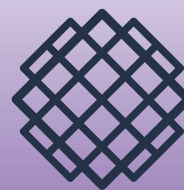




Republika e Kosovës
Republika Kosova
Republic of Kosovo



Zyra Kombëtare e Auditimit
Nacionalna Kancelarija Revizije
National Audit Office

Performance Audit Report

EFFECTIVENESS OF INSTITUTIONS IN PROCESSING OF DOMESTIC VIOLENCE CASES

Prishtina, August 2023



The technical assistance part of this report was supported by UN Women under the framework of the programme “Transformative Financing for Gender Equality towards more Transparent, Inclusive and Accountable Governance in the Western Balkans” implemented on the regional level and funded by SIDA.

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This audit was conducted in accordance with the International Standards of Supreme Audit Institutions (ISSAI 3000¹) as well as with European good practices.

Performance audits undertaken by the National Audit Office are objective and reliable reviews that assess whether government actions, systems, operations, programs, activities or organizations operate in accordance with the principles of economy², efficiency³ and effectiveness⁴ and whether there is room for improvement.

The Auditor General has decided on the content of the performance audit report “Effectiveness of institutions in processing of domestic violence cases”, in consultation with the Assistant Auditor General, Myrvete Gashi Morina, who supervised the audit.

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1 Standards and guidelines for performance auditing based on INTOSAI's Auditing Standards and practical experience.

2 Economy - The principle of economy means minimizing the cost of resources. The resources used must be available at the right time, in the right quantity and quality, and at the best possible price.

3 Efficiency - The principle of efficiency means getting the most out of available resources. It is about the relationship between the resources involved and the result given in terms of quantity, quality and time.

4 Effectiveness - The principle of effectiveness means the achievement of predetermined objectives and the achievement of expected results.

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List of abbreviations

Moj	Ministry of Justice
SOP	Standard Operating Procedures
CSW	Center for Social Work
AI	Administrative Instruction
NAO	National Audit Office
OPAV	Office for Protection and Assistance to Victims
ONCDV	Office of the National Coordinator for domestic violence
PO	Protective order
EPO	Emergency protective order
TEPO	Temporary emergency protective order
PS	Police Station
NDB	National Data Base

Executive Summary

The National Audit Office has performed the performance audit “Effectiveness of institutions in processing of domestic violence cases“. The processing of domestic violence cases is conducted by a number of institutions such as: Kosovo Police, Office for Protection and Assistance to Victims, Basic Prosecutor’s Office, Basic Courts, Centers for Social Work and Shelters, which offer different services in certain stages. The objective of this audit was to assess whether the responsible institutions have undertaken the appropriate activities and measures to process the cases of domestic violence, such as the response, protection and rehabilitation of victims of violence, to ensure institutional support.

This audit is focused on the process of handling the reported cases of domestic violence, from the moment of the reporting to the police to forwarding of the cases to the courts, with a special focus on two regions: the Region of Pristina and the Region of Peja because these two regions have the highest number of reported cases of violence. This audit covered the period between 2020-2022.

Our audit results indicate that although the responsible public institutions have undertaken a series of actions to process the domestic violence cases, satisfactory results have not been achieved for the protection and rehabilitation of victims. To reach the effectiveness of the services offered, more institutional commitment is required. The state system has shortcomings in assigning of primary investigators, involvement of victims’ defenders, timely review of cases by judicial bodies, as well as registration of reported cases. The victims do not have social support, in particular their support is lacking in the economic aspect. Also, programs for the treatment of perpetrators are missing.

There are shortcomings in the adequate assignment of human resources, in monitoring procedures and in supporting victims during rehabilitation. During the intervention and provision of emergency services, the police responds in optimal time, but weaknesses have been identified in assigning of police investigators, lack of procedures for monitoring the protective orders, failure to convey information to the victims’ defenders, as well as weaknesses in the registration of cases. On the part of the Office for Protection and Assistance to Victims, unhandled cases, shortcomings in their involvement throughout the process, as well as weaknesses in the instructions for compensation of damage, have been noted. Meanwhile, in the Centers for social work there is a lack of designation of social workers who should only deal with domestic violence cases, as well as a lack of treatment of the perpetrators.

The delays in processing domestic violence cases are evident in the institutions of justice, namely the Courts. The Basic Courts are still facing the transfer of unresolved cases from previous years, where some of them are dating from 2016. Based on the statistics provided, we have noted that the process in criminal proceedings in domestic violence cases takes more than a year. Regarding the received civil cases, as well as by whom the requests for further consideration were submitted, we note that in the Basic Courts requests for protective orders are submitted by the defenders of the victims, by

the protected party as well as the authorized representative of the protected party, as required by the procedure.

Lack of institutional commitment in registering data in the National Data Base for domestic violence cases. Kosovo Police is one of the responsible institutions that registers data in this database, in a continuous and inclusive manner. An emphasized lack of data recording has been observed in the Basic Courts and the Prosecutor's Office of Peja. Likewise, the cases registered in the NDB are not classified or prioritized based on their sensitivity. This hinders the effective mobilization and proper planning of activities to address specific cases of domestic violence.

For the improvement of this process, a total of 19 recommendations have been given for 6 institutions, according to the identified defects: 3 recommendations for the Kosovo Police, 3 for the Office for Protection and Assistance to Victims, 4 for the Centers for Social Work, 2 for the Basic Prosecutor's Office, 2 for the Basic Courts as well as 5 for the Ministry of Justice. The list of recommendations is presented in Chapter 5 of this report.

The response of the parties involved in the audit

The Office for Protection and Assistance to Victims, the Center for Social Work in the municipality of Peja, the Ministry of Justice and the Kosovo Police have agreed with the findings and recommendations of the audit. While we have not received a confirmation letter from the Basic Prosecutor's Office in Prishtina, the Basic Prosecutor's Office in Peja, the Prishtina Basic Court, the Peja Basic Court as well as the Center for Social Work in Prishtina municipality.

INTRODUCTION

01

1. Introduction

According to international conventions, domestic violence is one of the forms of serious violations of human rights.⁵ This phenomenon, which has its own dimensions in our society, continues to be one of the forms of human mistreatment that in some cases ends in fatality. There is no universal definition of domestic violence, however, in Kosovo it is defined as follows: intentional action or inaction that results in abuse when committed by a person who is or has been in a family relationship with the victim.⁶

Domestic violence is a phenomenon that mostly happens out of the public eye, but its consequences affect the wider community and is the root cause of a wider range of social anomalies.⁷

We must emphasize that before the recent legislative changes, the state instruments available to eliminate inequality were limited in terms of targeting domestic violence. This has also been proven by the research conducted in 2019 by the OSCE, which emphasizes the lack of state mechanisms and the need to strengthen institutions to support victims of domestic violence.⁸

The forms of domestic violence are categorized as physical, psychological, sexual and even economic abuse.⁹ The groups most at risk of being exposed to violence in family relationships are women, children, the elderly, persons with disabilities, as well as LGBT persons.¹⁰ In cases where traumas appear as violent behavior, especially in the male gender, if these cases are not treated and supported in time, their condition will continue the same or may even worsen.¹¹

Starting from the policy drafting aspect, the main strategic objectives have already been foreseen within the first strategy of 2016/22. The objectives of this strategy with few changes have been the main points of reference in the subsequent strategy 2022/26.

5 Council of Europe Convention on preventing and combating violence against women and domestic violence. <https://rm.coe.int/168064d3f6>

6 Law no. 03/L-182 on protection from domestic violence, Assembly of Kosovo, article 2.1(1.1): Defines it as such between persons who are or have been engaged, are or have been married; are or have been in an extramarital union; live together in a shared economy, as well as use a shared house and are related by blood, marriage, adoption, parentage or are in a guardianship relationship, including parents, grandparents, children, nephews, brothers and sisters, aunts, uncles and uncles or cousins, are parents of a joint child, are procedural parties in a dispute from family relations; <http://www.assemblykosova.org/common/docs/ligjet/2010-182-eng.pdf>

7 Impact evaluation of Mandatory protection measures on domestic violence, Evaluation society in Bosnia and Hercegovina, Fq13 <https://www.researchgate.net/publication/351006179>

8 Survey on Well-being and Safety of Women in Kosovo, 2019, OSCE

9 Reporting on domestic violence, November 2018, Guidelines for journalists <https://www.osce.org/files/f/documents/1/7/404351.pdf>

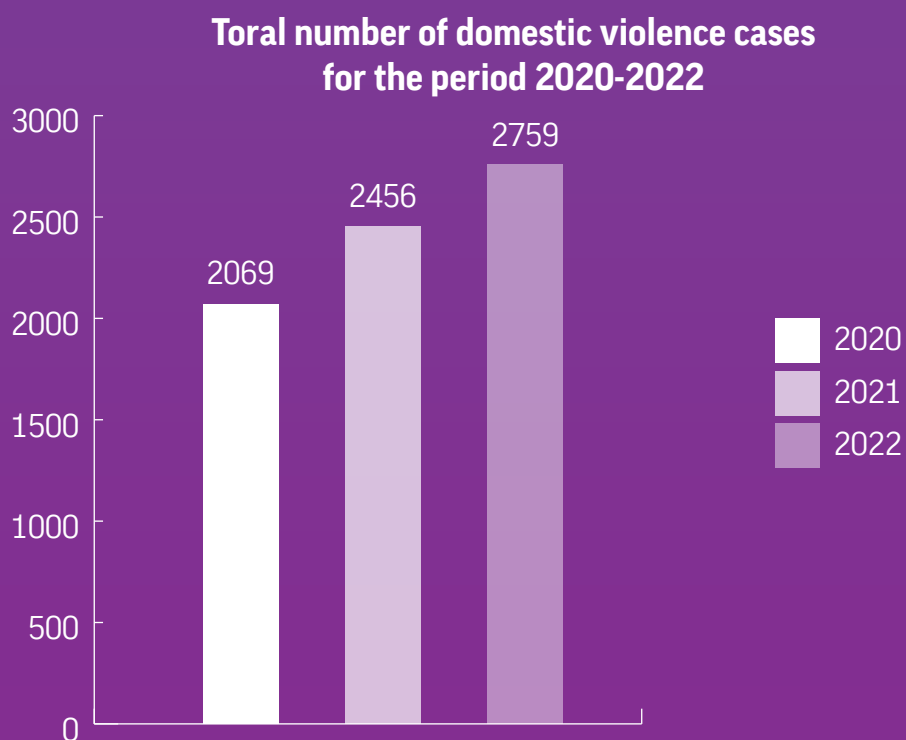
10 National strategy for protection from domestic violence and violence against women 2016-2022 Standard operating procedures <https://kryeministri.rks-gov.net/wp-content/uploads/2022/05/ALB-Strategjia-Kombe%CC%88tare-pe%CC%88r-Mbrojtje-nga-Dhuna-ne%CC%88-Familje-dhe-Dhuna-ndaj-Grave-2022-%E2%80%93-2026.pdf>

11 Interview with psychologists at the Center for social work in Pristina-Bregu i Diellit Unit

It is worth noting that the main pillars of the state's strategic commitments are based on response, protection and rehabilitation of the victims of domestic violence. ¹²

In the graph below, we have presented the number of reported domestic violence cases, during the last three years at the country level.

Graph 1. Number of domestic violence cases for the period 2020-2022



It can be observed from the graph that domestic violence cases in 2021 have increased by about 19% compared to 2020, while in 2022 domestic violence has increased by about 12% compared to 2021.

¹² National strategy for protection from domestic violence and violence against women 2016-2022 <https://kryeministri.rks-gov.net/wp-content/uploads/2022/05/ALB-Strategjia-Kombe%CC%88tare-pe%CC%88r-Mbrojtje-nga-Dhuna-ne%CC%88-Familje-dhe-Dhuna-ndaj-Grave-2022-%E2%80%93-2026.pdf>

AUDIT OBJECTIVES AND QUESTIONS

02

2. Audit objectives and questions

The objective of this audit is to assess whether the responsible institutions have undertaken the appropriate activities and measures to process the cases of domestic violence such as: response, protection and rehabilitation of victims of violence, to ensure institutional support.

Through this audit, we aim to provide recommendations that will contribute to improving the level of cooperation between the institutions responsible for processing domestic violence cases, and contribute to the quality of services offered to the victims.

Audit questions

In order to meet the audit objective, the following questions were asked:

1. *Do the responsible institutions respond efficiently to the reported domestic violence cases?*
2. *Do the responsible institutions effectively protect domestic violence cases?*
3. *Do the victims of domestic violence receive adequate support and assistance during the rehabilitation phase?*

This audit has included the period from 2020-2022 and has focused on the process of handling the reported cases of domestic violence, from the moment of reporting to the police until they are taken to the courts.

The audit was adapted to the functioning of the case management system and is focused according to the following order;

- *At the central level, Ministry of Justice, (hereafter MoJ).*
- *At the regional level, Office for Protection and Assistance to Victims (hereafter OPAV), Prosecutor's Offices and Basic Courts, as well as*
- *At the local level, the Police and the Center for Social Work (hereafter CSW).*

The methodology and scope of the audit are presented in **Annex 1**.

AUDIT FINDINGS

03

3. Audit findings

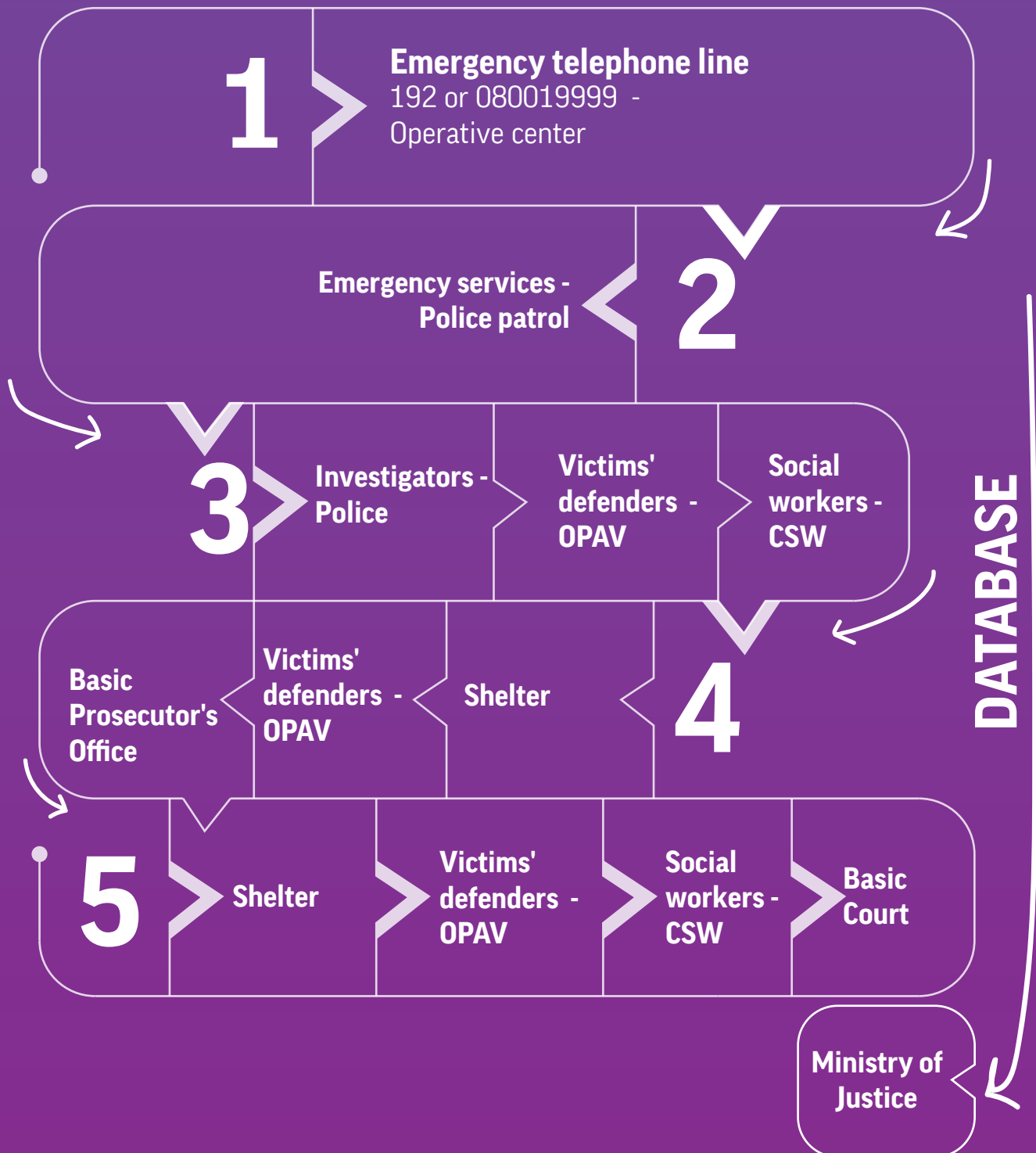
This audit is based on the main strategic pillars, which are broken down to the audit objective. The activities of the responsible institutions are oriented in three main directions: response, protection and rehabilitation of cases of domestic violence.

These three issues were also addressed through a survey conducted in two shelters, where we managed to get answers from 40 sheltered women over the last 2 years, where their stay in the shelter ranged from several weeks to 6 months. This research was conducted through interviews, the respondents responded by anonymously completing a questionnaire. It should be noted that over 600 people have passed through these two shelters during this period.¹³ Considering that not all domestic violence cases go through the shelters, this survey does not represent the opinion of the broad mass of this group. However, after these 40 women have gone through all the steps of the process, this survey reflects to a certain extent an overview of their impressions of how they were treated by the responsible institutions.

¹³ Të dhënat e marra nga strehimorja e Prishtinës dhe ajo e Pejës

The processing of domestic violence cases takes place in five steps, which are presented in the diagram below.

Diagram 1. Steps of processing domestic violence cases, institutions and parties involved in the process



First step – Emergency telephone line (Reaction)

The first possible reaction of the victim after the incident is to call the accessible number for domestic violence cases 080019999 or 192 which is available 24/7, this call reaches the police operation room. The call center must receive the information and forward it to the shift manager so that this information can be passed on to the nearest police patrol. The dispatcher also gives reasonable instructions to the victim or person reporting the incident as to which safety actions should be taken while waiting for the police to arrive at the scene.

Second step – Police patrol intervention (Response)

The police patrol is obliged to intervene immediately to ensure the protection of victims of domestic violence, as well as to arrest the alleged perpetrator in order to prevent further violence. Their professional and serious approach to the victim is very important in the further proceedings of the criminal prosecution. The police patrol is also responsible for securing evidence and assessing the circumstances. The police officer must request that the investigators and the forensic come to the scene when there is material evidence, take care of filling out all the necessary forms for the initiation and completion of the case, which is then handed over to the shift supervisor.

In case of need, the police patrol requests that the medical services and help for the injured come to the scene. Depending on the injuries, transportation to the health institution should be provided for the victim and other persons.¹⁴

Third step – Taking first statements from conflict participants (Protection)

The investigator together with the investigation supervisor and the shift supervisor compile the risk assessment for the domestic violence case and informs the victim about other assistance services. This risk assessment includes a physical violence assessment and a risk prediction of the incident, taking into account the circumstances and the evidence. Later on, the other responsible institutions would have a clearer understanding of the situation and undertake their actions in accordance with this assessment. The investigator is also responsible for informing the victim that he/she can also be protected through a “temporary emergency protective order” issued by the police. Also, the victim must be notified that this protective order is issued only during the non-working days and its term will expire on the next first working day. This order must be issued by the regional supervisor of domestic violence only at the request of the victim.

¹⁴ Law on Protection from Domestic Violence; article 24 paragraph 5

The investigator must interview the victim in the presence of the victim's defender and the social worker, they help the victim decide whether to go to the shelter, and inform him/her about their rights and compensations. The investigator also interviews the perpetrator, opens the case, prepares the daily report, which will be further processed for statistical evidence, keeps the evidence file in the internal files of the investigators at the police stations and registers it in the general database.¹⁵

The investigator is also responsible for coordinating all investigative actions with the State Prosecutor, for preparing the "Criminal Charge" and submitting it to the Prosecutor's Office as soon as possible.

The victim's defender is obliged to urgently contact/meet the victim after receiving notification of the domestic violence case. He instructs the victim on the right to submit a request for a protective order, at the same time, in accordance with it, he prepares the form of the protective order for approval in court. He must also notify the victim that he/she has the right to submit a legal property claim or compensation for the damages suffered by the perpetrator of such an act; divorce proceedings, including compulsory reconciliation proceedings and child custody matters

The Social Worker who is on shift at the time the incident occurred, must be present in cases where there are children and sensitive persons involved or affected by the incident. The Center for Social Work assigns a case manager to follow the case, while allowing the victim to complete the 48-hour reflection period before taking another statement from the victim and before drawing up the individual plan in collaboration with the victim.¹⁶

Fourth step – Post-Emergency Responses (Protection)

Shelter caregivers play an important role in victim protection after the emergency response. They are obliged to provide a safe shelter for the victims and provide other needs such as: food and clothing. The manager/psychologist or caregiver is obliged to advise the victim on psychological treatment, also to ensure access to health care and other public services for the continuation of life.

The victim's defender is required to be in constant contact with the victim and to be present if additional work with the prosecutors is needed. During the investigation phase the victims' defender may request from the state prosecutor to obtain or preserve evidence that may prove the damage caused by the criminal offense. The victims' defender may participate in the questioning in the preliminary prosecutorial proceedings, presenting the victim's request for the continuation of the detention measure, if necessary.

The prosecutor must act with urgency and priority, always taking into account the specifics of the domestic violence case. He is tasked with reviewing the evidence of a domestic violence incident to

¹⁵ Standard internal procedures and agreement document between institutions 2019

¹⁶ The standard operating procedure for protection from domestic violence approved in 2013 by the Government of the Republic of Kosovo

determine whether there is sufficient evidence to justify and support the prosecution of the case. This also includes the assessment for protective / restraining orders.¹⁷

Fifth step - Decision Making and Further Procedures (Protection and Rehabilitation)

The judge must also treat the domestic violence cases with priority, since the Court has an obligation to make decisions within legal deadlines. The judge decides on the difficulty of the case (civil or criminal offense), decides on protective/restrictive orders and works on other case issues.

The victim's defender must always be present during the court session. A protective order is an order that is offered as a protective measure for a victim of domestic violence at the request of the victim's attorney.

The manager of the social case must also participate during the court session in case there is involvement of children. The case manager evaluates the social and economic situation of the domestic violence victims and is obliged to give an opinion on the family history (family anamnesis), if necessary.¹⁸

Integrated database

The Ministry of Justice is the owner of the domestic violence database. The database is built, maintained and supervised by the Ministry. The actors that must cooperate to make this DB functional are: Police, Victims' Defender, Prosecution and Court, Center for Social Work and Shelters.

The NDB must be registered and populated with data from all these actors so that it can ensure the accuracy and completeness of the data.¹⁹

- *NDB is a valid registration system for all domestic violence cases in Kosovo. This database is established only for the registration of these cases and does not include cases of other natures.*
- *NDB contains valid information for each file such as: name, date, address, description of violence, family relationship and other data about the victim and the perpetrator. The NDB should also contain the decision-making acts related to the cases processed by the judicial bodies.*

¹⁷ The standard operating procedure for protection from domestic violence approved in 2013 by the Government of the Republic of Kosovo

¹⁸ The standard operating procedure for protection from domestic violence approved in 2013 by the Government of the Republic of Kosovo

¹⁹ Ministry of Justice, Agreement for the functionalization of the integrated database, 2019

- *In the NDB, the police register every reported case and refers them to other responsible institutions, which must also register the data in separate modules according to their processing domain.*
- *Through this database, the Ministry of Justice coordinates and manages all cases of domestic violence, as well as plans to take the necessary legal actions at the state level. With complete records of data from each institution it should be able to provide statistical reports, reports on the condition of the shelters and the center for social work. Also, the purpose of this database is for the responsible institutions to exchange information, refer and handle cases in a timely manner.²⁰*

Below are disclosed all audit findings, based on the steps of the process flow.

3.1. Telephone line for emergency calls

One of the first response activities after the incident had occurred is the reception of telephone calls at the police stations' operative center, which must have 24/7 access.²¹

The activities of the operative center for receiving the calls are carried out as follows; the call is received by the dispatchers and the information is then forwarded to the shift manager to notify the police patrol closest to the scene. Usually, calls are logged in the operational log. According to the observations, obtaining information to start the police operation is done in a complete way, from the address where the event takes place, the number of people involved in the incident, the threatening danger, the use of the objects during the exercise of violence, etc. The dispatcher gives instructions, as much as possible through the telephone line, on how to act until the police patrol arrives at the scene. According to the clarifications during this observation, the police patrol is obliged to arrive at the scene regardless of how the whole situation is interpreted by the caller. The operator and the call center has three officials who work 24 hours a day. Dispatchers replace each other, changing shifts every 12 hours.

From the reviewed documents, we have come to the conclusion that the response of the call center is done efficiently. Also based on the conducted survey, the respondents claim that the police response to the phone call was immediate.

Accepting calls and conveying information and all the activities that are carried out within this center offer the possibility that the domestic violence case processing may begin in a timely manner.

²⁰ Database manual and domestic violence strategy

²¹ Police station training manual "DV trainings for police officers at the police stations"

3.2. Police patrol intervention

The police patrol is obliged to intervene immediately to ensure the protection of domestic violence victims, as well as to arrest the alleged perpetrator in order to prevent further violence. The intervention time includes the period from the departure of the police team, arrival at the scene, assessment of the situation, provision of evidence, notifying the investigative or medical teams and sending the victim to the police station.²²

According to the documents analyzed during the audit, interventions by the police patrol are made in optimal time frames.

In relation to the victim in the police stations in Pristina and Peja, it has been confirmed that the police intervention takes place 15 - 30 minutes after the incident is reported, while the entire processing until the case is forwarded to other institutions is carried out within five (5) hours.

It is worth noting that we have confirmed that the procedures at the police stations, due to the complication of the case, might take about 12 hours.²³ (Annex 2, Table 1).

In the meantime, the police patrol makes sure that the victim receives the necessary health services and is sent to the police station to give a statement.

According to the conducted survey, the intervention of the police patrol is usually done on time, the respondents did not have any remarks related to the police patrol interventions.

The timely and efficient response of the police allows immediate measures to be taken, stopping the violence, securing the victim and the evidence.

²² The standard operating procedure for protection from domestic violence approved in 2013 by the Government of the Republic of Kosovo, pika 3.1.1

²³ Shtojca nr 1 Analiza e efikasitetit të reagimit të policisë, SP, Prishtinë, Pejë

3.3. Taking the first statements from conflict participants

This chapter contains the findings related to the victim protection phase, related to assigning of police investigators, monitoring the protective orders, initial risk assessment and case registrations from police stations.

- *Assignment of investigators in other cases outside the nature of domestic violence*

The investigation of domestic violence cases is carried out by police investigators²⁴. Primary investigators for domestic violence must deal exclusively with domestic violence cases and cannot be assigned to other cases.²⁵

In Pristina, investigators of domestic violence cases work within three police stations, as well as in the regional investigation unit. In the three police stations and in the regional investigation unit, during the year 2020, nine (9) investigators were assigned, in 2021 ten (10), while in 2022 fifteen (15) investigators were assigned.

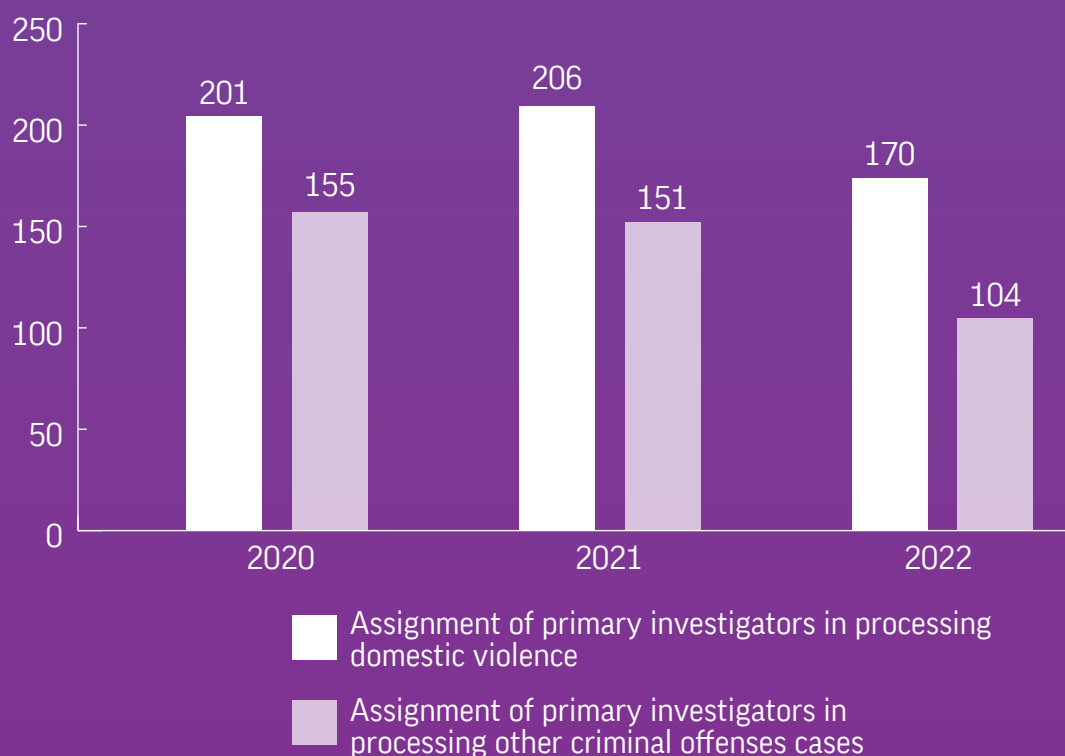
In processing the domestic violence cases, the main responsibility rests with the primary investigators at the police stations who should deal exclusively with processing the domestic violence cases. However, primary investigators, in addition to domestic violence cases, are assigned in handling a significant number of cases outside of the nature of domestic violence. We have presented the number of domestic violence cases processed by primary investigators as well as other criminal offenses in the following graph.

²⁴ Standard Operating Procedures, Kosovo Police 2011, page 6 point 6

²⁵ Standard Operating Procedures, for the prevention and processing of domestic violence, Kosovo Police, 2022 pg.7 point 5, e, g. - In category A police stations, 4 investigative police officers must be assigned, in category B stations, 3 investigative police officers must be assigned, while in category C stations, two police officers must be assigned. One of them must be selected as the primary domestic violence investigator.

Graph 2. Processing of domestic violence cases as well as other criminal offenses by primary investigators

Assigning primary investigators in processing domestic violence cases and other criminal offenses, 2020-2022 - SP Prishtina



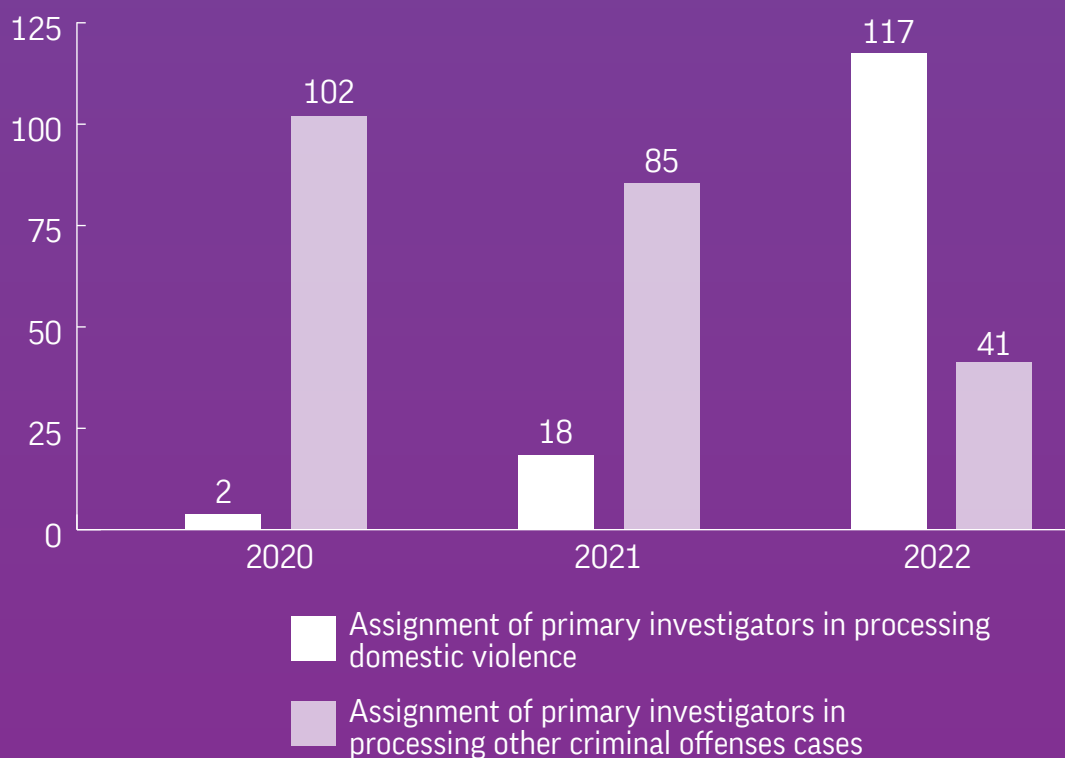
As it is evident in the graph, a significant part of the work of police investigators in Pristina is related to cases that are not domestic violence. This can affect that their work related to cases of domestic violence is limited, so that the victims may not receive all the necessary services and are not treated professionally and according to the sensitivity of the case.

In Peja, investigators of domestic violence cases work within the police station as well as in the regional investigation unit. During the period 2020-2022, 5 domestic violence investigators were assigned in the police station and in the regional investigation unit.

The assignment of primary investigators in processing other criminal cases also occurs in SP Peja. We have presented the number of domestic violence cases handled by primary investigators as well as other criminal offenses handled by them in the following graph.

Graph 3. Processing of domestic violence cases as well as other criminal offenses by primary investigators

Assigning primary investigators in processing domestic violence cases and other criminal offenses, 2020-2022 - SP Peja



Here it is evident that the situation with domestic violence investigators at the police station in Peja is even worse during 2020 and 2021 due to the large volume of work dealing with cases outside of domestic violence. This can lead to police investigators being overburdened with dealing with other cases, which causes victims not to be treated adequately. (Annex 2, Table 2).

Regarding the treatment by the investigators, 4 out of 40 surveyed women raised the issue that the police investigator was not impartial when giving the statement and in one case the victim was forced to give the statement in the presence of a child.

The assignment of primary investigators in the investigation of other cases, which are not of the domestic violence nature, occurred in the absence of a sufficient number of investigators as well as for the use of capacities available to them. However, assigning the primary investigators of domestic violence in the investigation of other cases can affect the processing of domestic violence cases by other investigators who are not trained for this purpose, do not have expertise, ability and competence to solve serious cases. At the same time, this has resulted in investigators not being able to register all cases in the system, and the victim may not be offered adequate services and treatment in time.

- *Enforcement of protective orders without standard procedures*

According to the General Standard Operating Procedures, the Police is responsible for monitoring the enforcement of protective orders issued by the Court, as well as emergency protective orders issued by the Police, in cases where the violence occurs during weekends and outside regular working hours of the Courts.²⁶

We noted that the Police does not have any internal regulations or procedures for monitoring the protective orders. However, during the period from 2020-2022, this monitoring was done at the request of the victim.

The General Directorate of the Police has identified this problem and at the beginning of 2023 has amended their policies with drafting of the standard operative procedures for the execution of protective orders. This procedure defines the duties and responsibilities of domestic violence investigators and other police officers.²⁷ Also, through this procedure, the forms of interaction with other parties in notification and response are regulated.

The lack of clear rules and procedures for monitoring protective orders may have contributed to the victim not receiving adequate protection in time. The lack of guidance on how often victims should be visited or checked means their safety may be compromised. Likewise, the monitoring of protective orders at the request of the victim implies a lack of systematic follow-up. This can cause delays in responding to the violations of protective orders, putting victims at risk.

- *An initial risk assessment is carried out at police stations*

Risk assessment is a process through which the level of risk posed to the victim is assessed. After receiving the initial information, the Police assesses the risk for the victim of domestic violence.²⁸

When taking the statement from the victim, the investigators at the police stations make a risk assessment. The risk assessment for the registered cases is done in three categories: low, medium and high.

In Pristina police stations, a general risk assessment was done in about 75% of cases, while in Peja police station this assessment was done in over 87% of cases.

During the period from 2020-2022, the Pristina Police assessed about 21-31% low risk cases, about 66-75% medium risk, and 0-2.8% high risk. Meanwhile, for the same period the Peja Police assessed about 10-87% low risk cases, 13-66% medium risk and 0-21% high risk.

²⁶ Standard operative procedures for protection from violence in Kosovo, page 37

²⁷ Standard Operative Procedures for Enforcement of Protection Orders, January 2023

²⁸ Standard operative procedures for protection from violence in Kosovo, page 37

Table 1. Risk level assessment

Police Stations	Risk level assessment											
	2020				2021				2022			
	Total cases	low	medium	high	Total cases	low	medium	high	Total cases	low	mediuma	high
Pristina	330	68	247	0	404	93	301	6	458	143	302	13
Peja	166	145	21	0	184	113	63	1	220	22	144	46

This risk assessment carried out by the Police provides an overview of the level of physical violence, the situation risk, the potential for violence and the securing of evidence. However, this assessment should be revised further, because the police stations do not have the expertise nor the capacity to assess the real risk. This is also shown by not having any high risk case assessed during 2020, or even a low percentage during 2021-2022. However, this assessment aims to provide basic information for other responsible institutions regarding the incident and its consequences.

- *Weaknesses during registration of cases by the Police Stations*

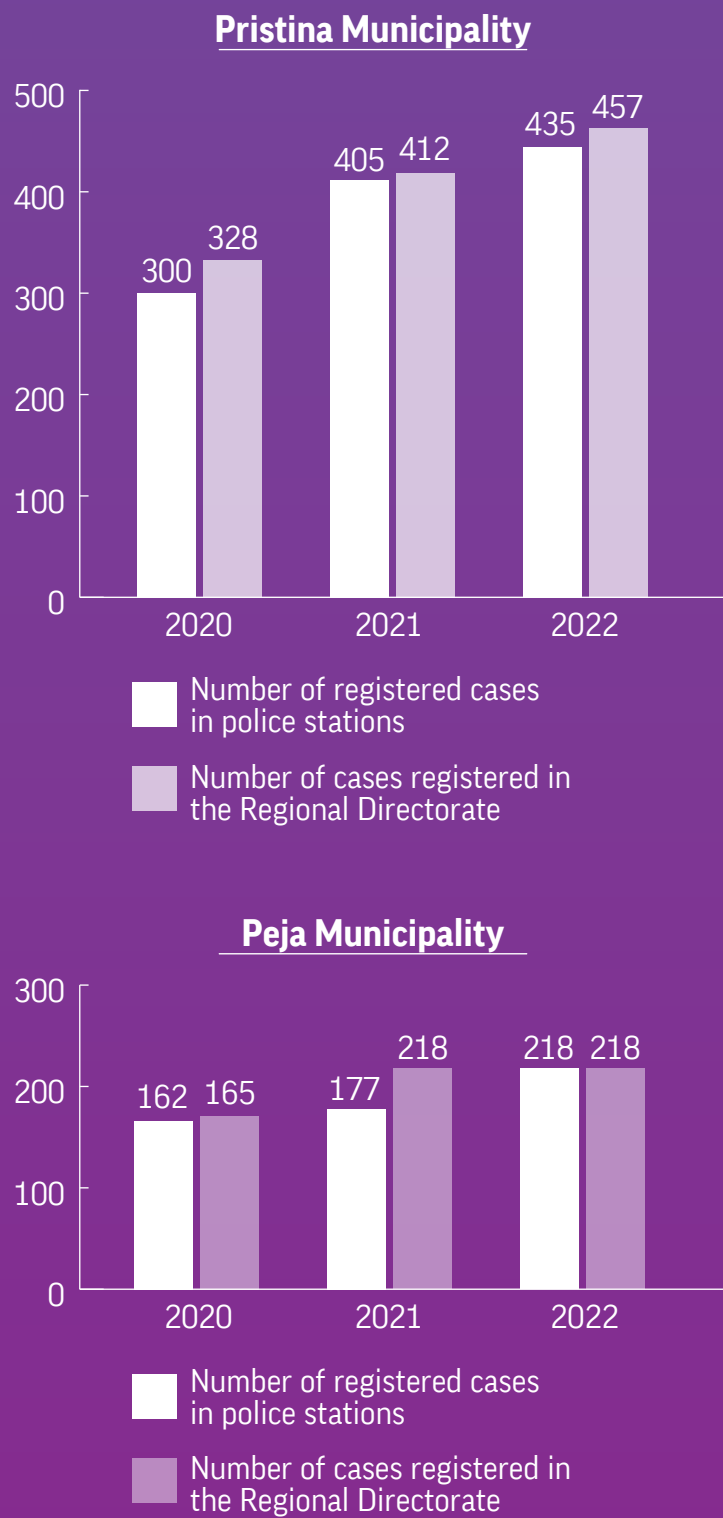
The reflection of the general situation of domestic violence should be done through the preparation of reports and reflecting the information from all responsible institutions.²⁹

The registration process begins at the police stations where the initial registration is done by the police investigator during the reception of the case and the quick report (individual form) is compiled which is sent to the Regional Directorate. The Regional Directorate prepares statistical reports which must be consistent with the summary reports prepared at the station level. However, we have noted that during this registration process, the number of cases reported by the Police Stations is not in accordance with the number of cases included in the report of the Regional Directorates³⁰.

In the Police Stations in Pristina, this difference and discrepancy for the year 2020 reaches 28 cases, in 2021 the difference is 7 cases, and in 2022 the discrepancy is 22 cases. In the police station in Peja, the discrepancy for the year 2020 differs for 3 cases, in the year 2021 for 41 cases, while in the year 2022 the data between the reports were correct. A comparative overview of the data between the information from the Police Stations and the Regional Directorate is presented in the following graph:

29 Strategy for protection against domestic violence 2022-26 Strategic objective III, Strengthening institutions for treating victims, p. 45, SGD Indicator 16.3.1

30 Reports on the registrations in the internal database

Graph 4. Registration of cases at the police stations

Source: Reports of PS investigators and statistical reports of regional directorates

One of the reasons for the data mismatch in the registration, according to the officials in the PS in Pristina, may be due to administrative reasons, or due to the duplication of offenses for the same cases. As a consequence, registered cases may appear as duplicated in statistical reports.³¹ However, according to the responsible officials of PS Peja, a low number of investigators in proportion to the number of cases has caused the process to proceed with irregularities in the registration.

Inconsistencies in data recording can compromise decision-making processes by impeding effective allocation of resources and lack of prioritization of cases. Incomplete information for all registered cases also affects the inaccurate reflection of the general situation in the database of the Ministry of Justice.

- *The police are not managing to convey the information to the victims' defenders for every reported case*

The responsible institutions must communicate and coordinate among themselves and exchange information in a comprehensive/inclusive manner. The categories of processing the domestic violence cases in practice are not completely separated but are interdependent with each other and are presented continuously throughout the whole process.³²

According to the police officials³³, the information about each reported case of domestic violence is forwarded to the OPAV, however, according to the statistical data provided, we noted that the victims' defenders are not being informed about all the reported cases of domestic violence.³⁴

Out of the total number of cases of domestic violence in the Police Stations in Pristina during the year 2020, the victims' defenders were informed in 58% of cases, and in 2021 in 69% of cases.

At the Peja Police Station, the victims' defenders were informed in 100% of cases in the year 2020, and in 60% of cases in 2021. However, the Police Stations in Pristina and Peja for the year 2022 do not have evidence regarding the percentage of cases for which the victims' defenders have been notified.

31 Interview with officials of the Pristina police station

32 SOP 2013, Stages of standard operating procedures when responding to domestic violence incidents

33 Interview conducted with the Supervisor of the Domestic Violence Unit in Peja, as well as with the Supervisor of the Domestic Violence Unit in Pristina

34 Annual statistical reports for the period 2020-2022, Police stations in Pristina and Peja at the local level

In the table below, we have laid out the number of domestic violence cases compared to the number of cases where the victims' defenders were notified.

Table 2. Number of reported cases/forwarding of information to OPAV from Police Stations in Pristina and Peja

		Police Stations Pristina	Police Station Peja
2020	No. of reported cases	328	165
	No. of notified VP	191	165
2021	No. of reported cases	412	181
	No. of notified VP	275	108
2022	No. of reported cases	457	218
	No. of notified VP	N/A	N/A

Source: Annual statistical reports, Police stations in Pristina and Peja - local level

This means that there are cases where the OPAV in Pristina does not have any information about the case. The police officials' excuse for the lack of information was that they did it over the phone, which could not be confirmed.

While in the OPAV in Peja, even though there was general evidence for the case, contacting the victim was impossible because the documentation did not contain complete data to contact the victim.³⁵

From the conducted survey, 10 people were dissatisfied with the reaction of the victims' defenders, their remarks are related to: the delays in contacting and often the first contact with the victims' defender was only after they went to court hearings.

The lack of communication and incomplete information affects that the OPAV are not informed about all cases of violence, creating difficulties in supporting the victims and contacting them.

³⁵ The interview conducted with the head of the Office for protection and assistance to victims Peja

- *Failure to assign social workers who process exclusively domestic violence cases*

Centers for social work (CSW) deal with processing of domestic violence cases when the victim needs social and family support, as well as in cases where children under the age of 18 were present during the domestic violence either as victims or as witnesses.³⁶

The CSW in both municipalities process the violence cases within an optimal time frame in terms of providing social services, while psychological sessions are offered after 48 hours of placing the victim in a shelter. A complete overview of the activities, the types of services provided, and the duration of case processing by the CSW, is presented in Annex 2 (Table 4).

It has been observed that in the CSW-Pristina, that there is no division of duties between the social workers who should deal exclusively with the treatment of domestic violence cases. All workers handle other cases as well, including parent-child contact, divorce, juvenile delinquency, child trust, adoption eligibility, marriage counseling, and child abuse. In addition to cases of various natures, 15 officials/case managers, who are regular staff of the CSW, as well as 9 other officials assigned with agreements for special services, deal with cases of domestic violence.

In CSW-Peja, until the end of the year 2020, only one social worker was assigned with the processing of domestic violence cases, who exclusively dealt with the domestic violence cases. Meanwhile, during the years 2021-2022, the processing of domestic violence cases is done by 4 officials/case managers and the division of cases is done in order.

The number of violence cases that requested help and were processed by the CSW in Pristina and Peja is presented in the table below.

Table 3. Number of violence cases of processed by the CSWs³⁷

Centers for Social Work		
Year	Pristina	Peja
2020	147	31
2021	203	36
2022	330	66

Source: Annual reports 2020-2022

It's evident from the table, that the number of violence cases processed by CSWs has increased in the last two years. In CSW in Pristina, the number of violence cases has increased by 62%, while in CSW

³⁶ Standard operating procedures for protection from domestic violence, AGE 2013

³⁷ Data obtained from the annual reports of the CSWs in Pristina, Peja

in Peja it has increased by 55%. This level of continued case growth requires a better division of duties among social workers.

According to the authorities, failure to assign social workers who process exclusively domestic violence cases occurred due to the high workload in the CSW. However, the workers engaged in the CSW are certified as social workers and are not profiled for the specific fields only. Also, the trainings that take place for the employed staff are conducted for everyone, regardless of their assignments.³⁸

From the conducted survey, 12 people stated that they are dissatisfied with social services. Their dissatisfaction is related to: the contact with the social worker, the lack of impartiality, the change of the case manager.

The lack of assigning the social workers who exclusively process domestic violence cases may affect the services they provide. Social workers who are not trained for this purpose, do not have the expertise, skills and competence to solve the domestic violence cases.

Considering that domestic violence is a sensitive phenomenon the social workers must be competent and prepared for their specific treatment.

3.4. Post-emergency responses

In this chapter are included the findings related to the lack of support of the shelters, the non-involvement of the victim's defender during the entire process, as well as the case review by the prosecutor's office.

- *Lack of institutional support for victims placed in the shelters*

*Shelters are obliged to provide basic conditions, physical and psychological health treatment and provide security services.*³⁹

As far as the shelters are able to provide the services as foreseen by the law and those that are presented by the circumstances and by the needs of help seekers, we have presented an overview of the situation for two of the shelters that are operating in Pristina and Peja. Although these two shelters are located at the local level, there are also cases that come from other municipalities, therefore the data disclosed below belong to the regional level.

During the period from 2020-2022, 121-174 people were accommodated in the shelter in Pristina. It is worth noting that 195 minors have passed through this shelter during this time period.

³⁸ Interviews conducted with the officials of the CSWs in Pristina, Peja

³⁹ Standard operating procedures for protection from domestic violence, AGE 2013

During the period from 2020-2022, 96-120 people were accommodated in the shelter in Peja. 131 minors have passed through this shelter as well.

All respondents are satisfied with their treatment by the shelters' management and staff.

Cooperation with other responsible institutions at the regional level has its own difficulties. There are cases when the police, for unknown reasons, do not respond to the shelter's calls to escort the victims to court hearings or to the places where they must appear while they are sheltered there. CSWs do not assign case managers on time and the development of specific plans is not considered in cooperation with the victim and the shelter.

- *Weakness in the involvement of victims' defenders throughout the whole process*

*Victims' defenders should contact the victim and inform her/him of their rights, assist in obtaining legal services, provide advice on starting the protective orders process. Victims' defenders are obliged to provide uninterrupted support to the victim throughout the whole judicial process.*⁴⁰

Although victims' defenders usually represent and protect the rights of the victim, according to the data they fail to contact the victim within a short time. It has been observed that the representation of the victims on their part in most cases is done after receiving the invitation from the court and that, only in rare cases, the contact with the victims is made within 2-15 days⁴¹. The contact with the victim after presenting the case to the police is usually made once the victim has requested the assistance of the victims' defender.⁴²

In this aspect, as opposed to the Pristina Region, in the Peja Region we have encountered a more effective approach to contacting the victim before court hearings, and a greater interest in confirming the victim's statement. For more details, you can refer to the attached analysis⁴³ (Annex 2, table 3).

The request for a protective order is prepared by the victims' defenders in cooperation with the victim, then this request initiates the approval of the protective order by the court.

40 Standard operating procedures for protection from domestic violence, AGE 2013

41 Representation of cases in court hearings

42 Interviews conducted with the officials of the CSWs in Pristina and Peja

43 The presence of defense officials in the case processing, Annex 2 table 3

The number of requests for protective orders prepared by the victims' defenders is shown below.

Table 4. Comparison of the number of cases handled by the OPAV, with the number of requests for protective orders

OPAV - Pristina				
Year	Total cases	PO request UM ⁴⁴	EPO request ⁴⁵	TEPO request ⁴⁶
2020	313	161	21	/
2021	383	114	30	2
2022	854	391	52	25
OPAV - Peja				
Year	Total cases	PO request	EPO request	TEPO request
2020	219	163		/
2021	261	116	1	/
2022	278	131	1	3

Source: annual reports from OPAV

It is evident from the table, that not all cases processed by the victims' defenders demanded to obtain a protective order. This indicates that the initiation of protective orders is being done only for 50% of the cases. Considering that the victim's defender is not present at the beginning of the process, it may happen that in frequent cases the protective order is not initiated due to the lack of immediate contact with the victim after the incident.

The reason why the victims' defenders have not been continuously involved since the beginning of the reporting of the case happened because the victims' defenders act according to a regulation issued by the chief prosecutor. This regulation does not oblige them to be present during the initial police interviews and this legal loophole releases the victims' defenders from their responsibility to contact the victim as soon as possible after reporting the case. It is worth noting that according to the officials, the lack of victims' defenders for several weeks is also due to a low number of victims' defenders compared to the growing number of cases⁴⁷.

Despite the fact that the deadline for contacting the victim is defined in the procedures of the OPAV, where it is stated that the victim must be contacted no later than the second day after being identified, this procedure has not been implemented in practice.⁴⁸

44 Protection order - the order issued by a court decision, 15 days after the submission of the request, which provides for protective measures for the victim

45 Protection order - the order issued by a court decision, 15 days after the submission of the request, which provides for protective measures for the victim

46 Emergency protection order - the order issued temporarily by a court decision, 24 hours after receiving the request

47 Interview conducted with the OPAV

48 Standard operating procedures for OPAV, Article 5, First Contact, year of drafting 2013

The answers received from the survey indicate that nine people have stated that they were not satisfied with the way of questioning by the victims' defenders. While one of the cases stated that she was not informed about the right to a compensation for the damage until she engaged a private lawyer.

This situation leads to a loss of trust between the victims' defender and the injured party, making the victim feel unprotected. Especially, it can impact that the serious cases and recidivist cases remain without necessary instructions and counseling, which would have ensured the fulfillment of the requests for their basic rights and protection from the danger that may threaten them.

- *Review and follow-up of cases by the Basic Prosecutor's Office*

The prosecutor, after being informed about the domestic violence case, must act with urgency and priority, always taking into account the specifics of the given case.⁴⁹

The assessment of the process flow during processing the domestic violence cases by the Prosecutor's Office was done only based on the statistical data. From the Basic Prosecutor's Office in Pristina, the statistical data on the number of cases received and reviewed by them have been provided to us.

Based on statistical data, the Basic Prosecutor's Office in Pristina in 2020 managed to review about 94% of the received cases, in 2021 it reviewed about 81% of cases, while in 2022 the review of cases reached up to 96% of them.

The responses received from the survey indicate that seven of the forty respondents stated that there were delays in contacting them from the Prosecutor's Office. One of them emphasized that the prosecutor did not maintain impartiality while taking the statement and testimonies, as well as in a case where the victim was not notified at all that the violence perpetrator was detained for 48 hours.

49 Standard operating procedures for protection from domestic violence, AGE 2013, pg.46

In the following table, we have presented the number of received and reviewed cases by the Basic Prosecutor's Office in Pristina.

Table 5. Number of received and reviewed cases

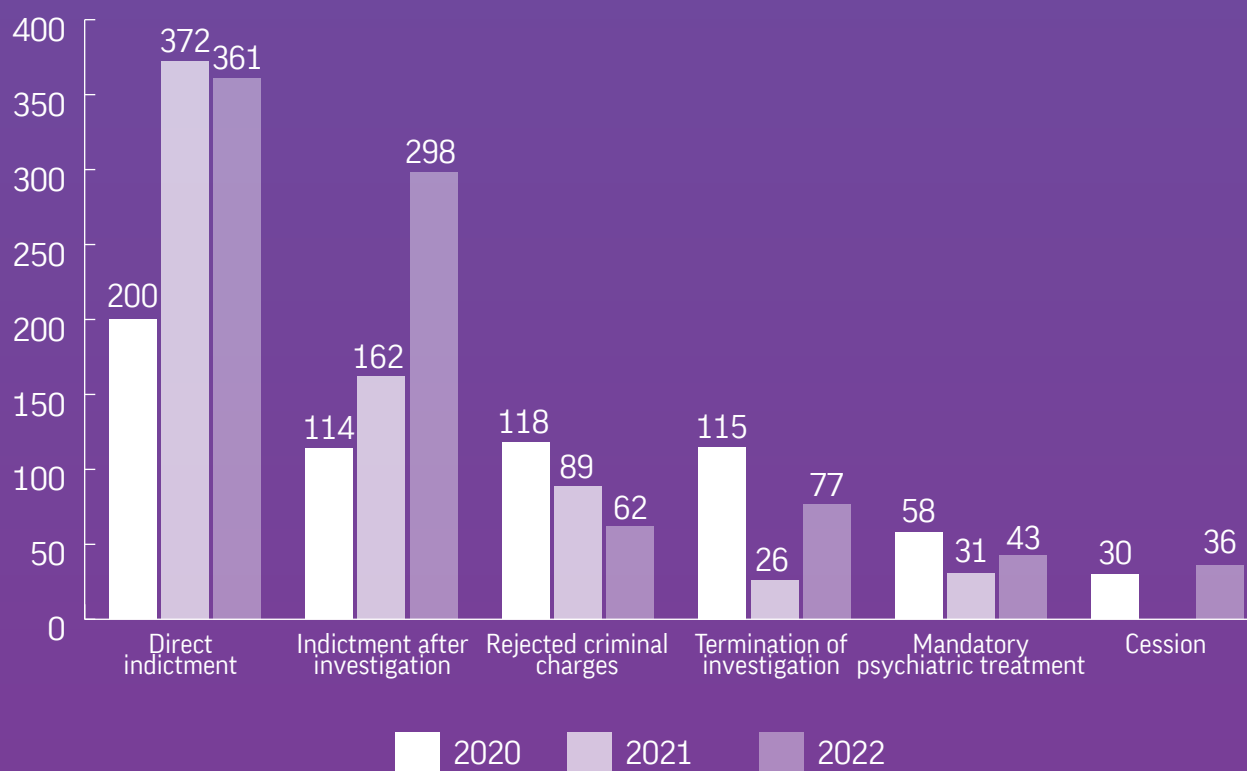
	Total No. of received cases	Total No. of reviewed cases
2020	673	635
2021	837	680
2022	916	877

Source: Statistical reports, Pristina Basic Prosecutor's Office

The prosecutor's office, after collecting the evidence and clarifying the circumstances, undertakes its actions through the initiation of various acts depending on the level of violence caused and the criminal offense, which are presented in the following Graph.

Graph 5. Acts issued by the Basic Prosecutor's Office in Pristina

Actions undertaken by the prosecution, 2020-2022



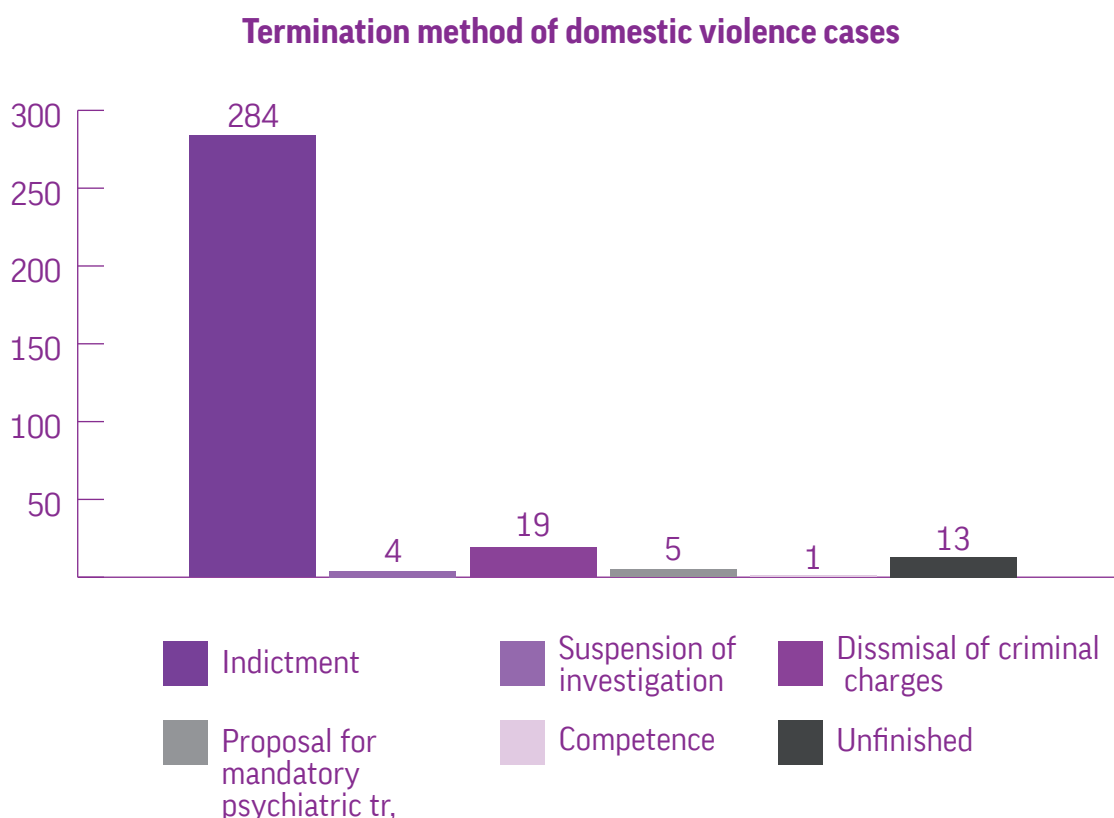
Source: statistical reports, Pristina Basic Prosecutor's Office

Based on the graph, we note that the Basic Prosecutor's Office in Pristina, during the period 2020-2022, for domestic violence cases rather filed a direct indictment, followed by an indictment after the investigation. While the number of acts for mandatory psychiatric treatment and cession is lower.

Whereas, as far as the Basic Prosecutor's Office in Peja is concerned, according to statistical data, during the year 2020, 269 of domestic violence cases were received, 243 indictments were filed and 12 proposals for mandatory psychiatric treatment were filed, 18 criminal charges were filed for the domestic violence cases, while there are 12 unfinished cases, which have been carried over to year 2021.⁵⁰

In the year 2021, cases of domestic violence received 314 criminal charges, while the total number for that year, including 12 carried over from the previous year, was 326 cases. Out of these cases, 313 have been closed and 13 cases have been carried over to 2022. Out of the closed cases, 284 indictments were filed, in 4 cases the investigations were suspended, in 19 cases criminal charges were dismissed, in some cases a proposal was made to impose the measure of mandatory psychiatric treatment and 1 case was sent to the competent authorities.⁵¹

Graph 6. The termination method of domestic violence cases for the year 2021



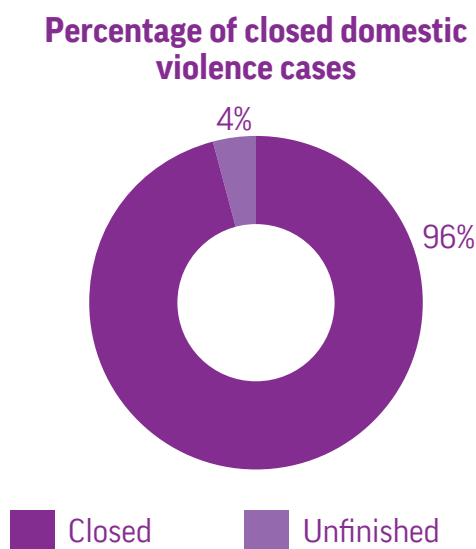
Source: statistical reports, Peja Basic Prosecutor's Office

⁵⁰ Statistical data from the Prosecutor's Office of Peja

⁵¹ Statistical data from the Prosecutor's Office of Peja

The percentage of domestic violence cases in the year 2021 has reached 96%.

Graph 7. The percentage of closed cases for the year 2021



Source: statistical reports, Peja Basic Prosecutor's Office

For the domestic violence cases in 2022 in the Prosecutor's Office of Peja, 13 cases were carried over from previous years, 257 criminal cases of domestic violence were received, 208 indictments were filed, 8 proposals for mandatory psychiatric treatment were filed, and 12 criminal charges were dismissed.⁵²

⁵² Statistical data from the Prosecutor's Office of Peja

3.5. Decision-making and further proceedings

In this chapter are included the findings related to: the lack of support for the victims placed in shelters, the lack of instructions by the victims' defenders, the lack of rehabilitation services in the CSW as well as the non-processing of all cases by the courts.

- *Insufficient institutional support for the victims placed in shelters*

The shelters provide continuous health and psychological care and help survivors of domestic violence to rehabilitate and move on with their lives.⁵³

It has been confirmed that in order to process the cases admitted to the shelter, the psychologists are engaged for treating of the cases and they are present two to three times during the week.

Also, it has been confirmed that shelter managers are engaged in the aspect of rehabilitation and inclusion of the survivors by signing agreements with different organizations that offer courses for professional training of different profiles. It is worth noting that the Ministry of Finance, Labor and Transfers during the year 2022, has provided financial support in the amount of 40,000 euros for the project "Providing residential services for the protection of the victims of domestic violence in the region of Peja".⁵⁴

Also, at the end of 2022, the Government has approved the allocation of financial resources in the amount of 500,000 euros to non-governmental organizations that provide social and housing services.⁵⁵

The results of the survey confirm that the respondents are satisfied with the services provided, as with psychological sessions and all other services provided by the shelter.

However, one of the insurmountable challenges remains the employment and financial independence of survivors of domestic violence. This was also mentioned in the research conducted by the OSCE for the years 2016-2019, where it is emphasized that these sensitive social groups have not encountered institutional support in financial terms as a condition for the return to normality.⁵⁶

On the other hand, the concerns raised by shelter supervisors indicate that the victims face delays in court hearings, the waiting phase until the first court hearing is an extremely difficult experience for the victim, even more so if it lasts for weeks after the incident. Also, the approach of the judicial bodies towards the requests for the continuation of the protective order has a big impact, which is even more important when the victims decide to return to life.

⁵³ Standard operating procedures for protection from domestic violence, AGE 2013

⁵⁴ Project contract

⁵⁵ Decision 19/109 dated 23.11.2022

⁵⁶ Survey on the well-being and safety of women and girls, OSCE

Delays in court hearings can prevent the victim from rebuilding their lives and getting over the traumatic experience. The uncertainty and prolonged waiting period can affect their recovery and seeking justice.

- *Lack of instructions by the victim defender during the rehabilitation phase*

The victim's defender must instruct the victim regarding further procedures, compensation for the damage and other protective measures.⁵⁷

The victims' defenders participate in court hearings and in the drafting of protection orders, but the initiation of procedures for the compensation of material damage remains problematic. This may happen because the victim's defender is not present during the initial stages of processing⁵⁸, when the procedures begin.

In the absence of information, victims may have limited or insufficient knowledge regarding the process of obtaining material compensation, raising claims for compensation, and face financial difficulties.

- *Lack of victim rehabilitation services by the Centers for social work*

Centers for social work (CWS) deal with domestic violence cases when the victim needs social and family support, as well as in cases where children under the age of 18 were present during the domestic violence either as victims or as witnesses.⁵⁹

Despite the provision of general social services by the CSW, we noted that in these centers there was a lack of engagement of psychologists. There is only one psychologist-sociologist in the Peja CSW who has simultaneously been engaged in the capacity of leader. There were no regular psychologists in the Pristina CSW until after November 2022, but for the provision of such services they have engaged external psychologists as needed⁶⁰.

Another issue is the lack in the provision of social services for perpetrators during the period 2019-2022. A program for the treatment and rehabilitation of perpetrators has been drafted at the end of 2022 and is expected to be finalized in September 2023 by the Ministry of Justice, as a drafter of social policies.⁶¹

⁵⁷ Standard operating procedures for protection from domestic violence, AGE 2013

⁵⁸ Annex 2. Table 3. OPAV's participation in the process of treating the victims

⁵⁹ Standard operating procedures for protection from domestic violence, AGE 2013

⁶⁰ Interviews in CSW-Pristina

⁶¹ Curriculum for offenders, MoJ

Psychotherapy methods are not applied in these centers, which have been proven to be helpful for people who want or need to improve their behavior and abilities to face life's problems and difficulties.⁶²

The lack of engagement of psychologists in social work centers may result in limited mental health support. Likewise, the lack of psychologists can affect comprehensive assessments and appropriate interventions for the victim.

Without awareness activities, the perpetrators may not fully understand the consequences of their actions or change their behavior. This can hinder the reintegration into society and increase recidivism cases.

- *Failure to process all cases by the Courts*

Courts should review the domestic violence cases as a priority. These cases are handled by the court in civil or criminal proceedings, depending on the nature of the case. In civil proceedings, the courts examine the request for a protection order or an emergency protection order and pronounce the protective measures as provided by the law. In criminal proceedings, investigative bodies are competent to decide on cases of criminal prosecution of domestic violence perpetrators, who have violated the protection order, or persons who have committed a criminal offense in family relations.⁶³

The situational overview for case processing by the courts was done only based on the provided statistical data.

The statistical data for the review of cases according to criminal and civil procedures are laid out below.

Cases with criminal procedure

Statistical data indicate that the processing of criminal proceedings in domestic violence cases takes more than a year. About 17-37% of criminal cases examined during the period 2020-2022 are cases carried over from previous years, some of them even from 2016.

The data on the number of criminal cases reviewed by the courts during the period from 2020-2022 are presented in the table below.

62 Albanian Psychotherapy Association <https://albpsychotherapy.wordpress.com/per-vizitoret/psikoterapia-e-grupit/>

63 Standard operating procedures for protection from domestic violence, AGE, pg. 23

Table 6. Number of cases reviewed by the Courts

Review of Criminal Offenses				
Basic Court - Pristina				
Year	Total No. of reviewed cases	Reviewed cases carried over from previous years	Reviewed cases from the corresponding year	Reviewed but unsolved cases from the corresponding year
2020	127	41	74	12
2021	316	53	160	103
2022	506	172	172	162
Basic Court - Peja				
2020	42	N/A	29	13
2021	107	N/A	31	76
2022	293	108	79	106

Source: Statistical data received from the Courts for the period 2020-2022

It's evident from the table, that in the Basic Courts, a large number of cases are not handled within the respective years, which burdens the system of dealing with cases in time. This causes cases to be carried over from year to year, unresolved cases that can affect time wasting in decision-making.

Regarding court referrals for rehabilitation and psychiatric treatment as preventive measures of domestic violence, it is evident that such cases are in a lower number. Specifically, 1-10 cases in total within the period between 2020-2022.

Table 7. Number of cases referred for rehabilitation and psychological treatment, during the period between 2020-2022

Basic Court - Pristina		
	Mandatory psychiatric treatment	Rehabilitation treatment
2020	1	2
2021	10	/
2022	6	1
Basic Court - Peja		
2020	/	/
2021	/	/
2022	2	/

Source: Statistical data received from the Courts for the period between 2020-2022

Civil procedure cases

Regarding the accepted civil cases, as well as by whom the requests for their review were submitted, we note in the Basic Courts of Pristina and Peja, that the requests for protection orders are submitted by the victims' defenders, however, there are cases when requests for protection orders is submitted directly by the victims themselves, as well as in lower numbers by the Prosecutor's Office and the CSW. These registered cases may be a result of the lack of involvement of the victim's defender in the review and initiation of requests, but there are cases when the victim engages a private lawyer for protection⁶⁴. See the table below for more details.

Table 8. Number of requests reviewed by Courts, for the period between 2020-2022

Review of Civil cases				
Basic Court - Pristina				
Year	Total requests reviewed	Requests submitted by OPAV	Requests submitted by the victim	Requests submitted by the Prosecution/CSW
2020	145	123	20	2
2021	219	191	28	/
2022	304	274	29	1
Basic Court - Peja				
2020	100	89	9	2
2021	52	45	6	1
2022	200	N/A	N/A	N/A

Source: Statistical data received from the Courts for the period between 2020-2022

We have noted that the closing of cases by the Court can last for years, even for various reasons of complicated or recidivist cases. According to the evidence provided, it has been observed that there are cases that have lasted more than 5 years, because domestic violence had turned into economic violence, divorce problems and other complications. In these cases, the court opened proceedings in every new lawsuit caused in the meantime, and it was not possible to close the case.

The responses received from the survey indicate that 18 of the 40 respondents are not satisfied with their treatment by the Courts. These dissatisfactions are related to: 7 cases for delays in review, in 3 cases they stated that impartiality and objectivity are lacking, in 2 cases they have remarks regarding protection orders; protection order approval or continuation according to the request, in 2 cases there were remarks about economic issues such as alimony or financial compensation, and in 2 other cases the remarks have to do with child custody issues.

64 Interview with OPAV officials.

Delays in examining cases of domestic violence cases by the Courts may affect the victims not being able to receive the appropriate protection from the justice institutions, as well as the perpetrators not receiving the deserved punishment.

3.6. The integrated database

In this chapter are included the findings related to: The National Database (NDB) as an integrated system for data recording established by the Ministry of Justice, the defects in registration and referral of cases by public institutions, the non-classification and prioritization of cases according to their sensitivity.

- *Functioning of the National Database for domestic violence*

The National Database is a case management system that makes it possible to track survivors and their cases, to make referrals and see what services have been provided. The NDB also allows analysis of investigation, prosecution and decision timelines, and records the interim measures (eg. protection orders), judges' decisions on charges and criminal or civil penalties⁶⁵.

The Office of the National Coordinator within the Ministry of Justice, in March 2019, signed a memorandum of understanding for the establishment of an integrated database for the data collection from all institutions involved in the processing of domestic violence.⁶⁶

It should be noted that the Ministry of Justice does not deal directly with the management of cases of domestic violence, but maintains and develops the application depending on the requirements of the institutions.

NDB is a tool available to responsible institutions to improve their communication with each other, where Police, Justice, Prosecution, Centers for Social Work and Shelters are able to enter data on cases of domestic violence.⁶⁷

Kosovo is the only country in the region which, among 120 other countries, has managed to create a virtual platform that aims to enable the analysis of investigation timelines, as well as to record temporary measures such as protection orders and judges' decisions on criminal or civil charges and penalties⁶⁸. The overview of the registration of domestic violence cases presents a system which helps the work of the responsible actors in referring the cases to each other according to certain needs.⁶⁹

⁶⁵ UN Women. Kosovo to start using an integrated database for cases of domestic violence. April 2, 2019.

<https://eca.unwomen.org/en/news/stories/2019/04/kosovo-to-start-using-an-integrated-database-for-cases-of-domestic-violence>

⁶⁶ Memorandum of Understanding, 2019, Functionalization of the integrated database for domestic violence cases

⁶⁷ User manual, National Database for Domestic Violence Cases

⁶⁸ Bazuar në sqarime e organizatës UN Women, National Data base for cases of GBV-DV Kosovo

⁶⁹ User manual, National Database for Domestic Violence Cases

Below is presented an overview of the obligations of all institutions for data registration, which in fact represents an interdependent system between them.

Table 9. Overview of the registration of domestic violence cases in the NDB

POLICE - obliged to register data by category and send them to the Prosecutor's Office, OPAV, CSW and the Shelter

OPAV - obliged to register cases for initiation of court proceedings – protective order, damage compensation

PROSECUTOR'S OFFICE - obliged to register data for the determination of criminal offences

THE COURT - obliged to record the number of accepted and examined cases; court decision, rulings and other measures

CSW - obliged to register cases treated from a socio-psychological point of view, divorce and child trust

SHELTERS – obliged to register the cases accepted into care, including information about the children

It is evident from the presented overview, this whole process constitutes an important cycle of coordination given the cooperation of six actors with different responsibilities, mandates and tasks, therefore the cases are not registered in the same way but through separate codes. For example, to register a case in court, the specific number of that case must be opened.⁷⁰

Based on the observation of registration in the NDB, we noted that this platform, in addition to registering the cases, also offers the possibility of categorizing them according to criminal offenses. Criminal offenses categorized in the database include a total of 48 classifications, their types are presented as an annex at the end of this report (Annex 2 table 5).

It is important to note that one of the main roles of this NDB is to eliminate duplication of cases. All of the actions undertaken by the institutions are related to the "Case Card" which enables each institution to follow the internal policies related to the specific services it offers.⁷¹ According to the manual, if a person is registered in the system, then the system does not allow the same person to be registered again.⁷²

Although the NDB has made progress in some institutions, the full registration of cases by all responsible institutions has not been achieved.

The case registration method by the committed institutions is disclosed below:

- *Weakness in case registration and referral by the public institutions*

The responsible institutions must register/update data in real time.⁷³

According to audit observations and analyses, the functionalization of NDB depends on the commitment of all institutions in data recording. It is worth noting that the responsible institutions are obliged to complete the database independently for the received cases, therefore the MoD database has separate modules for each institution and each institution registers its own data, which are automatically linked to the "Case Card" button.⁷⁴

⁷⁰ User manual, pg. 28

⁷¹ The case card is the special button/module of the DB module where cases are registered with certain information from each institution according to the services they offer.

⁷² User Manual: National Domestic Violence Case Database, Section 2.1.2 Searching for a victim & 2.1.5 Referral from one actor to another

⁷³ User Manual: National Domestic Violence Case Database

⁷⁴ The case card is a special button that includes all the data for each case.

The table below provides an overview of the cases registered by the relevant institutions at the regional level.

Table 10: Number of cases registered in the database by all responsible institutions

RESPONSIBLE INSTITUTIONS	PRISTINA REGION			PEJA REGION		
Audit period:	2020	2021	2022	2020	2021	2022
Police	764	850	904	264	324	338
Victim defenders	46	177	88	2	188	271
Prosecution	333	411	430	1	0	0
Court	0	1	0	0	0	0
Center for Social Work	97	109	211	14	36	13
Shelters	45	126	166	49	64	38

Source, Information from the Ministry of Justice

One of the institutions responsible for registering data in the NDB in a more regular and complete manner is the police. There are shortcomings in the data registration, especially in the courts and the prosecutor's office of Peja. In this context, it should be borne in mind that the institutions deal only with the number of cases that go through their preliminary procedures. This may affect that they have different numbers of cases, since not all of them go through the institutions that deal with the domestic violence cases. However, we emphasize that the complete registrations of the received cases have not been done in all institutions.⁷⁵

Based on all the data, we conclude that in the NDB there is a lack of complete data registration by all responsible institutions. This means that even though each of the institutions must register the data according to their scope, this NDB has not been completed with complete data from any responsible institution.

According to the information, initially this happened due to technical reasons which have not been corrected, and also there was a lack of will of the institutions to report and fulfill their obligation according to the signed agreement⁷⁶. Database holdups reflect poor referral and planning of cases as well as inaccuracy of statistical data.

⁷⁵ Interviews with CSW and Shelter authorities

⁷⁶ Interviews with OPAV authorities, Pristina and Peja, Prosecution Peja, CSW

- *Failure to classify and prioritize cases in NDB according to their sensitivity*

According to the guide for processing domestic violence cases the categorization of cases should be done for more efficient processing of crimes and unification of the legal practice.⁷⁷

The starting point of processing and referral to other institutions for the cases registration begins at the police stations, therefore our analyses are focused on this entity. Although the categorization of cases is foreseen as a necessity for the priority treatment of sensitive cases, such working method has not been applied to the registrations made by the police stations. The unclassified cases in PS Pristina are at a much higher level than the classified ones, while in PS Peja the categorization of cases has been at a slightly better level.

We noted that in the police stations, in Pristina and Peja, the case registration and their categorization is done according to a guidance issued by the Supreme Court⁷⁸. The main principles of this guidance are divided into seven main areas. However, we have noted that both in PS Pristina and SP Peja there has been constant duplication of the categories of cases of the same nature because their registration was done by each investigator with different designations.

The NDB has also had a tendency to integrate the registrations of domestic violence, where 48 different categories have been made available, which are based on the Criminal Code and the Law on domestic violence.⁷⁹ However, it is worth noting that the NDB categories are not in line with the categories defined by the Supreme Court guidelines.⁸⁰

In the absence of a unique categorization of cases, a large number of them remained unclassified, they were registered only as cases of domestic violence.

In the Graph below we have presented an overview of the classified cases in relation to the non-classified ones in the Police Stations:

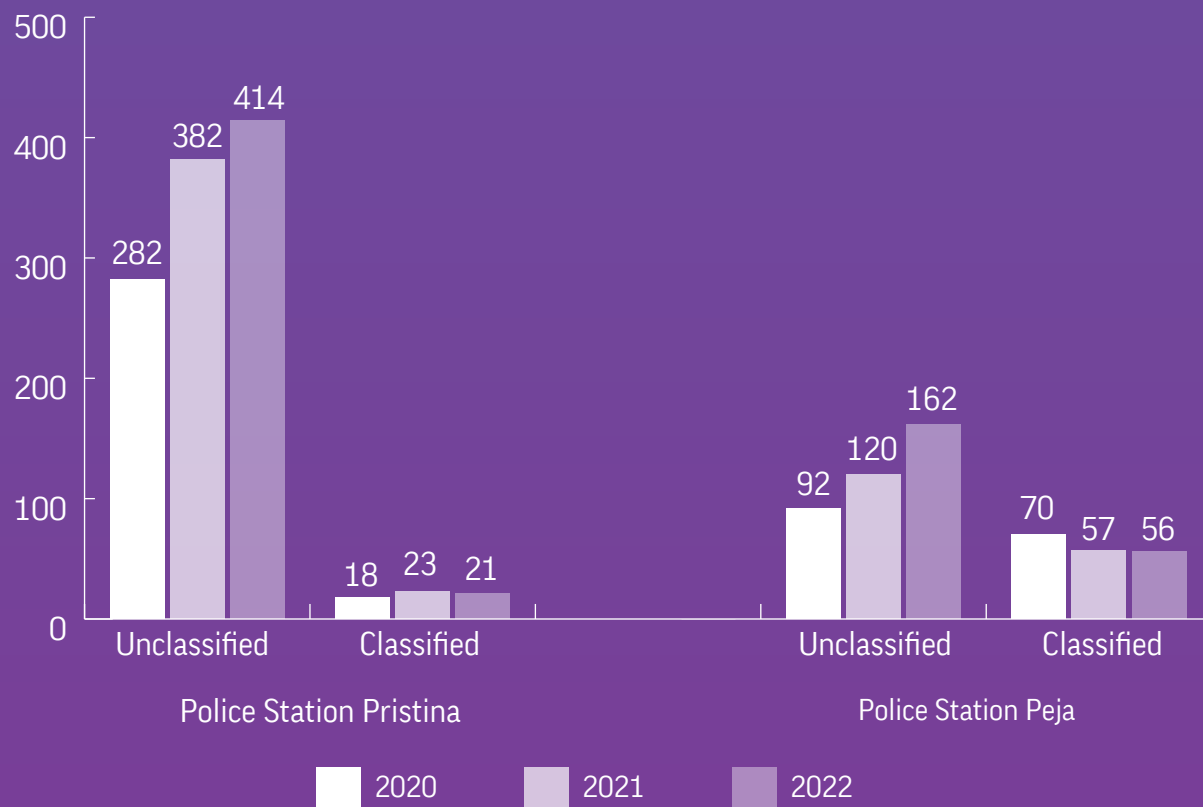
⁷⁷ Guidance, legal definition and processing of domestic violence cases KPRK, Supreme Court

⁷⁸ Guidance on the legal definition and processing of domestic violence cases according to the Criminal Code of the Republic of Kosovo, June 2020

⁷⁹ Categories of the national database for domestic violence, Ministry of Justice

⁸⁰ See the categorization table in the NDB

Graph 8: Difference over the years between categorized and uncategorized cases according to registers in police stations: Pristina and Peja



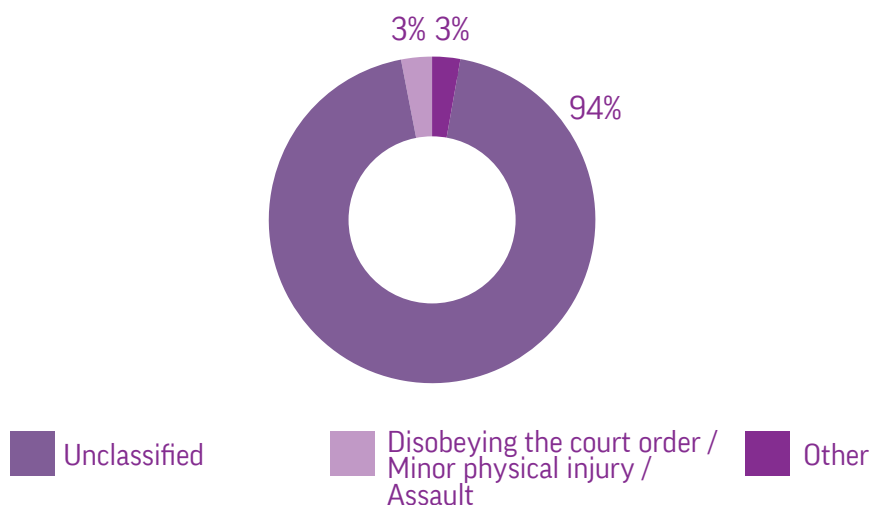
Source of information, data from police stations, Pristina and Peja

It is evident from the graph that in PS Pristina, most of the cases between 2020-2022 have remained grouped only as domestic violence, the level of classified cases is very low. While in SP Peja, efforts have been made to classify cases at a better level.

For a clearer overview, below we have presented what the percentage of prioritized cases looks like based on the type of injury such as: severe injury, minor injury, assault, or other categories. It is noted that over 90% of cases are not classified at all in PS Pristina, while in PS Peja, over 60% of cases are not classified.

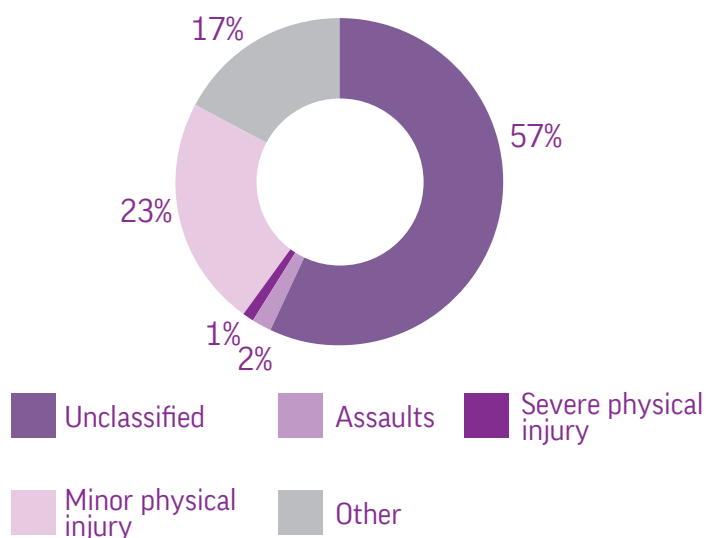
Prioritization of cases based on categories - SP Prishtina and Peja during 2020-2022

Graph 9: PS Pristina
Police Station Pristina



Graph 8: PS Peja

Police Station Peja



Over three years, PS Pristina, has classified only 3-4% of cases in categories such as: disobeying the court order/assault/minor physical injury/others. However, 94-95% of the cases are registered as belonging to the general category. Over three years, PS Peja has classified 2-23% of cases in the following categories: severe physical injury/minor physical injury/assault/other categories. While 57-68% are classified as general category.

This happened because the domestic violence units in the PS use the same guidelines for registering and sharing domestic violence cases, as well as the same NDB manual, but there is a lot of ambiguity on how to register them uniquely. The number of categories for domestic violence offered in the NDB affects the registration process, bringing the possibility of complications and uncertainty regarding the correct way of registration⁸¹.

The weak and non-unique classification of cases has reflected in their non-prioritization, which affects the mobilization and insufficient planning of activities to enable the undertaking of adequate measures for certain cases of domestic violence.

81 Database categories, Ministry of Justice

CONCLUSIONS

04

4. Conclusions

Responsible public institutions have undertaken a series of actions for processing of domestic violence cases, both in terms of drafting the legal framework as well as in terms of response, protection and rehabilitation. However, to fulfill the effectiveness of these services, a much greater institutional commitment is required. In terms of emergency response, the state system works relatively well. In terms of protection, the state system has defects during taking of statements from the parties involved in the incident, in the registration of reported cases, in the involvement of the victims' defenders, as well as in the timely review of cases by the judicial bodies. Meanwhile, in terms of rehabilitation, the victims have no social support, and there are no programs for the treatment of the perpetrators. However, for these services to be truly effective and impactful, a significantly higher level of institutional commitment is needed.

In terms of emergency response, the responsible institutions have taken action to address the domestic violence cases and their emergency response system works relatively well. The establishment of the 24/7 emergency telephone line has facilitated timely access to the police, ensuring immediate intervention in the reported domestic violence cases. The immediate response by police officers enables the delivery of essential emergency services, including medical aid and temporary shelter, while also securing vital evidence from the crime scene. However, limitations arise due to the workload of primary investigators which makes it impossible to focus only on domestic violence cases. Given their concurrent responsibilities with other investigations, this may result in an inadequate processing of domestic violence cases.

As for protection, the state system has identified some shortcomings in terms of protection for victims of domestic violence. Monitoring the implementation of protection orders lacks a standardized procedure, leading to inconsistent oversight and potential gaps in support for victims in terms of physical safety. The initial risk assessment carried out by police investigators, although a positive step, requires clearer guidelines and procedures for consistency and fairness. Moreover, inconsistencies in data recording at different institutional levels underscore the need for rigorous oversight to ensure data accuracy and integrity. The lack of accurate and complete information exchange between the police and victims' defenders hinders timely and comprehensive support for the victims.

In terms of rehabilitation, we can conclude that victims do not receive adequate support. Shelters, despite providing emergency rehabilitation services, encounter obstacles in their operation due to insufficient institutional cooperation and support. The process is hampered by delays in court hearings and lack of information about the court process. There is a lack of psychological support for the victims and there are no programs for the rehabilitation of the perpetrators. Also, victims are not always informed about their right to a material compensation during this phase.

While responsible public institutions have taken important steps to address domestic violence, the remain fundamental shortcomings remain that require urgent attention and action. Increasing

institutional commitment to address domestic violence and adequate allocation of resources are key steps. Improving communication and cooperation between stakeholders and increasing professional training will strengthen the overall response to domestic violence. Furthermore, the development of inclusive rehabilitation programs for victims, including psychological support and material compensation, is vital. At the same time, addressing the rehabilitation of perpetrators through targeted programs is essential for their treatment and recovery.

Deficiencies in the data management system, especially the lack of institutional-wide commitment to record data in the National Database of the domestic violence cases, hinder the effective monitoring and analysis of cases of domestic violence. Inconsistent data entry further complicates efforts to capture accurate information, emphasizing the importance of a unified approach to data entry.

Through continuous efforts and commitment to change, responsible institutions can foster an environment where victims of domestic violence are protected, rehabilitated and empowered, ultimately contributing to the eradication of domestic violence from society.

RECOMMENDATIONS

05

5. Recommendations

The following recommendations are intended to improve the process of processing domestic violence cases. They are addressed to each of the responsible institutions, according to the defects identified during the audit.

Recommendations for the Kosovo Police:

- *To improve the accuracy and consistency of data in the registration of cases of domestic violence at the institutional levels.*
- *To increase communication and coordination between the police, victims' defenders and shelters to ensure timely and effective support for the victims.*
- *In cooperation with the Ministry of Justice, to determine the unique categories of the data date for the categorization of cases during the registration.*

Recommendations for the Office for Victim Protection and Assistance:

- *To set a shortest possible deadline and adhere to this deadline within which the identified victim must be contacted.*
- *To commit to provide the victims with full information about the judicial process, including protection orders, material compensation and their rights during the rehabilitation.*
- *To record data in the database for all cases they process.*

Recommendations for the Centers for Social Work:

- *To commit to determine the social workers who should prioritize the treatment of domestic violence cases. This will help their profiling and more competent handling of these social cases. The assignment of case managers should be done in a timely manner and they should follow each case from the beginning until the closure.*
- *To engage in developing psychological programs and activities necessary for the treatment of victims, perpetrators or other participants involved directly or indirectly in the incident.*
- *In cooperation with other institutions at the central and local level, to engage in the development of the all-inclusive rehabilitation programs, to ensure the social and economic integration of victims of domestic violence.*
- *To register the data in the national database for the services provided for cases of this category.*

Recommendations for the Basic Prosecutor's Offices:

- *To make an effort to examine the possibilities for processing of all domestic violence cases according to the defined priorities.*
- *To register the data in the national database, for all the cases handled by them, including the data for the determination of criminal offenses.*

Recommendations for the Basic Courts:

- *To review the cases, starting with those that have been carried over from previous years, while the review of cases from the current year is prioritized according to the risk level.*
- *To register data in the database, for the cases received and reviewed by them; court decisions, rulings and other measures.*

Recommendations for the Ministry of Justice:

- *To ensure that cases are registered in the database in order to accurately track domestic violence cases, referrals and processing procedures.*
- *To commit to the unification of registrations in the database, in particular the registrations made by the Police which must be in accordance with the guidelines of the Supreme Court.*
- *To engage in the implementation of the program designed for the treatment of perpetrators in cooperation with other responsible institutions.*
- *To regularly review and update existing domestic violence policies and guidelines to address evolving challenges and incorporate best practices.*
- *To provide institutional support for the strengthening of shelters and centers for social work in capacity building and the development of inclusive rehabilitation programs.*

Annexes

06

6. Annex 1. Audit scope and methodology

Audit scope

The scope of this audit is the Ministry of Justice, namely the Office of the National Coordinator for Protection from Domestic Violence with a special focus on the database installed in this office.

In order for the audit findings on processing of reported cases of domestic violence to be as representative as possible, we have selected two regions: Pristina Region and Peja Region because these two regions have the largest number of reported violence cases.

Within these regions as the main subjects of this audit, we have selected the responsible institutions during the case processing, such as:

- *For the Region of Pristina: Police at the local level, Victims' Defenders, Basic Prosecutor's Office, Basic Court, Center for Social Work in Pristina. Since the shelters operate as non-governmental organizations, in the Pristina shelter we only conducted observations.*
- *For the Region of Peja: Police at the local level, Victims' Defenders, Basic Prosecutor's Office, Basic Court, Center for Social Work in Peja. In the shelter of Peja, we only conducted observations.*

Audit methodology

In this audit, a range of techniques were used to provide relevant, reliable and sufficient evidence, which lead us to identify the deficiencies of processes and activities respectively.

The methodology used in this audit is as follows:

- *Analysis of the legal and regulatory framework related to the processing the domestic violence cases;*
- *Analysis of the National Strategy for Protection from Domestic Violence 2016-2020 and 2022-2026;*
- *Analysis of Standard Operation Procedures for Protection from Domestic Violence;*
- *Analyzing various local and international reports and researches related to processing of domestic violence cases;*
 - *Conducting interviews with officials of the institutions responsible for processing domestic violence cases;*
 - *Analysis of the minutes from the meetings held by the Inter-Ministerial Coordinating Group against domestic violence;*
 - *Analysis of data/statistics from the integrated database in the Office of the National Coordinator for protection from domestic violence;*
 - *Analysis of annual reports and statistical data for the period from 2020-2022;*
 - *Development of the survey with all shelters at country level;*
 - *In-person field observation of shelters;*
 - *Application of research questionnaires to beneficiaries of shelter services; interviewing in total 40 sheltered residents during the period from 2020-2022*
- *Other relevant documentation for our audit work.*

Annex 2.

Table 11. Police response time in cases of domestic violence

Duration of police response and intervention in domestic violence cases			
Case No.	Location of the reported incident	Category of the offense	Duration of the processing
POLICE STATION PRISTINA			
R 1	Pristina	Disobeying the court order	0h 50"
R 2	Pristina	Minor injury	0h 30"
R 3	Pristina	General classification	2h
R 4	Pristina	General classification	1h
R 5	Pristina	Minor injury	4h 50"
R 6	Pristina	General classification	2h 15"
R 7	Pristina	General classification	0h 30"
R 8	Pristina	General classification	3h 15"
R 9	Mitrovica-Pristina	Disobeying the court order	4h
R 10	Pristina	Disobeying the court order	4h
R 11	Pristina	General classification	2h 40"
R 12	Pristina	General classification	5h 50"
POLICE STATION PEJA			
R 10	Pristina	General classification	2h 40"
R 11	Pristina	General classification	5h 50"
R 12	Prishtine	Threat	2h 45"
R 13	Leshan	General classification	3 h
R 14	Vitimirice	Attack	3 h 30 "
R 15	Gorazhdec	Severe injury	5 h 45"
R 16	Trebovic- Vitimirice	Minor injury	3 h 45 "
R 17	Peja	Severe injury	1 h 15"
R 18	Peja	General classification	3 h 25 "
R 19	Buqan	Lendim i rënd	1h 35 "
R 20	Peje	General classification	2 h 15 "
R 21	Peja	General classification	13 h
R 22	Klina	General classification	3 h
R 23	Kosuric	Severe injury	4 h
R 24	Peja	Attack	3 h 45 "

Table 12. The number of investigators in the police stations at the local level and in the regional investigation units in Pristina and Peja, as well as their assignment in dealing with cases of domestic violence and other criminal offenses.

PS Police investigative unit - Pristina		2020		2021		2022	
Police investigative unit		Domestic violence	Other criminal offense	Domestic violence	Other criminal offense	Domestic violence	Other criminal offense
Investigator 1				2	13	2	9
Investigator 2		3	21	4	22	5	16
Investigator 3				4	8	3	20
Investigator 4		3	7				
PS CENTER							
Investigator 1		65	4	81	8	38	17
Investigator 2		24	96	55	53	57	92
Investigator 3						0	0
Investigator 4						22	50
PS SOUTH							
Investigator 1		61	55	51	37	62	16
Investigator 2		56	99	58	49	66	46
Investigator 3		2	110	24	34	34	46
Investigator 4						1	42
PS NORTH							
Investigator 1		75	96	72	93	68	62
Investigator 2		29	58		127	45	37
Investigator 3				23	120	43	103
Investigator 4						0	35
PS Police investigative unit - Peja		2020		2021		2022	
Police investigative unit		Domestic violence	Other criminal offense	Domestic violence	Other criminal offense	Domestic violence	Other criminal offense
Investigator 1 & 2		0	9	3	13	14	19
Police station							
Investigator 1		2	93	15	72	103	21
Investigator 2		9	9	66	52	56	77
Investigator 3		4	87	26	119	35	127

Table 13. The participation of OPAV in the process of treating the victims

Case No.	Date of reporting the case to the police	Time/period of involvement of the Victim Defender	Involvement in the entire case handling process
OFFICE FOR VICTIMS' DEFENDERS PRISTINA			
R 1	5/12/2020	Participation in the process until 14.02.2020	There is no continuity in involvement
R 2	1/12/2021	No evidence for participation of the victims' defenders	There is no information available
R 3	7/6/2020	No evidence for participation of the victims' defenders	There is no information available
R 4	8/25/2020	No evidence for participation of the victims' defenders	There is no information available
R 5	8/20/2021	Participation in the process until 09 06 2021	There is no continuity in involvement
R 6	11/10/2021	Participation in the process until 31.08.2021	There is no continuity in involvement
R 7	3/18/2021	Participation in the process until 24.12.2020	There is no continuity in involvement
R 8	10/23/2021	No evidence for participation of the victims' defenders	There is no information available
R 9	7/3/2022	Participation in the process until 21.11.2022	OPAV involvement within 90 days
R 10	5/17/2022	Participation in the process until 18.05.2022	OPAV involvement within 2 days
R 11	11/29/2022	Participation in the process until 05.12.2022	OPAV involvement within 5 days
R 12	9/4/2022	No evidence for participation of the victims' defenders	There is no information available
OFFICE FOR VICTIMS' DEFENDERS PEJA			
R 13	2/9/2020	Participation in the process until 24.02.2020	OPAV involvement within two days
R 14	3/17/2020	Participation in the process until 03.06.2020	OPAV involvement within 60 days
R 15	6/12/2020	Unable to contact the victim	There is no involvement
R 16	8/25/2020	Unable to contact the victim	There is no continuity in involvement

R 17	1/13/2021	Participation in the process until 15.02.2021	OPAV involvement within 30 days
R 18	4/2/2021	Participation in the process until 12.06.2021	OPAV involvement within 60 days
R 19	4/24/2021	Participation in the process until 30.04.2021	OPAV involvement within 15 days
R 20	7/26/2021	Participation in the process until 03.08.2021	OPAV involvement within 15 days
R 21	4/19/2022	Participation in the process until 05.05.2022	OPAV involvement within 15 days
R 22	6/27/2022	Participation in the process until 11.11.2022	OPAV involvement within 90 days
R 23	10/12/2022	No evidence for participation of the victims' defenders	There is no continuity in involvement
R 24	11/16/2022	Participation in the process until 07.12.2022	OPAV involvement within 15 days

Table 14. Services undertaken by the Centers for Social Work

ACTIVITIES UNDERTAKEN BY CSW PRISTINA		
Social status and location during the violence	Processing time	General interventions by the case manager
Has not passed through shelters	Was processed by the CSW during 2019. There were no activities in 2020/22 even though the case continued to be processed by other justice institutions	The characteristic of this case is that during 2019, three social anamnesis were compiled for the basic court in the nature of proposals
Has not passed through shelters	During two months in 2021	Individual counseling session with the client Family counseling session Consultation on the case General client support There have been ongoing consultations due to the custody of the children
Has not passed through shelters	During the year 2020-22	Consultations, facilitating meetings with the children, ongoing contacts with the victim, compiling service plans for the activities carried out in connection with the case.
Has not passed through shelters	During one month	Case consultation Visit related to the client's condition
Has not passed through shelters	During one month	Individual counseling session with the client Family counseling session Consultation on the case General client support
Has not passed through shelters	During the period of seven months	Individual counseling session with the client Consultation on the case Visit related to the client's condition Unspecified category
ACTIVITIES UNDERTAKEN BY CSW PEJA		
Social status and location during the violence	Processing time	General interventions by the case manager
Was accommodated in the shelter	During one month	"Individual counseling session with the client Family counseling session Consultation on the case"
Several times in a row in a short period of stay (recidivist case))	Ongoing according to the according to the presented need	Individual counseling session with the client Family counseling session Consultation on the case General client support

Table 15. Types of criminal offenses in NDB

Slavery, conditions similar to slavery and forced labor
First-degree murder
Incitement to suicide and assisted suicide
Unauthorized termination of pregnancy
Murder of a baby during childbirth
Attempted murder
Threat
Harassment
Attack
Minor physical injury
Severe physical injury
Pressure
Unlawful deprivation of liberty
Violation of the inviolability of housing and buildings
Rape
Sexual assault
Degradation of sexual integrity
Sexual abuse of persons with mental or emotional disorders or disabilities
Sexual abuse of persons under the age of 16
Abuse of children in pornography
Facilitating or forcing prostitution
Sexual relations in the family
Forced marriage
Extramarital union with a person under the age of 16
Unlawful taking or retention of a child
Change in the child's family status
Child abuse or neglect
Violation of family obligations
Abandonment of persons with disabilities
Avoidance of livelihood security

Illegal seizure of property

Blackmail

Domestic violence - Article 248

Self-condemnation

Any other action by a family member that may cause or threatens to cause physical pain and mental suffering

Causing a feeling of fear, personal danger or violation of dignity

Physical attack without consideration of the consequences

Insulting, cursing, calling offensive names and other forms of gross harassment

Continuous repetition of behavior aimed at humiliating another person

Sexual intercourse without consent and sexual abuse

Unlawful restriction of freedom of movement of another person

Damage or destruction of property and threats to do so

Putting another person in a position to fear for their physical, emotional and economic condition

Forcible entry or exit from a shared apartment or another person's apartment

Kidnapping of a person

Violation of a protective order

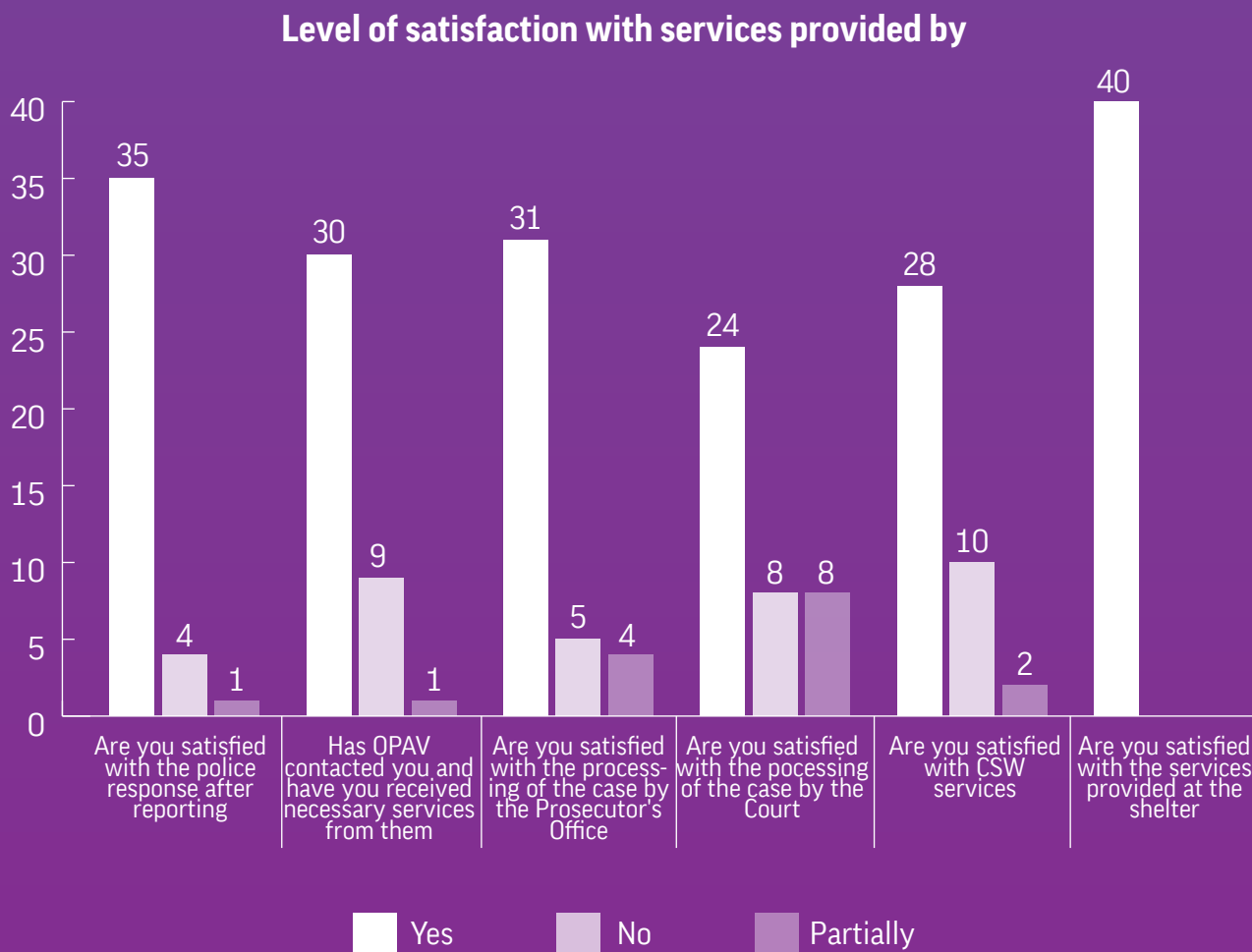
Contempt of court - Art. 401

Crimes related to narcotics


Source: Information from the database of the Ministry of Justice⁸²

82 Types of criminal offenses in the Database

Graph 10. Results of the survey on the level of satisfaction with the services provided by the institutions




Annex 3. Confirmation letters




REPUBLIKA E KOSOVËS
Republik of Kosovo - Republika Kosova

KOMUNA E PEJËS
Municipality of Peja - Opština Peć

Drejtoria për Mirëqenie Sociale



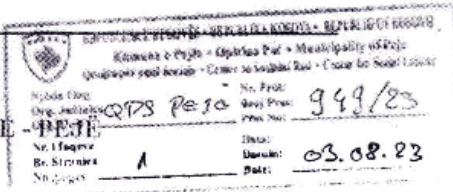


QENDRA PËR PUNË SOCIALE

DATE-PRATIMAR DOKUMENTAR: 11.08.2023

Niveli Org. / Org. Unit	Shifra Klasif. / Klass. Kod	Nr. Prot. / Br. Prot. / Prot. No.	Nr. Fajese / Br. Seriales / No. Pages
06	42	1345	1

LETËR E KONFIRMIMIT



QPS Peja

Nr. Prot. / Br. Prot. / Prot. No.: 949/23

Nr. Fajese / Br. Seriales / No. Pages: 1

Data: 03.08.23

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të performancës **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”**, dhe për zbatimin e rekomandimeve.

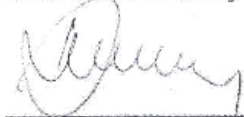
Për: Zyrën Kombëtare të Auditimit: Pejë, 03.08.2023

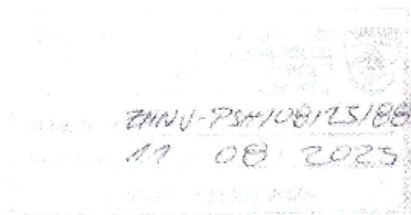
i/e nderuar,

Përmes kësaj shkrese, konfirmoj se:

- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”** (në tekstin e mëtejshëm “Raporti”);
- pajtohem me të gjeturat dhe rekomandimet dhe nuk kam ndonjë koment për përmbajtjen e Raportit; si dhe
- brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.

DREJTORI
Drita Kelmendi-Kukaj



Republika e Kosovës / Republika Kosovo / Republic of Kosovo

Prokurori i Shtetit / Državni Tužilac / State Prosecutor
Sekretariati/Sekretariat/Secretariat

Zyra për Mbrojtje dhe Ndihmë të Viktimave / Kancelarija za Zastupanje i Pomoć Žrtvama
Victims Advocacy and Assistance Office

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të performancës “Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”, dhe për zbatimin e rekomandimeve.

Për: Zyrën Kombëtare të Auditimit

Vendi dhe data: 11.08.2023
Prishtinë

I nderuar,

Përmes kësaj shkrese, konfirmoj se:



- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit “Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje” (në tekstin e mëtejshëm “Raporti”);
- Pas takimit dhe diskutimeve që kishim me datën 11.08.2023 pajtohem me të gjeturat dhe rekomandimet e Zyrës Kombëtare të Auditimit (ZKA)
- brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.
- Për çdo paqartësi mos hezitoni të na kontaktoni

Ibrahim Tërstena

u.d. Menaxheri i ZMNV-së



REPUBLIKA E KOSOVËS-REPUBLIKA KOSOVA-REPUBLIC OF KOSOVO ZYRA KOMBËTARE E AUDITIMIT NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE			
DATUM PRILAZA: 11.08.2023 DATUM PRILAZA: 11.08.2023			
Njoft. Org. Org. Jed. In. Org. Unit	Sim. Klasif. Klasif. Kod Class. Code	Nr. Prot. Br. Prot. Prot. No.	Nr. faqeve Br. Stranica No. Pages
06	47	351	1

	Republika e Kosovës Republika Kosova - Republic of Kosovo Qeveria - Vlada - Government	
	Ministria e Punëve të Brendshme Ministry of Internal Affairs Policia e Kosovës / Policija Kosova / Kosovo Police	
	Drejtoria e Përgjithshme e Policisë/ Generalna Policijska Direkcija/ General Police Directorate	

MEMORANDUM ZYRT SLUJBENI MEMORANDUM - OFFICIAL MEMORANDUM

PËR: Zyra auditorit të përgjithshëm
ZA:
TO:

Data: 17.08. 2023
Datum:
Date:

PËRMES: Z. Gazmend HOXHA
PREKO: Drejtor i Përgjithshëm i Policisë

THROUGH: Drejtor Nënkolonel Arbnes M. AJVAZI Ref.DDRP 05/01/-02/80/23
UD/Drejtor i Departamentit të Rendit Publik-DPP



PREJ: Nënkolonel Zylfije DEMA
OD: Drejtor i Drejtorisë së Policisë në Bashkësi dhe Parandalim
FROM: DPP-Prishtinë

LËNDA:
PREDMET: Letërkonfirmi për auditorin e përgjithshëm
SUBJECT:

REPUBLIKA E KOSOVËS-REPUBLIC OF KOSOVO ZYRA KOMBËTARE E AUDITIMIT NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE			
DREJTORIA E PËRGJITHSHME E POLICISË GENERALNA POLICIJSKA DIREKCIJA			
17.08.2023			
Niveli Org. Org. Jedn. Org. Unit	Stufi/Klasif. Klasif. Kod Class. Code	Nr. Prot. Br. Prot. Prot. No.	Nr. i kësajve Dr. Stranica No. Pages
06	47	1365	2

Të nderuar,

Bashkangjitur me këtë shkresë përcjellëse keni letërkonfirmimin lidhur me rekomandimet e dalura gjatë auditimit të performances "Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje".

	Republika e Kosovës Republika Kosova – Republic of Kosovo Qeveria – Vlada – Government	
	Ministria e Punëve të Brendshme Ministry of Internal Affairs Policia e Kosovës / Policija Kosova / Kosovo Police	
	Drejtoria e Përgjithshme e Policisë/ Generalna Policijska Direkcija / General Police Directorate	

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të përfomancës **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”**, dhe për zbatimin e rekomandimeve.

Ref: DDRP 05/01-02/80/2023

Për: Zyrën Kombëtare të Auditimit

Vendi dhe data: Prishtinë, 17.08.2023


I nderuar,

Përmes kësaj shkresë, konfirmoj se:

- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”** (në tekstin e mëtejshëm “Raporti”);
- pajtohem me të gjeturat dhe rekomandimet dhe nuk kam ndonjë koment për përmbajtjen e Raportit; si dhe
- brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.

Drejtore i Drejtorisë së Policisë në Bashkësi dhe Parandalim

Për Nënkolonel Zylfije Dema



ZYRA KOMBËTARE E AUDITIMIT NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE			
Nr. Dokumenti Dokument No.	Nr. Protokolli Prot. No.	Nr. Javimit Be. Sac. mesa	Nr. Përmirësimit No. Përmir.
Nr. Klasifikimit Klas. Kod.			

REPUBLIKA E KOSOVES/REPUBLIKA KOSOVA
 QEVERIA E KOSOVES/VLADA KOSOVA
 GOVERNMENT OF KOSOVO
 MINISTRIA E DREJTËSISË/MINISTARSTVO PRAVDE
 MINISTRY OF JUSTICE

Nr.BrNo: 01-1080

Data/Date: 18/08/2023

Shërbimi/Dodaci/Annex: -1-

PRISHTINË

REPUBLIKA E KOSOVES/REPUBLIKA KOSOVA/REPUBLIC OF KOSOVO
 ZYRA KOMBËTARE E AUDITIMIT
 NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE

18.08.2023

Shërbimi/Dodaci/Annex	Nr. Prot. Br. Prot.	Nr. i faqeve Br. Stranica No. Pages
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		1



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria -Vlada-Government

Ministria e Drejtësisë – Ministarstvo Pravde – Ministry of Justice

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të performancës **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”**, dhe për zbatimin e rekomandimeve.

Për: Zyrën Kombëtare të Auditimit

Vendi dhe data: Prishtinë, 18 gusht 2023

I/e nderuar,

Përmes kësaj shkrese, konfirmoj se:

- Ministria e Drejtësisë (MD) ka pranuar Draft-raportin e Zyrës Kombëtare të Auditimit **“Efektiviteti i institucioneve në trajtimin e rasteve të dhunës në familje”** (në tekstin e mëtejshëm “Raporti”);
- Ministria e Drejtësisë ka ofruar komentet në Draft raportin e Zyrës Kombëtare të Auditimit dhe pajtohet me Draft-raportin së bashku me komentet e përfshira dhe dëshmitë e ofruara nga MD lidhur me përmbajtjen e Draftit;
- Brenda 30 ditëve pranimi i Raportit final, MD do ta dorëzojë një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.



EFFECTIVENESS OF INSTITUTIONS
IN PROCESSING OF DOMESTIC
VIOLENCE CASES

National Audit Office
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Republic of Kosovo