

No Safe Place:

An Assessment on Violence against Women in Kosovo

Prepared by

Rachel Wareham, Consultant UNIFEM



*United Nations
Development Fund
for Women*

DFID Department for
International
Development

UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programs and strategies that promote human rights, political participation and economic security for women. UNIFEM works in partnership with UN organizations, governments and non-governmental organizations (NGOs) and networks to promote gender equality. It links women's issues and concerns to national, regional and global agendas, by fostering collaboration and providing technical expertise on gender mainstreaming and women's empowerment strategies.

The views expressed in this publication are those of the author, and do not necessarily represent the views of UNIFEM, the United Nations or any of its affiliated organizations.

No Safe Place: An Assessment on Violence against Women in Kosovo

Report prepared by Rachel Wareham, Consultant, UNIFEM Prishtina

ISBN No.0-9679502-7-9

©The United Nations Development Fund for Women, 2000

United Nations Development Fund for Women (UNIFEM)

UNMIK Annex Building

Room 103

Prishtina, Kosovo

Tel: + 381 (0) 38 504-604 ext. 4205, 4276

Fax: + 381 (0) 38 549-065

SPONSOR: Funded by the Department for International Development (DFID), United Kingdom

Researchers: Rachel Wareham and Iliriana Loxha

Picture credits: Zake Prelvukaj

Poem credit: Shqipe Malushi

Cover and book design: XHAD studio / www.xhadonline.com

FOREWORD

Violence against women is not a “private issue,” nor just a “women’s issue.” This issue concerns the public, men and the society at large. The threat of violence shadows women not only in the context of war, but in times of peace, in their daily lives, in the home, on the streets and in the workplace. The issue is global, transcending the boundaries of culture, religion, and socio-economic status. It is pervasive and under-reported. Violence against women in all its forms is a grave violation of women’s human rights. It affects women’s capacity to realize their full human potential and be active agents in change and development.

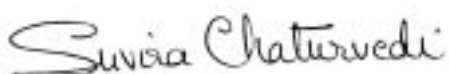
How do Kosovar women perceive and define violence against women? “*No Safe Place, an Assessment on Violence against Women in Kosovo*” brings to the forefront the voices, concerns and insights of Kosovar women on this issue. It highlights domestic violence, puts forward the findings from testimonies and interviews on rape in Kosovo during the war, and examines the issue of trafficking, sexual slavery and prostitution. The many abuses that women are subjected to cannot be viewed as isolated atrocities or incidents to be trivialized. They are part of a complex system of social and cultural values, the unequal nature of gender relations, and discrimination against women, women’s economic marginalization and disempowerment.

This report is an attempt to publicly discuss a very serious issue in Kosovo. It sets out recommendations to a range of local and international organizations including the United Nations agencies, UNMIK, the UN police (CIVPOL) and the military (KFOR). It urges that interventions to address the issue be constructed in the framework of human rights and the empowerment of women rather than solely from a welfare and protection perspective. Important international standards and conventions already exist as a reference point and guideline. Education and awareness raising for all sections of society, policy makers, legislators, law enforcement officials, the community, and many others must be a critical and integral part of a strategy to address the issue.

I would like to express my deep gratitude to the many Kosovar women, women’s organizations, local and international agencies that participated in the research, and to UNIFEM’s consultant Rachel Wareham who very ably coordinated and carried out the study. We also extend our appreciation to the Department for International Development (DFID) United Kingdom for funding this important work.

The Assessment is part of UNIFEM’s advocacy effort to create awareness and galvanize the political will and public opinion to implement policies and programmes to effect change. Women in Kosovo as around the world are entitled to live a "Life free of Violence. It is their right."

Suvira Chaturvedi



Chief Technical Advisor

UNIFEM, Prishtina

ACKNOWLEDGEMENTS

Over one thousand people have contributed to this study including in interviews, workshops, through email communications, and through different types of support. Unfortunately they cannot all be mentioned by name. Of those who can be named acknowledgement must be given to the United Nations Development Fund for Women (UNIFEM) in Kosovo for initiating and commissioning this research. Thanks go to the Department for International Development (DFID) whose commitment to concrete actions countering violence against women was backed up with funding for this research. Special recognition is given to the many unnamed women who contributed to this study, who gave up their time to participate in meetings and workshops, and completing the questionnaires. Gratitude is also due to women's groups activists who were more than generous in the energy and time they spent clarifying issues and finding basic information for the researchers: in particular great appreciation goes to the work of Marte Prekpalaj, Sanije Graçveci, Sanije Voca, Fatime Boshnjaku, Adelina Puka, Habibe Neziri, Nesrete Zeka, and Sazana Çapriçi.

Thanks also are extended to Holly Peele, Annette Lyth and Tanya Power-Stevens who took time from their schedules to comment on drafts. Chris Corrin, Nela Pamuković, and Sudee Marsh-Jacquot were supportive throughout the whole process in many different ways. Rebecca Surtees, researching economic issues for UNIFEM, provided useful information and help on many occasions. Kristin Astgeirsdottir gave generously of her time in checking the final draft.

Last, but not least, many thanks go to Iliriana Loxha, who worked alongside the consultant and contributed much of her considerable expertise as a work-shop facilitator, translator and long time women's rights activist.

Thank you all.

The author knows that there are omissions including of projects or programs which could not be visited or which were not known about at the time of research. UNIFEM would be very keen to hear from project coordinators or workers about their experiences. For these and other omissions the researcher expresses regrets and begs indulgence.

NOTE ON NAMES

Names of respondents

Almost every person who spoke with the researchers, requested anonymity; this included local women as well as workers in international organizations, those who spoke about rape and those who spoke about other types of violence. A decision was made therefore to publish no personal names, just descriptions relating to status in the community, workplace or region where the person is located.

Names of places

As a reflection of the community with whom the assessment was conducted, spellings of place names are according to the Albanian conventions. The list below shows the Serbian names for these places. There is one exception to this; "Kosovo" is used instead of the Albanian "Kosova" due to the fact that it is the spelling currently in use by the United Nations.

PLACE NAMES IN ALBANIAN WITH SERBIAN EQUIVALENT

Albanian name	Serbian name	Municipality
Beograd	Beograd/Belgrade	Serbia
Deçan	Decani	Deçan
Drenicë		
Doboc	Dubovac	Vushtrri
Ferizaj	Urosevac	Ferizaj
Fushe Kosovë	Kosovo Polje	Fushe Kosove
Gjakovë	Djakovica	Gjakovë
Gjilan	Gniljane	Gjilan
Glllogoc	Glogovac	Glllogoc
Hani i Elezit	Djeneral Jankovic	Kacanik
Istog	Istok	Istog
Kacanik	Kacanik	Kacanik
Kline	Klina	Kline
Kodra e Trimeve	Vranjevac	Prishtina
Kosovë	Kosovo	
Krushe e Madhe	Velika Krusha	Rrahovec
Leskoc	Leskovac	Kline

No Safe Place

Likoshan	Likosane	Glllogoc
Lipjan	Lipljan	Lipjan
Malisheve	Malisevo	Rrahovec
Mitrovica	Kosovska Mitrovica	Mitrovica
Obiliq	Obilic	Obiliq
Pejë	Pec	Pejë
Podujeve	Podujevo	Podujeve
Prizren	Prizren	Prizren
Prishtinë	Pristina	Prishtinë
Qikatovë e Vjeter	Stara Cikatova	Glllogoc
Qirez	Cirez	Skenderaj
Rrahovec	Orahovac	Rrahovec
Skenderaj	Srbica	Skenderaj
Stanovc	Stanovce	Vushtrri
Shtime	Stimlje	Shtime
Studime	Sudimlja	Vushtrri
Studenice	Studenica	Istog
Suhareke	Suva Reka	Suhareke
Viti	Vitina	Viti
Vushtrri	Vucitrn	Vushtrri

ABBREVIATIONS:

ABA-CEELI	American Bar Association: Central and Eastern European Law Initiative	IOM	International Organization for Migration
ADAB	Associazione done area Balkani	IMC	International Medical Corps, USA
AI	Amnesty International	INGO	International Non-governmental Organizations
CDC	Center for Disease Control, USA	KAVAW	Kosovo Assessment on Violence Against Women (this document)
CDHRF	Council for the Defense of Human Rights and Freedoms, Kosovo	KFOR	Kosovo NATO forces
CEDAW	Convention on the Elimination of all forms of Discrimination against Women (UN)	KLA	Kosovo Liberation Army (UÇK)
CIVPOL	United Nations Police	KPC	Kosovo Protection Corps
CPWC	Center for the Protection of Women and Children, Kosovo	KPS	Kosovo Police School
CSW	Commission on the Status of Women, United Nations	KVM	Kosovo Verification Mission of the OSCE
CSW	Centers for Social Work, Kosovo	KWECC	Kosovo War and Ethnic Crimes Court
DEVAW	Declaration on the Elimination of Violence against Women (UN)	KWI	Kosovo Women's Initiative (UNHCR)
DFID	Department for International Development, UK	LDK	League for a Democratic Kosovo
FRY	Federal Republic of Yugoslavia	MSF	Medicins sans Frontiers
FYROM	Former Yugoslav Republic of Macedonia	MTS	Mother Teresa Society, Kosovo
HANDIKOS	Association of Paraplegics and Paralyzed Children, Kosovo	MQ	Motrat Qiriazi Rural Women's group, Kosovo
HLF	Humanitarian Law Fund, Kosovo	NATO	North Atlantic Treaty Organization
HRW	Human Rights Watch, USA	NGO	Non-governmental organization
ICTY	International Criminal Tribunal on Yugoslavia, the Netherlands	OSCE	Organization for Security and Cooperation in Europe
ICMPD	International Center for Migration Policy Development, Austria	SGBV	Sexual and gender based violence
IFRC	International Federation of the Red Cross	UN	United Nations
IGLHRC	International Gay and Lesbian Human Rights Commission, USA	UNIFEM	United Nations Development Fund for Women
		UNMIK	United Nations Mission in Kosovo
		USAID	United States Agency for International Development
		WHO	The World Health Organization
		VJ	Yugoslav army

CONTENTS

Foreword	3
Acknowledgements	4
Note on Names	5
Names of respondents	5
Names of places	5
Abbreviations:	7
I. INTRODUCTION	13
PROLOGUE	15
Executive summary	15
Violence against Women as a global problem	17
Definitions and descriptions of Violence against Women	17
THE ASSESSMENT	19
Objectives of the assessment	19
Assessment methodology	20
Issues covered.	22
Approaching sensitive issues	24
CONTEXT	27
Violence in Kosovo society	27
Stereotypes of Kosovar Albanian women	28
RESOURCES - GENERAL.	29
II. ASSESSMENT FINDINGS	31
<i>Note on presentation of chapters:</i>	33
DOMESTIC VIOLENCE	34
Statistics of women who disclosed domestic violence	35
Findings from group discussions and individual interviews	39
Factors affecting care of survivors of domestic violence.	44
Institutions for assistance	48
Examples of good practice	52
Recommendations	53
Resources	56

RAPE IN WAR	57
Poem "Insanity" by Shqipe Malushi	58
Findings from testimonies and interviews	61
Factors affecting care of survivors of rape in war	67
Institutions for assistance	72
Examples of good practice	74
Recommendations	75
Resources	78
TRAFFICKING, SEXUAL SLAVERY AND PROSTITUTION	79
Trafficking of Women and denial of basic Human Rights	80
Findings	82
Institutions for assistance	85
Prostitution and denial of basic Human Rights	92
Findings	94
Examples of good practice	97
Recommendations	98
Resources	101
III. CONCLUSIONS	103
Epilogue	105
Further actions	105
Further research	107
Concluding remarks	110
APPENDICES	
Appendix 1:	
Sufficiency of Applicable Law to Address Elements of Domestic Violence	112
Appendix 2:	
Actions to prevent violence classified by sector	114
Appendix 3:	
Violence Against Women by State Agents	115
Appendix 4:	
Kosovar Women 's Groups/ NGOs	118
Appendix 5:	
Regional women's groups with expertise in violence against women work: Safe houses, legal reform, training, SOS-hotlines, lobbying etc.	120
Appendix 6:	
Kosovar NGOs and institutions	121

Appendix 7:

International organizations in Kosovo working on women's issues / violence issues (not exhaustive). 122

Appendix 8:

International institutions in Kosovo with women's programs 124



I. INTRODUCTION

Prologue
The Assessment
Context
General Resources

Prologue

EXECUTIVE SUMMARY

This report is a result of a three-month project on violence against women in the Kosovar Albanian community intended to assist in the development of policies, programs and projects by institutions and organizations in Kosovo. It was undertaken from January until early April in the year 2000.

The project was designed to provide maximum opportunities for local women to voice their concerns and formulate solutions. The methodology involved in depth interviews with groups of women, interviews with some men in the community and questionnaires. Past and present manifestations of violence were examined in three categories; violence by known men, violence by state agents and violence by unknown men. Most information yielded was connected to domestic violence, and at least half of the research time was spent looking at this issue. Due to the nature of the other two issues, human rights investigators and law enforcement officials were key in providing insights.¹

The research team included one international consultant working in partnership with a local consultant, supplemented on a few occasions by other researchers working on a daily basis. Assessments took place throughout Kosovo with ten rural and urban communities

Key findings and recommendations

The findings show that women in Kosovo perceive violence in various aspects: emotional, social, physical and sexual. It is also clear that many cases of violence including domestic violence and rape go unreported, and that any kind of violence against women including violence at home, and trafficking for forced prostitution is not currently treated seriously by the criminal justice system.

1. Domestic violence: This is pervasive, 23 per cent of all 213 respondents reported physical violence by a known man during 1999 or 2000. However few services exist which directly address the psychological and material needs of survivors. It is advised that long term funding is increased to local women's groups competent to work on these issues, and that a unit is set up to coordinate police responses to domestic violence.²

2. Rape: Rapes of Kosovar Albanian women by Yugoslav state agents were commonplace including during the early nineties. During 1998-99, many thousands of women were raped in a systematic and organized way³ and the researchers found a 4 per cent disclosure rate of interethnic rape during this war. As most rape survivors will never disclose, it is advised that

1 Including but not limited to: the Humanitarian Law Fund (HLF), the Council for the Defense of Human Rights and Freedoms (CDHRF), members of CIVPOL.

2 The example of "Community Safety Units" found in the Metropolitan Police in London, UK, could serve as a useful model. These units deal with all types of hate crime.

3 Human Rights Watch (HRW) "Rape as a Weapon of Ethnic Cleansing", March 2000. The USA based Center for Disease Control found a 4.5 per cent prevalence rate of rape of women in a study carried out in 1999. The researchers of the study also found a 4.4 per cent disclosure rate of rape of men.

No Safe Place

survivors are targeted through an extensive campaign providing information about ways to manage symptoms and other forms of support (marital rape and rape by partners or family members is discussed under "domestic violence").

3. Sexual slavery and trafficking: It is not clear if most men using prostitutes are aware that many women are forced into this work and that almost all endure slave like conditions.⁴ It is imperative that international institutions take responsibility for educating their staff including through the development of clear precise codes of conduct appropriate to their status.⁵ These codes must explicitly outline penalties for staff using women ensnared in sexual slavery conditions, and women trafficked. It is urged that regional initiatives are carried out to address the underlying causes particularly women's economic status. In addition the UN Police (CIVPOL) and military police need to improve coordination when addressing this issue.

4. International organizations and institutions including the United Nations (UN) and the military (KFOR) need to give much greater priority to the conduct of their staff including in regards to potentially exploitative relationships which contravene the mandates of the organizations.

5. A woman's vulnerability to violence is increased if she is uneducated or poor. Solutions to all types of violence against women therefore need to address access to education and employment.

6. Kosovar state institutions particularly the Department for Education and the Centers for Social Work (CSW) are in need of greater funding and coordinated support. Both of these are key in preventing violence and/or protecting survivors. Both are seriously under funded.

4 For example, it seems that both trafficked women, and those women who consent to work as prostitutes in Kosovo are not free to go out or to leave Kosovo (Personal communication, Agency Official working on issues of migration, March 2000).

5 As humanitarian, democratic institutions required to work on the basis of human rights standards.

VIOLENCE AGAINST WOMEN AS A GLOBAL PROBLEM

Violence against women, in its multiple forms, is increasingly recognized by individuals and states as a global problem and a serious violation of women's human rights.⁶ The United Nations Development Fund for Women (UNIFEM) has contributed to this growing awareness since 1976 through its programs aimed at promotion and respect of women's rights worldwide, and its global campaign on violence against women pursued in collaboration with other partners.

Violence by partners and/or family members affects women in many different ways. In particular it has consequences for mental and physical health, as it leads to stress, depression, loss of self-esteem, reluctance to relate to the wider world as well as more severe psychological or physical problems. It is estimated that suicide is twelve times more likely to have been attempted by a woman who is subject to abuse than by one who is not.⁷ The World Bank has calculated "that violence against women is as serious a cause of death and incapacity among women of reproductive age as cancer, and a greater cause of ill-health than traffic accidents and malaria combined."⁸

In Kosovo violence against women has been ignored until relatively recently. It has taken place in the context of the more apparent violence conducted on ethnic grounds; the repression of the Kosovar Albanians for over ten years, the massacres and ethnic cleansings, the war between Serbia and NATO, and the continued incidents of violence since the arrival of the United Nations Mission in Kosovo (UNMIK) and the many international humanitarian organizations. However, in the post-war environment more institutions and non-governmental local organizations (NGOs) are starting to be approached by women seeking help because of domestic violence and more groups are beginning to look for solutions. It is hoped that this assessment can help in not only raising awareness of the nature and extent of this previously hidden violence, but can also contribute to the development of solutions by such groups.

DEFINITIONS AND DESCRIPTIONS OF VIOLENCE AGAINST WOMEN

The phrase "violence against women" is used in this assessment rather than "gender violence" because gender based violence is applicable to both men and women, whereas the assessment addresses women only.⁹

6 The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was drafted in 1979, however, it was not until 1993, that violence was explicitly addressed through the Declaration on the Elimination of Violence Against Women (DEVAW). For an explanation of the importance of the Declaration see "Women Against Violence", A. M. Brasilerio (ed), UNIFEM, USA, 1997.

7 Violence Against Women in the Family, UN, 1989.

8 World Bank World Development Report 1993: Investing in Health, NY, Oxford University Press 1993, quoted in WHO Violence Against Women; a priority health issue, WHO, Geneva, 1997.

9 An example of gender violence is killing of young boys (presumably of the "enemy") to prevent them becoming adult soldiers: "A Family Affair" S. Maguire, Oxfam internal report, p7, UK/I, 1998.

No Safe Place

Physical violence against women is the type of violence predominantly addressed by the assessment but discussions started from a wider definition, as articulated by Kosovar women: covering social, structural, emotional and physical violence against girls and women. This is in tune with the definition laid out in the Declaration on the Elimination of Violence Against Women, 1993 (DEVAW):

Article One of DEVAW states that violence against women is *"any act of gender based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life."*¹⁰

DEVAW goes on to state that violence against women encompasses but is not limited to the following:

"Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs."

Another more compact definition is found in a study by the World Bank, which states that violence against women is "any act of verbal or physical force, coercion, or life threatening deprivation, directed at an individual woman or girl, that causes physical or psychological harm, humiliation or arbitrary deprivation of liberty and that perpetuates female subordination."¹¹

10 Quoted in "Documenting Human Rights Violations by State Agents – Sexual Violence", A. Callamard, Amnesty International, Canada, 1999, ISBN 2 9220084 22 1.

11 Quoted in "Women: Looking Beyond 2000" United Nations, New York 1995, ISBN 92 1 100592 2.

The Assessment

OBJECTIVES OF THE ASSESSMENT

The Kosovo Assessment on Violence Against Women (KAVAW) was commissioned by UNIFEM and funded by the Department for International Development (DFID).¹²

Its purpose is to gain an understanding and provide information from the grassroots about the types of violence women experience, and the types of support they feel they need to survive and, ultimately to prevent the violence. It is intended to highlight the issue of violence against women and thereby contribute to raising awareness among women, men, the community and various organizations. It is anticipated that the findings will contribute to the development of strategies, programs and projects in Kosovo by local and international organizations and by UN agencies. The readers are expected to encompass a wide group of people including those working in Kosovo in local women's groups, international institutions and agencies as policy makers, heads of agencies, protection officers and human rights workers. In addition readers outside of Kosovo will be reached through a wider distribution of this publication.

This report contains the findings based on the experience of Kosovar Albanian women. Regarding the main ethnic minorities: the experience of Serbian women was surveyed by two Belgrade based researchers. This is published in a connected piece of research which was carried out in a different way from the Kosovar Albanian assessment reflecting the particular problems Serbian women face in Kosovo today. The experience of the Roma community is also specific. In order for an assessment to be meaningful it requires a team of Roma women who are familiar with issues of violence against women and sensitive in the ways of asking questions of a community currently feeling under siege. Regrettably attempts to recruit Roma researchers who would be available to work in Kosovo, failed.¹³ It is hoped that the researchers will be available at a later date.

12 A branch of the British Government.

13 The qualified Roma women are fully employed in other work, so the time period for the assessment did not fit with their schedules. It is advised that readers refer to the outstanding work of the European Roma Rights Center to provide information and analysis regarding the situation for Roma in Kosovo. Requests for information can be sent to: The European Roma Rights Center, H-1525 Budapest, 114, PO Box 10/24, Hungary.

ASSESSMENT METHODOLOGY

The process

The process was key to the assessment, and it was designed to ensure that feedback and information were gained in a sensitive way, and that data particularly that given in questionnaires was, as much as possible, a reliable expression of women's experience.

The methodology was rooted in discussions with groups of Kosovar women about their experiences and attitudes to violence against women, and their opinions on ways to provide services and develop prevention strategies.

The discussions took the form of workshops with women, and group debates with seasoned activists from women's groups. The size of the groups was determined by how many women (and sometimes girls) decided to attend. In these workshops between twenty to forty-five women participated at one time. The group debates had between five to twenty-five women activists participating at a time. Each group was involved in the research on two or three separate sessions, averaging nine hours.

Discussions with the women attending educational courses and the group of women professionals began with trust building between the women and the researchers, and between the women themselves within these groups. This usually took the form of games and creative exercises. The researchers then moved on to general discussions about the women's experience of the war and of the last ten years. After this, discussions moved to the problems the women were momentarily facing.

Usually it was in the second meeting that women were asked what they considered violence against women. After this domestic violence was discussed. Sometimes this was during the second meeting, sometimes not until the third meeting. The distribution of questionnaires about domestic violence was usually part of the closing activities.

Discussions were held with

- over 300 women regularly attending educational courses organized by local women's groups.
- over 70 women's groups activists.

The questionnaires

These contained thirty-one questions answered anonymously and confidentially to elicit information about the experience of violence particularly at home. The initial questionnaire was based on a questionnaire developed and used in Albania in 1995¹⁴ in the expectation that a comparison could be usefully made between their findings and the results for Kosovo. However many sections were then altered to account for the specific experience of Kosovars including oppression, war, refugee life, and return. Questionnaires were also devised and

14 Published in "Dhuna kundër grave dhe tabutë psikosociale që favorizojnë dhunën" Shoqata e Grave Refleksione, Tirana, 1995 ("Violence against Women and Psychosocial Factors which Favor Violence" Refleksions Women's Group).

sent out to all INGOs in Kosovo concerning their policies and procedures on women's issues. Approximately thirty responses were forthcoming. Additionally, UN agency heads were specifically requested to provide information about staff conduct and gender policies. One response was forthcoming.

Additional sources of information

Findings from the groups and questionnaires were supplemented by interviews with individuals in the community. These helped to develop an appreciation of what responses to violence against women might be most appropriate for local and international organizations and institutions. Key additional resource persons who contributed generously included: social workers at the municipal level; doctors including gynecologists and neuro-psychiatrists; humanitarian workers including activists for Mother Teresa Society and Kosovo Red Cross; local media; the CIVPOL (the UN police); trainers in the Kosovo police school (KPS).

Research locations

Regions were selected to give an urban/rural balance, and to cover different geographical areas: north, south, east, west and central Kosovo. All regions surveyed have experienced women's groups operating who could be relied upon to give additional feedback about process and findings. These included Aureola – Obiliq and Glogoc, the Center for Protection of Women and Children (CPWC) – Gjakova, Legjenda - Viti, Liria - Gjilan, Motrat Qiriazhi (MQ) – Mitrovica and Prizren, Zgjimi (Awakening) Disabled Women's Group – Vushtrri, Skenderaj, and Mitrovica.

Circumstances meant that work could not be equally completed in all regions. For example in Mitrovica, three meetings were held with a group of some thirty women professionals, but they were not followed up with questionnaires because the violence in March made it very difficult for women to think beyond the immediate state sponsored violence in the divided city north of the bridge.¹⁵

Duration

The assessment took twelve weeks from January through March 2000. During the first six weeks the research plan was devised, women's groups were consulted, workshops run and individuals interviewed. Domestic violence was the key focus for these six weeks. The second six weeks were used to further investigate issues of trafficking and forced prostitution, to write up the first drafts of the report, and to distribute it for comments. Extra time was then spent making adjustments based on this feedback.

15 "Women are now living with their bags packed, ready to escape at any time that fighting worsens. Its the wrong time to talk now, its like when you don't have bread and then someone tells you a recipe for cakes." Woman's group activist, Mitrovica. However the group in Mitrovica has continued to meet, twice monthly, at their own initiative to discuss other issues of concern to them as women.

ISSUES COVERED

Women were greatly concerned about domestic violence. They also discussed lack of access to education and employment, kidnappings,¹⁶ forced prostitution and trafficking, denial of access to children for widows, rape in war by Yugoslav state actors.¹⁷ And they defined all of these as "violence."

Violence against women by known men (partners and family members) – domestic violence

The term "domestic violence" is used in this report to cover violence perpetrated by men related by blood or by marriage, to the woman. In the context of discussions it occasionally refers to violence by partners to whom a woman either is not, or never has been, married.¹⁸

Whilst the home is popularly regarded as a place of safety and refuge, it is the place women world wide commonly first experience psychological or physical violence.¹⁹ Because it is "private" this is also the place where human rights violations are slow to be addressed. However it is increasingly being recognized that violence in private, at home or by family members is a public issue; in 1993 the UN adopted the Declaration on Elimination of Violence Against Women (DEVAW) and in 1994 a Special Rapporteur on Violence against Women was appointed (SRVAW).²⁰

Kosovo women's groups have long been aware of the problem of violence against women by known men, particularly family members.²¹ The past external insecurity created by state violations meant that their work has tended to prioritize welfare and immediate physical needs. This has usually been combined with a long-term development approach expressed in action to tackle one of the key contributors to vulnerability – denial of education for girls. The situation has now changed and local groups no longer work under threat of arrest. However, they are now limited by new factors. For example, they are misconceived (along with certain state institutions) as agencies who implement donor's programs and "do aid." The "post-conflict" environment in Kosovo which has led to a dramatically increased presence of various agencies, researchers, INGOs, journalists has placed new and heightened demands on local groups which mean they have to increasingly look outwards and this affects their ability to concentrate on community based work.²²

16 Since Autumn 1999, there had been many rumors of children and girls being abducted from streets in Kosovo supposedly for sexual slavery. Because these were widespread, efforts were taken to ascertain if this was true.

17 It is pertinent to consider the comment from a staff member of Oxfam in Sarajevo "Much of rape in war is not only about the state, but also a result of long held beliefs about sexual control of women and a way of hurting men by "destroying" their property, which did not only happen because of state policy."

18 For a full explanation of differences between terms see S. Maguire, 1998.

19 World Health Organization (WHO) official presentation, Prishtina, April 2000: Worldwide 20-50 per cent of all women have been physically abused by a male partner. Worldwide 30 per cent of suicides and 60 per cent of homicides are associated with domestic violence.

20 For a fuller list of documents see "Selected Human Rights Documents, UN declarations and treaties" in "Violence Against Women, Women's Health and Development pack", WHO, Geneva, 1997.

21 For example in 1996, the Center for the Protection of Women and Children in Prishtina (CPWC) and women's groups in rural areas surveyed over 1000 women on violence issues.

Violence against women by state agents in war – rape

As recently as 1975 the "story of rape in war had never been told."²³ But since Brownmiller's landmark writings other feminists have also written extensively on the topic. However between wars it appears to get forgotten. The issue tends to be blazed across the media and then quickly disappears – usually without much concrete long-term help for survivors.²⁴ Each new conflict and the world reacts with surprise, not infrequently calling rapes committed "unprecedented." The previous outrages whether in Bosnia, Rwanda, Kosovo, Chechnya all seem to become quickly forgotten and the victims obscured.²⁵

In relation to Kosovo, donors initially were very willing to give funds as the first stories came out in April 1999. But this was at a time when most Kosovo women's groups were still trying to come to terms with refugee life, locate their activists, and make sense out of the violent changes that had led to them being refugees in Macedonia or Albania.²⁶ During this time political activists encouraged women to tell their stories to the media, and certain governments sought to use the horror of rape to increase support for the NATO bombing.²⁷

Women's groups in Kosovo continue to be very concerned about the sensationalistic and potential propaganda use of the issue of rape in war, and are mostly approaching the issue in the context of quiet, confidential support without publicity. All the men interviewed²⁸ about violence expressed great concern about the fate of raped women and, emphasized the need for international groups to provide services to help survivors and their families come to terms with the abuses. Occasionally, male respondents also mentioned that men too had suffered rape. No one with whom researchers spoke seemed aware of any place they could go for counseling or support apart from the Centers for Social Work and local women's groups.

The perceived lack of justice for survivors of war crimes including rape survivors have made women in Kosovo very reluctant to take the risk of being involved in the lengthy legal prosecution of the International Criminal Tribunal at the Hague (ICTY).²⁹ There also appears to be confusion, about the process, about the procedure and what they can expect in terms of confidentiality even among women who have already given statements for ICTY.³⁰

22 This is particularly hard for older groups whose work practice is grounded in activism developed during ten years of virtual isolation, under an apartheid like system.

23 S.Brownmiller is referring to the year her landmark study came out: "Against Our Will; Men, Women and Rape" (New York, 1975) in "War Against Women", Swiss Peace Foundation, Berne, 1995.

24 Comment from a journalist, Dagens Nyheter, Sweden, March 2000.

25 S.Brownmiller explains this by saying "accounts of rape usually surface during a war in the form of a propaganda campaign directed at non-aligned nations to arouse public sentiment for the losing side." Swiss Peace Foundation, 1995.

26 Despite this women's groups from Kosovo showed remarkable ability to rapidly set up substantial and effective programs to help other refugees: the CPWC set up a medical center in Tetova, Motrat Qiriazhi (MQ) ran women's activities in Çegrane camp, Aureola set up a woman's group in Struga, Radio 21 (previously the women's media project) re-launched itself. A few groups had members who were not subject to being forced out of Kosovo and continued working during the bombing – notably the Albanian Women's League and Legjenda.

27 A.Lyth, currently at the OSCE, notes this and goes on to add "a worrying evolution is that rape in war is becoming more and more a propaganda tool. It was very clear in the Kosovo case." (unpublished speech, Barcelona, 2000).

28 Sixteen in total.

29 Women are aware of the very negative experience of Bosnian survivors, including those testifying.

Violence against women by unknown men – kidnapping, trafficking and sexual slavery

Cases of kidnapping for sexual slavery were publicized during the time many Kosovar Albanians were living in refugee camps in Macedonia³¹ and Albania.³² *Sexual slavery is the situation when a woman is sold and then is forced to work as a prostitute, being denied freedom to leave.*³³ These issues were investigated as part of the assessment because rumors of kidnapping and of forced prostitution were the predominant concern for women when the research began. Local and international women, revealed how they had heard many stories of kidnapping and had consequently stopped going out at night or alone. Additionally all local men and many international women expressed great concern that increased prostitution is one of the by-products of the large number of well paid foreign men now in Kosovo.

APPROACHING SENSITIVE ISSUES

Kidnapping, trafficking in women and prostitution have been frequently covered in the Kosovar media (usually in a sensational and unsubstantiated way) since mid-1999 when they began to publicly emerge as a significant problem.³⁴ Women with whom we spoke showed little knowledge or understanding of these topics and they have only discussed them previously in private circles.³⁵

The other topics of the assessment have rarely been publicly discussed by the Kosovar community. The only public event researchers could find was a round-table meeting on domestic violence organized by "Teuta" magazine.³⁶ Certainly for most women, if not all, the workshops organized by the researchers were the first occasion they had publicly articulated problems of violence by partners or family members. There is evidence that this is changing – Prizren radio had a piece in autumn 1999, Teuta magazine ran an article on sexual harassment (February 2000), Radio 21 presented a program in spring of the year 2000, and

30 Personal communication with young urban woman who gave a testimony through an international organization.

31 Personal communication with refugee men in Çegrane camp, FYROM, May 1999.

32 See newspaper articles such as: "Mafia Smuggles Refugee Women into Sex Slavery" J.Follain, E. Hamzic, The Sunday Times, UK, 16.5.99; "Traders in People prey on Refugees Stuck in Albania" C. Williams, LA Times, USA, 24.5.99; "UNICEF sees prostitution among Kosovo Albanians" A. Doyle, Reuters, 20.5.99.

33 The UNMIK Office of Gender Affairs (OGA), Kosovo, is using the following definition for sexual slavery taken from an Amnesty International document: "Sexual slavery consists in women and girls being held against their will and owned by one or several persons in order to provide sexual services."

34 "Kosovarja" magazine runs a story almost every issue.

35 Possibly because of lack of impartial reporting, but also because women traditionally do not talk about these things (probably because their lives are usually focused entirely inside the family). However the Rural Women's Network became concerned about the effects of a growing number of internationals in 1998. When they approached other groups suggesting that a round table be held on prostitution and sexual harassment they were told, "We do not agree to discuss topics which will offend the internationals." By the time this report went to press, this had changed and the issue had become less taboo.

36 See "Teuta" magazine, date unclear, probably 1997.

various women's and youth groups have plans for public round-tables to mark the International Day for the Eradication of Violence Against Women.

In every culture, and amongst every nationality, it is extremely hard for women to discuss violence against them. Discussion of domestic violence and rape by known or unknown men is particularly difficult. To ask someone to tell a stranger her intimate experiences of violence is to request a lot. The researchers need to act as counselors and advisors and have a responsibility to balance which emotions are drawn out with the support they are able to give to survivors. To hear women repeatedly describe violence and how restricted their lives are, is very disturbing, and also takes a toll on the researchers.³⁷

There was also the concern that asking people to reflect on such issues would be additionally insensitive so soon after war: like reopening old wounds when newer ones were not yet healed. It is hard to turn inwards and peel back the layers to reflect on intimate experiences of violence, when trying to rebuild one's life and extinguish the violence of repression, ethnic cleansing and war. People will remain in grief and mourning for a long time. In many places including Mitrovica and Viti, people still do not feel safe and continue to experience war-related violence.

Women told of negative psychological consequences friends had suffered after being encouraged to tell their stories either by journalists, human rights activists or aid workers.³⁸ Consequences are not usually deliberate but very few people asking about rape (for example in Macedonia as part of OSCE or as journalists in Kosovo) are aware of trauma issues and the dangers of re-traumatization, as well as the effects on themselves.³⁹ Therefore in cases when researchers could identify women who had been raped in war, or beaten by their partners they were not pressed to disclose. Instead the researchers decided to wait until the time when adequate long term support and help could be offered without ulterior motives.

There remains a fear of hidden agendas, as Serbian propaganda particularly from the eighties onwards fabricated stories of rape in order to demonize Kosovar Albanians. "In the mainstream Serbian and Yugoslav presses, Albanian men were declared to be rapists."⁴⁰ Women's groups in Croatia, Serbia and Bosnia all raised questions on how rape in war was used by their governments and media to generate fear without adequately addressing the needs of survivors. "We fear that the process of helping raped women is turning in a strange direction, being taken over by governmental institutions, the Ministry of Health of Croatia

37 Two journalists spoken with both mentioned similar issues after presenting pieces on rape: "It's the hardest story I've ever done" Guardian journalist. "It's the most difficult assignment I've ever had" BBC reporter. March 2000.

38 A teacher in western Kosovo told of a relatively benign encounter: "The journalists stayed all day, one asking questions, one clicking his camera. Once they left we felt as if we had been invaded." Another woman told of a girl in Stenković camp FYROM, who told her story on camera in spring 1999. "For weeks afterwards she was distraught. I asked her "why did you tell?" She said "I felt I owed it to them because they saved us." A woman's group activist told of representatives of one aid organization "forcing raped women to tell."

39 A British based journalist asked her union for guidelines on working with traumatized or raped women, and they said they did not have any. After much searching she found some guidelines from Mediciens sans Frontiers (MSF) on effects on aid workers.

40 "Kosovo; How Myths and Truths Started a War." J.A. Mertus, University of California Press, 1999. Mertus dissects the most notorious case, which "propelled the nationalist agendas brewing in the mid-eighties" in her chapter: "Impaled with a Bottle; the Martinović Case, 1985."

No Safe Place

and Bosnia and Herzegovina, and male gynecologists in particular. We fear that the raped women could be used in political propaganda with the aim of spreading hatred and revenge, thus leading to further violence and to further victimization of survivors."⁴¹

Therefore the discussions during this assessment took place in a cautious manner. Firstly issues were discussed that were most immediate to the women present, including the pain they felt because of past events and the current situation. Then specific issues of violence against women were addressed.

Ethically, a study on domestic violence would be done by a group which has counseling available, and which is intending to develop concrete programs based on the results. In order to ensure quality of data, and response, it is necessary to spend adequate time on the work. An example of such a study is in Zenica (Bosnia), where the women's group Medica undertook a study that included a one-hour, one hundred and fifty question interview of which five hundred and forty were completed. Previous to this, twelve interviewees already aware of violence against women issues, were trained in order to effectively elicit responses and give support. This project took one year to complete.⁴²

41 From Zagreb Women's Lobby, 1992, quoted in "Women, Culture and Violence" A.Richters, Leiden, 1994. The researcher has read other press statements that also address this concern including from Zagreb Women's Lobby and from Belgrade Women in Black, from 1994 onwards. They cannot be located at the time of writing.

42 "A Second Look 2: To Live With (Out) Violence." Infoteka Research Center, Zenica, Bosnia, 1999.

Context

VIOLENCE IN KOSOVO SOCIETY

It is impossible to write about any type of violence in Kosovo without reference to the war and conflict of the past years. Kosovo was, in fact, a place of which few people outside of former Yugoslavia had knowledge until the massacres in Drenica in 1998. Since then news and media coverage has tended to concentrate on issues of ethnic violence and has generally been unable to take into account complexity or diversity.

Since the arrival of the UN in 1999, emphasis by outsiders has been on reconciliation. The massacres, rapes, forced expulsions, random killings of civilians so well documented by OSCE and others, are now being pushed to the back of many minds and displaced by current crimes. Kosovar Albanians are being predominantly blamed for inciting ethnic violence whilst at the same time Kosovar Albanians in northern Mitrovica catalogue numerous occasions when the KFOR has failed to protect them against Serbian attackers.⁴³ Despite the impression in the media of one-sided (Kosovar Albanian led) violence, post conflict violence has led to deaths of almost equal numbers of Albanians and Serbs in Kosovo.⁴⁴ And, many killings are not inter-ethnic, but amongst people of the same ethnicity.

The researcher's analysis is that in Kosovo Albanian culture, in common with many traditional societies, the meaning and legitimacy for violence are regulated. Unmeditated violence is equated with loss of control which is equated with loss of power whereas restraint is connected with moral authority. Men who lack restraint either verbally or physically (for example through public displays of drunkenness) lose status in the community.⁴⁵ Premeditated violence is accepted when it is related to retribution, which is considered an expression of justice, not to be taken lightly. Reconciliation between men is valued highly.^{46,47}

Traditionally Kosovo society was constructed in ways which appear to have minimized the amount of physical mistreatment men used towards women because structural control ensured women were very constrained. Women gained status, moral authority, and respect as mothers. Women could lose all of these through any public act which discloses independence or scorn for their natal and later, marital family. But the combination of ethnic cleansing, war, and then the governance of Kosovo by an international force has fractured a tight-knit society. Times such as after a war, when structures are weakened and traditions

43 A retired teacher in Mitrovica told of occasions since summer 1999, when she has been attacked under the eyes of French KFOR "I was twice beaten by Serbs. French KFOR were ten meters away and they saw but did nothing."

44 Noel Malcolm mentions that 176 Albanians have been killed, 175 Serbs and 124 "others", in the first eight months of NATO's presence. Daily Telegraph, March 24, 2000.

45 If this analysis is correct it helps maybe explain the remarkable policy of non-violent resistance to Serbian state violence, supported for almost ten years by Kosovar Albanians.

46 The value placed on reconciliation can be seen in: the "Valle Rugovës" an ancient dance of reconciliation. Also in the work of Anton Çeta who inaugurated the successful movement in the eighties to make blood feuds extinct in Kosovo.

47 Other key cultural features are: besa (word of honor), honor, pride, dignity.

and communities have been disrupted, are likely to see an increase in physical violence against women, as women move into roles previously closed to them.

STEREOTYPES OF KOSOVAR ALBANIAN WOMEN

Kosovo generally is presented as a place where people are deemed traditional and conservative.⁴⁸ Likewise, media images of Kosovar Albanian women have tended to reinforce ideas of traditionalism including by picturing Islamic images; during the conflict international television reporters commonly stood in front of mosques.⁴⁹ At the March 8th 2000 women's demonstration against violence, in Prishtina, a film crew could be seen stubbornly pushing its way past the women dressed much like those in any major European city until it finally found one of the few head scarved women in the crowd to interview.

There has been a tendency for international agency personnel in Kosovo to give importance to parts of culture which reflect severe attitudes against women, whilst failing to understand that during the past fifty years these were mitigated by a modern state. In addition there is a failure to acknowledge that many women and men, both rural and urban want to move on from the restrictions of conservative thinking. In particular conservative attitudes to women are being reinforced through references to the "patriarchy" of Kosovo,⁵⁰ and the need not to upset cultural sensitivities (which usually translates into not upsetting male sensitivities).⁵¹ The ancient legal codes including the Canon of Dukagjini are also being informally mentioned by internationals to support perceptions of Kosovar Albanians as intransigent traditionalists.

It is vital not to equate dominant media images or even dominant cultural features with what local women want. Local women all stress how it is important not to use them as reasons for not advancing women's position in Kosovo.

48 This is what the historian Edward Said, has termed "Orientalism" the reduction of the "other" to primitive, uncivilized characteristics – a process he shows has been used to justify conquests and colonialism.

49 This is not to deny Islam legitimacy, but to reveal that Kosovo is, in the words of one observer "One of the most secular, least Islamic places imaginable" (UN staff member). Sufi particularly Dervish sects had a presence in Kosovo. These are mystical, metaphysical, and very flexible in their attitudes to women. Both continue to be practiced in Kosovo today. See "Islam in the Balkans" H.T. Norris, London, 1993.

50 A senior female OSCE staff member once asked why there were no local women in a meeting, and she was told "it's a patriarchal society." Personal communication, October 1999.

51 The Canon of Dukagjini is an ancient document describing a social order encapsulating severe attitudes to women and to children. Members of UNMIK judicial affairs claim it is still in use particularly in Peja. However, the court rulings pointed to in this regard did not show a use of the Canon. There are community-based ways of enforcing order i.e. disputes (usually over property) have been sometimes settled first by the intervention of a "Bajraktari" (literally a chieftain) who acts as a mediator and then, if things are not resolved satisfactory the dispute goes to the court of Law. Bajraktari are sometimes illiterate and do not know the Canon word for word. Instead their rulings tend to reflect social reality and their own wisdom. Failing to call a Bajraktari has no consequence. Ignoring the advice of the Bajraktari, can result in social reproach as the parties are then viewed as lacking in honor. Personal communication, staff member of INGO, Peja, March 2000.

Resources - General

Kosovo: Human Rights Documentation

Kosovo/Kosova: As Seen, As Told: An analysis of human rights findings of the OSCE Kosovo Verification Mission, October 1998 – June 1999. OSCE Office for Democratic Institutions and Human Rights (ODIHR) 1999. ISBN 8 391 27500 0. <http://www.osce.odihhr.org>

Kosovo/Kosova: As Seen, As Told, June – October 1999, OSCE ODIHR, 1999.

Ethnic Cleansing in Kosovo: An accounting, US State Department Report, December 1999.

Spotlight Reports, Humanitarian Law Fund, Beograd and Prishtina. No 27 "Kosovo – disappearances in times of armed conflict", No 28 "Human Rights in FR Yugoslavia 1998 report", "Nën Lupë – Të drejtat në Kosovë 1993-1997."

Bulletin no 10, Jan-Mar 1999, no 11-12 Mar-Oct 1999. Council for the Defense of Human Rights and Freedoms, Prishtina.

Roma Rights: Kosovo – Newsletter no 2, 1999. European Roma Rights Center, Budapest, Hungary.

Kosovo: Women – General

Kosovo Women's Initiative, Needs and Resources Assessment, UNHCR, Prishtina, April 2000.

Kosovo: the Women and Children, Brenda Fitzpatrick, World Vision, Australia, April 1999.

Recommendations: Roundtable on Gender Mainstreaming in Kosovo, Sarajevo, September 1999.

Women's Status in Yugoslavia, UNICEF, FRY, 1997 (unpublished).

Women and Violence - General

Trauma and Recovery: the aftermath of violence – from domestic abuse to political terror, J. Lewis Herman, Basic Books, NY, 1992. ISBN 0 465 08730 2.

Women in a Violent World: feminist analyses and resistance across "Europe", Chris Corrin (ed), Edinburgh University Press, UK, 1996. ISBN 0 7486 0804 4.

Summary of international and regional human rights texts relevant to the prevention and redress of violence against women, WHO, Geneva, 1999.

Women, Culture and Violence, Annemiek Richters, Women and Autonomy Center, Leiden University. 1994. ISBN 90 72631 37 4.

No Safe Place

Women Against Violence – breaking the silence. Reflecting on experience in Latin America and the Caribbean. A.M. Brasileiro (ed), UNIFEM, NY 1997. ISBN 0 912917 32 6.

Preliminary report by Special Rapporteur to the UN on Violence against Women, its causes and consequences, 22.11.94 (E/CN.4/195/42).

Report of the Special Rapporteur to the UN on Violence against Women, its causes and consequences, 12.2.97 (E/CN.4/1997/47).

Fact sheet on Violence against Women, Swedish Ministry of Labor et.al, Secretariat for Information and Communication at the Ministry of Labor tel ++46 8 405 11 55

Women's Rights - General

The Rights of Women: selected International Documents, UNHCR, Independent Bureau for Humanitarian Issues, 2nd edition, Sarajevo, 1999 (English and Bosnian texts together).

Local Action, Global Change: Learning About the Human Rights of Women and Girls, J. Mertus, N. Flowers, M. Dutt, UNIFEM and the Center for Women's Global Leadership, 1999. ISBN 0 912917 01 6.

Bringing Equality Home: Implementing the Convention on the Elimination of All Forms of Discriminations against Women, UNIFEM, NY, 1998 ISBN 0 912917 51 2.

A Methodology for Gender-Sensitive Research, Agnes Callamard, Amnesty International, and International Centre for Human Rights and Democratic Development, Canada. 1999. ISBN 2 9220084 213. <http://ichrdd.ca>

Women in the ECE Region: A call for Action, United Nations Economic Commission For Europe, Switzerland, 1995.

Women looking beyond 2000, United Nations, New York, 1995. ISBN 92 1 100592 2.

UN/ECE Revised Agreed Conclusions in preparation for Beijing +5, UNIFEM, December 1999,

Directories:

List of Kosovo NGOs, Kosovar Civil Society Foundation, Prishtina, 2000

NGO list, Humanitarian Information Center, Prishtina.



II. ASSESSMENT FINDINGS

Domestic Violence

Rape in War

Trafficking, Sexual Slavery and Prostitution

Note on presentation of chapters:

For the topics of domestic violence and rape in war, the responses of local women participating in discussion groups and interviews were central. Findings reflect their understanding of the violence and their perceptions of the solutions appropriate to their culture in this specific post-war phase. From the many people researchers spoke with, we found common threads and ideas which recurred frequently. Each common thread is presented through a series of direct quotes which were chosen because they are distilled representations of responses. Each is headed by a summarizing statement. Researchers wish to stress that these are not anecdotes but are the dominant experiences and opinions offered by the community.

Amongst these common threads, certain issues were discussed in much greater depth; these tended to be practical problems including how a woman's shelter would be organized to function appropriately in Kosovar society, and how work to support rape survivors could best be organized.

To give recognition to these in depth discussion the issues are expanded further in specific sections. The sections are headed "factors affecting care", "institutions for assistance", "examples of good practice" and "recommendations." Again, the identification of which problems or issues to focus on relied on the local participants priorities.

Concerning trafficking and prostitution, virtually none of the women in discussion groups expressed awareness of these problems. Key sources were workers in international and local institutions, and a few activists from local women's groups involved in working groups to address the problems. As both issues are relatively less well understood including outside of Kosovo, it was decided to reverse the order of the chapters. Rather than start the chapter with interview findings, the researchers begin with an examination of the problems, then added the findings from interviews.

DOMESTIC VIOLENCE

Violence against women by partners and family members

"The nature of violence against women in families has prompted comparisons to torture. The assaults are intended to injure women's psychological health as well as their bodies, and often involve humiliation as well as physical violence. Also like torture, the assaults are unpredictable and bear little relation to women's own behavior. A rapidly growing body of evidence shows women's experience of violence has direct consequences not only for their own well being but also for that of their families and communities." Violence Against Women, World Health Organization, Geneva, 1997.

"Domestic violence is more than a random individual affair, no mere sum of occasional conjugal outbursts. It is an inalienable part of life directly or indirectly for women in almost all societies perpetuated by dominant beliefs, traditions, and institutions wherever it occurs. Structural inequality of power in relations between men and women provides the objective conditions for male abuse of women...even though not all women in a particular society may be subjected to one or another form of gender violence, what they all share, every day is fear of violence from men...in the home, in the street, in the workplace and in detention." Women, Culture and Violence, A. Richters, Leiden, 1994.

Domestic violence

STATISTICS OF WOMEN WHO DISCLOSED DOMESTIC VIOLENCE

Explanation of the gathering of statistics:

Women were given questionnaires after a series of exploratory workshops, lasting on average of nine hours, in which issues of violence against women were discussed. 31 questions were posed in the questionnaire: to elicit information on type of violence, frequency, any factors contributing to vulnerability, who perpetrators were, and what kind of support women might find useful.

In total 213 women returned completed questionnaires. This is a relatively small sample but was designed to be representative: covering ten regions, an equal mix of rural and urban women and a balance of ages. Due to the difficult nature of the topic, and the fact that almost all women had never articulated violence against women issues before, the assessment concentrated on ensuring that women really understood the questions in the questionnaire so that they would answer reliably. The researchers feel that responses presented are accurate because of the high level of trust and understanding built up over the period of the workshops. Certain questions were asked several times in order to try and check reliability, or were cross-checked against others. Questions that seemed to elicit very confused or contradictory answers have been left out of the information presented in this assessment. In particular, there is no information on the frequency of the violence. This is because the researchers felt that they had mistakenly posed the question in too ambiguous a fashion to be valid.

The total percentages for disclosure of violence tally with levels of disclosure in other studies; for example, in the UK one in five women report experiencing domestic violence. Whereas in Kosovo it was discovered that 23 per cent (almost one in four women) reported domestic violence. It is noteworthy that whilst current law applicable in Kosovo does not recognize rape in marriage, levels of disclosure of rape were 18 per cent (almost one in five) within a relationship including by a husband or partner. These are fairly close to levels of disclosure for other types of physical violence and close to reported levels of one in five of all women for rape in USA. Researchers felt this is because time was spent with each discussion group discussing definitions of violence including rape.

The figures on the next pages relate to the percentages of women who disclosed violence, and are compared with the overall sample when appropriate.

Results of the researcher's questionnaire completed by 213 women in Spring year 2000.

**Significant findings which can be clearly extrapolated from the responses:
OF THE WOMEN WHO DISCLOSED PHYSICAL VIOLENCE
BY A PARTNER OR FAMILY MEMBER:**

1. PREVALENCE OF DOMESTIC VIOLENCE:

23 per cent of all 213 women who completed questionnaires disclosed they had experienced physical violence by a partner or other family member.⁴⁹

18 per cent of all women who completed questionnaires reported rape by a partner (husband or boyfriend) or family member such as uncle, cousin, nephew.

- **The data indicates that disclosure rates of domestic violence are very similar to those in other studies in Western Europe and North America.**

It should be kept in mind that in many countries and places, under reporting of domestic violence is common. It reflects fears such as of reprisals, publicity, damage to a woman's reputation, lack of trust in institutions and authorities.

2. OCCURRENCE OF VIOLENCE BY AGE GROUP:

The average age of the total sample who completed questionnaires was 28.5 years.

25 per cent of the total sample were between 35 and 54 years old.

The sample was biased towards older women most likely to be married.

The average age of women who reported experiencing domestic violence (23 per cent of the total sample) was 32 years.

42 per cent of the women who disclosed experiencing violence were between 35 and 54 years old.

- **The data indicates that mature women are most likely to report experiencing domestic violence.**

3. MARITAL STATUS:

Of all women who disclosed experiencing violence (23 per cent of the total sample), 40 per cent were married and 40 per cent were single (unmarried, widowed, separated, divorced), the remainder 20 per cent did not respond.

- **The data indicates no obvious relationship between marital status and vulnerability to violence, in fact both married and single women appear to be equally vulnerable.**

⁴⁹ Compare with results from Medica Zenica's study published in "To live with (out) violence" 1999: Medica's team uncovered a 20-24 per cent disclosure rate with regards to domestic violence.

4. RURAL/URBAN DIFFERENCES:

Of all women who disclosed experiencing violence (23 per cent of the total sample), 65 per cent were from urban areas.

Whereas 49 per cent of the total sample were from urban areas.

- **The data indicates that violence appears to be more prevalent in urban society.**

5. FAMILY MEMBERS:

Of all women who disclosed experiencing violence (23 per cent of the total sample), 50 per cent of all urban women and 14 per cent of all rural women were maltreated by a family member other than their partner (husband or boyfriend). This included fathers, uncles, nephews, brothers. In a few cases perpetrators were females such as mother in laws, mothers.

- **The data indicates that there are higher levels of violence by family members other than a husband, in urban communities.**

6. FIRST INCIDENCE OF VIOLENCE:

Of all women who disclosed experiencing violence, 44 per cent of women experienced violence for the first time in 1998 or 1999. 2 per cent of women experienced violence for the first time in 2000. 2 per cent did not respond to this question.

The remaining 54 per cent had first experienced domestic violence from 1980 to 1998.

- **The data indicates that a connection can be made between the increase in conflict in Kosovo in 1998, and a rise in domestic violence.**

The findings indicate that domestic violence is not a new phenomenon in Kosovo but that it appears to have increased since the conflict. Possible explanations for this are: increased acceptability of violence as a way to solve problems, the break down of tight family and social structures, a general rise in instability and uncertainty, the increased sense of powerlessness amongst the community, decreased income in many families as workers sending back remittances from abroad are returned by governments, general levels of unemployment, increased inequalities in society.

7. RAPE BY KNOWN MEN:

18 per cent of the whole sample of 213 respondents reported rape by known Albanian men: 53 per cent of women who had been raped by partner (husband or boyfriend) or family member, were married, and 26 per cent where single, 21 per cent were widowed or separated (it is not clear from this category if the rape/s took place before widowhood or separation or after).

Rape by a husband is currently exempt from legal prosecution under laws of Federal Republic of Yugoslavia, and laws of Serbia, and laws of the Autonomous Province of

Kosovo. It is interesting therefore that women disclosed rape by their husbands and boy friends, and this contradicts the general belief that women in Kosovo do not understand forced sexual activity by husband or boyfriend as "rape."

8. ALCOHOL and VIOLENCE:

Of all women who disclosed experiencing violence (23 per cent of the total sample), 51 per cent reported that their abusers had an alcohol problem; of these 72 per cent are urban men.

- **The data indicates that alcoholism is a contributing factor in violence.**

9. CHILDREN and MISTREATMENT:

35 per cent of women who experienced domestic violence (23 per cent of the total sample) said that children in their family are also subjected to physical mistreatment, whereas 53 per cent of women said children in their families were exposed to no physical or emotional mistreatment. The remaining 12 per cent did not respond to this question.

- **The data indicates that violence against children and against women do not always occur together.**

10. WHERE WOMEN GO FOR HELP:

Of all women who disclosed experiencing violence (23 per cent of the total sample), 54 per cent of urban and 7 per cent of rural women had not talked with anyone about the violence.

- **The data indicates that urban women are less likely to seek support.**

Of all women who disclosed experiencing violence, 12 per cent of women had not sought help related to the violence. 32 per cent of women had sought help from their family, whereas only 9 per cent sought help from a friend. Those approached in the family included father and brothers. It is assumed from discussions that in cases where the father or a brother are the abusers, no one is approached. There was no significant response concerning help from institutions, local groups, international organizations.

- **The data indicates that women are most likely to seek help related to the problem of violence from family members.**

37 per cent of women had not talked with anyone explicitly about their experience of violence. 40 per cent of all women had talked with a friend about the problem, 14 per cent had talked with family members, the remaining 9 per cent did not reply to the question.

It seems, if this figure is compared with the one in the above paragraph, that women do not associate "talking" with "helping."

- **The data indicates that women are most likely to talk explicitly with a friend.**

Of all women in the total sample 49 per cent of women would use a place for help if it existed, 33 per cent maybe would use a place, 14 per cent would definitely not, the remaining 4 % did not reply to the question.

- It seems therefore that services would be used if they were developed in a culturally sensitive and user friendly manner which requires wide consultation with women.

FINDINGS from GROUP DISCUSSIONS and INDIVIDUAL INTERVIEWS - Women's Experience and Perceptions of Violence

- **Women appear to view violence differently than men: they define violence in broad terms to cover emotional, psychological, and physical mistreatment. Many women interviewed reflected that their life as women is set in an unavoidable framework of abuse:**

"Everything in our society is violence against women." Member of sewing course, Obiliq.

Men questioned do not think of violence against women in broad terms, but restrict its definition to physical harm inflicted upon a woman with visible consequences. Whereas many women would perceive light injury or hitting as violence, men tend to define violence in terms of severe bodily harm. One could say that men think of violence against women as "battering" – frequent severe physical abuse, whereas women also include "beating", which can be with no or few visible injuries.⁵⁰ This means that when men are questioned they appear to minimize, deny or condone the existence of violence against women.⁵¹

"I don't think that domestic violence is a big problem because at the moment practical issues such as aid and shelter are dominating men's lives." Spokesman, KPC, Prishtina.

"Its fine to hit your wife as long as you do not leave bruises." Imam, talking in WHO focus group, Rrahovec.

Beating is generally seen as "normal", unremarkable and largely inconsequential. Whereas battering is seen as "abnormal", crazy, animal. Men who cause noticeable physical injury are spoken of as mad. It appears to be only activists in women's groups who believe otherwise:

"Even men who are not mad beat their wives." Activist, Liria women's group, Gjilan.

- **Estimates by women about the level of physical violence towards women in Kosovo tend to be high:**

"It is definitely possible that over 35 per cent of women experience physical violence daily." Activist, Drita Women's group, Prishtina.

50 See "Women, Culture and Violence" A. Richters, Leiden, 1994, p 78 for suggested definitions of these terms. Note, however, that "battering" and "beating" get used loosely by respondents.

51 This attitude might also have something to do with not believing it is wrong: "When a witness or victim speaks of violence, by his or her choice of word he or she is making a moral judgement, asserting not just that the action concerned has caused physical harm, but also that it was wrong." A. Richters, 1994.

No Safe Place

"Violence in the family is normal, there are so many cases, but the woman would deny it. Maybe 80 per cent of all women have experienced physical violence at home. I know this because I did 60 questionnaires (about violence) in villages in 1996." Activist, Legjenda Women's group, Viti.

■ Most women consider emotional violence against women to be rampant:

"There is no house where there is not emotional maltreatment (of women)." Social worker, Gjakova.

"80 per cent of Kosovar women live in a state of emotional divorce (from their husband)." Staff member, DFID

"If it's emotional or verbal abuse against a woman, it could be 80 per cent of all women every day." Activist, Drita Women's Group, Prishtina.

■ A view that the social structures themselves perpetuate violence against women, is widespread especially among rural women interviewed. When asked to define violence rural women both married and unmarried are acutely aware of restriction, discrimination, inequality, lack of access. This begins in the home but then extends to society, and then on marriage boomerangs back on them:

"I think violence is everything that restricts women from A-Z, so I would say that in 80 per cent of the families there is violence of some kind. Girls not going to school is violence, if I'm part of a family that doesn't allow me to fulfil my desires when it has the means, that's violence. If I'm not treated equally to my brother by my family, that's violence against me." Activist, Legjenda women's group, Viti.

"Spending all day cooking, cleaning and caring for the kids, whilst the men just sit in the middle and drink coffee – that's violence." Housewife, Viti.

■ It is clear from women and girls that there are two particular clouds they live under which they define as violence:

1. Not being allowed to go to school or to continue education. This is considered to be a cultural norm, reinforced by the dangers and economic insecurities of the last ten years. Financial constraints especially in villages, are preventing families from sending all their children to school.⁵² And if the family is forced to choose often it is the boy, not the girl who receives education.

For most girls education is their first most burning desire, and they recognize that education enables them to overcome many social and cultural discriminations. In 1997, Aureola Rural women's group asked 340 women from Obiliq villages their biggest desire, 32 per cent responded that they wanted to be educated or to be able to continue their education.⁵³

2. Not being free to choose their marriage partner or to choose to live unmarried:⁵⁴ Arranged marriages are linked to creating a climate which effectively silences women:

52 Primary education tends to be accessible to villagers, whereas secondary or tertiary education tends to be available only in larger cities. Bus fares from villages can be as much as 50 US\$ a month.

53 Results unpublished: this statistic is derived from the researcher's analysis of the questionnaires.

"There is education in the family: first you shouldn't speak because you are a girl, then later you shouldn't speak because no one will marry you, then later you shouldn't speak because you are a new bride. Finally, you might have the chance to speak but you don't speak because you have forgotten how to." Activist, Drita women's group, Prishtina.

■ **The extended family structure is considered to greatly effect the likelihood of a woman being subjected to physical or emotional violence:**

Respondents consider that the extended family structure which is common in Kosovo, increases the vulnerability of women. This is because the dynamics of a husband-wife relationship, are complicated and interfered with by other family members, who can pressure a man to beat his partner. A jealous mother, sisters, brides, wives are all considered likely to manipulate a situation and exacerbate a conflict. Whilst not as pervasive as in other cultures⁵⁵ it does seem that women who have little or no power in the public sphere, eventually create and exercise power in the family once there is someone with a lower status to maltreat. This could be a child or a new daughter-in-law.

■ **Who perpetuates the violence depends largely at which life stage a girl or woman is at. Young girls are vulnerable from other female members of the family. Adolescents are vulnerable from boyfriends. Married women are vulnerable from in-laws and husbands. Widows are vulnerable from in laws:**⁵⁶

In one village group, 50 per cent of the respondents answered that they had experienced physical violence or mistreatment from a female family member.⁵⁷

If the girl enters a friendship with a boy before marriage, this is almost certainly going to be clandestine: it seems she is then vulnerable to abuse within this secret liaison. Amongst one group of 40 rural women and girls, of an average age of 19 years, 17 per cent said they had experienced sexual violence/rape from a partner. Only 5 per cent were married.⁵⁸

Girls generally lack confidence to negotiate terms of friendship with boys:

"In our youth centers we are seeing at least 500 young people a day, 50 per cent of these are girls. The most frequently asked query from girls aged between 15 and 16, is "how do I stop a boyfriend when he wants to have sex." Most of these girls appear to be in relationships with boys at least five years older." Health educator, International Medical Corps (IMC), Prishtina.

This implies that such girls may be more vulnerable to rape – in January the neuro-psychiatry unit of Prishtina hospital had two patients who were known to be raped: both were cases of "date-rape."

54 Complete free choice about with whom and how one lives as an adult is rare. Many if not most rural girls would expect to have little say over whom they eventually marry, whereas boys at least get the chance to look at a photograph of their intended bride, and say "no." In some places this arrangement is conducted entirely without any reference to the young people being matched.

55 Such as in China where mother-in-law/daughter-in-law feuds are traditionally considered usual.

56 See WHO, Violence against Women pack, 1997, for a useful summary of lifecycle violence.

57 From analysis of one village in Viti's response to KAVAW questionnaires. In the whole sample 2.3 per cent of girls aged 15-20 per cent disclosed experiences of domestic violence, whilst comprising 9.4 per cent of the total sample.

58 KAVAW statistics.

No Safe Place

Once married the woman might be vulnerable to violence from her husband, but also as newest bride, might suffer from her mother-in-law or from other sisters-in-law. At the first pregnancy a woman is "most vulnerable." At this time the relationship with the husband shifts, and he can be violent towards her because 'she is no longer mothering him.'⁵⁹

If a woman is widowed, particularly if young, it increases her vulnerability as her children are considered wards of the husband's family. Activists working with young widows in Prishtina, report an alarming level of evictions. All discussion group members emphasized the problems young widows face with in-laws:

"I think widows are suffering mostly because they are losing patience with all the gossip and interference of in-laws and neighbors." Activist, Women's group, Prishtina.

"Living in an intergenerational family has its problems: I am stuck in between the child and her grandparents. It is a lot to juggle sometimes." Social Worker, Gjakova.

■ Causes given for physical violence against women include material circumstances but also power differentials:

"When does beating happen? "When he wakes up, when he comes home from market, when ever he feels like it." Activist, Legjenda Women's group, Viti.

"Domestic violence is a result of the war, the trauma and the current economic situation." Activist, Women's group, Mitrovica.

In one region violence was immediately linked to women working outside of the home:

"Violence has never been as much as now. This is because of the international organizations (INGOs) and KFOR – local women have started to work for them as cooks, cleaners, translators etc. This is creating a conflict because the young women who are working in these jobs are finding that their families disagree that they are in the field driving around in cars with men, drinking in cafes with men and not just sitting in an office." Activist, Liria Women's Group, Gjilan.

■ There is no consensus if there are clear differences in levels of violence between rural and urban families:⁶⁰

"I think men from cities are more likely to beat their wives than those from rural areas. Usually the violence would be provoked from the extended family it's much rarer to take place in a nuclear family." Social worker, Center for Social Work (CSW), Gjakova.

"I don't feel it makes any difference if it's a village or a city." Social Worker, CPWC, Mitrovica.

■ It is a common belief that domestic violence has increased since the war:⁶¹

59 IMC, health educator.

60 KAVAW questionnaires reveal a different reality: that of women disclosing violence 65 per cent were urban women, and of the abusers 70 per cent were urban men (this is by origin not by residence: as many people are now displaced).

"Domestic violence happens everywhere, its not about ethnicity or nationality. It was the first obvious thing after the war, and it looks like it has increased. In Gjakova this is mitigated by the fact that women's status was higher during the war as they were being relied on for everything, plus men know to be careful because there is always talk." Mother Teresa Society (MTS)⁶² activist, Gjakova.

"I am sure violence at home has increased since the war ended. We are all loosing our nerves. We are all more aggressive." Technician, UNICEF, Prishtina.

"Everyone in Mitrovica is more nervous. I am more nervous. I am more aggressive. There is no war but we do not have peace." Activist, Women's group, Mitrovica.

It is anticipated that violence will increase, because of the break up of a very controlled culture (where restraint in men was valued, and where strong social control put brakes on bad behavior), due to war and the post-war society which is being influenced by many external forces such as the establishment of UN governance and aid agencies in their influence on development.⁶³

■ Cases are cited where KFOR, UN, CIVPOL and other internationally run institutions failed to offer adequate protection to women:

"There was a case in upper Malisheve, and I've been to try and help the children. Before the war the man beat his wife so badly and hung her up so that her feet went black. Earlier he had been beaten in prison in Serbia and he was repeating what was done to him. She left after he first beat her, but then was convinced by a committee in the community to return because of the children. He was arrested by KFOR because he badly beat his sister and his mother. But all they did was disarm him and then let him go. We were surprised." Activist, Liria Women's Group, Gjilan.

"Two months ago the troops changed. And since then there's been no cooperation. Either with UN Police or KFOR. We had one case when a woman was being badly abused at home, and she left the kids with us (for safe keeping). We informed CIVPOL, no one came. Its like this in most cases, they don't respond. They just write on pieces of paper." KPC, Vushtrri.

61 There is one exception to this from a KPC soldier who said "In the city, after the war we don't see cases, if anything we see a better situation. We had a few cases after coming down from the mountains. And our female soldiers dealt with it. We now have to send cases to KFOR first, and we only react if KFOR doesn't." See also an article entitled "Violence Against Women in Kosova", Sevdije Ahmeti, CPWC, Prishtina, 1999.

62 Mother Teresa Association: the key Kosovar Albanian humanitarian and medical association, functioning since the early nineties.

63 Richters (1994, p 87) quotes factors predictive of little or no family violence: monogamy, economic equality, equal access to divorce, availability of alternative caretakers, frequent and regular intervention in domestic disputes by neighbors and kin, norms that encourage nonviolent settlement of disputes outside the home. Certainly at least of these factors have reduced in Kosovo due to the war and displacement (monogamy, caretakers, interventions in dispute norms encouraging non-violence).

FACTORS AFFECTING CARE OF SURVIVORS OF DOMESTIC VIOLENCE

Solutions devised would do well to take into account the following factors which affect whether women go for help, and from whom they seek it.

Cultural factors

Certain factors can be regarded as increasing the chances of violence occurring in a relationship. In Kosovo as in many other societies, love and jealousy are considered rightful companions. If one expresses indifference or lack of jealousy during periods of separation, it is interpreted as lack of love. If one shows fiercely possessive or highly protective behavior towards a partner this is sanctioned and equated with love. Actions such as stalking or sending someone to follow your girlfriend or wife to check on their movements are often interpreted as protective, and therefore are sanctioned rather than disapproved.

As in many places girls are socialized to be manipulative in relationships with the opposite sex. In most cases this is their only card to play – they have no other power (no money, no status, no job, no rights, no respect). Being secretive without reason is considered good sense for a woman and she should always be seen to be holding something back.⁶⁴ In relationships particularly between young people, this can have very negative consequences. It reinforces a sense of women as dishonest partners, not meaning what they say but always being indirect.⁶⁵ This might partly account for the reports of high levels of physical violence in student relationships, and also increased vulnerability to rape on dates.

Social marginalization

Kosovar Albanian society is grounded in the extended family. No other institution has the effect or force of the family. Anyone who is rejected by their family or their in-laws will find it virtually impossible to survive in society because such a marginalization results in harsh isolation. If a person chooses to leave the family (other than for marriage), they can only do so effectively if they are seen to have their family's blessing. In contrast, a potential rejection by society (for example due to anti-social or generally stigmatized behaviors) can usually be avoided with the family's perceived support; if your family stand by you, others will follow suit. For most women who grow up in or marry into a violent family, leaving the violence is usually inconceivable because it means leaving the family. This results in having no status in society.

In the case of being beaten by husbands or in-laws, most women or girls would expect to be able to go to their father or brother/s. Their intervention, the threat of use of force by a man, combined with effective shaming, is expected to curtail most cases. Women who cannot turn to male blood relatives to protect them are considered extremely vulnerable and evoke much pity: "she showed us her bruises, but she's from Bosnia, so no one can defend her." Women's

64 It is sometimes said that a woman "should not show her husband the bottom of her arka (chest for dowry) or the bottom of her heart." See "Sfinga" no 3, 1999, Prishtina, article by Kujtim Rrahmani, for a full ethnographic explanation of arka.

65 That is, it gives the appearance that "No does not equal No."

Worker, INGO, Mitrovica.⁶⁶ If the father or brother is the abuser there does not appear to be much expectation of intervention.

No local person we spoke to believed that a shelter for women fleeing domestic violence could work in Kosovo if it was modeled on European or even existing Balkan models (such as the shelter in Croatia). Many respondents expressed a great fear that a shelter would exacerbate the problem.⁶⁷ All of the people researchers spoke with suggested that the man is removed from the house in the first instance.⁶⁸

The majority of respondents suggested that a shelter for women would be appropriate if it is intended as a short-term measure. Social workers suggest women might stay for four or five days before returning home. This was how the social services in Mitrovica used to run their shelter; women stayed for short periods of time during which there was intervention by social workers with the perpetrator and other family members to try to prevent further violence. However some workers in women's groups, felt that levels of violence could become unacceptable and in these cases a longer term solution was necessary.

Lack of opportunities for employment

Few women outside of the urban centers, would be able to support themselves financially. Even those who are educated would have problems – because most jobs or paid positions depend on connections. In the post-war economy there are more opportunities to earn a decent wage, but this no longer covers basic living costs, such as renting an apartment. Even if you can find work, you would find it hard to keep any kind of social network: your female friends are likely to be married probably in different cities and will have very little time to go out with you, and you cannot be seen to just go out with men as this will lead to gossip.

Lack of custody of children

If a woman does actually get divorced,⁶⁹ she is expected to return to her natal family. If she has children it is customary for the husband to retain custody. They are considered his property not hers. This is contrary to law which states that they are her charge until the age of ten when they can testify before a judge which parent to live with. But very few women would ever brave the courts to claim wardship. Instead it is customary that she is expected to find a man to marry as soon as possible. Usually he would be a widower or a divorcee. She would take on the job of bringing up his children. It is very rare for him to accept her children also.

These factors also come into play if the woman is a widow. It seems that most have very limited opportunity and have to choose between either staying with their in-laws (and never

66 A professor at the university told a case which illustrates the reality: "My aunt was beaten by her husband. She cried. He implored her to stop crying. She didn't. He begged her. Finally, she said "You have to promise never to beat me again because I have no brothers or father to protect me."

67 "I don't believe that shelters are the solution, women will just have more violence. Anyway it's not reasonable to expect the woman to have to leave." Officer, KPC, Gjakova.

68 For example: social workers and KPC said "better to put the man in prison."

69 The number of divorcees is hard to estimate: in Gjakova there were approximately 50 a year before 1989, after that it went down to approximately 10 a year. This is believed to be lower than in other parts of Kosovo, and in Kosovo, lower than in other parts of former-Yugoslavia. A social worker comments: "In the last ten years women sacrificed themselves for the sake of the children."

having a socially sanctioned sexual relationship again) where the children are, or leaving the children with the in-laws to pursue the chances of remarriage. This situation is not restricted to rural women – researchers were told of women in well paid jobs in international institutions being denied access to their children.⁷⁰

Lack of understanding – blame/gossip

Generally male violence against women is unchallenged. In fact there appears to be a bias against women victims of violence, on the part of social workers, doctors, police officer, prosecutors etc. This is connected to women's status in society and prevailing double standards for women and men.

Kosovo, before the war of 1998, was made up of tight-knit communities where oral culture was highly appreciated. Gossip and hearsay, took precedent over written word or concrete proof. Popular opinion and gossip are still extremely powerful tools and can almost destroy lives. They can also be utilized positively to stop undesirable social behavior. Women respond mostly to gossip from women. Male social workers say that men also respond to gossip/verbal social sanctions, and this can be utilized in cases of domestic violence to bring shame upon the men.

In all discussions about domestic violence, the researchers found very few speakers, who did not sooner or later conclude the woman to be the one at fault for the violence. e.g. "I blame the woman too for the violence, if she works and she has the slightest problem she will call up her husband (and he will respond with violence)." Activist, Women's Group. Prishtina. In cases of divorce, social workers mention that children grow up hearing and believing slander about their absent mother.

This tendency to blame showed itself most alarmingly in two discussions about the brutal rape and murder of an 11 year old girl by an American soldier:⁷¹ one rural woman said "I blame the parents, she was obviously a bad girl." One urban female doctor said "I feel sorry for the soldier. I bet she led him on." Such comments, underscore a generally low level of awareness concerning the realities of male-female violence, and an absence of the understanding of relative power dynamics and responsibility.

In another case, a woman who had injuries as a result of her husband's violence against her, was met in the ward in a provincial hospital with "snickering."⁷²

The impossibility of women surviving financially or emotionally apart from either a natal or a marital family results in a very pragmatic attitude towards domestic violence amongst social workers, lawyers and women's activists alike. This means that any intervention is likely to be premised on the (unspoken) goal of ensuring that the woman stays in the family. A woman who expresses a wish to leave either the natal or marital family, without material resources, is considered to be foolish or selfish. This helps explain why women are particularly cautious in revealing personal information about themselves – and reluctant to seek help until events have reached a crisis.

70 Personal communication with OSCE worker.

71 Staff Sergeant Ronghi charged with sodomy, rape and murder of a girl in Viti, March 2000, for up to date information on the prosecution see: www.fayettevillenc.com/foto/news/local/ronghi.shtml

72 Gjilan hospital. Related by aid worker on the scene.

Lack of access to services

For all but the very few, daily life in Kosovo has now become an almost impossible maze, of unfamiliar faces, unknown institutions, unknown languages. Women in particular, have less access to information about procedures and are unable to navigate their way through these changes. Where services are available women are not sufficiently aware of them. The institutions that they are familiar with are not functioning effectively and they are not generally aware that INGOs exist, or that local women's groups can provide support in cases of violence. In cases where women are aware of INGOs, it seems that many hesitate to use them out of fear, but also because they do not expect to have confidentiality.

"The biggest issue for women to determine where they go for help is knowledge that there will be confidentiality and trust." CPWC, Social Worker, Mitrovica.

Lack of faith in institutions

Generally women do not look for solutions to their problems outside of the family. Those who finally decide they have to leave an abusive situation do not appear likely to be aware of support mechanisms available by institutions or by international non-governmental organizations. In fact women seeking help today naturally look to the same institutions which functioned before 1989; the Centers for Social Work, the police, the Courts. All of these are now overseen by internationally appointed members of UNMIK. Yet, all these institutions are considered to now be ineffective, not fully reestablished and unlikely to be able to provide protection or justice. Human rights groups, women's groups, KPC, all say that the ineffectiveness of these institutions is due to a lack of commitment, strategy, and finance from UNMIK.⁷³

"Before women would mainly go to the Centers for Social Work. Now there is nowhere, no laws, no institutions, nothing. In Mitrovica we have lost trust in the internationals totally, so I am not even sure if women would go to the CIVPOL...The KPC could be very effective in such cases because the batterers know and acknowledge the authority of the ex-soldiers. As a women's group we can offer moral support. But how can a woman leave? What can she live off? We can't justify taking the children away from good material circumstances to a place with their mother where they cannot survive." Activist, women's group, Mitrovica.

"It's good that most women are unaware of the extent of their dilemma because there are no services we can call on to actively help them. All I can do is open the wounds - the woman speaks but I cannot help her and so the problem actually increases. Before there were provisions to finance the woman to stay in an apartment and help her find a job. Now the CSW no longer has the resources or the authority (within the structure of UN) to act if a man is violent." Social Worker, CSW, Gjakova.

"Who can address the reasons behind men's increased violence now? The alcohol, the lack of economic possibilities, the trauma? The problem now is the lack of institutions." Human Rights Activist, Council For Defense of Human Rights and Freedoms (CDHRF), Gjakova.

73 A worker in OSCE responsive for gender commented further, in relations to working on women's issues in the international structures: "basically women who care about women are generally not appreciated within international institutional structures."

The workers we spoke to from the Centers for Social Work all expressed great despair at the lack of support and recognition they have received from UNMIK. They felt disempowered to have spent years practicing, and then at the time they were most needed, to basically be turned into an aid giving organization.

"Tell UNMIK to trust the centers. At the moment they are trying to teach us even how to fill in forms. Let us do the work we are skilled in, and let they who are staying a short time decide after they see our reports." Manager at Center for Social Work.⁷⁴

INSTITUTIONS FOR ASSISTANCE

"UNMIK and OSCE are responsible because domestic violence and rape are human rights issues not domestic issues. Both KFOR and CIVPOL need to be supported politically in order to carry out this work." Agency Head, UN, Prishtina.

Judges, police, social workers and media are all key in response and prevention. However social workers who interact closely with women are being neglected, police are prioritizing what they consider "serious crime" and judges have shown little willingness to understand or interpret the law in ways which allow protection for women and children.

Centers for Social Work (CSWs)

The Centers for Social Work previously had one place used as a shelter (from 1989-91, eighteen women stayed there) and had a capacity to pay rent and help women who had fled violent relationships get jobs.⁷⁵ It seems that women, when seeking solutions to violence, are more likely to go to the Centers than to any other group or institution, local or international.

There has been an imbalance regarding the amount of attention and funding institutions have been given compared to support given to the nascent NGO sector. Institutions including the CSWs, whose key partners have been UN agencies are demoralized at not having been afforded credibility or respect, or given timely funding.⁷⁶ Most centers have been

74 This manager went on to add that a lot was being lost in communications because UNMIK's translators are not skilled in the particular vocabulary and concepts of social services.

75 Mitrovica CSW opened an orphanage in 1989. This was run until 1991, when it was closed down by the FRY state after, in line with their actions in the rest of Kosovo, they sacked the Albanian workers. During the short time the Mitrovica orphanage was run, it also acted as a shelter for women. Over 18 women stayed there fleeing from domestic violence. The director told the researcher that the approach of the center was: "first to work with the woman, then with the husband, then with the family." It appears that women tended to stay for short periods of time (up to five days) during which there was a "cooling off period" and intervention by the social workers to try and prevent further violence. All CSW also had the capacity to provide support to women that chose to leave violent homes. There was provision to pay rent on an apartment for a woman who had to flee for reasons of violence, and expectation that the woman would need support to find work. A social worker estimated that in Gjakova now, possibly 30 women annually might need such apartments. When the researchers asked her about problems in the past from male perpetrators of domestic violence she said "Surprisingly enough very few came and made trouble, mostly they respected the CSW, and didn't dare enter. Those that made threats never carried them out." The director of Mitrovica CSW said this also was the experience of his center.

76 A director of a Center for Social Work with over 25 years experience told the researcher: "The internationals do not treat us like professionals, they treat us as if we know nothing."

encouraged only to distribute aid. It is appropriate and realistic that they are regarded as central actors in efforts to cope with effects of domestic violence, provided they receive funding and support such as training.⁷⁷

Local women's groups

Before the advent of NATO into Kosovo there were at least eleven women's groups actively involved in projects to assist and advance women and girls: Albanian Women's League, Apoteoza, Aureola, Center for Protection of Women and Children, Elena, Legjenda, Media Project, Motrat Qiriaz, Sfinga, Women Artists and Veterans of Education, Women's Forum of the LDK. Since the arrival of UNHCR Kosovo Women's Initiative (KWI) funding there are now between one hundred and two hundred women's groups.⁷⁸ These groups are a remarkable resource given that on average each group works with at least five hundred women who attend courses, and other activities at their centers.

None of the groups researchers spoke with feel that they have the capacity to be involved in actively assisting survivors of domestic violence apart from in an ad hoc manner. Few feel that it is appropriate for them to be the main organization running a shelter or women's safe house. This is for different reasons – they are overworked doing material and psychological support to women and girls, they are aware that in order to intervene in family issues in Kosovo you have to have status which means you have to be seen as being more powerful than the men (and they are not always seen in this way).

Whilst women's groups are generally reluctant to take on direct care of women who have fled violent family relationships seeing this as the role of the Centers for Social Work and the "experts", they recognize however that they could play a vital role in a more low key way such as through an SOS-telephone line. Although telephone communication is very difficult between cities, there still remains a viable local network inside many cities. Such a telephone line would not be aiming to reach the whole population, and many vulnerable women obviously would have no access to a phone. However, it would be a manageable start.

Women's groups and individual women mentioned that women remain largely unaware that they have a right not to be beaten in a relationship, and that even if they are aware they do not know where to go. "I believe many women experience domestic violence but until now they had no place to go. Before they might talk with a woman doctor, now they might go to women's groups." Activist, women's group, Glllogoc.

International organizations

It is apparent that INGOs, UNMIK, police, courts, local groups are not providing adequate responses or services. Where services are available women are not sufficiently aware of them. There are individuals in these institutions who have experience of working on violence issues, but it is not unusual that they are in posts where these skills are not fully applicable.

77 This opinion is reflected in the attitudes of virtually all local women's groups, "We are not professionals, the Centers are the ones to work on these problems from a psychological and material perspective." Woman's activist, Mitrovica.

78 The exact number is not possible to ascertain, it could be up to two hundred, if one takes into account the many small groups of women that KWI have gathered together and then funded for small activities.

No Safe Place

Of the two hundred international and local non-governmental organizations registered by February of the year 2000, fifty ticked a box which showed they were working on gender or women's issues. However, most appear to work on programs directed at welfare, rather than on programs orientated to issues, education, or lobbying in Kosovo. It is most likely that if sexual and gender based violence (SGBV) is dealt with it will be by organizations which have a medical orientation, and it is then under the umbrella of "reproductive health." For example Mercy Corps International (MCI) is undertaking training for midwives and "patronage" nurses on recognizing women who need counseling and referring them to appropriate services.

UNIFEM's approach has been to begin work with the KAVAW. One international organization has one project concentrating on awareness raising of violence against women issues (International Rescue Committee through its Women's Wellness Center), several organizations provide some input into medical training (such as Mercy Corps International), one organization is trying to coordinate information sharing (WHO) but only two organizations are known to be providing professional support directly and solely for traumatized women including survivors of violence (Medica Gjakova, Women's Wellness Center Peja). Other institutions include violence against women as an issue they are concerned about and work on lobbying and advocacy (UNMIK office for gender affairs, UNIFEM, OSCE). Two organizations are known to have the skills to train on violence against women issues (STAR Network of World Learning, and the Women's Wellness Center).

Legal Institutions

The World Organization against Torture, Switzerland, suggests many indicators to measure progress that governments have made in reducing violence against women, including legal reform.⁷⁹ In Kosovo such reforms are taking place however the courts and judges are not fully functioning, and existing laws are not being effectively enforced. If cases come to the Court, the Law in use is the 1989 Kosovo Code. This makes little distinction with regards to crimes committed on the base of sex or gender, except in the case of rape: where if a marital relationship exists, rape is not considered a crime (see article 75 of the Criminal Code).

The existing legal code could be used to prosecute violence against women in the home (particularly sections on grave bodily harm) but there is ample evidence to show that judges do not appreciate the seriousness of violence against women or children. In one, case in Fushë Kosovo in autumn 1999, a judge threw out a case where there was clear evidence (including photographs of injuries and witness statements from KFOR) that a man had tried to kill his children through throwing them down a well. KFOR photographs taken at the time show clear evidence of beatings of both the children and the mother-in-law.⁸⁰

This lack of awareness might be partly explained by the comments of a lawyer in the CSW in Prishtina, about practice before 1989 - he mentions that domestic violence was rarely cited in cases of divorce or family conflict. It might also reflect that judges were used to receiving in court guidance – from professionals in the CSWs in cases of "conflict in the family."

Police

⁷⁹ L'Organisation Mondiale contre la Torture, see www.omct.org

⁸⁰ Information supplied by UNMIK Judicial Affairs Department.

Evidence shows that in cases when CIVPOL are called to scenes of domestic violence, they do not act uniformly according to a set standard. CIVPOL are made up of police trained in different ways in their own countries. It cannot be taken for granted that they have any training, awareness, or understanding of the appropriate ways to respond in cases of domestic violence. In fact it seems that on an individual level domestic violence is not always taken seriously, and CIVPOL are either unable, unwilling or lacking in time to deal with it.⁸¹

"One week she called KFOR, they came. The husband said – this is my property, my wife, get out. They left. Next week the woman called CIVPOL, they came. The husband said the same thing, and UN Police left." In another case a lawyer informed police and KFOR that her husband has threatened to kill her – yet they have told her "There is nothing we can do."⁸²

This is sometimes explained by the fact that there are not enough places in detention centers, and not enough courts functioning with adequate understanding of the laws. But as one police trainer commented "What is important is the priority police put on enforcing which laws."

"There needs to be a specialized unit to deal with family disputes. My dream would be to have a small pilot unit in Prishtina. It needs at least ten good international officers supported by six KPS. It would provide reporting forms and accountability. In most cases police won't take action so this unit ensures that all incidents around Kosovo are logged. Once the police know they are being tracked they would start to record the incidents. Then the unit would be responsible for following up, taking action and raising standards. To do this it needs people capable of doing an investigation. It has to be done from within the police not from outside. But it would work in partnership with other agencies."⁸³ Police trainer, Kosovo Police School (KPS), Vushtrri.

The KPS has shown commitment to increasing awareness amongst their police trainees on violence against women, including by employing a trainer on this issue. However basic training for recruits dedicates twelve hours to theft and property related offenses, whereas assaults including sexual assault currently have nine hours in the training schedule. This is currently under review. Trainers admit that this is not enough time, and also point out that it is in the field that many lessons will be enforced or forgotten. This highlights once again that CIVPOL officers should have an equally high and uniform standard in their awareness and responses to domestic violence. Trainers noted also that there was a great need for referral lists to be given to officers, so they could ensure that victims can be told where to go for help other than to the police.

81 "I have serious crimes on my plate. I don't have time to bother with domestic violence." Police officer to UNIFEM in October 1999.

82 Lawyer in OSCE. In contrast there is a zero-tolerance like stance on inter-ethnic violence and it would be unlikely that any police officer can be found who would fail to respond rapidly.

83 Such a team is feasible and there are expert people who would be able to take responsibility for it, already in Kosovo.

EXAMPLES OF GOOD PRACTICE

■ Women's Wellness Center, Peja

The Center has a team of local male and female educators who work in the community to raise awareness about violence against women. Techniques taught include basic management of trauma symptoms. A poster campaign against domestic violence began on international women's day (8 March, 2000) and education workshops have been held with men in the community.

■ OSCE, Prishtina

Set up a review of all laws affecting women and children; the domestic violence team included local and international representatives. The team delegated two lawyers to draft a domestic violence regulation.

■ American Bar Association, Central and Eastern Europe Law Initiative (ABA-CEELI)

Has created a post within the organization of "Gender Issues Legal Specialists." The specialists will conduct training on domestic violence, sexual assault, trafficking, sexual harassment, and will help develop legal clinics to assist victims of domestic violence and gender discrimination.

RECOMMENDATIONS

"We can't prevent or reduce violence if women are not empowered within all aspects of society – economic, cultural, political" Women's Officer, OSCE, Prishtina.⁸⁴

For the CIVPOL:

1. It is advised that CIVPOL be given resources to set up a specialized police unit to coordinate responses to domestic violence cases.⁸⁵ It is suggested that this is set up as a small pilot unit. Alternatively, the "Community Safety Units" of the UK police provide an excellent model to deal with all types of violence and hate crimes.
2. The UN should provide additional orientation and education for the CIVPOL working in Kosovo to ensure uniform understandings of domestic violence and appropriate responses.

For Medical Institutions:

3. Medical institutions, particularly hospitals, are advised to establish a domestic violence protocol as guidelines for all staff to follow in cases of suspected domestic violence.⁸⁶

For Donors:

4. Donors are advised to prioritize financial support to indigenous institutions which have expertise and authority to support survivors of domestic violence; the central position of local women's groups, the Center for Social Work, medical NGOs and Mother Teresa Society within Kosovar society must be respected by planners and policy makers.⁸⁷
5. Donors are advised to support local women's groups to establish SOS-telephone lines for victims of family violence (SOS-telephone lines provide confidentiality and therefore would be more likely to be accessed by many survivors of violence). Training and support should draw on women's groups from Albania or on the extensive network in former-Yugoslavia of women's groups, and also the training manual devised for use with new groups.⁸⁸
6. It is recommended that media is used extensively to publicize rights, laws, and services, as well as new regulations. Extra staff and funding are needed to carry out campaigns effectively.⁸⁹ Donors need to channel their support to media which is already committed to

84 This is recognized by organizations such as the International Catholic Migration Committee (ICMC) whose Kosovo Enterprise Program "encourages women's economic participation through an additional outreach and specialized training initiative designed for women."

85 Thanks to officers in the OSCE police school in Vushtrri for their commitment in addressing violence against women and for their detailed explanations on how this would work.

86 There is an excellent model in the form of the protocol developed in Strathclyde, UK. See Resources Section.

87 "When internationals approach us, they always want to train us – but what good is training if we don't have competitive or even adequate salaries to pay our staff." Social Worker, Mitrovica, February 2000.

88 This is produced by the Autonomous Women's Center in Belgrade. None of the women researchers spoke to were concerned that it is produced in Serbian, and all wanted a copy. But it is now out of print.

No Safe Place

addressing violence against women issues: such as Radio 21, Teuta magazine, Sfinga journal.

For UN, OSCE, NGOs:

7. OSCE is advised to prioritize awareness raising on family violence issues in training with judges and to give it adequate time within training courses.⁹⁰

8. UNMIK is advised to reintroduce the practice of CSWs providing guidance for judges, and that these professionals receive training.

9. INGOs and the UN system are advised to approve legal reforms and to set up projects to publicize the "Domestic Violence Regulation" geared to uneducated and illiterate members of the community as well as educated women.⁹¹

10. INGOs and local groups are advised that shelters for women fleeing violence should be set up after extensive consultation and cooperation with both men and women in the community: the following factors should be accepted - no shelter in Kosovo can ever be kept secret; women would stay in the shelter for a short period of time usually before returning back to the family; key partners in such an operation should be staff of the Centers for Social Work; local women all stress that men should be taken out of the home first.

11. Local NGOs and INGOs are urged to increase publicity about their services, and use the local media to raise awareness.

12. Local NGOs are urged to develop programs and projects to raise awareness in the local community including of local policy makers, political parties and other key actors.

13. It is recommended that students are separately targeted regarding awareness raising and building up life skills and communication skills: this can be done through youth groups such as Alternativa, Ghetto Art, Post-pessimists, as well as through international organizations running youth clubs such as IRC, IMC.⁹²

14. It is advised that the international community should attend to all hate crimes not just those on the basis of ethnicity. There should be priority to ensure that the local courts pay serious attention to gender based crimes.

89 Teuta magazine for example is looking for funding for over six months to dedicate a supplement to raising awareness about violence against women.

90 OSCE have prioritized judges training for their future programs. However it remains to be decided how much training judges will have, what effects on their attitude to women will be and what sort of follow up there will be.

91 This, and other recommendations regarding legal reform has been prepared by the Legal Advisory group to UNMIK on domestic violence. These reforms are largely a result of the lobbying and support of local women's groups.

92 Teachers are already doing this, but it is not formally built into the curriculum. e.g. the current principal of Elena Gjika School in Prishtina has been facilitating student discussions on sex and relationships since the seventies; in the rural region of Has, primary teachers initiated in 1996 discussions about sex and gender differences and how boys and girls should respect each other.

For institutions and groups working directly on women's issues:

15. Have a very simple, direct grassroots campaign on women's rights as human rights this should address: the local women, the local men, the UN institutions. The ideal opportunity to do this would be when the new regulations on domestic violence come out. It is recommended that the education focus on grassroots with simple explanation of rights (not on legal complexities). It is suggested that a local team of educators are gathered and that they campaign with the women and girls attending courses through KWI and local women's groups.

16. Complement grassroots education with awareness raising of domestic violence issues through the youth and national theaters; this would be a very cost effective, low maintenance campaign – the theaters just need to receive a budget, and guidelines on which issues to include in their performances, they will create what will affect the local audience.

17. Compile and publish a referral list in a handy format for individuals and agencies in contact with women: this would list up to date specific information for each region concerning names, addresses, and telephone numbers of individual women and specific staff in organizations who are able to provide support to women survivors of domestic or war violence. Those who have already requested such a referral list include – police, legal centers, women's groups, humanitarian agencies, medical professionals.

RESOURCES – DOMESTIC VIOLENCE

Domestic Violence: Former-Yugoslavia and Albania

A Family Affair: A Report of Research into Domestic Violence Against Women in Albania, Bosnia & Hercegovina, Croatia, Federal Republic of Yugoslavia. Sarah Maguire, Oxfam UK, 1998.

Dhuna Kundër Grave dhe tabutë psikosociale që favorizojnë dhunën. Shoqata e Grave "Reflexione" Tirana (1995?) (Violence against Women and psychosocial factors which encourage violence, Women's association "Reflexions").

Rhea Silvia: Survey on domestic Violence, HAESE (Humanitarian Association for Emancipation, Solidarity and Equality of women), Skopje, Macedonia (FYROM), 1997.

Drugi Pogled 2, (Ne) Zivjeti s Nasiljem, Infoteka Research Center Zenica Bosnia, April 1999. ISBN 9958 9586 0 0 (A second look 2 "To live with (out) violence").

Domestic Violence: Other

Protocol on Domestic Violence: Open Learning Pack, West Glasgow Hospitals University NHS Trust, Accident and Emergency Department, November 1995.

Making us Visible: Male violence against women in rural areas, Strathclyde Regional Council, 1995.

Violence Against Women, WHO – Women's Health and Development Unit, Family and Reproductive Health, Geneva 1997.

Dhuna ndaj femres, WHO – Women's Health and Development Unit, Family and Reproductive Health, Geneva 1997.

Workshop paper "Questioning of traumatized Victims" Rosa Logar and Major Kurt Hager, presented at the European Conference "Police Combating Violence Against Women, the Netherlands, June 1997. Copies can be found by contacting Rosa Logar at the Austrian Women's Shelter Network (aoef@xpoint.at).

Fire in the House, determinants of intra-familial violence and strategies for its elimination, Proceedings of the regional conference, Cambodia 1994, UNICEF, Thailand.

RAPE IN WAR

Violence Against Women by State Agents

"Rape had become normal, like taking a shower and having breakfast." Serbian army deserter testifying on atrocities in Kosovo to UNHCR, Skopje, (FYROM), 1999.

"Rape is not an aggressive expression of sexuality, but a sexual expression of aggression." "War and Rape", R. Seifert, Women's International League of Peace and Freedom, 1993.

"Beneath the reasoning...lies a deeper sexual hatred: all women are less than human, all women are less than men. By this act I prove in yet another way that I am the conquering hero." S. Brownmiller in "War against Women", Swiss Peace Foundation, 1995.

"Rapists bury land-mines in the bodies of their victims such as confusion, nausea, nightmares, tremors, depression and shakiness – which may explode inside them months after the attack." "Rape as Social Murder", Cathy Winkler in "Anthropology Today", 1991.

INSANITY

by *SHQIPE MALUSHI*

It is not true
That I was raped
By a Battalion
Of the masked faces
Marching in the darkness

It is not true
That my body
Became a plastic doll
In the jaws
Of wolves
In a sudden angry eruption,

It is not true
That my soul was scared
By the clutches
Of the blinded beasts
In their one way journey,

It is not true
That my breasts
Were a chewing gum
Of some hungry bastards
In the midst of their game,

It is not true
That my father
My husband
Were ashamed to look at me
After the disaster,

It is not true
That my children watched
Under the sink
As my legs were broken,

It is not true
That monsters laughed at me
As they touched
My naked body,
It is not true
It is not true
That my head was shaved
To mark me as a loser,

It is not true
I am that woman
Trying to escape
The nightmare of a lost battle
That wasn't mine,

It is not true
I am alive!
I am beautiful!
Hear me!
See me!

Rape in war

VIOLENCE AGAINST WOMEN BY STATE AGENTS

FINDINGS FROM TESTIMONIES AND INTERVIEWS

Rape in Kosovo during the War

Crimes committed by Yugoslav state agents in Kosovo included rapes committed by police, military (VJ), paramilitaries, and civilians. Rapes are recorded from at least the early nineties and appear to have been perpetuated by Serbs in state institutions particularly in the police and prison forces.⁹³ During the conflict and war of 1998 and 1999 there is evidence of rape of women and men.⁹⁴

The researchers did not have the resources to provide psychological support for rape survivors who disclosed. Investigations therefore focused on talking with potential carers and condensing already published testimonies. The summary below is compiled from individual interviews, newspaper articles, and reports.⁹⁵ Key sources are publications from Human Rights Watch, the Organization for Security and Cooperation in Europe, the US State Department.⁹⁶ Names of places except those already well publicized are not revealed in order to protect inhabitants from intrusion.

Testimonies detailing rape by Federal Republic of Yugoslavia state agents in Kosovo from January 1998 to July 1999 reveal the following:

- **Rape was used as a weapon of war** in all municipalities of Kosovo, in urban and rural areas. Municipalities and regions where rapes are most frequently documented include: Prishtina, Decane, Gllogoc, Drenica, Peja, Gjakova, Prizren, Rrahovac.

- **"Rape and other forms of sexual violence were used in Kosovo in 1999 as weapons of war and instruments of systematic "ethnic cleansing":** Rapes were not rare and isolated acts committed by individual Serbian or Yugoslav forces, but rather were used deliberately as an instrument to terrorize the civilian population, extort money from families, and push people to flee their homes."⁹⁷

93 See B.Albons "Rape victims sent back to perpetrators" Dagens Nyheter, 12.1.94 on ten cases of Kosovar Albanian women in Sweden who had been raped. Albons quotes a policeman who testified before the Swedish immigration board that Serbian police in Mitrovica had raped women in the station where he worked. "Inspectors raped the wives of political prisoners, and the female political prisoners were raped too." Teacher in Gjilan referring to prisoners from 1989 onwards.

94 CDC reports 4.1 per cent disclosure of rape by male respondents ("A mental health assessment in Kosovo" 1999). Albanian magazines such as "Kosovarja" have carried articles about male survivors of rape.

95 Such as "Refugees recount Serbs seeking women for Rape" Ellen Knickmeyer, the News and the Observer. "The Silent horror of Kosovo; rape" Olivia Ward, Toronto Star, 2.6.99.

96 "Kosovo/Kosova; As seen as heard" OSCE 1999, "Ethnic Cleansing in Kosovo: an accounting", US State Department, December 1999. "Kosovo: rape as a weapon of ethnic cleansing", Human Rights Watch, March 2000.

97 HRW, *ibid.*

- **Rapists were usually identified either as police or paramilitaries:** Those paramilitaries who were widely reported to operate in Kosovo including Arkan's "Tigers" and "Seselj's" "White Eagles" already had reputations for rape in Bosnia. "The majority of rape cases, however were evidently committed by Serbian paramilitaries...(they) worked closely with official government forces, either the Serbian Ministry of Interior or the Yugoslav Army throughout Kosovo."⁹⁸

- **During the Yugoslav Army offensives of 1998, particularly in central Kosovo, women were separated from men and kept in places such as armament factories, mosques, and schools.** It is not usually reported what occurred in these places. Disability rights activists reported one case of a disabled women who had to be left behind as people fled during 1998 offensives. Her body was later found in a ravine, the state of her clothes suggested she had been raped.⁹⁹

- **From March – June 1999, there are numerous stories of women being forcibly kept and raped in public buildings.** These include but are not limited to: the Hotel Karagac in Peja, what is now the World Food Program depot in Mitrovica; the Hotel Pashtriku in Gjakova, the stadium in Ferizaj, an army camp/barracks in Peja, the barracks in Gjakova, the Electromotors factory in Gjakova, the railway station at Fushe Kosovo.¹⁰⁰

"Two of my female relatives were raped here, now I come here as a driver, and I sit all day waiting in the shadow of the building where this was done to them. I can't stop thinking of it." Driver, outside World Food Program Depot, Mitrovica. August 1999.

"There were approximately 300 women and children held in this factory for three days. One later gave an interview on Radio Free Europe saying she had been raped. No other woman admitted that this had happened there." CDHRF, Gjakova.

- **Women were often taken away or separated in large groups:** totals from recorded incidents which are clearly distinct number more than 500 and possibly over 1000;

Between 90 and 150 women were kept in houses for five days and raped at night (April 1999 told by survivor to OSCE).

Up to 300 women were taken away in Suhareka, three who were in a group of 25 disclosed that they were raped (Told by survivors to Amnesty International, UNICEF and NYT journalist, 21.4.99).¹⁰¹

Over 100 women were taken into woods in Gjakova municipality and raped (told by person who helped the women immediately afterwards to OSCE).

Approximately 500 women from Cikatova e Vjeter were kept cleaning houses and raped by Serbian men (OSCE).

98 HRW, ibid

99 Discussion with members of Kosovo Paraplegic Association, 1998.

100 See also mention of use of barns in Qirez (Ahmeti, 1999).

101 Amnesty International "Kosovo – incidents of multiple rape" News Release 27.5.99

Over 300 women and children were taken into a mosque in Rrahovec municipality, and then two to three women were removed every hour and raped by the military (OSCE).

- **During March – June 1999, women and girls were taken from the columns of people** who were forcibly evicted from their homes by Yugoslav police and military. Some of these women were then returned to the groups being expelled to Albania, or Montenegro or Macedonia.

"The population was thrown out of Vushtrri on 22 March 1999. At this time between ten and fifteen girls were taken from near the graves, and kept in houses for some hours. As we ran, police called to a young bride near me to go to a house and get ready for them. But she escaped, disguised." Ex-combatant, Vushtrri.

"I know of three cases of rape, one of which was reported to the Council for Defense of Human Rights and Freedoms: the woman was taken by car from the convoy to a place where soldiers were based which was not far from the convoy. People heard screams. About forty minutes later she returned, so people knew what had happened to her. This was on that column of people who were returned from the border. Later she was helped by an American psychiatrist in Ulçin, Montenegro." CPWC, Mitrovica.¹⁰²

During the mass expulsions from Prishtina in April 1999, women were taken from the train station in Fushe Kosovo (the first station after people had been forced on to the train in Prishtina) and from Hani i Elezit Cement Factory (the last place before the border with Macedonia). 'There are numerous accounts of the rape of many women in various rooms and locations at the Kosovo Polje train station.'¹⁰³

There is also one report of two sisters who were raped as Serbian military left their town on the arrival of NATO forces in June 1999. They have since sought help through calling a woman's organization in western Kosovo.¹⁰⁴

- **Serbian military and police used tactics of separating female from male family members in large cities** including Prishtina, Gjakova and Mitrovica. Threats were then issued about what would be done to the opposite sex if the group did not comply with demands or answer questions in a satisfactory way. In both Prishtina and Gjakova reports indicate that women were raped in private houses:

"My neighbor told me that women's screams were heard coming from my house which was used by the Serbian police. And I found women's underwear scattered there when I returned from Albania." CDHRF activist, Gjakova.

"Maybe thirty per cent of Mitrovica remained behind, sometimes in the mountains, sometimes in the city. Many people reported hearing the screaming of women. But now they are not talking about them because of the current political situation."¹⁰⁵ MQ activist, Mitrovica.

102 This is very similar and may actually be the same as a survivor's account given in Human Rights Watch Report, "Kosovo: Rape as a weapon of "Ethnic Cleansing" 2000.

103 "Ethnic Cleansing in Kosovo: an accounting", 1999, State Department

104 Personal communication, MQ activist.

105 This is a reference to the violence taking place in the northern part of Mitrovica.

"Some friends of mine told me that Serbian soldiers had come late at night to their home – and separated them from their daughters. They then told the girls to take off their night clothes. They didn't say what happened after that. I also saw from my balcony a Serb taking an eighteen year old girl and her sister to a car – we still don't know what happened to them. And all that time when we were having to line up for our green cards¹⁰⁶ there was one particular police man who was following my daughter everywhere. We heard of cases where he took young girls." Retired teacher, Mitrovica.

"They took my sister down to the basement in our apartment block. She came back some time later. She said that they got me to take off all my clothes. But then they stopped because I had my period. But I am sure something more happened." Staff member of international agency, Prishtina.¹⁰⁷

■ **Groups of women were kept for days and forced to cook, clean and endure frequent rape and other torture by soldiers:**

Some accounts¹⁰⁸ detail that women were held for an hour or less, but in most cases women were kept for more than four hours.

"Women were brought to be raped – each one by three, five or sometimes ten soldiers and they were kept for five to six days at a time for this purpose. The best looking women were chosen by the officers and the rest were given to the soldiers to rape. On the first day, the soldiers were under command to take part in the rapes. On the second and subsequent days, things were more "relaxed" and soldiers had a choice about whether to participate or not...A young twenty-year old soldier who refused to rape was nearly killed. The asylum-seeker witnessed individuals in his platoon raping women on about ten occasions when they were not under command to do so."¹⁰⁹

There are reports of women being kept for periods of two to three months; in one case in western Kosovo a group of eleven women were forced to cook and clean for military/para-militaries during two months of Serbia's war with NATO. In another case a young woman was kept locked in a café for three months, drugged and continuously raped by Serbian men.¹¹⁰

■ **The women who were taken were usually young and beautiful,** usually under the age of twenty-five. In at least four reports women are between the ages of twenty-five and forty years. The youngest identifiable rape survivor is thirteen years old. Researchers have been told of girls as young as ten being subject to rape.

One woman told how when the soldiers took the girls away from her village they said that they were taking the most young and beautiful because they knew that this

106 The cards Yugoslavia introduced during the bombing on the pretext of registering who was living where.

107 Personal communication, FYROM, May 1999.

108 Eight of those published by OSCE, various English language newspapers, US state department.

109 Taken from statement of Serbian army deserter to UNHCR Skopje, quoted by UNHCR director of International protection in "Rape is a war crime" conference report, ICMPD, 1999

110 Personal communication with community activists, western Kosovo.

would really damage the “terrorists” morale. They said they were raping them to undermine the morale of the Kosovar Albanian men.¹¹¹

"I know seven young women, and all the evidence points that they were raped in the first week of the bombing. They were at home because the military divided men and women, and then there was not enough space on the tractors when they needed to flee. I met them when I returned to my village from Albania, and truly the first thing they said to me was “we were not raped.”¹¹² They said this before even saying good-day." Women’s group activist, western Kosovo.

■ **Rape was committed by groups usually numbering between 2 and 12 men.**

These men are usually identified as police or soldiers who are not known to the women. (Rapes taking place in Mitrovica seem to be an exception to this). In a few reports the men were masked. "With few exceptions the rapes here documented by Human Rights Watch were gang rapes."

Whilst informants assume that all of the rapists were Serbs, it cannot be ruled out that some were from places outside Yugoslavia. There was a visible influx in 1998 of men from Republika Serbska who acted as police in Kosovo. Russians were also seen to be in action, wearing Yugoslav military uniform.¹¹³

■ **The rapes were exceptionally brutal;** most if not all were gang rapes, drugs were reportedly used which either took away the woman’s memory or which caused death; women were cut on their breasts, genitals, faces; one woman was tattooed with the nationalist serbian symbol; terrifying screams were heard by people close by; torn clothes (including underwear) and hair were found in locations.¹¹⁴

"A girl who lives next to my house was taken from the column during the war, and even had the four Ss gratified onto her wrist.¹¹⁵ Everyone knows about what happened to her. She disappeared for a few weeks since we returned, but mostly she stays at home." Activist, Liria Women’s Group, Gjilan.

"There were bites all over the bodies of the victims, especially the raped women. The bites were on their breasts and legs and especially near their intimate places." Activist, CPWC, Prishtina¹¹⁶

111 Personal communication, FYROM, April 1999.

112 This of course is a strange way to greet a trusted friend after war and flight.

113 In one case a driver mentioned, in later 1998, how she saw a soldier take an old man out of a car and push him into a field pointing a gun at his head; "I’m sure he was Russian, because when I screamed at him to stop, he shouted back and it was not Serbian language but it was Slavic. I will never know what happened to the old man."

114 The impulse to clean away such evidence was very strong, and usually preempted any chance for documentation.

115 This is the Serbski Krst (Serbian cross with a S in each corner – "Samo Sloga Srbine Spashava" meaning "Only unity saves a Serb.")

116 Quoted by Human Rights Watch

■ **There are reports of women being murdered following rape:**

"We know approximately who did these things in Doboc, Stanovc, Studima, Mostly local police. In Studima eight girls were killed by nine Serbs. They were aged between 14 and 31. I saw the bodies. It looked like they had been raped. I gave UNMIK all the evidence." KPC, Vushtrri.

Survivors and witnesses reported at least three incidents to OSCE. US State department lists the following cases of rape being carried out before a woman is killed:

Qirez, late March: "the bodies of about 20 women and children were thrown into four separate water wells after being kidnapped, held by police, and then raped and shot."

Studenica, 11 April 1999: "two girls and their aunt were reportedly raped and tortured...all nine victims were thrown into a well."

Human Rights Watch documents six cases of women who were raped and then killed. There are also accounts which strongly suggest rape followed by murder: including March 1999 in Likoshan, in Krushe e Madhe in March 1999, in Leskoc (12-15 bodies).¹¹⁷

117 It is clear that some graves were bulldozed, land moved, bodies moved – so evidence even of number of women dead is hard to uncover. For example in Orizi village west of Gjakova remains such as hair were found but not bodies.

FACTORS AFFECTING CARE OF SURVIVORS OF RAPE IN WAR

Problems with identifying survivors directly

"Not wanting to go out of the family and talk, or feeling so ashamed you try and kill yourself—these are universal not culturally specific responses to rape." Women's Studies founder, Prishtina.

The true extent of crimes including rape, conducted by Serbian police, military, paramilitary and civilians, will never be fully known. Rough indicators of numbers of rapes might be found if statistics of births, abandoned babies, abortions and deaths become available.¹¹⁸ However data is not being kept in a systematic way,¹¹⁹ and presently no medical or human rights institution is willing to risk giving figures. It seems they do not trust the ways in which the international community will use the data.¹²⁰ In addition many women including survivors of rape are no longer in Kosovo – they may be getting psychological support in third countries, but verification is almost impossible.

Everyone consulted by researchers were very concerned for the well being of the many thousands of women believed to have survived rape and sexual assault from 1998 until mid-1999. Many women mentioned that they knew of survivors of rape. There is also evidence from international research of significant numbers of women disclosing rape: a study done by the Center for Disease Control (CDC) in 1999 revealed that 4.5 per cent of the Kosovar Albanian women interviewed had experienced rape in war. 4.1 per cent of women who responded in questionnaires as part of this assessment disclosed inter-ethnic rape. However professionals, including counselors and medical staff are saying that fewer women than expected disclose to them.

"Based on the media reports we expected many women but we have had not one woman say she was raped."¹²¹ Chief gynecologist at Gjakova hospital."

One woman in Gjakova mentioned that there is a "metallic silence" around the issue of rape, another said that: "The biggest problem is that women don't speak. I thought they would speak after a time but in fact they are becoming more silent." This is sometimes linked by respondents to culture, and often emphasized especially in international newspaper reports.¹²² Yet there is nothing unusual in the levels of women disclosing rape in Kosovo; it is documented that the majority of women in all cultures do not disclose rape e.g. recent

118 "Rape Victim's Babies pay the Price of War" H.Smith, the Observer, 16.4.2000.

119 There are many different places women might go if they become pregnant but data is kept in different ways in different places, and as yet is not centrally gathered. If one wants to detect unusual rates of young women committing suicide (as a possible indicator of rape) by looking at records of deaths – this is also hard as it is known that some doctors who will not write "suicide" on the death certificate.

120 It is rumored that over one hundred babies were born across Kosovo due to rape in January but no reliable statistics are available. In Prizren five babies have been abandoned who were born in the year 2000. Three of these are males. Two of the mothers became divorced after the war. In Prishtina hospital there were reportedly seven abandoned babies at the end of 1999.

121 She went on to say "but I think women go for help such as abortions outside of the city they live in. They say they are married, give false names, or go to private clinics for medical attention."

No Safe Place

research conducted on behalf of the British Home Office revealed that only 10-25 per cent of all rapes in the UK are reported.¹²³

All the researcher's discussions revealed that what is being called "silence" is in many cases "confidentiality" the female survivors of rape are talking, but the women whom they talk to are not, and it was only after extensive discussions that these women felt comfortable even to mention that they are providing informal support to rape survivors.

Confidentiality is the first requirement women have before they disclose traumatic experiences including rape, yet few women whom researchers spoke with trusted professionals not to repeat the confidences.¹²⁴ Regrettably this even applied to organizations with specific projects providing psychological support to rape survivors "I wouldn't go to organization "x" because I know the women and they talk." The leaking of one's personal story outside of a confidential supportive relationship is dreaded by everyone. In addition, rape survivors are convinced that they will face rejection, stigmatization, gossip and doubt.

Women are also reluctant to talk because they do not want to be part of sensationalist reporting. There appears to be general awareness that Bosnian women suffered after telling of rape to film crews and journalists. There are rumors in Kosovo of women who have committed suicide on discovering that the article with their names on, which they expected only to be seen in international press, reaches the Kosovar public.¹²⁵

Lack of access to services

Most women mentioned that they would use services if they knew about them, if they could be certain of no gossip, and if they could access them. But few people, male or female could name any place to go for psychological support. There are many organizations in Kosovo providing general trauma counseling and even these are not widely known about by locals. There are no obviously identifiable services directly aimed at rape survivors. Specialist services providing counseling to female rape survivors are being very careful that their organizations do not get labeled as "places where rape survivors go." This is to protect users from stigmatization. However it appears to be reinforcing ideas of shame and acting as an obstacle for women going for help.

The problems women face in reaching help (including difficulty traveling, lack of money for travel, inability to explain to their family why they are leaving the home) need to be taken into consideration by counseling organizations. Many women may not be able to reach urban centers where medical services are located. A worker from an international women's center mentioned: "We have had no rape disclosures at the Women's Center. Surely, this is partly

122 Most male Kosovar Albanians and some women felt that it is a problem specific to their culture. So it is common to hear remarks such as "Its our mentality, our women won't talk." Journalists commonly write as if silence was something peculiar to Albanian rape survivors and as if the taboo on disclosure is much stronger: "Kosovo Rape Victims Suffer Twice" Gordana Igric IWPR Balkan Crisis Report # 46, 18.6.99. "In Kosovo, rape seen as awful as death" C.J. Williams, LA Times, 29.5.99, "Kosovo Victims Must Choose to Deny Rape or be Hated" Elisabeth Bumiller, NY Times 22.6.99; "Rape victims" babies pay the price of war" Helena Smith, the Observer, 16.4.2000.

123 February 2000, International Guardian.

124 It was often mentioned that women would rather talk with internationals because they do not expect them to know the members of the community who they are afraid might hear. However they then have a problem, because in most cases a translator is needed, and she is not trusted.

125 No confirmation of the facts of these cases could be found.

due to stigma, but also because we don't have counseling staff who are able to go into villages, where there are anecdotal reports of women who experienced all kinds of war-related sexual assaults. Most urban women left the city during the war and I think the transport problem is a big enough barrier to discourage village women." Women's group activist, Peja.

Fear of stigmatization

Some respondents mentioned fear of stigmatization as a barrier for women in seeking help - "It is not the right time to tell – women still fear rejection by the husband or the family." MTS activist, Gjakova.

Informants tell of cases where women are divorced by their husbands after disclosing rape; "I know someone who went to be with her boyfriend in Brussels, and he left her when he discovered she had been raped." CDHRF activist, Gjakova. *It is, of course, routine to expect there to be relationship problems after such an event.*

Other women fear that they will not be able to marry. "There was one girl in the village near-by, she was taken to a gynecologist before the marriage, to check that she was not raped. Luckily the doctor said she was not, so the groom's family agreed to the marriage."¹²⁶

A women's group worker mentioned that "In focus groups of men, they deny the victimization of raped women by men, whilst at the same time admitting knowing of such cases. They express sympathy and support for raped women and do not admit to themselves blaming the victims."¹²⁷

Informants also mention children being told negative things: "We have a neighbor who survived rape. The teacher told her kids "Your mother doesn't exist. It would be better if she was dead."¹²⁸

"In many cases the family doesn't even know because the girls know that the man will be upset that he couldn't protect his family."

Inappropriate asylum practice

Despite UNHCR statements that rape in war is un-debatable grounds for asylum,¹²⁹ rhetorical condemnation of rape, torture and trafficking by many countries in Europe is not usually reflected in sympathetic asylum practice. For example, asylum regulations commonly require immediate disclosure of rape on arrival in the third country (usually to a male civil servant). It is not hard to imagine the difficulties of telling a stranger such details on embarkation in a strange land after enduring war and torture, but the brutality of the process in certain countries would probably come as a surprise:

"In most cases when an applicant for asylum is questioned for the first time, the process resembles an interrogation. Fingerprints and photographs are taken, just as if the person seeking asylum were accused of a crime...only upon express demand by a female applicant

126 Activist, MQ, Prizren.

127 Susan Marsh in "Women's Commission News" 1999, number 22, published by the Women's Commission for Refugee Women and Children, NY, USA.

128 UNICEF worker, Prishtina, personal communication.

129 See Erika Feller, UNHCR director of international protection, chapter in "Rape is a war crime."

No Safe Place

for asylum will female civil servants be assigned to question her...Most women seeking asylum will speak about the gender specific torture and trauma they have suffered only if they have established a trusting relationship with a female refugee counselor. Yet in most cases this takes place only after the first official questioning. Hence it often occurs that an applicant is denied asylum on grounds of deficient credibility because she failed to speak out immediately."¹³⁰

Even if a woman discloses rape and is prepared to present evidence to a legal court such as the International Criminal Court, she still is not assured of gaining asylum status. In Austria rape survivors showing severe signs of trauma have been denied asylum on the grounds that they are psychologically disturbed and therefore that testimony is invalid.

The justification of forcing a person to return even after rape or other torture, commonly centers on the likelihood that a returnee would face rape or torture once being returned.¹³¹ On other occasions it has been that rape is also a crime in the country of origin. This has been tragically applied in the case of an Albanian woman from Kosovo:

"One woman came to Sweden in 1989 seeking asylum, she was sent back to Kosovo in 1991. In the spring of 1992 she was raped by Serbian police on seven occasions, twice in front of her five year old son. She had an abortion. She came back to Sweden later the same year and applied for asylum again. The Swedish immigration authorities made the decision that she and her family should not get a permit to stay. The justification was that "rape is a crime also in Yugoslavia."¹³²

There are women who are no longer in Kosovo, but remain in third countries as refugees. Some of these are known to have received treatment for torture such as rape.¹³³ Some certainly face problems on return as they are abandoned by their in-laws, others cannot face coming back to small towns or villages potentially stigmatized as "the raped woman", others face multiple problems connected to relationship breakdowns. Few have much chance of being allowed to remain in third countries, and yet some are in real danger of becoming destitute on return, as they have no home, no family, no skills and no prospects. In similar cases, workers report that their uncertain residence status in these countries is blocking or reversing effective therapy.¹³⁴

"She wants to stay forever, but there is no hope. Rape – just as torture – is not considered by German authorities to be sufficient for asylum: there must be a great possibility that it will happen again, and as the Serbian police have left Kosovo there is no danger... according to

130 B.Schiestl, in "In the aftermath of rape."

131 In recognition of the UN convention on refugees that no person can be sent back if they have a well founded fear of persecution.

132 B.Albons journalist, Dagens Nyeter, personal communication. Torture victims do not stand much luck either: seven cases have been taken against the Swedish government wishing to repatriate torture survivors. The government has won each case. In the UK, immigration officials have been known to suggest that severe torture wounds are self-inflicted. See "The Good Listener" N.Betton, Pheonix, UK, 1999.

133 For example, in the Vienna conference on "Rape in Kosovo" a Swedish therapist mentioned cases of women he had worked with; and in private conversations friends have told about other cases of women receiving treatment in Sweden.

134 See B.Schiestl, in "In the aftermath of rape; women's rights, war crimes and genocide" ed E. Richter-Lyonette.

the German authorities arguments. They simply forget that even if it does not happen again, she cannot return to live in the place where she had lived before." Worker with Kosovar refugees, Germany.¹³⁵

Lack of faith in the international justice system¹³⁶

Women's willingness to disclose rape was commonly articulated as connected to perceived unwillingness or inability to deal with war criminals by UN, OSCE or ICTY. When women have been asked about giving testimony they frequently speak of lack of faith in justice, mentioning cases where war criminals were allegedly protected by KFOR, employed by OSCE, and by the UN etc. This includes Serbs who looted, killed, raped. The failure of the international community to arrest major war criminals indicted by ICTY also colors the perception of women in the usefulness of telling of rape.

"Women do not consider talking useful – it cannot turn back the clock. I was with one girl who was ready to speak to the Hague but then she changed her mind. She said that it won't change anything if I speak out."¹³⁷

Under the Declaration on the Elimination of Violence against Women, states have an obligation to prosecute perpetrators of violence against women. Whilst the international community in Kosovo has made substantial efforts to ensure that inter-ethnic hate crimes do not continue unchecked (such as through directives to the media to prevent publishing of names of unproven war criminals, and the planned establishment of the Kosovo War and Ethnic Crimes Court – KWECC¹³⁸) there is scant evidence to suggest that other kinds of hate crimes including those perpetrated on the basis of gender are accorded equal importance.

135 Email communication, March 2000.

136 It is recommended that the following press release is read in connection with this section, as it details rape in international law "Kosovo backgrounder: sexual violence as international crime" by Human Rights Watch, May 1999.

137 MQ Activist, Mitrovica.

138 It seems that this will not be funded and therefore will not be established.

INSTITUTIONS FOR ASSISTANCE

Individual women—working in humanitarian organizations or women's groups

Every woman activist told the researchers she had one or two cases of women she was supporting after rape and all could locate exactly places where rapes had taken place: a Mitrovica social worker: "I know of two cases." A Mitrovica activist: "I have two cases." A Prizren activist: "I am supporting three women and I am certain of at least twenty other cases but it is not the right time for them to speak." A Prizren based activist: "I am counseling three women." A Gjakova humanitarian worker: "I know of three cases, and of at least two villages where there were many rapes" etc. One woman disclosed that she has met with over thirty-five women who survived rape. Another activist in Prishtina, told how she worked with over seventy women and is now setting up self-help groups for them. A worker with a Prishtina based women's group reportedly has taken over two hundred testimonies from rape survivors.¹³⁹ A woman from an Albanian women's group had counseled over thirty-two women in the summer of 1999. A woman's group from central Kosovo told they have sixty-nine recorded cases.¹⁴⁰ Despite all of this evidence there is a myth that women are not talking which is completely prevalent in Kosovo and mentioned in almost every discussion, journalistic article.

Contrary to popular opinion it seems that some women *are* looking for support to help them recover from war rape: but they do not look for it by identifying institutions. It seems that ordinary women find help through women who are activists in a humanitarian organization, or in a very visible institution such as the KPC. Confidants are not being chosen because they work for these organizations, rather they are chosen because of their personalities. Rape survivors are most likely to seek out one well-known woman in the community, who is well respected for her selfless work, and whom they believe will not disclose anything told to her. It is clear that these women who act as confidants have little access to support to help them in their counseling role.

One social worker said: "This work needs the authority of a strong woman in society, someone who is respected. This also protects the family, and that's important."

One woman mentioned the process of how she came to counsel Kosovar rape survivors: "Women in the family would not ask the victim outright, but they knew her, that there was a change in behavior. One of them would then contact a male relative who is not closely related and mention that something unusual has happened to the girl and she needs help. Then the male family member came to me. They did not use the word rape, but it was understood. In all three cases it was the same process."¹⁴¹

There is a lack of women with both awareness and skills to effectively counsel rape survivors in Kosovo. This means that men are also acting as counselors. This is not viewed as positive by local women's activists: "In cases of sexual violence I would recommend a woman only

139 See H. Smith, 16.4.2000.

140 They also recorded 673 cases of women who disclosed torture.

141 Aid worker based in Prizren.

being seen by another woman. One of the girls I have been helping was pushed by a Kosovar psychiatrist at x (names INGO) to disclose. After that she regressed visibly, because he pushed things out of her." In one other case a male American psychiatrist went and worked with two rape survivors for a short time. The other members of this organization felt this was appropriate because he was a professional.¹⁴² It is not clear what the survivors felt.

Investigators of human rights abuses

During and immediately after the bombing by NATO there were many accounts of rape in Kosovo recorded by Human Rights investigators, journalists and aid workers.¹⁴³

A researcher in June 1999 reported that "It was very obvious that rape had been pervasive. Our team were told of rape including of girls as young as thirteen. The respondents usually said that they had heard these stories second hand, from a friend or relative. However they were often so graphic and so detailed, that I suspected this was first hand experience, and many of the people we were speaking to were survivors or witnesses."¹⁴⁴

However whether the woman receives any kind of psychological support after the interview is dependent entirely on the individual worker.¹⁴⁵

"The counseling question plagued me as I traveled and did interviews. I tried never to do an interview unless I knew that the woman could get follow up counseling afterwards...I also went back and visited women I had interviewed when I was worried about them." Human Rights Watch Investigator.

At the most it seems that human rights investigators will give an address of counselors. One OSCE worker felt that this was a flaw in this system which needed to be addressed: "Human rights people come across cases. It is not their job to do counseling but neither is there connection with people who could give long-term support. Counseling organizations are never linked to human rights people. There is a lack of coordination between the agencies."¹⁴⁶

In addition, it seems that many people taking testimonies (for example in Macedonia) did not have knowledge of simple symptom management techniques which they could effectively pass on to the survivors, and few had any in depth awareness or training in order to deal with the effect it might have on themselves. Translators rarely have any guidance or support. Guidelines for journalists on how to deal with trauma in others or themselves appear to be unheard of.

All participants in the assessment, both male and female, ranging from politicians to psychiatrists, to military, to activists, stressed the urgent need for comprehensive services to support survivors of rape and torture in Kosovo.

142 Told by local doctor working for that organization. This organization also mentioned how they approached women when they disclosed "We try to normalize things – they are not the only one it has happened to. With rape the issue is how to help the family to understand them."

143 For example: the OSCE worker in Cegrane camp was approached by women. Human Rights Watch recorded six in depth interviews.

144 Women's officer INGO, personal communication.

145 Personal communication from Human Rights Watch investigator into rape.

146 OSCE Human Rights Worker, Prishtina.

EXAMPLES OF GOOD PRACTICE

■ The Kosovo Center for Rehabilitation of Torture Victims, Prishtina.

The center advertises its services through posters which rather than mention psychiatric care outline some of the symptoms of trauma and suggest people with these symptoms come for support.

■ The Center for Protection of Women and Children, Prishtina

The Center has set up a self-help group for rape survivors where they can break their isolation, and support each other to carry on each day.

■ UNICEF, Gjilan.

UNICEF started a project in March 2000, whereby pregnant women and new mothers in hospital are given psychological and moral support, through teams of specially recruited and trained young women.

■ The International Center for Migration Policy Development, Vienna.

ICMPD has set up a European network to foster regional cooperation of relevant government officials, international law experts, and non-governmental organizations active in issues of Kosovar refugee care and care of rape survivors. Its web-site lists contact addresses, documents and literature.

RECOMMENDATIONS

For the INGOs, NGOs, UN agencies:

1. Contextualize rape within the issue of torture: this way any campaigns or services are less stigmatized than if they only address rape. It also means services are open to men if necessary
2. Services, clearly advertised need to be provided in Kosovo, with professional rape counselors, and counselors able to deal with highly complex ramifications such as of gang rape and rape over long periods of time. The counselors need to be female.
3. The general population should be targeted through a public awareness campaign about effects of rape and ways to informally help survivors. Readers or listeners would include those helping the survivors especially family members, husbands, doctors. This can be done primarily through free magazines such as "Shendeti", or family magazines such as "Teuta", and through radio stations.¹⁴⁷
4. Organizations providing counseling services need to link with other groups commonly in contact with rape survivors including human rights documenters, and journalists.

Including: *Human Rights Documenters* – Council for Defense of Human Rights and Freedoms, Humanitarian Law Fund, Norma Association of Women Lawyers, OSCE, Human Rights Watch, ABA-CELI, local and international journalists.

Local Women's groups; Rural Women's Network, Centers for Protection of Women and Children, Flaka, Drita etc.

International organizations supporting local women's groups – Kvinna till Kvinna, STAR Network of World Learning, OXFAM, CONCERN, Norwegian People's Aid, Medica Gjakova, International Rescue Committee, Italian Consortium of Solidarity, Kinderberg.

UN institutions – UNMIK office for Gender Affairs, UNIFEM, UNHCR – Kosovo Women's Initiative and protection officers.

Other - Medical institutions, Mother Theresa Association, Centers for Social Work, CIVPOL.

5. It would be effective to have a coordinator for this who could gather information, ideas for effective work, link groups and individuals, recommend good practice from experience in other places. She could be positioned in UNIFEM or perhaps work with the coordinator of the domestic violence sub-group.

147 This is because it is unlikely that the vast majority of survivors will either disclose or go for help. Similarly most of those working with survivors frequently do not disclose – and they have no source of information on how to protect themselves emotionally, how hearing affects them, what symptoms can be expected etc. Myths also (such as the belief that a gynecological examination can prove any rape) need to be deconstructed including amongst medical professionals.

No Safe Place

6. Train social workers and women's groups to do symptom management. Most counseling training in Kosovo appears to focus on communication skills.¹⁴⁸ The essential practical advice which can be provided concerning psychological consequences and how to deal with them are not being offered.
7. The commitment of local women's groups to support local women, and their extensive ability for outreach needs to be built upon as a crucial part of any strategy for support. Women's groups need to be provided with adequate long-term funds to ensure that the trust they have developed in the community can be built upon for working on other types of support.¹⁴⁹ Timetables, funding and general support needs to be assured and long-term: because rape survivors take time to come forward, disclose and accept help.
8. It is strongly recommended that training is provided through the network of ex-Yugoslav women's groups already existing such as the Center for Women War Victims, Zagreb, and through Albanian groups such as the Women's Center, Tirana. A few specialist trainers on working with rape survivors in the Balkans can be drawn upon: e.g. Admira, the Netherlands.
9. The wealth of materials on ways of working with rape survivors needs to be made accessible to local professionals and para-professionals. This requires funding of translations and funding of journals and magazines capable of further disseminating translations (Sfinga, Teuta, Shendeti).
10. Organize an extensive media campaign on self-care for rape survivors: this should take place after a referral list is made up. Articles should be aimed at female and male rape survivors, family members and friends. Both war rape and acquaintance rape could be addressed.
11. There is a need to develop long-term programs which can address the specific psychological problems women face who bear children after rape. It is assumed that some will actually raise the child and so psychological trauma can also resurface in later years, and in her relationship to the child.
12. Trauma work and rape counseling needs to be developed with and for men.
13. INGOs and UN could usefully have units to promote good policy and practice regarding rape and torture survivors in the future. These would draw on existing experience and networks formed in response to rape in war worldwide e.g. ICMPD for Kosovo, Medica Mondiale for Bosnia.¹⁵⁰
14. Emergency interventions of INGOs and other humanitarian actors should integrate gender into planning and programming at the earliest stage.

148 This is confirmed by the sexual assault worker from Women's Wellness Center in Peja.

149 Particularly due to extensive outreach as a result of educational courses financed through the Kosovo Women's Initiative (UNHCR).

150 See also, recommendation by HRW: "to the UN – establish a specialist unit within the office of the UN High Commissioner for Human Rights with a mission to develop expertise on the investigation of rape and other forms of sexual violence in conflict and the treatment of such victims. The unit would develop protocols for responding to rape in conflict, maintain a database of experts in the fields of investigation and trauma counseling, and monitor inclusion of rape and other forms of sexual violence."

For international bodies including the UN, OSCE, IOM:

15. It is recommended that detailed advice is developed by the UN, and published for journalists and human rights activists on how to sensitively discuss trauma, rape and torture with potential survivors, and to increase understanding of the effects on themselves.

16. Training should be provided for translators in missions including UNHCR, OSCE and IOM on sensitivity to rape survivors, on appropriate procedures and ways of self-protection.

17. UN staff at all levels should have substantial awareness-raising on issues of gender violence and equality. Contracts should be conditional on having progressive attitudes regarding women's issues.

18. Recommendations from previous assessments and reports should be followed including: Human Rights Watch Report on "Rape in Kosovo" March 2000, Conference report of ICMPD meeting in Vienna 1999, International Human Rights Law Group report of 1993.

19. ICTY is advised to make a simple leaflet, to provide basic information to women about testifying, including what the tribunal does and what to expect if they give testimony through a field work. This should be made available in the local languages for distribution specifically amongst women's groups and places where women go.

20. Set up teams to monitor female returnees: detect vulnerable ones likely to become destitute or have major human rights violated: such as denial of custody of children. This might also be the ideal place to discover who needs care for trauma such as rape – as they are less likely to tell later on. Inform about their rights, and places to go for help.

For governments:

21. All states should recognize that violence against women can constitute persecution under the Geneva Convention on refugees, 1951, and that rape is ground for asylum.

22. Asylum policies have to change to take into account the psychological burden or future mental anguish and not unlikely economic impoverishment that women who have been raped can face on return. Temporary asylum should be granted and funds provided for women who are in need of desperate medium term therapy which cannot be provided adequately in their national country.

23. Host countries of refugees need to develop special policies and projects for rape and torture survivors; including teams of counselors who can provide support on arrival and on return.

24. ICTY needs to be given sufficient resources to carry out its mandate fully.

25. KFOR should "arrest without delay all persons present in Kosovo who have been or will be indicted by the ICTY for war crimes in Kosovo."¹⁵¹

151 Recommendation from Human Rights Watch (HRW) "Rape as a weapon of ethnic cleansing" 2000.

RESOURCES

Rape in Kosovo

Kosovo: Rape as a Weapon of Ethnic Cleansing, Human Rights Watch (HRW), March 2000

Rape is a War Crime, how to support the Survivors: Lessons from Bosnia – strategies for Kosovo, Vienna 18 – 20 June 1999, Conference Report, International Center for Migration Policy Development (ICMPD) Vienna, Austria. Editors, Marijana Grandits et al.

A Mental Health Assessment in Kosovo, Centers for Disease Control and Prevention, International Emergency and Refugee Health Branch, 1999 (unpublished).

Assessment Report on Sexual Violence in Kosovo, Serrano Fitamant, UNFPA, June 1999.

Kosovo backgrounder: Sexual Violence as International Crime, HRW press release, May 1999.

Rape in War

War and Rape, Analytical Approaches, Ruth Seifert. Women's International League for Peace and Freedom, Geneva, 1993.

In the Aftermath of Rape, Women's Rights, War Crimes, and Genocide: The Coordination of Women's Advocacy, edited by Elenor Richter-Lyonette, Geneva, undated (1998?)

Sexual Violence: Documenting Human Rights Violations by State Agents, Agnes Callamard, Amnesty International Canada, and International Centre for Human Rights and Democratic Development, Canada. 1999. ISBN 2-9220084-22-1. <http://www.ichrdd.ca>

No Justice, No Peace: Accountability for Rape and Gender based violence in the former Yugoslavia. Report of the Women in Law project of the International Human Rights Law Group, Washington DC, 1993.

Other:

Gender, Conflict and Development – an exploration, Project group on gender, conflict and development, the Netherlands, 1995.

War against Women, the impact of Violence on Gender Relations, Swiss Peace Foundation, Report of the 6th annual conference, Berne, 1995. ISBN 3-908230-28-4

Rape and Sexual Assault, A Handbook, Strathclyde Regional Council, Scotland, Zero Tolerance Campaign, City Chambers, Glasgow (undated).

Trafficking, Sexual Slavery and Prostitution

Violence Against Women by Unknown Men

"The exploitation of female labour and of the female body has led to an international industry of trafficking in women. Such trafficking occurs for diverse purposes but the movement of women within countries and across frontiers is usually the result of their unequal bargaining power and vulnerability to exploitation." Report of the Special Rapporteur on Violence against Women, February 1997.

"Sexual exploitation aggravates the harm of other existing inequalities, often taking the form of sexual slavery, torture, mutilation, and death." K Barry, "The prostitution of Sexuality", 1995.

"It is clear that the number of known women trapped in trafficking across "Europe" is very much the tip of the iceberg." C Corrin. "Women in a Violent World" 1996.

Trafficking and Sexual Slavery of Women and Girls

VIOLENCE AGAINST WOMEN BY UNKNOWN MEN

TRAFFICKING OF WOMEN AND DENIAL OF BASIC HUMAN RIGHTS

A Definition:

*The researchers relied on the following definition of trafficking and slavery; trafficking is "all acts involved in the recruitment and/or transportation of a woman within and across national borders for work or services by means of violence or threat of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion. Forced labour and slavery like practices includes "the extraction of work or services from any woman or the appropriation of the legal identity and/or physical person of any woman by means of violence or threats of violence, abuse of authority or dominant position, debt bondage, deception or other forms of coercion."*¹⁵²

Trafficking in women and children is recognized to have become a world-wide problem in the nineteen-nineties, and to have expanded greatly in Eastern Europe:

"While the sexual exploitation of women and children is certainly not a new phenomenon, the world is witnessing a rise in the slavery and trafficking of women and girls. This increasing commodification of women and young girls is the result of their deepening poverty and deprivation."¹⁵³

Trafficking takes advantage of economic desperation. It takes place through various means (kidnapping, mail-order brides, offers of seemingly legitimate jobs) and leads often, if not always, to prostitution, sexual slavery or domestic servitude as a live in "maid."¹⁵⁴

It is increasingly being recognized as a major issue and a profound human rights abuse: at the Istanbul Summit in November 1999, OSCE Chairman Knut Vollebaek called trafficking "modern day slavery."

152 Book manuscript awaiting print, Jo Doeziama, University of Sussex, UK.

153 Women's Human Rights Resources, Bora Laskin Law Library, University of Toronto. On "Diana" website.

154 It is reported, for example, that most women who are smuggled or trafficked into Italy are then forced to work as prostitutes: "Illegal immigration to Italy is mainly managed by Albanian clans, in collaboration with the Italian mafias...organization of onward travel is thought to be handled by the women of the UHC (United Holy Crown), particularly as regards the placing of babies and children...Minors may be handed over to criminal organizations or to would-be-adoptive parents. Otherwise they have to beg, live off petty crime or as happens with most females, become prostitutes." Paper on Albanian mafia found on www.cemes.org/current/ethpub/ethnobar/wp1/wp1-d.htm

"Trafficking in human beings is a return to the dark ages of the history of man. It predominantly involves women and children and represents one of the most reprehensible and profound human rights abuses of our time."

The UN Special Rapporteur on Violence against Women has noted that "patterns of trafficking in women vary according to changing regional conditions and potential opening of markets, similar to a supply-demand curve." She has also highlighted some of the reasons for the rise in trafficking including "The enormous profitability of exploiting women as prostitutes; the feminization of poverty in the victims' home countries; official policies of international development banks and lending organizations encouraging the development of tourist sector services; lack of an effective international regime for collecting data, providing information and penalizing organized international traffic networks."¹⁵⁵

Once a woman has been trafficked and forced to work as a prostitute, her fundamental human rights are denied: she has little protection,¹⁵⁶ little or no access to health care, no freedom of movement, no employment rights. For example an IOM study in 1995, showed that over one third of trafficked women interviewed in Eastern Europe had their passports confiscated (by the women's captors) and had their movements controlled.¹⁵⁷ Part of this denial is related to attitudes: states attention commonly focuses on the illegal nature of the woman's status, whereas citizens commonly would rather condemn or at least ignore women working as prostitutes.¹⁵⁸ There are no services or programs in Kosovo directly targeting or taking into account the social welfare of women engaged into prostitution. There are only projects providing protection for women and girls who wish to leave prostitution, or who have been tricked into it.

Without doubt, the rise in numbers of foreign men in Kosovo has been paralleled by increased numbers of women who have been forced into work as prostitutes. The Multi-agency Gender Task Force in Prishtina, reported in September 1999 that "one of the manifestations of violence is the trafficking in women and girls. This is a growing issue in Kosovo with regional implications."¹⁵⁹ Since that time over fifty women have been found held against their will forced into work as prostitutes. They have been supported by international agencies to return to their homes in various parts of Eastern Europe and Former Soviet Republics.¹⁶⁰

155 Report of the Special Rapporteur on Violence Against Women, 53rd session of the Commission on Human Rights (EC/CN.4/1997/47).

156 Trafficked women are especially vulnerable to abuses by authorities they turn to for help. Pringle tells of a group of girls in Albania who escaped their captors but they were raped and prostituted by the police to whom they turned for protection, James Pringle, the Times, 24.2.2000.

157 Quoted in C.Corrin, 1996

158 "We don't have the time or the resources to go after sex workers, only the trafficked women who exist in a deep dark hole." Police Officer, Prishtina.

159 Gender Task Force minutes, Prishtina, Kosovo, 23.9.99.

160 The numbers of women helped since the report was researched, have increased significantly, and it can be projected that at least three hundred women will be reached through the work of IOM by the end of the year 2000. Not all, however will ask for assistance to leave Kosovo.

FINDINGS

Trafficking and Sexual Slavery

There is evidence that there are many women being trafficked into Kosovo and forced into prostitution but exact numbers are impossible to ascertain. Prostitutes in Kosovo tend to come from Eastern Europe, especially from Moldavia and the Ukraine. Evidence of trafficking of women out of Kosovo is fragmentary and confused but it is known to occur.

■ Capture, transportation and enslavement are brutal:

There are common elements in trafficked women's stories around the globe: capture and enslavement are brutal, and young women risk death if they try to escape, most earnings are not seen by the women themselves.¹⁶¹ The tales young women trafficked into Kosovo tell are all very similar: women are enticed or kidnapped. Once caught a young woman is usually raped either by one or many men as this breaks morale immediately.

Anifsa, a twenty-two year old Moldavian "went to Turkey with x (woman's name) to find a job. Did not get across the border. While waiting in a small village...there were two cars who stopped. They were pushed into one car and told they would be prostitutes."¹⁶²

"Girls think they are going to get paid just for drinking champagne with a man. It can cost 200 DM for that bottle. In some cases the girls don't even get a percentage. One girl I talked with had been beaten seven times by the owner of the "International Club." A fifteen year old girl we found had been raped many times by her captors in order to get her to submit to working as a prostitute." UN Police Officer, Prishtina.

Young women are sold repeatedly, sometimes several times within a few days, sometimes within countries, sometimes across borders. This seems to be regular rather than unusual. The UN police records in Prishtina show that one young woman was bought for 2000 DM in Macedonia and sold a few days later in Kosovo for 4500 DM.¹⁶³

Sometimes women are drugged when they are being taken across legal borders to prevent attempts to escape. Other times women are taken across the "green border."¹⁶⁴ Each owner forces the girl either to have sex with other men, or keeps her for his own use. The money the men pay for the sex, does not usually go to the girl, but to her owner/controller.

161 "Tara is a student nurse who was kidnapped and sold as a sex slave for 1200 pounds", James Pringle, the Times, 24.2.2000. Pringle tells of one girl who witnessed her friend shot after trying to resist kidnapers.

162 Case report, CIVPOL Prishtina, Prishtina, 1.2.2000.

163 For comparison: prices recorded by the Helsinki Committee for Human Rights in Sarajevo are from 1000 DEM to 5000 DEM (presentation by Mustafa Cero, Sarajevo, 2000).

164 Through isolated border regions with no official presence. These are well known in former-Yugoslavia and have been used by traders, war-resisters, homeless people, undocumented individuals as well as by criminals. Court records for Anifsa show that they "crossed the border from Bulgaria to Macedonia on foot through the mountains escorted by two men, one named Blacze and he had a gun."

"He would charge the following prices for the girls: thirty minutes for 100 DM, sixty minutes for 200 DM, all night for between 200 and 600 DM. He would promise the girl 40 per cent of the money she earned from her clients. He would then keep this 40 per cent and apply it against her debt. He would fine the girls for breaking the rules anywhere from 20DM to 5000 DM."¹⁶⁵

Because bars, clubs and brothels are being raided, it appears that owners of women in Kosovo are now increasingly using private apartments, where the woman is imprisoned until the "owner" asks for her back. In the meantime the owner of the apartment can do what he likes to her, and she is expected to take clients also.¹⁶⁶

■ **Kosovo was previously a transit route for traffickers, now it is also a destination:**

The combination of absence of visa requirements,¹⁶⁷ corruption at borders (including between Kosovo and FYROM), lack of understanding by KFOR and other staff at the Serbian border and at Prishtina airport, and unprecedented numbers of well paid internationals suggests that Kosovo is now a significant destination, as well as a through route for traffickers.¹⁶⁸ This is elaborated upon by a group working on migration and sex work in Hungary:

"Part of the pull to Kosovo is that many nationalities do not require visas to enter Yugoslavia.¹⁶⁹ Once in Kosovo it is no longer so easy to transit via Albania to Italy as local interests now want to keep the women for work in Kosovo."¹⁷⁰

Many of the prostitutes police discover in Kosovo have been forcibly enslaved. Kosovo has been referred to as "the newest market for sex traders" and the market linked to the presence of international troops. Pringle, for example mentions the case of twelve women picked up near the headquarters of Russian forces, who were used by Russian KFOR, American KFOR and Kosovar Albanian clients.¹⁷¹ It seems that male aid workers are more likely to use prostitutes out of the region for example on week-end breaks especially in Bulgaria.¹⁷² In Kosovo many of the girls picked up by the international police (usually in bar-raids) as undocumented immigrants have turned out to have been kidnapped or tricked into prostitution.

165 Initial case report of case prosecuting R.Jahiri, 1.2.2000, Prishtina.

166 UN police officer, personal communication.

167 Entry into Kosovo previously necessitated a Yugoslav visa. Since the UN administration of Kosovo visas are no longer required.

168 Similarly, in Bosnia, the Helsinki Committee for Human Rights report a 37 per cent increase in trafficking in the post-war period (Mustafa Cero, at HCHR meeting, Sarajevo 2000).

169 It is not clear if this is referring to Yugoslavia or if it is actually referring to Kosovo.

170 Internet communication.

171 Pringle, 24.2.2000

172 Personal communication with several women and men working in the UN and in INGOs.

No Safe Place

In Kosovo the police have discovered women from Ukraine, Moldova, Bulgaria, Romania, the Former Yugoslav Republic of Macedonia and Hungary.¹⁷³ Often they have been told that they would work as waitresses or bar staff in Italy, but they are raped by the traffickers, and sold.

■ Trafficking routes:

Court records in Prishtina details the journeys trafficked women have been forced to make:

Vera, a twenty five year old, was kidnapped whilst she went to the post office in a small Bulgarian town. She was then taken to Serbia, FYROM (Macedonia) and eventually Kosovo.¹⁷⁴

Svetlana, a twenty-one year old Moldavian was "enticed in Romania in 1999 to go to Italy to work as a dancer"¹⁷⁵ but eventually after being forced to travel to Kosovo via Hungary and Serbia, she ended up seeing up to seven clients a night in a club where the owner was armed.

Women appear to be taken into Kosovo from Macedonia and from Serbia. Some women might then be sold again outside of Kosovo "If you are good you go to Italy, if you are bad you go to Albania."¹⁷⁶ From Kosovo women might be sent to Montenegro and then to Albania, and Italy. Or through Serbia to Hungary and then to southern and western Europe. Other routes include to Greece where there are rumored to be over 30,000 prostitutes working. Many of the women who reach Albania, including through Kosovo, are eventually sold on to Italy where there is evidence that Albanian (but not necessarily Kosovars) are involved in the trade.¹⁷⁷

■ Kosovar girls were kidnapped and then enslaved whilst refugees:

The first reports of trafficking of Kosovar women came from refugee camps in Macedonia and Albania during the time over 800,000 Kosovars had been forced out to these countries by Serbian military. Some reports mentioned girls or women being tricked to leave from camps, others were abducted at gunpoint. Later reports appeared by journalists who had discovered girls in cities such as London. The women told how they had been tricked into prostitution.¹⁷⁸ This was described by a detective as "virtual enslavement" as women have no freedom to move, shop, or to keep their earnings. It is believed that there are now also significant numbers of Albanian speaking prostitutes working in Italy, Belgium and France.¹⁷⁹

■ It is hard to prove that Kosovar women have been trafficked out from Kosovo:

173 See for example UNMIK press briefing, 12.4.2000; for a mention of discovery in Ferizaj of eight trafficked women from Russian, Bulgaria and FYROM.

174 Initial case report of case prosecuting R. Jahiri 1.2.2000, Prishtina

175 Ibid

176 Human Rights Officer, UN police.

177 From 1993 – 1996, figures for Italians charged for prostitution related offenses remained in the 6-700s, whilst for Albanians in Italy the numbers increased from 19 in 1993 to 410 in 1996. Numbers arrested also increased: in 1993 only 32 Albanians were arrested for such offenses, in 1996 there were 246 arrests (whereas Italians arrested remained in the low 300s).

178 "Kosovo sex slaves held in Soho flats", Edin Hazmic and Maeve Sheehan. The Times, London 4.7.99

Whilst there is evidence of women being trafficked into Kosovo, evidence of women being kidnapped and taken out is more hazy. One human rights officer in Gjakova mentioned that there were cases of adolescent girls forced by the Albanian mafia to go to Italy, where they then had to work as prostitutes. A fuller investigation would require extensive contact with international police and immigration officials, and women's groups in countries considered to be key destinations. Community workers suggest that they know of young girls who found their way back to Kosovo after being tricked into prostitution in Italy. They all committed suicide.

In the autumn and winter of 1999, stories spread like wildfire of kidnappings of young women from Kosovo including from outside the student's dormitories in Prishtina. Stories also spread of children being kidnapped (and returned) for their organs, and of children fending off attackers. This created consternation and panic. There was an immediate and very noticeable effect - most women both locals and internationals stopped going out after dark.

INSTITUTIONS FOR ASSISTANCE

INGOs and NGOs

Impressive action has been taken by several international organizations, who wish to remain anonymous, in order to provide care for trafficked women, including the setting up of a safe house. This is being organized in close cooperation with the relevant police authorities and international agencies in Prishtina. Women who are sheltered receive medical and psychological care whilst awaiting passports and other documents to enable them to return to their countries of origin.

There remains no program or project of outreach or support of any type for women who do not ask to be returned to their home countries (maybe out of fear, consequences of what will await them there, or lack of options) for prostitutes or for workers in bars. This is urgently needed as health care of women is very poor, and doctors have reported cases of sexually transmitted diseases including syphilis and gonorrhoea.¹⁸⁰

Local women's groups are starting to have some awareness of the problems of trafficking but as most are overburdened with relief and development work in their own communities, they have little capacity to initiate projects. Certain groups are however active participants of the sub-group on trafficking on women which is part of the UNIFEM Gender Task Force. Others are part of informal and formal regional networks which have built up impressive expertise on responses to trafficking from legal and practical perspectives.¹⁸¹

179 Definitely Kosovar Albanians are reported by other prostitutes to be working in Paris and southern France. How many are actually Albanian and how many Kosovar Albanian is very difficult to verify – it appears for some reason that some Albanian women are claiming to be Kosovar. Internet communication with worker with prostitutes.

180 "The brothel owners before the war used to give some relative or friend a pay-back to provide elementary medical care for the girls. I know because I spoke once with a doctor who admitted examining the girls in the Park Hotel. But now, well, it seems that the girls do not display a great state of health. I don't think internationals should use them, they have syphilis and gonorrhoea." (this begs the question of whom the girls got the diseases from in the first place). Doctor, INGO, Prizren.

181 Such as the Violence Against Women Eastern Europe Network, and the informal network of feminist women's groups in ex-Yugoslavia which embraces but is not limited to Center for Women War Victims

UN institutions and other international agencies

IOM is involved in liaison with national governments in order to ensure safe return of women, with all necessary documentation. Through their offices in Eastern Europe they are also able to provide additional support once the women are returned. IOM in Kosovo is currently undertaking a campaign to raise awareness amongst internationals and locals regarding the true circumstances of many prostitutes who have been trafficked, in an attempt to decrease demand. They are also training UN border police.

Action by agencies with human rights or gender mandates has been slower and less impressive; The Office for Gender Affairs (OGA) in UNMIK, is involved in countless consultations, and focuses on three issues including violence against women. However their acting chief is quoted as saying "I must admit trafficking is a problem but its not one of my priorities right now."¹⁸² This has been offset by the key role a lawyer based in OGA has played, alongside a lawyer based in OSCE in drafting a regulation on "Measures to Combat the Trafficking of Persons in Kosovo" (see next page for more details).

It is largely because of the commitment of women who are not formally employed to deal with these issues that the regulation has been formulated, in which case it could be regarded as largely accidental. Despite the paper commitment by agencies such as OSCE, Council of Europe, and the UN to act against traffickers and to protect victims, these organizations do not yet employ experts with job descriptions specifically to work on trafficking issues.¹⁸³ For example, OSCE does not have any staff member specifically employed to concentrate on trafficking and the coordination role has been taken up by a staff member there because "I saw no one else was dealing with it."

It would be fair to say that there is a nonchalance shown by (male) staff of INGOs, the UN, OSCE and KFOR press officers when the question concerns the possibility that their staff members are using trafficked women for sex. This is not surprising given that even less controversial policies such as sexual harassment, are not currently widely advertised amongst staff.¹⁸⁴ But it is surprising given the mandates of these organizations, and the fact that international human rights standards are binding to them in Kosovo.¹⁸⁵ For example the Secretary General to the Security Council on 12 July 1999 stated that "UNMIK will embed a culture of human rights in all areas of activity and will adopt human rights policies in respect of its administrative functions."¹⁸⁶

There are certainly no clearly advertised specific codes of conduct in international and UN agencies regarding use of prostitutes and attitudes vary greatly between agencies, institutions and individuals in institutions.

Croatia, Autonomous Women's Center Serbia, Zenazenama Bosnia, Rural Women's Network Kosovo.
182 Pringle.

183 Neither are there many staff with full time responsibility for women's issues: OSCE has half a post, as does Kosovo Women's Initiative.

184 The NGO council secretary mentioned that INGOs are concerned about this and intend to remedy it – heads of UN agencies have also shown concern but there is no evidence of action yet to remedy this.

185 Amnesty International has also pointed out that "ambiguity exists regarding the extent to which the provisions of all applicable laws, which include UNMIK Regulations, are in line with international standards." AI recommendations to UNMIK on the Judiciary.

186 S/1999/779 paragraph 42.

"I would not hesitate to fire a staff member who was using prostitutes, because it is exploitative, and we are here to serve the local population." UN Agency Head.

"Some of the men are here for six months, so its only natural that they would use prostitutes." Worker in agency with mandate for women's issues.

"When internationals have a few beers, they go and harass co-workers. Why don't they pay for sex instead?" UN psychologist.

Legal protection

There are many international conventions which cover the issue of trafficking: the principles in the Universal Declaration on Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Explicitly trafficking is covered in: The Convention for the Suppression of the Traffic in Persons (1949), the Report on the Fourth World UN Conference on Women (1995), the Conclusions of the 42nd Commission on the Status of Women, the Secretary General's Report on Trafficking in women and girls, the recommendations of the Special Rapporteur on Violence against Women in 1997 and 1998.¹⁸⁷

The Criminal Law of the Republic of Serbia, article 251, lays down penalties of between three months and ten years for crimes related to prostitution:

"Whoever recruits, induces, incites or lures female persons into prostitution, or whoever takes part in any way in turning a female over to another for the exercise of prostitution, shall be punished by imprisonment for a terms exceeding three months but not exceeding five years. If the Offence has been committed against a female under age or by force, threat or ruse, the offender shall be punished by imprisonment for a terms exceeding one year but not exceeding ten years."

Whereas in the Kosovo Official Gazette of 1981 pertaining to the public peace and order act, sentences are considerably lower – and the crimes are considered minor offenses: in paragraphs six and eight of article 18, engaging in prostitution, compelling a person into prostitution or allowing premises to be used, carry a penalty of up to two months.

The one case of men accused of involvement and profiting from trafficked women, which came before a court in Kosovo was rejected partly due, it seems, to inability to look at the different components of the crime and prosecute these separately (largely a matter of lack of awareness of the judge) but also because the law was pedantically applied. Unless judges have extensive training, they might especially in the case of traffickers, fail to understand how they can use several charges such as forced incarceration, bodily harm, kidnapping etc.

"There has only been one case of a trafficker brought before a judge in Kosovo. He was a seller of four or five women, a Macedonian man. He was released because according to the

187 For complete references refer to the Resolution of the General Assembly of the United Nations, 53rd session, "Traffic in women and girls." (A/RES/53/116).

No Safe Place

judge, he had not committed the crime in Kosovo. There are certainly other laws which you could have sentenced him under not related to the act of selling." Police Officer, Prishtina.¹⁸⁸

Compared to the number for women who have been found trafficked and then repatriated (fifty) the number of men involved in profiting from their slavery who have been arrested is minimal, and it seems fair to conclude that arrest of criminals involved is not being afforded priority in practice. Since this interview there have been two men arrested in Prishtina for trafficking, and they are awaiting trial. It is hoped that the judge will have greater guidance when these trafficking cases come before court.

Unfortunately, since the main body of this research was completed, a new case has occurred, in which at least one trafficked woman was sentenced to thirty days imprisonment to be followed by "deportation", and another had her private possessions including money confiscated as "evidence." Women concerned with trafficking issues are extremely disconcerted that these women who were originally brought before the law as witnesses became the subjects of prosecution. Despite many individuals expressing sentiments that trafficked women should not be prosecuted, no member of the UN or any other international body currently in Kosovo has shown willingness to intervene in this case and in fact express powerlessness to "interfere" with (legal) processes.

OSCE has initiated a review of laws with particular reference to the human rights of women and children: one of the sub-groups covers trafficking. As a result of the work of this sub-group a regulation on "Measures to Combat the Trafficking of Persons in Kosovo" has been drafted. At the time of research this is still in preparation, but it is anticipated that the final version will include – heavy penalties for any person caught engaging or attempting to engage in trafficking, confiscation of assets of traffickers or those businesses connected to trafficking, protection for victims and witnesses. As the a fore mentioned case of prosecution of trafficked women shows, any changes to the law will only be effective if they are accompanied by education of the judiciary and effective monitoring of judicial processes.

CIVPOL and other UN police

"Basically we want all the places shut down, the night clubs, the brothels, and the pimps in jail." CIVPOL Prishtina.

"The Prishtina police (CIVPOL) are outstanding in their dedication to tackling this problem." IOM, Prishtina.

It is CIVPOL's responsibility to investigate trafficking. In Kosovo they are involved in raiding of bars and brothels when there is clear evidence of women or girls being kept against their will. Such action has been spearheaded by the investigators in Prishtina region, who have been involved in several effective actions.

The CIVPOL are approaching trafficking from an almost zero tolerance attitude: this zero tolerance relates to the owners of women and the users. They say that they consider the girls "victims unless we see the same girl appearing in front of us repeatedly." However police see themselves limited by lack of detention space, and by the extreme slowness of the criminal procedures. It appears that ethnically motivated crimes and crimes against property are

188 This refers to a man known as "Abas" who was charged with selling of the Moldavian young women. See Initial Case report, 1.2.2000

afforded greater priority than crimes of violence against women including trafficking. One police officer mentioned that this is because the other crimes are "easier to solve." Lack of systematic data collection and clear sharing of information across CIVPOL regions are also impeding investigation.

CIVPOL investigators in Prishtina are not automatically informed of similar actions taking place outside of Prishtina either by other CIVPOL units or by KFOR military police. There is little priority being put on enforcement of uniform standards across the whole of the CIVPOL or to ensure high levels of awareness about the issues. Additionally, at the time of researching, CIVPOL did not have any official relationship with Interpol, which would be expected to aid in effective investigations as the networks involved in trafficking are clearly international. With regards to the police school for local police, trafficking is considered an advanced level issue – and is not dealt with until "level five" because it is considered an area for international investigation not just regional, few trainees will therefore have awareness.

KPC feels that they could play a greater role in helping find traffickers and trafficked women, but complain of lack of cooperation in this area: "Prostitution and domestic violence are police matters, but they are not cooperating. Until now we have offered them a lot of cooperation. We have many problems which need joint cooperation." KPC member, north Kosovo.

"We consider that it would be more effective if we were informed by CIVPOL and could investigate together. This might not be our mandate directly, but we know the roads and the ruses unlike the internationals." KPC, Gjakova.

KFOR

There have been at least three raids on brothels carried out by military police without apparent awareness of appropriate procedures, and without coordination with CIVPOL or relevant human rights agencies.¹⁸⁹ In Mitrovica, two women from FRY and two from the Ukraine (including trafficked women and a sixteen year old girl) were released after three weeks "because no one would take responsibility for them"; in another case Carabinieri (Italian military police) raided a brothel near Prishtina airport, took the young women and failed to take action to arrest the owners. In a third case Royal Green Jackets (British KFOR) raided a bar in Prishtina but had to be told by a by stander "check if they have their passports."¹⁹⁰ In fact only Carabinieri and Gendamerie have jurisdiction to investigate – all other military police are strictly internal.

There are reports of KFOR soldiers being involved as users of prostitutes: an organization in Hungary reports the following information from Hungarian women who have been in Kosovo: "They reported that the Russian KFOR were bringing women in for sex work, which repeated the pattern established in earlier years by the Ukrainian contingent of UNPROFOR in Croatia...They believed their clients were KFOR soldiers, NGO staff, OSCE staff and quite a few locals. The KFOR would take off their insignia and identifying badges, and the Americans would say they were "Russians." However there was

189 There are no formal lines of command between CIVPOL and KFOR police, all contact is informal.

190 Personal communication, UK observer.

No Safe Place

considerable confusion regarding the identification of the clients and the most accurate description would be that most clients were not local people." ¹⁹¹

Regrettably the KFOR spokesmen with whom researchers spoke seemed content with pleasant fictions about the conducts of soldiers, and revealed no awareness of the issue of trafficking including of the accusations that soldiers from certain KFORs are implicated. KFORs do not appear to have specific policies about use of prostitutes but express strong convictions that it is more than adequately covered by "no walking out" regulations (the regulations that forbid a soldier to go off base unless on official business).

"Using prostitutes is just like any transaction, like buying a car for example. In theory soldiers are only allowed out on official business, and can't make a detour without permission. This means they can't even buy a radio if they are not allowed out. If this order is violated the consequence can be up to repatriation. However it depends on the attitude of the superior. I have not heard anything about German KFOR using prostitutes." German KFOR spokesman.

"I have never been asked about this (code of conduct and use of prostitutes) before. It would be covered by the order forbidding you to go out. It is very hard to contravene this order. But I think you would have to speak to the Legal affairs department." USA KFOR spokesman.

191 Internet communication on stop trafficking web site.

Prostitution

Violence Against Women by Unknown Men

"In the frequenting of bars and brothels, international representatives and by default their organizations, are condoning and supporting slavery." IOM, Prishtina.

"The only analogy I can think of concerning prostitution is that it is more like gang rape than it is like anything else. Oh, you say, gang rape is completely different. An innocent woman is walking down the street and she is taken by surprise. Every woman is that same innocent woman. Every woman is taken by surprise... You give a woman money and whatever it is that you did to her she wanted, she deserved. Now we understand about male labor. We understand that men do things they do not like to do in order to earn a wage. When men do alienating labor in a factory we do not say that the money transforms the experience for them such that they loved it, had a good time, and in fact, aspired to nothing else. We look at the boredom, the dead-endedness; we say, surely, the quality of a man's life should be better than that." "Prostitution and Male Supremacy", A. Dworkin, USA, 1993.

PROSTITUTION AND THE DENIAL OF BASIC HUMAN RIGHTS

In Europe and North America most women can access opportunities to be able to survive in regular employment, and failing this they can claim some social welfare benefits. So it might be feasible to discuss prostitution in terms of "choice." However many women from Eastern European even if they have education and skills have few opportunities, and no unemployment benefits. Prostitution is a form of employment without protection, where mafia controlled pimps keep most of the earnings, and where violence is legitimized and commonly ignored by authorities.¹⁹² It can be understood therefore as a damaging and exploitative way of earning money when there are no choices. The negative impact of prostitution on women's status cannot be understated, as the phenomena not only affects the quality of life of individual women by placing them in positions of great physical, and economic vulnerability but also affects society's perception about women generally.

The Network of Sex Work Projects makes this comment:

"It is important to emphasize that deception and exploitation are not limited to the recruitment process. Conditions vary greatly for the people working in the sex industry. Some enjoy relatively "good" conditions, with a great deal of control over their working situation. Others are subject to exploitation, and may even work in situations similar to slavery. Historically, anti-trafficking measures have been more concerned with protecting women's "purity" than with ensuring the human rights of those in the sex industry. This approach limits the protection afforded by these instruments to those who can prove that they did not consent to work in the sex industry. It also ignores the abusive conditions within the sex industry, often facilitated by national laws that place (migrant) sex workers outside the range of rights granted to other citizens and workers."¹⁹³

The economic pull of prostitution is clear – in Bulgaria where few workers earn US\$ 100 a month, the man pays the pimp US\$ 100 - 300 to use a woman or girl for one hour upwards.¹⁹⁴ In Kosovo, where workers such as teachers earn approximately US\$ 50 a month, half an hour use of a prostitute costs US\$ 50.¹⁹⁵ However it seems to be unlikely that the women get to see much of this money. Reports from relevant agencies in Kosovo are that none of the women they discovered had received payment even though they had been kept and delivered sexual services for up to three months.

Some of the demand in Kosovo is definitely coming from internationals who are able to pay these sums. This is similar in other parts of Eastern Europe. The difference in Kosovo is that the majority of international men, are employed by agencies who have specific mandates to

192 "If you have been in prostitution, you do not have tomorrow in your mind, because tomorrow is a very long time away. You cannot assume that you will live from minute to minute. You cannot and you do not. If you do, then you are stupid, and to be stupid in the world of prostitution is to be hurt, is to be dead." A.Dworkin.

193 "Commentary on the Draft Protocol to Combat International Trafficking In Women and Children, Supplementary to the Draft Convention on Transnational Organized Crime" Network of Sex Work Projects, date uncertain.

194 World Sex Guide, Internet.

195 The Times 24.2.2000

protect the population of Kosovo – and this includes protecting and upholding the human rights of women.

Prostitution - the situation before 1999

Before June 1999, prostitution in Kosovo was virtually invisible and almost completely denied by the Kosovar Albanian population. Hotels (all run by the state) appeared to be the key place for operations and therefore clients can be assumed to have been business travelers or government officials – few Kosovar Albanians entered these Hotels. The "Grand Hotel" Prishtina, had a basement bar which appears to have been run as a contact place between prostitutes and clients. There were believed to be up to five other places in Prishtina operating as brothels mainly for the Kosovar Albanian population, and also three places in Prizren. Girls were believed to be Ukrainian, Russian, Bulgarian.

Outside of the capital city, talk was of small operations – a few bars in small towns, women operating near bridges on the margins of a town or village area. Public houses functioned in ad hoc ways: in one city for example Kosovar women lived at home with their families, and worked secretly for a madame at certain times. There is also evidence of some mobile arrangements: women were picked up by bus drivers from small villages in southern Serbia and then accompanied men on their journey to and from Turkey.¹⁹⁶

The year 1998 saw the first significant influx of foreign journalists, aid workers, diplomats. This year also saw the opening of two high profile places which quickly became renowned as public houses: the first was the "Hotel Park" in Prishtina, the second was a very visible "Go-Go Bar" situated on the main road between southern Serbia and Kosovo. At this time that route was used by the majority of all foreigners to enter Kosovo. From 1998 there is also some visibility of higher class Albanian call girls (possibly from Albania or Macedonia).

Operations would have functioned in close cooperation with the Serbian police – in order to get women into Kosovo as there were strict controls at borders with Serbia, Macedonia and Albania, and in order to keep them in Kosovo as visas and registration cards were required of all visitors. This also had the effect of limiting organized prostitution.

The post conflict situation

Since June 1999 over 40,000 NATO troops, the UN and over 300 international organizations and businesses have descended on what was once a backwater. Prostitution has expanded enormously. It appears that most of the women who are prostituted have been trafficked from other Eastern European and former-Soviet Republics.

Initially women were saying that all clients were local but now this has changed and trafficked women who have talked with international agencies seem to suggest that approximately fifty per-cent of clients are internationals. Contrary to popular myth brothels are not being frequented only by military, but also by contractors who work for the military or for aid organizations, and aid workers and business people.¹⁹⁷ However there are significant levels of organized prostitution in at least four places which are close to major concentrations of KFOR troops, and reports indicate the military are major users and in some cases import the women. The identity of owners and traffickers is not hard to establish.

196 Various sources (protected): local journalists, women's activists, and personal observation.

197 CIVPOL/international worker dealing with migration issues.

However, Kosovars say they know exactly who the criminals are, but are always too afraid to name them to authorities. One alleged brothel functions as a restaurant downstairs, this restaurant is almost exclusively frequented by international staff of NGOs, UN and IOM workers.

FINDINGS

Quotes colloquially refer to "girls" but no assumption can be made regarding the age as all women in prostitution are commonly referred to as "girls."

■ Prostitution took place in Kosovo before the advent of the international agencies but appears to have been fairly limited:

"In four years investigating prostitution before 1998, my evidence is for 75 - 85 women in Kosova. In Prishtina they were in Ulpiana, Dardania, the motel which is now "Dea." In Prishtina approximately one third were locals the others were from Bulgaria, Ukraine and Russia. This number increased when OSCE started to work here. At that time in front of the Kino Rinia the price was 20-30 DM for an hour. My evidence is also for Malishevo, Mitrovica, Kacanik, Gjilan, Vushtri, Prizren, Peja. In Prizren there was one girl even from a country in Asia." Professor, Prishtina.

It is reported that police used to play "poker" with Kosovar Albanian traders and the prize was a woman at a cheap price. There are several stories of mothers prostituting daughters, usually with husbands connected to the police, and of women going to Skopje with police and traders. In several places women are reported to be from villages. Hotels are mentioned including: what is now the Motel Dea, the Park Hotel (both in Prishtina), a motel in Gjilan, and the motel Beni on the road to Mitrovica:

"If you can have their (Motel Beni) books, of the prewar guests you would see there that..the men were from 40 - 55 years old, and the women mostly 17 – 20 years old." Journalist, Prishtina.

■ In the year 2000 the following have been identified as locations with brothels:¹⁹⁸

1. Gjilan - at least three brothels are reported as operating in the Gjilan area which borders the biggest US base in Europe – Bondsteel. The users are considered to be American soldiers mainly from the base and locals.
2. Prizren - reports indicate upwards of thirteen locations (probably apartments) being used. The users are known to include German soldiers and other internationals. A different source claims there are only two "brothels" now since one with forced women had its owner caught by the KPC and imprisoned by KFOR.¹⁹⁹
3. Peja - residents of Peja know of at least two places. The users are considered to be Italian soldiers/Carabinieri.

¹⁹⁸ This information comes from a variety of sources including local journalists, international workers against trafficking, organizations for rights of sex workers in Europe, local men.

¹⁹⁹ Report in "Koha Ditore" March 2000.

4. Prishtina – a strip club or bar was known to operate near the airport "Night Club International." The users were rumored to be Russian soldiers but also Americans, Kosovar Albanians and Macedonians. 15 girls were reported to be working there in January. Miami Beach Club in Prishtina, had five women working there: "mostly internationals were going there." As of January 21, International was closed down and 12 girls taken out, and Miami Beach Club no longer has girls working on the premises but they are "available" close by.
5. Obiliq – a strip club is believed to operate in this region, and Russian girls are believed to work in this region. It is unclear who uses this club.
6. Vushtrri – there are no brothels, but "other ways" and believed to be local girls under the age of 18. Mostly local users.
7. There are no reports of brothels in Gjakova or Mitrovica: in Gjakova it is expected that if brothels exist they are very underground, in Mitrovica it is explained that the men go to the Serbian women on the north side of the bridge. In 1999, French KFOR were patronizing make-shift brothels, but the military unit was changed and the brothel closed down on discovery.

■ Whilst it is not clear how many women have been enslaved and trafficked into Kosovo, it is clear that many women have basic rights denied:

"Even the women in Kosovo who chose to work in the sex industry did not have a choice to come here and work, and neither do they have a choice to leave." International worker on migration issues, Prishtina.

"Of the women who are prostitutes and the women who are forced into prostitution many are not paid. And those which are paid are not allowed to leave if they ever wish to... a girl might be told that she owes the man certain monies: the cost he "paid" for her, plus clothes, plus costs of bringing her here, costs of daily necessities, then costs for the place she sleeps in. This can easily be 5000 DM. As she gets close to paying it off she still cannot leave because she then gets arbitrary fines imposed on her for "offences." I have seen the accounts kept by the girlfriend of the owner of the International Club²⁰⁰. In it the offences are listed, it was something like a 200 DM fine for not saying hello to the owner's relative in the morning, then a 5000 DM fine for objecting to clients not using condoms. The woman can then never pay of a "debt" and leave." UN Police Officer, Prishtina.

"The conditions are terrible for the women." NGO worker, Prishtina.

"Some girls report that others are kept enslaved in private apartments. They are not allowed to go out except to be transferred to another minder or owner." CIVPOL, Prishtina.

200 Night club/brothel in Slatina, near Prishtina airport. Since raided by Cabineri and owners fled, whilst some girls were rescued.

■ Men using prostitutes cannot expect women to disclose the real conditions of work:

Even authorities have a hard time discovering this: "Since August we have had approximately 40 women or more, of these approximately 30 women wanted to leave Kosovo. I think they were trafficked. Usually the first time we speak with the girls they are too scared to admit that they want to get out of this. It takes four or five days before they trust us to tell what has actually happened to them." Police Officer, Prishtina.

However, all women discovered by the police in brothel raids had asked clients to help them escape. The men promised to return, but none did. In two cases men gave the young women their phone numbers.²⁰¹

■ Kosovars tend to believe there is a growth in prostitution fueled by the presence of money and poverty side by side. No locals wanted prostitution to exist:

"I request that the internationals help and don't encourage corruption, and get rid of prostitution." KPC member, Gjakova.

"If Kouchner can make gambling illegal, why can't he make prostitution illegal." Male head of political party.

"The war and the state of the economy means that there is now fertile ground for exploitation of women in prostitution." CDHRF Gjakova.

■ Different KFORs are considered to have arrangements to use local women:²⁰²

Young women reported being approached on the street, in August, with requests to work for the military. Kosovars mentioned various other transactions:

"This local man approached me in town and asked if I wanted to go and cut hair for the soldiers or do the washing. I said "So the military do their job recruitment on the street do they? Yet they can't use one of the male barbers along this street? I was very suspicious because I'd already heard of women washing and cutting hair on compounds for the military. They end up providing sex too." Displaced young woman, Prishtina.

"I have twice seen, five or six girls stepping out of French KFOR jeeps at mid-night. This was early in 2000. The Saudis are giving money to the children on the streets. They are creating beggars. They give the money and say "go and get that girl." I would sign my name to this statement. I know many cases." Shopkeeper, Vushtrri.

Accounts from a Kosovar Albanian worker in Bondsteel American Military Base feature two accusations: women working on the base as cleaners or washer women, being involved in sexual relationships for money with US military and/or contractors; American military using

201 Personal communication, international worker, migration agency.

202 Also reported formerly for example from Bosnia – there was an official investigation into the use of brothels by UN peacekeepers. These places had Croatian and Bosnian Muslims kept by force, managed by Bosnian Serbs. See New York Newsday 31.10.93.

prostitutes off the base. This was denied by US military spokesman: "there is not prostitution on Bondsteel because women are not allowed on the base unless they are working officially." Press Officer, Prishtina.²⁰³

■ **International men who are not working for the military are known to be using prostitutes:**

"Myself and other waiters are frequently asked by international male guests of all nationalities to find a girl for them." Waiter, Grand Hotel, Prishtina.

Women's activists from Gjilan report informal arrangements whereby girls are literally picked up off the streets by foreign men, and then taken to another city for the liaison. Whether this arrangement includes a financial element is unclear.

EXAMPLES OF GOOD PRACTICE

■ **Motrat Qiriaz, Prishtina**

As refugees in Macedonia, this Kosovar women's group ran daily meetings for women and girls. In most meetings trafficking and non-stigmatization of prostitutes were discussed and presented through role plays.

■ **Kvinna till Kvinna, Sweden**

Run a program on education about trafficking and prostitution for all KFOR military about to leave Sweden for Kosovo.

■ **IOM, Kosovo**

Has developed an awareness raising and information campaign in Kosovo about trafficking. Its aims include: producing a climate of zero tolerance for trafficking in and out; raising the question amongst international organizations of "code of staff conduct"; changing any climate of acceptability or the mythology of a morality based on individual choice.

203 The Bondsteel press office has failed to comment on these accusations, after three requests by email, but they did respond on other issues.

RECOMMENDATIONS

TRAFFICKING, SEXUAL SLAVERY AND PROSTITUTION

Trafficking, sexual slavery and prostitution, need to be addressed as human rights issues – not solely as welfare and protection issues.

Increasing immigration controls do not appear to be effective as it actually increases demand for use of illegal channels as ways to enter a country to find work, and this in particular makes women more vulnerable to being tricked into sexual slavery like situations. Evidence suggests that it is more effective to address the economic factors leading to a desire for migration, and those which allow sex-workers full rights, particularly under labor laws.

For CIVPOL, KPS and KFOR, and judiciary:

1. Trafficking and sexual slavery issues need to be given much greater priority with regards to police investigations; and in police (both UN police and local police) and KFOR training. Police need to be assigned solely to concentrate on these issues.
2. Emphasis must be on investigation, arrest, and prosecution of traffickers, sellers, owners and users of women not on the arrest, detention and prosecution of women themselves.
3. CIVPOL and authorized military police should work out common procedures for raids of brothels and bars; these should be coordinated across Kosovo, and across the sectors with information being fully shared between CIVPOL and military police.
4. CIVPOL need to coordinate and share information across the different regions in Kosovo.
5. It is advised that the military police are not involved in bar raids and other operations concerning trafficking unless they have substantial training and awareness raising, and work in full cooperation with CIVPOL investigative unit in Pristina.
6. Data on kidnapping cases, and on probable sexual slavery cases need to be centralized.
7. International institutions providing care and support to trafficked women need to be fully consulted before raids.
8. It is recommended that new business regulation procedures including regulations on work permits are used to conduct widespread inspections including of suspected places where trafficked women are being held. Inspectors therefore need to have adequate training in what to look for and how to proceed in such cases.

For the UN, INGOs, NGOs:

9. UN and INGOs are obliged to inform their staff about trafficking.
10. UN agencies, INGOs, KFORs and other agencies working in Kosovo particularly with humanitarian mandates must develop clear, detailed and well publicized policies on use of prostitutes by staff.

11. Codes of conduct in international agencies, UN agencies, and KFORs should make clear explicit reference to exploitative relationships and the contradiction between this and having a protective mandate. All staff must be fully informed about codes.
12. UN, KFOR, OSCE and INGOs must investigate the widespread belief that male staff in Kosovo frequently use prostitutes or frequent bars notorious for prostitution. The publishing of lists of "off-limits" venues (by name and address, as names changed) is urged.
13. It is recommended that an outreach team is created by an INGO to ensure the rights of all sex workers are protected and that they have access to health care.
14. Heads of UN agencies and the OSCE need to ensure that policies from head office are reflected in the field, through monitoring and ensuring enforcement of human rights standards particularly neglected with regards their own organizations: including sexual harassment, equal opportunities, prostitution.

Recommendations from the UNIFEM Central and Eastern European workshops in preparation for Beijing +5 should be followed particularly:²⁰⁴

- a. examine the possible relationships between immigration/migrant labor laws and the evolution of different forms of trafficking;
- b. in both countries of origin and destination, to elaborate targeted programs for women at risk of being trafficked, in particular poverty alleviation and income generating activities and social support activities for families at risk;
- c. to take all necessary measures for ensuring the security and confidentiality of the victims and protecting their fundamental rights through legal and other assistance;
- d. in cases of repatriation, to ensure safe conditions of return, especially in the case of victims-turned witnesses and those at risk of being re-trafficked;
- e. sensitize the police and border authorities to the problem of trafficking and to provide them with specialized training in order to identify trafficking cases and dismantle the networks responsible for these cases, as well as to hold the police and border authorities accountable for their actions;
- f. to intensify co-operation between States in investigations and judicial processes relating to trafficking supported by an effective exchange of information, with contributions from NGOs.

204 Taken from the UN/ECE revised draft agreed conclusions proposed by UNIFEM workshops in preparation for Beijing +5, Central and Eastern Europe, Budapest, 6 – 8 December, 1999.

The resolution of the UN General Assembly on Traffic in Women and girls 53/116 (1.2.1999) needs to be followed. The points below are particularly pertinent.

The General Assembly:

Calls upon all Governments to criminalize trafficking in women and girls in all its forms, to condemn and penalize all those offenders involved, including intermediaries, whether their offence was committed in their own or in a foreign country, whilst ensuring that the victims of those practices are not penalized, and to penalize persons in authority found guilty of sexually assaulting victims of trafficking in their custody (point 8).

Urges governments to strengthen national programs to combat trafficking in women through sustained bilateral, regional and international cooperation...and invites Governments, UN bodies and organizations...to undertake collaborative and joint research and studies (point 16).

RESOURCES

Trafficking and prostitution

Resolution adopted by the General Assembly of the United Nations "Traffic in Women and Girls" 53rd Session. 1.2.999, A/RES/53/116

Women in a Violent World, Feminist Analyses and Resistance Across "Europe", C.Corrin (ed), Edinburgh University Press, 1996.

Sex Trafficking Video, Women's Center for Education and Communication, Belgrade (Zenski Centar za edukaciju i komunikaciju)

Survey on Prostitution, migration and traffic in women: history and current situation, Council of Europe, Strasbourg, 1991.

Crime and Servitude: An expose of the traffic in Women for prostitution from the Newly Independent States, G.Caldwell, S.Galster, N.Steinzor, Global Survival Network, USA, 1997.

Strategies to Combat Sex Tourism and International Trafficking in Women, Friedrich Ebert Stiftung, Bonn, 1994. ISBN 3 86077 099 3.

Report of the World Congress against Commercial Sexual Exploitation of Children, part 1, Host Committee for the World Congress against Commercial Sexual Exploitation of Children, Stockholm, 1996. ISBN 91 630 5024 2.

Prostitution and Male Supremacy, Andrea Dworkin, 1993.

Gendering UN Peacekeeping, Louise Olsson, Uppsala University, Department of Peace and Conflict Research, 1999. ISBN: 91 506 13677.

Mainstreaming a Gender Perspective in Multi-dimensional Peacekeeping Operations, Louise Olsson, Uppsala University, Department of Peace and Conflict Research, 1999.

Trafficking, Liz Kelly and Linda Regan, University of North London, (home office study completed in 2000), UK.



III. CONCLUSIONS

Epilogue
Resources
Appendices

Epilogue

FURTHER ACTIONS

Adopt a Women's Rights Approach: Most of the humanitarian and aid agencies working on violence against women include it as a health issue. Whilst there are interventions to be made particularly, with regards to training and education of medical personnel, it is advised that the health issues are dealt with by health groups and that women's groups and women's agencies approach the issue from a Women's Rights Perspective.

There is clearly an absence of women's rights as human rights perspective within various UN agencies. Despite support from senior levels for more active work on women's rights, OSCE has only one officer based in Prishtina covering both women's and children's rights. Therefore there appears to be little capacity to integrate the issue into OSCE work apart from as a training component. Researchers have not been informed of or allowed to view any monitoring records of women's rights violations by this organization, and it is not clear if such monitoring is or is not taking place.²⁰⁵

UNHCR, which has supervised the KWI, has not clearly articulated the promotion of women's rights in their program but has focused on initiatives, which tangentially could be considered to ensure some kind of rights. An analysis of their funding decisions to date reveals a very conservative view of ways to encourage development for women, and a possible unwillingness to encourage projects which have clear women's rights agendas (projects funded are predominantly welfare and psycho-social initiatives).²⁰⁶ The head of KWI also has a community services responsibility, and is concentrated in a management role; whereas the UNMIK Office for Gender Affairs concentrates on processes within UNMIK.²⁰⁷ This is appropriate for their position, but one would hope to see the promotion of women's rights in the wider society as a clearly stated goal for all these agencies.

Reestablish trust between international and local agencies/institutions: Most local institutions and agencies are severely over worked and under funded. Morale is particularly low among teachers, social workers and medical staff.²⁰⁸ A general atmosphere of mistrust has built up between established local institutions/groups and international agencies. This seems largely due to lack of transparency and a tendency for international organizations and UN agencies to "use locals" and to then tell them what to do, rather than provide them with support they need and to accept that they have the right to choose what happens in their own

205 Such abuses might include but are not limited to: denial of schooling, denial of access to medical help, rape, and other forms of discrimination and violence.

206 This is sometimes explained in light of the conservative nature of Kosovo society; a view which experienced local women's activists have shown themselves able and willing to challenge and change. Kosovo society like any other has both conservative and radical elements.

207 Personal communication, acting head of UNMIK Office for Gender Affairs: "OGA is involved in largely invisible institution building, liaising between judiciary, KFOR and police to get them involved in gender. With regards to violence we will initiate a dialogue between different UNMIK entities, work individually with the judiciary. Generally Beijing and CEDAW are our bibles. But the main thing is getting the mechanism going."

208 "I have never wanted to resign until this year, since UNMIK came, it has been much harder than before." School Director, Prizren.

No Safe Place

community.²⁰⁹ All programs addressing violence issues need to find acceptable ways to support local institutions further rather than just acting as a drain on their energy.

Increase organizational actions to address violence against women issues: Very few agencies are directly working on violence against women issues (maybe less than six international organizations out of three hundred). Few are actually able to provide services – and in fact most if not all international organizations seem to be relying on local women’s groups or the Centers for Social Work to provide practical intervention.²¹⁰

Increase services for survivors of violence, and for vulnerable women: The safety net for many people has now been broken: widows or divorcees including those who return from asylum are particularly vulnerable. The bottom line is that few services really exist for the homeless or the severely traumatized. Those that do are very hard to locate. Presently whether an extremely vulnerable individual finds help or not depends almost entirely on luck.²¹¹ What is needed are actual places for widows, divorcees, and separated women to live in with their children.

Need to address social discrimination against widows and disabled women: There are many cases of widows having their children taken by the husband’s family and no place for support for them. Widows and divorced or separated women need to be addressed as a particularly vulnerable group. Disabled women need to be addressed also because they are a very much discriminated against and their status could slip in the economic struggles of the post-conflict period.

Need to respect the local culture and ways of healing: some women’s groups have encountered disapproval and criticism for the work they do with women when it incorporates singing and dancing. There is a need for greater understanding of the therapeutic value of such activities, which can help heal the mind-body split so common in torture survivors.

209 A social worker articulated it this way: "They talk to me as if I don't know what I was doing – I have 28 years of experience, and they just concentrate on telling me I don't know how to fill out their forms."

210 This information is gained from the questionnaire researchers sent out to all INGOs in Kosovo and from our discussions with other UN agencies. There are programs and INGOs we did not manage to find information about – but generally the locals in the towns we visited found it hard to think of any place they would go to for support apart from local groups/institutions.

211 The researchers asked various INGOs what would they do if the woman who came to them had no place to go back to, where could she sleep the night: In Peja it was suggested she goes to the nuns of Mother Teresa who care for the destitute. In Gjilan/Viti area there is an IRC run general shelter. In other places INGOs and NGOs could not think of any place.

FURTHER RESEARCH

Kosovar women identified many different types of violence but the ones they were most vocal about were structural: not being able to go to school, restrictions on movement, and lack of choice about marriage. Certain perpetrators were emphasized: family members of (newly) widowed women, workers in international organizations. It was not possible to fully investigate these issues. It is advised that readers consult other UN studies which give some (albeit limited) attention to them, including: the UNIFEM Assessment on Women at Work: The Economic Situation and Opportunities of Women in Kosovo (September 2000), and the United Nations High Commission for Refugees (UNHCR) Kosovo Women's Initiative Needs and Resource Assessment (April 2000).

Violence against particular groups of women

Research focused on the types of violence by perpetrators, however it is important to acknowledge that women do not all experience violence in the same way, and that some groups are more vulnerable. These groups all stressed that violence against them exists because Kosovar society fails to acknowledge their presence, and often denies them basic rights such as the right to work or the right to a family. This "invisibility" or denial then leads to an increased likelihood of other rights being violated and physical violence being experienced. International agencies and local groups in Kosovo could be encouraged to address the rights of these groups and to use a less restricted use of the term "minorities"; instead of using it only to refer to the need for protection for ethnic minorities, it is suggested that it is used also to refer to other minorities vulnerable to hate crimes – such as disabled women, widows, lesbians.

Disabled women

Women with disabilities are frequently kept inside the home, not educated, and generally denied a place in society. They also face prejudices which limit their opportunities to fully participate in community life. In many cases women with disabilities are married off to men who are not their intellectual equals, or they are denied the chance to start families at all.

Disabled groups in Kosovo such as "Zgjimi"²¹² women's group, emphasized the need to raise consciousness and self-esteem, as well as the need for education and employment aimed at independent living.

Globally, disabled women tend to be more vulnerable to sexual harassment, sexual violence and rape particularly if they are in institutions such as hospitals or separate schools. This is often linked either to physical inability to resist or to disbelief that anyone could find them "attractive." In Europe carers of disabled children or the elderly, have been found also to be vulnerable to abuse. There is anecdotal evidence that this is also the case in Kosovo. Disability rights activists mention that mothers are often "blamed" or made to feel it is their fault if they give birth to disabled children.

The paraplegic association of Kosovo "Handikos" is committed to building up the capacity of local groups of disabled women activists; however they need more input from disability

212 "Zgjimi" in English means "Awakening."

rights workers in order to do this, more funding, and strengthened links with local women's groups.

Widows

It is estimated that at least eleven thousand Kosovar Albanians were killed during the period from February 1998 until June 1999²¹³. For example the prosecutor of the ICTY noted that 2108 bodies had been exhumed out of a reported total of 11,334.²¹⁴ Whilst accurate statistics are not available it seems likely that one thousand women were killed and the majority of the other victims were men from rural areas. Given that most rural youth marry before the age of 20, we can assume that most of these killed were left behind by a wife.²¹⁵

In Kosovo a widow is potentially vulnerable because traditionally she is not considered to have primary right to keep property or children. She is faced with stark choices if she has children: either stay within the in-laws family and thereby get to keep the children, but sacrifice any future life for herself, or leave the children and remarry. In some parts of Kosovo, it is customary for the new widow to be "offered" the possibility of marrying a brother-in-law. This can be as a second wife if he is already married. This gives her the possibility of keeping her children, and means that her status is higher and therefore her treatment better, than if she was unattached to a man.²¹⁶

"In the village close by I know a twenty year old girl whose husband was killed and who has one child. She didn't want to leave the baby, but she has no education and so had to leave it and go back to her father's house. If she had stayed she would not be free to do anything. She would wear a scarf as a widow for the rest of her life. She will have to remarry." Activist, Liria Women's group, Gjilan.

Activists in Prishtina tell of numerous cases where widows have their children taken by their in-laws, as do human rights workers in other parts of Europe "The woman has custody of her 10-year old son, so for the moment, as long as both parents are still living in Germany things seem to be clear. But she is sure that her husband's family claims the boy, and she is afraid that as soon as she will be back in Kosovo they will take him away from her."²¹⁷

Second wives or co-wives

Polygamy is officially illegal, however the practice of taking more than one wife, is not unknown in Kosovo, and is probably more common than is publicly acknowledged. As far as the researchers are aware no one has investigated whether there are particular patterns of violence connected to being first or second wife.

Women at work

213 "Ethnic Cleansing in Kosovo: an Accounting" US State Department, December 1999.

214 Remarks to the Security Council by Madame Carla del Ponte, prosecutor, ICTY, 10.11.99.

215 See also the records in the Council for Defense of Human Rights and Freedoms reports.

216 Custody of children and taking of second wives, are both practices reflecting custom, and do not correspond with Yugoslav state laws.

217 Email communication from women's group working with Kosovar Albanian refugees in Germany, March 2000.

Sexual harassment in the workplace was identified by many local and international respondents as an issue which has yet to have been given the priority it deserves. Local people commonly believe that it is rampant within international organizations, and internationals (particularly but not exclusively women) also expressed opinions that it is widespread, and even when policies are in place, staff particularly locals are not sufficiently aware of them.²¹⁸

"I would be surprised if you could find a policy for harassment (of any type) within the UN. If there is one the UN is negligent because no one I've spoken to in the UN has had a single piece of paper informing them of harassment." CIVPOL Human Rights Officer, Prishtina.

There are also frequent reports of KFOR harassment "French KFOR speak to girls as if we are prostitutes. One time on the bridge they asked "will you sleep with me." They do body searches (for weapons) every time we cross the bridge. It's male KFOR – they even body search old women." Displaced woman, Mitrovica.

Examples are also known of alarming conduct by male bosses in Kosovo before the war: such as taking a secretary away and abusing her for weeks in a locked hotel room; offering jobs in cafes or offices on condition of sex (personal communications, 1997).

Sexual Minorities

Women who love women in Kosovo are rarely visible as "lesbians" although many of them are well respected and active in community work. Whilst few have faced explicit discrimination or violence, this is probably because most have decided to ignore, hide, or deny their sexuality.²¹⁹ Lesbian activists in former Yugoslavia believe that invisibility and stigmatization makes eastern European lesbians particularly vulnerable to isolation, and to violent or abusive relationships as well as increased chances of dependency on alcohol.²²⁰ This is because lesbian relationships in eastern Europe tend to be more clandestine in nature and so there are fewer social mechanisms of intervention in cases of difficulty. Partners tend to be more dependent on each other than in heterosexual relationships and because of stigmatization are potentially more vulnerable to behavior such as dependency on alcohol. All of these factors can increase likelihood of abuse within a relationship.

With minorities in a democratic society: public admission of discrimination by a few individuals can lead to the formation of solidarity groups. These groups then frequently go on to publicly articulate a common agenda and undertake actions to protect the minority against human rights abuses including violence. In Kosovo this process is evidenced through the formation of groups for widows in 1999, groups for disabled women in 1998, and the formation of one lesbian group in 1996.

218 The secretary of the Prishtina based NGO council commented "The Council is concerned and preparing to act because we are aware that no members have well publicized sexual harassment policies."

219 Kosovar Albanian are by no means intolerant: in 1996, a play "Love's Illusions" featured positive cameos of same-sex relationships. For the first year of its publication, articles appeared in "Koha" newspaper approximately once a month, concerning gay rights issues.

220 Personal communication: Kontra Lesbian Group Coordinator, Croatia 1998. A useful resource is "The International Tribunal on Human Rights Violations against Sexual Minorities", International Gay and Lesbian Human Rights Commission (IGLHRC), USA, 1995.

CONCLUDING REMARKS

For many women in Kosovo there is no safe place - before, during or after war.

"When it comes to women's rights they are somehow seen as negotiable, that you have to compromise them, that maybe you can't do anything: whereas the rights of minorities or of other groups are never seen this way.", OSCE Human Rights Officer, Prishtina.

The researchers found that violence against women including domestic violence, rape in war, trafficking and sexual slavery of women is widespread, pervasive and persistent. However despite efforts it is difficult to ascertain truly accurate information, due to the sensitive nature of the issues and the lack of systematic monitoring and data collection. Women in Kosovo who were interviewed see a continuum of violence against women affecting females at different stages of their lives.

Greater resources and efforts are needed by local and international institutions, to provide services which can effectively reach survivors and to ensure that women's rights are upheld.

The international community has tended to respond to violence against women as a protection issue but this cannot effectively address the problem when women's rights generally are not given appropriate attention and emphasis. Violence against women has to be regarded as a violation of human rights and a critical barrier to women's involvement and equality in society. In Kosovo there is definitely a need to move from a welfare approach to a human rights approach and to encapsulate in a meaningful way an understanding and commitment that "women's rights are human rights." The many conferences, papers, resolutions and documents supported and signed by actors in the post-conflict/humanitarian zones reflect a commitment to a woman's right to live free from violence. But unless these are also fully integrated into institutional memory, structures, processes and procedures they will remain largely ineffective tools for change.

It is important not only that the international community is seen to live up to its own standards but also that it is seen to acknowledge violations when they appear in institutions such as INGOS, the UN, OSCE and KFOR. Otherwise whilst humanitarian interventions may be seen to offer general protection on one hand on the other, they actually present a danger of increasing the potential abuses against local women.

In Kosovo the international community's political agenda has translated into prioritization of certain hate crimes over all others: ethnically motivated violence is given attention regarding awareness raising, prevention and prosecution. Other hate crimes including those committed on the basis of gender, are not considered as serious by police, legal system, UN administration.

Violence in a public place, rape in war, trafficking of "innocents" for sexual slavery are all largely unquestioned as areas for protection and intervention (even if action is slow or insignificant). But violence in the home, rape by known men, abuse of migrant women and

prostitutes are still considered problematic areas, and ones where it is not polite to mention them in front of well meaning humanitarians. The appropriateness of intervention and protection in these cases are more likely to be delayed and queried than effectively carried out.

In the phase of transition and post-war development in Kosovo there are substantial opportunities to affect positive change for women as reforms are carried out of the social institutions, the justice system, education, social services, health care and the promotion of civil society. The large body of active rural and urban women (and men) who express a desire for change and support reforms so that greater equality is effected deserve greater international attention particularly concerning their views on how effective changes can be brought about. Most of the measures and recommendations put across in previous chapters are those which have been vocally requested by local people in discussions with the researchers and in the (limited) forums where they have been listened to by international actors and decision makers. Some initiatives/actions are already being put into practice.

In order to prevent further violence against women in war and in peace time, global politics must address the connections and linkages between state violence and gender violence. In this sense the real challenge for the new millennium is the transformation of global politics especially in post-conflict interventions, into a process that really can ensure human rights for all people, both male and female.

Appendices

Appendix 1: Sufficiency of Applicable Law to Address Elements of Domestic Violence

Elements of domestic violence	Corresponding articles in applicable law (refers to Kosovo Criminal Code, unless otherwise indicated)	Additional comments
1. Physical abuse	Article 30 (Murder)	
	Article 30 and FRY Article 19 (Attempted murder)	
	Article 33 (Murder of the moment)	Reduces punishment if the defendant is in a “state of strong psychic shock following serious insult by the murdered person.”
	Article 38 (Grave bodily injury)	Article 38(5) Reduces punishment if the defendant is in a “state of strong psychic shock following serious insult by the murdered person.”
	Article 39 (Light bodily injury)	
	Article 41 (Threat with a dangerous tool in brawl or quarrel)	
1.1. Sexual assault	Article 74 (Violation [sic] sexual intercourse)	Deficient because it does not punish acts committed against the wife or a male victim, and does not punish other violations that fall short of sexual intercourse (check “dishonourable sexual act” in Article 79).
	Article 75 (Compelling one to sexual intercourse)	Deficient because it does not punish acts committed against the wife or a male victim, and does not punish other violations that fall short of sexual intercourse (check “dishonourable sexual act” in Article 79).
	Article 76 (Sexual intercourse with helpless person)	Deficient because it does not punish acts committed against the wife or a male victim, and does not punish other violations that fall short of sexual intercourse (check “dishonourable sexual act” in Article 79).
2. Emotional/ psychological abuse	---	Need to have a general article on psychological abuse not involving threats of force
2.1 Coercion	Article 46 (Coercion)	
	Article 48 (Endangering the security)	
3. Harassment	---	
4. Stalking	---	
5. Property damage	Article 145 (Damaging another person’s object)	

No Safe Place

Elements of domestic violence	Corresponding articles in applicable law (refers to Kosovo Criminal Code, unless otherwise indicated)	Additional comments
16. Forcible entry	Serbian Article 68 (Violation of the inviolability of home)	Deficient because it refers to breaking into another's home "without proper authorization". May be applicable if there were a restraining order in place; not applicable otherwise, because a person would not need proper authorization to break into their own home.
7. Forcible confinement	Serbian Article 63 (Unlawful detention)	Refers to "unlawful" detention or deprivation of freedom. Need to clarify that this should be interpreted to apply to domestic violence situations.
8. Acts involving children		
8.1 Abduction of children	Article 87 (Taking away the minor)	Deficient because it refers to abduction without parental consent, so abduction by parent would not be covered by this crime (check with Albanian)
8.2 Physical abuse of children	Same comments for 1 apply	
8.3 Sexual abuse of children	Article 77 (Sexual intercourse or unnatural sexual acts with a person who has not turned fourteen years of age)	
	Article 91 (Incest)	Refers to sexual relationship, not sexual intercourse

Compiled by Phyllis Hwang, OSCE, Prishtina

Appendix 2: Actions to Prevent Violence Classified by Sector

**From "Violence in Latin America and the Caribbean: a Framework for Action"
M Buvanic, A Morrison, M Slufter**

Actions to prevent violence classified by sector

From "Violence in Latin America and the Caribbean: a Framework for Action",
M Buvanic, A Morrison, M Slufter (*with a few changes made*).

Sector:	Actions:
Education	Educational programs that teach conflict resolution skills. Non-sexist curricula and school texts. Cognitive behavioral interventions (anger management, self-control, moral reasoning and social perspective taking). Improved school climate (teacher management, school policies and rules, school security, actions to reduce bullying). Increased cooperation with health clinics, police, social services. Peer mediation programs.
Health	Increased access to reproductive health services. Increased identification of victims in health care settings (protocols etc). Improved record keeping of violence victims. Home visits of new mothers. Violence prevention information for women who use medical services. Programs to reduce substance abuse. Healthy baby/healthy mother programs Parenting skills education for men.
Justice	Decentralized, alternative centers for dispute resolution. Violence prevention activities in judicial reform projects. Laws/regulations restricting sale of alcohol. Agreements to limit and control gun availability. Reform of justice system to reduce levels of impunity. Training of judiciary on domestic violence, trafficking.
Police	Community and problem orientated policing. Police training including domestic violence and human rights training. Increased cooperation with other agencies (e.g. social work). Gun control, and gun surrender initiatives. Affirmative action in police recruiting. Improved information gathering, record keeping and reporting.

Appendix 3: Violence Against Women by State Agents

STATISTICS ON MISSING and MASSACRED

"Every death is one death too many. And it destroys the living as well as the person who died." Investigator in International Criminal Tribunal of the Hague.

"Killing might seem simple, but it requires complicated logistical arrangements to dispose of the bodies. What happened in Kosovo was not random killing but preplanned and organized." ICTY

Statistics from the Council of Defense of Human Rights and Freedoms:

From March 1999 until September 1999:

Lists 6741 people killed. Of these 996 women over the age of 18 known to be killed or massacred in Kosovo.²²¹

Women listed killed were from Mitrovica, Rrahovec, Vushtrri, Gjakova, Malisheva, Lipjan, Decan, Peja, Podujevo, Gjilan, Glogoc, Istog, Fushe Kosova, Skenderaj, Kacanik, Prishtina, Shtime, Ferizaj, Obiliq, Suhareke, Vushtrri,

- 15 of the women killed are still unidentified.
- 117 women are missing (and included in IFRC statistics on missing persons from IFRC)
- 362 women are known to be wounded.
- 553 children under the age of 16 were killed.
- 11 women are held as political prisoners in jail in Serbia (it is not clear if this includes 3 women who were in for murder of abusive men).²²²

Statistics from the International Federation of Red Cross

From January 1, 1998 until February 2, 2000:

4334 people are missing of these: 2987 remain unaccounted for, of these: 1875 reportedly arrested by Yugoslav forces or civilians, 346 reportedly abducted by the KLA or Kosovar Albanian civilians, 766 there is no information.

102 have been confirmed dead

1346 have been confirmed alive, of these: 1297 have been visited in prison.

Graves known to contain bodies mostly or exclusively of women and children: discovered until August 1999.

*Statistics are still not certain, as there is evidence that bodies were not always buried where they were killed, but removed, reburied, and in some cases detonated.*²²³

221 Locals do not believe this figure but put it as high as 30,000 killed.

222 Fatime Boshnjaku a former political prisoner told UNIFEM that, at the time of her imprisonment there were three women in prison who had been sentenced in Kosovo after committing murder. One was from Mitrovica, one from Gjakova and one from Peja.

223 For example in Krushe e Vogel the bodies were detonated after being burnt. Conversation with ICTY, Kosovo: March 2000. In Glogoc, according to the State Department reburials also took place (p39)

From the Council of Defense of Human Rights and Freedoms:

Prishtina: (where 16 graves have been found) Muhagjerve – 24 bodies.
Grashtice: 1 woman 40 years old found in mass grave
Butovc, Berishajve: 8 individual graves, 1 mass grave.
Istog, Sarandan: 1 body firmly identified of 54 year old woman, in grave of 14 bodies.
Istog, Llugaj, Lubozhde: unidentified body of woman discovered with body of man.
Kline, Doberdol: 2 bodies found in well, one definitely body of woman around 45 years old.
Tortured previous to being thrown in well.
Kline, Drini te bardhe: 2 bodies discovered.
Glllogovc, Çikatova e Vjetër: 11 bodies discovered, two positively identified as female, one aged 60, one aged 25.
Malisheve, Kijeves: One 80 year old woman found.
Decan, Wood of the Prekalla twins, mass grave found with hair and clothes. Massacred bodies found in Lumbardhi including of 40 year old unidentifiable woman.
Kacanik, Podrim: decomposed body of woman found, supposed to be female.
Rahovec, Krushe e Madhe: Contains at least 10 mass graves, 3 others are reported. 204 murdered by Serbian forces. 1 house contained burnt remains of 63 people including women and children, a yard contained 18 burnt bodies found unidentified.
Skenderaj, Qirez: 5 bodies found of girls around the age of 14, 4 unidentified. Plus 1 body of an old woman found.
Ferizaj, Old Ferizaj village: 2 burnt corpses found in room in house.
Mitrovica, Trepca: Approximately 700 bodies mixed by age and sex discovered. (ICTY investigation did not confirm this report).
Gjilan, Dunav te Malesi: Mass graves and also body of 80 year old paralyzed woman killed at home and then covered up.

From the US State Department:

Brdosavce, local and international sources: 70 women and children
Qirez, local sources: 150 men and women killed. Alleged 20 women and children thrown down wells after rape.
Dubrava: ICTY confirmed 9 bodies. Local sources report one is female.
Mitrovica: Mother of Agim Hajrizi²²⁴ Landovica: international source, mostly women and children.
Laniste: local source, 1 female body with 4 males.
Leskovec: 15 bodies alleged, "reportedly Kosovar Albanian women who were enslaved and killed by the VJ."
Lukinaj: local and international sources, and press. Many bodies in burnt house including women and children.
Lovce: ICTY found 7 bodies. Local sources suggested 2 women among victims.
Miljaj: ICTY confirmed 4 bodies. Local reports alleged 20 women at 6 sites, in former Serbian positions.
Orahovac: ICTY confirmed 91 bodies. Local sources had reported massacres including women and children.
Raka: KFOR identification of 2 bodies, 1 male and 1 female.
Spahija Mahall: Local sources and KFOR, 9 bodies. Some female.

224 A woman with the name of Nazmije Hajrizi is also listed by CDHRF no 4053, p 109.

Staro Selo: ICTY confirmed 2 women in septic tank. 4 other bodies not identified by sex.

Stajglavica: ICTY confirmed 2 women and 2 children amongst site containing six.

Studenica: ICTY confirmed 9 bodies. Believed to be one family including at least 4 women.

Velika Krusha: ICTY confirmed 98 bodies. Local sources report these include women and children.

Vrbovac: ICTY confirmed find of 25 bodies. Local sources report group of 15 men and women being massacred.

Vuciturn: Local sources report killing of 14 year old girl in group of 4.

Appendix 4

Kosovar Women 's Groups/ NGOs

a) Community Development for Women and Girls: including awareness raising, education, courses, advocacy, lobbying, media work, psycho-social work.

Name	Place	Founded
Aureola	Obiliq, Skenderaj	1996
Albanian women's league	Prishtina, Drenica, Decan etc	1992
Antigona	Skenderaj	
Drita	Prishtina, Krushe e Madhe.	1998
Elena Gjika	Klina	1999
Estetika	Skenderaj	1999
Femrat e Llapushes	Malishevo	
Femrat ne zhvillim	Shtime	
Flaka	Lipjan	1998
Flaka	Prishtina	1998
Iniciativa e gruas	Kacanik	1999
Jehona	Fushe Kosova	1999
Kosovaja	Prizren	1999
Kujtimi	Mitrovica	
Legjenda	Viti	1996
Liria	Gjilan	1998
Macrame	Prishtina	
Motrat Qiriazhi (MQ)	Has, Mitrovica, Krushe e Vogel	1989
Paqa	Ferizaj	
Shpresa	Glllogovc	1998
Teuta	Prizren	1999
Women's association	Gjakova	

b) Culture, poetry, music

Women Artists & Veterans of education,	Vushtrri	1993
Women's choir	Peja	1989

c) Income generation, businesses, crafts production, employment

Artizanati	Gjakova	
Ardhemia	Prishtina	1997
Femrat ne veprim	Peja	1999

		No Safe Place
Macrame	Prishtina	1998
Motrat Qiriazhi	Prishtina, Krushe e Vogel	1989
She-era	Gjakova	1999
d) Legal advice		
Norma	Prishtina	1999
Kodi	Peja	
e) Medical support		
Center for protection of Women & children	Prishtina, Gjakova, etc	1995
f) Disabled women's rights		
Disabled women's council	Prishtina, c/o Handikos	2000
Zgjimi	Mitrovica, Skenderaj, Vushtrri	1999
g) Other		
LP (lesbian) club	Prishtina	1996
Sfinga women's publishing & translation,	Prishtina	1998
Vita sports council	Gjakova	

Appendix 5:

**Regional women's groups with expertise in violence against women work
Safe houses, legal reform, training, SOS-hotlines, lobbying etc.**

One email address is given for each country – this is where information about other women’s groups and initiatives in this country/region, can be found. Most of the groups listed here have had connections and/or done work with Albanian women’s groups from Kosovo. A few have also worked with women from other ethnic groups.

Place	Name	Contact
Albania, Tirana:.	Women’s counseling center	tina@women-center.tirana.al
Bosnia, Zenica:.	Medica women’s therapy center	medica@bij.net.ba
Bosnia, Sarajevo:.	Zenazenama	
Croatia, Zagreb:	B.a.B.e women’s rights Center for women war victims SOS-telephone Kontra (lesbians) Women’s studies	cenzena@zamir.net
Serbia, Beograd:	Autonomous women’s center against sexual violence SOS-telephone line Girls" center Incest center Labris lesbian group Iz-kruga (disabled women)	awcasv@eunet.yu
Regional: (ex-Yugoslavia)	ICE - Women’s trainers network Experienced trainers for women & violence, women’s NGOs capacity building, management/organizational development.	

Appendix 6:

Kosovar NGOs and institutions

Key Kosovar NGOs and institutions:

Name	Place of head office	Acronym
a) NGO support		
Kosova Foundation for Open Society	Prishtina	KFOS
Kosovar Civil Society Foundation	Prishtina	KCSF
b) Human Rights		
Council for the Defense of Human Rights & Freedoms	Prishtina	CDHRF
Humanitarian Law Fund	Prishtina/Beograd	HLW
Handikos – association for paraplegics	Prishtina	
Independent Trade Union of Kosova	Prishtina	
Rural Women’s Network	Prishtina	RWN
Centers for protection of women & children	Prishtina	CPWC
b) Work with war victims		
Red Cross of Kosova	Prishtina	KKK
Center for Rehabilitation of Torture victims	Prishtina	
c) General Social Welfare		
Mother Theresa Association	Prishtina	MTS
Centers for Social Welfare	Prishtina	QPS/CSW

Appendix 7:

International organizations in Kosovo working on women's Issues / violence issues (not exhaustive)

Place	Name	Details
a) Direct Services to Women		
Gjakova	Medica mondiale Kosova	Counseling, medical care, trauma work, legal support, advocacy.
Peja	Women's Wellness Center (IRC)	Male and female educators on violence against women.
Peja	Sisters of Charity	Care for the destitute.
Prizren	Angel's Trust	Day care and support.
Prishtina	International Organization for Migration (IOM)	Support to victims of trafficking.
b) Capacity Building for local women's groups		
	Kvinna till Kvinna	Funding, international advocacy, lobbying.
	STAR Network of World Learning	Training and networking.
	OXFAM UK/I	Networking and support, advocacy, lobbying.
c) Support to women through community development		
Peja	Norwegian People's Aid	
Peja	Concern	
Mitrovica	UMCOR	
Various	Oxfam UK/I	
Various	Italian Consortium of Solidarity	
Various	Austrian Caritas	
d) Health programs with a gender element		
	Mercy Corps International	Reproductive health work.
	Doctors of the World	Women's health work.
	International Rescue Committee	Reproductive health work.
	World Health Organization	Training, advocacy, awareness raising.

e) General counseling and trauma recovery programs

Child Advocacy International	Counseling under 25 year olds.
Medicines sans Frontiers	Counseling.
International Federation of the Red Cross & Red Crescent.	Counseling.
International Catholic Migration Council	Counseling.
IOM	Training of counselors.

f) War crimes documentation/ investigations

ICTY	Investigative unit for the Hague, International Criminal Tribunal.
IFRC	Missing people, support to families of missing.
ABA-CEELI	International human rights work.

Appendix 8:

International institutions in Kosova with women's programs

UNIFEM, Prishtina Advocacy, research, support; violence against women, government and leadership, women and economic empowerment.

UNMIK, Prishtina "Office of Gender Affairs": mainstreaming gender issues into governmental processes.

UNICEF, Prishtina Protection and promotion of children's rights and service provision; work with women as mothers.

UNHCR, Prishtina Kosovo Women's Initiative: funding of women's projects.

OSCE, Prishtina One Woman and Children Officer: remit for protection and promotion of women's rights.