



UNIVERZITET U BEOGRADU
FAKULTET ZA SPECIJALNU
EDUKACIJU I REHABILITACIJU

UNIVERSITY OF BELGRADE
FACULTY OF SPECIAL EDUCATION
AND REHABILITATION

11.

MEĐUNARODNI
NAUČNI SKUP
„SPECIJALNA
EDUKACIJA I
REHABILITACIJA
DANAS”

11th

INTERNATIONAL
SCIENTIFIC
CONFERENCE
“SPECIAL
EDUCATION AND
REHABILITATION
TODAY”

ZBORNIK REZIMEA

BOOK OF ABSTRACTS

Beograd, Srbija
29-30. oktobar 2021.

Belgrade, Serbia
October, 29-30th, 2021

UNIVERZITET U BEOGRADU – FAKULTET ZA SPECIJALNU EDUKACIJU I REHABILITACIJU
UNIVERSITY OF BELGRADE – FACULTY OF SPECIAL EDUCATION AND REHABILITATION

Beograd, 2021.
Belgrade, 2021



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University of Belgrade – Faculty of Special Education and Rehabilitation

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DIZAJN I OBRADA / DESIGN AND PROCESSING

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Zbornik rezimea biće publikovan u elektronskom obliku

Book of abstracts will be published in electronic format

Tiraž / Circulation: 200

ISBN 978-86-6203-149-5

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ULOGA NADLEŽNIH DRŽAVNIH ORGANA U SPREČAVANJU NASILJA U PORODICI*

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Uvod: Nakon četiri godine od početka primene Zakona o sprečavanju nasilja u porodici broj žrtava lišenih života u porodičnom nasilju nije se smanjio. Zakon o sprečavanju nasilja u porodici uređuje materiju saradnje i koordiniranog postupanja nadležnih državnih organa i ustanova u cilju blagovremenog sprečavanja i zaustavljanja nasilja, kao i delotvorne zaštite i podrške žrtvama.

Cilj: Cilj ovog rada je da se utvrdi šta se promenilo sa donošenjem Zakona o sprečavanju nasilja u porodici. Ratifikacija Konvencije Saveta Evrope o borbi i sprečavanju nasilja nad ženama i nasilja u porodici i slabosti dotadašnjeg načina suprostavljanja nasilju u porodici u Srbiji, doveli su do donošenja Zakona o sprečavanju nasilja u porodici. Policija dobija novu, preventivnu ulogu u suprostavljanju nasilju u porodici koja se sastoji u obavezi izricanja hitnih mera u svim onim slučajevima kada se proceni rizik da postoji neposredna opasnost od nasilja u porodici. Istraživanje, koje je prezentovano u ovom radu i koje se odnosi na period od tri godine (2018-2020), imalo je za cilj da utvrdi kakvi su efekti preventivnih mera koje preduzimaju nadležni organi, kao i da li se odredbe zakona primenjuju na ujednačen način na teritoriji Srbije.

Metod: U radu su primenjene sledeće naučne metode istraživanja: normativna i statistička metoda, analiza sadržaja, komparativna metoda i formalno-logička analiza.

Rezultati i diskusija: Identifikovani su i sistematizovani problemi i propusti u radu nadležnih organa, pre svega policije i javnog tužilaštva, koji dovode do smanjene efikasnosti i efektivnosti u sprovođenju zakona. Rezultati su nam pokazali da: 1) je težišna usmerenost nadležnih organa na poštovanju formalnih procedura, 2) je uočljivo neujednačeno postupanje nadležnih državnih organa prilikom pozivanja žrtava da prisustvuju sastancima Grupa za koordinaciju i saradnju, 3) efekti mera iz planova zaštite koje donosi Grupa za koordinaciju i saradnju pokazuju da u izvesnom broju slučajeva ipak dolazi, nakon nekoliko meseci od izricanja hitnih mera, do ponavljanja nasilja i teških posledica.

* Rad je nastao kao rezultat istraživanja na projektu „Razvoj institucionalnih kapaciteta, standarda i procedura za suprostavljanje organizovanom kriminalu i terorizmu u uslovima međunarodnih integracija“ (br. 179045), koji finansira Ministarstvo prosvete, nauke i tehnološkog razvoja Republike Srbije.

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Zaključak: Na kraju, autori zaključuju da nov način rada nadležnih državnih organa, odnosno stavljanje naglaska na preventivno postupanje policije, javnog tužilaštva i suda, pokazuje izvesne rezultate koji se ogledaju u smanjenju broja podnetih krivičnih prijavi za nasilje u porodici i smanjenju broja učinilaca krivičnih dela. Međutim, zaključeno je da se ne radi provera efektivnosti preduzetih preventivnih mera, pa često dolazi do povrata i nastupanja najtežih posledica po žrtve nasilja u porodici. Dakle, prekid nasilja, sprečavanje novog i ponovljenog nasilja i zaštita bezbednosti žrtve je u prvom planu nadležnih državnih organa dok se ne iscrpe one radnje i mere koje su propisane Zakonom, ali kada je u pitanju praćenje planiranih i preduzetih mera nedostaje aktivniji pristup.

Ključne reči: *nasilje u porodici, prevencija, suzbijanje, zaštita, žrtva*

THE ROLE OF COMPETENT STATE AUTHORITIES IN PREVENTION OF DOMESTIC VIOLENCE*

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Introduction: Four years upon the beginning of implementation of the Law on Prevention of Domestic Violence the number of victims who lost their lives in domestic violence has not been reduced. The Law on Prevention of Domestic Violence regulates the area of cooperation and coordinated conduct of the proper state authorities and institutions with the aim of timely prevention and stopping of violence, as well as effective protection and support to victims.

Aim: The aim of this paper is to determine what has changed with the adoption of the Law on Prevention of Domestic Violence. The ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and the weaknesses of the manner of fight against domestic violence in Serbia until that time resulted in adoption of the Law on Prevention of Domestic Violence. The police are given a new, preventive role in fighting domestic violence, which consists of the obligation to pronounce urgent measures in all cases when there is estimated risk of direct danger of domestic violence. The research presented in this paper, which covers the period of three years (2018-2020), was aimed to determine the effects of preventive measures undertaken by the competent authorities, as well as to establish if the legal regulations have been implemented evenly in the territory of Serbia.

Method: The following scientific and research methods have been used in the paper: normative and statistical method, content analysis, comparative method and formal logic analysis.

Results and Discussion: Problems and omissions in the work of competent authorities have been identified and systematized, primarily of the police and Public Prosecutor's Office, which result in reduced efficiency and effectiveness in law enforcement. The results have shown that: 1) the main direction of competent authorities is to follow the formal procedure; 2) it has been noticed that there is uneven conduct of competent authorities when inviting victims to attend the meetings of Groups for coordination and cooperation; 3) the effects of measures listed in protection plans adopted by the Group for coordination and cooperation show that in a

* This paper is a result of research within the project “The development of institutional capacities, standards and procedures to fight organized crime and terrorism in the conditions of international integrations” (no. 179045), financed by the Ministry of Education, Science and Technological Development of the Republic of Serbia.

number of cases, after several months following the pronouncing of urgent measures, there comes repeated violence and severe consequences.

Conclusion: Finally, the authors conclude that the new manner of work of the competent state bodies, in other words the emphasis on preventive conduct of the police, Public Prosecutor's Office and the courts shows certain results, which reflect in reduction of the number of criminal charges brought for domestic violence and the reduction of the number of criminal offenders. However, it has been concluded that there is not a checkup if the preventive measures taken have been effective, so there often comes to repeated violence and the most severe consequences for the victims of domestic violence. Therefore, stopping of violence, prevention of new and repeated violence and the protection of victim's safety should be in the focus of the competent state authorities until all conducts and measures prescribed by the Law are exhausted, but as far as monitoring of measures which are planned and undertaken there lacks a more active approach.

Key words: *domestic violence, prevention, suppression, protection, victim*