

## Submission of the Protector of Citizens of the Republic of Serbia related to the implementation of the Femicide Watch Initiative

1. Additional steps taken to create a national femicide watch and/or femicide observatory and/or observatory on violence against women with a femicide watch role

On 22 April 2021, the Government of the Republic of Serbia adopted the Strategy for the Prevention and Combating of Gender Based Violence against Women and Domestic Violence for the period 2021-2025<sup>1</sup>. The Protector of Citizens, in his regular annual reports, has for years been pointing to the need to adopt this strategic document and reiterates the recommendation that the Government should adopt a National Strategy for the Prevention and Elimination of Violence in the Family and in Intimate Partner Relationships.

The Strategy prescribes the Specific Objective 2: Ensure efficient and effective protection of victims and establish accessible and adequate general and specialized support services for victims of violence. One of the measures for achieving the Special Objective 2 is *Measure 2.5. Prevention of femicide as an extreme manifestation of existing forms of violence against women*.

**Description and effects of the measure:** The aim of this measure is to establish a control mechanism for monitoring cases of femicide in the RS. Gender-based murders of women are not a new form of violence, but an extreme manifestation of existing forms of gender-based violence against women. These murders are not isolated incidents that happen suddenly and unexpectedly, but represent a final act of violence that has been going on for a long time. These manifestations are deeply culturally and socially rooted, society accepts them as inevitable, tolerates them and justifies them, as evidenced by publicly available information and articles about that act in the media. The responsibility of the state when it comes to the murders of women is missing.

The description of this measure states, among other things, that the establishment of specialized state bodies for conducting investigations and initiating criminal proceedings in cases of femicide was also recommended by the UN Special Rapporteur on violence against women<sup>2</sup>, in order to prevent impunity for the perpetrators. Accordingly, consideration should be given to treating femicide as a separate crime against life and body in the Serbian criminal law, which would include any gender-motivated deprivation of a woman's life, whether premeditated, or negligent, provided that it occurred as a result of gender-based violence. Cases of femicide should be further classified as femicide committed in the context of domestic and intimate partner violence, based on the relationship between the perpetrator and the victim, and other cases of femicide. In addition, states should collect data on women's suicides or deaths related to injuries in cases of violence against women and on the murders of children in connection with gender-based violence against their mothers.

The effects of the measure are reflected in the creation of the possibility of collecting and recording all data and information on acts of femicide in order to analyze the actions of the competent authorities and prevent violent deaths of women by men.

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<sup>1</sup> This strategic document is available at: <https://www.minrzs.gov.rs/sr/dokumenti/ostal>

<sup>2</sup> Dubravka Šimonović, Combating violence against women - bringing security home; available at: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20953&LangID=E>

**Institution responsible for implementing the measure:** Ministry of Justice, Ministry of Interior, Ministry of Labor, Employment, Veteran and Social Affairs

**Institutions participating in the implementation of the measure:** Ministry of Family Welfare and Demography, courts, public prosecutor's offices, Republic Public Prosecutor's Office, Supreme Court of Cassation, women's specialized NGOs.

2. Recent developments related to good practices and challenges in implementing an evidence-based response to the prevention of femicide

In the investigation initiated upon its own initiative on the occasion of the murder of three persons and one child in May 2020, the Protector of Citizens confirmed numerous omissions in the operation of the Ministry of Labor, Employment, Veteran and Social Affairs and the centers for social work in the process of protection against violence and abuse of children from the family which was in the records of the center. More specifically, the Protector of Citizens confirmed that the competent center for social welfare center during nine years of work with the family failed to initiate a single procedure with the aim of the protection against domestic violence or deprivation of parent right, whereas the Ministry failed to provide expert assistance to guardianship authorities timely, which it was obliged to do. Moreover, there was no timely exchange of information on the level of risk for victims of violence, abuse and negligence and the protection of beneficiaries was not provided pursuant to regulations and standards of the expert work in the area of family and legal and social welfare. The Protector of Citizens issued a recommendation<sup>75</sup> to the Ministry of Labor, Employment, Veteran and Social Affairs and competent centers for social work with the aim of the removal of identified omissions. Competent authorities acted upon the recommendation.

As in the reports, recommendations<sup>76</sup> and opinion issued so far to competent authorities, the Protector of Citizens issued in 2020, too, a recommendation in which it was indicated to the obligation of the state to provide in centers for social work an adequate number of expert employees, which would provide full application of the expert work standard and adequate activities of the centers for social work in cases of domestic and partner-relations violence, violence, abuse and neglect of children and performance of other expert activities. Competent authorities acted upon recommendations of the Protector of Citizens with regards to obtaining of the consent for new employment and additional work engagement at the centers for social work and institutions of social welfare. The Ministry of Labor, Employment, Veteran and Social Affairs, acting upon recommendations, indicated that by the Commission Conclusion of the Government for issuing consent to new employments and additional work engagement at the public fund beneficiaries<sup>79</sup> the consent was issued for the occupation of totally 187 available and vacant job positions at the public fund beneficiaries which are within the scope of competence of this Ministry – Sector for Family Care and Social welfare, of which 108 job positions are at centers for social work.

