



Kosovo Women's Network

Serving, Protecting and Promoting the Rights of Women and Girls

Subject: KWN requests inclusion of specific “Domestic Violence” definition in amended Criminal Code
Date: 14 June 2018

Dear Honorable Members of Parliament:

We, the Kosovo Women's Network (KWN), are writing to strongly encourage all MPs to ensure that the specific definition of domestic violence that we and other key actors have recommended in line with the Istanbul Convention is included in the amendments to the Criminal Code of Kosovo (CCK), and to vote for its adoption.

Domestic violence was among the **most common crimes** perpetrated in Kosovo during the last decade, as shown by police statistics. Only in the last three years (2015-2017), 49 women have lost their lives, due to violence perpetrated against them by other family members. In the last year, more than 1,125 domestic violence cases have been reported to the Kosovo Police. Moreover, a 2015 KWN study shows that more than 62% of Kosovars have experienced domestic violence in their lifetimes. However, official data from Kosovo courts show there have been very few convictions for such crimes. Our in-depth research in Kosovo has shown that this is partially because there is no specific definition of domestic violence within the current CCK. This means that crimes perpetrated within domestic relationships often have been treated **only** in civil proceedings, even when a criminal offence has been committed and should be prosecuted automatically (*ex officio*). Evidence also suggests that the lack of a specific definition of domestic violence within the CCK has contributed directly to recidivist violence against women, including **death**.

In accordance with the Convention on the Elimination of Discrimination against Women (CEDAW), in our Constitution, the state has a duty to protect women in both public and private spheres. We believe that the proposed amendments to the CCK will help address current impunity and the lack of access to justice for persons who have suffered domestic violence, particularly women. Moreover, the proposed amendments are in line with the **Istanbul Convention**, and best **European practices**.

Also, following recommendations made by the European Commission's Kosovo 2018 Report, the proposed amendment, would directly contribute to strengthened efforts to implement the Strategy and Action Plan on Protection from Domestic Violence 2016-2020, particularly Activity 3.1.3. on the amendment of laws, “specifying domestic violence as criminal act in the Criminal Code of Kosovo in accordance with the definition of domestic violence from the Law on Protection from Domestic Violence”.

The recommended amendments were compiled by a group of experts from the Office of the National Coordinator on Protection from Domestic Violence, UN Women, KWN and the Kosovar Gender Studies Centre, all of which have extensive experience and knowledge regarding current challenges to ensuring access to justice for domestic violence crimes **in Kosovo specifically**. For further information, please find attached the official recommendations and justifications that our aforementioned working group provided to the Government Working Group, for your information.

We call upon all parliamentarians to ensure that our proposed amendments are included, as originally proposed, in the amended CCK, and to vote in favor of these crucial amendments. We thank you for your support in combatting domestic violence.

Sincerely,

Igballe Rogova
Executive Director
Kosovo Women's Network

