



Recommendations

PREVENTION: Promote gender equality at all levels of education, in formal and informal settings and develop awareness raising initiatives. Provide training opportunities to all categories of professionals, dealing with both victims and perpetrators.

LEGISLATIVE AND POLICY FRAMEWORKS: Develop legislation for mandatory and voluntary perpetrator programmes including in the amended Law on protection from domestic violence, in the Strategy against domestic violence. Elaborate an adequate policy framework by including specific measures regarding perpetrator programmes in the Strategy against DV and introducing specific guidelines in the SOPs.

ACCESS TO PERPETRATOR PROGRAMMES: Make voluntary and compulsory perpetrator programmes available across Kosovo*. Ensure more pathways for referral and include all DV perpetrators, all offenders not only those with alcohol/drug abuse or mental health problems. Allocate sufficient and sustainable financial resources to these programmes and support existing experimental practices.

COORDINATED POLICIES AND CO-OPERATION WITH WOMEN SERVICES: Adopt a comprehensive approach and encourage specific agreements between perpetrator programmes and other entities to establish an effective referral system, information exchange, and coordinated risk assessment, especially with women support services. Ensure coordinated data collection and regularly evaluate the impact of the programmes.

GENDER PERSPECTIVE AND COMPLIANCE WITH INTERNATIONAL STANDARDS: Enhance the capacity of all frontline professionals and offer specific training to facilitators in order to develop knowledge and competences on perpetrator programmes. Establish specific procedures for risk assessment and risk management, to be conducted at set times. Support study visits, training exchanges and meetings with professionals from other countries and resort to the experience and support of the Work with Perpetrators European Network.

LOCAL STANDARDS AND GUIDELINES: Conduct a need assessment in the area and create a working group in order to develop standards to harmonise existing experiences and to define specific guidelines and structured curricula. Establish transparent licencing criteria and develop a network across Kosovo* to collect and share data and to exchange information and practices.



Setting up Treatment Programmes for Perpetrators of Domestic Violence and Violence against Women

Analysis of the Kosovo* legal framework and good practices report

ENG

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

This research was developed in the framework of the Council of Europe project "Reinforcing the fight against violence against women and domestic violence in Kosovo - Phase II".*





What are perpetrator programmes on VAW and DV?

Perpetrator programmes exist since the 1970s in the form of experimental practices. By fostering change in the abusers' attitudes and behaviours, the work with perpetrators can enhance the victims' safety and the protection of women and children and prevent future violence. It is a very important element in the inter-institutional response to domestic violence. The Istanbul Convention requires state parties to set up perpetrator programmes.



Kosovo *Legislation

Since 2011, Kosovo* has foreseen specific measures to reintegrate perpetrators of domestic violence into society. Administrative Instruction n. 12/2012 defines the conditions for domestic abusers' psychosocial treatment and Administrative Instruction n. 02/2013 establishes mandatory treatment for offenders with alcohol and drug addictions. These sub-legal acts also call for the creation of certified entities providing court-ordered compulsory treatment, by developing appropriate infrastructure at the municipal level. However, due to their limited and inadequate implementation, the Programme for Gender Equality (2020-2024) has declared the creation of perpetrator programmes in Kosovo* as an urgent challenge for the next four year period.



International Standards

Included in Chapter III on "Prevention", Article 16 of the Istanbul Convention requires state parties to establish perpetrator programmes targeting both perpetrators of domestic violence and sex offenders. Parties to the convention "shall take the necessary legislative or other

measures to set up or support **programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour** in interpersonal relationships **with a view to preventing further violence and changing violent behavioural patterns**".

In September 2020, the Assembly of Kosovo* adopted an amendment to the Constitution that gives direct effect to the Istanbul Convention.

This report illustrates international standards and guidelines developed by the Council of Europe (2008) and by the Work with Perpetrators European Network (WWP EN). It especially draws on the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)'s interpretation of the provisions of Article 16 in the context of its country-by-country monitoring of the implementation of the Istanbul Convention.



Purpose of the Research

The research's main goal is to assess the current legal and policy framework concerning the treatment of perpetrators of domestic violence in Kosovo* and to identify gaps and needs in this area. It has also found experiences of practical implementation of perpetrator programmes across Kosovo* and in the region and proposes recommendations for future action in compliance with international standards and guidelines.



Methodology

This study is based on both desk analysis and qualitative research. Desk analysis consisted in a review of official documents and available reports on Kosovo*. Additionally, 21 persons were consulted, among which key authorities, experts and professionals, representatives from public institutions, international organisations and NGOs. Due to the sanitary restrictions imposed as a consequence of the COVID-19 pandemic, all meetings were held online between June and December 2020 and included oral interviews or written questionnaires, conducted in English or in Albanian.



Key Findings

- Kosovo* is still a gender-unequal society. Sexist attitudes and violent conducts are still recurrent.
- Current legislation on perpetrator programmes does not comply with the requirements of the Istanbul Convention and only concerns perpetrators with mental health issues and with problems of addiction. The Standing Operating Procedures (SOPs) do not foresee specific guidelines for the work with domestic violence perpetrators and programmes are not adequately implemented due to a lack of knowledge, funding and infrastructure.
- Referrals to a perpetrator programme can only be done on the basis of a court order or as a protective measure and the estimated number of perpetrators attending compulsory treatment is very low.
- Perpetrators of domestic violence are often equated to common offenders and treatment is reduced to alcohol and substance abuse, anger-management, or medication. In practice, professionals dealing with perpetrators often promote reconciliation or mediation between spouses.
- The work with perpetrators is not integrated in the inter-institutional response to domestic violence. To date no formal agreements or specific procedures have been established to contact perpetrators' partners to offer them protection and support.
- Uniform standards and guidelines to run perpetrators programmes do not exist in Kosovo*. Current programme facilitators do not follow specific protocols for action, which entails severe risks for the victims.
- Research has revealed the existence of two experimental initiatives: a pilot project by the Safe House in Gjakova and a programme set up by the Sit Centre in Pristina. However, these programmes have operated in isolation without elaborating common guidelines for practice.
- Best practices from different countries can serve as an inspiration to conceive and set up perpetrator programmes in Kosovo*.

*All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council resolution 1244 and without prejudice to the status of Kosovo.