



CASE STUDY

# **National SOS helpline for victims of domestic violence**

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COUNTRY: MONTENEGRO

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## 1. Description of the innovative and sustainable example

### Background

The establishment of National SOS helpline for victims of domestic violence as a specialized, 24 hours assistance service, is an obligation of the Montenegro state. This obligation is envisioned by international documents and national legislation such as: Action plan for achieving gender equality 2008-2012 and 2013-2017; The Strategy for the Protection against Domestic Violence 2011-2015; Action Plan through the Chapter 23; Law on Protection from Domestic Violence adopted in 2010 etc. However, the necessary importance wasn't given to the issue of establishing this service, until the Convention on preventing and combating violence against women and domestic violence entered into force in 2014.

It should be emphasized that the support of Delegation of European Union to Montenegro, through IPA 2010 that funded the project „Gender Equality“ implemented by UNDP in Montenegro, in partnership with the Ministry for Human and Minority Rights, was of a particular importance for the establishment of a national SOS line for victims of domestic violence. One of the activities in this project was the establishment of a unique SOS line.

National SOS line for victims of domestic violence started to work on 1st of September 2015. The line was established by the Ministry of Labour and Social Welfare. A service of the National SOS line for victims of domestic violence is coordinated by NGO SOS Hotline for women and children victims of violence Niksic, which has 18 years of experience in working with victims of violence. After the analysis of the service functioning has been performed, the Ministry provided a continuation of financial support until the end of 2016.

### Specificity of service

National SOS line for victims of domestic violence functions as a centralized system, which in practice means that one organization leads the entire process ie. covers the entire territory of Montenegro. The line is urgent, anonymous and available 24 hours, 7 days a week. Calls and reports of violence are directed to the number 080 111 111. Trained, competent staff with specialized knowledge within the field of gender-based violence and women's human rights works for the SOS helpline. Nine (9) persons are engaged for the helpline (coordinator, three consultants, four volunteers and professional associate psychologist). Staff acts in the manner by taking care not to undermine the integrity and autonomy of the victim of domestic violence. All actions are undertaken with the approval of the victim, by guaranteeing him/her the anonymity, confidentiality and gender-based approach in the context of human rights. Service of SOS helpline strengthens and supports victims of domestic violence through informing, further referral and psychological counseling. It informs victims about their rights, opportunities and forms of support, mediates between the victim and the police, social welfare centers, and other services from the municipality of residence.

### Sustainability

National SOS helpline for victims of domestic violence is financed by the Ministry of Labour and Social Welfare as a pilot project in the first 7 months. After the analysis of the service functioning has been performed, the Ministry provided a continuation of financial support until the end of 2016. The funds for this service, as for all others, are paid through UNDP with the explanation that the ministry still doesn't have sufficient capacity to manage the finances by itself and to control the service which it finances.

National government is the most significant responsible entity for the further funding of this service. However, it is important to note that Article 156 of the Law on Social and Child Protection states that social services are

financed not only from the state but also from municipal budgets. *Ministry of Labour and Social Welfare has adopted the Rulebook on the amount of funds for development or financing of services for social and child protection and the criteria for their allocation*<sup>1</sup> which defines the criteria for the allocation of funds for local governments, the criteria for the participation of local governments and the dynamics of the transfer of funds. To which extent will these funds be used to support social services provided by CSOs certainly depends on the level of understanding of the whole process of reforming social protection, the degree of understanding of the importance of inclusion of CSOs as credible service providers, as well as the sensibility of the Head of the local governments for the needs of citizens from vulnerable groups of society.

## 2. A qualitative assessment of the local social realities

Domestic violence is the most common and the most hidden form of violence of men against women, which is caused by unequal power between the sexes. At the same time, it presents a serious and complex problem faced by families as well as educational and social institutions, law enforcement agencies and institutions of the judicial system. Patriarchal attitudes and beliefs still create powerful mechanisms which make domestic violence inadequately visible and a system of protection ineffective.

According to data from the last survey, in Montenegro, 68.6% of women have experienced some form of violence from her husband - a partner. With the statement that a good wife should always obey her husband, agrees or not entirely certain that disagrees over 37% of women. Four out of five women think that the problems arising from violence in the family needs to be discussed only within family and that way they support any form of oppression of women, including violence as a private, family problem. Only 41.4% of women are convinced that others should intervene if the husband treats his wife badly. The percentage of women who „do not accept the existence of reasons for partner violence“ is 57%. Other women accept the possibility of justifying reasons of partner violence or they are undecided.<sup>2</sup>

A public opinion survey, conducted in 2012 in 17 Montenegrin municipalities, showed that every fourth respondent, predominantly male, age 18 to 30 and 51 to 60 years, considered that there were situations in which physical violence was justified. Every fourth respondent, predominantly male, age 18 to 30 and 51 to 60 years charged the victim with responsibility for the violence because of his or her inability to leave the abuser. Every fourth respondent, predominantly male, considered that violence is caused by circumstances beyond the control of the perpetrator and that the victim is responsible for the violence because she/he „it caused by her/his actions“.<sup>3</sup>

Law on Protection from Domestic Violence<sup>4</sup>, and the Strategy<sup>5</sup> adopted for the purpose of its better implementation obliges the State Montenegro to record and monitor the movement of domestic violence, prevalence,, consequences and significance for the general interest of society. In 2015, 180 criminal acts of violence in the family or a family community were registered and 1,238 requests for initiating misdemeanor proceedings were submitted, pursuant to the Law on Protection from Domestic Violence. Non-governmental organizations which provide support services to victims of domestic violence in six Montenegrin towns had more than 1,000 clients in the previous year. National SOS Helpline had 1,155 calls in period September - December 2015.

<sup>1</sup> Number: 56-626/15-2 Podgorica: 24th July 2015

<sup>2</sup> Radulović, J., Ljaljević, A.: Gender equality and women's health in Montenegro, University of Montenegro, Faculty of Philosophy - Nikšić, 2009

<sup>3</sup> Study on Family Violence and Violence Against Women in Montenegro (2012 UNDP, the Government of Montenegro Ministry of Justice, CEED, SOS telephone Nikšić)

<sup>4</sup> Official Gazette of Montenegro, No.46/10

<sup>5</sup> Strategy for Protection against Domestic Violence for the period 2011-2015 (adopted in June 2011)

State „is late with activities on effective protection of victims of domestic violence.“ The legislation, as well as certain strategic documents, which in their segments deal with the problem of violence, are in practice hardly applicable because they weren't followed by: ensuring infrastructure which is the assumption for the implementation of the law, ensuring the required resources, staff training, networking of competent bodies for the implementation of legislation and etc.

Support services to victims (including the legal, psychological and counseling support) still exist only in the context of female service provider organizations such as SOS telephone. The fact that the Government during the adoption of the Law on Protection from Domestic Violence (which implementation required the formation of a large number of support services) did not foresee the budget for its implementation, clearly indicates the extent to which the implementation of this law depends on the involvement of women's NGOs.

SOS telephones for victims of domestic violence as volunteer services operate in the context of women's NGOs since the forming of the first NGO "SOS telephone for Women and Children Victims of Violence" in 1997. In Montenegro, this service provides the NGO SOS telephones Podgorica, Niksic, Bijelo Polje, Berane, Plav and Ulcinj. Unlike national helpline coordinated by SOS Nikšić in other cities, this kind of service is still a voluntary contribution of activists, which is why the work of these services covers the time from 17 to 21h. All organizations are in their work aimed at cooperation with state institutions and to the centers for social work, police, courts, health centers.

At the local level, 16 municipalities have adopted local plans for improvement of social inclusion - the development of social welfare services. These local plans are focused on vulnerable groups of society, among which are the victims of domestic violence. Domestic violence, as a priority issue was also included in the Local Action Plans for achieving gender equality, that so far have been adopted in 11 Montenegrin municipalities. In the aforementioned strategic plans, in areas related to victims of domestic violence, the support to SOS telephones is planned. Unfortunately, since the adoption of the first plan in 2012, financial support for SOS service helplines for none organization was provided. The only exception is the SOS telephone Ulcinj which received from Local Administration a business space to use and which was freed from the payment of part of the utility costs.

Consequently, the establishment of a national helpline for victims of domestic violence, as a service funded by the state is of great importance and as an example of good practice can be transferred to the local level.

## 3. Means-tested analysis of the 'clients'

By introducing the National SOS Helpline, Montenegro has improved resources for the protection of victims of domestic violence, which contributes to the improvement of quality of life of victims of domestic violence in terms of their safety and security.

The quality of local response to violence is a significant improvement in terms of accessibility and effectiveness of protection. More specifically, the line precisely identified weaknesses and shortcomings of the protection system or its parts and intervened in accordance to that for the benefit of victims of violence in compliance with national and internationally legal solutions.

The work of Service relied on standards of multidisciplinary approach. With its work, helpline has confirmed the benefits of this approach, and the cooperation between the civil and public sector guarantees effective protection of victims. Positive changes in the practice of professionals, ie. individuals involved in the protection system, were also registered. A significant number of state officials in this period learned to treat NGOs as equal partners in the protection system. The number of mediation by institutions of the system and the number of reports addressed to the National SOS line by the institutions of the system shows that partnership is being reasonably improved.



SOS telephone – immediate response to emergency situations

A 76-year-old woman called the SOS telephone asking for help because her son in law “abused her in her own house”. In fact, the son in law abused his spouse – her daughter and on her warning not to do it, he physically assaulted the elderly lady threatening that he would kill her. She reported the incident to the police, but the inspector told her that they could not do anything because the part of the house belonged to her daughter and that she should lock herself in her room when he was aggressive and claimed “then he won’t enter certainly”. The abuser was under the influence of alcohol (2.7 units of alcohol) but police officers let him go home immediately after hearing, after which he continued with curses and threats. The client said that she has submitted the application against him several times already but that he was only once sanctioned with a fine in the amount of 250 euros.

SOS volunteer noted all data during a conversation (time of the incident, time when women reported incident to police, inspector name and description of the incident), after which she personally called the chief of police and introduced him to the case. In a short period the chief gathered all the additional information which were in accordance with the woman’s statement. It became clear that some omissions were made during the intervention of the police. An infringement procedure wasn’t initiated, restraining order of 3 days wasn’t issued even that police had right to do that, abuser wasn’t kept in custody until he was sober which had to be done keeping in mind the amount of alcohol in his blood.

In consultation with the volunteer of the SOS, the police have made a plan to support not only the woman who asked for the help but also her daughter. The process within competent authority was lunched. Police Chief personally invited client, her daughter and her son in law for an interview, during which he strongly “warned” the abuser that he would be send to prison if he made the slightest infraction. Her daughter, encouraged with this, also reported him, so that the 2 process were launched (misdemeanor-violence against the woman who approached us, felony - violence against her daughter). Criminal report is in the regular procedure and misdemeanor ended with the release of the protective measures of removal of the perpetrator from the apartment for 30 days.

The existence of 24-hour SOS helpline enabled the availability of information and support for victims of violence at any time. Bearing in mind that a large number of women at risk of violence is in a state of poverty, a fact that the call to this number is free of charge is of a particular importance. The operation of this service is continuously promoted through media, billboards, brochures and flyers, so the awareness of citizens has increased, which has resulted with a growing number of calls to this line. SOS line has received calls by victims personally as well as by citizens. Number of calls repeated by the victims indicates the degree of confidence in the work of the National SOS line for victims of domestic violence.

National SOS line for victims of domestic violence received over a period of 12 months 3464 calls and 4580 services were provided. (Tables 1 and 2) Most calls came from Podgorica 858, 847 from Niksic, 340 from Bar, 294 from Herceg Novi, 220 from Kotor, 169 from Berane, 134 from Budva, 123 from Pljevlja, 116 from Bijelo Polje, 92 from Rozaje, 77 from Cetinje, 62 from Danilovgrad, 38 from Ulcinj, 28 from Tivat, 25 from Mojkovac, 15 from Plav, 11 from Kolasin, 5 from Andrijevica, 3 from Savnik, two each from Zabljak and Petnjica and a call from Plužine.

Table 1: Number of calls to the National SOS line by months

Month	Number of calls
September	312
October	302
November	275
December	266
January	219
February	297
March	307
April	313
May	286
June	283
July	318
August	286
TOTAL	3464



Table 2: Types of services provided at the National SOS helpline for victims of domestic violence

Type of service	Number	%
Informing	1870	40,83
Confidential interviews / emotional support	1544	33,71
Mediation towards the institutions and emergency intervention	360	9,72
Psychological counseling	445	7,86
Reference	26	6,18
Request for placement in a shelter	52	1,14
Other	283	0,56
TOTAL	4580	100

4. Reference to relevant EU policies and domestic strategic documents and laws

Establishing a National SOS line for victims of domestic violence as a specialized help service is a obligation of the state of Montenegro envisaged by international documents and national legislation.

*The United Nations Declaration on the Elimination of All Forms of Discrimination against Women*<sup>6</sup> adopted in 1993 is the first international document that the issue of violence against women considers through the inequality of men and women (A/RES/48/104), while providing a framework for action at national / international level which should be undertaken by the state, including the establishment of appropriate legislation action plans, provision of services for victims of violence, training for representatives of institutions, the provision of funds in the state budget for combating violence against women, as well as research and data collection related to appearance of different forms of violence and efficacy of measures for its prevention and elimination.

Montenegro signed *Council of Europe’s Convention on preventing and combating domestic violence and violence against women*, known as the *Istanbul Convention* (adopted on 7 April 2011<sup>7</sup>), on 11 May 2011. Law on Ratification of the Istanbul Convention was adopted in 2013. In this way, this comprehensive international instrument, which among other things provides the protection, prevention, prosecution, sanctioning and creation of the policy of work in the field of combating violence against women and domestic violence, has become part of our internal legal order, and therefore imposed the neccessity of its promotion and full implementation. Article 24 of the Convention, stipulates that the state introduce SOS line as the first and most important step of support with regard to all forms of violence by the Convention.

The state of Montenegro is further obliged by the Convention on the Elimination of All Forms of Discrimination against Women - CEDAW, which foresees the introduction of appropriate mechanisms through a strengthened system of social and other support and protection of victims of domestic violence. It also requires ensuring the legal protection of women against violence through affirmative action programs without delay - which means that this obligation of the state can not be put off by the justification of the difficult economic situation in the country. Affirmative action programs need to ensure the provision of support to victims during the intervention, and to establish SOS telephone and shelters for victims of domestic violence.

<sup>6</sup> The Declaration on the Elimination of Violence against Women - This document represents the UN General Assembly Resolution 48/104 adopted on 20th December in 1993.  
<sup>7</sup> The Convention of the Council of Europe adopted on 7th of April 2011 and opened for signature in May 2011 in Istanbul and for this reason has been named the Istanbul Convention.



In the process of EU integration, through Chapter 23 Judiciary and Fundamental Rights and Chapter 24 Justice, freedom and security, the state is required to improve the existing mechanisms and to ensure, through law and other appropriate means, adequate protection of victims of domestic violence. The action plan of Montenegro related to chapter 23, explicitly states the establishment of national SOS line as one of the priorities in the field of protection against domestic violence and violence against women.

National SOS line for victims of domestic violence, is obligation of the state that is foreseen by the Law on Social and Child Protection, Article 63, which defines „Improving the quality of the system of protection of victims of violence.“ The introduction of the National SOS Line has been recognized through documents such as the Strategy for Protection from Domestic Violence 2011-2015 - Activity 15 and the Plan of Action for Gender Equality 2013- 2017 Activity 5.5.5.

## 5. Qualitative assessment on the up scaling potential

National helpline as a service is an innovative, for a number of features in the manner of establishment, as well as in terms of functioning of the service. A justification of the introduction of this service in Montenegro is shown by the number of calls for assistance that is addressed during the pilot phase, which had a steady upward trend, as well as the number of requests for different services. The establishment of this mechanism of protection has led to improved cooperation and support at the institutional inter-sectoral level, especially at the level of local intervention.

After initial experiences that have shown the importance of these services for people with experience of violence, it is certainly necessary to work on improving service model to include more people and have a better effect on the community.

It is necessary to continuously work on informing the public, and raising awareness about the individual responsibility for domestic violence. In this way will, beside increasing the number of calls made by vulnerable people, also increase the number of calls made by third parties in favor of the victims of domestic violence.

In order to improve the availability and adequacy of services for specific groups of women, effort should be made on creating conditions for bilingual provision of services.

Bearing in mind that the service does not end with the interview on the phone in terms of information and referral, but includes contacts with the relevant institutions, and often contacts with the clients, it is unrealistic to expect that staff engaged in this service can cover the whole territory of Montenegro. Especially because the number of calls to the national SOS line is continuously increasing. On the other hand, the number of calls and the number of clients in other local emergency organizations is not reducing. On the contrary, due to the 24-hour hotlines, the number of personal contacts and interventions related to the direct assistance and support to clients is constantly increasing.

For all these reasons it is very important to plan the improvement of existing services by introducing a decentralized model that would include the involvement of multiple organizations which would be geographically allocated (central, southern and northern regions). The decentralized model works in a way that calls to central automatically are being redirected to the nearest SOS line in relation to the place from which the call was made. By establishing a decentralized model, the availability of other local services, such as legal aid, psychological support as well as following clients through institutions of system in a role of a confident person, could be improved.

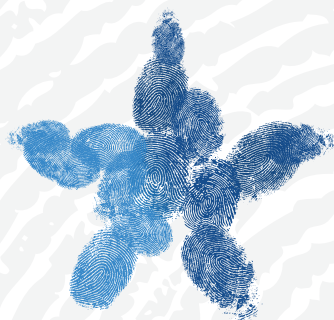
At the same time, the mentioned model would allow assessment of the legal situation in terms of relevant data on the number of detected offenses of domestic violence and the needs of victims of violence. The long-standing practice of the Ministry of Labour and Social Welfare and the Ministry of Human and Minority Rights, responsible for monitoring appearance of domestic violence, was to annually consolidate information from all women's organizations dealing with the protection of victims of violence.

Since the introduction of national SOS helpline, these data are not collected but only information of this service are accepted. By using data from just one service, problem of domestic violence is minimized and the data being misused as „proof“ that domestic violence is not a significant problem in Montenegro and that the current number of reported cases does not justify the need for the introduction of new or expansion of existing services.

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