

## **DOMESTIC VIOLENCE SURVEY**

**REPUBLIC OF SERBIA, 2003  
(misdemeanor proceedings)**

**UNOFFICIAL TRANSLATION  
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In the first half of 2005, the Association of Misdemeanor Judges of the Republic of Serbia implemented a project, in collaboration with the American Bar Association, Central and East European Law Initiative (ABA CEELI), entitled DOMESTIC VIOLENCE in Misdemeanor Proceedings, a 2003 Survey. The objective of the project was to obtain data about the incidence of domestic violence at the level of the entire Republic of Serbia, including data about its structure and basic characteristics. This was the primary objective of the project considering that even misdemeanor judges do not have a clear picture about the scope of violence, and are only familiar with the gravity of violence, and also considering that the public is mainly unaware that acts involving an element of domestic violence can be brought before misdemeanor bodies, and particularly considering the lack of information about the incidence of such situations. (A comparatively small number of people are familiar with the fact that the above misdemeanors have been classified as punishable offences ranging in terms of their severity to criminal offences, and that sometimes they overlap, with the only distinction between them being less severe consequences or a lower degree of social threat. As evident from this survey, however, misdemeanor proceedings provide indirect protection to victims of violence much more often than this is done by any other authority. Also, considering that A GENERAL PHENOMENON WITH FAR REACHING CONSEQUENCES is concerned, the criterion of social threat has been viewed in relative terms and, as a result, the role of misdemeanor bodies is extremely important). In addition to the above objective, another reason for carrying out this survey was to try, at least in an indirect manner, to obtain data or indications about the actual presence of domestic violence, in other words, data about the cases where it remains hidden. This objective has not been accomplished because there was no meritorious initial indicator, as a result of which the survey remained within the sphere of arbitrariness, i.e. guesses. Finally, the idea was to use this survey to identify all the areas requiring changes in the legal and practical approach to the problem and the character of such changes. This secondary objective of the project has been accomplished. Several months of work

yielded certain results which were more or less reliable.\* In order to be able to understand them, first of all it is necessary to explain the basis of the survey, how it was conducted, as well as to provide an explanation to the public about certain incomprehensible and unfamiliar facts, concepts and contradictions.

## I

### GENERAL REMARKS

1. The survey covered the **cases which had been completed in a legally binding, manner having been received by misdemeanor bodies in 2003.** This is due to the fact that it was difficult or impossible to obtain cases from the previous period, considering the deadlines for keeping the files and the unequal practical possibilities of the authorities in that respect. On the other hand, it is a fact that proceedings which were initiated in 2003 had been completed in the majority of cases by the time the survey commenced;
2. The survey focused exclusively on **cases where a certain person (or persons) was identified as responsible for violence committed against members of his/her family.** This means that the survey did not include cases where proceedings had been discontinued on different grounds (the defendant was inaccessible, the proceedings were subject to statute bar, the person was punished within the framework of criminal procedure and the like), or where proceedings had not been finalized at all (pending evidencing procedure; due to an appeal having been filed, etc), where it was certain, however, that some kind of violence had been committed. This data is significant for understanding substantial deviations between the number of reports (demands) filed by police and the number of cases that underwent proceedings and were resolved;
3. **Domestic violence does not exist as a separately defined and legally specified offence** (as is the case in, for instance, the Criminal Law of the Republic of Serbia). However, the Law on Public peace and order specifies that shouting, quarrelling, threats, insults, provoking fights, taking part in a fight, abuse of another person, impertinent, reckless and indecent behavior (by any person) are misdemeanors (Art. 6 Para. 1,2,3, Art. 12 Para. 1), however, provided that these acts or act
  - a) has disrupted public peace and order, or
  - b) has jeopardized public security and/or calm. Therefore the

object of protection is primarily public peace and order, as a “harmonized state of mutual relations among the citizens ensuing from their demeanor in a public place... with the purpose of exercising their rights to personal safety and safety of their property, peace and calm, private life, freedom of movement, preservation of public moral and human dignity, and the right of minors to protection”. If any of the acts under the articles above has been perpetrated, however, there is no element of publicity involved in it, it does not constitute misdemeanor. This means that, in order for **domestic violence** (the term is not directly related to the criminal offence bearing the same name, even though it closely corresponds to the content of the latter, and it is general and used in this survey actually

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\* The survey has been produced by Slavica Brkic, Judge at the Belgrade Municipal Misdemeanor Court.

to “cover” different illegal demeanors) to exist as a **misdemeanor committed by shouting, insulting, physical assault, abuse, quarreling and the like** (a single act is sufficient), **it has to be directed at one of the members of the family while at the same time being perceived by the environment where such behavior is taking place.** In a situation where it is impossible to protect the victim otherwise and where violence is obvious and where failing to punish the perpetrator would be unjust, to say the least, misdemeanor bodies have “shifted” the object of protection towards the victim him/herself, while the element of publicity – even though it is necessary – has become auxiliary. Therefore, the survey did not include cases of undisputed violence where public was not upset at least to a slight degree;

4. Considering that the survey dealt with domestic violence after its becoming the subject of misdemeanor proceedings, **indicators had to be adjusted only to the data required by the law and those that can be obtained from the defendants and witnesses**, as a result of which, it does not meet the criterion of comprehensiveness in terms of its contents (for instance, there is no data on residential circumstances, the causes and the duration of violence, the place of dwelling – village-town, etc) and comparative analyses could not be made on the basis of this survey, i.e. identifying the mutual relationships among the indicators and their eventual mutual impacts (e.g. whether intoxication of the perpetrators was more often the case where persons with lower degree of educational qualifications were concerned or those with a higher degree of educational qualifications, whether physical violence was manifested more frequently by older categories of persons convicted or by younger ones, whether women were victims more frequently if they were unemployed or not, etc). This is actually the basic shortcoming of the survey – limited and rather simplified and/or narrow approach to the problem, dictated by objective reasons;
5. In technical terms, the survey was initially carried out by analyzing the cases processed by first instance bodies (in accordance with the specified indicators about the perpetrators, the victims and the percentages), after which the results obtained were summed up on the basis of the principle of territorial coverage by misdemeanor panels, finally producing a uniform statistical survey for the area of the Republic as a whole.

#### SPECIAL REMARKS

The survey provided a series of objective data, however, also a significant number of pieces of information which, albeit indisputable, are incomplete. This fact has to be borne in mind particularly in the case of substantial discrepancies within the framework of the indicators about a perpetrator and his/her victim, as well as within the perpetrator-victim relationship. **The parameters which can be identified as accurate are certainly: the number of perpetrators, their sex and age, as well as the sanction pronounced**, while all the other indicators, with regard to both victims and perpetrators, correspond to those registered in the cases, however they are evidently incomplete. The reasons are the following:

- a) In the case of perpetrators, the parameters relating to the degree of educational qualifications, the condition the person was in at the time of committing the misdemeanor, ethnic affiliation and employment status, do not correspond numerically either one with the other or with the number of defendants and/or persons sentenced, because a multitude of cases included no data of this kind. This is due to failures in the work of the bodies themselves and partly also to the fact that perpetrators of misdemeanors deny information or (deliberately) provide false information, e.g. information about their employment, mental state and the like. The survey was conducted only on the basis of the lists of indicators identified, while percentages were determined on the basis of the figures obtained in this manner, and not on the basis of the total number of perpetrators (e.g. the number of persons sentenced was 500, data about the degree of educational qualifications were available for 400 of them, the percentage of persons with university level qualifications was established in relation to the 400 perpetrators and not the number of 500. The same method was applied to all the parameters except those designated as complete – number of perpetrators, sex, age, sanction, where the share percentage-wise was established in relation to the actual number of persons sentenced). This was the only possible approach because any other methodology would have led to substantial arbitrariness;
- b) As regards victims, the number of persons who were exposed to violence corresponds to the data listed in the requests for initiating proceedings, excluding indirect victims – persons in relation to whom violence was not perpetrated directly but who were present during its perpetration. The number of these has been stated in approximate terms in the parameter “relationship towards the perpetrator”. However, parameters: age, degree of educational qualifications, employment status, ethnic affiliation, type of violence and the fact whether it was recurrent, absolutely do not correspond to the actual number of persons who were direct victim of violence nor do they correspond mutually. The reason for this is that victims often did not take part in the proceedings (situations such as those where the defendant fully admits to having committed the act) or, where victims are heard with personal data being collected in a very superficial and incomplete manner, and in a lesser scope than prescribed for witnesses – injured parties by the Law on Misdemeanors. Hence, the whole set of information about the victims, except for their number, was obtained exclusively from the transcript of the hearing, just like in the case of perpetrators, and even then with a lot of difficulty because of the failures in the work of misdemeanor bodies. The same explanation like the one regarding perpetrators, applies to establishing the percentages relating to all the parameters (the principle of determining on the basis of the ultimate number known and/or obtained within the framework of the individual parameters, rather than on the basis of the total number of victims, e.g. the number of victims was 600, and employment data was available for about 200 of them, the percentage of persons employed was established in relation to the 200, or for instance, information about ethnic affiliation was provided for 300 victims, the percentage of persons of Serbian nationality was determined in relation to the 300, and not in relation to the 600, etc). The only manifestly uncertain indicator was whether the violence concerned was recurrent or not, because in a multitude of cases it was not possible to establish this, as a result of which both “no” and “no data” replies were provided for this indicator.

- c) As regards the perpetrator-victim relationship and the victim-perpetrator relationship, the information obtained was precise and in terms of its completeness it was second in the hierarchy of significance. The number denoting direct victims underwent statistical processing. These victims were more numerous than perpetrators because, very often, one same person abuses directly his wife at the same time as his child. This can be noticed within the framework of the parameter “perpetrator” and “relationship towards the victim”. However, the number of victims should be larger than the one officially stated in the pronouncements of the awards considering that family members are most often present during acts of violence and are exposed to violence indirectly. This data could not be obtained and this fact, given the already mentioned shortcomings, certainly diminishes the value of this survey;
- d) Finally, the concept “husband” and “wife” include both marital community and domestic union both in the report about perpetrators and in the report about victims. The concept “relative” implies all the forms of kinship and in-laws in accordance with the statutory definition (most often this refers to the relationships father-in-law – daughter-in-law, mother-in-law - daughter-in-law, cousins on the uncle’s side, and the like). The parameter “boyfriend-girlfriend” was researched as the initial form of potential future violence within the community even though this relationship cannot be treated as a family relationship. The concept “in an intoxicated state” includes also the effect of hallucinogenic drugs, while the concept “unemployed” refers to all persons who are not employed, including farmers and pensioners. The concept “mental violence” includes all forms of verbal and emotional violence – insults (calling one derogatory names, curses, humiliation, disparagement), quarrel, shouting, threats, intimidation, restriction of movement etc, while “physical violence” includes pushing, hitting, slapping, scratching, kicking, pulling by the hair, fight, strangulation and the like). Sexual violence, as a special form of violence was not researched because it could not be encountered in misdemeanor proceedings as a separate misdemeanor, or, if even there were such cases, they remained hidden within the framework of physical and/or emotional violence.

## II

### RESULTS OF THE SURVEY

#### A. RESULTS FOR THE AREAS OF THE REGION (PANELS)

##### 1. The area of the Belgrade Misdemeanor Panel

Total number of cases in the field of public peace and order: 10,695.

Total number of cases with elements of domestic violence: 1,041 (9.73%).

##### Perpetrators:

Total number 1,105, 978 males, 127 females, 12 minors. This number of perpetrators had 1,147 victims.

#### Victims:

Data available for 1,032 persons in total, 605 of whom are women (excluding the parameters boyfriend-girlfriend and relatives), and 35 minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounting for 75.27%.

The fewest number of cases of violence was registered in the territory of the municipality of Barajevo, and the largest in the municipality of Mladenovac.

A more detailed overview of the number of misdemeanors with elements of domestic violence, including perpetrators and victims is presented in tables 1a, 1b and 1c.

#### The area of the city of Belgrade (suburban municipalities excluded)

Total number of cases in the field of public peace and order: 8,820.

Total number of cases of domestic violence: 590 (6.69%)

#### Perpetrators:

Total number: 631, 547 males, 84 females, 10 minors.

#### Victims:

Data available for 548 persons in total, 352 of whom are females (excluding the parameters relatives and boyfriend-girlfriend), 28 are minors (direct violence), the most vulnerable categories in terms of age were those above 50, and physical violence accounted for 76.86%.

### 2. The area of the Valjevo Misdemeanor Panel

Total number of cases in the field of public peace and order: 4,916.

Total number of cases with elements of domestic violence: 876 (17.82%).

The municipality of Ljig had no violence registered within the framework of misdemeanor proceedings; violence had the smallest incidence in the area of Ljubovija, and the largest in the municipality of Vladimirici.

#### Perpetrators:

Total number 882, 801 males, 81 females, 8 minors. This number of perpetrators had 881 victims.

#### Victims:

Data available for 861 persons in total, 412 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 14 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounts for 64.71%.

An overview is provided in Tables 2 (a, b and c).

### 3. The area of the Zajecar Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,495.

Total number of cases with elements of domestic violence: 161 (6.45%).

The municipality of Sokobanja had no violence registered within the framework of misdemeanor proceedings, violence being the least present in Boljevac, and the most frequent in Negotin.

Perpetrators:

Total number 173, 156 males, 17 females, no minors. This number of perpetrators had 178 victims.

Victims:

Data available for 178 persons in total, 146 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 2 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounted for 71.43% accounting.

The table showing the cases of violence, perpetrators and victims is designated as 3 (a, b, c).

4. The area of the Kragujevac Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,774.

Total number of cases with elements of domestic violence: 385 (13.88%, excluding the area of the Cuprija misdemeanor authority which failed to implement the survey). Violence was the least present in the area of Knic, while being the most widespread in the territory of Kragujevac.

Perpetrators:

Total number 438, 391 males, 47 females, 4 minors. According to the indicator "relationship towards the victim", violence was committed against 458 persons.

Victims:

Data available for 448 persons in total, 211 of whom are female victims (excluding the parameters boyfriend-girlfriend and relatives), 24 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, 62.35% accounting for physical violence.

The table providing an overview of violence, perpetrator, victim, is presented under No. 4 (a, b and c).

5. The area of the Kraljevo Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,172.

Total number of cases with elements of domestic violence: 117 (5.38%, municipalities of Brus, Varvarin, Kraljevo, Trstenik, Tutin, Cicevac and Cacak had no cases of domestic violence recorded, while the Sjenica misdemeanor authority failed to produce any reports). The lowest rate in violence was registered in the municipality of Aleksandrovac, and the highest in Gornji Milanovac.

Perpetrators:

Total number 136, 131 males, 5 females, 3 minors. The perpetrators (the convicted) perpetrated violence against 128 persons.

Victims:

Data available for 129 persons in total, 56 of whom are women – excluding the parameters boyfriend-girlfriend and relatives, 3 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounted for 82.86%.

This table is designated as No. 5 (a, b and c).

6. The area of the Leskovac Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,017.

Total number of cases with elements of domestic violence: 166 or 8.23% for the part of the region where violence occurred, considering that the municipalities of Vladicin Han, Trgoviste and Bosilegrad did not have any cases registered. The lowest percentage of violence was in Surdulica and the highest in Medvedja.

Perpetrators:

Total number of persons convicted: 177, of whom 160 males, 17 females, 9 minors. Violence was committed against 176 victims.

Victims:

Data available for 181 persons in total, 82 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 14 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounted for 86.86%.

More detailed information about violence, perpetrators and victims are presented in Table 6 (a, b and c).

7. The area of the Nis Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,962.

Total number of cases with elements of domestic violence: 563 or 19.00%.

The municipalities of Dimitrovgrad, Bela Palanka, Babusnica, Kursunlija and Gadzin Han had no cases of violence registered. Violence was the least present in the municipality of Pirot, while being the most frequent in Doljevac.

Perpetrators:

Total number 594, of whom 522 males, 72 females, 5 minors. The persons convicted had 594 victims.

Victims:

Data available for 594 persons in total, 289 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 15 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounted for 82.95%.

An overview is provided in Tables 7 (a, b and c).

#### 8. The area of the Novi Sad Misdemeanor Panel

Total number of cases in the field of public peace and order: 14,267.

Total number of cases with elements of domestic violence: 1,650 (11.56%).

The municipality of Temerin had the largest number of cases of violence (52.56%). Violence is the least present in the area of Irig (1.26% - excluding the 9 municipalities that registered no violence).

##### Perpetrators:

Total number 1,671, of whom 1,507 males, 164 females, 17 minors. 1,769 persons were direct victims of violence according to the parameter "relationship towards the victim".

##### Victims:

Data available for 1,873 persons in total, 1,035 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 58 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounting for, 76.1%.

More detailed information about domestic violence, perpetrators and victims are presented in the Tables 8a, 8b and 8c.

#### 9. The area of the Smederevo Misdemeanor Panel

Total number of cases in the field of public peace and order: 3,120.

Total number of cases with elements of domestic violence: 486 (15.58%).

The municipality of Veliko Gradiste had the highest incidence of violence, and the one with the fewest number of cases registered was Zagubica.

##### Perpetrators:

Total number 573, of whom 490 males, 83 females, 3 minors. The convicted had 573 victims according to the parameter "relationship towards the victim".

##### Victims:

Data available for 507 persons in total, 373 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 17 are minor victims (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50. Physical violence accounted for 86.17% of cases.

An overview is provided in Table 9 (a, b and c).

#### 10. The area of the Uzice Misdemeanor Panel

Total number of cases in the field of public peace and order: 2,638.

Total number of cases with elements of domestic violence: 603 (22.85%).  
The municipality of Prijepolje had the highest incidence of violence, and the municipality of Cajetina the lowest.

Perpetrators:

Total number 655, of whom 579 males, 76 females, 13 minors. The convicted persons committed violence against 687 persons according to the parameter “relationship towards the victim”.

Victims:

Data was available for 620 persons in total, 304 of whom are females (excluding the parameters boyfriend-girlfriend and relatives), 18 are minors (direct violence), the most vulnerable categories in terms of age were persons aged between 30 and 50, physical violence accounted for 77.07%.

Tables presenting data about the number of cases, the persons convicted and the victims are under 10a, 10b and 10c.

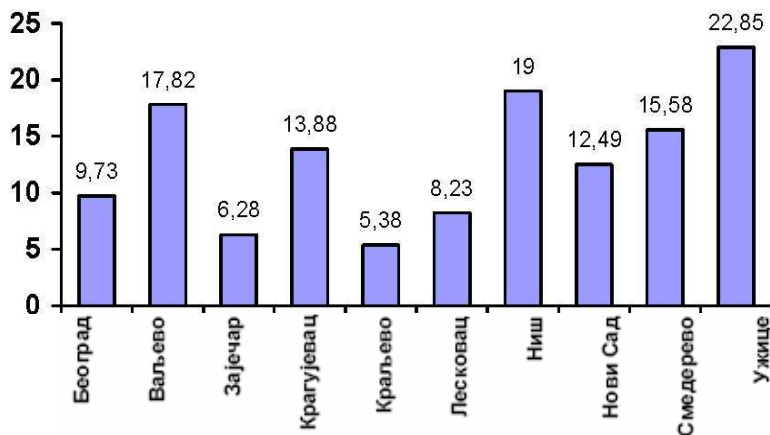
## **B. RESULTS FOR THE AREA OF THE REPUBLIC OF SERBIA**

In 2003, first instance authorities in the Republic of Serbia received 1,132,173 requests for initiating misdemeanor proceedings, of which 48,056 refer to the field of public peace and order involving violence at the level of first instance, (the actual number of cases in the field of public peace and order is larger, somewhat above 50,000; this data is not precise because the survey was not conducted in the area of the municipalities of Cuprija and Sjenica, for unknown reasons, and some bodies failed to submit the number of cases involving public peace and order that they were processing, the reason being that there were no cases of violence). Within the framework of the 48,056 cases, 6,048 were finalized with legally binding awards (12.58%) and they related to misdemeanors with elements of domestic violence. 6,404 perpetrators convicted, and the number of victims was 6,583. According to the statistical data for 2003, 6,506,505 persons in Serbia had voting rights, meaning that every 1016<sup>th</sup> and adult citizen appeared in a misdemeanor case as the perpetrator of an act involving elements of domestic violence, while every 988<sup>th</sup> adult citizen was a victim. In relation to the total number of cases in misdemeanor proceedings, there were 0.53% of those with an element of domestic violence in the territory of Serbia as a whole, and if these cases were to be uniformly distributed to all the municipalities where no cases of violence were registered, the percentage in relation to the cases of public peace and order would be 14.69%.

There were several municipalities (26) where violence was not registered or was not reported to the state bodies or where requests for initiating proceedings were not filed, or even if this had been done, the cases were not finalized with a legally binding sentence (this accounts for a very small number, indeed) by the time of the commencement of this survey. The municipalities concerned are Vladicin Han, Trgoviste, Bosilegrad, Dimitrovgrad, Babusnica, Bela Palanka, Kursumlija, Gadzin Han (the area of the Nis Misdemeanor Panel), Ljig (the Valjevo Panel), Sokobanja (the Zajecar Panel), Brus, Varvarin, Kraljevo, Trstenik, Tutin, Cicevac, Cacak (the area of the Kraljevo Misdemeanor Panel), Ada, Alibunar, Mali Idjos, Bela Crkva, Novi Knezevac, Opovo, Plandiste, Pecinci, Srbobran (the Novi Sad Misdemeanor Panel). It is interesting to note that in the area of Kraljevo and other municipalities belonging to that region, the

percentage of domestic violence was mutually even, and it was much lower compared to the municipalities in other regions, while it is rather unusual that comparatively large urban environments such as Kraljevo and Cacak had no cases of violence in the sense presented above. The same applies to several municipalities in Vojvodina, where the greatest deviation has been noted in the number of cases. A low degree of domestic violence in relation to the cases of public peace and order was recorded in the municipalities of Majdanpek, Aleksandrovac, Novi Pazar, Bujanovac, Surdulica, Vlasotince, Pirot, Beocin, Irig, Senta (up to 3%). At the same time, violence was the most widespread in the municipalities of Mladenovac (92%), Temerin (52.56%), Prijepolje (43%), Medvedja (42%), Stara Pazova (34.85%), Kovin (34.67%), while it did not exceed the level of 30% of the number used as the basis for the comparison in all the other municipalities. Compared to the field of public peace and order and to the total number of cases received, the region covered by the Uzice Misdemeanor Panel had the largest number of cases involving one of the forms of domestic violence, at the same time as having the most uniform incidence of violence. In relation to all the cases, the area of the Valjevo Misdemeanor Panel was the only other one where the incidence of violence was in the level of above 1%. However, if the percentages obtained according to regions were distributed to the first instance bodies within the framework of such regions, the highest average incidence of violence according to municipalities would be found in Belgrade (29.80%), and the lowest in Zajecar (5.90%).

The order of the regions in terms of the presence of violence according to the number of cases of domestic violence is as follows: Kraljevo (5.38%), Zajecar (6.28%), Leskovac (8.23%), Belgrade (9.73%), Novi Sad (12.49%), Kragujevac (13.88%), Smederevo (15.58%), Valjevo (17.82%), Nis (19.00%), Uzice (22.85%).



Belgrade, Valjevo, Zajecar, Kragujevac, Kraljevo, Leskovac, Nis, Novi Sad, Smederevo, Uzice

#### Perpetrators:

Total number: 6,404, of whom 5,715 males, 689 females, 74 minors. Violence according to the parameter “relationship towards the victim” was committed against 6,503 persons.

#### Victims:

Data was available for 5,605 persons, of whom 3,333 were females or 64.34% excluding the indicators “relatives” and “boyfriend-girlfriend”, 1,847 i.e. 35.66% were males. The number of direct minor victims was 200. Physical violence was committed in 75.05% of all the cases, and in 23.56% of the cases there were uncontested data that violence had been repeated.

Detailed data about the percentages of domestic violence, perpetrators and victims are presented in Tables A, B and C.

### **C. RESULTS ACCORDING TO PARAMETERS**

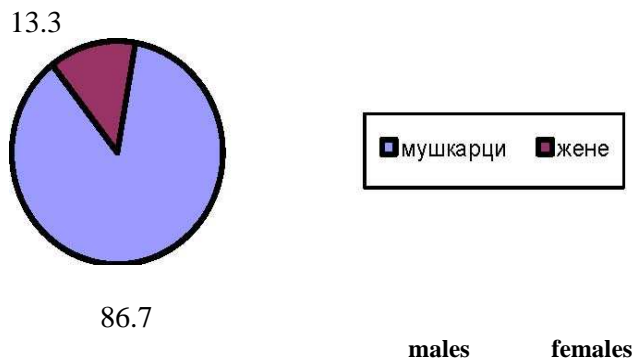
#### **1. THE CITY OF BELGRADE, PROPER**

The survey cannot be considered as representative in the sense that it reflects the presence of violence in the manner and in the measure in which it appears in the territory of the whole Republic of Serbia because, compared to other regions, it least reflects the actual presence of this phenomenon. The reason is in the obvious and objective inability to carry out the procedure in relation to all the persons who are the subject of legal proceedings. The survey is therefore presented because it refers to the capital as an ethnically mixed and urban environment for which there is data about the action taken by police, and as a result certain comparisons can be made as well as conclusions drawn about the failures made in the practical resolution of the problem of domestic violence and/or its prevention (and who is responsible for such failures).

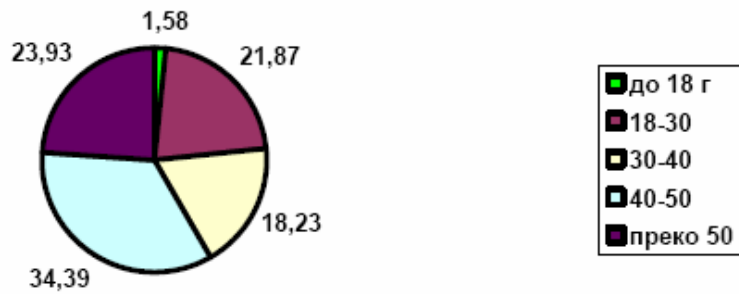
#### **A) PERPETRATOR:**

Total number: 631 persons.

- a) Sex: legally binding sentences were pronounced against 547 males or 86,7%, and 84 females or 13.3%.

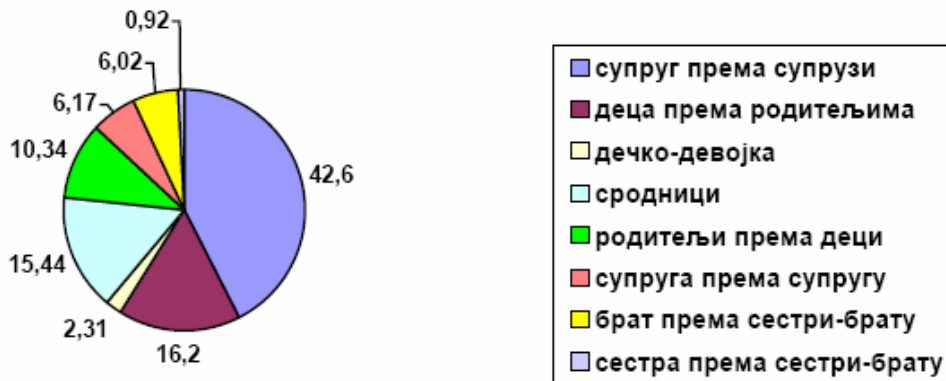


- b) According to age, the leading category of perpetrators were those aged between 40 and 50 (34.38%, that is somewhat above one third), minors were the least numerous, and among adult persons, the category of perpetrators aged between 30 and 40 was least involved in domestic violence.



aged up to 18  
 18-30  
 30-40  
 40-50  
 above 50

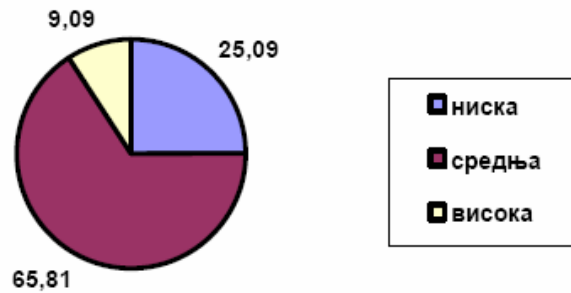
c) Relationship towards the victim: excluding the categories “relatives” and “boyfriend-girlfriend”, domestic violence was committed by 471 males and 62 females. Among these cases, the most frequent type of violence was that perpetrated by husbands in relation to their wives (marital community, domestic union, and former marital community and former domestic union) – this violence representing 42.60% in relation to the total number of the persons convicted, followed by violence committed by children against their parents i.e. 16.20% (of which 90.47% accounts for violence committed by sons against their fathers and mothers, while 9.53% accounts for violence committed by daughters). The third in the order of incidence is violence among relatives – 15.44%, and the fourth is violence committed by parents in relation to children, directly, accounting for 10.34% (of which 91.04% accounts for fathers committing violence in relation to their children and 8.96% for mothers). Brothers committed violence in relation to their brothers or sisters in 6.17% of the cases, while it was present in 2.31% of cases involving the boyfriend-girlfriend relationship, and finally sisters committed violence against their brothers or sisters in 0.95% of the cases.



-husband in relation to wife  
 - children in relation to parents

- boyfriend-girlfriend
- relatives
- parents in relation to children
- wife in relation to husband
- brother in relation to sister-brother
- sister in relation to sister-brother

d) Degree of educational qualifications: the majority of persons (those for whom data was available) had secondary school qualifications, followed by those with elementary school qualifications, and finally those with university qualifications.



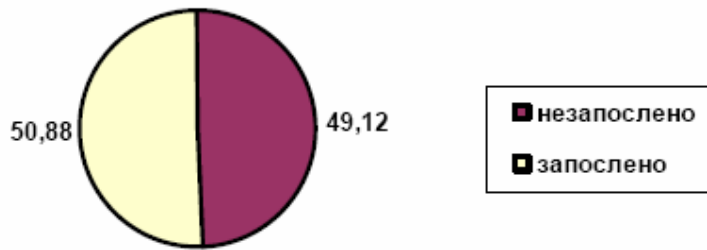
- elementary school qualifications
- secondary school qualifications
- university qualifications

e) The condition the person was in: during the perpetration of the misdemeanors, 226 persons were intoxicated or 36.68% (in accordance with the data registered in the transcript filed with the documents of the case). This result has to be taken with reserve because judges frequently fail to go into the details of this circumstance because responsibility exists even if a person was intoxicated while committing an act, and also because of the circumstance that perpetrators tend to deny intoxication as the eventual cause of the event or reduce it down to an insignificant degree (in reality, the number of perpetrators of misdemeanors who were intoxicated must have been substantially larger than the one identified). It is interesting to note that the Municipal Misdemeanor Judge did not pronounce a single measure of protection instructing treatment of alcoholics and drug addicts in the part of his activities relating to sanctions involved in his cases in 2003 (in the year before and in the following year he did have such cases).



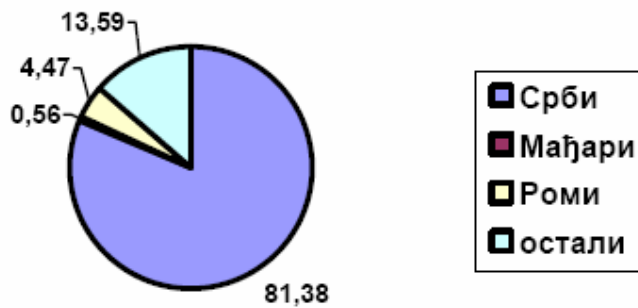
- in an intoxicated state  
 - not in an intoxicated state

f) Employment status: the data is based exclusively on what the defendants personally stated about their employment status, and the lack of information in this parameter is due to the failure in the functioning of the misdemeanor bodies.



- unemployed  
 - employed

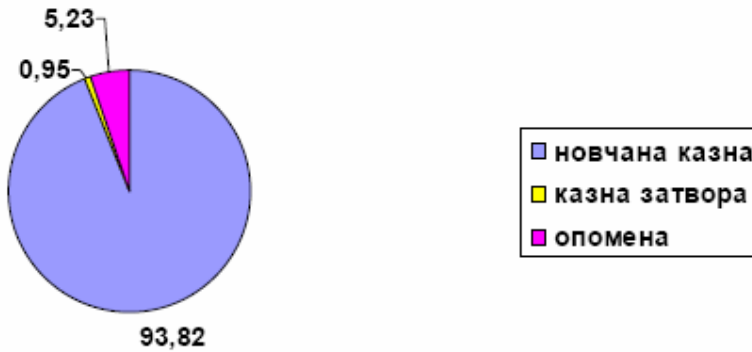
g) Ethnic affiliation: in terms of the ethnic structure, of 537 persons - those with Serbian nationality account for 81.38%, and all the others for 18.62%.



- Serbs  
 - Hungarians  
 - Roma

- others

- h) Sanctions: 641 sanctions were pronounced in altogether 590 cases, with prison sentences accounting for only 0.95%, warnings for 5.23%, while the rest are fines.

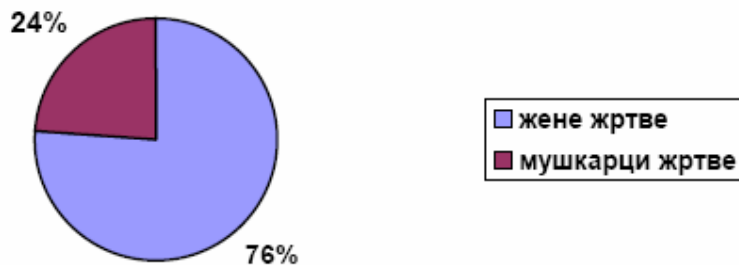


- fine  
- prison sentence  
- warning

- B) VICTIMS – according to the data available

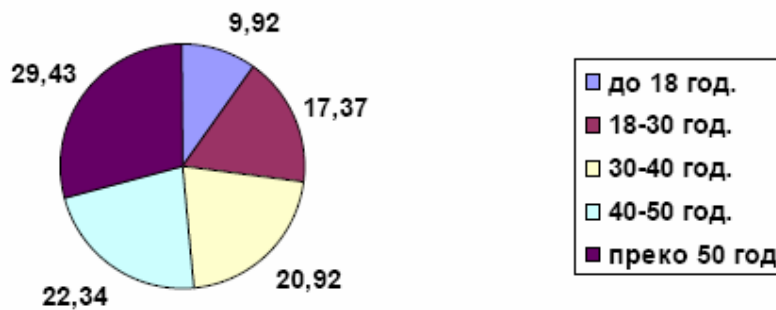
Total number: 548.

- a) Sex: excluding the indicators “relatives” and “boyfriend-girlfriend”, 352 victims were females, and 110 were males. If the number of victims obtained in this manner is compared to the number of perpetrators, the conclusion is that the extremely high percentage of convicted males (86.7%) had 76.19% of female victims and 23.81% of male victims, in other words, male violence was not directed exclusively against the female population.



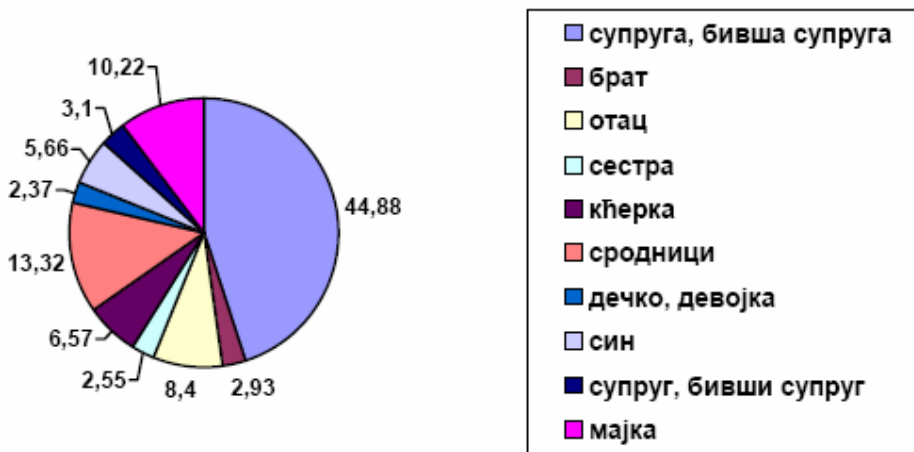
- female victims  
- male victims

- b) Age: of the 282 persons with regard to whom data was available, minors were the least exposed to direct violence, while persons aged above 50 were the most frequent victims. What can be concluded without any doubt is that violence increases percentage-wise with the victims' age.



aged up to 18  
 18-30  
 30-40  
 40-50  
 above 50

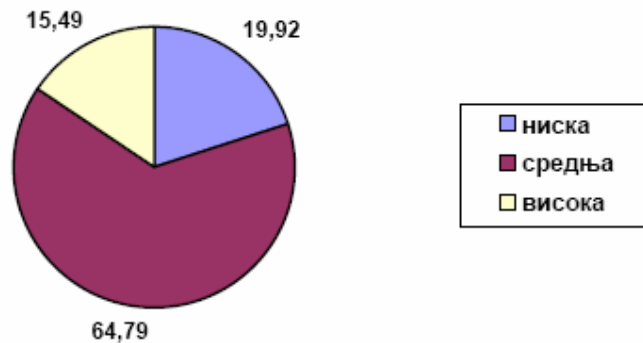
c) Relationship towards the perpetrator: data was available for 548 persons. The most explicit cases of violence were those directed against the wife or ex-wife (44.71%), while it was the least present in the relationship “boyfriend-girlfriend”.



- wife, ex-wife  
 - brother  
 - father  
 - sister  
 - daughter  
 - relatives  
 - boyfriend, girlfriend  
 - son  
 - husband, ex-husband  
 - mother

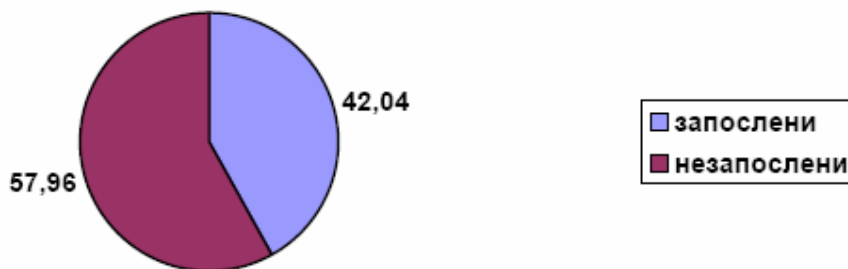
d) Degree of educational qualifications: data about the degree of educational qualifications was identified only with regard to 71 victims, and so, this indicator

is not reliable, however in terms of its structure i.e. percentage of violence, it is close to the perpetrators' degree of educational qualifications. The majority of the victims had secondary school qualifications.



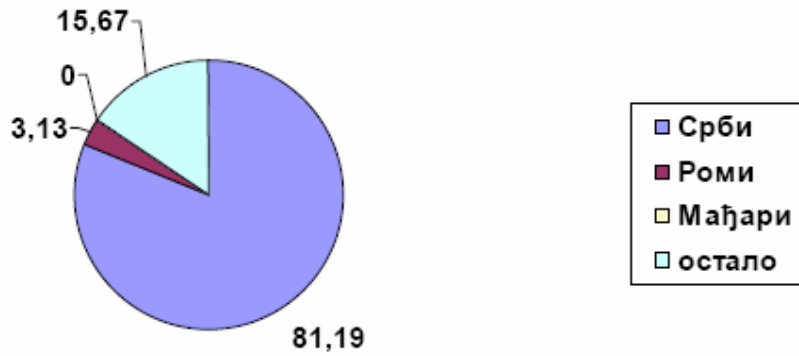
**elementary school qualifications**  
**secondary school qualifications**  
**university qualifications**

- e) Employment status: information was available for 157 victims. Due to the number being so small, it is impossible to draw a parallel with the data about the employment or unemployment of the perpetrators, however, if the structure of the information about the victims according to this indicator was applied to all the persons who have suffered violence, the conclusion could be that there is no proportion between the employment and unemployment of the victims.



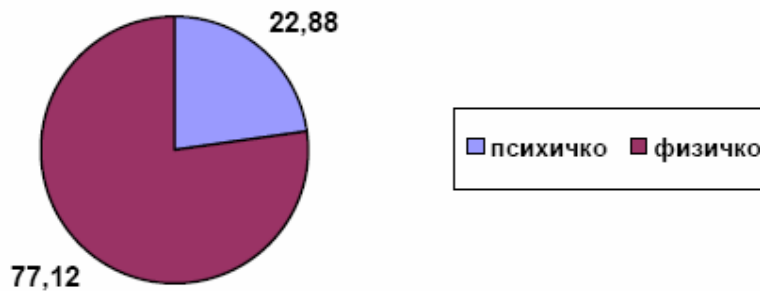
**employed**  
**unemployed**

- f) Ethnic affiliation: on the basis of the records it was possible to identify data according to this parameter for 319 persons, while the category "other" includes persons with foreign and/or dual citizenships.



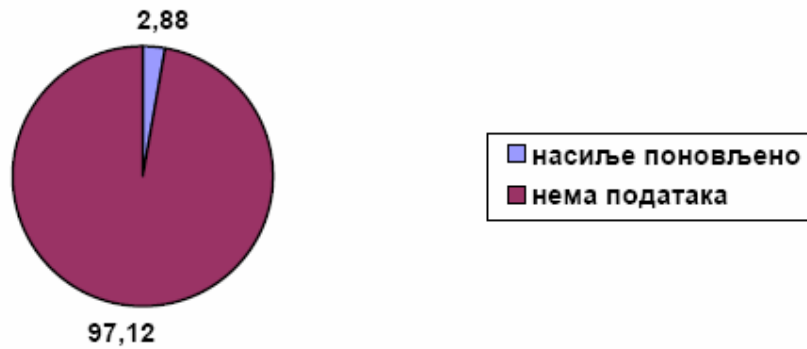
- Serbs
- Hungarians
- Roma
- others

g) Type of violence: in the 590 cases analyzed, mental violence occurred in 135 cases, while mental and physical violence combined occurred in 455 situations.



mental                      physical

h) The parameter showing whether violence is of a recurrent type or not, is unreliable. In only 17 cases there was clear information about this being the case, while the negative response also includes cases where this could not be ascertained (the victim had not been heard, there were no statements issued, no report on sentencing had been submitted, and even if this had been done, it cannot be ascertained whether the case involved domestic violence).



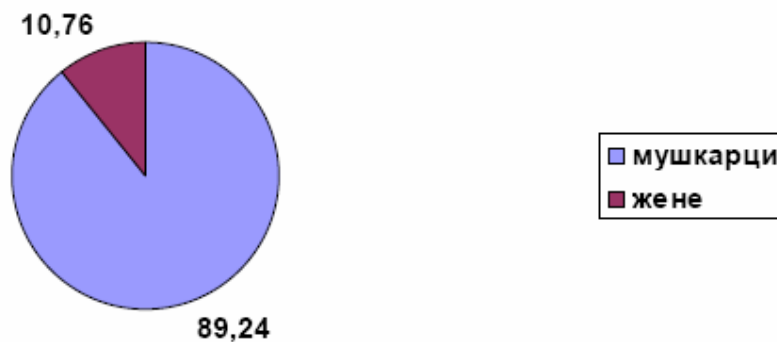
- recurrent violence  
- no data

## 2. THE REPUBLIC OF SERBIA

### A) PERPETRATOR

#### Sex

Among the 6.048 cases analyzed, there were 6,404 perpetrators (convicted), of whom 5,715 males and 689 females. Therefore, violence was committed primarily by men, and in the majority of cases against females, however also against their fathers, sons, brothers and male relatives. Men appear as perpetrators as many as 8.5 times more than women (there were 11 women and 89 men per 100 perpetrators). The only more significant deviation was recorded in the area of the Kraljevo Misdemeanor Panel (men committed violence 26 times more than women) while this proportion in the region of Smederevo is slightly below the average (6:1).

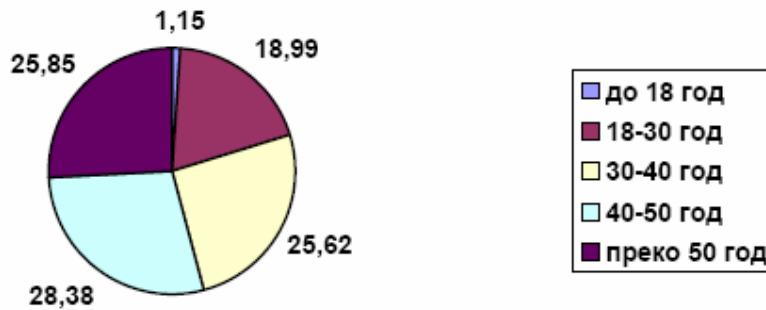


- men  
- women

#### Age

Of the 11 (10) regions, in 3 of them (Valjevo, Kraljevo, Smederevo) violence was resorted to most frequently by persons aged above 50, in the area of Belgrade, Zajecar, Uzice and Kragujevac violence was more pronounced in the age group from 40 to 50, in

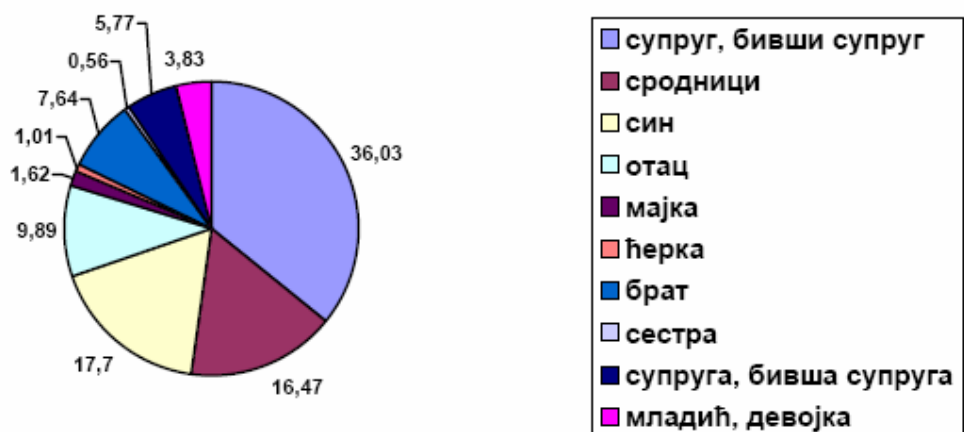
the region of Leskovac the majority of the perpetrators were aged between 18 and 30, and in the case of the area of the Nis and Novi Sad Misdemeanor Panels the most conspicuous category was the one aged between 30 and 40. Minors appeared as perpetrators in the fewest number of cases in Serbia as a whole, their number being 74, of whom the areas of Novi Sad and Uzice had a more significant number of cases, the region of Kraljevo a moderate number, while no minors were registered as perpetrators in the region of Zajecar. In the whole territory of the Republic, except for Leskovac and Belgrade, persons aged between 18 and 30 are ranked as the penultimate category on the list, following minors. Therefore the conclusion is that violence is proportionate to the age structure, i.e. that it grows with age. On average, the age of the persons convicted was between 40 and 50.



aged up to 18  
 18-30  
 30-40  
 40-50  
 above 50

Relationship towards the victim

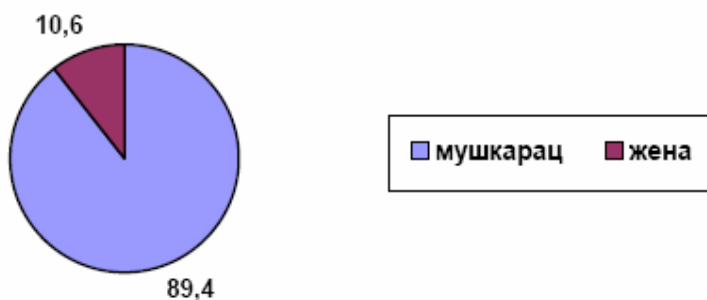
6,583 persons were registered on the basis of this parameter, which does not mean that this was the actual number of perpetrators. In fact, information was obtained about 6,583 victims via 6,404 persons convicted, because one same person appeared or could appear as, for instance, the husband of the victim, as well as the father, or as the son and as the brother. Therefore, this was the source of one of the more reliable facts about the number of victims in the cases which were completed. Analyzed individually the parameters (husband, wife, ex-husband, ex-wife...) did not make it possible to establish the number of cases where one same perpetrator had a dual and even a triple characteristic (e.g. a husband physically attacks his wife, child and mother-in-law), however this shortcoming does not diminish the significance of the results obtained. As expected, violence was manifested predominantly by male partners in relation to the female partner (2,372), by children in relation to their parents (this was not expected, 1,232), relatives (1,084), parents in relation to their children (758), while violence committed by wives in relation to their current husbands or ex-husbands is ranked third before the last on the list (381).



- husband, ex-husband
- relatives
- son
- father
- mother
- daughter
- brother
- sister
- wife, ex-wife
- boyfriend, girlfriend

It is interesting to note, however, that violence among relatives was more frequent in the area of the Leskovac Misdemeanor Panel than any other form of violence individually. The same applies to Kraljevo, including certain mutual differences.

Within the framework of the current percentages, excluding the indicator boyfriend-girlfriend and relatives, violence was manifested in the following order; husband, son, father, brother, ex-husband, wife, mother, ex-wife, daughter, sister. Among these:

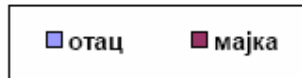
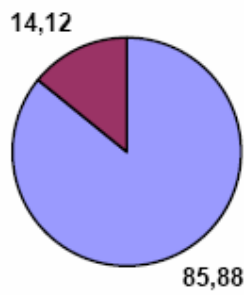


males

females



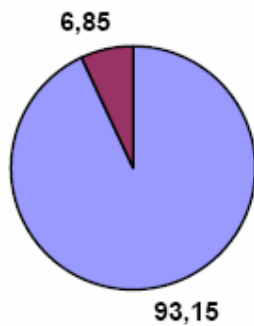
husband wife



father mother



son daughter



brother sister

According to the same indicator, victims suffered violence in the following order: wife, father, mother, son, ex-wife, brother, sister, daughter, husband, ex-husband.

Viewed on an individual basis, the most frequent violence in all the regions was violence between marital partners, perpetrated by the husband or ex-husband in relation to his wife or ex-wife. It was most frequent in the area of Zajecar (45.5%) and the least frequent in the region of Kraljevo (28.16%).

Violence committed by children in relation to their parents is the second on the list, with the exception of the region of Kraljevo (where it is fourth). Of all the cases, this violence was manifested by as many as 95% of sons and only by about 5% of daughters. It was the most frequent in the area of Nis (21.88%) followed by Belgrade, while it was the least present in the region of Kraljevo (11.54%). Within the framework of this group, Nis was the place where sons resorted to violence most often (20.37%), followed by Uzice and Belgrade, while the lowest incidence of this violence was registered in the territory covered by the Kraljevo Misdemeanor Panel (11.54%). Daughters were violent in larger urban environments – Nis (1.51%), Belgrade and Novi Sad, while the smallest number of convicted daughters was registered in the area of Smederevo. In the region of Kraljevo there were no daughters registered as perpetrators of violence.

In terms of the number of cases, violence among relatives is third on the list. It is the most conspicuous in the area covered by the Leskovac Misdemeanor Panel (27.53%), and the least present in the area of Novi Sad (12.88%).

Parents were violent in relation to their children in a slightly smaller number of cases (the violence at issue being direct violence), and this violence was fourth on the list in terms of the number of cases. An exception to this was the area of the Kraljevo Misdemeanor Panel (sixth). This violence was the most frequent in the region of Kragujevac (15.69%), while having the lowest incidence in Kraljevo (6.15%). However, in this case too, as a rule, fathers manifest violence more often than mothers. Thus, there were 14.38% of them in the territory covered by the Kragujevac Misdemeanor Panel, while the Leskovac region had the smallest percentage of violence (3.93%). Conversely, mothers were the most violent in the region of the Smederevo Misdemeanor Panel (2.94%) followed by Nis and Leskovac, while such misdemeanors were practically not registered at all in Vojvodina.

Violence by brother against brother, or brother against sister, is fifth in terms of incidence, however there are substantial differences among the regions. It is the most widespread in the area of the Kraljevo Misdemeanor Panel (17.70%), and the least present in the area covered by the Zajecar Misdemeanor Panel (4.50%).

Violence manifested by wives and ex-wives in relation to their current and/or ex-partners is sixth on the list of incidence, except for the Misdemeanor Panels of Vojvodina, Kraljevo, Nis and Smederevo (fifth). Greater incidence was registered in the area of Kraljevo (9.23%) and lesser in the area of Leskovac (2.80%).

The next i.e. seventh on the list of violence is the one appearing in the relationship: boyfriend-girlfriend. This does not apply to the region of Zajecar (fifth) and Kragujevac

(sixth). It is most frequent in the area of the Zajecar Misdemeanor Panel (7.81%), and the least frequent in the area of Belgrade (1.92%).

Finally, violence committed by sisters in relation to their brothers or sisters, is practically negligible in comparison to all the other cases – it is the last on the list in terms of the number of cases. It is the most infrequent in the region of Valjevo (0.22%), while being the most frequent in the Leskovac Misdemeanor Panel (1.68%). This is also the only area where the percentage of incidence exceeds 1.

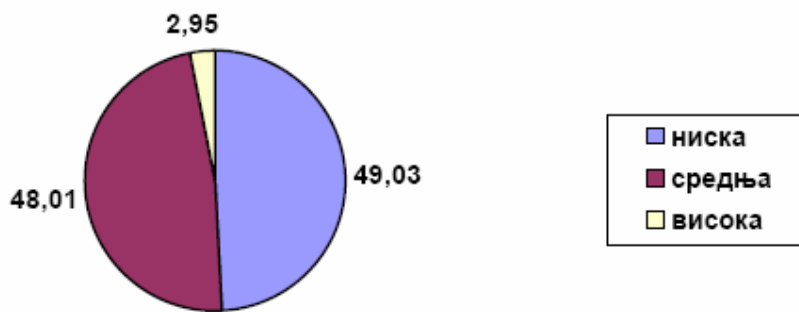
If all the regions were considered as having a more or less equal number of cases of domestic violence, and the existing percentages were proportionally translated to that number, we could note a certain regularity: violence among current and ex-marital partners and violence within the relationship boyfriend-girlfriend (partnership relations) were the most conspicuous in the area of Zajecar; at the same time, this was the area with the lowest degree of violence committed by children among themselves and even children in relation to their parents. The region of Kraljevo had the smallest number of cases of violence committed by children against their parents and parents against their children, however it had the largest number of cases of violence among children and, it is interesting to note that this also applies to wives in relation to their husbands. The greatest number of conflicts between relatives was registered in the area of Leskovac, and the fewest in the area of Nis. However, this is the area that registered the largest number of cases of violence committed by children against their parents. In terms of the territories covered by misdemeanor panels, some other characteristics have also been registered:

1. Belgrade:
  - lowest incidence of violence in the relationship boyfriend-girlfriend;
  - significant violence by children in relation to their parents (in terms of the number of cases, violence of the sons is third on the list, and of the daughters second).
2. Valjevo:
  - the smallest percentage of violence committed by sisters in relation to their sisters or brothers;
  - male perpetrators 10 times more frequent than female perpetrators;
  - perpetrators' age deviates from the average – persons aged above 50 predominate.
3. Zajecar;
  - no violence on the part of minors;
  - lowest incidence of violence among brothers;
  - lowest incidence of violence by children in relation to their parents;
  - highest incidence of violence in the relationship husband and wife, and
  - highest incidence of violence in the relationship boyfriend-girlfriend.
4. Kragujevac;
  - lowest incidence of violence on the part of minors;
  - highest incidence of violence committed by parents in relation to their children (also the most widespread violence by fathers).

5. Kraljevo:
  - lowest incidence of violence committed by children in relation to their parents (within the framework of this, violence by sons is the least frequent, and there were no cases of violence by daughters);
  - lowest incidence of violence of parents in relation to their children;
  - lowest incidence of violence of husbands in relation to wives;
  - insignificant number of cases of violence by minors;
  - highest incidence of violence among brothers;
  - highest incidence of violence by wives in relation to husbands;
  - significant violence among relatives (second on the list);
  - conspicuous violence of males compared to females (the ratio is 26:1 in favour of males);
  - perpetrators' age is mainly above 50.
  
6. Leskovac:
  - lowest incidence of violence committed by fathers;
  - lowest incidence of violence committed by wives in relation to husbands;
  - highest incidence of violence of minors;
  - highest incidence of violence of sisters;
  - highest incidence of violence among relatives;
  - perpetrators' age ranges mainly from 18 to 30.
  
7. Nis:
  - highest incidence of violence by children in relation to their parents (among these the largest percentage of violence by both sons and daughters);
  - significant violence by mothers (second on the list);
  
8. Novi Sad:
  - lowest incidence of violence among relatives;
  - lowest incidence of violence of mothers;
  
9. Smederevo:
  - highest incidence of violence of mothers;
  - perpetrators' age is mainly above 50;
  - the incidence of violence committed by males compared to the violence of females was lower, the ratio being 6:1.
  
10. Uzice:
  - significant violence on the part of sons (second on the list);
  - violence was the most uniformly distributed across the municipalities.

*Degree of educational qualifications*

Data about the degree of educational qualifications was available for 6,236 convicted persons. 3,058 of them had lower level educational qualifications, 2,994 had secondary school qualifications, and 184 university qualifications.

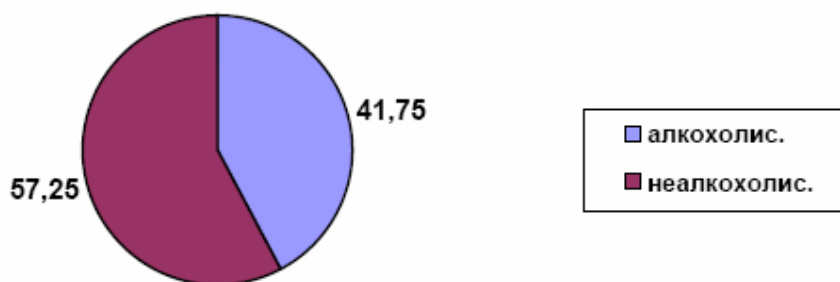


elementary school qualifications  
 secondary school qualifications  
 university qualifications

Perpetrators were mainly persons with elementary school qualifications (the greatest number of them in the area of Nis and Valjevo) while persons with secondary school qualifications were the most frequently convicted in the regions covered by the Misdemeanor Panels of Belgrade, Novi Sad and Uzice.

The condition the person was in

Data available for 6,156 persons. 2,570 perpetrators were intoxicated or drugged, and 3,586 convicted persons were not intoxicated. This data was quite unexpected, even though it should precisely reflect the condition specified in the case. A close relationship (half-half) was evident only in the territory of the Uzice Misdemeanor Panel.

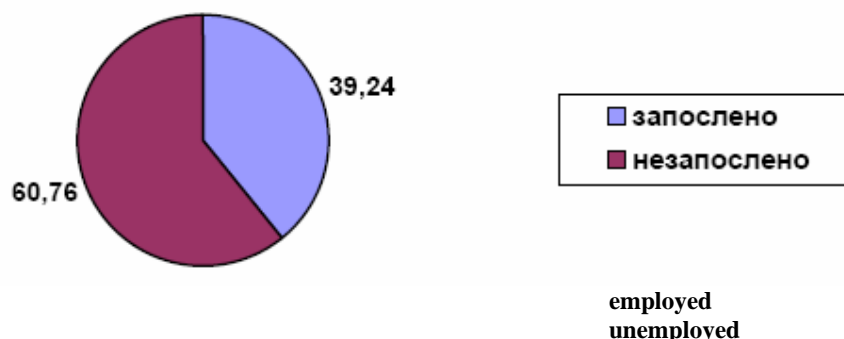


intoxicated  
 not intoxicated

Employment status

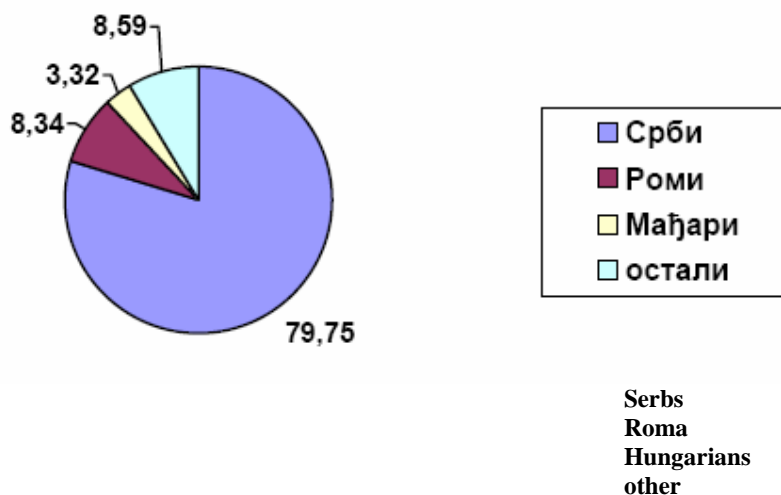
Data available for 6,272 persons. 2,461 convicted persons were employed, and 3,811 persons were unemployed. The ratio of these persons in the area of the Kraljevo Panel was comparatively more even (mutually closer), while there were two times more

unemployed rowdies in comparison to the employed ones in the regions of Nis, Leskovac and Valjevo.



Ethnic affiliation

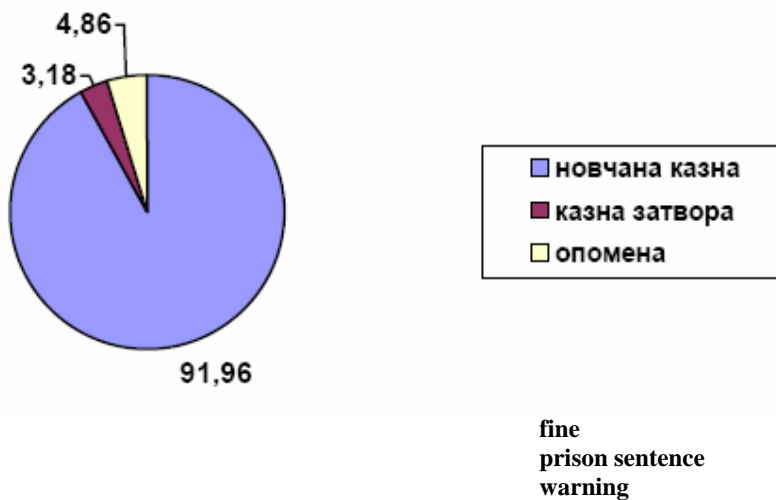
Data available for 5,927 persons. The results obtained correspond to the population structure according to the parts of the Republic where that population was dwelling. Vojvodina, as ethnically most mixed, the Uzice region, with numerous Muslim population, and Belgrade as an urban and demographically diverse environment, had a comparatively large number of convicted persons classified under the parameter “other”.



Sanctions

6,445 sanctions were pronounced in 6,048 cases, of which 313 warnings, 5,927 fines and 205 prison sentences. 108 cases (on average every 59<sup>th</sup> case) involved the use of weapons or tools which were confiscated as objects used in the misdemeanors. 40 measures of protection instructing treatment for alcoholism were pronounced, that is, in every 160<sup>th</sup> case (extremely few cases). The Kragujevac Misdemeanor Panel accounted for a substantial number of cases in this respect, as well as the city of Kragujevac proper whose misdemeanor body pronounced 12 measures of treatment for alcoholism on account of misdemeanors in 163 cases, i.e. in every 13<sup>th</sup> case. Prison sanctions also varied. They were the most numerous in the area of Kragujevac (as many as 51), of which in Kragujevac itself at the level of first instance misdemeanor body 48, i.e. every

3<sup>rd</sup> case. The Kraljevo Misdemeanor Panel pronounced the smallest number of prison sentences (16), however this number percentage-wise, compared to the number of cases involving elements of domestic violence – was the largest percentage of this type of sanction compared to all the other regions. The areas of Kraljevo and Kragujevac had slightly more than 13% of prison sentences, the Uzice Panel had about 6%, the Misdemeanor Panels of Belgrade, Valjevo, Zajecar, Leskovac and Nis had the average level of 3%, Novi Sad (Vojvodina region) had only 1.91% of prison sentences, while the Smederevo Panel pronounced no sentences of this kind.

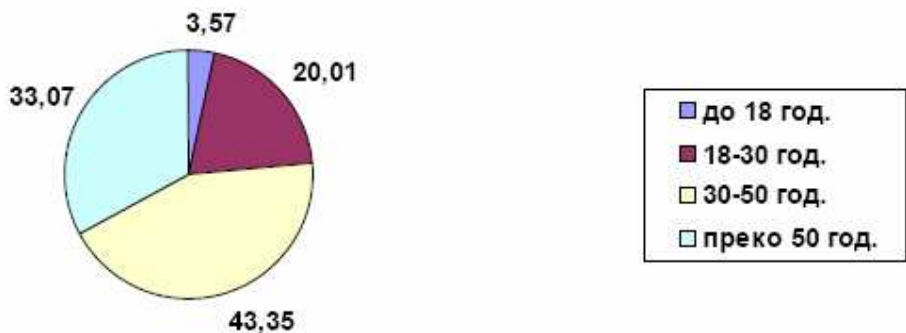


## B) VICTIMS

Data available for 5,605 persons.

### Age

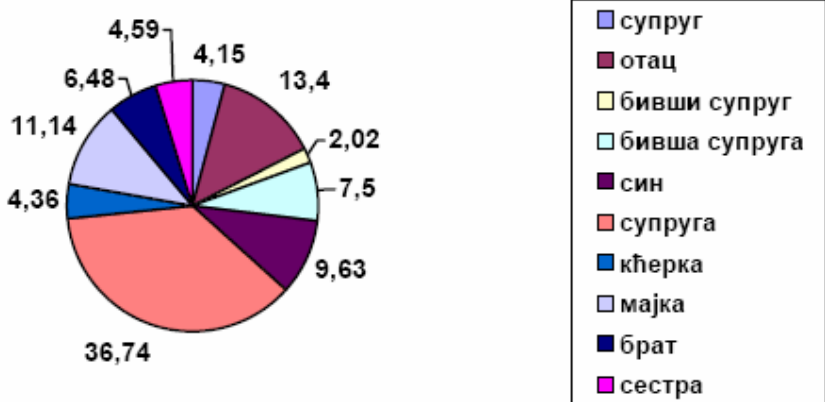
The most vulnerable age category within the framework of the victims was the one from 30 to 50. However, since the range of this group was larger than that of other groups, it can be established with a large degree of certainty that the persons who suffered most violence were those aged above 50, and that in this case, just like in the case of perpetrators, violence increased in proportion to age. Minor population was also directly exposed to violence, however, the number of these persons in the territory of Novi Sad was higher (the data is understandable because the Novi Sad Misdemeanor Panel covers the whole of Vojvodina), while the lowest incidence was in the region of Zajecar. However, according to the number of cases, minors were the most numerous victims in the Leskovac Misdemeanor Panel.



aged up to 18  
 18-30  
 30-50  
 above 50

Relationship towards the perpetrator

Data was available for 6,423 persons. Of this number, marital partners and former marital partners accounted for 2,612 (40.66%), children for 725 (11.29%), parents for 1,271 (as much as 19.79%), brothers and sisters for 572 or 8.90%, while there were 241 cases of conflict within the framework of the relationship boyfriend-girlfriend (3.75% of victims), and victims in 1,002 cases (15.60%) suffered violence among relatives within the framework of the broader family not stated previously. If the indicators boyfriend-girlfriend and relatives, where the persons' sex was not identified, is excluded from the number of victims, violence had the following structure:



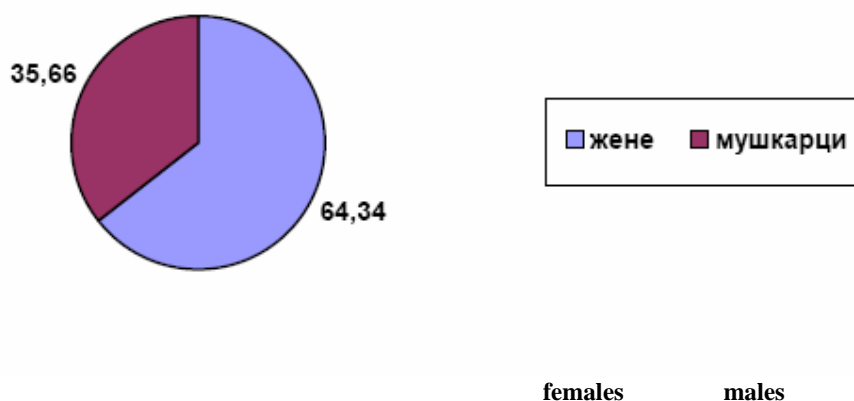
husband  
 father  
 ex-husband  
 ex-wife  
 son  
 wife

daughter  
mother  
brother  
sister

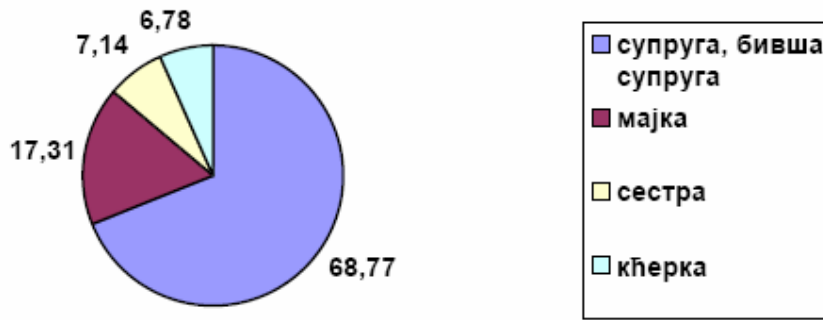
The conclusion that derives from here is that the majority of victims suffered violence in the relationship between marital partners and ex-marital partners, i.e. as many as 50.41%, namely, one half.

Women were victims in 3,333 situations, the indicators boyfriend-girlfriend and relatives being excluded again, while males were victims in the remaining 1,847 cases. However, since females account for the majority of the victims in the two extracted indicators, it can be estimated with certainty that they represent not less than two thirds in the overall number of victims. On the other hand, it is interesting to note that a large number of males suffered violence, however, by male perpetrators. Thus, the figure of 1,847 victims includes as many as 1,527 fathers, sons and brothers (82.67%), and only 320 ex-marital partners or partners from former domestic unions or partners in current marriages and domestic unions. If a parallel is drawn between these and the number of perpetrators (the parameters: sex, and relationship towards the victim) it is clear that both female and male victims suffered violence primarily inflicted by male perpetrators.

Victims were:

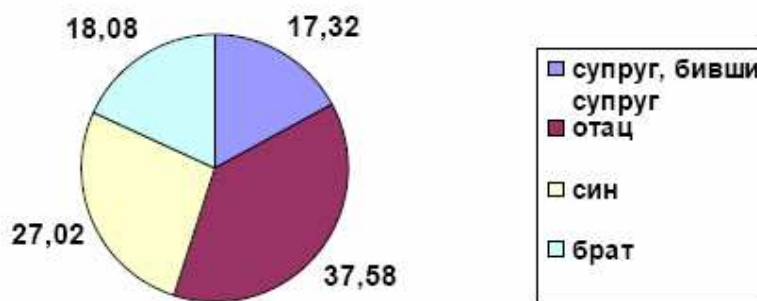


The structure within the framework of the female population was as follows:



wife, ex-wife  
mother  
sister  
daughter

The structure of male victims was the following:



husband, ex-husband  
father  
son  
brother

By comparing the data obtained on the basis of the specimen of 100 female victims and the same number of male victims, the conclusion is that in the case of females, the ones to suffer most violence were wives (current wives, ex-wives, marital community and domestic union) – approximately 69 of them, while in the case of male victims, the ones to be afflicted the most were fathers – 38. It is interesting to note that the number of mothers who suffered violence corresponds to the number of victims among marital partners – in both groups the number was 17.

Specimen including 100 females,  
the following ones suffered violence:

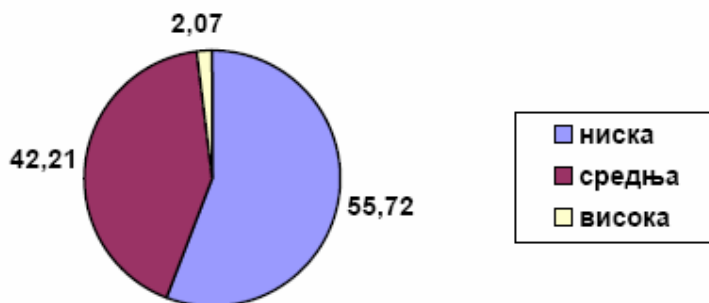
wives 69  
mothers 17  
daughters 7  
sisters 7

specimen including 100 males  
the following ones suffered violence:

husbands 17  
fathers 38  
sons 27  
brothers 18

Degree of educational qualifications

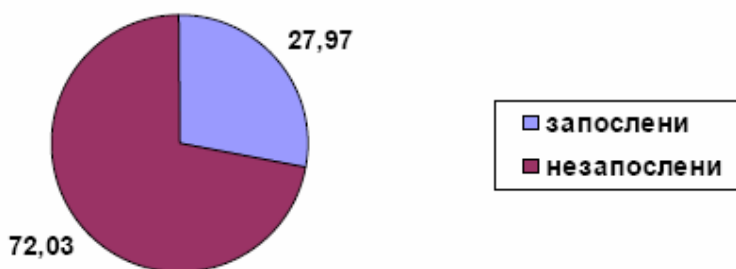
Data was available for 4,989 persons. The majority of them were persons with elementary school qualifications.



elementary school qualifications  
secondary school qualifications  
university qualifications

### Employment status

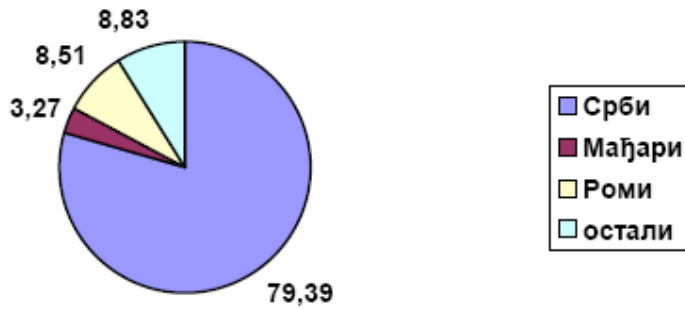
Data was available for 4,827 victims, the majority of whom were unemployed persons.



employed  
unemployed

### Ethnic affiliation

Of the 5,290 persons in relation to whom there were records available in the respective briefs, the majority were Serbs, followed by others (the group includes Muslims – Bosniaks, Romanians, Ruthenians, etc.), and then by Roma, while the last on the list within the framework of this parameter were Hungarians.



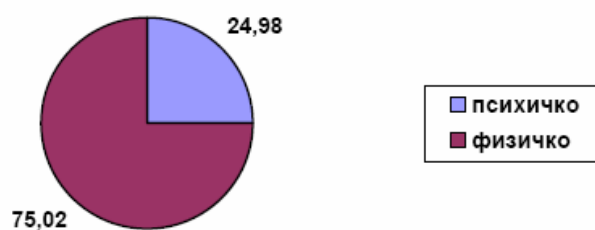
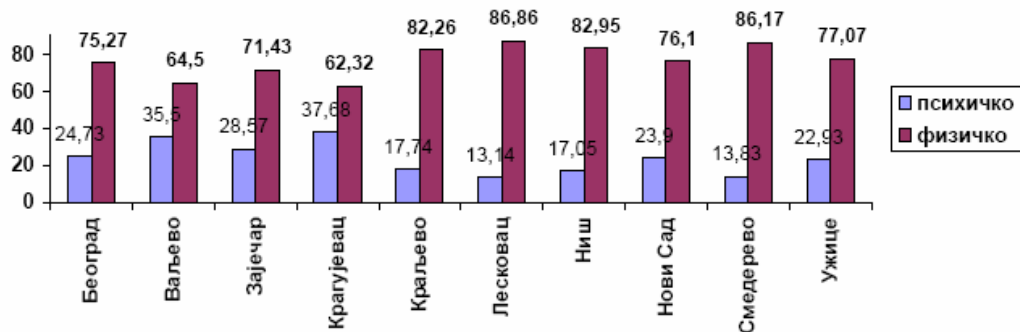
Serbs  
Hungarians  
Roma  
others

If this data is compared with the same results within the framework of ethnic groups, it is possible to establish a relative proportion in the case of perpetrators (e.g. of the 5,927 perpetrators and 5,290 victims, 197 perpetrators and 173 victims were Hungarians), and hence, it cannot be concluded that violence was more frequent in mixed marriages, but rather the opposite. The number of Roma (in relation to the overall population of this ethnic group in Serbia) was not small, however. All other nationalities or minorities appear exactly where the structure of the population is diverse – in the areas of the Misdemeanor Panels of Uzice, Novi Sad and to a lesser degree, Belgrade.

### Types of violence

According to the type of violence, data was obtained for 6,439 victims, i.e. for more persons than the number of cases, however for a smaller number than the actual one. The answer is probably in the fact that certain first instance bodies included, e.g. physical violence during the survey two times, if it had been perpetrated in relation to two persons at the same time. Hence, this data does not have the quality of completeness, however a very accurate conclusion can be drawn on the basis of this about the relationship between the mental forms of violence and its psychical forms. As much as 75% of violent situations manifested themselves as psychical conflicts. This is the average at the level of the Republic, since the ratio in the area of three Misdemeanor Panels (Kraljevo, Nis, Smederevo) was 5:1 in favour of psychical violence, while in the region of Leskovac it was 6.5 times the scope of mental violence. Conversely, mental violence is not prevalent in any of the areas. The ratio in the region of Valjevo, however, is close to 2:1 in favour of psychical violence. Percentage-wise, psychical violence occurred most frequently in the area of Leskovac, while being the most infrequent in the region of Kragujevac.

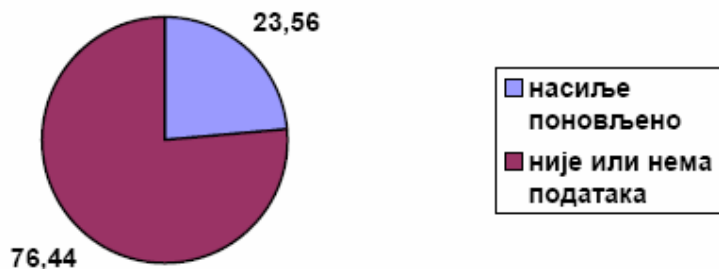
Belgrade, Valjevo, Zajecar, Kragujevac, Kraljevo, Leskovac, Nis, Novi Sad, Smederevo, Uzice - **mental**  
- **physical**



- mental  
- physical

### Recurrence of violence

In regard to this, data was available for a comparatively small number of cases. The reason was that the documents (statements by the defendants and witnesses) either contained no information or it was not possible to establish on the basis of the records about previous sanctioning of the perpetrators in the briefs where they were kept, whether the perpetrator had perpetrated a misdemeanor with elements of domestic violence or another misdemeanor in the field of public peace and order, considering that the legal qualification was the same. It was ascertained that violence was repeated in 1,425 cases of the possible 6,048, therefore in less than 1/4 of the cases, however this data should be taken with significant reserve (experience in misdemeanor proceedings shows that the first time violence was recorded was after it happened at least 4-5 times before). In terms of the cases of recurrent violence, the area of the Leskovac Panel leads on the list in proportion to the number of cases.



**recurrent violence**  
**not recurrent or no data**

### 3. COMPARATIVE DATA – parallels with the work of the police

Domestic violence was reported to the competent bodies comparatively rarely. According to the surveys carried out late in 2001, and in early 2002, by the Victimology Association of Serbia, of the 250 women who had suffered one or another type of violence, only 42 of them (16.8%) reported such an event to the police.\* At the same time, the average number of persons who referred to NGOs active in the field of domestic violence, in the year 2002, was 400 or 450 on a monthly level. (The Counseling Office for Fighting Domestic Violence, 50-100, SOS Telephone for Women and Children, Victims of Violence, provided aid in more than 100 cases a month, the Shelter for Women and Children Victims of Violence, Iusticia, Atip Susret, the Shelter for Women and Children Victims of Violence, and the Psychological Counseling Office at the Youth Hall in Belgrade each had up to 50 interventions a month. On a daily basis there were about 15 calls or calls for help). As regards this survey, this data was not significant because of the impossibility to check whether the same persons addressed several organizations at the same time asking for help, and whether they also referred to the police, however, it nevertheless points to the number of cases of domestic violence, even though it may not have been subjected to official procedure, as well as to the cases where it certainly did not enter such a procedure.\* On the other hand, the conclusion that can be derived without any doubts on the basis of the records of MoI Belgrade is that during the course of 2003, police intervened in 1,642 cases of some form of domestic violence in the area of Belgrade, and that 698 of such situations or 42.5% were ended by issuing a warning, that 805 misdemeanor reports were filed or 49%, and that 139 criminal reports were forwarded to the prosecutor's office, or 8.47% (the percentages have a relative significance because there were cases where a criminal report was filed at the same time as a misdemeanor report, and the fact that violence occurred did not necessarily imply an intervention by the police – in certain cases the victims i.e. injured parties reported the incidents directly. The remark also has a completely concrete significance with regard to the overview of the work of the police). What is concerned are facts on the basis of which more or less reliable information was obtained about the actual degree and/or incidents of domestic violence. Therefore, we have a reliable data about 1,642 cases of violence in the area of Belgrade proper during the period of one year (4.5 a day) as well

\* TEMIDA journal, March 2003

\* Ibid.

as a reliable data that 590 cases, or 73.3% of the requests filed, were completed within the framework of proceedings conducted by the Municipal Misdemeanor Judge, and/or 36% of ALL THE CASES REPORTED TO THE POLICE. If IT IS ASSUMED THAT THE METHOD OF OPERATION OF THE MUNICIPAL SECRETARIAT OF THE INTERIOR OF BELGRADE AND THE BELGRADE MUNICIPAL MISDEMEANOR JUDGE CAN BE APPLIED TO THE WHOLE OF SERBIA, with all due reserves (namely, at the level of the regions: uneven degree of actual incidence of violence, no uniformity in the degree of reporting, no uniformity in the action by the police in deciding to issue a warning or file a report, no uniformity in the degree to which the acts events are cleared up, the same applying to passing judgments in the misdemeanor proceeding; lack of completeness of the results of the survey), and if two criteria are implemented, one of which is based on the officially published information, and the other on empirical estimates (as a result of which it can also be treated as completely arbitrary), we get the following data:

1. **Reliable data:** in 2003, there were 6,048 cases involving elements of domestic violence in **misdemeanor proceedings**, with 6,583 victims and 6,404 perpetrators. Therefore, every approximately 1,016<sup>th</sup> adult citizen of the Republic perpetrated violence after which he/she was subjected to misdemeanor proceedings, and every approximately 988<sup>th</sup> adult citizen was a victim. The violence occurred in 16.6 cases a day, viewed only on the basis of the misdemeanor proceedings;
2. By applying the method of procedure of the Belgrade Municipal Secretariat of the Interior and the Belgrade Municipal Misdemeanor Judge to the whole of Serbia (6,048 completed cases equaling 36% of the events reported) we arrive at a **semi-reliable** data showing that **the total number of cases of domestic violence reported** was 16,800, that the total number of perpetrators was approximately 17,800, and all the victims about 18,300. On average, violence occurred and was reported in 46 cases a day in the whole of Serbia;
3. By applying the first **unreliable** criterion according to which violence is reported in only 16.8% of the cases (the survey carried out by the Victimology Association which focused exclusively on female victims; the data about 16,800 cases reported accounts for 16.8% of all of them) we get an equally unreliable data about 100,000 cases of **real violence, violence that really happened**, meaning both reported and not reported violence. In this case the number of victims is close to 109,000, perpetrators accounting for 106,000, and the average number of violent events per day is 274;
4. By applying the second **unreliable criterion, i.e. the assumption** that domestic violence was reported more frequently than “pure” violence committed against women (because it also includes relatives, the relationship parents-children and vice versa) and that this was done in 50% of the cases that occurred (now 16,800 violent events account for 50% of all of them), we get an **unreliable data about actual violence** in 33,600 cases. In this case, the number of defendants is 35,600, the number

of victims around 36,600, and the average daily number of events in Serbia is 92.

Therefore, there is a huge range between the individual “steps” in the hierarchy of violence that happens in real life, the violence reported to public authorities i.e. police, the violence that is subjected to legal proceedings and the violence that is legally finalized in such proceedings, irrespective of whether the criteria i.e. the results under Item 3 (which appear practically terrifying, and they are justified to a certain degree) are complied with, or whether the criterion under Item 4 (which is closer or better to say more acceptable from the human point of view, which is, actually, arbitrary) is complied with. Any attempt to figure out the details of the obscure number of violent situations within the family circle, remains within the sphere of guesses, however the data obtained in the survey (Item 1) are nevertheless sufficiently dreary and alarming.

An overview of interventions, reports on misdemeanors with elements of domestic violence and reports on account of acts of domestic violence under Art. 118a, the Criminal Law of the RS, the City of Belgrade.

<i>Internal Affairs Body</i>	Year 2003			01.01. – 30.06.2005		
	<i>Number of interventions</i>	<i>Number of misdemeanor reports</i>	<i>Number of criminal reports under Art.118 a of the CL of the RS</i>	<i>Number of interventions</i>	<i>Number of misdemeanor reports</i>	<i>Number of criminal reports under Art. 118 a of the CL of the RS</i>
Cukarica	139	130	17	130	135	27
Vracar	168	19	8	107	13	11
Zvezdara	187	31	14	161	60	2
S. Venac	16	16	1	6	6	10
N. Belgrade	349	213	28	148	81	36
Palilula	71	3	11	3	26	13
Rakovica	97	97	21	65	65	15
St. grad	87	29	10	37	14	9
Vozdovac	311	119	4	181	65	13
Zemun	226	158	23	87	62	9
UP OJRM						
TOTAL	1 642	805	139	925	527	152

What can be noticed is that the action of the police on the basis of the victims’ reports (very rarely the reports of perpetrators as well) differs from one internal affairs body to another. Thus for instance the Internal Affairs Bodies of Cukarica, Savski Venac and Rakovica completed each intervention in the field by filing a request for initiating proceedings while the approach by other Internal Affairs Bodies was quite disparate – in 168 interventions, the police in Vracar submitted about 11.3% of misdemeanor reports, the Palilula Internal Affairs Body issued only 4.2%, and for instance the Zemun Internal Affairs Body almost 70%. Both methods of work may be criticised as well as approved. However, it is up to the estimate of the police which and what kind of decision (being satisfied with issuing a warning or initiating legal proceedings) will have a better effect

in each individual case. This applies to situations where there are no solid elements for a criminal report and therefore at least 5-6 officers would have to be provided in every Internal Affairs Body, having appropriate qualifications for dealing primarily with cases of domestic violence, in order to be able to provide adequate help to the victims. The survey shows that the number of violent events in 2005 compared to 2003 has increased, that there has been a proportionate increase in the number of misdemeanor reports and that the number of criminal reports is on the upswing remarkably (in the first 6 months of 2005 there were more of them than in the whole year of 2003). The reason for this might be that police more readily opts for criminal proceedings but also because of the actual increase in the number of criminal offences under Art. 118a of the CL of the RS.

#### 4. EXAMPLES FROM PRACTICE

1. Son, minor, born in 1987, hit his father with a stone on the head;
2. Son, minor, born in 1986, who had been abused for years, bit his mother on the hand and back;
3. Son, born in 1985, following a row with his mother, went throwing things in the apartment and smashing them, after which he grabbed his mother by the throat and strangled her, and then pushed her in the bathroom and banged her head against the tub;
4. Husband, born in 1945, beat his wife on the head with his cordless telephone and remote control, after which he threw her down on the floor, strangled her and bit her on the hand;
5. Son, born in 1985, insulted his mother (after she asked him to clean up the apartment) using the following words: "You clean yourself up, you bitch, don't make me bring my whole company here to fuck you, you can give them all a blow job";
6. Son, born in 1976, hit his father with his fist on the head, and then stabbed him twice with a kitchen knife in the back (the father is a long-standing alcoholic);
7. Father, born in 1940, grabbed his son, born in 1970, by his penis, and did not let go until the son's wife interfered, after which they lunged at each other with knives;
8. Husband, born in 1957, hit his wife with his fist on the face and body, kicking her in the area of the belly and back and pulled out a shock of her hair;
9. Son, born in 1956, hit his father on the head several times, with his own head;
10. Husband, born in 1938, beat his ex-wife on the back with a rolling pin;
11. Granddaughter, born in 1975, hit her grandmother on the face with her fists several times,
12. Daughter, born in 1959, beat her mother (75) with her feet and fists, several times also threw her mother as well as her minor child out from the apartment at night on several occasions, always in a state of intoxication,
13. Son, born in 1969, hit his mother with his fists on the face and body several times, after which he seized her by the hair when she was dizzy and threw her on the floor, where he kicked her with his feet,
14. Husband, born in 1931, hit his wife with a telephone cord several times while she was lying down;

15. Husband, after a physical conflict with his wife and son, threw both of them out of the house and hurled the TV set out in the street;
16. Husband, during a row with his wife and mother, smashed the table, chairs and all the technical appliances in the apartment, after which he poured solvent all over the apartment with the intention of setting it afire;
17. Husband, after every psychical conflict (there were nine of them in the past), threw his wife and his juvenile children out during winter, after which they had to sleep under the staircase,
18. Man, aged 36, alcoholic, punished as many as eight times on account of violence against all the members of his family in the period from 2001-2004 – two small children, wife, father-in-law, mother-in-law and grandmother. The violence always unfolded by his slapping the people on the cheeks, hitting them with his fists on the face, forehead, and the back of their heads, pulling their hair out, kicking them with his feet and hitting them with different objects, making no difference which member of the family was concerned.

## 5. GENERAL OVERVIEW OF DOMESTIC VIOLENCE, ITS CAUSES, CONSEQUENCES AND POSSIBLE SOLUTIONS

This domestic violence survey, to the extent domestic violence is subjected to misdemeanor proceedings shows that this form of violence is very widespread and usually long-lasting (continuous), and that it frequently becomes an implied way of life. Violence is manifested either as mental violence (to a lesser degree) or psychical (the prevalent type) however, the latter form always combines mental and some other form of violence. Both the victims and the perpetrators move in a circle from which there is no way out: those who suffer violence do not quit the community for reasons of economic dependence, unresolved residential problems, absence of support from the broader family, fear of fresh and even more serious violence, concern for the children, embarrassment and the like. The indicators that prevail in the survey make it possible to produce a general picture about the perpetrators and the victims. Thus, perpetrators are:

- males, husbands or ex-husbands, aged between 40 and 50, having elementary or secondary school qualifications, unemployed, sporadically in an intoxicated state, they perpetrate violence by using psychical force, threatening to use any object they get hold of or directly using such objects, their national affiliation not being of any significance for the incidence of violence.

As regards victims, it is evident that:

- females, particularly wives are extremely exposed to violence,
- persons aged 40 and up are somewhat more exposed compared to others,
- psychical force or other forms of violence are used against minors (direct violence against children). The majority of the victims have elementary school qualifications, they have no profession and/or job, and they have suffered violence recurrently in at least ¼ of all the cases. No relationship has been noticed between national affiliation and the degree of violence.

There was no information in the briefs about the real causes of the violence, and so, they can only be assumed. The assertion that the action by judges hearing cases of domestic violence is superficial, is partly true. However, one must bear in mind that misdemeanor bodies resolve cases relating to an extremely broad field (traffic, market, labour and labour relations, public peace and order, movement of foreigners, utility services, sanitary issues, fire fighting, health and other fields, residence, weapons, and the like) and that there is a huge burden in terms of the number of requests coming from authorized applicants, and that in the given situation, not going into the essence of the problems to a certain degree, is understandable.

Such an approach is also encouraged by the attitude of the defendants and the victims themselves once they are involved in the proceedings – the cause of the event is always (erroneously) identified as being intoxication or alleged momentary dissatisfaction. Real reasons are rarely stated, and both parties mainly minimize the significance of the problem (an illustrative example is the one where the mother, after several interventions by the police and the proceedings, addressed the court directly, requesting to be provided protection from her child, only to file an appeal against the sentence after that, because the sanction will affect her. Another example are proposals that women who have suffered violence regularly make i.e. their asking for the perpetrator not to be punished, and the like). The real causes are in the difficult financial situation which is directly related to unemployment and which leads to a disruption in the relations between marital partners and/or family members, in the violence occurring in the primary families of the victims and perpetrators and in the patriarchal stereotypes (repetition of the forms of behaviour, transformation from the position of a victim to the position of a bully, partly the fact that women have been taught that they have to suffer and subjugate themselves), unresolved residential issues (primarily in the case of relatives), the loss of moral and all other values and a situation of impasse in which the perpetrator as well as his/her victim usually are.

At the time when the defendant and the victim enter misdemeanor proceedings, the consequence has already occurred as a matter of fact, and it is extremely difficult to provide help to persons who have suffered violence, even though this should be the primary objective. From the aspect of legislation, the role of the judge is not to provide such assistance but to establish whether a certain act has been committed and to establish whether it involves liability. A judge's role in the proceedings usually amounts down to contacting the defendant and/or the victim and punishing the perpetrator, where the judge's role actually ends. The victim, no matter how serious or alarming his/her family situation may be, is left to the rowdy, unless he/she gets help (of a temporary kind again) from elsewhere (from NGOs, social welfare centres, public prosecutor's office, court), simultaneous to the proceedings or subsequently. The estimate is that, at the institutional level, state authorities perform the part of the job that they are responsible for performing according to the law, each one in its respective part, however without a possibility of being mutually coordinated. The end result for the victim is, continuing to live in an identical environment, while the perpetrator does not regard the measure taken against him/her as either long-standing or serious (extremely low fines, rarely prison sentences, no possibility of being kept away from the victim, according to the applicable provisions of the misdemeanor procedure). Therefore, no matter how important the function of the court may be, real consequences of violence remain outside the procedures that have been carried out – in the form of new family problems, mental damage, inappropriate reaction by the environment, financial and health problems, embarrassing situations at

the place of work, and particularly a real possibility of the pattern of violence being copied by the next generation of the family.

The amendments to the CL of the RS of March 2002, introduced the criminal offence of domestic violence (Art. 118a) subject to prosecution *ex-officio*, and the Law on Family (applied since July 1, 2005) prescribes in detail what is considered as domestic violence, what are the measures of protection, and the procedure in a suit for protection against violence (what is concerned here is a plaintiff's direct referring to the court). This means that protection of the victims of domestic violence is possible also before misdemeanor bodies (under the conditions stated above) as well as before ordinary courts. Statistical data reached in the survey unequivocally points to the fact that the police forwarded its requests to misdemeanor bodies more often with a good reason, while filing a substantially fewer number of reports to the prosecutor's offices. The large number of cases in the period from 2002 to 2005, and the less complicated method and shortcut to sanctioning perpetrators in misdemeanor proceedings point to the fact that a similar practice will continue. As it has been stated, misdemeanors are next to criminal offences and they may be treated as a milder form of the latter, involving lighter consequences and a lower degree of social threat. In the field which was the subject of the survey, they are actually evidence of such a threat however not in terms of the intensity of the violence but in terms of its (hidden) permanence and the long-term consequences that it entails. Exactly the consequences of the violence present in the family directly, and the indirect ones which are even longer lasting at the level of the community, coupled with the primary motive to help the victim, should be the reason for coming up with additional solutions (which have already been proposed), independent of the laws that have been adopted or amended:

a) in the field of misdemeanor sanctions:

introduction of a more substantial measure of protection involving ban on accessing the injured party, object or place of perpetration of a misdemeanor, and sanctioning for any violation of this ban (Draft of the Misdemeanor Law, in parliamentary procedure). The estimate is that, by adopting the above provisions in the legal sense and before the misdemeanor bodies, the manner of protection of victims and simultaneous sanctioning of the perpetrators would be rounded off and certainly, much more efficient;

- modification of the amount of the fines that can be pronounced for the defendants under the Law on Public Peace and Order (as well as a series of other laws). It is almost unbelievable that sanctions in this field have not changed since 1994. Thus, if a judge finds that a prison sentence is not appropriate for a case of repeated violence, he/she can pronounce the maximum fine of 1,000.00 dinars!

b) in the field of criminal sanctions:

- in the case of persons employed in medical services, any failure to report violence detected in the performance of professional duties (not only the one prescribed by Art. 203 of the CL of the RS) should be specified as criminal offence on their part; an alternative for this type of failure (apart

from the above mentioned criminal offence, applicable not only to the medical profession), could be the introduction of severe misdemeanor sanctions with the possibility of pronouncing the measure of ban on the performance of profession for a certain period of time,

c) in the field of help provided to victims, before starting misdemeanor proceedings or proceedings before ordinary courts, during the proceedings and following its termination:

- establishment of a network of bodies and organizations, at the institutional level and at the level of the NGO sector, in such a way that victims can obtain the help or information they need at any moment, and that the victim can be directed where appropriate. This means direct linking and collaboration with e.g. police, prosecutor's office, medical institutions, welfare centres, shelters, refuges and similar organizations, as already done (in part) within the framework of the Network of Confidence Against Gender-Based Violence. The essence is in assuming the obligation of immediately helping the victim on the spot after he/she refers for help to anyone within the network depending on the specific needs of the person, or ensuring that the person is referred to the appropriate service. A model of this type could operate at the level of municipalities and towns, in accordance with the objective possibilities, and it would certainly improve the current self-sacrificing and useful engagement on the part of such services, as well as impacting the degree of trust that victims have in relation to the community itself, and their perception about being certainly protected (by a certain entity) from the rowdy;
- instead of establishing a network of appropriate services or parallel to it, forming a uniform service for helping the victims, based on the principle of paid or volunteer work, the role of which would be to inform the victims, protect their rights and collaborate with state bodies – police, prosecutor's office, courts;
- acquainting the public with the formation of a network or service for providing help to the victims, via the media and by issuing brochures providing information about the basic rights of the victims of violence and their status during the proceedings before the courts and misdemeanor bodies

d) in the field of education:

- of the police, prosecutor's offices, misdemeanor bodies, courts, welfare centres, which would be implemented as permanent work with these bodies, primarily in the sense of their being able to identify violence, adopting a different approach to violence, and providing help to the

victims, or in the sense of formation of special departments where this is feasible (such departments should be formed within each municipality) and their specialization; the latter should particularly apply to the police;

- of the medical profession, where education would primarily involve a more consistent and complete respect for professional ethics,
- of pedagogues, teachers, professors, and psychologists at schools (with regard to violence against children), with a view to training them to be able to identify signs of violence and notify the competent services;
- of the citizens, with regard to whom education should be aimed at raising the level of awareness about the significance and seriousness of the problem and the need for reporting violence to the competent bodies whenever it is known to exist; this is particularly important because of the evident lack of awareness about the actual incidence of violence, and the attitude that it is somebody else's problem and that one should not interfere with it.

e) in the field of monitoring the phenomenon of domestic violence:

The survey has shown that there were failures in the practical work of the judges that cannot be regarded as mistakes, which point to a certain degree of superficiality (in a multitude of cases there were no contacts between the judge and the victim, or the hearing was conducted only with regard to the specific case of violence, without really getting into the essence of the problem and the events that preceded it or caused it). At the same time, no processing was done, i.e. no statistical monitoring of the cases of domestic violence (this being true of all the other fields). As a result, it was not possible to establish how many requests were received per year for initiating proceedings against perpetrators of violence (these cases are part of the requests pertaining to public peace and order and their number could be ascertained only by physically singling them out, meaning that this was extremely complicated and even impossible). These two problems require certain changes in the internal organization of misdemeanor bodies as well as in the field of records. Every judge acting on a case of domestic violence has to approach the victim with patience, understanding, commitment, and readiness to help, which implies one's whole personality, enough time and relief from the excessive number of cases. It is only after meeting these conditions, that the judge can be requested to complete each case in a highly professional manner and it is only in such circumstances that the victims would not have such a negative attitude towards this state institution, which is one of the many that they find themselves in. Parallel to making such functioning possible (and by increasing the level of responsibility at the same time), uniform and separate records should start to be maintained for all the cases of domestic violence, including all the perpetrators of misdemeanors and criminal offences in this field (now it can happen that a judge conducting misdemeanor proceedings has absolutely no knowledge about the fact that, for instance, the defendant has been sentenced and sanctioned for the same acts) and all the victims. The model according to which this should be done could be the one prescribed by the law for the defendants and the plaintiffs which is part of the transcripts, with certain extensions, or which would be completely modified, however, made uniform and introduced in all the regions. Similar records could be (would have to be) kept by the police, as well, and also by welfare

centres. They would serve for statistical monitoring and getting a complete overview of the problem of domestic violence, meaning also taking appropriate and long-term steps in suppressing it. The state has an interest in its individuals within the framework of the families being healthy, because in such a situation they are healthy in relation to all the other individuals and in relation to the community whose rules they are obliged to develop and respect. This is the only way in which an individual can be a fulfilled person and one worth respect.

### III

## CONCLUSION

This survey is **the first of its kind** (from the perspective of the work performed by a state body) **and the first in terms of its scope** (because it involved the area of Serbia as a whole). Because of the differences in the contents and methodology, it cannot be compared with other, more or less similar partial surveys or those carried out on the basis of the principle applied to public opinion surveys, and as a result, no comparison of the results obtained can be made. However, it is possible to make an objective overview of what has been accomplished by this specific survey, and whether its objectives have been fulfilled.

The value of this survey is primarily in the fact that it has encompassed each municipality as a unit of territorial autonomy, and so it can **serve as the basis for comparisons in any other subsequent survey** i.e. in estimating whether there has been an increase or a reduction in the incidence of domestic violence **on the level of municipalities and regions (Republic)**, depending on the needs of different regions.

One of the results of the survey is also the fact that **it has confirmed certain previously made assumptions according to which violence has occurred and has been taking place**, in the case of perpetrators and according to the indicators about the victims, **in a practically uniform manner in the whole territory of Serbia**, (irrespective of the delusion presented by municipalities in this respect when they state that they have had no cases of domestic violence registered in misdemeanor proceedings; a realistic answer should be that they had fewer cases of referring to state bodies and action taken by the police in such situations), which generally shows that the society we are living in is a society with seriously disrupted values – dignity, self-respect, authority, life, and above all, family as the framework that enables normal development of the individual and thus, the society. In a nutshell, domestic violence is not characteristic only of certain parts of the country, or certain situations, and certain individuals. It is **a general phenomenon** with a tendency of seriously growing.

Misdemeanor proceedings have not been adjusted to any surveys, and quite the opposite, the indicators in a specific case had to be adjusted to what is uniformly required by the form of the transcript. **This is why, in terms of the quantity**, the results obtained are good, while **quantitatively being poorer** due to incompleteness and the impossibility of making a cross-analysis. This means that the primary objective of the project – establishing the incidence, structure and characteristics of domestic violence in Serbia – has been accomplished, while the secondary one has been accomplished in part or to an insignificant degree. During the course of the survey, certain, quite defined shortcomings

or omissions have been noticed, and possible solutions have been presented in that respect. However, the real presence of domestic violence has remained exclusively in the sphere of assumptions. We can also ask how much each one of us contributes to the incidence of violence by our own simple omission to act, our complicity by keeping silent, or how much we contribute to it even actively, and who is responsible (the violent person, primary and/or actual families, the environment, the state).

The truth is that the violence which is taking place is OURS. Hence, we should “face the act and ask it to tell us what our significance in it is”.

It would have been impossible to carry out this survey without our collaboration with ABA CEELI. The Association of Misdemeanor Judges wishes to convey its gratitude to that organization for its financial support, as well as to the Belgrade Municipal Secretariat of the Interior and the Ministry of Justice for their assistance in providing the data requested, and also to its members for the work they have done mainly correctly and in a timely manner.

## **An overview of the basic data obtained in the 2003 domestic violence survey, for the area of the Republic of Serbia as a whole**

Total number of cases processed by misdemeanor bodies: 1,132,173

Total number of cases of public peace and order received in 2003 (not counting the 26 municipalities that had no violence registered and the 2 municipalities where the survey was not conducted): 48,056. The actual number in Serbia as a whole was somewhat above 50,000.

The total number of cases involving elements of domestic violence, that were finalized with a legally binding judgement: 6,048.

Average number of cases of domestic violence by municipalities where it was registered, in relation to the number of cases relating to public peace and order: 14.69%.

Total number of perpetrators: 6,404. Of this number, 5,715 males and 689 females.

With the parameters “relatives” and “boyfriend – girlfriend” excluded, the order in which violence was manifested was: husband, son, brother, ex-husband, wife, mother, ex-wife, daughter, sister.

In the majority of cases violence was not perpetrated in a state of intoxication.

Every 59<sup>th</sup> violent situation, apart from involving the use of physical force, involved the use of objects that served for inflicting injuries or that might have served for that purpose.

Total number of victims (on the basis of the indicator “relationship towards the victim”): 6,583

Victims (excluding the parameters “relatives” and “boyfriend – girlfriend”) suffered violence in the following order: wife, father, mother, son, ex-wife, sister, daughter, husband, ex-husband.

Physical violence was perpetrated in 75% of all the cases of violence registered.

200 minors suffered direct violence.