

Fourth Annual Conference of Victimology Society of Serbia

***Victims and contemporary responses to crime:
between protection and misuse***

Book of abstracts

Belgrade, 28th and 29th November 2013

Fourth Annual Conference of the Victimology Society of Serbia
Victims and contemporary responses to crime: between protection and misuse
The Palace Hotel, Belgrade
28th and 29th November 2013.

PROGRAM

I day – 28th November 2013

09.00 – 09.30 Participants' registration

09.30 – 10.00 Opening of the Conference

- Prof. dr Slobodan Savić, President of the Victimology Society of Serbia
- Msc Rodoljub Šabić, Commissioner for Information of Public Importance and Personal Data Protection, Serbia
- Prof. dr Oliver Bačanović, Dean of the Faculty of Security-Skopje, University "St. Kliment Ohridski"-Bitola, Republic of Macedonia
- Prof. dr Vesna Nikolić-Ristanović, Director of the Victimology Society of Serbia

10.00 – 10.30 Victimology Society of Serbia Awards

10.30 – 12.00 **Plenary Session 1: Victims and social reaction: between protection and misuse**

Moderator: Prof. dr Slobodan Savić

- Prof. dr Snežana Soković, Faculty of Law, University of Kragujevac, Serbia: *Victims and contemporary trends in crime control*
- Prof. dr Janice Joseph, Richard Stockton College of New Jersey, New Jersey, USA: *Sexual harassment in educational institutions: a comparative perspective*
- Prof. dr Katja Filipčič, Faculty of Law, University of Ljubljana, Slovenia: *Intimate violence and victim autonomy*

12.00 – 12.30 Coffee break and **poster presentations**

12.30 – 14.00 **Plenary Session 2: Contemporary responses to crime and protection of victims**

Moderator: dr Sanja Čopić

- Dr Dana Pugach, NOGA Center for Victims of Crime in Israel, Ono Academic College in Tel Aviv, Israel: *Representing child victims of crime in criminal court: giving the child a voice in order to reduce secondary victimization*
- Dr Inge Vanfraechem, Leuven Institute of Criminology, Belgium: *Victim policy and restorative justice: two of a kind?*
- Dr Sanja Milivojević, School of Social Sciences and International Studies, University of New South Wales, Australia: *Borders, technology, and (im)mobility: Preliminary results of research on "cyber-fortress Europe" and its emerging southeast frontier*

14.00 – 15.00 Lunch break

15.00 – 16.45 Thematic sessions

Thematic session 1: Victims and penitentiary system

Moderator: Prof. dr Oliver Bačanović

- Prof. dr Oliver Bačanović, Msc Nataša Jovanova, Faculty of Security, Skopje, Republic of Macedonia: *Victimization in penal institutions in the Republic of Macedonia*
- Doc. dr Dragana Batić, Faculty of Security, Skopje, Republic of Macedonia: *Implementation of the model BASIC PH in the treatment of stress of the female prisoners*
- Prof. dr Nataša Tanjević, Faculty of business economics and entrepreneurship, Belgrade, Filip Mirić, Legal clinic, Faculty of Law, Niš, Serbia: *Problem of overpopulation of penitentiary institutions in Serbia and prisoners' rights*
- Doc. dr Danica Vasiljević-Prodanović, Faculty of Special education and rehabilitation, University of Belgrade, Serbia: *Victim who needs help, or the offender who deserves punishment*
- Doc. dr Vesna Stefanovska, Faculty of Security, Skopje, Republic of Macedonia: *Victim aspects in restorative justice response to crime*

Thematic session 2: Possibilities of improving anti-discrimination policies and the prevention of discrimination in Serbia

Moderator: Doc. dr Mirjana Dokmanović

- Doc. dr Mirjana Dokmanović, Faculty of European legal and political studies, Novi Sad, Serbia: *Improving the state response to hate crimes and hate speech*
- Prof. dr Nevena Petrušić, Gorica Čolić, Commissioner for protection of equality, Belgrade, Serbia: *The role of the Commissioner for protection of equality in combating discrimination*
- Prof. dr Zorica Mršević, Institute for social studies, Belgrade, Faculty of European legal and political studies, Novi Sad, Serbia: *The Strategy on the Prevention and the Protection against Discrimination as the state response to discrimination*
- Gianfranco D'Eramo, Eptisa, IPA 2011 Project: *The implementation of anti-discrimination policies in Serbia”: Introducing indicators For implementing and measuring human rights in Serbia*

16.45 – 17.00 Coffee break and **poster presentations**

17.00 – 18.30 Thematic sessions

Thematic session 3: Various forms of victimization

Moderator: Prof. dr Slobodanka Konstantinović-Vilić

- Prof. dr Slobodanka Konstantinović-Vilić, Msc Natalija Žunić, Faculty of Law, University of Niš, Serbia: *Women's alcoholism – gender differences as victimogenic predispositions*
- Doc. dr Dževad Mahmutović, Maja Hadžihasanović, Faculty of Law, University of Tuzla, Bosnia and Herzegovina: *Victims of war in Bosnia and Herzegovina*
- Doc. dr Tatjana Gerginova, Faculty of Security, Skopje, Republic of Macedonia: *Human trafficking in the Republic of Macedonia: the position of the victim in criminal proceedings*
- Ivan Milić, Faculty of Law, University of Novi Sad, Serbia: *Female juveniles as victims of human trafficking*

Thematic session 4: The victims, social reaction and institutions

Moderator: Jasmina Nikolić

- Prof. dr Irena Cajner Mraović, Croatian Studies, University of Zagreb, Krunoslav Borovec, Ministry of Interior, Dubravko Derk, Zagreb Holding, Security Sector, Republic of Croatia: *Readiness of crime victims in Croatia to report their victimization to the police*
- Msc Milan Klisarić, Ministry of Interior of the Republic of Serbia, Msc Aurelia Đan, Belgrade center for security policy, Serbia: *The relationship of the police and crime victims: an analysis of the process and the level of satisfaction with the work of the police*
- Anja Mirosavljević, Faculty of Special education and rehabilitation, University of Zagreb, Republic of Croatia: *Evaluation of Victim-offender Mediation (VOM) for youth in conflict with the law in Zagreb Professional Service for VOM and some victims' characteristics*
- Doc. Dr Jasna Hrnčić, Faculty of political sciences, University of Belgrade, Tatjana Rajić, Center for social work, Požarevac, Srbija: *Victim' responses towards the offence and victim-offender mediation*

II day – 29th November 2013

10.00 – 11.30 Plenary session 3: Victims of crime: the status, rights and the protection

Moderator: dr Sanja Čopić

- Prof. dr Matjaž Ambrož, Faculty of Law, University of Ljubljana, Slovenia: *Implementing Common European Standards on protection of victims: a troublesome mission*
- Dr Axelle Reiter, Faculty of Economics of Verona University (Vicenza), Italy: *Victims of human rights violations and victims of human rights restrictions*
- Dr Kevin Brown, Newcastle Law School, Newcastle University, United Kingdom: *The British Government's proposals for a 'Community trigger for anti-social behaviour': ensuring victims are heard or providing false hope?*
- Prof. dr Dragan Petrovec, Institute of Criminology, Faculty of Law, University of Ljubljana, Slovenia: *Differences in perception on pedophilia and its impact on crime policy and criminal law*

11.30 – 12.00 Coffee break

12.00 – 14.00 Plenary session 4: Misuse of victims and the need for protection and support

Moderator: Prof. dr Vesna Nikolić-Ristanović

- Prof. dr Vesna Nikolić- Ristanović, Faculty of Special education and rehabilitation, University of Belgrade, Victimology society of Serbia, Serbia: *Yoga and victims*
- Dr Vibha Hetu, O.P. Jindal Global University, New Delhi, India: *Burgeoning media's reporting of rape cases: some reflections and its impact*
- Prof. dr Zorica Mršević, Institute for social studies, Belgrade, Faculty of European legal and political studies, Novi Sad, Serbia: *Media reporting on femicide*
- Dr Maria Alvanou, Thessaloniki, Greece: *Religion helping the victim: the case of the Eastern Orthodox Church theology and practice*
- Jasmina Ilić, OSCE Mission to Serbia, Slavica Peković, Victim and witness support service of the Higher Court in Belgrade, Serbia: *Institutionalizing a network of witness/victims support services*

14.00 – 15.00 Lunch break

15.00 – 16.45 Thematic sessions and workshop 1

Thematic session 5: Child victims of crime and their protection

Moderator: Msc Ljiljana Stevković

- Msc Ljiljana Stevković, Institute of Criminological and Sociological Research, Belgrade, Serbia: *Multiple and continuous exploitation of children who beg*
- Prof. dr Milica Gligorović, Msc Nataša Buha, Faculty of Special education and rehabilitation, Belgrade, Serbia: *Abuse and neglect of children with developmental disabilities*
- Msc Marija Kuzmanović, Nataša Andanovski, Penitentiary institution in Sremska Mitrovica, Serbia: *Possibilities of sex offenders' rehabilitation and the protection of children as potential victims*
- Fejzi Bećiri, municipality of Bujanovac, Serbia: *Children as victims of violence in the municipalities of Bujanovac and Presevo: the forms of manifestation*

Thematic session 6: Victims of various forms of victimization

Moderator: dr Dragan Obradović

- Dr Dragan Obradović, Law center for children and juveniles Valjevo, Serbia: *Traffic participants as victims of irresponsibility of the road companies and local community*
- Vesna Stevanović, Court of Appeal in Niš, Serbia: *Protection of cyclists and motor cyclists- one of the largest categories of victims of crimes against public traffic safety*
- Jadranka Buljević, Basic court in Novi Sad, Serbia: *The elderly people as victims*
- Olivera Kuljić, Basic court in Zrenjanin, Serbia: *The attorneys at law and victimization of clients*
- Marijana Mojsilović, PhD student, Faculty of Law, University of Novi Sad, Srbija: *The right to privacy as a restriction on the freedom of the media at the European Court of Human Rights with regard to the situation in the Republic of Serbia*

Workshop 1: Activities of the Ministry of Interior of the Republic of Serbia in improving the protection of victims of domestic violence

Presenters:

- Slavica Radovanović, Ministry of Interior of the Republic of Serbia
- Randel Milošević, Ministry of Interior of the Republic of Serbia

16.45 – 17.00 Closing of the conference

Program Committee of the Conference

- Prof. dr Alenka Šelih, professor emeritus at the Law School, University of Ljubljana and a member of the Slovenian Academy of Sciences and Arts (Slovenia)
- Prof. dr Gerd Kirchhoff, professor at the International Victimology Institute, Graduate School of Victimology, Tokiwa University (Japan), and the College of Applied International Studies (Germany) and honorary member of the Victimology Society of Serbia
- Prof. dr Jaishankar Karuppannan, professor at the Department of Criminology and Criminal Justice, Manonmaniam Sundaranar University (India)
- Prof. dr Violeta Čačeva, Centre for Criminology, Institute for Sociological, Political and Juridical Research, St. Ćirilo I Metodije University, Skopje (Macedonia)
- Prof. dr Janice Joseph, professor at the Richard Stockton College of New Jersey (USA)
- Prof. dr Robert Peacock, professor at the Department of Criminology, Howard College, Durban (South Africa)
- Prof. dr Slobodan Savić, full professor at the School of Medicine, University of Belgrade and president of the Victimology Society of Serbia
- Prof. dr Vesna Nikolić-Ristanović, full professor at the Faculty for Special Education and Rehabilitation, University of Belgrade, director of the Victimology Society of Serbia and president of the European Society of Criminology
- Prof. dr Slobodanka Konstantinović-Vilić, full professor at the Law School, University of Niš
- Prof. dr Nevena Petrušić, full professor at the Law School, University of Niš, Commissioner for the protection of equality and deputy president of the Council of the Government for gender equality
- Dr Ivana Stevanović, research associate at the Institute for Criminological and Sociological Research in Belgrade, president of the Child Right's Center and a member of the Council of the Government for child rights

Organizing Committee of the Conference

- Prof. dr Vesna Nikolić-Ristanović, full professor at the Faculty for Special Education and Rehabilitation, University of Belgrade, director of the Victimology Society of Serbia and president of the European Society of Criminology
- Dr Sanja Ćopić, research associate at the Institute for Criminological and Sociological Research in Belgrade and president of the Executive Board of the Victimology Society of Serbia
- Jasmina Nikolić, manager of the victim support service VDS info and victim support in the Victimology Society of Serbia
- Milica Popović, volunteer in the Victimology Society of Serbia

PLENARY SESSIONS

Victims and contemporary trends in crime control

Prof. dr Snežana Soković

Faculty of Law, University of Kragujevac, Serbia

The subject of the paper is the position of the victim in the system of the contemporary social reaction on crime. Globalization produces new forms of crime, accelerates the internationalization of criminal activities and makes more and more citizens exposed to different kinds of violation and treats. Victimological dimension of new forms of crime presents a specific challenge for contemporary criminal law systems. Along with the expressed need for reconsidering and promoting the existing standards of victims' protection, compromising of general victim position occurs. The interests of the victim are being instrumentalized in order to justify the changes in crime control in the direction of significant strengthening of the criminal law repression. The crime, which is emotionalized with the affective media presentation of the victim, justifies harsher penal policy and provides the populist support for repressive crime control strategies and criminal law expansionism.

The aim of the paper is the analysis of the mechanisms of "using" a victim in the contemporary crime control and the examination of its consequences, with the special focus on the situation in Serbia through the analysis of the Code on special measures for prevention of crimes against sexual freedom towards juveniles (the so called Marija's Code).

Main topics of the paper refer to global phenomenon of penal populism, its features and consequences, populist influences in shaping the formal social crime control system, then on the victim's role, as well as on the consequences in regard to the level and the quality of victim protection. Special contribution to the analysis of the mechanisms of "victim's use" in the context of penal populism is the critical review of the Code on special measures for prevention of crimes against sexual freedom towards juveniles (Marija's Code).

Sexual harassment in educational institutions: a comparative perspective

Prof. dr Janice Joseph

Richard Stockton College of New Jersey, SAD

Before the mid-1970s, the term 'sexual harassment' was not in common use. In the USA, the civil rights movement of the early 1960s resulted in the implementation of Title VII of the Civil Rights Act of 1964, which outlawed discrimination related to race, color, religion, national origin or sex. That act created the US Equal Employment Opportunity Commission (EEOC).

According to the EEOC sexual harassment is "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment." However, the interpretation of sexual harassment depends on the context in which it occurs since some countries do not have any anti-sexual harassment laws. As a result, there exists a broad continuum of behaviors that is viewed as sexual harassment.

Sexual harassment is prevalent not only in the workplace but in educational institutions as well. They are no longer the ivory towers of the past but have become arenas for sexual victimization. For example, a recent study found that 50 per cent of students believe sexual harassment is prevalent on UK campuses (Layla Haidrani, 2013). Also, according to the American Association of University Women (2011), during the 2010-2011 school year, 48 percent of students in grades 7-12 experienced some form of sexual harassment in person or

electronically via texting, email and social media. A study by a Charles University research team suggests that over three quarters of Czech university students have at some point been the victims of sexual harassment (Borufka, 2010).

This presentation will examine sexual harassment in educational institutions using a comparative perspective. It will focus on the limited research on sexual harassment of students in schools and colleges, the response of the victims to being victimized, and the effects on the victims. The presentation will also make recommendations on how to address sexual harassment in educational institutions.

Intimate violence and victim autonomy

Prof. dr Katja Filipčič

Faculty of Law, University of Ljubljana, Slovenia

In most countries the State Prosecutor has the authority to initiate prosecution *ex officio* in all cases of family violence (regardless of their intensity), and victim has not the power to drop the charges. This solution can have two meanings: (1) with it, the state pronounces family violence a serious problem regardless of its intensity and by doing so practices zero tolerance on violence; (2) in contrast, this solution (also named "one size fits all" response) implies that the state does not recognize the victim's autonomy in deciding on the initiation of the criminal procedure on grounds that she is incapable of making the right decision: a paternalistic attitude towards victims of family violence. A lot of studies established that in almost two-thirds of criminal procedures victims of family violence became passive or even started to defend their violent partners even if they initiated criminal procedure by themselves. This proportion is bound to rise if the state prosecutor initiates the procedure without their prior consent or even at their express opposition. Because of that in the majority of these cases the state prosecutors will have to drop the charges – it is very hard or even impossible for state prosecutor to find other evidences for violence. Some authors go as far as to say that women had a significantly lower chance of being battered again (in 6-month follow-up period) if they were given the power to drop the charges but choose to continue with prosecution.

The victim-centered model for criminal justice should be considered as a potential response to the inevitable tension between complete victim autonomy and the goals of the criminal justice system; the victims should have the autonomy in deciding on the initiation of the criminal procedure, the prosecutors should be allowed to use their professional discretion in deciding which cases to prosecute and restorative justice models should be implemented to deal with family violence when appropriate. While we should continue to advocate for improvements within the criminal justice system, we should also view this system as a very limited tool that should be part of broader set of social, political, and economic policies.

Plenary Session 2: Contemporary responses to crime and protection of victims

Representing child victims of crime in criminal court: giving the child a voice in order to reduce secondary victimization

Dr Dana Pugach,

NOGA Center for Victims of Crime in Israel, Ono Academic College in Tel Aviv, Israel

The legal struggle against the sexual abuse of children, as well as other serious offences, is of international concern. The growing awareness has meant that more children are involved in criminal proceedings, as witnesses for the prosecution. However, this involvement may come at a price and the problem of secondary victimization of child

witnesses is particularly poignant, as is the problem of exercising their rights. Listening to a child victim's wishes is a complicated and delicate area, often best served by a middleman - a specializing lawyer.

Based on the assumption that a child victim's voice should be heard and that his interests should be taken into account throughout the legal proceedings, the presentation will introduce the benefits of an independent legal representation of child witnesses throughout the legal process, as the best way to serve these goals. The presentation will use comparative law (including international tools) and will refer to the vast knowledge gathered in the Noga center in nine years' experience in representing child victims of serious crimes.

The presentation will highlight the benefit of representation at every stage of the proceedings, including the pre-trial stage, in-court proceedings, and important ancillary matters such as protecting the child from media intrusion, issuing protective orders, getting compensation for the child etc.

The Noga Legal Center for Victims of Crime was established in order to offer legal advice and representation to victims of serious crimes, to educate professionals, to promote legislation and to raise awareness in Israel of the needs of the victims. Child victims of serious offences can be helped thanks to the Steinhardt Foundation.

Victim policy and restorative justice: two of a kind?

Dr Inge Vanfraechem

Leuven Institute of Criminology, Belgium

Victim policies and restorative justice (RJ) policies have supported one another in some countries, but impeded their developments in other countries (Weitekamp, 2000). This presentation will first look at developments of victim and RJ policies on a European level: what policies have been drawn over the last years both at EU level and within the Council of Europe? Are there similarities and differences between victim and RJ policies? Do both developments go together or tend to exclude one another?

Secondly, Belgium will be studied as a case-study. At the end of the '90s, when it comes to victim regulations, the 'law in books' was regarded as quite positively (Brienen & Hoegen, 2000). At the same time, Belgium has been on the fore with regard to developing RJ, both in practice and in legislation (see e.g. Van Doosselaere & Vanfraechem, 2010; Desouter & Van Camp, 2012). What can we learn from this case-study: do victim policy and RJ go hand in hand in order to be able to develop both? Can they develop separately? Or do they impede one another?

Thirdly, to come to more general conclusions, we will look into the results of a recent project on Victims and restorative justice (European Forum for Restorative Justice) which evaluates the results of victim-offender mediation in Austria, Finland and the Netherlands, both in terms of victim experiences and of policy-making.

Borders, technology, and (im)mobility: Preliminary results of research on “cyber-fortress Europe” and its emerging southeast frontier

Dr Sanja Milivojević

School of Social Sciences and International Studies, University of New South Wales, Australia

Contemporary “social sorting” (Lyon 2003) of mobile population from the Global South is increasingly based on their risk assessment and desirability in the globalised labour market. In this context, policing the border is becoming a centrepiece of state intervention (Weber 2012) in the Global North, and is increasingly mobile, incorporating pre-emptive and

repressive measures both at and beyond the physical border. Existing border policing initiatives include a range of security technologies and technological advancements deployed to gather information about (documented and undocumented) border-crossers and to regulate ever-growing migration flows. Locating border management within the security narratives has been the centrepiece of the European Union (EU) border policy development for most of the 2000s (Neal 2009). The segregation zones in modern Europe have been largely built, expanded and maintained through hi-tech initiatives, generating what some commentators calls “Cyber-Fortress Europe” (Guild et al. 2008). These invisible walls progressively expand to third, non-EU countries, with nations of Southeast Europe and Western Balkans gradually finding themselves in the focus of the EU policy makers (Renner & Trauner 2009).

This paper presents preliminary findings from a research project that looks at mobility and border control in Western Balkans, in the context of EU integration. Through an analysis of interviews with representatives of various government agencies and non-governmental organisations that work on issues of migration and mobility in Serbia, as well as media and policy analysis, the paper casts a closer look at the process that might position Republic of Serbia as a key ally of the EU and a future border custodian of the EU’s Southeast frontier. The paper also reflects on a likely impact of these processes on the status of vulnerable categories of citizens and non-citizens, such as asylum seekers and victims of crime, as well as on crime countermeasures, human rights and mobility in the region more broadly.

Plenary session 3: Victims of crime: the status, rights and the protection

Implementing Common European Standards on protection of victims: a troublesome mission

Prof. dr Matjaž Ambrož

Faculty of Law, University of Ljubljana, Slovenia

The first “hard law” instrument on victims’ rights in the EU has been *The Council Framework Decision on the standing of victims in criminal proceedings* from 2001. Nevertheless, comparative research and implementation reports have shown serious flaws in its implementation in EU member states; one can claim without prejudice that the framework decision has failed in achieving minimum standards for victims across the EU. A second attempt has been the Directive establishing minimum standards on the rights, support and protection of victims of crime. The Directive, which was adopted in November 2012, replaced the 2001 Framework Decision, and constitutes the new framework regulating the recognition, respectful treatment, protection and support to victims and their access to justice. Its effectiveness will, however, depend on the successful implementation in member states. This will for the majority of member states not be an easy and undemanding undertaking, since it will include relatively substantial legislative changes as well as other measures (such as introducing one-stop-shop victim agencies, setting up central informational systems, which enable victims tracking of the developments in their case from first contact with the authorities on, providing for separate entrances and waiting areas for victims and offenders in court etc.)

The paper pinpoints key problems and dilemmas in the implementation of the directive with special focus on Slovenian experience. Thus the paper aims to contribute to the comparative debate on good practices and solutions when implementing common European standards on protection of victims. These problems include *inter alia*: terminology and concepts (dualism of “victims” and “injured parties”); ways of providing relevant information to victims from the first contact with the authorities on; ensuring effective legal remedy to challenge the decision not to prosecute; providing interpretation and translation free of charge and compensation schemes for all victims of crime.

Victims of human rights violations and victims of human rights restrictions

Dr Axelle Reiter

Faculty of Economics of Verona University, Vicenza, Italy

The purpose of international human rights law is the protection of basic individual rights; more precisely, by guaranteeing the most fundamental freedoms and entitlements of every human being and providing to the victims of human rights violations legal remedies against the authors of the abuses. One major difficulty faced by the victims in this context originates in the limiting clauses that states insert in international conventions. This paper looks at their compatibility with human rights agreements, in the view of strengthening the legal avenues open to the victims and the possibility for them to obtain redress. While restrictive clauses can be found in most treaties, the specific object and purpose of human rights conventions raises particularly acutely the question of their validity. Moreover, the crucial position of human rights at the core of the notion of international public order conditions the approach to adopt in relation to most issues that touch upon the scope and substance of protected rights, including withdrawal from treaties, reservations, implied limitations, overtly broad or inappropriate restrictions, misguided interpretations, failure to apply the relevant provisions and violations by public or private actors alike.

The paper is divided in four sections. The first classifies the different types of restrictions and the following three assess their admissibility in light of the purpose of human rights conventions. The second section puts forward that treaties not foreseeing it are immunised against denunciation, whereas withdrawal from other conventions is submitted to strict conditions and its practical consequences are mitigated in the presence of state duties under customary or *ius cogens* norms. The third section defends that a strict application of the test enshrined in the 1969 Vienna Convention would result in prohibiting any reservation that is not expressly permitted in a treaty. While the majority of human rights instruments explicitly authorise reservations, their acceptability depends on the specific empowering rules and a rigorous monitoring of the reservations. The fourth section examines the appropriateness of the various methods by which states can limit their international obligations during the drafting of treaties or by subsequent interpretation of their terms. It argues that most restrictions should be discarded for incompatibility with the aim of human rights agreements, with the exception of those motivated by the respect of the rights of others. This understanding of human rights restrictions would prevent states from denying legal remedies and satisfaction to many victims of human rights violations.

The British Government's proposals for a 'Community trigger for anti-social behaviour': ensuring victims are heard or providing false hope?

Prof. dr Kevin Brown

Newcastle Law School, Newcastle University, United Kingdom

In May 2013, the British Government introduced a Bill to Parliament to reform the legal framework in England and Wales for tackling anti-social behaviour (ASB). One of the key provisions is the introduction of a right for victims of such behaviour to request a review of their case if they feel that the response from local agencies has been inadequate. The government has labelled this right the 'Community Trigger'. This paper first explores the context behind this reform which has included evidence of a systematic failure among agencies to recognise the potential impact of ASB, coupled with a lack of legal remedies for victims who are dissatisfied with the handling of their case. The paper then examines the provisions and how they are likely to operate in practice. It argues that whilst there is a risk that the trigger may operate to falsely raise the hopes of victims, it has the potential to provide

an effective mechanism for holding agencies to account. Furthermore, if successful the trigger may have wider application for victims of other categories of crime.

Differences in perception on pedophilia and its impact on crime policy and criminal law

Prof. dr Dragan Petrovec

Institute of Criminology, Faculty of Law, University of Ljubljana, Slovenia

The first period of the war on pedophilia brings about awareness of specific sex crime. In the second period we witness the changes of legislature. In Slovenia, the country which will be discussed in this paper, these are fostered by groups of citizens, mostly relatives of victims. Their impact is not only good. Having solely a perception of a victim, they often neglect basic principles of due process, principles of Criminal law, presumption of innocence; finally, they frequently do not even care about victim. The victim in such a case is being abused to lynch alleged criminal, while attending the guilty verdict as the only possible decision. There is no place for acquittal. Some of real cases which will be discussed are the best proof of the additional damage caused to the victim.

The consequence of such an approach is seen in the legislature. The age of protection of minors increased from 14 to 15, registers of pedophiles are being introduced in many countries, there is no more balance between crime committed and sanction imposed, a new vocabulary in civil society emerges denoting killing of body and killing of soul, and demanding harsher sentences for the latter.

Literature and arts are far more capable to present the key issues than any criminology readings.

As long as the perspective of victims, alleged perpetrators and basic principles of law are not equally represented within legislature, including rational response to crime, justice in general will not be achieved.

Plenary session 4: Misuse of victims and the need for protection and support

Yoga and victims

Prof. dr Vesna Nikolić-Ristanović

*Faculty of Special education and rehabilitation, University of Belgrade
Victimology society of Serbia, Serbia*

In this paper various understandings and elements of yoga are presented, and relationship between yoga and psychotherapy, medicine, victimology, criminology and penology is pointed out. Those aspects of yoga that can be important in the work with victims are particularly analysed. In this paper the largest notion of victims is accepted that includes victims of crime, victims of human rights violations (including prisoners), as well as victims of war, natural disasters and other sufferings.

Also, the review and analyses of so far experiences of application of yoga in prevention of victimisation and in offering support to victims and prisoners in the world and in Serbia is given. In this part of the paper the analyses of personal experiences of the author with application of some aspects of yoga in the work with prisoners in women's prison in Požarevac (Serbia), during workshops implemented by Victimology Society of Serbia during 2012, is presented.

In the conclusions, contribution of yoga to holistic approach to victim support as well as important role that yoga may have in prevention of victimisation and criminalisation, is stressed. The importance of yoga for support of prisoners as the part of preparation for re-

entry and with the aim to prevent recidivism, as well as to enable their more successful reintegration into the society, is particularly emphasised.

The paper is based on the research implemented by the author for the purpose of writing the final essay at the course for yoga teachers on International yoga academy, Yoga Alliance of Serbia.

Burgeoning media's reporting of rape cases: some reflections and its impact

Dr Vibha Hetu

O.P. Jindal Global University, New Delhi, India

The media sometimes present certain myths related to rape victims that run contrary to the data supported by empirical research. These myths affect the public's overall perception of rape cases which, in turn, influences their attitude towards their own female folks. This article seeks to examine the presentation of 'rape myths' by media and its overall impact on common people. The basic themes covered under this paper are: media's role in reporting rape cases, portrayal of rape cases and its impact, perpetuating the false scenario of rape, characteristics of rape cases reported by media and opinion of media personnel on reporting the rape cases and the impact of reporting on the mindset of common people. Employing exploratory design, this study evaluated a sample of 130 rape victims, 100 common people and 20 media personnel to find out the characteristics of rape cases reported and their role in the early disposal of the case. The empirical research is a part of doctoral work that was carried out from 2007 to 2012. The study was conducted in Delhi City.

Media reporting on femicide

Prof. dr Zorica Mršević

Institute for social studies, Belgrade, Faculty of European legal and political studies, Novi Sad, Serbia

The subject of the proposed paper is the critical analysis of stereotyped media reporting on femicide, murder of women by men. There is a blurred responsibility and (not) intended creation of social "acceptance" of such events as not predictable and inevitable. The most frequent stereotypes are: affirmative presentation of hegemonistic masculinity as given "by nature", not changeable occurrence; searching for perpetrators motives in events happened just before murder; lack of understanding of the social context in which violence against women happen, and lack of empathy to victims.

Stereotypes are most frequently used as a way of covering up own lack of understanding of femicide by generally accepted leitmotives. There is blaming or discrediting the victims by presenting history or quasi-history of her life (she drinks, works abroad, has children in two marriages, her parents took care on her children), diminishing responsibility of the murderer (passionate love, turbulent partnership, they loved and beat each other, he couldn't survive without her), diminishing murder (instead of domestic violence: disturbed relations, family disputes, frequent conflicts), ignoring responsibility of institutions which didn't adequately and accurately reacted even in cases of many decades lasting violence before femicide, and didn't react on open murder threats and possession of fire arms.

Methodology is based on theoretical standpoints from domain of Criminological sub domain, Phenomenology of violence, illustrated by analysis of media reporting on domestic cases of femicide happened within the period January 2012 - September 2013. The period is chosen with intention to put stress on the newest cases of femicide in Serbia, with message that femicide is not anything happens to "others", as domestic violence also is part of our daily routine.

The aim of the paper is to identify and to analyze the main media stereotypes in reporting on femicide and thus to present how wrong these are. It will offer also different, fact wise correct, non stereotyped presentation of femicide in media including total elimination of the current stereotypes which mostly blurred individual and institutional responsibility for committed murder and additionally reinforced *status quo* in division of social power balance among women and men.

The main topics include: relations between femicide and family violence, previous long lasting family violence as causing femicide due to lack of adequate and accurate institutional reaction; femicide in partner/family context, femicide followed by suicide or suicide attempt of the murderer, femicide followed by murder of some other family members, such as mostly mutual children; the newest femicide cases in Serbia; most frequent media stereotypes in reporting of femicide in Serbia; affirming “acceptability” of violent masculine behavior, particularly masculine jealousy; media impact on development of tolerance to violence and ignorance of the fact that violence is danger to society as a whole.

Religion helping the victim: the case of the Eastern Orthodox Church theology and practice

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Dealing with the puzzle of violence regards not only the perpetrator of the violent act. A very important piece, to which more and more attention is given nowadays, is the victim. There is interest in studying ways by which victims of violence can recuperate and heal, assuming an active role again in society (for example the whole approach of restorative justice attempts to repair the damage done to the victim).

Religion (dogma and practicing rituals) can be a healing method to be seriously considered, as for many people it is an important part of their lives and a powerful driving force. To some societies religion is a strong cultural characteristic that affects lives and plays an important social role. Furthermore, in times of distress humans explore all ways available to cope with their problems and misfortune. Victims try to find an explanation about why they were victimized, why the terrible event of violence happened to them; they struggle to find strength to go on with their lives and regain trust to people. Often the judicial procedure towards punishing the violent offender does not satisfy the complete needs of the victim (for example: inability of prosecution, possible failure of the perpetrator’s conviction, re-living the stressful violent event in court).

The proposed paper aims to present points of the role of religious practice of the Eastern Orthodox Christian Church in order to assist victims of violence in recuperating. Basic points addressed: What is the attitude towards victims of violence, perpetrators and its theological support? What is the meaning of help and victim recuperation in the context of eastern orthodox Christian religion? What are practical tools for helping victims?

Institutionalizing a network of witness/victims support services

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OSCE Mission to Serbia

Slavica Peković

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As of 2005 the OSCE Mission to Serbia Rule of Law and Human Rights Department has been actively involved in promoting the idea of the need for the institutionalization of a network of witness/victims support services (WVSS) within the judicial institutions. The first WVSS was established in 2006 within the War Crimes Chamber of the then District Court in

Belgrade. The positive experiences of the WVSS represented sufficient grounds and encouragement to go further in the process of establishing the WVSS in the courts of general jurisdiction, in the regular criminal procedure.

OSCE Mission to Serbia is currently implementing the Project “*Institutionalizing a network of witness/victims support services*” in courts of general jurisdiction in the Republic of Serbia. The overall objective of the Project is to strengthen the criminal justice system through the introduction of a new approach to support victims and witnesses in criminal proceedings. This new approach is based on human rights and includes an improved attitude towards victims and witnesses during the trial, which will positively affect the efficiency of criminal proceedings.

The project aims at the establishment of WVSS in 16 courts which will be selected on the basis of criteria set by the competent authorities of the Republic of Serbia. Establishing a system of services will take place in several phases: establishing an adequate legal and institutional framework, organizing specialized trainings for future employees of the WVSS, informing the general public, the establishment of effective coordination and referral mechanisms.

THEMATIC SESSIONS

Thematic session 1: Victims and penitentiary system

Victimisation in penal institutions in the Republic of Macedonia

Prof. dr Oliver Bačanović

Msc Nataša Jovanova

Faculty of Security, Skopje, Republic of Macedonia

With the aim to determine the status of convicted persons in penal institutions in the Republic of Macedonia in the eponymous research (conducted in 2012), a special part was devoted to the prevalence of victimization in these institutions.

The occurrence of victimization in penal institutions is relevant and realistic phenomena, while its study unjustifiably is neglected in the Republic of Macedonia. We start from the assumption that these institutions provide an appropriate environment for violence or violent behavior generator and that in them there is higher level of occurrence of violence than on freedom and with that related victimization. This assumption is also confirmed by appropriate studies on this phenomenon.

In the frame of this paper the main research results will be presented that include: the presence and frequency of victimization, phenomenology of victimization among inmates as well as victimization of inmates by members of the security sector (i.e. horizontal and vertical violence in penal institutions). It also analyzes the consequences of victimization for the victim and the assistance that she sought and eventually received from responsible persons in penal institutions.

The aim of the research is to determine the distribution of victimization in institutions, as well as to identify the differences that exist in relation to victimization based on gender, ethnicity, education, financial status and previous convictions.

The research was conducted in the period from October to December 2012, on a sample of 217 respondents from penal institutions in the Republic of Macedonia (10% of the total prison population), by the research team of the Faculty of Security - Skopje, composed of teachers, teaching assistants and student on master studies. The part of project relating to victimization in penal institutions is led by prof. dr Oliver Bačanović. The study used survey as a technique and structured questionnaire as a research instrument.

The available data that were used for crossing with types of victimization of respondents are: length of stay in a penal institution; age; type of crime for which they are in penal institution, type of penal institution, and length of sentence. In addition, we can take into account three modalities of victimization: victimization of the respondents by other inmates, and victimization by authorized persons as a result of the use of forcible means and cases where the interviewed person is in the role of the one who victimizes other inmates. One feature of this study was the abstaining of answering questions by respondents (20-25%). Summarizing the experiences of our research, in this paper we will try to answer how we explained that.

Implementation of the model BASIC PH in the treatment of stress of the female prisoners

Doc. dr Dragana Batić

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Most research in penology and penological psychology are concerning the etiology, phenomenology and treatment of male perpetrators of crimes, as they dominate in the total criminality. Criminality of women is not enough explored area in the world, as well as in the

Republic of Macedonia. Female perpetrators present the part of a penal system, but they also present a vulnerable category. Thus, it is important to research their specifics for creating appropriate treatment programs.

Muli Lahad, a psychologist from Israel who deals with the psychotherapy of traumatized people, believes that, in order to successfully help one individual exposed to stress, we need to recognize the channels of communication of the individuals with the world. He noticed that people use a maximum of six channels of communication in coping with the world, and thus also coping with stress: B (Belief), beliefs or values; A or emotionality, feelings and moods, I or imaginativeness and creativity, S, or sociality and relationships with other people, C cognition, facts and solve specific problems or physiological PH and physical activity.

Lahad called his theory- BASIC PH. Although for a normal existence we need to use all 6 channels for coping with stress, studying the speaking and behavior of people who are under stress, Muli Lahad found that people primarily use one, two or three channels. He also believes that by analyzing the speech or by implementation of specific diagnostic techniques can be observed that the channels of communication are dominant. That is necessary for developing a strategy to help traumatized individuals. It is this multi modal approach that suggests a combination between these elements in the unique coping style of each person. This model of stress and coping is very applicable and could be well adapted to the prison population to develop healthy ways of coping.

This paper is a part of research conducted in the prisons in the Republic of Macedonia, and covers 25 women from the prison Idrizovo. The purpose of this research is to gain insight in how women perceive the prison (which are the most common stressors they report) and what helps them most to cope with them. In the survey we applied semi-structured interviews that provide data for qualitative analysis. Data obtained in this study will be used for proposing and developing specialized treatment programs for female inmates in prison.

Problem of overpopulation of penitentiary institutions in Serbia and prisoners' rights

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The problem of overpopulation of penitentiary institutions in Serbia in recent years has been attracting the attention of experts and scientists. Amendments to the Law on Execution of Criminal Sanctions 2009 and 2011 laid the foundations for effective action to improve the overall system of security in prisons and made the improvement of certain legal provisions in order to properly carry out the execution of the so-called alternative sanctions. It also adopted a Strategy to reduce overpopulation in prisons in the period from 2010 to 2015, whose main objective is the design and implementation of measures and actions to reduce overpopulation in institutions for criminal sanctions in Serbia. However, despite the relatively good situation in the legislation, situation in institutions for execution of criminal sanctions is not sufficient. The biggest problem is the overpopulation that results in a number of other problems: prisoners may remain at freedom for a long period of time, thus, increasing the risk of recidivism; a large number of prisoners have a negative impact on the adequate treatment and social reintegration of prisoners and prison overpopulation leads to violations of human rights guaranteed to prisoners by international legal acts and positive regulations of the Republic of Serbia. In this regard, the paper aims to examine what are the housing conditions of persons deprived of liberty, to what extent the security service complies with the statutory provisions and how much the medical staff in the penal institution is aware of their obligations in the case of the use of coercive measures with regard to its importance for the prevention and for preventing cover-up of abuse. In addition, attention was dedicated to the problems related to the health care of prisoners, and the position of special categories of

prisoners (women, prisoners with disabilities, foreigners). Continuous poor living conditions of prisoners along with other factors such as mismanagement, poor health care and social support can lead to actions that can be characterized as inhuman and degrading.

On the other hand, the right conditions for life in penitentiary institutions are a key prerequisite for ensuring respect for the dignity and personality of prisoners. One of the main ways for solving this problem is the widespread application of alternative sanctions and conditional release, which is especially emphasized in the paper. In addition, the state is obliged to treat health care, social contacts, work, access to education, leisure activities, etc. as a fundamental right and not as a convenience which people deprived of their liberty have. In this regard, it is necessary to improve the living conditions, health care and adequate programs for prisoners, as well as to increase the number of prison staff in direct contact with prisoners.

Victim who needs help, or the offender who deserves punishment

Doc. dr Danica Vasiljević-Prodanović

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The notion of crime victim is usually assigned intuitive meaning. According to a simple definition, victim is a person who suffers physical, emotional or material harm as a result of crime. Therefore, victim is weak, defenseless, blameless for what happened, and deserves sympathy. The offender is bad and deserves to be punished for what he has done. This popular stereotype is derived from Nils Christie's image of "the ideal victim". In real life, questions relating attributes and identity of crime victims are much more complex and often controversial. Two terms - victim and offender, which are ideally defined as disjoint sets, can have in practice many points of intersection. Recent research examine the phenomenon of victim-offender overlap pointing out the similarity of their demographic characteristics, and social processes that generate delinquency and victimization. Some authors state that "offenders are more likely than non-offenders to be victims, and victims are more likely than non-victims to be offenders". This paper examines same aspects of the phenomenon of victim-offender overlap, aiming to highlight the theoretical and practical significance of understanding the relationship between victimization and offending. As an issue significant for victimology and criminology research, this phenomenon has also practical implications for criminal policy: prediction and prevention of victimization/offending, sentencing decisions, diagnostics and treatment of offender, etc.

Victim aspects in restorative justice response to crime

Doc. dr Vesna Stefanovska

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Restorative justice in response to crime can have a positive influence on crime victims, more than the criminal justice system. The movement for improvement of victim's rights during the court trial cannot meet the real needs of the victims (restitution, curing the emotional trauma, empowerment for active participation in dealing with crime). A restorative process, i.e. victim-offender mediation, offers an active participation of the victim and the acknowledgment of the damage inflicted to the victims by the offender. Barton stresses the role of restorative processes in the emotional and moral healing of the victims through an apology and forgiveness. This can transform victim's feelings from unsafely, fear, humiliation to empathy, acceptance of the crime and readiness to forgive. Also, a sense of justice is more easily achievable when victims are able to say a word about the crime and when they can express the feeling of pain, anger or any other emotion. In other words, empowerment of the victims can start with their right to choose one of the alternative means

for conflict resolution. Thus, the main thesis of this article is that restorative justice succeeds in offering victims and offenders to speak without fear and to actively participate in discussion and decisions for what is acceptable and right for them. Moreover, restorative processes are part of crime prevention directed not only to the offender, but to the victim, as well. They have a great influence on prevention of the secondary victimization.

In addition, the paper discusses the following topics: benefits of the restorative measures to the crime victims which are related to the restoration of the disturbed relationship with the offender, emotional healing, prevention of secondary victimization, active participation of victims in conflict resolution. A special section in the paper will be devoted to the benefits of restorative processes for vulnerable victims of sexual assaults.

Presentation of the best practices in this area is one of the aims of this article in order to contribute to greater recognition of victims within restorative processes in our criminal law. The findings of theoretical research offer acceptable models and recommendations for their further development, as well as important suggestions for their proper application in Macedonian restorative justice response to crime, especially taking into account the victims of sexual crimes.

Thematic session 2: Possibilities of improving anti-discrimination policies and the prevention of discrimination in Serbia

Improving the state response to hate crimes and hate speech

Doc. dr Mirjana Dokmanović

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Eliminating hate speech, as a specific form of discrimination, is a part of antidiscrimination policies necessarily. The paper overviews possibilities of the coordinated response of all state actors in Serbia, particularly courts, prosecutors' offices, police and local self-governments, to prevent and combat hate speech and hate crimes. The aim is to underline the importance of the coordinated and permanent efforts of duty-bearers at central and local level in this field, and introduce them recommendations for action.

The hate crimes institute has been introduced as an aggravating circumstance in the amended Criminal Code (Article 54a). The effective combat and prevention of crimes motivated by hatred includes combating hate speech. Although all forms of hate speech are prohibited by law, still the media, the Internet and streets are full of hate messages and calls for violence against groups and individuals on the basis of their gender identity, sexual orientation, race, nationality or confession. By a rule, authors of such messages stay invisible and unpunished, despite the fact that this type of verbal violence represents an undoubted threat, an announcement and a possible vanguard of a really done violence. Although the State has recognized the social risk of hate crimes and hate speech, and expressed the willingness to combat these violent acts, its efforts with this respect are still poor and uncoordinated.

The paper will emphasize areas of interventions necessary for improving the State response in this field, and formulate recommendations with this respect. Areas of interventions should include training of judges, prosecutors and police officers, establishing rules of procedures in cases of hate crimes at central and local level, recording and collecting relevant data, and establishing coordinated activities of all relevant state and non-state actors, including the media and civil society. Suppression of crime motivated by prejudice and hate is critical for the establishment of the system of values which would include acceptance of differences, not only effective and efficient instruments of legal protection.

The paper will also introduce foreign good practices, as the Protocol of Cooperation in Cases of Hate Crimes (2011) of the Republic of Croatia. It will also present activities in

this field envisaged within the IPA 2011 Project “Implementation of Antidiscrimination Policies in Serbia” and implemented in collaboration with the Office for Human and Minority Rights and the Commissioner for Protection of Equality.

The Role of the Commissioner for Protection of Equality in Combating Discrimination

Prof. dr Nevena Petrušić

Gorica Čolić

Commissioner for protection of equality, Belgrade, Serbia

The topic of this paper is the analysis of the legal profile of the Commissioner for Protection of Equality (CPE) and its legal role in the field of combating discrimination and improving equality. The CPE’s position and potentials in the area of strategic litigation is discussed in particular, as an important mechanism of improving antidiscrimination legal practice.

The aim of the paper is to provide insight into the legal profile, the competencies and the role of the CPE with respect to prevention and suppression of discrimination, as well as to indicate difficulties and obstacles that this independent body meets in realization of its legal role. The paper will discuss the position of the CPE in the legal system, its legal role, the normative framework for action, the problems that occur in implementing complaint procedures, with a reference to characteristic appearances. A part of the paper will focus on potentials of strategic litigation, as well as on developing good indicators for recognizing strategically important cases of discrimination. The paper will also discuss activities aimed at preventing discrimination, and building partnerships with civil society organizations and media necessary for more effective activities on raising public awareness on the issue of discrimination.

The Strategy on the Prevention and the Protection against Discrimination as the state response to discrimination

Prof. dr Zorica Mršević

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The subject of the presentation is the legal and political nature of the Strategy as a self-binding promise of the State to the citizens that it will achieve goals related to the improvement and the advancement in a certain field of public life; likewise, the Strategy is an evidence of the existence of the State efforts and wholeheartedly care aimed at achieving positive changes.

The goal of the presentation is to make references to the factors that are necessary for the effectiveness of the Strategy against the culture of non-tolerance; to analyze whether its envisaged activities to be performed by the State actors and civil society will contribute to replacing the culture of non-tolerance by the culture of equal opportunities and respect; to identify whose and what efforts are needed in the practices in order to prevent and eradicate discrimination, particularly against unpopular social groups.

The main topics of the presentation are categories protected against discrimination (women, LGBT population, persons with disabilities, Roma, elderly, children, national minorities, refugees, internally displaced persons and other vulnerable migrant groups, protection against discrimination on the basis of religious belief, and persons whose health condition may be a ground of discrimination). The paper will also include presentation of the harmonized system of measures, requirements and instruments of the public policies that the Republic of Serbia should implement in order to prevent and decrease all forms and specific aspects of discrimination grounded on any personal characteristic.

Introducing indicators for implementing and measuring human rights in Serbia

Gianfranco D'Eramo

Eptisa, IPA 2011 Project: The implementation of anti-discrimination policies in Serbia

In recent years, there has been a growing demand from different human rights stakeholders for quantitative and qualitative indicators as tools to foster the implementation and realization of human rights. Indicators are seen as useful tools in assessing progress in the implementation of human rights, formulating human rights-based public policies and making available relevant information to States, national and international human rights monitoring mechanisms, as well as civil society. The topic of the presentation is to introduce the conceptual and methodological framework for introducing human rights indicators (NRI) in Serbia, on basis of the HRI developed by the Office of the High Commissioner for Human Rights (OHCHR) and endorsed by United Nations Human Rights Mechanisms (HR/PUB/12/5).

The aim of the presentation is to highlight the importance of introducing HRI to measure the realization of the human rights enshrined in the core human rights treaties and optional protocols Serbia has ratified. Currently, there are certain gaps and shortages in recording and collecting quantitative statistical data relevant for measuring the level of implementation of legislation, measures and policies related to human rights. Statistical systems, human rights and policy management are closely interrelated, and thus need to be in tune with each other for promoting human rights on basis of equity and equality.

The presentation argues that the progressive development of a comprehensive suite of human rights indicators will provide an effective and transparent basis for evaluation and reporting to treaty monitoring bodies, and will generate on-going review and improvement of Government policy in line with human rights standards. HRI are also a tool for detecting groups in a society which are vulnerable to discrimination, their specific needs and interests that should serve as guidelines for shaping antidiscrimination policies and measures. The development of HRI will also raise awareness on the relevance of using commonly available statistical information and other appropriate indicators in not only promoting and monitoring the implementation of human rights, but also in the assessment of their activities and programs in the context of the implementation of the Strategy for Fighting against Discrimination adopted in June 2013, as well as other strategies and policies in the field of human rights.

Thematic session 3: Various forms of victimization

Women's alcoholism – gender differences as victimogenic predispositions

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Msc Natalija Žunić

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The paper deals with the gender analysis of the stereotypical social response to women's alcoholism in micro and macro socio-cultural space. Stigmatizing and blaming the woman who uses alcohol excessively is becoming part of a deep-rooted gender-based characterization, which, on a larger social scale, leads the woman to the field of discrimination and social exclusion. Men's alcoholism and women's alcoholism have certain phenomenological and etiological specificities, conditioned by various social, cultural and economic assumptions, but it is highly important that the social perceptions of men's and women's alcoholism are different. Men's alcoholism is seen as socially justified and

accepted, especially in a microenvironment, whereas women's alcoholism is confronted with social disapproval, contempt, and is associated with "loose women", who, most frequently, live on the margins of society. People from the closest environment reject them, giving them humiliating names (drunkard, witch, bitch, etc.) and try to hide them from the public (parents and children are ashamed, husbands abandon or divorce them, friends abandon them, colleagues feel pity and avoid them). Women's alcoholism in the modern society is becoming a large social and health issue and, therefore, it is necessary for the social environment to become more sensitive to women's alcoholism in order to remove the causes for alcoholism and offer full support to women in treatment. That would be a preventive measure leading to alcohol prevention and reduction of the victimization of women, who are considerably more exposed to physical and sexual violence under such circumstances.

The aim of the paper is to point out the basic phenomenological and etiological characteristics of women's alcoholism, prejudices and stereotypical opinions, socio-cultural sanctions, alcoholism as a victimogenic predisposition and women's exposure to violence, and, also, to promote a different social perspective on women's alcoholism, the introduction of social and educational gender equality policies, and the support for social control measures.

Basic topics covered in the paper will be: alcoholism as a social and cultural phenomenon; gender differentiation of alcohol abuse; risk factors for women's alcoholism and victimization by means of violence; gender differences in the consequences of alcohol abuse; the establishment of educational policies for preventive activities and the prevention of women's alcoholism.

Victims of war in Bosnia and Herzegovina

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Maja Hadžihasanović

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In the period from 1992 to 1995, during the war, Bosnia and Herzegovina was the territory where numerous and severe war crimes were committed, among which was even genocide. It resulted in a large number of victims. The researches based on socio-demographic characteristics which analyze, systematize and categorize the victims of the war in Bosnia and Herzegovina (BiH) according to the existing classifications are so scarce. This paper aims at eliminating the present drawbacks and improving the scientific elaboration of this problem.

The paper brings a theoretical elaboration of the term "war crime victim" as well as the categorizations of victims of war made by various authors.

The empirical research was conducted in the period from late 2009 to the beginning of 2011. The sample included 161 war crime victims, randomly taken from the population of war crime victims in BiH. Data collection was made by means of a survey and the questionnaire variables were based on the existing classifications of war crime victims. The collection of the data was conducted during the basic research that was a part of doctoral thesis of the first author.

The obtained research results that present the basic socio-demographic characteristics of war crime victims in BiH defined the structure of this population and served for the comparison with the data available in the neighboring countries.

Human trafficking in the Republic of Macedonia: the position of the victim in criminal proceedings

Doc. dr Tatjana Gerginova

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Human trafficking represents one of the largest and most profitable global criminal activities, together with the arms trade, drug trafficking, terrorism and money laundering. The number of official victims of human trafficking in the world per year is between 500.000 and 2.000.000, and the actual number is even higher. Human trafficking is a highly profitable, and both low-risk criminal activity, especially sexual exploitation, which destroys the quality of life, and its most severe forms destroy victim's life. This is a modern form of slavery whose victims are mostly women and girls.

In Southeast Europe, which includes the Republic of Macedonia, especially concerning is the growing trend of human trafficking, which mostly explains the high profitability and substantial risk to the perpetrators. Macedonia, because of its geographical position as a bridge between Asia and Europe, is a geographical region that is present in human trafficking and has been identified as a major transit and destination country. Strategy and prevention of combating human trafficking, law enforcement and international treaties, necessarily requires the use of special investigative measures, protection of witnesses and collaborators of justice for victims.

Within this paper I will talk about the legal framework for the provision and protection of victims in criminal proceedings, whether it appears as a witness or injured party and how consistently legal provisions which determine the position of the victim in the process applied, or how the case law allows realization of victims' right to be present at the process, to be informed of their rights, the right to have counsel (attorney at law), the right to adequate translation, the right not to answer certain questions, the right to explain the indemnification claim, the right to propose new evidence and questioning of witnesses, expert witnesses and defendants, and especially to provide adequate protection of its integrity and to allow the victim to be examined without the presence of the accused.

Female juveniles as victims of human trafficking

Ivan Milić

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A number of victims of human trafficking are female juveniles who for various reasons have become victims, and who need special help with recovery due to their physical and psychological condition. The subject of this paper will be physical, psychological and social assistance to the female juveniles after their liberation from the people who exploited them, and special attention will be paid to the role of families and institutions in providing such assistance. A special section will be about the obligations of the Republic of Serbia as a member of the Council of Europe Convention on Action against Trafficking in Human Beings, particularly in the part related to the recovery and return of victims to their country of citizenship. Being a victim means that female juveniles are often sexually exploited, being also exposed to physical violence. Female juveniles who were victims of human trafficking become free after the liberation; they are no longer "enslaved", but still have to face other, comparatively less serious problems. Victims are often female minors from socially handicapped, dysfunctional families, as well as from families in which one of the members is an alcoholic or a drug addict, who cannot help the victims or do not want to help them in their recovery. So we can reasonably ask ourselves - Is their recovery possible and how long does it take them to recover? Physical, psychological and social recovery is the most important for the victim. The environment in which the victim lives has a great impact on her recovery; its

behavior can help or hinder the recovery. Female juveniles are often victims abroad, so their recovery and their return to the country of their nationality becomes a specific problem. Since human trafficking is an international problem, it is one of the indicators that it is not possible to prevent or suppress this crime, or to provide assistance to victims unless there is international cooperation. The Republic of Serbia as a member of the Council of Europe Convention on Action against Trafficking in Human Beings has commitments related to helping the victims. First of all, every member of the Convention has to adopt legislative and other measures which are necessary for assisting victims in their physical, psychological and social recovery. The Republic of Serbia and other members of the Convention have special obligations if the victims are foreign citizens, of which the most important ones are to ensure they have enough time to recover, to assist them in issuing the residence permits, and in returning to their country of origin. The aim of this paper is to point out all the problems of female juveniles who were victims of human trafficking, to try to prove that without the obligations imposed by state authorities, but most of all without the help of their families, state institutions and the non-governmental sector, recovery is either not possible or very difficult.

Thematic session 4: The victims, social reaction and institutions

Readiness of crime victims in Croatia to report their victimization to the police

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Krunoslav Borovec

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Dubravko Derk

Zagreb Holding, Security Sector, Republic of Croatia

This paper is a part of „*The National Public Opinion Survey on Citizen Perception of Safety, Security and Police Collaboration with Local Community in the Republic of Croatia*“, which has been conducted by United Nations Development Program and the Croatian Ministry of Interior.

Given that crime detection depends on police, but also on citizens, respectively on their readiness to cooperate with police, the main goal of the survey was to determine Croatian citizen perception of safety and security, to obtain information about their contacts with the police, and to determine the level and reasons of their non-cooperation with the police in reporting victimization. The survey encompassed a total of 4500 Croatian citizens over 18. Interviews were conducted via telephone (2000) and via personal interviewing (2500). Both samples were multiply stratified by the following variables: county, settlement size, gender and age.

Results show that car thefts and burglary are most often reported to the police, while thefts of car radio or other things/parts from the car and violent attempts of dispossession of something are reported somewhat rarely. Half of victims of bicycle/motorcycle thefts and pocket-picking, and even two thirds of victims of frauds and physical assaults did not report them to the police.

There are three main reasons why victims of criminal acts did not report it to the police: police inability in solving cases, solving problems by themselves and unwillingness to waste time on bureaucracy. Solving problems by themselves is most often stated reason among victims of a physical assault, while victims of burglary and bicycle/motorcycle thefts most often believe that in these situations the police could not have done anything. Victims of fraud equally often state they solved the problem by themselves and that the police was powerless anyway, while in the case of pocket-picking and thefts of car radio most often

mentioned reason, alongside police inability, is victim's unwillingness to waste time on bureaucracy.

Almost all of respondents who were not victims claim they would report such a situation to the police which is similar to the results of corresponding foreign surveys. Women more often than men don't report their victimization because they are afraid of perpetrator's revenge. All respondents extremely rarely state their distrust to the police as a reason for non-reporting their victimization. Given results indicate that Croatin citizens still don't lose their faith in the institutions of society, but also that they do not perceive them as a service provided to citizens, but rather as an additional source of unnecessary complications.

The relationship of the police and crime victims: an analysis of the process and the level of satisfaction with the work of the police

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The problem of this study is to investigate the level of satisfaction of different categories of crime victims in terms of the various aspects of police work and conduct and in this regard to identify opportunities for improving the quality of policing. Also, the process of satisfaction of crime victims is identified and analyzed, starting from the problems arising after the committed criminal offense, the need caused by such problems, requirements toward the police regarding the committed crime, the expectations of the police during the process of clarifying and processing of reported cases and expressing satisfaction with the various dimensions of work and conduct of the police, such as reception by the police and the environmental conditions while reporting a crime, empathy of police officers, developing a relationship of trust and cooperation, giving information and other forms of assistance, etc. The paper in its analytical unfolding contains conclusions and suggestions for improving the quality of work and behavior of the police towards crime victims, especially towards the socially vulnerable groups, such as LGBT and convicts. The research was conducted in the Republic of Serbia in the period from February to May 2013 on the basis of a structured questionnaire on a sample of 153 respondents - different categories of crime victims. The research is part of a doctoral dissertation of the first author entitled "The quality management of the function of the combat against crime - a case study of the Ministry of Interior of the Republic of Serbia", at the European Center for Peace and Development ECPD, Belgrade, which partly relates to the issue of police work with crime victims. The research on relations between the police and crime victims in the Republic of Serbia are rare, and there have been no studies of its kind in a structured way to include the concept of quality and quality management, which is based on the concept and strategy of the police as a public service. Therefore, this paper is a pioneering project to include the concept of quality in scientific research problems of relationship between the police and crime victims. Thus, it is reasonable to expect that the results of the analysis of the research underlying this work will serve as a good basis for further comprehensive research on this topic. In addition, examining the level of satisfaction of crime victims with the work and conduct of the police served the authors to formulate some recommendations in regard the strategy management needs, requirements and expectations of the crime victims, as a key stakeholders in the process of combating against crime.

Evaluation of Victim-offender Mediation (VOM) for youth in conflict with the law in Zagreb Professional Service for VOM and some victims' characteristics

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The main goal of this paper is to present Croatian victim-offender model aimed for juvenile in conflict with the law and to evaluate its process and outcomes. Victim-offender mediation (VOM) is well known in Croatia under the name of "out-of court settlement".

The sample consisted of 209 juvenile and young offenders and 159 victims who participated in the process during the period from July 2006 until the end of 2009. Efficiency was evaluated using data on criteria for imposing VOM, the characteristics of both offenders and victims, type of offence, stages of VOM procedure, types of compensation and the efficacy of the process itself measured with achievement of the agreement, the decisions of the state attorney and the recidivism of the offender.

Data was analyzed descriptively, and collected using documentation analysis and questionnaire. The results show efficacy of VOM considering all the above mentioned criteria and support the efforts of professionals to advocate for further development and implementation of VOM on the whole territory of Croatia.

Victim' responses towards the offence and victim-offender mediation

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The paper analyses the relation of victims towards the offence committed to them and their readiness for victim-offender mediation (VOM). The aims were: a) analysis of victims' feelings and behaviors in relation to the offence and in comparison to the offenders; b) analysis of the victims' needs regarding the offence and in comparison to the offenders; c) analysis of victims' readiness to attend VOM and in comparison to the offenders.

Methodology: 17 mediators gathered the data on VOM completed within the Mediation Network of Outreach Mobile Teams for Child Protection. Assessment tool that was applied was *Assessment Visit Check List* (Quill, Wynne, 1993) for data gathering on parties in conflict during victim's and offender's preparation for VOM. The sample included 41 victims and 42 offenders, participants of 41 VOM. 59.5% of victims and 90.5% of offenders were male; 75.0% of victims and 90.5% of offenders had up to 18 years of age. Offences were mostly fights, minor property offences and vandalism.

Most of the victims experienced high levels of bitterness, hurt and anger regarding offence; less frequently they experienced high levels of fear and frustration, and a quarter of the victims reported high level of helplessness. Strong guilt was felt by 65.9% of offenders, but also 5.4% of victims! Comparing offenders' and victims' emotional attitude, it can be seen that offenders three times less than victims felt strong anger, but more frequently in comparison to victims had moderate to high feelings of fear and guilt. Victims showed higher levels of defensiveness but also higher levels of self-confidence than offenders. Aggressive and antisocial behavior were equally present in both victims and offenders. Almost all victims and offenders showed the need for reparation and an agreement with the other party, and most of them wanted to know more about the other party in conflict. A small percentage of both victims and offenders needed referral to another agency. Most offenders and half of the victims had accepted retribution as a reaction to the offence. Almost all victims and offenders were receptive to mediation/reparation and to cooperation with mediators, and the majority of them were opened to future contacts with the victim. Results showed that a high percentage of

both victims and offenders had strong feelings regarding offence. They also had a need for reparation, for knowing more about the other party and for reaching an agreement. VOM seems as a valuable approach for meeting needs of both victims and offenders.

Thematic session 5: Child victims of crime and their protection

Multiple and continuous exploitation of children who beg

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Stay on the street for children bears the risk of their victimization and exploitation by unknown individuals and groups, so as by the closest family members. One of the ways of their exploitation is the forced begging which is a serious social problem of modern society. In addition, children beggars can be multiple, once as well as continuously victimized. Starting from this, the subject of the paper is victimization of children who are forced to beg. In accordance with that, the paper aims to present the results of a qualitative research conducted by the author of the paper during July and August 2013, on a sample of 10 children of both sexes and aged 8 to 13 years. The technique of individual and focus group interviews were used in the survey. At the beginning of the paper the basic methodological characteristics of the survey that required caution and creativity of the author in order to protect respondents will be shown. Then, the results related to the basic characteristics of the child victims, the characteristics of their entry into the chain of begging, forms and characteristics of their victimization in the family and on the streets that are in relation to begging will be presented. Based on the experiences of the respondents special segment will be devoted to the analysis of the characteristics of the individual and begging controlled by organized criminal groups. At the end their experiences in contact with the general population and representatives of relevant institutions will be analyzed.

Abuse and neglect of children with developmental disabilities

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Children with developmental disabilities are 2 to 10 times more exposed to risk of being abused and neglected compared to children with typical development. Besides, the chances of re-victimization are much higher, mostly in a long term. The type and frequency of abuse and/or neglect depends on the type of difficulties child has. Although maltreatment occurs in all social classes, poverty, inadequate life conditions, social isolation and lack of appropriate environmental support increases the risk for abuse and neglect.

The aim of this paper is to present the result of analysis of the available researches on the subject of phenomenology of maltreatment in children with disabilities. The presentation will cover the analysis of maltreatment frequency in children with disabilities, the reasons for the increased risk of being abused and neglected, as well as difficulties of maltreatment identification in this population of children.

In population of children with disabilities, children with sight difficulties are under the lowest risk of being abused and/or neglected compared to children with intellectual disability and children with language difficulties. Children with behavioral problems have seven times more chances to be neglected, or physically and emotionally abused. Chances of sexual abuse are more than five times higher in that group of children. Regardless of the type

of abuse or neglect children are exposed to, the perpetrators in the most of the cases are parents/caregivers or the person that children know and trust (in almost 96% of the cases). Family members are the most common perpetrators in the cases of neglect (92.4%), and in the case of physical (82.2%) and emotional abuse (89.5%). When speaking about sexual abuse, in 59.3% of the cases the perpetrators are not family members.

Children with developmental delays often do not have and/or do not know whom to turn to, or they do not seek help out of fear. Sometimes they do not understand that some actions are inappropriate or unacceptable, they do not resist abuses out of need for love, lack of experience and social skills, or lack of knowledge. Indicators of abuse and neglect in children with developmental disabilities are similar to those observed in children with typical development, but usually they are more difficult to reveal. Apart from the cases of unquestionable physical and behavioral signs, the consequences are often attributed to the developmental disabilities itself and not to the exposure to the violence.

For the prevention and suppression of maltreatment of children with developmental disabilities it is necessary to create adequate protection programs and to implement more efficient interdisciplinary and inter-sector cooperation of social services, health care, police, justice system, academic institutions and civil sector.

Possibilities of sex offenders' rehabilitation and the protection of children as potential victims

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Sexual molestation of children - pedophilia is generic term which includes all sexually expressed tendencies towards children and is defined as a psychological disorder connected with sexual behavior. According to DSM IV, pedophilia is classified in a category of paraphilia - sexual disorders with intense, repeated, sexually stimulating needs, fantasies or behaviors, which include sexual activity with children or child younger than puberty (usually 13 and younger).

The subject of this paper are the sexual offenders who committed sexual crimes against children, and the aim is to show the results of specialized treatments and special measures used on sexual offenders so far in order to prevent them from committing sexual offences against this population. The increase of incidence of sexual offences, their increased brutality and more and more difficult consequences for victims of sexual violence and their families, as well as the fact that we cannot determine the real prevalence of sexual offences, makes us consider the possibility to introduce a treatment of sexual offenders, which would aim at introducing specialized programs for the treatment of sexual offenders and reduction of recidivism, primarily against children.

The experiences in the world as well as in the neighboring countries on the effects of implementation of these programs and treatments should offer suggestions where to put emphasize when speaking about this complex and delicate issue. As for the results after the application of some of the therapies, the opinions are divided. Some researchers think that the treatment reduces the percentage of risk of recidivism, while some others say that the qualitative research, which would give precise results of successfulness of such programs are lacking. The programs which would include the sexual offenders have not been implemented in Serbia so far. The adoption of the Law on special measures for the prevention of crimes against sexual freedom of minors should create new possibilities in working with this group of offenders and the manner in which the community should be protected against new crimes and new offenders. The prevention has no alternative.

Children as victims of violence in the municipalities of Bujanovac and Presevo: the forms of manifestation

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Municipality of Bujanovac, Serbia

Many of us obtain information on violence against children in different ways. We see that every day the media reports on violence against children and the increase in the number of minors as victims. The phenomenon of violence against children is a global problem faced by every family and society, regardless of the degree of economic, political and social development. Violence against children exists in Presevo and Bujanovac. The forms of violence and ways of victimization improve every day and perpetrators can be easily concealed behind the claim that it is a family issue. Violence against children, in many cases, cannot be seen, heard nor reported. This phenomenon is prevalent in our place, but because of the mentality, myths, habits, the dark figure is much higher than in democratic countries. Having in mind the problem of victimization of children, the way they are treated by parents, guardians, teachers, the environment in which they live, we must have a clear and universal image of the whole problem and then to go into details. At the beginning, we should explore the position of children; analyze habits, political, social and economic circumstances as well as the country's legislation. Children are the future of humanity, its purest structure, and we as individuals, families, society, are obliged to take care of them and offer them a chance for a better life by making efforts towards better adaptation to psycho-physical conditions of life in accordance with their abilities.

The main objective of this paper is an analytical research and comparative approach to the phenomenon and causes of various forms of violence against children. Light and moderate forms of physical and psychological violence are quite widespread, almost in every family, in the school and in any environment with children. Many children in Presevo and Bujanovac undergo a variety of forms of violence, which continues throughout the educational process and that prevents the normal development of children. This situation is particularly alarming in small towns where institutional care and treatment of child victims of violence are not properly implemented.

Besides an overview of the form, method and reasons of violence against children, the elements that characterize violence against children and the causes that motivate the perpetrator, as well as ways of preventing victimization and more efficient protection of children are identified in this study. The methodology includes analysis of cases of violence against children in Presevo and Bujanovac. Comparative, analytical, sociological methods and interview were used in the study.

Thematic session 6: Victims of various forms of victimization

Traffic participants as victims of irresponsibility of the road companies and local community

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The Law on Traffic Safety of Serbia contains many new provisions relating to the protection and improvement of the security of certain categories of the road users. The paper focuses on the most important provisions relating to road companies and local communities in relation to their duties of maintaining roads and traffic signals. Mentioned provisions are addendum to the numerous other provisions in the Law on Traffic Safety. The aim of this paper is to point out to the innovations in the legislation in this field, and to highlight the need for further improvement of certain provisions in order to improve the current legislation. In

addition, we are also pointing to the certain legal opinions in regard the cases when the failure of the road manager significantly contributed to the occurrence of traffic accidents. This is necessary because the official data suggest that these failures are extremely rarely noticed in practice by the authority competent to initiate and conduct criminal proceedings. A need to refer to the aforementioned vulnerabilities are present every day having in mind the official data on the quality of roads in the Republic of Serbia. In this respect, there is still a large dark figure when it comes to this failure on the company for roads and local communities, which leads to the increase of the number of casualties in traffic.

Basic topics covered in the presentation are the most important rules of criminal law and in the field of traffic safety on roads in Serbia pertaining to this matter. We are also pointing to the certain legal decisions of the courts of general jurisdiction in the Republic of Serbia. It is important for examining the contribution of the road itself for the occurrence of traffic accidents and victims of these accidents. Therefore, it is important to determine the question whether there is a responsibility and of which agency for the occurrence of traffic accidents - whether on the side of the company responsible for the roads to keep the part of the road where the accident occurred or in the local community and what constitutes their responsibility.

Protection of cyclists and motor cyclists - one of the largest categories of victims of crimes against public traffic safety

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Court of Appeal in Niš, Serbia

The Law on Traffic Safety of Serbia contains many new provisions relating to the protection of road users. Special attention is paid to improving the safety of certain categories of road users. In this respect the provisions of this law represent a significant improvement compared to the previously applicable regulations (on both federal and republic level) in the field of transportation in Serbia. Thus, the paper focuses on the most important provisions relating to improving the safety of cyclists and motorcyclists, one of the largest and most vulnerable road users. The aim of this paper is to point out to the innovations in the legislation in this field, and to highlight the need for further improvement of certain provisions in order to improve the current legislation. Also, we will report on and discuss certain concrete practical aspects of court decisions in cases of accidents involving cyclists and motorcyclists. This is necessary because the official figures show that road users quickly forgot the positive effects of the new provisions of the law and return to the old model of irresponsible behavior in traffic, leading to the increase of the number of casualties in traffic, including the categories of road users that are in the focus of this paper.

Basic topics covered in the presentation are the most important legislation of the Republic of Serbia in the field of traffic safety on the roads as well as of the criminal law in relation to this issue. In particular, we will point out to the case law of domestic courts. It is important for the proper consideration of the contribution of the cyclists and motorcyclists - victims of traffic accidents, to the occurrence of adverse events that result in appropriate criminal proceedings. The paper deals with some practical problems for prosecution and sentencing.

The elderly people as victims

Jadranka Buljević

Basic court in Novi Sad, Serbia

From the point of view of the criminal justice system, in our society, elderly people are especially targeted by different forms of crime, such as frauds, thefts, robberies and even murders. In addition to the fact that they appear as victims in various ways, particularly for material gain as victims of frauds, robberies, thefts and murders, they also appear to be victims of criminal groups' abuse, especially minors and particularly when they belong to the category of homeless people. Finally, elderly are also victims of neglect by Public Welfare Institutions due to the poor material state and poverty as a consequence of economic state in the society. The latter category is characterized by the elderly people living in cities in one way and village households run by the elderly in the other. These victims, along with child victims, represent the most endangered category because they are unable to defend themselves or seek help, because of their illness or simply due to their old-age. Therefore, every concern and help is necessary for this category of victims. The purpose of this paper is to analyze the factors of the victimization of elderly people, and to point out to the importance of education and the contribution of the victimology, as well as to turn the attention to the psychological, sociological and other factors of victimization in addition to the socioeconomic factors.

In nursery homes, it frequently happens that ill and elderly people are led, by the means of false promises and manipulation, to transfer all their property to a complete stranger. This results in them staying without any income and unable to pay for their nursery homes. Apart from this, very often they are left with nothing but some social help which does not cover the nursery, or they even become homeless. As far as thefts are concerned, they are the most frequent criminal actions against the elderly, due to their old-age and helplessness, in order to take away from them the small amounts of money that they have. Some of the worst forms of criminal actions are robberies and murders in which the perpetrator does not show any mercy for the victim and is not afraid of taking any monstrous action in order to obtain money, gold or any other valuable object. This kind of everyday life apparently looks for an answer in changing approach to this category of victims.

The attorneys at law and victimization of clients

Olivera Kuljić

Basic court in Zrenjanin, Serbia

Victim and executioner make up a complementary pair of social roles. There may be no victim without executioner and vice versa. Division between victims and executioners is in all fields which involve ethics. Basically, they are moral categories; hence the division between victims and executioners is moralistic and more or less emotionalized. Executioners are stigmatized while victims are entitled to indemnification. It is important to ensure the victim status not only before the court, but in politics as well. A victim is always morally superior. Responsibility of executioner may be criminal or moral, while indemnification of a victim may be moral or material. The character of a victim determines victimization i.e. his/her pretention to type of indemnification. Generally speaking, there are political, legal and private victims. Each type of victim is recognized by specific institution or a group entitled to be recognized as a victim (state, party, family). Victims are often a result of fabricated and fake suffering. Besides, metamorphosing of executioner into a victim is often seen in politics and law. This process is especially dramatic when a subject who has really suffered turns into arbiter who tries to revenge. These attempts occur even more often in everyday life. They are

particularly frequent today because transition has deranged many social values and because there is no consistent moral criteria to estimate real victims; therefore, it is not easy to demystify the process of metamorphosing of executioner into a victim.

My experience has given me a chance to have cases where a defendant based his/her defense on assertions that he/she was a true victim. Virtuosity of a defense attorney was assessed by their ability to make their clients appear as victims. Defense attorneys use not only rhetoric, but also throw a red herring and use other indirect victimization “arguments”. How successful a defense attorney’s arguments will be depends on how skillful a judge is to ascertain the victimization of a defendant. In the paper I cited several main rhetorical patterns (clichés) used by defense attorneys in victimization of their clients in litigations begun in transition period (client is poor, unemployed, oppressed etc). The lawyer’s victimization of his own clients would be shown on the basis of my own experience as a judge.

The right to privacy as a restriction on the freedom of the media at the European Court of Human Rights with regard to the situation in the Republic of Serbia

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Although Article 10 of the European Convention on Human Rights (ECHR) does not explicitly mention freedom of the media as a form of freedom of expression, the Court of Human Rights (the Court, the Court of Strasbourg), through its rich jurisprudence, developed this concept. The media is an important factor in a modern democratic society, which in some countries is so strong factor that can be referred to as the “Fourth Estate” – an essential addition to the powers of the executive, the legislature and the judiciary. The purpose of the media in a democratic society is not to go into the hands of politicians and leading officials, but to inform the public about matters of public interest, such as politics, religion, art, and so forth. Also, the freedom of the media plays an important role in the protection of human rights. Not a small number of examples that the media was the most important factor in exposing human rights violations, as well as a variety of discrimination, corruption, and other forms of torture. Public disclosure of such information is generally the first step in the realization of human rights. The Court has repeatedly emphasized that freedom of expression (and media freedom, of course) is one of the most important factors of a democratic society, the basic condition for progress of any society, and every individual. But, freedom of the media often comes in conflict with the right to privacy as protected by Article 8 of the Convention. Freedom of the media in the context of freedom of expression is primarily established in the public interest, although the public interest is usually not what the public is really interested in. The real public interest is very different from what interests the public. The audience is most interested in gossip and scandals, particularly when they come from the lives of celebrities. Here we have the paradoxical situation that the “famous” complain about the violation of rights guaranteed by Article 8 of the Convention, while journalists complain about the violation of Article 10 of the Convention. In some cases, when these articles come into conflict, there are also victims. On the one hand, the media, plunging deeply into a person’s privacy, violates Article 8 of the Convention, arguing that with the public interest, while on the other hand, the media themselves, solely because of their profession, become victims of numerous lawsuits. The paper analyzes the relationship of Article 10 and Article 8 of the Convention through the practice of the Strasbourg court, which will include characteristics of the two provisions, the interpretation of elements important to decide which right or freedom in particular case prevails, and the outcome of the conflict of these two articles. Also, in the context of the above, the analysis will include some cases where the protection of Article 8 passed their boxes and found a place in the sacrifice of freedom of the media, as well as cases where the protection of Article 10 has found its place in the sacrifice of the right to privacy of individuals. The paper will give a short overview on the relevant situation in the Republic of Serbia.

WORKSHOPS AND POSTER PRESENTATIONS

Workshop 1: Activities of the Ministry of Interior of the Republic of Serbia in improving the protection of victims of domestic violence

Slavica Radovanović

Randel Milošević

Ministry of Interior of the Republic of Serbia

The subject of victim protection is important and demands constant development of services and agencies whose main task is providing protection to victims of crime. European Court for Human Rights promotes a stand point by which the state is not responsible only for securing adequate legal framework for fight against domestic violence but that it needs to secure the effective implementation. This paper aims at presenting key activities implemented and envisioned in the Ministry of Interior of the Republic of Serbia regarding the protection of the victims of domestic violence emerging from the adoption of the *General Protocol on Actions and Cooperation of Institutions, Agencies and Organizations in Cases of Violence against Women in Family and Partner Relations*. The general protocol provided guidelines on the need to create effective, coordinated and timely actions that stop the violence and ensure adequate legal and psychosocial intervention of agencies dealing with prevention and suppression of the violence against women in family and partner relations.

Based on the general protocol the Ministry of Interior of the Republic of Serbia at the beginning of 2013 developed *Special Protocol on Police Actions in Cases of Violence against Women in Family and Partner Relations* aimed at standardizing police officers' actions in the protection of victims, advancement of evidence collection process enabling prosecution of perpetrators, risk assessment in close cooperation with other agencies, etc. Special protocol stipulates legal obligations of police and provides instructions, clarifications and recommendations in cases of domestic violence. With the intention of securing adequate application of the special protocol, the Ministry of Interior of the Republic of Serbia formed a Working Group for monitoring of the implementation of protocol and coordination. Apart from this, a series of activities have been carried out for the purpose of promoting the special protocol such as targeted training for duty service, patrol, and criminal investigation officers in the regional police directorates.

With an aim of developing the victim support and protection through the international cooperation good practices have been identified among European police services. Using Swedish police service experiences, the following are components that further develop victim protection and support such as specialized criminal investigation officers acting as victim coordinators, victim risk assessment using specialized instruments, electronic bracelet for perpetrators breaching the restraining order, securing victim "alarm telephones" for those victims that may be subject to further violence, etc.

Poster presentations

Political crime in Serbia

Dragica Bogetic

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The poster is dedicated to the critical analysis of political crime in Serbia, which is the aim of this paper. In the first part of the poster presentation the author will give a brief introductory overview of the political crime, focusing on the insufficient research of this problem and a lack of papers on the subject of political crime in general. This will be followed by looking back at the factors that contributed to the creation of a fertile ground for the occurrence of this type of crime in Serbia. A focus will be on the critical analysis of the assassination of the Prime Minister Zoran Djindjic, as an example of a political murder in the recent history of the

Republic of Serbia. First of all, his character, acts and political ideas, as well as some of his quotes that most faithfully reflect the ideology which he was led by will be analyzed, in order to understand his vision, as part of a motive for the committed political murder. This will be followed by the analysis of the impact of the media on the creation of a favorable psychosocial climate in which this political murder, rather than as something absurd, is accepted as normal and expected. In the final part, the author provides a critical review of the “dark” years, which are behind us; chronological retrospective of all these years has been done, dwelling on the details that are directly related to politics or political background that have led our country to a critical situation, which escalated in the assassination of the Prime Minister.

Protection of children from sexual abuse and exploitation in Informational and communicational technologies

Doc. dr Nusreta Kepeš

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In the last decade of the 21st century, informational and communicational technologies (ICT) have taken very important place in different areas of the human existence. Thanks to the possibilities that they provide, they make possible fast exchange of the information and, in this way, they connect people who live physically distant from each other. ICT are equally available to adults, as well as to children and youth. Positive sides of these technologies are to develop capabilities of communication, enables finding information, to develop critical thinking and to stimulate lifelong learning. New multimedia technology makes acquired information a part of dynamic system of learning and makes it capable to satisfy the needs of individual. In the process of using these Informational Communication Technologies (ICT), along all the good and useful sides, there are many dangers that can have, as consequences, abuse of children. The research that has been presented in this poster presentation has for its goal to determine the factorial state of application of ICT with elementary and secondary school students. The specific goal of this research is directed to finding the nature of connection between the risk factors and students’ behavior, in order to undertake the adequate measures for finding the strategies that will give permanent and efficient results in prevention and correction of inadaptable behavior. With the aim of improving the system of children protection against child pornography and other ways of sexual abuse and exploitation, through ICT, this research can contribute prevention and strengthening the campaign on the Council of Europe Convention ratification. The main purpose of this Convention is child protection against sexual exploitation and abuse. As well, it can contribute the campaign for amendment of Jurisdiction Law, related to law articles on child exploitation in pornography. Acquired results can provide humble contribution in finding that adequate upbringing recommendation, programs and even interventions in children and youth risk behavior, in correlation with ICT use.

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