



INDICATORS FOR MONITORING THE ACTUAL SITUATION OF THE COUNTRIES CONCERNING VIOLENCE AGAINST WOMEN

Based on Recommendation REC 2002(5) of the Committee of Ministers of Council of Europe to member states on the protection of women against violence¹, in line with the UN Declaration on the Elimination of Violence against Women and General Recommendation 19 of the UN CEDAW Committee

Prepared by Éva Földvári and Enikő Pap, Network Women's Program in consultation with the Expert Team composed of experts from the Minnesota Advocates for Human Rights and the National VAW Monitor Network

General remarks: in case of citing reports, documents and statistics please refer the exact source and public access to them, as well as the language in which they are available. In case of referring to legal provisions, please provide the exact source; and the text itself when the length of the provisions allows it, otherwise only the summary of the regulation. When answering questions which require yearly data/statistics, please refer the year of 2004, and if possible, for the first half of 2005. (If possible, it could be interesting to have similar data from the year 2000, in order to make comparison.)

1. STATE RESPONSIBILITY: SPECIAL BODIES, ACTION PLANS, BUDGET AND COMPLIANCE WITH INTERNATIONAL NORMS

1.1 Is there a gender equality machinery (a governmental body or department responsible for gender issues) in the country? If yes, are there special tasks allocated to the national machinery in the field of VAW? If yes, please list them. Is there a budget allocated for this? If yes what is the (yearly) amount?

Is there an evaluation report either by the state or by NGOs about the fulfillment of these tasks or the monitoring of progress? If yes, what are the main statements, conclusions?

Following the war in 1999, United Nations Security Council Resolution 1244 gave the United Nations Mission in Kosovo (UNMIK) the task of administering Kosovo until its final political status could be determined, with the Special Representative to the Secretary General (SRSG) retaining complete authority. The people of Kosovo elected democratic institutions, including assemblies at the municipal and central levels of government. Since UNMIK is the ultimate governing authority, most all existing laws were signed passed by the assembly and then signed into effect by the SRSG. UNMIK has slowly begun to transfer competencies over to the local governing institutions. In this unique form of government where power is shared between

¹ To prepare this list of indicators, the following source was used as an example: Monitoring Framework based on indicators prepared by the Group of Specialist on the Implementation of and Follow-up to Recommendation Rec(2002)5 of the Committee of Ministers to Member States on the Protection of Women against Violence

UNMIK and the elected government, there are at times multiple forms of gender equality machinery – located within both the UNMIK administration and the Kosovar government.

Following the approval of the Law for Gender Equality 2004/2, a range of institutions dealing with gender equality were established. On February 01, 2005 the Office for Gender Equality was established by the Government of Kosovo nr. 5/31. According to the Law for Gender Equality 2004/2, the main institution responsible for gender policy is the Office for Gender Equality which is part of the Consultative Office for Good Governance in the Prime Minister's Office. The Office for Gender Equality as part of the Prime Minister's Office coordinates its action with the Consultation Office for Good Governance, Human Rights, Equal Opportunities and Gender, established according to UNMIK rule nr. 2001/19 – first annex. This office is financed by the Kosovo Consolidated Budget. The budget line falls under the Prime Minister's Office annual budget and the budget lines are not currently disaggregated.

Other institutional structures dealing with gender equality issues include the Offices for Gender Affairs, which are located in each of the municipalities' local governments, and the Subcommittee for Gender Affairs in the Assembly of Kosovo.² These are financed through the local assemblies, from the Kosovo Consolidated Budget. The government of Kosovo has also established an inter-ministerial group, which aims to coordinate activities between the different institutions in relation to gender issues.³

An Office for Gender Affairs (OGA) exists within the UNMIK administration, but it does not have any special department dealing with the issue of VAW within its structure.⁴ The Ombudsperson's Office is responsible for cases dealing with gender-based discrimination, according to the UNMIK rule nr. 2000/38. However, this office serves more as a source of information than as a useful mechanism. Previously, the office was financed through UNMIK, but as of 2006 will be financed through the Kosova Consolidated Budget.

In conclusion, although there are numerous forms of gender equality machinery within UNMIK and the Kosovar government, there are not any special tasks allocated to the national machinery in the field of VAW. There is no special governmental institution or department dealing with VAW.

In fact, representatives from the five major shelters located throughout Kosova recently met with the Minister of Labor and Social Services to request support because currently nearly all people who have suffered from VAW are directed by the police or international institutions to receive help from the shelters. While performing a function that could be considered governmental, the shelters receive little if any financial support from the government, which has been a major complaint.⁵

1.2 Are there any special governmental coordination institution or body in charge of the implementation of measures to combat VAW (responsible for regular monitoring and evaluation, as well as regular consultation among the relevant state institutions, NGOs and experts)? If yes what are its tasks and activities? Is there any evaluation report about its activities, what are the main conclusions? What is the total yearly budget for the operation and its distribution among the different tasks? What is the number and qualification of staff?

² See <http://www.AssemblyofKosovo.org>.

³ Article 2, Rule 2/2005 for founding and interim administration of the Office for Gender Equality.

⁴ Rule nr. 2004/18 for declaring of the Law on Gender Equality in Kosovo, approved by the Assembly of Kosovo.

⁵ See www.womensnetwork.org/main%20page%20files/Newsletter.pdf for information about this meeting and their requests.

Although the Office for Gender Equality exists as part of the Prime Minister's Office, this office does not have any department or special body dealing with monitoring, evaluation, and coordination of measures taken to combat violence against women.

1.3 Is there a special National Plan of Action for Combating Violence against Women? If yes, please refer to items below. Is there a National Action Plan for Gender Equality? If yes, are there special provisions concerning VAW? Please refer in both of the above cases to the type of actions with deadline and responsible actors and the budget allocated. Are there any report/progress report made by the State about the implementation of the Plans? Are there such reports by the NGOs? If yes, please give a brief summary of these reports' main conclusions.
See: Recommendation, VIII.

In 2004, the Government of Kosovo approved the National Action Plan for the Achievement of Gender Equality, and this plan presents recommendations for addressing the problems and specific circumstances of gender discrimination in Kosovo. As a mechanism for gender equality, the National Action Plan for the Achievement of Gender Equality was written to conform to Kosovar women's needs. It was designed in the context of the international movement for improving the position and status of women and proposes concrete steps for Kosovo towards achieving gender equality and development.

With the aim of protecting and advancing human rights in Kosovo, the Prime Minister has drawn a decision for establishing a Human Rights Unit in every ministry of the Government of Kosovo. Human Rights Units in cooperation with Office for Good Governance will help implement documents approved by the Government of Kosovo and will be directly responsible for the implementation of recommendations provided by the Ombudsperson's Institution in relation to implementing human rights legislation. They also have an important role in composing documents in the field of human rights, which will help directly in the implementation of Standards for Kosovo and in the future process of human rights reporting in Kosovo. On October 11, 2005 the Prime Minister of Kosovo signed an administrative directive nr. 8/2005 with the description of tasks for the Human Rights Unit in the Government of Kosovo. The officials in the Human Rights Unit will cover the following areas related to human rights: equal opportunities (in relation to the implementation of the law against discrimination), gender equality (commensurate to the law for gender equality), children's rights, minorities' (communities') rights, the rights of people with the limited abilities, and against the trafficking of human beings.⁶

On October 11, 2005, the Government of Kosovo approved the Action Plan for implementing the Law against Discrimination (Dec. nr. 4/170), which ranks the importance of activities, sets a timeline, and designates responsibilities for institutions involved in proposing the detailed description of needs for financing the implementation of the plan, from the Kosovo consolidated budget.

However, in the National Action Plan for the Achievement of Gender Equality there is no action plan for combating violence against women. There is no budget dedicated specifically to combating violence against women. The Chief of the Office for Gender Equality, Visare Gorani, said in an interview: "In 2006, we plan to do research in relation to this problem (VAW), but the budget isn't allocated yet."⁷

⁶ The Prime Minister's Office for Good Governance, Human Rights, Equal Opportunities and Gender Equality: Three month report about the activity in the field against discrimination, corruption, and trafficking of human beings, July-September 2005, Pristine, page 31.

⁷ Personal interview with Visare Gorani, Chief of the Office for Gender Equality as part of the Prime Minister's Cabinet on 30 January 2006.

1.4 Are there any other policy documents aiming to combat VAW or its different forms? If yes, please give a brief summary of the main areas and actions of it. Is there an evaluation report about the implementation? If yes, please give a brief summary of the conclusions.

According to the Director of the Directorate for Legislation in the Office for Good Governance, Abit Asllani, “Still there is no specific policy for combating different forms of violence against woman.”⁸ According to him, the Office for Gender Equality is planning to do something concrete in this direction in the near future.

1.5 Is there a systematic review mechanism (regular report of progress etc.) by the State of the existing legislation and policies concerning VAW? Is yes, how does it work, and who is responsible for the reviewing? Is there any role for the NGOs in the mechanism? If yes, please refer it.
See: Recommendation, I.

The Directorate for Legislation exists inside the Office for Gender Equality, which says that it systematically monitors the implementation of laws in Kosovo in relation to the protection of women victims of violence and reacts where infringements upon the law are identified. However, this office has never published anything VAW or its work monitoring VAW legislation. This is partially due to the fact that the office was only established in 2005 and has just begun to function. Within the Office for Gender Equality is a Directorate that is responsible for cooperation with NGOs. Thus, in the future, NGOs should technically be included in monitoring the existing legislation and policies concerning VAW.

1.6 State Budget

1.6.1 Is there a budget line in the State and municipality budget for the fight against VAW or its different forms? If yes, please list the beneficiaries, type of actions and yearly amount. Is there a budget line in the central budget of the National Police Headquarters, Prosecutors’ Office, Court System, National Social, Family and Child Protection Services and well as Health Care System for the fight against VAW or its different forms? If yes, please list the beneficiaries, type of actions and yearly amount one by one.

According to the Director of the Directorate for Legislation in the Office for Good Governance, Abit Asllani, there is no special budget line for actions that combat violence against women. However, inside the Office for Gender Equality’s general budget, there is a possibility to allocate a budget for realizing projects concerning violence against women. This point was confirmed by the Chief of the Office for Gender Equality inside the Prime Minister’s Cabinet Visare Gorani. Since this is a new office, this budget has not yet been used for VAW purposes.

Within the Kosovo Police Service exists a unit against violence in the family, which deals with cases of violence in the family, including violence against women. In the budget allocated for the Kosovo Police Service exists a budget line for operating the unit for violence in family. In addition to activities related to investigating cases of violence in the family, this unit also takes part in activities such as campaigns for raising citizens’ awareness about violence against women.

⁸ Personal interview with Abit Asllani, Director of the Directorate for Legislation in the Office for Good Governance in the Prime Minister’s Office on 28 January 2006.

The victims' advocacy and assistance unit (VAAU), is a unit inside the Supreme Court of Kosovo, which offers aid to victims during juridical processes, advice, and free representation before the court. This includes nominating the defense lawyer. If the victim does not have shelter, the unit accommodates the victim in one of the shelters run by NGOs. In some cases, the unit offers monetary compensation to safe houses that take the responsibility to shelter victims.

Arta Kelmendi, the Leader of the Victim's Advocacy and Assistance Unit said in an interview: "In 2005, in collaboration with the OSCE, Prime Minister's Office, Ministry of Education, Science, and Technology, and American Office in Kosovo, we led a project against the trafficking of human beings. This campaign lasted two weeks with the aim of raising citizens' awareness about trafficking, for example, how to protect the population and young people from trafficking. We delivered brochures, held lectures for secondary schools and published throughout the media the phone number that victims of trafficking can call."⁹

In conclusion, while there is not one single budget line dealing with VAW in the National Police Headquarters, Prosecutors' Office, Court System, National Social, Family and Child Protection Services or Health Care System, all have more general budget lines that cover VAW. At this point in time, a disaggregated breakdown of budget lines is not available.

1.6.2 Is there a yearly amount for the support of NGOs from the State (authorities) working in the field of VAW? If yes, how much is that? If no, what was the amount in the last year the State allocated to NGOs working in the field?

Before the war in 1999, only a few NGOs dealt with the issue of violence against women.¹⁰ With the end of the war respectively with the installation of the international administration in Kosovo, the number of the NGOs dealing with issues of the women's position, including violence against women has increased. Mostly of these Kosovar NGOs are and were financed by different international NGOs.

In 2005 and previously, the Kosovo Consolidated Budget did not include support for NGOs dealing with violence against women. This could be related to the small size of the overall budget.

In some cases in relation to campaigns, trainings, or conferences about VAW, institutions took part, cooperating or sometimes even co-financing these activities. One example of this cooperation was the project against the trafficking of the human beings, which different institutions participated in, including the Prime Minister's Office for Good Governance, the Ministry for Education, Sciences, and Technology, the Victim's Advocacy and Assistance Unit, and different NGOs like IOM.¹¹

1.7 Is there a financing system to compensate victims? If yes, describe it briefly. Please refer to the (yearly) total number of beneficiaries and amount of money distributed, as well as the number of VAW victim beneficiaries and the total amount of money distributed for them.

See: Appendix, 37.

There is no financial system dealing with the compensation of damages done to victims of violence, but institutions and different NGOs offer free services for sheltering victims and legal advice. The typical example for this is the Victim's Advocacy and Assistance Unit that acts as a

⁹ Personal interview with Arta Kelmendi on 03.02.2006, the Kosovar leader of Victim's Advocacy and Assistance Unit.

¹⁰ Personal interview with Visare Gashi on 30.01.2006. Chief of the Office for Gender Equality as part of the Prime Minister's Cabinet.

¹¹ Personal interview with Arta Kelmendi on 03.02.2006, the Kosovar leader of Victim's Advocacy and Assistance Unit.

part of the Supreme Court of Kosovo. This unit offers help to victims during the juridical process with free advice, representation before the court, and the provision of shelter. The Victim's Advocacy and Assistance Unit in some cases offers compensation in money for the safe houses that take the responsibility of sheltering victims.

1.8 Are the issue of VAW and the women's safety present in the laws, regulations and guidelines of the national, regional and urban planning? If yes, please present briefly how it is mentioned and regulated. See: Appendix, 21-22.

The Kosovo National Action Plan for Gender Equality foresees that all laws should harmonize with all European conventions and resolutions, including the Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) and United Nations Security Council Resolution 1325. Plans for national, regional, and urban planning, are in the compilation phase. It is not yet known if VAW and women's security will be taken into consideration.

1.9 What are the main concerns in connection with VAW in the (last) Concluding Comments of CEDAW Committee for the country? Has the State taken any steps to implement the Committee's Recommendations? If yes, please present them.

Only independent states that are internationally recognized can be party to CEDAW. Taking into consideration that Kosovo does not have the status of an independent state, it cannot be party to CEDAW. Abit Asllani, Director of the Directorate for Legislation in the Office for Good Governance inside the Prime Minister's cabinet, said in an interview that the Kosovo's Constitutional Framework (a substitution for a state constitution) has taken into consideration the recommendations from CEDAW. The law against all forms of discrimination is in harmony with this convention. In this way, Kosovo has created a mechanism for implementing CEDAW.¹²

1.10 What were the main concerns of the UN Special Rapporteur on Violence against Women in her report regarding the country?

Due to its political status, the UN Special Rapporteur on Violence against Women did not submit a report on Kosovo.

2. SPECIAL SUBSTANTIVE AND PROCEDURAL LAWS FOR THE PROTECTION FROM ALL FORMS OF VAW

Note: the information collection should cover and refer to all different forms of violence against women (as defined in the Appendix 1 of the Recommendation). If there are draft laws/regulations in the field, or initiatives to adopt laws you should refer to them also.

2.1 Is there a special law (act) on VAW? If yes, what is the definition of VAW, what forms of violence it covers and what are the main provisions? If no, is there a special law on different forms of VAW (domestic violence, trafficking, etc.)? If yes, what is the form of violence it covers and what are the main provisions?

There is no special law in Kosovo on VAW. There is a rule that indirectly deals with VAW, in the treatment of violence against individuals - either in the family or in public. It does not

¹² Personal interview with Abit Asllani, Director of the Directorate for Legislation in the Office for Good Governance in the Prime Minister's Office on 28.01.2006.

specifically treat VAW, but rather violence against all persons. The Law for Gender Equality, Anti-discrimination Law, Rule on Domestic Violence, and Rule against the Trafficking of Human Beings are other forms of legislation that indirectly deal with VAW. Provisions in the Rule on Domestic Violence (2003/12) create special legislation for punishing perpetrators of violence in the family, as well as protecting victims of domestic violence.

According to UNMIK Rule 2001/4 against the trafficking of human beings, it is a crime to be involved in the trafficking of human beings (punishment ranges from 2 to 20 years in prison, depending on the case) and to take and withhold someone's passport (punishment varies from 1 to 5 years in prison, depending on the case).

The Anti-discrimination Law nr. 2004/03 paragraph 2, obligates "equal treatment, which means no discrimination directly or indirectly against a person due to his or her gender, age, marital status, language, bodily or psychological disability, politic bias, religion or belief, ethnic or social belonging, race etc."

2.2 Criminal law

2.2.1 What are the definition and classification of criminal acts, and the punishment? See: Appendix, 35.

The temporary criminal code of Kosovo, enforced since April 6, 2004, created legislation for combating all forms of criminal activity. Violence in the family is regulated and sanctioned very well within the temporary criminal code. According to UNMIK rule nr. 2003/25 towards the implementation of the temporary criminal code and UNMIK rule nr. 2001/4 about the prohibition of trafficking of human beings in Kosovo "it is a crime to be involved in the trafficking of human beings (punishment ranges from 2 to 20 years in prison, depending on the case) and to take and withhold someone's passport (punishment varies from 1 to 5 years in prison, depending on the case)."

2.2.2 Are there any aggravating or mitigating circumstances with regard to VAW, concerning the punishment? If yes, please refer them briefly.

With the temporary criminal code of Kosovo and with the rule against domestic violence, activities in combating VAW have been simplified. According to the NGO Center for Protection of Women and Children's 2004 Annual Report, "The temporary criminal code of Kosovo specifies that for minor body injuries, if the offender is of family relation, the punishment is harsher."¹³

2.2.3 Are there any special procedures, procedural provisions (possibility of quick, out of turn procedures etc.)? If yes, please refer them briefly.

Following the approval of the law against domestic violence, the courts consider resolving cases of domestic violence a priority. In some cases, this is also due to the impossibility of sheltering victims for a longer period of time. According to the LT. Besim Berisha, official in the unit for domestic violence, the Kosovo Police Service department of serious crimes has "some cases when women victims of domestic violence do not have the possibility of shelter, so the court must proceed the case immediately."¹⁴

¹³ Center for Protection of Women and Children, Annual Report 2004, Collection number 5, Pristine, 2005

¹⁴ Personal interview with LT. Besim Berisha on 01.01.2006, an official in the domestic violence sector of the Directorate for serious crimes.

According to Valbona Salihu, a jurist from NGO Norma Women Lawyers Association, the main criteria for evaluating which case is a priority for trial are as follows: "Court cases are proceeded in such a way that cases with prior imprisonment or high risk are a priority. If a case of violence against women is considered an emergency, then it will be proceeded."¹⁵ After an incident of domestic violence is reported to the police and the police have confirmed that violence occurred, the victim must decide whether or not to imprison the perpetrator. If she decides to press charges, the court is then required to immediately proceed with the case. In cases of VAW outside the family, the case is processed according to regular procedures.

2.2.4 Are there restraining, protection or barring orders in the legal system? If yes, please present the main provisions briefly, including the consequences of the violation of the law.

According to provisions in the Rule on Domestic Violence (2003/12), the Victim's Advocacy and Assistance Unit and Supreme Court of Kosovo are obligated to take measures for punishing perpetrators of domestic violence and to offer protection to victims. According to the law, article 2.1c, in cases of domestic violence, the Victim's Advocacy and Assistance Unit must give emergency protection orders if necessary, which can include sheltering, restraining orders for a designated minimal distance, not disturbing the victim, etc. If the perpetrator violates this law, the perpetrator will be arrested immediately and held in jail for 72 hours. At this time, the immediately proceed the case. The police maintain the right to hold him for more than 72 hours if they have reason to believe that the perpetrator could harm the victim again.

2.2.5 What are the cases where *ex officio* prosecution (either by the police or the prosecutors) apply, and where is necessary the victim's request to start the procedure? Are the police obliged to record and investigate all the reported cases? If yes, please refer the legal source and relevant provisions briefly.

As mentioned above, if a victim of domestic violence requests to start the procedures, cases must be processed immediately.

According to the internal regulations for police, they are obligated to investigate and record all reported cases. Even in cases where individuals call and then deny their prior allegations, the police are still required to investigate and record the case. According to the LT. Besim Berisha, when the police receive a call for VAW, the procedure is as follows: First, they send a police patrol to confirm if the call is true and if there has been violence. If violence occurred, then they call a special unit for domestic violence, which exists in every police station. Usually these units are comprised of two police officers (one man and one woman) who are specially trained for dealing with domestic violence situations. If according to the nature of the violence, the woman resists talking in front of the police, then the police woman does the interview in a separate room. If the police determine that violence has occurred, they immediately arrest the offender or in that person's absence they declare the arrest. The subject must be sent to court immediately.¹⁶

2.2.6 Is violence against women and children an aggravating or decisive factor in deciding about prosecution in the public interest?

¹⁵ Personal interview with Valbona Salihu on 02.02.2006, Jurist from NGO "Norma" Women Lawyer's Association

¹⁶ Ibid.

Social norms based on tradition and informal codes such as the “Lekë Dukagjini Canon” at times interfere with the implementation of court decisions regarding violence against women and children.¹⁷

2.2.7 Are there special provisions in the defence of children (legal representation, institution of proceedings etc.)? If yes, please present them briefly.

Provisions in the law against domestic violence (2003/12) created special legislation for punishing perpetrators of domestic violence as well as protecting and offering help to victims. Also, if children need shelter, the Victim’s Advocacy and Assistance Unit in collaboration with the centers for social work take responsibility for sheltering them. Currently, although there is not a special provision dealing with children, they fall under the Family Law and the Law against Domestic Violence and therefore have the right to protection and legal representation just as other persons.

2.2.8 Is violence penalised if it is perpetrated or condoned by the state or its officials (in particular in prisons, detention centres, psychiatric institutions etc.)? If yes, please present the relevant provisions briefly. What kind of sanctions can be applied?

See: Appendix, 34-35., and the Additional measures

The Anti-discrimination Law (nr. 2004/03), in which paragraph 2 (a) emphasizes “equal treatment, which means no discrimination directly or indirectly against a person due to his or her gender, age, marital status, language, bodily or psychological disability, politic bias, religion or belief, ethnic or social belonging, race etc.” If the offender is the state, a person can file a suit against the state with the Supreme Court and also with the Ombudsperson’s Institution. The sanctions are regulated according to the temporary criminal code of Kosovo.

2.3 Are there any special provisions in civil/family law for VAW cases, including remedies, compensation for pecuniary and non-pecuniary damages? Are there special procedural laws or provision (quick procedure etc.)? Are there special provisions in defence of children? Are there special provisions in domestic violence cases concerning divorce, housing (using the common flat) and child custody/visitation right? If yes, please present all the above provisions briefly.

The Marriage and Family Law codifies individuals’ rights within the family. The law is divided into ten parts. The third part regulates marriage procedures, relations between the parent and child, and food.

Within this law and the Law on Domestic Violence, there are provisions for VAW cases. VAW cases have rights to compensation. For example, if a woman who has suffered from domestic violence chooses to divorce her husband, she may receive compensation from him or

17. The Code of Lekë Dukagjini, or simply “Kanuni” (or “Canon” in English), is a set of laws developed by Lekë Dukagjini and used mostly in northern Albania from the 15th century until the 20th century and revived recently after the fall of the communist regime in the early 1990s. This set of laws was a customary one, passed down through the generations, and not codified and written down until the 19th century by Shtjefën Gjeçovi. Although Kanuni is attributed to the Albanian prince Lekë Dukagjini, the rules evolved over time as a way to bring laws and rule to these lands. The code was divided into several sections: Church, Family, Marriage, House, Livestock and Property, Work, Transfer of Property, Spoken Word, Honor, Damages, Law Regarding Crimes, Judicial Law, and Exemptions and Exceptions.

his estate. There are not any special provisions to process the case. As stated above, children fall under the same legislation as all other persons.¹⁸

2.4 Victim protection and protection of witnesses

2.4.1 Is there a special law (or provisions) on victim protection and protection of witnesses? Are there special provisions concerning VAW? If yes, please present them briefly.

The Victim's Advocacy and Assistance Unit (VAAU) acts according to existing legislation, such as the temporary criminal code of Kosovo, Law against domestic violence, and anti-discrimination Law. The procedures are as follows: after a case is reported by the police or the VAAU is contacted directly, the unit names an official from VAAU as a defender of the victim. Then he or she will appoint a lawyer that is free of charge. If the victim is not already sheltered, he or she will ensure shelter. In some cases, the VAAU compensates the NGO - shelters with money for sheltering the victim. The victim is followed until the end of the trial. Also, the VAAU has phone numbers in every region when victims can be informed about their rights. Witness protection is regulated through the temporary criminal code of Kosovo. Paragraph 14.3.g. allows for protection not only of the victim, but also for third party witnesses of violence.

2.4.2 Are there special conditions prescribed for hearing in order to avoid secondary victimization, repetition of testimony, unwarranted questioning (e.g. in camera hearing, special rooms for questioning)? If yes, please refer them briefly. In how many cases of VAW were it used totally (or the last year)?

The police have their own internal policies for these issues. In cases where it is necessary, the police involve a woman police officer for interviewing the victim. If the victim is unsafe, then she must be sent to the VAAU. During the police questioning, victim has the right to give her testimony in a private room. The first interview is recorded, signed by the victim, and sent to the court. Victims testify a second time in court. If the violence committed was sensitive in nature (such as sexual violence, incest, etc.) the VAAU provides a victim with a female lawyer.

The Law on the Prevention of Trafficking Human Beings in Kosovo 2001/4 article 7.3 states that it is at the judge's discretion whether or not the recorded testimony of the victim can be used as the victim's testimony. If the judge decides that it does not provide sufficient evidence, he or she can ask the victim to testify in court. In cases of trafficking, the judge will then oversee which questions can and cannot be asked of the victim in court. However, in VAW cases that are not related to trafficking, there are no specific conditions related to secondary victimization, repetition of testimony, or unwarranted questioning.

2.4.3 Are there special provisions of data protection law in cases of VAW? If yes, please present them briefly. If no, are there any general provisions that can be applied?

LT. Besim Berisha emphasized that in any case the anonymity of the victim is assured. This is regulated by an internal regulation, which is in harmony with the temporary criminal code of Kosovo. This information cannot be used by a third party.¹⁹

¹⁸ Please see the Law on Domestic Violence 2003/12 provision 14.

¹⁹ Personal interview with LT. Besim Berisha, an official in the domestic violence sector in the Directorate for serious crimes, on 01.01.2006.

2.4.4 What are the main legal provisions of professional confidentiality in cases of sexual violence against children?

The temporary criminal code of Kosovo which was enforced on April 6, 2004 created legislation for combating all forms of criminal activity. Within this law are provisions about professional confidentiality in relation to sexual violence against children.²⁰

2.4.5 Are there special provisions in the law in the defence of the professionals, service providers dealing with VAW cases? If yes, please refer them briefly.

There are no special laws for protecting professionals working in shelters or in places where services are offered to VAW cases.

2.4.6 Are there special provisions in the defence of children?

Also, for the protection of children, there are only laws that govern over all persons. However, these are in harmony with all European conventions on children's rights. Valbona Salihu said that according to the law against domestic violence, in cases where children are at risk, they are sheltered in safe houses with their mothers. Based on the law against domestic violence, VAAU is responsible for taking protective measures in cases where children are victims. In most cases, the safe houses that shelter women also shelter children.

2.5 Is there a free legal aid for the VAW victims before and during the procedures? Is it possible for victims in the procedures to access legal representation and assistance by public or private organizations working in the field? Who provides and finance the above services? What are the main conditions for taking advantage of them?

Following a police report that shows that violence occurred, everyone has access to free legal aid from the following public and private institutions.

VAAU is a public unit in the Supreme Court of Kosovo. It offers free legal aid, advice, and protection to victims prior to and during the trial. According to VAAU, in some cases, the VAAU compensates NGO shelters with money for sheltering the victim. However, the shelters do not agree that this happens regularly. The VAAU also has phone numbers in every region where victims can receive free legal assistance. Funds come from the VAAU's budget, which is drawn from the Kosovo Consolidated Budget.

There are a number of NGOs that also offer free legal assistance before and during procedures. The most active include the Women's Association in Gjakova, the Women Lawyers Association "Norma," and the Center for Protection of Women and Children, which has locations throughout Kosovo. Their funding is drawn primarily from international donor organizations. The Women Lawyers Association "Norma," a Kosovar NGO founded after the war, offers free legal aid, including advice to victims before and during the trial. The association's activities mainly consist of offering free legal aid in regards to civil law issues, such as divorce, property rights, etc. The NGO does not offer legal assistance in penal cases, but only in civil law cases. For penal law cases, clients are directed to the Center for Protection of Women and Children (CPWC), which provides free legal aid.

²⁰ Personal interview with Valbona Salihu, jurist from NGO "Norma", on 02.02.2006

2.6 Is there a legal requirement to provide information for the victims in the procedures about their rights, obligations and about the services where they can seek help? If yes, please present the relevant provisions.

Yes, in the Law on Domestic Violence 2003/12 provision 14.3 a and b require all enforcement bodies to provide victims with information about their rights, obligations and services for help. VAAU, a unit of the Supreme Court of Kosovo, is responsible for nominating an advisor for the victim, which takes is responsible for advising the victim and finding a lawyer for the victim during the trial.

3. SPECIAL LAWS OR REGULATIONS (CODES OF CONDUCT, PROTOCOLS, GUIDELINES) AND MEDIUM AND LONG TERM COORDINATED ACTION PLANS FOR THE DIFFERENT PROFESSIONS DEALING WITH CASES OF VAW

Note: the information collection should cover all relevant law enforcement professions (including self-regulating professions, as therapists): the police, prosecutors, courts, health professionals, child protection and family support services, migration offices etc.

3.1 Please provide the list of professions where special laws, compulsory codes or guidelines for dealing of VAW cases are exist. What are the main provisions of these laws, codes? Are there special rules of record, investigation or registration of cases, including the conditions (e.g. requirement for the police to record and investigate all cases)? What are the contents, main items of the records, registration and documentation (gender disaggregation, connection between the victim and the offender, previous acts of violence etc.). Are there detailed rules, guidelines for hearing and treatment of the victims and collection of evidence and information? If yes, what are the professions where such kind of regulation exists, and what are the main provisions of the regulation?

The Law on Domestic Violence, article 14 specifies the responsibilities of all law enforcers which include secure transportation for victims, arrest perpetrators, informing victims of aid, offering legal aid, healthcare, etc. According to the same law, law enforcers must collect documentation while registering the cases, which is gender disaggregated and includes information about the connection between the victim and offender, etc. This includes detailed rules, guidelines for hearing and treatment of the victims and collection of evidence and information. As mentioned, internal policies require the police to respond to, investigate, and record all calls related to VAW. According to this law, all law enforcers must abide by the law. This includes, for example, the professions of police officers, lawyers, judges, and other law enforcement agents.

3.2 Is there a legal requirement for coordinated, multi-agency work, the cooperation of the different authorities? If yes, what are the relevant professions and the main provisions? See: Recommendation VII., Appendix 27

The Law on Domestic Violence requires public institutions include Centers for Social Work, Kosovo Police Service, and the court system to coordinate their work. The law also suggests that public institutions cooperate with NGOs and shelters.

3.3 Organizational cooperation

3.3.1 Is there a forum for the active cooperation between NGOs working in the field and state authorities? If yes, what form does this forum take? Does it involve representatives of the scientific community, political decision-makers and legislative, health, educational, social and police bodies?

The Kosova Women's Network (KWN) was established in 2000 as an informal network of woman's nongovernmental organizations (NGOs) located throughout Kosovo. The NGO members of this network offer a diversity of services within their communities. Some deal with issues related to violence against woman, trafficking, and prostitution.²¹ The five main shelters located throughout Kosovo are all members of this network and have come together to meet with representatives from the central government to advocate for more financial and technical support from the government.

KWN collaborates with Kosovar governmental institutions and has realized a few joint projects that deal with VAW. For example, members of the network led a Campaign against Violence against Women in 2001, which used theatrical performances and new hit songs written for the purpose to inform citizens about violence against women within their communities and mechanisms for addressing it; different members of the community were involved in the campaign including NGOs, the police force, lawyers, and famous actors and singers. In 2004, KWN members including CPWC cooperated with the Swedish International Development Agency (SIDA), Organization for Security and Cooperation in Europe (OSCE), Kosovo Police Service School, International Organization for Migration (IOM), Serbian Women's Network Zora, Center to Protect Victims and Prevent Trafficking of Human Beings and Kvinnoforum for the "Lilja Forever" Campaign, which used a film by Swedish Director Lukas Moodysson to increase awareness about the sex trade and trafficking among politicians, police officers, authorities, social workers, journalists, and the public.²²

In conclusion, KWN is a formal network of NGOs, some of which join forces to cooperate specifically in this area. Usually their cooperation is linked to specific awareness-raising campaigns and activities, which often involve political decision-makers, the educational system, and police bodies. In addition, the safe houses cooperate with each other and with public institutions such as the police and Ombudsperson's office informally – referring clients to centers that have space to house them, where they can receive services, etc.

3.3.2 Is there a systematic mechanism to involve the NGOs working in the field to the drafting, designing, implementation and evaluation of laws and policies? If yes, what form does it take?

The Office for Gender Affairs within the Prime Minister's Office, which opened in 2005, is meant to be an advocate for gender equality within decision-making, involving NGOs in drafting, designing, and evaluating the implementation of legislation. This institutional mechanism does not yet have any "systematic mechanism" for involving NGOs in legal processes.

Despite the lack of systematic mechanisms to involve them, Kosovar NGOs have taken the initiative to launch and participate in drafting laws that deal with gender equality. For example, Kosovar women's NGOs initiated, organized, and led the process of drafting the Gender Equality Law and the National Action Plan for the Achievement of Gender Equality.

The Center for Protection of Women and Children (CPWC) and Norma have monitored juridical proceedings, aiming to view how the principles linked with violence are being

²¹ <http://www.womensnetwork.org/pdfs/Plani%20strategjik%20titujt%20AL.doc>

²² See KWN Annual Report 2004, also available at www.womensnetwork.org.

implemented. The CPWC 2004 Annual Report concluded that there has been “flagrant lawlessness of rights of victims/witnesses in the courtrooms.”²³

3.3.3 Please list the main NGOs dealing with VAW issues in the country. What are their main profile and source of funding? Please also list the relevant experts.

See: Recommendation, I.4, VII.

The Center for Protection of Women and Children (CPWC) is located in Prishtina, but has sub-branches located throughout Kosovo. It concentrates on issues related to violence against women and children. It offers health services, psych-social support and counseling, legal aid, and links to shelters. It receives financial support from Kvinna till Kvinna (Swedish), UNIFEM, the Organization for Security and Cooperation in Europe (OSCE), UNICEF, Women’s AID, and Kinderbeg, among others.

Norma Women Lawyers Association is located in Prishtina, but also assists clients located outside the capital. Norma provides free legal aid in civil cases, and has monitored the work of regional courts and centers for social work. It has received support from USAID via the Foundation for Democratic Initiatives (FDI) and UNICEF.

The Women’s Association is located in Gjakova. It conducts research on VAW, provides free legal aid, and links to shelters. It cooperates with the United States Office in Prishtina, UNHCR, CARITAS, Community Development Fund, Kosova Foundation for Open Society, and KACI.

The Women’s Wellness Center is located in Peja. They have awareness-raising activities about VAW, offer psycho-social support to victims, and provide links to shelters. They collaborate with Center for Social Work, gynecological department in Peja hospital, other NGOs from Peja, the police, UNMIK, and OSCE. Their projects are financed by different international donors.

Liria in Gjilan has educational activities in regards to VAW, offers psycho-social support to victims, and provides links to shelters. They receive some support from the local municipal government, but the majority of their support comes from international donors.

There are additional safe houses operated as NGOs with financial support from international donors. Their names and locations are not provided here in order to protect their anonymity.

The Center to Protect Victims and Prevent Trafficking of Human Beings (PVPT) located in Prishtina coordinates with different local and international NGOs and police forces to assist victims of trafficking. It receives funding from international donors.

The International Organization for Migration (IOM), an international NGO operating in Prishtina, provides support to victims of trafficking, including psycho-social counseling, shelter, and assistance in relocation or return to home countries. It also takes part in some awareness-raising and educational activities. It receives funding from international donors.

One might note that although the Kosovar government may rarely provide minimal financial compensation to NGOs and safe houses working on VAW, the vast majority of financial support for these NGOs comes from international donors.

²³ Center for Protection of Women and Children, Annual Report 2004, collection number 5, Prishtina, 2005

3.4 Are there medium- and long-term coordinated action plans for the different professions in the field of VAW? If yes: which professions has such kind of plans, what are the main tasks (actions), deadline, responsible actors, and money allocated? Is there an evaluation/follow-up/progress report? If yes, what are the main conclusions?

See: Recommendation, IV.

There are currently not any medium or long-term action plans for professions in the file of VAW.

4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES

Note: the information collection should cover all relevant law enforcement professions.

Are there special units (or responsible persons) in law enforcement agencies dealing with the cases of VAW? If yes, are they established in a legally required, systematic, organized way or voluntarily, as pilot initiatives? What are the professions where such kind of units or persons operates? What are the composition (qualification) and number of staff, is there a special required training for them? I there a possibility to be heard by a female officer if the victim so wish; has any steps been taken to increase female police staff for this reason?

As was previously mentioned, a special unit for domestic violence exists in every police station. Usually these units are comprised of two police officers (one man and one woman) who are specially trained for dealing with different situations relating to violence at the Kosovo Police Service School. As mentioned, victims have the right to speak to a female officer if they wish. The Kosovo Police Service has taken steps to recruit women into the police force for this purpose as well as for greater gender equality within the force. According to the Gender Equality Law, all professions are required to have a 40% quota towards gender equality within the work force.

5. AVAILABLE SERVICES

Note: please refer to all kind of services available in the country, and provide the information below for each. It is important to have a picture about the role played by the State, so reference to the operators and the source of funding have a crucial importance.

5.1 Are there special shelters for the victims of violence? If yes, how many? How many places (rooms) are available in the country (in the % of inhabitants)? What are the total number of people in the waiting lists (what is the proportion of available rooms and requests for placement)? What are the conditions for placement (are they free of charge etc.)? What kind of help and assistance can they provide (medical, psychological, social, legal etc.)? Do they provide immediate help? What are the number and professional qualification of staff? Please refer to the geographical coverage (accessibility) of these shelters in the country. Are the services available also for immigrant women? Who are the operator and what is the source of funding of these shelters? Are there codes of conduct or regulation of operation; do they contains provisions concerning guidelines for treatment of victims and multi-agency work? Are there special conditions in dealing with children? Are there any (evaluation) reports and analysis about the work and cases, what are main findings of these reports (including the cases they have been dealt with)? If special shelters are missing, are there other possibilities for the placements of the victims (for women with or without children)? If yes, please refer briefly.

In Kosovo, five main shelters and numerous small, confidential shelters exist for victims of violence. However, exact data about their location and contact information cannot be published in order to ensure the confidentiality of these shelters and the safety of the clients residing there. However, some general data is available.

Currently, there are five main shelters in Kosovo, which all operate under the umbrella of nongovernmental organizations. The main shelters have policy manuals that specify guidelines for the treatment of victims and cooperation with public institutions. One shelter is located in each of Kosovo's five regions. All together, these shelters have the space to house approximately 150 people at one time. Although exact data is not available, during interviews these five safe houses all emphasized that they often are forced to turn people away because they do not have enough space and / or funding to house them. The shelters are nearly always filled to capacity.²⁴

By and large, the shelters are completely free of charge, as nearly all of their clients are unemployed and therefore could not afford to pay for the shelters' services. However, in some cases where clients stay for long periods of time (e.g., more than six months), the NGO shelters assist clients with finding secure jobs so that they can help pay for their meals, etc.²⁵

The shelters offer diverse services immediately, including medical assistance, rehabilitation, counseling, legal support, learning opportunities, etc. Most also provide opportunities for the children of victims of violence who can stay at the shelter with their mothers; agreements are made with nearby public schools so that the children can continue their education while residing at the shelter. In some cases, shelters provide secure transport for mothers who have been victims of violence to visit their children residing outside the shelter.

In total, approximately 40 people of various occupations are employed in these shelters. In addition to directors and managers of the shelters, gynecologists, general practitioners, lawyers, and other trained professionals provide services to shelter clients.

Cases involving international women are usually referred to IOM, especially in cases of international trafficking. IOM, an international NGO with its own shelter facility, provides shelter, rehabilitation, and repatriation in certain cases. However, the Kosovar safe houses have treated some immigrant women. Usually, these include women who were trafficked or came to Kosovo as refugees within the last five to ten years from countries in the region. The Kosovar safe houses have a few beds reserved specifically for victims of trafficking.

These NGOs / shelters are financed primarily by international non-governmental organizations, such as Kvinna Till Kvinna, Kosovo Foundation for Open Society, OSCE, and KFOR, among others.

5.2 How many hotlines for VAW victims exist in the country? What are the forms of violence they cover and type of advice they can provide (social, legal etc.)? Are they accessible all over the country and available free of charge? What are the operation hours (days)? Who is the operator and what is the source of funding of these hotlines? What are the number and professional qualification of staff? Is there a special training required for the staff? Are there any codes of conduct or regulation of operation? If yes, how many of the hotlines have such codes and regulation; do they contains provisions concerning guidelines for treatment of victims and multi-agency work? Are there any (evaluation) reports and analysis about the work and calls, what are main findings of these reports (including the cases they have been dealt with)?

²⁴ Based on interviews conducted by the Kosovar Gender Studies Center in fall 2005.

²⁵ Ibid.

There is at least one S.O.S. line in Kosovo, which offers two kinds of services – emotional support and a line for cases of trafficking. The S.O.S. line is mostly staffed by students and psychologists from Prishtina University, who are trained by International Organization for Migration (IOM) in Kosovo. This line operates 24 hours a day and can be reached from all regions in Kosovo. It is free of charge. The number is (+377) (0)44 0 80 80. In addition to advice, personnel provide instructions where victims can get help. In a way, this line also serves as a mediator between victims and the police.

Victims of violence can make phone calls to the police at any time. The numbers are 044 112 and 044 92. After the call, once a case of violence has been confirmed, police send the victim to the sector for domestic violence within the Directorate for serious crimes. Each shelter has a protected telephone line where victims of violence can make calls 24 hours a day.

All of the five main shelters located throughout Kosovo also have free, 24 hour S.O.S. hotlines that provide counseling and information about services available. They do not provide legal advice by phone, and are more geared towards emergency situations. Thus, eight known hotlines exist. For all hotlines, trained professionals deal with all forms of violence. They follow internal guidelines in answering calls. No reports or analyses about their work exist. All are funded by international donors, with the exception of the police hotlines which are funded by the Kosovo Consolidated Budget.

5.3 Are there any crisis intervention centres? If yes, how many? What are the forms of violence they cover (domestic violence, rape etc.)? Are they accessible all over the country and available free of charge? Do they provide immediate help? What kind of assistance they can provide (medical, psychological, social, legal etc.)? Are the services available also for immigrant women? What is the source of funding, who is the operator? What are the number and professional qualification of staff? Is there special training required for the staff? Are there any codes of conduct or regulation of operation? If yes, how many of the centres have such codes and regulation; do they contain provisions concerning guidelines for treatment of victims and multi-agency work? Are there any (evaluation) reports and analysis about the work and cases, what are main findings of these reports (including the cases they have been dealt with)? Are there special conditions for treatment of children? See: Appendix 23., 28., 31-32.

The Center for Protection of Women and Children has two crises centers for immediate emergency sheltering of victims. There is a shelter for victims of domestic violence and a shelter for victims of trafficking and forced prostitution. “These shelters are only for victims whose life is in danger, and the maximum period of stay is three weeks”.²⁶ They are available for people from any location in Kosovo, and victims are usually referred there from different locations.

Most of the other shelters located throughout Kosovo also provide immediate emergency shelter for victims of domestic violence, trafficking, and rape. However, at times they have been forced to turn people away due to a lack of space. All shelters and emergency services are free of charge. These are the same shelters mentioned above, and thus the services provided, codes of conduct, services for immigrant women, staff, and services for children are all the same as those mentioned above.

5.4 Are there any treatment programs for the offenders? Are there accessible in a systematic, regulated way or on a project base, as occasional initiatives? Do the offenders take part in mandatory or voluntary, as an alternative to sentence or as an additional

²⁶ Center for Protection of Women and Children, Annual Report 2004, Pristina 2005

measure? How many offenders took part in the last year? What is the duration and content of this program? Are they accessible all over the country? Who are the operators of these programs and what are the sources of funding? Are there any mechanism or report about the evaluation of effectiveness? If yes, please refer briefly to the main findings.

In Kosovo there is currently no program for treating offenders.

5.5 Are there any other services and possibilities (self-help groups etc.) for the support of the victims? If yes, please present them briefly.

In Kosovo, there are not any known such official groups that offer services to victims. However, all of the aforementioned five shelters provide social activities and informal support for victims sheltered there. Victims of violence staying at shelters are often given the opportunity to participate in different social activities such as courses in computers, sewing, and cooking, which serve as social support mechanisms. Women staying at shelters participate in common social activities, which provide an informal atmosphere where they can support each other. In certain cases, some shelters also provide clients with educational opportunities and assistance in finding employment.

6. EDUCATION AND TRAINING

Note: the information collection should cover all kinds of education and training, and all relevant law enforcement professions.

6.1 Are there any special items, topics in the school curricula - both in the elementary and secondary schools - about VAW, and its different forms and about prejudices and stereotyped roles for the sexes (as well as gender discrimination generally)? If yes, please refer each of them briefly. Is there specific information in the school curricula about the rights of children, and the institutions, services and persons they can seek help? If yes, please refer them briefly.

The Coordinator of the Office for Human Rights in the Ministry of Education, Science and Technology Lulevere Kadriu said that in 2005, in collaboration with UNICEF, the Ministry of Education, Science and Technology started a pilot-project for including a new subject in the curriculum of the eighth grade of primary school. The subject entitled "Life Skills" includes different themes related to gender issues, such as violence in general, domestic violence, trafficking of human beings, gender stereotypes, sexuality, etc."²⁷ The pilot project took place in 30 elementary schools in Kosovo. The program will be evaluated at the end of the school year by Ministry. A questionnaire answered by pupils and teachers will be used to evaluate the results of the pilot project. Based on the findings, a decision will be made whether or not to continue the program. Teachers who would lecture on this subject were given a nine day training. UNICEF financed the entire project.

Less formal education has been provided by NGOs. For example, as part of the aforementioned "Lilja Forever" Campaign, which utilizes a film about a teenage girl who

²⁷ Personal interview with Coordinator of the Office for Human Rights in the Ministry of Education, Science and Technology Lulevere Kadriu on 31.01.2006.

becomes a victim of trafficking to raise awareness about the issue, local NGOs linked with schools in their municipalities to show the film to parents and students, sometimes separately so that candid discussions about the issue could take place. Different NGOs periodically run television or radio advertisements at the local and central level with information about VAW, rights under the law, and places to get help.

6.2 Are there any mandatory training programs (at universities, vocational schools etc.) for future professionals, including the police, prosecutors, judges, health, social, child and family protection personnel as well as teachers, about VAW, and its different forms and about prejudices and stereotyped roles for the sexes (as well as gender discrimination generally)? If yes, what are the professions where such kind of training programs exist in the curricula? What is the duration (the number of hours/days per year) of the programs, what is the content? Who provides these trainings and what are the sources of funding?

All police officers in the Kosovo Police Service are required to attend trainings, where they learn to handle diverse kinds of violence in professional manner, including domestic violence, physical violence, sexual violence, and trafficking. They receive this training prior to becoming officers at the Kosovo Police Service School located in Vushtrri. The police school was primarily funded by donations from international governments through the OSCE.

In other professions, the trainings in regards to VAW and gender are more sporadic. In 2002, the Kosovo Foundation for Open Society supported a program in which NGOs dealing with domestic violence trained police, judges, and journalists on issues related to VAW. It was a three-month program of trainings in four municipalities, which each lasted for two days.

In 2005, the Ministry of Education held a nine-day training for teachers in the aforementioned pilot project for the new subject “Life Skills.” The Ministry trained 210 teachers in different subjects, including against the trafficking of human beings. Afterwards, teachers incorporated trafficking as a theme within their curriculum. Thus, teachers are creating a space for debates about trafficking and violence against women and children during the other subjects on which they lecture.

6.3 Are there any other training programs for future professionals about the above topics? If yes what is (was) the number of participants, duration, and content? Who are the organizers and what are the sources of funding? How often are they organized (on a permanent or once-off basis), for how many people?

Although there are not any official training programs for professionals other than those mentioned above, there are a plethora of trainings provided by different local and international NGOs in relation to gender and sometimes VAW. Since gender trainings have been somewhat of a “hot topic” among the international donor community in Kosovo, the plethora of such programs, including the number of participants, duration, and content cannot all be described here. Shortly, the vast majority of these programs were implemented by local NGOs with funding from international donors and occurred sporadically. There are a number of local “Gender Trainers” in Kosovo involved in such programs, many of whom claim to have trained hundreds of individuals on gender, a training which typically includes gender roles, stereotypes, and brainstorming on how to move towards greater gender equality in society.

In addition, the government has begun efforts to train its staff members, offering optional gender trainings. The University of Prishtina also opened its first gender courses in the Sociology department in 2004.

6.6 Is the gender perspective (the issue of gender equality) built in the human rights education programmes?

There are no other continuous educational programs that deal exclusively with human rights. However, most discussions dealing with human rights usually include a gender perspective. In human rights lectures or roundtables, organized by NGOs such as the Council for Defense of Human Rights and Freedoms issues linked to gender are also discussed.

6.7 Are there any sex education programmes in the country, being as part of the school curricula both in the elementary and secondary schools? Are there any other programmes in this topic? If yes, do they give special importance to gender equality and mutual respect? Who conduct these programmes and what is the source of funding? See: Appendix, 14.

In the aforementioned “Life Skills” pilot program, which is given to students in the eighth class of elementary school, there are three modules linked to sexual education: “What is sexuality,” “What minimizes sexual dangers,” and “What is the trafficking of human beings.” The program was initiated by the Ministry of Education and is funded by UNICEF.

6.8 Are there higher education programmes dealing with (gender) equality issues? If yes, do they include the issue of violence against women? Who conduct these programmes and what is the source of funding?

The Sociology Department at the Faculty of Philosophy at Prishtina University has one course on “Gender Studies,” and it treats violence against women. The same department also offers “Social Pathology,” which treats family violence and violence against women.

7. MEDIA

7.1 Are there any media law provisions concerning VAW and the portrayal of women? If yes, please present them briefly.

According to Temporary Media Commissioner for Kosovo Robert Gillette,²⁸ “There’s no regulation or law which regulates the portraiture of violence against women.”²⁹ Except the Interim Criminal Code of Kosovo, which is applicable to the media as well, there is no other special law that regulates this issue.

7.2 Are there any guidelines, codes of conduct for media professionals, which take into account the issue of VAW, and aim to promote a non-stereotyped image of women and men, and to avoid programmes associating violence and sex? If yes, please present the main provisions briefly.

²⁸ Robert Gillette was appointed Temporary Media Commissioner by the UNMIK Special Representative of the Secretary-General in July 2003.

²⁹ Telephone interview with Temporary Media Commissioner for Kosovo, realized on 14.02.2006.

In Kosovo, there are no guidelines, codes of conduct or special directives for Kosovar media in this regard. The code for the media's behavior is rather general and does not include any specific references to gender.

7.3 Are there any (state and non-state) media watch organizations in the country? If yes, what are their powers and activities concerning VAW, sexism and stereotyped portrayal of women? Are there any existing relevant VAW cases in their work? If yes, please present it briefly.

The Temporary Media Commission for Kosovo³⁰ is the sole institution that deals with monitoring the media in Kosovo. It has the power to take financial and other disciplinary actions against the media. However, it does not possess any special policy for the treatment of violence against women in the media.

There are a number of NGOs that have periodically monitored the portrayal of women in the media and published reports and clippings with their findings. However, none have any power to influence the media and few if any have undertaken serious efforts to advocate for changes in the media's portrayal of women.

7.4 Are there any training programs for the media professionals on VAW (aim to promote of a non-stereotyped image of women and men and to avoid programmes associating violence and sex)? Are they in a form of organized education (in media schools), on a compulsory way to participate or on a project-base, on a voluntary basis? What is the number of participants, duration, and content of these programs? Who are the organizers and what are the sources of funding?

A number of professional journalists in Kosovo have declared that they do not know about the organization of any kind of training for journalists in Kosovo, which is linked to stereotypes or gender preconceptions. Some media claim to train their media professionals on gender, but nothing specific to VAW.

7.5 Does the media participate in information campaigns to alert the general public to violence against women, including the different types of VAW and their consequences for the victims? If yes, what kind of media (written, electronic etc.) are involved, and what are the ways they contribute?

Most media at the central and local level have supported one campaign or another to alert the general public about violence against women; usually this is done in cooperation with a NGO working on the issue. Every year, for International Day against Violence against Women on 25 November all three national television stations (RTK, RTV21, and KTV) and radio channels in Kosovo, as well as many local television and radio stations transmit diverse programs and musical spots against violence against women.

During the campaign "I decide for myself," realized by IOM, the Finnish Government, Integra, and the Office for Good Governance in February 2006, the Kosovar media also transmitted different musical spots against the trafficking of human beings. IOM periodically supports spots against VAW and trafficking on different media.

³⁰ "The TMC seeks to promote the development of a viable media market serving all of Kosovo's people; encourage professionalism among journalists and media managers and owners; protect freedom of expression, diversity of opinion, access to information for journalists and the public, and the interests of media users and operators according to the rule of law." From: <http://www.imc-ko.org/>.

The Kosova Women's Network and its members nearly always involve local and central level media in their campaigns. The aforementioned "Campaign against Violence against Women" in 2001 (supported by Kosovo Foundation for Open Society and other donors) and the "Know Your Rights Campaign" in 2004 – 2005 involved RTV21 in broadcasting the performances as well as music videos that dealt with the topic of violence against women. This was supported by UNIFEM.

7.6 Is there any analysis about the presence and presentation of VAW or its different forms in the media? What was the source of funding of the analysis – own budget, governmental funding or other funds? What are the main findings?

The Kosovar Gender Studies Center (KGSC) monitored the media and collected press clippings in 2003. The project was financed by the Kosovar Foundation for Open Society. Six national Kosovar daily newspapers were monitored. KGSC recommended that daily newspapers and magazines reflect more on violence against women and include more informative analyses. In 2005, KGSC surveyed media throughout Kosovo with some questions related to VAW; findings will be published in late 2006.

Perhaps the most comprehensive study focusing specifically on VAW in Kosovo, including the media was published by UNIFEM Kosovo in October 2000 called "No Safe Place: An Assessment on Violence against Women in Kosovo" with support from the British Department for International Development (DFID).

Some other NGOs have also conducted media monitoring, but their reports mostly included clippings and did not have conclusions or recommendations. Most received funding from international donors.

8. AWARENESS RAISING ACTIVITIES

8.1 Has there been any campaign against VAW? If yes, how many has been organized in the last five years? What were the forms of violence they covered? Were they accessible all over the country? Who were the organizers, and what was the source of funding? What was the main message, the target groups (victims, general public, perpetrators etc.) and elements of the campaign (posters, TV spots etc.)? What was the duration and frequency? Has there been a follow-up, measurement the effectiveness?

In the last five years, numerous campaigns against violence against women have been developed and implemented in Kosova. However, it is very difficult to give a specific number of all the campaigns implemented. Many women's NGOs organize campaigns in relation to International Day against Violence against Women (November 25th), March 8th, and the Week against the Trafficking of Human Beings every year. For example, the Women's Wellness Center in Peja organizes a white ribbon day with support from the media, police, student volunteers, and entire community each year on November 25th.

Small campaigns have been organized in cities throughout Kosova by local women's NGOs. Larger campaigns are often organized in Prishtina and then travel to other cities. In most cases, these events are implemented with financial and technical support from international donor organizations that operate in Kosova.

In 2001, KWN – a network of more than 77 women's NGOs across Kosovo – coordinated a "Campaign against Violence against Women." The campaign utilized art and theatre to increase public knowledge about the problem of violence against women, including domestic violence, rape during wartime, date rape, trafficking, and prostitution. Kosovar activists composed eight songs and wrote six monologues based on true stories, which were

performed live by famous actors and singers throughout Kosovo and shown on the media. By raising awareness, KWN sought to curb the increase in trafficking of women, help women gain courage to break out of violent situations, and explain services available to victims of violence. Rather than end in tragedy, the pieces empowered “victims” to overcome social prejudices, find support from people or institutions, and become “survivors.” The campaign led to an increase in police reports against violence as well as a decline in harassment in the workplace. KWN organized a similar campaign in 2005 called “Know Your Rights” to increase the general population’s awareness of their legal rights under different gender equality mechanisms.³¹ This campaign included a widely broadcast music video about violence against women. It was supported by UNIFEM. Both campaigns targeted the general public and took place over a period of several months.

The Center for Protection of Women and Children (CPWC) implemented a series of activities focused mainly on raising awareness of citizens about violence against women, specifically focusing on domestic violence. In 2003, CPWC organized different seminars against violence against women and the main target groups were the police and high school students.³² In 2001, CPWC organized a campaign “Rape as a weapon of war,” which was organized with the aim of recognizing women’s rights and using these rights as a tool for fighting violence that is practiced inside and outside the family.³³

In 2004, a coalition of local and international organizations coordinated the “Lilja Forever” awareness-raising campaign about the trafficking of women and girls. The campaign was based on the film “Lilja Forever” by Swedish Director Lukas Moodysson, which describes the life and experiences of a young woman from Central and Eastern Europe who became a victim of sex trafficking. The film was screened throughout Kosovo and followed by discussions. The campaign increased awareness of the sex trade among politicians, police officers, authorities, social workers, journalists, and the public.³⁴

8.2 Has there been any nationwide conferences and other awareness raising/information programs, projects, including prevention programs in the VAW field, from the year 2003? If yes, please list the forms of violence they cover, the organizers, content, aim and activity, and source of funding.

In addition to the aforementioned campaigns and awareness raising programs, on June 30th, July 1st, and 2nd 2002 in Prishtina, CPWC organized a conference “Violence against Women and Children in Kosova,” which addressed the main forms of violence that women and children experience in their everyday life. Ways to prevent these forms of violence was also discussed.

In 2003, CPWC co-organized a conference against trafficking on human beings where different issues were analyzed and discussed, including information about the trafficking of human beings in Kosova, causes, consequences, and ways to fight it. Many international and local NGOs participated in this international conference, which was organized in different parts of the world.

³¹ “Kosovar Civil Society Report to the United Nations On Violence against Women in Kosovo”, Prepared by Nicole Farnsworth, Ilire Rizvanolli, and Lauren Bean, for the Kosovar Gender Studies Center, Prishtina. Available at <http://kgscenter.org/program.php?id=26&lng=EN>. For more information, see also www.womensnetwork.org.

³² The Center for Protection of Women and Children, Annual Report 2003, No. 4, Prishtina, 2004

³³ The Center for Protection of Women and Children, Annual Report 2001, Prishtina, 2002

³⁴ “Kosovar Civil Society Report to the United Nations On Violence against Women in Kosovo”, Prepared by Nicole Farnsworth, Ilire Rizvanolli, and Lauren Bean, for the Kosovar Gender Studies Center, Prishtina. Available at: <http://kgscenter.org/program.php?id=26&lng=EN>. See also KWN 2004 Annual Report, available at www.womensnetwork.org.

8.3 Are there any information packages/brochures available for the victims about their rights, about the police and legal intervention, and the services they can seek help? What are the forms of violence they cover and their content? What are the language, providers and source of funding of them? How many copies are prepared for distribution? What is the frequency of distribution (on a regular or occasional basis)? Are there accessible all over the country? What are the places and law enforcement agencies where they are available?

Many NGOs that had programs or activities against violence against women have published packages and brochures on this important issue. Brochures and packages include information about the offices that deal with the issue, phone numbers that victims can call, as well as information about shelters. Some brochures including awareness-raising information about the number of women trafficked and women that have experienced violence. Usually, the information is published in three languages (Albanian, Serbian and English). However, there are cases when the brochure is published only in Albanian and Serbian. The brochures are distributed broadly all over Kosova (i.e. brochures in Serbian language are distributed to places where the Serbian community lives).

One especially useful booklet was published in three languages by the Group for Analysis and Study of Gender Equality in 2005 called “Know Your Rights.” It includes easy to understand information about the different laws available in relation to gender equality and how citizens can access their rights under those laws. It has information about the following laws: CEDAW, Gender Equality, Marriage and Family, Domestic Violence, Labor and Gender Equality (including sexual harassment), and Discrimination (by gender). 1000 copies were prepared for distribution and they were distributed to different institutions and NGOs in locations throughout Kosova.

Norma Women Lawyers Association also published a guide called “To Whom Shall I Turn?” with information for victims, including where to receive services, emergency phone numbers, etc.

9. RESEARCH AND SURVEYS

9.1 Has there been any research/survey in the past five years in the country on all or different forms of VAW, including the prevalence, costs, causes, consequences of VAW as well as the assessment of the efficiency of judiciary and legal system? (Time limit does not apply if there has been only one of its type). Who were the organizers, conductors and what was the source of funding? Please provide brief summary, main statements and key findings of these research and surveys.

The Center for Protection of Women and Children maintains data on all of the cases that go through this center, including the forms of violence that these women experience. General findings are published each year in its Annual Report, which is available on its website.³⁵ CPWC receives support from international donors such as Kvinna till Kvinna and OSCE for the publishing of this report.

The International Organization for Migration (IOM) has done research on “Attitudes and beliefs for human trafficking in Kosova” in April 2005. In this research, 900 people were surveyed all over Kosova. The IOM Kosovo Counter-Trafficking Unit also publishes a

³⁵ Please see www.cpwc-qmgf.org for more information about the yearly findings.

monitoring report on the situation of trafficking in Kosovo periodically (every few years), which includes data about the prevalence of trafficking of women in Kosovo, demographics about who is trafficked, countries of origin, etc.

Amnesty International also published an in-depth analysis with case studies on the issue of trafficking in Kosovo called “Does that mean I have rights: Protecting the human rights of women and girls trafficked for forced prostitution in Kosovo” in May 2004.³⁶

The Kosova Women’s Network cooperated with agencies within the United Nations Mission in Kosova to publish an analysis of women’s opinions and priorities called “Voice of Women,” in December 2004 where the issue of violence against women was discussed.³⁷

In 2004, Norma Women Lawyers Association monitored and assessed the efficiency of the judiciary and legal system on custody issues and published their results.

In fall 2005, The Kosovar Gender Studies Center did a short research on the work of the safe houses in order to inform a brief report entitled “Kosovar Civil Society Report to the United Nations on Violence against Women in Kosovo.”³⁸ This was done with the center’s own resources.

Perhaps the most comprehensive study focusing specifically on VAW in Kosovo at that time, was published by UNIFEM Kosovo in October 2000 called “No Safe Place: An Assessment on Violence against Women in Kosovo” with support from the British Department for International Development (DFID).

9.2 Are there any research centres dealing with equality issues? If yes, do they include the issue of violence against women? Who operates these centres, what is the source of funding?

The Center for Protection of Women and Children (CPWC) has an ongoing monitoring process of all the clients that go through its center or sub-branches. All data collected throughout the year is published in the center’s annual report.³⁹ Since the center is the biggest shelter in Kosovo and maintains links with other shelters, its data provide an overall idea of the situation of violence against women on an annual basis. CPWC receives funding from international donors such as Kvinna till Kvinna and OSCE.

The Kosovar Gender Studies Center is a local research institute whose mission is to mainstream gender in all sectors of Kosovar society by increasing gender awareness, increasing focus on gender issues in Kosova’s educational system, developing gender studies, and ensuring the inclusion of gender sensitive policies in all sectors of life.⁴⁰ Although the center does not focus solely on VAW, it has conducted a few small research projects on the issue, including the aforementioned short research entitled “Kosovar Civil Society Report to the United Nations on Violence against Women in Kosovo,”⁴¹ this research paper, and to inform a study on the work of women NGOs in Kosovo. The center is supported primarily by the Kosovar Foundation for Open Society, Open Society Institute, and Kvinna till Kvinna.

³⁶ See www.amnesty.org/actforwomen. AI index: EUR 70/010/2004.

³⁷ See www.womensnetwork.org for a copy of the report.

³⁸ The report is available at <http://kgscenter.org/program.php?id=26&lng=EN>.

³⁹ See the CPWC website for these reports: www.cpwc-qmgf.org.

⁴⁰ The center’s main objectives are: “To increase awareness, knowledge, and understanding of gender issues in Kosova by conducting research, gathering relevant information, and disseminating information throughout Kosova and abroad. Further develop gender studies in Kosova by building researchers’ capacity to do gender sensitive research, providing mentoring, including researchers in gender research, developing methodologies for gender research, and informing gender studies curriculum”. For more information see the KGSC website: <http://kgscenter.org/about.php?lng=EN>.

⁴¹ The report is available at <http://kgscenter.org/program.php?id=26&lng=EN>.

10. STATISTICS, DATA COLLECTION

10.1 Are there any common indicators developed by the state to evaluate the scale of violence against women? If yes, please present them briefly.

There are no indicators developed by the state or presented by governmental research on the rate of the violence against women.

10.2 Are there any official statistics/systematic data collection on and registration of VAW cases – in police, prosecutors' office, courts as well as health care, social, family and child protection services, migration offices, National Statistical Office etc.? What are the forms of violence they cover? Please list the key numbers (figures).

Sergeant Tahire Haxholli, Information Officer in the Division for Domestic Violence in the Directorate for serious crimes, said that the overall number of women in all of Kosova that experienced violence and reported it to the police were 1,054 in 2005, and 71 women were sheltered.⁴²

The Supreme Court of Kosova refused to provide any information.

10.3 What are the methods, main items of data collection on VAW cases concerning each data provider (with special focus on police, courts and medical personnel): what kind of data they collect and register? Are the data gender-disaggregated; do they refer to the relationship between the victim and the offender, and the previous acts etc?

The method for collecting data has not been harmonized, and information exchange among different organizations and official institutions is lacking. For example, CPWC records all the cases that come to the center; each victim fills out a form and based on these forms, the center's annual report on VAW is made.

Within the Police Department of Kosova, the special police unit that deals with violence uses one specific form that includes what occurred, gender-disaggregated data, the relationship between the victim and the offender.

10.4 Is there a regular (yearly) national report of the different professions about their statistics on cases of VAW or its different forms? If yes, which professions have such kind of reports?

The Kosovo Statistical Office exists, but does not have regular reports on violence against women. With the exception of CPWC, no professions publish statistics on cases of VAW, and there is no national report.

10.5 What kind of statistics and data are accessible for the general public about VAW?

The Center for Protection of Women and Children publishes its findings in one report annually, and it includes information about all forms of violence against women: sexual violence,

⁴² Interview with Sergeant Tahire Haxholli on January 10, 2006, Information Officer in the Division for Domestic Violence, Directorate for Serious Crimes.

domestic violence, and incest. This report is available to the general public if they request it. Sometimes the police release figures in the newspapers or on television.

10.6 What is the number of initiated (criminal/civil) procedures in different cases of VAW, based on police and court statistics? What are the results of the procedures: referring to the number of cases transmitted to courts (in the percentage of initiated procedure), and number of convictions (in the percentage of initiated procedures). Please refer to the distribution of different kinds of applied sanctions if exist.

Sergeant Tahire Haxholli, Information Officer in the Division for Domestic Violence in the Directorate for serious crimes, said that the overall number of women in all of Kosova that experienced violence and reported it to the police were 1,054 in 2005, and 71 women were sheltered.⁴³

The Supreme Court of Kosova refused to provide information. It will take time to advocate for these figures to be freed according to the Access to Information Law.

10.7 Are there any NGO statistics dealing with different forms of VAW (about the prevalence of violence, number of people seeking help etc.)? What are they key numbers (figures)?

Each of the five main shelters maintains their own statistics in regards to the number of people housed, demographic information, etc. The CPWC Annual Report 2004⁴⁴ report shows that 96,218 women are beneficiaries of their services, 43,454 are direct beneficiaries and 52,764 are indirect beneficiaries. 1,271 were victims of domestic violence, general violence and institutional violence, 59 were victims of trafficking and forced prostitution, 26,970 received services provided to victims, 74,401 received counseling for victims, 3,650 received counseling through the S.O.S. line, 1,560 attended psycho-therapy sessions, 212 victims were sheltered, and 110 court cases.

The other safe houses do not publish their statistics. However, KGSC is currently doing research on this issue and more concrete data will be available in the near future.

10.8 Is there a genetic data bank in cases of sexual violence? If yes, please present its operation briefly. What are the numbers of identified and non-identified perpetrators?

KGSC was not able to gather any information about the existence of a genetic data bank for cases of sexual violence.

11. CASE LAW

11.1 Are there any VAW cases before the Ombudsman, Constitutional Court, and other special bodies in the country (like VAW Commissions/Equal Treatment/Gender Equality Bodies)? If yes, please refer to the number of them and give a brief summary of the cases.

The role of the Ombudsperson's Institution in Kosova with regard to violence against women can be considered very informative. For example, if there is a domestic violence case that

⁴³ Interview with Sergeant Tahire Haxholli on January 10, 2006, Information Officer in the Division for Domestic Violence, Directorate for Serious Crimes.

⁴⁴ Center for Protection of Women and Children, Annual Report 2004, No: 5, Prishtina, 2005

requires assistance from this institution, the officials there direct women to the specific organization that can assist them. Women in need of legal assistance are directed to Norma or CPWC. "There have been cases of domestic violence that came to us" Luljeta Domaniku, a lawyer at the Ombudsperson's Office said. "We have directed them to other places."⁴⁵ To KGSC's knowledge, there have not been any VAW cases taken to higher authorities than the regular court system, with the exception of cases being prosecuted for international war crimes at The Hague.

11.2 Are there any VAW cases from the country before the international forums? If yes, please refer the relevant international forums, the actual state of the procedures, the number and brief summary of the cases.

The International Hague Tribunal is responsible for all war crimes in Kosova, including forms of violence perpetrated against women by military and paramilitary forces. According to CPWC, only one person has been charged with sexual violence and systematic rape and sent to The Hague for trial, to date.⁴⁶ According to CPWC, a large number of women are prepared to witness for rapes committed against them at the Hague Tribunal. CPWC acts as a mediator between rape victims and the Hague Tribunal. KGSC was not able to gather the details of the case at this time.

11.3 Are there any published court cases (decisions) concerning VAW? If yes, please give a brief summary of these cases.

Since 2003, the Center for Protection of Women and Children has monitored court cases dealing with domestic violence. They printed one example in the CPWC 2004 Annual Report:

In this hearing at the Central Court in Prishtina, there was a case of 15 years old girl, a student, it has been said that at the day of the crime, in the afternoon hours the perpetrator took the young girl and sent her to different coffee shops and in the evening she was taken to a motel and raped three times. The victim declared that she was taken against her will and that the perpetrator (36 years old) used force and threatened her.

However, the trial somehow was transformed into a farce from the bench, judge and the defending lawyer, as the questions made to the victim were "describe the positions when you had sex in the first time, second and the third time". There were questions like "did the victim experienced an orgasm", or "Were you vestal". And when the victim answered that she "was not vestal as she used to have sexual intercourse with her boyfriend", the she was asked: "When did you have sexual intercourse with your "boyfriend"?"

All this has been done in very ironic way and during the whole process of the trial. The court officials have pointed out all the time that the rape was something that the victims fiction and they were all the time questioning the testimony of the victim.

It can be suspected, but not to express the prejudices so openly in front all judges or the court, because with ironic, cynical expressions and questions, while the victim is answering and the penal procedures is being developed. In this case the dignity of the person is questioned and the victim is badly offended."⁴⁷

⁴⁵ Interview with Luljeta Domaniku on February 1, 2006, Lawyer for Gender Equality at the Ombudsperson's Office.

⁴⁶ Center for Protection of Women and Children, Annual Report 2003, No; 4, Prishtina, 2004

⁴⁷ Center for Protection of Women and Children, Annual Report 2003, No: 4, Prishtina, 2004

11.4 Are there any case studies or analysis of case law in the field? If yes, give a brief summary and refer to the main findings.

In 2003 and 2004, through monitoring, CPWC conducted a few case studies on court processes. These case studies can be found in the CPWC Annual Reports for 2003 and 2004. In the analysis, CPWC expresses its concern for the way that these cases are treated. The Center infers that there are cases of violence during which judges are prejudiced.

RECOMMENDATIONS

1. To create a National Action Plan for combating Violence Against Women;
2. To initialize creation and of a special law in Kosovo on VAW;
3. To create a special governmental institution or department who would deal with VAW. This institution or department or special body would deal with monitoring, evaluation, and coordination of measures taken to combat violence against women;
4. To create special budget lines for actions that combat violence against women in the existing Governmental institutions;
5. To create specific budget lines that cover VAW in National Police Headquarters, Prosecutors' Office, Court System, National Social, Family and Child Protection Services or Health Care System;
6. To include support for NGOs dealing with violence against women in the Kosovo Consolidated Budget;
7. To create a financial system who would deal with the compensation of damages done to victims of violence;
8. To take into consideration VAW and women's security during the preparation of the plans for national, regional, and urban planning;
9. To create special laws for protecting professionals working in shelters or in places where services are offered to VAW cases;
10. To create medium or long-term action plans for professions in the file of VAW;
11. To create possibilities for the establishment of new shelter houses;
12. To establish programs for treating offenders;
13. To offer trainings in different professions regarding VAW;
14. To create continuous educational programs that deal exclusively with gender studies;
15. To create regulation or law which regulates the portraiture of violence against women;
16. To create guidelines, codes of conduct or special directives for Kosovar media on VAW

SUMMARY

- Following the approval of the Law for Gender Equality 2004/2, a range of institutions dealing with gender equality were established. On February 01, 2005 the Office for Gender Equality was established by the Government of Kosovo nr. 5/31. According to the Law for Gender Equality 2004/2, the main institution responsible for gender policy is the Office for Gender Equality which is part of the Consultative Office for Good Governance in the Prime Minister's Office.
- In 2004, the Government of Kosovo approved the National Action Plan for the Achievement of Gender Equality, and this plan presents recommendations for addressing the problems and specific circumstances of gender discrimination in Kosovo.
- Government of Kosovo has no special budget line for actions that combat violence against women.
- Within the Kosovo Police Service exists a unit against violence in the family, which deals with cases of violence in the family, including violence against women.
- In 2005 and previously, the Kosovo Consolidated Budget did not include support for NGOs dealing with violence against women. This could be related to the small size of the overall budget.
- There is no financial system dealing with the compensation of damages done to victims of violence, but institutions and different NGOs offer free services for sheltering victims and legal advice.
- The Kosovo National Action Plan for Gender Equality foresees that all laws should harmonize with all European conventions and resolutions, including the Convention for the Elimination of all Forms of Discrimination against Women (CEDAW) and United Nations Security Council Resolution 1325.
- Due to its political status, the UN Special Rapporteur on Violence against Women did not submit a report on Kosovo.
- There is no special law in Kosovo on VAW. There is a rule that indirectly deals with VAW, in the treatment of violence against individuals - either in the family or in public. It does not specifically treat VAW, but rather violence against all persons.
- With the temporary criminal code of Kosovo and with the rule against domestic violence, activities in combating VAW have been simplified.
- Following the approval of the law against domestic violence, the courts consider resolving cases of domestic violence a priority.
- The Victim's Advocacy and Assistance Unit and Supreme Court of Kosovo are obligated to take measures for punishing perpetrators of domestic violence and to offer protection to victims.
- Within this law and the Law on Domestic Violence, there are provisions for VAW cases. VAW cases have rights to compensation. For example, if a woman who has suffered from domestic violence chooses to divorce her husband, she may receive compensation from him or his estate.
- The Victim's Advocacy and Assistance Unit (VAAU) acts according to existing legislation, such as the temporary criminal code of Kosovo, Law against domestic violence, and anti-discrimination Law.

- There are no special laws for protecting professionals working in shelters or in places where services are offered to VAW cases.
- There are a number of NGOs that also offer free legal assistance before and during procedures.
- The Law on Domestic Violence requires public institutions include Centers for Social Work, Kosovo Police Service, and the court system to coordinate their work.
- The Kosova Women's Network (KWN) was established in 2000 as an informal network of woman's nongovernmental organizations (NGOs) located throughout Kosovo.
- The Office for Gender Affairs within the Prime Minister's Office, which opened in 2005, is meant to be an advocate for gender equality within decision-making, involving NGOs in drafting, designing, and evaluating the implementation of legislation. This institutional mechanism does not yet have any "systematic mechanism" for involving NGOs in legal processes.
- Despite the lack of systematic mechanisms to involve them, Kosovar NGOs have taken the initiative to launch and participate in drafting laws that deal with gender equality.
- The Center for Protection of Women and Children (CPWC) is located in Prishtina, but has sub-branches located throughout Kosovo. It concentrates on issues related to violence against women and children.
- There are currently not any medium or long-term action plans for professions in the file of VAW.
- In Kosovo, five main shelters and numerous small, confidential shelters exist for victims of violence. However, exact data about their location and contact information cannot be published in order to ensure the confidentiality of these shelters and the safety of the clients residing there. However, some general data is available.
- There is at least one S.O.S. line in Kosovo, which offers two kinds of services – emotional support and a line for cases of trafficking.
- The Center for Protection of Women and Children has two crises centers for immediate emergency sheltering of victims.
- In Kosovo there is currently no program for treating offenders.
- All police officers in the Kosovo Police Service are required to attend trainings, where they learn to handle diverse kinds of violence in professional manner, including domestic violence, physical violence, sexual violence, and trafficking.
- There are a plethora of trainings provided by different local and international NGOs in relation to gender and sometimes VAW.
- There are no other continuous educational programs that deal exclusively with human rights.
- There's no regulation or law which regulates the portraiture of violence against women, and no guidelines, codes of conduct or special directives for Kosovar media in this regard.
- Most media at the central and local level have supported one campaign or another to alert the general public about violence against women; usually this is done in cooperation with a NGO working on the issue.

- In the last five years, numerous campaigns against violence against women have been developed and implemented in Kosova.
- Many NGOs that had programs or activities against violence against women have published packages and brochures on this important issue.
- The Kosovar Gender Studies Center is a local research institute whose mission is to mainstream gender in all sectors of Kosovar society by increasing gender awareness, increasing focus on gender issues in Kosova's educational system, developing gender studies, and ensuring the inclusion of gender sensitive policies in all sectors of life
- There are no indicators developed by the state or presented by governmental research on the rate of the violence against women.
- The Center for Protection of Women and Children publishes its findings in one report annually, and it includes information about all forms of violence against women: sexual violence, domestic violence, and incest.
- The role of the Ombudsperson's Institution in Kosova with regard to violence against women can be considered very informative.

Kosovar Gender Studies Center
MONITORING

Luljeta Demolli