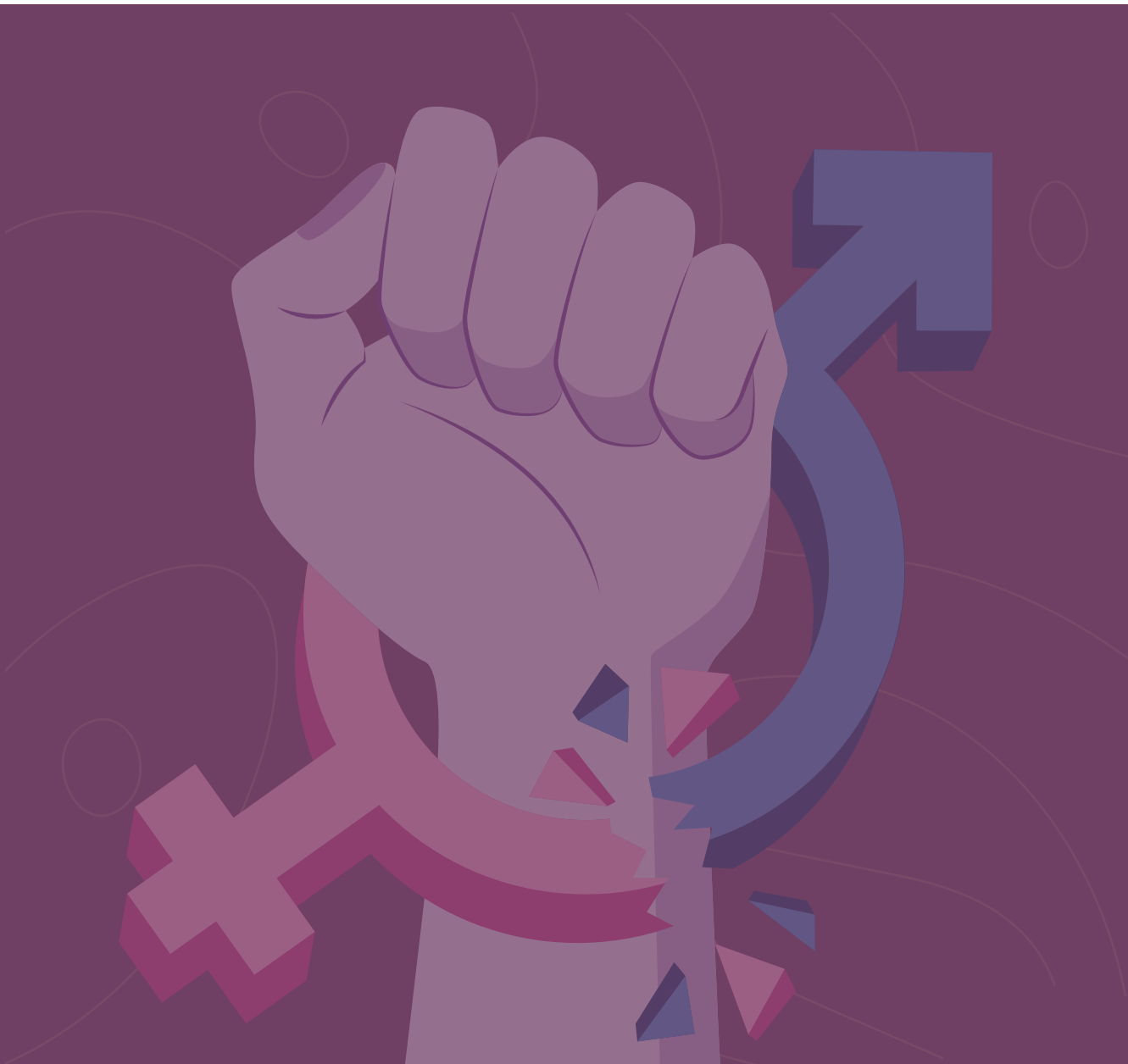




KCSS
Kosovar Centre for Security Studies

STRENGTHENING PROTECTION MECHANISMS OF GENDER BASED VIOLENCE IN KOSOVO



RESEARCHER AND AUTHOR

Adelina Hasani is a researcher and publicist with a Ph.D. in International Relations from the University of Ankara. She graduated from the Faculty of Political Sciences at Ankara University and earned a Master's in Human Rights and Democracy in Southeast Europe from the University of Sarajevo and the University of Bologna (ERMA). Her research interests include gender studies, political economy, and security issues. She has published academic papers on gender equality, nationalism, and Russian foreign policy. Additionally, she has served as an external advisor to the Ministry of Foreign Affairs during Kosovo's process of seeking membership in the Council of Europe.

RESEARCH ASSISTANT

Vesa Kroci completed her studies at the Rochester Institute of Technology Kosovo (RITK), earning degrees in Public Policy and Governance and Peace and Conflict Studies. She participated in the Geoffrey Nice Foundation Conference in 2019 at RITK and actively volunteered with the Model United Nations (MUN) Club at RITK. Vesa's academic journey was recognized with her inclusion on the Dean's List at RITK on four occasions. Currently, she holds the position of Project and Research Assistant at the Kosovar Centre for Security Studies (KCSS). In this role, Vesa has contributed to several key projects, including the professional development of the Kosovo Probation Service to address terrorism and violent extremism, the Gender, Peace & Security Program, and the Regional Youth Partnership Program.

ABOUT THE GENDER, PEACE AND SECURITY PROGRAMME

The Gender, Peace and Security Programme has been developed to support Kosovo's progress in achieving objectives outlined in the Women, Peace and Security agenda. In line with UNSCR 1325, KCSS's Gender, Peace and Security Programme aims to support public security institutions in Kosovo in establishing internal and external gender responsive policies. Among others, the programme aims to ensure gender-equal participation across Kosovo's main security institutions such as the Kosovo Security Force (KSF) and the Kosovo Police (KP). Additionally, it seeks to consolidate a breadth of research identifying the main challenges related to gender-responsive security reform in Kosovo. Through providing robust gender analysis on Kosovo's security sector development, the programme aims to promote internal reform in line with the country's gender equality principles enshrined in the Law on Gender Equality. The programme will be further developed through:

- *Central and local advocacy to identify prominent challenges related to women's participation in the security sector;*
- *Baseline, midline and endline monitoring of recruitment within public security institutions in Kosovo*
- *Gender-analysis in line with Kosovo's WPS objectives.*

For more information, contact us:

GenderProgram@qkss.org



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KEY FINDINGS:

- Protective orders are designed to offer immediate legal protection for individuals at risk of violence. However, these orders are frequently undermined by the lack of mechanisms to enforce the protection order issued by the Court. The femicide case of Hamide Magashi, who was murdered in the courtyard of the University Clinical Centre of Kosovo despite having a protection order, starkly illustrates the severe shortcomings in the enforcement of these orders. This case highlights the urgent need for robust enforcement measures to ensure that protective orders are not only issued but also strictly enforced to genuinely protect those at risk.

- This is often a consequence of the lack of mechanisms to enforce the protection order issued by the Court. The failure to enforce the protection order has resulted in the murder of women, such as in the cases of Hamide Magashi and Diana Kastrati.

- Despite the legal framework that allows for restraining orders and electronic surveillance to monitor compliance, the lack of concrete implementation steps leaves these measures ineffective. Specifically, while the laws in Kosovo provide for electronic monitoring to ensure that perpetrators comply with restraining orders, the necessary infrastructure to enforce these measures is not in place. This results in a significant gap between the legal provisions and their practical application, leaving victims without the protection they are entitled to. The failure to operationalize these legal tools effectively renders protective orders inadequate, exposing victims to continued risk and undermining the intended purpose of these critical safeguards.

- Recent femicide cases at the Centre for Social Work in Ferizaj have highlighted critical vulnerabilities within the institution. The Centre lacks essential security measures, such as sensors to detect unauthorized entry, leaving staff and victims exposed to constant threats. This absence of basic security infrastructure creates an unsafe environment for both employees and those seeking assistance.

- Women's shelters in Kosovo face significant security challenges due to inadequate measures, such as limited camera coverage, the absence of on-site security guards, and no direct communication with the police, which makes residents vulnerable to intrusions and attacks, particularly from known abusers, while also struggling with the lack of long-term support and rehabilitative policies for victims.

- Most shelters have very limited information or none at all about cyber-attacks. They often lack the basic knowledge and resources necessary to protect themselves effectively, compromising their security and jeopardizing the safety and privacy of the individuals they aim to protect. There is a critical need for comprehensive training and resources to equip shelter staff with the skills and tools needed to defend against cyber threats and create a secure environment both online and offline.

INTRODUCTION

Femicide and insufficiently addressed gender-based violence represent major security concerns in Kosovo, yet they have not been adequately prioritized as immediate issues by the full spectrum of state mechanisms. Activists in Kosovo have consistently demanded that gender-based violence be declared and treated a national emergency, a plea that state institutions have not taken into consideration.

Within just five days in April 2024, two women in Kosovo were victims of femicide, murdered by their partners. Gender-based violence and femicide pose significant security threats to women. From January to March 2024, 698 cases of gender-based violence were reported to the police, compared to 2,638 cases reported throughout 2023.¹ Despite the high number of reported cases, many cases remain unreported due to the complex socio-economic challenges women face across different regions of Kosovo.

There are several reasons highlighting the inadequacies in addressing the prevention of gender-based violence. Recent research conducted by the Kosovo Centre for Security Studies elaborates on several problems concerning gender-based violence in Kosovo.²

There are some of them:

Women's trust in security and justice institutions is critical for reporting gender-based violence. However, the leniency of the judicial system towards perpetrators and the prolonged duration of domestic violence cases discourage women from seeking justice. There is a lack of sensitivity and expertise among law enforcement authorities, especially in rural areas, to handle gender-based violence cases effectively.

The absence of property ownership among women is a significant barrier to their economic independence and security. Despite legal provisions for equal property rights, women often relinquish their inheritance, leaving them with limited resources and options when facing violence. This lack of financial autonomy leaves women in a troubling situation where they may feel compelled to return to their abusers.

Many women withdraw their complaints of gender-based violence due to third-party interventions, often under family pressure. There is a tendency among family members and officials to blame women for reporting abuse, further discouraging them from seeking help. Women reporting domestic violence often endure double discrimination from institutions, society, and their families.

There is limited information about rights and available support services for victims of gender-based violence in Kosovo. The lack of awareness intensifies feelings of vulnerability and exacerbates the sense of helplessness when seeking solutions. There is also insufficient investment in support services for victims and consequences for perpetrators.

Insufficient and unstable funding for shelters poses a significant challenge to supporting

1 Ministry of Justice, <https://md.rks-gov.net/page.aspx?id=1,184#c11> (5.6.2024).

2 Hasani, Kroci, Women's Security Concerns in Kosovo, KCSS, 2024, <https://qkss.org/al/publikimet/shqetesimet-lidhur-me-sigurine-e-grave-ne-kosove> (4.6.2024).

survivors of domestic violence. Without adequate resources, shelters struggle to maintain essential services and meet the increasing demand for their services. There is also a lack of sustainable institutional support for victims, leading some to return to their abusers.

Addressing gender-based violence and femicide requires a holistic approach from all institutions involved in handling cases arising from diverse circumstances. In this analysis, we aim to examine the shortcomings in implementing protection orders for victims and the physical protection of shelters and the Centre for Social Work (CSW) from perpetrators.

NATIONAL STRATEGY ON PROTECTION AGAINST DOMESTIC VIOLENCE³

In 2020, Kosovo took a significant step by adopting a constitutional amendment that granted direct effect to the Istanbul Convention—a major human rights treaty defining comprehensive legal standards to safeguard women's right to be free from violence. Subsequently, in 2022, Kosovo further enhanced its commitment by introducing the National Strategy on Protection against Domestic Violence and Violence against Women for the years 2022–2026. Notably, the new Strategy not only extends its scope beyond its predecessor but also aligns the implementation of gender-sensitive measures with the principles outlined in the Istanbul Convention.

The Minister of Justice holds the position of National Coordinator against Domestic Violence (NCDV), while the Agency for Gender Equality holds the position of Deputy Chair. The NCDV should oversee the implementation of the National Strategy on Protection against Domestic Violence at the national level; coordinate measures and policies related to domestic violence; oversee the database on domestic violence cases; and coordinate the work of the Inter-Ministerial Coordination Group on Domestic Violence. The NCDV also prepares monitoring and evaluation reports for the National Strategy on Protection against Domestic Violence.

Based on the Strategy, municipalities play an important role in managing the inter-institutional response to domestic violence and violence against women. Municipalities have a specific responsibility to establish regional, inter-municipal partnerships for the identification, referral, housing, rehabilitation and empowerment of victims of domestic violence and violence against women, in cooperation with the Ministry of Internal Affairs and the Ministry of Finance, Labour and Transfers. For this purpose, Coordination Mechanisms are established at the municipal level which should cooperate to address domestic violence as well as violence against women and to manage specific cases, according to the legal framework. Members of the Coordination Mechanisms include Gender Equality Officers, Kosovo Police, Judges, Centres for Social Work, Victim Advocates, Municipal Education Directorates, Employment Offices, Civil Society Organizations including shelters and, in some municipalities, women members of Municipal Assembly.

On the other hand, the Centre for Social Work assists victims of domestic violence and violence against women when social services, protection, re-integration and theirs sustainable

3 National Strategy on Protection Against Domestic Violence and Violence Against Women 2022-2026.

strengthening in society are needed. Each victim referred is assigned a case manager, who will be officer appointed by CSW to assist in identifying and coordinating the existing services, assisting the person in developing a comprehensive case management plan. This should be done in close cooperation with other CSW members, to provide comprehensive assistance in security, housing, justice, education, training, employment, social assistance and legal aid. The case manager should coordinate and support the implementation of this plan, including its monitoring. Currently, most shelters serve women and children who have suffered from domestic violence and trafficking. Emergency and other shelters especially for persons who have suffered sexual violence are not yet available and clearly regulated. In Kosovo there are a total of 7 shelters as specialized support services for victims/survivors of domestic violence and violence against women.

SECURITY OF SHELTERS AND CENTRES FOR SOCIAL WORK

Security concerns regarding women's shelters and social work centres have intensified, particularly following the recent femicide at the Centre for Social Work in Ferizaj.

Lack of Implementation of Protective Orders for Preventing Violence: Protective orders are one of the most crucial mechanisms for safeguarding victims of violence. They are intended to provide immediate and legal protection to individuals at risk. However, in practice, these orders are often considered ineffective due to various systemic failures. The femicide case of Hamide Magashi, who was killed in the courtyard of the University Clinical Centre of Kosovo despite having a protection order, underscores the severe shortcomings in enforcement of these orders. This case highlights the urgent need for enforcement measures to ensure that protective orders are not just issued but also strictly enforced to truly protect those at risk. According to the Law on Prevention and Protection from Domestic Violence against Women and Gender-Based Violence,⁴ one of the protective measures that can be issued is the restraining order. The court designates the responsible party's location, region, and distance within which the same person must not approach the protected party and individuals in a familial relationship with them. Additionally, the Law on the Electronic Supervision of Persons whose Movements is Limited by the Decision of the Court permits courts to request electronic surveillance to ensure the respect of the restraining orders by accused perpetrators, which the police enforcer is obliged to implement. This law was adopted by the Assembly of Kosovo in May 2015,⁵ with the aim of regulating the use of electronic surveillance in the criminal justice process, advancing public security, and ensuring the effective execution of court decisions. However, the institutions of Kosovo continue to take no concrete steps towards creating the conditions for its implementation.

The lack of physical security within the Centres for Social Work: The recent femicide

4 Law No. 08/L-186 On Prevention and Protection from Domestic Violence, Violence Against Women and Gender Based Violence.

5 Law No. 05/L -003 on the Electronic Supervision of Persons whose Movements is Limited by the Decision of the Court <https://gzk.rks-gov.net/ActDetail.aspx?ActID=10877>

case in Ferizaj has significantly heightened the sense of insecurity in the CSW. This femicide case has underscored the vulnerabilities within these facilities and highlighted the urgent need for improved security measures. The CSW lack basic security measures such as sensors to detect unauthorized entries. This means that anyone can enter the premises without being detected, posing a significant risk to both the staff and the individuals seeking help. A shelter representative mentioned that the Minister of Justice has requested all CSWs to install physical security equipment; however, local municipalities have not taken any action in this regard.⁶

The lack of security measures means that staff members are constantly at risk of encountering violent individuals, including perpetrators of domestic violence who may follow their victims to the centre. This ongoing threat not only endangers the employees' safety but also affects their mental well-being and ability to perform their duties.⁷ Beyond the physical security concerns, there is a lack of social workers to handle the burdensome and highly sensitive cases.⁸ Additionally, in some instances, there is a shortage of psychologists. As one shelter representative mentioned, "There is a lack of psychologists in the CSW, and to fill this gap, they request our psychologist from the shelter."⁹

Lack of Physical Security in Women's Shelters: Currently, women's shelters in Kosovo face significant security challenges. The existing security measures are inadequate to ensure the complete safety of the residents. While some shelters have security cameras, their coverage is limited and insufficient to monitor all critical areas.¹⁰ To enhance security levels, it is imperative to install additional cameras to cover all vulnerable points within and around the shelters. These cameras should be strategically placed to ensure there are no areas left unmonitored. Another critical issue is the absence of security guards. All shelter representatives interviewed for the research indicated that the absence of on-site security personnel makes shelters more vulnerable to intrusions and attacks. Guards are essential for immediate response to any security breach, providing a deterrent to potential intruders and ensuring a quick reaction in case of an emergency. Shelters maintain close cooperation with the police regarding any threats they might face. Regular patrols would also help in building a stronger relationship between the shelters and law enforcement, ensuring better coordination and quicker response times during emergencies. Shelters are often known to abusers, particularly in cases involving repeat offenders. These individuals may attempt to locate and confront their victims, posing a severe threat to the safety of everyone within the shelter.

As one shelter representative explained:

"We have had instances where the abuser has come to see their children, being informed about the shelter's location. This is very concerning for all of us and our staff. We immediately informed the police, but it remains a significant concern."¹¹

6 Interview number 3, shelter representative, 7/6/2024.

7 Interview number 1, shelter representative, 23/5/2024.

8 Interview number 1, shelter representative, 23/5/2024.

9 Interview number 1, shelter representative, 23/5/2024.

10 Interview number 2, shelter representative, 30/5/2024.

11 Interview number 2, shelter representative, 30/5/2024.

This statement illustrates the constant threat posed by abusers who manage to find out the locations of these supposedly secure facilities. However, there is no direct phone line or camera system linked with the police to monitor shelters. According to one shelter representative, this practice existed in the past but is no longer in place.¹²

On the other hand, the shelters are for a temporary period, where a solution for a longer period of time must be found to victims. However, in the absence of longer-term support for victims of domestic violence, there are no rehabilitative policies, and the victims are forced to stay in the shelters longer. In the absence of services, we encounter recurring cases; victims are sheltered for a short time, but there is no continuity. Consequently, the violence escalates and repeats.¹³ In the new National Strategy for Protection from Domestic Violence (2022–2026),¹⁴ a detailed plan with specific activities and the institutions responsible for their implementation has been outlined. However, the problem of sustainable reintegration and empowerment of victims remains one of the main challenges that escalate violence against victims.

Threats to Shelter Representatives: Representatives of women's shelters in Kosovo have mentioned instances where they have received direct threats from abusers. These threats often involve demands to see their children, accompanied by menacing statements about committing suicide if their demands are not met.¹⁵ Such threats are not only alarming but also place an immense psychological burden on the shelter staff, who are already dealing with the complex and sensitive needs of abuse survivors. In an interview it was mentioned that, during the COVID-19 pandemic, the Ministry of Justice aimed to make it easier for citizens to seek help by publishing the email addresses of shelters. While the intention behind this move was to provide quick and accessible support to those in need, it inadvertently exposed the shelters to significant security risks. The publication of contact information led to a surge in online threats directed at the shelters. Abusers and other individuals began to exploit this information, using social media platforms to send threatening messages. These threats ranged from harassment and intimidation to specific threats of violence.¹⁶

Lack of Information on Cyber Attacks: Most shelters have very limited information or none at all about cyber-attacks. Some shelters operate online platforms, which occasionally receive threats. While these threats are consistently reported to the police, the shelters remain vulnerable to cyber-attacks. Despite being occasional victims of such attacks, these shelters often lack the basic knowledge and resources necessary to protect themselves effectively. This lack of information and preparedness not only compromises their security but also jeopardizes the safety and privacy of the individuals they aim to protect. There is a critical need for comprehensive training and resources to equip shelter staff with the skills and tools needed to defend against cyber threats and to create a secure environment both online and offline.¹⁷

12 Interview number 3, shelter representative, 7/6/2024.

13 Hasani, Kroci, Women's Security Concerns in Kosovo, KCSS, 2024, <https://qkss.org/al/publikimet/shqetesimet-lidhur-me-sigurine-e-grave-ne-kosove> (4.6.2024).

14 National Strategy on Protection Against Domestic Violence and Violence Against Women 2022-2026.

15 Interview number 2, shelter representative, 30/5/2024.

16 Interview number 1, shelter representative, 23/5/2024.

17 Interview number 1, shelter representative, 23/5/2024.

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ABOUT KCSS

Established in April 2008, the Kosovar Center for Security Studies (KCSS) is a specialized, independent, and non-governmental organization. The primary goal of KCSS is to promote the democratization of the security sector in Kosovo and to improve research and advocacy work related to security, the rule of law, and regional and international cooperation in the field of security.

KCSS aims to enhance the effectiveness of the Security Sector Reform (SSR) by supporting SSR programs through its research, events, training, advocacy, and direct policy advice.

Advancing new ideas and social science methods are also core values of the centre. Every year, KCSS publishes numerous reports, policy analysis and policy briefs on security-related issues. It also runs more than 200 public events including conferences, roundtables, and debates, lectures – in Kosovo, also in collaboration with regional and international partners.

A wide-range of activities includes research, capacity-building, awareness raising and advocacy. KCSS's work covers a wide range of topics, including but not limited to security sector reform and development, identifying and analyzing security risks related to extremism, radicalism, and organized crime, foreign policy and regional cooperation, and evaluating the rule of law in Kosovo.

This year, KCSS celebrated its 16th Anniversary. For more about KCSS, please visit and follow our social media accounts:



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