



# Gender and Victimization

Law and Gender Pilot Master



# Intimate partner violence as a form of domestic violence

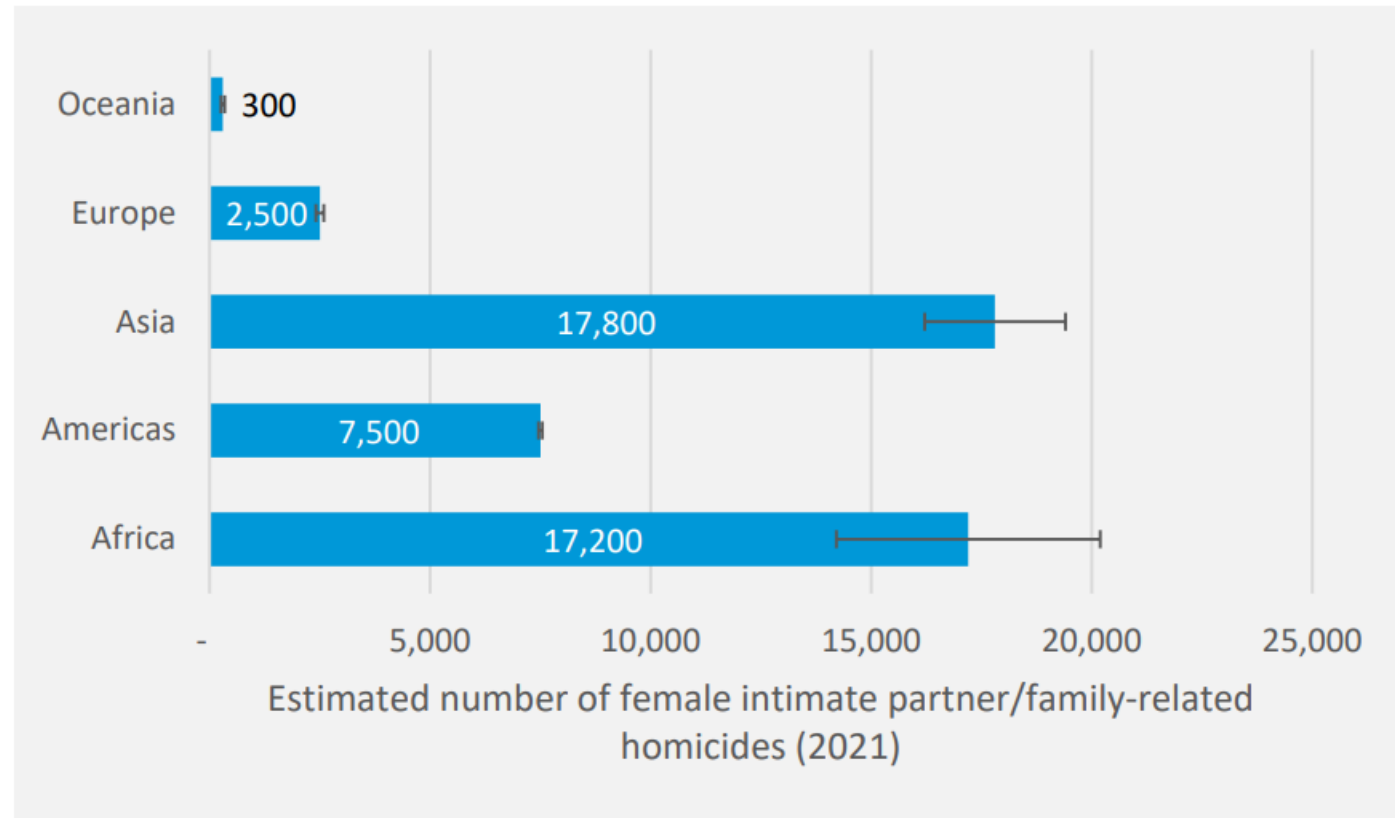
Violence in a partner relationship is the most common context of victimization of women. The World Health Organization estimates that globally 30% of women who have been in a partner relationship experience physical or sexual violence, while 38% of all murders of women are committed by their current or former partners.

Europe - least between 20 and 25% of women have experienced physical violence by a partner at least once during their lifetime, and more than 10% of them experienced sexual violence that involved the use of force; psychological violence, as a separate category, is discussed in several studies, and the rates range from 19 to 42%; altogether 45%. Differences in methodology.

Serbia - (Victimological Society 2001) on a sample of 700 women, research has showed that almost every second woman (46.1%) experienced some form of psychological violence, and that every third woman experienced a physical attack from a family member (30.6%).

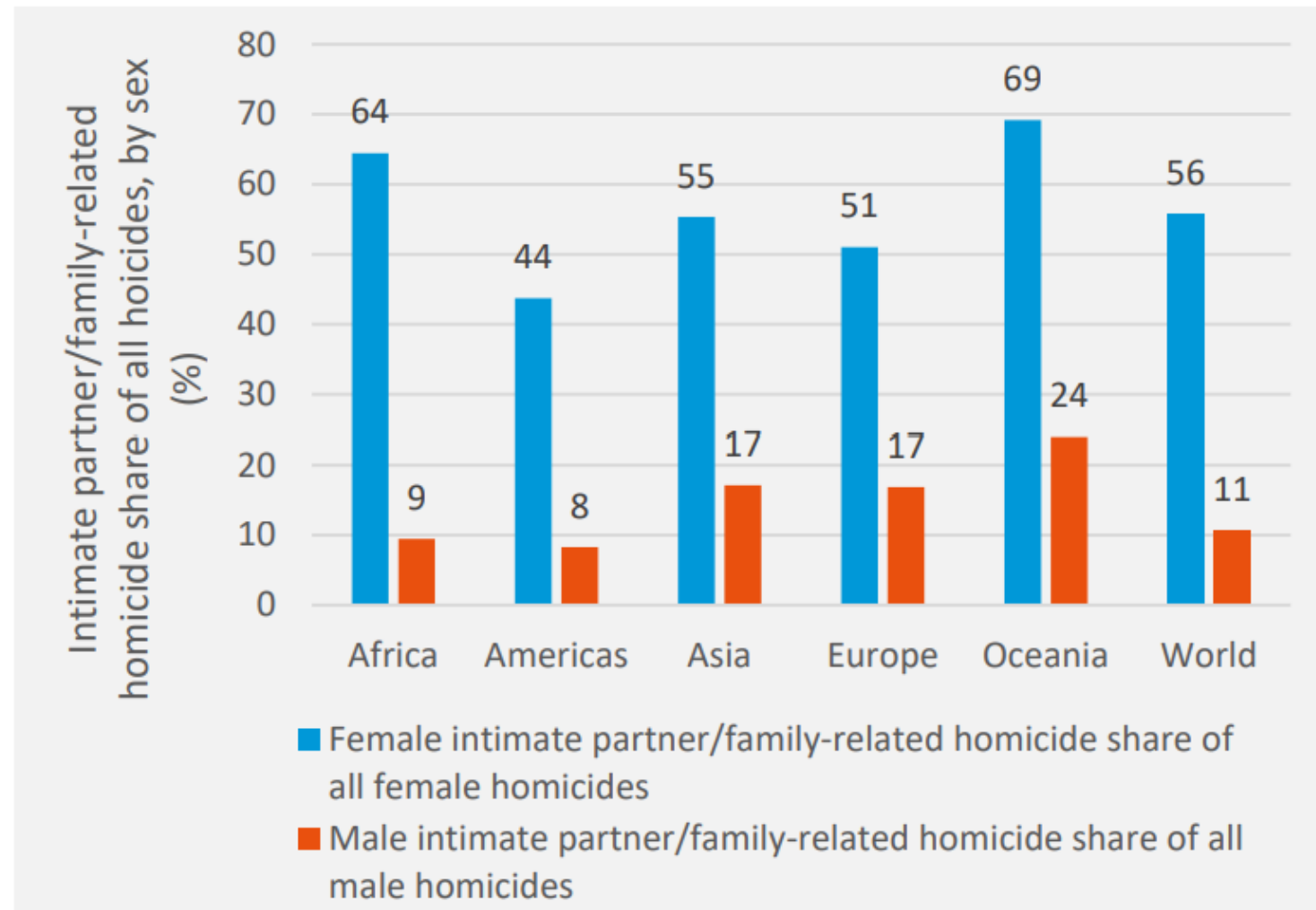
# Femicide

**FIGURE 1:** Estimated number of female victims of intimate partner/family-related homicide, by region (2021)



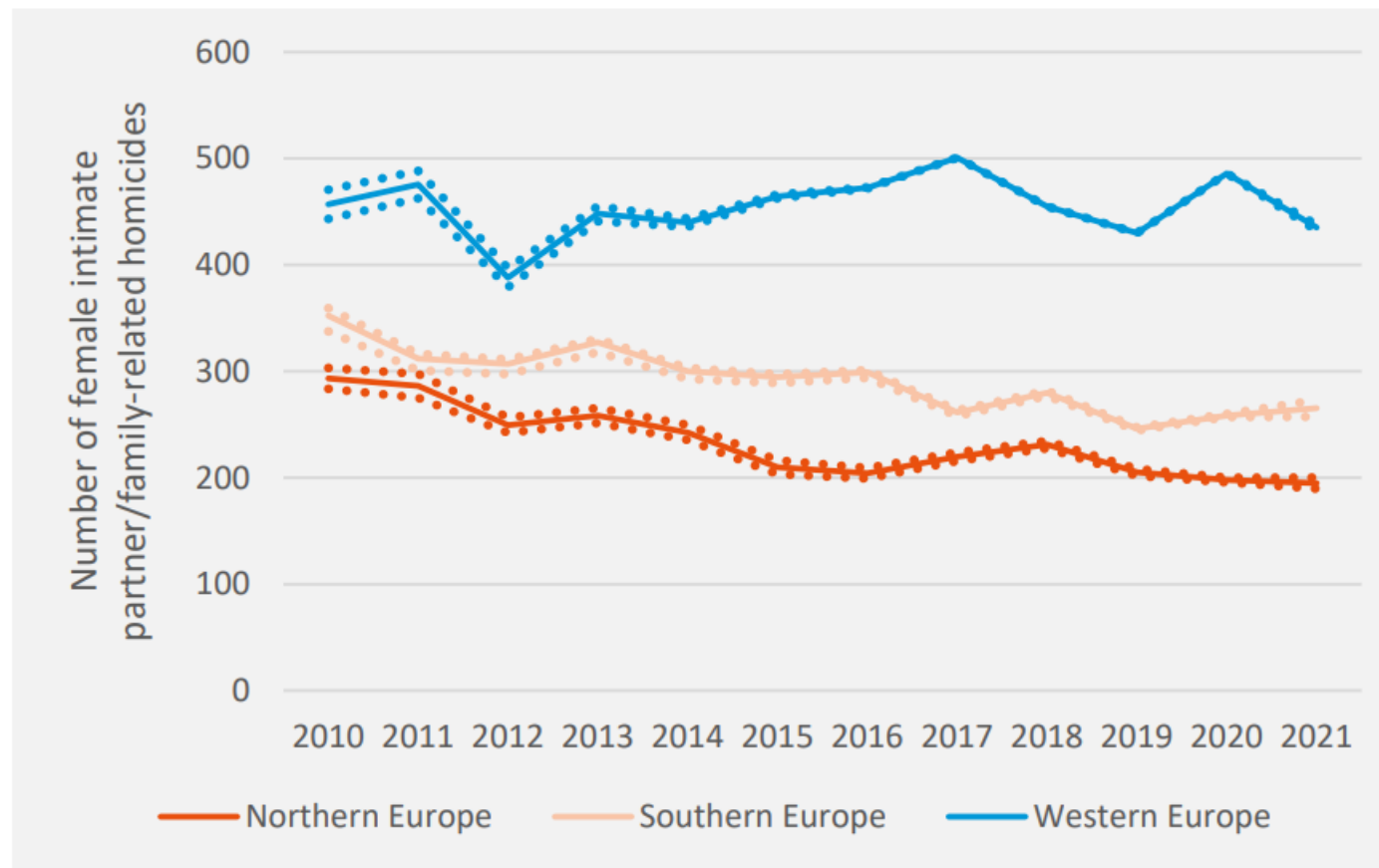
Source: UNODC estimates based on UNODC Homicide Dataset.

**FIGURE 7: Share of intimate partner/family-related homicides among all female and male homicides, by region (2021)**



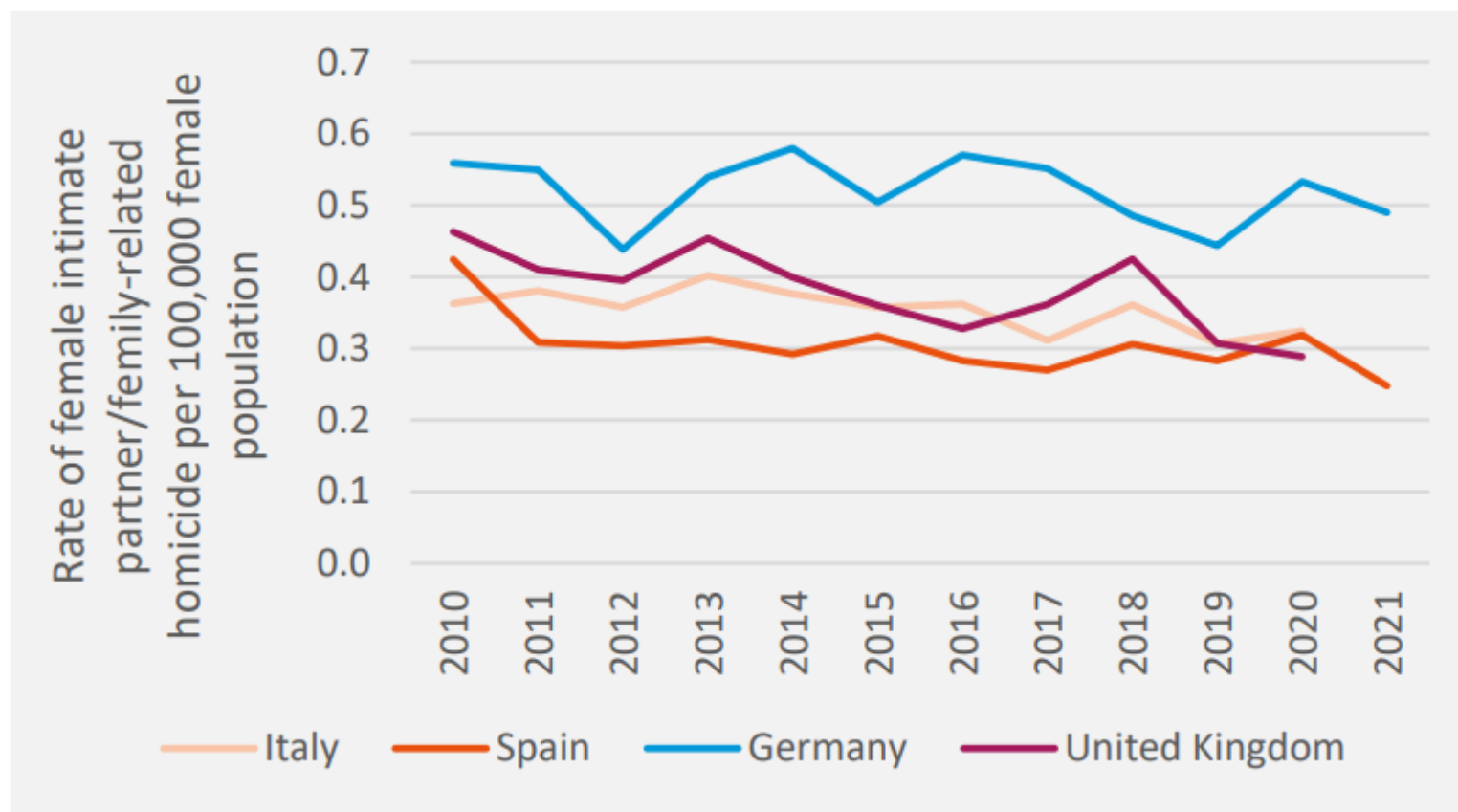
Source: UNODC estimates based on UNODC Homicide dataset.

**FIGURE 4:** Trends in the total number of female victims of intimate partner/family-related homicide in Northern, Southern, and Western Europe (2010–2021)



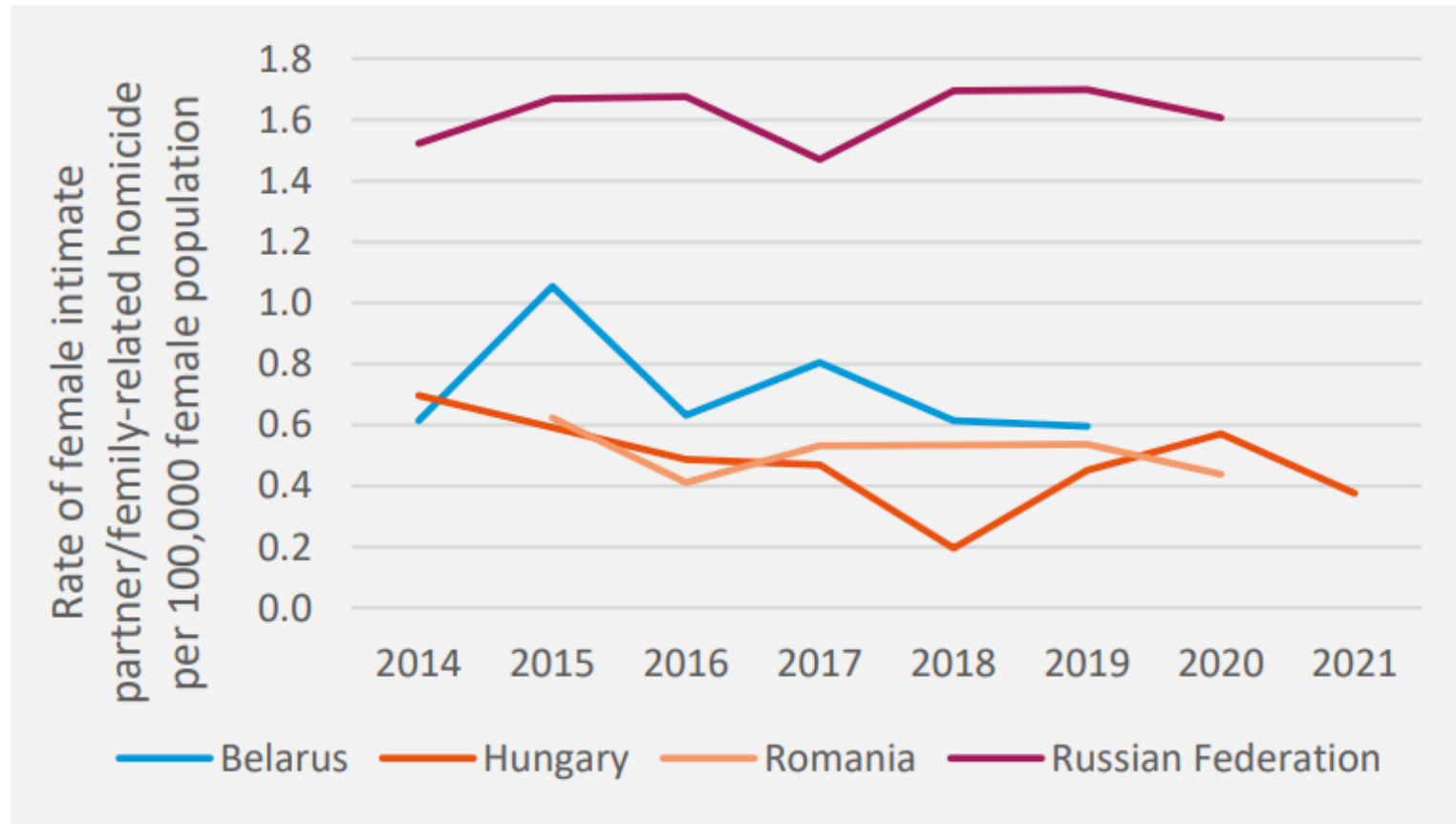
Source: UNODC estimates based on UNODC Homicide dataset.

**FIGURE 14:** Trend in the rate of female intimate partner/family-related homicide per 100,000 female population in Italy, Spain, Germany and the United Kingdom (2010-2021)



Source: UNODC Homicide dataset. Note: Rates for the United Kingdom for the period 2010-2012 do not include data from Northern Ireland.

**FIGURE 15:** Trend in the rate of female intimate partner/family-related homicide per 100,000 female population in Belarus, Hungary, Romania and the Russian Federation (2014-2021)



Source: UNODC Homicide dataset

# Homicide of females and males in Serbia (1951-2019)



The lowest rate of female homicide was in 1987 (0.7) and the highest in 1951 (2.7).



The average rate of female victims of homicide in last seven decades in Serbia

50s	2.24
60s	1.9
70s	1.46
80s	0.98
90s	1.7
to 2010	1.5
to 2019	1.1

Possible explanations:

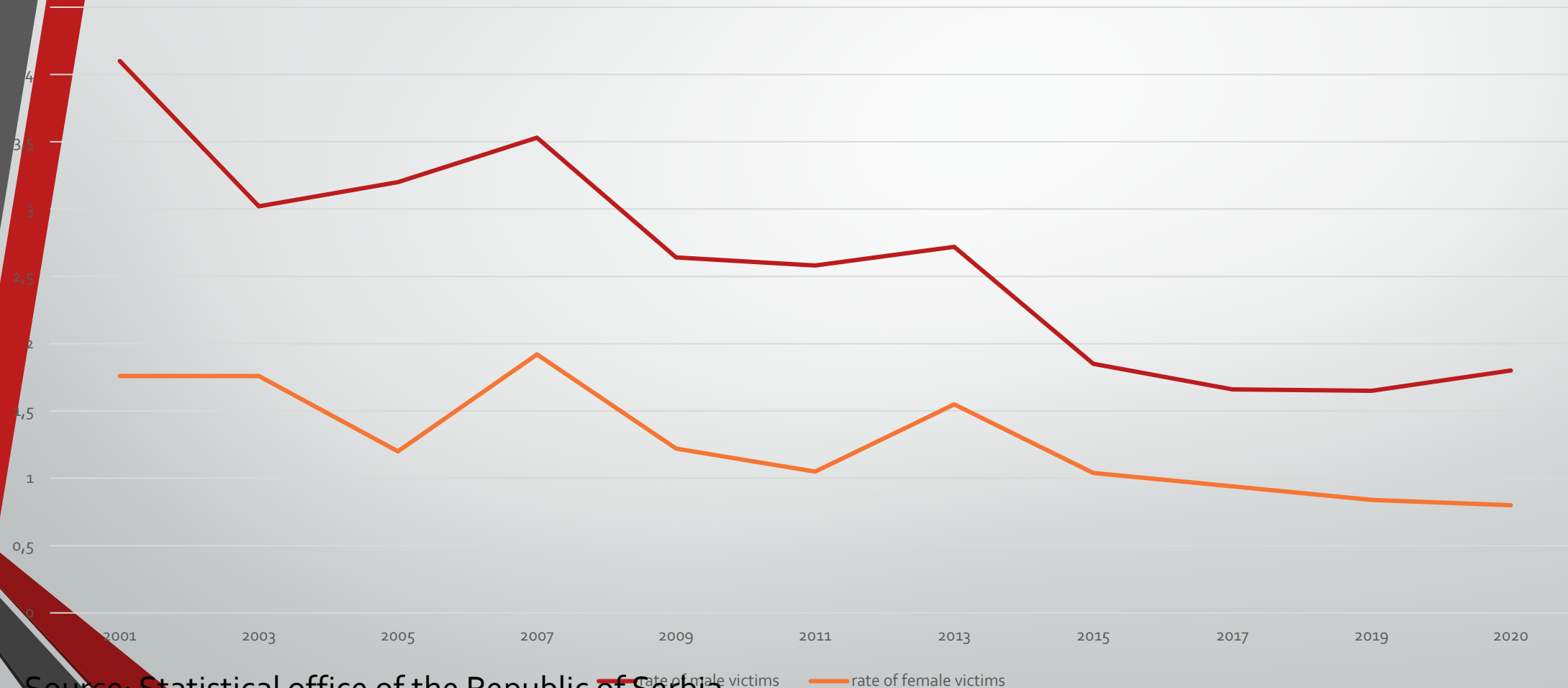
The first three decades characterized by high homicide rates due to: dominant patriarchal model, repressive regime, the lack of criminal law solutions for domestic violence.

The increase during the 90s due to social circumstances (civil war, economic sanctions).

Gradual improvement in the first decade of 21st century.

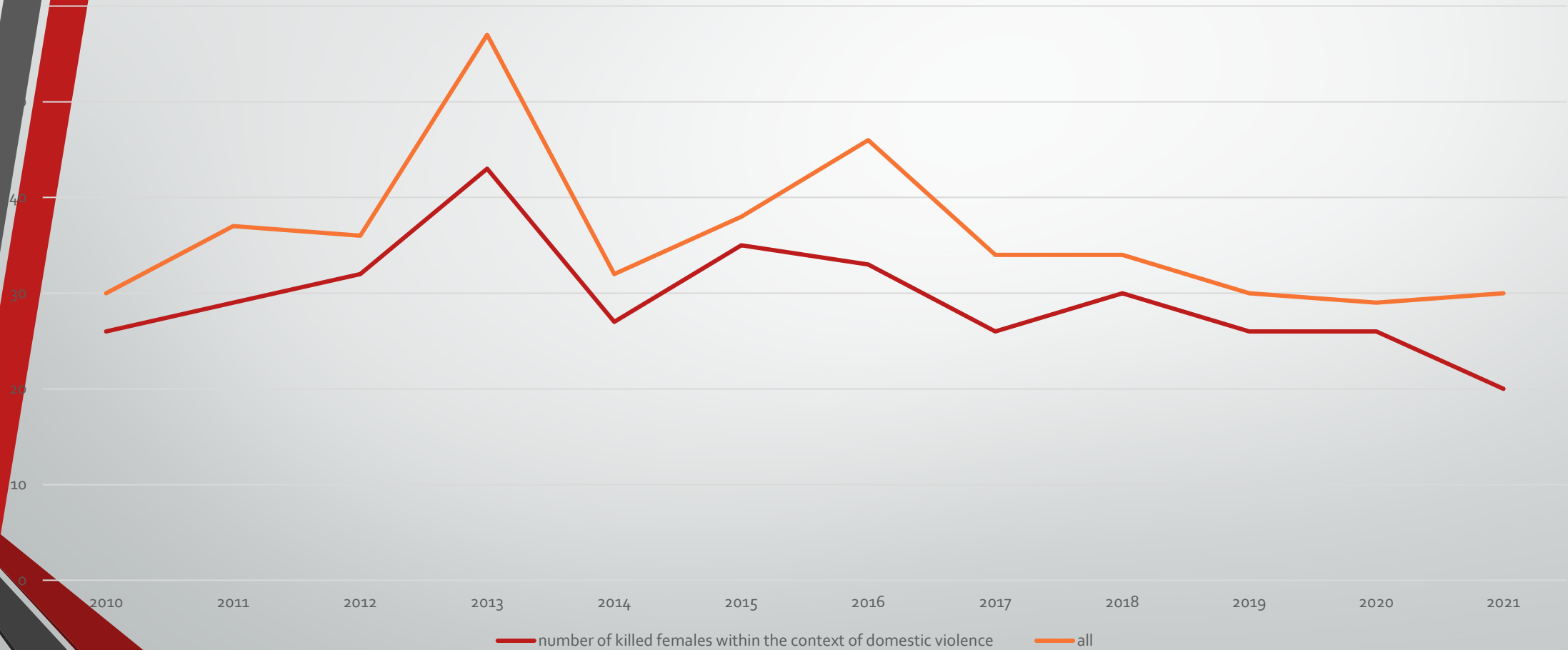
Further positive trend in the last decade due to many different efforts to suppress domestic violence.

# Rate of homicide in Serbia (vital statistics)



Source: Statistical office of the Republic of Serbia

# Absolute number of killed females



Source: Autonomous women's center in Belgrade

# Forms of intimate partner violence

Physical violence

Sexual violence

Psychological violence

Economic violence

Duration of violence. For example the data of the Center for Social Work in Belgrade show that in 68.7% of cases the violence lasted between one and five years, and in 18.3% of cases between six and ten years.

Relation to violence toward children - data indicate that in 30–60% of families where one or both parents are violent, there is also a child abuse, and in families in which a woman due to victimization had to seek help from the police or leave the home, in 75–100% of cases children were victims of violence as well.

# Classification of intimate partner violence

- (a) "terrorizing the intimate partner" (intimate terrorism), the most serious type of violence characterized by severe, frequent violence that tends to escalate over time, which is accompanied by injuries and whose perpetrators are almost exclusively male;
- (b) "common couple violence" , the most frequent violence, present in everyday life and motivated by the need to control a specific situation, but not by the general need to control the relationship. It is mainly based on conflict, does not have to escalate and rarely produces injuries, and it seems that there is an equal initiative of men and women;
- (c) "violence (as a sign of) resistance" (violent resistance), which refers to physical violence that is not controlling and is almost always perpetrated by women in response to violence perpetrated by their violent and controlling partners (such as "self-defense" or "getting back attacks");
- (d) "mutual violent control" , in which both partners are both violent and controlling (Johnson).

# Instrumental Violence

Duluth model - the model is illustrated by a circle of power and control. It includes coercion, intimidation, emotional abuse, isolation, humiliation, blaming, manipulation of children, economic abuse, and the goal of a man maintaining control or power over a woman.

According to the model of cyclical violence (Walker), control of the partner is achieved through periodic violence through specific interpersonal dynamics that takes place through three phases:

1. the phase of creating tension when communication weakens and tension increases, the abuser manifests verbal or milder forms of physical violence, while the victim unsuccessfully tries to resolve the conflict and calm the abuser until the moment when severe violence occurs.
2. the phase of acute and severe verbal and physical violence
3. the honeymoon phase in which the abuser shows signs of attention and affection, regret, remorse, often promising not to repeat the violence. however, after a certain time, the phase of creating tension starts again.

# Classification of perpetrators

Holtzworth-Munroe and Stuart's (1994) trifold typology consisting of a

1. family-only,
2. a dysphoric/borderline,
3. and a generally violent (GV)/antisocial subtype



# Factors related to intimate partner violence

Individual: youth, low education, poverty, unemployment, experience of rejection and violence in childhood, antisocial personality, tendency to abuse psychoactive substances and history of abuse

Intimate partner relationship: differences in the educational level of partners, maintenance of multiple partner relationships at the same time, dissatisfaction with married life, marital discord, conflicts related to gender roles.

Local community level: nurturing of traditional gender roles (gender inequality), weak moral and other sanctions for violence, acceptability of violence as a means of conflict resolution, poverty, high unemployment rate, prevalence of physical punishment of children

Social level: traditional gender roles, social norms that encourage violence.



# Research on homicides of women in Belgrade

The majority of victims belong to the age categories up to 25 and 46-55 years old. The female victims mostly had a high school education (75%), and 65% had children. Two thirds of the victims were employed, and the occupational structure was dominated by female workers.

The perpetrators are men of different ages, from 24 to 70 years old. Most often, they have a secondary education and are significantly more often unemployed or occasionally employed than employed. About two-thirds of the perpetrators often use violence in interpersonal conflicts in the family and outside it.

Close to half (44%) had previously committed crimes for which criminal sanctions were imposed, and every other among them had criminal sanctions imposed at least once for violent crimes, including domestic violence.

In most cases the victim was a current partner, and in one third of cases it was a former partner. At the time of crime commission in 50% cases the perpetrator did not live in the same household with victim.

At least a fifth of the perpetrators attempted suicide or fantasized about it. Less than half of the perpetrators did not commit suicide after murdering their partner.

# Judicial practice in application of criminal offence of domestic violence

International documents:

Declaration on the Elimination of Violence against Women;

Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women;

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);

Recommendation on Violence in the Family - the Committee of Ministers of the Council of Europe;

Recommendation Rec (2002)5 on the protection of women against violence - the Committee of Ministers of the Council of Europe;

Istanbul Convention;

# Importance of gender competent legal knowledge


Victims' withdrawal from the proceedings;

Recognition of violence;

Type of penalty;

Treatment of alcohol abuse – mitigating circumstance in every verdict?

Specialized domestic violence courts as a solution?



Thank you for your attention!