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PHENOMENON OF PEER VIOLENCE WITH INSIGHT INTO THE SITUATION IN SERBIA

Abstract

The phenomenon of peer violence has multiple dimensions and a global character. It can be identified risk factors and directly negative causes, as well as positive determinants for prevention of this socially dangerous phenomenon with devastating consequences for the victims. Peer violence is linked with younger and older minors, therefore it is primarily related to violence in schools, but it often takes on wider dimensions, because social models of behavior developed in the school are transmitted outside the walls of the school, as an integral part of the behavior of minors. Furthermore, the child's family relationships and social relationships outside of school are transferred and continue to act in school. Consequently, the paper discusses the causes of violence and ways to prevent peer violence in schools, as well as the psychological profile of the minor assailant and a victim. Special attention is paid to the legal and strategic frameworks for preventing peer violence internationally and in Serbia, with contemporary insight into the situation in Serbia. Concluding considerations formulate constructive guidelines for the comprehensive prevention of peer violence.

Key words: *Peer violence. Education system. Prevention.*

1. INTRODUCTION

Violence in the educational system in modern society is more and more prevalent to the extent of the pandemic, i.e. it has global dimensions. Peer violence has become everyday phenomenon in primary and secondary schools. The model of violent behavior of minors can be suppressed primarily by educating younger and older minors, parents and teachers, then by raising public awareness of the unacceptability of such patterns of behavior, but also by implementation of an optimal legal framework, as shown by examples of good practice. Empirical research¹ indicates that long-term damage from

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1 Popadić, Plut, Pavlović, 2014, *Violence in schools in Serbia – Analysis of situation from 2006 to 2013*, UNICEF, Institute for psychology, Ministry of education, science and technological development of Serbia, Belgrade.

peer violence is primarily suffered by the victims, with multi-layered negative consequences, but also the perpetrators. Practice shows that a modern and functional family and school with appropriate educational content and extra-curricular activities represent important factors in the prevention and suppression of peer violence.

The school can offer good models of socialization of minors through educational programs, as well as through encouraging tolerance and an atmosphere of cooperation in order to prevent peer violence. Parents and school employees must demonstrate that they will not tolerate that any student hurts another student, physically or mentally. Every student has the right not to be harmed and the right to learn in a safe environment. Teachers must be held accountable for better supervision and more careful monitoring.² In this way teachers will more successfully implement the educational process. On the other hand, students must be responsible for respecting the rights of others in the class in the spirit of equality, tolerance and mutual trust and help.

Prevention of peer violence should provide an answer to the question of how and when peer violence became so popular in the form of an acceptable model of behavior, not only at school, but also more widely, in all relationships between minors. Hence it is important to look at what bullying means, types of peer violence, risk factors, on the one hand and protective factors on the other. In elucidating the main characteristics of phenomenon of bullying, it is important to point out the psychological profiles of the perpetrators and victims. Bearing in mind that peer violence is a very dangerous social phenomenon, it is necessary to permanently improve legal frameworks for its suppression, starting from internationally established legal standards in this area. Finally, in the process of suppression of a wide-scale peer violence towards zero tolerance of society towards this phenomenon, it is necessary to identify guidelines for comprehensive prevention pathways.

2. PEER VIOLENCE – A „DISEASE“ OF MODERN SOCIETY OR PSYCHOLOGICAL DEVIATION?

2.1. *Concept, features and types of peer violence*

In response to the question about the conceptual definition of the phenomenon of peer violence, the definition of Olveus D. is widely accepted in the literature: „An individual suffers from peer violence when he or she is exposed to frequent and long-lasting negative actions from the one or more assailants, against whom he or she is unable to defend himself.“ Terminological defining peer violence is even more precise when using the term bullying: „A student is bullied or victimized when, repeatedly and over time, is exposed to the negative actions of one or more other students. It is a negative action when someone intentionally causes or attempts to cause injury or discomfort to another – basically what is implied in the definition of aggressive behavior

2 Bin L. A., 2004, *Classroom without violence*, Creative Center, Belgrade.

in social sciences. Negative actions can be done through physical contact, words or in other ways, such as making faces or making unpleasant gestures, spreading rumors and deliberately excluding from the group.³

In domestic literature, violence and aggression are mostly used as synonyms, however an aggression indicates a motivation that leads to harming the victim, while the term violence to a greater extent suggests the inadmissibility of causing harm.⁴ One of the famous studies on aggressiveness was done by Konrad Lorenz defining it as „the fighting instinct of animals and humans directed at members of their own species“.⁵ Aggressiveness has several meanings: aggressiveness, violence, attacking act, enmity, the aim of which is to injure a person, to destroy an object or to to cause awe from a person. In other words, aggression is an action of the imposition of personal will on another, which is supported by force, hostility and destruction, as well as causing damage.⁶ Violence among students can involve interaction between one bully and one victim, between several bullies and one victim or between one abuser and several victims. One person can be a bully in one interaction, and a victim in another situation.⁷ Although the phenomenon of peer violence dates back to ancient times, comprehensive research started in the 70s of the last century, mainly in Scandinavian countries, and then spread to the USA, Australia, Japan, Canada, Great Britain and the Netherlands. It was imposed by a global character of peer violence.

The imbalance of power, i.e. asymmetric power relations⁸ is crucial determinant in defining bullying. Hence the feeling of helplessness in the victim, which results in the inability to defend yourself. An imbalance in power relations can be either in the numerical superiority of the abusers or in the physical superiority of a perpetrator. There are three basic elements of peer violence / bullying:

- 1) it is carried out with the intention of causing physical or psychological harm to the victim,
- 2) it is repeated during a certain period of time and
- 3) it finds its source in the power imbalance between the abuser and the victim.

3 Olweus Dan, 1997, Bully/victim problems in school: Facts and intervention, *European Journal of Psychology of Education* 1991, Vol. XII, No 4, pp. 495-510 e 1997, I.S.P.A.

4 Popadić D., Plut D., 2007, „Violence in primary schools in Serbia – forms and frequency“, *Psychology* 2/2007, Institute for psychology, Faculty of Philosophy, Belgrade, pp. 309-312.

5 Djurić S., 2007, *Security risks in schools – detection and response models*, Faculty of Security, University in Belgrade.

6 Ivković M., Milenković Ž., 2009, Aggression of elementary school students towards teachers, *Contradictions of socialization of young people and the role of education in affirming the value of the culture of peace*, Faculty of Philosophy, Niš, pp. 137-138.

7 Ninković S., 2010, Counseling violent and victimized students, *Pedagogija* 3, 2010, High teachers' training school, Kikinda, pp. 428-433.

8 Olweus D., 1999, *The Nature of School Bullying: A Cross-National perspective*, Routledge, London.

Forms of peer violence are:

- A. Physical violence – causing physical injury (hitting, pushing, inflicting physical pain, plucking, physical restraint);
- B. Verbal violence – mockery, blackmail, intimidation, gossip, belittling, calling names, mocking, threatening;
- C. Social isolation (ostracism, ostracism/exclusion from society) – impact on other children to exclude a certain child from the group, gossiping, ignoring, abusive grimaces and gesticulations, deliberate exclusion from the circle of friends.

Considering the huge prevalence of verbal violence among minors peers in schools,⁹ it is important to distinguish it from teasing. In this sense, teasing has a friendly character,¹⁰ and it cannot be considered as a bullying, even though it is often repeated. Why it is important to make here the difference? The answer lies in the fact that, when repeated teasing is humiliating and offensive in nature, especially when it continues despite clear signs of upset or opposition of the victim, it certainly qualifies as bullying. Therefore it is necessary to keep in mind the three basic elements mentioned above for identification of bullying among peers.

Peer violence among school-aged children can be caused by different factors causes: popularity among peers, social and/or property status, other personal trait or trait that sets a child apart from other peers. Bullying is often a consequence of discriminatory stereotypes, which are present in society and popularized through media and/or close environment of the child. Based on the above-mentioned causes, the following subtypes of peer violence are distinguished:

- a) Sexual harassment – unwanted touching, pinching, comments with a connotation of sexual nature, etc.;
- b) Harassment or similar negative treatment on ethnic, racial or religious grounds, or on any other basis strictly prohibited by international law;
- c) Harassment or similar negative treatment on an educational, class affiliation basis or on any other basis;
- d) Economic violence – theft, extortion of money.

A special problem is „cyber-bullying“, i.e. violence on the Internet, electronic or digital violence, which represents a special type of peer violence and is connected with new communication technologies. A child or adolescent uses the Internet, interactive and digital technologies or mobile phones to harass, threaten, humiliate, embarrass or otherwise harm another child or adolescent.¹¹ This type of violence is intertwined with verbal violence, and

9 Popadić D., Plut D., Pavlović Z., 2014, p. 183.

10 Olweus D., 1999.

11 http://www.stopcyberbullying.org/what_is_cyberbullying_exactly.html.

quite often with sexual harassment. Hence, many authors emphasize that there are no clear boundaries between different forms of peer violence.¹²

The specificity of cyberbullying is that the perpetrator may have very little power in direct interaction with the victim, but achieves a high level of power in the virtual space due to dexterity in the use of electronic technologies. At the same time, the long-term damage that the victim's suffering is often caused by just one negative action, such as mounting compromising photos or sending a malicious text message, which is then forwarded electronically to a large number of different people over a long period of time. In this way, repeated victimization of the victim occurs. Cyberbullying can be manifested in a direct or indirect way. In direct cyberbullying, the perpetrator directly commits violence against the victim or several victims with the intention of causing harm, with positions of power in relation to the victim. Indirect cyberbullying is done through intermediaries, that is, through the interference of other persons, with or without their knowledge.¹³ Anonymity of the bully, the accessibility of the victim and the huge audience make cyberbullying exceptionally complicated to suppress.

2.2. Social and psychological factors of peer violence

There are many complex reasons why some minors are violent towards to their peers. Violent behavior can be an attempt to gain popularity the wrong way, an attempt to draw attention to oneself or an attempt to introduce the assailant in the light of determined and capable. It can also be a reflection of powerless jealousy or personal frustrations. A child exposed to violence in his family often transmits the same behavior pattern on their school environment, and later on partner relationships and relationships at the workplace. There are individual, family, school, peer and social risk factors for the occurrence of violence, which affect children's childhood and youth. Those risk factors are intertwined in practice.

However, if child or adolescent aggression is channeled through sports activities, positive sublimation occurs, which results in sport successes and wide social approval, which is accompanied by rewards. Causes of peer violence, in addition to aggressive patterns of behavior learned in dysfunctional family, can be furthermore connected with to stress, war environment, bad influence of the media and the characteristics of the child environment, especially the negative influence of family relationships, where children are neglected and abused within the close family. There can be also problems of alcoholism in the family. Consequently, child can feel without the necessary parental love, support and protection, resulting in low self-esteem and turning away towards aggression. Therefore, violence at school

12 Milošević L., Marković Krstić S., 2009, Problems of violence in schools in some Balkan countries, *Contradictions of youth socialization and the role of education in the affirmation of cultural values of peace*, Faculty of Philosophy, Niš, p. 361.

13 Aftab P., 2006, What methods work with the different kinds of cyber-bullies?, <http://www.stopcyberbullying.org/pdf/howdoyouhandleacyberbully.pdf>.

can be directed not only towards peers, but also towards the teachers, which again can cause negative feedback from them.

The bad influence of the media is present every day through films that propagate violence, as well as other media and social networks aimed at promoting negative patterns of behavior. In the elementary school „Vladislav Ribnikar“ on May 3, 2023 in Belgrade, a boy of less than 14 years committed mass murder of his nine peers and one school guard, injured six peers and the professor. He left a black mark with an open question about the causes of this grave tragedy. In addition to the fact that weapons must never be near a child, many psychiatrists and psychologists have linked this serious child crime to the influence of media, social networks and movies, which directly promote violence.¹⁴ „Research has shown that the media can influence imitation. The way the media reports an event can play a role in increasing the likelihood of imitation. When a mass shooting occurs, there is generally extensive media coverage. Detailed coverage of the perpetrator’s life and problems leads to others can identify with him.“¹⁵ However, a complete analysis of the causes of this unprecedented tragedy has not yet been completed (at the time of writing). The father of the boy murderer was arrested due to the fact that the weapon was available to the boy and that he has led his son to the shooting training. Those facts indicate responsibility of parents. Nonfunctional family relations, besides negative social environment and media influence, are primary risk factors for peer violence.

In a psychological sense, aggression as a drive appears at the earliest children age when they want to achieve or get something.¹⁶ Peer violence certainly includes fights and mutual mistreatment of students that happen outside of school.

Hence, it is important to point out the social context of peer violence, which it requires solving this problem on a broader social level, and not exclusively on the educational level system. Child abusers often repeat their patterns of aggressive behavior later in life, which has particularly negative consequences for their network of social relations, and thus for society as a whole.

The interdepartmental integrated response to the problem of peer violence includes, in addition to parents and teachers, the necessity of including centers for social work, health institutions and bodies of the judiciary, as well as members of parliament.¹⁷ If there is no effective prevention and suppression

14 „He didn’t confide to his close surrounding“: Psychologists on what could have led the boy to commit a horrific crime, <https://www.espreso.co.rs/vesti/hronika/1281085/ubistvo-u-skoli-na-vracaru>, 2/09/2023.

15 Mihnjak J., „Imitation of crime, All journalists should read these words of a psychologist...“, <https://www.ekspres.net/vesti/ove- reci- psihologa- bi- svi- novinari- trebalo- da- procitaju-7-5-2023>, 2/09/2023.

16 Ćorić M., 2009, Bulling as a form of social violence, *Politička revija* 2/2009, Beograd, p. 151.

17 Skočajić M., Stojanović F., 2019, *Youth and peer violence: how to create from passive observers agile citizens?*, Center for Public Policy Research, Sweden, OSCE, Belgrade.

of peer violence, instead of a stimulating environment, school becomes a place that the child rejects. The reaction of a minor victim of bullying ranges from passive (about 44%) to reaction avoiding predators until returning with the same measure. In cases of physical violence, boys are more often bullies than girls, but they are also more often victims of violence. Girls demonstrate more pronounced forms of verbal violence and social isolation.

The victim's psychological structure indicates reticence, shyness, and sometimes some physical flawed, often weak physique, and such minors are suitable targets for their own peers, bullies. Exposure to violence is associated with greater anxiety and depression and low self-confidence, and such a picture applies to both sexes and different children age.¹⁸ The consequences of bullying are emotional, physical, and often with long-term psychological problems in the victim. If bullying lasts longer (several weeks, several months), the listed consequences are more extensive and long-lasting. The problem worsens in a situation where a maltreated child following fear hides its position as a victim, and teachers and parents did not recognize it in time as peer violence, and there is no social support mechanism. Intimidation, as a form of peer violence is characterized by long-term, deep and constantly present fear. Therefore, fear is not only a method to achieve the goal of bullying, but also the goal itself. Intimidation of the victim is for the abuser a way of expressing power and the way of forcibly keeping the victim in secret for further unhindered harassment. A frightened victim of peer bullying does not dare to talk about it, nor to ask for help from teachers and parents. A vicious circle is created in which the victim feels abandoned, which contributes to the increase in the intensity of bullying.

Therefore, some authors indicate two types of victims of peer violence: passive victims and provocative victims.¹⁹ Passive victims are more numerous and characterized by cautiousness, shyness, weak physique and withdrawal when the bully attacks them. Risk from the repetition of mistreatment increases, because such a victim reveals the image of a person which will not retaliate against the abuser.²⁰

In one study²¹, when students were asked why, according to their own opinion (self-assessment), were victims of peer violence, the most common answer was: because they are small and weak. Furthermore, the research results indicate that victims of violence, regardless of gender, consider themselves less attractive and desirable for socializing compared to other children. Provocative victims make up a smaller group of victims. They

18 Popadić D., 2009, *Violence in schools*, UNICEF, Institute of Psychology, Belgrade; Rubin K.H., Bukowski W.M. & Parker J.G., 2003, *Handbook of Child Psychology: Vol. 3, Social, Emotional and Personality Development, 6th ed.*, John Wiley & Sons Inc., New York, p. 15.

19 Olweus D., 1999, *The Nature of School Bullying: A Cross-National perspective*, Routledge, London, pp. 28-48.

20 McNamara B. & McNamara F., 1997, *Keys to Dealing with Bullies*, Hauppauge New York, p. 18.

21 Erling A. & Hwang P., 2004, Swedish 10-Year-Old Children's Perceptions and Experiences of Bullying, *Journal of School Violence*, pp. 33-43.

react to violence with contra-aggression and hyperactivity. A vicious circle is created again, because hyperactive behavior acts provocatively and further encourages aggression.

The psychological profile of the assailant shows the need to exert power, control and dominance over peers, as well as a marked absence of empathy for victims. The bully is defiant, does not obey school rules and clashes with teachers. Antisocial behavior is reflected and in uncontrollable anger, he/she avoids schoolwork and exerts permanent anger towards the surroundings. The bully does not have to directly participate in the violence, but can be the instigator i.e. the organizer of the abuse of the victim. The bottom line is that he enjoys aggression and has no compassion towards the victim. On the contrary, the abuser succeeds in intimidating and harassing the victim, either for her/his appearance, either because of jealousy of the victim's success, popularity or ethnic origin or because of religious affiliation of the victim.

Young and preschool children show signs of violence or risk factors when they have frequent fits of anger and aggression without reason, impulsivity, then constant rejection of rules and listening to adults, if they are not attached to parents and enjoy in violent topics, as well as when they show hostility towards peers. Indicators of aggressiveness in school children are: poor attention and concentration in classes, disruption of school activities, poor performance in school, participation in fights with peers, angry reaction to teasing, rejection from surroundings, confrontation with teachers and parents, feeling of frustration and lack of sympathy. Adolescent risk factors include lack of respect for authority, violent problem solving, lack of empathy for others, poor school success, alcohol and drug use, bad family relationships, fights, theft and destruction of public property.

The listed risk factors point to the presence of a propensity for violence among children peers. However, violence is often shown towards teachers as well, as show many studies.²² In addition, children prone to violence impose themselves in the surroundings and gather a group, whose members are connected by the same or similar level of antisocial behavior. Associate members of such a group abide with the authority of the group leader, they support actions of bullying other children and spread falsehood, hatred and slander. In such a way the group of thugs is governed by a climate of cohesion and mutual support of its members, but with the negative goals of bullying other children. Therefore, it is important to point out that violence is only such harm (physical and/or emotional), which is planned and intentional.²³ Accidental incidents that result in injuries, such as rough games, pushing in school corridors and stairs, sports injuries in classes of physical education, are examples of children being harmed by their peers, but without premeditation and prior plan. The line between accidental and intentional injury is difficult

22 Popadić D., Plut D., Pavlović Z., 2014, Violence in Serbian schools - Analysis of the situation from 2006 to 2013. year, UNICEF, Institute of Psychology, Ministry of Education, Science and Technological Development of Serbia, Belgrade.

23 Popadić D., 2009, Violence in schools, UNICEF, Institute of Psychology, Belgrade, p. 19.

to see in specific cases, which makes it even more difficult to recognize a peer violence and the adequate reaction of teachers and parents is often lacking.

Important element of peer violence is its repetition in a certain period of time. This means that peer violence is not a one-off event, but it is the threat of further aggression that is constantly present, even when there is no concrete manifestation. Re-injury of the victim in various ways is certain. The bully stops bullying when he/she encounters an obstacle, when the bully is opposed by someone or something and when a resistance is strong enough to prevent violence.

3. LEGAL ASPECTS OF PEER VIOLENCE

3.1. *International legal standards for combating peer violence*

The Convention on the Rights of the Child²⁴ of the United Nations (1989, UN) is the most significant global international legal instrument for the protection of children's rights, which has been ratified by the largest number of countries.²⁵ The Convention contains a Preamble, which is referred to international agreements on human rights,²⁶ as well as 54 provisions. Optional protocol with the Convention on the Rights of the Child on the participation of children in armed conflicts was adopted in 2000²⁷ with the aim of raising the age limit at 18 years for the recruitment of persons into the state armed forces. Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography was also adopted in 2000.²⁸ The aim of this Protocol is to raise the standards to a higher level than those set in the provisions of Article 34 of the Convention on the Rights of the Child.²⁹

In its Article 16, the Convention stipulates that: „No child shall be exposed to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor illegal attacks on her or his honor and reputation. The child has a legal right to protection against such interference or attack.” Then, in accordance with Article 19: „The contracting parties shall take appropriate legal, administrative, social and educational measures to protect

24 SFRY Official Gazette - International Agreements No. 16/90, 4/96, 2/97.

25 A total of 196 countries have ratified this Convention (source: United Nations (UN) Treaty Collection, <https://treaties.un.org/>, 03/09/2023).

26 Geneva Declaration on the Rights of the Child from 1924, Declaration on the Rights of the Child from 1959, Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights (Articles 23 and 24), the International Covenant on Economic, Social and Cultural Rights (Art. 10), UN Rules on Minimum Standards for Juvenile justice (Beijing Rules) and the Declaration on the Protection of Women and Children in the event of a state of emergency and armed conflict.

27 SMN Official Journal - International Agreements, no. 22/2002.

28 SMN Official Journal - International Agreements, no. 22/2002.

29 Čović A., 2017, Children's rights - evolution, implementation and protection, Institute for Comparative Law, Belgrade, p. 24.

the child from all forms of physical or mental violence, injury or abuse, neglect or negligence treatment, harassment or exploitation, including sexual abuse, while under the care of parents, legal guardians or other persons who take care about the child. Such safeguards should, as appropriate, include effective procedures for the adoption of social programs to ensure the necessary support for the child and those who take care of the child, as well as other forms of protection and prevention, identification, reporting, referral, investigation, handling and monitoring of cases of child abuse mentioned here and, if necessary, addressing the court.“

Furthermore, Article 39 of the Convention stipulates that the signatory states shall undertake all appropriate measures to improve the physical and psychological recovery of the child victim of any form of neglect, exploitation or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment, or armed conflict. Such recovery and reintegration should take place in a supportive environment to health, self-esteem and dignity of the child. The provisions of Article 44 of the Convention establishes an obligation for the signatory states to submit a report to the UN Committee on Children's Rights, through the Secretary General on measures to establish the rights identified by the Convention and the progress that has been achieved in the enjoyment of those rights. The signatory states of the Convention are obliged to, within two years of acceptance documents to submit a Report on its implementation to the Committee on the Rights of the Child. After the first initial report, the states submit reports every five years on progress, which is achieved in the protection of children's rights.

The mentioned provisions of the Convention represent a solid legal basis for the national legal regulations regarding peer violence. Parties to the Convention are obliged to take appropriate legislative, administrative and other measures for implementation and protection of the rights recognized in the Convention. Hence the Convention on the Rights of the Child is classified as a comprehensive international document for the protection of children's human rights, as well as for rights of sensitive categories of the population for whose protection of the usual legal mechanisms are not sufficient.³⁰ Furthermore, the Convention regulates three types of children's rights: provision, protection and participation, i.e. participatory rights.³¹ The Convention replaced non-binding recommendations with binding standards and new obligations are imposed on Member States in terms of child protection in areas such as banning traditional practices harmful to children's health and offering rehabilitation measures for victims of neglect, abuse and exploitation (Articles 28 (3) and 39).³²

The Republic of Serbia is a party to the UN Convention on the Rights of the Child with its optional protocols and is therefore obliged to apply its

30 Čović A., 2017, p. 25.

31 Gasmı G. *et al.*, 2017, "International Norms Protecting Children's Human Rights – Case Study of Serbia", *Fiat Iustitia*, No 1/2017, p. 117.

32 Gasmı G. *et al.*, p. 118.

provisions and submit relevant reports to the Committee on the Rights of the Child (the Committee). The Republic of Serbia presented the Initial Report on the Implementation of the Convention on the Rights of the Child in 2008. Besides, in 2010, Serbia presented the Initial Report on the implementation of the Optional Protocol on the sale of children, child prostitution and child pornography. Second and Third periodic Serbia's state reports were prepared and presented to the UN Committee in early 2017. However, the Second and Third Alternative Periodic Reports were also prepared and submitted to the UN Committee. Those alternative reports were written by non-governmental organizations united in the Coalition for Monitoring the Rights of the Child in the Republic of Serbia, which it formed of sixteen non-governmental organizations in Serbia. All this proves the dynamism of the application process of the Conventions on the national level. After considering the national reports of Serbia, appropriate recommendations of the Committee on the Rights of the Child followed, aimed at improvement of protection of children's rights and of the legal framework by the desirable adoption of the umbrella law on the rights of the child.³³ In accordance with the obligations committed to with the ratification of the Convention on the Rights of the Child, Serbia as a State Party, according to Article 44 of the Convention, submitted to the Committee on the Rights of the Child (CRC) the Fourth and Fifth Periodic Report on the Implementation of the CRC for the period from 2017 to the end of 2021 in May 2022.³⁴

The UN General Assembly adopted the Resolution on the Protection of Children from Peer Bullying of violence in 2014,³⁵ in which it is pointed out that peer violence, including digital violence, can potentially have a long-term impact on the realization of human rights and a negative impact on children who suffer peer violence or who participate in it. UN Resolution calls on all states to take appropriate measures to prevent violence and protect children, including violence that occurs in schools. In cases of violence, state services must respond urgently and provide security appropriate support for victims. States are also invited to raise public awareness, as well as family members, legal guardians, persons who take care of children, young people, schools, community, community representatives and media as well as civil society organizations, with participation of children, on protecting children from violence. Resolution of the UN General Assembly on the protection of children from of peer violence is not legally binding, but represents the so-called „soft law“ and in this sense it is a significant influence on future steps that are expected of UN countries, including Serbia, in solving the issue of peer violence.

33 Concluding observations on the combined Second and Third periodic reports of Serbia, UN Committee on the Rights of the Child, CRC/C/SRB/CO/2-3, 3 February 2017.

34 <https://www.minljudskoprava.gov.rs/doc/ljudska-prava/prava-deteta/REPORT%20IV%20I%20V%20CRC%2025052022.pdf>, 07/09/2023.

35 General Assembly Resolution of 18 December 2014 [on the report of the Third Committee (A/69/484)] No 69/158. Protection of children from peer violence.

The UN Universal Declaration of Human Rights in Art. 25. Par. 2 regulates equality of children born in marriage and illegitimate children in the enjoyment of social protection. Charter of the Rights of the Child was adopted on November 20, 1959 and since then that day has been the Day of Children's Rights.

Council of Europe (CoE) Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse was signed in Lanzarote, Spain in 2007. The Convention entered into force on July 1, 2010. Serbia ratified this Convention in 2010.³⁶ The Convention is the first international instrument in the field of sexual violence related to children. The convention focuses primarily on preventive protection against violence, and if violence has occurred, the emphasis is on the protection of the child victim, the criminal prosecution of the perpetrator and the child's participation in the procedure. The child's participation in the procedure must be ensured with a special protection of his personality, conversations with the child are carried out by educated experts, without undue delay and with the recording of conversations for the purposes of court proceedings.

In the domain of preventive protection, states are obliged to organize for children and all professionals who work with children to get knowledge of forms of sexual abuse, the consequences it leaves and the ways and means of protection. In order to protect the child victim, states have an obligation to organize social support programs aimed at physical, psychological and social recovery of the child. When prosecuting the perpetrator, the state undertakes to prescribe the statute of limitations for criminal prosecution, which begins to run from the date of the victim's coming of age. The criminal prosecution continues even in the situation where the victim retracted the statements.

An important international document that deals with violence, including peer violence, is the Strategy of the Council of Europe on the rights of the child 2016 – 2021 (after Strategy 2012 –2015), which was created as a result of consultations with member states, civil society, ombudsmen for children, other international organizations and children.³⁷ This process is led by the Committee of Experts for the Strategy of the Council of Europe for the Rights of the Child. Strategy indicates that the prevention of peer violence begins with educating children about harmful consequences of violence and their impact on others. In this context, the Council of Europe promotes various types of civic education programs to combat violence in schools. All programs are based on the principles of the Council of Europe Charter on Education for democratic citizenship and human rights adopted by 47 member states. CoE Directorate for democratic citizenship and participation that implements the goals of the Council of Europe in the fight against violent behavior, creates various types of educational materials in the form of Manuals, which are used as instructions in schools, for handling in case of violence occurrence.

36 Law on ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Abuse („Official Gazette of RS - International Agreements“, No. 1/2010).

37 <https://edoc.coe.int/en/children-s-rights/7207-council-of-europe-strategy-for-the-rights-of-the-child-2016-2021.html>, 08/08/2023.

3.2. National legal standards for combating peer violence in Serbia

The Constitution of Serbia³⁸ in Art. 64 determines the child's right to:

- enjoyment of human rights appropriate to one's age and mental maturity;
- personal name, registration in the register of births, the right to know one's origin and right to preserve his identity;
- protection from physical, psychological, economic and any other exploitation or abuses;
- equal rights of children born in marriage and illegitimate children.

Children's rights and their protection are regulated in more details by law. The Constitution furthermore provides for the right to physical and psychological integrity (inviolability of physical and psychological integrity, Article 25): „Physical and psychological integrity is inviolable. No one can be exposed or subjected to torture, inhuman or degrading treatment nor punishment, or subjected to medical or scientific experiments without freely given consent.”

For the first time, the Law on the Basics of the Education and Training System regulates in more details the issue of protecting children and students from violence, abuse and neglect and in that way general rules and principles from strategic documents are raised to the level of imperative rules. Any activity that „endangers, belittle, discriminate or single out persons, or groups of persons, on the basis of: race, national, ethnic, linguistic, religious or gender affiliation, physical and psychological characteristics, developmental disabilities, health status, age, social and cultural origin, property status, or political belief“.³⁹

Encouraging or not preventing such activities is also prohibited. The law in detail regulates the concept of violence, abuse and neglect, prohibiting „physical, psychological and social violence, abuse and neglect of children and students, physical punishment and personal insult, as well as sexual abuse of children and students or employees“. The law defines that „violence and abuse means every verbal or non-verbal behavior, once committed or repeated, which has consequences of actual or potential endangerment of the health, development and dignity of the child's personality or employee“.

With the new Law on the Basics of the Education System, adopted in September 2017, a more determined fight against violence and stricter punishments are introduced, such as fines for parents of bullies, but also for school employees who cover up violence. If a student commits any of the more serious discipline violations at school, parents are responsible for misdemeanor or criminal charges. Also, a fine of 30,000 is foreseen for the parents up to 100,000 dinars, if their child bullies peers, e.g. hits, insults, belittles or endangers the health of peers. Among the basic objectives, in Art.

38 „Official Gazette of RS“, no. 98/2006.

39 Law on the Basics of the Education System, „Official Gazette of the RS“ no. 72/09, 52/11, 55/13, 35/15–Authentic Interpretation of the Law, 68/15 and 62/16–US.

8, it is especially pointed out: „providing a stimulating and safe environment for the complete development of the child, students and adults, developing non-violent behavior and establishing zero tolerance towards violence“.

The Law on Juvenile Offenders and Criminal Protection of Juveniles of persons contains special provisions on the protection of minors as victims in criminal procedure.⁴⁰ If the provisions of that law do not specifically regulate an issue, then the provisions of the Code of Criminal Procedure apply, if they do not contradict the provisions of a special law.

The Family Law⁴¹ does not contain provisions on peer violence, but it establishes responsibility of parents of abusers, who can be deprived of parental rights, completely or partially, if such behavior of the child is directly caused by neglect, abuse or similar actions of parents (Articles 84 and 85). This law in art. 6 prescribes that everyone is obliged to be guided by the best interest of the child in all activities concerning the child. The state has the obligation to take all necessary measures for protection of child from neglect, physical, sexual and emotional abuse and from each type of exploitation.

In the Criminal Code with amendments⁴² for all criminal offenses of sexual harassment, a higher prison sentence is prescribed if the crime was committed against a minor. In the field of abuse of minors via the Internet, the following acts are particularly significant: 1. Un-authorized photography (Art. 144); 2. Un-authorized publication and display of someone else's documents, portraits and recordings (Art. 145); 3. Displaying, obtaining and possessing pornographic material and exploitation of minors for pornography (Art. 185); 4. Exploitation of computer networks or communications by other technical means of criminal offenses execution against sexual freedom of (Art. 185b). Criminal Law prescribes a security measure — a ban on approaching and communicating with the injured party. By this code, new criminal offenses in the area of protection of minors from sexual exploitation activities and abuse of narcotic drugs have been incriminated. Furthermore, criminal sanctions for the criminal offense of human trafficking have been tightened, if it was committed to the detriment of a minor.

The Criminal Procedure Code, as amended,⁴³ provides the possibility for a minor to receive the status of a particularly sensitive witness (Art. 103) and ensures that measures are taken in order to protect his integrity, that is, protection from secondary victimization.

The Law on Misdemeanors, as amended,⁴⁴ which includes the provisions regarding minors, among other things, stipulates that a person who has not

40 The Law on Juvenile Criminal Offenses and Criminal Protection of Minors, „Sl. Gazette of the RS“, no. 85/2005.

41 Official Gazette of the Republic of Serbia, no. 18/2005, 72/2011, 6/2015.

42 Criminal Code of Serbia, Official Gazette of the RS, 85/2005, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019.

43 Criminal Procedure Code of Serbia, Official Gazette of the RS, 72/2011, 101/2011, 121/2012, 32/2013, 45/2013, 55/2014, 35/2019, 27/2021 - decision of the Constitutional Court, 62/2021 - decision of the Constitutional Court.

44 Law on Misdemeanors of Serbia, Official Gazette of RS, 65/2013, 13/2016, 91/2019.

reached the age of 14 cannot may be subject to misdemeanor liability. In addition, a person at this age who appears in the misdemeanor proceedings as a witness, that is, the injured party, cannot be confronted with the offender.

The Law on Police from 2005, for the first time, introduces a special provision on the application of police powers towards minors. Subsequent Law on Police from 2016,⁴⁵ additionally elaborates this provision since it foresees the passing of a bylaw that will regulate in more detail the way of acting in this area. It is important to point out the Law on Social Security protection, adopted in 2011,⁴⁶ which defines child protection services, including those that relate to protection from violence and neglect.

Furthermore, there is a strategic approach towards violence against children.⁴⁷ The General Protocol for the Protection of Children from Abuse and Neglect was adopted in 2006. General protocol is based on the principles of the child's right to life, survival and development; non-discrimination; the best child's interest and child's participation. The general protocol does not regulate, use or define the issue of school violence nor the term peer violence, but defines the terms of abuse (physical, emotional and sexual), neglect and exploitation. The general protocol focuses on centers for social work, as basic services for child protection. This leaves room for regulation of specific situations with special protocols. Series of special protocols were created for the purpose of more detailed regulation of this area in relevant institutions (educational and health institutions⁴⁸), as well as for actions of certain state services (police⁴⁹, judiciary⁵⁰, centers for social work⁵¹). Although they were created in the form of soft law, i.e. as guidelines, these acts contain a lot of detailed mechanisms for the

45 Law on the Police of Serbia, Official Gazette of the RS, 6/2016, 24/2018, 87/2018.

46 Law on Social Protection, Official Gazette of RS, 24/2011.

47 The Strategy for the Prevention and Protection of Children from Violence was adopted by the Government of the Republic of Serbia on May 21, 2020, for the period from 2020 to 2023 with the corresponding Action Plan for 2020 and 2021. This document represents an important step in the process of strategic improvement of the protection of children from violence in Serbia, especially when it is taken into account that the previous National Strategy for the Prevention and Protection of Children from Violence covered the period from 2009 to 2015. The strategy defines different types of violence and, unlike the previous one, it recognizes a greater number of environments in which violence occurs. In this sense, it indicates that corporal punishment of a child, in order to correct or control behavior, is a form of child abuse and that a society is to have zero tolerance for it. The document also emphasizes the importance of special protection of children from sensitive groups who are often exposed to multiple forms of violence, and recognizes children in street situations, refugee children, migrant children, LGBTI children, Roma children, among others, as particularly vulnerable groups of children.

48 Special protocol of the health care system for the protection of children from abuse and neglect (2009), Belgrade, Ministry of Health of the Republic of Serbia.

49 Special protocol on the behavior of police officers while protecting minors from abuse and neglect and Instructions on the behavior of police officers towards minors and younger adults.

50 Special protocol on the actions of judicial authorities in the protection of minors from abuse and neglect (2009), Belgrade, Ministry of Justice of the Republic of Serbia.

51 Special protocol for the protection of children in social protection institutions from abuse and neglect. (2006). Belgrade, Ministry of Labor, Employment and Social Policy.

prevention and suppression of school violence, which are exposed at systematic way. These protocols are not legally binding, but the competent ministries adopted them through their internal acts and thus made them legally binding.

Special protocol for the protection of children and students from violence, abuse and neglect in educational institutions was adopted in 2007, and later the Rulebook on the Protocol of actions in the institution in response to violence, abuse and neglect was adopted,⁵² in which the rights and obligations of actors are determined depending on the level of violence. According to the Rulebook, schools must report within 24 hours the most serious forms of violence to the responsible school administration and the organizational unit of the Ministry that supervises, evaluates and provides support to schools. The most severe forms of psychological and social violence include threats, intimidation, isolating individuals, blackmailing with serious threats, extorting money and restricting movement.

Peer violence is divided into three levels in relation to intensity, of which the first level is the weakest, and the third level of violence is the strongest. If it is the first one level, the activities are undertaken independently by the teacher, in cooperation with the parent. At the second level, activities are undertaken by the teacher, in cooperation with the pedagogue, psychologist, the team for protection and the director, with the mandatory participation of parents. Increased educational work is at stake. When the third level of violence occurs, activities are undertaken by the director with the team for protection, with mandatory engagement of parents and competent authorities, organizations and services (center for social work, health service, police and other organizations and services). The Rulebook distinguishes five forms of violence: physical, psychological, social, sexual and digital. The same forms of violence can appear at several levels, but they differ in intensity and risk degree, consequences and participants. *Exempli causa*, hitting can be marked as physical violence of the first and second level, while a similar fight represents violence at the third level.

4. PREVENTION OF PEER VIOLENCE

Since the mid-2000s, prevention and suppression of violence against children and protection of children from violence were identified as important priorities of Serbia. However, according to the assessment of the UN Committee on the Rights of the Child since 2017, when considering the Periodic Report of Serbia,⁵³ the biggest problem in implementing the adopted strategic documents is failure of THE state administration to fully penetrate into their essence.⁵⁴ Starting in 2015, a new Council for Children's

52 Off. Gazette of the RS, no. 46/2019, 104/2020.

53 Second and Third Alternative Periodic Report on the Implementation of the Convention on the Rights of the Child in the Republic of Serbia (2008 – 2014), Child Rights Centre, Belgrade, 2015, pp. 11-12.

54 Concluding observations on the combined Second and Third periodic reports of Serbia, UN Committee on the Rights of the Child, CRC/C/SRB/CO/2-3, 3 February 2017.

Rights of Serbia was formed,⁵⁵ as a permanent working body of the Assembly of Serbia. Strengthening the role of the National Council for Children's Rights as the main institutional mechanism for coordination at the inter-ministerial level, with a clear mandate and sufficient powers to coordinate all activities related to implementation of the Convention on the Rights of the Child, at inter-sectoral, national and local level, is very necessary.⁵⁶

Furthermore, it is important to encourage systematic monitoring of the adoption and implementation of the policies and recommendations of the National Council for the Rights of the Child of the National Assembly, in relation to legislation relevant to children. In the Recommendations of the UN Committee on the Rights of the Child from February 2017, it is especially indicated the necessity of strengthening national programs for combating violence in schools, with the support of the Ministry of Education and the teacher training agencies, in order to establish standards, mentoring and research on violence in schools, and provide for training, including parents about the risks of (cyber) violence. Campaigns to raise public awareness were recommended, as a means of changing existing attitudes regarding violence against children in the direction of zero tolerance.

Every school should have an anti-bullying (safeguarding) team that will include people who are trained and competent to deal with the problem, but who also know when to ask for help if they need it. Responsibility for solving the problem is left to schools and the Safeguarding Team from violence, abuse and neglect within schools. Team members and managers for protection are determined by the director of the institution from ranks of the employees (teacher, educator, specialist associate, secretary, etc.). The number and composition of the team for protection depends on the specifics of institutions (type and size of the institution, organization of work, separate departments, attendance of children and students from minority and marginalized groups,

55 The Council for the Rights of the Child was founded in 2002 and adopted the National Action Plan for Children in 2004, which represents a strategic document of the Government of the Republic of Serbia defining the country's general policy towards children for the period up to 2015. Accordingly the strategic goal of protecting children from abuse, neglect, exploitation and violence was accentuated. According to the National Action Plan for children, there is a need to establish a comprehensive system for child protection that will be in accordance with the principles is highlighted Convention on the Rights of the Child and respect the principle of the best interests of the child. In order to realize this strategic goal, in The National Action Plan for Children were defined four specific goals: 1. Increasing the awareness and knowledge of experts, laymen, but also of the children themselves, on issues related to children's rights to protection from all forms of abuse, neglect, exploitation and violence; 2. Establishing an efficient, operational multi-sector network for the protection of children from abuse, neglect, exploitation and violence; 3. Harmonization of the legal framework for the protection of children with the Convention on Rights of the child, A world tailored to the child and other international documents related to the protection of children from abuse, neglect, exploitation and violence and 4. Drafting and adoption by the Government of a comprehensive National Strategy for protection of children from all forms of abuse, neglect, exploitation and violence.

56 Gasmi G. *et al.*, 2017, "International Norms Protecting Children's Human Rights – Case Study of Serbia", *Fiat Iustitia*, No 1/2017, p. 119.

etc.). The institution may include into this team, representatives of parents and the local community, the student parliament and if necessary, appropriate experts (social worker, special pedagogue, doctor, representative of police, etc.). The tasks of the team for protection are, in particular, to: 1) prepare the program of protection; 2) informs children and students, employees and parents about planned activities and opportunities to seek support and help from the team; 3) participates in trainings and projects for the development of competencies needed for the prevention of violence and of abuse and neglect; 4) proposes measures for prevention and protection, organizes consultations and participates in risk assessment and decision-making on procedures in cases of suspicion or incidents of violence, abuse and neglect; 5) includes parents in preventive measures and intervention measures and activities; 6) monitors and evaluates the effects of the protection measures taken for children and students and makes appropriate proposals to the director; 7) cooperates with experts from other competent authorities, organizations, services and media for the comprehensive protection of children and students from violence, abuse and neglect; 8) maintains and stores documentation; 9) reports to expert bodies and management bodies.

The Ministry is investigating what the school did about the violence and, if necessary, takes further action if parents complain about the school's actions (not all parents know for this option), or if the school itself asks them to do so. If deemed necessary, the Ministry can carry out inspections, sometimes several months after the incident. In practice, however, parents most often put pressure on the school and „threat“ them by addressing to the Ministry or the media.⁵⁷

In order to prevent peer violence in schools, Aleksa's law was prepared, which was named after the victim of peer violence, Aleksa, who killed himself after prolonged violence at school. As a fourteen-year-old, he was a victim of verbal and physical bullying for months, which is why he committed suicide in 2011. However, Aleksa's Law has not yet been adopted.⁵⁸ Alexa's law foresees severe punishments for abusers, but also for responsible persons who cover up peer violence. One part of the law was included in the amendments to the Law on Basic Education. No measures have been adopted regarding the establishment of a greater degree of responsibility of teaching staff and school directors in cases of serious injuries or death of students.

In the annual report (2019) of the Protector of Citizens,⁵⁹ it is stated that schools often do not take adequate measures to protect children from violence, and safeguarding teams are not functional or they don't work according to procedures. Therefore, the Protector of Citizens advocates for

57 Center for Investigative Journalism of Serbia, Winner of the European Journalism Award 2017. <https://www.cins.rs/vrsnjacko-nasilje-raste-pojedini-roditelji-prepusteni-sami-sebi/>, 28/05/2023.

58 At the time of writing this paper. <https://www.danas.rs/vesti/drustvo/o-njega-se-ocesalali-pozicija-i-opozicija-zasto-smo-se-ponovo-setili-aleksinog-zakona/>, 12/09/2023.

59 Regular annual report of the Protector of Citizens, March 15, 2019, p. 30.

a more efficient control of schools in this area by the Ministry of Education. In the prevention of peer violence, a multidisciplinary approach is necessary in practice, with the involvement of centers for social work, pedagogues and, in the most difficult cases, the police and judicial authorities. An approach based solely on punishments is not effective, as show the data of conducted research.⁶⁰ The role of educational workshops and educational work of employees in the education system is a key link in the chain steps to suppress peer violence.

In this context, the „School without violence“ prevention program was developed and implemented since 2005,⁶¹ with the aim of preventing violence against children and among children and young people and providing concrete knowledge about how the problem of violence can be solved by techniques of behavior and procedures in overcoming conflict. Communication with parents is of essential importance in the prevention process. The „School Policeman“ project, which started as early as 2002, contributed significantly to the strengthening of security in schools and the suppression of the bullying phenomenon among minors (Nikač et al., 2013, 102).⁶² However, the drawback is non-sufficient number of school police officers, which is cited as one of the key safety problems at school, according to recent research.⁶³

Some authors particularly point to the importance of a positive school climate in the prevention of peer violence, where they define the school climate as „a relatively permanent character of the school which reflects on the actions of all persons involved in the school system and represents their collective perception of the situation at school“.⁶⁴ In the context of suppression of peer bullying, a positive school climate has the role of a protective factor.

The national dialogue on violence against children, held in April In 2015 with the support of UNICEF, resulted in a consensus reached by several Ministries — Ministry of Labor, Employment, Veterans and Social Affairs, Ministry of Health, Ministry of Justice, Ministry of Education, Ministry of Youth and sports — and civil society partner organizations to improve the

60 Osofsky J., 1997, Children and youth violence, an overview of the issues, in: *Children in a violent society 3-9*, (ed.) Osofsky J., the Guilford Press, New York.

61 The program was initiated by the Ministry of Education, Science and Technological Development in partnership with UNICEF, Ministry of Health, the Ministry of Labor and Social Policy, the Institute for the Advancement of Education and the Council for children's rights of the Government of the Republic of Serbia. The Ministry of the Interior subsequently joined the implementation of this project.

62 Nikač Ž., Simić B., Arironović N., 2013, Prevention of peer violence in the Republic of Serbia in: *Peer Violence (etiology, phenomenology, ways of overcoming and comparative experiences)*, Proceedings of the international conference, Laktasi, p. 102.

63 Skočajić M., Stojanović F., 2019, *Youth and peer violence: how to create agile citizens from passive observers?*, Center for Public Policy Research, Sweden, OSCE, Belgrade, p. 9.

64 Popović Ćitić B., Djurić S., 2018, *Positive school climate: elements, principles and models of good practice*, Faculty of Security, University of Belgrade, p. 24.

protection of children from violence. All stakeholders agreed that many relevant data are found in different studies, created on the basis of research carried out over the years, but also that official and other databases contain a wealth of unexplored data and information on violence against children. A better understanding of the drivers and determinants of violence, through the analysis of such sources of data, can help determine priorities when shaping the new national strategy and action plan for its implementation.⁶⁵

The role of the media in promoting socially desirable modes of behavior is irreplaceable. On the contrary, when propagating tolerance of various forms of violence through the media in a society, a negative feedback effect can be expected through indirect promotion of peer violence.⁶⁶ In addition, contemporary research has shown that playing of violent video games increases aggressive thoughts and behaviors of children.⁶⁷

5. CONCLUSIONS

According to the available statistical data, half of the students in Serbia have at least once experienced some kind of violence, and even 2/3 of the children were exposed to an attack. Research on sorts and the intensity of violence that was carried out in 50 schools on a sample of 26,947 students and 3,397 adults provided data that 65% of students at least once, and 24% more than once, were exposed to some form of violent behavior in a period of three months.⁶⁸ In 85% of cases, no one came to help child victim of peer violence.

The role of the Protector of Citizens, i.e. the ombudsman (deputy) in the field of children's rights, who specifically deals with children's rights and has a mandate to receive, investigate and resolve complaints in a sensitive manner for children's problems, as well as with sufficient human and financial resources, is of vital importance as an institutional factor in suppression of peer violence and comprehensive protection of children's rights. Within the role of ombudsman as a national preventive mechanism, it is important to ensure the privacy and protection of children victims, especially when undertaking supervisory visits to educational and other relevant institutions.

Continuous adequate and systematic training and/or sensitization for protection of children's rights targeted to professional groups working with and for children, such as health care workers, teachers, school administrators, parliamentarians, judges, lawyers, academics, social workers, media

65 UNICEF, 2017, *Violence against children in Serbia, determinants, factors and interventions - National report*, p. 34.

66 <https://www.freeonline-researchpapers.com/are-causes-teen-violence/>, 14/09/2023.

67 Witmer D., 2020, *Causes of Youth Violence*, <https://www.verywellfamily.com/causes-of-youth-violence-2611437>, p. 4.

68 Popadić, Plut, 2007, p. 26. The research was conducted within the program „School without violence - towards a safe and stimulating environment for children“, <http://sbn.mpn.gov.rs/about-school-without-violence/about-program-4046>.

professionals and others, in order to obtain optimal model of best practice for the protection of children's rights, as well as for the implementation of relevant international standards.⁶⁹

In addition to the training of professionals, it is necessary to put additional efforts educating the public on how to deal with violence between and against children, as well as to increase awareness of the growth of violence in schools. Further strengthening of the multi-sector network for prevention of violence among and against children, represents a continuous process of prevention of peer violence. An effective response to peer violence requires mandatory inclusion in the Team for protection of children from violence, social worker, who is the link between school and family, as well as psychologists and pedagogues, who undertake preventive measures and treat children's behavior in the direction of suppressing conflict situations, through teaching non-violent communication and tolerance. According to the data of the Ministry of Interior, the police in Serbia registers an average of around 5,000 security incidents on an annual level in schools and their surroundings.⁷⁰ The largest number of those events constitute inappropriate behavior of male and female students, which are characterized by the police as disciplinary offenses and thus require further work by the school with the involvement of parents, centers for social work, health institutions, etc. More than one fifth of cases (about 1300 annually) are classified as criminal offenses or misdemeanor offenses with elements of violence. That situation leads to the conclusion that peer violence takes more and more serious forms and becomes even more dangerous for the health and life of the child victim, as it was unfortunately proved by mass-killings in primary school "V. Ribnikar".

By early recognition, immediate stopping and prevention of violence, we provide help and support for children in overcoming the consequences of violence, we encourage them to report every case they notice in their surroundings, we teach them communication skills, we send them a clear message to them that their well-being is important to us and that we live in an intolerant society to all forms of violence. In addition to the training of professionals and the general public, the education of children and young people about the harmfulness of all forms of peer violence is of essential importance. It is furthermore in accordance with the basic principle of children's participation, i.e. the child's right to participate in deciding on matters that are important to his life, as defined in the UN Convention on the Rights of the Child. Moreover, this Convention in Art. 17 provides for the right of the child to access appropriate information, which implies that the state will ensure that children have access to information from different sources. The means of public information will be encouraged to disseminate information of social and cultural benefit to children, as well as to protect

69 Gasmi, 2017, p. 126.

70 Quoted according to: Skočajić M., Stojanović F., 2019, *Youth and peer violence: how to turn passive observers into agile citizens?*, Center for Public Policy Research, Sweden, OSCE, Belgrade, p. 11.

children from harmful information and materials. In this way, it is possible for children to be active participants in the prevention of peer violence, not just its actors or passive observers. At the same time, the effect of gaining the trust of children and young people in the school authorities and other competent institutions is achieved.

Adoption of the systemic Law on Children's Rights, which is also a recommendation of the UN Committee on the Rights of the Child⁷¹, would include all issues concerning, *inter alia*, peer violence. This would enable regulation in a legal manner of binding procedure on prevention of peer violence, with clearly stated responsibilities in suppression this socially very dangerous phenomenon.

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71 UN Committee on the Rights of the Child, CRC/C/SRB/ CO/2-3, 3 February 2017.

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FENOMEN VRŠNJAČKOG NASILJA SA UVIDOM U SITUACIJU U SRBIJI

Apstrakt

Fenomen vršnjačkog nasilja ima višestruke dimenzije i globalni karakter. Mogu se identifikovati faktori rizika i direktno negativni uzroci, kao i pozitivne odrednice za prevenciju te društveno opasne pojave sa razornim posledicama po žrtve. Vršnjačko nasilje je povezano sa mlađim i starijim maloletnicima, pa se prvenstveno odnosi na nasilje u školama, ali često poprima i šire dimenzije jer se društveni modeli ponašanja koji se razvijaju u školi prenose i van zidova škole, kao sastavni deo ponašanja maloletnika. Štaviše, porodični i društveni odnosi deteta van škole prenose se i nastavljaju da deluju u školi. Shodno tome, u radu se razmatraju uzroci nasilja i načini prevencije vršnjačkog nasilja u školama, kao i psihološki profil maloletnog napadača i žrtve. Posebna pažnja je posvećena zakonskim i strateškim okvirima za sprečavanje vršnjačkog nasilja u svetu i u Srbiji, uz savremeni uvid u stanje u Srbiji. U zaključnim razmatranjima se formulišu konstruktivne smernice za sveobuhvatnu prevenciju vršnjačkog nasilja.

Ključne reči: *Vršnjačko nasilje. Obrazovni sistem. Prevencija.*

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