

Novi i stari oblici viktimizacije: Izazovi za viktimološku teoriju i praksu

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Domestic Violence against Immigrant Women in Transit – The Case of Serbia

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The focus of the paper is on domestic violence against immigrant women during the transit and stay in Serbia, on their way from MENA countries¹ to the European Union. The objective is to present and analyze the phenomenon. It is contextualized within a theoretical framework of intersections between domestic violence, migration and the crisis and consideration of migration from MENA countries flowing through Serbia, as a part of the Western Balkan's Route, with an emphasis on immigrant women. This is followed by the scrutinisation of domestic violence against immigrant women in Serbia – its occurrence and reporting, along with the author's reflections thereof. Main conclusions point to the importance of preventive and empowering strategies directed towards immigrant women. Challenges to that are numerous: some stem from under-performance of services aimed at prevention and empowerment of women who are victims of domestic violence in Serbia in general, and some are related to the factors specific for the situation of immigrant women.

Key words: domestic violence, immigrant women, migration, transit, Serbia.

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¹ MENA countries are an abbreviation of the Middle East and North Africa region.

Introduction

As “a dislocation of population and human life” (Agamben, 2009: 71), migration from MENA countries has been emerging as a tremendous challenge for a decade now. One of the massive movements of population from that region has been aiming at the escape to Europe. In certain European countries and in certain periods after 2008, the issue of immigration from MENA countries has had a harsh reception, followed by heightened concerns and predominant engagement of national security. Migrants have come under surveillance and their arrivals into European countries have started to undergo to strict state controls. Debates have been evolving about their confinement into closed areas, with “governments over-promise and under-inform” (Spencer, 2011: 2). Paradoxically, evidence suggests that migrants (especially undocumented ones) are more frequently victims of crimes, than violators (Spencer, 2011). The securitization approaches have resulted in neglect of many aspects of migrants’ life. One of them is gender-based violence, understood as “encompassing physical, sexual and psychological violence, including threats of such acts, coercion or arbitrary deprivation of liberty” (European Union Agency for Fundamental Rights, 2016: 1). It is demonstrated that gender-based violence is perpetuated by “relatives, community members and government officials” (Parish, 2017: 1). Even though underreported, it is claimed that gender-based violence frequently occurs in conflict zones, during transit and in host EU Member States, with women and girls disproportionately more targeted by violence than men and boys. Even in the cases of male victims, the violators are, as a rule, men (European Union Agency for Fundamental Rights, 2016: 1).

The focus of the paper is one of the forms of gender-based violence: the domestic violence against women during their transit migration. The latter is taken to mean the situation of transit and short-term stay of immigrant women in Serbia. Conclusions and findings from available literature on relations between domestic violence, migration and the crisis are discussed within basic theoretical assumptions in the first section of the paper. Even though the intersections between the domestic violence, migration and the crisis are fundamental for a design of better tailored policies, programmes and measures, they are still insufficiently researched. It could be reasonably supposed that the importance of the research in the area will be intensified

due to the migration trends. The overview of migration trends from MENA countries in the second section of the paper takes into account only migrants who have been fleeing through Serbia. Their number is estimated to account for approximately 800000 only from early 2015 until March 2016 (Šelo-Šabić, 2017: 51).¹ The focus is on the share of women in total number of migrants.

The third section presents and analyzes available data on domestic violence against immigrant women during their transit and stay in Serbia, as a challenge to subtle notions in the society that nothing can be done about domestic violence in the current migration turmoil. The paper tends to demonstrate how cultural relativism can work against the support to immigrant women who are victims of domestic violence. The concluding part of the third section explores the reasons working against a proper approach to the domestic violence against immigrant women in Serbia.

The methodological approach is based on literature review and qualitative analysis of publicly available statistical data issued by the national and international offices, electronic records of violence kept by the national office in charge and reports issued by non-governmental organizations.² Data from these sources are presented in the second section of the paper and the first part of its third section.

Literature review seemed not to present a sufficient base for the scrutiny of the topic. Domestic violence against immigrant women in transit is "under the radar" in Serbia, as elsewhere. The statistics is rather scarce, and so is the literature on the topic in the national context. In order to obtain a perspective of those working with migrant women, twenty interviews in total were conducted during the period from September 2017 to April 2018 with professionals from organizations supporting migrants, both from the civil and public sectors (ten from each of the sectors). Findings from interviews are presented in the first part of the third section of the paper, while the author's reflections on the data obtained during interviews are presented in its second part, in the form of topics for further consideration.

¹ This was the period of the most intensive transit of migrants through Serbia.

² The author would like to thank especially to Mrs. Marina Cakić from the Commissariat for Refugees and Migration and Mr. Bojan Stojanovic from the Belgrade Centre for Human Rights for enabling her an insight into data on the topic held by their respective institutions.

Domestic violence and immigrant women – (In search of) theory and evidence

Domestic violence against women is a long-standing topic of feminist studies. Feminist scholars have demonstrated that domestic violence against women stems from patriarchy (macro-level) which endows dominance, control and power to men (micro-level) over women. Within patriarchal constraints women try to negotiate their positions and roles; however, one should keep in mind that gender relations are not the relations of equality (Ignjatović, 2011: 58). The thesis of universal nature of domestic violence against women has been gradually reconsidered within the feminist approaches to take into account women's age, sexuality, race, culture, social class and other intersections.

One of the factors influencing the occurrence and severity of domestic violence is found to be in connection with the migration status of women.³ Despite many claims of the so-called feminization of migration, domestic violence against immigrant women started to be researched only from the beginning of the 1990s, resulting in two strands of arguments. According to the literature review by Creswick, there are authors claiming that "the severity and the rates of incidents of domestic violence may be higher towards migrant women" (Creswick, 2017: 18), and even that "intimate partner violence against immigrant women is at epidemic proportions" (Raj, Silverman, 2002: 367). Contrary to that, there are authors in favour of a neutral position, claiming that "the rates and incidence of domestic violence are not higher amongst migrants compared to non-migrants, but that their social position as migrants may exacerbate the conditions of abuse" (Creswick, 2017: 19). Regardless of the differences, both stands seem to strongly point to important intersections between domestic violence and immigrant women. Naturally, this is not so straightforward since heterogeneity of immigrant women cannot be overstated.

Raj and Silverman have found that cultures, contexts and legal status of immigrant women have the most prominent impact on their vulnerability for domestic violence. These three factors influence the seeking and receiving support. On top of this, cultures and contexts are the factors demonstrated

³ For example, the existence of multiple oppressions was found to exist in research on women in the Black community and later in the South Asian community in the West (Creswick, 2017: 15).

to be able to be reversed, to contribute to resilience building in immigrant women (Raj, Silverman, 2002: 367). Firstly, some cultures of origin, i.e. cultural ideologies, can increase the likelihood or at least justify violence against women. Some findings indicate that in some cultures “both men and women feel that if women do not stay within their prescribed roles, it is culturally acceptable for men to ‘discipline’ them using physical abuse” (Raj, Silverman, 2002: 369). The resulting gender role ideology is rigid. It places family responsibility on females, contrary to economic responsibility on males. The economic dependence can in turn limit the options for immigrant women to escape from the domestic violence. Secondly, immigrant context refers to isolation of immigrant women from their own networks, families and friends. This isolation does not take only the geographical form, but it can mean the separation of a woman from her family and her predominant or even sole imposed occupation with her husband’s family. Paradoxically, even when the primary family is close, “orthodox views about marriage and gender roles tend to take over [...] thus, a woman may be isolated even when surrounded by family, relatives or extended family members” (Menjivar, Salcido, 2002: 904). On top of this, a woman can be stigmatized by the family and community, which can be a form of surveillance of her behaviors (Creswick, 2017: 16). Namely, “women who leave their husbands [for domestic violence reasons] are commonly subjected to severe stigma and isolation, endure significant economic hardship, and have very low chances of a remarriage” (Erez, Hartley, 2003: 157).

In connection with the mentioned reasons, a special form of domestic violence should be taken into consideration: honour based violence. It stems from an honour code, i.e. “rules” that are to be followed and subsequent punishing of those who infringe them. It can exist where others are in position to establish and enforce women’s conduct at their discretion and it is motivated by a desire to preserve someone’s honour (Gill, 2006: 1; National Health Service, 2019: 1).

Finally, gender-neutral immigration laws are found to affect women and men dissimilarly (Menjivar, Salcido, 2002: 908). Immigrant status of a woman is of great significance – when their status is irregular, women are more exposed to the experience of domestic violence. Their irregular status is compounded by their invisibility and the lack of legal rights. Even when they have a legal status in a country, as research reports “immigrant women often do not know that battering is a criminal offense in their new country, nor are

they aware of any social, legal, health, or other services available for women in their predicament” (Erez, Hartley, 2003: 158).

Since the presented theoretical framework takes into account two intersections (domestic violence and immigrant women), there are limitations regarding an extent to which the conclusions can be extrapolated to the topic of this paper. The missing link, which will be not taken into account here, is the issue of war trauma and war experience and the position of civil women in them. During war, violence in general, and not only against women, gets more common (Corson, 1995: 35). However, the crucial additional intersection, to be taken into account is the issue of the crisis. Here, there are two related developments. First, millions of people and many communities in MENA countries have been affected and forced to migrate, which can be depicted as a disaster.⁴ Secondly, experiences of migration shaped their individual and family lives in such way that it can be scrutinized within the framework of crisis.⁵ For many of them, the crisis has been associated with journeys that migrants have been setting off, their transit and stay in retention facilities, centres for accommodation and camps. Transit migration is characterized by extreme dynamism since it requires a lot of adaptations and coping with new realities due to changed and changing identities.

For many of those migrants keen to reach Europe, and especially its Western parts, journeys have been extremely long, exhausting, dangerous and frequently life-threatening, connected with numerous losses – material, physical and psychological, and constant uncertainties. The life in retention facilities, which are sometimes thought about in terms of spaces out of the boundaries of a regular and normal rule (Agamben, 2009: 67), meant temporary reliefs, only for the journeys to be continued. Thus, migrants’ dynamic and fluid situations could be best described as a flow through various stages. Firstly, on

⁴ A disaster is defined by the United Nations as “serious disruption of the functioning of a community or a society at any scale due to hazardous events interacting with conditions of exposure, vulnerability and capacity, leading to one or more of the following: human, material, economic and environmental losses and impacts” (UNISDR, 2018: 1).

⁵ A crisis is defined by Roberts as “an acute disruption of psychological homeostasis in which one’s usual coping mechanisms fail and there exists evidence of distress and functional impairment. The subjective reaction to a stressful life experience compromises the individual’s stability and ability to cope and function. The main cause of a crisis is an intensely stressful, traumatic, or hazardous event, but two other conditions are also necessary: 1. An individual’s perception of the event as the cause of considerable upset and/or disruption 2. An individual’s inability to resolve the disruption by previously used coping mechanisms” (Roberts, 2005: 778).

their journeys, or at least during some of its parts, migrants have been transiting into asylum seekers and refugees, depending on the changes in state policies and practices. Their status oscillates between regular and irregular, with complex consequences on their functioning and movements. Secondly, migrants (both females and males) are wreaked with enormous amount of stress during long periods. Academics and practitioners have documented experiences and feelings of persons in crisis situations, some of them in the acute phase being: discomfort, helplessness, confusion, depression, anger, impulsiveness, low self-confidence, fatigue, agitation, violence, isolation, aggravated sleep, etc.⁶ (Teater, 2017: 224).

Theory suggests ambiguous impact of crises on families. On the one hand, in the periods of crisis one can note "strengthening of certain mechanisms of increased solidarity and cohesion between family members, which contribute to the facilitation in confrontation with troubles" (Milić, 1995: 160). Milić points out that instead of the family disintegration and conflicts between the members during crises, families frequently build opposite mechanisms – "old conflicts, naming and blaming become 'frozen' and behaviours are changed so to reorganize and adapt to new conditions, in order for the family to survive and sustain its integrity" (Milić, 1995: 160). However, the mentioned coping mechanisms cannot last forever. Paradoxically, improved and stable situations can result in family disintegration: "it is not uncommon for the family to see on the scene old problems and old hostilities revived" (Milić, 1995: 160). Evidence from the field also suggests that sudden changes in people's life, accompanied by high level of instability, contribute to destabilization and disorganization of family relations and occurrence of domestic violence (Nikolić-Ristanović, 2008: 110). The position of women in families seems to be highly adversely affected.

Migration turmoil – a perspective from Serbia

From 2008 onwards, Serbia has become a transit country for migration from Africa and Asia. The migration is of a mixed character: migrants flee from MENA countries due to reasons of arm conflicts, discrimination, fear of pros-

⁶ The character of crisis is documented to be non-linear. There are several "stages" of crisis, depending on their characteristics.

ecution, but also poverty, lack of water and food, and the desire to live a more decent life (Marić, Petijević, Stojanović, 2013: 8).

The risks for migrants in transit are documented to be numerous, and extremely high are those for the irregular ones. The majority of immigrants, who have been entering Serbia, illegally crossed its border (and borders of a series of countries before Serbia). The triggers for illegal crossing of borders have been increasingly restrictive state policies, disabling migrants to enter a safe territory in any other way than to use the services of smugglers and facilitators. Migrants have been giving facilitators certain amounts of money depending on the border crossings. Outcomes have been highly uncertain with migrants frequently fooled and abused (Marić, Petijević, Stojanović, 2013: 9). Many of those who have been providing the smuggling services have been connected with human trafficking networks and criminal groups in general (Morača, 2014: 42). Violence has been “smoothed” by total legal invisibility of irregular migrants. Their numbers are subjected to estimations, which vary largely, depending on the source.⁷

The only reliable data, those on the number of asylum seekers, oscillates between 77 and 577995 in 2008 and 2015 respectively (Table 1). Share of those who actually applied for the asylum is extremely low. For example, it accounted for as low as 2.35% of those registered as asylum seekers in 2014 (Komesarijat za izbeglice i migracije, 2015). On the one hand, rights pertaining to asylum seekers are a motivation for migrants to express their intention.⁸ On the other hand, asylum seekers do not engage into the procedure to the fullest, since they experience Serbia predominantly as a transit country and perceive the asylum procedure as a long process. On top of this, in the period from 2008 to 2016, only 67 persons were granted refugee or subsidiary protection (Komesarijat za izbeglice i migracije, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017). Although less than with the irregular migrants, the risks related to the status of asylum seekers, include different kinds of exploitation

⁷ For example, in 2012 and 2013, the number of irregular migrants in Serbia, i.e. those who entered the country illegally, did not seek for an asylum protection and transited Serbia unnoticed by the state authorities, as per NGO APC/CZA was 6-7 times higher than the number of registered asylum seekers (Marić, Petijević, Stojanović, 2013: 9). Western Balkans Risk Analysis Network reported the following numbers of illegal border crossings between the countries of the Western Balkans route: in 2013 – 40027; in 2014 – 66079 and in 2015 – 2081366 (FRONTEX, 2016: 33).

⁸ It enables a migrant to be accommodated in a centre, to obtain an ID card, to move freely throughout the country, to obtain access to health care, social welfare, primary and secondary education, to obtain information and legal support, to practice his/her religion and to access the labour market (Article 48, the Law on Asylum and Temporary Protection).

and violence, with higher vulnerability of women and children. Asylum seekers in Serbia reported “on average more than six highly traumatic experiences in their countries of origin or in transit, pointing to extremely frequent psychological disturbances compared to the general population [...] 88.5% of refugees in Serbia could be considered as psychologically jeopardized persons in need of an urgent psychological protection and continuous psychological support” (Vukčević Marković, Gašić, Bjekić, 2017: 3). The research shows that out of 546 migrants⁹, severe symptoms of depression are reported in 48% cases, anxiety in 37% cases and post-traumatic stress syndrome in 26%.

Table 1: *Numbers of asylum seekers in Serbia*

Year	Data by the UNHCR			Data by the Commissariat for Refugees and Migration		
	Total	Women	Men	Total	Women	Men
2008	77	*	*	77	*	*
2009	275	*	*	275	*	*
2010	522	*	*	520	*	*
2011	3132	*	*	3134	*	*
2012	2723	*	*	2723	*	*
2013	5066	*	*	5065	*	*
2014	16490	*	*	16500	*	*
2015	577995	*	*	579518	92188	313335
2016	12821	3693	9128	12811	3690	9121
2017	6199	1059	5140	*	*	*

* data unavailable

Data are extracted from the databases of the Belgrade Centre for Human Rights, which cites data of UNHCR, and the Commissariat for Refugees and Migration of the Republic of Serbia, which cites data of the Department of the Interiors.

Source: Beogradski centar za ljudska prava (2017; 2018a, 2018b); Komesarijat za izbeglice i migracije (2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017).

Even though there have been certain oscillations from a year to year, the highest numbers of asylum seekers have been from Afghanistan, Iraq and Syria. As shown in Table 1, men have been clearly outnumbering women. This is not surprising, having in mind the peculiarities of journeys towards the EU. The number of men was 2.5 to 5 times higher than the number of women for years where these data were available. There are no (publicly) available data about women’s characteristics, in terms of age (only whether they are under-

⁹ Women accounted for 11.5% of respondents (Vukčević Marković, Gašić, Bjekić, 2017).

age or not, based on their own statements), education, etc. The exception is their stated country of origin.

Qualitative research conducted by APC/CZA in 2012, when women accounted for 379 asylum seekers, presenting thus 14% of the total number of them, reported important characteristics of female asylum seekers. Immigrant women were described as completely opposite to immigrant men – main features of the latter were arguably “young, single [...] great mental strength, persistence and patience” (Marić, Đurović, 2013: 23). Women were predominantly older, originated from rural parts of Somalia and Afghanistan and in general illiterate and uneducated. This was not, however the case for women from Syria and Eritrea. Women most frequently were travelling with their families, either complete or with alleged husbands and male relatives. Only a small number of immigrant women (from Eritrea) arriving alone, came by the end of the year (Marić, Đurović, 2013: 24). One of the observations from the field of that time were related to women from traditional and patriarchal societies: “the majority of asylum seeking women in Serbia are accustomed to a subordinate role in the family, unaware and unconcerned with changing the situation, which makes them introvert and difficult to cooperate and socialize. In general [...] asylum seeking women in Serbia are predisposed to self-isolation and rarely get in contact with people from another countries” (Marić, Đurović, 2013: 24).

Domestic violence against immigrant women in transit through Serbia: Research results

The subject of the research was reporting of cases of domestic violence against immigrant women in transit through Serbia. Its objective was to identify professional practices deployed in cases of (suspected) domestic violence, in order to be able to present the gaps in the support and protection of immigrant women and to point to opportunities for their overcoming. In order to do that, the author conducted twenty semi-structured interviews with professionals from the public (Commissariat for Refugees and Migration) and civil sectors (APC/CZA and Grupa 484) who are engaged in the support of immigrant women in Serbia.

Evidence from the field

According to the norms, the competences regarding the domestic violence against immigrant women who are in transit or who are accommodated in asylum centres in Serbia are divided among several stakeholders from public and civil sector organizations.

Centres for Social Work (CSWs) are in charge of providing professional support to victims of domestic violence in general in Serbia. There are no special norms regarding the domestic violence against immigrant women. However, in cases of the latter, the professionals from CSWs coordinate their work with practitioners from the centres for the accommodation of migrants and police officers from the Department of the Interiors. Based on assessment of case worker from CSW, practitioners in the centre for accommodation are obliged to monitor closely the activities of violators and victims, be in a daily coordination with the health care service in case of new injuries, re-accommodate victim in another centre, in case of obtaining the victim's consent. The practitioners working in centres for the accommodation are also obliged to contact police officers in case where there is a need for their activities. Atina, a civil sector organization, is in charge of organizing workshops and providing counselling for immigrant women. Both Atina and CSWs are authorized to bring criminal charges in front of competent judicial institutions, in cases of (suspected) domestic violence.

The official data on domestic violence against immigrant women are reported by the Commissariat for Refugees and Migration (CRM), which is in charge of all of the centres for the accommodation of migrants during their transit and stay in Serbia. Even though each centre for accommodation of migrants throughout Serbia (currently 18 of them) is obliged to keep and record daily all the developments in the centres, the preconditions for their centralized statistical processing have been met at the beginning of 2017. In April 2018, the Commissariat started the electronic processing of the recorded evidence.

An insight into the CRM's documentation shows that the highest incidence of domestic violence against immigrant women has been observed in the Centre of Krnjaca, one of the largest centres with the highest number of accommodated families. There, four incidents were officially reported and registered in the period January-July 2017. An insight into the records shows that each of the cases has consisted of physical violence, with some indications about the severity of injuries. Records on sexual and emotional violence

are absent. None of the victims brought criminal charges against the reported violators (in each of the cases – husbands). In some cases, in which victims were transferred into other centres, they returned to the alleged violators after a couple of days. Two cases of domestic violence against women were allegedly isolated, without repetitions. Contrary to that, one of the victims reported to be a victim of domestic violence for many years, while one reported the alcohol addiction of the husband. The cases of reported domestic violence in other centres for accommodation matched the pattern described above to a high extent. Professionals from the centres for accommodation pointed to high reluctance of women to report their husbands for domestic violence.

A pilot research on physical and sexual gender-based violence which included 162 women and girls was conducted by Atina in 2017 (Marković, Cvejić, 2017: 13). It showed that 64.8% of the respondents were exposed to some form of violence, which included “pushing, shaking, throwing objects towards them, twisting their hands, hair banging, slapping, suffocating, threats and assaults with knives, guns and other weapons” (Marković, Cvejić, 2017: 14). A hundred and nine women (66.9%) actually experienced such forms of violence (Marković, Cvejić, 2017: 15-16). About 77% of respondents witnessed violence against other women and girls (Marković, Cvejić, 2017: 33). The violence was occurring in the countries of origin and in transit and violators were police officers, women’s partners and smugglers (Marković, Cvejić, 2017: 20). Based on their statements, women and girls who have been travelling with partners and children were those who were exposed to the violence to the greatest extent. Women travelling with partners reported to be attacked in most cases by smugglers (21 of them), police officers (17 of them), while 8 of them reported to be attacked by their partners. However, researchers were sceptical about this finding: “Victims frequently conceal violators if they are their husband, and state that the violence was perpetuated by smuggler, which can be the case here, but it does not have to be” (Marković, Cvejić, 2017: 20).

Topics for further consideration

Available data on domestic violence against immigrant women during their transit and stay in Serbia seem to be rather scarce and incomplete. However, some conclusions can be derived for further considerations.

Namely, there are a lot of obstacles to reducing the scope and severity of the problem of domestic violence even in the domicile population.¹⁰ Also, there are some important, additional issues to be taken into account when tackling the problem of domestic violence in immigrant population. One should keep in mind that there are international norms, along with the national ones, that should be taken into account.¹¹

One of the first challenges regarding the domestic violence against immigrant women in Serbia is the lack of data. Theory suggests that there should be cases of domestic violence in immigrant population and during the transit. National experiences during the 1990s with the inflow of refugees to Serbia evidence the similar. Anecdotal evidence from period 2015 to now is abundant, as learnt from the professionals from the field who have been providing support to immigrants. However, reliable data and reported cases are rather scarce, as it can be seen from the previous section of the paper. Probably the cases of domestic violence are under-reported, but it is only an assumption "which requires an in-depth analysis" (Marković, Cvejić, 2017: 20). Having in mind the need for an in-depth analysis, the author of this paper will point to few potential reasons for under-reporting of the cases of domestic violence.

Namely, violence is so widespread in current migration, that one could assume that both victims and violators perceive it as normal, although the practitioners and state authorities should not preserve such perspective. An obstacle to a proper fact finding regarding domestic violence against immigrant women is the transit position of migrants in Serbia. Firstly, the numbers of migrants proved to be overwhelming in certain periods for all public services in charge. For example, in November 2015, about 8,000 migrants were entering per day into Serbia (Jelačić Kojić, 2016: 26). It is rather interesting that migrants in general are rarely clients of Centres for Social Work – in 2015, only 1462 of them referred to CSWs. Out of that number, 57% were underage migrants, 29% young persons, 12% were adults and 2% were older persons. Compared with 800000 migrants who passed through Serbia, this number is extremely low (Republički zavod za socijalnu zaštitu, 2016: 15-16). The only reported cases of domestic violence were those which were eye-witnessed by practitioners from public and civil sectors. In most cases, especially at the end of 2015 and at the beginning of 2016, migrants were staying in Serbia only

¹⁰ Challenges regarding the definition and measurement of domestic violence against women are numerous (Walby et al., 2017: 93-95).

¹¹ The aspect of the legal framework is omitted in this paper.

for a couple of days, during which only basic service support was provided to them. The resolve to leave Serbia, as soon as possible could have resulted in the reduced motivation of immigrant women to report domestic violence. Any report of any form of violence would mean the prolongation of their stay in Serbia. Also, many immigrant women have been both objectively and subjectively dependent on their partners. If they have reported their partners for any reason, it would hinder their further movements toward the EU – as if the eagerness to get to the EU is prioritized.

When the stay of migrants started to prolong, there were more reports on domestic violence against women. However, even then, a reliable assessment was rarely possible. Practitioners from CSWs have been asking for additional expertise in assessment of domestic violence against immigrant women. The living environment of immigrant women was not suitable at all for the establishment of the relations of professional confidence and trust between them and practitioners. Firstly, accommodated in centres they rarely were alone, without their partners. Furthermore, they were not willing to separate from their partners (for a longer period), in order to be ready to leave the centre for accommodation as soon as there is a chance. Second, in situations in which practitioners do not speak the same language as their clients, the role of interpreters proved to be of extreme importance. Here, two aspects are to be taken into account regarding the role of interpreters. One can observe obstacles at the side of a practitioner and his/her “use” of an interpreter as a kind of mediator. Culturally competent practices are one of the missing skills in practitioners, as mentioned. Women’s Refugee Commission reported that “governments of the transit countries in general do not have adequate methods to support in cases of violence against women. Civil sector organizations have expertise, but do not have access to those places in greatest need for that” (European Union Agency for Fundamental Rights, 2016: 1). Similarly, the Asylum Office has been pointing to “the lack of institutional mechanisms for the timely identification of such persons [victims of domestic violence] is problematic in practice and such identification is mostly performed by non-government organizations” (Petrović, Tošković, 2016: 147).

However, these are not the only problems. Namely, the interpreters are mainly from the same country as women are; they share the same cultural heritage, and most important, they are mostly men. Under such circumstances, the reporting of domestic violence seems jeopardized. As previously

pointed out, the victims are ashamed and they feel stigmatized for being a victim and exposing their family life to a public. Even more important, victims could feel fear from their violators without any of the stakeholders to rely upon. All in all, the probability of under-reporting seems more realistic. Namely, reporting the violence would not make women any safer. Along with being in general discouraged to seek help outside family, immigrant women may have an experience of violence perpetuated by police officers and be reluctant to refer to any of the state authorities. Being in a totally different culture could make them feel as targets of institutional and professional prejudices. Media have significantly contributed to false perception of violence against immigrant women ("violence is inherent to their culture"). Also, one should not discard a general unfavourable attitude towards immigrants as un-deserving. Paradoxically, the reasons could also be the fact that CSWs were overloaded with domestic violence in domicile population, with many domicile women killed in the last couple of years as victims of domestic violence. Many efforts were directed towards changing the practices of "handling" the cases of domestic violence against women in the domicile population, in order to improve the effectiveness of the public sector. However, it looks that the challenges of under-performance regarding the domicile population have reflections on under-performance in work with the immigrant population. Inefficient general framework suffers from additional inadequacies when it comes to immigrant women. Structural solutions, in terms of having an efficient system of overall detection and proceeding of cases of domestic violence in general, would contribute to improved efficiency of tackling domestic violence of immigrant women.

Conclusion

The best strategy for tackling the domestic violence against immigrant women in transit would be the prevention, by means of raising awareness on domestic violence in centres for accommodation; coordinating health care, social care and police services; providing staff in the centres with special expertise for domestic violence.

Strategies of empowering should be crucial. They should be developed having in mind primarily factors in connection with immigrant women. As

suggested above, relevant factors are related to cultures and contexts. Cultures are far from being static, i.e. they can be changed. Furthermore, women are demonstrated in research to be more flexible in accepting new cultures, since men are striving to keep their privileged positions which are challenged by other cultures. Therefore, it could be important to educate immigrant women about domestic violence and approaches to its tackling. Comparative research show that immigrant women get to learn rather fast that violence is prohibited in their “new” countries, but that knowledge does not give them power, or at least not instantly. A lot of other things have to be done in order to empower immigrant women to report domestic violence. These should be carefully scrutinized since the stay for many immigrants started to prolong in Serbia. What is necessary is to include immigrant women into the national system of protection of victims of domestic violence and to enable them to effectuate the rights to the fullest extent. On the other hand, specificities of their situation should be taken into account. A positive example is the work of the Asylum Office which has given priority in its decision-making to women who are victims of domestic violence. Based on the assessments, the officials of the Asylum Office have been directing victims of domestic violence to the shelters, i.e. safe houses, operated by the NGO Atina, without sending them to Asylum Centres (Petrović, Tošković, 2016: 163). Centres for Social Work, which are the backbone in the national system of protection of women in cases of domestic violence seem to have completely marginalized role when it comes to domestic violence against immigrant women. The civil sector organizations have been playing the crucial role here. One of the reasons for sure is more flexible and suitable reaction of the civil organizations, contrary to the public sector.

Note

All translations from literature in the Serbian language are the author’s own.

References

- Agamben, Đ. (2009) Šta je logor? U: I. Milenković, P. Šarčević (ur.) *Studije o izbeglištvu II*. Beograd: Grupa 484, pp. 65–72.
- Beogradski centar za ljudska prava (2017) *Pravo na azil u Republici Srbiji 2016*. Beograd: Beogradski centar za ljudska prava.
- Beogradski centar za ljudska prava (2018a) *Pravo na azil u Republici Srbiji 2018*. Beograd: Beogradski centar za ljudska prava.
- Beogradski centar za ljudska prava (2018b) *Pravo na azil u Republici Srbiji 2017*. Beograd: Beogradski centar za ljudska prava.
- Corson, E. (1995) War and Domestic Violence. *Cultural Survival Quarterly Magazine*, (1), pp. 35–38.
- Creswick, H. E. (2017) "Women under the Radar": *The Intersection of Migration and Domestic Violence Explored through the Framework of "(Un)deservingness"*. Unpublished PhD thesis, University of Nottingham.
- Erez, E., Hartley, C. (2003) Battered Immigrant Women and the Legal System. *Western Criminology Review*, 2, pp. 155–169.
- FRONTEX (2016) *Western Balkans Annual Risk Analysis 2016*. Warsaw: FRONTEX.
- Gill, A. (2006) Patriarchal Violence in the Name of 'Honour'. *International Journal of Criminal Justice Sciences*, 1(1), pp. 1–12.
- Ignjatović, T. (2011) *Nasilje prema ženama u intimnom partnerskom odnosu: model koordiniranog odgovora zajednice*. Beograd: Rekonstrukcija Ženski fond.
- Jelačić Kojić, M. (ur.) (2016) Migranti i migrantkinje u iregularnom statusu u Republici Srbiji – Aktuelna pitanja i perspektive. Beograd: Grupa 484.
- Komesarijat za izbeglice i migracije (2009) *Migracioni profil Republike Srbije za 2008. godinu*. Beograd: KIRS.
- Komesarijat za izbeglice i migracije (2010) *Migracioni profil Republike Srbije za 2009. godinu*. Beograd: KIRS.
- Komesarijat za izbeglice i migracije (2011) *Migracioni profil Republike Srbije za 2010. godinu*. Beograd: KIRS.
- Komesarijat za izbeglice i migracije (2012) *Migracioni profil Republike Srbije za 2011. godinu*. Beograd: KIRS.
- Komesarijat za izbeglice i migracije (2013) *Migracioni profil Republike Srbije za 2012. godinu*. Beograd: KIRS.

Komesarijat za izbeglice i migracije (2014) *Migracioni profil Republike Srbije za 2013. godinu*. Beograd: KIRS.

Komesarijat za izbeglice i migracije (2015) *Migracioni profil Republike Srbije za 2014. godinu*. Beograd: KIRS.

Komesarijat za izbeglice i migracije (2016) *Migracioni profil Republike Srbije za 2015. godinu*. Beograd: KIRS.

Komesarijat za izbeglice i migracije (2017) *Migracioni profil Republike Srbije za 2016. godinu*. Beograd: KIRS.

Law on Asylum and Temporary Protection, Official Gazette of RS, no. 24/2018.

Marić, S., Đurović, R. (2013) *Asylum Seekers and Irregular Migrants in Serbia: Phenomenon, Needs, Problems, Expectations, Profiles*. Beograd: APC/CZA.

Marić, S., Petijević, S., Stojanović, J. (2013) *Analysis – Asylum Seekers in Serbia and Serbian Asylum Seekers in Europe*. Beograd: APC/CZA.

Marković, J., Cvejić, M. (2017) *Nasilje nad ženama i devojkicama u izbegličkoj i migrantskoj populaciji u Srbiji*. Beograd: Atina – Udruženje građana za borbu protiv trgovine ljudima i svih oblika nasilja nad ženama.

Menjivar, C., Salcido, O. (2002) Immigrant Women and Domestic Violence – Common Experiences in Different Countries. *Gender & Society*, 6, pp. 898–920.

Milić, A. (1995). Svakodnevni život porodica u vrtlogu društvenog rasula: Srbija, 1991-1995. godine. U: S. Bolčić (ur.) *Društvene promene i svakodnevni život: Srbija početkom devedesetih*. Beograd: Institut za sociološka istraživanja Filozofskog fakulteta u Beogradu, pp. 135–180.

Morača, T. (2014) *Migrantkinje i migranti u lokalnim zajednicama u Srbiji*. Beograd: Atina – udruženje građana za borbu protiv trgovine ljudima i svih oblika nasilja nad ženama.

Nikolić-Ristanović, V. (2008) *Preživeti tranziciju – Svakodnevni život i nasilje u postkomunističkom i postratnom društvu*. Beograd: Službeni glasnik.

Petrović, L., Tošković, S. (2016) *Asylum Act Gender Analysis – Enforcement of the Gender Equality Principle in the Asylum System in the Republic of Serbia*. Beograd: Beogradski centar za ljudska prava.

Raj, A., Silverman, J. (2002) Violence against Immigrant Women – The Roles of Cultures, Context, and Legal Immigrant Status on Intimate Partner Violence. *Violence against Women*, 3, pp. 367–398.

Republički zavod za socijalnu zaštitu (2016) *Izveštaj o radu centara za socijalni rad u 2015. godini*. Beograd: Republički zavod za socijalnu zaštitu.

Roberts, A. R. (2005) *Crisis Intervention Handbook: Assessment, Treatment and Research*. New York: Oxford University Press.

Spencer, S. (2011) *The Migration Debate*. Bristol: Policy Press.

Šelo-Šabić, S. (2017) The Impact of the Refugee Crisis in the Balkans: A Drift Towards Security. *Journal of Regional Security*, 12(1), pp. 51–74.

Teater, B. (2017) *Uvod u primene teorija i metoda socijalnog rada*. Niš: Univerzitet u Nišu.

Vukčević Marković, M., Gašić, J., Bjekić, J. (2017) *Mentalno zdravlje izbeglica – izveštaj o istraživanju 2017*. Beograd: UNHCR i PIN.

Walby, S., Towers, J., Balderston, S., Corradi, S., Francis, B., Heiskanen, M., Helweg-Larsen, K., Mergaert, L., Olive, P., Palmer, E., Stöckl, H., Strid, S. (2017). *The Concept and Measurements of Violence against Women and Men*. Bristol: Policy Press.

Internet sources

European Union Agency for Fundamental Rights (2016) Thematic Focus: Gender-Based Violence. Retrieved from: <http://fra.europa.eu/en/theme/asylum-migration-borders/overviews/focus-gender-based-violence>, page accessed 13.9.2018.

National Health Service (2019) Honour Based Violence. Retrieved from: <http://www.domesticviolencelondon.nhs.uk/1-what-is-domestic-violence-/17-honour-based-violence.html>, page accessed 4.2.2019.

Parish, A. (2017) Gender-Based Violence against Women: Both Cause for Migration and Risk along the Journey. *The Online Journal of the Migration Policy Institute*. Retrieved from: <https://www.migrationpolicy.org/article/gender-based-violence-against-women-both-cause-migration-and-risk-along-journey>, page accessed 18.4.2018.

UNISDR (2018) *Terminology*. Retrieved from: <https://www.unisdr.org/we/inform/terminology>, page accessed 13.4.2018.

Nasilje u porodici nad imigrantkinjama u tranzitu – Slučaj Srbije

Fokus rada je na nasilju u porodici nad imigrantkinjama, tokom njihovog tranzita i boravka u Srbiji, na putu iz država Bliskog Istoka i Severne Afrike u Evropsku uniju. Cilj rada je opis i analiza ove problematike. Ona je kontekstualizovana unutar teorijskog okvira u kom se razmatraju veze između nasilja u porodici, migracija i krize, te razmatranja migracije iz gore navedenih država preko Srbije, kao dela Zapadnobalkanske rute, sa naglaskom na imigrantkinjama. Sledi predstavljanje nasilja u porodici nad imigrantkinjama u Srbiji – njegovog javljanja i prijavljivanja, zajedno sa autorkinim razmatranjima problema. Glavni zaključci ukazuju na značaj strategija prevencije i osnaživanja usmerenih prema imigrantkinjama. Izazovi za to su brojni: neki proističu iz nedovoljne efektivnosti službi koje imaju za cilju prevenciju i osnaživanje žena žrtava nasilja u porodici u Srbiji uopšteno, a neke su u vezi sa faktorima koji su specifični za situaciju u kojoj se nalaze imigrantkinje.

Ključne reči: nasilje u porodici, imigrantkinje, migracije, tranzit, Srbija.

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