Domestic violence in Kosovo

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Abstract
Domestic violence includes an entirety of intentional actions or omissions through which is exercised physical, psychological, sexual and economic maltreatment, by a person which is or have been in a family relationship with the victim. Domestic violence manifests numerous and diverse characteristics. As such it is present and with tendency to increase almost in every country and society. During the treatment of this topic focus territory was Kosovo. Modest results of this paper indicate that during the period of 2009-2013 from Kosovo Police were recorded 7319 domestic violence cases. Domestic violence in Kosovo significantly is expressed as a physical and psychological violence, as well as economic and sexual violence. According to the data used as victims of domestic violence in most of the cases were women, and then children, elderly, as well as other persons within family. Domestic violence in a relatively considerable extent has been treated by responsible state bodies. Despite this, this treatment is emphasized to be still not complete. In this regard, is required from all these institutions to advance their dedication in order to detect and solve all cases of this violence, in a way that in these families to return normal life and dignity.

Keywords: Violence; Maltreatment; Family; Woman; Children

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1. Introduction

Domestic violence is considered to be an integral part of violence in general. This violence is manifested through physical, psychological and sexual maltreatment etc., of a person which is or have been in a family relationship with the victim. As it turns out, domestic violence manifests numerous characteristics which makes it special. According to the results of this paper, this type of violence in Kosovo, similar to other contemporary countries, continues to indicate high levels of presence, whereas the fight against it continues to be slow and inefficient. Kosovo Police data indicate that domestic violence is committed in 7319 cases. These data prove that the most common form of domestic violence during the period of 2009-2013 was physical violence (by 3114 cases), and then psychological violence (by 2870 cases), sexual violence (by 873 cases), and economic violence (by 462 cases). According to these data violence against women had dominated by 3127 cases, followed by violence against children by 1733 cases, violence against elderly by 1238 cases and the violence against other types of victims by 1454 cases. These cases, although significantly by justice bodies their treatment is considered to be challenging and problematic. Consequently, there have been a numerous cases of violence, violence forms of combination and its aggravation to the murder of victim. Regardless of recorded cases, for many reasons, is considered that a relatively high number of domestic violence cases remain undetected. This situation requires increased commitment of justice bodies, advanced professionalism and dedication in order to detect all domestic violence cases, and to solve them in merit.

2. Meaning of domestic violence

The term violence represents a very wide expression. It includes an entirety of actions and behaviors attacking physically or psychologically the other person. Therefore, in general terms by the word violence is implied the use of physical or psychological coercion, brutal tools or methods against someone in order to force to do something without his consent (Today Albanian Dictionary, 2002). Whereas in criminal-law aspect violence is defined as an action or omission of a person violating physical, moral, psychological, sexual, social and economic integrity of the other person (Tirana Ombudsman, 2014).

Domestic violence is considered to be an integral part of violence in general. Seen in this aspect by the word domestic violence should be implied intentional action or omission which results in the abuse committed by a person which is or have been in a family relationship with the victim. As such domestic violence includes physical maltreatment (physical violence, pain, hardship) psychological maltreatment (psychological pressure, psychological distress, causing the feeling of fear, violation of dignity, insult, humility), sexual maltreatment (rape, sexual abuse etc.), economic maltreatment (damage, property destruction, fear for the victim economic position etc.) etc. (Annual Progress Report, 2013) Consequently, domestic violence includes every behavior that frightens, manipulates, humiliates, isolates, fears, terrorizing, threatens, damages, hurts or injures the other person which the perpetrator is or have been in a family relationship.
3. Some characteristics of domestic violence

Domestic violence is determined by some characteristics such as:

1) Family relations between perpetrator and the victim.- In order for a form of violence to take the characteristics of domestic violence a mandatory condition is the violence to be committed between persons who are or were in a certain family relationships. Therefore, domestic violence exists only when a concrete person (the perpetrator) commits physical, psychological and sexual violence against the other person by having him/her spouse or former spouse, parent, children, grandparent, aunt, stepdad, brother-in-law etc.

2) Violence extent without restrictions concerning relations within family.- Domestic violence may be committed by different levels and against every person within family, regardless of family relationship existing between perpetrator and the victim. Practice prove for obvious cases of using violence against wife (and the opposite), children (legitimate or adopted), parent (mother or father), sister-in-law (and the opposite) stepmother (and the opposite), uncle, aunt, nephew, niece etc.

3) Diversity of violence application.- Domestic violence is manifested in different types and forms. Despite this, the data made public in global and national plan of states prove the fact of physical, psychological, economic and sexual violence domination. Consequently, these and other types of domestic violence have been characterized by the diversity of actions and omissions they are committed, as well as the fact of combination of more violence forms (for example physical and psychological at the same time). In fact an important element of domestic violence actions is of course the high degree of aggressively and consequences they cause.

4) Manifestation of violence against the powerless and those in need.- Criminological researches and statistical data indicate that domestic violence mainly is committed against persons who are not able to take care of themselves. Here, mainly are included elderly, the sick, children, persons without means of living etc. These present the category of persons who are seen as a burden in families, especially in cases where there is no institutional care for them.

5) Dominance of violence against women.- Numerous statistical data prove that among domestic violence victims dominates the violence against women. This trend is noticed to be basically present in transition countries. In this case, it is meant in democratic transition whether it extends within family or in society.

6) Non-reporting of numerous cases.- Domestic violence usually is committed within closed doors. Bearing in mind the conditions of societies where there is still present the scope of customary rules it is a normal thing that such violence in many cases is unknown for responsible institutions of combating crime and public opinion. This due to the fact that in such families, because of maintaining "honor" are undertaken different actions preventing from the possibility to gain information over the committed violence within family, outside of the family and its reporting. Consequently, the number of domestic violence cases for which are never informed state responsible bodies is estimated to be relatively high.
4. Data on domestic violence in Kosovo for years 2009-2013

Empirical data prove that domestic violence especially in transition countries and those with low economic development in the last decades is growing. High level within family, just like it was emphasized above indicate physical, psychological, economic and sexual violence, and in particular against women, but also against elderly and children. A relatively high presence of domestic violence continues to be in Kosovo as well.

The following table presents the number of domestic violence cases included in Kosovo Police statistical evidences for the period of 2009-2013.

<table>
<thead>
<tr>
<th>Period</th>
<th>Number of evidenced cases concerning domestic violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009 – 2013</td>
<td>7319</td>
</tr>
</tbody>
</table>

According to these data during the period of 2009-2013 in Kosovo were recorded 7319 cases of domestic violence, or an average of 1463.8 per each year (Kosovo Police statistics, 2014). These data indicate that the number of domestic violence cases in Kosovo is relatively high. Regardless of this, I consider that such data must be taken with great reservations. This due to the fact that a considerable number of domestic violence cases has never been detected and recorded. The causes of this situation must be linked with the patriarchal mentality still existing concerning the functioning manner of many Kosovo families. This mentality exists in the concept of closing the bad things within family. Of course, the causes of this situation must be sought also in the subordinate position that certain persons have within family (wife, the elderly, the sick, children etc.) which reporting violence acts consider as causes of their own violence or also being outside of family care.

In committing domestic violence during the research period is estimated to have influenced difficult economic situation, a complicated and overlong democratic transition that included country now and fifteen years ago, family transfer followed by a numerous patriarchal rules presence, difficulties accompanied the advancement of women position in society, uncontrolled migration of population from village to city and difficulties in their adjustment in a new social environment etc., therefore, here have affected the problems regarding the manner of functioning criminal justice system, the high density of population, poor housing conditions, the high level of unemployment, the low level of family care to some categories of persons etc.

4.1. The dynamic

In order to be able to assess the performance of movement related to domestic violence is necessary to follow the level of this phenomenon through years. In this regard, in order to present the dynamics of domestic violence in Kosovo, the following table presents data of Kosovo Police over recorded cases of this violence during the period of 2009-2013.
Table 2. The dynamic of domestic violence cases recorded through years

<table>
<thead>
<tr>
<th>Years</th>
<th>The number of recorded domestic violence cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>1080</td>
</tr>
<tr>
<td>2010</td>
<td>944</td>
</tr>
<tr>
<td>2011</td>
<td>1046</td>
</tr>
<tr>
<td>2012</td>
<td>1063</td>
</tr>
<tr>
<td>2013</td>
<td>1186</td>
</tr>
<tr>
<td>In total</td>
<td>7319</td>
</tr>
</tbody>
</table>

According to these data during years 2009 and 2013 domestic violence indicated a relative growth trend (Kosovo Police Statistics, 2014). The causes of this situation must be linked to the worsening of country economic situation from year to year, a complex process of many problems concerning Kosovo society democratization, significantly degradation of justice system and to the family role itself in society etc.

4.2. Territorial scope

Territorial distribution of domestic violence it has a special importance to the criminal-political orientations of its prevention and combating. In this regard, in the following parts of this paper will present the recorded data concerning domestic violence in Kosovo regions, during the period of 2009-2013.

Table 3. Territorial scope of domestic violence

<table>
<thead>
<tr>
<th>Regions</th>
<th>The number of juveniles against whom were imposed criminal sanctions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pristina</td>
<td>1735</td>
</tr>
<tr>
<td>Prizreni</td>
<td>1189</td>
</tr>
<tr>
<td>Peja</td>
<td>1345</td>
</tr>
<tr>
<td>Mitrovica</td>
<td>1163</td>
</tr>
<tr>
<td>Gjilani</td>
<td>820</td>
</tr>
<tr>
<td>Ferizaj</td>
<td>1067</td>
</tr>
<tr>
<td>In total</td>
<td>7319</td>
</tr>
</tbody>
</table>

According to these data the biggest number of domestic violence cases is recorded in Pristina region (1735 cases), and then in Peja region (1345 cases), Prizren region (1189 cases), Mitrovica region (1163 cases), Ferizaj region (1067 cases), and Gjilan region (820 cases) (Kosovo Police Statistics, 2014).

Modest results of this paper prove that domestic violence is more prevalent in cities, whereas in rural areas is less present. This situation is considered to be as a fact of massive abandonment of rural areas characterizing Kosovo post-war developments (1999). In fact such situation must be influenced also by problems accompanying family adjustment process displaced by the manner of behavior and life in the new
environment (city) where created problems exploding in violence already is difficult to remain not seen by the others.

This disproportion of domestic violence in Kosovo has been conditioned, first of all, due to the fact that in the Municipality of Prishtina, Peja, Prizren and Mitrovica conditional factors of this phenomenon appears to be significantly more emphasized than in other municipalities. Here, especially is noticed the problem of poverty, unemployment, high and uncontrolled migration of population, demographic situation, the existence of customary rules behavior etc. Another factor which according to my opinion had a big influence in the appearance of domestic violence during the period of 2009-2013 is also the fragile security situation and the slow functioning and with many problems of bodies establishing the criminal justice system in country.

5. Domestic violence forms

Theory and practice recognize different forms of domestic violence. Unable to address all forms of this violence, the following parts of this paper will discuss about the most typical and common forms of domestic violence. Consequently, the attention will be focused in physical, psychological, sexual and economic violence.

5.1. Physical violence

Physical violence represents one of the most common forms of domestic violence. This form of violence is manifested through beating, pushing, scratching, burning, hitting, isolation, refusal to help the person in need, a murder attempt to the most severe form, murder etc. “Physical violence in general is committed by commencing from the easiest cases to the extreme ones. Perpetrators are very testing and careful in increasing the level of violence.” (http://www.google.com/url?).

According to Kosovo Police data physical violence as a special form of domestic violence in Kosovo during the period of 2009-2013 is expressed in 3114 cases (Kosovo Police Statistics, 2014). As it turns out, this form of violence participates within other forms of domestic violence by 42.55%.

Researchers conducted indicate that during the research period in almost 60 % of physical violence cases were: beating, hitting, isolation etc.

5.2. Psychological violence

Psychological violence also represents a common form of domestic violence. This form of violence is manifested through negligence, intimidation and constant pressure over the victim, joking with the victim, curse, threats, deprivation from normal life by prohibiting the victim contacts with friends and family members or by controlling to whom she is meeting, speaks on the phone, where it goes, what does it wear, by prohibiting her the expression of religion, implementation of tradition rules etc. This form of violence affects directly in the creation of a very low estimated feeling for itself to the person who is the victim of this violence. In cases of this violence as victims mainly are women but also men.
According to Kosovo Police data psychological violence as a special form of domestic violence in Kosovo during the period of 2009-2013 is expressed in 2870 cases (Kosovo Police Statistics, 2014). As it turns out, this form of violence participates within other forms of domestic violence by 39.21%. The results of this paper indicate that during the research period psychological violence mainly is expressed through threats (43%), controlling victim's contacts with other persons (22%), the prohibition victim's contacts with friends and family members (16%) etc.

5.3. Sexual violence

Sexual violence represents another kind of well-expressed forms concerning domestic violence. This form of violence is manifested through having sexual act by using force, treatment of partner as a sexual object, forcing to have sexual act without desire, forcing to have sexual act in unwanted and unacceptable forms, insistence to touch and to do anything the partner wants, forcing to have sexual act to another partner, having sexual act to another partner in front of his wife, declaring for an affair, obligation to have sex after physical abuse, forcing to a prostitution, forcing to a striptease etc. Based on the used data this is the third form of violence reported by women as victims. In this case it must be emphasized the fact although a sexual violence may be the third concerning its frequency, it is always accompanied by other violence forms especially psychological and physical violence.

According to Kosovo Police data sexual violence as a special form of domestic violence in Kosovo during the period of 2009-2013 is expressed in 873 cases (Kosovo Police Statistics, 2014). As it turns out, this form of violence participates within other forms of domestic violence by 11.93%. The results of this paper indicate that during the research period sexual violence mainly is expressed through having sexual act by using force (33%), forcing to have sexual act without desire (27%), forcing to a prostitution (6%) etc.

5.4. Economic violence

Economic violence constitutes another kind of domestic violence. This form of violence includes actions through which is exercised the control over family incomes, the refusal of financial contribution for family maintenance, giving insufficient contribution to cover family costs, the denial of basic family needs etc. As victims of this form of violence mainly appear women due to the fact they are less employed. In cases of this form the perpetrator uses financial power in order to keep the victim submissive.

According to Kosovo Police data economic violence as a special form of domestic violence in Kosovo during the period of 2009-2013 is expressed in 462 cases (Kosovo Police Statistics, 2014). As it turns out, this form of violence participates within other forms of domestic violence by 6.31%. The results of this paper indicate that during the research period economic violence mainly is expressed through exercising control over family incomes (47%), the refusal of financial contribution for family maintenance (32%), the denial of basic family needs (13%) etc.
6. Consequences of domestic violence

Domestic violence causes a numerous and diverse consequences. It damages health, self-confidence, safety, the quality of life, possibilities and potential of the victim in order to control her life. In fact, domestic violence affects upon the denial of human rights of the victim, their family members, community where it lives and society in general (Tamo and Karaj, 2005). It consists in the violation of basic human rights, such as the right of expressing thoughts, education, socialization, employment etc.

Consequently, the consequences of domestic violence are of physical, psychological and social nature. Observed in psychological terms domestic violence to the victims causes psychological stress which can lead also to psychological concern and behavior such: post-traumatic disorders, psycho-somatic disorders, different degrees depressions, the loss of self-esteem, fear and anxiety, the loss of hopes, the development of shame and guilty feeling, suicide attempt or self-inflicted damage, brain damage etc. Such consequences in many cases and aspects hit also family members of victims.

In the meantime, in physical terms domestic violence inflicts obstacles in victim's normal development, breaking limb of the body (hands, feet, fingers) and damage to other parts of the body. These damages may be temporary or permanent. They may inflict permanent disabilities (mutilation), permanent brain damage manifested by disorders of some very important functions such as the maintenance of equilibrium, the regulation of body temperature, mind processes, permanent damage of central neural system that can be manifested by different paralysis, consequences in the reproductive tract, such as infertility, permanent disorders of genitals functioning, SST, HIV, AIDS, to the death of the victim.

Social consequences are those related to the ensuring the victim's existence. They are mainly as a result of problems concerning unemployment (for example the loss of workplace) (http://www.google.com/url?...). The results of this paper prove that 63 of domestic violence victims have delayed reporting of violence committed against them due to the economic dependence by perpetrator (Department of Social Welfare of the Ministry of Labor and Social Welfare, 2014). Also, domestic violence can lead to serious disorders of family victim and her personal life in all aspects.

Social consequences hit the family and also society in general. This due to the fact, that a lot of victims become a burden of family and state care. According to Ministry of Labor and Social Welfare data in Kosovo 437 women victims of domestic violence during 2014 benefited social assistance for themselves and their children. These data do not present figures for victimized women which returned in the family of origin and are its burden.

7. Some types of domestic violence victims

As victims of domestic violence are persons of different ages, genders and family connections. The followings discuss about most common types of domestic violence victims.
7.1. Woman as domestic violence victim

Woman is considered as domestic violence victim in any case when she is mistreated by her husband or other family members. According to numerous criminological researches woman is the most common domestic violence victim. In some countries, such as: Philippines, Hong-Kong 1 to 5, in Poland and Switzerland 1 to 3 women emphasize that at least once were victims of physical or sexual violence by a man (Johnson et al., 2007). Approximately similar situation is considered to be also in Balkan Region, including Albania (Hysi, 2010). This fact is proven also by Kosovo Police data. According to these data during the period of 2009-2013 woman were the victim of violence in 3127 cases or in 42% of general reported violence cases. These data indicate that in 2623 cases woman was victimized by her husband, whereas in 504 cases by other family members (brother in law, sister in law, father in law, mother in law, children etc. (Kosovo Police Statistics, 2014).

Data used prove that violence against woman mainly was related with the crisis that marital relations had, conditioned by difficulties concerning adoption process in marriage, family management disability, unemployment, poor housing conditions, the implementation of customary rules and difficulties to face needs regarding education of children.

7.2. Children as domestic violence victims

After woman children constitute the biggest number of domestic violence victims. Statistical data and numerous criminological researches indicate that children as a category of domestic violence victims are subject to different forms of physical, psychological, sexual and economic maltreatments. These data also indicate that the violence against children manifests extent regardless of age and gender and it is committed by parents, guardians and other family members (Halili, 2008). This fact is proven also by Kosovo Police data. According to these data during the period of 2009-2013 children were victims of violence in 1733 cases or in 23% of general reported violence cases. From these cases girls were victimized in 756 cases whereas boys in 977 cases. Such records prove that children were victimized in 1322 cases by their parents and guardians whereas in 411 cases by other family members (uncle, aunt, stepmother etc.). The records used indicate that in 631 cases children were physically maltreated, in 932 cases psychologically, in 159 cases economically and in 11 cases sexually (Kosovo Police Statistics, 2014).

The causes of children victimization are estimated to be of different natures. They have to deal with parental immaturity (insecurity, overload etc.), large number of children, cohabitation with many crowns, unreasonable expectations toward children (mental limitations, imagination for deliberately bad behavior etc.), the lack of knowledge for parent’s role (not understanding the children needs, discipline etc.), economic difficulties (blaming children for financial problems) etc. Violence against children is estimated to be particularly dangerous due to the fact they are often unable to leave or report the violence.
7.3. Elderly as domestic violence victims

The elderly constitute a special category of domestic violence victims. In this case it is about maltreatment of parents, grandparents or other elderly family persons by a younger member within family. Criminological researches indicate that in contemporary society exists a growing trend of elderly number as domestic violence victims (Halili, 2008). This tendency is noticed to be present also in Kosovo. The records used indicate that the violence against elderly is manifested by negligence, carelessness, withholding of food, physical maltreatment, withholding of medical assistance, in particular non supply with medicines and other healing tools, threats (for example to deliver pension, changing testament etc.), insults, sexual violence, the abuse of property etc. (Zenelaga, 2008). According to Kosovo Police data during the period of 2009-2013 the elderly were victimized in 1238 cases or in 16% of general reported violence cases. According to these records parents were victims of domestic violence in 392 cases, whereas grandparents in 334 cases, uncles and aunts in 291 cases and the others in 221 cases (Kosovo Police Statistics, 2014).

The favorable factors of violence against elderly are considered to be fatigue and stress from general life activities, the intervention of elderly in family business, prolonged illness, financial pressure etc. These and other factors may influence family members to feel bored and tired, a feeling that may cause violence against elderly.

7.4. Some other types of domestic violence victims

As victims of domestic violence may be also other persons. Criminological researches prove that as victims of domestic violence are also male spouses, stepmother or stepfather, stepson or stepdaughter etc. Also in these cases the violence used is manifested as physical, psychological, sexual and economic violence. According to Kosovo Police data violence against this category of victims during the researched period is used in 1454 cases or in 19% of general violence reported cases. These records prove that the male spouse was the victim of violence in 329 cases, whereas all other violence categories which were not addressed above were victims of violence in 1062 cases (Kosovo Police Statistics, 2014).

Of course, also in case of these victims main factors determined the violence were of economic nature, but also to other natures such as stress, excessive obligations, their intervention in family business, prolonged diseases etc.

8. State reaction against domestic violence

For elimination of domestic violence is necessary the engagement of state bodies responsible in combating criminality. In this case it is meant in the advancement of social services work, units for protection of victims, police, state prosecution, courts and penitentiary institutions. Modest results of this paper indicate that despite of achievements, the work of these bodies is accompanied by numerous challenges and problems. In social services and in units for protection of victims is noticed a lack of social employees, a lack of proper professionalism level and in some cases also negligence in exercising entrusted responsibilities. These
challenges concerning the topic had to deal also with the work of police, state prosecution and courts (Halili, 2008). Moreover these bodies failed in detecting cases that constitute the so called “the dark figure” of domestic violence estimated to be very high. Also, in the number of cases evidenced by Kosovo Police criminal-law treatment is focused mainly in cases of physical and sexual violence, whereas the cases of psychological and economic violence have remained mainly under margins and non-properly treated. Consequently, according to used data Kosovo Police concerning domestic violence filed 6544 criminal reports (Kosovo Police reports), State Prosecutor has filed 4321 indictments (655 indictments were withdrawn and in 512 cases had come to the statutory limitation of prosecution) (Kosovo Prosecutorial Council, 2014) and courts have convicted 1255 persons of whom 313 by imprisonment, 623 by suspended sentence and 319 by other punishments (Kosovo Judicial Council, 2014).

Based on the fact that domestic violence in Kosovo is achieving constant growing trend is considered to be the duty of authorized bodies to increase their work efficiency in detecting all cases of this violence, to treat them very professionally and bring perpetrators to justice. In this aspect is the responsibility of society to develop the economy of country and to improve population standard based on the fact that a determining factor of domestic violence is considered to be problems of financial nature.

9. Conclusion

Modest results from this paper lead us to the following conclusions:

Domestic violence includes an entirety of actions or intentional omissions through which is committed physical, psychological, sexual and economic maltreatment by a person which is or have been in a family relationship with the victim. Domestic violence manifests these characteristics: its expression in family relations between perpetrator and the victim, the extent of violence without limitations concerning family relations, the diversity of violence application, manifestation of violence against powerless and those in need, the dominance of violence against women and non-reporting numerous violence cases.

According to Kosovo Police data during the period of 2009-2014 in Kosovo were evidenced 7319 domestic violence cases, or an average of 1463.8 per each year. These records indicate that the number of domestic violence cases in Kosovo is relatively high.

In committing of domestic violence is estimated to have affected the difficult economic situation, a complicated and prolonged democratic transition of country now and fifteen years ago, family transformation followed by a presence of numerous patriarchal rules, difficulties accompanied the advancement of women position in society, uncontrolled migration of population from rural areas to urban and difficulties in their adjustment in a new social environment etc.

According to the records used physical violence is the one who dominated (by 3114 cases) within domestic violence, and then it comes psychological violence (by 2870 cases), sexual violence (by 873 cases) and economic violence (by 462 cases). Also the results of this paper prove that violence against woman was the one who dominated. As such it has been manifested in 3127 cases, and then comes violence against
children in 1733 cases, violence against elderly in 1238 cases and the violence against other types of victims in 1454 cases.

According to the used data Kosovo Police concerning domestic violence has filed 6544 criminal reports, State Prosecutor has filed 4321 indictments (655 indictments were withdrawn and in 512 cases had come to the statutory limitation of criminal prosecution) and courts have convicted 1255 persons, of whom 313 by imprisonment, 623 by suspended sentence and 319 by other punishments.

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