitation, it ought also to be noted that the position of children as victims and/or witnesses of violence was not specifically analysed as part of this research into family and partner violence against women, and into murder of women in the context of GBV. Although this issue is of exceptional importance for enhancing the entire protection system for victims of family violence, it far exceeds the scope of this study as envisaged under its original research objectives.

The second limiting aspect is connected with the collection and interpretation of statistics held by the MoI. Data from records of regional police departments provided to the CENTER as part of this research effort are neither standardised nor follow the same methodology. This information is based primarily on instances in which the police responded to reports of family violence; in some cases, a murder in the family context was treated

²⁵ Available online at <http://nasiljeuporodiciioruzje.publicpolicy.rs/>.

²⁶ For more information please see the following link: <http://www.publicpolicy.rs/bezbednost-ranjivih-grupa#.WQGnr9SLRKU>, accessed on 24.4.2017.

and recorded as the offence of ‘murder’, rather than ‘family violence’ under Article 194(4) of the Criminal Code. Police records do not always indicate the demographics of either perpetrator or victim, nor explain their relationship, which in some cases causes discrepancies between institutional statistics and findings of the analysis of media reporting on the murder of women in the family context performed by the Women against Violence Network, used in this research.²⁷ It ought to be underlined that a new Law on Preventing Family Violence was enacted whilst the research was in progress; this piece of legislation came into force on 1 June 2017 and envisages the creation of a master record of family violence cases.

As envisaged in the research outline and objectives, the structure of the study is dominated by two separate research units: the conceptual and the contextual framework. The first unit clarifies the terminology and analyses key concepts such as firearms, GBV, family violence, and femicide, and reviews the legal framework that governs these areas. The contextual framework contains key quantitative findings based on a secondary analysis of institutional data about the issues investigated and their relationships and interdependence. This segment of the study presents and analyses the quantitative findings of focus groups and individual interviews. Recommendations for decision- and policy-makers at both the national and the local level were defined after a comprehensive assessment of these key quantitative and qualitative results.

²⁷ Available online: <http://www.zeneprotivnasilja.net/>, accessed on 20.4.2017.

1. FEMICIDE

1.1 RISK FACTORS FOR LETHAL FAMILY AND PARTNER VIOLENCE AGAINST WOMEN

When coined by the feminist movement in the 1970s, the word ‘femicide’ referred to the murder of a woman simply because she is a woman. As such, it endeavoured to unmask the ‘misogynous murder of women by men’ and reveal the many murders of women caused by GBV.²⁸ Diana Russell, the creator of the word femicide, claims it has been in use for centuries, going back to early 19th century Britain, where it was used to denote the ‘killing of a woman’.²⁹ She reiterates that the word was later taken up as a symbol of the women’s suffrage and anti-violence movements in the 20th century. This concept includes ‘dowry deaths’ and ‘honour killings’, partner or spousal violence, murder with rape, murders of prostitutes, female infanticide or selective abortion, and any other form of death forensically determined to have occurred due to violence against women and girls solely due to their gender (for instance, the victims of a serial killer targeting women only).³⁰

Femicide is gender-based murder, perpetrated against women, young women, girls, or even female infants, by persons of the male gender. For a murder to be characterised as femicide, the perpetrator must see as relevant the sex of the victim – the fact that the victim is a woman.³¹ As such, femicide is crime against women, motivated by hatred against women, contempt, and a feeling of superiority, where the perpetrator believes he is entitled to take the life of a woman. The sociological, cultural, and political risk factors for

femicide are often debated. Analysts frequently point to a culture of ‘machismo’ that may skew traditional gender roles and promote constraints to the freedom of girls and women, misogynous behaviour, and perpetual impunity of violence. Some researchers have described femicide as ‘the number of women or girls who were murdered for gender-based reasons’.³² Others claim that femicide refers to gender-disaggregated data on murders or ‘murders of women’, as indicated by the former Special Rapporteur on Violence against Women, its Causes and Consequences.³³

Approximately one in seven murders globally are perpetrated by intimate partners, with perpetrators four times as likely to be male. Unlike murders outside intimate partnerships, where both parties are usually men, women much more frequently risk losing their lives at the hands of intimate partners. Throughout the world, most murdered women are the victims of their current or former intimate partners. The asymmetrical distribution of genders in the structure of victims and perpetrators shows that murder in an intimate partnership is a gender-dependent phenomenon.³⁴

Various theories have been advanced to account for gender-based differences in murders in intimate partnerships. One such explanation is offered by the evolutionary theory of male sexual ownership of women. Traditionally, by marrying a woman the man would ‘purchase’ his wife’s reproductive resources, which gave him the right

²⁸ Bloom, S. *Violence against Women and Girls: A Compendium of Monitoring and Evaluation Indicators*. Chapel Hill, NC: MEASURE Evaluation. 2008. Available online at http://www.cpc.unc.edu/measure/publications/ms-08-30/at_download/document.

Radford, J. and Russell, D. (eds.) (1992). *Femicide: The Politics of Woman Killing*. New York: Twayne Publishers.

²⁹ Russell, D. “Femicide: Politicizing the Killing of Females.” Paper presented at the Interagency Gender Working Group Meeting on Strengthening Understanding of Femicide, Washington, DC, May, 2008. Internet, <http://www.igwg.org/Events/femicide.aspx>.

³⁰ Bloom, S., *Ibid*.

³¹ Radford, J. and Russell, D. *op.cit.*

³² *Ibid*, p. 178.

³³ United Nations. Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural, including the Right to Development: Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, Yakin Erturk—Indicators on Violence against Women and State Response. A/HRC/7/6 of 29 January 2008. Geneva: UN. Internet, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/7session/A-HRC-7-6.doc>, p. 18.

³⁴ Simeunović-Patić, B., Jovanović, S. *Ubistvo žene u partnerskom odnosu* Belgrade: Institut za kriminološka i sociološka istraživanja, 2013.

to seek indemnification or retaliate in case of her adultery. Not only does the man consider his partner his property, but also feels obliged to defend his title: when he senses a threat to his control over the woman, the man will use coercion to intimidate and retain her. A woman's decision to leave the man is a direct blow to his belief that he owns her, and may cause violence to escalate. The feminist perspective sees 'ownership' of a woman not as part of a reproductive, but rather of a social task that is connected to the male gender role, meaning the allowed and expected domination and control of women that stems from the patriarchal distribution of power.³⁵

The rarity of murder – both in general and in a violent intimate partnership – implies its background is made up of a complex constellation of factors:

- Biological and bio-psycho-pathological factors (impulse control)
- Personality traits (aggression, impulsiveness, etc.)
- Combination of stressful life events
- Substance abuse
- Availability of weapons
- Cultural norms related to social expectations and acceptability of violence, etc.³⁶

Women are most at risk from their current or former partners at whose hands they suffered chronic violence, as well as from those who refuse to accept that a relationship has ended and attempt to use violence to prevent women leaving or punish them for the rejection. Numerous studies into the murder of women by spouses or intimate partners have revealed the following risk markers:

- History of partner violence
- Termination of the intimate partnership by the woman
- Making threats of murder

- Stalking
- **Availability of firearms**
- Pathological possessiveness of the male partner
- Unemployment of the male partner
- Mental health issues (including suicidal thoughts) of the male partner.³⁷

Chronic relationship violence perpetrated by a man against a woman is the precursor for some 70 percent of intimate partner murders and is considered a key risk market for murder of partners of either gender. Depression, delusions, schizophrenia, narcissistic, borderline, and anti-social personality disorders, and personality disorders due to substance abuse can all be linked to elevated risk of intimate partner murder. Chronic abuse of alcohol is much more widespread in men who commit intimate partner murders than in other murderers. Some 30 percent of murders of female partners are accompanied by perpetrator suicide, so being suicidal is considered an important marker of risk.³⁸

³⁵ Simeunović-Patić, B., Kesić, T. *Kriminalistička viktimologija*. Belgrade: Kriminalističko-policijska akademija, 2016

³⁶ Ibid.

³⁷ Ibid.

³⁸ Dobash, R.E. et al.: Lethal and Nonlethal Violence Against an Intimate Female Partner: Comparing Male Murderers to Nonlethal Abusers, *Violence Against Women*, 13, 4/2007, p. 349.

2. FIREARMS AND GBV

2.1 FIREARMS MISUSE IN THE CONTEXT OF GBV AND FAMILY VIOLENCE

The presence of firearms in the home is linked to an increased likelihood of murder in the home, together with other risk factors such as substance abuse and physical violence. Some research has shown that murder most often occurs in the very space that the victim lives in, as well as that family members or intimate partners are the most frequent perpetrators. In addition, assault by a family member or intimate partner involving the use of a firearm is more likely to end in death than an assault with a melee weapon or by other means. A substantial correlation has also been noted between the presence of firearms and the likelihood of suicide.³⁹ Finally, firearms carry a greater risk of more than one person dying.

The proliferation of illegal and legal firearms has major gender implications and characteristics and is one of the primary outward expressions of a culture of masculinity, violence, and traditionalism.⁴⁰ Statistics show that men, especially younger men, are more often both victims and perpetrators of incidents involving firearms.⁴¹ Yet women are far more frequently victims than perpetrators, and are also more likely than men to be injured or killed by their intimate partners. Women own far fewer firearms and harbour much more negative views of gun ownership than men do, and are equally threatened with death due to firearms use in both peacetime and in conflict situations.

Of the estimated 66,000 murders of women and girls annually, some 40 percent are committed using firearms, but guns are used far more frequently to intimidate and coerce women.⁴² This impact of firearms is difficult to illustrate using quantitative data, as it most commonly takes place in close family surroundings and mainly remains hidden to the authorities. Whilst men are more often victims of incidents occurring in public, women are more likely to suffer injury or die within the family, an environment that ought to be secure, and is indeed most commonly seen as such.⁴³ Actually, there is a greater chance of a firearm in the home being used to injure or intimidate women members of the household than it is to protect the home from an outside threat.⁴⁴

As for the gender aspect of firearms ownership, whether it is legal or illegal is not of decisive importance, as women are often at greater risk from misuse of legally held firearms than of illegal ones. Tackling this issue, therefore, must entail a reduction in the quantities of both illegal and legal firearms in a society. And yet, although women are more prepared than men to support gun control measures, the actual process of curtailing possession of illegal (and legal) firearms is greatly coloured by male dominance, which substantially affects its outcomes.⁴⁵ Any policies developed in this area often fail to take sufficient account of the gender aspect and do not recognise the differing security needs of men and women, and boys and

³⁹ Arthur L. Kellermann, Frederick P. Rivara, Norman B. Rushforth, Joyce G. Banton, Donald T. Reay, Jerry T. Francisco, Ana B. Locci, Janice Prodzinski, Bela B. Hackman, and Grant Somes, "Gun Ownership as a Risk Factor for Homicide in the Home", in: *The New England Journal of Medicine*, 329, pp. 1084-1091.

⁴⁰ Wendy Cukier, "Gender Perspectives on Small Arms Proliferation and Misuse: Effects and Policies", in: Vanessa A. Farr, Kiflemariam Gebre-Wold (eds) *Gender Perspectives on Small Arms and Light Weapons: Regional and International Concerns*, Bonn International Centre for Conversion, July 2002, pp. 25-42.

⁴¹ Globally, men and boys accounted for 84 percent of all victims of lethal violence between 2010 and 2015. A Gender Analysis of Violent Deaths, Small Arms Survey, Research Notes, Number 63, November 2016, available online, http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-63.pdf, accessed on 19.3.2017

⁴² Women and Gun Ownership, Small Arms Survey Research Note, Number 45, September 2014, available online at http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-45.pdf, accessed on 19.3.2017; Mihaela Racovita, "Lethal Violence against Women and Girls", in: *Global Burden of Armed Violence 2015: Every Body Counts*, Cambridge University Press, 2015, pp. 87-120.

⁴³ Eric Mankowski, "Antecedents to Gun Violence: Gender and Culture", in: *Gun Violence: Prediction, Prevention, and Policy*, American Psychological Association, 2013, p. 14

⁴⁴ Alvazzi del Frate, "When the Victim is a Woman", op. cit., p. 131.

⁴⁵ Wendy Cukier, "Gender Perspectives on Small Arms Proliferation and Misuse: Effects and Policies", op. cit., pp. 25-42.

girls.⁴⁶ On the other hand, for instance, reforms to firearms ownership and permitting regulations undertaken in countries such as Canada and Australia, which specifically took into account family violence issues, have led to dramatic declines in the overall numbers of murders, especially murders of women. As a result, Canada's homicide rate fell by 15 percent, whilst the rate of murders of women plummeted by 40 percent.⁴⁷

⁴⁶ This situation is the same across South-Eastern Europe. Dragan Božanić, Gender and SALW in South East Europe: Main Concerns and Policy Response, op. cit., pp. 47-56.

⁴⁷ Countries that have aligned national legislative frameworks governing the carrying/possession of firearms with the needs of protection from family violence include Australia, Canada, South Africa, and Trinidad and Tobago. Their laws both create and reflect social values and may bring about positive changes and outcomes. Canada restricted its gun possession laws in 1995, and, by 2003 the overall gun homicide rate fell by 15 percent, whilst the rate of murders of women declined by as much as 40 percent. For more information please see the following link: Violence Policy Center, 'Facts on Firearms and Domestic Violence', available online at http://www.vpc.org/fact_sht/domviofs.htm, accessed on 25.5.2017.

3. FIREARMS IN SERBIA

3.1 LEGAL FRAMEWORK GOVERNING FIREARMS POSSESSION IN SERBIA

Requirements for purchasing, owning, and carrying firearms are set out in the **Firearms and Ammunition Law**, enacted in 2015, after the previous 1992 law had been in effect for more than two decades.⁴⁸ This piece of legislation has corrected numerous shortcomings of the earlier statutory framework, primarily by including clearer and stricter conditions for purchasing, holding, and trading in firearms.⁴⁹ Particularly significant are the Law's provisions that require justified grounds for owning a gun: apart from hunters and members of shooting clubs, ownership of a firearm may be allowed to a person who 'proves beyond reasonable doubt' that their security could be jeopardised due to their work or other circumstances.⁵⁰ Although this provision does not clearly define what constitutes justified grounds for owning a firearm, nor how one may prove one's personal security is threatened, it does seem that the Law's requirements do significantly restrict the circle of persons who can even apply for a permit. Moreover, to actually be issued a permit to purchase and hold a firearm, interested persons must be able to ensure secure storage and safekeeping of the firearm; the Law envisages visits by police officers to personally inspect whether these arrangements are in place.⁵¹ This is particularly important given the not infrequent occurrence of family members, especially children, coming into contact with unsecured firearms. Such accidents are often viewed as one of the greatest risks that the presence of a firearm poses to a household.

Under another requirement, a person may not be issued a firearms permit if they had previously received a final conviction for a serious criminal offence, including offences against life and limb, offences against human and civil rights and freedoms, offences against sexual freedom, offences relating to marriage and family, and offences against health. The prospective permit holder must also not have been punished for a misdemeanour against public peace and order punishable by a prison sentence. If these provisions are viewed in the context of possible use of firearms to perpetrate family violence, the question arises of whether the requirements, although comprehensive, can address the problem of under-reporting and inadequate disclosure of family violence, which mean few cases are ever registered by the authorities. An interview conducted with an MoI official during this research revealed that security checks are key in this regard, and provide an opportunity to collect information about any potentially risky behaviour by the firearms permit applicant, and learn whether there are grounds to confiscate a firearm. The MoI official underlined that statements made by family members and neighbours are seen as particularly important in this regard.⁵²

One of the key innovations introduced by the Firearms and Ammunition Law is the determination and monitoring of medical fitness for owning a firearm.⁵³ The medical certificate of fitness to hold and carry a firearm must be renewed once every five years; a person's chosen general prac-

⁴⁸ For a more detailed discussion of the development of the broader legal framework for gun control in Serbia, for more information please see the following link: Dragan Kotlarić, Slobodan Joksimović, „Usklađivanje zakonske regulative Republike Srbije sa Strategijom EU za borbu protiv nedozvoljenog sakupljanja i prometa lakog i streljačkog naoružanja i municije – Stepen usklađenosti i neophodne mere”, in: *Vojno delo*, 3/2015, pp. 251-270.

⁴⁹ These requirements are listed in Art. 11 of the Firearms and Ammunition Law, *Official Gazette of the Republic of Serbia*, No. 20/2015.

⁵⁰ According to an explanation given in the interview with Miljko Simović (27.2.2017), this primarily refers to threats to security due to a person's current or former profession (such as officers of the Ministry of Justice, prosecutors, judges, former police officers and members of the armed forces, and the like).

⁵¹ Requirements for firearms storage are defined in detail in the Regulation on Premises and Technical Arrangements for Secure Storage and Keeping of Firearms and Ammunition, *Official Gazette of the Republic of Serbia* No. 9/2016.

⁵² Interview with Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate, 27.2.2017.

⁵³ Article 12 of the Firearms and Ammunition Law, *Official Gazette of the Republic of Serbia*, Nos.9/92, 53/93, 67/93, 48/94, 44/98, 39/2003, 101/2005 – Other Law, and 85/2005 – Other Law. This innovation is particularly important from the point of view of the mental health of the gun owner. The perpetrators of a number of mass murders committed over the past 15 years were mentally ill persons, often without appropriate treatment. Marko Tašković, „Krvava Srbija: Sve žrtve 5 najvećih masakara u poslednjih 15 godina”, *Blic Online*, available online at <http://www.blic.rs/vesti/hronika/krvava-srbija-sve-zrtve-5-najvecih-masakara-u-poslednjih-15-godina/gxtgys7>, accessed on 30.3.2017.

itioner (GP) is required to notify the MoI if their patient is a gun owner and has suffered a health issue that may affect their fitness to hold or carry a firearm;⁵⁴ the Law envisages penalties for GPs who fail to meet this requirement.⁵⁵ A number of obstacles may hinder the application of these provisions in practice: the population at large are generally neglectful of their own health and as such rarely visit healthcare institutions and GPs; moreover, these institutions and GPs face heavy workloads that may adversely affect their motivation to be conscientious. Furthermore, the five-year validity period for medical certificates may prove excessively long, as a person's mental health and other aspects affecting their fitness for gun ownership can change quite considerably over the course of this time.⁵⁶

The **Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms** governs this area in greater detail. The first iteration of this Regulation stipulated psychiatric and psychological evaluation as part of the medical check-up; later amendments removed the psychological evaluation and introduced a psychological interview and assessment of personal traits by a psychiatrist or neuropsychiatrist.⁵⁷ The reasons for the deletion of the psychological assessment remain unclear; this could have proven highly complementary to the psychiatric evaluation. On the other hand, the list of psychiatric, psychological, and neurological illnesses and conditions that rule out medical fitness is extensive and comprehensive, and includes alcoholism and addiction to psychoactive substances.⁵⁸ The Regulation allows an applicant dissatisfied with their medical fitness certificate to appeal to a second-instance medical board which, may not include any doctor who took part in the initial capacity assessment of the complainant.⁵⁹ A person ruled unfit may apply for a new medical evaluation in as little as six months: this is far too short a time for any of the adverse conditions

listed in the Regulation to change substantially.⁶⁰ The Firearms and Ammunition Law includes a provision on **legalisation**, which is defined as the registration or surrender of unregistered firearms or ammunition in which the holder is not required to prove the provenance of the firearm(s) in question and may not face criminal or misdemeanour charges for illegal procurement, holding, or carrying of firearms and ammunition. Legalisation schemes can be introduced by the Minister of the Interior where so required by 'reasons of public security, peace, and order'.⁶¹ Such efforts are intended to reduce the quantity of illegal firearms in circulation, as well as to more generally limit the overall number of firearms in society. Seven rounds of legalisation have to date taken place since the previous law entered effect, in 1992, 1997, 1999, 2003, 2007, 2015, and 2016. The 2003 initiative proved the most successful, but it ought to be mentioned that it took place during the Operation Sabre, an extensive anti-crime action, and under a state of emergency, a context significantly different from those of other similar post-2000 efforts.

Given the relatively limited numbers of firearms collected in the course of legalisation drives, it is questionable whether and to what extent the public have access to complete, timely, and accurate information about these actions. According to an MoI officer, to motivate members of the public as much as possible to hand over their firearms, the MoI enlists the support of print and broadcast media, especially at the local level, but also those with national coverage; additionally, all information about the outcomes of legalisation efforts are available to any interested media and members of the public. In addition, to raise awareness, reports on the destruction of surrendered weapons are always featured in the media, and the MoI generally works with UNDP-SEESAC when designing promotional campaigns for legalisation efforts.⁶² Nevertheless, these campaigns

⁵⁴ The European Parliament approved mandatory medical checks for firearms owners once every five years, as well as a number of other features implemented in the Firearms and Ammunition Law, in March 2017 as part of the review process of the EU Firearms Directive. For more information please see the following link <http://www.europarl.europa.eu/news/en/newsroom/20170308IPR65677/parliament-approves-revised-eu-gun-law-to-close-security-loopholes>, accessed on 20.5.2017.

⁵⁵ The fines range from RSD 5,000 to RSD 150,000. Art. 47 of the Firearms and Ammunition Law, Official Gazette of the Republic of Serbia, No. 20/2015.

⁵⁶ Several respondents interviewed for this study felt it was particularly important to reduce the validity period of the medical certificate and the introduction of more frequent medical checks.

⁵⁷ Art. 4 of the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms, *Official Gazette of the Republic of Serbia*, No. 25/2016; Regulation Amending the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms, *Official Gazette of the Republic of Serbia* No. 70/2016.

⁵⁸ Article 6 of the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms, *Official Gazette of the Republic of Serbia*, No. 25/2016.

⁵⁹ *Ibid.*, Art. 10.

⁶⁰ Interview with Stanislava Otašević PhD, 25.12.2016.

⁶¹ Articles 3 and 46 of the Firearms and Ammunition Law, *Official Gazette of the Republic of Serbia* No. 20/2015.

⁶² Interview with Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate, 27.2.2017.

seem to be planned without consultations with other stakeholders, such as civil society organisations or vulnerable groups, who could suggest tailoring them for maximum reach.⁶³ Some respondents interviewed by the CENTER voiced the view that legalisation efforts have failed to achieve their objectives as members of the public own guns due to a sense of security they provide, and are as such reluctant to hand over all or some of their firearms.⁶⁴ The campaigns undertaken to date have in all likelihood failed to take into account low public confidence in the rule of law and the ability of institutions to deliver security. Moreover, according to interviews with the MoI, the Ministry's officials were not involved in a firearms abuse and family violence campaign pursued by the Government of Serbia's Co-ordination Body for Gender Equality in 2016 with support from UNDP-SEESAC.⁶⁵ It remains unclear why the activities of these two institutions were not mutually aligned and co-ordinated, given their complementary objectives.⁶⁶

The entry of the Firearms and Ammunition Law into effect was deferred until March 2016, with the exception of its Art. 51, which governed the March-June 2015 legalisation drive and so came into force as soon as the law was enacted. The purpose of the deferred entry into force was to allow the authorities ample time to prepare to implement the major changes that had been made. In addition, gun owners allowed to possess firearms under the previous law were given a period of three years from the entry into force of the new legislation to apply for new permits and submit the required certificates. Although, on the one hand, allowing registered holders sufficient time to comply with the new requirements is reasonable, three years may seem excessively long, especially since medical certificates were not mandatory under the old law (they were required only if 'reasonable doubt arose in the course of the permitting process' as to the applicant's

medical fitness to operate a firearm).⁶⁷ As the new law has deleted the old category of 'trophy firearms', all owners of these were given one year from the law's entry into effect to re-register their firearms or sell, disable, or hand them over to the authorities.⁶⁸

Amendments to the Criminal Code enacted in 2016 introduced more stringent penalties for illicit procurement, holding, and carrying of weapons, as well as for unauthorised manufacture, modification, sale, and exchange of firearms.⁶⁹ Thus, for instance, firearms, ammunition, or explosives that members of the public may not manufacture, sell, procure, exchange, or hold carry a prison sentence of between one and eight years and a fine. Unauthorised carrying of a firearm is punishable by imprisonment for a period of between two and 12 years, as opposed to between two and ten years under the old Criminal Code.

The existence in circulation of many illegal firearms was recognised as an issue in the **Strategy for Small Arms and Light Weapons Control in the Republic of Serbia, 2010-2015**. One of the objectives of this document was to raise public awareness about the risks of firearms and the adverse consequences of firearms misuse.⁷⁰ The strategy, however, did not recognise the broader societal significance of the proliferation of legal and illegal firearms, especially in the context of its impact on violence in general, and GBV in particular. Only one Action Plan (2013-2014) was adopted during the period covered by the Strategy. Moreover, although the Strategy envisaged regular planning and implementation of firearms collection programmes, only one legalisation campaign was conducted, in 2015. The Strategy's intention to ensure co-operation with the civil society remained nothing more than a proclaimed objective.⁷¹ A new Strategy and accompanying Action Plan are currently being drafted, as envisaged under the **Chapter 24 (Justice, Peace**

⁶³ Svetlana Đurđević Lukić, „Naoružani narod”, NIN, 7.7.2016, available online at <http://publicpolicy.rs/files/Svetlana%20NIN.pdf>, accessed on 25.10.2016.

⁶⁴ Interview with Vesna Stanojević, Safe House Co-ordinator, 1.3.2017.

⁶⁵ The campaign, under the slogan *Da ne bude kasno* ('Before it gets too late'), was launched immediately before the new Law on Preventing Family Violence was enacted.

⁶⁶ Interview with Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate, 27.2.2017.

⁶⁷ Article 8 of the Firearms and Ammunition Law, *Official Gazette of the Republic of Serbia*, Nos.9/92, 53/93, 67/93, 48/94, 44/98, 39/2003, 101/2005 – Other Law, and 85/2005 – Other Law.

⁶⁸ Article 50 of the Firearms and Ammunition Law, *Official Gazette of the Republic of Serbia*, No.20/2015. Both the Law and EU standards treat only firearms manufactured before 1900 as 'old firearms'; these may be purchased and held without a permit, but must be declared (Category 'C' in the Law). Other firearms generally considered 'trophy firearms' in Serbia that were manufactured after 1900 (such as presentation firearms awarded to police officers or members of the armed forces) must be re-registered as Category 'B' firearms, which fall under permitting requirements.

⁶⁹ Article 32 of the Law Amending the Criminal Code, *Official Gazette of the Republic of Serbia* No. 94/2016; Article 348 of the Criminal Code, *Official Gazette of the Republic of Serbia* Nos. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012, 104/2013, and 108/2014.

⁷⁰ Strategy for Small Arms and Light Weapons Control in the Republic of Serbia, 2010-2015, *Official Gazette of the Republic of Serbia*, No. 36/2010.

and Security) Action Plan.⁷² A Working Party has been created, comprising a number of government authorities, to develop this document. The involvement of civil society representatives is currently not being considered, as, in the words of the MoI respondent interviewed for this study, the Government's Civil Society Co-operation Office, which is intended to act as a bridge between public administration and the civil sector, is already represented on the Working Party.⁷³ The preliminary independent expert evaluation of the impact of the previous Strategy is a step forward, but its findings are yet to be made available to the public. MoI officials have announced that a baseline assessment was to be prepared, also by foreign experts, before work commences on the new Strategy.

3.2 HOW MANY FIREARMS ARE THERE IN SERBIA?

Whilst it is estimated that there are between 960,000 and 970,000 registered firearms in Serbia, the number of firearms held illegally is difficult to gauge.⁷⁵ Figures of between 200,000 and 900,000 illicit firearms have been circulating for years. These less than precise numbers have also been cited by senior MoI officials, and they are also used in estimates made by international firearms bodies.⁷⁶ On the other hand, MoI officers interviewed for this study claimed that globally recognised estimates always put the figure for illegal firearms at about 10 to 20 percent of the number of registered ones, and that, as such, the MoI estimated between 200,000 and 220,000 firearms were held illegally.⁷⁷

Between 2003 and 2016, the MoI collected a total of 212,439 firearms through legalisation campaigns and confiscation from members of

The recently enacted second **NAP to implement United Nations Security Council (UNSC) Resolution 1325 on Women, Peace, and Security in Serbia (2017-2020)** has recognised the importance of firearms proliferation to a greater extent than the first NAP. Measures to confiscate firearms from perpetrators of violence and limit their access to firearms are envisaged under the NAP's objective of 'Improved legislative conditions and institutional capacity for accessible and effective protection of women'.⁷⁴ The NAP envisages, amongst other things, implementing this activity in concert with civil society organisations (CSOs), as well as regular monitoring and assessment of firearms misuse in the context of violence against women.

the public in the course of various proceedings (criminal, misdemeanour, and administrative), as follows:

- The Commission to Collect and Categorise Firearms Acquired by the Republic of Serbia collected and categorised 55,753 firearms in 2015 and 56,507 in 2012, for a total of 112,260 firearms.⁷⁸
- In the last four legalisation campaigns (2003, 2007, 2015, and 2016), 100,179 firearms and 2,460,520 pieces of ammunition were legalised,⁷⁹ mostly in the 2003 effort, which was conducted in co-operation with the Ministry of Defence (MoD). The other legalisation campaigns had markedly less success, as measured by the number of pieces collected.

⁷¹ Marina Tadić, „Posedovanje vatrenog oružja i ljudska bezbednost: Da li nas oružje štiti ili plaši“, Centar za istraživanje javnih politika, Belgrade, November 2016, available online at <http://www.publicpolicy.rs/publikacije/9fc18f820d9d340fc59d003fe4222cde7655f099.pdf>, accessed on 1.4.2017.

⁷² Chapter 24 Action Plan, 2016, available online at, http://www.mup.gov.rs/wps/wcm/connect/36e98096-9938-4aaf-b36c-e413bfbfc57/Treca_verzija_AP_27_03_2015.pdf?MOD=AJPERES&CVID=kTXD4Ry, accessed on 21.5.2017.

⁷³ Interview with Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate, 27.2.2017.

⁷⁴ Activity 4.5 under the NAP to implement United Nations Security Council (UNSC) Resolution 1325, Women, Peace, and Security, in Serbia, 2017-2020.

⁷⁵ This estimated number of registered firearms was given in the interview with Miljko Simović, Assistant Chief Officer of the MoI Administrative Affairs Directorate, 27.2.2017, with the caveat that the number changed almost daily. In a television appearance in April 2017, the head of the Directorate cited a total of 940,000 firearms, of which 410,000 were pistols and revolvers, some 440,000 were hunting weapons, with the rest being sporting firearms. Jelena Petrović, „Kasalica: Po novom zakonu do 5 godina za nelegalno oružje“, *NI*, available online: <http://rs.n1info.com/a244602/Vesti/Vesti/Novi-zakon-0-nelegalnom-oruzju.html>, accessed on 29.4.2017.

⁷⁶ These data were, for instance, cited by Minister of the Interior Nebojša Stefanović in 2015 when presenting the Firearms and Ammunition Bill. Cited in: „Oružje na meti“: Zloupotreba vatrenog oružja u Srbiji, Centar za istraživanje javnih politika za UNDP SEESAC, Belgrade, April 2015, p. 6. The figure is also cited in the UNDP-SEESAC 2005 survey, „Živeti sa nasleđem – Istraživanje o SALW Republika Srbija“.

Tabela 1: Number of firearms and pieces of ammunition collected in the four most recent legalisation campaigns

Year	Firearms collected (pcs)	Ammunition collected (pcs)
2003	82,769	2,226,765
2007	8,455	11,566
2015	7,545	160,434
2016	1,410	61,755
Total	100,179	2,460,520

Source: Mol, 2017

During legalisation drives, members of the public are able to surrender firearms without having to prove their provenance, but may also apply to register the firearms they hold. Registration applications are filed for about 30 to 40 percent of all firearms brought in. According to an Mol officer interviewed, a downward trend has been in evidence in the number of registration applications, of which there are between 12,000 and 20,000 every year. These applications are mainly filed by individuals who already have firearms, so the net number of new holders is on the decrease.⁸⁰

⁷⁷ At the time, in 2006, there were some 1,000,000 registered firearms. Interview with Miljko Simović, Assistant Chief Officer of the Mol Administrative Affairs Directorate, 27.2.2017.

⁷⁸ Some 17,000 firearms collected in this effort were destroyed in collaboration with SEESAC. Ibid.

⁷⁹ 'Legalisation' means both surrendering firearms, which then become property of the Republic of Serbia, and applying to register hitherto unregistered firearms. Ibid.

⁸⁰ According to some available information, there were 920,000 firearms registered in Serbia in 2001. This figure rose by 2006, when it stood at about 1,000,000, only to decline somewhat thereafter to about 960,000. Ian Davis, *Small Arms and Light Weapons in the Federal Republic of Yugoslavia: The nature of the problem*, Safeworld, May 2002, p. 51.

4. GENDER-BASED VIOLENCE

4.1 FAMILY VIOLENCE

Gender-based violence is defined as any act of violence based upon gender/sex that results in, or may result in, physical, sexual or psychological harm or suffering, including threats of such acts, coercion or deprivation of liberty, regardless of whether it occurs in public or in private life.⁸² Gender-based violence is directed against women because they are women or because it disproportionately affects women. Gender-based violence has manifold and far-reaching consequences for victims themselves and for society at large. Its roots are known to be deeply embedded in patriarchal tradition and the alteration of harmful gender stereotypes and doing away with gender-based discrimination (discrimination on grounds of sex) has been found to contribute to reducing or eliminating gender-based violence as an extreme form of discrimination.⁸³ The feature that differentiates gender-based violence from other forms of violence is the key role played by

the particular relationship between perpetrator and victim, based upon their gender or sex, in the generation and perpetration of such violence.⁸⁴

In private life, gender-based violence is most commonly manifested as family violence, whose victims are most often women and children, with men affected to a disproportionately lesser degree; this type of violence greatly jeopardises human rights and freedoms. Violence against women constitutes a violation of human rights and a form of discrimination against women, and comprises all acts of violence that result in, or may result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.⁸⁵ Due to the specific nature of firearms misuse in the context of the family or intimate partnership, this research will deal with family violence.

4.2 FACTORS OF FAMILY AND PARTNER VIOLENCE

Risk factors or markers of elevated likelihood of family and partner violence include various individual, inter-personal, and social issues, primarily: psychological traits of the perpetrator (poor self-control, low self-esteem, impulsiveness, narcissistic personality disorder); traditional gen-

der-based socialisation; family dysfunction; poor socio-economic status and social isolation of the family; exposure to violence in childhood (learning of violent behaviour by pattern; learning of passive roles of women; roles of victims); and substance abuse.⁸⁶

⁸¹ ‘The term “gender” (and “gender-based”) denotes socially-constructed roles of women and men. The way in which a society sees the roles of women and men depends on a number of factors: cultural, political, economic, social, and religious; on mores, rights, class and ethnicity, and prejudice that may be widespread in a society. Gender-related opinions and behaviours are learnt and may change.’ Tanja Ignjatović, *Vodič za novinare/ke – Nasilje u porodici i u partnerskim odnosima*. Available online at http://www.womenngo.org.rs/images/publikacije-dp/2016/Vodic_za_novinarke-nasilje_u_porodici-II_izdanje.pdf, accessed on 20.4.2017.

⁸² UN Declaration on the Elimination of Violence against Women, 1993.

⁸³ Spasić, D. (2015). Strateški i pravni okvir za zaštitu od nasilja u porodici u Republici Srbiji, In: Simeunović-Patić, B (ed.) *Nasilje u Srbiji: oblici, činioci, kontrola*, Tom II (pp. 93-114). Belgrade: Kriminalističko-policijska akademija

⁸⁴ Mršević, Z. (2014). *Nasilje i mi – ka društvu bez nasilja*. Belgrade: Institut društvenih nauka.

⁸⁵ Council of Europe Convention on preventing and combating violence against women and domestic violence, Art. 3(a).

⁸⁶ Simeunović-Patić, B., Kesić, T. *Kriminalistička viktinologija*. Beograd: Kriminalističko-policijska akademija, 2016. str. 50

According to a cross-cutting *environmental model* explaining family and partner violence, risk factors or markers include:

1. *At the individual level:* Young age; low education; low income; unemployment; exposure to child maltreatment (victimisation through physical and/or sexual abuse and intra-parental violence); anti-social personality; illicit drug use; past history of being abusive;
2. *At the inter-personal (relationship) level:* Educational disparity; multiple partners/infidelity; marital dissatisfaction/marital discord; gender role disputes;
3. *At the community level:* Acceptance of traditional gender roles; imbalance of power between genders; weak moral and other sanctions for violence; acceptance of violence as a means of conflict resolution; high proportion of unemployment; high proportion of households that use corporal punishment;
4. *At the societal level:* Acceptance of traditional gender roles and social norms supportive of violence.⁸⁷

4.3 LEGAL FRAMEWORK FOR PROTECTION FROM FAMILY VIOLENCE IN SERBIA

Family violence is not a private issue, nor is it exclusively a personal issue for family members: it is a problem of the societal community at large. To address it, in the course of late 2016 and early 2017 Serbia enacted a set of criminal, family, misdemeanour, and social security laws to govern the remits and scopes of work of numerous government authorities, organisations, and institutions in providing protection from family violence. This was preceded by Serbia's ratification

Cross-cultural studies have found that violence against women is more frequent in societies that perpetuate rigidly defined gender roles, and where 'masculinity' is determined by 'firmness', 'male honour', and dominance. A major influence is also exerted by cultural norms that tolerate corporal punishment of women and children and promote the 'rule' of men over women, as well as general social acceptability of violence as a means of resolving inter-personal conflicts.

In Australia, Canada, Israel, South Africa, and the US, between 40 and 70 percent of women victims of murders die at the hands of their partners. In 2002, the Council of Europe declared violence against women a serious public health issue, citing its widespread presence worldwide as a leading cause of death and disability in women between the ages of 16 and 44.⁸⁸ Globally, one in three women has experienced physical or sexual violence from an intimate partner.⁸⁹ An EU-28 study revealed that one in three women aged 15 and above has experienced some form of physical and/or sexual abuse.⁹⁰

of the Istanbul Convention (CAHVIO),⁹¹ the first regional instrument of international law at the European level to address violence against women and family violence.⁹²

Serbia signed this instrument on 4 April 2012, as envisaged under its 2009 National Strategy to Improve the Position of Women and Promote Gender Equality⁹³ and the 2011 National Strategy to Prevent and Suppress Violence against Women

⁸⁷ World Health Organization/London School of Hygiene and Tropical Medicine: Preventing intimate partner and sexual violence against women: taking action and generating evidence. Geneva: World Health Organization, 2010, p. 27.

⁸⁸ E.G.Krug et al. (eds.) *World report on violence and health*. Geneva: World Health Organization, 2002, cited in: Simeunović-Patić, B., Kesić, T. (2016). *Kriminalistička viktimologija*. Beograd: Kriminalističko-policijska akademija, str. 42.

⁸⁹ World Health Organization (WHO). *Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*. Geneva: World Health Organization, 2013. Available online at http://apps.who.int/iris/bitstream/10665/85239/1/9789241564625_eng.pdf, accessed 20.4.2017.

⁹⁰ European Union Agency for Fundamental Rights (FRA) (2014). *Violence against women: an EU-wide survey*, European Union: European Agency for Fundamental Rights. Available online at http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf, accessed on 20.4.2017.

⁹¹ Adopted by the Council of Europe on 11 May 2011 in Istanbul.

⁹² Its drafting and adoption show that European nations have aligned their views of this problem as a harmful social issue. These countries no longer see family violence as an isolated problem of individuals and families, and family violence is now deemed a criminal offence in most European states.

and Family and Partner Violence.^{94,95} That same year, the Government of Serbia adopted the *General Protocol on Action and Co-operation by Institutions, Authorities, and Organisations in Situations of Family and Partner Violence against Women*. Nevertheless, notwithstanding this strategic and regulatory framework, there were on average between 30 and 40 annual cases of femicide in Serbia between 2012 and 2016. This state of affairs shows a lack of effectiveness on the part of government authorities and institutions, as well as that legislation ought to be aligned with the Istanbul Convention.

A number of Serbian laws regulate action by government authorities to ensure protection from family violence. When it ratified the Istanbul Convention, Serbia undertook the obligation to take measures to attain the instrument's objectives, the key ones being: protection of women from all types of violence and prevention, prosecution, and elimination of violence against women and family violence. To that end, Serbia has amended its Criminal Code and enacted the Law on Preventing Family Violence.

Family violence was first criminalised under Article 118a of the Criminal Code, introduced by amendments to the Code adopted in 2002, as an offence prosecuted *ex-officio*. This constituted a major coup by women's CSOs in Serbia, which had for years advocated its inclusion under the definition proposed by the Serbia Victimology Society.⁹⁶ The current Criminal Code⁹⁷ defines this offence in Article 194. Proposed amendments to the Criminal Code envisage the introduction of three new criminal offences: stalking, sexual harassment, and forced marriage.

The Family Law, enacted in 2005, introduced measures of protection from family violence that have not changed in the course of more than ten years of its application. The Law defines family

violence and offers protection to a broad range of persons linked through marital, extra-marital, sexual, emotional, or kinship bonds. This definition of persons who enjoy protection and can benefit from protective injunctions was enacted long before Serbia ratified the Istanbul Convention. Innovations introduced by the Family Law that have proven significant for protecting victims from family violence include: a lawsuit for a protective injunction can be brought even in the absence of criminal or misdemeanour proceedings against the perpetrator of violence; the ability to bring such lawsuit is not conditioned by being married or by duration of marriage; the lawsuit may be brought individually or together with another lawsuit envisaged under the Family Law (divorce, custody of children, maintenance); judges can institute protective injunctions even where not sought, or institute protective injunctions *ex officio* that were not sought in a lawsuit.⁹⁸

Family violence was never a stand-alone misdemeanour. However, misdemeanour charges for violation of public order were brought in some cases of violent behaviour that were not deemed to have become so threatening to society as to warrant criminal prosecution. Article 54 of the 2005 Misdemeanours Law for the first time introduced restraining orders as a new type of protective injunction; these barred perpetrators from approaching the injured party, a location, or the location where the misdemeanour took place so as to prevent the perpetrator from repeating the misdemeanour or continuing to threaten the injured party. The new Public Peace and Order Law was enacted in early 2016; this piece of legislation has limited the options available for instituting misdemeanour proceedings in the event criminal prosecution for family violence is not warranted, as family violence most commonly does not occur in public spaces or locations that are visible or audible from public spaces.⁹⁹

⁹³ *Official Gazette of the Republic of Serbia*, No. 15/09. Adopted on 13 February 2009, it marked a turning point in gender equality policymaking at the national level, and is a major Government document that will serve as a basis of future activities to enhance gender equality. The Strategy's fifth strategic area is 'Prevention and suppression of violence against women and enhancement of victim protection', and this area's objectives are envisaged to be attained through improvement of the legal framework for protection of women against violence; capacity-building of the system to protect women from violence; research and improvement of documentation and statistics; raising awareness of violence against women as a societal problem; and addressing negative images of women in the media. Spasić, D. *Strateški i pravni okvir za zaštitu od nasilja u porodici u Republici Srbiji*, u: Simeunović-Patić, B (ur.) *Nasilje u Srbiji: oblici, činioci, kontrola*, Tom II (str. 93-114). Beograd: Kriminalističkopolicijska akademija, 2015.

⁹⁴ The Serbian Parliament enacted the Law Ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence on 31 October 2013. This made Serbia the sixth country to ratify this treaty, and the third one in the region to do so, after Montenegro and Albania.

⁹⁵ *Official Gazette of the Republic of Serbia*, No. 27/2011.

⁹⁶ Vanja Macanović, *Vodič za novinare/ke – Zakoni Republike Srbije i nasilje u porodici*. Available online at http://www.womenngo.org.rs/images/publikacije-dp/2016/Vodic_za_novinarke-nasilje_u_porodici-II_izdanje.pdf, accessed on 20.4.2017.

⁹⁷ *Official Gazette of the Republic of Serbia*, No. 85/2005, 88/2005 - ispr., 107/2005 - ispr., 72/2009, 111/2009, 121/2012, 104/2013 i 108/2014

⁹⁸ Vanja Macanović, *Ibid.*

The basic objectives of this Law are to:

1. bridge the legal vacuum that previously existed from the time violence or threat of violence is reported to the institution of court proceedings;
2. introduce into the Serbian legal system the standard whereby a perpetrator of violence must not remain in the home, not only after violence has already occurred, but also where there is a direct threat of violence;
3. introduce *zero tolerance to violence*. The Law should create preconditions for efficient management of the risk of violence. Risk assessment, institution of emergency measures, establishment of co-ordination and co-operation groups, creation of individual victim protection and support plans, and uniform records of family violence, constitute the basis of what Article 51 of the Istanbul convention refers to as ‘risk management’.

The Istanbul Convention that underpins the Serbian Law also suggests that a likely perpetrator should be ordered to vacate the victim’s residence and barred from contacting the victim for a sufficient period of time. The Law also meets the requirement that sanctions for breaching emergency measures must be effective, and contributes to the attainment of key strategic objectives under Item 6 of the National Strategy to Prevent and Suppress Violence against Women and Family and Partner Violence.

The safety net offered by criminal law is completed by a number of specific provisions designed to ensure continuity in protecting the victim from the occurrence (or threat) of violence until such time as the victim is able to recover and the

perpetrator has been sanctioned. In addition to physical, psychological, and sexual violence, the Law also refers to economic violence (as envisaged in Art. 3 of the Istanbul Convention), which is the deprivation of the victim of the economic means the victim needs for life or work, etc. The Law is divided into three functional units:

1. Prevention of family violence
2. Protection for victims of violence and
3. Support for victims for recovering from trauma due to the violence experienced.

Prevention of family violence is defined as action that prevents violence from occurring or being repeated; prevention is also an instrument to protect victims of violence. Prevention of family violence also includes a set of measures that are applied to assess the presence of a direct threat of violence and a set of measures used in the event that such threat has been identified. In the event of a direct threat is identified, protective and supportive measures may be applied.

The Law also governs inter-departmental co-operation. It defines a range of authorities and institutions responsible for protecting and supporting victims, from delivery of information about the victim’s rights to provision of legal aid and recovery and empowerment actions. In contrast to the Family Law, the Law on Preventing Family Violence defines a range of potential victims (the perpetrator’s current or former spouse or partner; persons related to the perpetrator by blood to the first degree or by marriage within the second degree; or the perpetrator’s adoptive parents, adoptive children, or foster parents or foster children). Family violence is also deemed to exist where perpetrated against any other person with whom the perpetrator **lives** or **has lived** in the

⁹⁹ Vanja Macanović, Vodič za novinare/ke – Zakoni Republike Srbije i nasilje u porodici. Available online at http://www.womenngo.org.rs/images/publikacije-dp/2016/Vodic_za_novinarke-nasilje_u_porodici-II_izdanje.pdf, accessed on 20.4.2017.

¹⁰⁰ Official Gazette of the Republic of Serbia, No. 94/2016.

same household; this need not be a current or former spouse or person related by blood, adoption, or marriage.

Special proceedings to prevent family violence (defined in Articles 12 to 20) are one of the Law's most significant innovations, and enshrine some of the key features of the Istanbul Convention. The primary institutional pillar of victim protection is the police officer tasked with preventing family violence (Case Officer, or CO), a specially-trained co-ordinator charged with preventing violence and ensuring protection of the victim. Having learnt of police violence or threat of such violence, the CO assesses the immediate risk of violence. In doing so the CO takes into consideration a number of factors of which the law provides a non-exhaustive list:

- Has the potential perpetrator perpetrated an act of violence previously or done so immediately before the risk assessment is made, and is the perpetrator prepared to repeat the violent behaviour;
- Has the potential perpetrator threatened murder or suicide;
- **Does the potential perpetrator possess or have access to a firearm (a factor particularly highlighted in Art. 51 of the Istanbul Convention);**¹⁰¹
- Is the potential perpetrator mentally ill or a substance abuser;
- Is there conflict regarding child custody or maintenance of contact between a child and a parent who is a potential perpetrator;
- Is the perpetrator subject to an emergency measure or an injunction for prevention of family violence under the Family Law;
- Has the victim been intimidated and what is the victim's assessment of the risk of violence (Art. 15(2)).

If the CO deems there is a direct threat of family violence, the CO is required to provide this risk assessment and any accompanying information without delay to the prosecutor in whose territory the victim resides, the local Social Work Centre, and the Co-ordination and Co-operation Group. The prosecutor may then choose to take any measures from his remit; the Social Work Centre is to take any measures necessary to provide support to the victim; and the Co-ordination and Co-operation Group is tasked with preparing an Individual Victim Protection and Support Plan.

The purpose of the Individual Victim Protection and Support Plan is to prevent potential or recurring violence against the victim and provide the victim with psycho-social and other support. The Plan is 'individual' insofar as it pertains to a specific victim, the specific circumstances in which the victim was exposed to violence or a serious threat of violence, and a specific perpetrator. The Co-ordination and Co-operation Group is required to envisage measures tailored to the specific victim and the problems the victim may have (separation of victim from perpetrator; provision of police security to the victim; examination of the victim by a medical doctor, psychologist, or psychiatrist; etc.). The protection measures contained in the Plan must provide security to the victim, stop the violence and prevent its recurrence, and protect the victim's rights; the support measures must ensure that the victim receives assistance for recovery and empowerment. Victims of family violence or other criminal offences defined in the Law **are entitled to free legal aid**, which meets the requirement of Article 57 of the Istanbul Convention.

The Law envisages the imposition of **emergency measures** against a perpetrator of violence to deprive the perpetrator of certain rights so as to better protect the victim. These emergency measures are preventive in character and are designed

¹⁰¹ Police officers interviewed claim that homes are always searched following any kind of incident reported, and that firearms are always confiscated, regardless of whether family violence (or any other offence) has been reported. As envisaged under the new Law on Preventing Family Violence, special teams are formed that consist of only officers sensitised about the issue. (Source: Informal discussion with police officers at a theoretical training to implement the Law on Preventing Family Violence at the Police and Criminal Justice Academy.)

to prevent the perpetration or recurrence of violence, and aim to ensure timely and effective protection of victims of violence. Emergency measures may be **imposed by the CO and extended by the Basic Court**. Two (cumulative) emergency measures are provided for:

- Temporary eviction of the perpetrator from the home;
- Temporary ban for the perpetrator from contacting or approaching the victim.

Records of cases of family violence must be maintained by the local police department, Basic Court, Basic Public Prosecutor's Office, and Social Work Centre. Record-keeping is a prerequisite for successful assessment of the immediate risk of

family violence and is necessary for emergency measures to be proposed, instituted, and extended. A **Central Record** is to be kept at the National Public Prosecutor's Office and will serve to enhance co-operation and co-ordination between the relevant authorities.

This Law has created a framework for the application of a preventive approach to the issue of family violence. Preventing family violence through impartial risk assessment, Individual Victim Protection and Support Plans, and co-ordinated action by the authorities can create a security environment to protect victims from the gravest forms of violence, and finally from firearms misuse in the context of family violence.

4.5 STATE OF PLAY IN SERBIA

It is difficult to gauge the actual extent of family violence in Serbia in the absence of studies on victims. However, based on data drawn from existing records kept by government authorities, and in particular on findings of research, it can be concluded that family violence is quite widespread in Serbia, as well as that the criminal offence of family violence accounts for a significant share of violent offences. This part of the study will present information on victims and perpetrators of family violence held by government authorities.

Research performed in Serbia shows that one in two women has experienced some form of violence at the hands of a family member or partner.¹⁰² In addition, research findings indicate that:

- One in two women has been a victim of psychological violence;
- One in three women has been a victim of physical violence;
- A total of 52 percent of all women are exposed to violence on a daily basis.¹⁰³

Although information released by the Serbian Ministry of Justice (MoJ) reveal that the number of criminal charges brought for the offence of family violence (Art. 194 of the Criminal Code) in 2016 (4,993) was lower than in 2015 (5,256), this figure is not assumed to be an objective indicator of the extent of this form of GBV.¹⁰⁴ Family violence is a crime associated with a 'shadow number' of unreported offences.

¹⁰² Babović, M., Ginić, K., Vuković, O. *Mapiranje porodičnog nasilja prema ženama u Centralnoj Srbiji*. Projekat Borba protiv seksualnog i rodno zasnovanog nasilja, Uprava za rodnu ravnopravnost, Ministarstvo rada i socijalne politike. 2010. Available online at: <http://www.secons.net/admin/app/webroot/files/publications/violencebook.pdf>, 20.4.2017.

Nikolić-Ristanović, V. *Nasilje u porodici u Vojvodini*. Novi Sad: Pokrajinski sekretarijat za rad, zapošljavanje i ravnopravnost polova. 2010.

¹⁰³ Data presented in the Statement of Reasons for enactment of the National Strategy to Prevent and Suppress Violence against Women and Family and Partner Violence (*Official Gazette of the Republic of Serbia*, Nos. 55/05, 71/05, 101/07, 65/08, and 16/11), cited in: Mršević, Z. *Nasilje i mi – ka društvu bez nasilja*. Beograd: Institut društvenih nauka, 2014.

¹⁰⁴ Available online at <https://iskljucinasilje.rs/statistika/>, accessed on 22.5.2017.

Table 2: Structure of victims of family violence in Serbia by gender

Year	Women	Men	Total
2012	2,969	866	3,835
2013	2,974	849	3,823
2014	2,951	879	3,830
2015	4,175	1,195	5,370

Source: Mol, 2016

According to the Mol, women accounted for about 80 percent of all victims of family violence between 2012 and 2015 (see Table 2). In this period, the Mol recorded 16,858 cases of family violence, with annual numbers holding steady at around the 3,800 mark, with the sole exception of 2015, which saw more than 5,000 such cases. These figures could indicate that violence is reported more often and that fewer cases remain unknown to the authorities. Interviews with officials of institutions conducted as part of this research revealed a commonly held view that violence had not become more frequent in recent years, but that it was being reported more often, which is an encouraging development. Women are, on average, three times as likely to be victims of family violence as men.¹⁰⁵ The Safe House has reported that about 3,700 women sought assistance there in 2016, with another 3,500 doing so in 2015.¹⁰⁶

Police information shows that men over 60 and women between 31 and 40 years of age are at most risk from family violence. On the other hand, men aged between 31 and 40 were the most common perpetrators of violence between 2012 and 2015.¹⁰⁷

According to the National Social Security Institution, in 2014 there were 4,461 adult beneficiaries registered with Social Work Centres who were victims of violence; the numbers of adult beneficiary victims of psychological and sexual violence stood at 3,182 and 86, respectively. Women are twice as numerous as men across all age categories of adult victims of physical violence, and account for by far the greatest share of the number of victims of psychological and sexual violence.¹⁰⁸

¹⁰⁵ These figures are totals of injured parties in offences under Art. 194 of the Serbian Criminal Code, which deals with family violence. This Article includes cases not resulting in bodily harm ('threats to mental well-being'), cases of minor or serious injury, and lethal violence. Mol response to the CENTER's Freedom of Information Request, 2016.

¹⁰⁶ Interview with Vesna Stanojević, Safe House Co-ordinator, 1.3.2017.

¹⁰⁷ Women perpetrators of violence are also most commonly aged between 31 and 40. Mol response to the CENTER's Freedom of Information Request, December 2016.

¹⁰⁸ Republički zavod za socijalnu zaštitu: Punoletni korisnici u sistemu socijalne zaštite – 2014. Belgrade: RZSZ, 2015, pp. 27-32. Cited in: Simeunović-Patić, B., Kesić, T. (2016). *Kriminalistička viktimologija*. Belgrade: Kriminalističko-policijska akademija, p. 46.

1. QUANTITATIVE RESULTS

1.1 FIREARMS AND FEMICIDE IN SERBIA

There are no clear and precise data in Serbia about incidents involving the use of firearms, especially in the context of GBV and family violence. The Central Record of family violence cases, envisaged under the new Law on Preventing Family Violence, will be an attempt to reconcile the multitude of records kept by various authorities using different methodologies. A precise record of cases of violence that contains all information about the perpetrator, victim, context, and firearm use, is a key prerequisite for timely reaction or a ban on purchase or confiscation of firearms from violent offenders. This section of the study presents information on firearms misuse in the context of GBV and family violence collected by national and foreign CSOs, as well as data provided by the MoI. According to the 2014 Small Arms Survey, 95 percent of firearms owners in Serbia are men.¹⁰⁹ On the other hand, some 40 percent of murders in Serbia are committed using firearms, more than using any other type of weapon or implement.¹¹⁰ This is similar to the situation in Southeastern Europe in general, with some countries being even more striking examples: for instance, some 70 percent of all murders in Montenegro and Albania are perpetrated using firearms.¹¹¹ The same as at the global level, men are in Serbia more often both victims and perpetrators of assaults and threats involving firearms. However, women are far more likely to be victims than perpetrators of firearms incidents, and lethal incidents much more commonly involve women as victims.¹¹² Women are also more likely to be victims of firearms incidents taking place in private spaces, such as homes or courtyards.¹¹³

These studies have revealed that possessing a firearm and keeping it in the home is an indicator of elevated risk of murder in family violence cases. The possession of a firearm and a history of family violence are two factors that indicate a very high likelihood, or near certainty, of murder. Studies of risk factors show that the likelihood of a woman being murdered is five times greater if the abuser with history of family violence owns a firearm.¹¹⁴ Due to the high correlation between firearms ownership and lethal family violence, most countries confiscate abusers' firearms. Regulations ban violent offenders from purchasing or owning firearms; if a person who has legally bought or holds a firearm is reported for family violence, the firearm will immediately be seized. Although Serbian law also mandates the confiscation of firearms from persons reported for family violence, it remains unclear why this was not done in more than one-half (56 percent) of all cases of femicide where violence had previously been reported to the authorities and the abuser possessed a gun.¹¹⁵

Femicide Reports released by the Women against Violence Network, which contain information about murders of women collected from media reports, show that between 2012 and 2016 a total of 33 percent of all murders of women by family members and intimate partners were committed using firearms. According to these data, 170 women were murdered over the past five years in the context of family and intimate relationships, of whom 57 were killed using firearms. Although information on the type of gun ownership are in

¹⁰⁹ Cited in: Women and Gun Ownership, Small Arms Survey Research Note, Number 45, September 2014. Available online at http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-45.pdf, 19.3.2017. The present research has not obtained precise information about the number of registered men and women firearms owners in Serbia, but an MoI officer interviewed (on 27.2.2017) estimated that substantially more gun owners are men.

¹¹⁰ Data for 2012. Global Status Report on Violence Prevention, WHO, UNODC, UNDP, 2014, p. 236.

¹¹¹ For a more detailed discussion on the linkages between GBV and firearms in South-Eastern Europe, see: Dragan Božanić, Gender and SALW in South East Europe: Main Concerns and Policy Response, op. cit.

¹¹² „Oružje na meti: Zloupotreba vatrenog oružja u Srbiji”, op. cit., pp. 11-12. According to some data, as few as 1.6 percent of all murders in Serbia are committed by women. *Global Burden of Armed Violence 2015: Every Body Counts*, Cambridge University Press, 2015.

¹¹³ Oružje na meti, op. cit., pp. 20-26.

¹¹⁴ J.C. Campbell, S.W. Webster, J.Koziol-McLain, et al., *Risk factors for femicide within physically abuse intimate relationships: results from a multi-state case control study*, 93 Amer. J. of Public Health 1089-97 (2003).

¹¹⁵ 2015 Femicide Report, Women against Violence Network, available online at <http://www.zeneprotivnasilja.net/femicid-u-srbiji>, accessed on 13.5.2017.

Table 3. Murders of women and percentage of firearm femicides

Year	Number of women murdered in family and intimate partnership contexts	Percentage of firearm femicides
2016	33	27%
2015	35	46%
2014	27	29%
2013	43	30%
2012	32	34%

Source: Femicide Reports for 2016, 2015, 2014, and 2013, Women against Violence Network

most cases incomplete, as media reports rarely include it, it is notable that in most cases the firearm used to commit murder had been held legally. Particularly worrisome is the fact that violence had previously already been reported in a number of cases (5 to 9, on average) of murders of women using firearms. This means that the authorities had failed to react appropriately in cases where firearms were being held legally, or when the authorities had known that a reported perpetrator of violence owned a firearm.¹¹⁶

Moreover, whilst global statistics show that one-third of all femicides are perpetrated using firearms, in Serbia the percentage of firearms committed using firearms (handguns and rifles) in the course of, say, 2015, reached about 45 percent.¹¹⁷ A study performed in 2003 showed that the likelihood of murder was five times greater if the violent offender possessed a firearm,¹¹⁸ whilst a privately-owned gun is much more likely to be used to intimidate or physically injure a family member. Research into linkages between gun

Table 4. Descriptive statistics of firearm femicides¹¹⁹

Year	Percentage of firearm murders	Percentage of murders involving legal firearms	Percentage of murders involving illegal firearms
2016	27%	22%	22%
2015	46%	31%	12%
2014	29%	7.4%	3.7%
2013	30%	30%	8%
2012	34%	9%	9%

Source: Femicide Reports for 2016, 2015, 2014, and 2013, Women against Violence Network

¹¹⁶ Femicide Reports for 2016, 2015, 2014 and 2013. Women against Violence Network, available online at <http://www.zeneprotivnasilja.net/femicid-u-srbiji>, accessed on 13.4.2017. Other estimates range up to 50 percent of murders in the context of family violence. Interview with Vesna Stanojević, Safe House Co-ordinator, 1.3.2017.

¹¹⁷ 2015 Femicide Report, Women against Violence Network, available online at <http://www.zeneprotivnasilja.net/femicid-u-srbiji>, accessed on 13.5.2017.

¹¹⁸ Jacquelyn C. Campbell et al., *Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study*, 93 Am. J. Pub. Health 1089, 1092 (July 2003).

¹¹⁹ Data about legal or illegal firearms possession remained unknown in a large number of cases, so percentages for 2014 and 2012 are lower than for the other reporting years.

Table 5. Total victims of family violence between 2012 and 2015 and women victims

Year	Total victims	Women victims	Share of women victims in total
2015	47	35	74%
2014	40	26	65%
2013	60	36	60%
2012	64	36	56%

Source: Mol, 2016

ownership and murders of women between 2007 and 2012 showed that Serbia was ranked 17th of the 48 countries investigated by the rate of these murders.¹²⁰

Although Mol data provided to the CENTER are not part of a consolidated record, their analysis leads to the conclusion that official Mol data about the number of women murdered are similar to those collected in the Femicide Reports. According to the Mol, between 2012 and 2015

a total of 211 people were murdered in family-related incidents, of whom 133 (or 63 percent) were women. Nevertheless, in contrast to findings of the Women against Violence Network, Mol data provided to the CENTER indicate only 19 instances of family violence perpetrated using firearms between 2012 and 2015; these records are not disaggregated by gender.¹²¹

Table 6. Comparison between Femicide Report and Mol data, indicating most frequent perpetrators of femicide and most vulnerable age group of women victims

Year	Femicide Reports		Mol Data	
	Most frequent perpetrator	Most vulnerable women age group	Most frequent perpetrator	Most vulnerable women age group
2015	Husband (37% of all cases)	46-55 / over 65	Husband (43% of all cases)	Over 65
2014	Husband (40% of all cases)	36-45	Husband (61% of all cases)	36-45
2013	Husband (28% of all cases)	Over 65	Husband (36% of all cases)	Over 65
2012	Husband (31% of all cases)	26-35 / over 65	Husband (39% of all cases)	26-35 / over 65

Sources: Femicide Reports for 2016, 2015, 2014, and 2013, Women against Violence Network and Mol

¹²⁰ Mihaela Racovita, "Lethal Violence against Women and Girls", op. cit. p. 104.

¹²¹ Mol response to the CENTER's Freedom of Information Request, December 2016.

Between 30 and 40 percent of women murdered in cases family or partner violence died at the hands of their husbands, most commonly in their shared living spaces.¹²² Women over 65 were the most frequent victims of femicides.

Femicide research both worldwide and in Serbia reveals that a number of perpetrators commit suicide after murdering a woman; these cases are known as 'extended suicide' or 'murder-suicide'. The percentage of femicides accompanied by suicide ranges from 19 to 40 percent worldwide, with handguns the most common firearm used in these acts.¹²³ Annual Femicide Reports compiled by the Women against Violence Network show that Serbia is no exception to this trend, as about 43 percent of violent offenders committed suicide, and some 11 percent attempted to do so.¹²⁴

¹²² According to the Femicide Reports, the husband was the perpetrator in 34 percent of all cases; the MoI data show an even higher percentage (44 percent). The 'husband' category includes former spouses.

¹²³ Auchter, Bernie. "Men Who Murder Their Families: What the Research Tells Us". In: *NIJ Journal*, No. 266. June, pp. 10-12, National Institute of Justice, Washington DC 2010. Available online at <http://ncjrs.gov/pdffiles1/nij/230409.pdf>, accessed on 20.05.2017.

¹²⁴ 2015 Femicide Report, Women against Violence Network, available online at <http://www.zeneprotivnasilja.net/femicid-u-srbiji>, accessed on 13.4.2017.

2. QUALITATIVE FINDINGS

2.1 OPINIONS OF VULNERABLE GROUPS

2.1.1 PERCEPTIONS OF GBV AND FAMILY VIOLENCE

Women members of vulnerable groups who participated in focus-group interviews conducted by the CENTER's research team – Roma women from Kruševac and Novi Bečej, and rural women from the Sandžak region (Ribariće village) – believe the position of women in both of these communities is primarily determined by their economic dependence, behavioural patterns imposed by strong traditional and patriarchal relationships, and lack of confidence in appropriate support from institutions.¹²⁵ Their lives unfold against a backdrop of deeply rooted patriarchal norms where gender roles are clearly defined. Gender-based and family violence are part of these traditional relationships and deeply established family patterns. It is spoken of rarely and unwillingly; both Roma and rural women from Sandžak equally cite the sense that violence is inevitable. **'We Roma women are unwilling to speak about it because of tradition and so on. It somehow seems normal' (Kruševac); 'They find it as normal to brush their teeth in the morning as to be forbidden to speak' (Ribariće).** Violence is particularly a threat to multiply vulnerable groups, such as disabled women.

The presence of nearly all forms of violence against women (physical, psychological, and economic) has been identified, as has the overlap of various forms of violence in patriarchal relationships: **'This husband of mine who I've got children with doesn't beat me, but we argue non-**

stop. I don't know what's worse – whether it's to be beaten or to be harassed non-stop' (Novi Bečej). Low education, unemployment, and economic dependence on their husbands pose particular threats to the economic security of these women and additionally contribute to their inability to break the cycle of violence. Economic deprivation is compounded by traditional family roles, which mean that women are used to not having access to the family's money, which their husbands frequently hide from them: **'He locks the money away and says "I earned it"' (Novi Bečej); 'Economic violence is when a woman doesn't earn enough to have the freedom to buy whatever she wants. She can buy only what her husband lets her. And working women... I know of cases where they hand over their entire salaries to their husbands, who then let them have a little money to buy something for themselves or the children. This is both economic and psychological violence' (Ribariće).** Husbands most often own the shared homes, so women fear being thrown out and left to fend for themselves in the street if they stand up to violence. **'He bought the flat, he can chase me away from the home, where am I going to go?' (Novi Bečej).** The economic insecurity also affects women's insecurity when it comes to health: **'God forbid you get sick. How much would the medicines cost?' (Novi Bečej).** Violence is often downplayed, with only grave physical injury seen as violence, but slapping someone across the face not treated as such: **'He doesn't beat me, he only slapped me twice since the beginning, but**

¹²⁵ For a discussion on the security needs and issues of the Roma community, see: Jelena Radoman, Marina Tadić, Romkinje i Romi i reforma sektora bezbednosti u Republici Srbiji, Centar za istraživanje javnih politika, Misija OEBS-a u Srbiji, Belgrade, 2014.

the harassment and arguments – that’s something you can’t bear to be subjected to every day’ (Novi Bečej).

Members of the LGBT community, in particular women, who took part in focus group interviews spoke about the various forms of violence they were exposed to. Verbal violence and threats of physical violence were most common, with family violence seen as particularly serious: **‘There were many cases of verbal violence and threats. For instance, when my parents said, for instance, “We’ll bludgeon you’, or “strangle you”, or, I don’t know, “We’ll throw you out”... I felt threatened although there was no physical violence. This is continuing, systematic violence that I have been exposed to ever since I was fifteen.’**

This view of ever-present violence is also shared by **young people** interviewed in **Novi Pazar**, who see peer and family violence as the most common forms of violence in their community. **‘Peer violence happens the most often. Family violence is also very frequent...’** The context in which these young people live is particularly marked by public glorification of violence, which is seen as an expression of power; they also recognise that violence breeds violence: **‘You don’t need to be particularly perceptive to recognise it here and now; you know, for instance, if violence happens, they won’t hide it, they’ll say, “I beat this one up today, I did this to that one today”. They’ll brag about it, it’s a source of pride for them... And then if there’s one boy who’s violent towards someone, then that victim is victimised by still others. They’ll think, “If he beat you, then so can I.”’** Young people claim that children and women are victims of violence the most often, and are aware of the specific position of women in Sandžak’s markedly patriarchal environment: **‘A couple of months ago we had a case here when an abusive husband was lit-**

erally sincerely puzzled and astonished when the police came to bring him in. “But, people, it was my own wife that I beat up.” This was entirely normal for him, it wasn’t someone else’s wife, he’d never beat someone else’s wife. But he beat his own wife, and they came to arrest him, that just seemed insane. This means there’s a lack of information, tradition plays a huge role, the patriarchal upbringing, various social circumstances, so that man simply doesn’t know he’s not allowed to beat his own wife, or not even his own wife.’

Strong traditions and patriarchal gender roles mean that whatever happens in the family stays within the four walls of the home, as victims of violence are afraid, embarrassed, or simply unwilling to admit that they are exposed to violence. Moreover, participants in our focus groups recognised the existence of a cycle of violence which allows it to be perpetuated and renewed, and this additionally creates the false impression and gives unfounded hope to victims that the perpetrator will see the error of his ways and that violence will cease: **‘He beats her, beats her, and then gives it a rest for a while. He then treats her nicely for a while, and then starts up again. She starts to think, “Well it’s over, he won’t do it again”, and then he does it again. That’s violence. You know exactly how violence works. And that’s why it lasts for years, because it’s not always bad. And then there’s the fact that she loves him and allows it to happen. And that’s our tradition’ (Ribariće).** Given the substantial fear that prevents violence from being reported, Roma women from focus groups with in Kruševac claim that women in this community seek help only when their very lives are at stake: **‘In most cases, when a Roma woman reports violence, this means it’s very serious, that her life’s in danger, that’s when she phones the police’ (Kruševac).**

Concern for the welfare of their children is also a common reason why women decide to stay with violent men, since they believe that even that relationship offers children security: **‘But I had to take care of my children although I’d had that kind of marriage’ (Kruševac)**. Both young and older women face similar difficulties: **‘There’s often trouble at home, but you can’t get out, you’re of a certain age, you live there, what are you going to do? You’re old, there’s a child, if you leave the gossiping will start, you keep up with it because you’re not able to work or do anything’ (Novi Bečej)**.

The Kruševac focus group also recognised drug abuse, prostitution, and child begging as specific problems that adversely affect the security of Roma women and the proliferation of violence. Drug abuse is increasingly an issue in Roma areas, especially amongst young people, and is often a driver of family violence and poses an additional threat to women who suffer violence: **‘I’ve got a big problem. I’ve been married for 15, 16 years. I married an addict, but at first I didn’t know he was one. They hid it from me, I had my first child, it went on like that for a long time and in the end I wasn’t able to take it any more’ (Kruševac)**. Roma women who engage in prostitution also face violence from their pimps and clients, as well as violence from their husbands due to their work. Women from rural Sandžak cite pressure on young women and girls as a particular issue with their environment. The traditional social mores mean they mainly see men in secret, which makes them less secure and often implies unreported physical and sexual violence.

Family support is seen as key in allowing women to leave a violent relationship; some focus group participants who had experienced violence were able to find refuge with their families. **‘I never spoke to anyone, I just came to stay with my mum and dad and I never left’ (Kruševac)**.

However, cases where women fail to receive support from their families are more common; women often suffer violence at the hands of the man they live with and both their own and his family. A woman who wants a divorce is seen as a ‘family-breaker’. Similarly, the reporting of violence by extended family members or neighbours is still viewed as meddling in someone else’s marriage, with these individuals often in fear of retribution by the abuser: **‘Sometimes in our neighbourhood there’ll be a man beating his wife, we all watch that, but how can we meddle in their marriage if she won’t report him? Then we take the blame, and there’s fights, arguments, and we all withdraw, and we’re to blame for that woman’s plight’ (Kruševac)**.

Roma and Sandžak focus groups clearly believe that, in the end, the most important thing is for the victim to face up to the fact that she must help herself and seek support, as well as for her to persevere in her resolve not to go back to the abuser. Here focus group members agree that the victim is ultimately responsible, regardless of any problems she may be facing. The victim must possess this self-awareness if she is to be effectively helped by anyone else: **‘The only person who could’ve stopped this is the woman who lived with the violence, like her and me. Now we’re safe. If she’d only listened to her mother, or her aunt, for instance, or her family, it wouldn’t have happened to her’ (Kruševac)**.

Institutions that lack co-ordination and pass responsibility from one to another contribute to mistrust and aversion amongst members of the public. Focus group respondents claim that the behaviour of institutions, which ignore violence and fail to take victims seriously, brings victims into danger of continued violence and retribution by abusers. Some participants also stated they had never sought help from institutions as they did not see how these could assist them.

One person's poor experiences with an institution will discourage other women who suffer violence from looking for protection and assistance: **'Poor reaction from institutions is exactly where the problem lies. When they don't react once or twice, you just can't rely on the authorities any more'** (Novi Bečej). This is particularly the case in closed communities, such as the Roma: **'If one woman files a report and they don't help her, that's when she'll really get beaten for daring to come out, and then other women will never again dare report anyone'** (Kruševac).

How institutions act when the victim first contacts them is of the utmost importance. If the authorities believe a victim's story of violence and immediately take the necessary steps, the victim will feel encouraged to persevere in her efforts: **'I told them my story and they agreed it was violence'** (Kruševac). Awareness and motivation of police officers and staff of Social Work Centres and healthcare facilities is key in renewing faith in institutions: **'That's simply how the system is like, when you report violence, there must be a reaction, it must be recorded and reacted to. But the speed with which they react, how far they go, and whether they do so out of a desire to really change things, that's all questionable'** (Novi Bečej); **'They all ought to be on the victim's side'** (Ribariće). On the other hand, lack of awareness amongst professionals, coupled with traditional patriarchal norms, often contributes to renewed victimisation: **'A woman reported violence because the man harassed her. The police heard her out and made a show of taking him with them. They then went round the back of the house and told him, "When you come back you ought to give her a good beating. Beat her up because she called the police"'** (Ribariće). This lends further weight to the need to involve more women police officers in cases of GBV and family violence: **'And they shouldn't send male police officers to investigate reports, but only women. Women officers. She's**

had enough of men, when she sees a male officer now, how is she ever going to make a statement?' (Ribariće).

Roma women also claim they still encounter discrimination from institutions and believe that the authorities, especially the police, who play the most immediate role in responding to violent incidents, are more likely to help an ethnic Serbian woman than a Roma woman: **'They should treat all woman the same. Regardless if it's a Serbian or a Roma woman, that woman should be protected from the offender'** (Kruševac); **'I believe women suffer violence because they're discriminated against both by the police and the Social Work Centre, and that's why they suffer violence. If a Roma woman goes to the police to report violence, they'll say, "Right, but that's normal for you Gypsies, so grin and bear it"'**(Novi Bečej). Roma women's organisations have been recognised as helpful here, as they often take up cases of violence with institutions, which have been known to act far more efficiently in following up on these CSOs' reports.

Some focus group members drew attention to particularly difficult situations where a person will report family violence only to withdraw the report later on for fear of retribution or due to other reasons. This is when violence continues and creates the impression of an unbreakable vicious circle, and here institutions go wrong when they fail to examine in detail the reasons why reports are withdrawn. The authorities should be much more proactive in their approach: **'A common mistake is this: as soon as a family member withdraws their report, the institution is done with them. But they don't go into the reasons why that person has withdrawn the claim. It's a major problem, where institutions understand and process these things superficially. They don't go into the details of each individual problem'** (Novi Bečej).

Members of the focus group in the village of Ribariće, near the town of Tutin, cited the case of a woman married for years to a police officer who abused her every day. According to their reports, the man was detained several times but always released: **'She's a woman whose husband is a police officer. The police know this full well. They pretend to lock him up for two, three days, then let him go again. And she told me this: a neighbour reported him. When the police arrived, he hid and told his wife that if she said he'd laid a finger on her, he'd kill her child' (Ribariće)**. Examples such as this serve to further strengthen the ever-present doubt that institutions, in particular the police, will show resolve to appropriately protect victims of violence.

All of the CENTER's focus groups see media reporting in cases of GBV and family violence in an exceptionally negative light, viewing it as a factor contributing to the insecurity of women. And yet, group members were able to recognise the power that the media can have in raising awareness of these problems and contributing to their prevention: **'In addition to making laws stricter, the media should be used to present what's in store for abusers. Because that has a really good effect on the mind. It affects the offender. Also, explain the laws. Women should know their rights and abusers should know their obligations and what's in store for them' (Ribariće)**. Some Roma focus group members cited they had the opportunity to see television features on violence that made them seek help themselves.

2.1.2 PERCEPTIONS OF FIREARMS POSSESSION AND GBV (FEMICIDE)

Vulnerable Roma women of Kruševac and Novi Bečej and rural women from the Tutin area interviewed in focus groups generally voiced negative views of firearms, stating that the very presence of such weapons was enough to engender fear

and feelings of insecurity, even when the guns are secured and stored safely: **'I've never liked having guns in the house because they're made to kill. I'm not in favour of it, I don't like guns and that's that' (Ribariće)**. The risk of accidents is seen as the greatest hazard of having firearms in the home, with women particularly concerned for the safety of children: **'There's always shooting, guns are always around and you're not safe. You never know where that bullet's going to end up. All of a sudden you hear someone shooting. You don't know where your child or grandchild is, you're never safe. You go to someone's celebration, and you're not safe there. Because there's no party here without shooting' (Ribariće)**; **'She killed herself with a gun. Took her father's gun and killed herself, the young thing. Fell in love and killed herself. Shot herself' (Kruševac)**.

According to members of the Kruševac focus group, firearms in the Roma community are mostly held illegally. The reason cited for owning firearms is the need for additional security, with respondents claiming that no one touches a person known to have a gun: **'I was a child and I remember everyone in the neighbourhood being afraid of Zoran, because Zoran had a gun. He never did anything wrong to anyone, it was enough for people to know he had a gun (Kruševac)**. Conversely, some respondents claimed that firearms were usually held by 'junkies, thugs, problematic types, and loan sharks'. Members of the Kruševac focus group agreed that mental stability of the gun owner mattered a great deal, and that medical evaluations ought to be thorough and frequent: **'You shouldn't allow just anyone to have a gun. I'd make him go to the psychologist ten times before giving him a permit' (Kruševac)**.

By contrast, rural women from Sandžak (Ribariće) claim that most gun owners surrendered their firearms during the Mol's legalisation drives,

mainly because of high gun taxes. Nevertheless, the respondents claimed firearms were everywhere: **‘There’s a lot of it, but there was this legalisation so they all declared it. But one in two households, perhaps every household, has got a declared firearm’**; **‘And I heard people say the taxes are high and that bothers them, so they hand their guns over to the police. They buy guns to use at weddings’ (Ribariće)**. Ensuring one’s own personal security and safety of one’s family is seen as a key reason to own a firearm; a number of respondents in Sandžak also sought to understand the presence of firearms in the home by citing security concerns stemming from Sandžak’s specific context and geographical position. In spite of such justification, their own feelings of security are to a large degree compromised by the awareness that firearms are a danger: **‘All of these wars have made people afraid for their families. Especially in this region, so close to Kosovo and Bosnia. I mean our husbands because they take care of family security. You feel safe somehow if you’ve got a gun in the house. This is from the male perspective. Because us women don’t deal with this and of course we’re afraid for our children and husbands because a husband can accidentally kill his wife or child or someone’ (Ribariće)**. Other women feel the need for firearms in the home is an expression of traditional ‘macho’ culture and ‘masculinity’ that reflects traditional gender-based socialisation: **‘I personally think men like to prove their mettle, to show they’re strong, because a man without a gun isn’t a real man’ (Ribariće)**.

A specific aspect of the influence of firearms on women is evidenced by situations where women have either hidden or surrendered firearms they found to protect their families, especially children. In these cases, the women felt responsible for their families and did not think about the consequences to themselves: **‘Our son found the bomb first; it looked like a pear. There were many children there and they’d been kicking**

it around. I’d never seen one, but I knew what it looked like from television, from films, and I took it and said, “It’s just a bomb”. It was all denied from their kicking it around on concrete whilst they were playing. One of them was seven, the other was nine. But I took it and said, “Run, kids, please.” I went out into the road, called the police, the police came, radioed for military police. I just kept thinking about how the kids would get away, I never thought about myself. I didn’t think about anything then, I just went out into the road and let it drop from my hand into the grass’ (Kruševac). Such situations are not a rarity in Serbia: stray bombs and other explosive devices are regularly found at building sites and in abandoned spaces, and pose a major security risk for members of the public, especially children.

Firearms in the home have a particular impact on women who suffer violence, because they are an additional source of fear and contribute to discouraging the victim from ending the violent relationship: **‘He sometimes doesn’t even have to take the handgun out, just the fact that there’s a gun in front of you is pressure enough for someone’ (Novi Bečej)**. The women of Ribariće, near Tutin, also spoke about cases of femicide in the area: **‘However, it so happened that the father killed both her and her mother and then killed himself. We’ve got those cases here, too. This all happened in Tutin Municipality, and of course it was all done with a gun’ (Ribariće)**.

Mistrust of institutions, in particular the police, is also pronounced in the context of linkages between firearms and GBV and family violence. Inadequate action by institutions is often seen as having contributed to femicide. The fact that firearms had not been confiscated from violent offenders is cited as particularly significant; seizure of a firearm is seen as a precondition for preventing femicide: **‘I think the police stopped there. This woman reported the man was violent,**

that he had a gun and that her life was in danger. And, instead of the police, the courts and prosecutors took responsibility and they're accountable. If they'd taken away his gun, she'd still be alive'; 'Three years ago this woman who'd reported violence a number of times was killed. They'd send her back whenever she'd report it. And the killer was caught only now, a month ago, in Luxembourg' (Ribariće).

Responsible and conscientious action by police officers is very important when firearms are involved. A respondent in the Novi Bečej focus group described a situation in which her partner, who had been abusing her, drew a gun from the holster of a policeman on the scene and pointed it at her. The abuser and the police officer knew one another, so in this case the police officer did not respond appropriately. This is why some focus group members expressed well-founded doubts about how a police officer would treat an abuser in a closely-knit community where everyone knows everyone else. Service firearms could in these cases be used to additionally intimidate victims: **'In closely-knit communities, because everybody knows one another, sometimes if the police officer attending the scene knows the offender, it's even more intimidating to see someone who's armed come around and tell you that you're a woman and should quiet down and not talk. Is this then intimidation by an armed person? If he knows the abuser, the question is in what capacity is he coming there to reconcile you with your husband, all armed with a gun like that? In this case, is the gun accessible to the person who's behaving violently towards you?' (Novi Bečej).**

Members of the LGBT focus group mostly voiced very negative views of firearms possession, and expressed doubt as to their use for personal security. However, some respondents were also understanding of gun owners due to the added

sense of security that firearms provide, especially for members of vulnerable groups such as women or LGBT people. **'I've got a friend, she's an activist. She's got a handgun. She's the only woman I know who carries a gun because she feels safer like that. She's got a permit to carry the gun and she regularly carries it, whenever she goes anywhere. Not to work, but when she goes out, yes. And she uses it when men sexually harass her. She's noticed it makes her feel more secure.'**

Members of this focus group spoke about experiences with firearms in their immediate environment and real threats to life, even in the family context, which ought to be a safe space: **'What I experienced, for instance, was my father having several firearms... He shot holes in our walls, everywhere. He'd make you dance and shoot the ground at your feet, you'd lose it... They took away his gun like a million times, but then he'd go have lunch with some ministers, a Montenegrin connection I think, and they'd give him back his gun at the next police station over, three days later, with an apology. And he'd been in treatment for alcoholism.'**

LGBT people from Belgrade who took part in the CENTER's research see a strong correlation between the presence of a firearm in the home and violence. Similar to views seen in interviews with vulnerable groups of women, members of the LGBT community feel a firearm is often an insurmountable obstacle for a victim of violence to actually report violent behaviour: **'In the context of femicide and in the context of firearms, I can assume that women are perhaps afraid to report violence or react in any way whatsoever to that first slap across the face because they know, they are aware, that their husband or partner has a gun, and they feel they'd better keep quiet'; 'If there's a gun in the house they find it more difficult to report it, or it takes longer for them to collect their thoughts and**

seek support if there's a gun in the home, especially in situations where they're threatened with the deaths of their children.'

Some participants in the LGBT focus groups underscored the responsibility of institutions and their lack of co-ordination and sensitisation in cases of femicide: **'Our institutions bear the responsibility for misunderstanding or not sufficiently understanding the patterns of family and partner violence'**. The structures of these institutions, dominated by patriarchal relationships, are also seen as the reason behind many cases where the authorities reacted inappropriately: **'Patriarchy is also reflected in the number of judges who are men... the number of men in decision-making positions.'** In this context, the respondents proposed strengthening co-operation between institutions and focusing more extensively on preventive action so as to tackle family violence and firearms misuse in this regard: **'Better, stricter penalty policies and better co-operation between institutions, but also a lot of prevention. This is a complex question, and the answer is everything and everyone.'**

Young people of Novi Pazar who took part in the CENTER's research understand that the culture of gun ownership in their community is pervasive, as well as that it represents an expression of masculinity: **'I had a friend who used to bring his gun along. We're sitting just like this and he takes out his gun and puts it on the table. It's a trend here, having a weapon. Because you're not a man unless you've got a knife, a gun...'**. The respondents believe that the key reason for having a weapon is personal security. **'Less security, more handguns.'** In their view, firearms are very widespread amongst young people, with individuals still taking guns with them to school or when going out, unaware of the potential consequences of such actions: **'He showed me his**

gun in the middle of the class. I'm sitting there next to him and I can't believe it, I've got shivers running up and down my spine. He says, "It's not loaded, it can't go off", but still, I don't know. I'm like, put that away, get away from me...'

Participants in focus groups with young people in Novi Pazar claimed that firearms are mostly held illegally, and that they are very easy to get hold of: **'For twenty euros you can get a handgun, perhaps for even less money. You can have a gun legally, but they're all illegal, perhaps out of a hundred handguns there's a single legal one. Because most people can't get them legally...'; 'Everybody does it, I don't think there's a person here in town with a legal handgun or any other firearm who doesn't hold something else illegally, at least one round of ammunition in a different calibre.'** The view that firearms are easily obtainable in the black market contrasts with the opinion that firearms are generally owned illegally due in part to the strict requirements for legal possession: **'You can't even buy a bullet. I needed one for a wedding, I couldn't buy even that.'** At the same time, this quote is evidence of the deep-seated custom of using (or misusing) firearms for festive occasions and a lack of awareness of the possible consequences.

Young respondents in Novi Pazar also underlined inappropriate actions by institutions as a major contributor to the frequency of GBV. They were particularly vocal in claiming that lenient penalties for violent offenders who use firearms were a cause of repeated recurrence of violence in the family and the broader community: **'Now, in my view, the courts are the most to blame, and if I were to single out one problem in this country, it's the courts. They reduce sentences, let people walk free.'**

2.2.1 GENDER-BASED AND FAMILY VIOLENCE IN SERBIA

The representatives of institutions and other major social stakeholders interviewed for this study agree that GBV remains present in Serbia, but that there has been more discussion of it in recent years, whether because the media and public are more interested in it, or because victims are readier to report violence and talk about it. According to Members of Parliament who took part in the interviews, data provided by the MoI to Parliamentary Committees, primarily the Committee on Defence and Internal Affairs, show that violence is being reported to a greater extent.¹²⁶ The huge contribution made by women's and other organisations in raising awareness of the need to report violence has also been recognised.

Gender-based violence is rooted in the dominant patriarchal model of social relationships. It is a consequence of historically unequal male and

female positions of power, as well as of the treatment of this issue by society and the state, with institutions not dealing with GBV sufficiently and appropriately. In addition to deep-set prejudices and stereotypes, triggers for this form of violence include trouble providing for oneself or one's family, jealousy, alcoholism, and mental problems and lack of mental health care.¹²⁷ Two major aspects that determine the position of women – and affect GBV – are the poverty and economic exclusion of women, who earn less than men, rarely own property or real estate, and are in a subordinate position in the labour market. The Equality Commissioner has found that women have for years been the social group most discriminated against, whilst the importance of their socio-economic position is highlighted by the fact that most complaints made to the Commissioner involved labour and employment issues.¹²⁸ As such, economically dependent and unemployed women, women from rural areas, Roma women, and women with disabilities are most at risk of becoming victims of GBV.

‘We are a society that hates change, that makes you enact a law to say that a woman is a human being as valuable as a man. This has got nothing to do with political parties, it has got nothing to do with anything other than the narrative of the culture of violence in society.’ (Gordana Čomić)

¹²⁶ Information presented in an interview with Dubravka Filipovski, Member of Parliament and member of the Women's Parliamentary Network, 17.2.2017.

¹²⁷ Written response to the CENTER's questions received from Meho Omerović, Member of Parliament and chair of the Parliamentary Committee on Human and Minority Rights and Gender Equality, February 2017.

¹²⁸ Written response to the CENTER's questions received from the Equality Commissioner, February 2017.

2.2.2 OPINIONS OF INSTITUTIONAL PERFORMANCE

The key problems with institutional performance in cases of GBV and family violence identified by the CENTER's respondents are lack of co-ordination, insufficient or non-existent exchange of information, weak authority, and poor efficiency. It was these problems that led to the drafting of the new Law on Preventing Family Violence. It proved especially important for the Law to permit a violent offender to be evicted from the home, as well as to overcome issues with the healthcare system that prevented hospitalised abusers from being appropriately diagnosed or treated, resulting in recurrent violent behaviour after their release from healthcare institutions.¹²⁹ It was also recognised that institutions lacked sufficient qualified and appropriately sensitised professionals, and that such staff as were available were poorly motivated and facing excessive workloads.

Women who report violence often withdraw their complaints as they are discouraged by the lengthy processes and reluctant to re-live the situations that happened to them.¹³⁰ These are the experiences of victims of family violence encountered by members of the Parliamentary Committee on Human and Minority Rights and Gender

Equality, which came together to discuss GBV on a number of occasions away from Belgrade (in Zrenjanin, Novi Sad, and Sjenica), met the Čačak Social Work Centre, and visited the Belgrade Safe House. Victims of violence described a number of specific situations they experienced, including the inability to avoid subsequent contact with abusive partners who are fathers of their children (a requirement that Social Work Centers insist on), and courts' failure to promptly schedule hearings to award temporary custody of children.¹³¹ Representatives of institutions and other social stakeholders interviewed as part of this research were unanimous in their view that women who face violence in Serbia do not receive appropriate protection and support from institutions, and often encounter discriminatory and unprofessional behaviour on the part of public servants. A woman who has suffered violence is discriminated against in more ways than one: she is a victim of inappropriate institutional conduct; she encounters self-discrimination as she re-assesses her own motives and is ready to forgive the abuser; and she faces self-guilt as she fears retribution for reporting the abuser and is concerned that institutions will not provide the requisite protection.¹³² All of these issues make it all the more important for institutional actors who come into contact with victims of violence

'Professionals always have to bear in mind that gender-based violence is potentially lethal.' (Stanislava Otašević PhD)

to act professionally and be sensitised. Police officers bear the brunt of this responsibility, as they are amongst the first responders in situations of acute violence, which are particularly difficult to handle and pose great risk.

A single central electronic record of cases of GBV has been recognised as a necessary prerequisite for tackling this social issue in a comprehensive and co-ordinated manner. Respondents interviewed by the CENTER see this as one of the key innovations introduced by the Law on Preventing Family Violence. By contrast, the Law does not sufficiently address another key issue, that of

¹²⁹ Interview with Dubravka Filipovski, Member of Parliament and member of the Women's Parliamentary Network, 17.2.2017.

¹³⁰ Interview with Elvira Kovač, Member of Parliament and member of the Women's Parliamentary Network.

¹³¹ Written response to the CENTER's questions received from Meho Omerović, Member of Parliament and chair of the Parliamentary Committee on Human and Minority Rights and Gender Equality, February 2017.

¹³² Interview with Gordana Čomić, Member of Parliament and member of the Women's Parliamentary Network, 1.3.2017.

protecting children. The CENTER's interviewees agree that additional amendments are needed in this regard. It is important to prevent children having to make formal statements before multiple authorities about the trauma they have undergone.¹³³

Moreover, institutions interviewed for this study insufficiently recognise the linkages between the proliferation of legal and illegal firearms and GBV in their actions. So, for instance, the Equality Commissioner neither took part nor was consulted about campaigns to reduce the proliferation of firearms, but regularly participates in campaigns to promote gender equality and combat GBV. In addition, although the Women's Parliamentary Network was active in drafting the Law on Preventing Family Violence, it did not consider the Firearms and Ammunition Law, except-

ing only through individual activities by a number of the Network's members. According to Dubravka Filipovski, the Network did not address firearms regulation as it cannot substantially contribute to reducing violence against women, which can be perpetrated by other methods as well, not just through the use of firearms.¹³⁴ By contrast, the Defence and Internal Affairs Committee has considered initiatives to prepare a possible donor-funded project that would entail regional co-operation in combatting GBV and family violence.¹³⁵ Nevertheless, some of the women interviewed by the CENTER have claimed that governments in the region are not sufficiently active in addressing this issue for a number of reasons, including the prevailing patriarchal social model, according to which men occupy most positions of power.

‘This patriarchal upbringing, the way we are, leads men politicians in the region to feel this is not such a major issue. Men politicians believe these women’s issues do not bring them votes.’ (Elvira Kovač)

2.2.3 ROLE OF THE MEDIA

Although the media are potentially a vast resource to be tapped in raising awareness about firearms misuse in the context of GBV, Serbia's society is blighted by an extreme lack of professionalism on the part of news outlets. Media reporting panders to sensation-seekers, without going into any deeper analysis of the causes and consequences of violence. It is also common for reporting to include excessively graphical accounts that lead to repeat victimisation whilst not contributing at all to making women aware of their circumstances and motivating them to report violence. The media by and large do not investigate the root causes of firearms proliferation in Serbian soci-

ety and the numerous risks of its possession, and neither do they analyse the linkages between gun ownership and family violence, with rare exceptions mainly provided by independent production firms that are largely funded by donors.¹³⁶ Consequently, there is no continuity of sound reporting on violence, as the media are increasingly reliant on project financing.

Yet, in spite of the seemingly general perception that the media cover GBV and family violence inappropriately, in its six years of existence the Press Council has dealt with family violence only twice, in 2011 and 2016.¹³⁷ The Council's monitoring of reporting by eight daily newspapers reveals that coverage of family violence regularly

¹³³ Interview with Dubravka Filipovski, Member of Parliament and member of the Women's Parliamentary Network, 17.2.2017.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ One such example is Playground Productions' "Vatreno oružje i rodno zasnovano nasilje: u susret kulturi odgovornog posedovanja oružja", a project supported by the EU Delegation to Serbia. See <http://doknijekasno.net/>.

¹³⁷ The Press Council is an independent, self-regulatory authority created to monitor adherence to the Code of Journalism Ethics. This body follows up on complaints of breaches of the Code that may be filed by any individual or institution; the offending news outlet is required to publish the Council's decision in the matter. Press Council, available online at <http://www.savetzastampu.rs/latinica/zalbeni-postupci/122> and <http://www.savetzastampu.rs/latinica/zalbeni-postupci/2708>, accessed on 10.4.2017.

results in violations of multiple provisions of the Code of Journalism Ethics. These mostly involve ignoring the presumption of innocence of suspected offenders and revealing their identity; violating privacy; violating the dignity of victims; gender-based discrimination; publication of content likely to be found disturbing; publication of information that may be used identify underage persons (mainly children of abusers and victims); and reporting of hearsay and information not in the public interest. A particular problem is that most reports shifts blame onto victims, and publication of victims' personal characteristics trivialises

their suffering and justifies violence. Newspapers publish sensationalist reports instead of information useful for preventing violence or educating stakeholders, whilst family violence is generally referred to as an 'event' rather than a criminal offence. Journalists largely fail to publish expert commentary or provide information in their reports about where victims of violence can turn for help. Victims of violence or members of their immediate or extended families are manipulated by the media on an almost daily basis for the sake of readership or viewership figures.

'I'm horrified by the increasingly frequent violation of the Code's article that says journalists must not abuse the ignorance or emotions of people they interview, must not publish statements made by people unable to gauge the true power of the media and the likely consequences of their appearance in the media.'
(Tamara Skrozza, Press Council)

'My impression is that women victims of violence are aware they must speak openly about this, but when they do so they're manipulated by the media.' (Dubravka Filipovski)

2.2.4 FIREARMS MISUSE AND GBV AND FAMILY VIOLENCE

Most respondents interviewed by the CENTER have claimed that the proliferation of both legal and illegal firearms is conducive to violence against women, and has especially contributed to the large number of murders of women by family members and intimate partners seen in recent years.

Families of people with experience of front-line combat are especially vulnerable to lethal violence. These former soldiers are a particularly good example of trauma sufferers that society and institutions have never accorded due attention to, and who may turn violent as a result. Also at risk are families where a member holds a firearm illegally and may use it to threaten the rest of the household, or where the firearm is a means of intimidation although no direct threats are made. The third category of vulnerable families are those where a family member has a permit to car-

ry a service firearm; these are particularly in need of preventive efforts to preclude misuse of such firearms, but appropriate penalties for offenders must also be applied if violence does occur.¹³⁸

Ministry of Interior staff claimed in interviews that police officers had to meet all requirements for holding and carrying firearms stipulated by the

Firearms and Ammunition Law, as well as that these individuals were particularly aware of the risks of firearms abuse. It was also underlined that police officers knew any violent behaviour meant they would have to leave the service, which could threaten their ability to provide for their families.¹³⁹ The Mol referred to the important role of its recently created Psychological Prevention and

‘...Because I know that we had people here many years ago who used to say how “he slept with a handgun or some other firearm under his pillow”. Now, you’re aware you’re sleeping in the same bed with someone who’s got a gun under their pillow.’ (Vesna Stanojević)

Selection Department, which has been able to enhance the psychological support that the Mol provides to its staff. Nevertheless, this support framework has continued to face issues such as a lack of psychologists, infrequent applications for support due to possible stigmatisation or denial of career advancement, and under-developed support mechanisms such as ‘support partners’. Although the MoD has a more advanced professional psychological support system, it faces similar issues, including a lack of informal means of assistance.¹⁴⁰ Officers of both law enforcement and defence agencies have been implicated in cases of GBV and family violence, some of which have involved service firearms.

Respondents interviewed by the CENTER agree that consistent control of application of the Firearms and Ammunition Law is crucial, whilst the psychological state of gun owners was repeatedly cited as the key area in which the law needed to be applied without exception. To ensure this, firearms owners should have to undergo regular medical evaluations, and the five-year validity

period of medical fitness certificates as provided by the law ought to be reduced. It was also stated that the Firearms and Ammunition Law ‘was no answer’ to violence perpetrated using, say, a blunt object rather than a firearm; as such, gun control does not seem to be the sole way forward.¹⁴¹

Most respondents felt that campaigns pursued to date to combat GBV and control firearms ownership had not been sufficiently successful, as well as that actions should, ideally, link these two issues. Moreover, possible new measures taken by the Mol to identify and detect illegal firearms would additionally motivate owners to hand them over to the authorities in legalisation drives. The vast majority of respondents saw the likely impact of such new measures in a highly positive light.

¹³⁸ Interview with Gordana Čomić, Member of Parliament and member of the Women’s Parliamentary Network.

¹³⁹ Interview with Miljko Simović, Assistant Chief Officer of the Mol Administrative Affairs Directorate, 27.2.2017.

¹⁴⁰ Marina Tadić, Svetlana Đurđević Lukić, Mehanizmi podrške zaposlenima u Ministarstvu unutrašnjih poslova i Ministarstvu odbrane, Centar za istraživanje javnih politika, Belgrade, June 2016, available online at <http://www.publicpolicy.rs/publikacije/1a48a9a8f084a40241612a4061d94f5329402262.pdf>, accessed on 17.4.2017.

¹⁴¹ Interview with Dubravka Filipovski, Member of Parliament and member of the Women’s Parliamentary Network, 17.2.2017

CONCLUSIONS

Findings of the CENTER's research collected through focus group interviews with members of vulnerable groups and one-on-one interviews with representatives of institutions and key societal stakeholders indicate that firearms are seen as widespread and easily available, whilst GBV and family violence are viewed as pervasive. Gun ownership is strongly correlated with gender and is a symbol of patriarchy and masculine culture. Patriarchal relationships, seen across all levels – in both society and the family – are considered the main cause of ubiquitous gender-based and family violence. Although GBV is primarily viewed as psychological, economical, and physical, and firearms are claimed to be just one of the means by which it is perpetrated, analyses and research into femicide show that over 30 percent of all murders of women in Serbia in recent years involved the use of firearms.

The finding that legally-owned firearms were used to commit violence more often than illegally-held ones indicates the need to strictly apply the Firearms and Ammunition Law, in particular insofar as it mandates medical certification for purchasing and holding firearms so as to prevent their possession by persons with mental health issues. Both focus groups and individual respondents underlined the mental health of gun owners as a particularly important area where especially stringent controls were needed. Moreover, the frequent use of illegal guns for femicide shows that combating the misuse of firearms for gender-based and family violence is possible only by tackling gun culture and curtailing the possession of weapons of all kinds throughout society. In spite of data showing a decrease in the number of registered firearms owners in Serbia, the view

that guns are present 'in every other home' suggests that additional efforts are required to stamp out gun culture.

All aspects of this research bear out the particular significance of the fact that the presence of a firearm in the home carries connotations of intimidation and control, especially when coupled with family violence. Firearms pose an additional obstacle to the victim's ability to escape a violent relationship, and lead women victims to fear for their own lives, and, very often, the lives of their children. In this context, it is highly significant that the new Law on Preventing Family Violence has recognised firearms possession as a key risk factor for victims of violence. The findings show that both vulnerable groups and institutions believe many cases of femicide could have been averted had firearms been confiscated in due time and permanently, or had the authorities acted promptly and conscientiously.

However, even in cases where there is no family violence, firearms can be seen as a means for demonstrating male superiority in the family. Moreover, the constant awareness of the likelihood of an accident involving a gun in the home can also put major psychological pressure on women, who often feel responsible for protecting other family members from such incidents. The findings reveal that continued efforts are needed to raise awareness amongst members of the public of the risks of gun ownership, and to enhance understanding by firearms owners themselves of the need to tell family members about their firearms and to keep them stored safely.

Mistrust in the capability of institutions to deliver security is viewed as a notable reason for possessing firearms, and is among the most commonly cited explanations for why members of the public refuse to surrender illegal guns. This lack of confidence in the authorities is at the same time one of the chief reasons why victims of GBV remain reluctant to report it, although the findings show such violence is now more visible and present in public discourse than before. Professional and sensitised behaviour by institutional officers in cases of GBV, especially those involving the threat of firearms, is of the utmost importance if trust in the authorities is to be restored. Insufficient institutional co-ordination and exchange of information amongst them are felt to be the key contributors to the increased frequency of femicide.

Legislative efforts taken to combat family violence and control firearms ownership have been recognised as positive, but their complete consistency remains doubtful. Serbia was required to enact laws governing these issues as part of its EU accession negotiations for Chapters 23 and 24, but their adoption was primarily motivated by a clearly expressed social need to provide robust protection for victims of gender-based and family violence, as well as to introduce stricter and

better targeted firearms control policies. In view of the complex character of this phenomenon, it is of crucial importance for decision-makers to be sufficiently willing to consistently monitor the impact of this legislation and to take into consideration proposals for its improvement and better protection of vulnerable groups. As part of this process, it is important not only to ensure strong inter-departmental co-operation, but also create true partnerships with civil society actors, academia, and professionals, as well as to ensure the participation of members of the public as well.

The fact that violence remains largely hidden from the authorities in spite of improvements to the legislative framework and procedures means greater emphasis ought to be placed on prevention, providing information, and raising awareness of both the society as a whole and individuals about this important social issue. Existing functionality of state and non-state mechanisms should also be made sustainable, in particular with regard to protecting victims of family violence, and capacity-building should be provided for all stakeholders that contribute to addressing violence and combating gun culture in our society.

RECOMMENDATIONS

The recommendations are based on the findings and conclusions of this research, other activities undertaken as part of the project (primarily consultations with local organisations active in preventing GBV and family violence and protecting its victims), and the CENTER's prior work. Given the complexity of the issues dealt with in this research, and the fact that addressing them requires strong inter-departmental and inter-sectoral co-operation, the recommendations are many, varied, and of differing degrees of comprehensiveness. The common denominator for most of the proposed recommendations is the need to strengthen the **gender perspective** in developing policies to combat firearms violence. The recommendations are presented below by topic, showing the key institutions and social actors they are addressed to.

Enhancement and consistent application of the strategic framework (MoI; MoD; Government and Parliamentary bodies established to monitor implementation of the NAP; SALW Council):

1. Ensure full and consistent application of the newly enacted **Second NAP to implement UNSC Resolution 1325 on Women, Peace, and Security**. Establish a system to continuously and regularly monitor and report implementation of the NAP. Insist on greater involvement of women police officers in Violence Protection Teams as envisaged under the Law on Preventing Family Violence.
2. The new **SALW Control Strategy** and accompanying Action Plan ought to recognise the need to combat 'gun culture' and include preventive activities to promote a culture of security amongst

members of the public and raise their awareness of risks associated with firearms. These activities should include efforts to establish clear linkages between firearms misuse and GBV, such as public outreach in the media and provision of funding for projects undertaken by civic associations and educational and youth institutions.

3. Monitor implementation of the **Community Policing Strategy** by carrying out activities envisaged under its Action Plan. Special emphasis should be placed on the involvement of women police officers in the implementation of the Strategy and development of models and mechanisms to promote their engagement.

Enhancement of the legal framework (MoI; Ministry of Health; MoJ; Parliament and Parliamentary Committees):

1. Amend the **Firearms and Ammunition Law and Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms** to shorten the validity period of medical certificates of capacity to purchase, hold, and carry firearms from five to one or at most two years.
2. Amend the Firearms and Ammunition Law to require the current or former wife or partner of a prospective firearms owner to approve the issuance of a permit to hold a firearm, as well as mandatory disclosure to adult family members of the application by a family member for a permit to purchase a firearm.
3. Amend the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry

Firearms to re-introduce mandatory psychological interview as part of the medical evaluation procedure, and ensure that psychological and psychiatric tests are standardised and uniform across all healthcare institutions authorised to issue medical certificates of fitness.

4. Amend the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms to extend, to at least one year, the six-month period during which an individual denied a medical certificate may not re-apply for a medical evaluation.

5. Consider requiring firearms owners to periodically report to their GP, psychologist, and/or psychiatrist to ensure continued monitoring of their mental health status.

6. Introduce a new **Free Legal Aid Law** to allow the provision of free legal aid by CSOs and other similar stakeholders that have for years been providing de facto free legal aid as part of their support to victims.

7. Consider introducing stricter **penalties** for perpetrators of firearms violence against women.

8. Require healthcare workers to report cases of violence. Improve the format of and procedures for reporting by healthcare workers to make them easily accessible to victims of violence, clear, and usable for prosecuting violent offenders.

9. Devote particular attention to additionally adjusting and aligning the legal and institutional framework so as to ensure **complete protection of children** victims/witnesses of family violence.

Enhanced implementation of the legal framework (Mol; MoJ; Coordination Body for Gender Equality):

1. Establish a **functional system to continuously monitor and evaluate** the impact of the Firearms and Ammunition Law and Law on Preventing Family Violence and to promptly and consistently report its impact to the public.

2. Ensure consistent application of all provisions of the Firearms and Ammunition Law that ensure constant **supervision of firearms owners** after they are allowed to purchase and hold firearms so as to prevent situations where a violent offender can receive a permit to purchase, hold, and carry a firearm (through security checks and verification of arrangements for secure storage of firearms). It is of particular importance for security checks of applicants for firearms permits be undertaken quite thoroughly and professionally, so as to overcome obstacles posed by traditional behaviour and tacit acceptance of violence by the perpetrator's immediate and extended family and the local community.

3. Ensure consistent application of all provisions of the Firearms and Ammunition Law that govern mandatory **medical evaluation of firearms owners**, especially GP's requirement to report any change in the health status of registered owners.

4. Consider regular additional measures to be taken by the Mol to identify and uncover illegally-held firearms.

5. Ensure thorough, consistent, and prompt investigation and prosecution of all cases of GBV involving officers of the Mol and the MoD. Invest continuous efforts into preventing the hush-up of cases of GBV perpetrated by officers of law enforcement and security services.

Strengthening of the system to prevent and combat firearms abuse and family violence

(Ministry of Labour, Employment, Ex-Servicemen's and Social Affairs; Coordination Body for Gender Equality; CSOs; donors):

1. Create a telephone helpline for victims of GBV that would be accessible from across Serbia.
2. Support the opening of new safe houses and build capacity of existing ones.
3. Develop programmes for working with perpetrators of GBV to prevent recidivism and ensure their re-integration into society.
4. Develop capacity-building programmes for CSOs active in protecting women from violence at the local level.

Capacity-building and improvement of competences for officers involved in preventing and combating firearms misuse and family violence

(MoI; MoJ; Ministry of Health):

1. Ensure continued training and professional development efforts for **police officers** who are part of the system for preventing GBV and family violence, as well as that this training is planned and implemented in collaboration with professionals from outside the public sector. Ensure continuing and consistent performance monitoring and evaluation for police officers who are part of the system for preventing GBV and family violence to ensure victims receive appropriate treatment and define recommendations for further improvement of their training and professional development programmes.
2. Ensure continuing development and sensitisation programmes for **officers of Social Work Centres and healthcare institutions** for preventing GBV and family violence. Ensure continuing

and consistent performance monitoring and evaluation for these officers to ensure victims receive appropriate treatment and define recommendations for further improvement of their training and professional development programmes.

3. Include GBV issues into **healthcare education** curricula to ensure future health professionals are aware of the specific context of GBV and ready to appropriately recognise this violence, assist victims, and inform other authorities as appropriate.
4. Invest continuing efforts into **enhancing the psychological and social support system for members of security services** (in particular the MoI and MoD) and promote mental health protection for law enforcement and defence officers so as to prevent their participation in violent incidents.

Raising awareness of the risks of firearms misuse and linkages between firearms proliferation and family violence

(MoI; MoJ; Coordination Body for Gender Equality; Ministry of Education, Science and Technological Development; local authorities; CSOs; the media):

1. Promote a **culture of security** in firearms use and possession through local campaigns involving local authorities, CSOs, and local law enforcement departments.
2. In preparing and conducting future **firearms legalisation campaigns**, the MoI should establish co-operation with a broad range of stakeholders (human rights protection and promotion groups, civic associations, educational and healthcare institutions, the media, Press Council, and relevant local actors) that may contribute to ensuring these campaigns are better designed and contain clear value-oriented messages to promote awareness of the dangers of firearms.

3. Campaigns pursued by the MoI and other bodies and authorities to control firearms proliferation and combat GBV ought to be coordinated to reduce waste of resources, better focus the messages presented, and ensure greater and broader-reaching impact.

4. Develop educational and informational materials for firearms owners to underline the importance of mental health care and the adverse effects that firearms can have in this regard.

5. Invest continuous efforts into raising awareness amongst officers of law enforcement and security services of the importance of responsible handling of firearms and the need to set an example by promoting values opposed to the dominant gun culture.

6. Introduce **a system to prevent GBV prevention system from the earliest age** through curricula of educational institutions at all levels. Ensure that these activities include the topic of firearms misuse in the context of GBV. Empower girls and young women through the education system to recognise and report violence they may face, but also to provide support as ‘helpers’ to victims from their immediate and extended environments.

7. Continuously sensitise **national and local media** about the problem of firearms misuse and GBV to ensure professional and ethical reporting. Ensure consistent adherence to the Code of Journalism Ethics in reporting cases of gender-based and family violence.

Involving local bodies in addressing firearms proliferation, GBV, and family violence

(Parliament; Women’s Parliamentary Network; local authorities; local Security Councils; CSOs):

1. The Parliamentary Committee on Human and Minority Rights and the Women’s Parliamentary Network should continue and broaden their local level activities to prevent GBV, so as to additionally promote the role of MPs in this regard. These activities should also recognise the specific dangers of firearms misuse in the context of GBV.

2. Make use of options offered by the community policing concept to **promote co-operation by all local stakeholders** under the aegis of local Security Councils to continuously monitor the impact of the presence of firearms in the community and GBV on the local security situation.

3. Conduct continuous **research into the quality of life and security of women in local communities** with the involvement of academia and local stakeholders (CSOs, local gender equality bodies, etc.).

4. Engage with CSOs active in protecting women from violence and enhance their capacities.

5. Promote the participation of women in discussions on SALW policies.

6. These campaigns should be tailored to the security needs of various societal groups and the differing contexts of each local community.

7. Devote particular attention to aligning and adjusting the legal and institutional framework to ensure complete protection of children as victims and/or witnesses of family violence.

LITERATURE

BOOKS, PERIODICALS AND PUBLICATIONS

- Auchter, B. "Men Who Murder Their Families: What the Research Tells Us". U: *NIJ Journal*, No. 266. June, pp. 10-12, National Institute of Justice, Washington DC, 2010.
- Babović, M., Ginić, K., Vuković, O. *Mapiranje porodičnog nasilja prema ženama u Centralnoj Srbiji*. Projekat Borba protiv seksualnog i rodno zasnovanog nasilja, Uprava za rodnu ravnopravnost, Ministarstvo rada i socijalne politike, 2010.
- Blagojević, M. „Muškarci i nasilje: neki novi pristupi u teoriji i praksi”, u: Blagojević, M. i Stevanović, Z. (ed.). *Prevenција kriminala i socijalnih devijacija: evropske i regionalne dobre prakse*, Belgrade: Institut za kriminološka i sociološka istraživanja, 2012.
- Božanić, D. *Gender and SALW in South East Europe: Main Concerns and Policy Response*, UNDP SEESAC, 2016.
- Campbell, J.C. et al., *Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study*, 93 Am. J. Pub. Health 1089, 1092 (July 2003).
- Campbell, J.C., Webster, S.W., Koziol-McLain, J., et al., *Risk factors for femicide within physically abusive intimate relationships: results from a multi-state case control study*, 93 Amer. J. of Public Health 1089-97 (2003).
- Cukier, W. "Gender Perspectives on Small Arms Proliferation and Misuse: Effects and Policies", in: Vanessa A. Farr, Kiflemariam Gebre-Wold (eds) *Gender Perspectives on Small Arms and Light Weapons: Regional and International Concerns*, Bonn International Centre for Conversion, July 2002, pp. 25-42.
- Davis, I. *Small Arms and Light Weapons in the Federal Republic of Yugoslavia: The nature of the problem*, Safeworld, May 2002.
- Dahlberg, L.L., Krug, E., Mercy, A. J., Zwi, A. and Lozano, R., *World report on violence and health*, World Health Organisation, Geneva, 2002.
- Dobash, R. E. "Lethal and Nonlethal Violence Against an Intimate Female Partner: Comparing Male Murderers to Nonlethal Abusers", in: *Violence Against Women*, 13, 4/2007, p. 329-353.
- Djurđević-Lukić, S. "Small Arms and Human Security in the Western Balkans: Beyond Conflicts and Fatal Victims" in Ivica Đorđević et al (eds), *Twenty Years of Human Security: theoretical Foundations and Practical Applications*, Belgrade, 2015, pp. 436-452 (pp. 438-439).
- Đurđević-Lukić, S., Tadić, M. i Milić, T. „Oružje nameti: Zloupotreba vatrenog oružja u Srbiji”, Centar za istraživanje javnih politika za UNDP SEESAC, Beograd, 2015.

- Global Study on Homicide*, UNODC, 2013.
- Frate, A. "When the Victim is a Woman" in: *Global Burden of Armed Violence 2015: Every Body Counts*, Cambridge University Press, Cambridge, 2015, pp. 113-144.
- Gasmi, G. *Konvencija Saveta Evrope o sprečavanju i borbi protiv nasilja nad ženama i nasilja u porodici – Komentar*, Projekat Borba protiv seksualnog i rodno zasnovanog nasilja, Uprava za rodnu ravnopravnost, Ministarstvo rada i socijalne politike, Belgrade, 2012.
- Preventing intimate partner and sexual violence against women: taking action and generating evidence, Health Organization/London School of Hygiene and Tropical Medicine, World Health Organization, 2010.
- Heise, L., Garcia-Moreno, C. "Chapter 4. Violence by intimate partners". U: *World report on violence and health*, Krug, Etienne G. et al. (edited), World Health Organization, Geneva, pp. 87-123, 2002.
- Hemenway, D., Miller, M. "Firearm Availability and Homicide Rates across 26 High-Income Countries", in: *Journal of Trauma, Injury, Infection, and Critical Care*, Volume 49, Number 6, December 2000, pp. 985-988.
- Kellermann, A. L., Rivara, F. P., Rushforth, N. B., Banton, J. G., Reay, D. T., Francisco, J. T., Locci, A. B., Prodzinski, J., Hackman, B. B. and Somes, G. "Gun Ownership as a Risk Factor for Homicide in the Home", in: *The New England Journal of Medicine*, 329, 1993, pp. 1084-1091.
- Kotlarić, D., Joksimović, S., „Usklađivanje zakonske regulative Republike Srbije sa Strategijom EU za borbu protiv nedozvoljenog sakupljanja i prometa lakog i streljačkog naoružanja i municije – Stepene usklađenosti i neophodne mere”, u: *Vojno delo*, 3/2015, str. 251-270.
- Mankowski, E., "Antecedents to Gun Violence: Gender and Culture", in: *Gun Violence: Prediction, Prevention, and Policy*, American Psychological Association, 2013, p. 13-17.
- Mršević, Z. *Nasilje i mi – ka društvu bez nasilja*. Institut društvenih nauka, Beograd, 2014.
- Nikolić-Ristanović, V. *Nasilje u porodici u Vojvodini*. Pokrajinski sekretarijat za rad, zapošljavanje i ravnopravnost polova, Novi Sad, 2010.
- Racovita, M. "Lethal Violence against Women and Girls", in: *Global Burden of Armed Violence 2015: Every Body Counts*, Cambridge University Press, 2015, pp. 87-120.
- Radford, J. and Russell, D. (eds.) *Femicide: The Politics of Woman Killing*. Twayne Publishers, New York, 1992.
- Radoman, J., Tadić, M., *Romkinje i Romi i reforma sektora bezbednosti u Republici Srbiji*, Centar za istraživanje javnih politika, Misija OEBS-a u Srbiji, Belgrade, 2014.
- Russell, D. "Femicide: Politicizing the Killing of Females" Paper presented at the Interagency Gender Working Group Meeting on Strengthening Understanding of Femicide, Washington, DC, 2008.
- Simeunović-Patić, B., Jovanović, S. *Ubistvo žene u partnerskom odnosu*. Institut za kriminološka i sociološka istraživanja, Beograd, 2013.
- Simeunović-Patić, B., Kesić, T. *Kriminalistička viktimologija*. Kriminalističko-policijska akademija, Beograd, 2016.
- Spasić, D. „Porodično nasilje u Srbiji - istorijsko-kulturološka dimenzija”, u: *Bezbednost*, 2/12, 2012, str. 205-219.

Spasić, D. „Strateški i pravni okvir za zaštitu od nasilja u porodici u Republici Srbiji”, u: Simeunović-Patić, B (ur.) *Nasilje u Srbiji: oblici, činioci, kontrola*, Tom II, Kriminalističko-policijska akademija, Beograd, 2015, str. 93-114.

Tadić, M., *Posedovanje vatrenog oružja i ljudska bezbednost: Da li nas oružje štiti ili plaši*, Centar za istraživanje javnih politika, Belgrade, November 2016.

Tadić, M., Đurđević-Lukić, S. *Mehanizmi podrške zaposlenima u Ministarstvu unutrašnjih poslova i Ministarstvu odbrane*, Centar za istraživanje javnih politika, Beograd, jun 2016.

World Health Organization (WHO). *Global and regional estimates of violence against women: prevalence and health effects of intimate partner violence and non-partner sexual violence*. Geneva: World Health Organization, 2013.

LEGISLATION

Akcionni plan za Poglavlje 23, april 2016, Internet, <http://www.mpravde.gov.rs/files/Akcionni%20plan%20PG%2023.pdf>, pristupljeno 1.5.2017.

Akcionni plan za poglavlje 24 - Pravda, sloboda i bezbednost, 2016, Internet, http://www.mup.gov.rs/wps/wcm/connect/36e98096-9938-4aaf-b36c-e413bfbcac57/Treca_verzija_AP_27_03_2015.pdf?MOD=AJPERES&CVID=kTXD4Ry, pristupljeno 21.5.2017.

Pravilnik o utvrđivanju zdravstvene sposobnosti fizičkih lica za držanje i nošenje oružja [Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms], *Official Gazette of the Republic of Serbia*, No. 25/2016.

Pravilnik o izmenama i dopunama Pravilnika o utvrđivanju zdravstvene sposobnosti fizičkih lica za držanje i nošenje oružja [Regulation Amending the Regulation on the Determination of Medical Fitness of Individuals to Hold and Carry Firearms], *Official Gazette of the Republic of Serbia*, No. 70/2016.

Zakon o oružju i municiji [Firearms and Ammunition Law], *Official Gazette of the Republic of Serbia*, No. 20/2015.

Zakon o izmenama i dopunama Krivičnog zakonika [Law Amending the Criminal Code], *Official Gazette of the Republic of Serbia*, No. 94/2016.

Krivični zakonik [Criminal Code], *Official Gazette of the Republic of Serbia*, Nos. 85/2005, 88/2005, 107/2005, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014.

Strategija kontrole streljačkog i lakog oružja u RS 2010-2015 [Strategy for Small Arms and Light Weapons Control in the Republic of Serbia, 2010-2015], *Official Gazette of the Republic of Serbia*, No. 36/2010.

Zakon o potvrđivanju Konvencije Saveta Evrope o sprečavanju i borbi protiv nasilja nad ženama i nasilja u porodici [Law Ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence], available online at <http://www.parlament.gov.rs/upload/archive/files/lat/pdf/zakoni/2013/2246-13Lat.pdf>.

Zakon o sprečavanju nasilja u porodici [Law on Preventing Family Violence], *Official Gazette of the Republic of Serbia*, No. 94/2016

Zaključak o usvajanju Nacionalnog akcionog plana za primenu rezolucije 1325 Saveta bezbednosti UN „Žene, mir i bezbednost” u Republici Srbiji (2010-2015) [Conclusion Adopting the National Action Plan for Implementation of UN Security Council Resolution 1325, Women, Peace, and Security, in Serbia, 2017-2020], *Official Gazette of the Republic of Serbia*, No. 102/2010

ONLINE SOURCES

Brennan, D. (2016). Redefining an isolated incident. Bristol: Women's Aid. 2016, Internet, <https://1q7dqy2unor827bqjls0c4rn-wpeng-ine.netdna-ssl.com/wp-content/uploads/2016/12/TheFemicide-Census-2016.pdf>.

Savet za štampu, available online at, <http://www.savetzastampu.rs/latinica/zalbeni-postupci/122> i <http://www.savetzastampu.rs/latinica/zalbeni-postupci/2708>

Posedovanje vatrenog oružja i nasilje u porodici na Zapadnom Balkanu: komparativna studija zakonodavstva i mehanizama za primenu, SEESAC, 2007. Available online at <http://www.seesac.org/res/files/publication/513.pdf>.

Violence against women: an EU-wide survey, European Union: European Agency for Fundamental Rights, European Union Agency for Fundamental Rights, 2014, Internet, http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf.

A Gender Analysis of Violent Deaths, Small Arms Survey, Research Notes, Number 63, November 2016, available online at http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-63.pdf.

Small Arms Survey 2007, available online at <http://www.smallarmssurvey.org/publications/by-type/yearbook/small-arms-survey-2007.html>.

Global Burden of Armed Violence, Geneva Declaration of Armed Violence, Internet, <http://www.genevadeclaration.org>.

UNECE Statistical Database: Gender Statistics-Crime and Violence, Internet, http://w3.unece.org/pxweb/dialog/varval.asp?ma=ZZZ_GECr_VictimHomicide_r&ipath=../database/STAT/30-GE/07CV/8<lang=i8<ti=Victims+of+homicide+-by+relationship+of+perpetrator+to+victim+and+sex/.

Femicid: Kvantitativno – narativni izveštaji za 2016, 2015, 2014., 2013, 2012, 2011. i 2010. godinu, Internet, <http://www.zeneprotivnasilja.net/>.

- Tašković, M. „Krvava Srbija: Sve žrtve 5 najvećih masakara u poslednjih 15 godina”, Blic online, 2.7.2016, Internet, <http://www.blic.rs/vesti/hronika/krvava-srbija-sve-zrtve-5-najvecih-masakara-u-poslednjih-15-godina/gxtgys7>.
- Svetlana Đurđević Lukić, „Naoružani narod”, NIN, 7.7.2016, Internet, <http://publicpolicy.rs/files/Svetlana%20NIN.pdf>.
- Tanja Ignjatović, Vodič za novinare/ke – Nasilje u porodici i u partnerskim odnosima. Internet, http://www.womenngo.org.rs/images/publikacije-dp/2016/Vodic_za_novinarke-nasilje_u_porodici-II_izdanje.pdf.
- Vanja Macanović, Vodič za novinare/ke – Zakoni Republike Srbije i nasilje u porodici. Internet, http://www.womenngo.org.rs/images/publikacije-dp/2016/Vodic_za_novinarke-nasilje_u_porodici-II_izdanje.pdf.
- Women and Gun Ownership, Small Arms Survey Research Note, Number 45, September 2014, available online at http://www.smallarmssurvey.org/fileadmin/docs/H-Research_Notes/SAS-Research-Note-45.pdf.
- Bloom, S., Violence against Women and Girls: A Compendium of Monitoring and Evaluation Indicators, 2008, Internet, http://www.cpc.unc.edu/measure/publications/ms-08-3o/at_download/document.
- Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural, including the Right to Development: Report of the Special Rapporteur on Violence against Women, Its Causes and Consequences, UN, 2008, Internet, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/7session/A-HRC-7-6.doc>.
- Irena Vojačkova Solorano, „Oružje i nasilje u porodici”. Internet, http://www.b92.net/info/moj_ugao/index.php?yyyy=2016&nav_category=166&nav_id=1154678.

