

# MISSING LINKS: HOW KOSOVO'S INSTITUTIONS AND SOCIETY ARE FAILING CIVILIAN WAR FAMILIES IN MITROVICA

*Centre for Research, Documentation and Publication  
July 2014*



Centre for Research,  
Documentation and Publication

Supported by:  
The Pontis Foundation &  
the Balkan Civil Society Development Network



# ACKNOWLEDGEMENTS

CRDP would like to thank the following readers for providing their valuable input and expertise during the writing and editing phase of this policy paper (listed alphabetically by first name):

**Dea Pallaska-O'Shaughnessy**, CRDP board member and expert in youth development and mental disability rights.

**Edi Gusia**, Head of Reporting and Monitoring at the Kosovo Agency for Gender Equality.

**Nicole Farnsworth**, Program Manager and Lead Researcher at the Kosova Women's Network.

**Shqiptar Oseku**, social worker and addiction counselor.

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**Title:** Missing links: How Kosovo's institutions and society are failing civilian war families in Mitrovica

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**Published:** July 2014;

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Cataloging in publication – (CIP) ; National and University Library of Kosovo; ISBN 978-9951-640-02-2; A publication of the Centre for Research, Documentation and Publication (CRDP). All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of the publisher.

**Published by:** Centre for Research, Documentation and Publication (CRDP), Nora Ahmetaj; Rr."Shaban Polluzha" No.7, Prishtinë, Kosovë 10000; Tel: +377 45 321 545; info@crdp-ks.org;

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# MISSING LINKS

## HOW KOSOVO'S INSTITUTIONS ARE FAILING CIVILIAN WAR FAMILIES IN MITROVICA

### 1. INTRODUCTION

Kosovo's war victims<sup>1</sup> make up a sizeable amount of the population. Nearly half of the population has been affected<sup>2</sup> in one way or another by the conflict of 1999, and adequate measures to provide for their psychosocial needs have yet to be met by Kosovo's institutions. According to the Humanitarian Law Center, approximately 13,526 deaths and/or disappearances occurred during the conflict, spanning January 1, 1998 and the beginning of 2000<sup>3</sup>.

The number of disappearances has decreased to approximately 1,700, but the number of surviving family members who continue to live with the trauma of being war survivors has not. In CRDP's 2013 monitoring report on the implementation of Law Nr.4/L-054<sup>4</sup>, CRDP estimated that approximately 78,000 Kosovars have been exposed to violence during the conflict and can be classified as war victims in Kosovo's social welfare schemes. Our research has established that while the needs of Kosovars overall are great, war victims, both civilian and otherwise, are a sensitive portion of the population that needs not only financial support, but a special system of social support that includes preference for employment and psychosocial services.

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1 Law No.4/L-054 classifies several groups of victims as victims of war, including: the KLA deceased and their surviving family members, the civilian deceased and their surviving family members, KLA and civilian invalids, survivors of wartime rape, as well as KLA and civilian missing persons and their surviving family members.

2 Pg 58. "Monitoring of Law No.4/L-054 'On the Status and Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims of War and their Families.'" December, 2013. Centre for Research, Documentation, and Publication. Retrieved from: <http://crdp-ks.org/wp-content/uploads/2014/03/2014-raporti-mbi-ligjin-WEBFINAL.pdf>

3 "Kosovo Memory Book." Humanitarian Law Center. May 27, 2011. Retrieved from <http://www.hlcrdc.org/?cat=218&lang=de>

4 Pg. 58, "Monitoring on Law No.4/L-054 On the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims of War and their Families." The Centre for Research, Documentation, and Publication. December, 2013. Retrieved from: <http://crdp-ks.org/wp-content/uploads/2014/03/2014-raporti-mbi-ligjin-WEBFINAL.pdf>

Institutional support for war victims is comprehensively covered by Law Nr.4/L-054, and is also covered by the Law on Missing Persons, and the Law on the Kosovo Liberation Army Veterans. Law Nr.4/L-054 was adopted in 2012, and introduced a variety of additional services and benefits not provided by previous UNMIK legislation. This law was recently amended in March 2014 to include persons who suffered sexual violence during the war as a distinct beneficiary group.

The number of families that have sought monthly pensions from the government's social welfare scheme for war victims has slowly risen over the past 7 years, from 11,508 in 2008<sup>5</sup> to 13,196 in 2013<sup>6</sup>. More than half of these individuals<sup>7</sup> are categorized as civilian victims, defined as the family members of civilian missing persons, civilian invalids and their caretakers, and the families of civilian victims.

War victims are entitled to preferential treatment at health and educational institutions, certain forms of tax relief, and discounted utility costs, as well as a monthly pension. Civilian victims are entitled to smaller pensions than KLA veterans and their family members (135 euros per month as opposed to 358-534 euros per month). Their associations tend to be poorly funded, and lack a clear advocacy agenda on a national or municipal level. As such, institutions are not pressured to adequately address their needs and their needs are not collectively addressed.

CRDP's 2013 monitoring report on the implementation of Law Nr.4/L-054 noted the lack of coordinated institutional support for Kosovo's war victims. The report noted several obstacles to the law's full implementation. A few of the more pressing obstacles include:

1. The lack of coordination between the central and local levels of government for providing services to war victims,
2. A lack of easily available information for beneficiaries on the full extent of their rights and benefits,
3. A lack of adoption of all the sublegal acts necessary for the law's implementation on the part of ministries, thereby delaying the access of beneficiaries to all of their rights and services,
4. A lack of professionals at the municipal level to provide much needed social welfare and psychosocial support.

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5 Pg.12, "Statistikat e mirëqenies sociale në Kosovë, 2008" Kosovo Statistics Agency. June, 2009. Retrieved from: [http://ask.rks-gov.net/publikimet/doc\\_details/624-Statistikat-e-mirëqenies-sociale-në-Kosovë-2008](http://ask.rks-gov.net/publikimet/doc_details/624-Statistikat-e-mirëqenies-sociale-në-Kosovë-2008)

6 Pg. 9, "Statistikat e mirëqenies sociale në Kosovë, 2013" Kosovo Statistics Agency. March, 2014. Retrieved from: [http://ask.rks-gov.net/publikimet/doc\\_details/1092-Statistikat-e-mirëqenies-sociale-në-Kosovë-2013](http://ask.rks-gov.net/publikimet/doc_details/1092-Statistikat-e-mirëqenies-sociale-në-Kosovë-2013)

7 CRDP found that in 2013, 13,196 individuals received governmental pensions as beneficiaries of Law No.4/L-054. 5710 beneficiaries were family members of KLA veterans, while 7486 were civilian victims. Pg. 20, "Statistikat e mirëqenies sociale në Kosovë, 2013." Kosovo Statistics Agency. March, 2014. Retrieved from: [http://ask.rks-gov.net/publikimet/doc\\_details/1092-Statistikat-e-mirëqenies-sociale-ne-Kosove-2013](http://ask.rks-gov.net/publikimet/doc_details/1092-Statistikat-e-mirëqenies-sociale-ne-Kosove-2013)

Until the points raised above are addressed by Kosovo's institutions, war victims' access to the full range of their rights and benefits will continue to be limited.

Additionally, CRDP's 2012 War Victims Needs Assessment concluded that the primary needs of Kosovo's war victims are: economic security, better health services, justice for their missing/killed loved ones, recognition of their suffering, and greater institutional support (i.e. access to better health care and mental health services, greater opportunities in employment and education, clearer communication on the scope of their rights and benefits)<sup>8</sup>.

CRDP is of the opinion that Law Nr.4/L-054 unfairly covers civilian war victims, as evidenced by the discrepancy between the monthly pensions received by surviving family members of KLA soldiers and family members of the civilian dead/missing. The majority of the beneficiaries interviewed by CRDP for the purposes of this paper stated that their primary source of income is the 135 euro pension they receive for being the surviving family members of civilian killed/missing persons. Their monthly pension is the only regular form of institutional support that they and their children receive.

CRDP observed an additional layer of discrimination when war victims were women, particularly when women became the heads of households as a result of the death or disappearance of their closest male family member. It was difficult for them to take on the role of provider, due to high rates of overall poverty, their low skill sets, and a lack of opportunities for professional training. The perception of women's inferior role in the Kosovar family structure and social prejudices against the employment of women also hindered their attempts to rebuild their lives. This leaves women victims of war and their children particularly vulnerable to poverty and abuse.

Thanks to the efforts of Kosovo's Agency for Gender Equality, Kosovo's government recently adopted a National Action Plan for the implementation of UN Resolution 1325 on Women, Peace, and Security, which provides for the inclusion of women in post-conflict, decision-making processes. Kosovo's National Action Plan, while comprehensive with regards to women in security forces and the protection and rehabilitation of survivors of wartime rape, does little to forward the requirements of Article 8 of Resolution 1325, which requires the inclusion of women in peace processes. "Peace processes" in this sense implies a wide range of issues, spanning economic reconstruction, reforms in legislation and the security sector, and empowering women and girls affected by war.

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<sup>8</sup> Pg. 71, "Needs Assessment of Kosovo Victims." CRDP, December 2012. Retrieved from: <http://crdp-ks.org/wp-content/uploads/2013/01/20131210-web-crdp-publikimi.pdf>

The empowerment of women is also a requirement of the UN Millennium Development Goals (MDG), which Kosovo has committed to fulfilling. UNDP's 2006<sup>9</sup> report on the implementation of the MDG stated that while a legislative framework exists with regards to gender equality, "no satisfactory progress" was yet achieved in the implementation of gender equality policies.

Kosovo has also integrated the Convention on the Elimination of all Forms of Discrimination Against Women within its constitutional framework, and adopted a comprehensive Law on Gender Equality in 2004.

This policy paper attempts to examine the implementation of such legislation and international agreements, insofar as they apply to war victims. To do so, CRDP has decided to focus on the needs of one category of war victim in one municipality. As such, the focus of this study is on the needs of civilian war widows (defined as women who have missing/dead civilian husbands<sup>10</sup> as a result of the 1999 conflict) in the municipality of Mitrovica (the municipality with the second highest number of Law Nr.4/L-054 beneficiaries in Kosovo).

The context of Mitrovica is particularly problematic in many respects. Once the most industrialized city in Kosovo, Mitrovica's economy has stagnated over the past few decades, in great part due to the lack of investment in the Trepca mine. The mine, which used to employ the majority of the municipality's inhabitants, now only employs a fraction of its former workforce<sup>11</sup>. Poverty is an ongoing problem, and approximately 60 percent of the population is registered as unemployed. According to the Ministry of Labor and Social Welfare, approximately 55,000 residents of Mitrovica are registered as unemployed<sup>12</sup>. According to Kosovo's Statistics Agency, the overall population of Mitrovica is approximately 84,000<sup>13</sup>. The number of economically active women is woeful,

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9 Pg. 37, "Second Millennium Development Goals Report for Kosovo." UNDP & Riinvest Institute, 2006. Retrieved from:<http://www.undp.org/content/dam/undp/library/MDG/english/MDG%20Country%20Reports/Kosovo/English%202nd%20report%202006.pdf>

10 The death/disappearance of sons during war also had a significant negative effect on the quality of life of women and their children – in the traditional structure of Kosovar Albanian households, the eldest son becomes the primary breadwinner when the father is no longer of working age.

11 The historical economic importance of the Trepca mine in the municipality of Mitrovica, as well as difficulties in its revitalization, are described in this ESI report titled "Trepca: Kosovo's industrial giant." Retrieved from: [http://www.esiweb.org/pdf/esi\\_document\\_id\\_62.pdf](http://www.esiweb.org/pdf/esi_document_id_62.pdf)

12 "Informatat e Tregut te Punes ne Kosove, Shtator 2013." Department of Work and Employment, Ministry of Labour and Social Welfare. Number of unemployed as of September, 2013. Retrieved from: <https://mpms.rks-gov.net/Portals/0/Librat/0913%20Informatat%20ne%20tregun%20e%20Punes.pdf>

13 Pg. 10, "Atlasi i Regjistrimit të Popullsisë/Kosovo Census Atlas, 2011" Kosovo Statistics Agency. December, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullise/doc\\_details/1076-atlasi-i-regjistrimit-te-popullise](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullise/doc_details/1076-atlasi-i-regjistrimit-te-popullise)

at 29%<sup>14</sup>. In this context, the war widows interviewed by CRDP supported themselves and their families through their monthly pensions, charity offered by NGOs or religious institutions, and family assistance.

## 2. METHODOLOGY

Given that access to this group of women is rather difficult, CRDP's interviews with war widows were facilitated by an association called "The Parents' Voice" (Zëri i Prindërve). CRDP first held a preparatory meeting with a sample of fifteen civilian war widows, during which the scope and structure of the research was explained to them in detail. A focus group discussion followed, which covered each woman's personal history as well as their experiences with Kosovo's institutions. Individual follow-up interviews were also held with three women, in order to gain greater insight on their daily struggles. All of the women interviewed were contacted beforehand by "The Parents' Voice" (Zëri i Prindërve). The majority of the women interviewed were middle aged, with at least high school education. All women were confronted with the responsibility of generating income and raising their children without their husbands. They also had to deal with various forms of community pressure such as being constantly observed by neighbors and in-laws, as well as struggles with their property rights and freedom of movement. In conversations with them, CRDP noted that their primary needs were better economic conditions, access to information and institutions, as well as greater family and community support.

CRDP approached the focus group and interviews with our standard guidelines for ethical research, meaning participants were informed ahead of time about the aim and structure of the research. CRDP took all reasonable measures to ensure that consent was given to record both the focus group and individual interviews, and also ensured that participants' input and personal information was kept confidential. Our intention was to interview the sample of civilian war widows in private settings, one-on-one with CRDP researchers. However, due to the short period of time available for research, and the fact that more time was needed to build trust between CRDP researchers and participants, we were not able to obtain much information on the conflict dynamics within families of missing persons/civilian victims, particularly the conflict dynamics between war widows and their children.

CRDP researchers also conducted interviews with six children of missing persons and war victims. It was difficult to obtain detailed information about their family lives, due to the social labeling that comes with being the child of a war victim. We recognize the labeling

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14 Pg. 54, "Gratë dhe Burrat në Kosovë, 2011" Kosovo Statistics Agency. June, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc\\_details/1019-grate-dhe-burrat-ne-kosove-2011](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc_details/1019-grate-dhe-burrat-ne-kosove-2011)

attached to such victims in our society, which often results in their feelings of isolation, exclusion and embarrassment. Unofficially, our respondents (the widows), revealed that their grown up sons are not comfortable speaking in public about the poverty they face, claiming that being poor reduces their chances of meeting potential spouses and feeling “established” in society.

The input received from our interviews could not be fully verified, and as such, limits the scope of this paper. It was difficult for CRDP researchers to gain access to the homes of the women interviewed, due to difficulties in collaborating with victims’ association “The Voice of Parents,” and also due to the social stigma associated with inviting a stranger into one’s house (CRDP was told that this signaled to neighbors that the woman in question was probably a victim of wartime rape). CRDP was informally told of cases of domestic violence in the households of civilian war widows<sup>15</sup>, inflicted by the widows’ sons and husband’s relatives. In recorded interviews, CRDP respondents stated that their families were able to resolve conflicts easily.<sup>16</sup>

In order to gain a comprehensive picture of the range of public services available to these women and their children, CRDP also conducted stakeholder interviews with officials at the municipality of Mitrovica, the Ministry of Labor and Social Welfare, local NGOs, trauma therapists/psychologists, and high school principals.

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15 Research on domestic violence in Kosovo shows that women are predominantly the victims of violence, while their male family members tend to be the perpetrators. Kosova Women’s Network publications on domestic violence describe cases of violence perpetrated by sons toward their mothers (pg. 20, “*Exploratory Research on the Extent of Gender Based Violence in Kosova and its Impact on Women’s Reproductive Health*”), of widowed women being denied custody of their children and access to marital property (pg. 60, “*More than words on paper*”), as well as statistics which show that 1 percent of perpetrators of violence are children, and 13 percent are in-laws (pg. 20, *Exploratory Research on the Extent of Gender Based Violence in Kosova...*, data collected from the Centre for the Protection of Women and Children).

Pg. 20, “*Exploratory Research on the Extent of Gender Based Violence in Kosova and its Impact on Women’s Reproductive Health*.” Kosova Women’s Network, 2008. Retrieved from: <http://www.womensnetwork.org/documents/20130120165614663.pdf>

Pg. 60, “*More than Words on Paper? The Response of Justice Providers to Domestic Violence in Kosovo*.” Kosova Women’s Network, October 2009. Retrieved from: <http://www.womensnetwork.org/documents/20130120165443203.pdf>

16 CRDP initially held consultations in order to assess the grounds for conducting research with members of the families of victims of war and missing persons. On December 8, 2011, CRDP staff travelled to Mitrovica to meet with women from the Mitrovica region who had lost close family members as a result of the violent conflict. Over an informal lunch, more than thirty women had the opportunity to discuss their struggles and hopes for the future. Many of the participants spoke candidly about their economic hardship, family pressures and the challenges of raising children without their husbands. They stated their needs for trauma therapy, better employment opportunities, as well as more family and community support. There were voices among the women who claimed they faced a lack of access to property rights, as well as physical and sexual violence committed against them by their male in-laws. By gaining a better understanding of these women’s needs, CRDP was able to develop further inquiry and prepare recommendations for relevant national and international institutions to address some of the problems that continue to plague victims of war.

# 3. FINDINGS ON ECONOMIC NEEDS

## 3.1 Financial independence

Poverty is a big issue in the families of victims and missing persons. This issue was brought up regularly in CRDP's focus group with civilian widows, with women voicing their children's and their own distress with their lack of money. One of the respondents told us that her son forbade her from appearing on TV to complain about their poverty. He found it degrading and embarrassing when his mother publicly complained about the lack of certain services the government is supposed to provide.

**Now [after 15 years] the biggest crisis has come. My son is saying, "There is no life for me. I would be better off if I dealt drugs, or engage in illicit businesses."**

The primary need identified by CRDP respondents is greater financial independence. The majority of women interviewed by CRDP had at least high school education, but for the most part was not trained to practice any profession.

For all women interviewed, their monthly pension is their primary source of income for their children and themselves. Housing and employment are two sensitive areas where civilian war widows and their children need institutional support. Their main sources of assistance are the Municipal Directorate for European Integration and Social Welfare in Mitrovica, the Ministry of Labor and Social Welfare (which distributes their monthly pensions), international and local NGOs, or the Kosovo Islamic Community (in Alb. Bashkësia Islame e Kosovës).

During the focus group, some women felt a general sense of failure to provide their children with support that would give them a better future. These women expressed their efforts in terms of a necessity to do everything to ensure that their children would not grow up to blame them for their unmet needs in education, shelter, or their overall wellbeing. The small amount of social assistance that these women receive makes it impossible for them to cater to their children's needs.

The lack of employment of civilian war widows and their children is a complex problem. The overall rate of unemployment in Mitrovica is quite high, and the existing labor market

in the municipality is primarily driven by micro, family-owned enterprises. Mitrovica has among the highest unemployment rates in the country at approximately 60%,<sup>17</sup> and currently does not have an economy driven by production or development. Strategies for Mitrovica's economic revival exist on paper, but there aren't clear measures to mark the progress of the plan's development, and it is not clear if Mitrovica's relatively new administration is committed to its fulfillment.

The head of Mitrovica's municipal directorate for European Integration and Social Welfare explained that the directorate is overwhelmed and underfunded - two problems that stand in the way of meeting the needs of the public. The municipal directorate provides a range of services, including payment of renovation/construction costs, food, assistance paying rent, and providing collective housing.

Requests for assistance are typically made in person at Mitrovica's town hall, and are then processed through the directorate's two divisions: one for invalids and families of martyrs, and the other for social welfare. The claimants' needs are verified by a field visit, and then approved or rejected. The directorate typically receives approximately 100 requests per month, and more than four hundred claims were registered between January-March, 2014.

The economic independence of war widows had a direct influence on the quality of life of their children. Many of the women CRDP interviewed expressed their dissatisfaction with their inability to provide adequate shelter and resources for their children, and worried about their future prospects in education and employment. All of the women interviewed were the heads of their households – a rarity in Kosovo, where women lead only 8 percent of all households<sup>18</sup>, according to the Kosovo Statistics Agency.

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17 The 60 percent figure is calculated based on number of registered unemployed persons within the total population of the municipality. According to this table of unemployment figures in Kosovo in September 2013, published by the Ministry of Labor and Social Welfare, Mitrovica has the second highest number of unemployed citizens, after Prishtina. "Informatat e Tregut te Punes ne Kosove, Shtator 2013." Ministry for Labour and Social Welfare, June 2014. Retrieved from: <https://mpms.rks-gov.net/Portals/0/Librat/0913%20Informatat%20ne%20tregun%20e%20Punes.pdf>

18 Pg. 9, "Gratë dhe Burrat në Kosovë, 2011" Kosovo Statistics Agency. June, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc\\_details/1019-grate-dhe-burrat-ne-kosove-2011](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc_details/1019-grate-dhe-burrat-ne-kosove-2011)

## 3.2 Inheritance and property rights

Some of the women interviewed by CRDP had barely managed to secure shelter for their families. One of them had moved in an office space available in a building built for social assistance beneficiaries. She explained that they had no heating in that improvised living space, and that the windows were broken. Sometimes, when there is snow and she and her 14-year-old son cannot stand the cold, she sleeps at her sisters' house, the respondent told CRDP.

The issue of shelter came up also in cases of cohabitation with the family members of the deceased or missing husband. One of the respondents explained that she was relieved that she had managed to improvise a separate door for her entryway within her in-laws' house. Before that, she indicated that her deceased husband's family was not nice to her sons. Instead of providing emotional support, one of her brothers-in-law had beaten up her son, his nephew.

Inheritance rights are a key missing part of women's economic independence in Kosovo, and are particularly sensitive in the case of poorer, rural women. Although laws on inheritance and gender equality guarantee equal inheritance rights before the law, many women waive their rights to inheritance due to pressure from their in-laws or families. Customary law in Kosovo demands that property and other forms of inheritance go only to male members of the family. This is done via informal agreements, which are then presented to the courts and made official before the law.

According to a study completed by NORMA<sup>19</sup>, a lawyers' association that monitors women's civil rights, in many cases municipal authorities do not properly attribute property acquired during marriage as joint property, which leaves married women vulnerable to contesting claims after the husband's death. Deaths and inheritors in many cases are also not properly documented at the municipal level, with some cases of only male family members being listed as surviving family members after an individual's death. The same research documented<sup>20</sup> that in the municipality of Mitrovica, 233 women and 441 men were potential inheritors in 2008 - however only 91 women and 307 men claimed their inheritance. In 2009, 347 women and 719 men were potential inheritors – however only 134 women and 510 men claimed their inheritance.

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19 Pg.22, "Research and monitoring the implementation of the law on gender equality." NORMA, 2012. Retrieved from: [http://www.norma-ks.org/repository/docs/norma\\_eng\\_\(2\)\\_1\).pdf](http://www.norma-ks.org/repository/docs/norma_eng_(2)_1).pdf)

20 Pg. 28, "Research and monitoring the implementation of the law on gender equality." NORMA, 2012. Retrieved from: [http://www.norma-ks.org/repository/docs/norma\\_eng\\_\(2\)\\_1\).pdf](http://www.norma-ks.org/repository/docs/norma_eng_(2)_1).pdf)

There are various social reasons for this discrepancy in claiming inheritance rights. According to research<sup>21</sup> published by the Kosovar Gender Studies Center, women are hesitant to claim their inheritance for several reasons: fear of being shunned and ignored by their families or in-laws, of being obstructed by their families, or of being threatened. Although 75 percent of the women surveyed by KCGS<sup>22</sup> agreed that property should be divided equally, their dependence on the goodwill of their families for survival made them very wary of staking their claims.

Kosovo's judicial system fails to adequately ensure that female inheritors are accounted for and considered during inheritance proceedings<sup>23</sup>, while cadastral offices do not tend to register property acquired during marriage as joint property, despite a legal obligation to do so<sup>24</sup>.

Difficulty in claiming inheritance rights has a direct, negative effect on the economic independence of women such as the wives and mothers of the civilian dead and missing. Not only does the loss of a father or son place them in the position of the head of the household, but dependency on their families, in-laws, charity, and Kosovo's flimsy social welfare system places them in a constant struggle for survival. Their lack of property hinders access to loans, making it difficult to invest in ventures such as a small business<sup>25</sup>.

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21 Pg. 33, "Women's Property Inheritance Rights in Kosovo." Kosovar Gender Studies Center. March, 2011. Retrieved from: <http://kgscenter.net/images/stories/pdf/trashegimia-ang-web.pdf>

22 Pg. 35, "Women's Property Inheritance Rights in Kosovo." Kosovar Gender Studies Center. March, 2011. Retrieved from: <http://kgscenter.net/images/stories/pdf/trashegimia-ang-web.pdf>

23 Pg.23, "Research and monitoring the implementation of the law on gender equality." NORMA, 2012. Retrieved from: [http://www.norma-ks.org/repository/docs/norma\\_eng\\_\(2\)\\_1\).pdf](http://www.norma-ks.org/repository/docs/norma_eng_(2)_1).pdf)

24 Pg.21, "Research and monitoring the implementation of the law on gender equality." NORMA, 2012. Retrieved from: [http://www.norma-ks.org/repository/docs/norma\\_eng\\_\(2\)\\_1\).pdf](http://www.norma-ks.org/repository/docs/norma_eng_(2)_1).pdf)

25 Only a small portion of businesses in Kosovo is owned by women (as per the Kosovo Statistical Agency's reports, "Men and Women in Kosovo", pg.128, and "Rezultatet e Anketës së Buxhetit të Ekonomive Familjare", pg.18), in part due to their lack of access to readily available capital or credit. Despite microbusiness and start-up development projects (such as the Kosovo Women's Fund and the Women in Innovation network) and short-term awareness raising initiatives spearheaded by the NGO sector (i.e. the USAID-funded Women's Economic Empowerment Program, and the Swiss Agency for Development and Cooperation's Women Business Development Project - concluded in 2008), Kosovo still lacks sustained entrepreneurship training for women, gender sensitive credit schemes, and increased gender awareness among financial institutions (as per recommendation 10 of SHE-ERA's report "An overview of businesses owned by women in 2006").

Pg. 128, "Gratë dhe Burrat në Kosovë, 2011" Kosovo Statistics Agency. June, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullise/doc\\_details/1019-grate-dhe-burrat-ne-kosove-2011](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullise/doc_details/1019-grate-dhe-burrat-ne-kosove-2011)

Pg. 18, "Rezultati i Anketës së Buxhetit të Ekonomive Familjare, 2013" Kosovo Statistics Agency, June 2013. Retrieved from: [http://ask.rks-gov.net/konsumi-i-ekonomive-familjare/publikimet/doc\\_details/1117-rezultatet-e-anketaeuml-saeuml-buxhetit-taeuml-ekonomive-familjare-2013](http://ask.rks-gov.net/konsumi-i-ekonomive-familjare/publikimet/doc_details/1117-rezultatet-e-anketaeuml-saeuml-buxhetit-taeuml-ekonomive-familjare-2013)

Pg. 42, "Women Entrepreneurs in Kosovo: An overview of businesses owned by women in 2006." SHE-ERA, 2006. Retrieved from: <http://she-era.org/~sheera/eng/wp-content/uploads/2013/08/WOMEN-ENTERPRENURS-IN-KOSOVO-ANALYSES.pdf>

### 3.3 Lack of strategy perpetuating poverty

Without employment perspectives and a low chance of receiving their share of familial wealth, civilian war widows' ability to ensure their own well-being and that of their children's is jeopardized. This carries the risk of simply continuing the cycle of poverty from the mother to her children.

One of the respondents said that she could not support her son's undergraduate studies in Prishtina, so he had to return to Mitrovica. Her son had been accepted at the University of Prishtina, on his own efforts, and had met the required criteria in the entrance exam to enter the Faculty of Law. However, his mother could not afford his living costs, or his expenses for textbooks, so he had to come back home during the second semester of his freshman year. She said that the fact that he had gotten accepted based on his own efforts made her sad, because it reminded her of her son's potential and of her failure to provide him the opportunity to realize that potential.

"It would be so much easier for me if he didn't score that many points in the entrance exam. I would tell him [my son] that you didn't make it on your own; and the fault would not be my own. I know that he does not blame me for stopping his undergraduate studies, but my heart knows how difficult it is to say no to my son's education."

The NGO sector formerly provided the bulk of social welfare services for Mitrovica's vulnerable groups, including but not limited to: charitable donations, support groups for women, psychological counseling, microbusiness support, and advocacy work. International donations for charitable NGOs in Mitrovica have declined since the immediate aftermath of the conflict, and local NGO practitioners have difficulty delivering the same quantity (and quality) of services they offered immediately after the 1999 conflict. Social welfare beneficiaries must increasingly rely upon Kosovo's institutions to meet their needs<sup>26</sup>.

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26 Despite the wide range of services provided by women's NGOs (including domestic violence shelters for women and children, counseling for women war victims, economic empowerment initiatives, among others) research completed by the Kosova Women's Network has also noted the gradual decline of direct donations to women's NGOs. International donations fell from 8.02 million euros in 2000 to 3.88 million euros in 2013. NGOs that specifically deal with the economic empowerment, health, and education of women have received approximately 1.9 - 2.9 million euros in international donations from 2000-2013. This decline is attributed changes in donor trends. Since the declaration of Kosovo's independence in 2008, an increasing amount of donor funding earmarked for gender equality has gone directly to governmental institutions. Cooperation between women's NGOs and governmental institutions currently remains limited, except in cases where NGOs are engaged as service-providers contracted by the government (i.e. domestic violence shelters are provided with subsidies by the Ministry of Labor and Social Welfare.

Pgs. 26, 37, 62, 63, "Where's the money for women's rights? A Kosovo Case Study." Farnsworth, Nicole & Gashi, Eli. Kosova Women's Network, Alter Habitus, November 2013. Retrieved from: <http://www.womensnetwork.org/documents/20140109133636572.pdf>

The Ministry of Labor and Social Welfare does not have a national strategy or vision for the elimination of poverty on a national level, and no long-term strategy for poverty reduction is in place at the municipal level in Mitrovica. Limited budgets and institutional inefficiency<sup>27</sup> at the level of Kosovo's ministries means that beneficiaries do not have access to the full range of services and benefits guaranteed to them by social welfare laws. As such, Kosovo's social welfare schemes primarily provide monthly welfare payments, limited health coverage, inadequate housing, and ad-hoc, donor driven acts of charity.

The World Bank's Poverty Assessment for Kosovo states that the country's current welfare system has a low impact on beneficiaries' overall wellbeing<sup>28</sup> - understandable, considering the low percent of the GDP dedicated to social welfare schemes. Apart from expanding social protection schemes, the same assessment encouraged the formation of policies which:

- a) link economic growth with high levels of employment,
- b) positively affect access to education for social welfare cases,
- b) provides opportunities for economic development to struggling municipalities,
- c) lower the number of dependents per household.

Without the adoption and implementation of such policies, Kosovo's welfare scheme will only prevent already vulnerable families from falling into a state of abject poverty. CRDP has observed that all the civilian war widows interviewed received state and/or nongovernmental assistance of some kind after 1999, two sources which provided a kind of supplemental income to their regular pensions. With the decline of support from NGO donors, Kosovo's institutions must increasingly take on the full weight of the economic and employment needs of the country's poor.

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27 Pg. 72, "Monitoring on Law No.4/L-054 On the Status and the Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims of War and their Families." The Centre for Research, Documentation, and Publication. December, 2014. Retrieved from: <http://crdp-ks.org/wp-content/uploads/2014/03/2014-raporti-mbi-ligjin-WEBFINAL.pdf>

28 Pg. 30, "Kosovo Poverty Assessment, Volume I: Accelerating Inclusive Growth to Reduce Widespread Poverty." Poverty Reduction and Economic Management Unit, Europe and Central Asia Region, World Bank. October, 2007. Retrieved from: [http://www-wds.world-bank.org/external/default/WDSContentServer/WDSP/IB/2007/11/01/000020439\\_20071101092530/Rendered/PDF/397370XK.pdf](http://www-wds.world-bank.org/external/default/WDSContentServer/WDSP/IB/2007/11/01/000020439_20071101092530/Rendered/PDF/397370XK.pdf)

## 4. GENDER EQUALITY POLICIES AT THE MUNICIPAL LEVEL

The gender dimension of Mitrovica's civilian war widows cannot be ignored, as statistics prove that overall, Kosovar women are less likely to be employed<sup>29</sup>, are less educated<sup>30</sup>, and are more prone to experience violence<sup>31</sup> compared to their male counterparts. Without their husbands as breadwinners, civilian war widows are even more vulnerable to dependence on Kosovo's limited institutional resources and/or remittances from family members abroad. According to a report<sup>32</sup> sponsored by the Kosovar Agency for Gender Equality, households led by women tend to have higher rates of poverty (39.8% as opposed to 29%).

Kosovo's Law on Gender Equality lays the groundwork for providing equality and institutional support for women. The law spans a wide range of issues such as political representation, labor practices, inheritance rights, access to education, hate speech, and the work of Kosovo's Agency for Gender Equality (AGE). AGE's mandate involves monitoring the implementation of the Law on Gender Equality, mainstreaming gender in governmental policy and doing public advocacy work at the governmental and local level. Gender Equality officers are present in every governmental ministry and municipality in Kosovo, and must report to the Agency for Gender Equality on a regular basis.

The Agency for Gender Equality has achieved some important successes in pushing forth new legislation at the national level, but has yet to achieve the same level of effectiveness across Kosovo's municipalities. Municipal Gender Equality Officers are managed and paid for by the municipality, and often have other tasks and responsibilities in their portfolios. Many municipalities do not set aside a sufficient budget line for gender equality policies<sup>33</sup>,

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29 Pg. 126, "Gratë dhe Burrat në Kosovë, 2011" Kosovo Statistics Agency. June, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc\\_details/1019-grate-dhe-burrrat-ne-kosove-2011](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc_details/1019-grate-dhe-burrrat-ne-kosove-2011)

30 Pg. 105, "Gratë dhe Burrat në Kosovë, 2011" Kosovo Statistics Agency. June, 2013. Retrieved from: [http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc\\_details/1019-grate-dhe-burrrat-ne-kosove-2011](http://ask.rks-gov.net/popullsia/publikimet-e-statistikave-te-popullsise/doc_details/1019-grate-dhe-burrrat-ne-kosove-2011)

31 Pg. 19, "Exploratory Research on the Extent of Gender Based Violence in Kosova and its Impact on Women's Reproductive Health." Kosova Women's Network, 2008. Retrieved from: <http://www.womensnetwork.org/documents/20130120165614663.pdf>

32 Pg.18, "Kosovo Country Gender Profile" ORGUT Consulting. Farnsveden, Ulf; Qosaj-Mustafa, Ariana; & Farnsworth, Nicole. April, 2014. Retrieved from: <http://www.womensnetwork.org/documents/20140513160130237.pdf>

33 Pg.6, "Kosovo Country Gender Profile" ORGUT Consulting. Farnsveden, Ulf; Qosaj-Mustafa, Ariana; & Farnsworth, Nicole. April, 2014. Retrieved from: <http://www.womensnetwork.org/documents/20140513160130237.pdf>

and the ones that do offer sums that greatly constrain the ability to undertake ambitious projects or serious advocacy work.

When CRDP researchers visited Mitrovica's Gender Equality Officer, we learned that the officer spent a large amount of time lobbying for an annual budget on the part of the municipality (the current municipal budget set aside for municipal gender issues is 10,000 euros). Projects were small-scale, mostly public outreach initiatives on symbolic days like International Women's Day.

Mitrovica's Gender Equality Officer stated that despite a collegial work environment, a perception persists at the municipal level that gender equality is an issue that only pertains to women. Despite the obligation of municipal institutions to include gender equality officers in the drafting of policies and budgets, the officer states that she has yet to be invited during budgetary planning sessions or discussions on public policy.

Without internal support for proactively integrating gender equality in municipal policies and practices, the officer plans on utilizing the support of the Group of Women Deputies, an association of women representatives in Mitrovica's municipal assembly, to push for greater political and institutional engagement with gender equality practices.

Mitrovica's municipal assembly only has 12 women deputies out of 35. The lack of representation of women in political parties is a national problem, corrected in part by Kosovo's required 30% gender quota for national and local assemblies. Kosovo-based think-tank KIPRED's 2010 report on women in Kosovo's security sector and the municipal decentralization process<sup>34</sup> noted that the lack of women in decision-making structures of political parties negatively impacts equal gender representation nationally and in municipal governments.

Gender mainstreaming in municipal budgets and projects also remains limited due to the lack of data and research on gender-specific needs. USAID initiatives have ensured that municipal officials are more informed and aware of the need for gender mainstreaming, although limited funds and human resources make implementation difficult. The Gender Equality Officer interviewed by CRDP stated that she was determined to provide her input in the upcoming municipal budget of Mitrovica.

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34 Pg.10, "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralization." Qosaj-Mustafa, Ariana. KIPRED. July, 2010. Retrieved from: [http://www.fride.org/download/IP\\_Women\\_Citizenship\\_Kosovo\\_ENG\\_ag10.pdf](http://www.fride.org/download/IP_Women_Citizenship_Kosovo_ENG_ag10.pdf)

## 5. MENTAL HEALTH CONCERNS

Nearly every participant in CRDP's focus group complained about their health issues and how this affected them and their families. They reported that the lack of psychosocial support only worsened their physical and mental health. CRDP is not equipped to conduct an assessment or diagnosis of participants' psychological needs – therefore in this section we present the findings of psychologists, trauma experts, and academics that have worked directly with the psychological needs of war victims. The need for greater access to psychosocial support was expressed in our 2012 Needs Assessment of Kosovo Victims.<sup>35</sup>

Research completed by Nexhmedin Morina and Paul M.G. Emmelkamp in 2012<sup>36</sup> studied the mental health needs of 206 women who had firsthand experience of the 1999 conflict. The results showed that 96% of widows who lost their husbands as a result of the conflict had experienced a “major depressive episode, an anxiety disorder or a substance use disorder as compared with 54.9% and 60% in married groups.” Widowed, single women also displayed a higher risk for committing suicide than married women, as well as higher rates of post-traumatic stress and depression.

The same research also hypothesized that Kosovar society does not provide coping mechanisms for widows, who are expected not to remarry and thus live a kind of “forced” widowhood. Three CRDP respondents stated that they leave the house almost exclusively in the company of their children, due to fear of surveillance and gossip by their community. Inadequate health and social services were also presented as potential negative factors hindering economic independence and psychological health.

A coordinator with the Kosovar Rehabilitation Centre for Torture Victims (KRCT), stated that although the legal infrastructure is in place to provide material support for civilian war victims, their psychological needs remain great. When asked what kind of psychological

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35 Excerpt from CRDP's Needs Assessment of Kosovo Victims, pg. 60:

“A small number of participants mentioned that greater access to traditional psychoanalysis and psychotropic medications would help individuals suffering from severe, clinical depression and other psychological disorders. According to victims, these services were not covered by their current medical insurance plans. While facilitators that could clinically evaluate the mental state of the participants did not run the focus groups, their own assessments suggested that depression and isolation were common themes in their daily lives. For one woman in Mitrovica, the emotional trauma left over from the war had prohibited her from connecting to the outside world: “I have remained isolated. Be it in my own house, with my own friends. In my own sister's wedding!” “Needs Assessment of Kosovo Victims.” CRDP, December 2012. Retrieved from: <http://crdp-ks.org/wp-content/uploads/2013/01/20131210-web-crdp-publikimi.pdf>

36 “Mental Health Outcomes of Widowed and Married Mothers after War.” Morina, Nexhmedin & Emmelkamp, M.G. *British Journal of Psychiatry*, 012 Feb;200(2):158-9.

support the widows of missing persons/civilian victims need, the coordinator explained each individual case requires a needs assessment.

Although progress has been made in rebuilding Kosovo's mental health infrastructure since the end of the conflict, the burden of caring for the post-traumatic stress needs of Kosovo's war victims has fallen primarily on the NGO sector. Kosovo's existing mental health system primarily provides services for more severe mental health problems that require psychiatric treatment or institutionalization, at the expense of psychotherapy treatment. Local family health centers are in a position to reach a high number of people for counseling and other forms of psychological support, but often don't have time to dedicate to individual cases over a long period of time. In many cases, individuals suffering from PTSD, depression, anxiety, and other mental health problems, are not aware that their symptoms are a direct result of the conflict.

Not adequately treating Kosovo's war victims carries the risk of passing on trauma to the next generation - in the case of Mitrovica, the war widows identified by CRDP do not have an outlet for properly processing their feelings of loss and trauma. This puts them and their children at a greater risk for continued mental health problems.

Lynne Jones et al.'s research<sup>37</sup> on the needs of Kosovar children who lost a parent during the 1999 conflict, also echo Morina and Emmelkamp's findings of greater prevalence of depression, PTSD, and anxiety - which negatively affects their overall quality of life.

Research on the long-term psychological effects of war-induced trauma in Kosovo is an ongoing need. CRDP interviews with six adolescent children of missing persons/civilian victims were unable to glean information about their family dynamics and psychological health, but did establish their need for both economic and psychosocial support. CRDP interviewees discussed their difficulties in talking about the past with their family members, the lack of sensitivity they felt they experienced from society as a whole, and the effect their family's insecurity had on their ability to fund their education. In certain cases, CRDP was told that children of missing persons/civilian victims had found support in religious organizations and mosques.

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37 "Mental Health Services for War-Affected Children: Report of a survey in Kosovo." Jones, Lynne; Rrustemi, Alban; Shahini, Mimoza; & Uka, Afërdita. *British Journal of Psychiatry*, 01/2004; 183:540-6.

## 6. CONCLUSION AND RECOMMENDATIONS

**“Every war has its consequences, and we are one of them.”**

The quote above is taken from a CRDP interview with the adolescent grandchild of two civilian victims, his grandmother and grandfather. The results of our research make it clear that the treatment of civilian war widows is a complicated issue, which requires a coordinated national action plan involving poverty reduction, employment schemes, proactive inheritance rights, access to comprehensive psychosocial support, and the full implementation of existing laws and international commitments, such as UN Resolution 1325, the UN Millennium Development Goals, and Law Nr.4/L-054.

Donor relationships with Kosovo’s civil society sector are on the decline, and Kosovo’s institutions are increasingly called upon to carry the burden of supporting the victims of the 1999 conflict. Faced with inadequate opportunities for employment, the civilian war widows interviewed by CRDP were forced to depend upon their monthly governmental pensions, family members, remittances from abroad and charity - sourced from both the NGO sector and religious institutions.

The psychological burden of providing for their families is compounded by the lack of access CRDP interviewees had to ongoing, long-term psychological support. Kosovo’s existing mental health infrastructure emphasizes the treatment of acute mental health problems, and does not provide adequate access to counseling and other forms of psychotherapy. As a result, CRDP interviewees stand at a greater risk of suffering from PTSD, depression, general anxiety, and other forms of mental health problems - which can also potentially have a negative impact on the mental wellbeing of their children.<sup>38</sup>

The women interviewed by CRDP face an additional set of obstacles because of their gender. Employment discrimination, restrictive societal norms, and their lack of higher education/trade training made them all the more prone to dependency on family members, governmental institutions, as well as non-governmental and religious organizations. Without fully integrating women war victims in the post-conflict economic recovery process, the cycle of dependency is perpetuated across generations.

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<sup>38</sup> CRDP is not equipped with the expertise to diagnose the psychological health needs of war victims. Our comments are based on extensive research and interviews with psychologists, trauma experts, and peer-reviewed, academic work.

Taking into account the time and investment which a multilayered, national response requires, CRDP puts forth the following recommendations, as a practical starting point in the absence of a wider institutional focus on providing support for war victims:

### **USE NGO EXPERTISE IN IMPLEMENTING AND DRAFTING POLICY**

The expertise of the NGO sector is not utilized as well as it could be by municipalities. CRDP believes there is room for greater cooperation and coordination of services. For example, in the municipality of Mitrovica this could take on the form of a formalized working group on poverty reduction, created in coordination with the directorate for social welfare and NGOs that deal with local welfare cases.

### **A COORDINATED, NATIONAL POLICY ON POVERTY REDUCTION**

There is a lack of clear policy on social welfare and policy reduction on a national level, which Kosovo sorely needs. Policy of this kind could be sponsored by the Ministry for Labor and Social Welfare, in coordination with the Ministry for Economic Development and with the support and input from social welfare directorates of Kosovo's municipalities and sympathetic parliamentary deputies.

### **POLICIES THAT GENERATE LOANS FOR LOW-INCOME WOMEN**

CRDP respondents' lack of access to capital had a direct impact on their economic well being. Financial institutions, in cooperation with the Ministry for Economic Development and the Ministry of Labour and Social Welfare can create a legal framework to enable a system of loans that will allow them to start small to medium-sized businesses.

### **AN INCREASED FOCUS ON PSYCHOTHERAPY TREATMENT IN THE PUBLIC SECTOR**

Municipalities need an increased municipal budget for mental health services, and the Ministry of Health needs to provide a policy focus on psychotherapy treatment in the public sector which can provide ongoing support to all Kosovar citizens who need it - and particularly those touched by the 1999 conflict.

### **THE INCLUSION OF ARTICLE 8 OF UN RESOLUTION 1325 INTO KOSOVO'S NATIONAL ACTION PLAN FOR THE IMPLEMENTATION OF UN RESOLUTION 1325**

Although Kosovo's National Action Plan for the Implementation of UNSCR 1325 provides comprehensive support for women in Kosovo's police and security sector, as well as

survivors of wartime rape, the National Action Plan should also cover the requirements of Article 8 of UNSCR 1325, which would provide a space for Kosovo's civilian women, and particularly women who were directly exposed to war, to have a say in Kosovo's reconstruction process and how Kosovo's institutions should address their needs.

### **MORE RESEARCH ON THE MENTAL, PHYSICAL AND ECONOMIC WELLBEING OF THE CHILDREN OF WAR VICTIMS**

This paper attempted to not only address the wellbeing and institutional treatment of civilian war widows, but also to analyze the potential consequences of war on their children. Comprehensive research on the health and education prospective of the children of war survivors in Kosovo must be conducted in order to draft and implement policies that are greater suited to meeting their needs. Psychosocial support and greater access to education are a must.

The core value of transitional justice lies in ensuring that conflict never occurs again. The findings of this report suggest to CRDP that ongoing poverty, despair, and a lack of institutional support carries the risk of causing the children of war victims to become frustrated, angry, and burdened with feelings of deep abandonment well into adulthood. This affects all of Kosovo's society, and creates conditions for potential conflict in the future. With simple and effective policy measures, institutional willpower, NGO expertise, and community support, CRDP believes that this can, and must, be avoided.

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Katalogimi në botim – (CIP)  
Biblioteka Kombëtare e Kosovës “Pjetër Bogdani”

323.1(496.51-17)

Marku, Hana

How Kosovo's institutions and society are failing civilian war families in Mitrovica / Hana Marku, Nora Ahmetaj. - Prishtina: Centre for Research, Documentation and Publication, 2014. – 26 f. ; 21 cm.

Bibliography : f. 23-25

1.Ahmetaj, Nora

ISBN 978-9951-640-02-2



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E-mail: [info@crdp-ks.org](mailto:info@crdp-ks.org)

ISBN 978-9951-640-02-2



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