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COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE - EUROPEAN PERSPECTIVES AND CROATIAN CRIMINAL LAW SOLUTIONS

Abstract:

Combating violence against women and domestic violence is one of the key European human rights issues. Despite significant progress in legislation and policy, this problem is still widespread and requires constant adaptation and improvement of legal and social protection mechanisms.

In Croatia, domestic violence is a serious social issue and femicide, as its most extreme form, has increased notably. With the aim of combating violence against women and domestic violence more effectively, the Republic of Croatia introduced significant amendments to its criminal legislation in April 2024. The Act on Amendments to the Criminal Code includes among other new provisions, the new criminal offense of femicide, which refers to the aggravated murder of a female person and the definition of gender-based violence. The prescribed penalty for femicide is a prison sentence of at least ten years or a long-term prison sentence. Gender-based violence is considered an aggravating circumstance, except in cases where the Criminal Code already explicitly prescribes a more severe penalty and takes gender-based violence into account as a qualifying circumstance. In addition, offenses of sexual harassment, domestic violence, and stalking are defined more precisely along the penalties for sex offenders are higher.

These legislative amendments are based on important international and European documents that have been ratified by Croatia. Among them, the Istanbul Convention stands out as the first legally binding international instrument that provides a comprehensive framework for combating violence against women. Furthermore, Croatia has adopted relevant EU documents, including the Directive on Combating Violence against Women and Domestic Violence, which was passed in May 2024. This Directive establishes minimum standards for the criminalisation of specific forms of violence against women and domestic violence, while emphasizing the importance of providing specialized support to victims and ensuring access to justice.

Despite legislative reforms aligned with international standards for the protection of victims of gender-based and domestic violence, experts point to persistent shortcomings in prevention, weak coordination between relevant service providers, and inconsistent enforcement of legal provisions. These challenges underscore the need for continuous training of all professionals working with victims of gender-based violence, increased support for victims and greater public awareness to ensure more effective protection and prevention of future violence. Ultimately, the fight against violence against women and domestic violence is not just a legal issue, but a question strongly related to social responsibility and collective action involving all institutions and citizens.

Keywords:

gender-based violence, domestic violence, femicide, Croatian Criminal Code

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