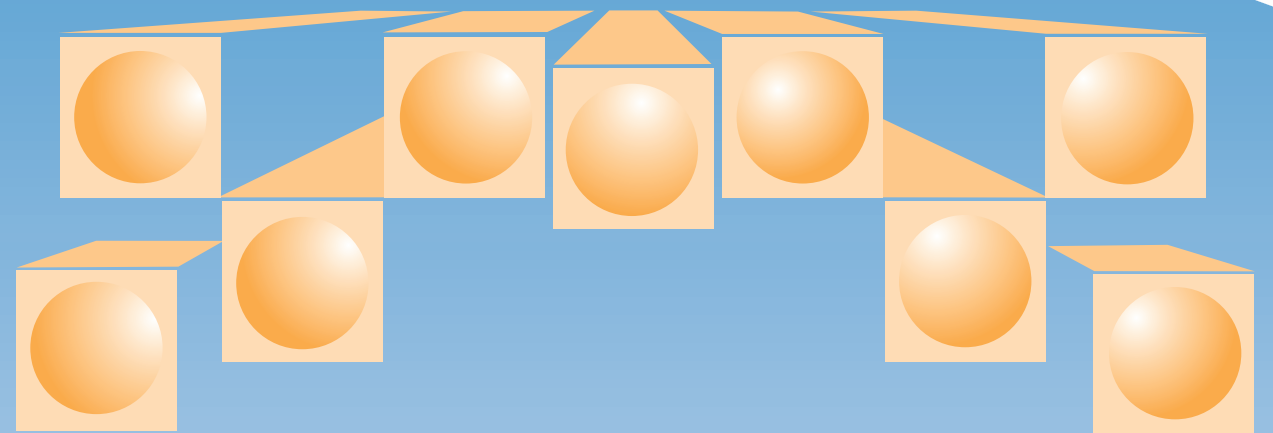




Gender-Based Violence in Kosovo

A Case Study





GENDER-BASED VIOLENCE IN KOSOVO

A CASE STUDY



Photo: UNMIK/DPI

United Nations Population Fund (UNFPA)

*Women, Peace and Security Initiative
Technical Support Division*

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PREFACE

This case study is part of a project of the United Nations Population Fund (UNFPA), the Women, Peace and Security Initiative. The project, led by Ms. Sahir Abdul-Hadi, is taking stock of the progress in implementing United Nations Security Council resolution 1325, adopted in 2000. The case study documents the lessons learned in Kosovo. Additional case studies are being prepared regarding other post-conflict contexts.

The research for this study was conducted during the period May-July 2005. Ms. Sevdije Ahmeti, Founder and Executive Director the Centre for the Protection of Women and Children, Pristina, a national non-governmental organization (NGO), supervised the preparation of the case study. Ms. Linda Gusija, Lecturer at the Department of Sociology, University of Pristina, conducted the research. Mr. Driton Zeqiri conducted the interviews. Ms. Vidya Singh revised drafts of the study. Ms. Rachel Hand, Operations Assistant, UNFPA office in Kosovo, contributed to the final checking. The researchers thank Ms. Clare Hutchinson, Office of Gender Affairs of the United Nations Mission in Kosovo; Ms. Bjarney Fridriksdottir, United Nations Development Fund for Women (UNIFEM); Mr. Michael Possmayer, Mercy Corps; Ms. Pernilla Johansson, Kvinna till Kvinna; Mr. Zef Shala, Mother Thereza; Ms. Hamide Konushevc, Statistical Office of Kosovo; Mr. Bexhet Shala, Council for the Defense of Human Rights and Freedoms, Kosovo; the Ministry for Employment and Social Welfare; Mr. Fahrush Neziri, Social Centre in Pristina; Ms. Sakibe Doli, Safe House; lawyer Mr. Shefqet Bytyqi; Ms. Igballe Rugova, Executive Director, Kosovo Women's Network; Dr. Minire Zuna, Medica Kosova; Flora Macula, National Coordinator of UNIFEM in Kosovo; Ms. Valbona Salihu, Executive Director, NORMA; and Ms. Mirlinda Kusari, Executive Director, Women's Business Association (SHERA).

LIST OF ACRONYMS AND ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CPWC	Centre for the Protection of Women and Children
GBV	Gender-based violence
GDI	Gender-related Development Index
HHC	Hope and Homes for Children
IOM	International Organization for Migration
IRIN	Integrated Regional Information Networks
ISF	Interim Secure Facility
KFOR	Kosovo Force (NATO)
KPS	Kosovo Police Service
KWI	Kosovo Women's Initiative
KWN	Kosovo Women's Network
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OGA	Office of Gender Affairs of UNMIK
OMiK	Organization for Security and Cooperation in Europe (OSCE) Mission in Kosovo
OSCE	Organization for Security and Cooperation in Europe
PISG	Provisional Institutions of Interim Self Government in Kosovo
SHERA	Women's Business Association
UNCHS	United Nations Centre for Human Settlements
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNMIK	United Nations Mission in Kosovo
USAID	United States Agency for International Development
VAAU	Victims' Advocacy and Assistance Unit
WHO	World Health Organization
WWC	Women's Wellness Centre

EXECUTIVE SUMMARY

This report presents the findings of a study of gender-based violence in Kosovo. Prepared in May-July 2005, the study reflects the views of prominent activists and representatives of local non-governmental organizations (NGOs) and international organizations concerning pre-war, wartime (1998-1999) and post-war periods. It is intended to assist in the development of policies, programmes and projects by institutions and NGOs. In the report, “violence against women” refers not only to specific and general abuse of women and children, in the form of murder, rape, battering, sexual harassment, pornography etc., but also to the attitudes and values that create violence. This study, therefore, recommends that interventions be constructed in the framework of human rights and the empowerment of women rather than solely from a welfare and protection perspective. Such a study presents difficulties on account of the sensitive nature of gender-based violence. In Kosovo, poverty and lack of access to education and other facilities heighten women’s vulnerability to violence.

The research team identified a variety of needs and challenges in this field:

- Recognizing need for anonymity and lack of stigmatization

Kosovo’s women face significant gender-based violence and little respect for a victim’s right to confidentiality. Even if a woman musters the courage to report a crime of violence and denounce the perpetrator, she continues to be re-victimized during examination by doctors or forensic examiners, social welfare workers or other actors within and outside the criminal-justice system. In Kosovo, because of its predominantly patriarchal society, “male violence against women is generally unchallenged and victims who choose disclosure may be met with isolation or blame”.¹ To ensure that victims’ grievances are humanely redressed, there must be promises of anonymity and a lack of stigmatization. Therefore, preventing gender-based violence is about influencing the nature of relationships between women and men. Men must be engaged as allies in that work.

- Improving health-sector interventions

The health sector can play a vital role in addressing violence against women. It can help to identify abuse early, treat victims and refer women for appropriate and informed care. Much needs to be done to improve the quality of the hospitals and the related infrastructure and to provide better training and foster greater awareness among health-care providers.

- Expanding data collection

The collection and collation of data on the extent, types and prevalence of violence against women present a challenging task. The data collected so far are mostly empirical and have not been analysed professionally. As a result, there is no complete or comprehensive picture of gender-based violence and its effects on the society.

¹ “Tracking Gender-Based Human Rights Violations in Postwar Kosovo”, *American Journal of Public Health*, vol. 94 (Washington, Aug. 2004).

- Promoting awareness of judicial reforms

Throughout the 1990s, Kosovo's Albanians, who constituted a majority, were excluded from police, judicial and all other administrative structures. After the conflict, the United Nations Mission in Kosovo (UNMIK) promulgated laws to address gender discrimination. However, the level of responsiveness to these laws among law enforcers and the level of public awareness of their rights as well as avenues for judicial remedy are less than desirable.

- Obtaining international support

Six years after the end of the conflict, international funding sources were apparently beginning to dry up, greater restrictions were imposed and priorities acquired a narrower focus. Although local activists noted that cooperation with international NGOs and agencies of the United Nations had been good, there was disappointment that these agencies tended to support programmes more in tune with their own agendas rather than those reflecting the actual needs of Kosovo's people.

- Supporting the work of local non-governmental organizations

Local women's groups have shown courage and commitment in addressing violence towards women. Authorities need to do more to support the civil society and integrate these organizations as complementary mechanisms to fill the gaps that official institutions cannot fill. Better cooperation between local and international organizations would be welcome, as would greater support for the local organizations with years of experience in the field and grounding in local traditions.

- Mainstreaming gender-based violence programming

Most programmes to address gender-based violence in Kosovo are vertical, stand-alone programmes that are likely to reach only a minuscule proportion of those women who need support. Mainstreaming gender entails working to integrate equality concerns into all institutional policies and programmes so that issues of gender equality become part of their values and priorities.²

- Influencing the behaviour of national and international staffs

The international community in Kosovo needs to set a good example for local decision makers to be persuaded to prioritize gender equality. International organizations should ensure that their staffs receive necessary gender training and are sensitized to the challenges being faced in this regard.

- Undertaking interventions and advocacy to involve men and boys and to empower girls

Kosovo's human rights activists believe that the fight against violence can be successful only with the support and proactive role of men. To this end, they support positive and sustained media campaigns and gender-sensitive education, including the gender-sensitive socialization of young children, to remove stereotypes and attitudes that perpetuate traditional roles of men and women.

² Elisabeth Porter, "Can Women Make a Difference to Peace and Security?" (Elisabeth Porter and openDemocracy.net; 19 October 2005).

I. INTRODUCTION AND BACKGROUND

A. DEFINITIONS

The term “gender-based violence” has been defined as “an umbrella term for any harm that is directed against a person on the basis of gender or sex, resulting from power imbalances that exploit distinctions between males and females, as also among males and females.”³ The violence may be physical, sexual, psychological, economic or sociocultural and, in the words of one expert, “plays on gender norms and gender exclusions to break people down both physically and emotionally.”⁴ The United Nations Declaration on the Elimination of Violence against Women further elucidates violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or in private life” (Article 1).

Terminology as “gender-based” highlights the need to understand violence within the realm of women’s subordinate status in society. Experts working in the field of gender-based violence conclude that there are social institutions and beliefs in many cultures that legitimize violence against women. It is imperative, therefore, to understand such violence in the context of the norms, social structures and gender roles that exist within communities and that greatly influence women’s vulnerability to violence.

While both males and females are subject to gender-based violence, women and girls are the main victims. Gender-based violence is, however, not just a women’s issue. The issue concerns the entire society, cutting across boundaries of culture, religion and socio-economic status. Women face violence not only in the context of war, but in times of peace, in their daily lives, at home, on the streets and in the workplace.

Tackling gender-based violence is a challenge in most societies because gender-based violence is often perceived of as a family affair rather than as a grave violation of human rights affecting women’s capacity to realize their full human potential and function as active agents of change and development.⁵

B. BACKGROUND OF THE CASE STUDY

This case study, prepared in May-July 2005, presents the views of prominent activists, local non-governmental organizations (NGOs) and international organizations in pre-war, war and post-war periods in Kosovo. It is intended to assist in the development of policies, programmes and projects by institutions and NGOs. The research team consisted of one national consultant working in cooperation with students from the Department of Sociology, University of Pristina. The team interviewed 10 human rights activists and leaders of women’s NGOs (both women and men) and contacted members of international organizations and offices of the Provisional Institutions of

³ Jeanne Ward, *If Not Now, When? Addressing Gender-based Violence in Refugee, Internally Displaced and Post-conflict Settings -- A Global Overview* (Reproductive Health for Refugees Consortium (RHRC), April 2002), pp. 8-9.

⁴ Amani El Jack, “Gender and Armed Conflict – Overview Report” (United Kingdom, BRIDGE (development-gender), Institute of Development Studies, 2003).

⁵ Ward, *If Not Now, When?*

Interim Self Government in Kosovo (PISG). Due to the nature of the issues, the views of human rights investigators and law enforcement officials were seen as crucial to providing insights. The project was designed to provide opportunities for interviewees to voice their concerns and articulate solutions to gender-based violence. To ensure that gender-based violence was profiled sensitively, special attention was given to designing the interviews in a way that would capture women's experiences realistically.

C. SOCIO-DEMOGRAPHIC PROFILE OF KOSOVO

Located in South-Eastern Europe, Kosovo is landlocked, with low plains in central Kosovo surrounded by mountains to the north, west and south. Kosovo covers an area of almost 11,000 square kilometres, roughly one third the size of Belgium. About 52 per cent of the land is agricultural and 39 per cent is covered by forest. Kosovo is well connected to regional centres by roads and by air.⁶

Kosovo is governed by UNMIK, based on United Nations Security Council resolution 1244, adopted after the end of the conflict in 1999. UNMIK governs Kosovo in cooperation with local institutions comprising the presidency, the Kosovo assembly and the Government.

1. Population Composition and Ethnicity

The number of people living in Kosovo after the war was estimated at about 1.9 million, 60 per cent in urban and 40 per cent in rural areas. In terms of ethnicity, 90 per cent of the people living in Kosovo were Albanians, 8 per cent were Serbs and 2 per cent were in other ethnic groups. Most Kosovars were Muslims, although there were also sizeable numbers of Roman Catholics and Orthodox Christians.

The gender composition of the population in 1989 was 51 per cent men and 49 per cent women.⁷ After 2000, due to migration and other consequences of the conflict, the demographic composition changed significantly. A 2003 survey found that women constituted 52 per cent of the population. Life expectancy at birth was 68.8 years (67.8 for men and 69.9 for women).⁸ In the 1995-2000 period, 13 per cent of newborns died in the absence of adequate and appropriate medical services and health care.⁹

2. Education

According to the United Nations Development Programme (UNDP), "literacy levels improved rapidly in Kosovo between the 1960s and the 1980s", but there was a slump during Milosevic's regime.¹⁰ The UNDP *Human Development Report, 2004* reveals that the adult literacy rate in Kosovo was 94 per cent, approximately 1 per cent higher than that reported for the year 2002, indicating "the positive impact of different international and local organisations, especially in relation to literacy courses for the elderly and women."¹¹ Official statistics note that while there was near universal primary school enrolment for the Kosovo Albanian and Kosovo Serb

⁶ *Investing in Kosovo* (Pristina, Ministry of Trade and Industry, UNMIK European Union Pillar, 2005).

⁷ Statistical Office of Kosovo, *Statistical Annual 1990*.

⁸ Statistical Office of Kosovo, *Kosovo Demographic and Health Survey, 2003* (March 2004).

⁹ Centre for the Protection of Women and Children (CPWC), *The Social Map on Women of Kosovo, 1995-2000* (CPWC, 2004), p. 21.

¹⁰ *Ibid.*

¹¹ Kosova Education Centre, "Some aspects of efficiency of education in Kosovo" (November 2002), p. 224.

communities, enrolment rates for children from non-Serb minority communities (Roma, Ashkali, Egyptian, Turkish, Bosnian and others) remained comparatively low.

3. Economy and Employment

In January 2002, the Euro became Kosovo's official currency. In 2004, the gross domestic product (GDP) was 1,640 million Euros; gross national product (GNP) was 1,973 million Euros; per capita GDP, 848 Euros; per capita GNP, 1,021 Euros.¹² Although "Kosovo has recorded considerable GDP growth, its GDP per capita has still not reached the 1985 levels. Moreover, these favourable trends can be traced to increased donor assistance towards reconstruction and remittances inflow from the Kosovar Diaspora, rather than domestic value-added input."¹³

The statistics for 2004 show the unemployment rate as 44 per cent (39 per cent for males and 58 per cent for females) and the labour force participation as 52 per cent (75 per cent for males and 31 per cent for females).¹⁴ According to an opinion poll conducted in April 2004, 81 per cent of respondents identified unemployment as the first or second most important problem facing Kosovo.¹⁵

By 2004, national poverty had reached the scale of 50 per cent, with 13 per cent living in extreme poverty.¹⁶ The percentage of people living on an average of \$US 2 a day per person was 48 per cent, and 13 per cent lived on \$US 1 a day per person.

The Human Development Index (HDI), created by UNDP, is a summary composite index that measures a country's average achievements in three basic aspects of human development: longevity, knowledge and a decent standard of living. Kosovo's HDI for the year 2004 was 0.734. The UNDP *Human Development Report, Kosovo, 2002* includes a Gender-related Development Index (GDI), which measures the same indicators of human development from a gender perspective. The report highlights women's role in the economy as reflecting the most marked discrepancy between women and men in terms of human development. This report ranks Kosovo as having the lowest GDI in South-Eastern Europe.

¹² UNDP, *Human Development Report, Kosovo, 2004*.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Index Kosova and BBSS Gallup International, "Corruption Survey: Report on Main Findings" (Kosovo, Joint venture of Index Kosova and BBSS Gallup International, April 2004).

¹⁶ UNDP, *Human Development Report, Kosovo, 2004*.

II. WOMEN OF KOSOVO

A. GENDER-BASED VIOLENCE EXPERIENCED BY KOSOVO'S WOMEN

1. During the Conflict

Official state propaganda in Yugoslavia in the decade preceding the war served to dehumanize and stereotype Kosovar Albanian women. Albanian women, nicknamed “washing machines” and portrayed as “stupid, uneducated women ready to have sex” by the Serbian forces, were not only expelled from work and deprived of basic health care and gynaecological services but also used as an instrument to carry out ethnic cleansing and to terrorize and degrade families and society. Kosovo’s women participated actively in the non-violent opposition to Serbian repression. The security situation was extremely fragile. Women and girls lived in constant fear of threat to their lives and dignity. One activist recalls: “When there was no electricity, only boys could go outside in the streets. Girls never dared venture out.”

In a study on the prevalence of multiple forms of gender-based violence in Kosovo during and after the conflict and displacement, respondents most frequently identified Serbian soldiers as perpetrators of incidents occurring during the conflict as well as during displacement.¹⁷ Human Rights Watch found 96 verifiable accounts of sexual assault in Kosovo during the period of the bombing by the North Atlantic Treaty Organization (NATO) from 24 March to 7 May 1999.¹⁸ Research efforts also provided a general picture of the nature of the abuses: brutal and systematic rape of women, including pregnant women and children. Most cases involved gang rapes and were often associated with “the use of drugs, cutting of breasts, genitals and faces and placing Serbian nationalist symbol tattoos on victims’ bodies.”¹⁹

Definitive statistics of the number of women and girls who were victims of sexual violence during the war are unavailable. One expert noted that few women admit to having been raped because of the fear of ostracism from the family and community.²⁰ Fear of stigmatization compounded by inadequate support services is believed to be a major obstacle to disclosure. According to Albanian tradition, to touch a woman amounts to a slight on the honour of the family; this is why Albanian women were targeted, not just to inflict shame and humiliation on them, but in the process to destroy the social fabric of the society as well. The effects of rapes are felt not only by the victim but also by her family and society. The attack also has the effect of emasculating and humiliating men, because they feel guilty at having been unable to defend the honour of their women relatives.

2. After the Conflict

During the post-war period, Kosovo’s women continued to face challenges. They experienced domestic violence, possibly increased levels of sexual assaults, and trafficking.

¹⁷ “Prevalence of Gender-Based Violence: Preliminary Findings from a Field Assessment in Nine Villages in the Peja Region, Kosovo” (Peje, Women’s Wellness Centre, 2002).

¹⁸ Human Rights Watch, *Kosovo: Rape as weapon of ethnic cleansing* (Human Rights Watch, 2000).

¹⁹ Rachel Wareham, “No safe place”: UNIFEM Commissioned assessment of violence against women in Kosovo Albanian Community (2000).

²⁰ Lesley Abdela, “The Women of Kosovo”, *Executive Woman Magazine* (Aug./Sept. 1999).

a. Domestic violence

Domestic violence was persistent and pervasive following the war. An assessment by the United Nations Development Fund for Women (UNIFEM), carried out in 1999-2000, found that 23 per cent of the Kosovar Albanian women interviewed had experienced domestic violence. In 2000, a local women's organization, Afrodita, surveyed 500 Kosovar Albanian men and women from the Ferizaj area of Kosovo about perceptions of violence: 90 per cent identified the violence as physical, and 39 per cent agreed that husbands beat their wives.²¹ In 2004, the UNMIK Police Domestic Violence Unit and the Centre for Social Work dealt with 223 cases of domestic violence. Social marginalization, lack of employment opportunities, the prevalence of discriminatory social practices, a lack of willingness by victims to seek redress through the judiciary and a lack of adequate support from competent institutions have been identified as the main reasons for the occurrence and persistence of domestic violence.²²

b. Sexual violence/sexual assault

UNMIK police reports indicate that most serious crimes such as murder, abduction and arson decreased during 2000 and 2001. In the same period, however, sexual assault was the only major violation to increase, from 115 to 133 reported cases.

A study on the prevalence of multiple forms of gender-based violence was undertaken in August 2002 by Women's Wellness Centre (WWC) in the Peja/Pec Region. In an attempt to analyse the impact of conflict and the cessation of conflict on women's risk of intimate partner violence, participants were asked about violence by a partner during two time periods: the year preceding the war and the year prior to the survey. A total of 36 per cent of all women with partners reported at least one incident of violence by their partners in the year before the war; 34 per cent reported at least one such incident in the year before the survey; and 12 per cent reported physical injuries resulting from partner violence. Family and money issues were identified as the top two factors contributing to violence. Among those who experienced injuries, only 6.5 per cent sought medical treatment.

c. Trafficking and prostitution

By definition, "trafficking" includes all acts involved in the recruitment, transportation, transfer, harbouring or receipt of persons, by threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, or giving or receiving payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation. Every year, according to the Organization for Security and Cooperation in Europe (OSCE), an estimated 200,000 persons, mostly women and girls, are trafficked from Eastern Europe and Central Asia to other countries into conditions amounting to slavery.²³ Evidently, Kosovo serves as a point of origin and transit for trafficking in human beings. Women and girls from the former Soviet Republics of Moldova and Ukraine, as well as Romania and Bulgaria, are

²¹ Cited in Cari Clark, "Gender-based Violence Research Initiatives in Refugee, IDP, and Post-Conflict Settings: Lessons Learned" (Working Paper No. 17, Reproductive Health for Refugees Consortium (RHRC), 2003).

²² Office of Gender Affairs (UNMIK), "Women and Men in Kosovo" (2003).

²³ In 2004, worldwide, the figures were estimated at 600,000 to 800,000, 80 per cent of them women and girls, according to the United States Department of State, *Trafficking in Persons Report: June 2004* (Washington, D.C.: United States Department of State, 2005).

trafficked into Kosovo or through Kosovo to Western Europe for the purpose of exploitation for commercial sex. Also, girls and women from Kosovo are trafficked within Kosovo and exploited.

Poor economic conditions after the war, high unemployment, lack of education, the war and subsequent displacement, the presence of organized criminal groups, porous borders and a large international community have been identified as reasons for the growth of trafficking in Kosovo. Although the presence of the international community was no doubt a causative factor in the growth of trafficking, the sex industry subsequently developed a wider client base. Both the International Organization for Migration (IOM) and CPWC estimated that the local community constituted about 80 per cent of the clientele.²⁴

B. WOMEN'S EXPOSURE TO GENDER INEQUITY

1. Societal Customs and Attitudes

Kosovo is a patriarchal society. According to one report:

“The rules dominating the ordering of society prescribed in the Kanun of Lek Dukagjin in the fifteenth century still form the basis for local laws and social structures. Men and women had clearly prescribed roles and responsibilities, with men as protectors and providers and public decision-makers, and women confined to the domestic sphere.”²⁵

One of the main obstacles to raising awareness about gender disparities is the difference in expectations based on gender perspectives. Not only do many men have a fixed image of what women must do, but many women, too, nurture stereotypical perceptions of themselves as nothing more than workers and cleaners of households. Certain local customs and mores promote and perpetuate the traditional roles of men and women and reinforce perceptions of masculine superiority and dominance. For example, immediately after the birth of a boy, there is much rejoicing in the family. The birth of a girl is not heralded with such fanfare.²⁶ A woman who is “unfortunate” enough to have borne only daughters suffers diminished status in the family hierarchy.

For women who were sexually assaulted during the war, tackling the emotional scars left behind by the outrage presents a huge challenge. The process of healing can be successful only with the active support of the family and the society. Such support and assistance are not always forthcoming. In the case in Kosovo, after giving birth to a child conceived as a result of rape during the war, a woman was killed by her husband, who then committed suicide. This tragic incident left six orphans in the care of their grandmother. In another case, a man began to use his wife, who had been raped during the war, for sexual trade.

²⁴ Amnesty International, “So does it mean that we have the rights? Protecting the human rights of women and girls trafficked for forced prostitution in Kosovo” (London, Amnesty International, May 2004).

²⁵ Organization for Security and Cooperation in Europe (OSCE), *Report on the Gender Situation in Kosovo* (OSCE, 2002).

²⁶ According to the Kosovo Demographic Health Survey, when respondents were asked about the number of boys and girls they desired, a marked preference for sons was recorded.

2. Employment Opportunities

Many experts believe that, in post-war periods, societies often have high unemployment and women have fewer opportunities for formal employment than do men.²⁷ In post-war Kosovo, with its economy in a transitional phase, job opportunities were few. The opportunities for participation in the economy were limited, and the overall percentage of unemployed women was about 58 per cent, nearly double that of employed women (around 31 per cent).²⁸ Such economic dependence did not bode well for the empowerment of women.

Many women thought that the end of the conflict would signal the advent of better and more prosperous times for them. That was not to be. As one woman activist noted, many women who are university graduates are sitting at home, playing the role of housewives. They are unable to find employment.

3. Access to Education

During the war, of 1,050 schools in Kosovo, 266 were destroyed. Of the remainder, 45 per cent suffered severe damage.²⁹ Even before the war, many children, especially girls, were excluded from educational opportunities. As a result, the largest numbers of illiterate women in rural areas were in the 16-21 age group.³⁰ Another noticeable and worrying trend was the increasing drop-out rates with each successive grade (table 1).

Table 1. Educational Levels, by Gender			
	Female	Male	Total
Primary Education	91.2%	92.1%	91.7%
Secondary Education	54%	65%	59.5%
Higher Education	16.4%	18.2%	17.3%

Source: United Nations Development Programme (UNDP), *Human Development Report, Kosovo, 2002* (UNDP, 2002).

In 2002, the Ministry of Education, Science and Technology, the Statistical Office of Kosovo and the United Nations Children's Fund (UNICEF) conducted a Gender Review of Education in Kosovo, which found that the obstacles preventing girls from completing their education were economic hardship, lack of family support, lack of security, distances to school and early marriage. For girls in rural areas, the lack of family support stemmed from traditional beliefs and gender expectations still prevalent.

²⁷ Birgitte Sorensen, "Women and Post-Conflict Reconstruction: Issues and Sources" (War-torn Societies Project (WSP), Occasional Paper No. 3, June 1998).

²⁸ UNDP, *Human Development Report, Kosovo, 2004*.

²⁹ Chris Corrin, "Gender Audit of Reconstruction Programmes in South Eastern Europe" (The Urgent Action Fund and The Women's Commission for Refugee Women and Children, June 2000).

³⁰ Office of Gender Affairs (UNMIK), "Women and Men in Kosovo" (2003).

4. Participation in Political Life

Empowering women's capacity to build peace and to participate in political decision-making is crucial to fostering gender equality within a culture of peace. As one expert noted, "Many countries emerging from armed conflict adopt new constitutions that grant women equal political, social and economic rights and governments also come up with quota systems to ensure women equal representation in decision making institutions at all levels."³¹ In Kosovo, the Government includes one female minister and one female deputy minister; 28 per cent of assembly members are women. The presence of women in the executive and legislative bodies reflects the legal requirements for gender representation in the electoral lists.³² Despite the presence of women in municipal assemblies and in the assembly of Kosovo, few women occupy key leadership posts (table 2).

Position	Women	Men	Total
Ministers	1	9	10
Permanent Secretaries	1	9	10
Members of Parliament	35	85	120
Chairs of Parliamentary Committees	7	11	18
Mayors	1	29	30
Members of Municipal Assemblies	262	910	1,172

Source: Kosovo Women's Initiative.

5. Ownership and Property Rights

As of 2003, Kosovo's laws provided for equitable rights for women and men in all walks of life, including in the area of property rights. In practice, however, women were either excluded from ownership of assets or gave up their share of property in favour of the men in the family.³³ Only 8 per cent of women owned property, and 9 per cent of women owned livestock or machinery.³⁴

³¹ Sorensen, "Women and Post-Conflict Reconstruction...."

³² European Union, "Kosovo (under UNSCR 1244) 2005 Progress Report".

³³ Office of Gender Affairs (UNMIK), "Women and Men in Kosovo".

³⁴ United Nations Centre for Human Settlements (UNCHS), "Women's Equal Rights/Access to Property in Kosovo" (Benschop, Prishtinë/Priština, 2000).

III. GOVERNMENTAL RESPONSES TO GENDER-BASED VIOLENCE

A wide range of tools and a multisectoral approach are required to fight against systemic discrimination against women and gender-based violence.

A. LEGAL AND JUDICIAL MEASURES

In Kosovo, gender-based obstacles and discriminatory practices have been tackled sporadically. Following are some of the post-conflict legislative measures to address various gender concerns:

- Promulgation in January 2001 of the “Regulation on the Prohibition of Trafficking in Persons in Kosovo”, which makes human trafficking a criminal offence while also providing for better protection of, and assistance to, the victims of trafficking;
- Passage of UNMIK Regulation 2003/12 on Protection against Domestic Violence, which is the main legal source governing the response to victims of domestic violence;
- Adoption by the Kosovo Government in June 2004 of the National Action Plan on the Achievement of Gender Equality in Kosovo and the new Gender Equality law and its promulgation by the Special Representative of the Secretary-General through UNMIK Regulation No. 2004/18. The National Action Plan, which is to serve as a critical reference document when defining strategies to advance gender equality, calls for shared power and responsibility between women and men at home and in the workplace and for the removal of all obstacles to women’s active participation in economic, social, cultural and political decision-making; and
- Promulgation of the “Anti-Discrimination Law” (UNMIK Regulation No. 2004/32) in August 2004, for preventing and combating discrimination, promoting equality and putting into effect the principle of equal treatment of the citizens of Kosovo under the rule of law.

Notwithstanding the existence of various mechanisms for promoting gender equality, the skills and requisite financial resources to implement gender equality laws are lacking.³⁵

B. TRAINING, AWARENESS AND SENSITIZATION

An important barrier to the implementation of equitable laws is women’s minimal awareness of the laws and of their rights under these laws. In 2001, NORMA, a Kosovo NGO formed by the Association of Women Lawyers in Prishtinë/Pristina, OSCE and UNIFEM saw the need to train the legal profession on gender equality and women’s human rights. Beginning in 2002, UNIFEM trained a total of 70 men and women, including lawyers and judges, NGO representatives, employees of ministries, and members of municipal governments and the Kosovo assembly.³⁶

Since 2003, OSCE has been conducting a training of trainers’ course on violence for Municipal Gender Officers, Kosovo Police Service (KPS) Officers and representatives of NGOs with a view

³⁵ European Commission, “Kosovo (under UNSCR 1244) 2005 Progress Report.”

³⁶ Catherine Balsis, Marcia Greenberg and Liz McKeon, “Building Diversity: An Action Plan for Integrating Gender, Youth and Ethnicity into the USAID Kosovo Program” (May 2004).

towards educating local government and civil society representatives. Those who were trained in these courses were expected to pass on their knowledge and train the youth of Kosovo on dating and domestic violence. According to OSCE, as of 2005, more than 8,000 children throughout Kosovo had received training in this regard.

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, based on the film *Lilja Forever*, by Swedish director Lukas Moodysson, increased awareness of the sex trade among politicians, police officers, civil authorities, social workers, journalists and the public.

The Kosovo Judicial Institute conducted a seminar in February 2005, “Protection against Domestic Violence -- Implementation of UNMIK Regulation 2003/12.” Because of the response to the seminar and the interest of the judicial community, the institute intends to conduct more workshops, especially for judges hearing cases of domestic violence. However, such awareness-raising campaigns and efforts will be seen as successful only when there is an appreciable increase in the number of women who speak up for their rights and resist violence, whether at home or outside.

C. INSTITUTIONAL MECHANISMS

In 2000, UNMIK established a policy advisory body, the Office of Gender Affairs (OGA), to address the needs of women. OGA has been tasked to facilitate the integration of a gender-based approach into the substantive work of UNMIK. To improve the governmental response to the problem of domestic violence, the OSCE Mission in Kosovo (OMiK) created the post of a Domestic Violence Policy Adviser in the Social Welfare Section of the Ministry of Labour and Social Welfare.

D. ADVOCACY AND ASSISTANCE

The Department of Justice (UNMIK) created the Victims’ Advocacy and Assistance Unit (VAAU) in 2002 to integrate the interests of victims into the justice system and to ensure that victims receive needed assistance to participate in the justice process. VAAU has throughout Kosovo a network of Victims’ Advocates who deal essentially with gender-based crimes. For the period ending July 2005, the Victims’ Advocates had reportedly provided assistance in 1,408 cases in the following categories:

Type of case³⁷	Number of cases
Domestic Violence	1,039
Sexual Assault	101
Trafficking	61
Child Abuse	16
Others	191

UNIFEM, which has operated in Kosovo since 1999, initially concentrated its activities on ensuring the return of war refugees. It later shifted focus to research, advocacy, policy dialogue on women’s rights and opportunities and to dealing with relevant stakeholders (e.g., IOM and OSCE) on gender issues. UNIFEM facilitated the development of the draft National Action Plan by bringing women together to identify and articulate their common needs and role in the peace-building process.

³⁷ VAAU report for the period ending 29 July 2005.

E. ACCESS TO SERVICES

Women's access to services, especially women in rural areas, remains a challenge. The reasons include the lack of adequate infrastructure, the curtailment of freedom of movement imposed by families and security concerns. In cities, the situation is somewhat better. In the face of decreasing external assistance from the donor community, the provision of services for victims of gender-based violence has been adversely affected, with insufficient local resources set aside for the creation of a conducive and supportive physical environment for abused women and girls.

1. Shelters

Good, safe and secure shelters constitute an important component of service and support mechanisms available for victims of violence. Following the signing of a Memorandum of Understanding between OMiK and UNMIK Pillar I (Police and Justice) in 2003, the Interim Secure Facility (ISF) was established within VAAU as a shelter for victims of trafficking. ISF is responsible for providing safe accommodations and a reflection period to victims of trafficking and presumed victims of trafficking who have been identified through the referral system. Services provided to a trafficked person at ISF include shelter and food, clothing, psychosocial and medical assistance, and courses on skill development.

Hope and Homes for Children (HHC) is a United Kingdom-based international NGO with several projects in Eastern Europe and Africa. In Kosovo, HHC established residential family homes for children in need of protection. These shelters, in Pristina and Prizren, provide temporary accommodation for vulnerable children regardless of their ethnic background, religion or place of birth. The programme aims at reuniting children with their immediate or extended families and, if that is not possible, it endeavours to find caring foster or adoptive parents for the children. The facilities are funded in part by the UNMIK Department of Justice and the Ministry of Labour and Social Welfare. In 2005, HHC initiated a project, jointly sponsored by OSCE and the Department of Justice, called "Semi-independent living" for young people. It provides alternatives to family reintegration when this option is not in the best interest of the child.

See chapter IV for shelters and other services provided by NGOs.

2. Health Care

Women's health-care activities include both general health care and responses to war-related illnesses. In Kosovo, dealing with the psychosocial suffering that the conflict caused was more challenging than dealing with ordinary health problems. The psychological traumatization of women left them completely devastated. The importance of reaching out and assisting in recovery and rehabilitation cannot be overemphasized.

The Government has taken some steps to tackle the considerable problems facing the health sector, including the creation of a modern health information system, the opening of Community Mental Health Care Centres and reform of the curriculum for medical education. In recognition of the need to impart special training for dealing with cases of violence, the Ministry of Health and the Pristina Medical School introduced a component, "Violence against Women: Sexual and Gender Based Violence" into the Reproductive Health Module of the Residency Programme for family doctors and family nurses. Nonetheless, gaps in health care, particularly with regard to women, remain.

Research has shown that, in most war-affected societies, female health professionals have utilized their skills and experiences effectively, thereby contributing to an improvement in the community's health status and also creating valuable long-term employment opportunities for themselves. This holds true in Kosovo, too. There are more women than men providing health services, although women hold only 16 per cent of managerial posts as against 84 per cent held by men.³⁸

3. Security

Before the conflict, under the Serbian regime, family members organized security themselves. The Serbian police were viewed more as a source of fear and terror than of comfort and reassurance. After the war, the Kosovo Force (KFOR) of NATO and UNMIK Police institutionalized security. The establishment and growth of the local KPS under the aegis of the international UNMIK Police helped to build bridges between the people and the security establishment. With a view to imparting the right gender orientation to the personnel of KPS, inputs on gender issues -- particularly domestic violence, trafficking in women and human rights -- were provided during training.

To improve the police handling of incidents of domestic violence, OSCE throughout 2004 implemented a project called "Enhancing Response". The main issues the programme sought to address were the lack of adequate referrals for victims and the lack of knowledge regarding police obligations and arrest provisions for domestic violence. OSCE reports that more than 7,000 police officers were trained during the course of this project. Furthermore, in a conscious gender-sensitive effort, women were recruited and, as reported in 2004, constituted 15 per cent of KPS.³⁹ The substantial number of women in the police force, besides being a good example of a gender-mainstreamed initiative in the post-conflict system, was also significant for the situation of women.

³⁸ Office of Gender Affairs (UNMIK), "Women and Men in Kosovo."

³⁹ Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo to the Security Council (26 January 2004).

IV. NON-GOVERNMENTAL ORGANIZATIONS' RESPONSES TO GENDER-BASED VIOLENCE

The situation of men and women in Kosovo has been impacted largely by the sociopolitical history of the region, particularly the events over the past decade. Through these periods of repression, conflict, torture, displacement, return and rehabilitation, Kosovo's women, in particular, have endured tough times. The situation is improving, with opportunities being created to involve women socially, economically, educationally and politically. However, "at the end of the day, the legal frameworks and humanitarian assistance for victims count for very little if the authorities in places where the crimes are committed lack the power, or will, to act".⁴⁰

The contribution of women's NGOs to highlighting gender concerns and mobilizing reforms is commendable. These NGOs have common goals with diverse structures and strategies to achieve them. The strategies include: empowerment through health education, legal literacy seminars, skill development projects, workshops on policy-making and political participation, the production and dissemination of information on relevant concerns of women, and the organization of discussion forums and psychosocial assistance for victims of violence.

A. INCEPTION AND GROWTH OF NON-GOVERNMENTAL ORGANIZATIONS IN KOSOVO

During 1990-1999, NGOs, besides providing material assistance to those in need, made available health services and clandestine education facilities to help eradicate illiteracy. However, their primary focus was and continues to be women and the challenges faced by them. Towards this end, they provided shelters, health care and referral services for women victims while advocating and lobbying for equality and better rights.

From 1990 to 1998, four local NGOs established the foundations for civil society in Kosovo. These were:

- The Centre for Defence of Human Rights and Freedoms, founded in December 1989. Its goal is to defend and promote human rights and freedoms, set out in the United Nations Universal Declaration of Human Rights and other international human rights instruments. The main activity of the centre is the documentation of human rights violations;
- The Mother Theresa (Nëna Tereze) association, which worked to avert famine and in 1995 established a network of small primary health-care clinics. In 1997, it began to provide gynaecological services for women;
- Qiriazhi Sisters (Motrat Qiriazhi), directed by a leading advocate of women's rights, and responsible for coordinating Kosovo's Rural Women's Network. Among its other activities, the organization aims at fighting illiteracy among men, women, boys and girls and, towards this end, has organized courses throughout Kosovo; and

⁴⁰ "Our Bodies -- Their Battle Ground: Gender-based Violence in Conflict Zones" (Integrated Regional Information Networks (IRIN) Web Special on violence against women and girls during and after conflict, September 2004).

- The Centre for the Protection of Women and Children (CPWC), founded in 1993 as a centre for gynaecological and paediatric services following the denial of access to gynaecological health-care services by Serbian officials. CPWC, in addition to providing gynaecological, paediatric and psychological services to women, including victims of violence, is also actively involved in data collection and the documentation of human rights violations against women and girls.

The work of the above-mentioned four NGOs during the early 1990s was supported by six international NGOs -- Mercy Corps International, Secours Populaire, Medecins sans Frontiers, Oxfam, Doctors of the World, and Pharmacists sans Frontiers.

During the war period (1998-1999), six local and seven international NGOs placed greater emphasis on providing help to about 700,000 displaced persons, 88 per cent of whom were women and children. The post-war period saw a significant proliferation of aid organizations in the emergency phase, and the figure of active NGOs stood at 2,000. The numbers began steadily to decrease from 2002 onwards, and there were just 200 active NGOs in mid-2005. Such a situation is not unique to Kosovo. Research has revealed that, in the immediate post-war situation, many international relief and development organizations favour a policy of channelling resources through local NGOs. However, with the return of mainstream development work, the situation changes as government institutions resume their capacity.

B. POST-CONFLICT ACTIVITIES

1. Shelters

a. Centre for the Protection of Women and Children

After July 1999, CPWC diversified its activities and established nine field offices in Mitrovica/Mitrovica, Skenderaj, Peje, Deçan/Decane, Gjakove/Dakovica, Rahovec/Orahovac, Malisheve/Malisevo, Suhareke/Suva Reka and Kaçanik, concentrating mainly on places damaged by war.

b. Liria/Lirija

Liria, founded in 1997, is an NGO that encourages women to continue with their education and attempts to provide them with the necessary skills to help in their better integration into the local community and society at large. Liria focuses its activities on those women and girls in Gjilan/Gnjilane and its surrounding villages who, on account of the war, became heads of households. OSCE supported this NGO in the opening of its shelter and counselling centre. In 2005, Liria expanded its activities and, in cooperation with the Kosovo Serb NGO Kosovka Devojka from Kamenica, extended support to non-Kosovo Albanian persons in need.

c. United Methodist Committee on Relief/Centre to Protect Victims and Prevent Trafficking in Human Beings

In July 1999, immediately after the NATO air strikes in Kosovo, the United Methodist Committee on Relief moved into Kosovo and established relief operations under the umbrella of Action by Churches Together. The committee initially focused on the provision of emergency relief but later made a transition to longer term development assistance. Since 2000, this NGO has been operating a dedicated shelter (official capacity, 15) for foreign victims (both minor and adults) of trafficking

in Pristina. Its beneficiaries are those who wish to be returned to their countries of origin through IOM. The crisis shelter offers psychosocial support and basic medical care, which includes medical screening, pregnancy tests etc. In October 2003, the committee's counter-trafficking staff established The Centre to Protect Victims and Prevent Trafficking in Human Beings, registered as a local NGO in Kosovo, to carry out the committee's activities as its local partner.

d. Women's Wellness Centre, Peje/Pec

The International Rescue Committee opened WWC in January 2000, in collaboration with women from the local community, to provide a safe and confidential environment in which to offer women the opportunity for counselling, reproductive health and gender-based violence education, referrals and/or direct assistance related to identified health, social, educational, psychological, legal and social needs. WWC was registered under UNMIK as a local NGO in May 2001. In December 2002, WWC opened a Safe House shelter to offer temporary housing and access to support services for women and children who had become victims of domestic violence, and/or sexual and physical assault. Since its inception and until end of 2004, the shelter provided a safe haven to about 60 women and 43 children and provided counselling to more than 900 survivors through both individual and group sessions.

2. General Welfare-related Activities

a. Skill development

The Kosovo Women's Initiative (KWI), funded by the United States Government and working through United Nations High Commissioner for Refugees (UNHCR) and NGOs, was established in July 1999. Its purposes were to mobilize women throughout Kosovo, assisting them and their families in rebuilding their lives and livelihoods, and to empower women to become agents of change and solidarity in their communities. KWI projects include psychosocial and community support, reproductive health and gender-based violence support, empowerment and advocacy projects, microcredit programmes, business training, and capacity-building for local NGOs and women's groups. An evaluation undertaken in 2003 noted that many of these projects played a beneficial role in group formation and trauma relief during the emergency phase, but there was little planning for sustainability. There have, nevertheless, been successful attempts to diversify into non-traditional activities, resulting in both employment and empowerment.⁴¹

Women for Women International, with a 17-member staff, has since 2000 served a total of 6,052 women through its various activities, including vocational skills training for women in beekeeping, electrical repair and greenhouse flower and vegetable cultivation.

⁴¹ Jock M. Baker and Hilde Haug, *Independent Evaluation of the Kosovo Women's Initiative* (United Nations High Commissioner for Refugees, 2002).

b. Advocacy and legal support

Initially, only CPWC and NORMA provided legal aid to women. Later, other NGOs joined in and began to provide such services to male beneficiaries as well. NGOs working on legal issues in Kosovo recognized the critical need to educate communities about the existence of legal frameworks and mechanisms. Both NORMA and Partners Kosova addressed this issue. Awareness workshops were organized around legal themes and human rights, based on local and applicable international laws. In addition, NORMA trained jurists and practitioners for independent work; hence, there was a great need to work with women attorneys to provide training for the barrister exam. (Albanians had been excluded from the judicial system for an extended period.)

In addition to its free legal support and advice to women on legal issues, NORMA had women lawyers conduct seminars for women's groups on women-related issues, including gender-based violence; represented women in court; and supported literacy training for women in communities as well as training at the municipal level on legal issues, including the application of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Partners Kosova, an NGO, focused on conflict resolution with a specific emphasis on training and advocacy for women and girls. The organization was operating in five municipalities and assisted in advocacy and mediation on issues of property and housing disputes as well as family disputes.⁴²

c. Participation in political life

In keeping with the “Women in Government” programme, NGOs provided assistance for training women as potential candidates during the first elections.⁴³ Training was organized with a focus on local elections and gender integration in leading structures. The project, which was organized in 11 municipalities, resulted in the establishment of six municipal assembly committees that comprised not only municipal assembly members but also representatives from NGOs.

Despite their 30 per cent representation quota in the assembly, as of 2005, women still found themselves largely excluded from the political decision-making process. The Kosovo Women’s Lobby, a group of women leaders in politics, civil society, media and the economic sphere, engaged in and supported constructive critical thinking as well as progressive actions on important issues. In 2003/04, it focused on two priorities: supporting women’s participation in the 2004 elections and implementing United Nations Security Council resolution 1325.⁴⁴

From November 2003 to February 2004, the Kosovo Women’s Network (KWN) organized the advocacy campaign “Political Parties Work for Women” with the support of the OSCE Democratization Department. As part of this campaign, 1,160 women and men from all ethnic communities in Kosovo met to identify the main political, social, economic and cultural problems that women face.⁴⁵ KWN launched another campaign, “Women Propose”, to promote greater and more effective participation of women both as voters and as candidates in the 2004 elections.

⁴² “Toolkit for mainstreaming gender in UN-Habitat field programmes” (Kosovo Urban Planning and Management Programme, Draft, June 2003).

⁴³ The first post-war municipal elections in Kosovo were held in October 2000; the first general elections for the Kosovo assembly were held in November 2001.

⁴⁴ Resolution 1325 on women, peace and security was adopted by the United Nations Security Council in October 2000.

⁴⁵ Web site: WomenWarPeace.org .

d. Better employment opportunities

The Kosovo-wide Business Women's Network supports, protects and promotes the interest of businesswomen in Kosovo in many ways. Its beneficiaries are associations of women business owners and individual woman business owners. In another example of efforts by NGOs to create employment opportunities for women, Liria (a member of the KWN network in Gjilan/Gnjilane) started an enterprise in a province where an estimated 75 per cent of people were unemployed. Liria launched a small women-run business for manufacturing sugar packets that were sold to cafes throughout the city. It took approximately six months for the project to be realized. The Kosovo Business Support programme, an initiative of the United States Agency for International Development (USAID), helped Liria develop a business plan, secure a small business loan and become operational.

e. Education, awareness and sensitization

Education is the key to women's advancement. It is recognized that the Kosovo's women are marginalized with regard to access to formal employment because of their generally poorer educational qualifications. Qiriaz Sisters has been working on the empowerment of rural women, changing traditions and responding to educational needs. This group began its work in the ethnographic area of Has, an isolated region in western Kosovo, where more than 50 per cent of the girls were promised in marriage by the time they finished primary school, and few girls attended secondary school. The group developed a programme that emphasized the preservation of tradition while working to eliminate customs and practices detrimental to women, and enlisted the support of the community in bringing the girls back to school. The trust and acceptance of the community enabled the group to build the first school in the villages of Gjonaj/Donaj and Romajë/Romaja.

The National Action Plan, Gender Equality Law, Anti-discrimination Law and Family Law, all promulgated by the Government in 2003 and 2004, are milestones in promoting gender equality. However, these mechanisms will be successful only when the people of Kosovo, especially the women, become conversant with their rights and with the existence of these provisions. To this end, KWN, with financial support from UNIFEM, launched the "Know Your Rights" campaign in late 2004. Five famous Kosovar performers used theatrical plays and songs to reach out and convey messages of fostering gender equality. Such programmes and events have contributed towards greater awareness and a "promising level of optimism particularly concerning the implementation of the Law on Gender Equality. This optimism presents an opportunity that should not be allowed to dwindle or worse, disappear completely."⁴⁶

3. Activities Related to Gender-based Violence

The experience of dealing with gender-based violence reveals that "civil society organizations are key if abuses of power, gender inequality and gender-based violence are to be effectively addressed. Such organizations know the local culture, attitudes and behaviour, and have the greatest legitimacy in terms of tackling the structural causes of GBV".⁴⁷ Following are some of the activities of local NGOs in their fight against gender-based violence and gender disparities.

⁴⁶ "Voice of Women, December 2004" (Kosovo Women's Network, Kosovo Women's Initiative and the United Nations Country Team in Kosovo).

⁴⁷ Mary Jennings and Sherry McLean, "Gender based Violence Study" (July 2005).

a. Collection of data

A major deterrent in the formulation of appropriate responses to gender-based violence is the absence of data collection and monitoring programmes.⁴⁸ CPWC collects service statistics, including case information about survivors of gender-based violence and has used the data to advocate the rights of women and children. In another recent initiative, the Council for the Defence of Human Rights and Freedoms and the Harvard School of Public Health collaborated in an effort to establish a centralized system for collecting data on gender-based human rights violations. The Council has been collecting anonymous incidence data on human rights abuses against women occurring during two target time periods: July 1999 through June 2001 and July 2001 through June 2003. The two study periods were targeted to allow retrospective and prospective comparisons; population-at-risk estimates will be used for each period to compute incidence rates.⁴⁹ Such efforts should prove invaluable in improving the system and planning for a longer term and more effective strategy against gender-based violence.

b. Community education and awareness

Various NGOs of Kosovo have undertaken measures to educate the community and promote awareness about gender-based violence.

- WWC, in cooperation with IOM, began in February 2005 to implement the project “School Awareness Raising Project to Prevent Trafficking of Human Beings”, aimed at raising awareness about trafficking and at helping create a new generation who can confront trafficking and assist in its prevention. There was an overwhelming response to this project, with teachers and children participating enthusiastically in various presentations and debates organized as part of the programme;
- Equality, an NGO founded in Prizren in 2002, has been active in various projects related to the protection and education of mainly Bosniak community members. With the financial support of OSCE, Equality has carried out campaigns on educating Kosovo Bosniak students of Prizren high schools, especially on domestic violence; and
- The Gender Training and Research Centre, an NGO based in Pristina, aims at promoting and protecting women’s rights as part of human rights. In collaboration with other agencies, the centre conducted eight projects on “training for raising gender awareness” in 2004. The centre also monitors the Kosovo press, analysing and filing newspaper articles to examine patterns in the press treatment of the position of Kosovo’s women and children.

c. Psychosocial support to victims and their families

The Centre for Rehabilitation of Mother and Child is an important initiative launched by the Albanian Women’s League in 1992 to support and rehabilitate women and children recovering from traumas. To date, the centre, through its counselling sessions and other activities, has assisted more than 250 women-householders and about 400 children.

⁴⁸ Jeanne Ward, Expert on gender-based violence, in an interview in July 2004. Integrated Regional Information Networks. See web site: www.IRINnews.org.

⁴⁹ “Tracking Gender-Based Human Rights Violations in Postwar Kosovo” (Washington, *American Journal of Public Health*, Aug. 2004, Iss. 8).

Various NGOs provide counselling and psychotherapeutic sessions to victims and the members of their families.

- In 2004, CPWC held 1,203 sessions of individual and group counselling for 1,543 individuals.⁵⁰ During these sessions, emphasis was placed on victim rehabilitation, empowerment, engagement and reintegration; and
- During 2005, 73 survivors of sexual and gender-based violence received assistance and underwent repeat individual and group counselling sessions at WWC.

However, much more needs to be done to improve the mechanisms of support to women confronted with such traumas. These women are battling not just the physical and emotional scars but also rejection by the community or their husbands.

d. Health facilities

Women who have experienced sexual violence are at risk for a number of mental health problems, including increased rates of depression, anxiety, stress-related syndromes, pain syndromes, substance use, medically unexplained somatic symptoms, poor subjective health and changes to health service utilization.⁵¹

Medica Mondiale, founded in 1993 by the gynaecologist Dr. Monika Hauser, began its project, the Medica Mondiale Kosova, in April 1999 at Gjakova/Djakovica. The staff of Medica Kosova -- doctors, nurses and psychosocial counsellors -- provided medical treatment, including gynaecological examinations; psychosocial support and legal advice to women and girls. As of 2005, the outpatient unit of this NGO was active and doing well. A gynaecologist and a nurse were travelling to surrounding villages and offering help and medical advice to women.

Another NGO providing health care to victims of trauma is the Kosovo Rehabilitation Centre for Torture Victims, founded in 1999. Besides providing treatment and rehabilitation for Kosovar torture and trauma victims, the centre contributed to the trauma treatment component being built into the national health system. By the end of 2003, the organization had treated 11,571 trauma and torture victims and their families.

⁵⁰ CPWC, *Annual Report, 2004*.

⁵¹ "Women's mental health: an evidence based review" (Geneva, World Health Organization, 2000).

V. MAIN ISSUES OF THE CASE STUDY

During the conflict in Kosovo, women played a crucial part not only by their peaceful acts of resistance but also by organizing the provision of various support services, such as health care.⁵² After the crisis, women's NGOs grew in strength and reach, thanks largely to international funding and cooperation. These women's NGOs endeavoured to fight for greater rights and better living conditions. In addition to the issue of the lack of human rights, other struggles included illiteracy, lack of access to education, unemployment, inadequate social services, poor health infrastructure and, above all, gender-based violence.

During the course of this study, experts in the field of human and women's rights in Kosovo discussed some of the challenges of addressing gender-based violence while exploring key areas of improvement.

A. CONFIDENTIALITY

Until the 1990s, domestic violence was not publicly discussed in Kosovo. Discussions of violence against women and of sexism, in general, were taboo. Before the war, redress for domestic violence was non-existent. There were no special provisions for victims (women and children) of domestic violence, such as restraining orders, and no special family-related laws and courts. This lack of attention by authorities and the prevalence of an environment that did not condemn the phenomenon -- all seemed to contribute to maintaining the culture of silence that surrounded gender-based violence.

In many parts of the world, there are professional protocols and trained staff to document sexual and domestic violence so as not to create a situation that would re-traumatize the female victim. A key element in such procedures or practices is respect for a victim's anonymity and right to confidentiality. In Kosovo, however, as of 2005 there was no systematic procedure for ensuring confidentiality and discretion. Even if a woman mustered sufficient courage to report the crime and denounce the perpetrator, she continued to be re-victimized during examinations by doctors or forensic examiners, social welfare workers or other actors within and outside the criminal-justice system. Even family and friends sometimes showed disdain and believed that the victim's behaviour contributed towards or even caused the victimization.⁵³

1. Health-care Providers' Approach to Confidentiality

Health providers often share the same stigmatizing attitudes as the population at large, and this can be a serious barrier towards improving the quality of care for victims of abuse. Therefore, provider training must deal with gender and power relations and allow providers an opportunity to challenge their own beliefs and prejudices. Special training and public education campaigns should be used to create awareness among members of the medical community of proper and sensitive handling of victims. Appropriate training is all the more essential for personnel functioning in emergency rooms, where there are more possibilities of contact with victims of violence. Wherever possible, social workers should be assigned to such areas, so that they can counsel victims about available

⁵² For details, see Kristín Ástgeirsdóttir, "Women and Girls in Kosovo: The Effects of Armed Conflict on the Lives of Women" (Project Manager United Nations Development Fund for Women (UNIFEM)).

⁵³ OSCE, *Victims Advocacy Introductory Manual*.

legal and social mechanisms of support and assistance. Friendly and non-judgemental words of support would increase victims' confidence and possibly prompt them to speak up and seek justice.

Another frequent problem is the non-preservation of the sanctity of the relationship between a doctor and a patient. Experience reveals that much of what transpires between the patient, a survivor of gender-based violence, and the doctor gets passed on, in gross violation of the principle of confidentiality. Moreover, health providers are often reluctant to ask women about experiences of violence, even when women show clear signs of abuse. Trust and confidentiality are the two pillars on which the whole edifice of the patient-doctor relationship rests. When these are broken, victims feel shattered and are hesitant in coming forward to expose the crime.

2. The Media and Confidentiality

Confidentiality is often difficult to enforce or guarantee. Elements in the media tend, wittingly or unwittingly, to further victimize survivors for the sake of a story. A local daily's front-page report on children born after the war as a result of war rapes and a local documentary film with explicit details of the sexually violent act are all instances of such insensitive reporting. There are as yet no competent bodies that could demand the implementation of, and compliance with, journalistic ethics and codes of conduct aimed at preserving the victims' dignity. Such decisions are often left to personal judgement. Working effectively with the media constitutes a crucial part of any effort aimed at influencing broader social reforms. At the same time, the media should understand the power of their reach and foster a human rights culture by broadcasting programmes that demystify myths about gender-based violence.

3. Promise of Anonymity

Victims should be provided with anonymity as the first step towards any form of cooperation with them. Until the society becomes more progressive in its thinking, undue publicity concerning such events is best avoided. Instances of female victims in Kosovo not revealing their identities but merely stating their problems and expressing their anguish, resorting to proxy representation of their cases and requesting neutral venues for establishing contact -- all underscore the importance attached to anonymity in such matters.

4. Non-stigmatization

Fear of stigmatization is the leading reason for the failure to report most sexual violence crimes. For unmarried women, sexual violence is so stigmatizing that most women would prefer to suffer in silence than to risk the shame and discrimination that would result from disclosure. Therefore, NGOs strive to ensure that there are no negative social ramifications as well as no undue publicity. Ensuring that victims are not seen and information about them is not spread assumes special importance in preventing secondary stigmatization. Any strategy aimed at reducing secondary victimization of women should focus on men. Men's involvement and active support can encourage women to reclaim their dignity. If the work of preventing gender-based violence is about influencing the nature of relationships between women and men, men must be engaged as allies in the work. Their active involvement is crucial if real and meaningful change in the lives of women is to take place.

B. CHALLENGES IN THE HEALTH SECTOR

1. Availability of Services

If health-care facilities were considered inadequate during the 1980s, the period after 1989 could be classified as a "health disaster". Immediately after the abolition of the Constitution of Kosovo and the forceful takeover of the management of all institutions, Serbian authorities denied Kosovo's women and girls any access to gynaecological and obstetric services. Albanians who had been working as doctors and nurses and other health-care workers were dismissed from the hospitals and replaced by Serbians. These trying times lasted for roughly 10 years, during which women were denied access to basic health-care services.

Immediately after the war, health care was sporadic. There existed a modest parallel system developed by the Mother Theresa association, with a network of 32 small clinics for primary health care throughout Kosovo, and CPWC organized gynaecological services in Pristina. In September 1999, the World Health Organization (WHO) and UNMIK launched health-care reforms.⁵⁴ One of the key plans for rebuilding the country's health-care infrastructure was to decentralize the old polyclinic system by establishing a primary care system based on the concept of family medicine. However, improving the standard of health care depends upon the presence of well-trained health professionals. UNDP instituted a Hospitals Reconstruction Project from November 2001 to November 2002, noting that Kosovo's health sector suffered from the physical destruction caused by the violent conflict and from "long-term under-investment in staff development and maintenance of physical infrastructure and equipment."⁵⁵ The European Union helped set up a college dedicated to training nurses and midwives. Located on the premises of the medical faculty in the University of Pristina, the college offers a three-year university course that meets the same nursing standards as those set by the European Union and WHO.

2. Crises and Appropriate Interventions

Epidemiological research demonstrates that gender-based violence is a major cause of ill-health among women and girls. In terms of negative health effects, "it has become increasingly clear that injuries -- previously considered the most common outcome of violence -- represent only the tip of the iceberg, and that violence is more appropriately conceptualized as a risk factor for health problems than as a health condition in itself."⁵⁶

a. Psychological disorders

Psychosocial problems decrease the likelihood of continuing with education and getting or holding employment and increase the likelihood of chronic health problems – all of which are dimensions of human development.⁵⁷ In recent years, Kosovars have experienced a series of major traumatic events, including massive displacement, violence and loss of close relatives and friends. In a study conducted at the end of 1999 among all members over the age of 15 in 558 Kosovo Albanian

⁵⁴ United Nations Civil Administration, Health and Social Service, "Interim health policy guidelines for Kosovo and 6-month action plan" (UNMIK Health Sector Health Policy and Planning Group, World Health Organization, Pristina, Kosovo: Health and Social Service, 1999).

⁵⁵ UNDP, *Project Summary, Hospitals Reconstruction Project* (23 July 2002) at web site: http://www.kosovo.undp.org/projects/projects_main.htm.

⁵⁶ Andrew Morrison, Mary Ellsberg and Sarah Bott, "Addressing Gender-Based Violence in the Latin American and Caribbean Region: A Critical Review of Interventions."

⁵⁷ UNDP, *Human Development Report, Kosovo, 2004*.

households, a high prevalence of psychological problems was noticed, with 43 per cent of the 1,358 participants experiencing non-specific psychiatric problems.⁵⁸

b. Sociocultural consequences

The most profound consequences of rape derive from the stigma attached to the event and include divorce, rejection, isolation, ostracism by family or society and, in some extreme cases, even murder to mitigate the damage or harm done to the family's reputation. The prevailing cultural milieu often presents the greatest barrier in reintegration and rehabilitation of these victims. The greatest preoccupation of victims of rape is the surgical reconstruction of their hymen.

c. Somatic effects

Recent results from the WHO Multi-Country Study on Women's Health and Domestic Violence found that women with a history of physical and/or sexual partner abuse were as much as three times more likely to consider and/or to attempt suicide. Accurate figures for murders and suicides committed by victims of war rape in Kosovo are unavailable.

d. Pregnancies

Exact figures of pregnancies resulting from war rapes are lacking, but the mere existence of evidence left behind by Serbian forces indicating that they were on a mission of causing forced pregnancies points to the problem.

e. Re-socialization

After the war, victims of sexual violence temporarily drew the attention of the international community. However, this problem calls for long-term commitment and not simply ad hoc emergency responses. Multisectoral initiatives are needed to address issues concerning health, physical and psychological rehabilitation and the reduction of psychosomatic symptoms.⁵⁹

An important aspect of the physical and psychological rehabilitation of female victims is their re-socialization, which can take place in a number of ways. Employment can be a significant contributor. However, in a weak economy with high rates of unemployment, employment opportunities for women are difficult to generate. NGOs carry out training programmes on business management, but such training is of little use to the women since they lack the financial support and the wherewithal to set up businesses on their own. Important aspects that NGOs need to factor in while planning and organizing such training programmes are women's other obligations, the social norms defining their mobility and the relevance and sustainability of the skills imparted and their cultural appropriateness.

C. DATA COLLECTION

Valid data collection and analysis of gender-based violence are a priority because those figures would help raise awareness about the prevalence and magnitude of such violence. The lack of data not only hinders evidence-based decision-making but also makes it more difficult to argue for allocating increased resources for preventing and responding to gender-based violence.

⁵⁸ Ibid.

⁵⁹ Dr. Minire Zuna, *Medica Kosova*.

In Kosovo, the Council for the Defence of Human Rights and Freedom and CPWC undertook some form of documentation of violations. The Council gathered overall information on general human rights violations and, in a recent initiative, collaborated with the Harvard School of Public Health to establish a centralized system for collecting data on gender-based human rights violations. CPWC collected information on violations of women's and children's rights, but the information was only partial since it pertained to those victims who were assisted directly by these organizations. Gender equality offices at central and local levels may have some information systems; however, as of 2005, there were no publications to verify that needs had been met. The Statistical Office of Kosovo only recently began to work on this. Another related problem is the lack of training for professional data collection and its monitoring. The data collected so far were mostly empirical and had not been analysed professionally.

As a result of the aforementioned problems, there was, as of 2005, no complete or comprehensive picture of gender-based violence and its effects on the society. Rigorous research that points to the nature of the violence and documents the health and developmental impacts will undoubtedly attract new actors to the fight against gender-based violence, with a concomitant increase in the resources devoted to it.

D. JUDICIAL SYSTEM

Throughout the 1990s, the majority Kosovo Albanians were excluded from police, judicial and all other administrative structures. For the Kosovars, the police and judiciary remained merely instruments of state repression. Public trust in the police and legal systems was shattered, leaving room for moribund social norms to dictate the fate of women, as the Kosovo Albanian society reverted to traditional values and practices in a bid to regulate itself outside the state structure.

The law that prevailed from June 1999 to April 2004 was a medley of overlapping laws that even legal experts found difficult to comprehend and, therefore, too cumbersome to apply. Until April 2004, when the new Criminal Code⁶⁰ and Criminal Procedure Code⁶¹ of Kosovo were enforced, the Applicable Law⁶² was the law – a mix of provisions from the Yugoslav, Serbian and Kosovo criminal codes – that was in force in Kosovo before the UNMIK administration, followed by various UNMIK regulations.

The legal confusion notwithstanding, during the six years since the war, several laws were promulgated for the protection of the rights of women and girls. The incorporation of CEDAW in the Constitutional Framework⁶³ of Kosovo, the law on gender equality⁶⁴ and the laws against human trafficking⁶⁵ and for the protection of victims of domestic violence⁶⁶ are important instruments for protecting victims.

⁶⁰ UNMIK Regulation No. 2003/25, "On the Provisional Criminal Code of Kosovo."

⁶¹ UNMIK Regulation No. 2003/26, "On the Provisional Criminal Procedure Code of Kosovo."

⁶² UNMIK Regulation No. 1999/24, "On the Law Applicable in Kosovo" as amended by UNMIK Regulation No. 2000/59.

⁶³ UNMIK Regulation No. 2001/9, "On the Constitutional Framework for Provisional Self-Government in Kosovo" as amended by UNMIK Regulation No. 2002/9.

⁶⁴ UNMIK Regulation No. 2004/18, "On the Promulgation of the Law on Gender Equality in Kosovo adopted by the Assembly of Kosovo", Kosovo Assembly Law No. 2004/2 on Gender Equality in Kosovo.

⁶⁵ UNMIK Regulation No. 2001/4, "On the Prohibition of Trafficking in Persons in Kosovo."

⁶⁶ UNMIK Regulation No. 2003/12, "On Protection Against Domestic Violence."

Although necessary, these laws are, in themselves, not sufficient to achieve gender equity. Effective implementation of a law is contingent on the ability of law enforcers and citizens to understand and accept its provisions. This is necessary to ensure that, on the one hand, those entrusted with enforcing the law -- the police and the judiciary -- recognize and respect their legal obligations and, on the other hand, the potential victims are fully aware of their rights under the law and the means available to protect and uphold those rights. At the same time, the society acknowledges and allows scope for the victim to seek legal redress for any criminal violation of the rights. The current level of sensitivity and responsiveness to these laws among law enforcers and the level of awareness among the public of their rights as well as avenues for judicial remedy remain low, and the interplay of both phenomena reinforces each other and serves to undermine the benefits of the existing laws to the intended subjects.

A lack of adequate public awareness and education on violence against women and of avenues for the protection of victims and the punishment of perpetrators resulted in victims' hesitating to seek justice. The number of sexual violence and domestic violence cases processed in courts was marginal compared with the number of such victims. Even as legal reforms were undertaken and existing mechanisms strengthened with the introduction of special procedures for cases of domestic violence, as of 2005, there were no family courts or judges trained specifically to deal with sexual violence and domestic violence. Lawyers also needed to be educated on gender issues and provided specialized training for the new laws and the related cultural sensitization imperative for absorbing the essence of modern laws.

Effective law enforcement was further hampered by the adverse economic situation. Free legal advice was seldom provided. A project for free legal counsel supported by the European Agency for Reconstruction ended in June 2005. The State offered legal assistance only for social cases.

Another problem is that, as of 2005, no trials had been held in Kosovo regarding sexual violence during the war. Criminals, together with the Yugoslav army, got away after the arrival of NATO forces in Kosovo. Existing police and judicial records were taken or destroyed by withdrawing Serb forces. Justice for war survivors remains a political issue. For this reason and also because of the fear of being stigmatized by society, many women victims still hesitate to seek justice. There were initial statements made by women who were raped during the war, but the lack of follow-up investigations and court proceedings discouraged them from being forthcoming about their experiences.

UNMIK attempted to establish institutional mechanisms to protect the rights of victims of gender-based violence, such as through its VAAU, which supported victims in their involvement with the justice system and provided other kinds of assistance and support. However, much more outreach is required at grass-roots level to generate sustainable local solutions. Particularly required is a mass educational campaign that would raise the awareness of victims as well as of society at large to such crimes and the protections afforded by the law. Punishment for sexual violence or the threat of punishment could be highly instrumental in reducing sexual violence.

Educational campaigns have to be sustained and vigorous to challenge and change traditional beliefs regarding girls and women. Ultimately, even the most perfect legislation and most highly trained judicial and police personnel will have limited effect unless women themselves are cognizant of their rights, including that to a life free of violence.

E. FUNDING AND THE NEED FOR SUSTAINED SUPPORT

1. Role of United Nations and International Non-governmental Organizations

A general impression that emerges from discussions with women activists of Kosovo is that, immediately after the war, donor funds were not only readily available but were given away liberally. As funding sources began to dry up, however, greater restrictions began to be imposed, and priorities began to acquire a narrower focus.

Support to minorities remained more generous. The other criterion for the allocation of funds was “multi-ethnicity”-- an imperative that imparted a “donor orientation” rather than a “programme orientation” to projects and resulted in inefficient and superficial projects. “Multi-ethnicity” was viewed as an effective catchphrase for getting ready access to funds. Donations were sometimes given without adequately considering the level of local expertise.

Evidently, the enthusiasm displayed by the international community to initiate reforms and herald change after the war gradually dissipated. The number of donors that actively supported organizations with gender issues and the promotion of women’s rights in Kosovo on their agendas was much diminished. Notable exceptions, however, were the Kvinna till Kvinna Foundation of Sweden; UNIFEM, the United Nations agency mandated to work on women's empowerment and gender equality; and UNFPA, which provided support for reproductive health services through NGOs. The consequences of this “donor fatigue” following the initial enthusiasm over reconstruction and rebuilding were felt most strongly by the victims, whose basic material and emotional needs continued to remain unaddressed. Kosovo has now entered the second phase of financial rehabilitation, and donations are now made available only for activities aimed at implementing the “Standards for Kosovo”.⁶⁷ Post-conflict reconstruction poses enormous challenges. Therefore, what is needed is a firm and steadfast commitment to develop and strengthen local capacity.

2. Cooperation

Cooperation with international NGOs and agencies of the United Nations has been good. However, a lack of thorough understanding and appreciation of the social and cultural ethos of Kosovo has possibly led to occasional support for programmes more in tune with the prescribed agendas of the international organizations than reflective of the actual needs of Kosovars. A case in point is the absence of adequate support for the creation of self-sustaining organizations that can generate their own resources while also creating employment opportunities for women. As one activist observed: “As an economist, I perceive our failure to help promote self-sustaining business opportunities as the main reason for our economic stagnation. Internationals failed to take advantage of locally available resources and this resulted in lack of generation of greater income and employment opportunities for the society.”⁶⁸

⁶⁷ The “Standards for Kosovo”, adopted jointly by UNMIK and PISG in December 2003 and endorsed by the United Nations Security Council, specifies a set of targets that Kosovo must meet in terms of functioning democratic institutions, rule of law, freedom of movement, sustainable returns of Internally Displaced Persons, community rights, a well-functioning economy, property and cultural heritage rights, dialogue with Belgrade and the Kosovo Protection Corps operating within its agreed mandate and the law. For more details see web site: www.unmikonline.org.

⁶⁸ Ms. Mirlinda Kusari, Executive Director, Women’s Business Association (SHERA).

F. ROLE OF LOCAL NON-GOVERNMENTAL ORGANIZATIONS

Experience in dealing with gender-based violence reveals that civil society organizations play a key role in addressing abuses of power, gender inequality and gender-based violence. Kosovo's NGOs have had a significant role in the front lines of the society's struggle on gender issues. They have raised awareness and helped plug gaps left unattended by the system.

If women's NGOs perceive that much of the failure in providing continuing and sustained support rests with the international donor community, there is also a sense that their Government has not done enough to support them either. Many women's NGOs perceive that the problem of sexual violence is not taken with due seriousness. The International Crisis Group, in a report on the state of the justice system in Kosovo, noted that "all major offences, with the exception of rape, dramatically declined in 2002."⁶⁹ This is probably indicative of the fact that, "general improvements in the rule of law and levels of crime do not necessarily mean improvements for women, and also point to the low priority that violence against women is given by the authorities in Kosovo."⁷⁰

G. VERTICAL OR MAINSTREAMED PROGRAMMING

Experience reveals that gender-based violence cannot be addressed as a vertical stand-alone programme. Vertical programmes are likely to reach only a minuscule percentage of women who are in need of support. Organizations that emerged based on community needs have their own mainstreamed programmes. There also exist organizations that have a region-wide spread of networks, facilitating the horizontal and vertical functioning of their programmes. Such organizations and their positive experiences in mainstreaming gender-based violence could form the basis of learning lessons and sharing best practices both within and among organizations.

To better coordinate initiatives dealing with gender-based violence, it would be ideal to have an association or a network in which relevant organizations could come together for the purpose of developing strategies, setting mutually beneficial goals and moving forward through joint cooperation and collaboration. At the same time, services for victims of gender-based violence need to be thoroughly integrated into the system of general health services.

H. STAFF EXPERIENCE AND PROFESSIONAL ORIENTATION

In Kosovo, during the 1990s, most of the campaigns and fights for human and women's rights were developed by volunteers. This phase of enthusiasm and altruism lasted for 10 years, despite the region's rapidly deteriorating economic situation. NGOs that work on issues relating to "gender equality" usually have paid professional staff. Some system of remuneration needs to be devised for volunteers who also display a great deal of commitment and dedication to the task assigned. The difficult economic situation and apathy towards work with no financial compensation are making the task of finding dedicated volunteers increasingly difficult.

⁶⁹ International Crisis Group, *Finding the Balance: The Scales of Justice in Kosovo* (Pristina/Brussels, ICG, ICG Balkans Report No. 134, September 2002) p. 6, available at web site: <http://www.crisisweb.org/projects/showreport.cfm?reportid=772>.

⁷⁰ "Refugee women and domestic violence: Country studies Kosovo," a report by Refugee Women's Resource Project Asylum Aid Edition (3 September 2002).

A recent study on volunteerism revealed a marked decline in people's willingness to extend help to others for the good of the community. This tendency was pronounced among Kosovo's Albanian majority. The important reasons were: ". . . changing conditions of life (both socially and politically), a low understanding of volunteerism, and low institutional and social appreciation for volunteer work. People are now more concerned with providing food for their families than volunteering. Few individuals and organizations that participate or take the lead in solving social challenges receive public or institutional support or acknowledgement."⁷¹

I. EFFORTS TO INFLUENCE BEHAVIOUR CHANGE AMONG NATIONAL AND INTERNATIONAL STAFFS

Ensuring the protection of women against abuse entails addressing issues to do with why and how men mistreat women. There have been instances of "internationals" (stationed in Kosovo) being involved in crimes against women and thereby setting poor examples. Some countries sending troops to KFOR have implemented disciplinary measures or have trained their forces in human rights standards before deployment. NATO has developed policies to combat the trafficking of women and children that are applicable to all personnel in NATO-led operations and that, inter alia, address aspects of operations, training, education and awareness. However, there is concern at the "absence of any uniform policy within NATO and the lack of a centralized policy or investigating body to ensure the accountability of all national forces deployed in peace-keeping forces including KFOR."⁷² The United Nations Headquarters has insisted that its peace operations make greater attempts to enforce a policy of zero tolerance for sexual abuse and to ensure that all allegations of sexual abuse or exploitation are pursued and all those responsible for misconduct and crimes are punished.

Strict implementation of the codes of conduct by both local and international organizations is needed. Wherever allegations of contraventions of the applicable codes of conduct exist, they should be promptly, independently and impartially investigated and proper follow-up initiated. It is imperative, therefore, that international organizations take necessary steps to ensure that their staffs are provided with necessary gender training. As noted at a Commission on the Status of Women meeting, "the effectiveness of peacekeeping operations depends not only on the quality of the services that a mission provides, but on the ability of its staff to uphold the highest standards of conduct."⁷³

J. INTERVENTIONS NEEDED TO CHANGE BEHAVIOUR TOWARDS WOMEN AND GIRLS

Development programmes aimed at improving the status of women can upset the fragile social relations between genders, traditionally based on men's power and control over women. The inclusion of women's rights as an accepted way of living is feasible only when both sexes work together. Any strategy to combat gender-based violence will require the significant participation of men and boys and must necessarily include activities and initiatives that examine men's role in the perpetuation of violence.

⁷¹ UNDP, *Human Development Report, Kosovo, 2004*.

⁷² Amnesty International, "The apparent lack of accountability of international peace-keeping forces in Kosovo and Bosnia-Herzegovina" (April 2004).

⁷³ Commission on the Status of Women, Forty-eighth Session, 8th & 9th Meetings.

1. Proactive Role and Support of Men

Gender-based violence has its roots in socially sanctioned male domination of women and in women's low social status. In their fight for greater rights and equal participation, women often stand alone. However, when men join hands with women, changes are greater and far more visible. In the Has Region, major changes in oppressive traditions were seen within the short time span of three years, largely due to the inclusion of men in the initiatives and to the assignment of responsibilities to them.

The campaign "Kosovo Men and Boys against Violence against Women" is an example of an initiative to fight gender-based violence against women with the active support and involvement of men. The UNMIK Office of Gender Affairs, WWC (Peja/Pec), Protection for Women and Children (Pristina), the Women's Centre Pristina and Drita Women's Group, WHO, Mercy Corps International, International Medical Corps, UNHCR, UNICEF, UNMIK Department of Social Welfare, Children's Advocacy International, Medica Gjakova and the Danish Refugee Council were involved in this campaign, undertaken in 2000, which successfully highlighted the important role and responsibility that boys and men have in eliminating gender-based inequalities.

2. Role of Media

Everyone interviewed for this case study underscored the strong influence of the mass media on value systems and in shaping social perceptions of, and commitment to, gender equality. The depiction of women in the Kosovar media has been less than desirable. The media tend to portray women as victims of either crime or fate, as sex objects or as mothers of many children desperately seeking survival. Campaigns aimed at awareness-raising get little space and, hence, have limited impact. There are few instances of the sensitive portrayal of women as role models. The media, therefore, need to be encouraged to portray women and girls, men and boys, in non-stereotypical roles. Channel TV 21 has taken steps in this regard.

Assembly sessions are an area where women are portrayed as lacking in courage to take the floor and discuss problems that have a bearing on women. Journalists rarely approach women members of parliament to get their comments on important issues or on discussions held in the Kosovo assembly. Only male political leaders are sought out, creating an impression that women leaders lack professional expertise and are incapable of providing political insights.

An important component of the activities carried out by the Gender Training and Research Centre in Pristina is the monitoring of the Kosovo press. The centre observed that:

“...[the] position of women in the Kosovo society continues to be very poor. This can be seen by the representation in the press as well. Even though everybody is aware that there is work to be done, none of the newspapers has carried an organized campaign that has regular articles on the position of women and on specific problems that need to be addressed.”⁷⁴

⁷⁴ See web site: www.gtrcenter.org.

3. Gender-sensitive Education

A gender-sensitive socialization process for both boys and girls from early childhood is critical to removing the persistent stereotypes and attitudes that continue to promote and perpetuate traditional roles of men and women. Such stereotypes often lead to missed opportunities for women and girls, notions of female inferiority and the absence of importance attached to women's and girls' contributions. More effective results would be seen if workshops on gender roles and expectations were conducted for children and if child participants were given role-plays to facilitate enhanced gender understanding and empathy. The development of child-friendly, gender-sensitive teaching methods that reach out to children's individual needs would improve the learning experience for all students.

VI. CONCLUSIONS

The issue of violence against women cannot be tackled by any single agency. Violence against women is too complex, takes too many forms and intersects with too many other issues for it to be eradicated without a long struggle. It is ingrained in the structure of power relations between women and men, and it is bound up in traditional gender roles and expectations. Some experts believe that:

“...the best hope for reducing levels of violence against women may lie in mobilizing all levels of society — from international donors and national governments, to grassroots women’s organizations, private firms and local governments. The challenge is not only to raise awareness of violence against women, but to maintain a long-run commitment by all these actors to address gender-based violence as an impediment to economic development, a public health problem and an egregious violation of human rights.”⁷⁵

United Nations Security Council resolution 1325 is clear on the need to protect women’s rights and support the work of women’s organizations in peace-building efforts. Obstacles remain in translating the rhetoric of resolution 1325 into practical reality. A “gender audit”, undertaken by the Women’s Commission for Refugee Women and Children and the Urgent Action Fund, encouraged UNMIK to recognize that those best equipped to work towards a tolerant society in Kosovo are Kosovo’s women themselves. They emphasized the need to involve them socially, economically, educationally and politically.

Women’s organizations in Kosovo have adopted many diverse strategies in addressing gender issues. They have prodded the Government and institutions to live up to their commitments, challenged traditional roles, researched and documented reports of gender-based violence, trained and sensitized persons in the legal and political community, opened shelters, denounced victimization and championed the cause of victims.

Nonetheless, Kosovo’s women find themselves still disadvantaged as regards access to power structures, the law, the resources and the education that would equip them to put an end to violence. Things can and will change only when communities take responsibility for the eradication of violence. It is well known that “if women can live and work as full partners in any society, then families will flourish. And when families flourish then communities and nations will thrive.”⁷⁶ Eradicating violence against women, therefore, calls for sustained efforts and a strong political commitment.

⁷⁵ Morrison, Ellsberg and Bott, “Addressing Gender-Based Violence in the Latin American and Caribbean Region”

⁷⁶ Sharita Samuel, “Gender-Based Violence: A Barrier To Women's Enjoyment of Economic and Social Rights”, *ESR Review* 2, No. 2 (November 1999).

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