

PROTECTION FOR THE DISPLACED AGAINST SEXUAL AND GENDER BASED VIOLENCE (SGBV)

One of the most common prejudices in a traditional, patriarchal society, such as ours, is that the family, as a social nucleus, is the safest place and that it should be kept as such at any cost. Patriarchal beliefs about gender relationships and parenthood lead to a situation where domestic violence, jeopardizing and violating fundamental human rights, is considered a socially acceptable phenomenon for which various excuses are found and whose negative consequences are denied. This is, probably, one of the reasons for not having conducted comprehensive researches, at the national level, which would include the scope, characteristics, forms, structure and dynamics of domestic violence.

The empirical studies, conducted so far by certain non-governmental organizations, indicate that every third woman in Serbia has been subjected to some form of physical violence and every second woman to some form of psychological violence (*Victimology Society of Serbia, 2002*). A total of 82,6% of persons who impose violence on their family members are male (*Research of the Autonomous Women's Centre in the Social Welfare Centres, 2004*). The statistics in Serbia do not differ significantly from the statistics anywhere in the world. Domestic violence is equally present in all social layers, areas and time periods. It is estimated that the „grey“ number or the number of unreported cases is much higher, according to certain statistics there are even 20 unreported cases to one reported case.

As part of the UNHCR-funded project „Sexual and Gender Based Violence – Prevention and Response (SGBV)“, Praxis has been providing legal aid to victims of violence among the refugee and IDP population groups. In addition, Praxis organises 6 regional trainings and 2 roundtables in a one-year project period, as part of the raising awareness campaign. Several municipalities are included in these educational programmes with the aim of covering as large area as possible and including more participants.

Assuming that domestic violence is a social and not a private issue, the aim of these activities is to activate the local communities in preventing and finding solutions to the problem of domestic violence by establishing a network of institutions, each with a specific role and defined procedure. Having in mind that only a multidisciplinary approach and cooperation among the local institutions can result in effective solutions, the participants of the Praxis's trainings are representatives of the courts, police, social welfare centres, local medical and educational institutions, Red Cross, humanitarian and non-governmental organizations, Roma, as well as refugees and IDPs themselves. The trainings are conducted by two psychologists, experienced in working with women and children victims of violence, while the roundtable lecturers are recognized experts in the field of law and social welfare.

The participants of the trainings organized by Praxis have acknowledged the importance of the multidisciplinary approach and institutional networking for solving this issue. The participants get acquainted with the procedures, responsibilities and competences of each

institution, which helps in removing taboos and opening up to others, including the victims. In addition, the participants have expressed the need for education and sensibilization to domestic violence, because, as our trainers point out, there is no school or faculty where domestic violence is taught. Understanding the dynamics and structure of domestic violence is crucial in order to make the challenging strategy function in accordance with the victim's needs.

The turnout and interest of the relevant institutions' representatives is rather good, but it varies in different municipalities and institutions. The greatest interest in education has always been demonstrated by the social welfare centres, non-governmental organizations, representatives of the police and educational institutions. It appears most difficult to arouse the interest of the court and the medical institutions, as well as to engage them in team activities. Further on, only in a few municipalities have most of the key actors shown stronger interest and greater willingness for mutual cooperation and solving the issue of domestic violence in the local community. According to the discussions and questions arisen at the trainings, it can be concluded that in particular SGBV cases, the institutions often pass responsibility to one another, while the cooperation and communication among different institutions depend on personal contacts.

It is important to be acquainted with the procedures and working methods of each institution, as well as with the dynamics and structure of domestic violence. However, the attitudes and beliefs of individuals addressed by the victims of violence are of the greatest importance for an efficient and effective response. Unfortunately, attitudes and beliefs are least subject to changes and they are often based on prejudices, stereotypes and messages received in the process of socialization. Our patriarchal culture sends us messages on the unequal position of genders, traditional roles of men and women in the family and society according to which a woman is inferior, a sufferer, a caretaker and responsible for keeping the family together at all costs. If she behaves otherwise, she will be considered an unsuccessful mother and wife who has failed to meet the requirements imposed on her by society. There are numerous examples of women, victims of violence, who report their partners to the police, the social welfare centres or the prosecutor's office and encounter abuse, judgment and assessment of their own responsibility in the act of violence. The psychologists say that it is most important to believe in a woman's or a child's statement without being judgemental. The responsibility, guilt and shame should always be attributed to a perpetrator and never to a victim.

The Family Law of the Republic of Serbia defines domestic violence and prescribes measures of protection against a family member who is committing violence. The Law also foresees the urgency of the procedure (the first hearing must be scheduled within 8 days after having filed a complaint), but the urgency of the following hearings has not been determined, which enables delays, long lasting court procedures and repeated violence. Although this Law has already been in place for two years, it seems that it has not been adequately implemented. The courts rarely impose protective measures and rarely receive such suggestions from the police, the social welfare centres and the prosecutor's office. The participants of the training, especially representatives of the judicial bodies, point out to numerous difficulties in the implementation of this Law and

the execution of the protective measures. Some of these obstacles are direct consequence of personal attitudes towards women and the family in general. The general impression is that most participants, regardless of the institution, stick to old and superseded practices and are prone to opportunism in solving the issue of domestic violence. Most of them still do not accept entirely the fact that an act of domestic violence is a criminal offence, punishable by the law as any other offence. This can be explained by personal beliefs and attitudes, established under the influence of our society and a result of the lack of adequate education, training and information. For that reason, those who recognize domestic violence and its unequal institutional treatment, insist on having more of these seminars and a sort of continued education related to dealing with victims of violence and express their interest in the programmes of support and supervision for professionals who meet and talk with women and children victims of violence in their everyday work. The crucial issue is the responsibility assumed by a person from any institution who is bound to bring a decision in individual cases of violence against women and children. Everybody who, either officially or privately, suspects or knows that violence has been happening in a certain family, is legally obliged to report it. In case of suspicion or knowledge, the officers from any institution are obliged to send, without establishing evidence or responsibility, a written notification to the following three institutions: the social welfare centre, police and prosecutor's office that should continue with the procedure in accordance with their respective competences and authorizations. It is important that all institutions and their employees perform their part of the job and even more importantly, to believe in the victim's statement.

All the above-said, as well as numerous global and national researches and statistics, indicate that the family is not always the safest place for women and children. The family and its values, as well as certain family members, can be protected and defended by the rule of existing laws and by changing the way of thinking in society related to gender and gender equality and not by silence, ignoring and enduring. It is equally important to establish (operationalize and standardize) the cooperation among the institutions dealing with the protection of SGBV victims. Therefore, it is essential to continue with the relevant education and trainings. This is a need identified also by the participants of our trainings. This is the only way of transforming the private issue of domestic violence into an issue of social concern and making it visible, recognizing the victims and their needs and sanctioning the perpetrators.

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Prepared by:
Jelena Micic, Graduate Psychologist
Project Assistant