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Kosovar Centre for Security Studies

# BASELINE REPORT ON GENDER-BASED VIOLENCE IN KOSOVO: COMMUNITY AND STAKEHOLDER PERCEPTIONS





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December 2022

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# ACRONYMS

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**CSW** Centers for Social Work

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**EU** European Union

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**FGD** Focus Group Discussions

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**GBV** Gender-Based Violence

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**GoK** Government of Kosovo

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**IPV** Intimate Partner Violence

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**KII** Key Informant Interviews

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**KCSS** Kosovar Centre for Security Studies

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**KP** Kosovo Police

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**MFSW** Ministry of Finance and Social Welfare

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**NGO** Non-governmental organization

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**SGBV** Sexual and Gender-Based Violence

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**SOP** Standard Operating Procedure

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**UN** United Nations

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**UNODC** United Nations Office on Drugs and Crime

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**OSCE** Organization for Security and Co-operation in Europe

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# EXECUTIVE SUMMARY

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This report provides a baseline assessment of Gender-based Violence (GBV) in Kosovo, with a focus on exploring key trends and challenges based on community and stakeholder perspectives. In doing so, this report relies primarily on data gathered through Key Informant Interviews (KII) and Focus Group Discussions (FGD) to obtain insights from affected communities as they articulate the presence of the threat, the factors influencing its prevalence, and how they consider the approach should be to address it. Although the legal and strategic framework on Gender-based Violence is considered advanced and mostly in line with international standards and EU regulations, the lack of adequate funding and deeply entrenched patriarchal norms in Kosovo's society make the implementation of these laws difficult to be put into practice.

While men can also be survivors of gender-based violence, in Kosovo women continue to be disproportionately affected by the phenomenon, with more than 85 percent of gender-based violence cases being perpetrated against women. In the past recent years there has been a steady increase in reported cases of gender-based violence, including an uptick during the COVID-19 pandemic whereby a total of 2,069 were reported to the Kosovo Police, or 155 more cases than in the previous year.<sup>1</sup> However, most respondents consider that the rise in reported cases corresponds to greater levels of awareness in reporting violence rather than changing trends in the prevalence of the problem. In fact, many respondents view the issue of gender-based violence as an underreported problem considering that there is still widespread lack of awareness, especially among survivors of gender-based violence originating from rural areas who have more limited access to information on their rights and availability of support services.

Although gender-based violence can take many forms, among its most prevalent manifestations include domestic violence, sexual harassment, and sexual violence. Recently, psychological violence and economic violence have also been reported as cases of gender-based violence in Kosovo. Yet, one of the most alarming trends in the manifestation of gender-based violence are cases of femicide or the killing of women for being women, usually at the hands of a current or former partner or spouse. This issue is aggravated given that most femicide cases involve recidivist perpetrators that the justice system has failed to filter in order to guarantee the protection of the survivors and prevent their murder. Cases of femicide and flagrant failures in the institutional response have galvanized Kosovo's society, with many citizens and human rights activists protesting for the issue to be treated more seriously and prioritized as a national emergency.

Despite the fact that Kosovo's legislation is viewed as progressive and guaranteeing equality between genders, in reality, women in Kosovo continue to be underrepresented in decision-making positions, lack equal opportunities to education and formal employment, have low rates of property ownership. These are some of the factors that respondents view as critical in putting women at greater risk of experiencing GBV.

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<sup>1</sup> Data provided to the Kosovar Centre for Security Studies by the Kosovo Police

According to survey data obtained through the Western Balkans Security Barometer, around 45 percent of respondents view domestic violence as a risk or high risk in their communities.<sup>2</sup> A higher level of respondents, or 54 percent, view sexual harassment as a risk or a high risk to their communities<sup>3</sup>. On the other hand, around 46 percent of respondents consider gender-based discrimination as a risk or a high risk in their communities.

This report identifies that reported cases of GBV have increased in the past year alongside requests for court-issued protection orders for survivors. Yet, survivors of GBV face barriers in reporting their cases, including limited information about rights and availability of support services, social stigma, a lack of trust in state institutions, and threats by abusers. Further, breaches in confidentiality principles coupled with bureaucracy and the lengthy legal proceedings negatively influence levels of reporting of domestic violence cases. Traditional norms and family mediation attempt between abusers and survivors of domestic violence complicate reporting on GBV and the resulting institutional response.

Lack of sustainable funding for shelters for survivors of domestic violence continues to challenge the institutional response while a major concern remains impunity around GBV cases and institutional protection failures which lead recidivist cases to escalate into femicide. Further aggravating the issue are problematic attitudes of frontline workers characterized by prejudices against the survivors and violence-justifying attitudes among security institutions and the prosecution. While the role of CSOs is considered critical in helping to fill existing gaps in service provision, there are limited reintegration programs and capacities in place to ensure a more long-term approach to addressing cases of GBV and facilitating the survivors' safe transition into society.

Among the key recommendations deriving from this study include the need to implement awareness-raising campaigns about the threat of GBV, how to report it, and where the survivors of GBV can reach out for help; ending the impunity for perpetrators of GBV and those committing GBV crimes to face harsher punishments. Moreover, respondents have recommended that recidivist cases must be treated more seriously, including through rehabilitation programs to potentially lower their risk of reoffence.

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<sup>2</sup> "Western Balkans Security Barometer", 2022. Kosovar Center for Security Studies.

<sup>3</sup> Ibid.

# INTRODUCTION AND CONTEXT

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Gender-Based Violence (GBV) or sometimes also referred to as Sexual and Gender-Based Violence (SGBV) is “any harmful act of sexual, physical, psychological, mental, and emotional abuse that is perpetrated against a person’s will and that is based on socially ascribed (i.e. gender) differences between males and females.”<sup>4</sup> It is a global challenge that affects societies around the world, posing a serious violation of human rights which in addition to causing tremendous suffering, it also threatens peace and societal development. The UN estimates that one in three women experiences sexual or physical violence in their lifetime and that during times of crises, the threat for women and girls increases.<sup>5</sup> Further, a recent report by the UNODC and UN Women found that around the world, on average five women or girls are killed every hour by someone in their own family.<sup>6</sup> As the onset of the COVID-19 pandemic has demonstrated, amidst the disruption, domestic violence has been one of the most troubling trends that threatened the security and safety of citizens.<sup>7</sup> In Kosovo, in line with global trends observed during the pandemic, there was an increase in reported cases of domestic violence.<sup>8</sup> Specifically, there was a 20 to 25 percent increase in reporting from 2018 to 2020 compared to previous years.<sup>9</sup> In most cases, violence was exercised against women, children, and the elderly. While lockdown measures intended to prevent infections and protect the lives of citizens, in many cases, it meant that survivors of domestic violence were locked inside with their abusers. As a result, “a pandemic within a pandemic” had emerged, a trend that corresponds with data on rising numbers of domestic violence cases at global level. According to another survey conducted by the Organization for Security and Co-operation in Europe in 2019 found that 66 percent of women in Kosovo have been survivors of some form of violence from their male partners.<sup>10</sup> The number of cases of domestic violence reported to police has risen steadily, from 1,541 in 2018 to 1,915 in 2019 and just over 2,000 in 2020.<sup>11</sup>

Frequently cited challenges in addressing cases of gender-based violence include survivor blaming, lack of adequate police response, patriarchal norms embedded in the institutional system, reporting barriers, including stigmatization from family members and community or lack of assurances about safe reporting.<sup>12</sup> Further, a lot of the violence derives from the fact that women in Kosovo, especially in rural areas, have fewer opportunities

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4 “Gender-based Violence”, UNHCR, Accessed via <https://www.unhcr.org/gender-based-violence.html>

5 Ibid.

6 UN Women, “Press release: Women and girls are more at risk to be killed at home, new UNODC and UN Women report on femicide shows”, accessed via <https://www.unwomen.org/en/news-stories/press-release/2022/11/press-release-women-and-girls-are-more-at-risk-to-be-killed-at-home-new-unodc-and-un-women-report-on-femicide-shows#:~:text=New%20York%20%E2%80%94%20A%20new%20study,their%20own%20family%20in%202021>.

7 “Between a rock and a hard place:Kosovo’s challenges in dealing with the COVID-19 pandemic”, Avdimetal et. al., December, 2020 accessed via <https://qkss.org/en/publikimet/te-zene-ngushte-sfidat-e-kosoves-ne-perballjen-me-pandemine-covid-19>.

8 Interview with Rashit Qalaj, former head of the Kosovo Police. “Between a rock and a hard place:Kosovo’s challenges in dealing with the COVID-19 pandemic”, Avdimetal et. al., December, 2020 accessed via <https://qkss.org/en/publikimet/te-zene-ngushte-sfidat-e-kosoves-ne-perballjen-me-pandemine-covid-19>.

9 Ibid.

10 Ibid.

11 Adelina Ahmeti, “In Kosovo, System ‘Failing to Protect’ Domestic Abuse Victims”, Balkan Insight, 2021. Accessed via <https://balkaninsight.com/2021/04/06/in-kosovo-system-failing-to-protect-domestic-abuse-victims/>

12 Ibid.



to independently determine their fate, from employment to owning property.<sup>13</sup> Disparity in power is considered as one of the key factors influencing the prevalence of gender-based violence. As the yearly EU Kosovo Country Report shows in regards to equality between women and men in employment and social policy, gender-based discrimination continues to be widespread in recruitment, promotion, pay, contract length.<sup>14</sup> In 2020, the employment rate for the population aged 20–64 was 16% for women and 48.8% for men, resulting in a very high gender employment gap of 32.8 percentage points.<sup>15</sup> Limited access to childcare and flexible working arrangements, as well as regulations which discourage the recruitment of women remain important barriers; other challenges faced by women, especially in rural areas, include the lack of care for the elderly and discrimination when it comes to access to property.<sup>16</sup>

According to the Kosovo Police, by October 2022, there have been 2.273 reported cases of domestic violence, with violence overwhelmingly committed against women or in over 85 percent of the cases.<sup>17</sup> Yet, among the most extreme violations of human rights as a result of gender-based violence remains femicide<sup>18</sup>, understood as the killing of a woman because of their gender. One of the most pervasive forms of femicide is the killing of women by an intimate partner, who is a former or current spouse or partner.<sup>19</sup> According to a 2020 report by the Kosovo Women’s Network, at least 74 women were killed by their male partners or relatives from 2017 to 2020, making it around one murder every three weeks.<sup>20</sup> In the majority of the cases, the survivors were assaulted or abused prior to the murder.<sup>21</sup>

Femicide is considered a phenomenon that stems in large part from the normalization of violence against women in patriarchal societies, whereby cultural norms tend to legitimize or justify these killings. Rather than being isolated acts of extreme violence or a crime committed by a small group of men, femicide is “the consequence of an ideology passed on from century to century: the ideology of misogyny, meaning hatred toward women or deeply reinforced prejudices against women and their humanity.”<sup>22</sup> Disturbingly, the majority of survivors of femicide had previously reported their eventual murderers to the authorities.<sup>23</sup>

Blatant institutional protection failures allow reported domestic violence to result in femicide. For instance, in the case of the murder of Marigona Osmani, the 18-year old who was

13 Aleksandar Brezar, “Is the brutal murder of Marigona Osmani a tipping point for Kosovan society?”, Uncovering Europe, 2021.

Accessed via: <https://www.euronews.com/my-europe/2021/09/02/is-the-brutal-murder-of-marigona-osmani-a-tipping-point-for-kosovan-society>.

14 “Kosovo Report 2021”, European Neighbourhood Policy and Enlargement Negotiations, European Commission, 2021. Accessed via [https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021\\_en](https://neighbourhood-enlargement.ec.europa.eu/kosovo-report-2021_en).

15 Ibid.

16 Ibid.

17 “Mbi 2.200 raste të dhunës në familje deri në tetor”, Koha.net, 2022. Accessed via: <https://www.koha.net/arberi/357535/mbi-2-200-raste-te-dhunes-ne-familje-deri-ne-tetor/>

18 The term was defined for the first time in Mexico in 2006, as: “the set of crimes against humanity consisting of the murders, kidnappings and disappearances of girls and women in a context of institutional collapse. It is indicative of a fractured rule of law which favors impunity. Femicide is a crime of the state.” For more, see the study published by Heinrich Böll Stiftung via [https://eu.boell.org/sites/default/files/mexico\\_lima.pdf](https://eu.boell.org/sites/default/files/mexico_lima.pdf).

19 “Femicide”, European Institute for Gender Equality accessed via <https://eige.europa.eu/thesaurus/terms/1128>

20 <https://www.euronews.com/my-europe/2021/09/02/is-the-brutal-murder-of-marigona-osmani-a-tipping-point-for-kosovan-society>

21 Aleksandar Brezar, “Is the brutal murder of Marigona Osmani a tipping point for Kosovan society?”, Uncovering Europe, 2021.

Accessed via: <https://www.euronews.com/my-europe/2021/09/02/is-the-brutal-murder-of-marigona-osmani-a-tipping-point-for-kosovan-society>.

22 Shqipe Gjocaj, “THE ‘HERASURE’ OF KOSOVO’S MURDERED WOMEN”, Kosovo 2.0, 2020. Accessed via: <https://kosovotwopointzero.com/en/the-herasure-of-kosovos-murdered-women/>

23 Ibid.

allegedly tortured and killed by her partner and his accomplice, the perpetrators were allowed to remain free with over 135 criminal accusations, including serious criminal charges such as attempted murder.<sup>24</sup> Moreover, as the International Day for the Elimination of Violence against Women was being marked in Kosovo and the 16 Days of Activism against Gender-Based Violence began around the world, a woman was killed by her husband in her sleep and a pregnant woman was killed outside of a hospital by her husband, whom she had also previously reported for domestic violence.<sup>25</sup> These grave institutional failures in protecting women have sparked outrage, especially among feminist activists, who call for greater accountability, an end to impunity, and treating violence against woman as a national emergency.<sup>26</sup>

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24 Besa Luci, "The Murder of Marigona", Kosovo 2.0, 2022. Accessed via: <https://kosovotwopointzero.com/en/the-murder-of-marigona/>

25 Ardita Zeqiri, "Protest in Prishtina after Pregnant Woman's Murder in Hospital Courtyard", Prishtina Inaight, 2022. Accessed via: <https://prishtinainsight.com/protest-in-prishtina-after-pregnant-womans-murder-in-hospital-courtyard/>.

26 Ibid.

# LEGAL FRAMEWORK AND MAPPING OF STAKEHOLDERS

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The legal and institutional framework related to gender equality and protections from gender-based violence in Kosovo is considered quite advanced, and largely in line with EU and international standards. Yet, the challenge remains in the implementation of these laws to protect the survivors, ensure accountability, end impunity, while deterring other similar offences in the future. In 2020, Kosovo adopted a constitutional amendment giving direct effect to the **Istanbul Convention**, a major human rights treaty establishing comprehensive legal standards to ensure women's right to be free from violence.<sup>27</sup> Rape, sexual assault and other forms of gender-based violence remain prevalent, yet underreported.<sup>28</sup> Even in light of reported cases, there have been very few convictions for such crimes given that the Criminal Code did not define domestic violence as a criminal offence, treating crimes perpetrated within domestic relationships only in civil proceedings.<sup>29</sup> However, in 2019, the **Criminal Code of the Republic of Kosovo** was amended to also facilitate the prosecution of gender-based violence by defining all acts of domestic violence including sexual harassment and female genital mutilation as offences.<sup>30</sup> Specifically, in the context of sexual violence, the Criminal Code defines the term "consent" and some non-exhaustive circumstances where consent cannot be said to have been obtained, thereby adopting a context-based approach to consent.<sup>31</sup>

The **Law No. 05/L -020 on Gender Equality** guarantees, protects and equality between genders as a basic value of democratic development of society.<sup>32</sup> Gender-based violence is defined in the law as "a form of discrimination that seriously inhibits women's and men's ability to enjoy rights and freedoms on a basis of equality" and is prohibited based on Article 4 on prohibition of gender discrimination.<sup>33</sup> The **Law No.03/L -182 on Protection Against Domestic Violence** aims to prevent domestic violence, in all its forms, through appropriate legal measures, of the family members, that are survivors of the domestic violence; it also aims treatment for perpetrators of domestic violence and mitigation of consequences.<sup>34</sup> Based on this law, protection measures shall be issued with the purpose of preventing domestic violence, to protect a person who is exposed to violence, by removing the circumstances which impact or may impact in committing other acts.<sup>35</sup> This law foresees that "every municipal court shall have the authority to review the request for

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27 "Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)", Council of Europe, 2022. Accessed via: <https://www.coe.int/en/web/istanbul-convention/>.

28 "Kosovo Criminal Code Criminalizes Domestic Violence, Sexual Harassment", Kosovo Women's Network, 2019. Accessed via: <https://womensnetwork.org/kosovo-criminal-code-criminalizes-domestic-violence-sexual-harassment/>

29 Ibid.

30 Ibid.

31 Ibid.

32 "Law on Gender Equality", Kosovo Assembly, 2015. Accessed via: [https://equineteurope.org/wp-content/uploads/2019/10/Annex-LAW\\_NO\\_05\\_L-020\\_ON\\_GENDER\\_EQUALITY.pdf](https://equineteurope.org/wp-content/uploads/2019/10/Annex-LAW_NO_05_L-020_ON_GENDER_EQUALITY.pdf)

33 Ibid.

34 "Law No.03/L -182 ON PROTECTION AGAINST DOMESTIC VIOLENCE", Assembly of the Republic of Kosovo, 2010. Accessed: <http://old.kuvendikosoves.org/common/docs/liqjet/2010-182-eng.pdf>

35 Ibid.

protection order or emergency protection order and for issuing the order.”<sup>36</sup> The **Law no. 2004/32 on Family Law of Kosovo**<sup>37</sup> regulates engagement, marriage, relations between parents and children, adoption, custody, protection of children without parental care, family property relations and special court procedures for disputes of family relations. This law is focused on reconciliation which in the context of gender-based violence presents a major concern since it provides little guidance on how to screen for and handle cases involving a history of domestic violence.<sup>38</sup>

In addition, in January 2022, the **National Strategy on the Protection against Domestic Violence and Violence against Women (2022–2026)** was adopted with a broader scope than its previous iterations, focusing on domestic violence and framing its objectives in the context of implementing gender-sensitive measures aligned with the Istanbul Convention.<sup>39</sup>

Among the main institutions that are mandated to prevent gender-based violence and provide services to survivors in Kosovo include the Kosovo Police, Prosecution offices, Courts, Kosovo Coordinator on Protection from Domestic Violence/ Deputy Minister of the Ministry of Justice, Ministry of Finance, Labor and Transfers and Centers for Social Work, Victim Protection and Advocacy Office/ Victim Advocates, Ministry of Education, Sciences and technology/ Directorate of Education, Schools, Ombudsperson/gender equality department, Shelters, and Civil Society.<sup>40</sup> A first address for survivors of gender-based violence is usually the Kosovo Police (KP) when cases of GBV are reported. Then, the police refer the cases to the Centers for Social Work or the shelters for survivors of domestic violence for further support and financial assistance. The Office for Victim Protection helps and represents the survivors of domestic violence and other crimes during their proceedings in the police, prosecution, or at the court.<sup>41</sup>

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36 Ibid.

37 For its amendment see Law no. 06/L-077 on amending and supplementing the Family Law of Kosovo.

38 Ibid.

39 “National Strategy on Protection Against Domestic Violence and Violence Against Women 2022 – 2026”, Ministry of Justice, Government of Kosovo, 2022. Accessed via: <https://kryeministri.rks-gov.net/wp-content/uploads/2022/08/ENG-Strategjia-Kombetare-per-Mbrojtje-nga-Dhuna-ne-Familje-dhe-Dhuna-ndaj-Grave-2022-2026.pdf>

40 “Reporting on Domestic Violence: Guidelines for Journalists”, OSCE, 2018. Accessed via: [osce.org/files/f/documents/9/2/404348.pdf](https://osce.org/files/f/documents/9/2/404348.pdf)

41 Focus Group Discussion in Kamenice, October, 2022. Kosovar Centre for Security Studies.

# METHODOLOGY

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The purpose of this report is to provide a baseline assessment of gender-based violence (GBV) in Kosovo, with a focus on community and stakeholder perspectives. Specifically, the contents of this report are provided through desk research, focus group discussions, interviews with stakeholders, as well as survey data collected through the Western Balkans Security Barometer (WBSB) instrument. Initially, a review of literature was conducted to build up the context and elucidate the understanding of the key concepts related to gender-based violence, including an overview of the legislative and strategic framework as well as policy documents and media commentary scrutinizing Kosovo's approach in preventing and addressing gender-based violence.

Secondly, with the purpose of exploring community perspectives on gender-based violence, 14 focus group discussions were organized across different municipalities in Kosovo. A diverse group of community representatives were invited to be part of the focus group discussions, including representatives from the Kosovo Police, local governance structures such as municipal workers, human rights activists, social workers, judges, protectors of survivors, psychologists, community leaders, and other frontline workers etc. The aim of the focus group discussions has been to better understand the prevalence of gender-based violence, identify community attitudes towards the issue as well as challenges in the institutional approach, while potentially uncovering potential trends by municipality. Namely, focus group discussions were organized in the municipalities of Istog, Drenas, Fushe Kosova, Kamenica, Klina, Klokot, Vushtrri, Lipjan, Gjakova, Gjilan, Mitrovica, Podujeva, Suhareka, and Vitia.

Thirdly, given the important role of the Centers for Social Work (CSW) in providing critical services to survivors of domestic violence, nine Key Informant Interviews (KII) were conducted with representatives of seven shelters for survivors of domestic violence in Kosovo. Specifically, in-depth interviews were conducted with representatives from the shelters for survivors of domestic violence in the municipalities of Ferizaj, Gjakova, Gjilan, Mitrovica, Peja, Prishtina, and Prizren. Fourth, the qualitative data collection for this study has been complemented through quantitative data deriving from the Western Balkans Security Barometer (WBSB), a distinctive instrument through which the Kosovo Center for Security Studies (KCSS) measures public perceptions at regional level to measure public's trust in the institutions, perceptions towards threats and risks, and priority issues that need to be addressed. This study is limited in scope in terms of providing a more comprehensive overview of gender-based violence in Kosovo, including micro-level comparisons between municipalities. Nonetheless, it provides valuable insights that point to the pervasiveness of gender-based violence across the municipalities in Kosovo, major gaps in service provision for survivors, as well as institutional neglect and mishandling of recidivist cases which have led to femicide. Based on focus group discussions, key informant interviews, as well as the WBSB survey, this study lays out some of the main findings in the following paragraphs.

# KEY FINDINGS



## Data and reporting trends on Gender-Based Violence

### Reported cases of gender-based violence present a rising trend across municipalities

– Data show that across municipalities, reported cases of gender-based violence have increased, although at varying rates and manifested through a range of gender-based violence crimes, including psychological and sexual violence. One of the municipalities with the highest increase in reported cases of gender-based violence has been the municipality of Mitrovica. Institutional representatives noted during the focus group discussion that there has been a 34% increase in reported cases of domestic violence in Mitrovica during 2021–2022, as compared to the period of 2019–2020.<sup>42</sup> This rising trend is considered to have begun in March 2020. For instance, while in 2021 there were 15 persons sheltered as survivors of domestic violence, in the first trimester of this year there have been 55 persons who were sheltered.<sup>43</sup> The shelter for survivors of domestic violence in Mitrovica exceeded its maximum capacity, having to make use of beds that were available in cases of emergency.<sup>44</sup> The municipality of Gjakova has seen a 12 percent increase in reported cases of domestic violence, which focus group participants view as a sign of increased awareness rather than an increase in actual violence.<sup>45</sup> This makes Gjakova the second municipality with the highest rates of domestic violence after Prishtina.<sup>46</sup> In total, for 2021, there have been 157 cases, with 87 survivors requiring medical assistance, the majority of whom have been women.<sup>47</sup> The shelter for survivors of domestic violence in Gjakova has also reached full capacity, prompting the staff to reduce the space for common areas and turn it into private space to house the survivors.<sup>48</sup>

### Requests for court-issued protection orders have also increased in the past year

– In line with an increase in the reported cases of domestic violence, an increase in requests for court-issued protection orders has also been reported. For instance, in the municipality of Gjiilan, in 2021 there have been 180 cases of gender-based violence, five of which involved members of non-majority ethnic communities in Kosovo.<sup>49</sup> As a focus group participant noted, there have been 88 requests for court-issued protection orders and “this year the survivors are requesting more protection orders because they feel at greater risk”.<sup>50</sup> Arguably, this spike in requests for protection orders relates to greater media reporting of cases of gender-based violence, especially of femicide cases that have led hundreds of citizens and activists to protest on the streets demanding greater protections for potential survivors and accountability for committed crimes.

### Reporting patterns of domestic violence differ by age and region – Based on the

42 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

43 Ibid.

44 Interview with a representative of the Shelter for Victims of Domestic Violence in Mitrovica, Kosovar Center for Security Studies, June, 2022.

45 Focus Group Discussion in Gjakova, September 20, 2022. Kosovar Centre for Security Studies.

46 Ibid.

47 Ibid.

48 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

49 Focus Group Discussion in Gjiilan, September 20, 2022. Kosovar Centre for Security Studies.

50 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies

interviews and focus group discussions, younger women are more likely to report violence as opposed to women of older age groups. It should be noted that in many municipalities, focus group participants have stressed that survivors of domestic violence also include the elderly.<sup>51</sup> For instance, in the municipality of Klllokot, it was emphasized that “the majority of domestic violence cases involve couples who are older than 60 years old.” Related to this, as a representative of the shelter of survivors of domestic violence in Ferizaj highlights, “the majority of the women who come at the shelter have experienced violence for a long time, but have never reported the case, but then we also have cases of young women being more aware and reporting their experience of violence more quickly.”<sup>52</sup> A focus group participant in Mitrovica expresses that “there are cases when the survivors tell us that they having been coping with domestic violence since they were married, which is 20 years ago.”<sup>53</sup> In the municipality of Gjakova, the majority of the survivors at the shelter for survivors of domestic violence are between 30–40 years old and 50 years old.<sup>54</sup> Further, in most municipalities, the majority of the cases of domestic violence come from remote or rural areas.<sup>55</sup> However, there are cases like the Municipality of Mitrovica where “slightly more than 50 percent of survivors in the shelter for survivors of domestic violence are from urban areas.”<sup>56</sup> There are also noticeable trends when it comes to the perpetrators of violence. Given that in Kosovo, the majority still live in multi-generational household, “violence perpetrated by the father-in law or the brother-in law is very common.”<sup>57</sup>

**Barriers in reporting cases of GBV include the survivors’ limited information about their rights and availability of support services, social stigma, lack of trust in state institutions, and threats by abusers.** – A critical element in determining reporting patterns tends to be the survivors’ level of awareness about their rights and the availability of support services. As a focus group participant in Ferizaj notes, “some women have expressed that if we would have known about the existence of this shelter we would have asked for help much earlier.” Limited information extends also to measures such as court-issued protective orders, which shelters need to explain to the survivors.<sup>58</sup> It should be noted that in most municipalities, focus group participants have mentioned various awareness raising campaigns aimed at better informing the public about GBV as well as available services, however, there are not available studies assessing the exact impact of such awareness-raising efforts, including on GBV reporting trends.<sup>59 60</sup> Further, when reporting cases of domestic violence in her social circle, a focus group participant in Mitrovica notes “I have faced threats from the abusers and I have been prejudiced by the family and friends of the survivor about raising my voice against this phenomenon.”<sup>61</sup> Another focus

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51 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

52 Interview with representative from the shelter for victims of domestic violence in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

53 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

54 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

55 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

56 Interview with a representative of the shelter of victims of domestic abuse in Mitrovica, Kosovar Centre for Security Studies, June, 2022.

57 Interview with Representative of Shelter for Domestic Violence Victims in Prishtina, Kosovar Centre for Security Studies. May, 2022.

58 Interview with Representative of Shelter for Domestic Violence Victims in Prishtina, Kosovar Centre for Security Studies. May, 2022.

59 Focus Group Discussion in Podujeve, September 20, 2022. Kosovar Centre for Security Studies.

60 Interview with representative of the Shelter for victims of domestic violence in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

61 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.



group participant notes that “very often survivors tell us do not come to pick us up at our homes; we will call you directly.<sup>62</sup>” In many cases, women are reluctant to report cases of gender-based violence until they see an immediate threat to their lives.<sup>63</sup>

A focus group participant in Klina emphasizes that “when a woman decides to report a case, you should keep in mind that it is likely a recidivist case, because rarely does violence get immediately reported; it usually means that women have been suffering for quite some time until they make the decision to report the violence to the police.”<sup>64</sup> Then, many survivors of GBV get discouraged by the police, as “there have been instances when the police normalized violence by saying statements like ‘it is not the end of the world that you got slapped.’<sup>65</sup> Further, recidivist cases that have been reported for years result in femicide – which further discourages GBV reporting – “they [the survivors] see that the state has failed them and they no longer want to report.”<sup>66</sup> In small communities, with limited access to public transportation, women face barriers to escaping violence and they are dependent on several aspects.<sup>67</sup> In many cases, they lack the necessary information to seek help, face prejudice, and the majority of them are unemployed, and in instances when they report violence they are likely to be frowned upon and labeled as “those who went to the police.”<sup>68</sup>

**Trust in security and justice institutions is a key factor influencing the reporting of GBV by the survivors** – One of the key identified challenges in terms of reporting trends on GBV include the important role of trust in institutions for the survivors. It is considered that “lack of trust in institutions coupled with shame and fear of reporting makes women reluctant to report cases of GBV, meaning that violence is reported only when it escalates – making it harder to address it at the very early stages.”<sup>69</sup> For instance, in the shelter for survivors of domestic violence in Gjiilan, “there have been instances when the moment that the survivor has found out that the police and the prosecution will be involved, they escaped the shelter.<sup>70</sup>” The victims’ high level of mistrust and even fear in involving security institutions should be taken seriously, as it leaves the victims in helpless conditions when those who are mandated to protect them are viewed with suspicion.

Often, when women are fearful of the police, they report their cases of GBV directly to the CSW.<sup>71</sup> The survivors’ high level of mistrust and even fear in involving security institutions should be taken seriously, as it leaves the survivors in helpless conditions when those who are mandated to protect them are viewed with suspicion.

Often, when women are fearful of the police, they report their cases of GBV directly to the CSW. “Reporting of GBV gets even more challenging in the context of small municipalities where almost everyone knows everyone.<sup>72</sup>” Further, impunity, very low rates of convictions

62 Ibid.

63 Focus Group Discussion in Gjiilan, September 20, 2022. Kosovar Centre for Security Studies.

64 Focus Group Discussion in Klina, October 10, 2022. Kosovar Centre for Security Studies.

65 Focus Group Discussion in Fushe Kosove, October 14, 2022. Kosovar Centre for Security Studies.

66 Ibid.

67 Ibid.

68 Ibid.

69 Focus Group Discussion in Klina, October 10, 2022. Kosovar Centre for Security Studies.

70 Interview with a representative of the Shelter for victims of domestic violence in Gjiilan, Kosovar Centre for Security Studies, June, 2022.

71 Ibid.

72 Ibid.

of perpetrators of GBV, and overextended legal proceedings make women reluctant to report GBV even though they have nowhere else to go.<sup>73</sup> Thus, it is a common occurrence for women to retrieve their accusations against the husband with the purpose of providing them with another chance to reconciliation.<sup>74</sup>

**Traditional norms and family mediation attempts between abusers and survivors of domestic violence further complicate reporting on GBV and the resulting institutional response** – Inter-institutional coordination is imperative to ensure that cases of gender-based violence, including cases of domestic violence are addressed adequately through a survivor-centered approach. However, in the context of socially entrenched patriarchal norms, especially in the more rural and remote areas of Kosovo where the incidence of domestic violence is prevalent and often underreported – traditional norms tend to further complicate the institutional response. In such instances, and often with reconciliation between the survivor and the abuser in mind, to address cases of domestic violence, affected parties bypass institutions such as the Kosovo Police by mediating these cases through gatherings in 'odas.'<sup>75</sup> This leaves numerous cases of GBV potentially unreported and the survivors with little protection or access to support. These instances can quickly escalate into fatalities as illustrated by a domestic violence case which involved a recidivist perpetrator in Mitrovica. The woman reported her husband to the police with reservations that prevented her from sharing the full extent of her experience. Further, there were attempts underway by the families to reconcile the woman with her abusive husband, and although the two families involved had reportedly 'agreed' not to use violence, the husband ended up killing his wife.<sup>76</sup> This case further illustrates that bypassing the institutions and opting for the issue to be addressed through odas makes accessing potentially life-saving services for survivors of domestic violence an essential issue.<sup>77</sup>

**Breaches in confidentiality principles negatively influence levels of reporting of domestic violence cases** – This issue has been brought up at several instances during our interviews and focus group discussions. As a focus group participant in Drenas notes, "one of the main concerns for survivors is when entities such as the media regularly breach the confidentiality principle, directly violating the integrity of the survivor."<sup>78</sup> A focus group participant in the municipality of Kamenica shares that "We have had a case of two girls who, through their mother's recommendation, were asking to be sent to a family shelter. However, we have faced a big challenge because even before reaching the family, the news was out and then the survivors of domestic violence faced problems."<sup>79</sup> "Protecting the confidentiality of the survivors is a big problem as "there have been cases that within the 24 hours of reporting, the case is published in online platforms as well as the main news in town" they continue.<sup>80</sup> Moreover, "once the news is out it makes the public even more curious, leading to further media probing of the case, often violating the survivor's right to privacy – thus it is important for media to follow strict regulations on reporting of GBV cases."<sup>81</sup>

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73 Focus Group Discussion in Klina, October 10, 2022. Kosovar Centre for Security Studies.

74 Focus Group Discussion in Suhareka, October 20, 2022. Kosovar Centre for Security Studies.

75 Focus Group Discussion in Podujeva, September 20, 2022. Kosovar Centre for Security Studies.

76 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

77 Ibid.

78 Focus Group Discussion in Drenas, September 0, 2022. Kosovar Centre for Security Studies.

79 Focus Group Discussion in Kamenica, October 10, 2022. Kosovar Centre for Security Studies

80 Ibid.

81 Ibid.

**Bureaucracy and the lengthy legal proceedings further discourage GBV reporting** – It has been reported that local mechanisms lack competences in dealing with GBV and that decentralization efforts have not been fully functionalized. The municipalities have limited budgets and they lack a separate budget line for GBV survivors. Often times, the process of reporting a GBV case is so bureaucratic that some survivors choose to give up halfway as they see it as too burdensome.<sup>82</sup> For instance, a focus group participant in Klina notes that, “the lengthy bureaucracy which involves one woman dealing with 10 offices to report GBV is highly discouraging, and then there’s the issue when data are transferred from one office to another which makes the issue even more difficult to address.”<sup>83</sup>

**The CSWs prioritize the reconciliation between the survivor and perpetrator of domestic violence, failing to provide security guarantees for the survivor and the risk of recidivist behavior by the abuser.** As a representative from the CSWs in the municipality of Kamenica notes, “We offer advice to amend the family relationship. We try to reconcile the couples so that we don’t have social problems with their children.”<sup>84</sup> They continue that “the CSWs seek to mediate between the couples so that they reconcile and that children grow up in a family”, yet they do not elaborate what the consequences are for the children when growing up in environments characterized by violence and not conducive to healthy child development. Focus group participants explain that focusing on reconciling family members in cases of domestic violence is has started to be followed as a procedure, although it is not applicable to all cases. As the mention, “based on the statements that we receive, we judge whether there is space for reconciliation although there have been cases when this approach has been successful as well as when it ended up with violence – thus, they admit, “it is a problematic procedure – which is why we do not insist.”<sup>85</sup>

**Institutions are failing to effectively address and prevent cases of Gender-based Violence** –Based on the collected data, there is widespread dissatisfaction with the work of main institutions involved in addressing and preventing GBV, with particular focus on the work of the judiciary and prosecution. A focus group participant from Vitia emphasizes that “ No, we are not satisfied with the work of the judiciary or the prosecution, because in the court our voice is not heard – it is only a matter of whom you know. We have been greatly discouraged when we have witnessed the court brushing off cases of domestic violence.”<sup>86</sup>

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82 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

83 Focus Group Discussion in Klina, October 18, 2022. Kosovar Centre for Security Studies.

84 Focus Group Discussion in Kamenica, October, 2022. Kosovar Centre for Security Studies.

85 Ibid.

86 Focus Group Discussion in Vitia, October, 2022. Kosovar Centre for Security Studies.

# The process of dealing with cases of Gender-Based Violence: Challenges and Limitations

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### **The Kosovo Police, the Centers for Social Work (CSW) and the Shelters for Survivors of Domestic Violence are the key institutions in addressing GBV cases and their coordination is critical.**

– The trifecta of institutions in dealing with cases of gender-based violence include the Kosovo Police, the Centers for Social Work and the Shelters for Survivors of Domestic Violence. The role of the CSW is especially important in cases when children are involved. As a representative of the shelter for survivors of domestic violence in Ferizaj explains “sometimes the survivor of domestic violence does not report the case to the police rather to the Center for Social Work, thus they refer those cases to us.”<sup>87</sup> Although the cooperation between these institutions is considered generally good, there are instances when “the survivor reports their case to the police but they do not refer her case to the shelter.”<sup>88</sup> Furthermore, “there are cases that are ‘self-referred’, usually because they do not dare to report their case to the police because they personally know the police or officials at the CSW and they are afraid – however, we cannot leave them unreported because the law prohibits us from doing so.”<sup>89</sup>

### **Deficiencies in the implementation of Standard Operating Procedures (SOPs) for the Protection from Domestic Violence put the survivors at risk**

– SOPs set out specific actions to be taken by professionals, for the identification and reporting of domestic, the risk assessment and referral of survivors to support services, the protection and recovery of survivors as well as the treatment of perpetrators of domestic violence.<sup>90</sup> For instance, as a representative of the shelter for survivors of domestic violence in Mitrovica notes “We often face problems because the abusers come to the shelters, although the police reacts quickly and arrests them.”<sup>91</sup> In another instance, a representative of the shelter for survivors of domestic violence in Mitrovica laments that “We have had a case when the Center for Social Work in Shterpoe has send a man, the father-in-law of a survivor of domestic violence and had told him that he could pick up the daughter-in-law at our shelter – meaning that one of the officials disclosed the location of the shelter” – putting the survivor directly at risk.<sup>92</sup> Similarly, the shelter for survivors of domestic violence in Peja has faced challenges in securing the location of the shelter as “ we have had cases when the police have disclosed the location of the shelter.”<sup>93</sup> Further, a representative from the office of the Ombudsperson notes that “ we make reports for failures in the protection of human rights which can serve as preventive measures for the future, however, the role of

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87 Interview with a representative of the Shelter for victims of domestic violence in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

88 Ibid.

89 Ibid.

90 Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)”, Council of Europe, 2022. Accessed via: <https://www.coe.int/en/web/istanbul-convention/>.

91 Interview with representative of the Shelter for Victims of Domestic Violence in Mitrovica, Kosovar Center for Security Studies, June, 2022.

92 Ibid.

93 Interview with Representative of Shelter for Domestic Violence Victims in Peja, June, 2022. Kosovar Centre for Security Studies.

the coordinating mechanisms will be irrelevant if the SOPs are not implemented.<sup>94</sup> In some instances, police representatives as part of the focus groups were unsure about all the steps involved in the process of sending the survivor in the shelter for survivors of domestic violence.<sup>95</sup>

**Institutional response is deemed too slow and inadequate, even prompting victims of domestic violence to return to the perpetrators** –

The process of addressing a case of GBV can be slow, lengthy, and marred with inefficiencies. In some cases when the survivors have to deal with legal proceedings related to divorce or to custody of children, the survivors' stay in the shelters gets extended.<sup>96</sup> At times, delays related to this process push the survivors to return to the source of abuse while perceiving no end in sight in addressing their situation.<sup>97</sup> A representative of an NGO in Drenas, expressed that<sup>98</sup> "violence against women presents a big challenge and it is deeply disconcerting the slow institutional response that these cases receive, leaving the survivors hopeless."<sup>99</sup> Moreover, they continue that "the response towards gender-based violence cases should be swift and the issue needs to be addressed from the root causes not just its symptomatic manifestation."<sup>100</sup>

**Lack of sustainable funding and bureaucratic procedures threaten the survival and functionality of shelters for survivors of domestic violence** –

A consistent finding across interviews with representatives from the shelters for survivors of domestic violence is their financial instability. As a representative from the shelter in Mitrovica puts it "We don't know whether we are a state institution or an NGO because at the beginning of each year we are left with no funds until they are disbursed... we are facing issues such as difficulties in contracting security officers as even the police is not able to guarantee protection. We have also made a request by the municipality for a SOS-line but we were told that it is too costly."<sup>101</sup> Another representative of the shelter for survivors of domestic violence in Ferizaj notes that "usually in the first three months of the year we have no funding. There used to be an emergency fund but this year we did not receive support by the government."<sup>102</sup> They continue that "we hope that a separate budget line will be created for the shelters; it is painful for us to see when a woman and her child comes to us and we cannot provide even the most basic services for them."<sup>103</sup> A representative from the shelter for domestic survivors in Gjakova notes that funding from international donors does not fulfil all the needs that they have because those funds are mostly budgeted for projects such as raising awareness but not for providing emergency services such as accommodation, food, clothes, medications, and security, services which are considered within the responsibility of the state institutions.<sup>104</sup> Further, a representative from the shelter

94 Focus Group Discussion in Gjiilan, September 20, 2022. Kosovar Centre for Security Studies.

95 Focus Group Discussion in Klllokot, September 30, 2022. Kosovar Centre for Security Studies.

96 KCSS Interview with Representative of Shelter for Domestic Violence Victims in Peja, June, 2022.

97 KCSS Interview with Representative of Shelter for Domestic Violence Victims in Peja, June, 2022.

98 Focus Group Discussion in Drenas, September 9, 2022. Kosovar Centre for Security Studies.

99 Focus Group Discussion in Drenas, September 9, 2022. Kosovar Centre for Security Studies.

100 Ibid.

101 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

102 Interview with a representative of the Shelter for victims of domestic violence in Ferizaj, June 7, 2022, Kosovar Centre for Security Studies.

103 Ibid.

104 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

for survivors of domestic violence in Peja highlights that “we do not have security and even as staff we feel unsafe and at risk of abusers following us. The location of the shelter is quite public and well known to taxi drivers. The fact that the abusers knew us is very problematic because we had to meet with them during the different legal proceedings that they were going through with the survivor.”<sup>105</sup>

Further, they stress that “bureaucracy is very problematic, we have to apply as a project at the MFLT as an NGO, every year and each year we have the same project. Sometimes the call for proposals opens late, with additional lags until a decision is made and we lose critical time for the 2-3 first months of the year – leaving us with no salaries and funds to maintain the shelter.”<sup>106</sup> To address this challenge, the representative from the shelter in Ferizaj suggests that “it would be more appropriate for this issue to be regulated through licensing, since we have to get licensed every three years, it would be good for us to secure funding for at least three years the moment we get licensed.”<sup>107</sup> Although in some instances municipalities provide some funding to the shelters, the financial support provided is not regular or sustainable. For instance, in Ferizaj, although in the beginning the municipality provided some funding to the shelter, the municipality did not provide any funding in the last three years.<sup>108</sup> In the municipality of Gjilan, focus group participants express that “the shelter is not able to protect high risk survivors, we do not have the infrastructure to be efficient in doing so.”<sup>109</sup> **The Centers for Social Work also face financial limitations that challenge the availability and quality of their service provision** – As a representative from the CSW in Vitia points out “We do not have enough funds and this remains one of the key barriers in offering better services.”<sup>110</sup>

**Impunity around Gender-Based Violence and institutional protection failures lead recidivist cases to escalate into femicide** – There are a number of factors that make certain manifestations of GBV as high-risk cases, such as those involving recidivists or criminals who reoffend, often repeatedly. Recidivist cases are reported as common, “we have instances when the survivor leaves the shelter and returns again after she experienced repeated violence.”<sup>111</sup> Only in Mitrovica this year, three women were killed by recidivist perpetrators, pointing out a grave institutional failure.<sup>112</sup> For instance, a focus group participant in Mitrovica talked about the challenge at times of knowing how to react and when. They mention that, “the woman who reported that her husband has exercised violence on her was not completely honest or open with her case officer at the police and she did not accept to go to the shelter.”<sup>113</sup> Further, for this particular case, the survivor’s son expressed that he would guarantee the safety of his mother, however, the situation had gotten out of control when the husband – after a disagreement with the survivor – ended up killing her.<sup>114</sup> Three recent cases of femicide have involved recidivist perpetrators, and

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105 Interview with a representative of Shelter for Domestic Violence Victims in Peja, June, 2022. Kosovar Centre for Security Studies.

106 Interview with a representative of the Shelter for victims of domestic violence in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

107 Ibid.

108 Ibid.

109 Focus Group Discussion in Gjilan, September 20, 2022. Kosovar Centre for Security Studies.

110 Focus Group Discussion in Vitia, September 20, 2022. Kosovar Centre for Security Studies.

111 Interview with a representative of Shelter for Domestic Violence Victims in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

112 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

113 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

114 Ibid

“even in cases when the police did their job, the accused persons were released after 48 hours – in other words, this lax treatment by the justice institutions only emboldens the perpetrators even further, which is why they continue to be violent.”<sup>115</sup>

**The biological families of women survivors of domestic violence are rarely supportive towards the survivors** – Due to the patriarchal mindset in the country, the biological family of the women rarely support their family member’s decision to escape abuse and leave the abusive husband, often because they view the children (when they have children) as a responsibility of the man, thus forcing the woman to return to the abusive husband who in many cases is a recidivist.<sup>116</sup> As a focus group participant from Podujeva notes, “one of the key factors in providing legal aid and other support to the survivors is for her biological family to accept their daughter if she had been abused, and not to encourage her to return to the abusive husband. There have also been instances when a woman has experienced violence by her husband and even pressure to abort her unborn girl-child – in this case, the biological family of the daughter has supported the women and helped to raise her baby.”<sup>117</sup>

**Court-issued protective orders sometimes aggravate the situation in cases of domestic violence** – As Kosovo Police representatives in Drenas note, “Court-issued protective orders do not guarantee security for the survivors since they need to return to the same household, in conditions that is essentially impossible to monitor the distance as stipulated by the law; thus, problems are inevitable.”<sup>118</sup> Representatives from the CSW share also the same concern regarding protective orders, which seem to “lose their purpose in cases when the involved parties are in close contact.”<sup>119</sup>

**With limited reintegration programs and capacities in place, the majority of survivors of domestic violence who lack financial independence end up returning to their abusive partners.** Although some survivors manage to find a job, secure funding for separate living outside of the shelter, the majority of the women still return to the perpetrator of violence due to poor financial circumstances. Among the main reasons that prevent the economic empowerment of the survivors include the lack of property ownership, no alternative sources of income, and dependent children.<sup>120</sup> Upon returning to the same household with the former abuser, many women continue to live in fear and deal with the trauma of their lived experience with violence.<sup>121</sup> On the other hand, with limited reintegration opportunities, some women extend their stay at the shelter. In the shelter for domestic violence in Gjilan, they note that “although based on our regulation, the survivor stays from zero to 6 months, we have had cases when they stay two, three and even 14 years at the shelter.”<sup>122</sup> Even in cases when the abusive husband is taken away by the police, due to the lack of other opportunities to ensure financial independence, “the survivors have to return to the same household, which in many cases is shared with the mother and brother of the

115 Focus Group Discussion in Mitrovica, September 20, 2022. Kosovar Centre for Security Studies.

116 Focus Group Discussion in Podujeva, September 20, 2022. Kosovar Centre for Security Studies.

117 Ibid.

118 Focus Group Discussion in Drenas, September 9, 2022. Kosovar Centre for Security Studies.

119 Ibid.

120 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

121 Ibid.

122 Interview with a representative of the shelter of victims of domestic abuse in Gjakova, Kosovar Centre for Security Studies, June, 2022.

perpetrator.<sup>123</sup> Although recent changes in the criminal code criminalizing GBV seem to have had a deterring effect, when survivors have limited reintegration options they decide to return to the same household with the perpetrator.<sup>124</sup> Another focus group participant points out to another issue aggravating the survivor's financial circumstances. They note that "in cases when the survivor receives alimony, the law prohibits benefiting from social schemes, meaning that in cases when the alimony is not paid, these families are left with no sources of funding."<sup>125</sup> According to a focus group participant in Gjilan, the key institutions involved in addressing GBV cases lack awareness about their roles and the weight of their responsibilities. They continue that "the rehabilitation and reintegration of the survivors is the responsibility of the institutions – it is not enough to provide food and shelter for the survivors – that is not empowerment. The survivors need to have long-term solutions and access to sources of income."<sup>126</sup>

**Lack of allocated budget lines for survivors of GBV pose challenges in addressing cases and providing services** – Across municipalities, data show that frontline workers and key institutions mandated with addressing GBV cases face limited funding in effectively carrying out their duties. For instance, a focus group participant in Klina notes that "The office that has to deal with cases of GBV functions in very poor conditions, where it is difficult to treat women or children survivors of GBV. We do not even have sufficient budget to provide basic food or clothes while they report their cases to the police and make their way to the shelter."<sup>127</sup>

**The role of CSOs remains critical in facilitating service provision and support to survivors** – Frontline workers as part of the institutional chain in addressing GBV cases face multiple challenges, including limited funds and capacities and at times are even limited from receiving outside donations. Thus, the role of various NGOs as part of civil society has been critical in filling this existing gap in services. For instance, "there are cases when there is violence that is being exercised against women but they hide it because they did not see any other option for them; however, members from the society have found ways to reach them and intervene to support."<sup>128</sup> Although public institutions tasked in addressing GBV cases report that they are ready to deal with these cases, they agree that "it would have been much more difficult to increase the level of awareness among the public as well as to find ways in facilitating procedures for overcoming GBV if it were not for the support of CSOs."<sup>129</sup> Further, the NGOs play an important role in facilitating the communication between the various actors involved in addressing GBV through the institutional coordination mechanism. For instance, "there are cases when NGOs support the survivor through direct funding, either through legal proceedings or by providing rent for safe shelter."<sup>130</sup>

**Centers for Social Work are short-staffed, underfunded, and often face limited capacities** – Members of the focus group discussion in the municipality of Fushe Kosova

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123 Interview with Representative of Shelter for Domestic Violence Victims in Prishtina, Kosovar Centre for Security Studies. May, 2022.

124 Interview with a representative of Shelter for Domestic Violence Victims in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

125 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

126 Ibid.

127 KCSS Focus Group in Klina, October 18, 2022

128 Ibid.

129 KCSS Focus Group in Prishtina, October 20, 2022

130 Focus Group Discussion in Klina, October 18, 2022. Kosovar Centre for Security Studies.



have stressed that “The lack of staff at the CSW has been very challenging as it means that we are never able to fully complete or cover a single case.<sup>131</sup>” For example, in Fushe Kosova, although the reported cases of domestic violence have been on the rise, the number of staff has remained the same – with limited capacity to face the higher volume of work.<sup>132</sup> Lack of adequate funding to facilitate service provision is an issue that was emphasized during the focus group in Drenas “There are instances when survivors of domestic violence spend more than six hours at the Police Station, and the police staff from their personal finances often need to buy essential products for the survivor and accompanying children if they have. “At the CSW, staff are not compensated for overtime, most function without psychologists, and the staff needs specialized training, “according to a focus group participant in Vushtrri.<sup>133</sup> Staff turnover and improper transfer of work duties from one employee to another presents a challenge as there is no exchange of knowledge or information, and as a result, staff members are left with no data on these cases<sup>134</sup>.” Further, there are cases when survivors of GBV suffer also from mental health issues, and frontline workers lack the expertise to deal with these cases.<sup>135</sup>

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131 KCSS Focus Group in Fushe Kosova, October 14, 2022

132 Ibid.

133 Focus Group Discussion in Vushtrri, October 20, 2022

134 Focus Group Discussion in Fushe Kosova, October 14, 2022

135 Ibid.

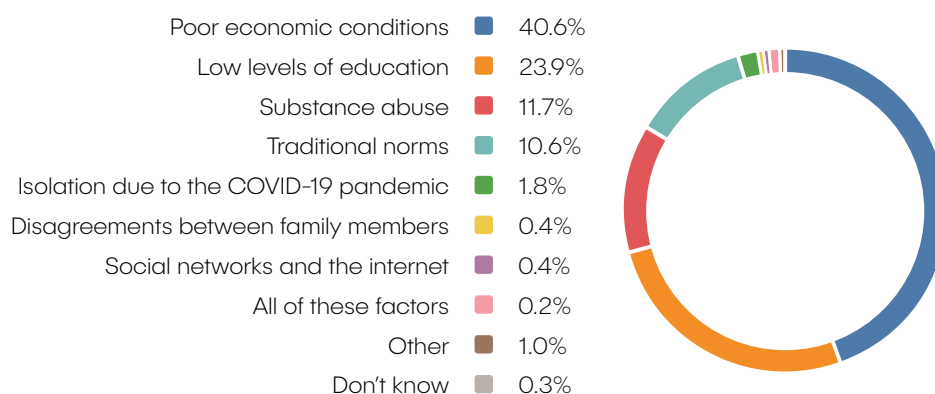
## Perceptions on factors influencing Gender-based Violence (GBV) in Kosovo

### Perceived factors or causes influencing GBV are similar across municipalities – 136

Worryingly, jealousy and marital infidelity is a commonly-cited factor in various municipalities, alongside mental health issues.<sup>137 138</sup> Focus group participants in the municipality of Fushe Kosova highlight poor financial circumstances, drug and alcohol abuse, daily stress.<sup>139</sup> Others note that women’s upbringing has also played a role. Specifically, “our mothers and grandmothers have played a role in discrimination because they have always told us that we should listen to our husband and that we cannot take away the property that should belong to our brother, leading to an attitude that considers the male as untouchable.”<sup>140</sup> “Notably, cases of GBV where the perpetrators have been abusing with drugs have largely increased.”<sup>141</sup> “Women are becoming more courageous not only in reporting cases of GBV but also in challenging the century-old male dominance. Violence starts when women begin to demand their rights as a result of empowerment.”<sup>142</sup> On the other hand, based on the survey data obtained through the Kosovo Security Barometer, the majority of respondents consider poor economic conditions as one of the main causes of domestic violence in Kosovo, followed by low levels of education, and substance abuse as illustrated in Figure 1. below:

**FIGURE 1** PERCEIVED CAUSES OF GENDER-BASED VIOLENCE IN KOSOVO, WESTERN BALKANS SECURITY BAROMETER 2022

What would you consider as the main causes of increases in cases of gender-based violence in Kosovo?



136 Focus Group Discussion in Viti, September 20, 2022

137 Focus Group Discussion in Klinë, October 18, 2022

138 Focus Group Discussion in Kllokot, October 18, 2022.

139 Focus Group Discussion in Fushe Kosova, October 14, 2022

140 Focus Group Discussion in Suhareka, October 20, 2022

141 Interview with Shelter in Ferizaj, June 7, 2022

142 Focus Group Discussion in Gjakova, September 20, 2022

**Inter-institutional coordination on GBV cases and municipal response varies across municipalities, lacking consistent monitoring and evaluation of their work. Additional challenges include lack of support by mayors and provision of accommodation for survivors after leaving shelters remains a challenge.**

The Kosovo Police has a special unit for dealing with survivors of gender-based violence. When a case is reported to the police, usually there is also a protector of the survivor present and then the survivor is treated in the offer for survivors' protection where the request for a court-issued protection order is prepared, often <sup>143</sup> There are two types of court-issued protection orders, temporary and emergent. <sup>144</sup> The KP can issue emergency protection orders and visit the survivors in their homes. <sup>145</sup> In case the perpetrator violates the protection order, they can be charged with another offence or arrested on additional charges. <sup>146</sup> The local municipality has more of a coordinating role and at times provides funding to shelters. <sup>147</sup> The Victim Protector represents the survivors of gender-based crimes in all legal proceedings. <sup>148</sup> The shelter bears a great burden, however they lack monitoring mechanisms of their work. <sup>149</sup>

On the other hand, in the municipality of Vitia, focus group participants note that "there are cases when domestic violence is repeated and the prosecution takes that into consideration, until now we did not have any instances that ended in fatality in our municipality." <sup>150</sup> Further, in Vitia – the municipality has taken some measures to alleviate the cost of the provision of services to survivors of domestic violence and their children, including by making an agreement with the shelter for survivors of domestic violence to provide some financial support that is proportional to the number of gender-based violence cases in the municipality. <sup>151</sup> Another issue relates to reporting trends from non-majority community groups and administrative hurdles. Specifically, a challenge in addressing cases of domestic violence in the municipality of Kllokot is that the Serbian community does not use a local number, which makes the work of the police more difficult due to the inability to reach this group of citizens. <sup>152</sup> Moreover, there have been cases when the Kosovo police has faces challenges in communicating with the CSWs as the latter are not compensated to work overtime – thus, with GBV cases coming at all times, the survivors cannot have immediate contact with the social workers. <sup>153</sup> In the municipality of Novoberda, at the shelter protecting Kosovo Serbian survivors of domestic violence, stressed the need for new social workers to be trained and for institutional mechanisms in dealing with GBV cases to be better coordinated. <sup>154</sup>

**Problematic attitudes of frontline workers characterized by prejudices against survivors challenge the efficacy of addressing cases of GBV.** A representative from the shelter for survivors of domestic violence has expressed that "the CSWs are the weakest link in the line of stakeholders that tends to break the cooperative work of the

143 Focus Group Discussion in Gjakova, September 20, 2022. Kosovar Centre for Security Studies.

144 Focus Group Discussion in Gjakova, September 20, 2022. Kosovar Centre for Security Studies.

145 Focus Group Discussion in Podujeve, September 20, 2022. Kosovar Centre for Security Studies.

146 Ibid.

147 Focus Group Discussion in Gjilan, September 20, 2022. Kosovar Centre for Security Studies.

148 Ibid.

149 Focus Group Discussion in Gjilan, September 20, 2022. Kosovar Centre for Security Studies.

150 Focus Group Discussion in Vitia, October 18, 2022. Kosovar Centre for Security Studies.

151 Focus Group Discussion in Viti, September 20, 2022. Kosovar Centre for Security Studies.

152 Focus Group in Kllokot, September 30, 2022. Kosovar Centre for Security Studies.

153 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

154 Focus Group in Fushe Kosova, October 14, 2022. Kosovar Centre for Security Studies.

institutions involved. The CSWs are deeply prejudicial, they lack essential staff members, and often times are in favor of the perpetrator.<sup>155</sup> Since CSWs are the second institutions that react in cases of GBV immediately after the police and they are in contact with the survivor and the perpetrator, their role is crucial.<sup>156</sup> “Most of the time, social workers lean in favor of the perpetrator. There are cases when the CSW tries to convince the survivor to return to their houses (sources of abuse) rather than going to a shelter, a practice that is in violation of the Istanbul Convention” they continue. When asked whether having more woman staff members would impact greater rates of GBV reporting, a representative of the CSWs expressed that, “we do not need more women workers, we have enough; and that let [the survivors] report violence when it gets worse, not just for a slap.<sup>157</sup>” This highly problematic attitude by frontline workers who are tasked with protecting the survivors presents a grave challenge in addressing GBV. These social workers discourage the survivors from reporting their experiences of violence, further increasing the risk for GBV cases to end up in femicide.

### **Violence-justifying attitudes by the Kosovo Police and the prosecution further erode the survivors’ trust in the institutions as entities tasked with guaranteeing their rights.**

A focus group participant discussed a case that was reported to the police “a woman who had been experiencing violence for 13 years straight when she was interviewed by the prosecution, she was asked ‘how come you are reporting your husband for a slap’, demonstrating frustration about such mishandling of GBV cases and purporting that “in this case the prosecutor should have also been reported for psychological violence.”<sup>158</sup> Focus group participants from the police in the municipality of Klllokot also demonstrate problematic attitudes towards survivors of GBV through statements such as “even the women have changes, I wouldn’t blame just men” while representatives from the office for communities and return was putting indirect pressure to women participants at the focus group to not be active in the discussion.<sup>159</sup> Moreover, the police representatives from the municipality of Klllokot did not have complete knowledge about how a domestic violence case is processed and other focus group participants talk about cases when police officers have criticized the survivor of domestic violence and called her shameless for reporting her husband and other family members for GBV.<sup>160</sup>

### **The CSWs and the shelters face challenges in adequately addressing the needs of the survivors.**

As a representative from the KP notes “we send the survivor whenever she decides, and in cases when they want to return to their husband, we allow it.”<sup>161</sup> This approach is considered problematic as it does not take into consideration any risk assessment measure, sending back the survivors to an environment that puts them in potentially precarious conditions. Moreover, as a representative of the CSW in Peja notes, “we hold sessions with the spouses to better understand where the problem lies and to try to reconcile the families if that is possible.”<sup>162</sup> In some instances, the prosecution determines

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155 Interview with Representative of Shelter for Domestic Violence Victims in Prishtina, Kosovar Centre for Security Studies. May, 2022.

156 Ibid.

157 KCSS Focus Group in Fushe Kosove, October 14, 2022

158 Focus Group Discussion in Kamenica, October, 2022. Kosovar Centre for Security Studies.

159 Focus Group Discussion in Klllokot, September 30, 2022. Kosovar Centre for Security Studies.

160 Ibid.

161 KCSS Focus Group in Peja, September 20, 2022. Kosovar Centre for Security Studies.

162 Ibid.

the level of risk that the survivors face and then they make the decision on whether or not they should be directed to the shelter.

**Psychological violence and economic violence are two types of gender-based violence that are more difficult to identify and address, yet still pervasive.** – There is a widespread belief that in general the level of awareness around GBV and the need of reporting it has been increasing. As a focus group participant notes, “The rise in reported GBV cases comes as a result of increased levels of awareness, however, psychological violence remains very difficult to detect. Economic violence remains also problematic and it is one of the GBV acts that is the least reported.<sup>163</sup>” A representative from the shelter for survivors of domestic violence in Prishtina notes that “psychological violence and economic violence are the most common forms of GBV that we see in the recent time.<sup>164</sup>”

**Awareness raising campaigns have a direct impact on higher rates of reporting** – Based on the collected data, it has been highlighted that the impact of awareness raising campaigns is rather quick in increasing levels of reporting of GBV cases. As a focus group participant from the municipality of Ferizaj points out “during the pandemic, we have organized lectures in high schools about gender-based violence and we have seen a visible increase in reported cases.”<sup>165</sup> Further, the continue that “after almost every informative meeting someone has approached us with questions on how they could report GBV cases, as the majority of them were not even aware that the provision of shelter is offered as a service.”<sup>166</sup>

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163 Focus Group Discussion in Kamenice, October, 2022. Kosovar Centre for Security Studies.

164 Interview with Representative of Shelter for Domestic Violence Victims in Prishtina, Kosovar Centre for Security Studies. May, 2022.

165 Interview with a representative of the shelter for victims of domestic violence in Ferizaj, June 7, 2022. Kosovar Centre for Security Studies.

166 Ibid.

# Rehabilitation and reintegration prospects for survivors of Gender-based Violence

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**Reintegration of survivors of GBV is considered a pressing challenge for shelters and CSWs** – The safe transition of survivors of GBV into society and their reintegration is considered as one of the biggest challenges in the municipality of Vushtrri.<sup>167</sup> The municipality needs to work very hard to provide long-term accommodation solutions for women, and the main way to do so is through employment.<sup>168</sup> **Shelters provide only a short-term solution as survivors of domestic violence require a more long-term approach to reintegration** – Since the shelters are reported as underfunded and with unsustainable sources of financing, across the municipalities it has been emphasized that survivors of GBV require long-term solutions when it comes to sheltering. The short-term shelters do not make them to feel safe while “housing provided by the state as part of the social schemes would guarantee survivors that GBV would not be repeated.”<sup>169</sup> Further, **poor economic conditions impede a proper resolution of domestic violence cases** – As a focus group participant in Drenas notes, “There are cases when the family of those accused on domestic violence charges have requested the inmate’s release due to their poor economic circumstances; thus, where are instances when the [survivor’s] statement is altered because of their challenging financial circumstances and the perpetrator is their main source of economic sustenance.”<sup>170</sup>

**Lack of rehabilitation programs for children who have directly or indirectly experienced domestic violence presents a challenge.** An issue that stands out is the lack of psychologists at the Centers for Social Work and in schools, to address cases of domestic violence. As a member of the focus group discussion in the municipality of Fushe Kosova notes “there are no psychologists at CSW and in schools which are needed to treat children who are survivors of domestic violence or come from families that have experienced domestic violence.<sup>171</sup>” Stigma in making use of mental health support services further adds to the challenge. However, even if children want to visit the psychologists it is difficult given that, for instance, there are 11,000 students and there is only one psychologist.<sup>172</sup> Even for shelters for survivors of domestic violence, addressing the need of children presents a challenge. As a representative from the shelter for survivors of domestic abuse in Prizren points out “the biggest issue for us is to deal with the children when their mothers are survivors of domestic violence. Children have many requests and do not take isolation within the shelter well; most of them discontinue their schooling while in isolation which further adds to their disruption.<sup>173</sup> Further, as a psychologist notes at a shelter, “children are also survivors and the trauma that they experience as a result

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167 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

168 Focus Group Discussion in Klinë, October 18, 2022. Kosovar Centre for Security Studies.

169 Focus Group Discussion in Vushtrri, October 20, 2022. Kosovar Centre for Security Studies.

170 Focus Group Discussion in Kamenica, October, 2022. Kosovar Centre for Security Studies.

171 KCSS Focus Group in Fushe Kosova, October 14, 2022. Kosovar Centre for Security Studies.

172 Ibid.

173 Interview with a representative of the shelter of victims of domestic abuse in Prizren, Kosovar Centre for Security Studies, May, 2022.

of witnessing domestic violence often manifests as violence in school or other forms of trauma manifestations.<sup>174</sup>

**Survivors of GBV are more reluctant to request mental health support services, challenging their rehabilitation and reintegration prospects** – Although GBV survivors have some access to mental health support services such as through the psychologists at the shelters for survivors of domestic abuse, they face barriers in accessing such services. At times, these obstacles include fear of stigma by the community for being treated by a psychologist or not being able to see the value of visiting a psychologist. For instance, in the small community of the municipality of Kamenica, survivors of domestic violence know the psychologist and they are reluctant to visit them because the survivors do not feel comfortable sharing certain information with them.<sup>175</sup> In other instances, there is a lack of clinical psychologists that are more specialized in dealing with GBV cases. As a representative from the CSW highlights, “the survivors receive all the treatments that we have to offer, however, we face difficulties in convincing them to see a psychologist.”<sup>176</sup>

**Children’s daycare services are an important factor in supporting the rehabilitation and reintegration of the survivors of domestic violence.** A challenge that was identified in terms of the need to facilitate the rehabilitation and reintegration of survivors has been the lack of daycare services for children coming from domestic violence family backgrounds. As a focus member participant in Fushe Kosova notes “even in cases where we are able to support the employment of the women who have survived domestic abuse, they are not able to work because they do not have any place to take care of their children.”<sup>177</sup>

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174 Ibid.

175 Focus Group Discussion in Kamenica, October, 2022. Kosovar Centre for Security Studies.

176 Ibid.

177 Ibid.

# RECOMMENDATIONS

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It is evident from reported cases as well as from community perspectives that Gender-based violence presents a serious threat, disproportionately affecting the lives and safety women and girls. In addition to identifying some of the main challenges in addressing gender-based violence cases, this study puts forward a number of recommendations deriving from exclusively interviews and focus group discussions. These recommendations include the following:

**Implement awareness-raising campaigns about the threat of GBV, how to report it, and where the survivors of GBV can reach out for help – Greater** efforts need to be made to better inform the public and raise awareness regarding GBV. To begin with, the public and survivors of GBV lack information on how to report violence and which are the institutions that can provide support or shelter for GBV cases. Since most respondents highlight the need to tackle the troubling trend of how violence against women appears to have been ‘normalized’, it is proposed for awareness raising campaigns to start early in the education system, including through regular lectures on GBV by the police and CSOs in schools. Moreover, awareness raising campaigns should have a greater reach and be implemented across the country, including rural parts of Kosovo and involving not just women and girls but also men and boys. As part of these awareness-raising efforts, it should be emphasized that each member of the society has a role in tackling GBV or preventing it, and this can be done also by encouraging reporting of GBV by ‘neighbors’ or other individuals who may not be directly affected. This would potentially strengthen the deterrence effect of reporting and also send a signal that GBV is unacceptable and will not be tolerated. Finally, in addition to informing the public about how to seek help in preventing or reporting GBV, the public needs to also be better informed about the importance of respecting women’s equal right to property inheritance, which is tightly linked with their economic dependence that puts them in a more precarious position for GBV. Further, based on survey data collected through the Western Balkans Security Barometer, improving the level of education and implementing awareness raising campaigns on GBV across cities and schools were identified as the key measures required to prevent domestic violence.<sup>178</sup>

**Impunity for perpetrators of GBV must end and those committing GBV crimes should face harsher punishments. Recidivist cases must be treated more seriously, including through rehabilitation programs aimed at lowering their risk of reoffence, and through electronically monitoring them,** – Respondents suggest that at the outset, a national database must be created and publicly shared about the identity of offenders charged with GBV crimes, including sexual harassment and sexual violence. In cases when perpetrators of GBV are released from prison or finish their sentences, they should undergo rehabilitation treatment. Specifically, a center for the rehabilitation of perpetrators of GBV must be established. It does not suffice to send the survivors to the shelter, but perpetrators must also undergo some type of treatment that can potentially lower recidivism rates.

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178 Western Balkans Security Barometer, 2022. Kosovar Center for Security Studies.



**There should be greater protection measures and guarantees for rights of survivors of domestic violence, with a focus on their economic empowerment and independence.**

A consistent finding shared among respondents has been the link between the level of education, access to property, and financial independence of survivors of GBV. Thus, it is recommended that shelters focus their programming on the reintegration of survivors through programs that empower them economically. This could also be a space where local or international donors could potentially support the local shelters for survivors of domestic violence. Importantly, there should also be programs for children who are growing up in environments characterized by violence, and who may need mental health support as well as reintegration and resocialization programs.

**It is urgent for central and local level institutions to allocate separate budget lines dedicated to addressing GBV cases, including through the financing of CSW, local police, and the shelters for survivors of domestic violence.**

Local institutions must assume a greater role in addressing GBV cases. Each municipality should have at least one shelter to protect survivors of GBV, without having to rely on regional shelters which can be underfinanced and overcrowded and not able to address the needs of those asking for help.

## CONCLUSION

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Although gender-based violence presents a complex and challenging issue, at the same time is considered a preventable problem through strong institutional gender-based violence programming (i.e. prevention and response) and risk mitigation across all sectors.<sup>179</sup> More specifically, gender-based violence is considered preventable through a combination of "early identification of women affected by violence, access to survivor-centered support and protection, ensuring that the police and justice systems are more responsive to the needs of survivors, and primary prevention by addressing the root causes of violence against women and girls including through transforming harmful masculinities, social norms, eliminating structural gender inequalities and gender stereotypes." Further, strengthening data collection on femicides is a critical step to inform policies and programs aimed to prevent and eliminate violence against women and girls. In the context of a solid legal and strategic framework to address cases of gender-based violence, prioritization of the issue by the government of Kosovo and allocation of adequate funding to relevant coordinating mechanisms - are the first critical steps in addressing this scourge for women in Kosovo.

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**Disclaimer:** The development and publication of this document has been supported by the Kosovo Foundation for Civil Society (KCSF) program 'EJA Kosovo', co-financed by the Swiss Agency for Development and Cooperation (SDC), Sweden, and the Government of the Grand Duchy of Luxembourg. The content of this document is the responsibility of Kosovar Centre for Security Studies (KCSS) and does not necessarily represent the views of KCSF, SDC, Sweden or Luxembourg.



Katalogimi në botim **(CIP)**

Biblioteka Kombëtare e Kosovës - "Pjetër Bogdani"

396(496.51)(047)

Avdimetaj, Teuta

Baseline Report on Gender-based Violence in Kosovo : community and Stakeholder Perceptions / Teuta Avdimetaj. - Prishtinë : Qendra Kosovare për Studime të Sigurisë, 2022. - 25 f. ; 24 cm.

Diskriminimi i seksit -- Të drejtat civile -- Kosovë

Gratë -- Krimet ndaj tyre -- Raport -- Kosovë

**ISBN 978-9951-799-76-8**

Aleph [000105417]



ISBN 978-9951-799-76-8



9 789951 799768