

FAQE 01

FAQE 02

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

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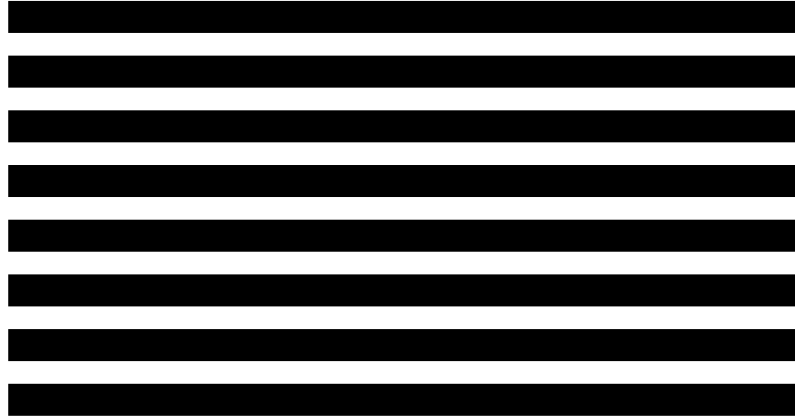
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FAQE 03

TABLE OF CONTENTS

06	INTRODUCTION
06	ACRONYMS
07	CONCLUSIONS
016	RECOMMENDATIONS
019	UNDERSTANDING AND PERCEPTIONS OF MEN AND WOMEN ON SECURITY
022	OPINIONS OF SEVERAL INTERVIEWEES ON THE ISSUE OF DEFINING SECURITY FROM THE GENDERED PERSPECTIVE.
024	RESOLUTION 1325 "WOMEN, PEACE AND SECURITY"
026	KNOWLEDGE ON RESOLUTION 1325 AMONG PERSONALITIES OF IMPLEMENTING MECHANISMS
029	WOMEN AND THEIR ROLE IN BUILDING OF PEACE IN KOSOVO
030	GENDER STRUCTURE AND DECISION-MAKING POSITIONS IN INSTITUTIONS OF KOSOVO
031	GENDER STRUCTURE AND DECISION-MAKING POSITIONS IN SECURITY INSTITUTIONS OF KOSOVO
036	GENDER PERSPECTIVE TRAININGS ORGANIZED IN SECURITY INSTITUTIONS IN KOSOVO
037	PROTECTION AND RESPECT OF HUMAN RIGHTS OF WOMEN AND GIRLS IN KOSOVO
038	DOMESTIC VIOLENCE
045	TRAFFICKING IN PERSONS
055	INFLUENCE OF SMALL ARMS AND LIGHT WEAPONS TO GENDER VIOLENCE
059	USE OF SMALL FIREARMS AND LIGHT WEAPONS IN DOMESTIC VIOLENCE
061	SECURITY OF MEN AND WOMEN IN THE PRISONS OF KOSOVO
068	EDUCATION AND SECURITY
072	VIOLENCE IN SCHOOLS AND OTHER PHENOMENA ENDANGERING STUDENT'S AND TEACHER'S SECURITY
075	ECONOMY AND SECURITY
081	HEALTHCARE AND SECURITY
083	TERMINATION OF PREGNANCY
087	BREAST CANCER
089	HIV/AIDS
091	EPIDEMICS
092	FOOD
093	WATER
094	AIR
095	SECURITY OF ETHNIC GROUPS IN KOSOVO
097	ACCESS TO EDUCATION AND HEALTH
0100	APPENDIXES
0100	APPENDIX 1: REALIZATION OF THE RESEARCH
0102	APPENDIX 2: LIST OF PERSONS INTERVIEWED DURING THE FIELD RESEARCH
0104	APPENDIX 3: BIBLIOGRAPHY

FAQE 04

INTRODUCTION

In Kosovo, as in many other countries of the world, the traditional concept of security entails exclusively the two most important components of the security in every country: army and police. As a result, any discussion till now on security issues and on the future security system in Kosovo focused mainly around the Kosovo Police Service and the future army of Kosovo. These discussions only rarely addressed the security aspects which are less "traditional" and which entail the women's perspectives on issues such as: small arms and light weapons and their influence on gender based violence, freedom of movement of men and women (not only on ethnic grounds), domestic violence, trafficking, health and environmental security, etc.

The purpose of this study is to review various security issues from the gender perspective, with a special attention on issues of "non-traditional" security or of "human security", a term which is being used every more often when referring to issues of "non-traditional" security. This study has treated issues of human security which affect lives of men and women in most different ways; this has been done because decision and policy makers in Kosovo do not take this perspective in consideration when dealing with security issues.

Results of the report have pointed out that there is a very limited access of women in decision making positions in security institutions and in peace building and peace keeping processes. These results are also used to recommend the need for increasing their inclusion and participation in these processes. In order to achieve this, one of the recommendations of this report suggests that aspects of gender perspective and human security should be taken in consideration in the process of policy development and strategic planning by the Kosovar authorities and institutions involved in security.

Women and civil society have played an important role in raising decision makers' awareness on the need to implement United Nations Security

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FAQE 05

Council Resolution 1325 "Women, Peace and Security". They also brought up to public discussion a series of issues pertaining to security of women in these eight years. However, there is a feeling that they have not been heeded adequately by the government institutions and, consequently, their impact in the security sector in Kosovo still remains quite low.

Data and analyses coming out of this report regarding the issues of human security in Kosovo show that there is a growing vulnerability of women and girls in Kosovo, especially in the fields of domestic violence and trafficking in persons.

Living free of fear from violence is a fundamental right and not a privilege, therefore security institutions and all other social factors in Kosovo must permanently work in bringing about a safe and secure environment for all.

Luljeta Vuniqi
Executive Director

FAQE 06

Acronyms

ABGJ	Agency for Gender Equality
AVL	Small and Light Arms
DCA	Department of Central Administration
FIQ	Forum for Civil Initiative
IPVQ	Provisional Institutions of Self-Government
IOM	International Organization for Migration
KEC	Kosova Education Center
KFOS	Kosovo Foundation for Open Society
KIP	Kosovar Initiative Program
KIPRED	Kosovar Institute for Policy Research and Development
KMLDNJ	Council for the Defense of Human Rights and Freedoms
KOGJ	Obstetrics/Gynecology Clinic
LBGJ	Law on Gender Equality
MASHT	Ministry of Education Science and Technology
MD	Ministry of Justice
MKK	Ministry Community and Return
MPB	Ministry of Internal Affairs
MPMS	Ministry of Labour and Social Welfare
OBSH	World Health Organization
OJQ	Non-Governmental Organization
OKB	United Nations Organization
SRSG	Special Representative of General Secretary
QK	Corrective Centres
QKUK	Kosovo's Clinical and University Centre
RAE	Roma, Ashkali and Egyptian
KWN	Kosovo Women's Network
ISSR	Internal Security Sector Review
KHDR	Kosovo Human Development Report
KGSC	Kosovar Gender Studies Centre
KPS	Kosovo Police Service
KPC	Kosovo Protection Corps
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNFPA	United Nations Fund for Population Activities
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNMIK	United Nations Mission in Kosovo
ZKM	Prime minister Office
OSCE	Organization for Security and Co-operation in Europe
KVFA	Kosovo Veterinary Food Agency
DCA	Department of Central Administration

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FAQE 07

CONCLUSIONS

Perceptions of men and women on security

Whereas the traditional approach to security refers to the state and to policies designed to promote requests attributed more to states than to individuals, human security implies everything that men and women need in everyday life: sufficient food for their families, adequate accommodation, health-care, education and protection from damages brought about by men or nature, as well as a state that is not oppressive towards its citizens, but in stead leads them with their consent.

The interviewed, representatives of security mechanisms and institutions of Kosovo, members of civil society and of international institutions, gave differing views on the concept of security. Some of them convey views that are closer to the traditional approach to security, whereas the others associate security with other issues and aspects, which, as such, are more related to the human security approach.

Men and women have differing perceptions about security. This comes as a result of their respective positions, needs, and roles they have in the society. While, women are convinced that they are in harms way in every sphere of life, men think that women are endangered from trafficking, assaults and from getting mugged in the street (taken from discussions in focus groups of the KCGS).

According to cases reported to KPS, we learn that women present the largest number of victims of trafficking in persons, domestic violence, sexual harassment and rape.

In spite of the fact that active women NGO-s in Kosovo have been successful in bringing up and addressing a series of relevant women issues in the eight last years, they are still not adequately paid attention to by the government institution and, as a result, their impact in the security sector remains low.

Resolution 1325, "Women, Peace and Security"

Resolution 1325 requires from member states to ensure for more representation of women in all decision-making and peace-building processes.

Resolution 1325 encourages member states to include gender perspective in

FAQE 08

all training programs for police and army staff.

Resolution 1325 calls on the UN Secretary General to include the gender perspective in all UN reports.

Resolution 1325 underlines responsibility to protect women and girls from abuses of human rights, including gender based violence.

Institutional mechanisms for accomplishing gender equality are of utmost importance for institutionalization of gender issues in the Kosovar society.

Resolution 1325 remains unknown to many government institutions in Kosovo. More so, the Resolution as such, is not concretely implemented.

Kosovo Police Service and Kosovo Protection Corps are familiar with and engage in efforts to observe UN SC Resolution 1325.

Women from civil society play a very important role in raising awareness among decision-makers on Resolution 1325. They do this through various activities, such as: meetings with decision-makers, organizing debates in the media, organizing trainings and protests, implementing various projects, setting up local, regional and international networks. Through these activities they have been lobbying for the implementation of this Resolution.

Activist women used Resolution 1325 as a means to advocate for participation of women in the talks for the final political status of Kosovo.

There are institutional mechanisms already in place for the accomplishment of gender equality in Kosovo: *The National Action for Accomplishment of Gender Equality in Kosovo*, Agency for Gender Equality / Prime-Minister's Office, The Advisory Office for Good Governance – Division for Gender Issues – PM Office, Institution of Ombudsperson – Unit for Gender Equality, Officers for Gender Equality in the Municipalities, Municipal Committees for Gender Equality.

All mechanisms for accomplishment of gender equality, and the Agency for Gender Equality, in particular, need more capacity building, more legitimacy, and a clearer status. These institutional problems negatively affect the position of women in Kosovo.

Gender Structure in Decision Making Authorities in Kosovo Institutions

Significant steps have been made in Kosovo in advancing the position of women in PISG, but a lot remains to be done to reach the level of adequate gender representation, as is foreseen by the Law on gender Equality, passed by the Assembly of Kosovo.

Gender representation in the leading structures of Kosovo is out of proportion. The relation of gender representation in leading positions is approximately 10 to 1 in favor of men.

FAQE 09

Gender structure in decision making authorities in Kosovo Security Institutions

Women are also under-represented in the decision-making institutions and in the security institutions.

The total number of the members of the Assembly Committee for Security is 14, out of whom 4 are women and ten men.

The gender structure in the Ministry of Internal Affairs is dominated by men, too, whereby from the 725 employees, 436 are men and 289 are women. Out of these, only eight women hold senior leading positions.

The total number of employees in the Ministry of Justice is 246. 73.90 percent of these are men and only 26.10 percent are women.

Representation of women in the structures of the Kosovo Police Service is around 14 percent. Compared to other the percentages of women in other institutions of security in Kosovo, this is considered as a relatively good representation.

The active personnel of KPC consist of a very small number of women. The largest number of these hold the rank of corporal (22), sergeant (16), master sergeant (19), lieutenant (10), captain (12), major (3), lieutenant-colonel (1) and colonel (1).

The total number of employees in the Kosovo Correctional Service is 1.850. Of these, 1.305 or 82.59 percent are men and 275 or 17.40 percent are women.

Training programs with a gender perspective offered at security institutions in Kosovo

Security institutions in Kosovo, such as Kosovo Police service and Kosovo Protection Corps, attend and organize trainings in the field of gender equality. These training programs have been supported mainly by UNIFEM.

Protection and respect of women's rights

Numerous laws and strategies for the protection of human rights and freedoms of women and girls in Kosovo, but their implementation and respect remains a key issue. The legislation on gender equality is not applicable in the current situation in Kosovo.

FAQE 010

Domestic violence

There has been an increase in the number of cases of domestic violence reported with the Kosovo Police Service.

Based on data received from the KPS, women are more vulnerable of domestic violence than men. From the 1.370 cases reported in 2005, over 1.107 or 81 percent are women and only 19 percent are men; whereas for 2006, the number of victims is 77 percent women and 23 percent men.

Domestic violence is most often manifested between the spouses. However, cases of domestic violence are not limited only to matrimonial relations. Domestic violence has a broader extension and includes other family relations between the victim and the perpetrator than the matrimonial ones.

Court proceedings in treating cases of domestic violence are usually protracted and go against Regulation 2003/12, which provides that the request for protection must be placed within 15 days from the day of receiving such a request from the court.

Media in general, do not show the needed sensitivity when reporting about cases of domestic violence. More so, they sometimes use a language which only confirms and further entrench existing prejudices on this phenomenon. Institutional mechanisms are lacking for the re-socialization of the victim of domestic violence, and for this reason, on many occasions returning back to the environment where they were abused and ill-treated before remains their only alternative.

Trafficking in persons

Number of girls trafficked in Kosovo internally is on a continuous increase.

Most frequent victims of trafficking in Kosovo are women and girls, who are mainly trafficked for sexual exploitation. Apart from this, there are also cases of trafficking for other purposes, such as transplantation of body organs or for forced labor. A common feature of all reports on trafficking in persons is that the majority of victims come from rural areas, with a very low economic status and level of education.

Often, as a consequence of mentality, victims of trafficking do not receive any support from their family or from society and mostly are stigmatized as prostitutes.

There is lack of political will of local and international institutions to combat the phenomenon of trafficking in Kosovo.

FAQE 011

Influence of small firearms and light weapons on gender violence

Firearms murder and wound more men than women.

Kosovo leads in the list of five countries in the region (Albania, Bosnia and Herzegovina, Croatia, Macedonia, and Montenegro) regarding the number of perpetrators and victims from firearms. Out of the total number of authors of crimes with firearms in Kosovo, 98 percent of them are men, whereas only 2 percent are women. Data show that men are not only most frequent executors of these crimes, but they are also the victims. Thus, from the overall number of victims, 93 percent are men and 7 percent are women.

In the focus groups organized by the Kosovo Center for Gender Studies, both men and women participators agreed that there is a large number of small firearms and light weapons in the hands of citizens.

To women, presence of firearms in homes is unwelcome, since they see them more as a threat and menace than as instruments of personal security. On the other side, men have declared that keeping firearms at home is a necessity because of the current security situation in Kosovo.

Having in mind the fact that women are the most frequent victims of domestic violence, then use of small firearms at home is more a threat to women.

Security of men and women in the prisons of Kosovo

The overall state of prisons in Kosovo is not in harmony with international standards.

Prisons are overcrowded. Lack of privacy rooms is a problem in all prisons and correctional centers of Kosovo.

The number and length of visits allowed to women and juvenile inmates in the Correctional Center in Lipjan are insufficient.

In the frame of education programs in the Dubrava Prison and the Correctional Center in Lypjan schools are operating in which women and juvenile prisoners attend instruction. In the school of the Correctional Center in Lipjan there is significant shortage of teaching personnel.

Education and security

Equal access and equal opportunities for genders in education, to a large extent determine the level of security and the level of overall social and eco-

FAQE 012

conomic development of the society.

Lack of a population census in Kosovo has done that the statistical data on illiteracy are not consistent.

Based on various reports, illiteracy reaches the level of 9 percent among Albanian women, which is three times the level of illiteracy among the Albanian men.

There are no accurate data on level of dropping out from school, which again comes as a result of lack of popular census and lack of data on internal migrations.

School drop out is more present with girls than with boys, and comes as a result of difficult social and economic circumstances (giving advantage to boys) and of security aspects (lack of transport and distant schools).

The phenomenon of violence in schools is very much present, too. It is manifested in its physical and verbal form. Whereas boys fall victims of physical violence, girls are more often subjected to verbal violence.

School violence is only addressed by institution when it takes on brutal forms, whereas other forms of violence, such a verbal and psychological violence, are not seen as a problem and accordingly, are not paid the due attention.

Economy and security

One of the main sources of economic uncertainty of women rests in unemployment, which results from the unequal access to elementary resources.

According to estimates available on labor force, unemployment reaches 44.9 percent of active labor force in 2006. Number of unemployed women is at the alarming level of 47 percent.

There are fewer employment opportunities for women. According to data made available by the World Bank, employment opportunities for women are at 8.4 percent, whereas for men at 35.1 percent.

Employment according to sectors shows that women are concentrated in the public sector with 42.4 percent, whereas men are mainly engaged in the private sector with 54.3 percent.

Average women's salaries in Kosovo are lower than those of men. One of the reasons for this inequality in salaries is that women seldom hold senior positions. Criteria set for most of the advertised vacancies, the request for re-qualification and re-structuring of working places are usually very discriminating for middle aged women.

Economic dependence is twice higher with women than with men. Thus, 77

FAQE 013

percent of women and 33 percent of men live from income provided by another person.

Healthcare and security

Kosovo leads in Europe with the mortality of prenatal infants with 23 babies in 1000 births.

Figures on maternal mortality in Kosovo are similar to those for developed countries. However, these figures reflect the number of maternal deaths reported only by health institutions.

The overall number of infant deaths during these four years (according to gender) shows that female gender infants lead by the higher number of deaths.

Termination of pregnancy (Abort)

Accurate figures on abortions remain unknown since a considerable number of these are performed in private clinics, which do not keep accurate evidence on the same.

Among the most frequent reasons of abort are the following: economic conditions, a clear preference for male babies (choosing of gender through abortions), abort as a method of family planning, etc.

Breast cancer

In 90 percent of cases breast cancer appears with women.

There are no accurate data on the number of women suffering from breast cancer. However, every tenth or eleventh woman in the region is touched by this disease.

The low level of information, deficient health education, lack of specialized doctors in the field, lack of strategies, policies and healthcare institutions, as well as the lack of statistical data, have made for a limited survival rate of the women touched by breast cancer in Kosovo.

Lack of health infrastructure and lack of adequate oncology services (there is no Institute of Oncology) presents a grave concern for health security of women in Kosovo.

FAQE 014

HIV/AIDS

The majority of the Kosovar society do not know that HIV/AIDS is a sexually transmitted disease. In this way, women become more vulnerable from unsafe sex, which affects them directly for the reason that men make all decisions about most of the issues, including use of protective measures and means.

The most complicated issue regarding this disease is the voluntary testing of citizens of Kosovo, which continues to be a challenging process for the key stakeholders involved in preventing infection with HIV.

Epidemics

Kosovo is the most epidemic stricken country in Europe, since around 5.500 – 6.000 persons are in average touched by these illnesses in 100.000 inhabitants.

Contagious diseases are not related to certain ages, apart from a group of diseases that are children's illnesses; women are more vulnerable to contagious diseases during the period of pregnancy and maternity confinement. They are vulnerable to infections because of the reduced immunity.

Food

Having in mind the difficult economic situation in Kosovo, with the majority of population living in poverty, access to food is not only limited, but, in most of the cases, also uncertain.

Lack of the law on food and lack of clarity regarding competences of relevant institutions, make safe access to food and its regular control by authorities even more complicated.

Water

Due to the lack of drinking water and of the system for water supply, inhabitants in many parts of Kosovo have to get water from their wells.

Half of the Kosovar population drink clean water, whereas the other half use uncontrolled water.

FAQE 015

Air

Quality of air is more problematic in the developed urban areas, especially in Prishtina, because of the influence of Kosova A and Kosova B power plants and because of the large number of vehicles; after Prishtina, Mitrovica comes next as a consequence of industrial residue in the Trepça combine. In the region of Mitrovica there is a high presence of lead (Pb) in blood, which causes serious consequences in the human organism, such as: disorders in the biosynthesis of hemoglobin and anemia, disorders in the cardiovascular system, damages to the nervous system, **aborts and premature births**, etc.

Security of ethnic groups in Kosovo

When talking about security in the context of national minorities living in Kosovo, freedom of movement is definitely at the core of the problem. The Serb minority is seen as having most difficulties with the freedom of movement.

The problems facing minorities in Kosovo are mainly treated within the overall political context, but leaving aside the gender perspective.

RAE community in Kosovo, women in particular, are faced with numerous social, economic and political difficulties, such as freedom of movement due to insecurity created after the war, ethnic discrimination, low level of education and lack of inclusion in decision-making.

Civil society has given a significant contribution by supporting and promoting various activities aiming at integrating these communities in the society and at improving their overall situation.

Ministry of Education, Science and Technology has set quota for enrolment of minorities in the University of Prishtina. These reserved places for minorities remained unoccupied for a long period.

Illiteracy and school drop-outs are grave sources of concern for women and girls of RAE communities.

Women of RAE community face more difficulties to access healthcare services, which comes as a result of social and economic conditions, ethnic discrimination, lack of information, health infrastructure, as well as for lack of state policies for healthcare services for this community in general.

FAQE 016

RECOMMENDATIONS

- In developing their policies and strategies, authorities directly involved in providing security in Kosovo address aspects of human security and the gender perspective.
- Increase cooperation between women NGOs and government institutions, those involved in providing security, in particular, in addressing issues pertaining to women's security.
- Promote and implement Resolution 1325 by government institutions, non-governmental organizations and by international institutions present in Kosovo.
- Increase participation of women in processes of peace making, peace building and in maintaining peace and security in Kosovo.
- Build capacities of institutional mechanisms to achieve gender equality in Kosovo.
- Increase representation and advance the position of women in decision-making structures in Kosovo authorities, and in particular in those involved with security.
- Organize trainings with a gender perspective for Kosovo authorities and institutions directly involved in providing security.
- Implement and monitor drafted and approved laws and strategies in Kosovo in the field of protection of human rights and freedoms of women and girls.
- Improve cooperation and coordination between institutions, institutional mechanisms, and non-governmental organizations directly involved in addressing the issue of gender based violence.
- Implement Regulation 2003/12 on domestic violence and in particular respect procedures court timelines and schedules in treating cases of domestic violence by courts.

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FAQE 017

- The media treat the phenomenon of domestic violence in a professional manner.
- Shelters for victims of domestic violence and of trafficking in persons will receive regular financial support from government institutions.
- Establish institutional mechanisms for re-socialization of victims of domestic violence and of trafficking in persons.
- Kosovo institutions play a more active role in prevention and fighting of trafficking in persons.
- Improve cooperation and coordination between international and local institutions in addressing the issue of trafficking in persons
- Encourage regional cooperation in prevention and combating trafficking in persons.
- Organize awareness raising campaigns for voluntary hand-over of small firearms and light weapons.
- Implement and monitor current law on carrying firearms and weapons.
- Improve conditions in prisons and in the Correctional Center in Lipjan in accordance with international standards.
- Advance the quality of healthcare services for women and juveniles in the Correctional Center in Lipjan.
- Provide sufficient education staff for women and juveniles in the Correctional Center in Lipjan.
- Allow for permanent and unfettered monitoring of prisons and of the Correctional Center in Lipjan by institutions involved in human rights.
- Ensure equal access and opportunities for genders in education.
- Pay more attention to the issue of illiteracy with women and girls.
- Set up a data base to follow on the number of drop-outs from schools.
- Education institutions address specifically the issue of girls' drop-out from schooling.

FAQE 018

- Institutions pay specific attention to the presence of physical, verbal or psychological violence in schools.
- Institutions allow to women equal access to employment and resources, as guaranteed in the Law for Gender Equality.
- Women and girls are allowed equal access to qualification and re-qualification programs, as well as to courses and professional training and capacity development.
- Provide and offer quality healthcare services for women and children.
- Improve healthcare for reproductive health of women.
- Expedite the approval of the new law for termination of pregnancy.
- Set up a sustainable and reliable system for collecting data on the accurate number and reasons of abortions in public and private institutions of health.
- Make the decision-makers aware and sensitize them on the breast cancer illness and on the lack of healthcare for women suffering from breast cancer.
- Set up a healthcare infrastructure for treatment of breast cancer (making the Oncology Institute functional).
- (Responsible institutions) urgently address the lack of statistical data on cases of breast cancer in Kosovo.
- Organize awareness raising campaigns on HIV/AIDS and on ways of getting infected by HIV virus, as well as on importance of voluntary testing for HIV/AIDS.
- Implement the law on food.
- Ensure access to safe food and regular control of the same by competent authorities.
- Pay special attention to access to sufficient and safe food for pregnant women and breast-feeding women.

FAQE 019

- (Responsible authorities) provide clean and regularly examined water for citizens of Kosovo in its entire territory.
- Policies are drafted and implemented in harmony with European standards on the issue of environment protection.
- Monitor and make public reports on environment polluters.
- Encourage and support research projects on effects of lead in citizens health, and in particular of pregnant women, in the region of Mitrovica.
- Implement and monitor current laws and strategies dealing with improvement of the position of minority communities in Kosovo.
- Include the gender perspective when treating issues dealing with minority communities living in Kosovo.
- Organize campaigns for awareness raising and information in health-care for women and girls of all communities living in Kosovo.
- Support non-governmental organizations of Serb, RAE, Bosnian, Turkish, and other communities in their efforts to address problems of women and girls of these communities.
- Increase inclusion of RAE women in all spheres of life.
- Ministry of Education, Science and Technology to address the issue of illiteracy and dropu-outs from schooling among the women and girls of RAE communities, by setting up scholarship programs for all levels of education.
- Increase cooperation and coordination between RAE women's NGO-s and government institutions in treating problems facing women and girls of this communities.

FAQE 020

UNDERSTANDING AND PERCEPTIONS OF MEN AND WOMEN ON SECURITY

"In the wake of these conflicts, a new understanding of the concept of security is evolving."¹

Once synonymous with the defense of territory from external threats, the requirements of security today have come to embrace the security approach which focuses around the individual.

Whereas the traditional security approach looks up to the state and its policies are designed more to promote requirements of the state than those of the individual, the human security has come to acquire another, broader, meaning: "What do we mean by human security? We mean, in its most simple expression, all those things that men and women anywhere in the world cherish most: enough food for the family; adequate shelter; good health; schooling for the children; protection from violence whether inflicted by man or by nature; and a State which does not oppress its citizens but rules with their consent."²

Gender perspective is a very important dimension of human security. "A gendered perspective of human security entails a more nuanced understanding of what people's own perspectives of human insecurity might encompass."³ It underlines that men and women have different perceptions of security and dangers.

Therefore, inclusion of a gendered perspective in security institutions plays an important role in enhancing mechanisms that provide security for all categories. "While human security's emphasis on the individual is laudable, it requires a more radical understanding of the complexity of today's crises and the ways in which both local and international factors are shaping the particular risks

¹ United Nations Secretary – General Kofi Annan. Millennium Report, Chapter 3, p. 42 - 44
<http://www.un.org/millennium/sg/report/full.htm>, 08 /22/ 01

² Statement by the United Nations Deputy Secretary – General Louise Frechette to a high – level panel discussion on the occasion of the twentieth anniversary of the Vienna International Centre (VIC), October 9, 1999. http://www.un.org/News/Press/docs/1999/19991012_dsgsm70.doc.html, 08/02/01

³ http://popdev.hampshire.edu/projects/dt/pdfs/DifferenTakes_14.pdf "Human Security: A gender Perspective", by Angela Raven Roberts. Taken from internet on 06.04.2007

⁴ Ibid.

FAQE 021

that communities, and especially women, are facing.⁴

A key element of the agenda of human security necessarily involves the promotion and protection of human security. The global Human Rights Conference of 1993 in Vienna and the United Nations Declaration on "Elimination of violence against women," recognized particularities of violence against women and gender based violence and once again confirmed that protection against such violations is one of the key issues of human rights. This new approach towards human rights emphasized other aspects affecting human security, such as: forced marriages, trafficking in human beings and forced prostitution. These are not only threats against the individual and her integrity, identity and security, but are also considered violations of human rights.

Women and men have different perceptions on their security. This comes as a result of different position, needs and roles they have in the society.

In the focus groups discussions with men and women, organized by the Kosovar Center for Gender Studies, women treated these issues primarily from the perspective of human security, whereas men approached the issue from the aspect of traditional security.

Regarding the issue of security of men and women, both groups consider that women are exposed to insecurity more than men are. According to men, this is so because of the women's nature itself, which according to a traditional point of view, is seen as "weak" and with minimum capacity for defense. In this context, men think that women are more vulnerable because of the lack of physical power. A similar opinion about themselves is given by women too, who agreed that they are endangered in every aspect of their life.

Men can defend themselves, whereas women cannot...

Women, employed in the private sector (27)

Security of men and women differs a lot because women are weaker and more vulnerable...

Men, employed in the public sector (46)

In more concrete terms, men who participated in the focus group discussion think that women are more susceptible to trafficking, assaults and mugging in the street. Women, on the other hand, think that they are endangered in every sphere of their life.⁵

⁵ Perceptions of men and women on security issues are elaborated in more details in the coming chapters.

FAQE 022

Opinions of several interviewees⁶ on the issue of defining security from the gendered perspective

We are taught that security means being protected by arms and tanks. Militarization is a masculine perspective and women do not feel safe in this context⁷.

Perceptions of the interviewees differed depending on their personal position and involvement. According to Naim Maloku, Chair of the Assembly Committee for Security, there are no gender based differences when thinking about general security.

We could not make any significant distinction regarding insecurity of women in Kosovo and there are no indications that would lead to conclusions that women are more at risk during the day or night⁸

Lieutenant General, Behar Selimi, Assistant Commissioner for Administration in the Kosovo Police Service, says that the notion of security implies "being free of any physical, mental or emotional coercion in the broadest sense of the word, or by any external factor."⁹

Ramadan Ahmeti, head of anti-trafficking division in the KPS, thinks that there is no gender based difference when referring to security. "I do not think that men or women should be protected differently; however, I think that women or more exposed to danger in specific situations, as for example is their fear of going out alone at night."¹⁰

Hysni Shala, advisor for gender equality in the KPS, when talking about different perceptions of security for men and women, starts from cases that take place in Kosovo: "If we look closely at the gender structure of victims of trafficking, domestic violence, sexual harassment and rape, we find that security is not the same for both sexes."¹¹

⁶ The interviewed personalities are representatives of institutions involved in security issues. For more refer to Annex "List of interviewed persons".

⁷ Interview with Clare Hutchinson, Office for Gender Issues, UNMIK, 19.06.2007. Prishtina

⁸ Interview with Naim Maloku, chair of the Assembly Committee for security. 16.05.2007. Prishtina

⁹ Interview with Behar Selimi, Assistant Commissioner for Administration in the Kosovo Police Service (KPS). 17.05.2007. Prishtina

¹⁰ Interview with Ramadan Ahmeti. 28.06.2007

¹¹ Interview with Hysni Shala, KPS advisor for gender equality. 24.5.05.2007. Prishtina

FAQE 023

Fahri Sadriu, coordinator for gender equality in the Kosovo Protection Corps (KPC), thinks that lack of security is more expressed with women than with men, more particularly in the field of healthcare. "Because of their nature, women have more frequent needs for institutional and medical care."¹² He goes on to mention the dangers women and girls are exposed to when moving during the late hours.

According to Cyme Mahmutaj, officer for Human Rights, Equal Opportunities, Gender Issues, and Anti-discrimination in the Prime-minister's Office, security includes various aspects of men and women, such as education, health, safety at work, environment, etc. "There is historically a great difference in security between men and women regarding the political, economic and social aspects."¹³

If we are talking about security, I think that it is the same for both men and women.

Ismail Musa¹⁴

Visare Gorani-Gashi, director of Agency for Gender Equality in the Prime-minister's Office, points out that "when talking about security in general, then a large number of people see it from the perspective of police, military and external borders."¹⁵ A difference must be made between human and traditional security, since human security deals directly with the everyday life, with access to services and resources, the opportunity of being safe where they live. She concludes to say that the key problem worsening the overall human security of women (unlike that of men) is their restricted access to financial resources.

Lulzim Peci, executive director of KIPRED, explains security issues from the gender perspective in three aspects: "Women's level of education is much lower than that of men, which presents a danger for their life security in the sense that they cannot have access to the labor market and thus become second hand citizens. The second problem, according to Mr. Peci rests in general in the gender inequality expressly manifested in our society, which results in a second danger for women by not allowing them the same opportunities

¹² Interview with Fahri Sadriu, coordinator for gender equality in KPC. 28.05.2007. Prishtina

¹³ Interview with Cyme Mahmutaj, officer for human rights, equal opportunities, gender issues and anti-discrimination in the Prime-Ministers Office. 20.08.2007. Prishtina

¹⁴ Interview with Ismail Musa, officer in the Office for Human Rights, Gender Issues, Equal Opportunities and Standards in the Ministry of Internal Affairs. 06.06. 2007. Prishtina

¹⁵ Interview with Visare Gorani Gashi.

FAQE 024

and progress with the other gender. The third aspect is the domestic and sexual violence."¹⁶

"I think that a stable state, a state with the rule of law should not allow for any differences or privileges regarding ensuring of security. Police, army and other internal mechanisms of a state are guarantors of citizens' security – with the category of citizens consisting equally of men and women,"¹⁷ says Ferdinand Nikolla, executive director of FIQ.

According to Hilmi Jashari, acting Ombudsperson, women are more vulnerable regarding their security. "It is evident that some specific groups of the Kosovar society are more vulnerable than the others; and in these groups one could include women, children, persons with impairments and prisoners,"¹⁸ says Jashari. Jashari thinks that this position of women results from the deep-seated tradition and culture in Kosovo.

In this context, Flora Macula from UNIFEM is convinced that there is a significant difference in security from the gender perspective. "There is a difference, as we witness different obligations and responsibilities based on gender."¹⁹

Interviewed personalities convey two perspectives on security issues. One group, viewing things from the traditional perspective on security issues, maintains that there is the same level of security for both men and women, whereby the state, with its mechanisms, is required to provide security equally for all its citizens. The other group, however, link the perception of security with other considerations, more closely related to the human security approach, which sees specific and different needs for different genders in given situations.

Resolution 1325, "Women, Peace and Security"

Member states of the UN Security Council voted unanimously on 31 October in favor of Resolution 1325 "Women, Peace and Security," which requires the member states to commit to specific measures to address the influence of war on women and their contribution to settlement of conflicts and to a sustainable peace.

¹⁶ Interview with Lulzim Peci, executive director of KIPRED, 16.05.2007. Prishtina

¹⁷ Interview with Ferdinand Nikolla, executive director in FIQ, 17.05.2007. Prishtina

¹⁸ Interview with Hilmi Jashari, acting Ombudsperson of Kosova, 25.05.2007. Prishtina

¹⁹ Interview with Flora Macula, advisor for governance and peace in Southeastern Europe, UNIFEM, Office in Kosovo. 19.09. 2007. Prishtina

FAQE 025

The UN Security Council, through this resolution, for the first time addresses the unique influences of armed conflicts on women, and admits the often unused and underestimated potentials and contribution of women in conflict prevention, peacekeeping, conflict resolution and in peace building. This Resolution also emphasizes the importance of equal and full participation of women as an active agent for peace and security: "Resolution 1325 underlines the responsibility of all in protecting women and girls from various abuses of human rights, including gender based violence. It unequivocally places women at the center of peace and security negotiations: conflict prevention, peacekeeping, peacemaking and post-conflict reconstruction."²⁰ This Resolution rests on four main pillars:

- Participation of women in decision-making and peace processes
- Including gender perspectives in all training programs for police and military staff
- Including gender perspective in all UN reports and
- Protection and respecting of women and girl's rights.

²⁰ <http://www.aic.gov.au/conferences/policewomen3/bearlin.html>. Taken from Internet on 20.04.2007

FAQE 026

Knowledge on Resolution 1325 among personalities of implementing mechanisms

All stakeholders, both at central and local level, defense institutions, humanitarian agencies, civil society and international organizations are required to contribute to the full implementation of Resolution 1325. Article 17 of this Resolution reads that the Secretary General has to report to the Security Council on *"the progress of inclusion of gender perspective in all peacekeeping missions and in all other aspects that affect women and girls."*

*"Institutional mechanisms for accomplishing gender equality are of paramount importance for an institutionalized approach to gender issues in the Kosovar society. These mechanisms are necessary in order to make gender issues an important integral part of long term policies and strategic plans of Kosovar institutions."*²²

National Action Plan for Accomplishment of Gender Equality in Kosovo²³

The idea for developing this plan was present in the civil society circles immediately after the war. Its drafting, with the support of UNIFEM, began in June 2002 and was completed in April 2003, to be approved by Government of Kosovo, namely by the then Prime-Minister Bajram Rexhepi, on April 14, 2004. Approval of this plan marked the first step for drafting of the Law on Gender Equality, which was approved by the Assembly of Kosovo in 2004. This Law created the institutional mechanisms for accomplishing gender equality in the central and local level.

- a) Institutional mechanisms for gender equality at the central level:
- Agency for Gender Equality / Prime-Minister's Office
 - Advisory Office for Good Governance – Division for gender Issues at Prime – Minister's Office
 - Institution of Ombudsperson – Unit of Gender Equality
 - Officers for gender Equality in the ministries
 - Inter-ministerial Council for Gender equality

²² Ibid.

²³ Ibid.

FAQE 027

b) Institutional Mechanisms for Gender Equality at the local level:

- Officers for Gender Equality in municipalities
- Municipal Committees for Gender Equality

Asked about implementation and their knowledge on Resolution 1325, the interviewees gave most different responses.

Visare Gorani Gashi, chief of Agency for Gender Equality (AGE), is convinced that Resolution 1325 is being implemented in Kosovo.

Kosovar women active in civil society have played an important role in raising awareness on Resolution 1325 among the decision making authorities. They have organized various activities, including meetings with decision-maker, organizing debates in the media, organizing training events and protests, through projects, and by networking locally, regionally and internationally with the purpose of lobbying for promoting the implementation of this Resolution. "A recent concrete example of efforts of women's non-governmental organizations in favor of implementation of Resolution 1325 is also the campaign for stronger participation of women in the process of negotiations for the final status settlement for Kosovo, which was focused in calling for participation of women in the Negotiating Team of Kosovo,"²⁴ says Luljeta Vuniqi. She adds that UNIFEM office in Kosovo has supported most of activities pertaining to implementation of Resolution 1325, including foundation of the Women's Lobby for Peace, Security and Justice in South-Eastern Europe; Initiative of Network of Women in Black in Serbia, and the Network of Women's Groups of Kosovo for the establishment of the Women's Coalition for Peace. UNIFEM has also supported setting up of Boards for Gender Equality within the Kosovo Police Service and Kosovo Protection Corps.

Members of the Women's Lobby for Peace, Security and Justice in South-Eastern Europe, also including several renowned activists from Serbia – met with Marti Ahtisaari and with members of the UN Security Council to discuss Resolution 1325 and the future status of Kosovo. As a concrete result of these meetings, the draft Resolution of the Security Council on Kosovo²⁵ which was based on the package proposed by Ahtisaari, and which was supported by

²⁴ Interview with Luljeta Vuniqi, executive director of Kosovo Center for Gender Studies, 30.10.2007, Prishtina

²⁵ So far, United Nations Security Council has not approved any Resolution on the Kosovo final status.

FAQE 028

the UN Secretary General KB Ban Ki-Moon, also included the demand for implementation of Resolution 1325.

The question of implementation of this Resolution results in many opposing answers. Whereas one group of interviewees think that the Resolution is being implemented, other remain rather skeptical on the issue.

"Resolution 1325 is not being implemented; persons working in the government are not even aware that such a resolution exists, for the mere reason that it is not integral part of policies in Kosovo,"²⁶ points out Lulzim Peci. In this context, Behar Selimi said that numerous institutions are not familiar with this Resolution. He even went further expressing his concern with the fact that the Resolution is not being implemented in practice even by the international presence in Kosovo: "The Resolution as such has not found a practical application by international mechanisms in Kosovo. If we look at the first pillar of UNMIK (police and justice), I can assure you that there is no concrete engagement on their part for its implementation and if we waited for them to lead, then we would have been still lagging behind," says Behar Selimi.²⁷

"Resolution 1325 still remains unknown to many agencies, which should in fact be the first to implement it."

Behar Selimi

Apart from this, Selimi accuses the government of Kosovo, too, for non-implementation of this Resolution. "The Government is to be blamed because the resolution requires from UN member states to increase participation of women, in particular for conflict prevention and resolution and in peace building."²⁸ On the other hand, Selimi says that the institution where he works has managed to implement the Resolution in inclusion of women in decision making bodies. "Thanks to UNIFEM and to Kosovo Women's Network, gender issues have been duly addressed by the KPS."²⁹

Naim Maloku, chair of the Assembly Committee for Security, affirms that he had heard of this Resolution. "I may have well read it 20 times so far, but I cannot remember it since there are so many resolutions."³⁰ Whereas, Sanije Zeqiraj, another member of this committee, was familiar with Resolution 1325.

²⁶ Interview with Lulzim Peci.

²⁷ "Whose security", a documentary. Interview given by Behar Selimi.

²⁸ Interview with Behar Selimi

²⁹ Interview with Behar Selimi

³⁰ Interview with Naim Maloku, Chair of the Assembly Committee for Security. 16.05.2007. Prishtina

FAQE 029

"This Resolution refers to the women and girls' rights,"³¹ she pointed out. Interviewees from the Kosovo Protection Corps also maintain that they implement the Resolution on the issue of gender equality. "We think that we at KPC are implementing Resolution 1325 to the extent this is possible in the current conditions available and in a situation when KPC as a reserved right of the SRSG remains under the strict supervision of KFOR,"³² says Fahri Sadriu, coordinator for gender equality in KPC.

Despite relative achievements in implementation of this Resolution and in addressing gender issues in Kosovo by local and international institutions and by the civil society (women's organizations, in particular), a lot however remains to be done for its due implementation and for improving the position of women in the society.

Women and their role in building of peace in Kosovo

"Women who are familiar with the dire consequences of conflicts are better endowed to prevent or settle conflicts."

Kofi Annan

Various experiences of women during conflicts, specific needs and risks they face give a sufficiently strong reason for their inclusion in peace building as they bring a broader dimension to these processes by addressing specific issues specific to women.

"Participation of women in decision-making and peace processes," is one of the main considerations of Resolution 1325.

Even though, women activists consider this Resolution as a warranty for participation of women in the Kosovo final status negotiations, the negotiating team³³ however, consists entirely of men only.

Unlike the Rambouillet Conference³⁴ (1999) when one woman participated in negotiations as member of the Kosovar negotiating team, the current Unity Team and the current negotiations are carried out without presence of any women.

³¹ Interview with Sanije Zeqiraj, member of the Assembly Committee for Security. 17.05.2007. Prishtina

³² Interview with Fahri Sadriu, coordinator for gender equality in KPC. 28.05.2007. Prishtina

³³ The Negotiating Team of five members, the so called Unity Team, was established in 2005 to decide on Kosovo positions regarding the final settlement presented by Ahtisaari.

³⁴ On 6 February 1999, representatives of the Yugoslav Federation and the Serbian Government, on one side, and representatives of Kosovo, on the other, met in Rambouillet to engage in negotiations, co-chaired by Hubert Vedrine and Robin Cook, and under direct auspices of the Contact Group. On 18 March, the proposed agreement is signed by the Albanian side, but is rejected by the Serbian party.

FAQE 030

In spite of the fact that women's NGOs in Kosovo have successfully raised a series of important issues during the last eight years, they have generally been ignored by the government institutions which resulted in their insignificant influence in the security sector.

This raises the need for a new understanding of the traditional meaning of peace and security in order to ensure inclusion of women in all processes peace building and peacekeeping.

"In real life, direct involvement of women in the process of decision-making, in conflict settlement and in peace building activities requires a change of the traditional perception regarding the respective roles of men and women in the society and in conflict situations."³⁵

Gender Structure and decision-making positions in Institutions of Kosovo

Gender representation in governing structures in Kosovo is out of proportion. Statistics made available by the Ministry of Public Services – Department of Administration of Civil Servants show that the proportion in senior positions is 1 to 10 in favor of men.

More concretely, these statistics show that women represent only 35.64 percent of the total number of employees in central and local institutions, whereas out of 893 senior positions at the local level, only 90 are lead by women. The current composition of Assembly of Kosovo has reserved 27.5 % of its 120 seats for its women MP-s. Women cover 28 percent of all seats in municipal assemblies. In the central government only one ministry is headed by a woman. At the same time, 2 out of 5 assembly groups are lead by women.

According to the same data, the gender structure in leading positions in municipalities is the following: 1 chief executive officer, 28 women heads of department out of 280 of them, and 3 women deputy heads out of the total of 24 of them in the municipalities.

Despite evident achievements in advancing women's position in the PISG, there still remains a lot to do to square the level of gender representation as foreseen in Article 3.1 of the Law on Gender Equality, passed by the Assembly of Kosovo, which reads that: "The implementation of legal and affirmative measures establish equal participation for both females and males in legislative, executive, judicial bodies of all levels and in public institutions, so that representation of both genders in these institutions high its level of their representation in the general population of Kosovo."

Furthermore, Article 3, paragraph 2 of LGE provides that: "Equal gender

³⁵ IPU and DCAF

FAQE 031

participation of both females and males, according to Section 3.1, is achieved in cases where the participation of the particular gender in the institutions, bodies or at the level of authority is 40 percent.” Government of Kosovo has developed its Strategy for period 2006-2015 for Increasing Numbers and for Improving the Position of Women in Provisional Institutions of Self-Government. The main goal of this strategic plan is to serve as a guide and a mechanism for professional development of women aiming at increasing their participation in leading positions. The Strategy for Increasing Numbers and for Improving Position of Women in PISG has been developed in harmony with the law on Gender equality and the Action Plan for European Partnership. This Strategy sets forth activities that need to be carried out by the PISG for the accomplishment of the goal together with an implementation plan outlining concrete tasks and responsible institutions/persons. The Strategy for Increasing Numbers and for Improving the Position of Women in Provisional Institutions of Self-Government serves as affirmative action towards better representation of women in senior and leading positions.

Gender Structure and decision-making positions in Security Institutions of Kosovo

Assembly Committee for Security

Another very important body in the field of security is also the Assembly Committee on Security. The total number of its members is 14, with 4 women and 10 men.

“I do not think that placing a woman in a leading position of a security institution would improve the security of women.”
Naim Maloku

Ministry of Internal Affairs and Ministry of Justice

Ministry of Internal Affairs was established by UNMIK Regulation 2005/53 in December 2005. This Regulation transferred to this ministry the authority to manage borders and to coordinate efforts of police force and other public authorities involved in supervision of border crossing. The gender structure in this ministry is dominated by men: out of 725 employees, 436

FAQE 032

are men and 289 are women. Out of these only 8 women hold senior positions. Ministry of Justice was established in 2006. The total number of employees in this ministry is 246, with 73.90 percent of them men and only 26.10 percent women.

Kosovo Police Service

The strategic goal that defines the Kosovo Police Service is the establishment of an effectively functioning police force. It must be capable of maintaining security and public order in Kosovo. This will be achieved by the establishment and deployment of a professionally trained, fully equipped, adequate and sustainable staff which will adhere to the ideals of democratic policing.³⁶ According to OSCE experts, percentages of inclusion of women in this institution is relatively high compared to many European countries. Representation of women in the structures of the Kosovo Police Service is around 14 percent. Compared to representation of women in other security institutions in Kosovo, this percentage is considered relatively high.

We have rather effective policies in this regard, but this does not mean that we have implemented the law on gender equality, which is the main indicator to us and something that we strive for, but which requires more and better infrastructure.
Behar Selimi

Based on the RISS in Kosovo, social and cultural restrictions and the lack of sufficient numbers of women recruits make us understand that there will not be a representative number of women in the police force in the foreseeable future. Therefore, there is a need to do more in encouraging women applicants to the police force.³⁷

The following graphic presentation conveys the gender composition in the structures of the Kosovo Police Service. In general, we can notice that women are represented almost in all structures within the KPS in a proportion to the total number (14 %) of representation of women in this institution.

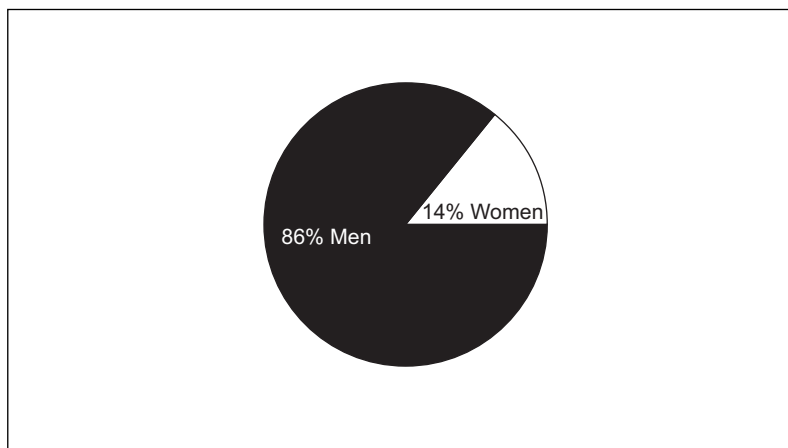
The border service is a structure within the KPS that engages in border control. "Currently, because of the unique situation in Kosovo, the border police is in a situation to be active in 13 administrative border crossings. Border supervision and patrolling is a responsibility of KFOR, even though there

³⁶ www.kosovopolice.com, taken from internet; 30.11.2007, Prishtina

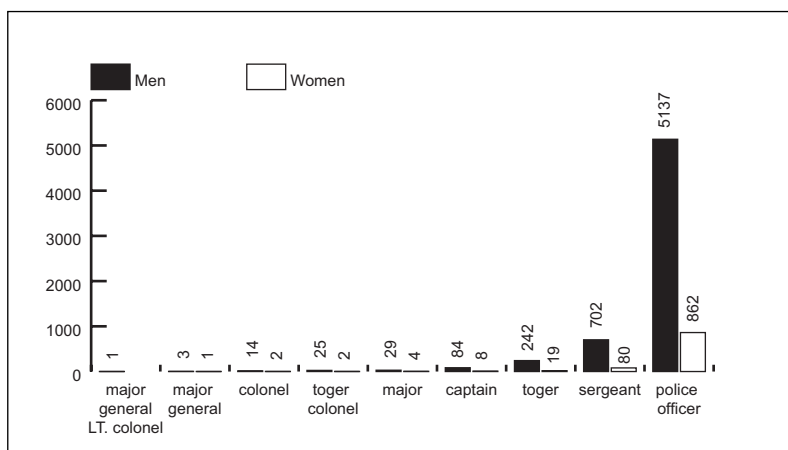
³⁷ UNDP "Review of the Internal Security Sector in Kosovo," Kosovo 2006

FAQE 033

Graph 1: Gender structure in the Kosovo Police Service
Source: KPS, 2007



Graphic 2: Ranks and gender structure in the Kosovo Police service
Source: KPS, 2007



FAQE 034

have been cases of joint patrols together with the border police."³⁸

Gender composition of the border police service is 832 men and only 66 women officers. This service is also important in prevention of various phenomena, such as trafficking in persons.

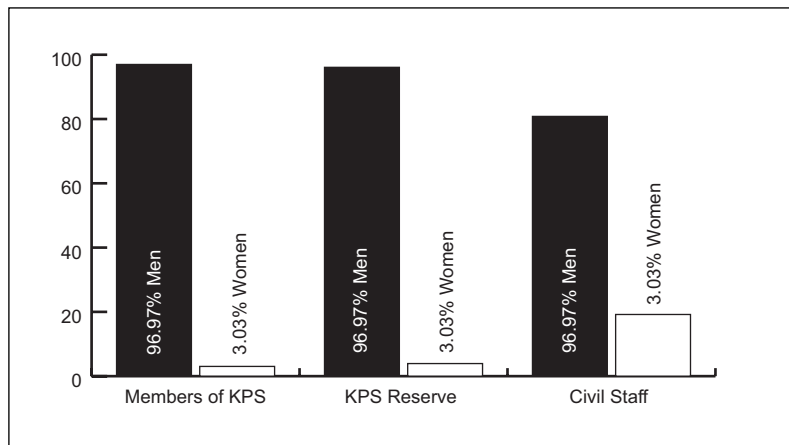
Kosovo Protection Corps

Establishment of KPS is based on UNMIK Regulation No. 1999/8, which states that KPS is "An agency of civil emergency services, whose tasks are to: Ensure an adequate response in cases of accidents; to undertake actions of search and rescue; to provide capacities for humanitarian aid in remote areas; to assist in de-mining; and to contribute in building of infrastructure and communities."³⁹

As shown in the graphic presentation, active part of the KPS consists of a very small number of women. Out of these, 22 are corporals, 16 sergeants, 19 master sergeants, 10 lieutenants, 12 captains, 3 majors, 1 lieutenant's colonel and 1 colonel. Equal participation of women both as recruits or in the ranks of professional military units can only be encouraged by the political leadership

Graph 3: Gender structure of KPS

Source: Kosovo Protection Corps



³⁸ UNDP "Review of Internal Security Sector in Kosovo," Kosovo 2006

³⁹ Strengthening of Civil Supervision and Management over the Security Sector in Kosovo." KIPRED, Prishtina, November, 2005

FAQE 035

or can come as a result of internal developments in the field of security. Fahri Sadriu⁴⁰ tells that KPS is now in a relatively good positions regarding representation of women in its ranks, even though he admits that there is room for improvements. He also adds that the situation is constantly improving, especially if compared to previous years.

"Number of women in the ranks of police and army used to be very small; however, this issue is not a taboo any more since we now have women police and soldiers."⁴¹

KFOR

KFOR is an international military force lead by NATO, whereas its mission, according to UN SC Resolution 1244, is to: put an end to hostilities and to maintain the ceasefire; demilitarize the KLA; create a safe environment for the return of refugees; guarantee public security; supervise de-mining; support the international civil presence; supervise borders and to guarantee freedom of movement.⁴²

The total number of KFOR soldiers is 16.000, coming from 34 states; these data however, do not show the gender structure of these troops.⁴³

Correctional Service of Kosovo

The mission of the **Correctional** Service of Kosovo is to establish a criminal system based on international standards – a system which strives to social reintegration of given persons in stead of punitive measures. The goal of the Correctional Service of Kosovo is the respect of fundamental human rights and help for reintegration of convicts into the society.⁴⁴

Correctional Service of Kosovo⁴⁵ was established on 5 November 1999 initially by opening a detention center in Prizren.

The total number of employees in the Correctional Service of Kosovo is 1850. Out of these 1305 or 82.59 percent are men and 275 or 17.40 percent women.

⁴⁰ Interview with Fahri Sadriu, coordinator for gender equality in the Kosovo Protection Corps. 28.05.2007

⁴¹ Interview with Fahri Sadriu

⁴² "Strengthening of Civil Supervision and Management of the Security Sector in Kosovo" Kipred, Prishtina, 2005

⁴³ "Monitoring of implementation of UN SC Resolution 1325 in Kosovo", Executive Summary, Network of Women's Groups in Kosovo, November 2007, Prishtina.

⁴⁴ Ministry of Economy and Finances – Government Budget for 2006

⁴⁵ Correctional Institutions in Kosovo are the following: The High Level Security Prison of Dubrava, with a semi-open annex, the Correctional Center in Lipjan (a semi-open type), Detention Center (Prishtina, Mitrovica, Gjilan, Prizren and Lipjan) and the Prison Hospital in Dubrava.

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 036

GENDER PERSPECTIVE TRAININGS ORGANIZED IN SECURITY INSTITUTIONS IN KOSOVO

Article 7 of Resolution 1325 encourages member States to increase their voluntary financial, technical and logistical support for gendered trainings, including those from respective existing funds and programs...

"Kosovo Police Service, Kosovo Protection Corps,⁴⁶ UNIFEM, KFOR, UNMIK Police, and the Network of Women Groups of Kosovo have initiated cooperation towards advancing the implementation of resolution 1325 in Kosovo. UNIFEM and the NWGK in particular are supporting the recently established units within KPS and KPC through training events, exchange of information and cooperation in activities which address the role of women in decision-making, trafficking, and domestic violence. In general, this initiative aims at raising the level of communication between women, police and security sectors."⁴⁷

When referring to organization of training events on gender issues for members of KPS, Behar Selimi says that until now there have been continuous and very advanced training events within the police academy, elsewhere in Kosovo and abroad. According to him, these trainings covered a broad thematic range starting from most basic training, the issue of domestic violence, and other issues related to Resolution 1325 and to the implementation of the Law on Gender Equality.

Hysni Shala, KPS coordinator for gender issues informed us that the KPS office for gender issues is engaged in cooperation with various NGO-s and institutions involved in gender issues. At the same time he explains that the KPS staff has undergone trainings in the field of gender issues. Flora Macula, advisor for governance and peace for Southeast Europe with UNIFEM Office in Kosovo, told us that currently a project is ongoing for integration of gender issues in the KPS programs and structures, together with integration of these issues in the training curricula of KPS. Parallel to these, Macula said

⁴⁶ Kosovo Protection Corps was established based on UNMIK Regulation 1999/8. This Regulation sets out that it is in the KPC mandate to provide humanitarian assistance and to contribute to infrastructure and community building.

⁴⁷ Report on implementation of the United Nations Security Council Resolution 1325 in Kosovo. Drafted by local Kosovar organizations and submitted to the United Nations on 30 March 2006. The report describes the main events and activities undertaken by local organizations and their supporters in efforts to advance the implementation of United Nations Security Council Resolution 1325.

KOSOVAR GENDER STUDIES CENTER

FAQE 037

that training of KPS trainers is ongoing in the same field. In KPC, training programs have been organized in the field of gender equality, which were supported by UNIFEM and by the Kosovo Institute for Public Administration; other training programs are organized internally by KPC own capacities (KPC gender equality instructors).

Protection and respect of human rights of women and girls in Kosovo

The concept of gender based discrimination includes differences in treatment, exclusion and gender based restrictions, which endangers or prevents enjoying or exercising of fundamental human rights and freedoms in politics, society, culture or in other fields.⁴⁸

Even though a number of legal acts and strategies have been approved in Kosovo for the protection of human rights of women and girls in Kosovo, the main problem remains their implementation and respect.

Among these laws and strategies we include: The Constitutional Framework of Kosovo, The Provisional Criminal Code of Kosovo, The Anti-Discrimination Law, Law on Gender Equality, the Family Law, Regulation Against Domestic Violence, The National Action Plan for Accomplishment of Gender Equality, The Strategy Against Trafficking in Persons, including CEDAW Convention, which is an integral part of all relevant laws approved in Kosovo, etc.

The legislation regulating issues of gender equality should further adapt to the current situation in Kosovo. The Agency for Gender Equality needs further capacity building, more legitimacy and a clearer status. These institutional problems affect the position of women in Kosovo, which is characterized by domestic violence and economic discrimination. The legislation on domestic violence is not sufficiently efficient. It is in need of clear application rules. Lack of knowledge and familiarity with the legislation on the part of judges and prosecutors is yet an additional impediment.⁴⁹

⁴⁸ The seventh annual report by the Kosovo Institution of Ombudsperson 2006/2007

⁴⁹ European Commission, Progress Report – 2007, for Kosovo (under UN SC Resolution 1244), Brussels, 06.11.2007

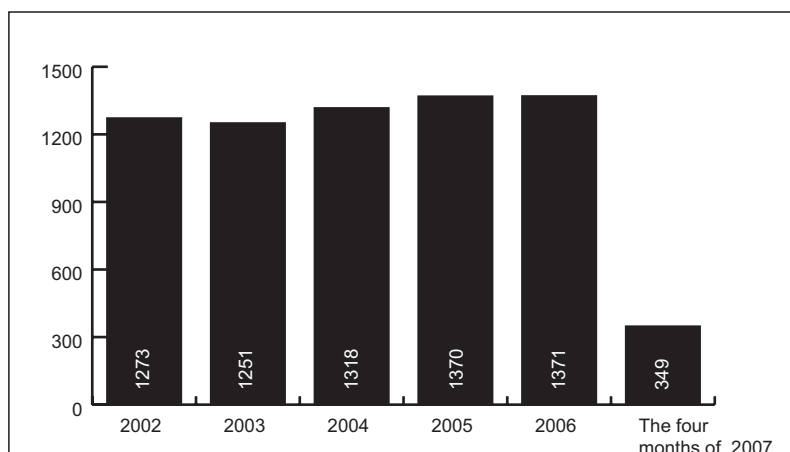
FAQE 038

DOMESTIC VIOLENCE

"Unfortunately I keep hearing about cases of domestic violence; this is a source of grave concern – every single case is one too many and as such very unbecoming and not welcome in our society." Agim Çeku⁵⁰

United Nations Organization defines "domestic violence" as an act that results in physical, sexual or mental injury, including threats or similar acts, restrictions or arbitrary deprivation of freedom.

Graph 4 Cases of domestic violence in Kosovo in the period January 2002 – April 2007:
Source: Kosovo Police Service (KPS)



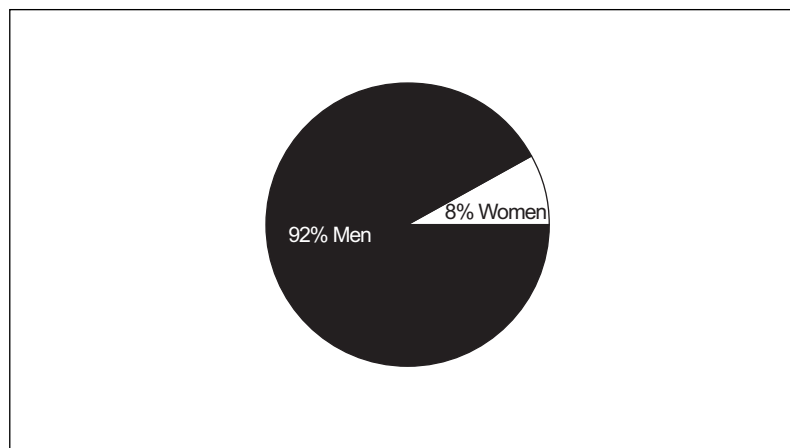
The tabular presentation shows cases of domestic violence in the period from 2002 until April 2007. Even though there is not a significant difference in numbers of cases during this period, we however witness an increase by 98 cases in domestic violence between 2002 (1.273 cases) and 2006 (1.371).

⁵⁰ "Whose security?", documentary. Interview given by PM Agim Çeku, 2005

FAQE 039

Based on data received by KPS, this phenomenon affects women more than men. Out of the 1.370 cases in 2005, 1.107 or 81 percent are women and only 19 percent are men. There is a slight difference for the year 2006, in which 77 percent are women and 23 percent are men. Another 78 cases have been recorded when victims of domestic violence were children. According to Tahire Haxholli, officer for domestic violence in the KPS⁵¹, in most of the cases women are victims of domestic violence, which comes as a reflection of inequality between men and women.

Graph 5 Gender structures of perpetrators of domestic violence
Source: Kosovo Police Service (KPS)



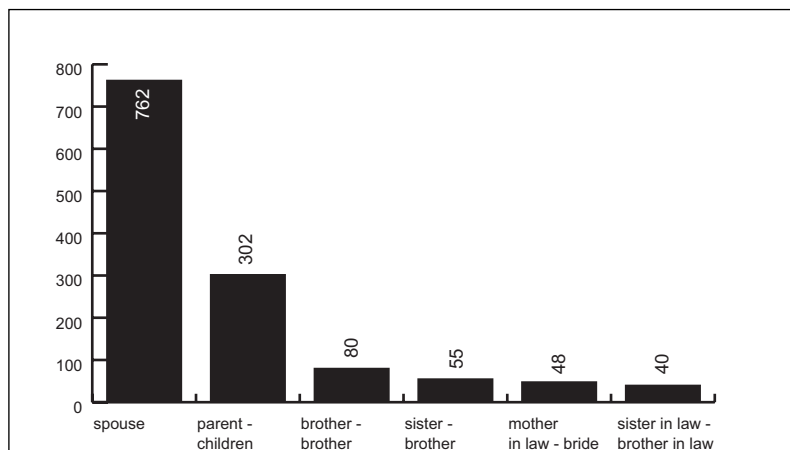
Data for 2006 show that men “participate” by 92 % as perpetrators of domestic violence, whereas women exercised violence in 8 percent of cases. Most often, domestic violence is exercised between married couples.

⁵¹ Interview with Tahire Haxholli, Officer for Domestic Violence in the Kosovo Police Service. 06.07.2007

FAQE 040

However, cases of domestic violence are not limited only to marital relations. Consequently, domestic violence has a wider distribution and family relations between the victim and perpetrator touches on other than marital relation in the broader family. The following table presents only a number of cases of domestic violence that involved other members of the family than spouses. For more details see Graph 6.

Graph 6 Frequency of cases based on relations between the perpetrators and victims in the family
Source: Kosovo Police Service (KPS)



Domestic violence takes on various forms. The following table shows some of the most frequently reported forms: bodily injuries, physical assault, threats, physical abuse, harassment, disagreements, mental ill-treatment and forceful expulsion from home, etc.

Flora Macula, from UNIFEM, says that: "even though domestic violence has not been addressed by the government, the civil society was very active by campaigning to raise awareness among women, by reporting violence in relevant institutions and by removing the issue away from closed private spheres."

FAQE 041

Table 1 Forms of domestic violence
Source: Kosovo Police Service (KPS)

No. of most frequent cases	Forms of violence
408	Light bodily injuries
341	Physical assault
252	Threats
83	Physical abuse
81	Harassment
71	Disagreements
47	Mental ill-treatme
16	Forceful expulsion from common home

When a man beats his wife, she does not tell about this to her children or to her parents. However, they have started to report cases to the police, even though this does not solve anything, because they return again to live with their husbands.

Employed women (48)

Tahire Haxholli, officer in the KPS division for domestic violence tells that there has been an increase in the number of reported cases of domestic violence and not an increase of violence.

Adile Basha, head of division for protection of family in the Ministry of Labor and Social Welfare, thinks that domestic violence is a social problem present for centuries and that Kosovo is not a unique country in the world facing this phenomenon.⁵²

Behxhet Shala, executive director of the CDHRF, says that: "Majority of Albanians used to consider their wife and children as their private property. Starting from this assertion, we gave ourselves the discretion to decide whether the family 'deserved' to be penalized or not. Therefore, we beat our

⁵² Interview with Adile Basha, head of division for protection of family, Ministry of Labor and Social Welfare. 11.07.2007. Prishtina.

FAQE 042

wife because we thought that the nature, Lekë Dukagjini's Code and the god itself entitled us to this."⁵³

The woman 'deserves' the bat when she crosses the limits of good behavior and when she betrays her husband; this because when she breaks the norms of good behavior she becomes as dangerous as a loaded gun. In such cases she deserves not only the bat, but more so, she deserves to be thrown out, and even to be killed.

Man, 45 (employed in the public sector)

"Traditional societal mindset about women in this male dominated society has made for a high level of domestic violence to be accompanied by a very small number of reported cases,"⁵⁴ is pointed out in the report of the US government. According to the same report "cases of rape remained unreported in most of the cases because of the cultural stigma that would be attached to the victim and her family."⁵⁵

"Since most of the victims of domestic violence are women and children, usually this problem is treated by international instruments providing for human rights of women and children. In this context, Convention for Elimination of all forms of Discrimination Against Women (CEDAW)⁵⁶ and the Convention for Children's Rights are directly applicable in Kosovo."

The OSCE report "The report on cases of domestic violence in Kosovo"⁵⁷ shows that the key problem in addressing cases of domestic violence rests in unlawful delays in taking decisions on requests for protection orders or for scheduling court sessions, in spite of the clear provision of the Regulation that a request for protection should be placed fifteen days from the day of receiving a request from the court.⁵⁸

According to Behar Selimi "We can not rely only on police to fight domestic violence. What the police does is to take the victim away from the venue of violence, but this is not enough: there must be the needed infrastructure to take care of their security."⁵⁹

⁵³ Interview with Behxhet Shala, executive director KIMDNJ. 16.07.2007. Prishtina.

⁵⁴ US Government Report on the respect of human rights in the world for 2005, part on Kosovo.

⁵⁵ Ibid.

⁵⁶ Convention for Elimination of all forms of Discrimination Against Women (CEDAW) was approved by the United Nations General Assembly Resolution 34/180 of 18 December 1979

⁵⁷ Organization for Security and Cooperation in Europe (OSCE) Mission in Kosovo "Report on cases of domestic violence in Kosovo," July 2007

⁵⁸ Section 7 (1) of the Regulation

⁵⁹ "Whose security?" documentary. Interview with Behar Selimi. 2005

FAQE 043

Media have reported about systematic cases of domestic violence, which were unfortunately reported to the police only after their tragic end. Newspaper articles reporting on cases of domestic violence for the period 2006 – 2007 indicate that the problem has taken grave proportions. The common feature of all these articles and of statistics is that women are the most frequent victims of domestic violence. As can be learned from newspaper articles, these cases damage not only the direct victims, but also other members of the family. However, there have been cases when the media have involved in inadequate reporting about domestic violence. This was mainly reflected in the language used in their articles. This language, in stead of showing the needed sensibility, often only confirmed and further sanctioned the existing mindset and prejudices on the phenomenon.

"the bat is not being used so often to stabilize relations in the Kosovar family"
An excerpt from a daily newspaper

Legal infrastructure on domestic violence

UNMIK Regulation No. 2003/12 on Protection against domestic violence foresees various forms of exercising of violence against family, such as: causing bodily injuries, unwanted sexual relations or sexual abuse, causing fear on her physical, emotional and economic situation, abduction, unlawful restriction of freedom of movement, forceful expulsion from home, prohibition of access to the common apartment, repeated behavior aimed against personal dignity of the victim, etc. Domestic violence is fought by various institutions and authorities, which are also involved in preventive activities. Institutions like Kosovo Police Service and Division for supporting victims of domestic violence (within the Ministry of Justice) are required by law to extend every needed assistance and pre-conditions to victims of domestic violence in order that they enjoy all their rights provided to them by law. A number of measures are foreseen to protect the victim of domestic violence. These measures include protection orders, orders for emergency protection and orders for provisional emergency protection, which prohibit the accused from approaching the victim and potentially from committing another act of domestic violence against the protected person – in the concrete case the women victim. According to this regulation, the protection order is issued by the

FAQE 044

court, which is competent in the territory where domestic violence has occurred. According to provisions of the Kosovo Provisional Criminal Code, the order is issued upon request of the person against whom violence was exercised.

Law enforcement authorities are responsible to undertake necessary measures in implementing protection measures and, in particular, in following up on the observation of the protection order. They are also responsible to bring adequate decisions and to inform the court about the relevant proceedings. According to article 15 of this regulation, violation of protection orders are considered as criminal offences and as such are penalized with fines from 200 to 2.000 Euros, or with prison sentences up to six (6) months.

According to procedures foreseen by provisions of the regulation on domestic violence, once a case is reported to the police and after the Unit for Advocacy and Support of Victims is informed, the Unit assigns a defending officer (lawyer) to protect the victim's interests. If the victim is in need for a shelter, the Unit refers her/him to the respective venue. This Unit pays the sheltering NGO-s and looks after the victim until the end of the court proceedings and trials. After the end of proceedings the victims are most frequently referred to organized shelters for refuge. Currently there are 5 such shelters distributed in bigger centers, such as: Gjilan, Mitrovica, Prishtina, Pejë and Gjakova. Services that various women's non-governmental organizations⁶⁰ offer to victims in these shelters are the following: accommodation, food, psycho-social support, training of various types (courses of English language, tailoring, computer courses, etc.), increasing their awareness on their rights and legal support. According to the survey carried out with representatives of these shelter homes and NGO-s, the most frequent causes for referral of women to these shelters are the following: psychological violence, physical violence in the family, sexual violence and trafficking.

Victims referred to these shelters usually come from Kosovo, but there are also cases when these shelters admit victims coming from other countries. The shortest period a victim can spend in shelters is 24 hours, whereas the longest time is approximately between 6 months and 3 years. Apart from services and support that victims receive in these shelters, there do not seem to be any other mechanisms and services working towards the process of re-socialization of the victims. This may be one of the reasons that the victims are left with only a few other options then to return to the environment they used to be before the violence against them had occurred. Whereas regarding security of victims in the shelter homes, there are infrequent cases when they are threatened while staying in the shelters.

⁶⁰ Part of the financial support for these shelters is provided by the Ministry of labor and Social Welfare, by various local and international organizations and, in some instances, by private enterprises.

FAQE 045

TRAFFICKING IN PERSONS

Trafficking in persons, especially of women and children, continues to be a source of grave concern in the entire region. Having in mind that Kosovo is in a period of transition, the Kosovo Police Service sees this as an opportunity for moral and psychological exploitation of persons.⁶¹

In Kosovo, in general, women are the most frequent victims of trafficking, who are mainly trafficked for the purpose of sexual exploitation, since trafficking can be done also for other reasons, such as transplantation of body organs and slavery.

This is also confirmed by Ramadan Ahmeti, chief of anti-trafficking division in the Kosovo Police Service, when he says that: "we have not encountered cases of trafficking for purposes of slavery and transplantation of body organs yet."⁶² "Trafficking of women for purposes of sexual exploitation takes place nowadays all over the world, whereby women from Moldova, Romania, Ukraine, and Albania are coerced to engage in prostitution."⁶³

During the period 2001 - 2006 91 victims of trafficking were identified, whereby 85 of them were used for purposes of sexual exploitation, 4 for forced labor, and 2 of them were used for beggary or stealing.⁶⁴

According to a research on Trafficking in Human Beings in Kosovo "most of the respondents believe that young women and girls are more exposed to the phenomenon of trafficking, since, they say, traffickers profit faster, easier and more money from them."⁶⁵

According to sources of IOM, in the period between 2001 and 2006, from the total number of 91 victims 30 were identified in 2006, 17 in 2003, 12 each in 2002 and 2005, 11 victims in 2004, 6 in 2001 and three victims have been recorded until March 2007.

The number of victims doubled between 2001 (6 victims) and 2002 (12 victims). In 2003 there were 5 victims more than in 2002, whereas there was a drop in the number of victims between 2003 and 2004.

⁶¹ Express journal, Sunday, 15 July 2007, page 13

⁶² Interview with Ramadan Ahmeti, chief of anti-trafficking division. 28.06.2007. Prishtina

⁶³ IOM "Anti-Trafficking Unit". Project of returns and reintegration. 2000-2002

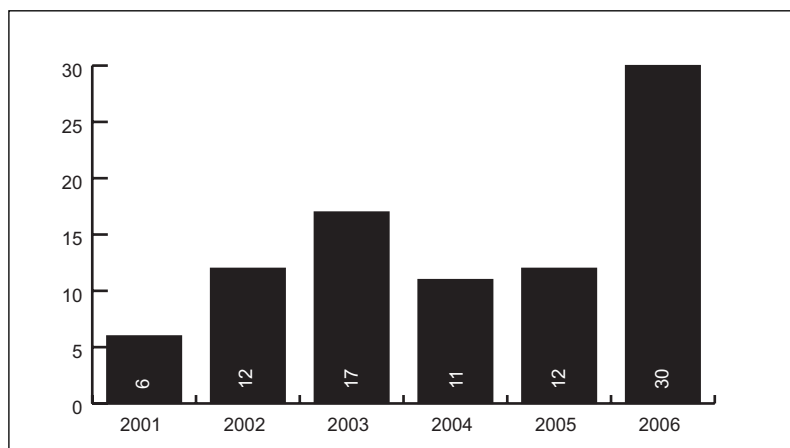
⁶⁴ Data obtained from IOM

⁶⁵ Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 046

Graph 7: Number of young local victims according to months and years
Source: IOM



Based on this, we understand that the highest number of victims recorded in this period was in 2006 when, compared to 2001 (6 victims), the number of victims grew by five times (30 victims in 2006).

The largest number of cases is recorded in Prishtina, with 28.57 percent of the total number of victims of trafficking. Next in line come: Mitrovica with 23.07 percent, Gjilan with 15.38 percent, Ferizaj with 12.08 percent, Peja with 6.59 percent, Gjakova and Prizren each with 5.49 percent, and Kaçanik with 3.29 percent of cases.

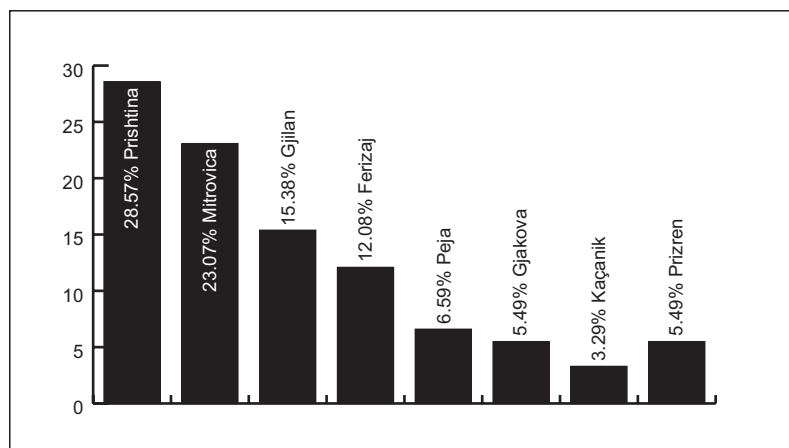
The majority of victims of trafficking, or 36 percent are from 16 to 18 years of age or juvenile persons, 26 percent belong to the age-group 19 - 25, 20 percent are over the age of 25, whereas 18 percent are of the age between 12-15 years.

At the same time, from the perspective of level of education, the majority (or 41) of the total number (91) of victims of trafficking have completed 9 years of elementary education, 33 of them have completed 5 years of primary education, 11 are without any education, 5 have upper secondary education and 1 has a university degree.

FAQE 047

Graph 8. Number of victims according to location (in %)

Source: IOM



The same source, when discussing methods of recruitment, shows that 59 victims were promised employment, another 26 were promised marriage, whereas 6 victims were kidnapped.

The common feature of all these reports on trafficking in human beings is that most of the victims come from rural areas and of a low social and economic status, with more than half of them having received very little if any education.

“The Anti-Trafficking Unit is a unit within the Kosovo Police Service engaged in fighting trafficking in persons in three directions: **prevention** of crime and other such acts, **prosecution** of perpetrators and presentation of facts before the court and **protection** and assistance to the victims of trafficking.”⁶⁶

The report of work for the period January – June 2007, says that there is lack of staff in several regions, which is accompanied by a vague structure and internal organization of the unit.

In the framework of its operations, the anti-trafficking unit of KPS has involved in 91 operations of surveillance, 37 undercover operations, 56 joint opera-

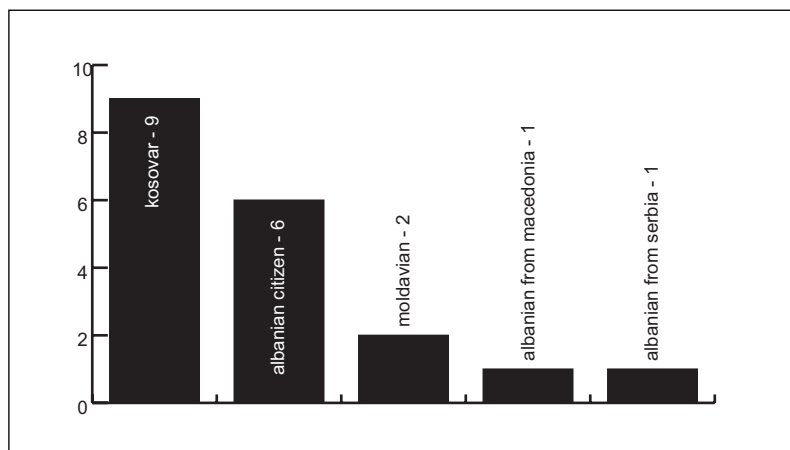
⁶⁶ Used by Kosovo Police Service (KPS)

FAQE 048

tions with other units and 15 operations in the municipalities. At the same time, regarding clubs and other premises suspicious of illegal activities of prostitution, the report says that 591 have been searched and 10 were closed down. In the framework of these operations, the report reads that 46 persons have been interviewed for suspicion of trafficking in persons, 15 for minor offences "emigration" and 83 as witnesses. During the period January – June 2007, members of this unit have arrested 26 persons (18 men and 8 women). At the same time, 29 new cases have been opened and prepared for the court, 13 were sent to the court, 10 cases were closed and 17 cases are under investigation.

A man (40) was arrested during the weekend by the police in Gjilan, and is being kept in detention by the order of the public prosecutor, for involvement in a case of trafficking in persons. During the control of an unlicensed car, the police found a woman who had been trafficked.⁶⁷

Graph 9 Number and nationality of victims during the period January – June 2007
 Source: Anti-trafficking unit; Kosovo Police Service



⁶⁷ Express, Tuesday, 10 July 2007, page 11

FAQE 049

Only during the period January – June 2007, 19 **victims** of trafficking have been identified. Of them, 6 are Albanian citizens, 9 Kosovars, 2 from Moldova, 1 Albanian from Macedonia, and 1 Albanian from Serbia. Out of the 19 victims, 13 of them have been offered institutional support, whereas 6 of them were repatriated.

Ariana Qosja - Mustafa, National Legal Advisor for women and children and member of the OSCE Anti-Trafficking Unit, when speaking of the problem of trafficking, informed that the largest number of trafficked girls come from Moldova and Russia, a few cases come from Bulgaria and a small number from Albania and Romania, even though she says that there is a trend of a growing number of victims of trafficking coming from among Kosovar girls.

Most of the girls came from Kosovo, mainly in the age of 16 and 25.
A victim of trafficking, Kosovar Albanian⁶⁸

The same is confirmed by Virjijina Dumnica (UNDP). She said that there has been a growing number of Kosovar girls trafficked internally. "It has become a grave problem, especially in the municipality of Ferizaj and partly in a part of Prizren,"⁶⁹ explained Dumnica.

The US Government Report on respect of human rights in the world, in its part on Kosovo, says that: "Kosovo is a source, transit, and destination point for trafficked persons. Internal trafficking is a growing problem. Similar to previous years, most of the victims were women and children trafficked from the Eastern Europe, Balkans, and from the former Soviet republics to Kosovo, primarily for sexual exploitation, but also for services or forced labor in bars and restaurants. These victims were sometimes trafficked further to Macedonia, Albania and Western Europe."⁷⁰

The Research on Trafficking in Persons in Kosovo points out that more than half of the interviewed believe that Kosovo is a transiting country for trafficking, whereas one fourth of them admit that Kosovo is also a country of origin of trafficking.

⁶⁸ Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human Beings, Kosovo 2007, page 55

⁶⁹ Interview with Virjijina Dumnica (UNDP) given to Lynne Alice of CEDAW project on 22.06.2007 Prishtina.

⁷⁰ US Government Report on the respect of human rights in the world for 2005, part on Kosovo. 119. Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human Beings, Kosovo 2007

FAQE 050

The aforementioned research emphasizes another aspect that has to do with the level of information on trafficking on the part of the citizens as well as their ability to distinguish between trafficking and prostitution. "Respondents had heard the term "trafficking in persons" and to most of the respondents, trafficking carried the meaning of sexual exploitation. Some of them were not able to make the distinction between prostitution and trafficking in persons. Over 65 percent of the respondents from the population could not explain the difference between trafficking and prostitution."⁷¹

Women/girls involve in prostitution because they want to – nobody makes them. I have not heard that someone was abducted by use of force, I have not heard of any such case really; people here call it "women's talk" that someone has allegedly been kidnapped or abducted, whereas regarding trafficking in persons – to my knowledge, there is none such thing in Kosovo. I do not think that such a phenomenon has gained ground here; only if a girl wants to, if she agrees with the group of people, then maybe that could be called trafficking, I do not know really.
Student, 22⁷²

Because of the mindset in Kosovo and because of the lack of support, victims of trafficking are often stigmatized as prostitutes. This later affects their lives by making their re-socialization more difficult. This is also confirmed by Ariana Qosja – Mustafa, according to whom these victims are very young and, because of the traditional mentality, they are labeled as prostitutes by the society.
"There is a case in the Municipality of Peja where a whole family has been isolated by the village because the parents agreed to let their daughter, a victim of trafficking, live together with them again in their house."⁷³

These women have no character whatsoever, they are immoral, like their clients, since they, too, should know that they are doing a mistake by going to these places – night clubs.⁷⁴

A citizen of Prishtina

⁷¹ Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human Beings, Kosovo 2007

⁷² Focus Group. For more detailed info on criteria for selection of men to this focus group, see "Description of methods."

⁷³ Interview with Ariana Qosja Mustafa – National Legal Advisor for Women and Girls and member of the Anti-trafficking unit of OSCE. Interview given to CEDAW project (KCGS), interviewed by Lynne Alice. 26.06.2007. Prishtina

⁷⁴ Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human Beings, Kosovo 2007.

FAQE 051

"Currently, trafficking is a sensitive issue, but apart from that, I do not think that we can ever invest enough money, carry out enough training, or take this thing with the due and serious approach."⁷⁵

Over 40 percent of respondents believe that the police should look after and fight the phenomenon of trafficking, whereas 38.4 percent think that responsibility should fall on the government of Kosovo.⁷⁶

Colonel Sheremet Ahmeti says that the police is actively involved in finding and catching perpetrators of this negative phenomenon. "We have had our units trained to fight these activities and I believe that through concerted efforts and engagement of all we will manage to have done with this malady once and for all."⁷⁷

However, another grave problem to the work of police in this field, apart from the lack of adequate staff, is that the KPS efforts are hampered by the inadequate treatment of traffickers by the courts of justice.

Government authorities have made it public that they are engaged in efforts to build capacities and to better support (through promotion and financially) those who will be dealing exclusively with cases of trafficking, says Cyme Mahmutaj, senior officer for Good Governance in the Government of Kosovo, who goes on to add that: "The Regulation against trafficking in persons in Kosovo was drafted at a time when this phenomenon had a different mapping from what it is today; then when had more girls from Moldova trafficked to Kosovo, whereas nowadays the structure has changed significantly."⁷⁸

Flora Macula⁷⁹, advisor for Governance and Peace for Southeastern Europe in the UNIFEM Office in Kosovo thinks that the Government should do more in preventing and fighting the phenomenon of trafficking, because it has begun to spread in Kosovo menacing even the security of juvenile girls.

Due to the lack of intervention of institutional mechanisms in monitoring places where prostitution is carried out, the residents have, in several cases, self-organized in fighting trafficking and prostitution.

"Residents of Sadik Tafarshiku neighborhood in Ferizaj, through self-organization, have closed down ten night-clubs, which were claimed to be involved

⁷⁵ Interview with Clare Hutchinson, chair of UNMIK gender equality office. 19.06.2007. Prishtina

⁷⁶ Research Study on Trafficking in Human Beings. Partnership Against Trafficking in Human Beings, Kosovo 2007.

⁷⁷ Express, 9 January 2007, page 12. Besiana Xharra

⁷⁸ Interview with Cyme Mahmutaj, senior official in the Government Office for good governance, human rights, equal opportunities and gender issues, 20.08.2007, Prishtina

⁷⁹ Interview with Flora Macula of UNIFEM

FAQE 052

in practicing prostitution, which has reopened the alarming issue of trafficking in persons that was, in most cases, kept away from the eyes of the public opinion."⁸⁰

Igballe Rogova, executive director of the Network of Women's Groups in Kosovo points out that most difficulties in fighting the phenomenon of trafficking relate to the current problems present in the judicial system, as well as in the obvious lack of political will of UNMIK and KFOR to prevent this phenomenon. "There are mechanisms, but the judicial system should function to punish the traffickers."⁸¹

The executive director of the CDHRF, Behxhet Shala, is convinced that the phenomenon of trafficking gained grounds especially after the installation of the international administration in Kosovo. "Trafficking gained ground mainly after the arrival of internationals since trafficking follows where there are numerous international police and military troops and where there is international administration. However, this phenomenon did not start here in Kosovo; it usually gains ground in countries with a low standard of living, in countries going through post-conflict periods and where there had been international intervention,"⁸² said Shala. In this context, Shala accused internationals for trafficking since, according to him, instead of establishing mechanisms for prevention of trafficking; they deal with consequences, by extraditing or by finding temporary shelter to the women – victims of trafficking. "Internationals are those who have helped in booming of trafficking; they have run trafficking and they have not undertaken any measures to prevent it,"⁸³ said Shala.

To Adile Basha, head of division for protection of family in the Ministry of Labor and Social Welfare, trafficking is a post-war phenomenon. "The phenomenon of trafficking in persons is a source of grave concern for the Kosovar society; as a matter of fact, trafficking in human beings as a new phenomenon in Kosovo, started to be recognized only after the last war – after 1999,"⁸⁴ pointed out Basha.

Ariana Qosja Mustafa emphasizes that "After the arrival of international mil-

⁸⁰ www.agimi.com/modules.php?name=News&file=article&sid=339, taken from internet on 30 May 2007. Authors: Milazim Krasniqi "Inclusion of Kosovo in reports of various organizations as a country of trafficking and of enslaving prostitution of the highest level, does not help the Kosovar arguments that an independent Kosovo would be a factor of stability in the region.

⁸¹ Interview with Igballe Rogova, executive director of Kosova Women's Network. 18.09.2007. Prishtina

⁸² Interview with Behxhet Shala.

⁸³ Interview with Behxhet Shala.

⁸⁴ Interview with Adile Basha, head of division for protection of family, Ministry of Labor and Social Welfare. 11.07.2007. Prishtina.

FAQE 053

itary and police troops in Kosovo in 1999, the internationals were the main clients and users of these services. Whereas now, statistical data and facts indicate that the locals have taken lead as the main users of the services of trafficking.”⁸⁵

The phenomenon of trafficking remains undoubtedly a very disquieting issue and a serious challenge for the institutions and the society in preventing and combating it.

Legal infrastructure and the phenomenon of trafficking in persons

UNMIK Regulation No. 2001/4 of 12 January 2001, on prevention of trafficking in persons foresees penalizing of traffickers in persons. Any person who engages or attempts to engage in trafficking in persons commits a criminal act and shall be liable upon conviction to a penalty of two (2) to twelve (12) years’ imprisonment. Where the victim of trafficking is under the age of 18 years, the maximum penalty for the person engaging in trafficking shall be up to fifteen (15) years’ imprisonment. Any person who, through negligence, facilitates the commission of trafficking in persons commits a criminal act and shall be liable upon conviction to a penalty of six months to five (5) years’ imprisonment (Section 2, paragraph 1, 2, and 4 of UNMIK Regulation No. 2001/4).

Section 4.1 of this Regulation reads that: “Any person who uses or procures the sexual services of a person with the knowledge that that person is a victim of trafficking in persons commits a criminal act and shall be liable upon conviction to a penalty of three (3) months to five (5) years’ imprisonment.”

“Where the person providing the sexual services referred to in section 4.1 is under the age of 18 years, the maximum penalty for the person convicted of using or procuring such services shall be up to ten (10) years’ imprisonment.”

(Section 4.2.)

What makes this Regulation special is the fact that the Special Representative of the Secretary General appoints a coordinator for assisting the victims, who is responsible for coordinating the implementation of this Regulation. In the exercise of his or her duties, the Victim Assistance Coordinator shall liaise with the relevant law enforcement authorities, international and non-governmental or other organizations, and administrative departments as necessary (Section 9). Section 10 of this Regulation deals with the support to the victims of trafficking.

⁸⁵ Interview with Ariana Qosja Mustafa – National Legal Advisor for Women and Girls and member of the Anti-trafficking unit of OSCE. Interview given to CEDAW project (KCGS), interviewed by Lynne Alice. 26.06.2007. Prishtina

FAQE 054

According to this Section "Upon the request of a person who provides to the Victim Assistance Coordinator reasonable grounds for belief that she or he is a victim of trafficking, the following services shall be provided to that person, subject to availability of resources provided in accordance with section 9.2, free interpreting services in the language of their choice, free legal counsel in relation to trafficking issues (criminal or civil), temporary safe housing, psychological, medical and social welfare assistance as may be necessary to provide for their needs; and such other services as shall be specified in an administrative direction.

UNMIK Regulation No. 2003/25 (of 6 July 2003) promulgating the Provisional Criminal Code of Kosovo, in Section 139, paragraphs 1,2,3,4,5,6 and 7 foresees penalty provisions for traffickers in persons.

- Whoever engages in trafficking in persons shall be punished by imprisonment of two to twelve years. When the offence provided for in paragraph 1 of the present article is committed against a person under the age of 18 years, the perpetrator shall be punished by imprisonment of three to fifteen years.
- Whoever organizes a group of persons to commit the offence in paragraph 1 of the present article shall be punished by a fine of up to 500,000 euro and by imprisonment of seven to twenty years.
- Whoever negligently facilitates the commission of trafficking in persons shall be punished by imprisonment of six months to five years. Whoever uses or procures the sexual services of a person with the knowledge that such person is a victim of trafficking shall be punished by imprisonment of three months to five years. When the offence provided for in paragraph 5 of the present article is committed against a person under the age of 18 years, the perpetrator shall be punished by imprisonment of two to ten years.

When the offence provided for in the present article is committed by an official person in the exercise of his or her duties, the perpetrator shall be punished by imprisonment of five to fifteen years, in the case of the offence provided for in paragraph 1 or 2, by imprisonment of at least ten years, in the case of the offence provided for in paragraph 3, by imprisonment of two to seven years in the case of the offence provided for in paragraphs 4 or 5 or by imprisonment of five to twelve years, in the case of the offence provided for in paragraph 6.

FAQE 055

INFLUENCE OF SMALL ARMS AND LIGHT WEAPONS TO GENDER VIOLENCE

*"I have heard old men saying that if your wife knows that you have a firearm in your house, you better sell it or take to police yourself"*⁸⁶

Research carried out in numerous countries around the world show that most of the crimes committed with small firearms and light weapons are done by men, who are also the most frequent victims of these crimes.

According to the research "A research into Small Arms and Light Weapons in Kosovo", carried out from January till April 2006, men presented 95 percent of those who were accused of murders committed with firearms, whereas women participated with a ratio of 5 percent. However, women were victims in 13 percent of cases of murder with small arms and light weapons.

"Firearms kill more men than women. Over 90 percent of victims killed from firearms around the world are men. In Kosovo, it is estimated that around 330.000-460.000 light weapons are in possession of civilians. According to these data, we also learn that most frequent owners of these firearms are men of age over 18."⁸⁷

In this context, Kosovo faces a serious challenge to put these arms and weapons under control.

"The main goal of authorities in the process of small arms control is not disarm the population, but to strengthen the control of small caliber arms and light weapons in Kosovo."⁸⁸

According to Blerim Kuqit, Minister of Internal Affairs, his ministry thinks that control of small arms and light weapons is a very important issue. In order to achieve this, he says that competent institutions have to be capable.⁸⁹

Helena Vazquez, leader of the KOSSAC⁹⁰ project, expresses her concern about the lack of a regulation for arms control. "The Constitutional Framework has many shortcomings. This situation has to change and Kosovars must react. There has got to be coordination between the relevant sector ministries and the Assembly of Kosova," she said in the conference organized by the UNDP.⁹¹

⁸⁶ Focus Group with men organized with mans on 25.10.2007.

⁸⁷ Koha Ditore daily newspaper, Friday, 25 May 2007 – Ann Sophie Nilsson (the author is head of Swedish Liaison Office in Kosovo).

⁸⁸ Downloaded from internet on 23 April 2007. Gani Lajqi "Challenges of Kosovo from illegal firearms". Interview given by Frode Mauring, chief of UNDP.

⁸⁹ Ibid., interview given by Blerim Kuqi, Minister of Internal Affairs

⁹⁰ KOSSAC - Kosovo Small Arms Control

⁹¹ Koha Ditore daily newspaper, Thursday, 12 April, 2007, Kastriot Jaha "Firearms for self-protection."

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 056

Despite efforts by KFOR and by other international organizations for collection of firearms in Kosovo, statistics show that presence of firearms in the hands of citizens continues to be alarmingly high.

Table 2 Media monitoring by UNDP in 6 Balkan countries
Source: UNDP – South Eastern and Eastern Europe Clearing House for the Control of Small Arms and Light Weapons

Country	Authors		Victims	
	Male	Female	Male	Female
Albania	92 - 98 %	2 - 2 %	55 - 81 %	13 - 19 %
Bosnja and Herzegovina	60 - 98 %	1 - 2 %	45 - 92 %	4 - 8 %
Croatia	219 - 98 %	4 - 2 %	110 - 63 %	66 - 37 %
Macedonia	59 - 100 %	0 - 0 %	43 - 90 %	5 - 10 %
Kosovo	620 - 98 %	10 - 2 %	219 - 93 %	16 - 7 %
Montenegro	24 - 100 %	0 - 0 %	22 - 92 %	2 - 8 %
Percentage %	99 %	1 %	85 %	15 %

Based on an analysis of media monitoring (for year 2007), which covered 6 countries in Western Balkans (Albania, Bosnia and Herzegovina, Croatia, Macedonia, Kosovo and Montenegro) and carried out by the UNDP, we learn that in general perpetrators of crimes with firearms are men in 99 percent of cases. An extremely low figure in this respect is referred to the women, who are involved only by 1 percent in this kind of crimes. According to this report, most of the victims are again men (with 85 percent), and women in 15 percent of the cases recorded. This shows that in these Balkan countries men kill, but also get killed more by firearms.

FAQE 057

Kosovo, leads in the region both regarding perpetrators and the number of victims, always compared to the other five countries included in the report. Out of the 630 authors of crimes with firearms in Kosovo, 620 of them were men, whereas only 10 of them were women. This report shows that men are not only executors, but most often also victims of these acts, whereby out of the total number of 235 victims 212 are men and 13 are women.

According to this media monitoring report, after Kosovars, Croats are those who "kill and get killed" most in the region. Here, too, most frequent authors of crimes with firearms are men (219 out of 223 perpetrators in total), whereas women are again in the minority (4 out of 223). We also learn from the report that the total number of victims is 176, with 110 men and 66 women victims.

Out of 94 authors of firearm crimes in Albania, 92 are men and only 2 women. These acts in Albania have resulted with 68 victims, out of which 55 persons were men and 13 were women.

In Bosnia and Herzegovina, there are 60 men and 1 woman perpetrators of criminal acts carried out with firearms. Out of 49 victims of firearms in Bosnia and Herzegovina, 45 are men and 4 are women.

At the same time, based on regional analysis of the media monitoring reports, there were 50 perpetrators of crimes with firearms – all of them men. Whereas from the total number of (48) victims, 43 are men and 5 are women. Statistics in Montenegro show that 24 men executors are recorded with firearms, killing 22 other men and 2 women.

Ann Sophie Nilsson, head of Swedish Liaison Office in Prishtina, in an article published in the "Koha Ditore" daily, among other things, says that: "Abuse of small and light firearms contributes to the inequality between men and women and to crime rates in countries all across the globe, both in those affected by war and in those in a state of peace. Whereas majority of those using firearms and getting killed or wounded by them are men, still women remain very vulnerable to the effect of barrels."⁹²

According to various researches, women are more exposed and more in danger by the use of small and light firearms in the family, respectively by the violence between partners.

"There is still very little attention paid to gender perspectives during the implementation of policies on firearms' control around the globe. Cultural norms that associate manhood with violence must be challenged worldwide both

⁹² Koha Ditore/ Friday, 25 May 2007 – Ann Sophie Nilsson (the author is head of the Swedish Liaison Office in Kosovo).

FAQE 058

internationally and locally."⁹³ Ann Sophie further adds that: "The relation between men and firearms is not a biologic result towards manhood. However, men and women in most cultures perceive violence and possession of arms as integral part of manliness."⁹⁴

Associating arms and manliness is a characteristic of the Kosovar society, too. This is confirmed by the answers of respondents belonging to both genders who participated in the focus group organized by the KGSC.

For women respondents, presence of arms in the house is unnecessary, because they are primarily seen as instruments of danger, rather than of personal security.

My son is 18. A friend of his and our neighbor invited him to his house a few days ago. Later they climbed to the attic, where the friend showed my boy his father's gun. My son got scared and told me about the event. I then spoke to my neighbor, but she told me not to make a big deal out of it.

Women, employed in the private sector (44)

Asked about whether keeping a firearm at home makes them feel more secure, some of them men said that it is needed, always having in mind the current security situation in Kosovo.

If we keep in mind the current situation, the delays in deciding the status of Kosovo (with all the uncertainty that accompanies the whole process), I feel it is needed to have a firearm.

Men, unemployed (22)

Respondents coming from both genders have the same opinion on the issue of carrying fire arms at home. They all agree that there is a large number of small and light firearms in the possession of citizens. However, whereas men respondents see presence of these arms in homes as a source of security, women see it as a source of danger.

"My perspective on security goes beyond the traditional understanding. Therefore, I consider that presence of arms means insecurity to me."⁹⁵

⁹³ Ibid.

⁹⁴ Ibid.

⁹⁵ Interview with Clare Hutchinson

FAQE 059

Use of small firearms and light weapons in domestic violence

If we remember that the most frequent victims of domestic violence are women,⁹⁶ then it is normal to expect that presence of firearms in homes significantly increases dangers to women's lives.

"When violence between partners includes use of firearms, risk against woman's life increases drastically. Firearm increases the risk of death by 12 times compared to other instruments of violence. Violence of firearms is more deadly than the others since shooting causes heavy wounds, dangerous for life, and because the mere presence of a weapon reduces the victims chances to escape or the other people's chances to intervene and help."⁹⁷

According to statistics of KPS, in 2004 1.318 cases of domestic violence were reported, whereas in 2005 this number grew to 1370. Use of firearms accounts for 17 incidents of domestic violence in 2005 and for 13 in 2006. In all these cases, with only one exception, the accused for committing the act were men, whereas 81 percent of the victims were women.

Data from a research made by AVL-s show that in the vast majority of cases the firearms were used by men to threaten a woman. Only in three cases involving firearms, a man attacked another men member in the family, and in three other cases husband and wife went against one another.⁹⁸

Some forms of violence against women are special in their very nature, understanding of which could help in moving towards effective interventions. Ann Sophie Nilsson's article points out that women's struggle in combating violence caused by firearms are neglected and receive almost no support at all. Therefore, she believes that women's resources, including awareness raising, studying of issues, expertise in conflict settlement, and votes in elections are crucial for a long term impact in reducing abuse of firearms.

On the other hand and in the local perspective, the process of small arms control should pay more attention to and better reflect the gender perspective. Inclusion of this perspective in the process of small firearms and light weapons control would certainly contribute to achieving and preserving of a more sustainable peace, which is also an important component of Resolution 1325.

⁹⁶ See chapter "Domestic violence"

⁹⁷ Ibid.

⁹⁸ FIQ "Research on small arms in Kosovo", page 27.

FAQE 060

Legal infrastructure

UNMIK Regulation No. 2003/25 on the Provisional Criminal Code of Kosovo in its section 328 foresees penalty provisions for unauthorized possession or use of fire arms. According to this Section: "Whoever uses or brandishes a weapon in a threatening, intimidating or otherwise unauthorized manner or directs another person to do the same shall be punished by a fine of up to 10,000 euro or by imprisonment of one to ten years." This Regulation also foresees a fine of up to 7,500 euro or by imprisonment of one to eight years for all persons who own, control, possess or use a weapon without a valid Weapon Authorization Card for that weapon. When the offence provided for in paragraph 2 of the present Article involves a large amount of weapons, the perpetrator shall be punished by imprisonment of one to ten years.

Also, UNMIK Regulation Nr. 2001/7 on the Authorization of Possession of Weapons in Kosovo foresees conditions and procedures for issuing licenses for carrying weapons. According to Section 2 of this Regulation, UNMIK Police, as the sole authority responsible for the authorization of possession of weapons in Kosovo, shall be responsible for the issuance of WACs, except in respect of KFOR authorized weapons. The UNMIK Police Commissioner shall issue administrative instructions and standard operating procedures relating to the issuance of WACs, setting forth the terms and conditions that shall apply to such cards, including the procedure and requirements for application therefore.

A person may only lawfully own, control, possess or use a weapon in respect of which a WAC has been issued to him or her. A WAC shall only be issued to a vulnerable person exclusively for self-defense and/or to his or her duly registered and approved bodyguards exclusively for the protection of such vulnerable person against the threat or use of deadly force.

FAQE 061

SECURITY OF MEN AND WOMEN IN THE PRISONS OF KOSOVO

The mission of the correctional service of Kosovo, in cooperation with all partners of criminal justice and in full harmony with the applicable law in Kosovo, is to rehabilitate re-socialize the convicts by respecting their fundamental freedoms regardless of race, language and religion and to ensure a safe environment for the staff, inmates and for the society.

The Correctional Service of Kosovo⁹⁹ was established on November 5, 1999 initially with opening of a detention center in Prizren. Out of the total number of employees in the correctional service of Kosovo, 83 percent are men and 17 percent are women.

"UNMIK Regulation 2006/26 reinstates Kosovo authorities as the competent ones in the field of correctional services, whereas its full application started on September 2006. Nowadays, we manage the Correctional Center in Lipjan, the high security prison in Lipjan and detention centers in the region, with the exception of sector 1 in Dubrava, where KLA prisoners are accommodated, which is still managed by UNMIK," says minister Jonuz Salihaj¹⁰⁰ Xhevat Mexhuani, Commissioner of the Correctional Service of Kosovo, says that consisting elements of prisoners' security are the following: physical security, procedural security and dynamic security. By physical security he implies walls, fences and iron bars, which characterize every prison in the world. Procedural security provides for security standards foreseen by law, which guarantees a safe and undisturbed life for the inmate. Whereas, dynamic security implies staff close relations with the prisoners, so that it makes it easier for them to face the challenges of serving their prison sentences.¹⁰¹

Behxhet Shala, executive director in CDHRF, says "in spite of improvements, the overall situation in the prisons in Kosovo is not fully in accord with the internationally set standards, which are accepted also in Kosovo."¹⁰²

Xhevat Mexhuani confirms this saying that all prisons, correctional and penitentiary centers and district prisons have to significantly improve their physical conditions.

⁹⁹ Correctional institutions in Kosovo are: High security prison of Dubrava, with a semi-open annex; Correctional Center in Lipjan (semi-open type); detention centers (Prishtina, Mitrovica, Gjilan, Prizren and Lipjan) and the hospital in Dubrava prison.

¹⁰⁰ Kosova Press, 4 June 2007, Interview with Jonuz Salihaj "Those who used force unprofessionally on 10 February will have to answer for their acts."

¹⁰¹ Interview with Xhevat Mexhuani, Commissioner of the Kosovo Correctional Service, 09.07.2007, Prishtina

¹⁰² Interview with Behxhet Shala, Executive Director of CDHRF. 16.07.2007. Prishtina

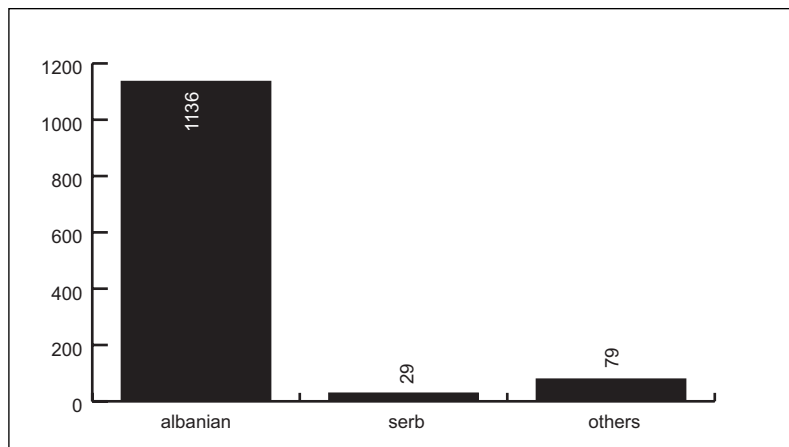
MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 062

The issue of overpopulation in prisons is one of the key issues which was raised by the Ombudsperson with the Department of Justice. "Cells and other spaces for accommodation of prisoners in the Dubrava Prison are too cramped, insufficient for all the prisoners serving their sentences there and do not comply with international standards,"¹⁰³ was pointed out by Hilmi Jashari.

In order to obtain first-hand information about the rights of prisoners inside the prisons, the institution of Ombudsperson in Kosovo has installed complaint boxes in every facility, where the inmates can express their discontent. After analyzing these complaints, the Ombudsperson makes his concrete recommendations. According to Hilmi Jashari, acting Ombudsperson in Kosovo, in most of the cases, these recommendations are observed and action taken accordingly. Some of the concrete recommendations were the following: improvement of conditions of hygiene, fixing of ventilation in rooms and cells, etc. For regular monitoring of the prisoners' situation, the Ombudsperson sends two of his representatives to regular site visits of Lipjan Prison where they take two weeks to visit, interview and receive correspondence and complaints.¹⁰⁴

Graphic 10: Presentation of prisoners based on ethnic affiliation
Source: Ministry of Justice, Correctional Service of Kosovo 1999-2007



¹⁰³ Interview with Hilmi Jashari, acting Ombudsperson in Kosovo, 25.05.2007, Prishtina

¹⁰⁴ Interview with Hilmi Jashari

FAQE 063

The Correctional Center in Lipjan, the only center with women prisoners, detainees and juvenile girls, says Ilir Kelmendi, deputy director in this Center. "We have to take care that all these categories are separated and that they enjoy all rights they are entitled to according to the law,"¹⁰⁵ he goes on to say. According to him, there are two women in one room, whereas their selection is done by the supervisory team. This prison also hosts prisoners belonging to other nationalities.

Regarding categorization of prisoners in their rooms, Kelmendi says that "we do not accommodate persons who have committed the same crime in the same room; for instance, we do not get two murderers in the same room". He says that the reception sector, where prisoners stay during the first 30 days, makes this accommodation easier and allows the staff to get to know better the arrested persons."

The Lipjan Prison currently accommodates 31 prisoners in total, 18 of which are prisoners and 13 are detainees.

In spite of the managers of the Correctional Center in Lipjan that they separate the inmates properly, the CDHRF has noticed that there have been cases of women and juvenile girls in Lipjan, who are placed close to men who were convicted for minor offences."¹⁰⁶

In the Dubrava Prison a school called "Rudina" operates. During the school year 2006/2007 129 prisoners were enrolled in all streams. There is a school for juvenile inmates in the Correctional Center in Lipjan. "It is a compulsory school for juveniles; we have cases when we receive illiterates here in the Center and we have to start with them from the very beginning,"¹⁰⁷ told us Ilir Kelmendi. According to him, during 2006/2007 school year, 35 illiterate minor students attended lessons in this school.

Further Kelmendi adds that there is lack of teachers for this category of pupils since only three professors come to teach three subjects to them."¹⁰⁸

The prisoners can attend various courses, which aim at building their skills in several fields. The opportunities to attend and complete courses inside the prison premises are the same for both genders. Women inmates can attend and complete courses of tailoring, hairdressing, cooking, etc. Apart from these, they can also engage in different crafts.

¹⁰⁵ Interview with Ilir Kelmendi, D/Director at the Correctional Center in Lipjan. 19.07.2007

¹⁰⁶ Report of the US Government on the respect of human rights in the world for year 2005, part about Kosova.

¹⁰⁷ Interview with Ilir Kelmendi, D/Director at the Correctional Center in Lipjan. 19.07.2007

¹⁰⁸ Interview with Ilir Kelmendi

FAQE 064

At 7 am I wake up to go to work in the kitchen, where I wash dishes. My shift lasts until 1.30 pm, when I go back to my sector.
A prisoner in the Correctional Center in Lipjan¹⁰⁹

Another problem of women prisoners is their inability to meet with their relatives. One of the interviewed women prisoners says that they are entitled to one hour of visit from their relatives and family members every two weeks, adding that it is not enough.¹¹⁰

As another means of contact with their relatives, inmates are allowed to use the telephone twice a week ten minutes each time.¹¹¹

Xhevat Mexhuani underlines that: "legislation foresees that the prisoners is entitled to spend three hours in every three months with his/her family members in a special facility and environment." However, the prisoners are deprived of this right which is guaranteed by European conventions: the right to have sexual relations with one's spouse. "We are respecting the law; however, the foreseen amendments, which will soon be approved in the Assembly, foresee implementation of this right, too, so that we will be respecting international covenants," explains Xhevat Mexhuani.

Lack of privacy rooms in the Dubrava Prison has resulted in increased an number cases of homosexuality, prostitution and rapes among the inmates. The most difficult cases have been presented to the Council for Defense of Human Rights and Freedoms.¹¹²

"It is true that the emergency level has been raised; we received indications about this and we went and visited the inmates, where we concluded that there are cases of homosexuality and rape," Behxhet Shala pointed out.

The main factor causing this phenomenon, according to CDHRF, is the fact that there is not a facility available for the inmates to meet their wives, fiancés, or girlfriends. "Lack of intimate contacts with members of opposite sex, with whom they have had relations previously, will necessarily lead to cases of homosexual relations and aggressive behavior, which ultimately result in violence among inmates and forced prostitution," says Behxhet Shala.

¹⁰⁹ Interview with an inmate in the Correctional Center in Lipjan. 19.07.2007, 14:05 pm. Lipjan

¹¹⁰ Interview with a female prisoner 19.07.2007, 14 : 05 pm.

¹¹¹ Ibid.

¹¹² "Express", daily 7 June 2007, page 10. Author: Nebih Maxhuni

FAQE 065

Lack of intimate rooms is a problem for all prisons and correctional institutions in Kosovo, which requires urgent action.

Another issue presenting a form of discrimination for the women inmates and requiring urgent action is the issue of giving birth to babies inside the prisons of Kosovo. "This is one of the main shortcomings of our prisons, where conditions for regnant inmates are below the minimum. According to European standards, the prison should provide conditions for babies grow with their mothers. European prisons even provide kindergartens within their facilities,"¹¹³ said Behxhet Shala of the CDHRF expressing his concerns with the position of pregnant women in prisons.

On the other hand, Xhevat Mexhuani claims that within the Correctional Service there is a facility called "Mother and Child". According to the law, women inmates are allowed to spend up to one year and a half in these facilities, together with their children.

The Correctional Center in Lipjan offers medical care, too. Managers of the CC say that round-the-clock medical services are offered to the inmates. A gynecologist and a dentist visit the Center three times in a week.

"Quality of medical services depends on the individual doctors that work here. We have two doctors – one man and one woman. The care offered by them is not of top quality, but we can go there as many times as we like,"¹¹⁴ says a juvenile inmate.

Medical services in the prisons are run by the Department of Justice, but by the Ministry of Health. All prisoners have full access to medical care, with the first medical examination done immediately upon arrival to the detention center. Prisons do not provide services for regular assessment and analysis of IST, TBC or HIV.¹¹⁵

The interviews done with juvenile and women inmates in the Correctional Center in Lipjan did not raise concerns about exercise of violence either by the staff or between the inmates. However, statements given by inmates of Dubrava prison show that they are subjected to violence, which is denied by the managers of this prison. "We are witnessing a situation when inmates claim that they are beaten, whereas prison staff deny this. There is not doubt that violence is being exercised against inmates, but we cannot know the extent and type of violence, since there are no mechanisms in place for permanent monitoring of prisons on the issue."¹¹⁶ Thus, the CDHRF reports that

¹¹³ Interview with Behxhet Shala

¹¹⁴ Interview with a juvenile. 19.07.2007, 14:00 pm. Lipjan

¹¹⁵ Strategy for prevention of HIV/AIDS in Kosovo 2004 – 2008, Kosovo AIDS Committee

¹¹⁶ Pro et Contra August 2007. Behxhet Shala, executive director in CDHRF

FAQE 066

it has received dozens of telephone calls from prisoners and their families, which accuse prison authorities for abuse and complete isolation. "This is not the first time that violence has been used against the inmates; violence was used before, too, and it was exactly this use of violence and the inadequate treatment of inmates that resulted in violence and in inmates' rebelling in 2003, when we had murder cases and numerous wounded persons."¹¹⁷

On the other side, Sokol Zogaj, Director of the Dubrava Prisons, denies presence of any violence in prisons: "There is no use of force and no cases of violence; there may be a verbal conflict occasionally, but we are interested to minimize individual cases, of course after we have done everything to prevent them."¹¹⁸

Several issues came out of the topics addressed in this chapter; it is obvious that in spite of achievements, a lot remains to be done in identifying and adequately treating difficulties in the way of improving the general conditions, in increasing the care and welfare of the inmates, in developing new programs for more successful re-socialization, including also the need to ensure a higher level of security in the premises.

Legal Infrastructure

The Law on Execution of Penal Sanctions (UNMIK Regulation No. 2004/46 has foreseen provisions covering issues of pregnant women and women with children while serving their sentence.

According to Section 53, paragraphs 1 and 2 of this Law, "a correctional facility for women shall provide health care services for the health care of pregnant women. Arrangements shall be made wherever practicable for children to be born in a hospital outside the institution. If a child is born in the correctional facility, this fact shall not be mentioned in the birth certificate.

Section 54, item 1, foresees that "a convicted woman who has a child may keep the child until he or she is eighteen months old, and, thereafter, the parents of the child shall agree whether the custody of the child shall be entrusted to the father, other relatives or other persons."

If the parents do not agree on the custody of the child or if their agreement is harmful

to the child, the court that is competent according to the permanent or current residence of the mother at the time she was sentenced shall decide to

¹¹⁷ Pro et Contra, August 2007. Behxhet Shala, executive director in CDHRF

FAQE 067

whom the child shall be entrusted (item 2 of section 54).

When rendering a decision under paragraph 2, the court shall give primary consideration to the best interests of the child, including the child's safety and security as well as his or her physical and emotional well being.

When a child remains in a correctional facility with his or her mother, special provision shall be made for a nursery staffed by qualified persons, where the child shall be placed when he or she is not in the care of his or her mother. The competent public entity in the field of judicial affairs shall issue a directive on the provision of care to mothers and children in a correctional facility (paragraphs 3, 4 and 5 of section 54).

Section 81 foresees that: "A convicted woman has the right not to work because of pregnancy, giving birth and maternity in accordance with the general provisions on labour."

This Law, in its Section 19, paragraphs 2, 3 and 4 also sets out reasons and length of stays of execution of sentences of imprisonment for pregnant women and for women with children.

FAQE 068

EDUCATION AND SECURITY

Education and security are among the key factors influencing the lives of women and men. Numerous studies in the field show that level of education, access and equal opportunities of genders to a great extent determine the level of security and social and economic development of society in general. In most of the cases, these issues affect women and girls in Kosovo, in rural areas in particular, since most often they abandon school because of the long walking distance from their places of residence, insecurity, difficult economic situation, etc. According to Arbena Kuriu, UNICEF officer for protection of children, equal education of gender will result in making half of the population economically active. "All studies show that the key factor of emancipation of women in the economically developed countries was education."¹¹⁹ As a result, in order to achieve this emancipation it is necessary women as much as possible in the process of education.

"Education can also play a key role in improving the status of women in the society and would significantly increase family incomes, would reduce illnesses and would significantly lower mortality rates of women and children."¹²⁰

Zijadin Gashi, Regional Inspector at MEST, sees education and security as very closely related. "To achieve education of genders, we need to first increase the level of security and respect for and between genders in schools. In this regard, effective education would also mean more security for genders in schools."¹²¹ He adds that unequal education of genders brings about a situation of general uncertainty and insecurity. "Unequal education not only between the two genders, but also between regions, affects the insecurity of individuals, and therefore, we need to think about equal education of both genders and regions in order to create pre-requisites for adequate education."¹²²

There is a general lack of reports and statistical data on the numbers and causes of illiteracy with women and girls. Level of illiteracy presented in different reports is inconsistent primarily because of the lack of a popular census in Kosovo. However, illiteracy seems to have reached alarming propor-

¹¹⁹ Interview with Arbena Kuriu, project officer for protection of children. UNICEF, 20.07.2007. Prishtina

¹²⁰ <http://www.fao.org/Gender/en/educ-e.htm> "Education, dissemination and communication", downloaded from internet on 14.07.2007.

¹²¹ Interview with Zijadin Gashi, regional education inspector in the Ministry of Education, Science and Technology. 05.07.2007. Prishtina.

¹²² Interview with Zijadin Gashi

FAQE 069

tions for the Kosovar society. Luljeta Vuniqi, executive director in the Kosovo Center for Gender Studies believes that in order to lower the illiteracy rate in Kosovo, a lot more must be done for education of women and girls. "In spite of considerable efforts by the local and international organizations to lower the illiteracy rates in Kosovo, education of women and girls remains an issue requiring special attention."¹²³

A report made public by UNICEF, which refers to a study carried out by the Kosovo Foundation for Open Society and the Kosovo Education Center, says that the level of illiteracy among women and girls in rural areas is at the point of 40 percent, out of which 14.8 percent are fully illiterate (unable to read and write), whereas 12.5 percent have limited reading and writing skills. The thing that concerns most is the fact that the illiteracy rate among girls of age 16-19 is higher than in all other groups and this has come as a result of abandoning schooling during the parallel education system of the nineties (of the last century).¹²⁴

Illiteracy rate for Albanian women and girls is 9 percent and is three times higher than with Albanian men and boys.¹²⁵ According to the "Report on human development in Kosovo", percentage of illiteracy among adult men is in general lower than among Kosovar women. The same is confirmed and supported by facts in the report "Review of internal security sector in Kosovo" which refers to sources from UNMIK office for gender issues, which reports that "percentage of women with no education whatsoever is (6.6%) twice higher than with men (3.1%)."¹²⁶

Illiteracy percentages among women according to national communities in Kosovo are the following: Serbs 4 percent, Albanians 9 percent, for other ethnic groups 11 percent, and for Roma, Ashkali and Egyptian communities 25 percent.¹²⁷

Afërdita Jaha, officer for informal education in the Regional Education Office, tells about projects of informal education that aim at reducing the level of illiteracy among men and women. The basic literacy course for women and girls has been implemented since 2001.¹²⁸

School leaving is also another disturbing issue, which threatens the individuals' security.

¹²³ KGSC "Auditing of Gender Issues in the Education System", page 4, Prishtina, 2007

¹²⁴ Study report on situation of children and girls in Kosovo. UNICEF. February 2004, page 49

¹²⁵ Human Development Report: Rise of the citizen: Challenges and Opportunities. UNDP. Kosovo. 2004. page 30

¹²⁶ UNDP Report: "Review of the Internal Security Sector in Kosovo", UNDP, Kosovo, 2006, page 81

¹²⁷ Voice of Women, a report by (KWN, KWI, UNICEF, UNIFEM, UNDP, UNFPA, WHO, UNHCR), Prishtina (2004) page 18

¹²⁸ Interview with Afërdita Jaha, officer for informal education in the Regional Education Office in Prishtina, Prishtina, 06.06.2007

FAQE 070

A considerable number of pupils in the municipality of Skenderaj are made to drop out from schools because of the dire economic situation. The accurate number of these pupils remains unknown, but, according to municipal officials of education, it is growing constantly.¹²⁹

According to Xhavit Ismajli, deputy-principal of the Upper Secondary Technical school "Anton Çeta" in Skenderaj, this is a disquieting issue since among the drop out there are also students who performed very well. "There is a case when parents with superior education remained unemployed and, as a result, they are facing economic difficulties. In effect, they have had to decide to keep one of their three children from going to school, even though he was a very good student."¹³⁰

Naxhije Buçinca, one of the veteran educators in Kosovo, thinks that girls' dropping out from schools in grades one and two makes them become illiterates soon after. "According to analysis we have done, we learned that girls who drop out from schooling after grades one and two lost their confidence in reading and writing and simply could not use even things they apparently knew. The right to education usually goes to boys, whereas the girl stays behind."¹³¹

A report by the Kosovo Institute of Statistics on the same issue "Women and men in Kosovo", points out that boys are more likely than girls to attend schooling or go to university. "Difference between genders grows with the level of education. In the age-group of 5-14, boys enjoy advantage in education, but margins are insignificant. In the 15-19 age-groups, however, boys escape by 17 percent in education opportunities from girls. Whereas, in the 25-29 cohorts, compared to women, there is a significant advantage of men in education opportunities."¹³²

In primary and lower secondary education, the school abandoning increases at the end of grade eight, especially after the compulsory education was extended for one more year. This extra year has caused insufficient school premises in some rural areas in particular, where the process of instruction (for grade nine of compulsory education) had to be organized in upper secondary schools, which in most of the cases meant that students had to walk or travel longer distances to attend instruction in grade nine. This has made for a number of girls to drop out due to difficult economic and social situa-

¹²⁹ Express, 16 January 2007. Jeton Rushiti, page 9

¹³⁰ Ibid.

¹³¹ Interview with Naxhije Buçinca (leader of the "Veterans of Education" association), BBC, downloaded from internet <http://www.bbc.co.uk/albanian/021121125623.shtml>.

¹³² Kosovo Institute of Statistics, report, "Men and Women in Kosovo", Prishtina, Feb. 2007, page. 28

FAQE 071

tion, and due to lack of transportation and security.¹³³

Agim Bërdynaj, senior official for pre-university education, thinks that the phenomenon of school leaving has not reached alarming levels. He supports this with the lack of accurate data and for the lack of a popular census. "This is a result of non-functioning of mechanisms that would provide us with accurate data, and we are working on it by improving our system for education management information. On the other hand, there is no popular census in Kosovo and, as you can see, there are many factors that make these data inaccurate."¹³⁴

One element that influences school drop out among boys is the labouring children, since for economic reasons they have to work to contribute to their family budget.¹³⁵

According to the report "Girls' enrolment and drop out levels in Kosovo", about 20 percent of those pupils who enroll in grade one drop school until they reach grade eight of compulsory education. And from among these, participation in education of girls, children coming from rural areas and children of Roma, Ashkali and Egyptian communities is comparatively lower than that of other children in Kosovo.¹³⁶

Unlike officials of the MEST, who were inclined to explain the phenomenon of school leaving with the lack of a mechanism for data management, Halim Hyseni from the Kosovo Education Center (KEC), points out that according to research done by the Center shows that the position women is more vulnerable and that girls are more prone to dropping out from school.¹³⁷

Zijadin Gashi talks about the lack of data on cases of school leaving. "It is surprising that municipal departments of education do not keep any records on drop outs."

Only 74 percent of children completing compulsory education move to enroll in upper secondary education. Having in mind that Kosovo has the youngest population in Europe, children dropping out from high schools present a grave potential for disturbances, for becoming street children or for increasing the number of unemployed persons.¹³⁸

Arbena Kuriu - UNICEF

¹³³ Girls' enrolment and dropout from schools in Kosovo, UNICEF, MEST, November, 2004, page 3 - 4.

¹³⁴ Interview with Agim Bërdynaj, senior official for pre-university education. 04.07.2007. Prishtina

¹³⁵ Interview with Agim Bërdynaj

¹³⁶ Girls' enrolment and drop-out from schools in Kosovo, UNICEF, MEST, November, 2004, page 3 - 4.

¹³⁷ Interview with Halim Hyseni, program coordinator for development of curricula at KEC. 09.07.2007. Prishtina

¹³⁸ Interview with Arbena Kuriu, project officer for protection of children. UNICEF, 20.07.2007. Prishtina

FAQE 072

VIOLENCE IN SCHOOLS AND OTHER PHENOMENA ENDANGERING STUDENT'S AND TEACHER'S SECURITY

Based on the Law on Primary and Secondary Education, teachers are not allowed to exercise violence against their students, and they are also required to undertake the needed measures so that students are not heart of fall victims of offensive and harmful acts.

"Corporal punishment and every form of punishment is prohibited in all educational institutions, regardless if they are financed from public or private funds," is foreseen by section 4 of this Law.

Exercise of violence in schools has taken alarming proportions and as such, has become, a source of grave concern. Another aspect of violence, gaining in proportions, is the violence in schools caused by persons from outside schools, and for this particular reason, regular police patrols have been called in to visit several schools.

The security issue is the key problem for the students of the Technical Upper Secondary School "28 Nëntori" in Prishtina.¹³⁹

A research done by the Ministry of Education and UNICEF on violence against children, has found that corporal punishment is still seen as an acceptable practice both at home and in schools. A large number of people have personally experienced violence by their teachers or they have been witness to violence exercised against other pupils in schools.

According to the same study, 78 percent of the interviewed have stated that they had personally been ill-treated by their teachers, whereas 17 percent were occasionally verbally ill-treated. Around 44 per cent have said that they have been called names or ridiculed by their teachers.

Teacher A. R., who teaches fine arts in the primary school "Emin Duraku" of Shtime, was arrested on Friday, after he hurt and made to bleed the student A.S. of grade 7 (13 years of age).¹⁴⁰

Psychologist Marie Culaj says there are a lot of students she has had to treat in psychiatric sessions from the violence exercised against them in the

¹³⁹ Lajm daily newspaper, Monday 30 April 2007, page 16.

¹⁴⁰ Koha Ditore daily newspaper, Sunday, 20 May 2007, "Handcuffs for the teacher who beat the student," Besnik Krasniqi, page 9, Shtime

FAQE 073

schools of Peja.¹⁴¹She also says that violence exercised in schools is often a reason for low student participation and attendance by girls.

"Three days ago, the police learned about the massive beating of his students by their teacher in the "Bedri Pejani" gymnasium in Peja and is in the process of collecting facts on this,"¹⁴² said Lieutenant Avni Gjevukaj

Even more interestingly, the teachers' violence in schools against their students is accompanied by another problem very uncommon in Kosovo - the violence of students and their parents against teachers. According to Hajdar Binaku, the school principal of the upper secondary technical school "28 Nëntori" in Prishtina, violence against teachers is also present in schools, which has brought to a situation when security of the teaching personnel is threatened by students. This is expressed in various insults, but also in cases of physical violence, for instance, when a student grabbed a teacher by her hair." According to him, an impression has come about in schools that students are allowed whatever he/she pleases and the law only supports that, since there are no regulations that would sanction such behaviour or that would penalize students who breach the rules and regulations,"¹⁴³ says he.

Education experts, Halim Hyseni and Zijadin Gashi, estimate that verbal violence is mainly exercised against girls, especially the younger ones and mainly in the verbal form, whereas physical violence is more often practiced against boys.

Another form of threats to student's security comes from students themselves.

Arbena Kuriu says that statistics show a high level of violence taking place among the children and youth.

Cases of conflicts between students of Kosovo schools have significantly increased in numbers recently.

Two groups of youngsters fought against each other at noon, on Thursday, in the vicinity of the school in village Kyushu near Peja, whereas police succeeded in seizing an AK-47 firearm, which was claimed to have been seen, but not used during the conflict in which also the students from this school participated."¹⁴⁴

¹⁴¹ Koha Ditore daily newspaper, Wednesday, 7 November 2007, "Teacher uses belt to beat his students - says it was a joke" Marin Kelmendi, Pejë

¹⁴² Ibid.

¹⁴³ Interview with Hajdar Binaku, principal of the technical school, "28 Nëntori". 27. 07. 2007. Prishtina

¹⁴⁴ Koha Ditore journal, Saturday, 20 January 2007, page 17

FAQE 074

Zijadin Gashi thinks that only after optimum working conditions are provided for normal operation and instruction in the schools, after bringing about of a normal learning environment, and after creating conditions for extracurricular activities in the schools, we will be able to eliminate violence from schools.

For the needs of the research project "Security in schools – a challenge for the community", implemented in Ferizaj by the Forum of Civic Initiative, Rasim Rashiti, KPS officer, says that since regular patrols started around the schools, the presence of hooligans has dropped significantly.

Unclear definition of competences between responsible authorities has to a large extent resulted in inefficient measures for prevention of these phenomena in the Kosovo schools.

"Yet another problem, according to education officers of the Prishtina region, is expulsion of students from schools by the school principals. They reiterated once again that it is not in the hands of schools principals, but it is for the Prishtina Municipal Department to decide on (non)expulsion of students."¹⁴⁵

The research "Security in schools – a challenge for the community", shows that "the school environment is one of the key problems brought up by the school principals. Infrastructure and security are the key factors that most decisively influence the school environment.

One of the forms of threats to students is also walking in the streets and roads, which lack sidewalks for pedestrians. "In the recent years alone, 7 students have lost their lives and many others have remained in wheelchairs from just crossing the street to the other side on their way to school."¹⁴⁶

Another problem resulting from the data of this research is the lack of a psychologist or of an adequate person in the schools, where students could go to discuss their problems. This problem is brought about by most of the students interviewed during this research. Whereas boys are more subjected to physical violence, girls fall preys of verbal violence. Violence in schools is addressed by institutions only when it is manifested in very brutal forms, whereas other forms of violence, such as the verbal and psychological violence, are not treated at all and remain unheeded by the competent authorities and institutions.

¹⁴⁵ Ibid.

¹⁴⁶ Koha Ditore journal, Tuesday, 23 January 2007 "A lot of problems in the schools of capital city" (Municipal education officers meet with school principals from Prishtina)

FAQE 075

ECONOMY AND SECURITY

The concept of economic security of women involves a broad range of issues. Apart from more common issues such as salary, their economic security is influenced by other factors, such as: healthcare, work safety, child care, education and trainings, equal opportunities, owning of businesses, policies and infrastructure.

All these are interrelated and have a multifaceted influence in women's economic security. Lack of any of these, immediately affects their economic security. In order to improve women's economic security, a systematic approach is necessary to achieve progress in all aforementioned issues. This process requires a review of policies and priorities, which would then eliminate barriers in bringing about economic security of women.

An employed women has the economic security, has more support and power to exercise has influence in the decision-making process in the family."¹⁴⁷
Nita Luci, an anthropologist

The World Bank Report on Poverty Assessment in Kosovo concludes that "37 percent of population is classified as "poor" – living with fewer that 1.42 Euros a day, whereas 15 percent are accounted as living in a situation of extreme poverty, living with less that 0.93 Euros a day."¹⁴⁸

This report addresses more specifically the issue of poverty in family economies run by men and in those run by women. The report emphasizes that family businesses run by women are a lot poorer that those run by men. Whereas women run family businesses and economies present only about 4.7 percent of all family economies in Kosovo, however, they make as much as 28.2 percent of family economies endangered by extreme poverty, which is much higher than the percentage of endangered family economies run by men (14.6 percent). The poverty is more expressed with women heads of family economies due to gender differences in sources of income and the level of education.¹⁴⁹

¹⁴⁷ Nita Luci, "Whose security", a documentary on 2005.

¹⁴⁸ The World Bank, "Poverty assessment in Kosovo", 16 June 2005, Prishtina

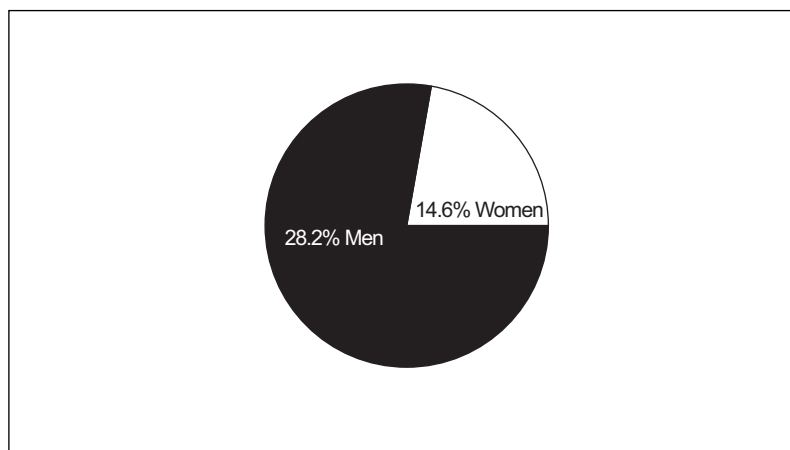
¹⁴⁹ Ibid.

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 076

Graph 11: Level of extreme poverty according to family economies with heads of the economies based on their gender (in percentages)

Source: The World Bank, 2005



A good illustration of the high level of poverty in Kosovo is made available by the data of the Kosovo Statistics Institute, which in its reports for 2006 gives a figure of 42,569 families living on social welfare. According to a comparative analysis, this figure is on a dropping trend due to the stricter control by the Ministry of Labour and Social Welfare regarding criteria a family has to meet in order to benefit from the status of socially supported families.¹⁵⁰

One of the main sources of economic insecurity of women is also unemployment, which results from unequal opportunities and access to fundamental living resources. When we look at the study "Progress Report on Kosovo - 2007" we find that at the end of 2006 there was an increase in unemployment rates in Kosovo by 2.4 percent compared to year 2005; statistical data show that this trend continued during 2007, too. The number of unemployed women reaches the figure of 47 percent. Lack of statistical data on the level of unemployment makes it extremely difficult to analyse trends in labor market. Lack of economic and social statistics is one of the main features of the Kosovar economy. According to estimates on labor force, unemployment reached the alarming proportions of 44.9 percent of total labor force in 2006. However, a number of persons registered as unemployed do have access to informal economy. In general, partly due to inaccuracies of

¹⁵⁰ Institute of Statistics

FAQE 077

estimates on the grey economy, it is difficult to come to accurate data on unemployment and on economic trends.¹⁵¹

Employment opportunities for women are lower than for men. According to data made available by the World Bank, the likelihood for a woman to get employed is at the point of 8.4 percent, whereas for men there are better employment prospects - 35.1 percent. This is determined to a large extent by several factors, such as: unequal access to education, school leaving, early marriages, etc.

According to the UNIFEM report, another cause making employment of women more difficult rests in the lack of structural reforms, in inadequate qualifications compared to the marked needs and to the lack of restructuring of jobs.

"Women over 45, who used to work before, but who are currently unemployed, find it very difficult to adapt to the demands of the new labour market due to structural changes in it."¹⁵²

The Division for Professional Training in the Ministry of Labour and Social Welfare organizes vocational training programs for persons recorded as unemployed in the centers for employment. Number of women partaking in and benefiting from these programs is in disproportion with that of men. In spite of the growing number of women participating in these trainings, this remains one of the more difficult issues, since the number of unemployed and unqualified women still remains too high, whereas their participation in training events too low compared with corresponding figures referring to men. This issue gets even worse when we think of the difficulties "unqualified" women face regarding their reintegration into the labour market.¹⁵³

Table 3: Employment according to genders

Source: Promotion of employment – performance report 2005/2006 (Department of Labour and Employment)

Employment	06/2005		06/2006	
	F	M	F	M
Total	1466	3819	1977	5509
(level of employment)	1,1 %	2,3%	1,3%	3,2%
Index	28%	72%	26,4%	73,6%

¹⁵¹ European Commission, Progress Report – 2007, for Kosovo (under UN SC Resolution 1244), Brussels, 06.11.2007

¹⁵² "Participation of women in the labour market in Kosovo" (Comparative analysis and empirical study), authors: Justina Shiroka- Pula, Kosovo 2006

¹⁵³ Promotion of employment – Performance report 2005/2006 (Department of Labour and Employment)

FAQE 078

Employment according to sectors shows that women are more concentrated in the public sector with 42.4 percent, whereas men are mainly engaged in the private sector with 54.3 percent. The Law on Gender Equality in its Section 12.1 foresees the obligation of ensuring equal rights and opportunities for men and women, both in public and private sector, and in the legislative and executive institutions in the labour and employment sector.

"According to provisions of the Essential Labour Law in Kosovo, the labour inspector ensures implementation of this regulation and of other relevant legal provisions of the applicable law regulating working conditions, the working hours and shifts, salary, security and health."¹⁵⁴

The report "Monitoring of equal opportunities for men and women in Kosovo" points out that the difference in salaries between men and women is legally non-existent. However, the position of women in the labour market is very much unfavourable, especially having in mind that in average they earn less than men. One of the many reasons for this inequality in personal earnings is that women are rarely found in leading positions or holding adequate senior positions compared to their aptitude and qualifications. According to this, we conclude that "significant differences in earnings between men and women are the key reason for the relatively low index of gender development in Kosovo."¹⁵⁵

The difference between men and women in the level of participation in the labour force is made obvious due to yet other reasons. "A lot of aged women leave their jobs before they reach their retiring age, since most of them take on themselves responsibilities for the family and for family economies, which than does not leave much room for engagement in economic activities."¹⁵⁶

Apart from this, the criteria set in various vacancy announcements do not favour women in their middle age.

Focus group discussions also only confirmed that women are discriminated by vacancy announcements. According to participants, this comes as a result of created stereotypes about jobs and due to gender and age discrimination.

"Requirement to send a photo to apply for a job, in which knowledge and skills are needed, does not seem very reasonable to me, since the photograph does not show how much an applicant knows in a given field."¹⁵⁷

A woman, 56, unemployed.

¹⁵⁴ Ibid., page 19

¹⁵⁵ Kosovo Center for Gender Studies (KGSC) "Monitoring of Equal Opportunities for Men and Women in Kosovo," 2006, page 26

¹⁵⁶ Men and Women in Kosovo, Institute of Statistics, page 29

¹⁵⁷ Focus Group, 56 year old Women

FAQE 079

In 2007, the Ministry of Public Services issued an administrative instruction to ensure equal participation of men and women as foreseen by Section 3 (3.1 and 3.2) of the Law on Gender Equality regulating the issue of vacancy announcements.

"Every announcement for all vacancies shall contain the following wording: The Civil Service of Kosovo serves all inhabitants of Kosovo. In order to implement gender equality in all institutions of civil administration, applications from women are welcome."¹⁵⁸

All aforementioned issues have made for economic dependency of women to be twice that of men. Thus, "77 percent of women and 33 percent of men live from income provided by somebody else. Only 13 percent of women and 41 percent of men live on their personal earnings."¹⁵⁹

Another factor influencing the economic insecurity of women is the issue of property inheritance.

"In cases when there are only daughters in a family, then it is very easy to divide the property. But, it suffices that there is only one man child in the family and all property goes to him"¹⁶⁰

The issue of inheritance is regulated by law (Kosovo Law on Inheritance, No. 2004/26), according to which all natural persons in identical terms have equal right to inheritance, regardless of their gender and without any discrimination.¹⁶¹

Despite this provision, in practice it seems that this law has not found any application. According to Valbona Salihu, executive director in "NORMA"¹⁶² association, previous laws in Kosovo, and the new one in particular, address gender issues in absolutely equal terms, but in reality, there is a lot of difference in their actual implementation.¹⁶³

One of the key factors for this non-implementation of the law, according to Salihu, is the still prevailing tradition in Kosovo, whereby the inheritance goes to men, whereas women renounce their rights, that is they do not use this right. This is also because of women's ignorance about the legal provi-

¹⁵⁸ Government of Kosovo. Ministry of Public Services. Administrative Instruction No. 2007/03 MSHP "Measures for Accomplishment of Gender Equality in Institutions of Public Service during year 2007" page 48

¹⁵⁹ Kosovo Center for Gender Studies "Monitoring of Equal Opportunities for Men and Women in Kosovo," 2006.

¹⁶⁰ Interview with Valbona Salihu, executive director of "Norma" association. 12.11.2007. Prishtina

¹⁶¹ Law on Inheritance in Kosovo

¹⁶² NORMA association is an organization of female lawyers who offer legal assistance for women.

¹⁶³ Interview with Valbona Salihu.

FAQE 080

sions on their equal title and inheritance rights. Regarding this, "Norma" association has organized over 250 workshops mainly with women and girls from rural areas, with the purpose of raising awareness on laws and their rights.

Level of safety in working environments in Kosovo law:

"Employees work in difficult and unsafe working conditions, because of the old technologies they use in their work, because they do not have the proper physical and psychological training, or due to the fact that they are not properly trained for the level of function they have to perform. There is also lack of practical knowledge for performing their duties, and there is no healthcare for the employees provided by the employer."

Security in the working environment is regulated and guaranteed by the Law on Occupational Safety, Health and the Working Environment No. 2003/19. This has to be implemented in practice by the employers and employees.¹⁶⁴

Section 4 of this law "Protection of young persons, women and disabled persons" foresees that: "Employees under 18 years of age, pregnant women, and disabled persons shall not be assigned to particularly hard manual work, work beyond working hours and night work." This Law also requires from employers of more than 50 employees to hire an officer for occupational safety.

According to Agim Millaku, inspector with the Ministry of Labour and Social Welfare, the Executive Agency and the Inspectorate of Labour do not have sufficient capacities to inspect all employing legal entities in entire Kosovo.¹⁶⁵

Regarding the gender based comparison of the dangers to which employees are exposed in their workplace, Millaku says that both genders are endangered, but the level depends on the nature of the workplace. More so, Millaku points out that men are more in the harms way, for instance, when they work in mines, whereas women are endangered in the health sector if they are exposed to radiation. Discussion groups organized by the Kosovo Center for Gender Studies, brought up the issue of lack of safety at work, especially instances of accidents during the work process.

There are cases when an employee dies in his/her workplace, the family remains without any income and nobody cares about them after that."
Woman, 48, employed.

Situations like these get even more difficult because of the lack of an insurance fund. Thus, in case of injury in the workplace, the employer has to cover all expenses related to his cure and medical care.

¹⁶⁴ The Law on Occupational Safety, Health and the Working Environment

¹⁶⁵ Interview with Agim Millaku, inspector in the Ministry of Labour and Social Welfare, 17.09.2007, Prishtina

FAQE 081

HEALTHCARE AND SECURITY

Traditionally, there is a belief that women healthcare includes only services pertaining to giving birth and reproductive health. However, it is becoming clear that this concept includes a much broader range of issues.

Women's health is an indicator of a lot of things in the society. First and foremost, it is an indicator of the social and economic position of women. It is also an indicator of women's access to healthcare, especially to reproductive healthcare, but also including family planning, education and their status regarding nourishment. Apart from these, it is used to measure level of development of a given society: low level of mothers' health is a characteristic of less developed countries.¹⁶⁶

Reproductive health, family planning, breast cancer, sexually transmitted diseases and epidemics, are only a few issues related to the security of women and girls and which have been treated in this chapter.

Mortality of mothers and infants

Mothers and infants present the most vulnerable groups whenever discussing issues of healthcare. Better healthcare, increasing awareness on health and reproductive rights, as well as ensuring access to quality healthcare services, are crucially important factors influencing the health of mothers and infants. According to the report "Prenatal situation in Kosovo for 2000 – 2006", in 2000 9 maternal deaths were reported in 38.907 births with live infants (23.1/100000), whereas in 2006 2 deaths were reported in 28.450 births with live infants (7.0/100000). These figures are comparable to those of the developed countries. However, we must have in mind that "these figures on maternal deaths are reported only from health institutions."¹⁶⁷

"There is not a reliable system in place to ascertain causes of maternal deaths in Kosovo. Nevertheless, some of the reasons for high maternal death rates rest in the difficult political and economic conditions, together with the poorly developed institutions in the period before and after the conflict."¹⁶⁸

Thus, Kosovo leads with prenatal infant mortality with 23 babies in 1000

¹⁶⁶ Baseline report on Millennium Development goals for Kosovo, MDG, United Nations Agencies, March 2004

¹⁶⁷ Prenatal state in Kosovo for 2000-2006, April 2007, Prishtina, page 19

¹⁶⁸ Baseline Report of Millennium Development Goals for Kosovo, MDG, United Nations Agency, March 2004

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 082

births, which is estimated to be the highest rate in Europe.¹⁶⁹

The report "Prenatal situation in Kosovo for 2000 – 2006" emphasizes several of the main causes of prenatal death, such as: congenital anomalies, prenatal infections, birth traumas, disorders caused by pregnancy complications, the social and economic situation, age and weight of the mother, high number of births and quality of healthcare services.

According to Teuta Hadri, a gynaecologist, "the main reasons for infant mortality rest is social and economic situation and in the mentality".¹⁷⁰ She adds that infant children death rates are higher in rural than in urban areas, and comes as a result of poor information and lack of any family planning among women in rural areas.

Table 4. Children death rates according to gender and age
Source: Kosovo Institute of Statistics, Vital statistics

Years	Gender	Number	Perinatale (%)	Neonatale (%)	Postnatale (%)
2002	Girls	205	60	15	25
	Boys	198	60	10	30
2003	Girls	265	65	11	24
	Boys	199	61	13	26
2004	Girls	233	66	10	24
	Boys	182	64	13	23
2005	Girls	155	66	5	28
	Boys	202	62	8	30

Statistics show that level of infant mortality has changed from one year to another, by dropping or going up slightly. Thus in 2002, the total number of dead infants was 403, with 205 girls and 198 boys. In 2003, however, this number grew to a total of 464 deaths with 265 girls and 199 boys, marking further a slight fall in infant mortality in 2004, when there were 415 cases of death in

¹⁶⁹ Koha Ditore newspaper daily, Friday, 21 September 2007. "Kosovo leads with infant mortality in Europe." Author: Faton Ismajli

¹⁷⁰ Interview with Teuta Hadri, gynaecologist. 04.09.2007. Prishtina

FAQE 083

total, with 233 girls and 182 boys. This falling trend continued into 2005, when a total number of 357 deaths was recorded, with 155 girls and 202 boys. Looking at the overall number of infant deaths during these years, we find that there were more cases of deaths among girl infant population.

Visare Mujko – Nimani, from UNFPA, thinks that more care should be accorded to mothers' and infants' health, since mortality rates of infants and mothers is very high in Kosovo.¹⁷¹

When talking about human resources, the aforementioned report shows that the number of obstetricians and pediatricians is above the needs, but their distribution is inadequate, which affects the functioning of several maternity wards and quality of healthcare services. For instance, there are cases when in several maternity wards there is only a very limited number or no gynecologists – obstetricians present at all.

Identification of causes bringing to high infant mortality rates, an adequate distribution of medical capacities, improvement of working conditions and advancing the quality of healthcare services would play a significant role in addressing these issues and in reducing the number of infant mortality in Kosovo.

The current situation with the mortality of mothers and babies remains a very grave question that requires mobilization and intensive actions by competent authorities and institutions, which should work to reduce the level of mortality among mothers and infants.

Termination of pregnancy

*"There are cases when mothers come requesting termination of their pregnancies due to the gender of the baby, after they find out about it in ultra sound check-ups."*¹⁷²

Lack of information and low level of awareness for family planning, carry with themselves a long list of serious consequences to the women's health. Here one may include, unsafe abortions resulting from unwanted pregnancies, frequent pregnancies, pregnancies putting at risk the life of elderly or to young women, etc.

According to Rabihane Dema, chief of reception in the Family Planning ward of the Obstetric - gynaecologic Clinics in Prishtina, says that: "Artificial **aborts** are the termination of an unwanted pregnancy as decided by the

¹⁷¹ "Express" daily, Sunday, 19 August 2007. "Pregnant women endangered". Author: Artan Behrami

¹⁷² "Lajm" daily, Monday, 18 June 2007. "Female babies murdered ". Author: Alban Selimi

FAQE 084

patient and with the intervention of medical methods. This is one of the most dangerous measures for family planning.¹⁷³

Physical environment, conditions and instruments used to perform abortions, in public and private clinics, have to be according to modern standards so that a safe intervention is guaranteed, since they directly affect the women's health security. Rooms in which operations are performed must be under strict supervision, they have to be equipped with oxygen containers and with sterilised instruments (e.g. sterile gloves and sterile syringes for one use, etc.). Zef Komoni, chief inspector in the Inspectorate for Health, tells that during his inspections of health institutions he found that the medical staff in some clinics walk freely through operation rooms without ever changing their clothes or uniforms. It was also found that a considerable number of sterilizers do not have a functioning thermostat (which implies that surgical tools are sterilized without any criteria and against standards).

However, Komoni admits that a full fledged and strict monitoring of private health institutions could not be done yet by the ministry, saying that:

"The private sector was very non-transparent (institutions working without any license, without providing even the minimum working conditions, and by violating all rules and norms for sterility conditions). In this context, interventions performed by private health institutions, and in particular termination of pregnancies present grave concerns for us."¹⁷⁴

"Women have different reasons, experiences and perceptions about pregnancy termination. They make mention of financial aspect (they are not able to raise even one child), as the main reason to abort. Apart from economic issues and family planning, another reason for termination is the preference they have for male children (choosing of babies gender by aborting) and the grandmother's complex (pregnant and a grandmother at the same time)."¹⁷⁵

One of the main reasons for abortions is the female gender of the baby, which is usually found out after the ultra-sound medical check-up. "Until some two decades ago, making the distinction between the male and female embryo was out of question and no comments were made on it. This is becoming actual only lately, whereby if the embryo is female then patients come to terminate pregnancy, which is a very negative phenomenon, since it makes

¹⁷³ Interview with Rabihane Dema, chief of reception ward of the Obstetrics-Gynecology clinics of the UCC. 27.08.2007. Prishtina

¹⁷⁴ Interview with Zef Komoni, chief inspector in the Inspectorate for Health of the Ministry of Health, 27.08.2007, Prishtina

¹⁷⁵ INDEX Kosova & UNFPA "Pregnancy and family planning in Kosovo", a quality analysis.

FAQE 085

aborts twice more difficult than they usually are," says Rabihane Dema. Accurate data about abortions in Kosovo remain unknown, since a large number of them are carried out in private clinics which do not keep any records on it.

"Number of abortions only in the Obstetrics and Gynecology Clinics of the University and Clinical Centre ranges between 3 and 4 cases a day."¹⁷⁶

Regarding the number of abortions in Kosovo, gynecologist Teuta Hadri says that: "the number of abortions has not gone down, but they are not being reported by private clinics. According to some statistics that were available in 2002, there were 4.8 abortions in 100 births. This figure was reached after summing up numbers we received from public clinics and hospitals, whereas private health institutions did not submit any data on termination of pregnancies."¹⁷⁷

The issue of reporting by private health institutions on the numbers or reasons of abortions they perform continues to be an unaddressed issue. According to Fatmire Mulhaxha-Kollçaku, the issue of non-reporting by private health institutions makes it more difficult to analyse and better understand the phenomenon of abortions in Kosovo: "We can only speculate in a situation when there are no recorded data and no data-base of these reports. While we receive reports from public institutions, it is obvious that there are still no reports or data from the private institutions."¹⁷⁸

Rabihane Dema, chief of reception ward of the Obstetrics-Gynaecology Clinics, confirms lack of any reports from private clinics saying that: "Private clinics will not submit any data due to the confidential nature of interventions; because of this reason, they will not give information and reports even if they have data."¹⁷⁹

The same is reiterated by the Ministry of Health senior official, Zef Komoni, who says that during his inspections they noticed that in the private and public institutions numerous data are missing about their patients, starting from general data and up to expertise and the document of release.¹⁸⁰ According

¹⁷⁶ "Lajm" daily newspaper, Monday, 18 June 2007. "Women babies are being killed", by: Alban Selimi

¹⁷⁷ Interview with Teuta Hadri, gynaecologist, 4.09.2007. Prishtina

¹⁷⁸ Interview with Fatmire Mulhaxha, chair of the Assembly Committee on Health, Labour and Social Welfare. 30.08.2007. Prishtina

¹⁷⁹ Interview with Rabihane Dema

¹⁸⁰ Interview with Zef Komoni, chief inspector in the Inspectorate for Health of the Ministry of

FAQE 086

to him, abort still remains an issue which has not been legally regulated; this despite the law on termination of pregnancy No. 02L-73 passed by the Assembly of Kosovo, but which is not yet applicable since it has not been promulgated yet by the SRSG.

The Law on Termination of Pregnancy¹⁸¹ guarantees to women the right to decide about aborting. In Kosovo we do not prohibit abort completely, regardless that there are different opinions on this issue.

Fatmire Mulhaxha

The purpose of the law on termination of pregnancy is to establish the legal basis for regulation of pregnancy termination. This law guarantees respect of life and dignity of every human being from the moment of remaining pregnant, and this principle is not violated, with the exception of cases as foreseen by this law. His law also provides for health services, special instances of termination of pregnancy and the phase of termination.

According to this law: "Every woman is entitled to bring an informed decision for realization of her rights in reproductive health, free of any discrimination, threat and violence. Every woman is entitled to be advised and informed regarding her pregnancy and termination of pregnancy." (Section 4, paragraph 1 and 2).

This law also regulates the issue of age for termination of pregnancy. According to Section 5: "Every pregnant woman over 18 years of age has the right to request for effective termination of pregnancy."

According to the same law, effective termination of pregnancy can be carried out until the end of the 10th week of pregnancy (Section 6). It further provides that termination of pregnancy can be done only in healthcare institutions and by specialized and licensed obstetricians - gynaecologists. The Provisional Criminal Code of Kosovo, in its Section 152 foresees penalty provisions for illegal terminations of pregnancy. Paragraph 1 of this section provides that: "Whoever, counter to the legal provisions and with the consent of the pregnant woman, sets out to terminate a pregnancy or assists in terminating a pregnancy, shall be sentenced with jail from three months to three years' duration."

¹⁸¹ The Law on Termination of Pregnancy was approved by the Assembly of Kosovo on 13.07.2006 (Law No. 02/L-73), but it has not been promulgated by the SRSG. This Law has to be harmonized with the EU directives and within his mandate the SRSG has the right to change laws before promulgating them as they have been passed by the Kosovo Assembly. This law too, may be changed before becoming effective.

FAQE 087

Paragraph 2 of the same section reads that: "Whoever terminates a pregnancy or sets out to terminate pregnancy without the consent of the pregnant woman shall be sentenced with jail from one to eight years' duration."

Paragraph 3: "If the criminal act from paragraph 1 or 2 of this section results in serious bodily injuries, with severe damages to health or with the death of the pregnant woman, the perpetrator will be sentenced from one six months to five years in prison for acts from paragraph 1, or at least three years if the criminal act falls under paragraph 2 description."

Breast cancer

The low level of information, insufficient health education, lack of adequate specialised physicians in the field, lack of strategies, policies and health institutions, together with the lack statistical data are factors that lead to limited and inadequate treatment of women with breast cancer in Kosovo.

Breast cancer is an illness, which in 90 percent of cases appears in women. The research "Breast cancer in Kosovo" found out that out of 1.017 patients operated for breast cancer, 1.007 were women."¹⁸²

According to Nafije Latifit, executive director of the Kosovar Center for Fighting the Breast Cancer, there are no exact data on the number of women suffering from breast cancer. "In our case, we can only suppose on the accurate number of persons ailing from breast cancer, whereas based on data available for the region, every tenth or eleventh woman suffers from this illness."

In Kosovo, this number should be equal or even higher because of the war, difficult economic conditions, stress, uncontrolled food, etc."¹⁸³

However, according to Dr. Abdyl Krasniqi, between 1999 and 2004, statistics were collected about women examined with breast cancer. During this period, breast cancer was among the most frequent malign illnesses in Kosovo. "We have carried out a research and we found that from 1999 and until 2004 there were 7.646 cases of women diagnosed with breast cancer, whereas their age group was mainly between 55 and 70 years of age."¹⁸⁴

The fight against breast cancer is made difficult by the fact that we can not ascertain the exact number of persons suffering from of it. "This fact is a con-

¹⁸² Kosovo Center for fighting breast cancer "Jeta -Vita". Breast Cancer in Kosovo, page 9.

¹⁸³ Interview with Nafije Latifi, executive director of the Kosovo Center for fighting breast cancer. 23.08.2007. Prishtina

¹⁸⁴ Koha Ditore journal, 17 April 2007, page 6

FAQE 088

sequence that every individual doctors treats the illness in his/her way, not keeping any evidence and not forwarding the same to the National Institute of Public Health, which would allow us to set up a system of data," says Nafije Latifi.

This is confirmed by the Deputy-Minister of Health, who admits that there is insufficient commitment on the part of health institutions, but adds that there is also lack of the needed financial support: "Our patients still face the same difficulties. We do not have any health insurances, which would provide at least a minimum package of health services of this nature."¹⁸⁵

In spite of the numerous efforts by the local and international non-governmental organizations to adequately address the issue of breast cancer in Kosovo, government institutions so far have not shown the needed readiness and interest to institutionally address this issue.

Government institutions have done nothing; it is absurd that competent persons in the Ministry of Health do not care at all about this problem. We have asked for a meeting with the Prime-Minister, but there was no response whatsoever – the same as with every other health problem.

Nafije Latifi

A common concern of all interviewees on this issue, both representatives of non-government and government institutions, was the lack of adequate health-care infrastructure and oncology services (lack of Institute of Oncology).

"An institute of oncology is missing in Kosovo, where women would be able to get diagnosed on and to be treated for breast cancer from the beginning till the end; for this reason, apart from having to face their illness, women are made to wander from one clinic to another, they have to go to Skopje or to Albania," Nafije Latifi pointed out.

In many countries of the world mammography is required by law. If the same approach were to be applied in Kosovo, the breast cancer would be revealed in a timely fashion, and the problem would be overcome with a surgical intervention. At the same time, this would reduce extremely high expenses of the patients. "The problem is that there is not an institutional system of health protection in place in Kosovo. I often say that the patient pays his illness either by money or with his life," says Xhavit Bicaj.

Lack of specialists in the field is another worrisome problem, which does not

¹⁸⁵ Ibid.

FAQE 089

allow for an early revealing and adequate treatment of malign diseases, and of breast cancer in particular. He adds that only a few experts are there in the narrow specialization: "Only recently there has been some more interest among young doctors and first specializations have been allowed, which, in the end of program, will be licensed to work as oncologists."

Nafije Latifi shares the same concerns, saying that: "We have doctors who can diagnose the breast cancer and others who can perform a very good surgical intervention, but we do not have the possibility of post-operative treatment, since we do not have experts trained in chemotherapy, or for radio-therapy. These are necessary in this field, since an early diagnosing of breast cancer, women would not have to undergo any therapies. This therapy is then very expensive and its applications requires highly trained specialists."

HIV/AIDS

The first patient infected with HIV in Kosovo was diagnosed in 1986. Since then, the number of persons suffering from HIV has grown to 70. In 2005 there were 41 infected persons, of whom 25 were men and 16 women. "Statistics show that men are more vulnerable to this virus, whereas the most endangered age group is from 20 – 49, or more specifically 30 - 39"¹⁸⁶.

Edona Deva, officer for HIV/AIDS in the Ministry of Health, informed that as elsewhere in the world, here in Kosovo the trend has shifted regarding persons infected by HIV/AIDS. "As elsewhere globally, here in Kosovo, too, there has been a growing number of women infected by HIV compared by previous times. Women are considered more vulnerable to getting infected with HIV, in particular in underdeveloped and in developing countries, because of their economic and social status."¹⁸⁷

Strategy¹⁸⁸ for prevention of HIV/AIDS in Kosovo until 2008, presents a combination of the needs in Kosovo in prevention of HIV/AIDS, with the most successful international experiences in this field. This Strategy, according to

¹⁸⁶ Interview with leaders of the KAPHA (Kosovo Association for People Living with HIV/AIDS) non-governmental organization.

¹⁸⁷ Interview with Edona Deva, Officer for HIV/AIDS in Ministry of Health. 22.08.2007. Prishtina

¹⁸⁸ KAC (Kosovar AIDS Community) – Kosovar response against HIV/AIDS will be determined by a joint multi-dimensional approach. Effectiveness of the five-year preventive strategy on HIV/AIDS in Kosovo will depend of the continuation of cooperation between a broader network of segments in the Kosovar society, such as: Ministry of Health, Ministry of Youth, Culture and Sports, Ministry of Education, Science and Technology, KPS, KPC, non-governmental organizations (local and international), religious organizations and the private sector. The Office for HIV/AIDS in the Ministry of Health and the Ministry of Health are the key institutions in respond to HIV/AIDS and the key promoter of the multi-segmented approach. The Ministry of Health has institutionalized

FAQE 090

Deva, has been implemented to the extent that it has been able to attract financial support and development of resources.

The most complex issue regarding this disease is the voluntary testing of Kosovo citizens, which remains a challenging process for the key stakeholders involved in prevention of infections with HIV. "We are not satisfied, because there is a stigma and fear surrounding HIV testing," pointed out Edona Deva. Whereas, according to the leader of the non-government organization KAPHA, this hesitation to undergo testing in Kosovo, comes as a result of the low level health awareness, in general and for the lack of awareness on HIV, in particular.

The majority of the Kosovar society seems to be unaware of the fact that HIV/AIDS is a sexually transmittable disease. In this way, the risk from unsafe sex affects women more because men are usually making decisions on family issues, including here also decisions on use of contraceptive means.

So far, treatment of infected persons has been relatively good, said the manager of KAPHA non-governmental organization. On the other hand, Edona Deva tells that the therapy these patients receive is for free, but she added that additional therapies are needed for a fuller treatment of the disease. Further, she said that some of these persons have not regulated their sheltering issues. On top of this, they are stigmatized and discriminated."¹⁸⁹

According to UNAIDS, Kosovo is a region with a low level of epidemics, but with a potential for a quick spreading of HIV/AIDS. "An increase, which may take on alarming proportions, may appear for most various reasons, such as: the large number of youth, high level of unemployment, together with the growing consumption of drugs, growing sex market, high level of mobility of the Kosovar population and of the international community."¹⁹⁰

A man from Prishtina, 42, who had lived in Switzerland for five years, started having continuous health problems immediately upon return to Kosovo, to find out very soon that he had been HIV positive. Unfortunately, it was too late, since he had already infected his 35 year old wife.¹⁹¹

As a matter of fact, Fatmire Mulhaxha-Kolçaku says that we can only suppose on the number of the persons infected by the disease, always having in mind the

¹⁸⁹ Interview with Edona Deva, officer for HIV/AIDS in the Ministry of Health. 22.08.2007. Prishtina

¹⁹⁰ "Review of internal security sector in Kosovo." Weaker points, page 64, Prishtina, March 2006

¹⁹¹ <http://www.unmikonline.org/pub/focuskos/oct04/focusksocaffair3.htm>

FAQE 091

influx of internationals, presence of Kosovars working abroad, and the mobility of both these groups, are all factors that make us doubt that the number of diseased may be several times more than the one that has been made public.¹⁹²

Epidemics

Kosovo is the most vulnerable country from contagious diseases in Europe, with between 5.500 to 6.000 persons touched by one of such diseases in 100.000 inhabitants.

"There are three big groups of contagious diseases in Kosovo. The first group has to do with contagious diseases that spread with water and contaminated food; the second group of diseases are vaccine preventable diseases, and third group are animal contagious diseases, who have to do with bio-terrorist diseases, with a very high mortality rate."¹⁹³

According to Jusuf Dedushaj, epidemiologist at the National Public Health Institute, the first group of diseases comes as a result of the low living standard. "In Kosovo in 2006, the serous meningitis dominated, which is mostly spread by contaminated water."

When talking about water, we should know that around 50 percent of the Kosovo population drinks hygienically clean water – regularly checked by the water supply company, whereas the other part of the population is supplied from individual wells, which are not controlled by competent persons.
Jusuf Dedushaj

In the second group of contagious diseases, according to Dedushaj is the measles, which was recently eliminated from Kosovo. "Kosovo is the only country in the region and in the world that is free of this disease, which came as a result of vaccinating 535.000 children age of 1-15 – which was one of the highest achievements," Dedushaj informed us.

In the third group of contagious diseases, according to Dedushaj, are the animal diseases. One of the more frequent animal contagious diseases in Kosovo is the brucellosis, which fortunately does not cause massive deaths, but may result in lameness. Brucellosis was recorded in 28 out of 30 municipalities of Kosovo.

¹⁹² Interview with Fatmire Mulhaxha-Kollçaku

¹⁹³ Interview with Jusuf Dedushaj, epidemiologist from the National Institute for Public Health, 21.09.2007, Prishtina.

FAQE 092

Another deadly disease is the hemorrhagic fever - *krime kongo*.

After *Ebola* fever, this disease is the second most fatal disease with the highest rate of mortality, and Kosovo continues to face it year in year out. "It continues being recorded in 82 epidemic zones in 13 municipalities of Kosovo, situated mainly in central Kosovo."¹⁹⁴

Apart from these, in Kosovo we encounter hemorrhagic fever with kidney syndrome. "Luckily, its frequency is going down and I hope that if we take better care of the hygiene of residential areas, especially in removing trash currently in the streets of our cities, then it may be possible to lower the level of risk from this epidemics,"¹⁹⁵ hopes Dedushaj.

Intestinal tract diseases and scabies remain characteristic infectious diseases for entire Kosovo with higher occurrence in rural areas. "In the cities we have lower occurrence of diseases that spread with water and food," pointed out Jusuf Dedushaj.

Contagious diseases are not commonly related to a certain age group, apart from a group known as child diseases; women on the other hand are more vulnerable to contagious diseases when they are going through physiologic changes, during pregnancy and maternity. This takes place as a result of lowered immunity.

Jusuf Dedushaj

Currently, Kosovar health institutions are not ready and do not have adequate capacities and equipment to treat contagious diseases, such as epidemics.

In treating these epidemics, the CUC works in very difficult conditions. In the concrete case, transmittable diseases directly threaten their security. "The doctors may get infected, because they do not have the needed outfit for interventions. We had three doctors infected by *krime kongo*, and a woman technician died of hemorrhagic fever, after she was infected from the patient's blood," points out Dedushaj.

Food

Food security implies ample and secure access to food for meeting basic needs of all people.

The World Health Organization has calculated that men and women need in

¹⁹⁴ Interview with Jusuf Dedushaj, 21.09.2007, Prishtina

¹⁹⁵ Ibid.

FAQE 093

average minimum 2500 calories in a day.¹⁹⁶

Having in mind the difficult economic situation in Kosovo, where the vast majority of population lives in poverty, access to food not only is limited, but it is in most of the cases also uncertain.

This situation affects especially pregnant and women with babies, who as we said above, need at least 2500 calories per day. Lack of sufficient and safe food directly puts in danger the health situation of the mother and its baby. Regarding safe access to food, its control from competent institutions has become more difficult because of the lack of the law on food and due to ambiguities in division of responsibility among institutions that should carry out food control.

Whereas institutions continue having problems regarding their competences over the Veterinary and Food Agency of Kosovo, and in spite of efforts undertaken so far, the citizens continue suffering from products with expired validity, which could have tragic consequences.

Water

Access to drinking water and to public hygiene is a basis for a good health. Weak water supplies and poor practices in public hygiene present huge threats to the health of men and women.

Due to the lack of drinking water and a system of water supply, inhabitants in many parts of Kosovo have to use water from their wells.

According to the report from the Ministry of Environment and Spatial Planning (MESP), Kosovo has only limited water reserves, which could become a limiting factor for economic and social development of the country.¹⁹⁷

In the meantime, Jusuf Dedushaj, from the Kosovo Institute of Health, says that half of the population drinks clean and regularly controlled water from the water production plants, whereas the other half uses uncontrolled water. The MESP report also says that there is no mechanisms for cleaning dirty sewerage waters anywhere in Kosovo.

Air

According to the Ministry of Environment and Spatial Planning "Quality of air does not present a source of grave concern in most of the areas in the country. In this regard, in a more difficult situation are only the developed

¹⁹⁶ <http://www.unfpa.org/intercenter/food/better.htm>, downloaded from internet, 07.10.2007, Prishtina.

¹⁹⁷ Ministry of Environment and Spatial Planning "Situation of Environment in Kosovo" Prishtina, 2004

FAQE 094

areas, such as Prishtina, due to the influence of power-plants Kosovo A, Kosovo B and motor vehicles, and Mitrovica, because of the industrial remains in the Trepca Combine.¹⁹⁸

According to studies and research carried out by the World Health Organization, the air in Kosovo is not clean and it influences the mortality of population. "Recent data by the WHO show that because of the increased concentration of respiratory particles (PM10) in the urban air, there is an increase in population mortality, reaching in some place the proportion of 10-20 percent."¹⁹⁹

When talking about the influence of air, the report on the state of environment in Kosovo, drafted by the MESP, underlines that presence of high levels of lead (Pb) in blood in the region of Mitrovica results in dire consequences in the human organism, such as: disorders in the bio-synthesis of hemoglobin and anemia, disorders in the cardio-vascular system, damages to the nervous system, **aborts and premature births, etc.**²⁰⁰

198 Ministry of Environment and Spatial Planning "Situation of Environment in Kosovo"
Prishtina, 2004

199 Ibid.

200 Ibid.

FAQE 095

SECURITY OF ETHNIC GROUPS IN KOSOVO

Every society is characterized by a diversity of (ethnic, cultural, religious, gender and other) identities of its members. It is clear that the Kosovar society does not make an exception in this regard.

There has not been a population census since year 1981 in Kosovo, and no one can claim the accurate number of its residents or their ethnic affiliation. According to the Kosovo Institute of Statistics, it is estimated that around 2.1 million inhabitants live in Kosovo, with 92 percent being Albanians, 5.3 percent Serbs (as the largest minority community in Kosovo), and 2.7 percent of other minorities.²⁰¹ Other minorities living in Kosovo are: RAE (Roma, Ashkali, and Egyptian) communities, Bosnians, Turks, Gorans, and Croats.

When talking about security in the context of national minorities living in Kosovo, then the freedom of movement clearly rests at the core of the problem. It is then reflected in the economic, educational and health security. The Serbian minority has the most problems with the freedom of movement.

The Institution of Ombudsperson, in his annual report 2006-2007, addressed to the Assembly of Kosovo, talks about the general problems facing minority communities in Kosovo. "The general problems of the minority communities in Kosovo are education, unemployment, and (in)ability to use their respective mother tongues."²⁰²

Numerous reports that have addressed security issues of communities, have pointed out that among all communities in Kosovo, members of the RAE communities find themselves in the most difficult position. Economic difficulties, low level of education and insufficient integration in other spheres of society, brings this community in a dire social position, thus threatening their position. This is also confirmed by Behxhet Shala, executive director of CDHRF, who says that: "the most endangered community, based on our information, are currently members of Roma community – they simply do not have any support whatsoever."²⁰³ In this context, the overall situation of the RAE community is reflected in the position of the RAE women.

From interviews with women representatives of some communities living in

²⁰¹ Statistical Institute of Kosovo, <http://ks.gov.net/esk>, (31.10.2007)

²⁰² The Seventh Annual Report 2005-2006 – Institution of Ombudsperson in Kosovo, addressed to the Assembly of Kosovo, 11 July 2007

²⁰³ Interview with Behxhet Shala, Executive director of the Council for Defense of Human Rights

MONITORING SECURITY IN KOSOVO FROM A GENDER PERSPECTIVE

FAQE 096

Kosovo we found that the situation of the RAE and Serb community is the most unfavourable, especially when compared to the Turkish and Bosnian communities, who are more integrated in the Kosovar society. Thus, Shpresa Agushi, executive director of the Network of RAE Women Organizations in Kosovo, thinks that security of men and women in Kosovo is directly linked to the lack of applicable laws and to the lack of information about existing laws on the part of the citizens of Kosovo, in particular among the RAE communities.²⁰⁴ On top of this, the patriarchal way of living puts the RAE women in a more endangered position in the family and in society. "This has done for the RAE women to feel endangered, since others are speaking and deciding for her and thus further discriminating her by not leaving her the right to decide for herself as an equal human being,"²⁰⁵ explains Agushi.

Unlike RAE community, the Bosnian community seems to be better integrated in the newly created circumstances in Kosovo. Nadira Avdiç – Vllasi, editor in chief of the program in Bosnian language in the public Radio and Television of Kosovo, underlines that security for Bosnian women is the same as for any other woman in Kosovo: "There is nothing in the security of Bosnian women that would differ in relation to that of Albanian, Turkish, and other women here."²⁰⁶

A similar situation is encountered with the members of Turkish community, too. Keriman Sadikay, officer for the Turkish minority issues in the Prime-Ministers' Office for Good Governance, says that: "starting from the fact that the Turkish community is well integrated in the majority community in every field, I think that the Turkish community women face identical problems with the majority community women – which means that there are no differences."²⁰⁷

Whereas for Snezhana Karaxhiq, an activist for women's rights problems facing Serb women in Kosovo, are related to the situation that came about after the war and to their perceptions about the overall security situation.²⁰⁸ On the other side, Besa Qirezi, officer for gender equality, equal opportunities and anti-discrimination in the Ministry for Returns and Communities,

²⁰⁴ Interview with Shpresa Agushi, executive director of the Network of Roma, Ashkali and Egyptian Women Groups, 20.10.2007, Prishtina

²⁰⁵ Interview with Shpresa Agushi, executive director of the Network of Roma, Ashkali and Egyptian Women Groups, 20.10.2007, Prishtina

²⁰⁶ Interview with Nadira Avdiç – Vllasi, editor of program in Bosnian language at Radio Television of Kosovo (RTK). 26.10.2007. Prishtina

²⁰⁷ Interview with Keriman Sadikay, officer for issues of Turkish community in the Office for Good Governance 19.09.2007

²⁰⁸ Interview with Snezhana Karaxhiq, activist for women's rights, 4.10.2007. Prishtina

FAQE 097

declared to us that this ministry engages for the security of all communities in Kosovo, without any discrimination.

Most of the reports addressing the issue of minority security in Kosovo, deal with it in the general context, leaving aside the gender perspective.

Access to education and health

Education presents a key component of the development of an individual and of the society in general.

Ministry of Education has developed its strategy for 2007-2017, approved by the Government of Kosovo in April 2007, which foresees concrete measures and activities to address problems and difficulties facing all communities in the field of education.²⁰⁹

Besa Qirezi, tells about efforts of Kosovar institutions for integration of minorities in education. "University of Prishtina or Ministry of Education have reserved quotas for minorities, offering them access to education. These reserved places remained untaken for a long time," explained Qirezi. However, when talking about women, she emphasizes that they need much more support in the field of education, regardless of ethnic differences.

Shpresa Agushi, from RAE communities, thinks that inclusion of RAE girls and women in education is not satisfactory. Reasons for this small inclusion of women of this community in education, according to her are the following: security, (long distance from the school, fear, etc), social and economic conditions, patriarchal mindset (early marriages, lack of awareness on importance of education), and gender and ethnic discrimination.

These are at the same time also the reasons for dropping out from schools, which, according to the research on the issue of participation in education among the girls of this community, carried out by the Network of Organizations of RAE Women, has become a source of grave concern.

The problem of early marriages of girls is one of the key reasons for school leaving among the girls of the Bosnian community in the municipality of Dragash. Nadira Avdiç-Vllasi tells that there is not much difference in the municipalities, with the exception of Dragash, where most of the girls drop out from school after grades four and eight. Whereas, with the RAE communities, according to Shpresa Agushi, there is a trend of reduction in the number of girls continuing upper secondary and higher education: "Every year,

²⁰⁹ Strategy for Integration of Roma, Ashkali, and Egyptian communities in Kosovo, Education Component 2007 – 2017, Ministry of Education, science, and Technology, Government of Kosovo, PISG, Prishtina, July 2007

FAQE 098

there is a smaller number of those enrolling upper secondary and higher education."²¹⁰

According to Keriman Sadikay, the situation looks slightly different for the Turkish community. In this community, there is a presence of drop out from schools in the municipal pilot unit of Mamusha. However, even here, efforts are under way to improve this situation: "In Mamusha a satellite unit of a vocational medical school has been opened to ensure for better inclusion in education for the entire community."

"There is full access to education for Serb minority women, too, even though this is limited to some regions and related to the northern part of Kosovo, which makes participation of women from other enclaves and regions more difficult," says Snezhana Karaxhiq.

Regarding the issue of access of minority communities to healthcare services, Kosovo Institutions unanimously declare that they guarantee equal services to all citizens living in Kosovo, free of any discrimination whatsoever.

According to Besa Qirezi, officer for gender equality, equal opportunities and anti-discrimination in the MRC, the University Clinical Center offers help equally to whoever is in need for it.

A big issue remains the health education of all citizens. When this is seen in the perspective of education of women of minority communities, it seems that, for many reasons, women of RAE have the lowest level of health education. The "Health education of girls and women of RAE communities" project, implemented by the "Foleja" group of RAE women, in cooperation with two other NGO-s and health institutions, has underlined that young women of RAE communities face health problems in a very young age, and continue living with chronic illnesses during their lifetime."²¹¹ The report further points out that: "This a consequence of the low level of education, the difficult material situation, lack of information by various local media on their current situation, etc."²¹²

On the other hand, women of Bosnian community have difficulties with access to healthcare services because of problems with communication in their language. According to Nadira Avdiç-Vllasi, this is expressed more in Prishtina, whereas in Peja and in Prizren this problem is less present.

Snezhana Karaxhiq from the Serb community says that there are health cen-

210 Interview with Shpresa Agushi, executive director of the Network of RAE Women's groups, 04.10. 2007, Prishtina.

211 Health education of girls and women of Roma, Ashkali, and Egyptian community, "Foleja" ("Nest"), Prizren, February 2007, page 8

212 Ibid.

FAQE 099

ters with high quality services, but they are usually far away from the place of residence of the Serb women, which makes access to these services more difficult.

Together with efforts of the Kosovo government institutions, the civil society has too given its contribution by supporting and promoting various activities aiming at including these communities in the society and for improving their situation.

However, more sustainability and continuity of these plans and activities is needed to integrate these communities in all spheres of life in the society.

FAQE 0100

APPENDIX 1

Realization of the research

Methodology

For the implementation of the project "Monitoring Security in Kosovo from a Gender Perspective" the combined method has been used, but focusing more on the qualitative method.

Initially various reports and statistics were collected, which are relevant to security and gender issues. Then the main fields (issues) were defined through which to review aspects of security from the gender perspective. Also, various sources were used from the electronic and printed media, including resources downloaded from the internet.

In order to collect data, the following research instruments have been used: a semi controlled interviews in form of discussion and focus group discussions.

An analysis of the laws was another important segment of the project, focusing on legal instruments regulating security but also touching on the gender perspective.

Interviews

Altogether 38 interviews have been conducted with representatives of government institutions, security authorities, representatives of international organizations in Kosovo, as well as those of non-governmental local and international organizations.

Focus groups

Two focus groups discussions were organized with the purpose of getting a fuller insight into the perceptions of men and women on various aspects of security. Participants were selected according to the criteria of gender, age, level of education, type of place of residence and social status.

FAQE 0101

Cooperators during the project execution

The Project "Monitoring Security in Kosovo from a Gender Perspective" is realized by the initiative and institutional support of Kosovar Gender Studies Centre.

The project was supported by: Kvinna Till Kvinna, Swiss Agency for Development and Cooperation/ SDC in Prishtina, Network Women Program – Open Society Institute (OSI), New York

Consultant: Nait Vrenezi on methodology and Mehdi Geci on legislation.

On the behalf of the Kosovar Gender Studies Centre, Director of the research Luljeta Vuniqi is thankful to the research team: Sibel Halimi, Albulena Metaj, Artan Krasniqi, Florie Xhemajli and Laura Berisha.

She is also thankful in particular to the other staff members: Luljeta Demolli, Driton Parduzi and Shpresa Agushi, for their support during the project:

A great thanks goes to all the interviewees for their contribution and cooperation.

FAQE 0102

APPENDIX 2:**List of persons interviewed during the field research**

Nr	Surname	Name	Position	Institution	Date
1.	Maloku	Naim	President of Committee for Security	Assembly of Kosovo	16.05.2007
2.	Zeqiraj	Samije	Member of Committee for Security	Assembly of Kosovo	17.05.2007
3.	Nikolla	Ferdinand	Director	FIQ	17.05.2007
4.	Peci	Lulzim	Director	KIPRED	16.05.2007
5.	Jashari	Hilmi	The Acting Ombudsperson in Kosovo	Ombudsperson	25.05.2007
6.	Sadriu	Fahri	Coordinator for Gender Equality	Kosovo Protection Corps	28.05.2007
7.	Musa	Ismail	Officer for Human rights, equal opportunities, gender issues, anti-discrimination	Ministry of Internal Affairs	1.06.2007
8.	Gorani Gashi	Visare	Head of Agency for Gender Equality	Agency for Gender Equality	07.06.2007
9.	Selimi	Behar	General	Kosovo Police Service	19.06.2007
10.	Hutchinstone	Clare	Head of Office for Gender Affairs	UNMIK	19.06.2007
11.	Ahmeti	Ramadan	Head of anti-trafficking sector and organized crime	Anti-trafficking sector - KPS	28.06.2007
12.	Haxholli	Tahire	Officer	Sector for Domestic Violence - KPS	03.07.2007
13.	Mexhuani	Xhevat	Commissar	Kosovo Corrective Service Ministry of Justice	09.07.2007
14.	Berdynaj	Agim	Officer of pre-university education	Ministry of Education, Science and Technology - MEST	04.07.2007
15.	Gashi	Zijadin	Regional Inspector of Education	MEST	05.07.2007
16.	Hyseni	Halim	Head of Sector for Development of Training Programs	Kosovo Education Centre - KEC	09.07.2007
17.	Shala	Behgjet	Executive Director	KMLDNJ	16.07.2007
18.	Basha	Adile	Head of Sector for Family Protection	Ministry of labor and social welfare	11.07.2007
19.	Kuriu	Arbena	Child Protection Officer	UNICEF	20.07.2007
20.	Prisoner (minor)	-	-	Corrective Centre Lypjan	19.07.2007
21.	Kelmendi	Ilir	Vice President	Corrective Centre Lypjan	19.07.2007

KOSOVAR GENDER STUDIES CENTER

FAQE 0103

Nr	Surname	Name	Position	Institution	Date
22	Prisoner	-	-	Corrective Centre Lypjan	19.07.2007
23	Dobrosht- Deva	Edona	Officer for HIV/AIDS	National Institute for Public Health	22.08.2007
24	Mullhaxha Kollçaku	Fatmire	President of Committee	Parliamentary Committee for Health	30.08. 2007
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