



## Study

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**MAPPING THE AVAILABILITY OF SUPPORT  
SERVICES FOR VICTIMS OF SEXUAL VIOLENCE  
AND WOMEN'S EXPERIENCES IN ACCESSING  
SERVICES IN THE REPUBLIC OF SERBIA**



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2025.

This publication was produced with the financial support of the European Union. The content of this publication is the sole responsibility of the Center for Support of Women and does not necessarily reflect the official views of the European Union.



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Publisher:

**Udruženje građanki i građana "Centar za podršku ženama" Kikinda**

For the Publisher:

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Proofreading and Editing:

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Design: Aleksandra Milaković Radinović, Agencija o2

Print Run: 100

Printing: Pozitiv print

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# LIST OF ACRONYMS

<b>GBV</b>	Gender-Based Violence
<b>SV</b>	Sexual Violence
<b>SWC</b>	Social Work Centers
<b>CSPS</b>	Centers for Social Protection Services
<b>Mol</b>	Ministry of the Interior
<b>CSW</b>	Center for Support of Women
<b>APV</b>	Autonomous Province of Vojvodina
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women / Convention
<b>LGE</b>	Law on Gender Equality
<b>CA</b>	Criminal Act
<b>CC</b>	Criminal Code
<b>CVSV</b>	Center for Victims of Sexual Violence
<b>SW NGO</b>	Specialized Women's Non-Governmental Organizations
<b>EIDHR</b>	European Instrument for Democracy and Human Rights
<b>LPDV</b>	Law on Prevention of Domestic Violence
<b>IC</b>	Istanbul Convention - Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence
<b>SPPO</b>	Supreme Public Prosecutors Office
<b>FL</b>	Family Law
<b>LSP</b>	Law on Social Protection
<b>GPMC</b>	General Protocol on procedures and Multi sectoral cooperation in situation of GBV against women and Domestic Violence
<b>GPPCV</b>	General Protocol for the Protection of Children from Violence
<b>LP</b>	Law on Police
<b>BPPO</b>	Basic Public Prosecutors Office
<b>HPPO</b>	High Public Prosecutors Office
<b>LH</b>	Law on Healthcare
<b>LHI</b>	Law on Healthcare Insurance
<b>RISP</b>	Republic Institute for Social Protection

# INTRODUCTION

The project “Step Forward – Improving the Services for Victims of Sexual Violence in Vojvodina” is implemented by the Center for Support of Women in Kikinda (CSW), with the support of the European Union. The project aims to enhance the quality and accessibility of specialized support services for victims of sexual violence, as well as to establish a coordinated and comprehensive institutional response to sexual violence.

As part of this project, the study titled “Mapping the availability of support services for victims of sexual violence and women’s experiences in accessing services in the Republic of Serbia” was developed. The research was conducted by a team of researchers from the SeConS Development Initiative Group, commissioned by CSW and in collaboration with them, with the financial support from the European union, and through the European Instrument for Democracy and Human Rights (EIDHR).

**The purpose of the research, carried out during the project’s initial phase, is to map the availability of support services for victims of sexual violence in the Republic of Serbia, taking into account the perspectives and experiences of women who have reported sexual violence.**

This study is designed as a mixed-method research project, combining both quantitative and qualitative approaches, and is based on EU FRA<sup>1</sup> methodology standards. Its goal is to analyze and address three key aspects of support for victims of sexual violence:

1. Types of services provided to victims,
2. Accessibility, and
3. Quality.

The research findings offer insights into the experiences of women and girls who have survived sexual violence, the availability, quality, and types of services provided, and highlight both positive and negative aspects of support for women victims of sexual violence across different regions of the Republic of Serbia. These insights have informed the development of recommendations aimed at improving the accessibility and quality of services for women victims of sexual violence.

**Biljana Stepanov,**  
Director of the Center for Support of Women

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<sup>1</sup> The EU FRA (European Union Agency for Fundamental Rights) methodology refers to standardized procedures for collecting, analyzing, and reporting data on fundamental rights within the EU, using a combination of qualitative and quantitative research methods. More information is available at: <https://fra.europa.eu/en/about-fra>.

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# **INSTITUTIONAL AND LEGISLATIVE FRAMEWORK**

1

- 1.1 International Framework
- 1.2 National Framework
- 1.3 Comparative Analysis of International and National Frameworks
- 1.4 Legal Competencies of Institutions and Establishments

# 1

# INSTITUTIONAL AND LEGISLATIVE FRAMEWORK

## 1.1 International Framework

The foundational document defining the international legal framework for the protection and enforcement of women's rights against violence is the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**<sup>2</sup>. Often described as the international charter of women's rights, CEDAW defines what constitutes discrimination against women and sets an agenda for national actions aimed at eliminating such discrimination. The Convention emphasizes the importance of equality between men and women in all areas of life, including political, social, economic, and cultural spheres.

By ratifying CEDAW, states commit to adopting legislative measures and policies to eliminate discrimination, promote gender equality, and protect women's rights. Additionally, the Convention requires member states to regularly report on their progress in implementing its provisions, thereby providing a critical framework for assessing and improving national policies related to gender equality. Serbia ratified CEDAW in 2001 as the legal successor of the Federal Republic of Yugoslavia, thereby committing to incorporating measures and policies aimed at eliminating discrimination against women and promoting gender equality into its legislation and practices.

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<sup>2</sup> The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted by UN Resolution 34/180 on December 18, 1979, entered into force on September 3, 1981. The Socialist Federal Republic of Yugoslavia (SFRY) ratified the Convention in 1981 ("Official Gazette of the SFRY – International Treaties," No. 11/81), and the Optional Protocol in 2007.



In addition to CEDAW, two declarations adopted by the United Nations General Assembly are noteworthy:

- **The Declaration on the Elimination of Violence against Women<sup>3</sup>** (1993) defines violence against women as a violation of human rights and a form of discrimination.
- **The Beijing Declaration and Platform for Action<sup>4</sup>** (1995) serves as a comprehensive framework for advancing gender equality. It focuses on critical areas such as violence against women, education, health, economic empowerment, political participation, and women's human rights.

By adopting these declarations and ratifying CEDAW, Serbia has demonstrated political will and commitment to advancing women's rights and gender equality. These documents provide guidelines for action in areas such as combating violence, empowering women, healthcare, education, political participation, and women's human rights, which Serbia has pledged to uphold as a member of the United Nations.

The **Rome Statute of the International Criminal Court<sup>5</sup>**, adopted in 1998, includes provisions defining crimes against humanity and war crimes, including sexual violence. This document recognizes rape, sexual slavery, forced prostitution, forced pregnancy, and other forms of sexual violence as crimes against humanity when committed as part of a widespread or systematic attack directed against a civilian population.

Regarding strategic documents, the current **United Nations Trust Fund to End Violence against Women Strategic Plan 2021–2025<sup>6</sup>** serves as a key framework for advancing global efforts to combat violence against women. This plan outlines goals and priorities for supporting civil society organizations and initiatives focused on preventing violence and assisting women who have survived violence. It emphasizes strengthening the capacity of organizations, increasing the availability of specialized services, promoting gender equality, and improving legislation and policies in this area. The plan aims to achieve these objectives through global solidarity and partnerships, enabling civil society organizations,

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3 The Declaration on the Elimination of Violence against Women, adopted by UN General Assembly Resolution 48/104 on December 20, 1993. <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women> (accessed on 7/5/2024).

4 The Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women, United Nations, October 27, 1995. <https://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf> (accessed on 7/5/2024).

5 The text of the Rome Statute is available in Serbian at: <https://www.paragraf.rs/propisi/zakon-o-potvrdivljanju-rimskog-statuta-medjunarodnog-krivicnog-suda.html>.

6 The UN Trust Fund to End Violence against Women Strategic Plan 2021–2025 is available at: <https://unfpl.unwomen.org/en/digital-library/publications/2021/06/strategic-plan-2021-2025> (accessed on 7/5/2024).



particularly women's rights organizations, to implement victim-centered initiatives and eliminate violence against women and girls. The strategic plan places special emphasis on providing adequate specialized services for victims of sexual violence, including psychological and legal support.

The most significant document for protecting women's rights and preventing violence against women at the European level is the **Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)**<sup>7</sup>, adopted on May 11, 2011, in Istanbul and ratified by the National Assembly of the Republic of Serbia in 2013.

This document recognizes violence against women as one of the key social mechanisms by which women are forced into a subordinate position relative to men. The Istanbul Convention addresses prevention, protection, and support for victims, investigation and prosecution of acts of violence, and integrated public policies. The Istanbul Convention's objectives are to protect women from all forms of violence, prevent, prosecute, and eliminate violence against women and domestic violence, combat discrimination against women, promote equality between women and men, empower women, and adopt comprehensive policies and measures to protect and support all victims of violence against women and domestic violence.

The **Istanbul Convention** (IC) is of great importance for understanding sexual violence. Sexual violence encompasses a range of acts committed against individuals without their consent, such as rape, sexual harassment, and similar offenses. It can occur in various contexts, including intimate relationships, families, workplaces, and public spaces.

Consent is a key element in determining the legality of any sexual act, and it must be given voluntarily, without coercion, and with a full understanding of the situation. It is crucial to emphasize that consent can be withdrawn at any time.

Regarding rape, the Istanbul Convention requires clearly and unambiguously expressed consent for sexual intercourse and mandates the criminalization of any sexual act performed without consent. Consent must be voluntary and result from the free will of the person, assessed in the context of the given circumstances. This also includes situations where a woman is unable to give free consent. Signatories to the Istanbul Convention commit to adopting necessary legislative

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<sup>7</sup> Council of Europe Convention on preventing and combating violence against women and domestic violence, („ Official Gazette of the Republic of Serbia – International Treaties ”, No. 12/13) <https://www.refworld.org/legal/agreements/coe/2011/en/79074>



or other measures to ensure that the following deliberate acts are criminalized: vaginal, anal, or oral penetration of a sexual nature on another person's body without their consent, using any body part or object; Other sexual acts with a person without their consent; Coercing another person to engage in sexual acts with a third party without their consent.

By ratifying the Istanbul Convention, Serbia committed to adopting the necessary legislative or other measures to ensure that the provisions related to sexual violence also apply to acts committed against former and current spouses or partners in accordance with national regulations. Many states have signed and ratified the Istanbul Convention, while others are in various stages of debate regarding the Istanbul Convention, including political discussions in certain countries.

This document places a strong emphasis on providing specialized support services, such as establishing safe houses for victims of violence, setting up SOS hotlines for victims, creating Centers for Victims of Sexual Violence (CVSV), and implementing other measures that member states must undertake.

Article 25 of the Istanbul Convention obliges member states to ensure the availability of specialized services, including Centers for Victims of Sexual Violence, to provide comprehensive access to assistance. Reports on the implementation of measures defined by the Istanbul Convention and the outcomes in preventing and combating violence against women and domestic violence are submitted to the Secretary General of the Council of Europe, who forwards them to an independent expert group (GREVIO) tasked with monitoring the implementation of the Istanbul Convention.

**Centers for Victims of Sexual Violence are particularly emphasized in the Istanbul Convention as key to providing comprehensive support to victims**, including medical and laboratory examinations, trauma support, and counseling. These centers aim to provide immediate and long-term support to victims of sexual violence, create a safe space for discussion and counseling, and facilitate access to legal protection.

In addition to the Istanbul Convention, other EU-level documents regulate the field of violence against women.

**Recommendation 1450 (2000) – Violence against Women in Europe**<sup>8</sup> highlights the fact that hundreds of thousands of women in Europe face physical

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8 Recommendation 1450 (2000) – Violence against Women in Europe, Parliamentary Assembly of the Council of Europe, 2000. Available at: <http://assembly.coe.int/nw/xml/Xref/Xref-XML2HTML-en.asp?fileid=16783&lang=en>.



and psychological violence, both at home and outside, sometimes perpetrated by public authorities. The oppression of women, manifesting as domestic violence, rape, and female genital mutilation, is a reality that is widely recognized and condemned in many countries. Therefore, the Committee of Ministers was recommended to develop a European program to combat violence against women, with the aim of legally recognizing marital rape and classifying it as a criminal act.

**Recommendation 1582 (2002) – Domestic Violence against Women**<sup>9</sup> recognizes that domestic violence is the most common form of violence against women, with consequences affecting many areas of victims' lives, including housing, health, education, and their freedom to live without fear and in a manner of their choosing. This widespread phenomenon is present in all European countries and is not limited to any specific social group or class. Domestic violence can take various forms, such as physical violence, sexual abuse and rape, threats, and intimidation, and it should be recognized as a criminal act. This recommendation also emphasizes that marital rape should be criminalized as a specific criminal act.

Rec Recommendation<sup>10</sup> (2002) 5th Committee of Ministers to member states of the Council of Europe on the **protection of women against violence** contains recommendations for states to ensure that national criminal laws stipulate that any act of violence against a person, particularly physical or sexual violence, constitutes a violation of the bodily, psychological, and/or sexual freedom and integrity of that person, rather than merely a breach of morality, honor, or decency. States are expected to prescribe appropriate measures and sanctions to enable swift and effective action against perpetrators of violence and to rectify the injustices suffered by women who have experienced violence. As noted, national legislation should specifically penalize: Sexual violence and marital rape; Rape perpetrated by regular or occasional partners and persons living in the same household as the victim; Any sexual act committed against individuals who have not given consent, even if they do not exhibit signs of resistance; Sexual penetration of any kind or in any manner performed on a person without their consent.

Furthermore, states are required to stipulate that the statute of limitations for sexual offenses does not begin to run until the victim reaches adulthood. Addi-

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9 Recommendation 1582 (2002) – Domestic Violence against Women, Parliamentary Assembly of the Council of Europe, 2002. Available at: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17055&lang=en>.

10 Recommendation Rec (2002) 5 on the protection of women against violence, Committee of Ministers of the Council of Europe, 2002. Available at: <https://www.coe.int/en/web/genderequality/recommendation-rec-2002-5-and-other-tools-of-the-council-of-europe-concerning-violence-against-women>



tional measures to combat sexual violence include recommendations for states to consider establishing national and European databases containing the genetic profiles of all identified and unidentified perpetrators of sexual violence. This aims to implement an effective policy for apprehending offenders and preventing recidivism, while adhering to the standards prescribed by national legislation and the Council of Europe in this field.

### **EU-level documents directly addressing sexual violence against women**

**Directive 2012/29/EU<sup>11</sup>**, known as the **Victims' Rights Directive**, was adopted to ensure that victims of criminal acts, including survivors of sexual violence and rape, are treated with compassion and respect while their rights are protected. Key aspects of the Directive related to sexual violence and rape include:

- **Right to Information and Support:** Victims of sexual violence have the right to receive clear and understandable information about their rights and the available support. This includes information on how to access medical assistance, psychological support, and legal aid.
- **Right to Support Services:** The Directive emphasizes that member states must ensure that victims have prompt access to support services, such as helplines and counseling services. This support should be sensitive to the trauma experienced by victims, especially in cases of sexual violence.
- **Right to Protection:** Victims of sexual violence must be provided with adequate protection during legal proceedings. This includes measures to ensure their safety and prevent further victimization.
- **Right to Participation in the Judicial Process:** Victims have the right to participate in criminal proceedings and to be heard. They should be allowed to express their views on decisions affecting their rights, including the use of alternative methods for providing testimony, which can help reduce trauma.
- **Special Attention for Vulnerable Victims:** The Directive emphasizes that certain groups, including children and victims of sexual violence, may require additional care and protection. Measures should be taken to ensure the fulfillment of their rights and to prevent re-victimization.

<sup>11</sup> Directive 2012/29/EU, available at: <https://eur-lex.europa.eu/eli/dir/2012/29/oj>.



- **Right to Compensation:** Victims have the right to receive compensation for the harm suffered as a result of the criminal act, which may include medical expenses, psychological support, or lost income.
- **Prohibition of Discrimination:** The Directive ensures that all victims, regardless of their background or circumstances, are treated equally and without discrimination. This is particularly important for victims of sexual violence, who may face additional social stigmatization.
- **Obligations of Member States:** Member states are required to implement these rights into their legal frameworks and to regularly report on efforts to protect victims' rights. This includes ensuring that laws on sexual violence and rape are aligned with the standards set by this Directive.

**Directive 2011/93/EU**<sup>12</sup>, The Directive on Combating Sexual Abuse and Sexual Exploitation of Children and Child Pornography focuses on preventing and combating the sexual abuse and exploitation of children. Its aim is to strengthen the existing legal frameworks against sexual offenses involving children.

**Directive 2004/80/EC**<sup>13</sup>, The Directive on Compensation to Crime Victims stipulates those victims of violent crimes, including survivors of sexual violence, are entitled to compensation for the harm suffered. Member states are required to establish systems that provide victims with access to compensation.

**Directive 2011/36/EU**<sup>14</sup>, The Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims focuses on combating human trafficking, which often includes sexual exploitation. This directive also prescribes measures for the prevention of human trafficking, the protection of victims, and the prosecution of offenders.

**Framework Decision 2001/220/JHA**<sup>15</sup>, Although not a directive, the Framework Decision on the Standing of Victims in Criminal Proceedings focuses on standardizing the treatment of crime victims across the EU. It defines the rights of all victims regarding support and information, including cases of sexual violence.

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12 Directive 2011/93/EU, available at: <https://eur-lex.europa.eu/eli/dir/2011/93/oj>.

13 Directive 2004/80/EC, available at: <https://eur-lex.europa.eu/eli/dir/2004/80/oj/eng>

14 Directive 2011/36/EU, available at: <https://eur-lex.europa.eu/eli/dir/2011/36/oj/eng>

15 Framework Decision 2001/220/JHA, available at: [https://eur-lex.europa.eu/eli/dec\\_framw/2001/220/oj/eng](https://eur-lex.europa.eu/eli/dec_framw/2001/220/oj/eng)



**Directive 2024/1385<sup>16</sup>** (EU) on combating violence against women and domestic violence ( "VAW/DV Directive") The VAW/DV Directive, which is based on the Istanbul Convention, contains targeted measures to ensure that victims of violence against women and domestic violence are granted access to justice, adequate protection and support, and that measures are taken to prevent this violence from happening in the first place. The Directive foresees that:

- Specialized support services should provide support to victims of all forms of violence against women and domestic violence, including sexual violence, female genital mutilation, forced marriage, forced abortion and sterilization, sexual harassment and various forms of cyber violence. Victims should be offered specialist support services irrespective of whether they have filed a formal complaint.
- Women's specialist services can play a crucial role in providing advice and support for victims, including women's support centres, women's shelters, helplines, rape crisis centres, sexual violence referral centres and primary prevention services. They can also be provided by non-governmental women-led organizations.
- The traumatic nature of sexual violence, including rape, requires a particularly sensitive response by trained and specialized staff. Victims of sexual violence need immediate trauma support combined with immediate forensic examinations for the safe keeping of evidence needed for future prosecution. Rape crisis centres or sexual violence referral centres should be available in sufficient numbers and adequately spread over the territory of each Member State, taking into account the geography and demographic composition of the Member State concerned. Such centres can form part of the existing healthcare system in the Member State. Similarly, victims of female genital mutilation, who are often girls, typically are in need of targeted support. Therefore, Member States should ensure that they provide dedicated support tailored to these victims. Considering the unique circumstances of victims of such offences and their associated vulnerability, such specialist support should be provided with the highest standards of privacy and confidentiality.

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<sup>16</sup> Directive (EU) 2024/1385 of the European Parliament and of the Council of 14 May 2024 on combating violence against women and domestic violence, available at: <https://eur-lex.europa.eu/eli/dir/2024/1385/oj/eng>



- In order to assist in the voluntary securing of evidence, in particular in cases of sexual violence, the competent authorities shall direct victims, without undue delay, to relevant healthcare professionals or to the support services referred to in Articles 25, 26 and 27 that are specialized in assisting with securing evidence. Victims shall be informed of the importance of collecting such evidence at the earliest possible time.
- Member States shall provide for appropriately equipped and easily accessible rape crisis or sexual violence referral centres, which may form part of the national healthcare system, to ensure effective support to victims of sexual violence and to ensure the clinical management of rape, including assisting in the safekeeping and documentation of evidence.
- Member States shall ensure that victims of sexual violence have access to medical and forensic examinations. Those examinations may be provided in the centres referred to in this paragraph or by referral to specialized centres or units. Member States shall ensure coordination between the referral centres and competent medical and forensic centres

## 1.2 National Framework

**The national framework for preventing and combating violence against women and domestic violence** is determined by legal regulations in this area, whose primary tasks are defined by the aforementioned international policies and declarations. Serbia has committed to aligning its legislative framework with international standards in this field.

The legal and institutional framework for gender equality and protection from gender-based violence (GBV) has been developing in Serbia for two decades. The Constitution of the Republic of Serbia<sup>17</sup> from 2006 guarantees equality between women and men and the creation of equal opportunities, prohibits direct and indirect discrimination on any basis, particularly gender. Alongside other general principles and the protection of fundamental human rights, **the Constitution serves as the foundation, together with international regulations, for preventing and combating violence against women and domestic violence.**

<sup>17</sup> Constitution of the Republic of Serbia, ("Official Gazette of RS," No. 98/2006), available at: [https://www.paragraf.rs/propisi/ustav\\_republike\\_srbije.html](https://www.paragraf.rs/propisi/ustav_republike_srbije.html) (accessed on 7/5/2024).



In addition to the Constitution, several key laws define and regulate issues of GBV and sexual violence (SV) in Serbia in different ways.

Primarily, the **Criminal Code of the Republic of Serbia (CC)**<sup>18</sup> defines and sanctions criminal acts against sexual freedom (Chapter XVIII). In total, the law recognizes eleven criminal acts against sexual freedom (see Image 1).

The Criminal Code of the Republic of Serbia has undergone several amendments and supplements regarding the criminalization of sexual violence. The most significant changes include:<sup>19</sup>

The Law on Amendments to the Criminal Code from 1994<sup>20</sup> decriminalized voluntary heterosexual intercourse with a minor, i.e., a person older than 14 but under 18 years of age, reflecting the stance that individuals over the age of 14 are capable of giving consent for heterosexual relations. However, voluntary homosexual intercourse with a minor, i.e., a person older than 14 but under 18, remained criminalized.

The Law on Amendments to the Criminal Code from 2002<sup>21</sup> changed the definition of the criminal act of rape by omitting the phrase “with whom the perpetrator does not live in a marital community,” thus allowing for the punishment of this act even when committed against a spouse (so-called marital rape). This legal solution reflected the position that sexual relations are not a marital duty but a sphere of personal rights and that discrimination against victims of sexual violence based on marital status in terms of criminal protection is untenable. At the same time, the penalty for the basic form of rape was increased by prescribing a specific legal minimum of “at least one year” and omitting the legal maximum. Additionally, qualifying circumstances that make the criminal act more severe were expanded, including the circumstance that the rape “resulted in pregnancy or a severe infectious disease.” Two aggravated forms of rape were defined: rape that resulted in serious bodily injury to the female victim or was committed by multiple individuals, in an exceptionally cruel or degrading manner, or resulted in pregnancy or a severe infectious disease, for which a minimum prison sentence of three years was prescribed

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18 Criminal Code (“Official Gazette of the RS”, no. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009, 111/2009, 121/2012, 104/2013, and 108/2014) <https://www.paragraf.rs/propisi/krivicni-zakonik-2019.html> (accessed on 07/05/2024)

19 See: Petrušić, N., Beker, K. Integrating the Gender Perspective into Legislation, in: *Parliamentarism in Serbia from a Women's Perspective* (Pajvančić Marijana, ed.), Belgrade, OSCE Mission to Serbia, 2021, pp. 65-70. Available at: <https://zenskestudije.org.rs/pdf/knjige/Parlament%20iz%20zenskog%20ugla%20OEPS.pdf>

20 Law on Amendments to the Criminal Code of the Republic of Serbia, No. 47/1994.

21 “Official Gazette of the Republic of Serbia,” No. 10/2002.



(Article 103, Paragraph 2), and rape committed against a minor or resulting in the death of the female victim, for which a minimum prison sentence of five years was prescribed (Article 103, Paragraph 3).

The Amendments to the Criminal Code from 2002 introduced a new criminal act, "domestic violence" (Article 118a), as one of the criminal act within the group of acts against marriage and family (Chapter XIII). This criminal act does not include sexual violence, so provisions from Chapter XII, "Criminal Acts Against the Dignity of the Person and Morality," were relevant for qualifying sexual violence against a family member.<sup>22</sup>

### **Criminal Act of Rape**

The fundamental criminal act against sexual freedom is prescribed in Article 178 of the Criminal Code (CC) and consists of coercion into sexual intercourse or an act equated with it through the use of force or threats. Under previous regulations, the act constituting the act of rape was limited to sexual intercourse, which implied the penetration of the male sexual organ into the female sexual organ (vaginal intercourse). However, under the current legal provisions, the act also includes other sexual acts that can be equated with intercourse. According to prevailing legal opinion, acts that can be equated with intercourse include anal and oral coitus.<sup>23</sup> In practice, the criminal act of rape also encompasses acts that were previously classified as the criminal act of unnatural fornication.<sup>24</sup>

Other coerced sexual acts aimed at satisfying or stimulating sexual desire, such as the insertion of a finger, fist, or objects into the vaginal, anal, or oral opening, are generally not considered acts of execution of the criminal act of rape. Instead, they are categorized as acts of execution of the lesser criminal act of unauthorized sexual acts under Article 182 of the CC.<sup>25</sup> There is also an interpretation, accepted in some judicial practice, that the term "another act equated with intercourse" should be interpreted more broadly. This interpretation includes, besides anal and oral intercourse, "other forms of penetration, where the decisive criterion is whether such acts, based on a comprehensive assessment of their overall

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22 Since coercion is a necessary element for the existence of the criminal act of rape, and as proof of applied coercion, the presence of the victim's resistance is required, the question arises as to whether rape exists if the victim, whether a marital or common-law spouse, does not resist the perpetrator. For a more detailed discussion on this issue, see: Konstantinović Vilić S., Petrušić, N., *The Criminal Offense of Domestic Violence – Legal Practice in the Republic of Serbia*, Women's Research Center for Education and Communication, Niš, 2004, p. 26.

23 Cvetković, V., *The Criminal Offense of Rape under Article 178 of the Criminal Code of the Republic of Serbia*, in: Dragiša Slijepčević, et al. (eds.), *Bulletin of Judicial Practice of the Supreme Court of Serbia 2*, Belgrade, Intermeks, 2006, p. 79.; Stojanović, S., Perić, O., *Criminal Law: Special Part*, Belgrade, Pravna knjiga, 2006, p. 100.; Stojanović, Z., op. cit., p. 588.

24 Stojanović, Z., *Op. Cit.*, p. 593.

25 Stojanović, Z., *Op. Cit.*, p. 593.



effect, form of expression, and accompanying circumstances, can be compared to intercourse, i.e., vaginal coitus."<sup>26</sup> In some situations, sexual acts undertaken by the perpetrator for sexual gratification are classified as attempted rape rather than unauthorized sexual acts if their ultimate goal was intercourse rather than merely satisfying sexual desire through an unauthorized sexual act.

In the criminal legal sense, intercourse refers to the penetration of the male sexual organ into the female sexual organ, while an act equated with intercourse refers to the penetration of the male sexual organ into the anal or oral opening of the passive subject. Unauthorized sexual acts refer to other acts through which the perpetrator expresses sexual urges.<sup>27</sup>

Under domestic criminal legislation, a necessary element of rape is coercion into intercourse, or an act equated with it, carried out through the use of force or threats. Coercion and intercourse, or an act equated with it, together constitute the execution of the criminal act of rape. It is considered that coercion into sexual relations is what gives rape its criminal character, as consensual sexual relations are legally permitted. According to the legal formulation of the act, coercion consists of the use of force or threats of immediate attack on the life or body of the victim or a person close to them to achieve intercourse or an act equated with it.

The applied force is commonly divided into absolute and compulsive force. Absolute force exists when the person against whom it is used is unable to decide or execute a decision, meaning they are incapacitated from resisting. Compulsive force entails a qualified threat of an immediate attack on the life or body of the victim or a close person. This threat must be serious, feasible, and such that the victim can reasonably believe it will be carried out. According to judicial opinion, it is sufficient that the threatened individual perceives the threat as possible; the actual intent of the accused to carry it out is not required. The force must be such that it can overcome the victim's resistance, which is the prevailing stance in judicial practice.

As proof of applied coercion, which simultaneously establishes that the sexual act was non-consensual, judicial practice requires evidence of resistance, even though resistance itself is not necessarily an element of the criminal offense of rape. According to the still dominant view in legal theory and judicial practice, resistance must be genuine, serious, and continuous, meaning it must be

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26 Škulić, M., *The Criminal Offense of Rape in Serbian Criminal Law – Recent Amendments, Some Controversial Issues, and Possible Future Modifications*, *Crimen*, 3/2017, pp. 413-414.

27 Decision of the Court of Appeals in Niš, Kž1 281/2020 dated May 21, 2020, available on Paragraf(Lex).



expressed throughout the execution of the criminal act.<sup>28</sup> In practice, resistance is considered genuine if the rejection of intercourse is expressed not only verbally but also through physical opposition. It is considered serious if it reflects a firm decision to avoid sexual relations with the perpetrator, and continuous if it is maintained from the moment coercion begins until the act is completed.<sup>29</sup> The prevailing view is that the absence of such resistance means there was no coercion, leading to the conclusion that the sexual act was voluntary and that, therefore, the criminal act of rape did not occur.<sup>30</sup> In recent years, there has been a shift in understanding the significance of resistance. Courts increasingly accept the view that resistance should be understood in relative terms and that the absence of physical resistance does not exclude the existence of rape.<sup>31</sup>

Despite these positive developments, judicial practice continues to focus on the victim's resistance as proof that coercion was applied, rather than on the fact that intercourse or an act equated with it was carried out without consent or against the victim's will.<sup>32</sup>

### **Criminal Act of Sexual Intercourse with a "Helpless Person"**

Sexual intercourse with a "helpless person" is classified as one of the criminal acts against sexual freedom. Given that coercion is a crucial element of the criminal act of rape under the Criminal Code (CC), which requires evidence of resistance, Article 179 of the CC establishes a separate criminal act that incriminates sexual acts involving a person who is unable to resist due to their psychological or physical condition.

There are challenges in proving this criminal act, as the law does not explicitly define the term "helpless person," leaving its interpretation to legal theory and judicial practice.<sup>33</sup> The prevailing legal stance is that no individual can be deemed helpless a priori, meaning incapable of resisting. The fact that a person has a mental disability or impaired mental health does not automatically categorize them as helpless; instead, the impact of these conditions on their ability to resist

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28 Lazarević, L.J., Commentary on the Criminal Code, Belgrade, Faculty of Law, Union University, 2011, p. 616. The literature states that "if the resistance was not serious but merely apparent, concealing the woman's desire for intercourse, the criminal act of rape does not exist" (Radovanović, M., Đorđević, M. Criminal Law, Special Part, Belgrade: 1977, p. 129).

29 See the judgment of the Court of Appeals in Belgrade, Kž. 350/2010 dated March 31, 2010.

30 Đurđić, V., Jovašević, D. Criminal Law: Special Part, Belgrade, Nomos, 2010, p. 73; Radovanović, M., Đorđević, Criminal Law, Special Part, Belgrade: Publisher, 1977, p. 129.

31 Stojanović, Z. op. cit., p. 590. [...] The use of force to commit sexual intercourse does not always have to be of such intensity that it leaves physical traces in the form of injuries on the victim's body. It is sufficient for the force to overcome the victim's resistance, even if it does not leave visible traces. Bulletin of the Higher Court in Belgrade 87/2016.

32 Marković, I. Rape – A Criminal Offense Against Sexual Integrity (Dilemmas in Judicial Practice), Serbian Legal Thought, 53/2020, p. 13.

33 Mirić, F. Criminal Law Protection of Persons with Disabilities in the Republic of Serbia, Belgrade: Institute for Criminological and Sociological Research, 2023, p. 50.



is assessed on a case-by-case basis. The same principle applies when physical incapacity to resist is due to old age, various illnesses, or other factors.<sup>34</sup>

The Criminal Code specifically recognizes aspects of sexual violence within marriage and the family, which are regulated and defined under Chapter XIX—Criminal Acts Against Marriage and Family. A particularly significant provision is Article 196: Incest. This article stipulates that an adult who engages in sexual intercourse or an equivalent sexual act with a minor blood relative in the direct line or with a minor sibling shall be punished with imprisonment ranging from six months to five years. Thus, the law explicitly sanctions sexual relations between close relatives when one of the individuals is a minor, classifying it as the act of incest.

### 1.3 Comparative Analysis of International and National Frameworks

A review of the institutional and legislative framework reveals significant steps are being taken at the normative level to improve legislation and align it with international standards. In this regard, it can be stated that **Serbia has made certain advances in accordance with the Istanbul Convention**, including the adoption of the Law on the Prevention of Domestic Violence and the creation of a national strategic document addressing gender-based violence.

However, a comparative analysis of international and national frameworks concerning sexual violence highlights significant inconsistencies between national regulations and a lack of alignment with international standards, particularly regarding the definition of the criminal act of rape.

According to Article 36<sup>35</sup> of the Istanbul Convention: “1) Parties undertake to adopt the necessary legislative or other measures to ensure that the following intentional conducts are criminalized:

- a) Vaginal, anal, or oral penetration of a sexual nature on another person’s body without their consent, using any body part or object;
- b) Other sexual acts performed on a person without their consent;
- c) Coercing another person to engage in sexual acts with a third person without their consent.

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34 “Ibid., p. 620.”

35 Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, (“Official Gazette of the Republic of Serbia – International Treaties,” No. 12/13) <https://www.refworld.org/legal/agreements/coe/2011/en/79074>



- 2) Consent must be given voluntarily as the result of the person's free will, assessed in the context of the surrounding circumstances.
- 3) Parties undertake to adopt the necessary legislative or other measures to ensure that the provisions of paragraph 1 of this article also apply to acts committed against former or current spouses or partners in accordance with national laws."

**On the other hand, Article 178 of the Criminal Code of the Republic of Serbia defines rape as follows:**

- (1) Whoever coerces another into intercourse or an act equivalent to intercourse through the use of force or threats of immediate assault on the life or body of that person or someone close to them, shall be punished by imprisonment of five to twelve years.
- (2) If the act under paragraph 1 of this article is committed by threatening to reveal something that would harm the honor or reputation of the victim or someone close to them, or by threatening other severe harm, the perpetrator shall be punished by imprisonment of two to ten years.
- (3) If the act under paragraphs 1 and 2 of this articles results in severe bodily harm to the person against whom the act was committed, or if the act was committed by multiple individuals, in a particularly cruel or degrading manner, or against a minor, or if the act resulted in pregnancy, the perpetrator shall be punished by imprisonment of five to fifteen years.
- (4) If the act under paragraphs 1 and 2 of this article results in the death of the person against whom the act was committed or is committed against a child, the perpetrator shall be punished by imprisonment of at least ten years or life imprisonment."

As noted in the GREVIO report<sup>36</sup>, **the criminalization of rape is still not fully aligned with the requirements of the Istanbul Convention.**

Furthermore, the domestic legal framework lacks precise definitions of the terms "violence against women" and "gender-based violence against women" that align with the Istanbul Convention.<sup>37</sup>

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36 Council of Europe. (January 22, 2020). Serbia Government's efforts to fight violence against women are commendable, but more is needed. Council of Europe Portal. <https://www.coe.int/en/web/portal/-/serbia-government-s-efforts-to-fight-violence-against-women-are-commendable-but-more-is-needed> (accessed on 07/05/2024).

37 Strategy for the Prevention and Fight Against Gender-Based Violence Against Women and Domestic Violence for the Period 2021–2025 („Official Gazette of the Republic of Serbia", No. 47/2021) <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/strategija/2021/47/1/reg> (accessed on 07/05/2024).



**The current legal definitions of various types of violence are not gender-specific, reflecting an insufficient recognition of the fact that certain forms of violence disproportionately affect women.**

The Supreme Public Prosecutor's Office (HPPO) has established records for the criminal act of domestic violence, but not for all other criminal acts covered by the Law on the Prevention of Domestic Violence. Additionally, it is evident that a unified and standardized system for collecting, recording, monitoring, and sharing data on all forms of violence against women and domestic violence, including femicide, has not been established<sup>38</sup>. Data collected by individual institutions (police, prosecution, healthcare facilities, and Social Work Centers) cannot be compared **due to the absence of a central database**<sup>39</sup>. This continues to hinder the tracking of outcomes in individual cases related to gender-based violence (GBV) and sexual violence (SV).

**GREVIO<sup>40</sup> also highlights the lack of specialized services for women**, particularly rape crisis centers and sexual violence support centers, **which remain limited and inaccessible in most of the country**. The Republic of Serbia has yet to secure funding for such centers, and current services cover only a limited geographical area.

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38 Ibid.

39 Stepanov, B. (2022). Domestic Violence: What the Data Tell Us.

40 Ibid.



**Rape (Article 178):** Defined as a coerced sexual act or intercourse using force or threat. Sentences range from five to twelve years in prison, increasing in cases of aggravating circumstances such as causing severe bodily harm, committing the crime against a minor, or resulting in death.

**Sexual Intercourse with a Helpless Person (Article 179):** Refers to coercion of a person incapable of resisting due to illness, disability, or other circumstances. Sentences range from three to ten years in prison, with an increase in punishment if severe bodily harm results.

**Sexual Intercourse with a Child (Article 180):** Punishable as a coerced sexual act or intercourse, with sentences ranging from five to twelve years in prison. Sentences are harsher in cases of severe bodily harm, pregnancy, or multiple offenders.

**Sexual Intercourse through Abuse of Authority (Article 181):** Covers cases where a person abuses their authority to coerce someone into a sexual act or intercourse. Sentences range from one to eight years in prison, increasing if severe harm is caused.

**Unlawful Sexual Acts (Article 182):** Refers to various forms of non-consensual sexual conduct, including groping or forcing inappropriate contact. Sentences range from six months to five years in prison, with stricter penalties if committed against a minor.

**Sexual Harassment (Article 182a):** Any unwelcome sexual behavior that humiliates or intimidates a person, including inappropriate touching, coercion, or threats. Sentences range from three months to three years in prison.

**Pandering and Enabling Sexual Intercourse (Article 183):** Punishes those who facilitate or encourage prostitution. Sentences range from six months to five years in prison, increasing if committed against minors.

**Mediation in Prostitution (Article 184):** Penalizes those who profit from or facilitate prostitution. Sentences range from six months to five years in prison.

**Displaying, Procuring, and Possessing Pornographic Material and Exploiting Minors for Pornography (Article 185):** Criminalizes the production, distribution, and possession of child pornography. Sentences range from one to eight years in prison.

**Inducing a Child to Witness Sexual Acts (Article 185a):** Criminalizes forcing a minor to watch sexual activities. Sentences range from six months to three years in prison.

**Exploitation of a Computer Network or Communication via Other Technical Means for Committing Criminal Offenses Against Sexual Freedom of a Minor (Article 185b):** Penalizes the use of the internet or other communication means to arrange meetings with minors for the purpose of committing sexual offenses, with sentences ranging from six months to eight years in prison, along with monetary fines.

*Image 1: Criminal Code, Chapter Eighteen*



The **Family Law**<sup>41</sup> provides for urgent and long-term protective measures against domestic violence, while the **Law on Social Protection**<sup>42</sup> defines the type and scope of protection and services for victims of domestic violence.

A significant step forward was made in 2016 with the adoption of the **Law on the Prevention of Domestic Violence (LPDV)**<sup>43</sup>. **Article 6 of the law stipulates that the police, public prosecutor's offices, general jurisdiction courts, and misdemeanor courts, as competent state authorities, along with social welfare centers as institutions, are responsible for preventing domestic violence and providing protection and support to victims of domestic violence and victims of criminal acts specified by this law.**

In addition to the competent state authorities and social welfare centers, other institutions in the fields of child protection, social protection, education, upbringing, and healthcare (hereinafter referred to as: state authorities and institutions responsible for the implementation of this law), as well as gender equality bodies at the local self-government level, participate in preventing domestic violence by providing assistance, reporting violence, and offering support to victims.

**Support for victims of domestic violence and victims of criminal acts specified by this law may also be provided by other legal and natural persons, as well as associations.**

According to the Law on the Prevention of Domestic Violence (LPDV), multi-sectoral cooperation in cases of domestic violence is implemented through Coordination and cooperation groups, as well as through designated liaison officers (Articles 24–27).

Article 4 of the LPDV stipulates that this law also applies to cooperation in the prevention of domestic violence within criminal proceedings related to the following criminal acts: stalking (Article 138a of the Criminal Code); rape (Article 178 of the Criminal Code); sexual intercourse with a helpless person (Article 179 of the Criminal Code); sexual intercourse with a child (Article 180 of the Criminal Code); sexual intercourse through abuse of position (Article 181 of the Criminal Code); unlawful sexual acts (Article 182 of the Criminal Code); sexual harassment (Article 182a of the Criminal Code); procuring and enabling sexual intercourse (Article 183 of the Criminal Code); mediation in prostitution (Article 184 of the Criminal

41 Family Law, ("Official Gazette of RS", No. 18/2005, 72/2011 - other law, and 6/2015) [https://www.paragraf.rs/propisi/porodicni\\_zakon.html](https://www.paragraf.rs/propisi/porodicni_zakon.html) (accessed 7/5/2024).

42 Law on Social Protection, ("Official Gazette of RS", No. 24/11 and 117/2022) [https://www.paragraf.rs/propisi/zakon\\_o\\_socijalnoj\\_zastiti.html](https://www.paragraf.rs/propisi/zakon_o_socijalnoj_zastiti.html) (accessed 7/5/2024).

43 Law on the Prevention of Domestic Violence, ("Official Gazette of RS", No. 94/16) [https://www.paragraf.rs/propisi/zakon\\_o\\_sprecanju\\_nasilja\\_u\\_porodici.html](https://www.paragraf.rs/propisi/zakon_o_sprecanju_nasilja_u_porodici.html) (accessed 10/03/2024).



Code); displaying, obtaining, and possessing pornographic material and exploiting minors for pornography (Article 185 of the Criminal Code); inducing a child to witness sexual acts (Article 185a of the Criminal Code); neglect and abuse of a minor (Article 193 of the Criminal Code); domestic violence (Article 194 of the Criminal Code); failure to provide child support (Article 195 of the Criminal Code); violation of family obligations (Article 196 of the Criminal Code); incest (Article 197 of the Criminal Code); human trafficking (Article 388 of the Criminal Code); other criminal acts if the crime is a consequence of domestic violence.

This law also applies to the provision of protection and support to victims of criminal acts listed in paragraph 1 of Article 4 of the LPDV.

After the LPDV came into force, which mandated obligatory training, most activities related to the implementation of training were directed towards institutions handling cases of domestic violence, such as law enforcement agencies, public prosecutors' offices, and courts.

Article 13 of the Law on the Prevention of Domestic Violence defines the obligation to report violence. This law clearly establishes the duties and measures that must be undertaken to ensure adequate protection and support for victims of violence, as well as the effective prevention of gender-based violence.

Finally, in 2021, the **Law on Gender Equality<sup>44</sup> (LGE)** was adopted, along with the **National Strategy for Gender Equality 2021–2030<sup>45</sup>**, which includes an action plan for its implementation for the period 2021–2025.

The Law on Gender Equality, in Part VI – Prevention and Suppression of Gender-Based Violence, regulates the prohibition of violence based on sex, sexual characteristics, or gender, as well as violence against women. It also regulates special measures and programs, the obligation to report violence, as well as general and specialized support services.

Specialized support services, as defined by this law, are: 1) The provision of confidential SOS helpline services for girls and women with experiences of gender-based violence, where calls will not be recorded or otherwise made available to third parties. The responsible ministry for social protection ensures and funds a free national SOS helpline in the Republic of Serbia, while the competent authority or authorities of the autonomous province and local self-government units ensure

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44 Law on Gender Equality, ("Official Gazette of RS", No. 52/2021) <https://www.paragraf.rs/propisi/zakon-o-rodnoj-ravnopravnosti.html> (accessed 07/05/2024).

45 Strategy for Gender Equality for the Period 2021–2030, ("Official Gazette of RS", No. 103/2021) <https://pravno-informacioni-sistem.rs/eli/rep/sqrs/vlada/strategija/2021/103/1> (accessed 07/05/2024).



its availability at the level of the local government unit or administrative districts; 2) The provision of secure accommodation for women victims of violence and their children in safe houses or shelters, which are free of charge for all women and their children regardless of their place of residence or stay, available 24 hours a day, seven days a week, and adapted to the needs of women victims of violence; 3) The performance of specialized and forensic (forensic medical) examinations and laboratory tests and the provision of psychological support in accordance with the needs of the victims of violence; 4) The provision of free support services for victims of sexual violence, available 24 hours a day, seven days a week, as well as the provision of contraceptive protection and protection against sexually transmitted diseases and forensic medical examinations; 5) The implementation of specialized counseling programs for victims of violence, tailored to the individual needs of victims, including victims from vulnerable social groups.

Specialized support services must be accessible to everyone and tailored to the individual needs of victims of violence, including victims from vulnerable social groups.

**The Strategy for the Prevention and Combating of Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025<sup>46</sup> was adopted in 2021.** The Action Plan for implementation of this Strategy is not adopted. As part of this Strategy, Measure 2.4. foresees the enhancement of specialized services for women who have survived violence, ensuring them free legal and medical support, as well as access to safe houses, support centers, and SOS helpline available 24/7. It is stated that the services will be adapted to women from all social groups, including marginalized groups.

Measure 3.1. pertains to ensuring full, effective, and efficient criminal law protection for women from gender-based violence and domestic violence. The goal of this measure is to harmonize the definitions of domestic violence and the scope of persons considered family members across all relevant laws (Criminal Code, Family Law, and the Law on the Prevention of Domestic Violence). This ensures that protection is extended to all former spouses and partners, regardless of whether they lived together or have children, in accordance with international standards and research findings confirming that domestic violence can continue even after the end of a marital or non-marital relationship.

**Additionally, this measure proposes shifting the focus from coercion to the absence of free consent of the victim,** thereby strengthening protection and

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46 Strategy for the Prevention and Combating of Gender-Based Violence Against Women and Domestic Violence for the Period 2021-2025, ("Official Gazette of RS", No. 47/2021) <https://pravno-informacioni-sistem.rs/eli/rep/sqrs/vlada/strategija/2021/47/1/reg> (accessed 07/05/2024).



aligning it with the Istanbul Convention. It also suggests re-evaluating the treatment of the acts of sexual intercourse with an incapacitated person, which is often used to classify cases of rape of women with disabilities, sending the message that violating their right to autonomy and sexual decision-making does not constitute rape. It has been proposed that “incapacity” be recognized as an aggravating circumstance for the crime of rape and that penal policies be standardized for all forms of sexual violence.

Measure 4.2. aims to strengthen the role of specialized women's NGOs as providers of specialized services and participants in policy development. Their experience and expertise, particularly in providing services such as SOS helplines, legal support, and support centers, should be recognized and included in bodies and working groups for drafting laws and policies in this area. This measure also foresees continuous funding of these organizations to ensure that support services for women victims of violence remain accessible and sustainable.

The Law on Gender Equality<sup>47</sup> (LGE) thoroughly regulates measures for the prevention and suppression of all forms of gender-based violence and is explicitly aligned with international frameworks, particularly regarding **specialized services for victims of violence**.

According to Article 55 of the Law on Gender Equality, specialized support services include:

1. Providing confidential SOS helpline services for girls and women with experiences of gender-based violence, ensuring that calls are not recorded nor made available to third parties. In the territory of the Republic of Serbia, this free national SOS helpline is provided and financed by the competent ministry for social protection, while at the local level, the responsible authorities are the organs of the autonomous province and local self-government units;
2. Providing safe accommodation for women victims of violence and their children in safe houses or shelters, which are free of charge, available 24 hours a day, seven days a week, and adapted to the needs of women victims of violence, regardless of their place of residence;
3. Conducting specialized and forensic medical examinations, as well as providing psychological support in accordance with the needs of victims;

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<sup>47</sup> In June 2024, the Constitutional Court of the Republic of Serbia temporarily suspended the implementation of the Law on Gender Equality (“Official Gazette of RS”, No. 52/2021). Decision of the Constitutional Court of the Republic of Serbia: Resolution No. IY3-85/2021, dated June 28, 2024, issued in Belgrade. Official statement of the Constitutional Court regarding the initiation of the procedure for assessing constitutionality: <https://ustavni.sud.rs/sednice-suda/saopstenja-sa-sednice-suda/saopstenje-sa-8-sednice-ustavnog-suda-odrzane>.



4. Providing free support to victims of sexual violence, available 24 hours a day, seven days a week, including contraceptive protection, protection against sexually transmitted diseases, and forensic medical examinations;
5. Implementing specialized counseling programs for victims of violence, tailored to individual needs, including those of victims from vulnerable social groups.

In addition to laws and strategies, it is important to consider general and special protocols that regulate procedures and cooperation. First and foremost, the **General Protocol on Procedures and Multisectoral Cooperation in Situations of Gender-Based Violence Against Women and Domestic Violence**<sup>48</sup> (GPMC), which was adopted in 2024, defines the functioning of response mechanisms to gender-based violence (GBV) and domestic violence, with a particular emphasis on multisectoral cooperation in the process of protection from violence. In addition to this, the **General Protocol for the Protection of Children from Violence**<sup>49</sup> (GPPCV), adopted in 2022, defines more than 20 forms of violence against children, including physical and peer violence, domestic violence, sexual and digital violence, child labor exploitation, and child marriage as forms of violence that grossly violate children's rights. The general goal of this protocol is to ensure systematic and continuous prevention of all forms of violence against children and to create effective intersectoral protective measures when there is suspicion or knowledge of violence involving children.

In addition to General Protocols, special protocols are applied at the sectoral level, as well as protocols for the procedures of competent institutions, which regulate cooperation between the police, judiciary, social protection centers, and specialized women's NGOs (SW NVO) in cases of violence.

- **Special Protocol of the Ministry of Health for the Protection and Treatment of Women Exposed to Violence**<sup>50</sup> (2010) is an instrument for identifying, recording, and documenting gender-based violence, with the aim of engaging healthcare professionals and ensuring detection, suppression, and prevention of this harmful social phenomenon.

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48 General Protocol on Procedures and Multisectoral Cooperation in Cases of Gender-Based Violence Against Women and Domestic Violence <https://www.mpravde.gov.rs/files/Закључак%20Владе%20%20о%20увајању%20Опште%20протокола%2029.3.2024.pdf> (accessed on 13/10/2024).

49 General Protocol for the Protection of Children from Violence [https://www.paragraf.rs/propisi/opsti\\_protokol\\_za\\_zastitu\\_dece\\_od\\_zlostavljanja\\_i\\_zanemarivanja.html](https://www.paragraf.rs/propisi/opsti_protokol_za_zastitu_dece_od_zlostavljanja_i_zanemarivanja.html) (pristupljeno 03/10/2024).

50 Special Protocol of the Ministry of Health for the Protection and Treatment of Women Exposed to Violence (2010) [https://pravdeteta.ombudsman.org.rs/attachments/653\\_ProtokolMZRSZaZastitulPostupanjeSaZenamaKojeSulzlozeneNasilju.pdf](https://pravdeteta.ombudsman.org.rs/attachments/653_ProtokolMZRSZaZastitulPostupanjeSaZenamaKojeSulzlozeneNasilju.pdf) (accessed on 10/03/2024).



- **Special Protocol on the Procedure of Police Officers in Cases of Violence Against Women in Family and Partner Relationships<sup>51</sup> (2013)** aims to standardize police procedures in cases of violence against women in family and partner relationships, as well as to specialize certain police officers who will be assigned to handle these cases.
- **Special Protocol on the Procedure of Social Work Centers – Guardianship Authorities in Cases of Violence Against Women in Family and Partner Relationships<sup>52</sup> (2013)** was adopted with the aim of establishing the overall coordination role of social work centers in responding to family and partner violence.
- **Special Protocol for the Judiciary in Cases of Violence Against Women in Family and Partner Relationships<sup>53</sup> (2014)** aims at recognizing, preventing, and providing legal and other professional assistance to women who are victims of domestic and partner violence.

## 1.4 Legal Competencies of Institutions and Establishments

### 1.4.1 Ministry of the Interior

**The police**, in accordance with the Law on Police<sup>54</sup> (LP), play a key role in the protection and support of victims of violence. According to Article 28 of this Law, police officers are “obliged, in cooperation with other competent authorities, to immediately take necessary measures and actions in accordance with the law, which prevent or stop violence that may result in bodily injuries or loss of life.”<sup>55</sup> The police cooperates with other institutions, such as the prosecutor’s office and social work centers, to ensure a coordinated approach in handling cases of violence.

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51 Special Protocol on the Conduct of Police Officers in Cases of Violence Against Women in the Family and in Partner Relationships [https://pravadeteta.ombudsman.org.rs/attachments/653\\_ProtokolMZRSZaZastituPostupanjeSaZenamaKojieSulzlozeneNasiliju.pdf](https://pravadeteta.ombudsman.org.rs/attachments/653_ProtokolMZRSZaZastituPostupanjeSaZenamaKojieSulzlozeneNasiliju.pdf) (accessed on 10/03/2024).

52 Special Protocol on the Conduct of Social Work Centers – Guardianship Authorities in Cases of Violence Against Women in the Family and in Partner Relationships <https://www.minrzs.gov.rs/sites/default/files/2018-11/Posebni%20protokol%20MRZSP%20nasilije%20u%20porodici.pdf> (accessed on 10/03/2024).

53 Special Protocol for the Judiciary in Cases of Violence Against Women in the Family and in Partner Relationships (2014) <https://hrcvr.org/wp-content/uploads/2020/09/Posebni-protokol-za-pravosu%C4%91e-u-slu%C4%8Dajevima-nasilja-nad-%C5%BEenama-u-porodici-i-partnerskim-odnosima..pdf> <https://www.minrzs.gov.rs/sites/default/files/201811/Posebni%20protokol%20MRZSP%20nasilije%20u%20porodici.pdf> (accessed on 10/03/2024).

54 Law on Police, Article 28 - Police Action in Cases of Domestic Violence (“Official Gazette of the RS”, No. 101/2016) [https://www.paragraf.rs/propisi/zakon\\_o\\_policiji.html](https://www.paragraf.rs/propisi/zakon_o_policiji.html) (accessed on 07/05/2024).

55 Ibid.



## 1.4.2 The Role of Public Prosecutor's Offices

The Public Prosecutor's Office of the Republic of Serbia consists of the Supreme Public Prosecutor's Office, Supreme Public Prosecutor's Offices, Higher Public Prosecutor's Offices, Basic Public Prosecutor's Offices, and Public Prosecutor's Offices with special jurisdiction.<sup>56</sup> The Supreme Public Prosecutor's Office, as the highest instance, performs supervisory and coordination functions over the work of lower prosecutor's offices. The **Basic Public Prosecutor's Offices (BPPO)** prosecute perpetrators of criminal acts punishable by imprisonment of up to 10 years, while the **Higher Public Prosecutor's Offices (HPPO)** prosecute perpetrators of criminal acts punishable by more than 10 years of imprisonment, as well as other criminal acts specified by law.<sup>57</sup>

## 1.4.3 Social Work Centers and Social Welfare Institutions

**Social Work Centers (SWC)**, in accordance with the Law on Social Protection<sup>58</sup>, **provide a wide range of support services to victims of domestic and gender-based violence, including sexual violence.** These services include psychological support, accommodation in safe houses, legal assistance, economic support, and help with reintegration into society.

**Social welfare institutions** are established to ensure the realization of rights in the field of social protection, provide social welfare services as defined by this law, and perform developmental, advisory, research, and other professional activities in social protection, as well as fulfill other legally defined interests.<sup>59</sup>

According to Article 40 of the Law on Social Protection<sup>60</sup>, social welfare services are categorized into the following groups:

1. **Assessment and Planning Services** – Assessing the condition, needs, strengths, and risks of beneficiaries and other significant individuals in their environment; assessing guardians, foster parents, and adoptive parents; developing individual or family service plans, legal protection measures, and other assessments and plans.

56 Law on Public Prosecution, Article 13 - Types of Public Prosecutor's Offices ("Official Gazette of the RS", No. 10/2023) [https://www.paragraf.rs/propisi/zakon\\_o\\_javnom\\_tuzilastvu.html](https://www.paragraf.rs/propisi/zakon_o_javnom_tuzilastvu.html) (accessed on 10/25/2024).

57 Available at: <http://www.vrhovnojt.gov.rs/sr/organizacija/javno-tu%C5%BEila%C5%A1tvo-republike-srbije/uvodna-re%C4%8D-vrhovnog-javnog-tu%C5%BEioca> (accessed on 25/10/2024).

58 Law on Social Protection, ("Official Gazette of the RS", No. 24/2011, 110/2012 - other law, 93/2014, and 88/2019) [https://www.paragraf.rs/propisi/zakon\\_o\\_socijalnoj\\_zastiti.html](https://www.paragraf.rs/propisi/zakon_o_socijalnoj_zastiti.html) (accessed on 5. 7. 2024).

59 Ibid. Article 10.

60 Ibid. Article 40.



2. **Community-Based Daily Services** – Daycare; in-home assistance; shelters and other services that support beneficiaries in their family and immediate environment.
3. **Support Services for Independent Living** – Supported housing; personal assistance; training for independent living and other necessary support for beneficiaries' active participation in society.
4. **Advisory, Therapeutic, and Socio-Educational Services** – Intensive family support services in crisis situations; counseling and support for parents, foster parents, and adoptive parents; family support for caring for children or adults with disabilities; maintaining family relationships and family reunification; counseling and support in cases of violence; family therapy; mediation; SOS helplines; activation programs, and other advisory and educational services and activities.
5. **Accommodation Services** – Placement in kinship, foster, or other family care for adults and the elderly; residential accommodation; placement in shelters and other forms of accommodation.

Unlike the Law on Gender Equality, which aligns services related to gender-based and domestic violence with international frameworks (such as the Istanbul Convention), the Law on Social Protection is not harmonized with international standards and does not emphasize the importance of specialized services for victims of gender-based and domestic violence.

#### 1.4.4 The Healthcare System

The **healthcare system**, in accordance with the Law on Healthcare<sup>61</sup> (LH), **plays a key role in providing support to women who have survived sexual violence**. Healthcare institutions offer a range of services, including emergency medical assistance, medical examinations, treatment of physical and psychological consequences of violence, and psychological support.

The Law on Health Insurance<sup>62</sup> (LHI) recognizes victims of domestic violence as insured persons, even in cases where they do not meet the legally prescribed conditions for acquiring the status of an insured person or for being insured as a family member. According to the Regulation on the Nomenclature of Health Services at the Primary Level of Healthcare<sup>63</sup>, the system recognizes services for

61 Law on Health Care, ("Official Gazette of the RS", No. 25/2019) [https://www.paragraf.rs/propisi/zakon\\_o\\_zdravstvenoj\\_zastiti.html](https://www.paragraf.rs/propisi/zakon_o_zdravstvenoj_zastiti.html) (accessed 7/5/2024).

62 Law on Health Insurance, Article 16. ("Official Gazette of the RS", No. 25/2019 and 92/2023) [https://www.paragraf.rs/propisi/zakon\\_o\\_zdravstvenom\\_osiguranju.html](https://www.paragraf.rs/propisi/zakon_o_zdravstvenom_osiguranju.html).

63 Rulebook on the Nomenclature of Health Services at the Primary Level of Health Care ("Official Gazette of the RS", No. 70/2019, 42/2020, and 74/2021).



assisting victims of violence and allows for tracking and analyzing the number of services provided.

Additionally, a special protocol from the Ministry of Health of the Republic of Serbia exists for the protection and treatment of women exposed to violence. This protocol focuses on the position of women victims of violence and acknowledges that violence not only results in acute conditions and injuries but also causes a range of health conditions and diseases as a consequence of prolonged exposure to violence.<sup>64</sup>

#### 1.4.5 Specialized Women's Non-Governmental Organizations (SWs NGO)

**Specialized Women's Non-Governmental Organizations (SW NGO)**, in accordance with the Law on Social Protection<sup>65</sup>, provide **support to victims of violence at the local level** through specialized services such as SOS helplines, centers for victims of sexual violence, and safe houses. According to the Regulation on Detailed Conditions and Standards for the Provision of Social Protection Services<sup>66</sup>, the licensing requirements for these services include specific criteria related to infrastructure, organization, and personnel.

In addition to this regulation, it is important to mention the Regulation on Detailed Conditions and Standards for the Provision of SOS Helpline Services for Women with Experiences of Violence<sup>67</sup>, which prescribes the detailed conditions and minimum standards for providing SOS helpline services for women experiencing gender-based violence. This service falls under the category of counseling-therapeutic and socio-educational services, as defined by the Law on Social Protection. This regulation highlights the importance of providing anonymous and confidential support, based on the principles of safety, empowerment, and respect for human dignity. It also specifies the activities included in the service, such as information dissemination, counseling support, risk assessment, and referral to other relevant services. Furthermore, the regulation emphasizes the necessity of proper training and expertise for personnel providing these services, as well as

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64 Special Protocol of the Ministry of Health of the Republic of Serbia for the Protection and Treatment of Women Exposed to Violence. Available at: <https://www.sigurnakuca.net/sites/default/files/inline-files/TirkizniTekst.pdf>.

65 Law on Social Protection, ("Official Gazette of the RS", No. 24/11 and 117/2022) [https://www.paragraf.rs/propisi/zakon\\_o\\_socijalnoj\\_zastiti.html](https://www.paragraf.rs/propisi/zakon_o_socijalnoj_zastiti.html) (accessed on 7/5/2024).

66 Rulebook on Detailed Conditions and Standards for Providing Social Protection Services, ("Official Gazette of the RS", No. 42/2013, 89/2018, and 73/2019) (accessed on 7/5/2024).

67 Rulebook on Detailed Conditions and Standards for Providing SOS Telephone Services for Women with Experience of Violence ("Official Gazette of the RS", No. 93/2015 and 90/2020) [http://demo.paragraf.rs/demo/combined/Old/t/2020\\_06/SG\\_090\\_2020\\_001.htm](http://demo.paragraf.rs/demo/combined/Old/t/2020_06/SG_090_2020_001.htm).



the importance of intersectoral cooperation to ensure comprehensive assistance to women who have experienced violence.

The work of specialized women's NGOs contributes to empowering victims, raising awareness about the issue of sexual violence, and promoting positive societal changes. SW NGOs often serve as the first point of support for victims, providing them with a safe space for expression and recovery. It is also significant to note that SW NGOs providing support services are networked to ensure collaborative efforts in addressing this issue.

### **Women Against Violence Network**

**The Women Against Violence Network was established in 2005, continuing the tradition of women's networking in Serbia around the issue of reducing violence against women.** Its primary goal is to empower and connect specialized women's organizations that provide services to women who have survived violence.<sup>68</sup>

The network brings together associations that offer direct support to women with experiences of domestic violence or work on violence against women through research, advocacy for women's rights to a life free from violence, education, lobbying, or other initiatives.

### **SOS Vojvodina Network**

**In 2012, a network of specialized organizations for assistance and support to victims of violence was formed under the name SOS Vojvodina Network.**

The network was officially registered as a legal entity in 2017 and consists of five organizations from the territory of Vojvodina: "Center for Support of Women" (Kikinda); "...OUT OF CIRCLE – VOJVODINA" (Novi Sad); "SOS Women's Center" (Novi Sad); "Roma Association Novi Bečej – SOS Helpline in Minority Languages" (Novi Bečej); "Zrenjanin Educational Center" (Zrenjanin).

SOS Vojvodina Network provides services from the fourth group of social services in accordance with the Law on Social Protection of the Republic of Serbia—counseling-therapeutic and social-educational services. These include, among other things, counseling and support in cases of violence, SOS helpline services, activation programs, and other advisory and educational services and activities. SOS Vojvodina Network is a licensed provider of SOS helpline services.<sup>69</sup>

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68 In May 2024, the Network was registered as a legal entity.

69 License number: 366 from March 19, 2018.



## Centers for Victims of Sexual Violence in Vojvodina (CVSVs)

According to the Istanbul Convention, the state is obligated to ensure the establishment of an adequate number of crises centers for victims of sexual violence (CVSVs) to provide medical and laboratory examinations, trauma support, and counseling services (Article 25).

**In Serbia, in accordance with the Istanbul Convention, five Centers for victims of sexual violence are currently operating.** These centers function within four healthcare institutions in the Autonomous Province of Vojvodina: General Hospital Kikinda, General Hospital “Đorđe Joanović” in Zrenjanin, General Hospital Sremska Mitrovica and General Hospital Vrbas. Additionally, one center is located within the University Clinical Center of Vojvodina at the Clinic for Gynecology and Obstetrics in Novi Sad.<sup>70</sup> In November 2024, CSW established fifth Center for Victims of Sexual Violence (CVSV) in AP Vojvodina, in GH Vrbas, which enables greater coverage and availability of support services, for more of women and girls in Vojvodina, covering districts of North and Central Backa, through EIDHR “Step Forward – Improving services for Victims of Sexual Violence in Vojvodina” project. These centers provide integrated services that include medical assistance, forensic medical examinations, and psycho-social support.

Centers for Victims of Sexual Violence (CVSVs) were founded in 2016 and provide a specialized support service that unique in the Republic of Serbia, they exist only in the territory of AP Vojvodina. There is no other institution or women’s organization that provides a similar service in Serbia. Their establishment is foreseen by the Istanbul Convention, and by the Decision on the Program for the Protection of Women from Domestic Violence and Partner Relations and other forms of violence against women in AP Vojvodina from 2023 to 2026 as one of the measures for the prevention of violence and enables women and girls to overcome the trauma of sexual violence and continue living without the experience of violence.

CVSVs work according to the principles and standards established by the Istanbul Convention and are available to all women who have experienced sexual violence, 24 hours, 7 days a week. Center for Support of Women has signed Memorandum of Understanding and cooperation agreements with these five health institutions to manage the functioning of the CVSVs and to provide psychosocial support to victims of sexual violence, while the health institutions developed internal procedures and formed working groups to monitor the implementation of established procedures in the provision of support services.

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<sup>70</sup> The Center for Victims of Sexual Violence within the General Hospital in Vrbas began operating in November 2024, while the other centers have been functioning from 2016.



The service provides comprehensive support for women victims of sexual violence (medical/forensic, counseling and psycho-social support). Medical support is provided by the health professionals from hospitals, while the counsellors for providing psychological and psycho-social support are engaged by the NGO (Center for Support of Women). Specialised support services provided in CSVs include psychosocial support - crisis intervention within 72 hours, as well as extended psychological and psycho-social support.

# 2





**PREVALENCE AND  
CHARACTERISTICS**  
OF SEXUAL VIOLENCE  
IN SERBIA

2

# 2

## PREVALENCE AND CHARACTERISTICS OF SEXUAL VIOLENCE IN SERBIA

**Sexual violence is a serious social problem that affects all aspects of victims' lives, including physical and mental health, social integration, and economic stability.** Experiencing violence does not only cause physical consequences but also leads to long-term psychological effects.<sup>71</sup>

**Violence against women affects women of all ages, regardless of their income level, and women from all parts of the country.**<sup>72</sup> According to a 2019 report by the Organization for Security and Co-operation in Europe (OSCE), **more than half of the surveyed women in Serbia aged 15 and older had experienced some form of gender-based violence, while nearly one-third had experienced sexual harassment.**<sup>73</sup>

The "Research on Gender-Based Violence and Other Forms of Interpersonal Violence" from 2021<sup>74</sup> revealed that 22% of women aged 15 and older had experienced physical and/or sexual violence within or outside a relationship, while 11% had encountered stalking. **These figures indicate the high level of violence women are exposed to throughout different stages of life and in various social contexts.**

On the other hand, research on women's safety and quality of life<sup>75</sup> shows that

71 Statistical Office of the Republic of Serbia (2022) Woman Victim of Violence from a Statistical Perspective. Available at: <https://www.stat.gov.rs/media/358199/g20226007.pdf> (accessed 5. 7. 2024).

72 Babović, M., & Reljanović, M. (2019). Research on the Well-Being and Safety of Women: Report for Serbia. OSCE. Available at: <https://www.osce.org/files/f/documents/d/5/473256.pdf> (accessed 5. 7. 2024).

73 Ibid.

74 Babović, M. (2022). Quality of Life and Safety of Women. Statistical Office of the Republic of Serbia. Available at: <https://publikacije.stat.gov.rs/G2022/Pdf/G20226006.pdf> (accessed 5. 7. 2024).

75 Ibid.



**sexual harassment in the workplace in Serbia is more common than both intimate partner and non-partner sexual violence.** The most frequent form of harassment is inappropriate or obscene staring, experienced by one in three women (33.2%).<sup>76</sup> Inappropriate sexual jokes and offensive comments about the body or private life were reported by 22.1% of women, while 19.2% of women experienced inappropriate suggestions for dating.<sup>77</sup>

When it comes to girls younger than 15, the “Study on Child Abuse and Neglect in Serbia” found that **8.49% of children aged 11 to 16 stated to have experienced at least one incident of sexual violence, while 10.8% had experienced some form of sexual violence during their lifetime.**<sup>78</sup>

**In the Republic of Serbia, the number of reported cases of domestic violence has been increasing every year.**<sup>79</sup> One of the key barriers to reporting violence, as identified in the OSCE qualitative and quantitative research on violence against women conducted in Serbia in 2018<sup>80</sup>, was shame, especially in cases of domestic and marital violence. In addition to shame, women cited economic dependence, fear of retaliation, and distrust in relevant institution as the main obstacles to reporting violence.<sup>81</sup> Furthermore, in smaller towns, women feared that the **perpetrator would avoid accountability due to connections with individuals in relevant institutions.**<sup>82</sup>

**The rate of reporting violence against women remains low:** only 25% of women who had suffered violence from a former partner reported it to the police, 18% of those who experienced stalking reported it, and only 3% of women reported sexual harassment to the police.<sup>83</sup>

**The situation is especially concerning when it comes to vulnerable groups of women,** such as Roma women, women with disabilities, and women from rural areas. Research on violence against Roma women is scarce in Serbia.<sup>84</sup> According to a 2017 shadow report submitted to the GREVIO committee by the NGO Bibi-

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76 Ibid.

77 Ibid.

78 UNICEF. (2021). Research on Adverse Childhood Experiences in Serbia (ACE). Available at: <https://www.unicef.org/serbia/en/research-adverse-childhood-experiences-serbia-ace> (accessed 5. 7. 2024).

79 Stepanov, B. (2022). Domestic Violence: What the Data Tell Us. UNDP. Available at: <https://www.undp.org/sr/serbia/publications/nasilje-u-porodici-sta-govore-podaci> (accessed 5. 7. 2024).

80 OSCE, Research on the Well-Being and Safety of Women: Report for Serbia, 2019. Available at: [https://www.osce.org/files/f/419756\\_1.pdf](https://www.osce.org/files/f/419756_1.pdf) (accessed 5. 7. 2024).

81 Ibid.

82 Ibid.

83 Ibid.

84 Roma Womens' Center Bibija. (2017). Monitoring of Public Policies: Effects of the Decade of Roma on the Position of Roma Women in the Republic of Serbia. Available at: [https://www.bibija.org.rs/wp-content/uploads/2021/02/Prelom\\_BOS1-1.pdf](https://www.bibija.org.rs/wp-content/uploads/2021/02/Prelom_BOS1-1.pdf) (accessed 5. 7. 2024).



ja, domestic **and partner relationships violence against Roma women is a serious social issue.**<sup>85</sup> Among all surveyed Roma women, 91.9% had experienced some form of physical and/or sexual violence after turning 18.<sup>86</sup> The same report reveals that only 27.6% of surveyed Roma women had sought help from an institution or organization immediately after the last act of violence committed against them, while only 8.8% first contacted the police after experiencing violence.<sup>87</sup>

**In most cases, Roma women did not report violence to the police** due to several key reasons: 34.9% feared further violence, 31.5% felt ashamed, 14.4% believed the abuse was not serious enough to justify calling the police, 5% did not believe the police would help Roma women, and 3% knew from experience that the police would not help.<sup>88</sup>

**Women with disabilities are disproportionately exposed to violence, abuse, and neglect** compared to women without disabilities.<sup>89</sup> Women with intellectual and mental disabilities face a much higher risk of becoming victims of sexual violence compared to women without disabilities and women with physical disabilities.<sup>90</sup> The risk increases further once a woman is placed in a residential institution.<sup>91</sup>

Alarming, **more than half of healthcare workers are not aware of their legal obligation to keep written records and documentation of gender-based violence (GBV) cases.**<sup>92</sup> Healthcare providers are legally required to record and report suspected GBV cases, yet the majority of workers are unaware of this obligation. One in four healthcare providers has never recorded a patient's report of exposure to violence in their medical files, while one in three healthcare workers has never documented physical injuries in patient records.<sup>93</sup>

**Healthcare workers are still not sufficiently involved in the prevention and suppression of gender-based and sexual violence (GBV/SV),** despite train-

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85 Women's space and NGO Bibija. (2018). Shadow Report to the GREVIO Committee – Violence Against Roma Women in the Republic of Serbia. Belgrade. Available at: <https://www.bibija.org.rs/publikacije/2023/01/17/shadow-report-to-the-grevio-committee-violence-against-roma-women-in-the-republic-of-serbia/> (accessed 5. 7. 2024).

86 Women's space and NGO Bibija. (2018). Shadow Report to the GREVIO Committee – Violence Against Roma Women in the Republic of Serbia.

87 Ibid.

88 Ibid.

89 Strategy for the Prevention and Combatting of Gender-Based Violence Against Women and Domestic Violence for the Period 2012-2025 ("Official Gazette of the RS", No. 47/2021). Available at: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/strategija/2021/47/1/req> (accessed on 07/05/2024).

90 Ibid.

91 Ibid.

92 Ibid.

93 Ibid.



ing programs on recognizing and properly documenting violence.<sup>94</sup> Training for healthcare workers is conducted by health institutions through accredited programs as part of continuous education, but there is no publicly available data on the number of such programs.<sup>95</sup>

**There is no centralized and publicly available database on the number of participants** in these training programs. Non-governmental organizations (NGOs), such as the Center for Support of Women (CSW), conduct accredited training programs, including: "Practical Application of Procedures for Working with Child Victims of Sexual Abuse" (accredited by the Ministry of Labour, Employment, Veterans and Social Affairs, No. 002087997/12 2024); "Role and Actions of the Social Work Center in Reporting Suspected Child Sexual Abuse and Crisis Interventions" (accredited by the Ministry of Labour, Employment, Veterans and Social Affairs, No.000299833/1 2023); "Training program for working on the SOS Help-line for women with experience of violence"; "Training program Implementation of the new General Protocol on handling and multisectoral cooperation in situations of gender-based violence against women and domestic violence "; "Education program for health workers" (accredited by the Health Chamber of Serbia No. 153-02-00118/2023-01); "The role of health workers in supporting victims of sexual violence" (accredited by the Health Chamber of Serbia No. 153-02-00131/2025-01).<sup>96</sup>

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94 Strategy for the Prevention and Combatting of Gender-Based Violence Against Women and Domestic Violence for the Period 2021–2025 ("Official Gazette of the RS", No. 47/2021). Available at: <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/strategija/2021/47/1/req> (accessed on 07/05/2024).

95 Ibid.

96 Center for Support of Women <https://www.cpz.rs/>

# 3





**RESEARCH  
METHODOLOGY**

**3**

# 3

## RESEARCH METHODOLOGY

The **research “Mapping the availability of support services for victims of sexual violence and women’s experiences in accessing services in the Republic of Serbia”** was conducted in several phases between May and September 2024. **In the first (preparatory) phase**, all relevant documents and available data were reviewed to help the research team better understand the current situation regarding the availability of support services. Based on the results of this **desk review**, the second, **quantitative phase** of the research was carried out, consisting of two components.

**The first component involved analyzing statistical data from official sources**, including annual reports from the Ministry of the Interior, the Supreme Public Prosecutor’s Office, the Republic Institute for Social Protection, as well as specialized women’s NGOs (SW NGO) that provide support services for women and girls who are victims of gender-based and sexual violence (GBV/SV).

**The second component involved analyzing data collected through an online questionnaire distributed to pre-mapped specialized women’s NGOs, members of the Women Against Violence Network, the SOS Vojvodina Network, and social work centers across Serbia.** The mapped institutions and organizations were surveyed about various aspects of their work and the ways they provide support services to women with experiences of sexual violence. The selection criterion was that these organizations and institutions directly provide support to women with experiences of sexual violence.



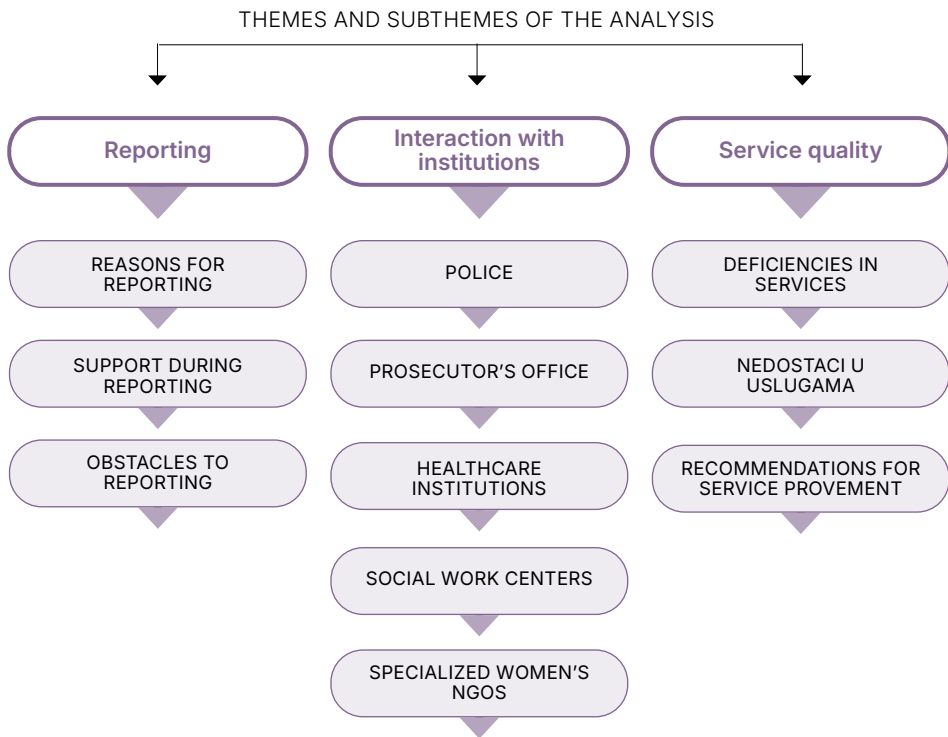
This component had a dual objective. In addition to gaining insight into the quality and availability of support services these organizations provide, the survey also served as a **mechanism for selecting interview participants for the final phase of the research**—a qualitative analysis based on in-depth interviews with women and girls who had reported sexual violence and sought support from SW NGOs.

The questionnaire was distributed via the Survey Monkey platform to a total of 25 specialized women's NGOs (SW NGO), members of the Women Against Violence Network and the SOS Vojvodina Network, of which 13 completed the questionnaire. Additionally, the questionnaire was sent to 13 institutions (social work centers and social protection centers) that provide shelter services for women victims of violence, and 6 of them responded.

**The third and simultaneously the key component of the research was qualitative research, aimed at providing a more detailed picture of the services available to victims of sexual violence from the perspective of women and girls who had reported sexual violence.** This phase of the research involved conducting in-depth interviews with women and girls from different parts of Serbia who had reported sexual violence and were willing to share their experiences.

All interviewees had experienced and reported sexual violence, and their testimonies provided significant insight into the challenges and obstacles they faced during and after the reporting process. The interviews were conducted according to the highest ethical standards. The anonymity of all participants and confidentiality of the data collected during the interviews were ensured, eliminating any risk of inadvertent disclosure of personal information about the interviewees. To prevent re-traumatization, the interviews were conducted by counselors from specialized women's NGOs (SW NGO) who had previously been in contact with the participants and had already provided them with support.

The SeConS team conducted a workshop for counselors on conducting interviews and properly recording notes. The analysis of the collected material enabled the identification of key patterns and themes in the experiences of the interviewees. Thematic analysis was used to process the experiences of women who had reported sexual violence. Three key themes and several sub-themes were identified (see Image 2).



*Image 2 Key Themes and Subthemes of the Analysis*

**The qualitative analysis is based on ten in-depth interviews with women and girls from Vojvodina and Belgrade,** representing different age groups and social backgrounds, including students, employed and unemployed women, as well as women from both urban and rural areas. The youngest interviewee was 17 years old, while the oldest woman who shared her experiences of reporting sexual violence was 41 years old. Half of the interviewees come from urban areas (Belgrade, Novi Sad, and two other cities in Vojvodina), while the other half are from rural areas near Belgrade and across Vojvodina. One interviewee is a mother of six children, while another is a minor and a member of the Roma community. Although data indicates that victims also include women with other characteristics, unfortunately, no women with disabilities were included in the sample. The selection of interviewees was based on their openness and willingness to share their experiences.



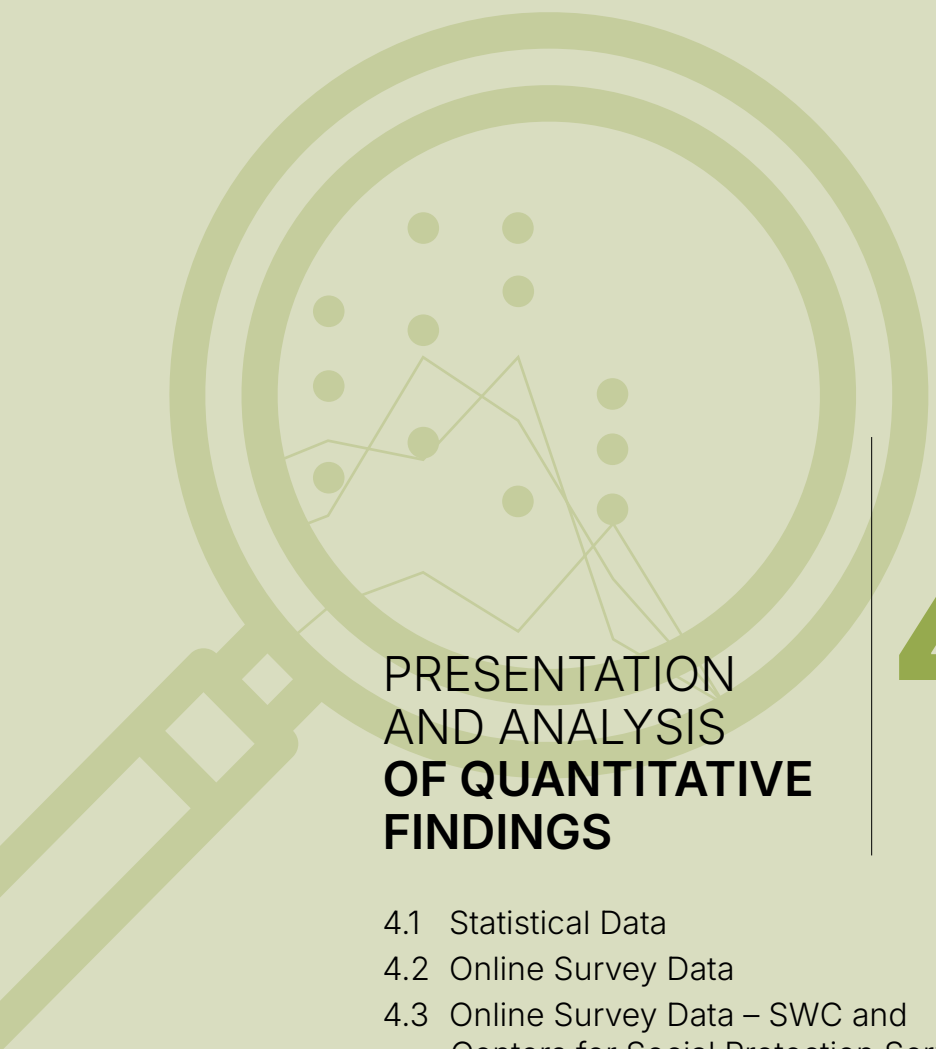
**Tabela 1:** Anonymized List of Participants in the Qualitative Research

PSEUDONYM	AGE	SOCIO-ECONOMIC STATUS	INSTITUTION AND LOCATION OF SV REPORTING
<b>Mara</b>	21	Student from a rural area with a history of family violence (transgenerational violence).	Healthcare institution in a small town in Vojvodina
<b>Teodora</b>	21	A female student from a small town in Vojvodina.	Police precinct in Novi Sad
<b>Sanja</b>	23	Master's student from Novi Sad.	Emergency Center in Novi Sad
<b>Ana</b>	17	A student from a rural area. A member of the Roma community with experience of sexual violence in the family.	The educational institution the girl attends in a smaller town in Vojvodina
<b>Svetlana</b>	44	University-educated, unemployed woman from Novi Sad	Health Center Novi Sad
<b>Gorica</b>	28	Graduate student, freelancer from a village near Belgrade.	Police precinct in Belgrade
<b>Miroslava</b>	41	Unemployed, mother of six from Smederevo.	Police precinct in Velika Plana
<b>Andelija</b>	33	University-educated, employed woman from Belgrade.	Police precinct in Belgrade
<b>Zorana</b>	27	Employed woman from Belgrade, previously lived in a home for children without parental care, with disrupted family relationships.	Hospital in Belgrade
<b>Tanja</b>	23	Employed woman from Belgrade, previously lived in a home for children without parental care, and a foster family, with a history of domestic violence.	Police precinct in Belgrade

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# 4





# 4

## **PRESENTATION AND ANALYSIS OF QUANTITATIVE FINDINGS**

- 4.1 Statistical Data
- 4.2 Online Survey Data
- 4.3 Online Survey Data – SWC and  
Centers for Social Protection Services

# 4

## PRESENTATION AND ANALYSIS OF QUANTITATIVE FINDINGS

### 4.1 Statistical Data

During the preparation of this study, requests for access to information of public interest regarding cases of sexual violence over the past three years (2021–2023) were submitted. These requests were sent to institutions responsible for the protection and support of victims of sexual violence, including:

- **Ministry of the Interior (Moi)** (Police Directorate, Analytics Department): Data was requested on the number of reports for criminal acts of rape (Article 178 of the Criminal Code), sexual intercourse with a helpless person (Article 179 CC), sexual intercourse with a child (Article 180 CC), sexual intercourse through abuse of position (Article 181 CC), unlawful sexual acts (Article 182 CC), sexual harassment (Article 182a CC), and procuring and enabling sexual intercourse (Article 183 CC). The data was requested for the entire territory of the Republic of Serbia, classified by the gender of the victim, the relationship between the victim and the perpetrator, and the victim's age group. However, the Ministry does not have documentation containing data on the victim-perpetrator relationship or the victim's age group.
- **Republic Institute for Social Protection (RISP)**: Data was requested on the number of reported cases of sexual violence in social protection institutions for the years 2021, 2022, and 2023, with detailed categorization by the victim's gender, relationship with the perpetrator, and victim's age group.



- **Supreme Public Prosecutor's Office:** Data was requested on the number of indictments filed for the criminal acts of rape (Article 178 CC), sexual intercourse with a helpless person (Article 179 CC), sexual intercourse with a child (Article 180 CC), sexual intercourse through abuse of position (Article 181 CC), unlawful sexual acts (Article 182 CC), sexual harassment (Article 182a CC), and procuring and enabling sexual intercourse (Article 183 CC). The requested data included classification by the victim's gender, the relationship between the victim and the perpetrator, and the victim's age group.

#### 4.1.1 Ministry of the Interior

According to the data available to the Ministry of the Interior regarding specific criminal acts related to sexual violence (rape, sexual intercourse with a helpless person, unlawful sexual acts, sexual harassment, and procuring and enabling sexual intercourse) over the past three years (2021–2023), we observe (Tables 2 and 3) that **there were a total of 151 reported committed rapes and 40 reported attempted rapes**, with the majority of victims being women (88.39%).

**The most frequently reported criminal act is sexual harassment**, which was reported to the police 365 times over the past three years, with the majority of victims again being women (84.6%).

A total of 62 cases of sexual intercourse with a helpless person and sexual intercourse with a child were reported over the past three years. The percentage of female victims who reported these crimes was as high as 96.77%. Meanwhile, there were only two reports of procuring and enabling sexual intercourse, both in 2021, and the victims were women.

**Table 2:** Number of Criminal Complaints for Criminal Acts Against Sexual Freedom in the Period from 2021 to 2023 in the Territory of the Republic of Serbia

Criminal Act	2021	2022	2023	Ukupno
Rape: Committed Act	46	54	51	151
Rape: Attempted Act	12	17	11	40
Sexual Intercourse with a Helpless Person	3	10	9	22



<b>Sexual Intercourse with a Minor</b>	54	36	25	115
<b>Sexual Intercourse through Abuse of Position</b>	8	5	0	13
<b>Unlawful Sexual Acts</b>	130	114	121	365
<b>Sexual Harassment</b>	355	242	271	868
<b>Facilitating Sexual Relations and Enabling Sexual Intercourse</b>	2	0	0	2

Between 2021 and 2023, various criminal acts related to different forms of sexual violence were recorded. A total of 151 cases of committed rape were registered, with the number of reported cases varying from year to year: 46 cases in 2021, 54 in 2022, and 51 in 2023. Attempted rapes were also present, with a total of 40 reported cases over the three-year period.

The criminal act of sexual intercourse with a helpless person was recorded in 22 cases, while sexual intercourse with a child, which involves a severe form of abuse, was reported in 115 cases. The acts of sexual intercourse through abuse of position were recorded 13 times, with a significant decrease in these cases noted in 2023.

Unlawful sexual acts were one of the most prevalent forms of sexual violence, with 365 reported cases during the mentioned period, while sexual harassment was recorded as many as 868 times, making it the most frequently reported criminal act.

The acts of procuring and enabling sexual intercourse were reported only twice, both cases recorded in 2021.

These data indicate the continued presence of various forms of criminal acts related to sexual violence in Serbia, with a clear trend of sexual harassment being the most frequently reported act.



**Table 3:** Number of Victims of Criminal Acts Against Sexual Freedom, Classified by Gender, in the Period from 2021 to 2023 in the Territory of the Republic of Serbia

Criminal Act	Pol	2021	2022	2023	Ukupno
Rape: Committed Act	M	6	6	6	18
	Ž	43	49	45	137
Rape: Attempted Act	M	1	0	0	1
	Ž	11	17	11	39
Sexual Intercourse with a Helpless Person	M	0	1	0	1
	Ž	3	9	9	21
Sexual Intercourse with a Minor	M	3	1	1	5
	Ž	51	34	25	110
Sexual Intercourse through Abuse of Position	M	1	0	0	1
	Ž	8	5	0	13
Unlawful Sexual Acts	M	12	18	35	65
	Ž	135	126	96	357
Sexual Harassment	M	20	21	26	67
	Ž	387	279	326	992
Facilitating Sexual Relations and Enabling Sexual Intercourse	M	0	0	0	0
		2	0	0	2

Data from the period between 2021 and 2023 indicate that women overwhelmingly constitute the majority of victims. The highest number of reports was recorded



for the acts of sexual harassment, where the total number of affected women reached 992, with slight annual fluctuations, while the number of reported male victims was 67, showing a slight increase over the years. Additionally, for acts of rape, whether as a committed or an attempt, there is a significantly higher number of reports involving women (a total of 94 for committed rape and 39 for attempted rape) compared to men (18 for committed rape and 1 for an attempt), highlighting a pronounced gender disparity among victims.

Regarding the acts of unlawful sexual acts, women again form the majority, with a total of 357 reports, although the number of affected men increased from 12 in 2021 to 35 in 2023. In cases of sexual intercourse with a child, women were overwhelmingly represented as victims (110 reports), while the number of reported male victims was negligible (5 reports). Notably, the number of reported cases of sexual intercourse through abuse of position decreased over the observed period, with the last reported case recorded in 2022.

**These data reveal a significant gender imbalance in the reporting of sexual acts, as women make up the majority of all reported victims.** The findings suggest a need for additional focus on gender-based violence, as well as tailored protective measures that adequately address this gendered vulnerability and improve mechanisms for prevention and support.

#### 4.1.2 Supreme Public Prosecutor's Office

According to publicly available data, in 2023, **criminal complaints were filed with competent public prosecutor's offices against 689 individuals for criminal acts against sexual freedom**, representing a decrease of 9.11% compared to 2022.<sup>97</sup>

**A total of 18% of complaints were dismissed**, and public prosecutors handled cases against 1,344 individuals, marking a slight increase compared to the previous year.<sup>98</sup> Charges were brought against 421 individuals, while 360 were convicted, with the majority receiving prison sentences.<sup>99</sup>

**In 2023, a total of 108 individuals were reported to the competent public prosecutor's offices for the crime of rape**, which represents a decrease of 6.90% compared to the previous year. During the reporting period, prosecutors acted on criminal complaints against a total of 126 individuals, including unresolved complaints from previous periods.<sup>100</sup>

<sup>97</sup> [http://www.vrhovnojt.gov.rs/docs/SKM\\_95824041013280.pdf](http://www.vrhovnojt.gov.rs/docs/SKM_95824041013280.pdf)

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.



**The majority of complaints were filed by the police (96 individuals).** Complaints against 48 individuals were dismissed, **accounting for 38.09% of the total number of reports.**<sup>101</sup>

**Indictments were filed against 47 individuals, which represents 60.25% of those reported after dismissals.** Courts issued verdicts against 38 individuals, of which 33 were convictions, with most convicted with prison sentences.<sup>102</sup>

In 2023, a total of 297 individuals were reported to the competent public prosecutor's offices for the crime of sexual harassment, marking an increase of 4.57% compared to the previous year.

Prosecutors handled complaints against a total of 552 individuals, including 255 unresolved complaints from the previous year. The majority of complaints were filed by the police (258 individuals). A total of 114 complaints were dismissed, accounting for 20.65% of all cases under review. At the end of the reporting period, complaints against 268 individuals remained unresolved.

Indictments were filed against 169 individuals, representing 38.58% of those reported after dismissals. Courts issued verdicts against 147 individuals, of which 136 were convictions, with most convicted with prison sentences or other sanctions. A total of 25 appeals were filed by prosecutors against first-instance decisions. Pre-trial detention was ordered for 32 individuals.

**Table 4:** Criminal Acts of Rape and Sexual Intercourse by Abuse<sup>103</sup> in the Period 2021-2023.

Criminal Act	2023	2022	2021
<b>Rape under Article 178 of the Criminal Code</b>			
<b>Accused:</b>	47	29	48
<b>Perpetrator Gender: Male</b>	107	110	114
<b>Perpetrator Gender: Female</b>	1	1	1
<b>Victim Gender: Male</b>	4	7	3

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.

<sup>103</sup> Refers to both acts: abuse of a helpless person and abuse of a child.



Victim Gender: Female	72	75	75
Minor	9	14	12

**Sexual intercourse with a helpless person under Article 179 of the Criminal Code**

Accused:	10	12	13
Perpetrator Gender: Male	10	13	12
Perpetrator Gender: Female	0	0	0
Victim Gender: Male	0	0	0
Victim Gender: Female	7	7	8
Minor	3	3	3

**Sexual intercourse with a Child under Article 180 of the Criminal Code**

Accused:	14	25	27
Perpetrator Gender: Male	27	40	44
Perpetrator Gender: Female	0	1	0
Victim Gender: Male	0	0	0
Victim Gender: Female	3	3	3
Minor	23	36	45

An analysis of the Supreme Public Prosecutor's Office report from 2023 and a review of data from the previous three years reveal that **the majority of complaints are filed by the police. However, when it comes to rape cases, nearly half of the complaints are dismissed.**



### 4.1.3 Social Work Centers

**In 2022, Social Work Centers in the Republic of Serbia recorded a total of 38,896 reports of domestic violence**, with a steady increase in the number of reports over the past ten years.<sup>104</sup> According to the age structure of the victims, the majority of reports involved adult users (55.4%), while children accounted for 21.9% of reports, the elderly for 12.1%, and youth for 10.6%.<sup>105</sup>

A significant portion of reported violence includes psychological (50.3%) and physical violence (47.4%), while sexual violence accounts for a very small number of reports (0.6%).<sup>106</sup> **These data indicate that sexual violence is often under-reported. The need for specialized services exists and should not depend on the assessment of the actual scope of sexual violence.**

### 4.1.4 Specialized Women's Non-Governmental Organizations

There is no centralized record of specialized women's non-governmental organizations that could be presented in this section. However, available data from the 2023 Annual Report of the Center for Support of Women can be cited. According to this report, the SOS hotline recorded 63 cases (22%) of physical violence, 132 cases (45%) of psychological violence, 34 cases (13%) of economic violence, **47 cases (16%) of sexual violence**, and 5 cases (3%) of digital violence. In 235 cases (97%), the victim knew the perpetrator, in 105 cases (43%), the victim lived with the perpetrator, and **in 224 cases (92%), the perpetrator was male.**<sup>107</sup>

During 2023, **a total of 47 cases of sexual violence were recorded in the four Centers for Victims of Sexual Violence** (Kikinda, Novi Sad, Zrenjanin, and Sremska Mitrovica). **Among these, a significant number were minors (7 under the age of 15).** Additionally, 5 women with disabilities, 9 Roma women, and members of other national minorities were identified as victims.

**According to CSW data, a total of 423 psychosocial support services were provided**, including 272 crisis psychological interventions and 151 extended psychosocial and psychological support services for victims. In addition, 132 medical examinations were conducted, including 22 general physical exami-

<sup>104</sup> <https://www.zavodsz.gov.rs/media/2572/izvestaj-o-radu-csr-u-2022-godini.pdf>

<sup>105</sup> Ibid.

<sup>106</sup> Ibid.

<sup>107</sup> Annual Report of the Center for Support of Women for 2023.



nations, 27 gynecological examinations, and 18 sample collections for forensic documentation ordered by the Higher Public Prosecutor's Office.<sup>108</sup>

**Tabela 5:** Number of beneficiaries of the Centers for Victims of Sexual Violence (2021-2024))

Time Period	2021	2022	2023	2024
No. of Cases	33	32	47	67
No. of Adult Victims	15	18	33	34
No. of Minors	18	14	14	33
Minors Under the Age of 15	18	14	7	18
Women with Disability	5	-	5	7
Roma Women	2	3	9	17
Women with Low Income	4	4	3	15

## 4.2 Online Survey Data

### General Overview of Specialized Women's NGOs Providing Services to Women Victims of Violence (Responses from 13 Organizations)

All surveyed organizations have been providing support services to women for over two decades. The oldest women's NGO that completed the survey was founded in 1997, while the youngest was established in 2007. Most of the responding NGOs are based in Belgrade and Novi Sad. Only three of the surveyed NGOs do not provide services beyond their headquarters, while the rest operate either nationwide or at least in neighboring cities and municipalities.

**All surveyed organizations stated that their primary target group consists of women with experiences of violence,** with some NGOs specializing in working with particularly vulnerable groups, such as victims of human trafficking, women with disabilities, Roma women, and others.

<sup>108</sup> Ibid.



**Providing support services to women with experiences of violence is the main activity of the surveyed specialized women's NGOs.** In addition, most of them list advocacy, training, and education as their other key activities.

**Employees in specialized women's NGOs** are predominantly women, with only three organizations reporting that they have male employees. Generally, the total number of employees within these NGOs is small, ranging from three to four staff members to a maximum of twenty employees. Of these, only a small number have permanent or fixed-term employment contracts. **Most employees in these NGOs work under temporary contracts, service agreements, or as volunteers. All employees are required to complete training on working with women and girls who have experienced violence before beginning their roles.**

**Most of the surveyed organizations provide SOS telephone services,** psycho-social support in crisis situations, immediate assistance after trauma, and legal aid for reporting sexual violence. Only three organizations offer support during forensic medical examinations, while only one provides medical and accommodation services.

All representatives of the surveyed NGOs agree that **women and girls who are victims of sexual violence in Serbia do not receive adequate support, nor do they have access to all the necessary services.** One of the most serious problems is the lack of both material and human resources.

Most organizations highlight the need for increased financial support to ensure sustainability and continuous support for victims of gender-based and sexual violence. Currently, many rely on project-based funding provided by international donors and organizations. However, **they emphasize that the state must take responsibility for financing these services.** The lack of financial resources forces specialists, such as psychotherapists, to work on a voluntary basis, which further hinders the provision of adequate support to victims.

In addition to financial support, some representatives emphasize the **need for continuous resources and collaboration with various organizations and institutions to which they can refer beneficiaries.**

It is crucial to provide additional education and capacity-building initiatives to ensure comprehensive and long-term support for victims of sexual violence.

Furthermore, representatives stress the need for their services to be recognized by the system in terms of financial and other sustainability. They argue that the state should assume responsibility for funding these services to ensure their availability and continuity.



Additionally, the centralization of women's NGOs working on this issue complicates the situation. Most organizations are located in major cities such as Belgrade and Niš, while in smaller towns, such services are nearly nonexistent.

Collaboration with the police is rated as "good" or "neither good nor bad" and often depends on the sensitivity of individual officers within the institution, reflecting the absence of standardized procedures and systemic inconsistencies. Similar inconsistencies exist in collaboration with healthcare institutions, where the lack of training among healthcare professionals in dealing with victims of sexual violence creates additional barriers and negatively impacts the quality of support provided. However, **the prosecutors office stands out as one of the most problematic institutions, with difficult and inefficient cooperation.**

In contrast, **cooperation with social work centers is generally positive**, thanks to the involvement of dedicated professionals and a higher level of collaboration with women's NGOs, although regional differences in support quality remain. Additionally, collaboration among civil society organizations is rated as good, allowing for mutual support and knowledge exchange, which could serve as a model for improving cooperation with institutional actors.

Overall, the quality of cooperation with institutions depends on the sensitivity and readiness of individuals within the system, resulting in inconsistent practices that may lead to additional trauma for victims.

### 4.3 Online Survey Data – SWC and Centers for Social Protection Services

Out of the 13 contacted centers, six participated in the survey. Among these, four were Centers for Social Protection Services (CSPS), and two were Social Work Centers (SWC). **Although this sample is not extensive, it provides valuable insight into the perceptions and experiences of these institutions** and can be used as qualitative data.

#### General Overview of SWC and CSPS

These centers work with various target groups, including women with experiences of violence, economically disadvantaged women, young women and girls, women with disabilities, Roma women, rural women, and the LGBTQ+ community.

Most of the services are provided exclusively in the municipalities and cities where these institutions are based. Currently, the main activity of all institutions is



providing support services, such as assistance during forensic medical examinations, shelter for victims, legal aid, psycho-social support, and long-term psychological counseling.

Regarding the number of professional staff, it varies from thirty employees to as few as four. Most employees are on fixed-term or permanent contracts, followed by those on temporary and occasional contracts or service contracts. None of the surveyed centers reported having staff employed under volunteer or freelance contracts.

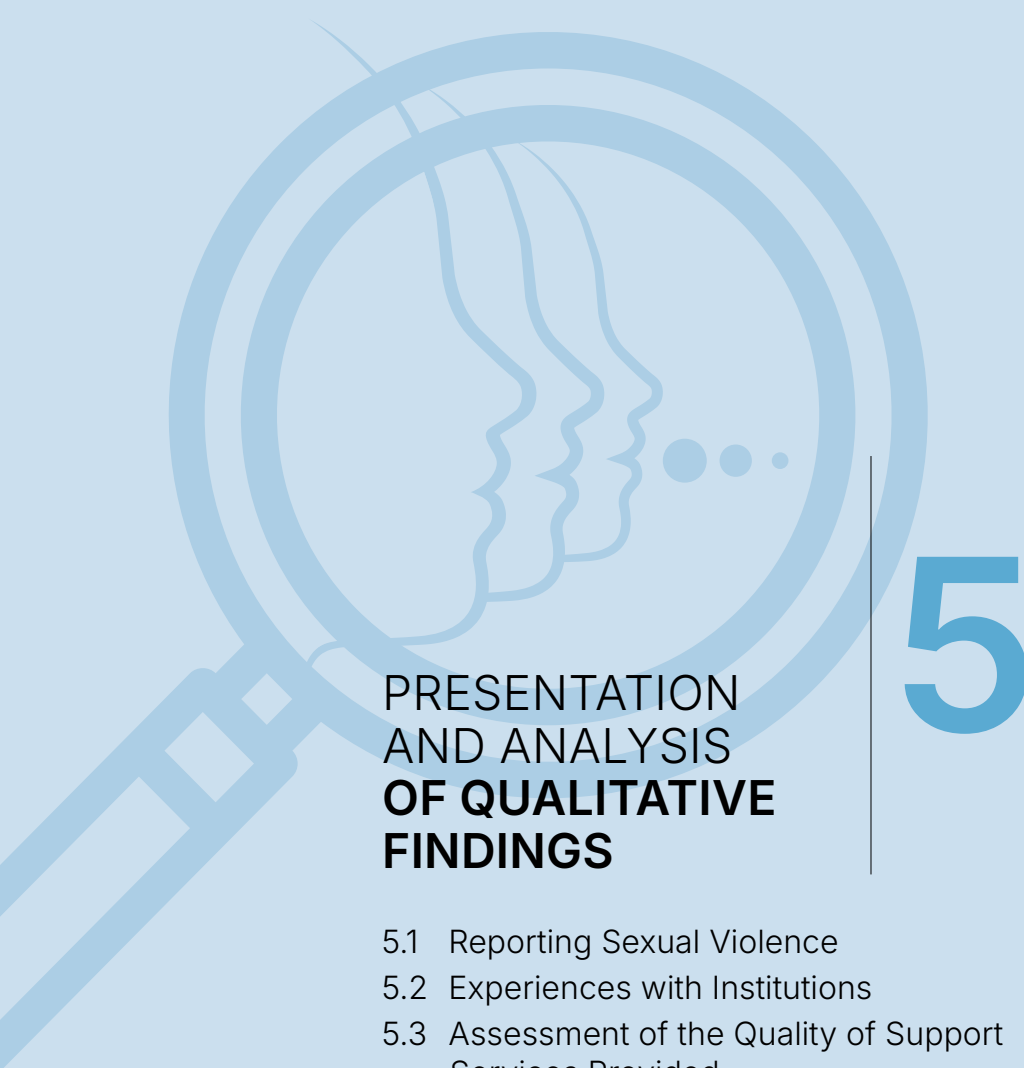
**The perception of service provision among surveyed centers differs from that of civil society organizations. The centers generally believe that victims in Serbia receive adequate support and have access to necessary services,** suggesting a different perspective on the current support system. However, some representatives highlighted the lack of specialized services and therapeutic programs as major obstacles.

**Opinions on the availability of resources among representatives were divided.** While some believe they have sufficient material and financial resources to provide support services to women and girls who are victims of sexual violence, others expressed concerns about resource limitations. In terms of human resources, most respondents believe they have an adequate workforce for providing these services. **Collaboration with other institutions was generally rated positively,** particularly with the police and prosecution. The cooperation with specialized women's NGOs (SW NGO) was also considered good. However, collaboration with healthcare institutions was rated slightly lower, indicating some challenges in that sector.

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# 5





# 5

## PRESENTATION AND ANALYSIS **OF QUALITATIVE FINDINGS**

- 5.1 Reporting Sexual Violence
- 5.2 Experiences with Institutions
- 5.3 Assessment of the Quality of Support Services Provided

# 5

## PRESENTATION AND ANALYSIS OF QUALITATIVE FINDINGS

### EXPERIENCES OF WOMEN WHO REPORTED SEXUAL VIOLENCE

**Sexual violence represents a serious social issue that affects all aspects of victims' lives, including physical and mental health, social integration, and economic stability.** The violence experienced not only results in physical consequences but also causes long-term psychological effects.<sup>109</sup> Reporting sexual violence is of utmost importance for achieving justice for victims and preventing future cases of violence. However, as previous research and publicly available data suggest, the reporting process is exceptionally challenging and requires a deep understanding of all its complexities.

This research, based on ten in-depth interviews with women who reported experiences of sexual violence in Serbia, aims to shed light on the shortcomings of existing procedures and identify areas requiring urgent improvements. It also examines the emotions women experienced during and after the reporting process, as well as the motivations that led them to turn to institutions. The findings reveal a complex array of personal, social, and systemic factors that shape women's decisions to report.

The following chapter presents this analysis and its most significant findings. Four key themes were identified: experiences with reporting, interactions with institutions, support, and assessment of the quality of services provided.

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<sup>109</sup> Statistical Office of the Republic of Serbia (2022) Women Victims of Violence from a Statistical Perspective. <https://www.stat.gov.rs/media/358199/g20226007.pdf>



## 5.1 Reporting Sexual Violence

### Motivation and Support

Women's decisions not to report cases of sexual violence have long been a concern in the field of gender-based violence research. Existing studies<sup>110</sup> have uncovered various reasons why victims may choose not to report, including a lack of evidence, feelings of shame and guilt, and fear of retaliation or the perpetrator. However, the available literature<sup>111</sup> mainly focuses on general barriers to reporting, with limited exploration of the specific factors influencing the decisions of women who have actually experienced sexual violence.

**Many women in the study were motivated to report violence to seek justice and prevent future victimization, either of themselves or others.** This sense of responsibility and solidarity with other victims often played a decisive role in their decision to report.

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*She wanted there to be a record somewhere that it had happened.  
She felt a duty to other women to report it.*

Note from an interview with Gorica, 28 years old

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*„I thought, now I'll tell them everything; he has to pay, be punished  
for everything he did to me.”*

Note from an interview with Zorana, 27 years old

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110 UNDP (2023) Why Do Women Not Report Domestic Violence? United Nations Development Programme. Available at: <https://www.undp.org/sr/serbia/publications/zasto-zene-ne-prijavljuju-nasilje-u-porodici-rezultati-istrazivanja>

111 Ceelen, M., Dorn, T., Huis, F. S. V., & Reijnders, U. (2016). Characteristics and Post-Decision Attitudes of Non-Reporting Sexual Violence Victims. *Journal of Interpersonal Violence*, 34(9), 1961-1977. <https://doi.org/10.1177/0886260516658756>; Jones, J., Alexander, C. C., Wynn, B. N., Rossmann, L., & Dunnuck, C. (2008). Why Women Don't Report Sexual Assault to the Police: The Influence of Psychosocial Variables and Traumatic Injury. *The Journal of Emergency Medicine*, 36(4), 417-424. <https://doi.org/10.1016/j.jemermed.2007.10.077>; Kahn-Lang, A. (2008). Why Don't Rape and Sexual Assault Victims Report? A Study of How the Psycho-Social Costs of Reporting Affect a Victim's Decision to Report. MPRA Paper. <https://mpra.ub.uni-muenchen.de/43249/>; Patterson, D., Greeson, M. R., & Campbell, R. (2009). Understanding Rape Survivors' Decisions Not to Seek Help from Formal Social Systems. *Health & Social Work*, 34(2), 127-136. <https://doi.org/10.1093/hsw/34.2.127>; Sable, M. R., Danis, F. S., Mauzy, D., & Gallagher, S. (2006). Barriers to Reporting Sexual Assault for Women and Men: Perspectives of College Students. *Journal of American College Health*, 55(3), 157-162. <https://doi.org/10.3200/jach.55.3.157-162>; Weiss, K. G. (2010). Too Ashamed to Report: Deconstructing the Shame of Sexual Victimization. *Feminist Criminology*, 5(3), 286-310. <https://doi.org/10.1177/1557085110376343>; Zinzow, H. M., & Thompson, M. P. (2011). Barriers to Reporting Sexual Victimization: Prevalence and Correlates among Undergraduate Women. *Journal of Aggression, Maltreatment & Trauma*, 20(7), 711-725. <https://doi.org/10.1080/10926771.2011.613447>.



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“I reported the violence at the moment when I was most afraid for myself, but also for my mother and brother, because that man had threatened me.”

Note from an interview with Tanja, 23 years old

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**Only one respondent, Zorana, independently reported the violence to the police.** The other respondents reported the violence after receiving support and encouragement—either from family and friends or from representatives of specialized women’s NGOs (SW NGO) through calls to the SOS helpline—or the violence was reported on their behalf as an official duty in healthcare or educational institutions. Zorana shared her experience of sexual harassment during driver training. She reported the harassment in Belgrade and highlighted the support and understanding she received from the police:

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The inspector then told her that he was grateful she reported it because such incidents are rarely reported

Interview note with Zorana, 27 years old

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**The interviewees expressed dissatisfaction with the treatment they received during their interactions with the police, which further complicated their decision to report the violence to other authorities.**

Only after receiving support and encouragement from a consultant via the SOS helpline did one of the interviewees feel ready to report the violence. However, she once again encountered distrust from police officers, who downplayed the significance of sexual harassment and incorrectly stated that such incidents were not considered criminal acts, despite official police statistics showing that this is one of the most frequently reported crimes.

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Out of frustration, she started calling police numbers “like on a hotline,” as she described it, and specifically highlighted the behavior of a police officer from Belgrade, who, after she explained what had happened, responded sarcastically, “And where do you report that?”

Interview notes with Gorica, 27 years old

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**Support from friends and family proved to be a key factor influencing women's decisions to report sexual violence.** Those who felt supported and understood by their loved ones were more likely to report the violence, while those who feared rejection or judgment were less inclined to do so.

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From the very beginning, Sanja shared what had happened to her with her parents, sister, brother, and closest friends. They all immediately stood by her with a great deal of understanding, love, comfort, and support. She emphasized that she probably wouldn't have recovered as quickly without their unconditional support.

Interview notes with Sanja, 23 years old

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She received support from her family and friends, which was a crucial resource for her, and she believes that she wouldn't have endured the entire process without it. She has no regrets about reporting the incident.

Interview notes with Mara, 21 years old

Another important source of support came from women's specialized NGOs, which provided information and guidance about the reporting process, as well as emotional support. According to these NGOs, **if women do not receive support immediately after the attack, they are less likely to report the violence. It is believed that the first 72 hours are crucial, as the desire to report decreases over time.**

## Challenges in Reporting

Despite the support they received from their loved ones and representatives of women's NGOs, the reporting process presented challenges for the interviewees. **Fear of retaliation from the perpetrator was a significant concern**, as many women feared further violence or harm. This was especially true when the perpetrator was believed to be influential, powerful, or a member of law enforcement.



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From this perspective, she's not sure whether she would have reported the violence on her own due to fear of retaliation. The perpetrator knew where she lived, and she was afraid he might return if the police didn't arrest him or released him from custody.

Interview notes with Mara, 21 years old

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She didn't want to report the violence. She was scared because she knew that reporting would trigger a chain of other events and threats (the friend who raped and beat her was a member of the special units of the Ministry of the Interior). She sought medical attention because she was in pain, and her friends persuaded her to report the violence.

Interview notes with Svetlana, 44 years old

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In addition to the fear of retaliation, women often expressed **distrust in the ability of the police and judicial system to protect them or bring perpetrators to justice**. Many, like Gorica, highlighted the complete lack of understanding and sensitivity from these institutions regarding their experiences. **Police officers often downplayed the severity of their experiences or subjected them to victim-blaming attitudes**.

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After being called to the Emergency Center, a young police officer and an inspector were skeptical and distrustful, stating in front of her that they often deal with women who falsely claim to have been raped to make false accusations against someone.

Interview notes with Sanja, 23 years old

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**Particularly concerning, the interviewees reported that police officers and inspectors involved in their cases were frequently replaced, most of them were men, and they were forced to repeatedly recount the traumatic events they had experienced.**



## 5.2 Experiences with Institutions

**The Istanbul Convention clearly outlines the principle of due diligence<sup>112</sup>, which obligates institutions to act with the utmost care, respecting the needs and dignity of victims of sexual violence.** Despite this, the research findings indicate a fragmented and disorganized reporting process, where women often faced numerous bureaucratic obstacles. The research revealed that victims of sexual violence had to recount their experiences multiple times to various institutions. Such experiences were recorded both in cities where Centers for Victims of Sexual Violence (CVSV) exist and in those where such centers have not been established.

Systemic shortcomings and a lack of coordination between the police, social services, and healthcare institutions left many women feeling re-traumatized and without adequate support. Furthermore, for victims of sexual violence, it is crucial that services are provided in one place to simplify the reporting process and ensure appropriate support in line with the principle of due diligence.

### Experiences with the Police

As previously mentioned, women frequently encountered dismissive and insensitive attitudes from police officers, who often downplayed their experiences or subjected them to victim-blaming statements. Particularly concerning was the fact that, regardless of whether a victim reported the violence at a hospital, they were still required to visit a police station to give a statement. In some cases, in Belgrade, women had to travel between multiple police stations to complete the reporting process.

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*“She first went to one police station and told everything there. Then, they sent her to another station across the city because the violence occurred in that jurisdiction. She had to repeat her story multiple times and was questioned for long hours, about 4–5 hours each time. She said she went to the police three times and each time the questioning lasted for hours. She herself had to transfer all the photos, messages, and recordings to a USB stick and print the messages. She was completely disappointed in the police.”*

Note from an interview with Tanja, 23 years old

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<sup>112</sup> The principle of due diligence is defined in Article 5, Paragraph 2 of the Istanbul Convention. This article specifies the obligation of state parties to take necessary legislative and other measures to prevent, investigate, punish, and provide compensation for acts of violence covered by the Convention.



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“She first sought medical help for her injuries at her local health center. The doctor immediately informed the nearest police station, where she then went. From there, she was directed to another police station and then to a third one, which was responsible for handling cases of violence. Exhausted and desperate, she went home. Only the next day did she go to the appropriate police station, where she was questioned and disclosed that she had suffered sexual violence.”

Note from an interview with Svetlana, 44 years old

In some cases, women felt re-traumatized during questioning, describing the process as intrusive and stressful.

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“The inspectors were vulgar, aggressive with their questions: ‘How did he put it in?’, ‘What color were your panties?’, ‘Did you touch him?’ She found these questions humiliating. They looked at her like she was a lab animal. During the questioning, various male police officers kept entering and leaving the office.”

Note from an interview with Miroslava, 41 years old

These cases highlight systemic inconsistencies in police procedures and the lack of adequate information provided to victims about the process. Only in one case was a victim offered psychological support from a counselor for sexual violence during her statement at a police station. This case involved a young underage girl from the Roma minority who reported sexual violence within her family to her schoolteacher.

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“She added that it meant a lot to her that the counselor and the school psychologist accompanied her to the Police Department during her statement.”

Note from an interview with Ana, 17 years old

In cases where sexual violence was reported at Center for Victims of Sexual Violence (CVSV), victims had the opportunity to be accompanied by counselors through institutional procedures. However, in areas without these centers, victims were often left alone without this type of support.



Another issue raised by interviewees was the lack of attention to their basic needs during their time in institutions. They were not offered water, not asked if they needed to use the bathroom, eat, take any medication, or if they required medical assistance. This lack of care extended even during prolonged questioning sessions.

It appears that the **level of understanding and professionalism displayed by police officers depends largely on their individual personalities, motivation, understanding, and training for working with victims of violence.**

Perhaps the most distressing cases involved victims encountering their attackers during the reporting process. Such encounters further traumatized victims and highlighted a severe lack of protection during the legal process.

## Experience with Healthcare Workers

Some victims initially shared their experiences with healthcare workers or sought emergency medical assistance due to physical injuries. Four interviewees approached healthcare institutions immediately after experiencing sexual violence.

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*“I had to report the violence because I escaped from the abuser in the middle of the night and ended up in the hospital. At first, I didn’t want to say in the hospital where my injuries came from. My whole body was in pain; I didn’t even know how badly or exactly where I was injured or what had happened, as I was in complete shock. The doctors didn’t ask too many questions, I guess they understood everything.”*

*Note from an interview with Zorana, 27 years old*

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In all eight cases of rape, the interviewees mentioned contact with healthcare institutions, whether they reported the violence to the police or visited health centers, hospitals, or emergency rooms. It is encouraging to note that in the cases of the interviewees, healthcare workers in Novi Sad acted in accordance with their legal obligations concerning gender-based violence (GBV) and sexual violence (SV).



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“The doctor suspected rape and, as part of her duty, called the police. The police followed protocol, handling the report, statements, examinations, blood and swab collection, until another statement.”

Note from an interview with Sanja, 23 years old

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While the level of support and treatment of victims varies depending on the location and other factors, interviewees from larger cities like Novi Sad and Belgrade generally rated their experiences as “fair.” Healthcare workers fulfilled their professional duties, but emotional support and empathy were often lacking, which victims identified as a significant shortcoming.

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“The doctors at the hospital were, let’s say, fine—they did their job, but I just felt like I was another person among hundreds who needed their help. Maybe I expected more from them, I don’t know.”

Note from an interview with Zorana, 27 years old

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Miroslava’s experience with healthcare workers in Velika Plana highlights **regional disparities in the treatment provided by healthcare workers and the resources available in healthcare institutions.**

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“She waited torn, disheveled, among other patients for 2–3 hours to be examined. A male gynecologist saw her; she felt uncomfortable during the examination and flinched. She wished a woman had been present. Swabs and clothes were sent for forensic analysis. She asked for the morning-after pill, and he responded, ‘Where did you get the idea that we give those?’ ‘He ejaculated inside me, so it was important for me to get the morning-after pill.’”

Note from an interview with Miroslava, 41 years old

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**As with the police, victims were often forced to go from one healthcare institution to another to complete the necessary procedures for reporting.** This fragmentation of services caused additional stress and trauma for the victims, which is inconsistent with the principle of due care defined by the Istanbul Convention.



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The interviewees stated that in some cases, they had to wait a long time for an examination, indicating non-compliance with the health protocol, which stipulates that victims of sexual violence should be given priority and be separated from other patients waiting for an examination. Particularly concerning were experiences where interviewees encountered their attacker in the hospital hallways, causing additional stress and a sense of insecurity. One interviewee, after being escorted by the police to the Emergency Center in Novi Sad for an examination (where the perpetrator was also brought for an assessment of potential bodily injuries), noted issues with poor organization. She encountered the perpetrator in the hallway while waiting for the examination. Later, when she was taken for a psychiatric evaluation, she once again ran into the perpetrator as he was leaving the psychiatrist's office, which she was about to enter. She believes that a different spatial and procedural arrangement should be in place to prevent such encounters.

Note from an interview with Teodora, 21 years old

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Additionally, the interviewees pointed out that medical treatments were primarily focused on physical injuries, while care for their psychological well-being was largely left to other professionals. In places where Centers for Victims of Sexual Violence exist, victims have access to psychological support within these centers, which significantly contributes to their recovery. Conversely, in areas where such centers do not exist, victims are often referred to psychologists or psychiatrists who are not trained to work with survivors of sexual violence. This can lead to inappropriate treatment, such as being asked to recount traumatic events in detail. One interviewee particularly emphasized her negative experience at the Emergency Center, as well as her interaction with the psychiatrist.

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“She was very dissatisfied with the psychiatrist's approach, who laughed during the session. The examination lasted only a few minutes, and the doctor commented that there was nothing wrong with her or the perpetrator. He even remarked that he didn't understand why they kept bringing patients to him for conversations after every quarrel.”

Note from an interview with Teodora, 21 years old

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“Her experience with the psychiatrist and psychologist was positive; she felt they were very professional. But she had hoped they would focus more on addressing her emotions, as the session revolved mostly around recounting the events and psychological tests.”

Note from an interview with Mara, 21 years old

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**Better experiences and more appropriate treatment were described by interviewees during gynecological examinations, especially in locations where CVSV facilities exist.** The fact that all the interviewees reported more positive interactions with healthcare workers in areas with CVSV can be attributed to factors such as available training, specialized equipment, emergency contraception, and the presence of counselors.

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After that, accompanied by the police, she was taken to the Clinic for Gynecology and Obstetrics in Novi Sad, where a gynecological examination and forensic were conducted. She was very satisfied with the approach of the doctor and nurses, as they explained every procedure to her and demonstrated a gentle and compassionate approach.

Note from an interview with Mara, 21 years old

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## Experience with Specialized Women’s NGOs (SW NGO)

**The experiences of the interviewees were most positive during their interactions with SW NGO.** These organizations were the only ones to provide psychological support.

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“I called the SOS line for women experiencing violence, and that’s how it all started. They helped me report the violence and find a safe place. I was afraid for myself and my loved ones. The organizations I came into contact with, first relocated me, and then helped me report to the police. I wouldn’t have had the strength to do it on my own.”

Note from an interview with Tanja, 23 years old

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“Looking back now, I think what I needed most was that human psychological support, and then everything else. I got all my support from you (SW NGO) and only from you. I don’t know what would have happened to me if you hadn’t been there... And I remember that the most important thing was when the psychologist here told me that I wasn’t to blame and that I didn’t do anything wrong.”

Note from an interview with Zorana, 27 years old

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“A very positive experience. I never went for an in-person conversation with an NGO because I had a small child, but it suited me to talk on the phone. You explained to me that I was doing the right thing by reporting the violence. I was given advice and shared experiences of people who had been in similar situations.”

Note from an interview with Anđelija, 33 years old

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“You’re the first number I would call again if I needed help; I wouldn’t call my family, but you. You give accurate, adequate advice. Only you helped me, and your advice was paramount in my reasoning. I called just to cry. You were patient, didn’t rush me, or hurt me. It was a phenomenal experience. Authentic. You have an incredible gift.”

Note from an interview with Gorica, 27 years old

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**Positive experiences were particularly evident in the accounts of women and girls who reported violence in cities where Centers for Victims of Sexual Violence (CCSV) operate.** In these cities, NGO counselors were able to provide critical services, such as crisis psychological intervention and ongoing psychological counseling. An example worth noting is from Sremska Mitrovica, where a counselor from CVSV was present as support person during a police statement, especially as it involved an older minor.



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“The psychosocial support counselor got involved at the healthcare facility during the process; the beneficiary shared that the information about procedures provided by the counselor at that moment was valuable to her; she also appreciated the conversations the counselor had with her in the following period, which helped her feel more relaxed. She valued having the option to contact the counselor by phone when she had questions.”

Note from an interview with Ana, 17 years old)

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After completing the gynecological examination, she spoke with a counselor for psychological support in a room designated for such conversations. She now reports that this discussion meant a lot to her because no one expected anything from her, allowing her to be completely relaxed and authentic. She greatly valued the empathy and encouragement she received at that moment. Given that contact between the counselor and the beneficiary continued afterward, both via phone and in person at the Center for Support of Women office, she says it was very well organized. She highlights how great it is that this kind of support exists for young women, that it’s free of charge, and that the counselor is empathetic, warm, and calmed, which greatly contributes to the personal progress of every victim.

Note from an interview with Sanja, 23 years old

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## **Experience with the Public Prosecutor’s Office**

Unlike the positive experiences with specialized women’s NGOs, experiences with the prosecutor’s office were either absent or extremely negative. All interviewees pointed to a sense of exhaustion that followed the repeated giving of statements at the prosecutor’s office.

In cases of sexual violence, the prosecutor’s office plays a key role in conducting investigations, initiating criminal proceedings, and ensuring victim protection. It is their obligation to conduct a comprehensive investigation, gather evidence, promptly prosecute perpetrators, and implement protective measures for victims, such as restraining orders. Additionally, the prosecutor’s office should coordinate with other institutions, including the police and healthcare facilities, to ensure effective victim support.



**However, the interviewees expressed concerns about the lack of communication and transparency throughout the proceedings, as well as uncertainty regarding the progress of their cases.** A particular issue highlighted was the absence of timely and accessible information that institutions are obligated to provide to victims. Furthermore, the lengthy nature of proceedings exacerbates feelings of insecurity and injustice.

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The participant shared her disappointment with the judicial system; despite reporting the violence over a year ago, the court proceedings have not been concluded. Meanwhile, the perpetrator was in custody for only twenty days, after which a restraining order was issued to prevent contact and harassment for one year. She added that this measure does not make her feel entirely safe, as any potential encounter with the perpetrator, which is a possibility, would greatly destabilize her. She also found it distressing to have had to testify multiple times, with the likelihood of having to do so again.

Note from an interview with Ana, 17 years old

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Two years after filing the report, she received a summons to go to the High Public Prosecutor's Office to file a criminal complaint against him. The prosecutor questioned her five times, asking if she was sure she wanted to file the complaint and if she understood that someone might end up in prison because of her decision. She affirmed that she was fully aware and wished to make complaint against him for rape. Before this, she visited the court three or four times to inquire about updates on the case, only to be told that they could not locate the accused to serve him with a court summons as he was abroad. In April 2024, she received a letter from the High Public Prosecutor's Office stating that the case had been dismissed due to insufficient evidence.

Note from an interview with Miroslava, 41 years old

Data from the analysis of publicly available sources indicates that a significant portion of rape reports is filed by the police, but nearly half of these reports are dismissed. In cases of sexual harassment, a substantial number of cases remain unresolved. Interviewees often mentioned that they were not informed about the



reasons for the dismissal of their reports, leading to a sense of distrust in the system and doubts about its impartiality.

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“When she received the notification that her complaint had been dismissed, she felt angry and furious. She had an 8-day deadline to file an appeal, but she couldn’t arrange it with her lawyer in time. He told her that the dismissal lacked an explanation, such as what was done with the evidence, why witnesses were not called, and other crucial details. She suspects that the prosecutor may have been bribed.”

Note from an interview with Miroslava, 41 years old

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Additionally, **the prosecutor’s office and courts often fail to impose protective measures aimed at ensuring the safety and protection of victims during legal proceedings.** In some cases, preventive measures to avoid encounters with perpetrators or further traumatization during the legal process were not implemented. Interviewees highlighted such shortcomings and emphasized the need for improved collaboration between the prosecutor’s office, police, courts, healthcare institutions, and non-governmental organizations.

**These issues highlight challenges in the area of communication and providing information to victims of sexual violence during judicial proceedings.** The need for ensuring accessible and timely information for victims was emphasized to reduce feelings of insecurity and injustice, while effective inter-institutional cooperation was identified as a crucial segment in addressing these challenges.

### 5.3 Assessment of the Quality of Support Services Provided

Overall, based on the feedback from our interviewees, **the quality of support services for victims of sexual violence is highly unsatisfactory.** Sexual violence is a serious issue that leaves deep scars on the physical and mental health of victims, affecting all aspects of their lives. Through ten in-depth interviews with women who reported such experiences in Serbia, significant shortcomings in the support system, which should facilitate their recovery process, were observed.

**Women emphasized that reporting violence is often burdened with numerous obstacles.** While some were motivated by a desire to prevent future incidents or



protect others, many faced fears of retaliation from the perpetrator and distrust in the institutions that were supposed to protect them. **Family and friends' support proved crucial; those who had this support system were more willing to report the violence.**

**Experiences with the police were, unfortunately, mostly negative.** The interviewees encountered a lack of empathy, unprofessionalism, and even accusatory attitudes from police officers. They often had to recount their traumatic experiences multiple times to different people, leading to re-traumatization. The absence of basic provisions during the reporting process, such as psychological support or even basic needs like food and water during lengthy questioning sessions, further exacerbated the situation.

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*She believes that communication of police with women victims should be improved, emphasizing the need for officers to be less distrustful and arrogant. Additionally, she points out that the process takes too long, with several hours passing from reporting the rape to leaving the police station, often without being offered even a bottle of water or similar basic consideration.*

*Note from an interview with Sanja, 23 years old*

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**In healthcare institutions, while some women described their treatment as acceptable, emotional support and empathy were often lacking.** Particularly concerning were the inadequate approaches reported in smaller communities, where women faced long waiting times and discomfort, such as examinations conducted by male personnel or encountering the perpetrators in the hallways.

**Interactions with the prosecution were another source of dissatisfaction.** Women felt exhausted by having to provide multiple statements and were frustrated by the lack of information regarding the progress of their cases. This lack of transparency and communication led to a loss of trust in the judicial system and a pervasive sense of injustice.

**On the other hand, specialized women's NGOs (SW NGO) emerged as a critical source of support.** These organizations provided not only practical information and guidance but also much-needed emotional support. Counselors from these organizations offered empathy and understanding, often being the only ones to do so throughout the process.



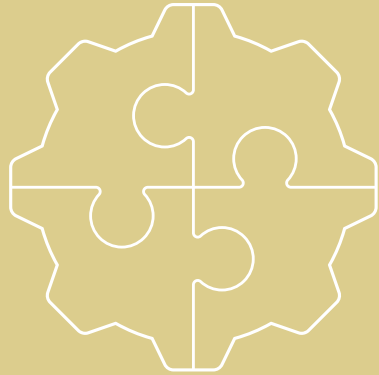
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“The root of the problem of violence lies in the inaction of institutions. Professionals must act without judgment, prejudice, or stereotypes. Only someone who is well themselves and has a love for life can help a victim. A victim must transcend politics and status.”

Note from an interview with Gorica, 28 years old

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# 6





**CONCLUSIONS AND  
RECOMMENDATIONS**

**6**

# 6

## CONCLUSIONS AND RECOMMENDATIONS

The testimonies of women who shared their experiences in this study clearly highlight the deficiencies in the support system for victims of sexual violence in Serbia.

It is essential to invest additional efforts to improve the quality of services and ensure that victims receive adequate assistance and protection. This is not solely an institutional task but also a societal responsibility requiring coordinated efforts from all relevant stakeholders. Only through concrete actions and reforms can an environment be created where victims are encouraged to seek help and perpetrators are appropriately sanctioned. This will mark a significant step toward a society that does not tolerate violence and actively works to eradicate it.

### Key Issues

One of the biggest problems is the **lack of resources and specialized services**. Centers for victims of sexual violence are not sufficiently widespread and do not have sustainable funding from the state, which affects the limited availability of services. Services should be geographically widespread enough (at the district level for multiple local self-governments to start with, or in every city where there is a general hospital).

**Inadequate training and sensitization of professionals** represent another critical issue. Many healthcare workers, police officers, and other service providers are not adequately trained to work with victims of sexual violence. The lack of continuous education on gender-based violence and trauma leads to inappropriate responses, such as insensitivity, victim-blaming, and unprofessional behavior, which can further traumatize victims.



**Problems in coordination between institutions** further complicate the situation. Weak cooperation between the police, healthcare institutions, social welfare centers, and non-governmental organizations results in fragmented services. Victims are often left to navigate complex bureaucratic procedures on their own, leading to additional stress and a sense of helplessness.

**The lack of a standardized system for data collection** hinders the tracking and analysis of case outcomes. Different record-keeping systems within institutions, such as the police and prosecution, complicate the monitoring of judicial proceedings, leaving victims often without feedback on the status of their cases.

Although specialized non-governmental organizations play a key role in providing emotional, psychological, and legal support, they face insufficient institutional support. Operating without sustainable funding and without institutional recognition of their expertise and experience limits their capacity to assist a larger number of women.

## Recommendations for Improvement

To enhance the quality of support services for victims of sexual violence, the following concrete steps are recommended:

1. **Improving Accessibility of Specialized Services:** Relevant ministries should ensure sustainable funding and institutional recognition of Centers for Victims of Sexual Violence (CVSV), expanding their availability across all regions of Serbia. Local governments should integrate these centers into their social protection plans to ensure that services are accessible to all women, regardless of their geographic location.
2. **Enhancing Training and Education for Service Providers:** Continuous training programs for professionals interacting with victims of sexual violence must be organized to improve the quality of support services. These training programs should focus on recognizing gender-based violence, understanding trauma, and providing emotional and legal support.

It is recommended that the following institutions take responsibility for the implementation of these trainings:

**Ministry of the Interior:** Training of police officers to recognize and respond to cases of sexual violence, with a particular focus on empathetic approaches and victim protection.



**Ministry of Health:** Organize training for healthcare workers to ensure they provide adequate medical assistance and emotional support to victims while preventing re-traumatization.

**Ministry of Labor, Employment, Veterans, and Social Affairs:** Training of social workers to support victims of sexual violence, including methods for guiding them toward available resources and providing ongoing support.

**Ministry of Justice:** Training of legal professionals and judicial staff on handling cases of sexual violence with respect for the victims' trauma, ensuring adequate legal protection and preventing secondary victimization.

For the implementation of these programs, it is necessary to engage specialized organizations with long-standing experience in working with survivors of sexual violence, as well as international organizations with expertise in the field of gender-based violence. Additionally, the inclusion of national civil society organizations and academic institutions focused on human rights and victim protection can further enhance the quality of training programs. Experience-sharing through international programs and study visits can contribute to the further professional development of practitioners in this field.

3. **Improvement of Multisectoral Cooperation:** It is essential to further enhance the work of existing Coordination and cooperation groups established in accordance with the Law on the Prevention of Domestic Violence at all basic and higher public prosecutor's offices. Their roles and responsibilities should be precisely defined, with improvements in communication channels and procedures to ensure timely action. It is important to secure the continuous and active participation of representatives from the police, healthcare institutions, social welfare centers, and non-governmental organizations, with the possibility of including experts in education and psychological support when necessary. Increased coordination among these sectors would contribute to a timelier response to the needs of survivors and ensure comprehensive support, including legal, psychosocial, and medical assistance.

Additionally, it is recommended to conduct regular evaluations of the work of these groups to identify obstacles in collaboration and propose further measures to enhance efficiency. Organizing joint training sessions and workshops for participants from different sectors would strengthen capacities for coordinated action.



4. **Increasing awareness and visibility of services:** The relevant ministries should conduct informational campaigns about available resources and organizations that provide support to survivors of sexual violence. These campaigns should be tailored to different population groups and carried out through social media, local media, and direct community activities.

It is also recommended that non-governmental organizations, in cooperation with social welfare centers, intensify the promotion of the following services and activities: SOS helplines, psychosocial counseling, support groups, educational programs and training, assistance in exercising legal rights, and economic empowerment programs, such as job training and employment support.

5. **Improving data collection and processing:** Standardizing the methodology for recording data on cases of sexual violence would enable more efficient tracking and analysis of case outcomes. This process would increase institutional accountability and provide a clearer picture of the effectiveness of the support system for survivors of sexual violence.

The following approach is recommended:

**The Ministry of the Interior:** Develop and implement standardized procedures for recording cases of sexual violence, including all relevant data on victims, perpetrators, and case outcomes. This should also involve collaboration with police stations across the country to ensure consistent application of the methodology.

**The Ministry of Health:** Require healthcare institutions to adopt standardized protocols for collecting data on victims seeking medical assistance, with a focus on integrating this data with other systems (e.g., police or social services) to enable comprehensive analysis.

**The Ministry of Labor, Employment, Veterans, and Social Affairs:** Ensure that social services consistently document cases of sexual violence, the support services provided, and the outcomes of such support, using a common methodological framework that allows for broader analysis.

**The Ministry of Justice:** Ensure standardization of data collection within the judicial system to enable tracking of legal proceedings and verdicts in cases of sexual violence. This data should be made available for analysis to assess the effectiveness of the judicial system (tracking cases from the initial report to the final verdict).



**The Statistical Office of the Republic of Serbia:** Should, as the central institution for statistical data, coordinate with the relevant ministries to ensure the consolidation of collected data and its availability for research and reporting.

**Collaboration with non-governmental organizations and academic institutions:** Civil society organizations and academic institutions specializing in research on gender-based violence can support the development and implementation of standardized methodologies, as well as the analysis of collected data.



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**MAPPING THE AVAILABILITY OF SUPPORT  
SERVICES FOR VICTIMS OF SEXUAL VIOLENCE  
AND WOMEN'S EXPERIENCES IN ACCESSING  
SERVICES IN THE REPUBLIC OF SERBIA**