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Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo

Addendum

Mission to Croatia[*,**]

Summary

This report contains the findings of the Special Rapporteur on violence against women, its causes and consequences, following her visit to Croatia from 7 to 16 November 2012. It examines the situation of violence against women in the country taking into account its causes and consequences. It also discusses the State's response to prevent such violence, protect and provide remedies to women who have been subjected to such violence, and to prosecute and punish the perpetrators.

[*] The summary is being circulated in all official languages. The report, which is annexed to the summary, is being circulated in the language of submission only.

[**] Late submission.

Annex

[English only]

Report of the Special Rapporteur on violence against women, its causes and consequences on her mission to Croatia (7-16 November 2012)

Contents

I. Introduction

1. At the invitation of the Government, the Special Rapporteur on violence against women, its causes and consequences, Ms. Rashida Manjoo, conducted an official visit to Croatia from 7 to 16 November 2012. The objective of the visit was to examine the situation of violence against women in the four spheres, namely in the home, the community, violence perpetrated or condoned by the state, and violence in the transnational context.

2. The Special Rapporteur would like to express her gratitude to the Government for the excellent cooperation extended prior to and during her visit to the country.[1] During the visit to Zagreb, Lobor-grad, Zadar, Pozega and Vukovar, consultations were held with officials of the Ministries of Defence, Interior; Public Administration, Regional Development and EU Funds, Social Policy and Youth, Veteran Affairs, Health, Justice, Education, Science and Sport, Labour and Pension System and Foreign and European Affairs. The Special Rapporteur also met with officials from the Government Office for Human Rights and Rights of National Minorities and on Gender Equality as well as the Ombudspersons on Gender Equality and Persons with Disabilities. She also held meetings with members of the Parliamentary Committee on Gender Equality.

3. Her meetings included the Deputy President of the Supreme Court, the President of the Misdemeanour Court, and Deputy State Attorney-General, as well as representatives from the Penitentiary Administration, and the Police. The Special Rapporteur also met with the United Nations Country Team and thanks the United Nations Development Programme for the assistance and support provided prior to and during her visit.

4. The Special Rapporteur visited public and NGO-run shelters in Zagreb and Vukovar as well as a Centre for Social Welfare (CSW) in Zagreb. She met with representatives of Civil Society Organisations in Zagreb, Zadar and Vukovar. Her mission also included visits to a Social Welfare Home in Lobor-grad (Krapina) and a Women's Detention Centre in Pozega.

5. The Special Rapporteur is grateful to all her interlocutors, including survivors of wartime violence and women in custody and shelters who shared their traumatic experiences with her. She looks forward to a fruitful and continued dialogue with the Government and other stakeholders on the implementation of her recommendations.

II. The political and economic context and its implications for women's rights

6. Croatia is a parliamentary, representative democratic republic, and the Prime Minister is the head of government in a multi-party system. Executive power is exercised by the government (*Vlada*) and the President. The executive branch is composed of seventeen ministers.

7. Legislative power is vested in the Parliament (*Sabor*), a unicameral body of 151 members who serve 4-year terms elected by direct vote.

8. Croatia has an independent judicial system governed by the constitution and national legislation. The Supreme Court is the highest court of appeal. Judges are appointed by the

[1] The Special Rapporteur would particularly like to thank the Government of Croatia, for agreeing to the visit in a very short time-frame.

National Judicial Council and judicial office is permanent until retirement. The lower two levels of the three-tiered judiciary consist of county courts and municipal courts. There are fifteen county courts and sixty-seven municipal courts in the country. There are other specialized courts such as commercial courts, misdemeanour courts, administrative Court and Constitutional Court.

9. Although Croatia's economy suffered badly during the 1991-95 war, in the period 2000 to 2007, the average rate of economic growth was considerably higher than in the European Union. In 2008, economic stagnation was recorded, due to the global economic crisis. The structural composition of the economy has been shifting from agriculture towards trade and services. Croatia's high foreign debt, poor export sector, strained state budget, and over-reliance on tourism revenue, may result in higher risk to economic progress over the medium term.

10. In 2010 there were approximately 2 million women of working age between the ages of 15-64. The formal labour sector included 702.000 women and 838.000 men[2] with 34% of men within the working age group and 40% of working age women inactive. Women have an unemployment rate of 12.2% in comparison to 11% for men. Women tend to be more dependent on others for their upkeep due to their socio-economic realities, and this usually results in less individual choices. Limited and less attractive employment opportunities also limits their access to benefits, including pension rights, in the absence of adequate years of service and low levels of pay.

11. The dual female roles, both at home and in the workplace, have had a profound influence on the choice of occupation for women. Home-based, unpaid production is mostly done by women and is not reflected in the formal economy. Also, unpaid family workers are predominantly women involved in household work and work in the family business, be it a farm, craft or a business enterprise. Women are often not the legal owners of property nor the directors of these businesses, although they contribute substantially to their survival - often doing the work of those who had to be dismissed in difficult economic times.

III. Current manifestations of violence against women and girls

A. Domestic violence

12. Domestic violence is a widespread problem throughout the country, usually perpetrated by intimate partners, including current or former spouses or boyfriends. For 2010, the Ministry of the Interior recorded 15,189 reported domestic violence offenses. Data on police interventions similarly reflect high prevalence rates. In 2008, the police received 16,885 requests for intervention in domestic violence cases, followed by 9,833 requests for protective measures[3]. Although the Government has developed an important framework in order to combat domestic violence, both legislative and institutional, there are significant gaps in their implementation which prevent effective protection for women victims. The Special Rapporteur heard numerous stories from women victims of domestic violence, including the following:

[2] Croatian Bureau of Statistics: Women and Men in Croatia", Zagreb, 2011

[3] Interviews with representatives from the Ministry of Interior and with police officials, 8 and 10 November 2012

Irina[4] was attacked by knife by her husband when she was pregnant. Although she reported the attack to the police, her husband was arrested but released after 24 hours. Being afraid she left the household and went to the local CSW, who advised her to take the baby and go through the court process. She only had one interview with a social worker, and her husband was given the opportunity to attend psycho-social rehabilitation treatment. He did not attend treatment sessions and made threats including demanding to see the child. She managed to find accommodation at an NGO shelter and was provided with a lawyer who is applying for protection measures.

13. In 2003, the Government adopted the Law on Protection against Domestic Violence (LPDV). In theory it provides protective measures focused on victim safety as well as measures directed at offenders' behaviour. However, there was overall consensus in interviews with civil society broadly and victims in particular, that the goals of victim safety and offender accountability were not a reality in practice. For example, the practise of dual arrests in terms of the LPDV is implemented against the victim, regardless of the danger or threat that the perpetrator poses to the safety of the victim. A victim who has verbally insulted her offender can be prosecuted and held accountable alongside her abuser who has physically beaten her. Also police do not systematically identify the primary aggressor in domestic violence cases and instead of making determinations of the primary aggressor and defensive injuries; they generally defer the identification to judges and physicians, respectively. As a result, many victims not only face the potential for arrest when they call for help, but also ensuing charges and punishments for defending themselves against the assault.

14. Another challenge has arisen due to the 2009 European Court of Human Rights decision in *Maresti* v. Croatia[5], which has dramatically limited the courts from effectively protecting victims and holding offenders accountable for their crimes. The *Maresti* case renders misdemeanour and criminal prosecutions mutually exclusive, requiring the prosecution services to choose between misdemeanour charges under the LPDV (which would allow long-term protective measures) and criminal charges which carry stricter sentences. Under the LPDV, protective measures are only issued when there is a misdemeanour and not when the case involves criminal charges. Even if an offender perpetrates serious injuries, compelling the victim to seek protection through an eviction or restraining order, the maximum sentence that the offender could face through the Misdemeanour Courts is 90 days' imprisonment or a fine. Conversely, if the State Attorney chooses to prosecute the case and seek criminal-level punishment, the victim is then precluded from obtaining long-term protective measures for herself under the LPDV.

15. The Special Rapporteur was informed that a new Criminal Code, adopted in 2011, came into force on 1 January 2013 and introduced amendments related to family violence. The offence of "violent behaviour" included in the previous Criminal Code was often treated both as misdemeanour and criminal offence, resulting in the application of dual criteria. Through Maresti v. Croatia, the European Court of Human Rights stated the unacceptability of such practice. In the new Criminal Code, the "violent behaviour" offence is no longer included as an independent criminal offence but as qualified (more severe) form of certain criminal offences, such as injuries, severe injuries, extremely severe injuries, threatening, coercion, or mutilation of female sexual organs, reinforcing thus the hierarchy of harm. Furthermore, during the elaboration of the new Criminal Code, attention was reportedly paid to harmonization with international human rights instruments.

[4] Names have been changed for confidentiality purposes

[5] *Maresti v. Croatia*, (Application No. 55759/07)

16. Domestic violence is handled by a law enforcement unit that is primarily responsible for juvenile delinquency and crimes against children. Therefore, some of those who respond to domestic violence cases at the police unit level and Centres for Social Welfare (CSWs) do not have knowledge and training on the dynamics of violence against women, as their expertise is related to children. Furthermore, some misdemeanour judges see domestic violence as limited to violence against children and this is also reflected in the state's laws and practices, where courts commonly hold a victim responsible for her children witnessing domestic violence against her.

17. Family Law requires married couples (and their children) undergoing divorce proceedings to complete mediation as part of the divorce process. The Special Rapporteur was informed that CSWs employees conducting mediation do not screen for domestic violence in these cases, nor do they proactively offer separate mediation to mitigate the potential harm to a victim of domestic violence who is being forced to meet with her abuser during mediation sessions. Moreover, even in cases when mediation is not stipulated as mandatory by the Family Law, CSWs workers have reportedly mediated and encouraged victims to reconcile with their offender.

B. Femicide

18. The continuum of violence in the home, is reflected in the increasing numbers of victims of femicide. In 2011, 22.9% of all murder victims were women murdered by a male member of their families (husband, common law partner, former husband, son, brother in law). Although statistics do not disaggregate the causes of femicides, both Government and civil society interlocutors estimate that economic hardship, mental disorders linked to the conflict as well as alcohol and drug addictions may have a link to these murders.

C. Violence against women in the community

1. Rape

19. Although not as widespread as domestic violence, the Special Rapporteur was made aware of the situation regarding rape. From data collected by the police, the vast majority of victims were women who knew their perpetrator (91%) – whether a family member or acquaintance. Between 2000 and 2010 there were 1228 reported criminal offences of rape, 958 committed and 270 attempted. However, there has been no reported analysis of the trend of increase or decrease in the number of reported cases. With regards to the age of rape victims they are most frequently young adults aged 19 to 30 (43%) and minors (22%)[6].

20. The Special Rapporteur was informed that the Government Office for Gender Equality was preparing a Standard Set of Rules for Action in cases of Sexual Violence (a protocol). This protocol would cover not only cases of rape but also sexual harassment outside the workplace, as well as other forms of sexual assault. Such a protocol would apply to police, courts, CSWs, State Attorneys, Health services, and other actors providing services[7]. In November 2012, upon proposal of this Office, the Government adopted the Rules of Procedure in Cases of Sexual violence.

[6] Women's Room; Sexual Violence in Croatia 2000-2010, accessed at: http://www.zenskasoba.hr/docs/Sexual%20violence%20in%20CRO%202011.pdf

[7] Interview with the Government Office on Gender Equality, Zagreb, 14 November 2012

2. Sexual harassment in the workplace

21. Although sexual harassment in the workplace is prohibited by law, this phenomenon has become more common. According to trade unions, sexual harassment was most pronounced in the textile, leather, trade, and catering industries. The Ombudsperson for Gender Equality reported that her Office received in 2011 a total of 1,391 complaints of which 63,9% concerned women. Within this percentage 65% were related to discrimination of women in the area of workplace, employment, social care and pension system, of which 42% concerned sexual harassment[8]. However, despite more visibility and reporting, she stated that many women were reluctant to take action due to fear of reprisal. In 2010 a court handed down the country's first conviction for sexual harassment in the workplace, sentencing one defendant to six months in prison for making repeated sexually harassing comments over a three-year period. A second defendant in the case was given a four-month suspended sentence for harassment.

3. Violence against lesbian and transgender women

22. Although the Special Rapporteur heard little from interviewees on the situation of lesbian, transgender and inter-sex women, she was nonetheless made aware of cases of homophobic hate crimes which occurred around the time of Pride marches, when lesbian and transgender women are more visible. Although the police provide some security at these events, attacks on participants after the parade in other parts of the cities have been frequently reported to LGBT organizations, as happened in Zagreb in 2007, 2010 and in Split in 2011[9]. Violent incidents took place in the 2011 Split Pride, where more than 3500 counter-protestors shouted violent threats and threw stones and bottles at participants. Due to those incidents, the Split City Council issued a decision refusing permission for the 2012 march to take the same route, in order to avoid violent incidents. However, the Gender Equality Ombudsperson intervened and challenged the City Council's decision, leading to the City Council rescinding its decision. The march was held without incident.

23. There are other types of homophobic hate crimes which have been denounced by civil society where the victims –both men and women- were physically assaulted, usually during the night, by one or more aggressors. Most of them ended with the same result: ineffective action by the police, no registering of the case, loss of documents, and classification of the act as minor offences in spite of the injuries sustained.

24. The Criminal Code at the time of the visit (article 89) defines hate crime as any criminal offence included in the Code committed with a hate motive on the basis of a personal characteristic. Sexual orientation is explicitly mentioned as a personal characteristic on the basis of which a hate crime can be perpetrated, but the ground of gender identity is not included.

D. Women in detention facilities

25. The Special Rapporteur visited the Pozega Women Penitentiary, the only correctional facility for women serving a criminal sentence. At the time of her visit, there were 146 women detainees in different wards: closed ward, semi-open, open and a reception unit. The Special Rapporteur was able to visit the different wards and speak privately to the women detained at this facility. She was particularly interested to hear the

[8] Interview with the Ombudsperson of Gender Equality, Zagreb, 12 November 2012

[9] "Inadequate Protection: homophobic and transphobic hate crimes in Croatia", Amnesty International, 2012; see also "Croatia: Don't Force Change in Pride March Route: Threat of Violence Requires Protection, Not Interference", Amnesty International News Release, 31 May 2012

stories of women serving a prison sentence for having killed their husband or partner as a result of domestic violence. While the sentences for these women were generally more lenient than for other types of similar criminal offences, these women expressed concern about their rehabilitation and future after having served their sentence.

> *Dragana was serving a 3 year sentence for having murdered her husband, following an abusive marriage where he tried to kill her and their children. Although she had sought help from her parents and the police, no-one was able to assist. After the death of the husband, CSW employees wanted to place her children with her husband's family - although they were known to be violent. She was convicted to a one-year sentence, but this was increased to 3 years on appeal. She had asked the prison administration for some psychological treatment, as she had recurring nightmares. This request was delayed and she was only recently granted such assistance. Her current concerns (as articulated by many inmates) include fears about future employment, housing needs, and custody of her children, amongst others.*

26. The Special Rapporteur observed that the prison conditions generally, were considered adequate, although some concerns regarding poor ventilation, insufficient outdoor time, lack of fresh air, and few work opportunities were mentioned by the inmates. While prisoners generally had access to medical care, medical personnel were not present full-time, thereby creating deficiencies in healthcare. Access to sufficient psychiatric services and specialists was also problematic, due to the remote locations of the detention facility. The geographic location of the prison also made it difficult for family visits. Women who gave birth in prison could keep their children with them for up to three years. The Special Rapporteur, however, was concerned by the differential treatment of inmates and the categorization in terms of wards – which was conducted in a diagnostic unit in Zagreb before serving the sentence, and which impacted significantly on the experiences of the inmates. For instance, women in the closed ward were not allowed to have their personal effects with them in their rooms, they could not leave the building and they had no access to educational opportunities which were accessible to inmates under a different regime.

E. Women in institutions

27. It is estimated that around 10 000 persons with disabilities live in either psychiatric hospitals and social care institutions, isolated from their families and away from public view and scrutiny. The Special Rapporteur visited the Lobor-grad social care institution where concerns about mental health treatment and the lack of basic safeguards regarding the involuntary admission procedure and placement under guardianship were confirmed. These persons, a majority of whom are women, once admitted to such institutions remain there for life. The example below reflects the situation of many other women, middle to old-age, who are admitted by their families (as they become a burden which the children do not want to assume:

> *Anja had been living in Lobor-grad for 12 years, following her placement under guardianship by her relatives after the death of her grandmother and mother, which had led to depression. She seldom receives visits by her family, who live in Zagreb. She spends her time doing "work therapy" – knitting, and receives some allowance for this work. The money is taken by the management to cover the cost of her accommodation.*

28. There is a pilot project of self-organized living in houses in a nearby village that provides an emerging practice in attempting to use alternatives to institutions and a possible

model for further development. Although at the time of the visit it encompassed 21 persons living in 5 different houses, this program would need to be replicated in other areas and expanded if proven to be effective. It could be seen as an alternative to life-long institutionalisation and also as a reintegration model with the possibility of autonomous living for persons who are institutionalized.

29. In general the conditions encountered include overcrowding and degrading living conditions in buildings which are ill-equipped to house people on a long-term or permanent basis. The remoteness of these places makes it difficult for family and friends to visit regularly. Furthermore, mental health treatment is heavily reliant on the administration of medication, with less emphasis on rehabilitative and therapeutic activities aimed at facilitating a return to community living. The Special Rapporteur also noticed insufficient de facto legal protection against the abuse of rights of patients and residents in psychiatric hospitals and social care institutions during her visit to the social care centre.

IV. State response to violence against women

A. Developments in the legislative framework

30. Croatia is party to a number of international and regional human rights instruments including the Convention on the Elimination of All Forms of Discrimination against Women. At the time of the visit, Croatia was not a party to the Council of Europe Convention on preventing and combating violence against women and domestic violence, although it later signed it. 33. At the national level, the Constitution proclaims, *inter alia*, freedom, equality rights, peace-making, social justice, and respect for human rights (art.3). All persons shall enjoy rights and freedoms, regardless of race, colour, gender, language, religion, political or other conviction, national or social origin, property, birth, education, social status or other characteristics (art.14). The Constitution also prohibits any call for or incitement to war or use of violence, to national, racial or religious hatred, or any form of intolerance (art.39) and sets out the principle of equality of all citizens before the law, without distinction as to sex, race, language, religion, and political opinions, personal and social conditions.

31. In 2008, the Parliament adopted the Gender Equality Act, which includes the general prohibition of discrimination on the grounds of sex, marital or family status and sexual orientation. The Act extends the area of prohibition of discrimination in the field of employment, labour, and education, and lays out the obligation to promote the raising of public awareness concerning the equality of men and women, and to keep statistics that are disaggregated by gender. The Act prescribes the obligation of establishing commissions for gender equality in the counties and in the City of Zagreb, and the obligation of securing funds for their work. Improvements have been introduced in the area of protection against discrimination including through the use of class action, the shifting of the burden of proof, and the principle of urgency of court proceedings.

32. The Anti-Discrimination Act came into force in 2009, and provides for protection against discrimination on grounds of sex, marital or family status, and gender identity, amongst others.

33. The adoption of the Law on Protection against Domestic Violence (LPDV) in 2003 represented a significant step towards protecting domestic violence victims and holding offenders accountable. It provides both urgent and long-term protective measures focused on victim safety, including eviction, stalking and harassment measures, restraining orders, and confiscation of weapons. It also provides measures directed at offenders' behaviour, including psychosocial treatment and addiction treatment. While a victim may, on her own,

apply for protective measures under the law, most often, police file for these measures on behalf of victims. The application of the provisions of the LPDV lie in the misdemeanour system, where judges decide whether to issue the protective measures and under what conditions, as well as whether to impose a jail sentence or fine. A violation of the protective measure is punishable by a fine or imprisonment of at least ten days.

34. The LDPV was amended in 2009 and promulgated regulations for further implementation of the law, including the Rules of Procedure in Cases of Family Violence and the National Strategy of Protection against Family Violence. Prevention, sanction and suppression of all types of domestic violence, the application of adequate measures against perpetrators are now regulated, and the provision of protection of and assistance to the victim of violence, aimed at mitigating the consequences of already committed violence is specified. It also extends the definition of domestic violence to "economic violence" which includes deprivation of the right to economic independence. The prohibition of physical, psychological, sexual and economic violence in the family is explicitly articulated. Urgency is prescribed for procedures initiated on the grounds of the infringement of this law, and stricter fines and prison sentences have been introduced.

35. The government has also issued protocols for specific sectors, such as the Ministry of Internal Affairs' Regulations on Implementation of Protective Measures for the LPDV. These Rules of Procedure in cases of Family Violence (Protocol) were adopted in 2005 and contain a series of mandated procedures for the competent bodies including the police, CSWs, health and educational institutions and the judiciary. This protocol includes methods of cooperation between different bodies which participate in detecting and eliminating violence and providing assistance and protection to a person exposed to any form of family violence. These Rules have a gender-sensitive approach to victims, and in cases of a child, an obligation to act according to the principle of the best interest of the child. In addition, an addendum entitled "Report on the intervention provided after the report of family violence" has been included to help police officers provide the victim with all the necessary information and resources available. Furthermore, an amendment to these Rules was added in 2006 in order to provide immediate protection of family violence victims, both by CSWs and Courts. These developments are commendable and need to be realised in practice.

B. Developments in the institutional and policy framework

1. National Strategy of Protection against Family violence (2011-2016)

36. This six-year National Strategy was adopted on 3 February 2011 on expiry of the 2008-2010 policy. It focuses on seven main areas of activity and establishes specific objectives and measures for each of these areas. The area of activity deal with prevention of family violence; the improvement of inter-sectoral co-operation of ministries in terms of the exchange of information and experiences regarding family violence; the provision of education to professionals working in the field of protection against family violence; the need to provide financial resources for conducting psychosocial treatment of perpetrators; the harmonization of legislation regarding the protection against family violence; the provision of financial support to shelters and to civil society organizations; and the need to raise public awareness regarding this issue.

37. However, some concerns have been expressed in relation to the current National Strategy[10]. For example, the activities of the National Strategy with an implementation

[10] "Implementation of Croatia's Domestic Violence Legislation: A Human Rights Report", Minneapolis, The Advocates for Human Rights, 2012, p. 98-99

deadline in 2011 were only partially met. Although the majority of the measures had been implemented at national level, their implementation at the local level remained poorly visible. Other concerns expressed were that violence was focused in the context of the family generally, and not on women, despite the acknowledgement of the disproportionate impact on women; that it was not clear which bodies were in charge of undertaking certain activities; and that the financing of the work of the NGOs was not mentioned.

2. National Policy for Gender Equality (2011-2015)

38. This National Policy for Gender Equality was adopted for the purpose of eliminating discrimination against women and implementing a policy of equal opportunities over a five-year period. The body in charge of the supervision and implementation of the measures of this Policy is the Government Office for Gender Equality.

39. The National Policy builds on the previous one by redefining the national priorities, the modes of implementation and the undertaking of special measures in line with the altered social and political circumstances, the progress achieved, and the further challenges in establishing true gender equality. It integrates a gender dimension by implementing special measures with regard to seven key fields of action. A novelty in the National Policy is the inclusion of activities aimed at establishing and developing cooperation with international and regional mechanisms and organisations, including UN Women, the European Institute for Gender Equality, and promoting knowledge about the policies of the European Union and the Council of Europe.

40. There are also other national plans, programmes and strategies, which define goals and measures for improving the implementation of gender mainstreaming and the general social status of women. These include: the Strategy for the Development of Women Entrepreneurship 2010 – 2013; the National Programme for the Protection and Promotion of Human Rights 2008 – 2011; the Action Plan for the Decade of Roma Inclusion 2005 – 2015; the National Programme for the Roma; the National Plan for the Prevention of Trafficking in Human Beings 2009 – 2011; the National Employment Plan for 2011 and 2012; and the National Strategy of Development of Health Care 2006 – 2011.

V. Support services for women victims of violence

A. Shelters/Safe-houses

41. In Croatia shelters are run either by the public sector (city) or by NGOs. Autonomous women's shelters and other NGO shelters are operated by women's groups and work on the principle of women's self-help, are self-regulating and are independent of state entities. They provide more than shelter for victims and their children, as they provide empowerment and holistic assistance to victims. On the other hand, State or city shelters also offer services sometimes to both sexes, victims of domestic violence, addicts, and homeless persons, victims of trafficking, asylum seekers, and migrants, among others. These have stricter regulations and are found to be more bureaucratic in nature. The Special Rapporteur also noted that NGO shelters were more victim responsive, whereas State's shelters more bureaucratic and with stricter rules and admission procedures.

42. Shelters face numerous challenges. First, the lack of bed capacity is a serious problem. A report by UNDP noted that Croatia's shelter capacity on a per capita basis fell

at least 20% below the Council of Europe standards[11]. Insufficient funding is another problem. The two funding schemes under the Ministry for Social Policy and Youth are complicated and pose challenges for organizations running these shelters. The Government's funding conditions generally fail to reflect the actual needs and operations of a shelter. Prescribed conditions, in turn, reduce shelters' autonomy, by forcing them to follow strict and at times, irrelevant criteria in order to obtain financing. Moreover, the per-bed basis does not reflect the reality that shelters' baseline operating costs are the same no matter how many residents they admit. The Special Rapporteur confirmed the abovementioned issues while visiting two NGO-run shelters, in both Zagreb and Vukovar and a city-run safe house in Zagreb.

43. Another barrier to safe refuge for victims is the referral system by CSWs. Public safe houses can only accept victims referred by the CSWs or police. Often, their personnel will even redirect clients to the CSWs or police first. Shelters typically provide housing to victims for a limited period of time, often between six and twelve months. Many NGOs allow extended stays, but due to capacity constraints, shelters are unable to provide a long-term solution. Once they leave a shelter, victims' housing options are limited, as there is no state-subsidized housing specifically for victims of domestic violence, although the status of victims of violence can increase eligibility for some public housing.

B. Victims and Witnesses Protection Units

44. During her visit, the Special Rapporteur met with lawyers, psychologists and social workers working with Victims and Witnesses Protection Units which are established in some courts so as to provide assistance to victims and witnesses, through the court proceedings. These units were originally established through a UNDP program in 2008 in the Vukovar, Zagreb, Osijek and Zadar county courts and are now established in 7 different locations at county courts. Their primary goal is to provide general and emotional support, and practical information, to victims involved in criminal cases. Victims and witnesses are referred to these protection units through information contained in the court summons.

C. Counselling services and helplines

45. Counselling services are offered to women victims of violence, in the form of telephone helplines and in-person counselling services with professionals. While the NGOs providing shelters offer this type of assistance mostly to victims of domestic violence, other NGOs have set-up specialized psycho-social assistance to victims of sexual violence and to victims of war-time violence in the areas of the country where this occurred during the conflict. In addition, CSWs are mandated to offer free counselling services, among a variety of other services. Telephone helplines are provided by NGOs as CSWs only offer their services in person at their offices. Telephone helplines are mostly available in larger cities during office hours. They do not provide e services at night, when the need for such services is in demand.

[11] "Overview of the Domestic Violence Legal and Policy Framework in Croatia", UNDP Croatia, Zagreb 2011 and Council of Europe. "Combating Violence Against Women: Minimum Standards for Support Services" , 2008,p. 18

D. Police

46. The Special Rapporteur had the opportunity to interact with Specialized Police Officers trained to deal with cases of domestic violence. These police officers, mostly women, undergo a few weeks of volunteer specialized training and are posted in each of the main police stations to assist victims of domestic violence and intervene on the scene when needed. Although they intervene mostly in cases where children are involved, they play an important role in securing shelters for victims of domestic violence as well as receiving testimonies for court cases, whether misdemeanour or criminal. However, these officers are not sent to the scene when an incident occurs, whether it is for domestic, sexual or other types of violence against women. This is the work of duty officers who are generalist police staff. In cases where a woman victim is involved, one of the two duty officers on patrol would be a woman.

E. Other services and programmes

47. The Special Rapporteur was informed in her meetings with the Ministry of Labour and Pension System of new employment opportunities offered, among others, to women victims of violence, as part of their National Plan to address employment of certain categories of women. On a similar scale, the Ministry of Regional development, responsible for housing issues, informed the Special Rapporteur on how it has provided public housing for victims of domestic violence after they leave shelters or the family home (as 95% of the private property is owned by men). In the current climate of economic crisis, there is a reliance on EU funds to undertake construction of new housing units.

VI. Main areas of concerns

A. Prevention and Protection

1. Police

48. Police are often the first responders to domestic violence, and the manner in which they respond, their attitude toward the victim, and the protection they provide are vital in promoting victim safety and offender accountability. In addition, the police serve as an important link between victims and the legal system and other services, as police officers play an important role in referring or transporting victims to service providers, such as shelters, NGOs, and hospitals. Although there are now specialized police officers who have undergone training in domestic violence, they are not available at all stations and at all hours. The first respondents (duty officers) tend to be generalist police officers in most cases.

49. The police connect the victim and the courts, because the police in practice act as prosecutors in misdemeanour cases. Their prosecutorial role in the misdemeanour system can help the victim overcome evidentiary challenges she might face. While a victim could initiate misdemeanour proceedings on her own and obtain protective measures, she would still face the challenge of collecting evidence on her own. Despite this important role in preventing and protecting women from violence, the Special Rapporteur found significant gaps and weaknesses relating to their responses when faced with cases of domestic violence. Police officers tend to assume that domestic violence is a private matter or as a result of alcohol abuse. This results in either an ineffective police response, such as the failure to take domestic violence seriously, inform victims of their rights, refer them to services, or charge the perpetrator. Furthermore, in some cases dual arrests are made where

both the perpetrator and the victim are arrested and sometimes charged with offenses such as breaking the public order. Statistics showed that women constitute up to 35% of the arrest in cases of domestic violence[12].

50. This situation may be explained by the absence of clear guidelines given to police officers in the Rules of Procedures and the LPDV. Apart from the definitions in the LPDV and Criminal Law, which are vague, there are no official guidelines as to what level of domestic violence constitutes a criminal or a misdemeanour charge. The Special Rapporteur was informed that the police have developed some unofficial rules in deciding whether to file a case as criminal or misdemeanour by relying on a three strikes rule: after two misdemeanours, the third offense becomes criminal. This results in first-time offenses without heavy violence to be considered misdemeanours. Cases of violence in front of children are similarly inconsistently dealt with and sometimes lead to criminal charges, but in other cases, to misdemeanour charges.

51. Furthermore, the impact of the *Maresti* case has resulted in prohibiting prosecution and sentencing under both misdemeanour and criminal charges concurrently, as was often done before. This has led to a preference for the misdemeanour system for ease of speedy trials as well as to seek protective measures for the victim. The Special Rapporteur was informed that under the LPDV, the police may propose and seek any of the six protective measures, including three urgent protective measures: restraining order, eviction, and stalking and harassment order. The police also have the option of imposing and applying for precautionary measures for eight days under the Misdemeanour Law. However, although they almost always propose protective measures when responding to domestic violence cases, there is a greater tendency to prioritize treatment for perpetrators in the form of psychosocial and addiction care and to pay less attention to protection for women and children victims of domestic violence. Interviews with civil society have confirmed the under-utilisation of protective measures for women.

2. Centres for Social Welfare

52. The Special Rapporteur noted the important role conferred on Centres for Social Welfare (CSWs) in the response to protect and prevent domestic violence. CSWs are mandated under the LPDV and Family Law to offer a wide range of measures to victims. Such services may include referrals to shelters, awarding victims once-off financial assistance, requiring victims, perpetrators, and children to attend treatment programs, making recommendations to the courts for perpetrator punishment, and making recommendations for the custody of children. In addition, CSWs must comply with mandatory reporting requirements and conduct investigations. The Special Rapporteur was informed that CSWs tend to act as gatekeepers between victims and shelter and even if they have gone to the police, victims are required to register with the CSW to be placed in publicly-run or funded shelters.

53. Furthermore, the focus of this institution is primarily to retain the unity of the family and to provide reconciliation through mandated mediation processes. Often this is done with the perpetrator and the victim being present together in the same location. Testimonies during interviews have confirmed that CSWs have shown inadequate and inappropriate responses to the protection needs of women victims of family violence. In addition, it was stated that CSWs employees presented a lack of understanding of the complex nature of abusive relationships and showed failure to respond adequately, including to the point of dismissing victims' safety. This situation, combined with the

[12] Interviews with representatives from the Ministry of Interior and with police officials, 8 and 10 November 2012

restriction of access to shelters and other forms of assistance for women victims of family violence, leads to the reluctance to use this institution.

3. Women in social care institutions and psychiatric hospitals

54. The Special Rapporteur was informed of overcrowding and degrading living conditions in buildings which are not equipped for persons with physical or mental disabilities to stay on a long-term or permanent basis. Furthermore, the lack of adequate professional staff employed in psychiatric hospitals and social care institutions and a chronic under-investment in mental health and social care services was pointed out as an area of concern.

55. The Special Rapporteur was also made aware of inadequate legal provisions and lack of understanding and diligence by mental health and legal professionals and the judiciary[13]. As a result, it is alleged that some persons may be admitted for psychiatric treatment against their will, without recourse to legal guarantees. Persons under guardianship who object to their admission and treatment can nonetheless be forcibly admitted and classed as voluntary patients if their guardian agrees. This procedure of involuntary admission is in contradiction with basic legal safeguards. The lack of legal protection against abuse of rights of patients and residents in psychiatric hospitals and social care institutions was mentioned during the Special Rapporteur's visit to the Lobor-grad social welfare home. .

56. Once admitted into a social care institution, residents de facto stay there for the rest of their lives. While there are a few possibilities of returning to live in the community, most residents and patients find themselves living in the monotony and routine within the institutions, a fact which is aggravated by the remoteness of these places, making it difficult for family and friends to visit regularly. Mental health treatment is also more reliant on medication, with less emphasis on rehabilitative and therapeutic activities aimed at facilitating a prompt return to community living.

57. The Special Rapporteur was informed that some women with disabilities in institutions have been subjected to sexual violence, forced sterilization and/or abortions and forced medication, all without their consent. Generally, patients and residents are discouraged from forming romantic relationships with one another within the institution they live and their right to sexual autonomy is restricted.

58. Finally, although the Ombudsperson for Persons with Disabilities has a mandate to conduct regular visits of psychiatric hospitals and social care institutions with the purpose of inquiring into the human rights of patients and residents, the Special Rapporteur was informed that such visits do not take place on a regular basis.

B. Punishment and reparation

1. Prosecution

59. The complex nature of prosecution which needs to differentiate clearly between misdemeanour and criminal charges has resulted in the vast majority of cases of criminal domestic violence being pursued as misdemeanours to speed up the process. Additionally, the Special Rapporteur was made aware of inaction, insensitive attitudes, and a failure to prioritize victim safety on the part of the prosecution. It is a common perception that

[13] *"Out of Sight"* published by MDAC (Mental Disability Advocacy Centre) and SHINE (Association for Social Affirmation of People with Mental Disabilities), 2011

prosecutors view the main purpose of custodial detention as preventing the perpetrator from influencing the victim's testimony rather than focusing on the safety concerns of victims.

60. Although domestic violence cases can be prosecuted under criminal or misdemeanour laws, in practice prosecutors do not prosecute cases that fall under the LPDV i.e. that view such cases as misdemeanours. Thus prosecutors will concentrate on cases where the perpetrator's behaviour is a "high intensity, quality, and quantity violent form of behaviour", leaving the other violence cases under the misdemeanour offence to be handled by the police[14].

61. As for pre-trial detention, the prosecutor can request investigative detention if there is a reasonable suspicion that the suspect committed an offense and, may impede criminal proceedings by influencing the witness, or if there is a danger he will repeat the offense, or if the detention is deemed necessary for the conduct of proceedings, due to the especially grave circumstances of an offense that carries a long-term prison sentence. Yet, prosecutors still allow the release of dangerous aggressors even where there are high-risk indicators.

2. Legal Aid

62. Under the Legal Aid Act (2009), victims have the right to legal representation, administered by the Ministry of Justice and the counties. However, this right does not extend to misdemeanour and criminal proceedings, where the State represents the interests of the state through the testimony of victims. If victims want to sue for damages, they can do so separately in a civil court, at their own expense. The Special Rapporteur was informed that free legal aid was often difficult to access, as the application forms were extremely complicated. Other barriers such as the low-income level requirement exclude many women from access, and the lack of awareness about its availability. Free legal aid is not available to all domestic violence victims, such as those who are not regular residents of Croatia or those who fail to demonstrate financial need.[15]

3. Misdemeanour Courts

63. The Special Rapporteur was informed that misdemeanour courts handle the vast majority of cases regarding domestic violence[16], as these are seen as more speedy and efficient in leading to a trial. Some judges have been known to view domestic violence as abuse that threatens women's safety and well-being, but rather as "disturbed relationships," "arguments," or minor infractions. Judicial practices sometimes do not reflect an understanding of the dynamics of domestic violence nor sensitivity to victims of long-term, repeated violence. Some judges have been known to discredit victims' experiences and ask them why they waited so long to report or allege that they are lying so as to abuse the system or obtain financial gains or property. This indicates a strong need for comprehensive

[14] Supra, note 10, p. 37

[15] Following her mission, the Special Rapporteur was informed of positive amendments made to the Free Legal Aid Act in 2011 that would include: creation of new types of legal aid such as exemption from payment of litigation fees and costs; precise definition of all exemption cases in which lawyers may refuse to provide legal aid; precise and comprehensive regulation of the reimbursement process; establishment of administrative county offices as primary legal aid providers; and new financial criteria for granting legal aid. Furthermore, new amendments are reportedly in progress primarily related to primary legal aid (legal advice, preparing submissions, representation in proceedings and legal assistance in the peaceful settlement of out-of-court disputes).

[16] In 2009, there had been a total of 15 225 persons, of which 12 668 men, accused of domestic violence at the Misdemeanour Courts in comparison with a total of 1 046 persons, of which 972 men in criminal courts; See Croatian Bureau of Statistics, *Men and Women in Croatia*, note 2

judicial training on domestic violence. In addition, limited resources and personnel diminish the opportunity for specialization of judges.

64. The inability of some elements of the justice system to understand the complex nature of violent relationships has led to the phenomenon of dual arrests and sentencing. Perpetrators may try to convince the judges that the violence was mutual and that they are also victims. If both parties are arrested and charged, the possibility that the offender will be convicted is diminished. In many dual arrest cases, the perpetrator is charged with physical violence and the victim with psychological violence. In other cases involving allegations of physical violence from both parties, the victim may have acted in self-defence in response to the perpetrator's physical violence. In such cases, the police simply arrest both parties, leaving it to the judge to determine the primary aggressor.

65. Although the LPDV gives misdemeanour judges the authority to grant protective measures, the judges most often focus on treatment for perpetrators rather than the protection of victims. The police often apply directly to the court for protective measures on behalf of the victims of domestic violence and also recommend psychosocial or addiction treatment for the perpetrator. The latter remedy does not provide protection for the victim[17]. Often, psychosocial and addiction treatments are ordered along with a suspended sentence, even in high-risk cases. There are no effective compliance monitoring programs and this was confirmed in interviews with victims who stated that most often men do not attend the programs consistently. The Special Rapporteur is concerned about the efficacy of these psychosocial programs in preventing domestic violence. There are no independent studies on the effective implementation and benefits of such treatments. She is also concerned about the emphasis on perpetrator treatment which diverts limited funding from victim services, thus conveying the message that the State cares more for the welfare of perpetrators than of the victims.

66. Protection measures for the victim, such as eviction, restraining orders, and measures to prevent and prohibit harassment are highly important to the safety of the victim. However, these protective measures are ordered far less frequently than perpetrator treatment programs. When judges do order these protective measures, some problems include: orders that are impractical or inappropriate; the duration ordered for both eviction and restraining orders are often too short; the issuance of protective measures lacks clear directives on the distance abusers should stay from the victim, and so on. Furthermore, a failure to order one measure, such as eviction, but not another, such as a restraining order, can lead to conflicts that compromise victim safety. Finally, the high standard in article 19 of the LPDV which states that these shall be issued to eliminate a "direct threat to that person's life or other family members" creates a serious barrier to obtaining these urgent protective measures.

67. Although the misdemeanour system is recognized to be faster than the criminal system, reports revealed concerns over the time misdemeanour procedures can take. Outside Zagreb judges are not always accessible 24 hours per day or on weekends and holidays. In addition, the law is silent on a timeframe for issuing long-term protective measures, and parties who fail to appear for a hearing can prolong the proceedings. Finally, because appeals preclude protective measures from entering into force, delays of several days occur, and victims are put at risk of suffering more violence.

[17] See *A. v. Croatia*, (Application No: 55164/08), where the European Court of Human Rights found that Croatia violated Article 8 protecting the right to respect for private and family life of the European Convention on Human Rights and also *Tomašić v. Croatia*, (Application No: 46598/06) where the treatment program was found to be not adequately implemented to comply with Article 2 of the European Convention on Human Rights protecting the right to life.

4. War crime victims

68. The Special Rapporteur met with women victims of wartime violence, both in Zagreb and in Vukovar. She was concerned that more than 20 years after the end of the armed conflict, the deep trauma is still present in many of the survivors. Their perpetrators have not been sanctioned for these crimes and the impunity surrounding such perpetrators was seen as a further insult to numerous victims[18]. The Special Rapporteur was made aware of the failure of authorities to ensure access to truth, justice and reparation for the civilian victims of war, including women who survived rape and other forms of sexual violence. War-time crimes committed against them have not been recognized by the Courts and their perpetrators continue to enjoy impunity. Some live in the same communities as their victims. Women are unable to receive psychological, medical and other support. Many stories had similarities as reflected below:

> *Marija recalled how her husband and father were summarily executed when their village was taken by the Serb army. She was taken to a camp and, along with other Croatian women, raped by Serbs from her neighbourhood. She managed to escape the camp and reach the city of Zagreb. Twenty years later , the perpetrators have still not been prosecuted, although she filed a civil suit. She cannot get the status of war veteran/civilian war victim, despite the trauma she endured,nor for the death of her family members, since they were civilians.*

69. Out of hundreds of cases of sexual violence documented by Croatian NGOs, very few have been prosecuted. According to the State Attorney's Office 35 cases have been prosecuted or awaiting prosecution to date. There are no official statistics and studies available on the number of victims and their needs. Due to the inadequacy of the legal framework, crimes of sexual violence are not prosecuted in accordance with international law and the jurisprudence of international courts, including the International Tribunal for the Former Yugoslavia. One of the main problems is that in prosecutions based on the current Criminal Code, the use of force might need to be proven as an element of rape, which is inconsistent with current international standards. Such practice has in fact been perpetuating impunity for war crimes of a sexual nature[19]. It is the State's responsibility to adequately prosecute and ensure effective sanctions of the perpetrators of such crimes. The Special Rapporteur heard that in some instances of prosecution, the perpetrators have managed to flee to neighbouring countries, either before, during or after the trials. This lack of accountability further perpetuates a sense of distrust in the ability of national courts to effectively provide redress and justice to women victims.

70. Apart from being denied access to justice, women survivors of war-time violence are also unable to exercise the right to reparation. Under international law the right to reparation includes restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition as defined in the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation of Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. Croatian law does not envisage the right to reparation. As a result, survivors are denied access to psychosocial support, adequate healthcare and other support. The only available form of reparation is compensation. However, it is extremely limited, as it requires that the survivors prove that

[18] Interviews with representatives of associations in in Zagreb and in Vukovar

[19] "Croatia: Briefing to the European Commission on the On-going Concerns over Impunity for War Crimes in Croatia", Amnesty International, 2011 and "Croatia: Briefing to the Human Rights Committee on Follow-up to the Concluding Observations on Croatia", Amnesty International, 2011

the crime was committed against them. For survivors who were raped during the war, often by unknown perpetrators, it is impossible to fulfil this requirement.

VII. Conclusions and recommendations

71. **Although efforts have been made by the Government to address the issue of violence against women, including through the adoption of laws, policies, National Action Plans as well as the establishment of governmental bodies and independent mechanisms responsible for the promotion and protection of women's rights, these achievements have not led to a decrease in domestic violence nor effective redress for women victims of war-time violence, or translated into concrete improvements in the lives of many women and girls, including women with disabilities and survivors of war-time sexual violence.**

72. **Despite the challenges posed by the current economic situation, targeted and coordinated efforts in addressing violence against women, through practical and innovative use of limited resources, needs to remain a priority. The high levels of domestic violence, in part as a consequence of the tendency for violence to become privatized in a post-conflict situation, as well as due to existing patriarchal attitudes, warrants serious attention as regards effective implementation.**

73. **In light of the above, the Special Rapporteur would like to offer the following recommendations:**

74. **Law and policy reforms:**

(a) Ratify amongst others the Council of Europe Convention on preventing and combating violence against women and domestic violence and other relevant UN Conventions;

(b) Amend the Law on Protection of Domestic Violence (LPDV) to redefine psychological and economic violence to ensure it includes those acts that threaten the victim with physical harm or cause fear of such harm, to ensure the definition of domestic violence specifically includes stalking, or a pattern of harassing or threatening behaviours;

(c) Amend the LPDV to allow urgent protective measures to be issued if there is a fear of imminent physical harm, to allow the judiciary to issue an urgent protective measure that will stay in place for the full term (two years) allowed under the law, and to make sure that an appeal does not preclude entry into force of a decision on these measures;

(d) Take urgent steps to ensure that women victims of war-time violence have access to justice and reparation, including adequate psychosocial and economic support and access to healthcare services. Crimes committed against them have to be acknowledged and prosecuted in line with relevant provisions of international law. This category of survivors should be granted the status of war veterans to enable them to access benefits flowing from this status;

(e) Amend laws with regards to guardianship in social care institutions and psychiatric hospitals; develop alternatives to guardianship, ensure that each case of potential guardianship is carefully reviewed and instigate proceedings to restore the legal capacity of residents who do not want to be under guardianship; encourage alternative measures to de-institutionalization like the community living in Lobor-grad;

(f) Address the existing gender disparities in the public and private sectors, by effectively implementing the measures provided by the Constitution and other legislation and policies, to increase the number of women, including from marginalized groups, in the political, economic, social, cultural and judicial spheres;

(g) Continue to remove practical hurdles affecting the employment of women, which is exacerbated through temporary contracts, and lower positions and salary scale for women. Strengthen the social welfare system by removing impediments to the integration of women into the labour market;

75. **Judiciary and Police practices:**

(a) Develop guidelines and provide training to police, judges and prosecutors on distinguishing between misdemeanour- and criminal-level cases of domestic violence;

(b) Provide education and training for judges on all aspects of domestic violence, including the dynamics of domestic violence, sensitivity to victims, risk assessment, defensive injuries, and promoting victim safety including through regular communication of court processes. This should be conducted by specialized external providers with the assistance of specialized women's organizations;

(c) Develop a system for regular communication and collaboration that involves all sectors—judicial, law enforcement, criminal, social welfare, health, educational sectors and women's NGOs—to address domestic violence.

(d) Cease the practice of having parties confronting each other in hearings, offer and allow for separate testimony in domestic violence cases; ensure separate waiting areas and adequate security in courts houses;

(e) Promote sentences for domestic violence that are commensurate with the gravity of crimes and refrain from imposing suspended sentences;

(f) Give priority to protective measures that protect victim safety, including eviction, restraining order, harassment protections and confiscation of firearms for the maximum period allowed under the law. Develop a monitoring and evaluation system that looks at the implementation and effectiveness of the psychosocial treatments of perpetrators. Such remedies should be ordered in conjunction with other protective measures necessary to ensure victim safety;

(g) Continue to set-up Victims and Witnesses Protection Units in all judicial districts of the country, ensure these services are adequately advertised and available to victims of domestic violence, ensure that these units operate in all Misdemeanour Courts in partnerships with the judiciary and the Prosecutor's Office;

76. **Support services for women victims of domestic violence:**

(a) Restructure the mission and functions of the Centres for Social Welfare (CSWs). Specific and specialised institutional structures should provide support and assistance to women victims of violence, ensure family and children welfare and provide financial support to persons in need of State's support programs. Ensure, through education, a change of mentalities among different employees of these Centres from a social/welfare approach to a human-rights based approach recognizing and focusing on violence against women and taking into consideration the nature of relationships based on power and dependency; ensure CSW staff are provided with effective gender-sensitive-training in partnership with women NGOs, that they treat all cases of domestic violence as urgent. Compulsory mediation should be prohibited and sanctions imposed on authorities who continue the practice of forced mediation.

(b) Continue to take the necessary measures, including financial, to maintain existing and set-up new anti-violence shelters for the assistance and protection of women victims of violence in all areas of the country, which can provide valuable advice and support for the benefit of public shelters. This should be done in partnership with women's organizations.

(c) Ensure sufficient funding and capacity in shelters for women victims of domestic violence; develop national standards to address concerns about shelters and other support provided to women victims of violence.

77. **In psychiatric hospitals and social care institutions:**

(a) The Disability Ombudsperson should seek out complaints and carefully monitor institutions to clamp down on cases of arbitrary detention and should engage actively in advocacy to ensure monitoring implementation of the CRPD;

(b) Adequately resource psychiatric hospitals and social care institutions, including training for the well-being and treatment of their patients and residents;

(c) Address the issue of long-term institutionalisation the development of alternatives and possibilities of autonomous living. The experience from the pilot project of self-organized living in houses in Lobor-grad should be monitored and evaluated for effectiveness – prior to expansion and replication in other parts of the country, if warranted.

78. **Statistics and data collection:**

(a) Strengthen the capacity of data collection on violence against women through a centralized statistical agency and ensure proper and effective collaboration and exchange of data among institutions and organizations already working to collect data on violence against women - including the police, CSWs, courts and civil society. Ensure a system for regular and standardised data collection and analysis, disaggregated by relevant characteristics in order to understand the magnitude, trends and patterns of violence against women.

(b) Facilitate the publication of all Courts' decisions and judgements, including those at the Misdemeanour level; ensure these are effectively entered into the data collection system, together with the protection measures decided by the Courts for women victims of violence.

79. **Societal changes and awareness raising initiatives:**

(a) Continue awareness-raising campaigns aimed at eliminating stereotypical attitudes about the roles and responsibilities of women and men in the family, society and workplace;

(b) Strengthen the capacity of the Gender Equality Ombudsperson, the Ombudsperson for Persons with Disabilities and of the Government Offices for Gender Equality and Human Rights and Rights of National Minorities to implement programmes that aim at bringing about change in society's perception of women generally, but women who belong to marginalized communities and groups in particular;

(c) Continue to train and sensitize the media on women's rights including on violence against women, in order to achieve non-stereotyped representations of women and men in the national media and to contribute to changing the predominant social and cultural beliefs and attitudes that perpetuate harmful stereotypes and myths about women.