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WOMEN'S RIGHTS IN WESTERN BALKANS



Kvinna till Kvinna

INDICATORS FOR WOMEN IN POLITICS, GENDER
BASED VIOLENCE AND SECURITY FOR WOMEN
HUMAN RIGHTS DEFENDERS IN ALBANIA, BOSNIA
AND HERZEGOVINA, KOSOVO, MACEDONIA,
MONTENEGRO AND SERBIA 2016

ABOUT THE KVINNA TILL KVINNA FOUNDATION

The Kvinna till Kvinna Foundation supports women in war and conflict affected regions, to increase women's power and influence. We support more than 100 women's organisations in five regions of conflict in their work for women's rights and peace.

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ABOUT THE RESEARCH

Women's Rights in Western Balkans is written for the programme Gendering the Western Balkans' EU Accession Processes 2015-2019. This programme is funded by the Swedish International Development Cooperation Agency, Sida, and implemented by the Kvinna till Kvinna Foundation in cooperation with women's civil society organisations in the Western Balkans. It includes Albania, Bosnia and Herzegovina, Kosovo, Macedonia, Montenegro and Serbia.

The overall objective of the programme is to strengthen women's rights and women's equal participation in decision-making in the Western Balkans, with the specific objective of gendering the EU accession.

Women's Rights in Western Balkans serves as a benchmark for the six Western Balkans accession countries regarding women's rights and influence, for comparisons over time. The three areas selected for this benchmark includes women in politics, gender based violence and the situation for women human rights defenders, as these are the priority areas for advocacy within the programme. Although we are aware of the complexity of gender inequality in society, the additional barriers faced by minority women who find themselves at intersections of ethnicity, religion, ability or class, the authors of this research project would like to draw attention to the marginalisation of women and how it is perpetuated and reproduced.

The authors recognise that there are limitations to this research assignment. Due to the scope of the assignment, the time-frame, limited resources, as well as the space allotted, the authors developed specific indicators within each thematic areas mentioned above. This is not meant to negate the plethora of other issues or factors that continue to challenge women in this region, but rather to empower women and to create a foundation upon which we can analyse, to some extent, women's position in society. As such, the authors encourage further research on various other indicators and benchmarking characteristics, which would add to the literature and information available on these topics, which would serve to further increase women's access to knowledge and empowerment.

WOMEN IN POLITICS 3

GENDER BASED VIOLENCE 12

WOMEN HUMAN RIGHTS DEFENDERS 27

% OF REPRESENTATION OF WOMEN IN POLITICS AND/OR IN HIGH POSITIONS WITH DECISION-MAKING POWER

Women's participation in politics in the respective countries being observed, depends on many different factors such as: professional and social status, institutional development, influence of women's organisations, support in electoral campaigns, but also traditional attitudes and prejudices of the society, as well as women's economic status. Political factors that can influence the participation of women in politics are the voting system and structure, quota systems in place, the number of parties in governmental bodies, and their attitudes toward women's participation.

Women are very often involved in political bodies dealing with education, health, social policy and administration and this can lead to horizontal segregation in some sectors. For example, women represent the majority in Gender Equality Committees, but there are fewer women on other committees, such as Finance and Economy - committees or ministries with higher decision-making power that generally have more influence on policy-making or governmental legislation. The other common problem in the region is hierarchical marginalisation that shows presence of larger number of men than women in high decision-making positions. The consequence of these

factors is that as positions become higher in power, the presence of women in these positions becomes lower.¹

From a political perspective, the quota system in most of the respective countries requires political parties to include at least 30% of female² candidates on their lists except in Bosnia and Herzegovina (BiH) and Macedonia, where the minimum is 40%³. In a number of cases; even after a party has adopted a quota system for placing women on party candidate lists - women who have succeeded in winning elections often find themselves in a place where their parties will replace them with male members of the same party following the election.⁴

Although the gender quotas are developing and giving positive changes in the region, the status of women in politics and their participation in decision-making processes is still changeable and flux.

¹ Government of Montenegro Ministry of Justice, *Žene u Politici/Women in Politics*, Montenegro, Ipsos, European Union, 2012.

² Of the least represented gender, which in all countries is currently female

³ Bosnia and Herzegovina, <http://www.quotaproject.org/country/bosnia-and-herzegovina>, (accessed 10 January 2017).

⁴ UNDP Regional Bureau for Europe and the Commonwealth of Independent States, *Enhancing Women's Political Participation: A Policy Note for Europe and the Commonwealth of Independent States*, Bratislava, 2010.

ALBANIA

Across Albania, women continue to face challenges in leadership and political participation, despite government reforms to improve legal, policy and institutional gender equality mechanisms.

Albanian women's participation and representation in political and economic decision-making remains limited and below international benchmarks. Although the Gender Equality Law (GEL) and Electoral Code target a minimum of 30 per cent of elected and nominated positions to women, women made up only 18 per cent of Albania's Parliament at the end of 2013. Recent laws failed to strengthen non-compliance sanctions against political parties.⁵

BOSNIA AND HERZEGOVINA

There are no women party leaders in BiH. According to data from January 2016, there were 183 registered political parties in the country. There are fewer women in executive governance at all levels, which is significantly lower than the proposed 40% in the Gender Equality Law of BiH.

Analysis of the seven leading parties and their detailed acts showed that there is only one place reserved for women, which implies that it is merely symbolic. Parties' attitudes toward women are linked to the absence of women from the dominant narrative and especially from this sphere, based on the view of women fulfilling only reproductive roles. Being a mother is the highest social role and the one that all women should strive for. Women are not recognised as creators of change, as carriers of success, or as economic developers but rather as a socially endangered population.⁶

Women's participation in the political life of BiH has been evaluated, but only formally, and it is de facto rooted in the social stagnation of women's positions and the discrimination that they face. Since the gender quota was increased from 33 to 40%, the situation improved slightly. Still, women are excluded in decision-making from the most important socio-political problems. There are a myriad of factors that cause this, and theory is connected with the social pathology of patriarchal systems and radical conservatism. The consequences are the continuous underestimation of women, and the simultaneous placement of women in secondary (or "supporting") roles in decision-making processes.⁷

KOSOVO

Despite its effectiveness in increasing women's access to politics, there are instances where the quota system has been used against women. Male party members competing against women on the preferential ballot frequently told supporters that women candidates would win office automatically through the quota requirement, so there was no need to "throw votes away" by casting preferential votes for a woman candidate. This prevents more women from becoming elected and can distort the election process by under-representing the amount of support that women candidates are able to garner.

Many women do not see incentives or an upside to entering politics and taking on a political career, which makes recruiting women candidates for office more difficult. A 2014 United Nations Development Programme (UNDP) poll shows that only 8% of women are involved in political parties, versus 22% of men.

Polling data has shown that nearly a third of women in the general population believe that women are held back by men in political parties, and that discrimination is a major cause of women's low representation in office. Women perceive the political arena as biased against them.⁸

MACEDONIA

Political parties are concerned with the fact that women who are to enter the election list should be obedient to the party. With few exceptions, women who enter into politics do not represent women, but men, since proposals for inclusion come from men themselves. In municipal assemblies, the situation is even worse; besides the lack of preparation to represent concepts of political programs, women are unable to bring forward issues or provide solutions to the problems faced by the women in the community [in which] they live.⁹

MONTENEGRO

The generally accepted view is that women hesitate to enter politics since, among other things, they are aware that there is little space and opportunity for them there, and that their possible engagement in a political party (regardless of their results) would not be valued adequately and awarded by a Parliamentary post.¹⁰

More than a half of Montenegrin citizens are not satisfied with the lack of presence of women in Parliament, with women tending to be more dissatisfied than men. The situation is similar when it comes to the presence of women in the Montenegrin Government. Even though most of citizens do not believe that a difference exists between men and women when it comes to the performance of a Member of Parliament (MP) or ministerial position, men are more likely to say that women perform these duties in a less professional way.¹¹

SERBIA

According to the survey research conducted by Open Parliament, in which 38 delegates and 67 MPs participated, results indicated that male MPs are more likely to hold positions of presidents, vice-presidents and members of the presidency in their parties than female MPs, while women are more frequently members of the Executive Committees. In addition, women are predominantly represented in committees that focus on human rights issues, children, family protection, social policy, poverty, environmental protection, culture and information, while in the committees that are focused on security, finance, internal affairs, urban planning, infrastructure, and transport, women represent a distinct minority.¹²

Approximately 53% of women (and as much as 69% of men) believe that women's family obligations and their lack of confidence limit them in being more active in politics, but that they are more successful than men in using informal influence, a standpoint shared by men as well. On the other hand, women are more inclined to compromise and respect the hierarchy of the party.¹³

⁵ UN Women, 'Leadership and Political Participation', UN Women Europe and Central Asia, <http://eca.unwomen.org/en/where-we-are/albania/leadership-and-political-participation>, (accessed 15 December 2016).

⁶ A. Omanović, *Zastupljenost Žena u Politici: Istraživanje Hrvatska, Srbija, Crna Gora, Makedonija, i BiH*, Sarajevo, Udruženje INFOHOUSE, 2015.

⁷ D. Bošnjak, et al., *Jačanje Uloge Žena u Javnom i Političkom Životu Bosne i Hercegovine*, Udruženje Pravni Institut u Bosni i Hercegovini, <http://glasajazenu.org/pdf/>, (accessed 19 December 2016).

⁸ National Democratic Institute, *Kosovo: Overcoming Barriers to Women's Political Participation*, 2015, <https://www.ndi.org/files/Gender-Assessment-report-eng.pdf>, (accessed 15 December 2016), pp. 11 – 12.

⁹ I. Kadriu, 'Albanian Women of Macedonia in Political Life', *Journal of Educational and Social Research*, vol. 4, no. 2, 2014, p. 200.

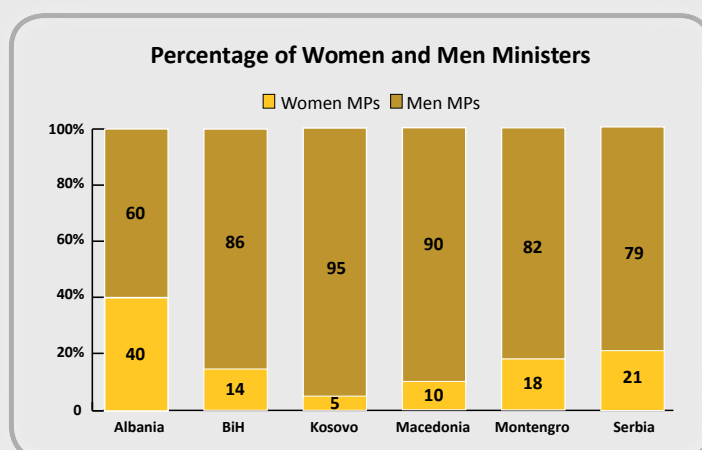
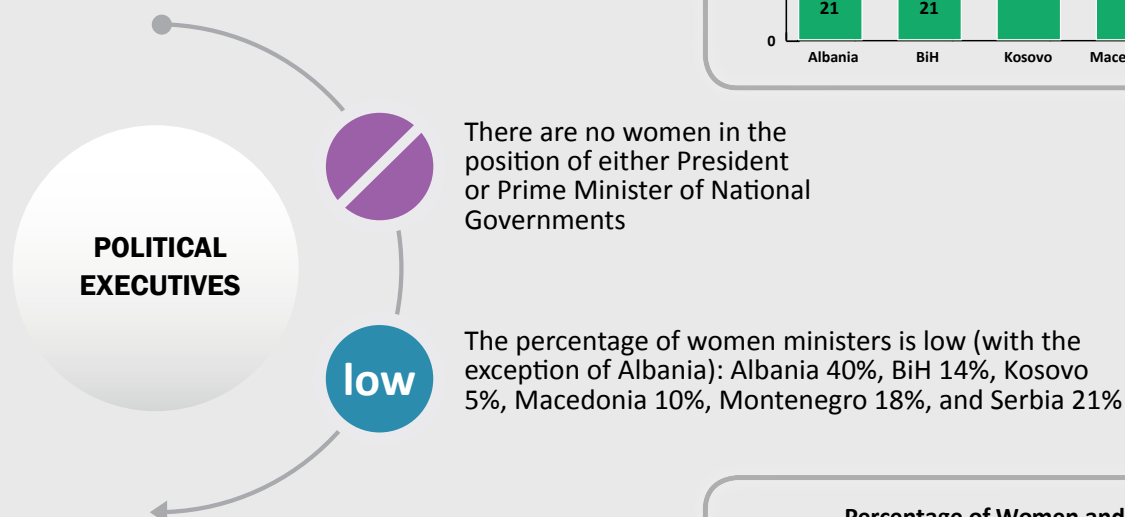
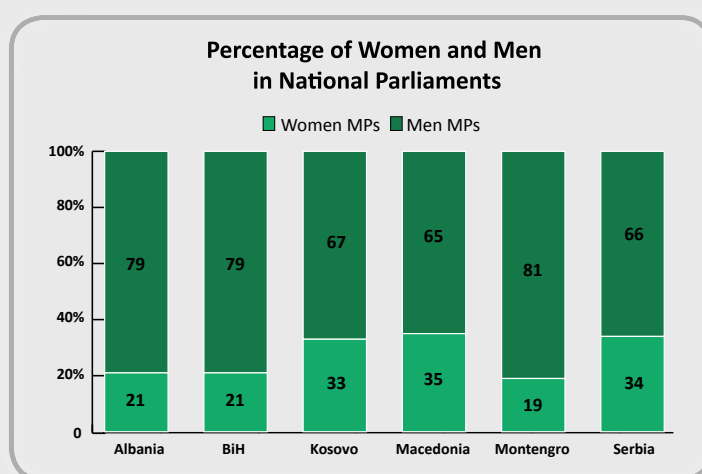
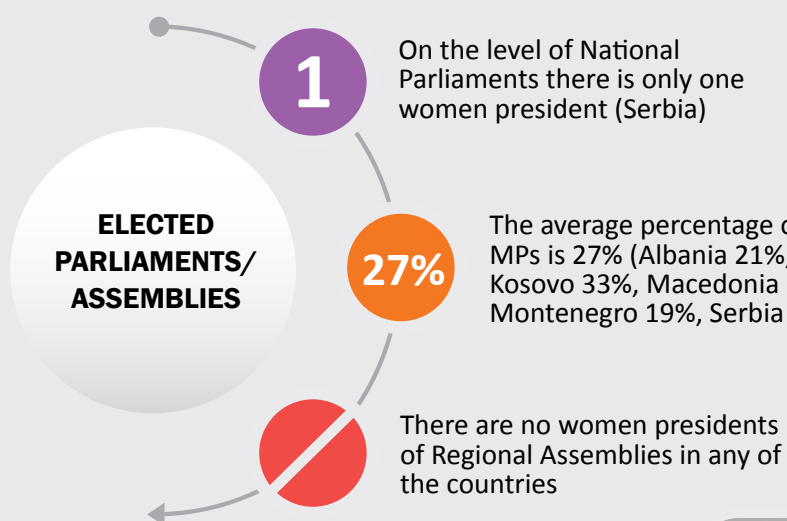
¹⁰ E. Rholetter Purdy, 'Montenegro', in *Encyclopedia of Women in Today's World*, Thousand Oaks, SAGE Publications, 2011.

¹¹ Government of Montenegro Ministry of Justice, *Žene u Politici/Women in Politics*, Montenegro, Ipsos, European Union, 2012, p. 51.

¹² A. Omanović, *Zastupljenost Žena u Politici: Istraživanje Hrvatska, Srbija, Crna Gora, Makedonija, i BiH*, Sarajevo, Udruženje INFOHOUSE, 2015.

¹³ M. Bogdanović, 'Women in Politics – The Cast of Serbia', *Sociologija*, vol. 58, no. 1, 2016, p. 121.

The indicative data shows that there are significantly fewer women in higher levels of political structures such as mayors, presidents, deputies etc. The corresponding statistics are as follows:¹⁴



¹⁴ European Commission, 'Politics', European Commission, http://ec.europa.eu/justice/gender-equality/gender-decision-making/database/politics/index_en.htm, (accessed 15 December 2016).

% OF REPRESENTATIONS OF WOMEN IN POLITICS IN LOCAL/MUNICIPAL COUNCILS

Statistical data show very low participation of women in local/municipal councils. The literature indicates that women from local municipalities face different barriers for participation in local politics and decision-making.

Regarding women's political participation, there is a very clear difference between their representative and formal participation. These two concepts are connected with the existing, above mentioned barriers (see Indicator 1). Although the number of women in higher levels of political bodies is increasing, women are still excluded from both executive and informal decision-making.

The final goal of increased participation of women in decision-making processes is to create gender-sensitive public politics that will respect women's needs, interests and values. In terms of ensuring women hold high positions of power and have pathways of entering such roles, literature indicates that it is good practice for the local government to include women and ensure they are represented in executive roles where there is no quota dictating that they hold this position, that they are visible and recognizable in the community, and that they are in managerial positions in local governments or political parties. Good practices also include commitment to local initiatives and networks of women politicians, gender-sensitive policies and visibility of gender equality issues in the local community.¹⁵

¹⁵ V. Baćanović, Učešće Žena u Odlučivanju na Lokalnom Nivou, Bačka Topola, Panonia-Print d.o.o., Ministarstvo za Rad, Zapošljavanje, Boračka i Socijalna Pitanja, 2014.

¹⁶ M. Dauti and E. Gjermeni, 'Mapping Women's Representation in the Local Councils of Albania', in Gender (In)equality and Gender Politics in Southeastern Europe, 2015, p. 225.

ALBANIA

- Women's participation in decision-making is considered a stepping-stone towards challenging patriarchal structures and promoting inclusive decision-making. It can gradually change societal perceptions that view women's contribution as restricted to the household (private sphere).
- Considered being incapable of making rational decisions and providing leadership, women face perceptions and attitudes that severely impede their chances of obtaining higher participation in local politics.
- Involvement in politics can be risky for women for several reasons. A major concern is if the party supported by women loses during the elections, then women might lose their jobs.
- In terms of higher numbers, an increase in the representation of women in local decision-making does not necessarily translate into greater decision-making power. Several barriers to empowerment still exist. Women face cultural norms and expectations that relegate them to a secondary role in local councils.
- Women's contribution is restricted to what is traditionally perceived as women's domain. For instance, women are more likely to serve on committees related to health, welfare, and housing.
- Women's contributions are welcomed mostly during election campaigns. Even though they make significant contributions during elections, they do not hold leading positions at the local or municipal levels.¹⁶

Women from multiple marginalised groups and minority communities face additional obstacles to entering politics and they are almost entirely excluded from the positions of executive power. This intersectionality in barriers to their participation means that with each added barrier, or at each additional intersection, the chances of entering into positions that hold power become lower and lower.

BOSNIA AND HERZEGOVINA

- Following the local elections in 2012, 29 representatives of national minorities were elected – 24 men and only 5 women. Comparing to the total number of the elected councilors (3105 persons), women from minority groups received only 0.16% of the vote.¹⁸

KOSOVO

- Many minority groups live in small rural municipalities with traditional values that do not support women's political participation. As a result, there is a lack of family or community support for women to participate in politics at any level
- The most immediate barrier to political participation facing minority women is exclusion from entering local government. For minority communities, the most effective way to begin a political career is to serve in local government before advancing to the national level. There are local government positions reserved for minority communities, however, these positions too are often held by men. Men also hold important decision-making processes in informal settings after work hours, coupled with the fact that women are socially discouraged from being outside of the home or have family duties to fulfil, all contributes to women's exclusion from local politics.¹⁷

RECOMMENDATIONS

Participation in the work of local governments in decision-making at the local level for many women is the starting point in their political careers and it is the space where they gain experience for their career path. Therefore, political participation of women at the local level should not be seen as less important than at the state level. In recent years, the European Union (EU) has been particularly interested in issues relating to women's contribution to the local level in rural areas, which in Europe today, are recognised as an essential element for which the stability and even identities of most countries are largely dependent. In addition, it is necessary to introduce gender-responsive policies in the budget process and to monitor and analyse the budget throughout the year. It is necessary to provide a gender-sensitive educational system to eliminate stereotypes, and promote programs for the harmonisation of work and family responsibilities of men.¹⁹



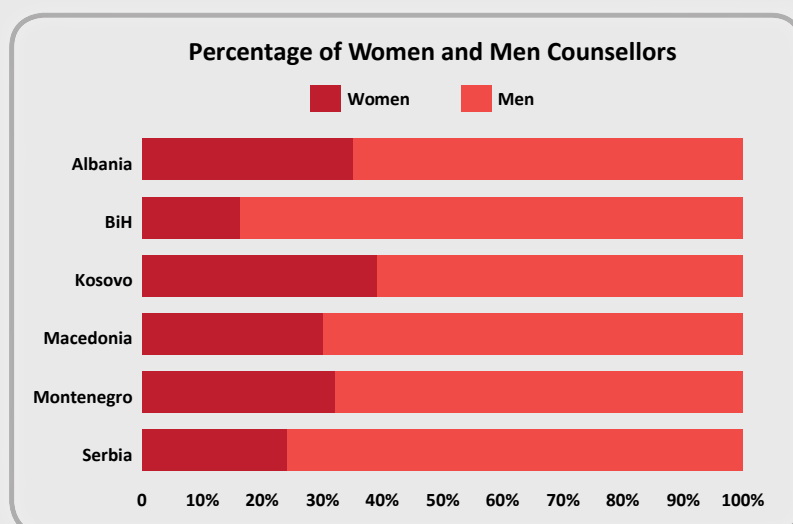
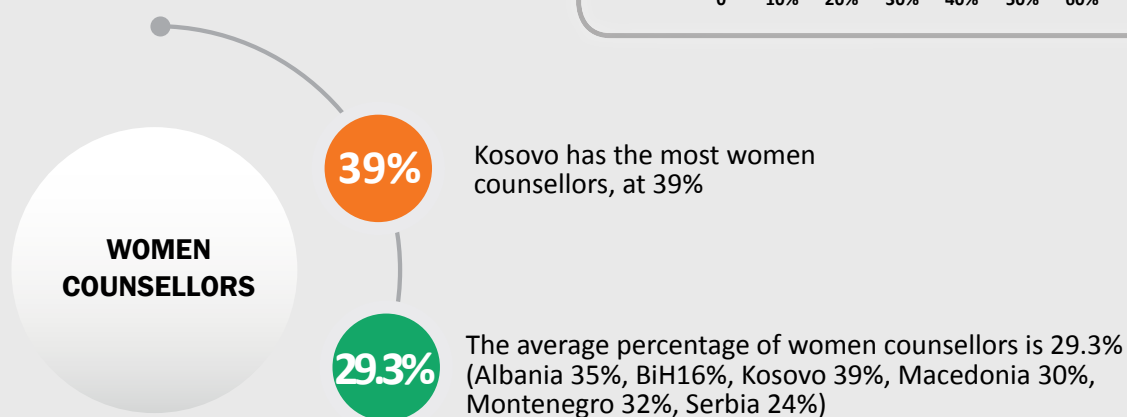
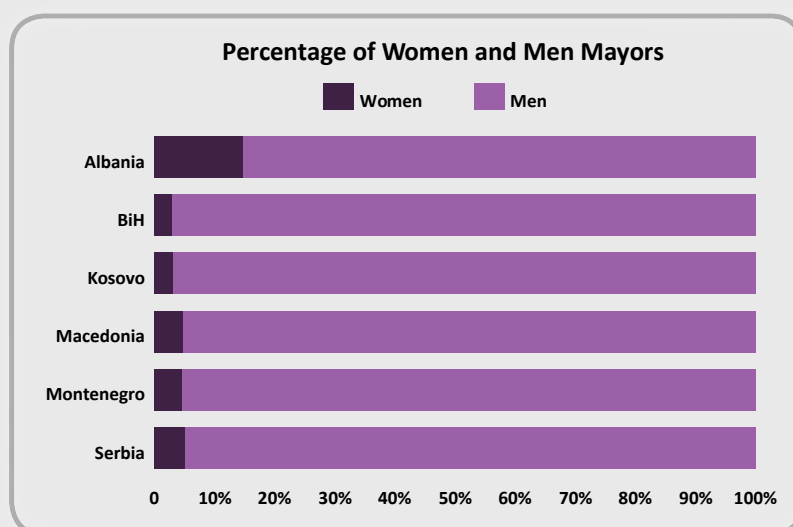
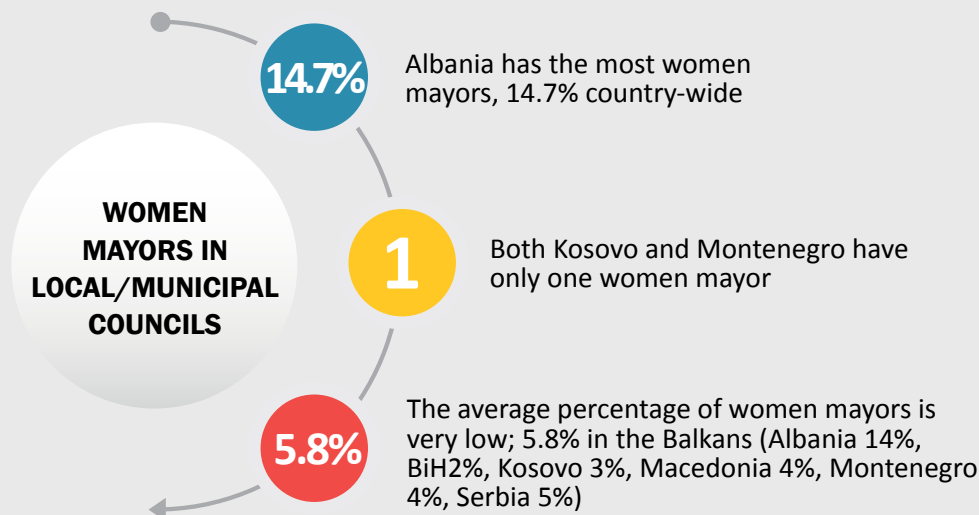
“The positive change and recommendation is coming from the Bosnian implementation of quota system, and a key takeaway is if a quota system is used, it should be accompanied by other initiatives such as ‘support to women in election campaigns, education of women on how to lead their campaigns, support to media to pay more attention to women candidates, and voter education.’”

*UNDP Regional Office for Central Europe and CIS,
Enhancing Women's Political Participation*

¹⁷ National Democratic Institute, Kosovo: Overcoming Barriers to Women's Political Participation, 2015, <https://www.ndi.org/files/Gender-Assessment-report-eng.pdf>, (accessed 15 December 2016), pp. 13.

¹⁸ Bošnjak, D. et al., Jačanje Uloge Žena u Javnom i Političkom Životu Bosne i Hercegovine, Udruženje Pravni Institut u Bosni i Hercegovini, <http://glasajzazenu.org/pdf/>, (accessed 19 December 2016).

¹⁹ *ibid.*



QUALITATIVE ASSESSMENT OF GENDER BALANCE PROMOTION IN POLITICAL AND PUBLIC DECISION-MAKING POSITIONS

In the region of study, women generally lack access to political leadership opportunities and resources at all levels of government. Women's equal participation in decision making is a necessary pre-condition for women's position in society, and for this reason it is important to increase the participation and effectiveness of women in political life, provide them with access to resources and expertise, stimulate dialogue, increase knowledge and to create space for them to share experiences with other women in politics. On account of women's marginalised position in this region, and because they hold so few positions of power, these actions have to be consciously done in order for space to be created for women, and for women to have a chance to proverbially catch up to men's social standing.

There are three main groups that are most important in the processes of promotion and support of women in politics: political parties, women in politics, and civil society. It is very important that political parties promote women on their candidate lists, provide women with appropriate training and support, and allocate funds equally. The implementation of the gender quotas should not be the only tool for advancing women in politics. The women in politics also need to be empowered and supported in planning and executing a political career. A very important group in the promotion of women in politics is civil society (civil society organisations, women's groups, media) who can put pressure on political stakeholders in order to initiate support for women's political advancement.²⁰

ALBANIA

As there is a strong association between poverty, region, and the percentage of councilwomen (Tirana and the coastal region are characterized by the lowest percentage of people living in poverty and the highest percentage of councilwomen, meanwhile the mountainous region is characterized by the highest percentage of people living in poverty and the lowest percentage of councilwomen), the challenge for Albanian politics is not only to promote greater participation of women in local decision-making, but to also diminish the gap that exists between the regions:

- Increasing women's representation in local decision-making cannot be achieved by training programs alone. While training programs are important in influencing people's attitudes, they should be introduced with other programs – economic, educational, and health literacy programs – that will empower women and gradually result in increased participation in local decision-making
- Strengthening women's participation in local decision-making requires the implementation of regional policies and programs. Promoting women's participation in decision-making in the mountainous region, where the average percentage of councilwomen is 5%, requires different intervention strategies than in the coastal region, where the average percentage of councilwomen is 33%. Regional programs are more likely to result in tangible effects compared with uniform programs that ignore local differences.²¹

²⁰ OSCE/ODIHR, Handbook on Promoting Women's Participation in Political Parties, Warsaw, Sungraf, 2014.

²¹ M. Dauti and E. Gjermeni, 'Mapping Women's Representation in the Local Councils of Albania', in Gender (In)equality and Gender Politics in Southeastern Europe, 2015, p. 225.

KOSOVO

Over a 10-day election campaign in June 2014, there were few opportunities for women to participate in debates. While the media did ask parties to send one woman candidate per two men for debates, in most cases, parties sent more experienced male candidates to represent the party on television. The lack of support and exposure was a critical factor for the lack of satisfactory electoral success for women. Of the women party members surveyed, 62% believe their party does not have a media strategy to promote women's image in politics.²²

MONTENEGRO

The study "Women in Politics" which was conducted for the UNDP shows that, when looking at specific politicians in Montenegro, it can be concluded that women in politics have a problem with a lack of high notoriety. They are mainly present in the Parliament and only a few are in executive positions that allow frequent media presence, or a focus on specific areas and problems of the Montenegrin society. Therefore, when comparing men and women on the political scene in general, it is clear that the impact of the "glass ceiling" as a form of vertical segregation prevents women from entering into the most responsible executive functions in the country.²³

MEASURES TO PROMOTE WOMEN'S PARTICIPATION IN POLITICAL LIFE²⁴

In order to enhance women's political participation there is a need to directly address each of the structural barriers that prevent women from participating in politics. To create an accessible environment for women to take part in political life at all levels is another required measure. Reconciliation of work, private and family life is recognised at the EU level as an important priority for achieving gender equality and to increase women's chances to take part in political life. It is important to promote the presence of women from different backgrounds in decision-making positions.

BEIJING PLATFORM FOR ACTION²⁵

The Beijing Platform for Action emphasizes that "women's equal participation in decision-making is not only a demand for justice or democracy, but can also be seen as a necessary condition for women's interests to be taken into account. Without the perspective of women at all levels of decision-making, the goals of equality, development and peace cannot be achieved." The Beijing Platform for Action defined following strategic objectives in the area of women in power and decision-making: to ensure women's equal access to and full participation in power structures and decision making; to increase women's capacity to participate in decision-making and leadership and to protect and promote the equal rights of women and men to engage in political activities. For the latter strategic objective, the Platform for Action recommended the organisation of leadership and gender awareness training; the development of transparent criteria for decision-making positions; and the creation of a system of mentoring.

Case Study: Albanian President Tells Women Leaders to Make their Voices Heard In 2009

Albanian President Bamir Topi called on women to not only participate in politics and public life, but to actively strive to be seen and heard in those positions. With 10 of 140 parliamentary seats and 1 of 65 mayoral positions occupied by women, Albania had one of the lowest percentages of elected women in Europe. In an effort to shift these statistics, the government has invested in ways to increase women's effective and visible participation in politics as a means of maintaining a stable, democratic government and economic growth.

Strengthen Women's Political Participation and Decision-Making Power, http://womendeliver.org/wp-content/uploads/2016/09/Good_Campaign_Brief_8_092016.pdf

²² National Democratic Institute, Kosovo: Overcoming Barriers to Women's Political Participation, 2015, https://www.ndi.org/Kosovo_gender_report, (accessed 15 December 2016), pp. 14.

²³ A. Omanović, Zastupljenost Žena u Politici: Istraživanje Hrvatska, Srbija, Crna Gora, Makedonija, i BiH, Sarajevo, Udruženje INFOHOUSE, 2015.

²⁴ Committee on Women's Rights and Gender Equality, Report on Women in Political Decision-Making – Quality and Equality (2011/2295(INI)), Rapporteur Sirpa Pietikäinen, 2012.

²⁵ Beijing Platform for Action, Chapter IV. G. Women in Power and Decision-Making, <http://www.un-documents.net/bpa-4-g.htm>, (accessed 15 December 2016).

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Rholetter Purdy, E., 'Montenegro', in Encyclopedia of Women in Today's World, Thousand Oaks, SAGE Publications, 2011.

UNDP Regional Bureau for Europe and the Commonwealth of Independent States, Enhancing Women's Political Participation: A Policy Note for Europe and the Commonwealth of Independent States, Bratislava, 2010.

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NUMBER OF TRAINED RESPONSIBLE AUTHORITIES (LAWYERS, POLICEMEN, SOCIAL WORKERS, HEALTH CENTRE REPRESENTATIVES, PROSECUTORS) FOR PROTECTION, SUPPORT AND REHABILITATION OF SURVIVORS OF VIOLENCE

In recent years, all the observed countries have improved the status of women and promoted gender equality, adopted specific domestic violence legislations and conventions, and most have amended criminal codes as well. These countries, however, still face many challenges in terms of implementing the adopted laws and strengthening their legislative and institutional frameworks. The main mechanism for combating gender-based violence (GBV) and domestic violence as a priority that requires the involvement of the entire community, from local government units, to law enforcement agencies, health care providers, judges and prosecutors.

Domestic violence in all the listed countries is deeply rooted in patriarchal traditions and customs that shape their societies (e.g., strict gender identities and roles, patriarchal authority, adherence to an honour-and-shaming system, customs of hierarchical ordering within the family, and intergenerational family control). Such patriarchal, cultural and sexual norms, as well as discriminatory divisions of power and labour (where women are financially dependent on men/husbands) are some of the predominant reasons why domestic violence in this region is rarely reported to the police.

The analyses indicate that a generality in the region being studied is that legal staffs receive

almost no (or only basic) training and most of them do not understand the GBV legislation and procedures. In cases where domestic violence is reported, legal staffs often persuade or advise women to return to their homes. Such suggestions are based on the strong patriarchal attitudes towards the family sphere. In addition, services such as social welfare or health centres, do not always report violence. Local civil society organisations (CSOs) are the ones that women survivors of violence approach most often, and they are often the only ones who have developed the programs and mechanisms for supporting the survivors to some extent.

ALBANIA

"The abused woman is repeatedly encouraged by police, prosecutors and judges to forgive the abuser, resulting in most cases being dropped before going to trial. In those cases which are prosecuted, if the abuser is found guilty he is usually only levied a fine which results in a negative impact on the entire family income and does not remove the abuser from the home."

R. Rosenberg, 'Domestic Violence in Europe and Eurasia: Final Report', 2006, p. 13.

BOSNIA AND HERZEGOVINA

"Police often treat the victim as though she was responsible for her own victimisation. Moreover, many officers interpret a victim staying with her abuser as proof that she's lying about the abuse (with the police reporting that 80% of victims return to an abusive partner after police intervention), or that the violence has been exaggerated, excusing their inaction in DV situations."

L. R. Muftić and J. R. Cruze, 'The Laws Have Changed, but What About the Police? Policing Domestic Violence in Bosnia and Herzegovina', *Violence Against Women*, 2014.

KOSOVO

"Studies found a number of failures in the Kosovo institutions' response to domestic violence: lack of sensitivity to gender-based violence in general and domestic violence in particular, few well-trained police, social services' failure to represent children's best interests, a shortage of human and financial resources to protect and advocate for victims, and a failure to coordinate responses among the various agencies."

K. Kelmendi, 'Domestic Violence Against Women in Kosovo: A Qualitative Study of Women's Experiences', *Journal of Interpersonal Violence*, vol. 30, no. 4, 2015, p. 683.

MACEDONIA

"The police do not respond appropriately to the needs of female victims of violence and there are no specific institutions to provide protection or assistance. In fact, intense social pressure means that few victims bring complaints to the police at all."

Organisation for Economic Co-operation and Development, *Atlas of Gender and Development: How Social Norms Affect Gender Equality in Non-OECD Countries*, Paris, OECD Pub, 2010, p. 77.

MONTENEGRO

"Domestic violence is a widespread problem in Montenegro. It is a patriarchal society with traditional views on gender roles in a family and in a community. Power belongs to men and women are the ones who obey. For the most part, the public thinks that domestic violence is a private problem of the family."

The Advocates for Human Rights, Violence Against Women in Montenegro, 2010.

SERBIA

"According to Praxis, the police, in agreement with the prosecutor, will usually file misdemeanour charges, including in cases in which a woman has "lighter bodily injuries" and in cases in which a woman is "running away from serious threats of being killed" (ibid.). According to the same source, when domestic violence is qualified as a misdemeanour, "its significance is in fact minimised, and it is seen as a private or family matter."

'Serbia: Domestic Violence, Including Legislation, Recourse, State Protection, and Support Services Available to Victims (2012- April 2015)', UNHCR, 2015.

RECOMMENDATIONS

By recommendation of the *Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)*, training for relevant professionals is required for dealing with the victims of violence, for the prevention and detection of such violence, equality between women and men, the needs and rights of victims, as well as prevention of secondary victimisation.²⁶

The role of prosecutors, judges and the police is particularly important in avoiding re-victimisation and ensuring the safety of survivors during the investigation process and court proceedings. Close co-operation between all actors is also key at all stages of investigations and proceedings in order to secure convictions and convey the message that such violence is not tolerated. Most importantly, through their actions during the processing of domestic violence or GBV, law enforcement and justice officers can contribute to empowering victims to make decisions that will increase their safety and help them end the cycle of violence.²⁷

Case Study: Albania

Albania's *Law on Measures against Violence in Family Relations* contains requirements for police training. In response to these provisions, a Police Protocol on Domestic Violence cases was developed to assist in training police officers. The protocol is highly detailed and specifically refers to sections of the Albanian law and criminal procedure code. This specificity in linking police responsibilities to the language of the new law helps police understand that their duties during an investigation are not simply good practice but are mandated by law.

Laws on police role in implementation, UN women 2012.

²⁶ Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, Istanbul Convention, Brussels, 2011, Article 15.

²⁷ 'Preventing and Combating Domestic Violence against Women, a Learning Resource for Training Law Enforcement and Justice Officers', Council of Europe, 2016.

In order to effectively address violence against women, laws and national action plans should require the engagement of – and coordination between – multiple sectors and groups, both public and private. This section discusses measures specifically related to ensuring that police and other law enforcement officials effectively implement laws on violence against women. The quality of police work is crucial for implementation. Acts of violence against women must be investigated thoroughly and documented precisely in all instances.²⁸

ALBANIA	BOSNIA AND HERZEGOVINA	MONTENEGRO	SERBIA
<p>“Combating GBV and domestic violence through the Coordinated Community Response against domestic violence remains a priority. This is a referral mechanism that involves the entire community, from local government units to law enforcement agencies, health care providers, judges and prosecutors.”</p> <p><i>Gender Equality and Gender-Based Violence Programm 2012- 2016, UNDP</i></p>	<p>“(c) Continue strengthening capacity building and training activities for all involved in providing services to women victims, including policymakers, judicial officers, health-care professionals and other service providers.”</p> <p><i>Report of the Special Rapporteur on violence against women, its causes and consequences, UN Human Rights Council , Mission to Bosnia and Herzegovina, 2013.</i></p>	<p>“The role of the multi-disciplinary teams in the fight against GBV is of great importance. Statistics show that every third women has experienced some form of violence, globally and in Montenegro. Therefore we need to support the work of the multi-disciplinary teams through continuous training course and education.”</p> <p><i>OSCE-supported training courses on fight against gender-based violence take place in five Montenegrin municipalities, OSCE, 2015.</i></p>	<p>“Trainings on domestic violence and other forms of GBV for professionals in judiciary, health sector, social sector and police should become part of professional development curricula and should keep the same format as it has proven successful.”</p> <p><i>‘Integrated response to gender based violence against women in Serbia Project Evaluation, UNDP 2016.</i></p>

• Benchmark on numbers of the responsible authorities who participated at the trainings/seminars/workshops:

ALBANIA

UNDP Kosovo organised trainings and:

- over 120 police officers completed trainings on domestic violence
- 23 trainers from the State Police Academy were trained on acquiring pedagogical skills in their future capacity building work with police staff
- over 520 police officers around the country have increased their professional capacities
- over 300 magistrates and other legal professionals have completed domestic violence programmes

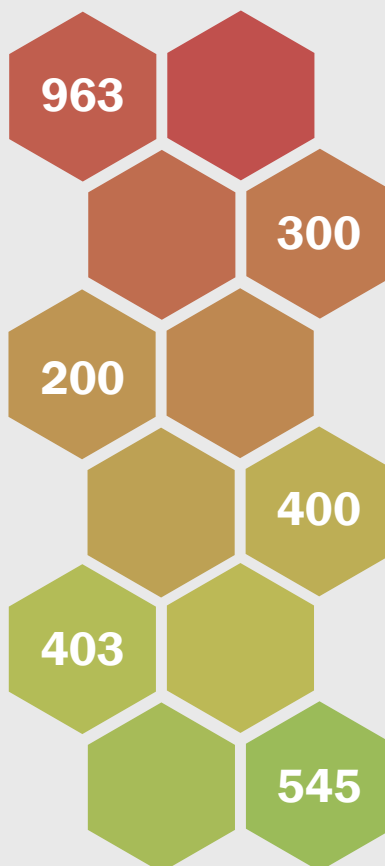
KOSOVO

The workshops, organised by the OSCE Mission in Kosovo and the Kosovo Agency for Gender Equality, have trained a total of 200 police officers, social workers, victims’ advocates, doctors, shelters’ staff, teachers, judges, and prosecutors

MONTENEGRO

NGOs organised numerous trainings for institutions on VAW and gender equality:

- 238 professionals of Police Directorate, including the managing structures finished educational seminar
- 67 professionals from the Police were trained
- 98 students in the Secondary Police School in Danilovgrad finished an educational seminar on domestic violence



BOSNIA AND HERZEGOVINA

The OSCE Mission in BiH trained over 300 police officers, social workers and civil society representatives on good practices in domestic violence proceedings and the use of the database

MACEDONIA

Mistry for Labour and Social Policy and UNICEF Office in Skopje conducted trainings for about 400 professionals from the police, social work centres, health care institutions, the civil sector and the local self-government were trained on the topic of working with victims of domestic violence

SERBIA

UNDP project “Integrated Response to Violence against Women in Serbia” :

- 205 police officers (35 female, 170 male) were trained, in partnership with the Criminal and Police Academy, in an advanced program for police officers on sexual and GBV
- 340 judges and prosecutors were trained in an advanced program for judges and prosecutors on violence against women in family and in intimate partner relationships

²⁸ ‘Laws on Police Role in Implementation’, UN Women, 2012.

NUMBER OF OPERATING SHELTERS AND TELEPHONE HELPLINES

In the commentary to the *Istanbul Convention* it is stated that specialised safe houses for women are the best way of caring for survivors of violence.

In all countries there are not enough shelters or helplines for survivors of domestic violence or GBV. Statistical data are as follows: on the territory of Bosnia and Herzegovina (BiH) there are nine safe houses with a total of 204 spaces for women and children victims of violence, in Albania there are five safe houses with 153 spaces, in Serbia there are 12 safe houses with 257 spaces, in Montenegro there are three safe houses with 44 spaces, and in Macedonia there are five safe houses with 22 spaces.

Article 23 of the *Istanbul Convention* requires all parties to establish: “the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to survivors, especially women and their children”. Furthermore, in the explanatory report of the *Istanbul Convention*, it is recommended that such accommodation should be specialised women’s shelters, available in every region, and provide secure accommodation. The minimum standard of provision should be one family place per 10,000 people.

National women’s helplines are among the core services that women turn to for immediate support and advice. As such, they are vital support services for women experiencing violence because they provide survivors of all forms of violence with specialist support tailored to meet their various needs. National women’s helplines provide two important elements for women survivors of violence: information and emotional support.²⁹ Standards for the provision of a national women’s helpline set by the *Istanbul Convention* establishes that states must provide at least one national helpline to address all forms of violence against women, operating 24/7, free of charge, and in all relevant languages. Furthermore, Article 22 states that the parties to the convention “shall provide or arrange for specialist women’s support services to all women victims of violence and their children,” which implies that specialist women’s helplines are needed to provide adequate support.

²⁹ Women Against Violence Europe, WAVE Report 2015: On the Role of Specialist Women’s Support Services in Europe, Vienna, WAVE, 2016.

Recommendations

ALBANIA

“The number of shelters and reintegration services needs to be increased. Existing volunteer-run shelters have yet to be supported by the authorities. Due to poor administrative and financial resources, the national referral mechanism for domestic violence is operational in very few municipalities, and it applies unnecessarily restrictive admission criteria for victims. Services for victims of domestic violence should improve in quality, quantity, accessibility and geographical coverage, and there should be more work on reintegration and economic empowerment.”

Albania 2015 Report, The European Commission Brussels, 2015.

BOSNIA AND HERZEGOVINA

“Urgently harmonise the legislative and institutional frameworks with the Istanbul Convention”
“Through the changes and amendments to Article 35 of the Law on Protection from Family Violence, Federation of Bosnia and Herzegovina (FBiH) safe houses have to be enabled to keep functioning and at least 70% of their expenses need to be covered, including staff costs and general costs of safe houses.”

S. Gavrić et al., The Orange Report 2016: Annual Report on the State of Women's Rights in Bosnia and Herzegovina, Sarajevo, Sarajevo Open Centre, 2016.

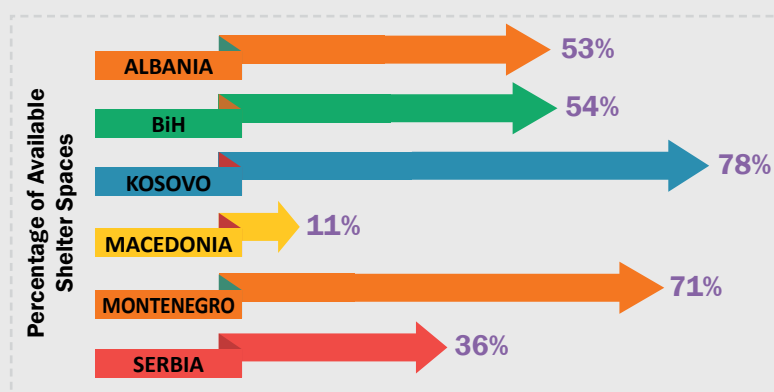
SERBIA

“There was a clear and identified need to improve the system of protection of women from violence by strengthening the response of general and specialist services: specifically, the need to strengthen the specialist service of telephone SOS helpline for women survivors of violence and the need to institute an integrated response to violence against women based on functional multisectoral cooperation.”

‘Integrated response to gender based violence against women in Serbia Project Evaluation, UNDP 2016.

NATIONAL WOMEN'S SHELTERS³⁰

Countries	Total Population	Meets the Minimum Standard	Number of Women's Shelters	Number of Beds in Women's Shelters	Women's Shelters Beds Available (%)	Women's Shelters Beds Needed	Women's Shelters Beds Missing
Albania	2,895,947	No	5	153	53%	290	137
Bosnia and Herzegovina	3,791,662	No	9	204	54%	379	175
Kosovo	1,794,180	No	8	140	78%	179	39
Macedonia	2,022,547	No	5	22	11%	202	180
Montenegro	621,521	No	3	44	71%	62	18
Serbia	7,146,759	No	12	257	36%	715	458



NATIONAL WOMEN'S HELPLINES

Countries	National Women's Helplines	24/7 and Free of Charge	Free of Charge	Operating 24/7	Multilingual Support
Albania	Yes	No	No	No	No
Bosnia and Herzegovina	Yes	No	Yes	No	No
Kosovo	Yes	Yes	Yes	Yes	Yes
Macedonia	Yes	No	No	Yes	No
Montenegro	Yes	Yes	Yes	Yes	No
Serbia	Yes	/	/	/	/
Total	6	2	3	3	1

³⁰ Women Against Violence Europe, WAVE Report 2015: On the Role of Specialist Women's Support Services in Europe, Vienna, WAVE, 2016.

ALLOCATION OF FUNDS FOR COMBATING GENDER-BASED VIOLENCE

Through the analysis of budgets and planned allocations of the funds in national budgets and/or selected government departments or programs, we assessed the funds spent on the gender machinery of each government, comparative to other ministries or departments. The aim in this analysis is to reveal the discrepancy between policy statements and the resources committed to their implementation. It is evident that funds for combating GBV are not among the priorities in the budgets of the countries in this region.

THE COSTS OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

Measuring the costs of GBV is useful when interpreting the magnitude of the problem at hand and how it affects society as a whole. In the limited number of studies conducted in European countries, the estimated national total costs of violence against women ranged from €9.2 to €555 per capita every year.³¹ All of these studies indicate that early prevention costs significantly less than later-stage interventions.

Among the six countries that are being observed, only Serbia, Macedonia, Albania and Kosovo have conducted studies on the costs of violence against women. It has to be stressed that those estimations are not

comprehensive, thus all of the studies represent underestimates, and it is likely that the numbers are higher than indicated. Research on the costs of violence cannot take into account unreported cases or the long-term effects on victims, and it is extremely difficult to take into account, or estimate, all of the costs linked to violence against women. Although imprecise, these studies give valuable information on the financial losses of the country due to GBV, and as such, they provide recommendations for more reasonable steps in funding allocation. The data are as follows:

ALBANIA

As for Albania, the study covered four districts – Tirana, Durrës, Korçë and Kukës, during a three-month-long survey. The goal was to estimate the average costs of one domestic violence case, including the costs of all of the state actors – State Police, District Prosecution, Judicial District Courts and survivors involved in dealing with a domestic violence case. The costs of direct expenses of the victim of domestic violence is 7900 ALL (Albanian Lek), which is approximately €59.³²

³¹ C., Hagemann-White, C., Combating Violence Against Women: Stocktaking Study on the Measures and Actions Taken in Council of Europe Member States, Strasbourg, Council of Europe, 2006, p. 10.

³² Centre for Legal Civic Initiatives, A Study of the Economic Costs for the Implementation of the Albanian Legislation Against Domestic Violence, Tirana, Albania, 2013, p. 106.

KOSOVO

According to the report made by Kosova Women's Network (KWN) in 2011, the total costs of services for preventing domestic violence, protecting survivors, prosecuting perpetrators and supporting their rehabilitation and reintegration in 2011 in Kosovo were estimated to be € 3 060 116.³³

MACEDONIA

In Macedonia, the costs of a full institutional response, which would be incurred if all women who suffered from domestic violence sought and received help, would be between 15 309 619 744 MKD (Macedonian Denars) and 18 489 835 645 MKD depending on the time spent per case. Again, this amount does not include the healthcare costs per victim, which are 581 and 537 times higher than the estimated current budget spending for this problem.³⁴

SERBIA

Estimation for the Republic of Serbia in 2009 presents that minimal budget costs of violence against women, including those for police employees, judicial system and system of social and health protection, were between 204.8 and 535.9 million RSD (Serbian Dinars) (approx. between € 2 million to € 5 million). Unfortunately, it was not possible to estimate administrative or logistical costs.³⁵

BUDGET ALLOCATIONS IN THE RESPECTIVE COUNTRIES

ALBANIA

In Albania, the Ministry of Social Welfare and Youth planned the annual budget for issues related to gender equality and the fight against domestic violence, which was 1 479 263 ALL (€ 10 705) in 2013. From this sum, it is possible to identify two items related to domestic violence: first, the budget for the national shelter was 13 300 000 ALL (€ 96 256); enough for 52 women accompanied with children to benefit from residential services in 2013, and second, 20 153 000 ALL (€ 145 854) for the budget for residential services for trafficked women/girls who are treated with residential services and economic assistance.³⁶ The 2014-2017 medium-term draft budget envisaged a fund of 37 924 000 ALL (€ 274 468) for 2014. Unfortunately, it was not possible to find the data related to the budget for 2015 in Albania.

BOSNIA AND HERZEGOVINA

The budget in BiH is not publicly available and it was not possible to receive it in due time for this analysis. According to the Orange Report³⁷, in 2015 the Federation of Bosnia and Herzegovina (FBiH) did not allocate a single BAM (Convertible Mark) for safe houses. According to the Association of Women and their data about budget allocations and costs of shelters in the BiH, the maximum amount provided for the shelters from 2008 onwards did not exceed € 100 000.³⁸ This sum is the amount that is required for one shelter to adequately function for one year. The allocated amount of money issued by the federal government in 2016 in BiH was 162 000 BAM (€ 81 000) per year, which is not nearly enough for one shelter with 25 beds to operate.³⁹ The *Law on Combating Domestic Violence in Bosnia and Herzegovina* makes provisions of funding of shelters in Article 35. The federal government, however, has not yet fulfilled its legal obligation to fund 70% of the shelters' expenses. The rationale is that the provision of the Article 35 is unclear and that it requires further clarification and elaboration.⁴⁰

KOSOVO

As for Kosovo, the total allocated budget for the Agency on Gender Equality for 2015, 2016 and 2017 is € 191 425. From this sum, € 119 281 is for wages and salaries of the employees in the agency, while only € 39 594 is for goods and services. It is not clear what kind of services are provided by the agency since there are no specific activities indicated in the budget.⁴¹ The specific breakdowns of budget expenses are missing, with activities only sometimes listing the responsible institutions.

³³ N. Farnsworth et al., *At What Cost? Budgeting for the Implementation of the Legal Framework Against Domestic Violence in Kosovo*, Prishtina, Kosova Women's Network, Grafika Raznqi, 2012, p. 74.

³⁴ Y. Gancheva et al., 'The Costs of Domestic Violence Against Women in the Former Yugoslav Republic of Macedonia: A Costing Exercise for 2006', Economic Policy Research Institute, Skopje, 2006.

³⁵ C., Hagemann-White, C., *Combating Violence Against Women: Stocktaking Study on the Measures and Actions Taken in Council of Europe Member States*, Strasbourg, Council of Europe, 2006, p. 10.

³⁶ CEDAW report on Albania (2013) available on <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/664/83/PDF/N1466483.pdf?OpenElement>, pp. 13.

³⁷ S. Gavrić et al., *The Orange Report 2016: Annual Report on the State of Women's Rights in Bosnia and Herzegovina*, Sarajevo, Sarajevo Open Centre, 2016.

³⁸ N. Avdukić, 'Nesigurna Sudbina Sigurnih Kuća', *Al Jazeera Balkans*, 7 October 2016, <http://balkans.aljazeera.net/vijesti/nesigurna-sudbina-sigurnih-kuca>, (accessed 11 December 2016).

³⁹ Radovanovic, M., Association Lara, Statement cited in T. Jelin-Dizdar, 'Nasilje nad Ženama: Bilo me je Sramota', *Radio Slobodna Evropa*, 28 July 2012, <http://www.slobodnaevropa.org/a/nasilje-nad-zenama-u-bih-bilo-me-je-sramota/24658836.html>, (accessed 11 December 2016).

⁴⁰ Gavrić et al., *The Orange Report 2016: Annual Report on the State of Women's Rights in Bosnia and Herzegovina*, Sarajevo, Sarajevo Open Centre, 2016.

⁴¹ Assembly of the Republic of Kosovo, Draft Law on the Budget of the Republic of Kosovo for Year 2017, 2016, <http://mf.rks-gov.net/desk/inc/media/6DDDB0A8-AF70-476A-AA7C-A3FAA8761FD3.pdf>, (accessed 11 December 2016).

MACEDONIA

The body in charge for combating violence against women in Macedonia is the Commission for the Protection Against Discrimination. It has consistently been allocated a very limited budget since its creation.⁴² For 2015, the allocated funds for this commission were 4 448 204 MKD (€ 73 930).⁴³ There are no funds specified for prevention of GBV or violence against women. According to the Shadow Report of the Association for Emancipation, Solidarity and Equality of Women in the Republic of Macedonia (ESE) in 2012, the state had not allocated funds for the realisation of preventive activities to women victims of trafficking.⁴⁴ In addition, for the implementation of the project of collecting data on domestic violence cases, which was foreseen in the National Strategy 2012-2015, € 72 000 were allocated for the development of central database software, and the instalment within all data collection instances, which has yet to be established.⁴⁵

MONTENEGRO

In Montenegro, Gender Equality Department was under-equipped and under-staffed since its formation.⁴⁶ The Gender Equality Program received a total of € 57 994, of which € 28 805 is for salaries and wages, and € 24 980 is for other services (consultative, communication, projects, and studies).⁴⁷ In 2011, the Government of Montenegro provided one-time financial assistance of € 28 000 for three services for women and children survivors of domestic violence. In the budget of the Ministry of Labour and Social Protection, there were no allocated funds for domestic violence, GBV, shelters or any kind of protection and prevention of GBV.⁴⁸ The SOS Nikšić hotline, one of the main organisations in combating violence against women, reported that they received € 600 as a form of financial help from the state in 2015.⁴⁹

SERBIA

In Serbia, the only publicly available information about funds related to gender issues is from 2013, from a report on the development of the budget. According to this report, the allocated budget for the Directorate for Gender Equality⁵⁰ was 3 500 000 RSD, which is approximately € 35 000.⁵¹ In the state budget document for 2015, there are no allocated funds for the prevention and combating of violence against women. For the activity named Improvement and Protection of Freedom and Human Rights, the total allocated funds were 171 417 000 RSD (€ 1 405 057). It is not possible to determine whether or not there are specifically allocated funds for GBV or violence against women.⁵²

According to the report made by a group of women CSOs in Serbia, SOS hotlines and women's CSOs receive no (or occasional and insufficient) financial support from the local governments. Due to lack of financial support, four SOS hotlines or women's CSOs were closed in 2011. Between 2009 and 2013, four shelters led by women's CSOs were closed due to the lack of funds.⁵³

⁴² European Commission, A Comparative Analysis of Non-Discrimination Law in Europe 2015, Luxembourg, European Network of Legal Experts in Gender Equality and Non-Discrimination, Publications Office of the European Union, 2016, p. 113.

⁴³ Republic of Macedonia Ministry of Finance, Budget for the Republic of Macedonia for 2015, 2015, <http://www.finance.gov.mk/en/node/4111>, (accessed 11 December 2016), p. 20.

⁴⁴ Association for Emancipation, Solidarity and Equality of Women of Republic of Macedonia and Akcija Združenska, Shadow Report on the Implementation of the Convention on the Elimination on all Forms of Discrimination Against Women, Skopje, 2012, p. 6.

⁴⁵ Association for Emancipation, Solidarity and Equality of Women of Republic of Macedonia and Akcija Združenska, Shadow Report on the Implementation of the Convention on the Elimination on all Forms of Discrimination Against Women, Skopje, 2012, p. 17.

⁴⁶ European Commission, A Comparative Analysis of Non-Discrimination Law in Europe 2015, Luxembourg, European Network of Legal Experts in Gender Equality and Non-Discrimination, Publications Office of the European Union, 2016, p. 113.

⁴⁷ Government of Montenegro, Bill on the Budget of Montenegro for 2015, www.gov.me/ResourceManager/FileDownload.aspx?rId=184526&rType=2, (accessed 11 December 2016), p. 29.

⁴⁸ *ibid.*, p. 164.

⁴⁹ Ministarstvo za Ljudska i Manjinska Prava, II Izveštaj o Sprovođenju Konvencije o Eliminaciji Svih Oblika Diskriminacije Zena (CEDAW), Podgorica, 2015, p. 16.

⁵⁰ The government of the Republic of Serbia closed the Directorate for Gender Equality in April of 2014. The official decision to establish a new coordinating body for gender equality was signed by the Prime Minister on October 30th 2014.

⁵¹ Ministarstvo Finansija, Realizacija Budžeta u Toku Budžetske 2013 Godine, Vlada Republike Srbije.

⁵² Ministarstvo Finansija, Zakon o Budžetu Republike Srbije za 2015 Godinu, Vlada Republike Srbije, <http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2014/4598-14.pdf>, (accessed 11 December 2016).

⁵³ Autonomous Women's Centre et al., Shadow Over Serbia: NGO Report for the 55th CEDAW Committee Session 2013, Belgrade, 2013, p. 10.

PUBLIC AVAILABILITY OF DATA ON GENDER-BASED VIOLENCE

Article 11 of the *Istanbul Convention* refers state parties to “support research in the field of all forms of violence covered by the scope of this convention... [including] incidences and conviction rates...” According to the explanatory report, the data should be disaggregated, regularly collected, and it should address both the victims and perpetrators. Data should have minimum requirements of providing information on sex, age, type of violence as well as the relationship of the perpetrator to the victim and geographical location. It should also be publicly available, which means that the statistics are readily accessible online (in the form of a report such as an annual report) on the website of relevant institutions (Ministry of Justice, Ministry of Internal Affairs or National Statistics Offices).

The problem of underreported cases of GBV is not exclusive for the countries of the Western Balkans. Reporting on violence against women is low everywhere in the world. A study conducted by the European Agency for Fundamental Rights in 2014, found that only 14% of women reported their most serious incident of intimate partner violence to the police, and only 13% reported their most serious incident of non-partner violence to the police.⁵⁴

Countries in the Western Balkans, however, have particular disparities in the types of data collected, in terms of population groups studied and the type of violence measured. An additional problem is that data collection has been sporadic, ad hoc, non-analytical, and/or lacked a coordinated response. In some of the countries, collecting data was entrusted only to CSOs, indicating the states' lack of concern about this problem, since CSOs usually do not have the capacity to collect such data. Generally, CSOs can only conduct prevalence surveys, which are not real indicators for the scope of domestic violence.

⁵⁴ European Union Agency for Fundamental Rights, *Violence Against Women: An EU-Wide Survey, Main Results*, Belgium, European Union, 2014.

COMPARATIVE ANALYSIS OF THE SITUATION IN THE COUNTRIES:

ALBANIA

- In Albania, the agency responsible for compiling and analysing the data from all institutions is the Albanian Institute of Statistics (INSTAT). INSTAT is responsible for publishing data and ensuring that data collection instruments that are developed are reliable, valid, and technically appropriate. With the support of UNDP in 2013, a comprehensive national population-based survey on the nature and extent of domestic violence against women and children in Albania was published.
- The survey presented findings on the female population between the ages of 18 and 55 in Albania. It revealed that 59.4 % (384 372 women) experienced domestic violence of any type at some point in their lives. The report further revealed that 58.2% experienced psychological violence in their marriage/intimate relationships at some point in their lives, while 23.7% (153 186 women) experienced physical violence in their marriage/intimate relationships.
- An online database of cases of domestic violence is available, and the data in this database is entered directly by municipal authorities. It was accessible by the gender equality officers working at the central level. There are some rural and remote areas where the provision of services for women needed to be improved.

BOSNIA AND HERZEGOVINA

- In BiH there is no publicly available national criminal statistics on GBV. The only criminal statistics publicly available are on adult perpetrators: indicators on reported, accused and convicted adult perpetrators of criminal offences. This report was published in 2015, and included the number of reported cases against sexual integrity, and the number of reported cases against marriage and family.⁵⁵ Criminal statistics on domestic violence or GBV are not indicated in this report, although we can presume that cases of domestic violence or violence against women could be found in the above mentioned categories of crime.
- The cross-sectional survey on violence against women in BiH was initiated by the Agency for Gender Equality BiH, in cooperation with the Gender Centre of Republika Srpska and the Gender Centre of the Federation of Bosnia and Herzegovina in 2013.⁵⁶ This survey was conducted on a sample of 3 300 households and adult women in BiH, with appropriate representative subsamples for the Bosnian Republic of Serbia (RS) and FBiH.
- According to research findings, more than half of the women surveyed (47.2% in BiH, 47.2% in the FBiH, and 47.3% in RS) experienced at least one form of violence from the age of 15 and onwards. During the 12 months preceding the survey, 11.9% of women in BiH had experienced some form of violence (12.7% in FBiH, and 10.6% in RS).

KOSOVO

- National criminal justice statistics on domestic violence are not publically available in Kosovo. Data on medical interventions related to domestic violence or intimate partner violence is not collected in Kosovo's healthcare system.⁵⁷
- According to the research conducted by KWN, Kosovar institutions have some empirical data available, but they lack qualified, professional staffs who understand the importance of data, how to analyse it, or how to use it for improving institutional response.⁵⁸ The role of CSOs is crucial in the area of collecting and systematising data on violence. The only comprehensive and publicly available data on domestic violence is a cross-sectional study conducted by KWN. In 2008, KWN conducted the first ever Kosovo-wide household survey on domestic violence. In 2015, the same organisation conducted research on estimated pervasiveness of domestic violence, drawing primarily from survey data.
- KWN's 2008 survey of 1 256 women and men showed that 43% of Kosovars (46% of women and 39.6% of men) had experienced some form of domestic violence in their lifetime. In 2015, the second survey found that 62% of Kosovars (68% of women and 56% of men) have suffered domestic violence in their lifetimes. The rate of violence has not increased as substantially as it seems, but rather that respondents were more comfortable in stating whether it had occurred.⁵⁹

⁵⁵ Agency for Statistics of Bosnia and Herzegovina, Quality Report for Statistical Survey: Adult Perpetrators of Criminal Offences 2013, Sarajevo, 2015.

⁵⁶ M., Babović, Prevalence and Characteristics of Violence Against Women in Bosnia and Herzegovina, Sarajevo, Agency for Gender Equality of Bosnia and Herzegovina, 2013.

⁵⁷ B. Stelmaszek and H. Fisher, Country Report 2012, Reality Check on Data Collection and European Services for Women and Children Survivors of Violence: A Right for Protection and Support?, Vienna, WAVE-Office/Austrian Women's Shelter Network, 2013, p. 150.

⁵⁸ N. Farnsworth and A. Qosaj-Mustafa, Security Begins at Home: Research to Inform the First National Strategy and Action Plan Against Domestic Violence in Kosovo, Prishtina, Kosova Women's Network, Government of Kosovo, 2008.

⁵⁹ N. Farnsworth et al., At What Cost? Budgeting for the Implementation of the Legal Framework Against Domestic Violence in Kosovo, Prishtina, Kosova Women's Network, Grafika Razniqi, 2012, p. 38.

MACEDONIA

- Until 2015, there were no publicly available data on domestic violence or violence against women in Macedonia. In 2015, the National Network for Combating Violence Against Women and Domestic Violence published the report with data obtained upon request from Ministry of Internal Affairs and Ministry of Labour and Social Policy. According to this report, the total number of the reported cases for 2014 was 999, and for the period between January and June 2015 it was 612. The data includes statistics about physical, psychological, sexual and economical violence as well.⁶⁰

MONTENEGRO

- National criminal statistics on domestic violence are available in Montenegro. The most recent information is outlined in the report about implementation of the Convention of Elimination all Forms of Discrimination, published by the Ministry for Human Rights and Minority Rights. It comprises public prosecutors' office data, criminal justice statistics and police statistics.⁶¹ According to this report, by December 2014 there were 206 reported criminal offenses, 1 347 violations, 1 249 misdemeanour charges, and 202 criminal charges. A number of 674 survivors of domestic violence are recorded in the centres for social services, and 1 750 measures were undertaken by the same date.⁶²

SERBIA

- National criminal justice statistics on domestic violence are not available in Serbia. Data on medical interventions related to domestic violence or intimate partner violence is not collected at the national level in the Serbian healthcare system. There is a cross-sectional study, Mapping Family Violence Against Women conducted by SeConS, a group for the development initiative as a part of the project "Combating Sexual and Gender-Based Violence". The project is implemented by Directorate for Gender Equality, Ministry of Labor and Social Policy of the Serbian government with the support of UNDP. The research was conducted on a representative sample of 2 500 women in Serbia aged between 18 to 75 years, excluding the Vojvodina and Kosovo regions.⁶³ According to this survey, the actual prevalence rate in 2010 of family violence against women was 37.5%, while the overall prevalence (during life span) is 54.2%. The most frequent form of violence is psychological (31.8% in past 12 months and 48.7% during the life span), followed by physical (10.1% and 21.6%) and economical (11.4% and 15.8.6%), while the less frequent is sexual violence (1.2% and 3.8%).

⁶⁰ Nacionalna Mreža Protiv Nasilstvo vrz Ženite i Semejnoto Nasilstvo, Izveštaj za Rabotata na Nacionalnata Mreža Protiv Nasilstvo vrz Ženi I Semejno Nasilstvo, Januari – Decembri, 2014 Godina, Skopje, 2015.

⁶¹ Ministarstvo za Ljudska i Manjinska Prava, II Izveštaj o Sprovođenju Konvencije o Eliminaciji Svih Oblika Diskriminacije Zena (CEDAW), Podgorica, 2015.

⁶² Ibid., p. 55.

⁶³ M. Babović, K. Ginić and O. Vuković, Mapiranje Porodičnog Nasilja Prema Ženama u Centralnoj Srbiji, Belgrade, SeConS, 2010.

NUMBER OF SANCTIONED GENDER-BASED VIOLENCE CASES

This chapter includes information on the prosecution of perpetrators from various sources, such as CSOs and their resources, academic studies focusing on different aspects of violence against women and awareness-raising campaigns. The data should be considered in the wider context of the general number of reported cases as well as availability of data on violence against women and GBV.

ALBANIA

- Based on the data from General Police Department in Albania, there are identified 2 181 cases of domestic violence in 2011; 2 526 cases of domestic violence in 2012, and the number of identified cases of domestic violence in 2013 is 3 020 cases.
- From 182 decisions on issuing urgent protection orders or protection orders issued by the District Court of Tirana, in 111 cases, in 61 % of the cases, the courts decided to close the case. Furthermore, from 111 closed cases, in 101 cases, or in 91 % of the cases, the claim of issuing urgent protection orders/protection orders were presented by females.
- In 2012, at the District Court of Tirana, from 239 decisions on issuing urgent protection orders/protection orders issued by the District Court of Tirana, in 154 cases or in 64 % of the cases, the court closed the case. From 154 closed cases, in 143 of them or in 92% of the cases the claim of urgent protection orders/protection orders were presented by females.⁶⁴

BOSNIA AND HERZEGOVINA

- In BiH, according to the Report on Adult Perpetrators of Criminal Offences in 2015, there were 150 cases reported which belong to the group of criminal offences against sexual integrity, and 1 420 reported cases belonging to the group of criminal offences against marriage and family. From this number, only 65 persons are convicted for the criminal offence against sexual integrity, and 789 are convicted for the crime against marriage and family.⁶⁵
- Unfortunately, there are no disaggregated data regarding victims, perpetrators, types of offences and penalties, so it can only be assumed that certain number of these cases belong to violence against women. When it comes to police practice and criminalisation of violence against women in BiH local CSOs reported that police generally react to it in one of two ways: they either intervene if the victim suffered serious harm, or if the victim files a serious complaint.⁶⁶

⁶⁴ A. Bozo, 'Domestic Violence, Institutional Response, and Challenges in Addressing Domestic Violence in Albania', *Mediterranean Journal of Social Science*, vol. 6, s. 1, 2015, p. 454.

⁶⁵ Agency for Statistics of Bosnia and Herzegovina, *Quality Report for Statistical Survey: Adult Perpetrators of Criminal Offences 2013*, Sarajevo, 2015, p.3.

⁶⁶ L. R. Muftić and J. R. Cruze, 'The Laws Have Changed, but What About the Police? Policing Domestic Violence in Bosnia and Herzegovina', *Violence Against Women*, 2014, p. 699.

KOSOVO

- For Kosovo the most recent data available is for 2013. The number of cases of domestic violence against women reported to the Kosovo Police force in 2013 is 869, and 44 cases of trafficking. Data about assistance provided for domestic violence cases are available only for 2011 and 2012. In 2011, the total number of the cases reported to the police was 1 046, and in the same year there were 829 arrests on the grounds of domestic violence, and 228 arrests. In 2012 there were 1 021 cases reported to the police, out of which 902 criminal charges and 260 arrests.⁶⁷

MACEDONIA

- In 2014 in Macedonia there were 772 cases of violence against women. From this number, there were only 283 which had issued temporary protection measures - only 24% of all cases. In the first half of 2015, there were 612 reported cases of domestic violence, out of which there are 448 women, 89 men and 75 children. An encouraging fact is that in 2015 there was an increasing number of issuing protection measures; from 612 cases, 256 protection orders were applied.⁶⁸ It is not clear, however, what kind of measures these are, in other words, what kind of penalties perpetrators face in practice.
- Data received from criminal courts on cases of violence against women for the period 2012-2015 support this finding. Namely, of the total of 751 judgments, 76% were convictions, 7.3% acquittals, and 16.7% were overturned. A discouraging fact is that of the total number of convictions, in only 28.8% of the cases, the punishment was a sentence of imprisonment imposed by the court, while in 9.2% the offender was punished with a monetary fine, and in 62% of the cases alternative measures were issued with a conditional judgment.⁶⁹

MONTENEGRO

- In 2013 in Montenegro 1 129 cases of violence against women were reported to the magistrate courts. From this number, there were 336 impositions of fines, 109 imprisonments, 114 issued with a conditional judgment, 89 warnings, 15 suspension of cases, 4 correction measures, 7 disclaimers, 225 acquittals and 267 protection measures.⁷⁰ In 2014, there were 206 reported criminal offenses and 1 347 violations, 1 249 misdemeanor charges and 202 criminal charges.
- A number of 674 victims of domestic violence are recorded in centres for social services, and 1750 measures were undertaken by the same date.⁷¹

SERBIA

- For Serbia it is possible to follow the trend of reported cases, and cases that have been closed from 2004 onwards, as the data is provided in the report of the Statistical Office of the Republic of Serbia.
- In 2014 there were 3 642 cases reported, out of which 2 296 were overturned, and 1 309 resulted in convictions.
- In 2015 there were 5 040 reported cases, 3 148 were overturned and 1 837 cases ended with the filling of a criminal complaint.⁷²

⁶⁷ U. Färnsveden, A. Qosaj-Mustafa and N. Farnsworth, Country Gender Profile: An Analysis of Gender Differences at All Levels in Kosovo, Stockholm, ORGUT Consulting AB, 2014, p. 48.

⁶⁸ Nacionalna Mreža Protiv Nasilstvo vrz Ženite i Semejnoto Nasilstvo, Izveštaj za Rabotata na Nacionalnata Mreža Protiv Nasilstvo vrz Ženi I Semejno Nasilstvo, Januari – Decembri, 2014 Godina, Skopje, 2015, p. 7.

⁶⁹ Association for Emancipation, Solidarity and Equality of Women of Republic of Macedonia, Shadow Report for Consideration by the Committee on Economic, Social and Cultural Rights at its 58th Session, 2016.

⁷⁰ T. Saveljić et al., Analiza Usklađenosti Zakonodavnog I strateškog okvira Crne Gore sa Konvencijom Savjeta Evrope o Sprečavanju i Suzbijanju Nasilja nad Ženama i Nasilja u Porodici, Osnovna Studija, Podgorica, Sigurna Ženska Kuća, 2015, p. 33.

⁷¹ Ministarstvo za Ljudska i Manjinska Prava, II Izveštaj o Sprovođenju Konvencije o Eliminaciji Svih Oblika Diskriminacije Zena (CEDAW), Podgorica, 2015, p. 55.

⁷² Republički Zavod za Statistiku, Prijavljena Punoletna Lica za Nasilje u Porodici, <http://www.stat.gov.rs/WebSite/Public/ReportResultView>, (accessed 11 December 2016).

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ATTACKS ON WOMEN HUMAN RIGHTS DEFENDERS

Women human rights defenders (WHRDs), whether working on lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) rights, minority and human rights, or war crimes and transitional justice, have been systematically targeted in the Western Balkans. Many human rights organisations in the post-conflict Balkans – in Bosnia and Herzegovina (BiH), Kosovo and Serbia in particular - focus their work on the consequences of the mass human rights violations that took place during wars in former Yugoslavia, as well as on establishing the criminal responsibility of the perpetrators, serving justice by holding perpetrators to account, and preventing recurrence. The civil society organisations (CSOs) that do this work are widely perceived as subversive, and as working against the government and nation. The WHRDs working on these issues are especially subjected to attacks.

The attacks on WHRDs are underreported in all six countries in the region. The data for this research are collected by reviewing and analysing press news coverage or various organisations' press releases. In all countries, impunity for violations against WHRDs persists owing to factors including a lack of reporting, documentation, investigation and access to justice, taboos with regard to gender-specific

violations and abuses such as sexual violence and the stigmatization that may result from such violations and abuses.

In all countries, there are some common forms and methods of harassment. They range from anonymous and public threats and filing criminal complaints for defamation against activists, to direct physical attacks and attacks on WHRD's property. In addition, there is a growing concern of information-technology-related violations, such as online harassment, cyber-stalking, violation of privacy, censorship, and hacking of e-mail accounts, mobile phones and other electronic devices. Attacks and pressure on human rights defenders can sometimes come from the media and journalists. Cases of harassment campaigns, intended to undermine the image and credibility of human rights defenders - and even human rights activism in general - have been reported in Serbia, BiH and Montenegro in particular.

ALBANIA

In Albania, WHRDs often face strong societal and cultural barriers when carrying out their work. According to areport made by Danish Institute of Human Rights, there are no organised extremist groups actively focusing on anti-LGBTIQ activities as seen in some other countries in the Balkans.⁷³ WHRDs who are engaged in LGBTIQ rights, however, do not feel safe at all. According to the statement of Xheni Karaj, LGBTIQ activist and the founder of the Albanian organisation Aleanca, she and her colleagues constantly receive threats. "We receive everything from hate posts on Facebook to physical threats stating that our community centre will be burned down."⁷⁴ Xheni Karaj is included in the Natalia Project security system, which helps her to overcome psychological and moral barriers in her activities as an LGBTIQ activist.⁷⁵

LGBTIQ activists are not the only ones exposed to the threats and negative campaigns in Albania. Brikena Puka, director of the organisation Vatra, a CSO dealing with women survivors of violence and trafficking, had received death threats continuously during her career. Moreover, she was named in one of Albania's major evening papers. It said that the organisation is actually a disguised brothel and that Ms. Puka had been kidnapping the children and selling the women.⁷⁶

KOSOVO

The only publicly known case of attack on WHRDs in Kosovo is the case of Nazlie Bala. A prominent WHRD, Nazlie Bala has been active in defending the rights of women who suffered sexual violence as war crimes during the armed conflict in Kosovo. Nazlie Bala has also campaigned extensively on the issue of domestic violence. In March 2013, at least two assailants severely beat Nazlie Bala outside of her apartment. Anonymous death threats preceded the attack, citing her public support of a proposed amendment to an existing law that would provide compensation and rehabilitation to survivors of the war crime of sexual violence. This threat was directly related to her appearance on the Radio Television Kosova (RTK) show "Në kërkim" ("In Search"). On the program, she advocated for the proposed amendment to add persons who suffered sexual violence during the war to the existing law for all categories of victims of war.⁸⁰ This attack is connected to the unwillingness of the society and state institutions to deal with the unpleasant consequences of the war 1998-1999; which is widely considered a battle for independence, and thus remains unquestionable.

Increased attacks aimed at organisations and individuals who promote and protect human rights (LGBTIQ rights, women's rights, journalists) have also been documented in Kosovo. Being openly homosexual, bisexual or transgender in Kosovo means being exposed to threats and violence. One of the prominent human rights defenders, Rajmonda Sylbije, executive Director of the Centre for Equality and Liberty Kosovo is included in the Natalia Project.

BOSNIA AND HERZEGOVINA

The society and the public sphere in BiH still bear a huge burden of the legacy of the wars of the 1990s. Human right defenders who are dealing with remembrance and accountability for war crimes are subjected to serious threats and attacks. In 2012, a group of seven male and female activists organised peaceful public protest on the Day of Human Rights in Prijedor, in an attempt to commemorate the 20th anniversary of war crimes that took place in Prijedor. The gathering in the city square was banned by the municipal authorities and the activists were investigated. Judicial authorities in the Bosnian Republic of Srpska (RS) initiated a series of investigations against activists involved in the initiative. The real aim of these investigations was intimidation. Some of the activists filed criminal charges against the RS authorities and these cases are still ongoing. There are WHRDs in this group of activists, but the names of the activists remained undisclosed.⁷⁷

There are two publicly known cases of attacks on WHRDs in BiH. Both of the activists were working on raising awareness of war crimes and human rights abuses that took place during the war in former Yugoslavia at the time of these attacks. In 2012, the newspaper Oslobođenje published two defamatory articles about Vera Jovanović, President of the Helsinki Committee for Human Rights in BiH, as well as other members of the organisation. The articles contained statements that could incite readers to hold hostile opinions against the members of the Helsinki Committee.⁷⁸ The second case is of Saja Ćorić, activist and the former president of the Centre for Victims of Vojo Camp (near the city of Mostar), who was personally threatened, received threatening notes, and was offered money to testify differently at a trial for crimes committed in a detention camp in Vojno. There had been five attacks on the centre, and although the destruction of property was noted by police, no arrests were made.⁷⁹

MACEDONIA

In Macedonia, the most numerous cases of attacks are related to activists involved in LGBTIQ rights. There were series of anti-LGBTIQ attacks in 2013 during the Pride Week in Bitola and Skopje. In 2015, during the celebration of the second anniversary of the LGBTI Support Centre in Skopje, a group of approx. 40 masked perpetrators ran by a coffee bar and threw stones at it, while more than sixty people were inside. In Bitola the same year, activists of LGBT United and the Sexual and Health Rights of Marginalized Communities Coalition were attacked during public activities. Some WHRDs were injured during the incident.⁸¹

An anonymous WHRD reported that she has been under surveillance for some time: "My family and friends were really scared when they heard that I am under surveillance. It is not only me. Everybody who spoke with me about their private matters was shocked, because somebody else was listening as well... Many of my old friends stopped communicating with me when I became very prominent and active in the media. [...] It is something that now has become reality in Macedonia. People are very much afraid."⁸²

⁷³ K. Loloçi, Study on Homophobia, Transphobia and Discrimination on the Grounds of Sexual Orientation and Gender Identity, Danish Institute for Human Rights, http://www.coe.int/t/Commissioner/Source/LGBT/AlbaniaLegal_E.pdf, (accessed 15 December 2016).

⁷⁴ Civil Rights Defenders, 'Second Albanian LGBT Activist Included in the Natalia Project', Civil Rights Defenders, <https://www.civilrightsdefenders.org/news/achievements/second-albanian-lgbt-activist-included-in-the-natalia-project/>, (accessed 15 December 2016).

⁷⁵ The Natalia Project is a Civil Rights Defenders initiative that provides protection to human rights defenders who are at risk of harassment or attacks. See more at <http://natalia.civilrightsdefenders.org/>

⁷⁶ E. Janke et al., #femdefenders: The Hatred Against Women Human Rights Defenders – Online and Offline, Johanneshov, Kvinna till Kvinna, All offset AB, 2015.

⁷⁷ A. Hanušić et al., Human Rights and Judiciary in Bosnia and Herzegovina: A Report on Implementation of the Recommendations in the Justice Sector in Bosnia and Herzegovina from the Universal Periodic Review of the UN Human Rights Council, Sarajevo, Mreže Pravde u Bosni i Hercegovini, Asociacija za Demokratske Inicijative, 2013.

⁷⁸ Civil Rights Defenders, 'We Condemn the Attacks Against the Helsinki Committee', Civil Rights Defenders, <https://www.civilrightsdefenders.org/news/we-condemn-the-attacks-against-the-helsinki-committee/>, (accessed on 15 December 2016).

⁷⁹ Žurnal, 'Mreža Account: Nevladine Organizacije Osuđuju Napad na Braniteljicu Ženskih Prava Saju Ćorić', Žurnal, 30 September 2015, <http://www.zurnal.info/novost/19328/mreza-account-nevladine-organizacije-osuđuju-napad-na-braniteljicu-zenskih-prava-saju-coric>, (accessed 15 December 2016).

⁸⁰ War Resisters' International, 'WRI Condemns "Shameful" attacks on Nazlie Bala in Kosovo', War Resisters' International, <http://www.wri-irg.org/NazlieBala>, (accessed 15 December 2016).

⁸¹ Zlostorstva od Omraza, 'Povtorno Nasilstvo vrz Aktivisti Za Čovekovi Prava, Cega Vo Bitola!', Zlostorstva od Omraza, <http://www.zlostorstvaodmraza.com/reports/view/23>, (accessed 19 December 2016).

⁸² Front Line Defenders, 'Living Under Digital Surveillance: Human Rights Defender Perceptions and Experiences', Front Line Defenders, <https://www.frontlinedefenders.org/en/resource-publication/living-under-digital-surveillance>, (accessed 15 December 2016).

MONTENEGRO

In Montenegro, the government formally supports human rights defenders and does not issue bans for public gatherings or LGBTIQ Pride events. Defamation campaigns, however, are still carried out through media outlets that are closely aligned with the government, and threats from right-wing extremists and religious groups pose a threat to activists and vulnerable groups. One of the most serious cases of a defamation campaign is one of Vanja Čalović. Vanja Čalović is the executive director for the Network for Affirmation of NGO Sector (MANS) in Podgorica, Montenegro. MANS is a CSO devoted to fighting corruption and organized crime in Montenegro.⁸³ The smear campaign was channelled through Montenegro's daily newspaper "Informer" which is infamous for frequently attacking those who criticise the government. The newspaper, in a direct attempt to delegitimise her work advocating against government corruption, published offensive sexual images on its cover page, falsely claiming that they were of Vanja Čalović. This publication was clearly a deliberate attempt by the newspaper to compromise her personal and professional integrity while at the same time undermining the work of MANS. Vanja Čalović is now included in the Natalia Project as well.

SERBIA

In Serbia, several WHRDs continue to work in a hostile environment. LGBTIQ activists are especially targeted in Serbia. Between January and August of 2015, the Belgrade Pride Organising Committee reported between 30 and 50 cases of online threats against LGBTIQ activists to the police.⁸⁴ One of the main LGBTIQ activist in Serbia, Majda Puaca, was forced to leave the country and seek political asylum in the United States after organising Belgrade Pride in 2010.⁸⁵ On a daily basis before and after the event, she was verbally assaulted, taunted and threatened on the streets and via mobile phone and social networks. Activists who decided to stay in Serbia experience physical attacks very often. Dragoslava Barzut, LGBTIQ activist and writer, was beaten in a public place in Belgrade in 2015. After the attack, she spoke out at a press conference and filed a complaint under hate crime legislation, but the assailants remain unknown to this day.⁸⁶

WHRDs involved in transitional justice and dealing with the past in Serbia have been continuously subjected to hate speech, death threats, harassment and defamation. Women founders and leaders of CSOs working with these issues are usually accused of being foreign spies and for receiving money from foreign governments to criticise the state government.

Aida Ćorović, director of the CSO Urban-In in Novi Pazar, an organisation that provides support for women's rights, secularism in state institutions, and against religious fundamentalism, was stigmatised in the Serbian press because of her work. In 2011, the daily "Danas" published an article on behalf of the Muslim Youth Club of the Islamic community in Serbia. In the article Ćorović is accused of preparing the groundwork for a new genocide of Bosniaks and of being paid to "spit on people". The article contained open threats and insults of a personal nature.⁸⁷ In 2013, the attacks escalated and Ćorović has since been provided with personal protection by the police.⁸⁸

Human rights defenders Nataša Kandić, Sonja Biserko, and Jelena Milić have been continuously accused of espionage and providing information about war crimes to Croatia. Each has been portrayed in the media as anti-Serb for favouring the independence of Kosovo, and for demanding accountability for war crimes committed in the 1990s in Croatia, BiH, and Kosovo.⁸⁹

In 2016, following the commemoration of the 15th anniversary of war crimes of Serbian forces against Kosovar Albanians, organised by the CSO Women in Black in Belgrade, spokesperson of the antiterrorist unit of the Military Intelligence Agency (MIA) Radomir Počuča incited hooligans on his Facebook profile to "deal" with Women in Black. Thereupon, ultra-right group Zavetnici held a protest in support of Radomir Počuča, against Woman in Black, in front of their office.⁹⁰ Even the Autonomous Women's Centre in Belgrade, an organisation that deals with issues of domestic and gender based violence (GBV), was listed on the so-called "Blacklist of national traitors" by the 1389 Movement (NASI). Considerable attention was given to this document in the media, resulting in public lynching.⁹¹

⁸³ Civil Rights Defenders, 'Anti-Corruption Activists Attacked and Detained in Montenegro', Civil Rights Defenders, <https://www.civilrightsdefenders.org/news/anti-corruption-activist-attacked-and-detained-in-montenegro/>, (accessed 15 December 2016).

⁸⁴ Human Rights Watch, 'World Report 2015: Serbia, Events of 2014', Human Rights Watch, <https://www.hrw.org/world-report/2015/country-chapters/serbia/kosovo>, (accessed 15 December 2016).

⁸⁵ Boban Stojanović and Adam Puskar, two head organisers of the Belgrade Pride Organisation, received asylum in Canada as of 2016 following years of harassment, countless threats and numerous attacks, all of which they were exposed to since they took over organising Belgrade's Pride Week. The state was unable to offer them adequate protection. In recognising that this research report is focused on women, the authors felt that this information was still notable, seeing as Stojanović and Puskar dedicated years of work to improve LGBTIQ rights in Serbia.

⁸⁶ L. Mladenović, '4 Lesbians Cruelly Attacked in a Café in Belgrade', Labris, <http://labris.org.rs/en/4-lesbians-cruelly-attacked-in-a-cafe-in-belgrade/>, (accessed 15 December 2016).

⁸⁷ Frontline, 18. February 2011, <http://www.crnps.org.rs/wp-content/uploads/FLUA-Serbia-Corovic-18.2.11intl.pdf>

⁸⁸ Kabinet Zaštitnika Građana, 'Saopštenje Saveta za Rodnu Ravnopravnost Zaštitnika Građana Povodom Učestalih Napada na Braniteljke i Branitelje Ljudskih Prava', Labris, <http://labris.org.rs/saopstenje-saveta-za-rodnu-ravnopravnost-zastitnika-gradana-povodom-ucestalih-napada-na-braniteljke-i-braniteljke-ljudskih-prava/>, (accessed 15 December 2016).

⁸⁹ S. Dragojlo, 'Serbian Pro-Govt Tabloid Labels Female Activists "Spies"', Balkan Insight, 7 September 2016, <http://www.balkaninsight.com/en/article/serbia-s-pro-government-tabloid-attacks-female-activist-for-espionage-09-07-2016>, (accessed 15 December 2016).

⁹⁰ M. Medenica, 'The Report of the Hearing in the Trial Against the Accused Radomir Počuče for the Crime of Endangerment', Women in Black, http://zeneucnrm.org/index.php?option=com_content&task=view&id=1150&Itemid=68, (accessed 15 December 2016).

⁹¹ M. Lesur et al., Supporting the Sustainability and Autonomy of Women's Organizations Providing Services in Eastern Europe for Women and Children Survivors of Domestic Violence, Vienna, WAVE, 2015.

ACKNOWLEDGEMENT AND THE RECOGNITION OF THE WHRDs BY NATIONAL GOVERNMENTS

According to the Istanbul Convention, signatory parties are obliged to “recognize, encourage and support, at all levels, the work of relevant non-governmental organisations and of civil society active in combating violence against women and establish effective co-operation with these organisations.” Governments are obliged to acknowledge publicly the important and legitimate role of WHRDs in the promotion and protection of human rights, democracy, the Rule of Law and development, as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against them.

Furthermore, according to the recommendations of the Council of Europe Commissioner for Human Rights, there should be more intense co-operation and joint action between national human rights structures (NHRs) and human rights defenders to advance human rights agendas and to assist those who are at risk. It is essential that NHRs fully take on issues related to the human rights of women and gender equality, and work together with WHRDs in this area.⁹²

In the Western Balkans, cooperation between state authorities and women human rights organisations is still very weak, and in some countries almost non-existent. Typically, more

meaningful cooperation appears at the lower levels of state government, for example with local governments, state-run social services or local police stations. National authorities often fail to consult, or listen to, WHRDs on relevant policies and laws. In some countries, independent activists feel overshadowed by NGOs that are close to the government – the so-called government-organised non-governmental organisations (GONGOs). Another disturbing element is that WHRDs are not considered as equals by some fellow human rights defenders, who mistakenly consider women’s rights and gender equality as secondary human rights issues.

The following graphic illustrates examples of the lack of appreciation of the work of WHRD and CSOs (in general) in the Western Balkans.

⁹² Commissioner for Human Rights of the Council of Europe, Women’s Rights and Gender Equality in Europe: Round-Table with Human Rights Defenders, Vilnius, Lithuania, 6-7 July 2015, Strasbourg, Commissioner for Human Rights of the Council of Europe, 2015, p. 14.

ALBANIA

Rights of women and human rights in Albania are areas perceived as intensive CSO activity. They are still, however, positioned low (6 and 7 out of 15) when tested in importance to citizens in Albania.⁹³ Human rights defenders are regularly involved in the development of policies and legislation related to human rights issues. Research indicates that there is a lack of information on the existence of any formal mechanisms at central or local levels.⁹⁴ Moreover, the CSO Sustainability Index 2012, published by USAID in 2013, emphasised that state institutions failed to address civil society concerns and recommendations, further discouraging civic advocacy.⁹⁵ This lack of cooperation by the government is likely to continue in the EU accession negotiations, where CSOs might be included only for the sake of the image of an EU candidate country that complies with all directives and recommendations set by the European Commission (EC).

Legislative initiatives were undertaken in the last two years to improve the role of CSOs in policy making processes, such as the creation of a resolution for the recognition and strengthening of the role of civil society in the process of democratic development, and the Law on the Establishment and Functioning of the National Council for Civil Society. Among the members of the National Council of Civil society there are no women's rights organisations.⁹⁶

BOSNIA AND HERZEGOVINA

While it is clearly the responsibility of the state to deliver effective law enforcement, such as prosecution and justice, it should draw on the knowledge and experience of CSOs in terms of protection, good practices and confidentiality. In BiH, women's CSOs were not always invited to take part in multi-agency cooperation.

In 2010, the BiH federal government gathered a committee tasked with producing a draft anti-discrimination law, despite the fact that there was already a draft being prepared by a group of civil society actors. This case led to duplication of efforts and illustrated the shortcomings in the field of consultation and coordination between authorities and civil society.⁹⁷

Cooperation among women's CSOs and local governments, such as municipalities in RS and cantons in the Federation of Bosnia and Herzegovina (FBiH) is much more successful than with entity governments. In 2014, the Ministry of Labour and Social Policy formed a working group for creating the policy for founding, maintaining, and financing shelters in FBiH. Only one representative of the Safe Network of CSOs (22 organisations devoted to combating GBV) was invited to collaborate, despite the CSOs offering proposals for standards and criteria for founding and coordinating shelters based on their experience. After three meetings were held, CSOs received no feedback about decisions of the working group.⁹⁸

KOSOVO

According to an analysis of the main findings of the European Commission's Kosovo Report 2015, consultations with the civil society in general in Kosovo are merely formalities. Authorities show no real interest to involve civil society in the decision making and implementation process.⁹⁹

In Kosovo, many diverse women-led CSOs operate at a municipal and/or regional level. Most of them are members of Kosova Women's Network. These organisations have advocated for a legal framework for women's rights and have organised several awareness-raising initiatives aimed at transforming gender norms and informing citizens of their rights.¹⁰⁰

The Association of Kosovo Municipalities does not have a committee on gender equality or gender strategy. Ten municipalities have gender equality advocacy groups that bring together women CSOs and women in politics who are supporting each other in their advocacy efforts towards gender equality.¹⁰¹

⁹³ Civil Society Organizations in Albania, TACSO, International Swedish Institute for Public Administration, European Union, p. 11.

⁹⁴ Front Line Defenders, 'Albania', Front Line Defenders, <https://www.frontlinedefenders.org/en/location/albania>, (accessed 15 December 2016).

⁹⁵ USAID, The 2013 CSO Sustainability Index for Central and Eastern Europe and Eurasia, 2013, <https://www.usaid.gov/sites/default/files/documents/1863/E%26E%202013%20CSOSI%20Final%2010-29-14.pdf>, (accessed 19 December 2016).

⁹⁶ Agjencia për Mbështetjen e Shoqërisë Civile, 'Këshilli Kombëtar për Shoqërinë Civile', Agjencia për Mbështetjen e Shoqërisë Civile, 13 June 2016, <http://www.amshc.gov.al/KKSHC/>, (accessed 15 December 2016).

⁹⁷ Commissioner for Human Rights of the Council of Europe, Human Rights Defenders in South East Europe, Sarajevo, Commissioner for Human Rights of the Council of Europe, 2010.

⁹⁸ Žene Ženama, 'Obrazloženje za Prijedlog Izmjena Zakona o Zaštiti od Nasilja, Žene Ženama, 1 December 2015, http://www.zenezenama.org/zene/index.php?option=com_content&view=article&id=425%3Aobrazlozenje-za-prijedlog-izmjena-zakona-o-zatiti-od-nasilja&catid=1%3Alatest-news&Itemid=50&lang=ba, (accessed 15 December 2016).

⁹⁹ Kosovo 2015 Report: The "Carrot" Approach, 2015, ten.europeanpolicy.org/images/regional_analysis/kosovo.pdf, (accessed 15 December 2016).

¹⁰⁰ U. Färnsveden, A. Qosaj-Mustafa and N. Farnsworth, Country Gender Profile: An Analysis of Gender Differences at All Levels in Kosovo, Stockholm, ORGUT Consulting AB, 2014, p. 9.

¹⁰¹ *ibid.*

In Macedonia, the agent responsible for the implementation of the Law on equal opportunities is the Department for Equal Opportunities, within the Ministry of Labour and Social Policy. The intersectoral consultative and advisory group for human rights and equal opportunities for women and men has yet to be established by the Ministry. There exists a recommendation in the law to establish such a group, as it would be a mechanism to hold ministries to account. In addition, such a group would be important because it could establish principles of good practice of cooperation between government officials and CSOs. The absence of consultations that ensure the participation of all responsible and interested parties continued in the process of drafting the most recent policies related to gender equality. The 2013-2020 Strategy for Gender Equality was drafted in an extremely short time-period, while the process has been publicly opened for contribution or input.¹⁰² Any attempt from CSOs to point out deficiencies in the implementation of action plan and laws remain unnoticed by the government. CSOs Akcija Združenska and the Association for Emancipation, Solidarity and Equality of Women of Republic of Macedonia (ESE) highlighted the shortcomings in the implementation of the National Action Plan for Combating Domestic Violence in 2012, only for the same statements and work to then be replicated by the CSOs after the final stage of the National Action Plan's realisation in 2012.¹⁰³ This was a direct result of the lack of response to CSOs' comments and recommendations.

Another example is one of Matka, the network organisation dealing with women's rights. It proposes a platform for free access to safe abortions, organises events, publishes a newspaper, and records videos to raise awareness about the consequences of the Law on termination of Pregnancy. Under the proposed changes, women seeking an abortion beyond the tenth week of pregnancy will have to file a request for abortion to the Ministry of Health.¹⁰⁴ Unfortunately, Matka was unable to stop the Law from being adopted. To exacerbate the issue, the bylaws dealing with urgent procedures and atypical cases have not yet been passed, thus putting a strain on the lives of women who are in need of urgent procedures in cases of intrauterine death or anomalous fetuses.

One example of cooperation worth mentioning is between the Commission for Protection Against Discrimination and the CSO Hera, who worked together on drafting a protocol for the determination of procedures for cases of protection against discrimination based on sexual orientation or gender identity.¹⁰⁵

There has been little support from state officials to women's organisation in Montenegro. Mostly, the government does not acknowledge the role and importance of women CSOs while women's rights are neither taken seriously nor seen as a priority. It has been reported by CSOs that the Montenegrin government often tends to establish and support (including financially) CSOs that are either directly linked to the state, or ready to collaborate with it. Women human rights organisations rely completely on foreign donors' funding to operate or run their services.¹⁰⁶

A general comment is that Montenegro did not create a favourable environment for women's human rights organisations, and the main indicator is the fact that the number of these organisations has decreased overtime (regression in both the number of organisations as well as WHRDs).¹⁰⁷

In practice, it is evident that institutions in Montenegro often use and even misuse CSOs' experience by using their data, and remaining desensitized to GBV, they use the data inappropriately. Multidisciplinary teams have temporary character and do not have any policies or a rulebook. The CSOs are recognised as key partners in the area of combating GBV, which is also confirmed by the Law on Protection from Domestic Violence, and they are allowed to form groups and join the teams in Centres for Social Work. No official policy exists however, regarding these groups and their functions. These groups they are usually formed ad hoc, in urgent situations and in response to the GBV, and their work is inconsistent and uneven.¹⁰⁸

Provisions of the regulation on the procedure of cooperation between the state administration and CSOs stipulates consultations, continuous communication and the exchange of recommendations and proposals between state authorities and CSOs, usually in the form of round tables and meetings. Furthermore, the Law on Gender Equality envisions the establishment of cooperation between the Ministry for Human and Minority Rights and CSOs, as well as participation from CSO representatives in the commission for the implementation of the Action Plan for Achieving Gender Equality 2013-2017. This commission, however, is only a formality; there are no reports or any information whatsoever about consultations with CSOs, and there is a well-founded suspicion that consultations have never taken place.¹⁰⁹

¹⁰² Association for Emancipation, Solidarity and Equality of Women of Republic of Macedonia and Akcija Združenska, Shadow Report on the Implementation of the Convention on the Elimination of all Forms of Discrimination Against Women, Skopje, 2012, p. 3.

¹⁰³ M. Paunova, Gender Mainstreaming in the Republic of Macedonia: Beyond the EU Lenses, 2013, http://www.ie-ei.eu/Ressources/file/memoires/2013/PAUNOVA_Thesis.pdf, (accessed 15 December 2016), p. 82.

¹⁰⁴ <http://macedoniaonline.eu/content/view/23490/45/>

¹⁰⁵ Komisija za Zaštita od Diskriminacija, Godišen Izveštaj na Komisijata za Zaštita od Diskriminacija za 2015 Godina, 2016, http://www.kzd.mk/sites/default/files/dokumenti/god_izvestaj_2015.pdf, (accessed 19 December 2016).

¹⁰⁶ M. Lesur et al., Supporting the Sustainability and Autonomy of Women's Organizations Providing Services in Eastern Europe for Women and Children Survivors of Domestic Violence, Vienna, WAVE, 2015, p. 124.

¹⁰⁷ CEED and SOS, Studija o Nasilju u Porodici I Nasilju nad Ženama u Crnoj Gori, European Union, Montenegro Ministry of Justice and Human Rights, United Nations Development Programme, 2012, p. 45.

¹⁰⁸ T. Saveljić et al., Analiza Uskladenosti Zakonodavnog I strateškog okvira Crne Gore sa Konvencijom Savjeta Evrope o Sprečavanju i Suzbijanju Nasilja nad Ženama i Nasilja u Porodici, Osnovna Studija, Podgorica, Sigurna Ženska Kuća, 2015, p. 27.

¹⁰⁹ ibid, p. 29.

The struggle of women's organisations in Serbia has mainly been one for visibility, public recognition, and legitimacy of the autonomous women's movement. Over the years, their claims for greater women's rights, as well as their legitimacy to formulate such claims publicly, have been increasingly supported by a wide variety of actors, from other CSOs, institutions and networks, to a wide range of other social and public actors.¹¹⁰

As in the case of other countries in the Balkan region, women's organisations in Serbia are marginalised, with a limited understanding and recognition of their work. The higher the level of authority, the more sporadic and weak the level of influence of women's organisations. Their work is mainly on the direct local level. Women Against Violence Network took an active role in the negotiations and creation of the document related to providing hotline services to assist victims of violence, drafting regulations on the conditions and standards for providing hotline services for women survivors of violence.¹¹¹ Moreover, and evidently a trend in the region, NGOs affiliated to the authorities (GONGOs) in Serbia are posing real problems.

Awareness-raising about the role of women's CSOs in providing support to women survivors of violence has remained extremely limited. While the media can play an important role in providing space and visibility to these services, the media in Serbia has mostly had a negative impact on the work of women's organisations. They have ignored their voices and denied them the public space they require, leaving the state as sole provider of information on services, but also purposely jeopardised their work in many instances through 'misinterpretations' and dissemination of false information.¹¹²

On a positive note, there has been good cooperation between women's organisations and various independent state bodies, including the Ombudsman¹¹³ for the Republic of Serbia, the Commissioner for the Protection of Equality, and the Commissioner for Information of Public Importance and Personal Data Protection. The Ombudsman in particular has been a great ally in efforts to lobby for legislative changes in the area of women's rights, bringing forward draft proposals developed by women's organisations to the National Assembly.¹¹⁴

¹¹⁰ M. Lesur et al., *Supporting the Sustainability and Autonomy of Women's Organizations Providing Services in Eastern Europe for Women and Children Survivors of Domestic Violence*, Vienna, WAVE, 2015, p. 141.

¹¹¹ Automni Ženski Centar, *Izvestaj o Radu 2015*, Beograd, 2015, http://www.womenngo.org.rs/images/izvestaji-o-radu/pdf/Izvestaj_o_radu_2015.pdf, (accessed 15 December 2016), p. 16.

¹¹² *ibid*, p. 141.

¹¹³ In recognition that the general trend in the field is moving towards a gender-neutral title of "Ombudsperson", due to the context of this particular example, this report will maintain Ombudsman as this is the way that it is officially called in Serbia.

¹¹⁴ M. Lesur et al., *Supporting the Sustainability and Autonomy of Women's Organizations Providing Services in Eastern Europe for Women and Children Survivors of Domestic Violence*, Vienna, WAVE, 2015, p. 139.

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