



## **Advancing the Istanbul Convention implementation: The role of women's NGOs and networks in the Western Balkans & Turkey”**

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**Comprehensive Assessment Report**

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## Abbreviations

<b>AWEN</b>	Albanian Women Empowerment Network
<b>BiH</b>	Bosnia and Herzegovina
<b>CEDAW</b>	The Convention on the Elimination of All Forms of Discrimination Against Women
<b>CoE</b>	Council of Europe
<b>CSO*</b>	Civil Society Organisation
<b>CSSP</b>	Civil Society Strengthening Platform
<b>DV</b>	Domestic Violence
<b>GBV</b>	Gender-Based Violence
<b>GREVIO</b>	Group of Experts on Action against Violence against Women and Domestic Violence
<b>IC</b>	Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)
<b>IPV</b>	Intimate Partner Violence
<b>KWN</b>	Kosovo Women's Network
<b>NGO*</b>	Non-Governmental Organisation
<b>VAW</b>	Violence Against Women
<b>WAVE</b>	Women Against Violence Europe Network
<b>WBT</b>	Western Balkans and Turkey

\*The acronyms CSO and NGO are used interchangeably in this report, depending on the term used in different publications referred to during the text.

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- *Albania*: Gender Alliance for Development Centre, Tirana & Woman to Woman, Shkodra
- *Bosnia and Herzegovina*: Foundation United Banja Luka
- *Kosovo*: Women’s Wellness Centre
- *North Macedonia*: National Network to end VAW and DV – Voice against Violence
- *Montenegro*: SOS Hotline for Women and Children Victims of Violence Niksic
- *Serbia*: Fenomena Association
- *Turkey*: The Foundation for Women’s Solidarity

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## Relevance

The present comprehensive report is prepared on behalf of the UN Women Project “Support the establishment and strengthening of regional platforms of civil society organizations (with special focus on organizations representing women from minority and disadvantaged groups). This project seeks to advocate for the development and implementation of laws and policies in line with CEDAW and the Istanbul Convention” under the programme “Ending Violence against Women: Implementing Norms, Changing Minds.” The Civil Society Strengthening Platform - CSSP is an important component of this three-year programme funded by UN Women.<sup>1</sup>

The aim of the project is to strengthen women’s voices and agency, as well as women’s organizations working with and representing women from disadvantaged groups at a regional level. This project is intended to strengthen the capacities of women’s organizations and/or networks as a vehicle to support women’s civic engagement in CEDAW and Istanbul Convention (IC) monitoring and reporting.

The purpose of this comprehensive report is to assess if collaboration between accessible and diverse regional women’s NGOs and networks has positively influenced implementation of the IC in the following partner countries: Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey.

The report you are reading **offers an overview of the current situation regarding the IC implementation in the Western Balkans and Turkey (WBT)**, focusing on well-implemented articles of the IC in each country, articles that are most problematic to implement, and examining the amount of government funding available for women’s NGOs in the field of VAW. Furthermore, the report also focuses on **how networking influences advocacy actions for the IC implementation**. More precisely, it looks at existing advocacy practices of networking of CSOs and inclusion of women from minority or disadvantaged groups, as well as advocacy efforts through regional networking in the Western Balkan region and Turkey. A special focus is placed on lobbying and advocacy achievements when it comes to the implementation of the IC at a national level, monitoring efforts and reporting to GREVIO and CEDAW committees, and the role of women from minority/disadvantaged groups in joint advocacy initiatives. The report also presents two **good practice examples** focusing on advocacy efforts on the rights of women from minority and disadvantaged groups and one other practice on a successful networking initiative, which contributed to the implementation of the Istanbul Convention. Finally, the report also presents a **short summary of lessons learnt and knowledge transfer** from the partner organizations’ perspective, the benefits and challenges of the partnership, as well as some actual and upcoming advocacy steps undertaken by women CSOs towards advancement of the IC implementation in each targeted country.

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<sup>1</sup> The website for the Civil Society Strengthening Platform officially debuted on February 2018. The CSSP website serves as an information-collection and sharing hub. With this website platform, partners can share their organizations’ successes with the wider public while also using it as a platform of communication. Each country has its own subsection of the website, which is in the local language as well as in English, making the sharing of this information simpler. For more information, please access the following link: <https://cssplatform.org/>

## Methodology

This report is a result of coordinated efforts between WAVE and project partner organizations. The Albanian Women Empowerment Network (AWEN) took the lead in preparing this comprehensive assessment report.

A qualitative research methodology was used for the preparation of the report, as outlined below:

- A partners' group discussion on methodology and tools was organized during the project partners' meeting in Podgorica, March 2019;
- An in-depth assessment questionnaire was prepared by AWEN experts, reviewed by WAVE project staff and sent to all CSSP project partners in each country;
- The questionnaires were compiled by all project partners, in collaboration with other NGOs in their respective countries, mainly WAVE members;
- Semi-structured online interviews were conducted with all country representatives (CSSP partners) on the topics covered by the questionnaire;
- A desk review of existing reports and available information/data for each country was conducted;
- Follow up communications were carried out with each country on necessary/missing information/data;
- Gathering of feedback on the draft report from all project partners and WAVE;
- Finalization of report by AWEN based on the received feedback and endorsement by WAVE.

The content of this report is based heavily on the feedback received by project partner organizations, based on their rich experience and expertise on the topic, in their respective countries.

## Chapter 1. Western Balkans & Turkey: Where are we at?

### Country profile: Albania<sup>2</sup>

#### i) Ratification of Istanbul Convention

Albania signed the IC on December 19, 2011 and was the second country to ratify it on February 4, 2013. Albania ratified the Convention without reservations. The convention entered into force on August 1, 2014.

The first state report was received by GREVIO on January 16, 2017. Following the dialogue with state representatives in Strasbourg on April 5, 2017, the evaluation visit of GREVIO (24 April to 28 April 2017) in Albania and the Government Comments to the GREVIO draft report received on September 17, 2017, the first evaluation Report by GREVIO was published on November 24, 2017. The recommendations by the Committee of the Parties were published on January 30, 2018. Albania has currently adopted all GREVIO report recommendations.

At least two alternative reports<sup>3</sup> were delivered to GREVIO by CSOs, one of them from AWEN, and one from the Women's Association "Refleksione."

#### ii) Best implemented articles of the Istanbul Convention

Albania has made progress in the implementation of some specific articles of the IC, primarily because of the advocacy and lobbying work of CSOs. Below are highlighted the most significant positive steps in this direction.

**Chapter II: Integrated policies** – In Albania there are positive, multi-sectorial collaborations implemented by various national mechanisms. A few examples are the National Referral Mechanism on Anti-Trafficking, National Referral Mechanism for Cases of Domestic Violence, Child Protection Units, etc. These mechanisms are built according to the coordinated community approach and as such are in accordance with the IC's requirements. There is also some improvement in establishing new coordinating mechanisms for DV cases in some administrative units and strengthening of the existing mechanisms, under **Article 7** of the IC.

**Chapter IV – Protection and support, Article 25: support for victims of sexual violence** – Setting up specialized services for victims of sexual violence, by finalizing a model of '*Centers for crisis management for cases of sexual violence and its standards*'. One of the accomplishments is the establishment of a crisis management centre for sexual violence cases (Lillium Center) created on December 2018<sup>4</sup>. The centre has been set up by the *Ministry of Health and Social Protection* in

<sup>2</sup> Key informants have been WAVE member organizations - AWEN, Woman to Woman, Psycho-Social Vatra Centre, Human Rights in Democracy, Gender Alliance for Development Centre, Counseling Line for Women and Girls.

<sup>3</sup> Available on GREVIO website, under the section for Albania.

<sup>4</sup> The staff and all key actors that need to/will collaborate with the center are undergoing an ongoing capacity building process (training, workshops, experience exchanges with other countries);



compliance with the obligations deriving from Law no. 47/2018, as well as in the framework of the commitment of the Government of Albania to fulfill the obligations deriving from the IC.<sup>5</sup> The opening of this centre has come as a result of the recommendations of the GREVIO committee, as well as of the continuous advocacy efforts of women CSOs working with women survivors of gender-based violence in the country. The process of its opening has been challenging considering the little legislative and political attention on sexual violence, as well as the lack of public budget for this kind of interventions.

**Chapter V – Substantive Law:** *In order to take forward the harmonization of legislation with IC requirements, the government of Albania has revised the Law no. 9669, dated December 18, 2006, “On Measures against Violence in Family Relations” in accordance with the Istanbul Convention, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as well as other needs that have arisen during its implementation. On July 23, 2018, the Albanian Parliament approved the amendments to the domestic violence law<sup>6</sup>, which entered into force on September 1; there have been improvement of "Code of Criminal Procedure" regarding the procedural rights of victims of violence and compensation rights; revision of the law “On legal aid guaranteed by state” that directly increases access to these categories to create faster, simpler and cost-free services (procedures) and the “Law on Social Housing” (bylaws). In December 2017, a Resolution on the Fight against Gender-based Violence was adopted by the Parliament and a Parliamentary Sub-committee on Gender Equality, that cooperates closely with the Alliance of Women MP’s was created.*

The new amendments of the *revised Law on DV* ensure better protection for survivors of violence, strengthening protective and procedural measures for a more effective response to domestic violence and protection of survivors. *For the first time*, the law protects women and girls in intimate relationships, without having formal ties to the perpetrator, such as marriage or cohabitation. Women and girls who experience violence in Albania are now granted immediate protection by the police as soon as they report cases of violence. In addition, the new changes seek to ensure better services not only for survivors of domestic violence but also for the provision of rehabilitation services for the perpetrators. The recent amendments and increased awareness across Albania about these amendments are expected to increase the number of reports to the police.

**Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing** - The issue of the *parties’ reconciliation/mediation as a standard procedure* applied to the Albanian courts, in contradiction with the IC, has been improved. This procedure is prohibited in an obligatory manner with the Law no. 47/2018 dated 23/07/2018 “*For some additions and changes in the law no. 9669 dated 18/12/2006, “On the measures against violence in family relations”.*”

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<sup>5</sup> This center operates 24 hours a day 7 days a week, as a one-stop center where the victim receives all necessary services health, social, legal services and more, for up to 72 hours. After this period, based on the case, the victim receives the necessary services through the Referral Mechanism in local level. The standards of service delivery and functioning of the crisis management centers for cases of sexual violence have been adopted. After the adoption of the Lillium center's standards of operation, work has begun on introducing them to all Referral Mechanism stakeholders, who will collaborate on both reporting these cases and handling the cases in the local level for a longer period until the full rehabilitation.

<sup>6</sup> Law no. 47/2018 dated 23/07/2018 “For some additions and changes in the law no. 9669 dated 18/12/2006, “On the measures against violence in family relations”.

**Chapter VI – Investigation, prosecution, procedural law and protective measures, Articles 51 on Risk assessment and risk management and Article 53 on Restraining or protection orders.** The deadlines for adjudicating cases of issuing a protection order<sup>7</sup> have been shortened due to the implementation of the amended DV law. All women and girls, who experience violence in Albania, are now granted immediate protection by the police as soon as they report violence cases, within 24 hours from the moment they report, following an immediate risk assessment procedure. As a result, women are under protection of the police, until the court releases the Immediate Protection Order within 48 hours from the referral. The provision of new competencies to the police, such as the Order of Preliminary Defense Measures<sup>8</sup> and the Risk Assessment for Victim Security, has attempted to fill a gap to ensure the safety of the victims waiting for the court's decision.

### iii) Challenges with implementation of specific Istanbul Convention articles

While there is progress in the implementation of some of the articles of the IC, several other articles are still challenging to implement in Albania. Key informant NGOs from Albania, as well as the findings of the Evaluation Report of GREVIO confirm that the country needs to act on the below articles:

**Chapter II – Integrated policies and data collection, Article 7 on Comprehensive and coordinated policies.** Implementation of the DV legislation at a local level is problematic. In Albania, local referral mechanisms are the centerpieces of the country's coordinated multi-agency response to violence against women.<sup>9</sup>

*The process for setting up the Local Referral Mechanisms for Domestic Violence Cases<sup>10</sup> in all the municipalities is not completed yet. By August 2019, Referral Mechanisms were established in 39 out of the 61 municipalities in Albania, following the approval of the Law No. 9669, "On measures against violence in family relations" (2006). The latter was amended in 2008, 2010 and 2018. The National Strategy for Gender Equality and against Gender Based Violence 2011-2015, 2016-2020 and the Decision of Council of Ministers no. 334/2011, "On the establishment and functioning of the national referral mechanism for the treatment of cases of domestic violence" are not fully operational in all of the municipalities. The Referral Mechanisms are focused only on addressing cases of domestic violence, excluding survivors of other forms of violence.*

Apart from the salary of Local Coordinators against DV, most of municipalities do not allocate a budget for other domestic violence related interventions (procurement of services, social housing, women's economic empowerment initiatives including DV survivors, awareness raising campaigns).

**Article 10: Co-coordinating body** – The role of the *National Council on Gender Equality* created under Article 11 of the Law nr.9970 on 'Gender equality in Albania' remains very weak. The decision-making powers to enable this body to exercise effectively its functions as a co-ordinating body are not clear

<sup>7</sup> Stands for emergency barring orders

<sup>8</sup> Equivalent to an Emerging Barring Order Issued by the Police, valid until the court releases the next order.

<sup>9</sup> They operate at the municipal level and bring together a wide array of representatives from the relevant authorities and civil society to put up a strong unified response to domestic violence at local level. A local referral mechanism is a team of community professionals who have institutional responsibility to respond and address the various needs of the victims of DV. These teams are multi-disciplinary, and each member plays a key role in the overall community response to the crime of domestic violence.

<sup>10</sup> Also known as CCR – Coordinated Community Response Mechanisms

and there is a lack of dedicated human resources and funding to the coordinating body. **Article 11:**<sup>11</sup> **Data collection and research** – The online tracking system REVALB<sup>12</sup> records and monitors the referral of domestic violence cases and is used by a limited number of professionally trained local and central level employees. It is assessed that REVALB is not used regularly by most of the assigned professionals in the 39 municipalities, especially those in which the position of *Local Coordinator against DV* has been subject to staff turnover. The online tracking system features are not used for data, statistics and analysis. There is a lack of data in the following sectors: studies and data on gender-related killing of women; conviction rates for all forms of VAW; the civil justice sector on the number of protection orders, the sex, age and relationship of all parties involved; as well as on the number and type of the authorizations granted by courts for underage marriages.<sup>13</sup>

**Chapter III – Prevention, Article 16 on Preventive intervention and treatment programmes.** Low number of perpetrator programmes;<sup>14</sup> lack of support treatment programmes for perpetrators of sexual assault and rape, with the objective of minimizing the risk of relapse in future intimate relationships.

**Chapter IV – Protection and support, Article 20 on General support services/ Social Services:** lack of appropriate funding for the social services delivered by municipalities to support victims of all forms violence against women and respond to their short and long term needs; *Healthcare services:* statistics on domestic violence generated by the healthcare sector are disproportionately low.<sup>15</sup> The functioning of the free legal aid mechanism provided by the state continues to be problematic, due to the delayed approval of the *Justice Reform* and the delay in approval of the necessary bylaws for the implementation of the *new law on "Legal Aid Guaranteed from the state"*. The revised law requires for new structures to be established at central and local level, thus making its implementation more challenging.

**Article 22 and Article 23: Specialist support services** with reference to shelters: there is insufficient numbers of emergency/crisis shelters<sup>16</sup> and beds, thus not meeting the minimum standards of the IC for accommodation (which requires shelters to operate 24/7, to house women and their children in emergency situations, especially victims who suffer from mental health problems). There are 10

<sup>11</sup> GREVIO Evaluation report on Albania , pg. 22-23

<sup>12</sup> DCM No. 344/ defines concrete obligations and duties for the responsible institutions in data collection, reporting and referral of domestic violence cases.

<sup>13</sup> In order to get married, a man and a woman need to be at least 18 years old. The district court may even allow marriage before this age, for reasons deemed very important by the court. Practice has shown that pregnancy and birth of a child have been the reasons used to grant authorization for underage marriages. (Article 7 and 39, Family Code,2012. [http://femijet.gov.al/doc/KODI\\_I\\_FAMILJES.pdf](http://femijet.gov.al/doc/KODI_I_FAMILJES.pdf)

<sup>14</sup> Starting from 2012, in Albania, two CSOs offer psychological services for DV perpetrators, namely 'Counseling Line for Boys and Men' in Tirana (started offering services in 2012) and 'The Office for Man and Boys' in Shkodra (started offering services in 2014). Both these organizations have been created by AWEN member organizations, also partners in this project, respectively 'Counseling Line for Women and Girls', Tirana (also in charge of administrating the National Hotline) and 'Woman to Woman', Shkodra).

<sup>15</sup> According to medical practitioners interviewed by GREVIO, the explanation for these low figures lies in women's reluctance either to admit the true cause of their injuries, or to incur the risk of the author of the violence discovering that they have revealed such a cause to a third party. Faced with such reluctance, medical professionals often keep a complicit silence.

<sup>16</sup> Only one is specifically designed for children with disabilities and another for LGBTI persons.

shelters for women victims/survivors of violence in Albania. Shelters are located only in the capital and main cities, and the geographical limitations mean that women in rural areas would need to move to access this form of assistance. Out of the ten shelters, one is specifically designed for children with different abilities and another for lesbian, gay, bisexual, trans, queer, intersex (LGBTQI) persons. Country-wide, the shelters have a capacity of approximately 163 beds. Their capacity varies from five to 50 persons. In order to meet the minimum requirement of the Istanbul Convention (1 bed for 10000 inhabitants) an additional 127 beds should be available.<sup>17</sup>

**Article 24: Telephone helplines** – lack of sufficient financial sustainability of the CSO-run National Hotline. Since its establishment, the financial sustainability of the Hotline has been at risk, due to the lack of support with public funding and its dependency on donor support; **Article 25: Support for victims of sexual violence** – There is lack of rape-crisis centres and/or sexual violence referral centres (with only one recently created). The establishment of this first centre is only an initial and insufficient step towards the needed support services for victims of sexual violence.

**Chapter VI – Investigation, prosecution, procedural law and protective measures, Article 50 on Immediate response, prevention and protection** – Law enforcement entities do not make use, where appropriate, of their prerogatives to request the issuance of an emergency barring order or protection order.

#### iv) Government funding for women’s NGOs in the field of VAW and DV

Although the IC and the country legislation foresees the obligation of local governments to provide financial support to victims of domestic violence, this obligation is not fulfilled and there is no special fund allocated by the municipalities for this purpose. In very rare cases<sup>18</sup> the local government supports local organizations with funding to address DV cases.

The central government has allocated funds only for the three anti-trafficking organizations offering long-term sheltering and other services for victims and potential victims of trafficking, considered as a form of GBV.

No funding for NGO-run shelters for DV victims is available in Albania. However, in some cases municipalities have contributed, by allocating a municipality space/building for the establishment of the emergency shelter/apartment for victims of domestic violence.<sup>19</sup>

In 2019, for the first time Albanian Government has allocated some funding<sup>20</sup> for the National Hotline. Since in creation, the NGO-run<sup>21</sup> National Hotline has been supported only by private donors. Lack of public funding regarding DV related services is an important concern, when it comes also to the *National Strategy for Gender Equality 2016-2020*. One of the key objectives (3.2), the one on

<sup>17</sup> <https://kvinnatillkvinna.org/wp-content/uploads/2018/11/WRWB2018.pdf>

<sup>18</sup> One is the example of the Municipality of Durrës, based on information received by AWEN member organization ‘Association for Women with Social Problems’, Durrës

<sup>19</sup> This is the case of Municipality of Shkodra (since 2015) and Municipality of Peshkopi (new emergency shelter, established in 2019).

<sup>20</sup> That cover only a part of the costs of the Hotline.

<sup>21</sup> Established and run by ‘Counseling Line for Women and Girls’, Tirana, WAVE member organization. For more information please visit <http://www.hotlinealbania.org/>

"Strengthening of referral mechanisms as well as specialized support services for the protection and handling of Gender Based Violence & Domestic Violence cases," has a budget gap of 64%.

Based on **Article 9 of the IC**, in its evaluation report, GREVIO urges the Albanian authorities to take further measures, such as the establishment of suitable programmes and grants, and adapted and transparent procurement procedures, to ensure stable and sustainable funding levels for women's NGOs that work to support victims and prevent violence and thus enabling them to meet the needs of the victims.

## Country profile: Bosnia and Herzegovina<sup>22</sup>

### i) Ratification of Istanbul Convention

Bosnia & Herzegovina signed the IC on March 8, 2013 and ratified the convention on November 7, 2013. BiH ratified the convention with no reservations. The convention entered into force on August 1, 2014. GREVIO is working on an upcoming evaluation procedure for BiH. In 2019, Bosnia and Herzegovina is scheduled to submit their first state report on the implementation of the IC.

With the support of UN Women, women's CSOs are in the process of preparing the first alternative report to GREVIO, expected to be ready by November 2019. The report will be delivered to GREVIO before the official state report, as Bosnia and Herzegovina will receive the questionnaire during February 2020.<sup>23</sup>

### ii) Best implemented articles of the Istanbul Convention

BiH is in a unique legislative situation considering that there are two entities – Republika Srpska and Federation BiH, and Brcko District as a separate administrative unit with independent government authority. Even though the same conventions and international documents are ratified at a state level, their implementation is different at the local level, as each of two entities and Brcko District - as separate unit – have their own laws and local implementation mechanisms.

One of the most important results is *harmonization of the Criminal Code of Republika Srpska* with the standards of the IC through introducing new criminal offences (2017).

**In Republika Srpska, Article 22 on Specialized Services of Support** (Safe Houses) is implemented in a way that municipality and entity public budgets are covering total costs of work of the Safe Houses, and women's CSOs are providing services, in ratio 70% of costs from entity budget, and 30% from the municipal public budgets. **In Brcko District**, the BiH public budget covers the total costs of the sheltering victims of violence in the Safe House.

<sup>22</sup> Key Informant: Foundation United Women

<sup>23</sup> The finalization of the report corresponds to the end of the project supported by UNWOMEN in BiH.

This is the result of long-term advocacy efforts of women's CSOs in **Republika Srpska**, that are providing direct services of assistance and support to women victims of violence to change *the Law on Protection from Domestic Violence*, and introduce obligatory public budget financing of the safe houses for victims of domestic violence.

**In Federation of BiH**, the status of the Safe Houses is not legally regulated in the same way and there are no bylaws regulating financing of the safe houses from public budgets. *The Law on Protection from Domestic Violence of the Federation BiH* regulates that sheltering of the victims of violence in the Safe Houses is financed from the entity public budget (70%) and cantonal public budgets (30%). However, this provision is not consistently implemented in the practice, as public budget resources are not planned and allocated on regular basis.

### iii) Challenges with implementation of specific Istanbul Convention articles

The country faces some important implementation problems in the below articles of the IC<sup>24</sup>, more specifically:

**Chapter II – Integrated policies and data collection, Article 8 on Financial Means** – There is a limited public budget and funding planned and allocated to safe houses. There is no support for SOS Helplines or other specialized services for victims of domestic violence or rape crises centres. There is no funding allocated to prevention. The government only allocates funds for victims of domestic violence but there is no support for women who are victims of other types of violence.

**Article 9: Nongovernmental Organizations and Civil Society** – Standards are only partly met. NGOs that are providing specialized support services through safe houses/shelters for women and children victims of violence in Republika Srpska are recognized as associates of governmental actors and institutions. However, in other fields of work, the efforts and contributions of NGOs are not recognized; **Article 11: Data Collection and Researches** – Practices of work in Bosnia and Herzegovina are not meeting standards regulated by the IC in relation to this article.

**Chapter IV – Protection and support, Article 25 on Support for Victims of Sexual Violence** – Neither practices nor public policies are harmonized with the IC. Support services that exclusively support victims of sexual violence as a part of a systemic response of the state institutions, as regulated by the standards of the Istanbul Convention, do not exist throughout BiH. There are good practices identified only in few local communities across the country, provided both by public institutions and NGOs working on women human rights. However, these practices are not comprehensive and are lacking systemic support, namely in terms of sufficient number of professionals trained to provide specialized assistance to victims of sexual violence and public budget funding to ensure sustainability. Specific support services for victims of sexual violence are very limited, and mainly provided by NGOs through women's specialized services during periods of acute violence. These NGOs make use of trained staff members and extensive expertise to support women victims of all forms of violence, but they are

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<sup>24</sup> As reported by key informant organization from BiH.

mostly available in largest cities and lack public budget support to strengthen services directed specifically to victims of sexual violence.<sup>25</sup>

**Chapter V – Substantive law, Article 30 on Compensation** – Compensation is formally guaranteed in legislation, but in practice, courts rarely grant compensations for victims of violence as a part of criminal offence processes for violence. Victims are directed by courts to initiate substantial civil litigations, which are very costly, and many victims abandon their efforts for compensation for violence. The *Foundation United Women* identified this as a persistent problem during the monitoring of judicial proceedings for GBV, and are continuously advocating to raise awareness about this issue through media, public institutions, judiciary and international organizations, with the aim to influence changes in the judicial practices and improve access to justice for women survivors of violence.

#### iv) Government funding for women's NGOs in the field of VAW and DV

Considering the unique legislative situation, **Republic of Srpska**<sup>26</sup> and **Brcko District** have two separate Laws on Protection from Domestic Violence. *Republika Srpska's* Law regulates 70% from the entity budget and 30% from the municipal budgets for sheltering victims of violence in the safe houses where the victim is resident.

Some local communities do not plan or have enough money for this purpose, so often women and children are accommodated without any financial support from the local level. In the last years, there have been very meaningful improvements, since NGOs have worked to influence the local governments, as more shelters in different communities were depended on their budget. During 2018, 10 local government units have payed for the safe houses' cost, compared to only 2 or 3 in the previous years.

**Federation of Bosnia:** Federation BiH has its *Law on Protection from Domestic Violence* (2013), but bylaws are consistently not applied in practice. Shelters that are run by women's NGOs receive occasional funding from the entity and cantonal budgets, but this funding is not continuous and sustainable, as women's NGOs have to negotiate for funding. The funding depends on the number of victims who get services. The government opens the call for service providers and organizations apply every year, in order to get funding for the accommodation of the victims. Other maintenance costs of the shelters need to be covered by other donors.

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<sup>25</sup> Information provided by informant organization United Women Banja Luka.

<sup>26</sup> Foundation United Women has the Safe House/Shelter for Women and Children Victims of DV. The services they provide through this specialized type of support are fully paid through public budgets.



## Country profile: Kosovo<sup>27</sup>

### i) Ratification of Istanbul Convention

As of 2019, Kosovo<sup>28</sup> is recognized by more than 100 UN member states, but without membership to the UN or the Council of Europe (CoE).<sup>29</sup> Therefore, **Kosovo has not ratified** the IC. Nevertheless, Kosovo has symbolically committed itself to its implementation.<sup>30</sup>

Though Kosovo has a separate status from other European countries, the Council of Europe is implementing a project that will use IC standards to enhance local knowledge and improve the capacities of professionals and practitioners to address issues in the prevention and protection pillars. Since 2017, UN Women has also been working on the EU-funded programme “Implementing Norms, Changing Minds,” which supports governments and women’s organizations in preventing and responding to VAW and promoting the IC.

### ii) Best implemented articles of the Istanbul Convention

Kosovo has made noticeable progress on its legal framework addressing domestic violence. *The criminal code has been revised* (January 2019), resulting in the inclusion and definition of domestic violence as a stand-alone and unique criminal offense, and accurately defining all acts of domestic violence, aligned with the requirements of the IC. This has been considered one of the most positive initiatives for the advancement of human rights in Kosovo.

Kosovo is also starting to use *an integrated database<sup>31</sup> for cases of domestic violence*, which will enable the monitoring and prosecution of domestic violence cases and ensure accountability, by obliging relevant institutions to contribute necessary information from both central and local sources. The database is also expected to highlight the real extent of the issue, considering that cases of DV are often underreported. Creating a centralized registry of DV cases in this database is an additional asset in this area, especially considering the increased reporting of cases of DV in the country.<sup>32</sup> The line Ministry is also working on creating standards in line with the IC, by establishing working groups to work on specific themes of the IC.

Training on VAW and DV for responsible institutions like *Local Domestic Violence Coordination Mechanisms*, i.e. the members of the coordination mechanisms, as well as other key service providers, is continuing at the central and municipal levels. Kosovo is currently revising its legal framework and

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<sup>27</sup> Women Wellness Centre

<sup>28</sup> All references to Kosovo in this document should be understood in full compliance with the United Nations Security Resolution 1244

<sup>29</sup> The official text of the resolution is available at <http://www.un.org/Docs/scres/1999/sc99.htm>

<sup>30</sup> Refer to the following section for more details.

<sup>31</sup> 14 March 2019 - The creation of the database is supported by the UN Women Regional Programme on ending violence against women in the Western Balkans and Turkey, “Implementing Norms, Changing Minds,” funded by the European Union.

<sup>32</sup> In 2018, there was an increase of 300 cases compared to the previous year.



constitution, hoping to improve the quality of services for survivors of domestic and gender-based violence based on increased knowledge of effective services from the IC.<sup>33</sup>

In a process initiated by the Caucus of Women Members of Parliament, the Constitutional Court of Kosovo has granted full permission for an *amendment of the Constitution's Article 22* to include the IC in the list of directly applicable international legal instruments for the protection of human rights. The Court ruled positively on the matter and enabled the Assembly of Kosovo to vote on the adoption of the amendment in the near future. The Court found that the proposed amendment would strengthen the commitment of Kosovo towards the protection of human rights. The proposed amendment to the Constitution would provide an opportunity to build on the existing achievements and work towards the full implementation of the Convention.

### iii) Challenges with implementation of specific Istanbul Convention articles

Despite the progress achieved in improving the policy and legal framework, in Kosovo developments have focused primarily on responding to domestic violence, with other forms of violence against women being dealt with marginally or absent altogether from policy-makers' agenda.<sup>34</sup>

As of September 2019, Kosovo does not apply an integrated approach to VAW and limits it mostly to DV.<sup>35</sup> There is a growing need to develop existing legislation on VAW within IC standards, as there is no national law that addresses all forms of VAW in its particularities. The informant organization from Kosovo also states that implementation of the existing legislation is problematic due to several challenges. An evaluation of the previous programme<sup>36</sup> states that, among others, the following shortcomings in Kosovo's domestic violence intervention system:

- weak implementation of existing legislation and standards, including limited use and follow-up of protection measures foreseen by the LPDV;
- lack of efficient co-ordination and information sharing mechanisms among relevant agencies and institutions;
- lack of specialized/standardized services for domestic violence victims and passivity on the part of social services when dealing with such cases;
- financial unsustainability and understaffing of services, including shelters;
- lack of empowerment programmes for women victims;
- lack of perpetrator programmes;
- lack of systematic data collection by police, the judiciary and health and social services;
- reconciliatory and victim-blaming attitudes from professionals working closely with victims.

In Kosovo there is also a growing need for shelters and specialized services for victims of sexual assault, particularly women and LGBTI people. While there are shelters for women and children that are

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<sup>33</sup><http://eca.unwomen.org/en/news/stories/2019/05/kosovo-to-amend-its-constitution-to-recognize-the-istanbul-convention>

<sup>34</sup> Council of Europe, 2017. "Mapping support services for victims of violence against women in Kosovo", pg.4

<sup>35</sup> European Women's Lobby, 2019. "Mapping of policies and legislation on violence against women and the Istanbul convention in Kosovo" [https://www.womenlobby.org/IMG/pdf/ewl-kosovo\\_report\\_web.pdf](https://www.womenlobby.org/IMG/pdf/ewl-kosovo_report_web.pdf)

<sup>36</sup> Ministry of Justice (2015). Evaluation report of the Kosovo Program against Domestic Violence and Action Plan 2011-2014. Prishtinë/Priština.

victims of DV, all shelters and services in this area are poorly funded.<sup>37</sup> There are no specialized services focusing exclusively on victims of sexual violence, in Kosovo\*, including rape crisis centres or sexual violence referral centres. Specialist and general services devote only a small proportion of their work to this form of violence<sup>38</sup>.

#### iv) Government funding for women's NGOs in the field of VAW and DV

Funding for support services geared towards all forms of violence against women is not mandated by Kosovo's legislation. Only the financing of domestic violence measures is provided in the Kosovo's *National Strategy against Domestic Violence 2016-2020*. The government is the primary source of funding for public specialised and general services, while NGO-run services rely more heavily on a variety of financing sources, in particular international donors. There is insufficient financial support provided to shelters which are the main providers of specialized residential and non-residential support, especially for victims of domestic violence.<sup>39</sup>

Organizations from Kosovo report that *prevention activities and services for women and children victims of violence are substantially funded by the central government (70% funding from Ministry of Labour and Social Welfare) and 10% from local governments.*

### Country profile: Montenegro<sup>40</sup>

#### i) Ratification of Istanbul Convention

Montenegro signed the IC on May 11, 2011, the date on which the convention was opened for signature and ratified the convention on April 22, 2013. Montenegro ratified the convention with no reservations.

The first state report on the IC from Montenegro was received by GREVIO on July 11, 2017. Following the Dialogue with state representatives in Strasbourg on October 10, 2017, the evaluation visit of GREVIO (6 to 9 November 2017) and the Government Comments to the GREVIO draft report received on September 14, 2018; the first evaluation report by GREVIO was published on October 25, 2018. The recommendations by the Committee of the Parties were published on January 28, 2019. Montenegro has adopted all of the GREVIO report recommendations.

<sup>37</sup> <http://eca.unwomen.org/en/where-we-are/kosovo-under-unscr-1244/ending-violence-against-women>

<sup>38</sup> Council of Europe, 2017. 'Mapping support services for victims of violence against women in Kosovo', 2017. Pg.76 <https://rm.coe.int/seminar-pristina-report-eng/16807316df>

<sup>39</sup> Council of Europe, 2017. "Mapping support services for victims of violence against women in Kosovo", page 82.

<sup>40</sup> Information by: SOS Hotline for Women and Children Victims of Violence Niksic and desk review

At least *one alternative report* was delivered to GREVIO by the civil society.<sup>41</sup> The CSSP partner ‘SOS Hotline for Women and Children Victims of Violence Nikšić’, key country informant to this report, was involved as one of the contributors.

## ii) Best implemented articles of the Istanbul Convention

The most significant aspect of IC implementation in Montenegro is the adoption of important laws, action plans and strategies that deal with some forms of VAW, particularly DV. The Committee of the Parties<sup>42</sup> notes the following progress:

- On-going efforts to build legislative, policy and institutional framework to prevent and combat VAW are being adapted to international standards.
- Comprehensive legislative changes, particularly in the area of criminal law, have led to the criminalization of a wide range of conduct as required by the IC and the introduction of emergency barring and restraining orders for domestic violence victims and their right to legal aid.
- Increased efforts made at addressing VAW and DV a form of GBV.
- Adoption of important policy documents such as the Action Plan for Gender Equality (2017 to 2021) and the Strategy for Protection from Domestic Violence (2016 to 2020).
- Efforts were made to introduce multi-agency co-operation among different agencies and actors to ensure a comprehensive and coordinated response to domestic violence.

Additionally, in line with **Article 24** of the IC, a Free National SOS Helpline for victims of domestic violence has been established by the Government of Montenegro on September 2015, administrated by the NGO SOS Hotline Nikšić.

**Chapter IV – Protection and Support, Article 23 on Specialist support services.** Two additional domestic violence shelter) have been established to address geographic disparities in service provision, located in the central region of Montenegro, accommodating women and children victims of violence from all over Montenegro.

**Chapter VII – Migration and Asylum:** Finally, the legal provisions made to ensure asylum claims are considered taking into account gender identity, sex and experiences of physical, psychological or sexual violence as acts of persecution.

These positive improvements were achieved primarily by the long-standing, continuous efforts of NGOs addressing VAW. NGOs, individually and through informal networking, are the only subjects that continuously and consistently advocate, lobby with decision-makers and carry out campaigns to implement IC provisions and end VAW.

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<sup>41</sup> Contribution on the [Implementation of Montenegro’s Domestic Violence Legislation](#) by : Women's rights Center, The advocates for human rights and SOS Hotline for Women and Children Victims of Violence Nikšić; Contribution on the [Implementation of the Istanbul Convention in Montenegro](#) by : Women’s Rights Centre, Women’s Safe House, SOS Hotline for Women and Children Victims of Violence Nikšić and SOS Hotline for Women and Children Victims of Violence Podgorica

<sup>42</sup> Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Montenegro, IC-CP/Inf(2019)

### iii) Challenges with implementation of specific Istanbul Convention articles<sup>43</sup>

Although Montenegro has been obliged to fully implement the IC since August 2014, effective implementation is still a major challenge. Most of the provisions are not applied in practice. The IC remains largely unrecognized by the institutions and individuals who have an obligation to implement it. This was confirmed in GREVIO's first evaluation report for Montenegro. It was noted that improvement is needed for each article of the IC to some degree.

GREVIO's evaluation report<sup>44</sup> indicated that Montenegro did not fulfil most IC obligations. While action is required in all aspects of IC implementation, some segments require minor adjustments while others need emergency action. IC requirements that need to be addressed urgently are related to the following articles:

**Chapter II – Integrated policies and data collection, Articles 8 and 9 on Non-governmental organizations and civil society.** NGOs must acquire *a license to provide services, as one of the prerequisites for provision of financial support* by the state.<sup>45</sup> The licensing process by the state has criteria that specialized women's support services struggle to attain in terms of organization size and number of employees, *as also noted in the GREVIO evaluation report*. There is the risk that the service provision from the specialized CSOs will be replaced by generalized NGOs that are less focused on women and with less experience in this area, while also negatively impacting a gendered approach to VAW.

**Chapter III – Prevention, Article 15 on Training of experts.** Similar to most activities in the area of combatting violence against women and domestic violence, the curricula are also mainly implemented by NGOs through the projects financed by foreign donors. There is a lack of a strategically designed training plan for professionals, and the trainings happen sporadically, being implemented within the projects implemented by the relevant public institutions. The Ministry for Human and Minority Rights lacks necessary capacities for educating professionals on the subject of gender equality, discrimination and gender based violence, and it financially relies on international and non-government organizations.<sup>46</sup>

**Chapter IV – Protection and support, Article 22 on Specialist support services.** *The strategy on Domestic Violence Protection 2016-2020* has envisaged the creation and implementation of a national plan of improvement of specialist services of support to victims of violence, in compliance with the IC recommendations. The state has specialist support services neither for victims of violence against women and their children, nor for children with direct experience of violence. There are only general state support services in the *Center for the support to children and family Bijelo Polje* and *Shelter for Women Victims of Human Trafficking* managed by the *Office for the Fight against Human Trafficking*.

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<sup>43</sup> Information on the detailed articles of this session is extracted from the Shadow report of women CSOs. For more info please refer to <https://rm.coe.int/report-ngo-montenegro-2/168073c980>

<sup>44</sup> <https://rm.coe.int/grevio-report-montenegro/16808e5614>

<sup>45</sup> SOS Hotline Nikšić licensed the work of two specialized help and support services, including the National SOS line for victims of domestic violence and the work of SOS shelters for women and children with experience of violence.

<sup>46</sup> <https://rm.coe.int/report-ngo-montenegro-2/168073c980>

Specialist support services are implemented only by few women's NGOs dealing with the protection of victims of domestic violence. It is necessary that the state ensures, with adequate geographic spreading, direct short-term and long-term specialist support services for each victim that was exposed to any type of violence covered by the Convention, as well as for all women violence victims and their children of the study of the Council of Europe related to minimum standards for specialist services.

**Article 25: Support to victims of sexual violence** - There are neither crisis centers nor similar institutions for victims of sexual violence in Montenegro. There is an immediate need for crisis centers to be established for rape victims and/or victims of sexual violence. **Article 26: Protection and support of children to witnesses** - Even though certain provisions of the criminal legislation framework provide specific treatment of minor witnesses, committing an act of violence in the presence of a minor is still not recognized as a punishable act which constitutes a form of domestic violence. Witnessing domestic violence is still not recognized as an emotional abuse. Among the immediate steps that need to be taken to address this concern, the violent act committed in the presence of a minor child should be criminalized and recognized as a criminal offence of domestic violence.

**Chapter VI – Investigation, prosecution, procedural law and protective measures, Article 50 on Reporting and investigation by the law enforcement authorities** - Although there is a legal framework aligned with the standards set in the Convention, their consistent application in practice is lacking and, therefore, it is necessary to undertake measures aimed at improving their implementation. Among the problems identified by the women CSOs, we can mention: separation of the victim from the abuser is not realized in practice due to the limited capacities of the courts; there is soft penalty policy and high degree of impunity of the perpetrators of violence<sup>47</sup>; and weak monitoring of the orders of protection by the police.

**Article 52: Emergency barring orders** - Urgent measures for the prohibition of access to or protection of Statistical data<sup>48</sup> indicate the obvious lack of consistence of the police practice in issuing the orders of removal from the place of residence. There are no official data on the number of issued emergency barring orders (before launching misdemeanor proceedings), but the practice of women's NGOs shows that the misdemeanor courts issue the emergency barring orders extremely seldom, and that the police rarely propose the measure to the courts. Apart from NGOs, nobody informs the victims about the possibility of requesting the orders. The misdemeanor courts rarely issue the orders of protection during the proceedings as well.

**Article 53: Restraining or protection orders** - Changes and amendments to the Criminal Code from July 2013 introduce new security measures: restraining order (Article 77a) and removal from the place of residence or other premises (Article 77b). Namely, these security measures are targeted at removing the risk of repeated criminal offences (re-offending) by prohibiting the perpetrator to approach the victim of criminal offence. Thus, the criminal Code has been harmonized with the IC in

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<sup>47</sup> The type of imposed sentences that do not ensure the security and safety of victims is concerning, given that in 64% cases those were suspended sentences, community work sentences and fines.

<sup>48</sup> In 2013, as many as 32 orders, i.e. 80% of them were issued in one town (Nikšić), by only one authorized police officer, while only 8 of them were issued in all other Montenegrin towns. In 2015, the police orders of removal from the place of residence were most often issued by the Security Center in Nikšić (74,4% cases), while the Security Center in Podgorica, which covers 1/3 of the Montenegrin population did not issue any orders of this kind. <https://rm.coe.int/report-ngo-montenegro-2/168073c980>

this part. However, these measures are not applied in practice. Apart from this, as opposed to the misdemeanor regulations, the criminal legislation did not regulate emergency barring orders in case of the criminal offence of domestic violence, and as per the official court data, the trials for these criminal offences last six months on average.

**Article 57: Legal Aid** – There is a need to broaden the scope of the right to free legal aid to administrative procedures, while the citizens are very poorly informed about the right to free legal aid. The police, criminal justice system personnel, providers of the health care and social protection services and other professionals on the first line of intervention do not notify the victims and potential victims about their rights to free legal aid. Adequate mechanisms and indicators for monitoring the quality of the provision of free legal aid are missing.

NGOs that deal with the protection of women and protection against domestic violence continuously work to ensure that the state realizes the obligations it has undertaken with the ratification of the IC, while working to increase their own capacities to meet the standards set by the state for service providers in the field of social and child protection.

#### iv) **Government funding for women's NGOs in the field of VAW and DV**

There are occasional tendering processes that assign minimal funds for projects that focus on protecting women from violence. These funds constitute less than 5% of the annual budget of the NGOs that deal with the protection of women from violence in Montenegro.

Since September 2015, SOS Hotline Nikšić has been running the National Hotline for victims of domestic violence. The Government of Montenegro covers only 50% of the hotline's costs, while the remaining 50% of costs are covered through private donor funds. Although financing is distributed annually, it cannot be considered sustainable.

Serious concern over the existing situation was also noted in the GREVIO evaluation report where it was stated that many important measures, including the *Domestic Violence Strategy*, seem to receive no funding from the government. Additionally, the limited financial support available from public funds was even further reduced in 2018, after recent amendments to the law on NGOs. Finally, the report states that existing specialized support services led by NGOs are in a state of uncertainty as their current situation is unsustainable, being almost entirely dependent on the financing of international donors.

## Country profile: North Macedonia<sup>49</sup>

### i) Ratification of Istanbul Convention

North Macedonia signed the IC on July 8, 2012 and ratified the convention almost five years later, on March 23, 2017. North Macedonia ratified the convention with several reservations<sup>50</sup>. Starting from July 1<sup>st</sup>, 2018, North Macedonia has no reservations to any articles of the IC.

### ii) Best implemented articles of the Istanbul Convention

Considering that it has been only one year since North Macedonia ratified the IC, there are no available reports regarding its implementation.

CSO informants of this report, state that for many years there have been no positive changes regarding the situation of violated women in the country. The only recognized form of violence was domestic violence and existing services offered support only for victims of this form. The section on domestic violence, as part of the Family Law which was passed in 2004, and has been replaced with a *new Law for Prevention, Protection and Combating Domestic Violence* adopted in September 2014, that came into force on January 1<sup>st</sup>, 2015 is not being properly implemented. In 2004, domestic violence was included in the *Criminal Code* as aggravating circumstance and is still not recognized as a separate criminal act. The unstable political situation has caused important decrease in the public finances regarding domestic violence, which has resulted in closure of existing state shelters. This was accompanied by withdrawal of donor funding and a decrease in the funds available for specialized services provided by women CSOs.

The positive changes started in 2017, when the new government ratified the IC and a *National Action Plan* was drafted in line with the IC. *The National Action Plan* was adopted by the Macedonian Government in October 2018 and the directions for developing *operational plans with financial implications* were given to all relevant institutions. Unfortunately, not all institutions prepared the operational plans for 2019 (none of which are available online) which makes it difficult for women CSOs to monitor its implementation.

Three Referral centres for victims of rape were open in the Gynecological clinics in Skopje, Kumanovo and Gostivar.

*The Ministry of Labour and Social Policy* developed a new *Law on Violence against Women and Domestic violence* at the end of 2018. The first draft was prepared and shared with relevant institutions for broader consultations.

<sup>49</sup> Information from the 'National network to end violence against women and domestic violence'

<sup>50</sup> These reservations have been valid until the IC entered into force on 1 July 2018. For more information please refer to <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>.



### iii) Challenges with implementation of specific Istanbul Convention articles

According to key informants of this report on North Macedonia, the implementation efforts regarding IC are very new and the country needs to work on all articles of the IC, especially if taken into consideration that domestic violence is the only form of violence regulated in the national legislation.

### iv) Government funding for women's NGOs in the field of VAW and DV

*The Ministry of Labour and Social Policy* has been allocating funds to support specialized services for victims of VAW since September 2017. One shelter, one crisis centre and one SOS line are partially funded by this Ministry.

Additionally, the only counselling centre for women and children victims of domestic violence is financially supported by the City of Skopje. Other municipalities are supporting small scale projects for general social protection, and organizations working on GBV and DV are eligible for this funding. These funds are small and do not fulfil the financial needs of women CSOs.

All of the aforementioned support services are located in the capital of North Macedonia.

## Country profile: Serbia<sup>51</sup>

### i) Ratification of Istanbul Convention

Serbia signed the IC on April 4, 2012 and ratified it on November 21, 2013. The IC entered into force on August 1, 2014. However, Serbia initially set some reservations<sup>52</sup> waiting for the harmonization of the national criminal law with the Convention. The national criminal law and associated reservations remained valid until August 1, 2019.

Serbia is undergoing the first IC evaluation procedure from GREVIO. The first state report was received by GREVIO on July 3, 2018. *Seven alternative reports* from civil society and human rights' entities in Serbia were received by GREVIO,<sup>53</sup> including one from Fenomena Association on behalf of Women against Violence Network (South-Western Region) — CSSP partner and informer for this report regarding Serbia.

<sup>51</sup> Information from Phenomena Association and desk review.

<sup>52</sup> Compensation to victims by the State (Article 30, paragraph 2); Jurisdiction to implement measures when the offence in accordance to the Convention is committed by a person with habitual residence in Serbia (Article 44, paragraph 1e); Jurisdiction for prosecution of the offences of sexual violence (Art 36), forced marriage (Art 37), female genital mutilation (Art 38), and forced abortion and forced sterilization (Art 39) (Article 44, paragraph 3 and 4).

<sup>53</sup> Protector of Citizens of the Republic of Serbia; Independent AWC's; ATINA; Association of Roma Novi Bečej; SOS Vojvodina; Femplatz and MDRI-S; Fenomena Association coordinating South-Western Region of Women Against Violence Network in Serbia



## ii) Best implemented articles of the Istanbul Convention

Some articles of the IC have been better implemented in Serbia than others (listed below).<sup>54</sup> The implementation of these articles is partly related to women's CSOs advocacy efforts (i.e. through the introduction of new articles, the development of a progressive and innovative definition of family in Family Law, the alteration of the Criminal Code), and their stance of zero tolerance for violence.

**Chapter II – Integrated policies and data collection, Article 10 on Co-coordinating body:** In 2014, the *Coordination Body for Gender Equality* was formed, whose task was coordinating the state administration affairs in the area of gender equality, which also included NGOs<sup>55</sup>. This body was entrusted with the activities of coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by the Council of Europe Convention at the national level. The expert group for supporting the work of this body is small in number of members. A new *Sector for Anti-discrimination Policy and the Promotion of Gender Equality* was established at the *Ministry of Labor, Employment, Veteran and Social Affairs* (June 2017). The *Council for the Suppression of Domestic Violence* was established in 2017, on the basis of *Article 36 of the Law on the Prevention of Domestic Violence*. This body monitors the implementation of the Law and proposes measures to improve coordination and effective prevention and protection from domestic violence. The Council submits an annual report to the Government. The Ministry of Interior formed a working group to monitor and coordinate police work in cases of domestic violence. At the provincial level, the *Inter-sectoral Committee for Monitoring the Program for the Protection of Women against Violence* was established in 2015.

However, women CSOs state that there are insufficient human resources in the services that support the work of these bodies. Although there is a requirement for regular reporting by the Government, reports on the activities of the bodies and effects in the areas of monitoring are not publicly available.

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**Chapter III – Prevention, Article 13 on Awareness-raising.** Several public awareness-raising campaigns have been implemented.

**Chapter IV – Protection and support, Article 18 on General Obligations.** As stipulated by the IC,<sup>57</sup> DV is now criminalized in the Republic of Serbia. Different aspects of protection and prosecution of DV are treated through the *Family Law, the Criminal Code and the New Law on Prevention of Domestic Violence* introduced in 2017, featuring the *Group for Coordination and Cooperation*. Legislation is combined and the Prosecutor defines under which law the specific act will be treated.

<sup>54</sup> European Women's Lobby, 2019. "Mapping of policies and legislation on violence against women and the Istanbul Convention in Serbia". Pg.4

<sup>55</sup> Autonomous Women's Center refused to participate

<sup>56</sup> <https://rm.coe.int/improved-legislation-failed-protection-independent-awc-s-report-to-gre/16808e2f8b>

<sup>57</sup> and CEDAW (Art 29a Rec 35)

**Chapter IV – Protection and support, Article 24 on Telephone helplines:** Initiated efforts for the 24/7 free of charge telephone helpline to support survivors of violence.<sup>58</sup>

The independent GREVIO Report prepared by women’s CSOs points out that the implementation of international commitments, as they are inserted into domestic legislation, continues to be a policy challenge: “one unimplemented regulation being substituted by another regulation which also has a great chance of not being implemented in a created atmosphere of normativity erosion, continues to be the long-term practice.”<sup>59</sup>

### iii) Challenges with implementation of specific Istanbul Convention articles

Despite some efforts to improve implementation of the IC, women’s organizations in Serbia have identified multiple implementation problems, summarized below.<sup>60</sup>

**Chapter II – Integrated policies and data collection, Article 7 on Comprehensive and co-coordinated policies.** There is no national action plan in place; **Article 8: Financial resources** - There are no IC-related budget allocations; **Article 9: Non-governmental organizations and civil society** - Government support and cooperation with relevant NGOs is lacking; **Article 11: Data collection and research** - No nationwide research on the prevalence of Intimate Partner Violence (IPV), no official data on DV segregated by gender.

**Chapter III – Prevention, Article 12 on General obligations:** Lack of measures for altering social and cultural patterns and for empowering women; **Article 14: Education** - Lack of VAW and gender equality teaching material in formal and informal curricula and at all levels of education; **Article 15: Training of professionals** - Lack of substantial or sustainable specialized training for professionals; **Article 16: Preventive intervention and treatment programmes** - Unknown data on the work done by the perpetrators’ programs, related to their beneficiaries; There are no programs for sex offenders; **Article 17: Participation of the private sector and the media** - There is no involvement of the private sector and media in policy design and implementation or in creating internal VAW standards.

**Chapter IV – Protection and support, Article 18 on General obligations.** There is a significant lack of cooperation with NGOs, especially with the representatives of *Women Against Violence Network* comprised of women’s specialized services; **Article 19: Information** - DV survivors cannot easily access information concerning support services and legal measures that are available to them; **Article 20: General support services** - Individual Protection and Security Planning aiming at recovery from violence is inconsistent; there are no additional services for victims, such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.

**Article 21: Assistance in individual/collective complaints** - There is no legal aid to persons who want to access the regional and international protection mechanisms; **Article 22: Specialist support**

<sup>58</sup>NOTE: The National SOS helpline service, was initiated in a highly disputable process regarding its legality and the established National SOS helpline is not in line with IC stipulations regarding cooperation with specialized women’s CSOs and regarding anonymity and confidentiality standards.

<sup>59</sup>European Women’s Lobby, 2019. “Mapping of policies and legislation on violence against women and the Istanbul Convention in Serbia”, pg. 7

<sup>60</sup> Review of Fenomena Association ‘Analysis of policies and legislation on WAV and IC in Serbia’, January 2019.

**services** - There is lack of support for specialist women's support services; **Article 23: Shelters** - Serbia has only 35% of the number of women's shelters required at a national level by the IC; **Article 24: Telephone helplines** - The 24/7 free of charge telephone helpline in Serbia has violated confidentiality and anonymity standards; **Article 25: Support for victims of sexual violence** - There are no specialized services for victims of sexual violence. Only women CSOs have shown efforts establish centers for victims of sexual violence; **Article 26: Protection and support for child witnesses and Article 27: Reporting** - There are no specific measures to encourage reporting by witnesses or professionals.

#### iv) **Government funding for women's NGOs in the field of VAW and DV** <sup>61</sup>

Women CSOs, informants of this questionnaire, state that the National Government does not support *National Women against Violence Network*, but on the contrary, they are establishing parallel organizations (GONGOs) to legitimize potential future collaborations. The so called GONGO-s are associations registered by people who are believed to be close to the government, with the aim to (mis)use the public funds without providing the concrete intended services. CSOs, including women organizations have taken a stand against this approach by protesting, but no solution has been reached yet.<sup>62</sup>

The Serbian Government seems to be is in constant 'battle' with specialized women's CSOs rather than cooperating and supporting them, as urged by IC.

The state report presented to GREVIO<sup>63</sup> highlights some positive evidence of collaboration with women CSOs in the Autonomous Province of Vojvodina, regarding support with projects aiming at several issues related to women human rights, among them victims of DV.

### Country profile: Turkey<sup>64</sup>

#### i) **Ratification of Istanbul Convention**

Turkey signed the IC on May 11, 2011, the date on which the convention was opened for signature and was the first country to ratify it on 14 March 2012. Turkey ratified the convention with no reservations. The convention entered into force with respect to Turkey on August 1, 2014.

The first state report was received by GREVIO on July 3, 2017. Following the dialogue with state representatives in Strasbourg on October 11, 2017, the evaluation visit of GREVIO (October 30 to November 5, 2017) and the government comments to the draft report (received on September 17, 2018), the first evaluation report by GREVIO was published on October 15, 2018. The

<sup>61</sup> Information from key informant from Serbia, Fenomena Association

<sup>62</sup> Note from informant organization from Serbia: this is an important issue in Serbia currently.

<sup>63</sup> <https://rm.coe.int/state-report-serbia/pdfa/168094afec> (page 14)

<sup>64</sup> Informants: Foundation for Women's Solidarity, as well contributions from Mor Çatı Kadın Sığınağı Vakfı (Mor Çatı Women's Shelter Foundation) and Kadının İnsan Hakları – Yeni Çözümler Derneği (Women for Women's Human Rights - New Ways).

recommendations by the Committee of the Parties were published on January 28, 2019. Turkey has adopted the GREVIO report recommendations.

At least five alternative reports were delivered to GREVIO by civil society,<sup>65</sup> one of them being the Istanbul Convention Monitoring Platform, a member of the Foundation for Women's Solidarity — CSSP partner and key informant for Turkey in this report.

## ii) Best implemented articles of the Istanbul Convention

Informant organizations from Turkey state that the overall implementation of IC in Turkey is poor. While women's NGOs, networks and platforms have been very effective in the past to push for women's rights, the government is not currently welcoming collaboration and dialogue with independent rights-based women's organizations.

*CSO informants to this report* state that the adoption of the IC without any reservations and the adoption of the Law No. 6284, "*Act of Family Protection and Prevention of Violence against Women*," introduced on March 8, 2012, are the most significant achievements regarding IC implementation in Turkey. This law includes protective and preventive measures such as restraining orders that can be taken in urgent situations of violence. The protective and preventive measures in the Law cover all types of violence, including stalking. The target group of the Law is not only married couples, but all women. However, the practical implementation of the Law is problematic in many respects.<sup>66</sup>

The Committee of the Parties of the IC agrees that some measures taken by the Turkish authorities in implementing the IC are positive, in particular:<sup>67</sup>

- Progress achieved in harmonizing Turkey's civil and criminal legislation with the requirements of **Chapter V on Substantive Law**;
- The consistent approach of framing policies and measures on VAW within wider strategies;
- The considerable investments in collecting and centralizing administrative data, in particular data regarding measures adopted in pursuance of the central piece of legislation on VAW (Law No. 6284), as well as the support given to research on domestic violence;
- The development of a strong state-run infrastructure of *Şonims*, which are the Turkish entities responsible for coordinating and monitoring implementation of protective measures, as well as providing general and specialist support services to victims;
- The improvements in the response of law enforcement agencies to VAW, based inter alia on the establishment of specialist offices and the development of risk assessment and risk management procedures;

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<sup>65</sup> Bianet (Independent Communication Network); (The Foundation of Support and Training for the Women in Healthcare); Rainbow Istanbul Women's Associations Platform (GIKAP); the Istanbul Convention Monitoring Platform; KADEM (Women and Democracy Association)

<sup>66</sup> The problems encountered by women regarding the implementation of this Law are thoroughly described in the Shadow NGO Report to GREVIO.

<sup>67</sup> Recommendation on the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence by Turkey IC-CP/Inf(2019). Published on 28 January 2019.

- The wide array of available protective mechanisms, including emergency barring orders, and their extensive use by statutory agencies.

### iii) Challenges with implementation of specific Istanbul Convention articles

Informant women's organizations in Turkey state that Turkish political leaders are not endorsing an integrated approach or committing to eliminate VAW and gender inequality. According to the informant NGOs, since 2014, the government has abandoned gender-sensitive policies and adopted an anti-gender equality discourse.

The requirements that need to be met are addressed in detail by the Istanbul Convention Monitoring Platform through its advocacy efforts and also in the NGO Shadow Report submitted to the GREVIO Committee. Below are some of the areas which are most problematic to implement with regard to IC articles:

**Chapter II – Integrated Policy and data Collection, Article 9 on Non-governmental Organizations and Civil Society.** There is a lack of government collaboration and consultation with independent women's organizations in policy-making and a lack of a meaningful civil society participation in such processes. Independent women's organizations have clearly felt the lack of political will for the elimination of violence against women (VAW) and gender inequality in the legal changes. Especially during recent years, this lack of political will has turned into systematic steps against equality and the fight for it.<sup>68</sup>

Human rights violations are an imminent threat also to independent women's organizations and women's rights activists. From 21 July 2016, for two years in a row, Turkey has been living under conditions of the state of emergency and, in accordance with that, the Government acquired the power to pass statutory decrees without seeking parliament's consent. These decrees in many respects have created human rights violations and have allowed the Government to take restrictive steps. Within this framework, all sorts of expression of opposition are being put under pressure and silenced, like: the closure of some women's organizations; the closure of women's centres and shelters (where previously important work had been underway to keep women away from violence and help them build independent lives) by trustees appointed to municipalities by the Government; and the appropriation by the Government of documents concerning women who consulted these institutions.<sup>69</sup> According to Human Rights Watch<sup>70</sup> ending the state of emergency in Turkey has not ended repressive rule, as prolonged and arbitrary jailing of critics on bogus terrorism charges has become the norm in Turkey.

<sup>68</sup> <https://rm.coe.int/turkey-shadow-report-2/16807441a1> (page 9)

<sup>69</sup> Recommendations of women's organizations regarding NGOs and civil society can be found on pg.19 of the Shadow NGO Report. The Committee of the Parties of the IC also recommends the Government of Turkey take the following measures identified in GREVIO's report for immediate action to further support and facilitate the role of women's NGOs as key partners in the design and implementation of policies and measures to prevent and combat violence against women - including the provision of specialist services, notably through effective consultative processes and suitable funding opportunities .

<sup>70</sup> [World Report 2019](#)

**Chapter IV – Specialist support services, Articles 22 on Specialist Support Services, Article 24 on Telephone Helplines:** *There is no dedicated hotline in Turkey that offers the required consultancy services to women regarding all types of violence within the scope of the IC.* The existing national Hotline for Social Support to Family, Women, Children, People with Disabilities, Relatives of Martyrs and Veterans offers 24/7 services in Turkish, Kurdish and Arabic, and is intended to cover the services of a dedicated hotline to support women subjected to DV.

**Article 23: Shelters** - Although there is a provision in place regarding shelters, there are many exceptions to this provision. Women over 60 are not admitted to shelters, support services towards women with boys over 12 years old and children with disabilities are missing (**Chapter IX, Article 68**), and there is discrimination based on sexual orientation and gender identities in admission to shelters.<sup>71</sup>

**Chapter V – Support for women subjected to sexual violence, Article 34 on Stalking** - *Stalking is not defined as a crime in the Turkish Penal Code.* Perpetrators who are charged with violation of the right to privacy, threatening, blackmailing or any other acts that can be considered stalking are not dissuasively punished. New legislative amendments should be considered to adopt appropriate standards against stalking and digital violence within the internet/digital legislation.

**Article 36: Sexual violence, including rape** - *Rape or sexual violence crisis centres have not yet been established.*<sup>72</sup> Just as in other cases of violence, women and children subjected to sexual violence are obliged to report and seek support from police headquarters, health institutions or the public prosecution office. This results in victim re-traumatization throughout the justice and support process due to stigmatizing attitudes and the obligation to constantly revisit experiences of violence.

All the above mentioned issues are included in the recommendations of the Committee of the Parties of the IC (recommendation A11, A12).<sup>73</sup>

#### iv) **Government funding for women’s NGOs in the field of VAW and DV**

Women’s CSO’s report that the government has not allocated any financial or human resources to independent women’s organizations or networks which are active in combating VAW and DV. Only GONGOs (Government Oriented Non-governmental Organizations), which are closely tied to the government, are supported in order to create the image that the government is working with NGOs in a participatory manner. There is no legislation in place that requires the government to provide financial support to the NGOs.

<sup>71</sup> Recommendations of women’s organizations regarding shelters can be found on p.38 of the Shadow NGO Report.

<sup>72</sup> The recommendations of the Platform regarding rape crisis centres can be found on p.40 of the Shadow NGO Report.

<sup>73</sup> <https://rm.coe.int/recommendations-of-the-committee-of-the-parties-for-turkey/pdfa/1680920060>

## Chapter 2: How networking influences advocacy actions for IC implementation

### a) Existing practices of CSOs networking and inclusion of women from minority and other disadvantaged groups

Although active collaboration/networking among women's NGOs and/or activists in WBT is not always possible due to factors such as funding instability, political context, the absence of a 'networking-culture', there are many positive collaboration efforts in the region. Evidence shows that in WBT, this kind of cooperation among women's CSOs is quite successful, be it in a formal or informal manner. Women's NGOs have managed to create synergies in all countries to organize themselves in networks, uniting women's voices, enabling them to create effective lobbying tools and allowing them to fulfil their agenda. These formal and informal collaborations have led to many successful actions:<sup>74</sup>

- lobbying and advocating for improved legislation on VAW and DV;
- pushing for the ratification of the Istanbul Convention in various countries;
- conducting successful awareness-raising events on VAW/DV; and
- undertaking national level initiatives to promote women's human rights.

Some of the key strengths of women's networks lie in their capacity to empower all groups of women, to be an effective tool in exercising collective power towards a common goal, to build the capacity of their own members and eventually to cover a significant part of a country's territory.<sup>75</sup>

Considering network accessibility, especially for minority and disadvantaged women, all women's NGOs, either single organizations or networks, embrace an inclusive approach in line with Article 4.3 of the IC.<sup>76</sup> Findings from a prior assessment by WAVE<sup>77</sup> show that women's networks generally do include these groups in their work, by either directly cooperating with these organizations or referring individuals to services working specifically with these groups. The overall impression is that minority and disadvantaged groups are welcome and involved in the work of women's networks, but their specific needs are not usually incorporated in the statutes of general women's networks. There are also other ways in which minority and/or disadvantaged groups are involved either as members of a network, or as non-members collaborating with these networks.

Different methods of inclusion and different levels of interest of vulnerable groups to engage with women's networks/organizations have been noticed. In smaller countries, collaboration in a form of

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<sup>74</sup> WAVE (2018). 'Doing it right: Making women's networks accessible', with a special focus on women from minority and disadvantaged groups. Pg. 6

<sup>75</sup> WAVE (2018), 'The Benefits and Challenges of Women's Networks in the Western Balkans and Turkey - a Comparative Report'. Pg. 17

<sup>76</sup> Article 4.3 of the Istanbul Convention is directly connected to Article 14 of the European Convention of Human Rights (ECHR), both emphasizing that matters such as 'gender, sexual orientation, gender identity, age, state of health, disability, marital status, and migrant or refugee status, should not represent grounds for discrimination'.

<sup>77</sup> WAVE (2018), 'The Benefits and Challenges of Women's Networks in the Western Balkans and Turkey - a Comparative Report'. Pg. 16



networking between minority/disadvantaged groups and women's networks/organizations is more frequent than in larger countries. In larger countries, such as Albania, Serbia and Turkey, the tendency is to include minority/disadvantaged group organizations as members of the formal networks, if an interest exists. Inclusion can happen in different forms, but a distinction must be made between minority/disadvantaged groups interested in joining different networks, or, the networks assessing the needs of these vulnerable groups by requesting minority-representative organizations to join the network or indirectly.

## b) Influencing through regional networking: advocacy efforts regarding Istanbul Convention

### i) Significant lobbying and advocacy achievements

Advocacy and lobbying are powerful tools for CSOs to gain support and mobilize the communities they serve, provide backing for policy solutions, and demand accountability from their governments. The stronger and more organized the CSOs are, the more effective their lobbying and advocacy interventions. In all seven countries in the WBT there have been several CSO-led efforts to push the IC implementation agenda forward. Almost all the mentioned improvements in the implementation of IC in each country are a result of both lobbying and advocacy efforts of the women's organizations and networks in each country, and respective governments' commitment to meet the international standards set by the IC. Awareness raising at a local and national level through multiple information dissemination and sensitizing tools is a common practice for all women's CSOs and networks operating in WBT.

In **Albania**, advocacy work to hold the government accountable on IC obligations has been ongoing. Women's organizations and networks<sup>78</sup> have played a crucial role in the harmonization of DV-related legislation and bylaws, offering detailed and professional inputs to several crucial laws and sub-legal acts, especially regarding the recent changes to the "*Law on Measures against Domestic Violence*" and its sub legal acts,<sup>79</sup> the "*Code of Criminal Procedure*"<sup>80</sup> and other laws and by-laws.<sup>81</sup>

In addition to their contributions to legislative improvements, CSOs have also contributed to developing a model for centres for crisis management in cases of sexual violence, by offering their expertise to the public institutions in charge. This model is set up considering IC standards of specialized services for victims of sexual violence (**Chapter IV, Article 25**). The National Hotline for DV victims in Albania was established in December 2016, as a result of the continuous lobbying and advocacy efforts of Counselling Line for Girls and Women, a WAVE member organization that has been running the hotline since its creation. Advocacy efforts to secure public funding for the National Hotline have resulted in partial funding for 2019, for the first time since its creation.

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<sup>78</sup> Contributing networks: Albanian Women Empowerment Network and the 'Monitoring Network Against Gender-Based Violence' (a project-based Network established in the frame of the regional project supported by UN Women with EC funding).

<sup>79</sup> On the Risk Assessment and the Order for Precautionary Measures of Immediate Protection

<sup>80</sup> Regarding the procedural rights of victims of violence and compensation rights,

<sup>81</sup> mentioned in the country profile for Albania in this report



Aiming to address gaps in research analysis of least known forms of GBV and increase the institutional attention towards these forms, CSOs have undertaken national level studies, like the case of AWEN Network in 2018<sup>82</sup>, that conducted the first national study on IPV among adolescents<sup>83</sup>. Some *key findings of the research* study were: the probability of entering the cycle of violence in intimate relationships in adolescence is almost tripled among young people who have experienced domestic violence; *other factors* that double the probability of experiencing violence in intimate relationships in adolescence are: exposure to violence, tolerance to violent behavior, use of substances, sexist attitudes and prejudices; the study revealed some worrying statistics regarding controlling behavior of adolescents towards their intimate partners, like controlling their partner's activity on social media as acceptable, determining in whose company their partner should be, etc.; 22% of young boys and girls (16-19 years old) report to have experienced one form of violence from the partner; IPV is more frequent among girls than among boys; about half of the respondents report being little or no likely to tell someone if they are the victim of a psychological, physical or sexual violence; 3 out of 4 youngsters never talk or talk very rarely with their parents about their intimate relationships, as such conversations continue to remain a taboo for the Albanian society; pressuring or forcing a partner to have sexual relationships is considered acceptable by 1 out of 10 youngsters.

Capacity building of local actors on existing legislation to combat GBV and VAW has been significant for some of the most proactive women's CSOs in Albania, significantly contributing to improvements in its overall implementation in the country.

Other examples of CSOs-led successful lobbying and advocacy initiatives are the ones carried out in **Bosnia and Herzegovina**. As a result of long term advocacy efforts of women's CSOs in Republika Srpska, especially the work of The Foundation United Women Banja Luka, who have been providing direct services of assistance and support to women victims of DV, the 'Law on Protection from Domestic Violence' has been changed and obligatory public financing for safe houses for victims of domestic violence has been introduced for the first time. In Republika Srpska, in relation to **Article 22** of the IC concerning specialized support services, municipalities and public budgets cover all funding for shelters, where services are provided by women's CSOs.

The revised law responds to international standards as set up in the IC, focusing on increasing the responsibility of public institutions that are agents of protection of victims of DV, to come forward with concrete proposals for improvement of the legislation and its implementation, issue and monitor implementation of urgent protection measures and protection from repeated violence<sup>84</sup>, and ensure immediate security and safety for victims.

Another advocacy achievement of women's CSOs in Republika Srpska is the adoption of the *Action Plan for Prevention and Combating Domestic Violence 2019*, with defined objectives and priorities. One of the key objectives is awareness raising with a focus on education and increasing sensibility

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<sup>82</sup> Research study on 'Intimate Partner Violence in Adolescence', the first of its kind for Albania, conducted during 2018 with the support of the Swedish Government. The realization of this study came as an attempt to better understand and to identify the correlation between domestic violence and intimate partner violence in the first intimate relationship between teenagers, as well as to strategically address violence in intimate relationships from an early age.

<sup>83</sup> <https://awenetwork.org/wp-content/uploads/2019/05/Research-report-in-English-INTIMATE-PARTNER-VIOLENCE-IN-ADOLESCENCE-IN-ALBANIA.pdf>

<sup>84</sup> Emerging barring orders

about domestic violence. The following were recognized as priorities: the implementation of the international standards and good practices, the establishment of multidisciplinary and coordinated system of protection of victims of violence against women and domestic violence, the support to victims of violence and further work with perpetrators of violence. The Action Plan also emphasizes importance of improving work of police, judiciary, and centers for social work through capacity building of professionals, exchange of experiences, and monitoring of work of subjects of protection.<sup>85</sup>

The 'Safe Network' of BiH and the *Foundation United Women Banja Luka* has also continued (2018, 2019) their efforts to enhance implementation of the IC, through preparation of guidelines, building the capacity of key actors (professionals working in health centers, judicial institutions, police, centers for social work, Center for Free Legal Assistance, civil society organizations in five local communities in the Republika Srpska), in addressing DV cases and improving coordinated responses on VAW at a local level in BiH.

Even though **Kosovo** has not ratified the IC, advocacy work to improve national legislative framework has been continuous. CSOs are lobbying and advocating to change the country's legislation in line with the IC. CSO led initiatives, with the support of international organizations like UN Women, and collaboration with government institutions<sup>86</sup> have resulted in very important constitutional changes (*Article 22* to include the IC, in the list of directly applicable international legal instruments for protection of human rights) and very important revisions of the *criminal code*, resulting in the inclusion and definition of domestic violence as a separate criminal offense, and accurately defining all acts of domestic violence, this being in line with the requirements of the IC.

The government of Kosovo has been very responsive to CSOs' and international organizations' advocacy efforts to improve monitoring and legislative framework, with the use of an integrated database for cases of domestic violence, the training of staff from institutions that address DV, and the establishment of several working groups to address specific themes of the IC.

In **Montenegro**, positive improvements for IC implementation were achieved primarily thanks to the continuous efforts of CSOs working for the protection of victims of DV and GBV. These women's NGOs have acted individually and as a network by continuously and consistently lobbying with decision-makers. They carried out ad-hoc initiatives for the rights of GBV survivors, and campaigning for the implementation of IC provisions.

SOS Hotline Nikšić and three other NGOs<sup>87</sup> are working in an informal network to support violated women. More specifically, their shared efforts have helped: the process of drafting a new *Protocol on the Procedure, Prevention and Protection of Violence against Women and Domestic Violence (2018)*; the improvement of the capacities of SOS Hotline Nikšić; availability of more funds because of the possibility to create joint cross-border, regional initiatives with other NGOs; the preparation of GREVIO

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<sup>85</sup> <https://cssplatform.org/bh-adopted-2019-action-plan-for-prevention-and-combating-domestic-violence-in-republika-srpska-bihusvojen-akcioni-plan-za-suzbijanje-nasilja-u-porodici-u-republici-srpskoj-za-2019-g>

<sup>86</sup> Parliament and parliamentary commissions, Ministry of Justice, the Ministry of Labor and Social Welfare, the Kosovo Judicial Council, the Kosovo Prosecutorial Council, the Kosovo Police.

<sup>87</sup> Namely: Women's Rights Center, Women's Safe House – Podgorica and SOS Hotline for Women and Children Victims of Violence Podgorica

Shadow Report for Montenegro; as well as lobbying and advocacy for the implementation of recommendations of the GREVIO evaluation report, submitted to Montenegro at the end of 2018.

Another important network advocacy effort is included in the alternative report to GREVIO, which noted several specific obstacles faced by women from minority groups: Roma and Egyptian women, women with disabilities and women from rural areas. This action was successfully followed up with a tailor-made project intervention that addresses the identified concerns.

As shown above, joint and organized efforts increase the positive impact of women's organizations in their countries. In **North Macedonia**, *the National Network to End VAW and DV* has carried out numerous actions for the improvement of policies and services for victims of GBV. In 2016, prior to the Parliamentary Elections, NGOs of the National Network lobbied with women politicians to put more focus on gender issues during the elections, asking political parties to include VAW-related actions in their platforms. Due to these efforts, all main political parties signed a public declaration, stating that their platform would include measures like the ratification of the IC and improvement of the legislation on GBV.

In 2017, as a result of an intense advocacy work of CSOs, the new government ratified the IC. Following up, in 2018, a *National Action Plan* and a new *Law against GBV* were drafted in line with the IC. The continued efforts of the women CSOs in the past years also contributed towards raising awareness of the government officials, in recognizing the need for providing support for women and girls victim of sexual violence. As a result the government, with the support of the UNDP has established three sexual assault centres in three different regions of North Macedonia.

Lobbying and advocacy has also been influential at the local level. In 2017, during local elections, the National Network obtained signatures from 50 electoral candidates endorsing a public statement on the future allocation of local funds for services for victims of violence. As of 2019, at least 8 (eight) municipalities have agreed to provide joint funding for two counselling centres for survivors of DV and GBV that will be located in Skopje.

These positive changes have happened in a complicated political context. Funding for women's rights has been cut significantly, existing shelters have been closed and very limited support is available for CSOs, but there is progress nonetheless.

In **Serbia**, women CSOs and networks have had a major influence in the positive changes regarding suppression of violence against women. Nevertheless, there is a serious lack of political will to strengthen, support or consider women NGOs. This is expressed through a lack of collaboration and non-appreciation for their expertise.<sup>88</sup> Even when the NGOs participate in policy-making and provide inputs for improving legislation, the recommendations provided by women NGOs are not seriously considered. There is little to no political consideration of legislative suggestions made by NGOs.

When it comes to the implementation of the IC convention, informant CSOs in Serbia note that without the contribution of women's organizations and their advocacy efforts, some key achievements would have not been possible, such as the introduction of new articles related to, the

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<sup>88</sup> As reported by our key informant in Serbia and according to available reports to GREVIO.

innovative definition of family in *Family Law* and the changes in the *Criminal Code*<sup>89</sup>, and the *New Law on Prevention of Domestic Violence* introduced in 2017. The Criminal Code has been amended, with limited improvements, most significantly with the introduction of new criminal acts – stalking, forced marriage, genital mutilation and sexual harassment (the latter has defined punishment from financial fine or 6 months in jail, or up to three years if the victim is a minor). Alongside this, penalties have been increased for some criminal ‘acts against sexual freedom’ – for rape, sexual assault against children and vulnerable adults, and sexual assault against a child by abusing of position.

Although the overall implementation of the IC in **Turkey** is considered poor, women’s NGOs, networks and platforms have been very effective in the past years to push for women’s rights in the country. The adoption of the IC without any reservations and the adoption of the Law No. 6284 are the most significant achievements regarding IC implementation in Turkey.

The introduction of the Law No. 6284, ‘Act of Family Protection and Prevention of Violence Against Women,’ is the result of the work of 241 organizations involved in drafting it after the Turkey signed the IC. Though the government is currently not welcoming collaboration and dialogue with independent rights-based women’s organizations and the implementation of the law is very problematic, the existence of this law in and of itself is a major achievement of a large-scale collaboration and coordination among CSOs nationally.

The nomination of *Prof. Feride Acar* for the GREVIO Committee membership in 2015 as an independent, impartial and competent member (later selected as President of the Committee), is also a result of the continuous advocacy efforts of the *IC Monitoring Platform of NGOs*.<sup>90</sup>

Since 1998, *the Assembly of Women’s Shelters and Solidarity Centres Turkey* has brought women’s NGOs and independent women activists together and serves as a platform to share experiences in the fighting VAW, to create common policies and form a permanent network between organizations and institutions. IC implementation is one of the key topics of this platform, and aims to enable women’s NGOs, feminists, academics and professionals to follow current developments and share their observations at the local, regional and national levels.

As of 2019, the government in Turkey has adopted a discourse against gender equality and excluded independent NGOs from policy-making procedures. As a result, influencing the government and promoting gender-sensitive policies for the elimination of VAW has become a more difficult task for women’s CSOs. However, women’s organizations and networks continue to combat gender inequality and the backlash across the country.

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<sup>89</sup> [https://www.paragraf.rs/propisi/krivicni\\_zakonik.html](https://www.paragraf.rs/propisi/krivicni_zakonik.html) (article 121a, article 138a, etc.)

<sup>90</sup> Created with the purpose of preparing a joint alternative NGO Report for the evaluation of the implementation of IC in Turkey

## ii) Holding governments accountable: monitoring efforts and reporting to GREVIO and CEDAW committees

CSOs are increasingly involved in the implementation of international agreements, like the IC, either directly or by assisting state parties in implementation. NGOs active in preventing and combating VAW are key actors in the implementation of the IC which is why, under the IC, state parties have a legal obligation to recognise, encourage and support the work of NGOs and to establish effective co-operation with them (**Article 9**).

Another crucial role of CSOs is their *involvement in monitoring processes* of governments' actions in order to detect and emphasize public significant gaps in implementation of the IC, while also assisting states to come back into compliance with international standards. GREVIO recognizes the important role which NGOs play in this field and made it clear in its Rules of Procedure (Rule 35)<sup>91</sup> that NGOs and other members of civil society are vital sources of information in the fight against VAW and GBV.

In all seven countries examined in this report, women's NGOs and networks have undertaken very important actions in monitoring the work of their governments and reporting to relevant committees about the progress, existing gaps and necessary future actions to best implement the IC and CEDAW. These efforts are helping GREVIO and CEDAW committee to gain perspectives on government's but also NGOs point of view.

**In Albania**, at least two alternative reports were delivered to GREVIO by CSOs. One of them came from a network of 10 women's organizations — the *Albanian Women Empowerment Network* — and one from the *Women's Association "Refleksione."* Several CSOs<sup>92</sup> in the country have also responded to the questionnaire prepared and distributed by GREVIO during the preparation phase, one of which was cited several times in the country's evaluation report. Multiple CSOs were also part of the consultations held by GREVIO<sup>93</sup> during the evaluation visit.

As the IC is getting increased institutional attention, women's CSOs have become more proactive in monitoring its implementation. From 2018 to 2019, the *Gender Alliance for Development Centre (GADC)* and *Albanian Women Empowerment Network (AWEN)* are working to identify the main challenges that Albanian municipalities face in efficiently addressing cases of DV and GBV.<sup>94</sup> The

<sup>91</sup> When starting its first (baseline) evaluation of a particular country on the basis of its questionnaire, GREVIO will, whenever possible, invite NGOs working in that country to provide relevant information. GREVIO will also carry out visits to all countries party to the Convention in order to make a more thorough assessment of the situation on the ground. During these visits, the delegations will hold meetings with NGO representatives. In addition, GREVIO may consider using further means of evaluation, such as organizing hearings for NGOs. For more info please refer to <https://rm.coe.int/ic-inf-2016-4-eng/pdfa/1680713637>

<sup>92</sup> Refleksione, 'Human Rights in Democracy Center'.

<sup>93</sup> Albanian Disability Rights Foundation (ADRF); Albania Society for all ages (ASAG); Albanian Women Empowerment Network (AWEN); Center for Legal Civic Initiative; Counseling line for girls and women; Counseling Line for Boys and Men; Forumi i Gruas Elbasan; Gender Alliance for Development Center; Hearth Psycho-Social Center (VATRA); Human Rights in Democracy Center; Refleksione; Refugee and Migrant Services in Albania (RMSA); Romani Baxt Albania; Roma women's rights association; Shelter for Abused Women; Today for the Future - Community Development Center Network; Woman to Woman Association.

<sup>94</sup> This constitutes one of the six projects currently being implemented in Albania by UN Women with the support of the European Union. The project is part of the regional programme on Ending Violence against Women in the Western Balkans and Turkey.

implementing organizations are collaborating with local NGOs to carry out a thorough monitoring process in the largest six out of 61 municipalities in Albania.<sup>95</sup>

CSOs lead the continuous monitoring of particular aspects of GBV and DV across the country, with specific attention to the implementation of legislation on access to justice, protection orders<sup>96</sup> and other relevant issues.

The '*Monitoring Network against Gender Based Violence in Albania*', with the support of UN Women (2017- 2019), has facilitated CSO-led efforts to prepare a shadow follow-up report for the period of 2016 to 2018<sup>97</sup> regarding the implementation of the recommendations of the CEDAW<sup>98</sup> Committee. This report is based on the information provided through the completion of questionnaires by some member organizations<sup>99</sup>. All 46 network member organizations have contributed with opinions and suggestions during the consultations. This process was preceded by the preparation of a manual for CSOs and respective trainings on monitoring the implementation of the IC, CEDAW and reporting to CEDAW, GREVIO and UPR committees.

Another country where women's and human rights CSOs have joined efforts to prepare a large-scale monitoring report for the GREVIO committee is **Bosnia and Herzegovina**. In 2019, Bosnia and Herzegovina is scheduled to submit a state report on implementation of the Istanbul Convention. The *Foundation United Women* in partnership with '*Medica*' from Zenica are facilitating the process of preparing an alternative report to be submitted to GREVIO. With the financial support of UN Women, the coordinating organizations are strengthening the capacities of other NGOs to report to international bodies. So far, over 25 organizations have been involved in this capacity building process. A Toolkit<sup>100</sup> for monitoring the Implementation of the IC in Bosnia and Herzegovina has been prepared for this purpose. The involved CSOs are currently in the process of collecting data for the alternative report to GREVIO.

Other monitoring efforts are being carried out by CSOs as well. In January 2019, the *Foundation United Women Banja Luka* and partner organizations<sup>101</sup> started a monitoring process<sup>102</sup> of the criminal and

<sup>95</sup> Tirana, Durres, Shkoder, Elbasan, Korça and Vlora.

<sup>96</sup> Starting from 2013, AWEN has carried out three monitoring reports regarding issuing of protection orders in several courts of the country. Please refer to [www.awennetwork.org](http://www.awennetwork.org)

<sup>97</sup> Available at: <https://rrjetikunderdhunesgjinore-monitorime.al/wp-content/uploads/2019/04/Shadow-Follow-up-report.pdf>

<sup>98</sup> included in the paragraphs 13 (b) and (d) and 23 (a) and (d), within two years, after the 64th sessions, held in Geneva on July 2016.1

<sup>99</sup> Center for Legal Civic Initiatives, (CLCI); Albanian Women Empowerment Network (AWEN); Psycho- Social Centre "Vatra"; 'Me, The woman'; Association of Women with Social Problems"; Organization "Different & Equal", Albanian Disability Rights Foundation (ADRF); Albanian Helsinki Committee (AHC), Community Development Center "Today for the Future", Human Rights in Democracy Centre (HRDC) and Albanian Center for Population and Development (ACPD);

<sup>100</sup>The Toolkit is available at the following link:

<https://drive.google.com/file/d/1ryi26j0slE2S3qLswbtas72iOvEeAehv/view>

<sup>101</sup> Women's Association Most from Višegrad, Citizens' Association Budućnost from Modriča, and Foundation Lara from Bijeljina;

<sup>102</sup> This is the fourth monitoring initiative conducted by the Foundation United Women as a part of the project "Improving Prevention and Combating Gender Based Violence in Bosnia and Herzegovina", supported by Kvinna till Kvinna Foundation and Swedish International Development Cooperation Agency (SIDA).

minor offence proceedings in basic and district courts<sup>103</sup> of the Republic of Srpska, with the aim of identifying judicial practices in cases of GBV based on country's legislation as well as IC standards. Final analysis and recommendations will contribute to public advocacy initiatives for fair and equal protection and access to justice for victims of GBV.

Considering that **Kosovo** has not ratified the IC, organized efforts for monitoring IC implementation are lacking in the country. However, proactive women's CSOs and Networks in the country are making important contributions when it comes to the rights of GBV victims. In particular, *Kosovo Women Network* (KWN) has been a key contributor to women's human rights in the country<sup>104</sup> since its creation. In 2018, the network published the report '*No more excuses – Analysis of Attitudes, Incidences and Institutional Responses to Domestic Violence in Kosovo*,' a report that examines perceptions, awareness and attitudes towards domestic violence, as well as institutional response, comparing the situation in Kosovo in 2015 to that in 2008, with specific recommendations for institutions.<sup>105</sup>

Although, implementation of the IC in **North Macedonia** is in its early stage, women civil society organizations and organizations working on human rights are organizing and jointly preparing reports for other international bodies. Namely, in July 2018, a Shadow Report for the third cycle of the Universal Periodical Report (UPR) was prepared by the CSOs. At least six groups of CSO's working on different issues were formed and they jointly prepared reports on specific topics. Almost all of the recommendations from CSO's were accepted by the State. Another joint report was also prepared for the CEDAW committee. In addition to this, CSO-s organized together and participated in the 71<sup>st</sup> session of the Committee in Geneva. Inputs for the Country Report for the period from March 2018 – March 2019 was also prepared and submitted to the European commission. In the official report that was published in May 2019, all relevant inputs regarding gender-based violence were included.

In North Macedonia, women civil society organizations and human rights organizations joined their efforts in preparing reports/inputs and advocating to the national government and international bodies by forming a non-formal *Platform for gender equality*. The Platform exists for four years and its recognized by the institutions and broader public as key actor in improving the situation with gender equality in the country.

In **Montenegro**, at least *two alternative reports* were delivered to GREVIO by civil society.<sup>106</sup> The CSSP partner '*SOS Hotline for Women and Children Victims of Violence Nikšić*' and three other NGOs<sup>107</sup> dealing with the protection of women from violence joined efforts for the preparation of a shadow report for Montenegro, to be sent to GREVIO. All four organizations contributed to specific parts of

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<sup>103</sup> The monitoring will target nine (9) courts in Banja Luka, Prijedor, Foča, Višegrad, Dobo, and Zvornik through active observance of trials, and seven (7) courts in Trebinje, Bijeljina, Brčko District, East Sarajevo, and Sokolac

<sup>104</sup> For more information on their work please refer to <https://womensnetwork.org>

<sup>105</sup> Available at: <https://womensnetwork.org/publications/no-more-excuses-an-analysis-of-attitudes-incidence-and-institutional-responses-to-domestic-violence-in-kosovo/>

<sup>106</sup> Contribution on the *Implementation of Montenegro's Domestic Violence Legislation* by : Women's rights Center, The advocates for human rights and SOS Hotline for Women and Children Victims of Violence Nikšić; - Contribution on the *Implementation of the Istanbul Convention in Montenegro* by : Women's Rights Centre, Women's Safe House, SOS Hotline for Women and Children Victims of Violence Nikšić and SOS Hotline for Women and Children Victims of Violence Podgorica

<sup>107</sup> Women's Rights Centre; Women's Safe House; SOS Hotline for Women and Children Victims of Violence Podgorica



the draft report and delivered the final report<sup>108</sup> to GREVIO. These organizations were also part of consultations during the GREVIO evaluation visit to Montenegro, pointing out shortcomings in Montenegro's application of the IC.

Another human rights report on the implementation of Montenegro's Domestic Violence Legislation has also been utilized by GREVIO, prepared by two aforementioned organizations, *SOS Hotline for Women and Children Victims of Violence Nikšić* and *Women's Rights Center*, in partnership with the *Advocates for Human Rights, USA*.<sup>109</sup>

Women's and human rights CSOs in **Serbia** have also been very proactive in monitoring the work of their governments and reporting to relevant committees about the progress, existing gaps and necessary future actions to best implement the IC, delivering at least seven alternative reports to GREVIO. Serbia is the country with *the most shadow report contributions* submitted to GREVIO from networks (*SOS Vojvodina Network*) and CSOs (*Autonomous Women's Center Belgrade, ATINA, Roma Novi Becej, FemPlatz and Mental Disability Rights Initiative MDRI-S*), as well *Fenomena Association* (CSSP project partner). *Fenomena* contributed through the *European Women's Lobby* project for regional advocacy efforts as a part of the regional research team on IC and CEDAW implementation, defining IC-related indicators at the local level within the sub-national network project. A case study related to establishment of the *National SOS helpline* was also included in the independent report submitted on behalf of *Women Against Violence Network of South-Western Serbian region*.<sup>110</sup>

Despite the women's human rights climate in **Turkey**, women CSOs and networks in the country have been actively engaged in monitoring and reporting efforts for IC implementation. During the country evaluation phase in September 2017, a CSO platform called *Istanbul Convention Monitoring Platform* prepared and submitted a Shadow Report to the GREVIO Committee. The joint comments and suggestions of the *Istanbul Convention Monitoring Platform* were an important reference in the GREVIO evaluation report on Turkey, published on October 15, 2018.<sup>111</sup>

### iii. The role of minority/disadvantaged women in joint advocacy initiatives

All women's CSOs, whether single organizations or networks, seem to have a welcoming approach in including minority and disadvantaged women, irrespective of their membership in any specific network. As also mentioned before in this report, generally, women's networks do include these groups in their work, by either directly cooperating with the organizations that represent their interests in different initiatives (awareness raising, advocacy, capacity building) or by providing direct or referrals to specialized services for these target groups.

In **Albania**, organizations focused on the rights of minority or disadvantaged groups are always part of the advocacy actions undertaken by the existing networks, either formally, as in the case of Albanian Women Empowerment Network, or in a project-based model, as implemented by the 'Monitoring Network Against Gender-Based Violence'. This is the case of the preparation of the *Shadow Report for*

<sup>108</sup> The GREVIO shadow report is available at <http://womensrightscenter.org/me/publikacije/>

<sup>109</sup> For more information please refer to <https://rm.coe.int/ngo-1-report-to-grevio/168073c75d>

<sup>110</sup> The report can be found on GREVIO web-site <https://rm.coe.int/ic-monitoring-contribution-by-fenomena-association-on-belhaf-of-wavn-s/168092d11e>

<sup>111</sup> This example is more thoroughly elaborated in the case study section below.



*the CEDAW committee*. During the consultation process, the working group elected by the Network has consulted with representatives from minority and disadvantaged groups (Roma and Egyptians communities, women with disabilities), with the aim to make the whole process more inclusive and to better represent the challenges met and the needs of these specific target groups.

Women CSOs and networks have contributed to the drafting and finalization of various women human rights' related laws and policies, more lately on the *Laws "On Measures against Domestic Violence", "On Social Housing" and "On legal aid guaranteed from the State"*. Taking into consideration the higher level of vulnerability of women from minorities and from disadvantaged groups compared to other groups of women, these interventions have aimed to directly improve access to support services, especially for this vulnerable target groups.

Women from minority groups are in all cases targets of the offered services by women CSOs. Their concerns are addressed to relevant institutions through official letters, advocacy meetings, and/or administrative appeals, and are then translated into concrete recommendations delivered at relevant institutions<sup>112</sup> for legislative improvements. One of the target groups that is being given increased attention during the advocacy efforts of Albanian women CSOs, is that of *women with severe mental health problems* that are very often victims of domestic and gender-based violence, considering the total lack of public services for this target group.

Informant organizations from **Bosnia and Hercegovina** report that in the process of preparing the first alternative report to GREVIO from BiH (2019), they consulted representatives of minority and disadvantaged groups that have contacts with women victims of violence, being associations of Roma women, women with disabilities, women from rural areas and LGBTI women. These organizations were part of the group of 25 organizations involved also in the capacity building interventions for the preparation of the Shadow Report.

*Foundation United Women's* strengthened partnership with the *Network of Women with Disabilities Nika from Banja Luka* has led to their stronger involvement in issues of violence against women with disabilities. As a result, the '*Foundation United Women*' produced a '*Handbook for Understanding of Domestic Violence and Violence against Women with Guidelines for Work with Women Survivors of Violence*', including women with disabilities that experience violence, thus increasing awareness about this disadvantaged group of women. The '*Network of Women with Disabilities Nika*' from Banja Luka also subsequently applied for donor support to independently implement a program for capacity building and improvement of cooperation of women's CSOs with organizations working for women with disabilities.

Women from minority groups (especially Roma women) are among the target groups benefitting from the services of women's CSOs, as well as part of the joint awareness raising efforts. In Bosnia and Herzegovina, collaboration with minority beneficiaries is an ongoing partnership.

In **Kosovo**,<sup>113</sup> *women survivors of conflict related sexual violence* are a group that are very vulnerable in cases of GBV. Until recently, the issue of these women and their access to rights and compensation

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<sup>112</sup> Line ministries, municipalities, etc.

<sup>113</sup> Based on the article published in English in United Nations Kosovo Team webpage <http://unkt.org/2018/06/20/time-justice-survivors-conflict-related-sexual-violence-kosovo/>

was a matter neglected by governing institutions, while women's organizations, members of *Kosovo Women's Network*, have been providing support to the survivors and demanding justice since 1999. In March 2014, the Parliament finally adopted *the law recognizing survivors of CRSV as war victims* and established the National Council for Survivors of Sexual Violence during the War. Four years later, in February 2018, in a key step forward, the *Government Commission on the Recognition and Verification of the Status of Survivors of Sexual Violence During the War in Kosovo* was established, *allowing survivors to apply for financial reparations* with guaranteed safe handling of the information they give and upholding of their rights.

The provision of reparations is one first step in the process of achieving justice for survivors of CRSV. Survivors continue to face many challenges, including limited access to employment, healthcare, (re) education and social inclusion, which adds to their hardship and limits their ability to engage in society. *Women's Network* and four organizations specialized in treating survivors of sexual violence, with the support of UN Women, have been providing economic empowerment to survivors through micro-grants. These actions have been coupled with psychosocial support as well as joint advocacy with organizations to represent the interests of the survivors more broadly.

In **Montenegro**, informant organization *SOS Hotline Nikšić* reports that the daily work of the organization is focused on women who are highly vulnerable and that women who belong to various minority groups (nationality, religion, territorial affiliation, citizenship status, disability, sexual orientation, etc.) are a continuous source of information for them. Minority group representatives are also organizational members, which gives *SOS Hotline Nikšić* an insight into the needs of vulnerable women experiencing DV and GBV. This allows the organization to adequately address the needs of minority/disadvantaged women in various initiatives.

The NGOs that prepared the GREVIO shadow report for Montenegro have addressed several specific problems faced by women from different minority groups including Roma and Egyptian women, women with disabilities and women from rural areas. In order to overcome the particular obstacles identified by these groups and improve access to specialized support and help services, *SOS Hotline Nikšić* along with three other partnering NGOs, have established field teams with local actors<sup>114</sup>, that visit rural areas in four municipalities of the central and northern regions of Montenegro. Their goal is to inform women (also from Roma and Egyptian communities) about the existing support services.<sup>115</sup>

In **North Macedonia**, as of 2019, the government has legally recognized minorities, refugees, Roma women, and women with disabilities as vulnerable groups. New standards for women's specialized support services are being developed, taking into consideration the needs of these particularly vulnerable groups.

The *National Network to end VAW and DV* in North Macedonia has carried out several actions that address the needs of women with disabilities, including the dissemination of informational materials on DV and GBV targeting women with different types of disabilities and focusing specifically on specialized services accessible to women with disabilities. In order to increase access to this type of information, jointly with an organization that works with persons with disabilities, informational

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<sup>114</sup> NGO activists, representatives of the police and social services, and lawyers

<sup>115</sup> Through a project implemented with the financial support of the UNTF

brochures on GBV for women with intellectual disabilities and for vision-impaired women (in braille) were produced and distributed. Additionally, in an informal partnership with the *Platform for Sexual and Reproductive Rights of People with Disabilities*, a national conference on violence against women with disabilities was organized.

In **Serbia**, most NGOs working with Roma women and women with disabilities are run by representatives of their own target groups, thus their representation and engagement is entirely integrated. There is a continuous and healthy partnership among these minority-representation organizations and women's NGOs working with DV and GBV. As of 2019, *Fenomena Association* is working towards the establishment of an *Advisory Board* with the participation of Roma women and women from other disadvantaged groups to obtain direct advice and input, among other issues, with regards to the implementation of the IC.

In **Turkey** organizations working with these target groups have been engaged in writing the *Shadow Report* on the IC for GREVIO. One minority organization involved was the *Association for Women with Disabilities*, which is also member of a technical working group of the *Istanbul Convention Monitoring Platform* consisting of eight women's rights and LGBTI organizations. Another member of the technical group<sup>116</sup> is *Kaos Gay and Lesbian Cultural Research and Solidarity Foundation (KAOS GL)*. The Shadow Report from NGOs included sections with "Special Focus on Disabled Women's Access to Protection and Support Services" and "Special Focus on discrimination against LGBTI refugees, and their access to protection and support services."

Women's CSOs in the country are working to provide accessible services to *migrant and refugee women*. When minority and disadvantaged women's rights are violated, these instances are being reported and made visible by women's CSOs. *The Foundation for Women's Solidarity* has also delivered capacity building workshops (2018) with women's CSOs working in the field of VAW and DV aiming to improve support for Syrian women, as well as other specialized efforts involving government agencies.

### Chapter 3: Case studies on particularly successful networking efforts

#### a) Successful regional networking initiatives to enforce implementation of the Istanbul Convention in Turkey

When Turkey signed the IC, there was an immediate need for a more effective law on DV, then the existing Law No. 4320. This gap in legislation was addressed by CSOs in the country, by forming a *platform called "Şiddete Son" (End to Violence)*. 241 women organizations joined together to *draft a new law to address DV* in the country. The platform was crucial in the drafting of Law No. 6284 "Act of Family Protection and Prevention of Violence against Women,"<sup>117</sup> and its adoption on March 8, 2012. The platform expressed opinions and made suggestions based on shortcomings in the

<sup>116</sup> Coordinated the work for the gathering of inputs from all Platform members

<sup>117</sup> <http://www.evcisiddet.adalet.gov.tr/en/dosya/up/icerik/1-6284-sayili-kanun.pdf>

implementation of the old law. A group of representatives of the platform met regularly with the Ministry of Family and Social Policies during the law-making process.

Despite these efforts, some of the amendments proposed by the platform were removed from the draft law as it was signed by the Council of Ministers. The platform held a press conference and shared its criticisms regarding the law-making process. Despite these setbacks, the preparation and adoption of Law No. 6284 was the result of continuous advocacy work by women's organizations and constituted a crucial step for IC advocacy, as the law in itself states that IC is the basis for the implementation of this Law and the provision of the necessary services.

After the law was implemented, women's CSOs did not cease their efforts to advance the IC implementation in Turkey. While preparing a shadow report for GREVIO, independent women's and LGBTI organizations came together to form a platform called *The Istanbul Convention Monitoring Platform*. Initially, a technical group consisting of eight women and LGBTI organizations was formed. This group met regularly and started drafting the shadow report as per their area of expertise. This writing process included deliberations with other organizations and a review of relevant literature, academic works, research reports, news, and more. Each chapter was then collaboratively revised and edited. The report was prepared in Turkish to ensure an inclusive procedure, considering the contributions of local, small-scaled NGOs and in order to ensure transparency within the platform. *The drafting, cross-reading and translation of the shadow report took approximately five months*. The final version was translated into English. ***The resulting shadow report was later endorsed by 81 women's and LGBTI organizations*** who are members of the *Istanbul Convention Monitoring Platform*.

In April 2017, the *General Directorate on the Status of Women (GDSW)*<sup>118</sup>, the public national mechanism in charge of writing the state report for Turkey, sent out the GREVIO questionnaire to several women's NGOs. The *Istanbul Convention Monitoring Platform* drafted a joint letter to GDSW, underlying that the GREVIO committee had addressed the state as responsible for answering these questions. They also asked that the reporting process be more productive, inclusive and participatory, noting that the state needs to adopt methodology which to include independent women's and LGBTI organizations into the reporting process in a more meaningful way.

In the final GREVIO shadow report in Turkey,<sup>119</sup> published on October 15, 2018, the comments and suggestions of the *Istanbul Convention Monitoring Platform* were included.

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<sup>118</sup> General Directorate on the Status of Women (GDSW), has been established as a national mechanism in order to enable women to participate in a more active, productive and strong manner in all areas of social life in Turkey; to enable women to benefit equally from all the rights and opportunities; and to prevent discrimination against women. It has been reorganized as a branch of the Ministry of Family, Labour and Social Services, Republic of Turkey.

<sup>119</sup> The shadow report can be seen via this link: [https://cssplatform.org/wp-content/uploads/2018/01/Resources\\_Turkey\\_Coalition\\_NGO\\_Shadow\\_Report\\_GREVIO.pdf](https://cssplatform.org/wp-content/uploads/2018/01/Resources_Turkey_Coalition_NGO_Shadow_Report_GREVIO.pdf)

## b) Working for the rights of women from minorities and disadvantaged groups

### Case 1: SOS Hotline Nikšić – Working with and for Roma and Egyptian girls and women in Montenegro

**SOS Hotline Nikšić** in Montenegro is an organization that has a very inclusive approach to diverse groups of women in their community. Since June 2017, the SOS Hotline Nikšić has been offering its services (including the hotline for victims of DV) in both Montenegrin and Albanian, the latter being the language of minority women.

*SOS Hotline Nikšić* conducts frequent field visits in remote and rural areas where many vulnerable and marginalized women live, as well as less developed and poor regions of the country and Roma communities. The aim of these visits is to raise awareness about DV and GBV in remote communities, as well as to inform local women of their rights and about specialized resources and support available to them.

In one of the smaller and rural municipalities of the northern region (Zabljak), SOS Hotline Nikšić has opened a sub-office with the intention of making specialized assistance and support services accessible to women from marginalized groups and minorities. In two other municipalities in the rural north region, the organization has established some *outreach teams*, composed of representatives of NGOs working for the protection of women victims of violence, police officers and staff of social services. Their mandate is to inform women in their communities about their rights and available services, as well as, whenever needed, to provide assistance and support, including free legal aid. During 2018, as a result of these continuing grass-root outreach actions, women survivors from the rural areas of three northern municipalities (Savnik, Žabljak and Plužine), for the first time asked for help from SOS Hotline Nikšić. The help was requested by 10 women survivors of DV, to whom the SOS Hotline Nikšić provided 150 different services (emotional support, information, instruction, emergency intervention, and accommodation in shelter).

In 2018, of the 65 women and children survivors of DV that were staying in the SOS shelter, approximately 42% were from Roma and Egyptian communities. Almost 7% of survivors at the shelter have been from Savnik and Plužine, rural municipalities of the northern region.

Women representatives from Roma and Egyptian communities, women with disabilities and women from rural areas have an active role in *SOS Hotline Nikšić's* awareness raising and advocacy efforts, which includes the annual Women's March and other events. Also, in the National Operational Team for Combating DV and VAW, one out of five CSO representatives is from the Roma and Egyptian community.

In over 20 years of operations *SOS Hotline Nikšić* has implemented numerous partner projects with CSOs that are promoting the rights of women from Roma and Egyptian communities in Montenegro. The organization is currently implementing a *regional project* aiming at improving access to specialized assistance and support services for victims of VAW from four municipalities (Nikšić, Plužine, Savnik and Žabljak) of the northern and central regions of Montenegro, through situational analysis, direct

contact with beneficiaries, awareness raising and lobbying and advocacy initiatives. One of the partner organizations is *Network "PRV"*, an organization that brings together Roma and Egyptian women from Montenegro who are actively advocating for the improvement of their social inclusion and quality of life.

## Case 2: The Foundation United Women – Advancing the rights of women with disabilities in BiH

**The Foundation United Women in Banja Luka** has been working for many years with women victims of GBV. Conducting intensive interventions with local communities, they have recognized that women from smaller communities and rural areas have restricted access to information about their rights. In 2016, in the City of Banja Luka, the *Foundation United Women* organized nine public discussions on discrimination, together with women from different marginalized groups including women from rural areas, single mothers, Roma women, women with disabilities, pregnant women and new mothers, in order to develop inclusive practices for vulnerable women. In 2018, the Foundation started offering free and gender-sensitive legal assistance in four rural communities of Banja Luka. So far, more than 50 women from these communities have approached the Foundation for support and assistance.

Learning more about the service gaps and challenges for marginalized and vulnerable women, the Foundation decided to focus on the quality and accessibility of services for DV survivors in their communities, and specifically on whether these services were accessible by and adapted for the *needs of women with disabilities*. As of 2019, the Foundation, in partnership with the *Network of Women with Disabilities Nika from Banja Luka*, is implementing the project “Due Diligence in Work with Women with Experiences of Gender Based Violence.” This project has resulted in the publication of the *Handbook for Understanding Domestic Violence and Violence against Women*, with guidelines for work with victims of violence, including women with disabilities that are survivors of DV and/or VAW.<sup>120</sup>

In June 2019, during a joint three-day training<sup>121</sup> in Kozarska Dubica, women with disabilities and members of women’s CSOs in five local communities in the Republika Srpska created a joint calendar of activities with the aim of increasing visibility of women with disabilities within women’s advocacy in Bosnia and Herzegovina. Local communities involved in this process are Banja Luka, Prijedor, Kozarska Dubica, Modriča and Bijeljina. Foundation United Women shared prior experiences in working with women with disabilities.

Cooperation with women with disabilities has contributed to increased public visibility for this target group. It has also increased the sensitivity and awareness of donors and international organizations, who have begun to include women with disabilities in regional events and advocate to improve the position of women with disabilities in the BiH society.

<sup>120</sup> Handbook is available (local language) at [http://unitedwomenbl.org/wp-content/uploads/2019/03/Priru%C4%](http://unitedwomenbl.org/wp-content/uploads/2019/03/Priru%C4%7C)

<sup>121</sup> The training was held in the frame of the project “Stronger Women with Disabilities within Women’s Movement of Bosnia and Herzegovina”, supported by TRAG Foundation, and implemented by the Association of Women with Disabilities Nika from Banja Luka, Bosnia and Herzegovina.

## Chapter 4: Lessons learnt and knowledge transfer

### Regional Networking and CSSP: the benefits of consolidating partnerships

Networks are an effective mean of exercising collective power and working together for a common goal while empowering diverse groups of women. This is made clear by the number of women's networks, either formal or informal, that operate successfully in the seven partner countries involved in this report.

Women's organisations in WBT have identified key benefits of networking, including: empowerment of all women; exercising collective power towards a common goal; building capacity among members; and reaching a greater audience in the region or territory in which they operate.<sup>122</sup>

This project, implemented by WAVE in partnership with women's organizations of WBT, aims at strengthening women's voices and agency, including supporting the work of women's organizations working with and representing women from disadvantaged groups at a regional level. The Civil Society Strengthening Platform (CSSP), has been a substantial component of this project, with the CSSP website serving as an information-collection and sharing platform among partner CSOs.

Partner organizations from all seven targeted countries indicate that they have noticed a positive impact from this regional partnership as supported by WAVE and CSSP.

**Albanian partner CSOs** think that the overall experience of knowledge transfer (trainings, meetings, sharing of best practices, preparation of joint reports, the joint platform, etc.) has enabled them to become more efficient in lobbying and advocacy actions related to the IC, strengthened their professional capacities and enriched their regional network, opening opportunities for future regional collaborations.

**CSOs from Bosnia and Herzegovina** report that they have established new contacts and cooperation with women activists from all seven partner countries and have learned and grown through the exchange of experiences and knowledge at regional trainings and meetings and through contributions to the network's online platform. The project partner organization indicates that CSSP collaboration has improved local advocacy in BiH and facilitated the development of two proposals for improvements in national legislation on GBV and VAW.

**Kosovo partner organizations** also believe that knowledge acquired through the CSSP platform has improved the approach and content of their awareness raising campaigns, while also helping them to lobby the government for improved implementation of the law against DV in line with the IC.

Partners from **North Macedonia** state that the sharing of experiences and best practices with other organizations has been an incredible asset while developing their own national strategies and initiatives, or when advocating for the ratification of the IC in their country.<sup>123</sup> WAVE membership in itself is an endorsement valued by the North Macedonian government.

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<sup>122</sup> The benefits of this collaboration have been explored in detail in the comparative report published by WAVE – 'The Benefits and Challenges of Women's Networks in the Western Balkans and Turkey'

<sup>123</sup> IC was ratified on 22<sup>nd</sup> December 2017 and came into force on 1<sup>st</sup> of July 2018.



**Montenegrin partner organizations** report that shared knowledge and experience have improved their organizational capacities; increased their access to joint cross-border funding initiatives; and have helped them with the preparation of the GREVIO Shadow Report for Montenegro and in drafting a new *Protocol on the Procedure, Prevention and Protection of Violence against Women and Domestic Violence*. Partner organizations in Montenegro state that their advocacy actions have reinforced credibility due to membership in a European network (WAVE), which has resulted in increased government accountability in several advocacy issues.

**Partner organizations from Turkey** indicate an improvement in their advocacy efforts due to knowledge sharing with CSSP partner countries, the recognition of common challenges and the development of common advocacy tools such as the preparation of shadow reports for GREVIO. Best practices in Turkey have been used as a model for advocacy efforts internationally, despite their limited local influence in the current political climate. Nonetheless, partner CSOs have been able to learn greatly from targeted and efficient Turkish practices.

**Partner organizations in Serbia** note that being part of CSSP has allowed them to better understand the IC, how it is implemented in other countries, and the methodology and tools used to monitor its implementation. This has allowed for IC implementation to be integrated and prioritized in Serbian networks.

**All CSSP partners** agree that there is an enhanced solidarity within and between women's CSOs in the region, as well as increased collaboration between organizations working for the rights of women from minority disadvantaged groups in each country. All members note increased visibility of their organizations at a regional level, due to project support in amplifying their voice and impact.

### The current situation and future actions

**In Albania**, international entities and women's CSOs have taken steps for the creation of an integrated law against GBV based on IC standards in accordance with a GREVIO recommendation (Article 6). Numerous national and international actors are now working to prepare an integrated law on VAW, analyzing international good practices as well as the existing national legislation and attempting to address current legislative gaps holistically.

**In Bosnia and Herzegovina**, women's CSOs are carrying on their advocacy efforts for the adoption of the Republika Srpska *Law on "Protection from Domestic Violence"*, which is currently undergoing parliamentary procedures. The Draft Law is harmonized with the standards of the Istanbul Convention and is expected to be approved in February 2020. Women's CSOs will continue to advocate for its full implementation in practice, in line with the international standards. Besides, women's CSOs are following up a legislative initiative for the improvement of the free legal assistance for DV victims. They will continue to implement activities aimed at ensuring that laws and public policies are responding to the needs of women survivors of violence, including protection and access to support for victims of sexual violence.

**In Kosovo**, women's CSOs will continue pressuring the Government of Kosovo to strengthen support mechanisms, improve access to justice, raise public awareness and mobilize public support for survivors of CRSV against women.



**Montenegro** – Women NGOs in Montenegro plan to work together to prepare proposals for amendments to the new Rulebook that prescribes more detailed conditions for providing and using, norms and minimum standards for women’s shelters, as well as providing therapeutic and social – educational counseling services. The Rulebook will contain provisions in line with the real needs of women and children survivors of domestic violence. The amendments to the Rulebook were initiated by the Ministry of Labor and Social Welfare in accordance with the Law on Social and Child Protection.

Women NGOS will also carry out activities at the national level to raise awareness on sexual violence against women and girls in Montenegro. Also, SOS Niksic plans to keep working with the outreach service in northern part of Montenegro, more specifically in three municipalities located in its mountainous region (Savnik, Zabljak and Pluzine), in order to improve access to support services for women and girls.

In **North Macedonia**, the National network to end VAW and DV is now preparing a Policy document suggesting a number of measures for financial support of women victims of domestic violence based on the findings of the *analysis of financial challenges* that women victims of domestic violence are facing, planned to be published in September 2019. The policy document will be used as an advocacy tool for the Ministry of Labour and Social Policy, to recognize women victims of domestic violence as a vulnerable group in the *Law for Social Protection* and to include specific measures for financial support. Additionally, the network with its organization members will continue advocating to local self-government for allocating funds for establishment of specialized services for women victims of violence on regional level. NGOs are invited to be part of the process for the implementation of the National Action Plan 2018-2023 regarding IC implementation, thus the network is planning to create a non-formal group for monitoring the National Action Plan. By the end of 2020, the Network is also aiming to publish the first monitoring report for the progress regarding implementation of IC.

**In Serbia**, Fenomena Association is coordinating the South-Western region of the Women Against Violence Network (WAVN) for whom the IC implementation monitoring training is planned in 2020. Following the initiative for development of the IC implementation indicators at the local level, Fenomena along with women’s NGOs will conduct another capacity building initiative (the training for NGOs and development of indicators) through a joint project, annually supported by Trag and OAK Foundations.

**In Turkey**, women’s CSOs are undertaking activities of raising awareness on IC and the Law No. 6284, since there is backlash from conservative circles which argue that Turkey should retract its signature from IC. Women’s CSOs are also conducting joint advocacy activities against a possible change in the Turkish Civil Code to restrict women’s right to alimony in cases of divorce.

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