

Gender-Based Violence in Kosovo During the COVID-19 Pandemic

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Abstract

COVID-19 has exacerbated health inequalities around the world. Kosovo has so far experienced four waves of the pandemic with a fatality rate of 2.6 registered deaths per 100 cases which is higher than some comparable countries in the region. Women have been disproportionately affected in many spheres of life including their safety and security at home. While Gender-Based Violence (GBV) has been one of the major concerns for women's safety over the years, the COVID-19 pandemic has further exacerbated the situation. Drawing on the theory of GBV and intersectionality and using a mixed-method approach, this study examines whether GBV cases have increased during the COVID-19 pandemic and whether government policies and responses during the COVID-19 pandemic have considered GBV implications. This study yields three main findings: First, the institutional data on reported cases show that GBV has increased significantly between 2010 to 2021. Similar trends of increase were observed during the COVID-19 pandemic. Second, the COVID-19 institutional actions towards the pandemic disproportionately considered the specific needs of the most vulnerable groups of the population including women. Third, violence against women is treated within the domestic violence domain which does not address entirely the nature of the gender-based violence in the country.

Keywords: Gender-based violence (GBV), COVID-19, Women, Kosovo

Introduction

The COVID-19 pandemic has changed the way we live, work, and relate to one another. It has led to an increase in social inequalities in countries around the world and has impacted the physical, mental health, and well-being of all groups within society. It has been shown that infectious diseases disproportionately affect people based on gender (Morgan et al., 2021). Early evidence on COVID-19 suggested that men are more likely than women to die from the virus, whereas women have been

impacted more than men in employment, health and wellbeing, and safety and security (Bozkurt et al., 2021). Measures taken by countries to control the spread of the virus, while necessary to protect the health of the population, have in many instances led to negative impacts on social and economic activities within society (Buheji et al., 2020). The quarantine and stay-at-home measures have put pressure on women by increasing their workload around household duties and childcare (Fuller et al., 2021). It has also shut down the familial and institutional support systems that aid women in physical and emotional security leading to increased domestic and GBV globally (Usher et al., 2010, Murhala et al., 2021). However, GBV has been an epidemic even before the COVID-19 pandemic. Worldwide about 770 million women experience violence from their partners or former partners every year. About 30% of couples worldwide and about 22% of couples in Western Europe have experienced GBV. About 20% of women over 18 years old have experienced physical violence, 43% experienced psychological violence, and 7% suffered sexual violence. It is also estimated that worldwide about 35% of women have been victims of GBV at some point in their life (Acosta, 2020).

Kosovo like other countries worldwide has been heavily impacted by the COVID-19 pandemic. There have been four waves of pandemics with over 228,000 people infected, causing 3,000 deaths. The fatality rate in Kosovo has been about 2.6 registered deaths per 100 cases which are higher than some comparable countries in the region (WHO, 2022). Kosovo has also experienced an economic contraction of 6.9% because of a decline in diaspora tourism and consumption but a deep recession was halted due to Government support and a surge in remittance receipts and exports. The pre-existing vulnerabilities in Kosovo, among others, the relatively low spending on healthcare with 2.5% of GDP compared to 12.6% in OECD countries, the high poverty rate with 24.4% of the population compared to 2.9% in OECD countries, the high unemployment rate with 25.7% compared to 5.8% in OECD countries and low spending for social protection with 6.5% of GDP compared to 20.1% in OECD countries has made navigation through pandemic challenging in many aspects (OECD, 2022). As a result, COVID-19 has widened the gap of health, social and economical inequalities with many people not being able to afford social distancing, take a leave from work when ill, or afford health treatment. Women have been one of the most hard-hit groups within the population considering they are more likely to be unemployed or employed in precarious jobs – making up most frontline workers in healthcare, spending more time on unpaid domestic work thus taking over most of the workload in the family caring for children and elderly.

Literature Considerations on Gender-Based Violence and Intersectionality

The violence against women has begun to receive the deserved attention in the seventies, due to an increase in sensitivity in public opinion towards violence in general influenced by protests in Western Europe, the War in Southeast Asia, and Feminist Movements (Toffanin, 2012). During this time, the feminist theorists

expanded the sociological research on power, violence, and bodies to include masculine power and violence. The landscape of research began to include both structural features of the society such as violence amongst couples, families, and the practices within various institutional settings such as schools, governmental agencies, media, and religious institutions (Toffanin, 2012). The patriarchal feminism untangled violence against women from family and domestic violence and brought focus on gender asymmetries acknowledging that historically men have been violent toward women (Toffanin, 2012). With this, a definition of patriarchalism became more obvious mainly highlighting the power relationships by which men dominate women (Beechey, 1979). Studies raised the critical need to study violence against women as a structured power within the patriarchal social order (Hester et al., 1996). They also raised the importance of investigating how violence and patriarchal social order affects women even when violence is not present because power can be multidimensional, it can alter other people's behavior even when it was not directly exercised (Lukes, 1974). What women wear, how they act, and what they can do and not do in their everyday lives, should conform to the social order in patriarchal societies. Within this order, sometimes the expectation is that women should avoid violence thus they are often accused of provoking violence. Therefore, recognizing other dimensions of power and patriarchal social order, studies have focused not only on events when violence is exercised but also on the dynamic of how violence is developed (Dobash et al., 1992). Some studies have also focused on how societies normalize gender-based violence and how women are expected to avoid violence (McKie, 2006).

In Kosovo, gender-based violence is studied mainly in the context of domestic violence. Authors Gollopeni and Kamberi (2021) researched indicators of domestic violence in Kosovo during COVID-19 and quarantine. Through a survey with 908 respondents conducted between July 27 to August 23, 2020, they found that the leading causes of domestic violence during pandemics were stress (18.9%), socio-economic insecurity (11.4%), and the limited physical space for quarantine in the house/apartment (4.4%). Moreover, the research also analyses the statistical data provided by Kosovo police noting an increase in cases of domestic violence by 19.75% during the quarantine period between March-June 2020 in Kosovo (Gallopeni et al., 2020). Kosumi (2021) researched the legal and other mechanisms that enable protection from domestic violence in Kosovo. The scope of analysis includes Laws that protect from domestic violence, courts, and prosecutorial mechanisms to investigate and prosecute domestic violence. The findings show that legislation in Kosovo that protects from domestic violence is advanced, however, its implementation is challenged due to cultural barriers that keep issues of domestic violence as a private matter for families, and therefore legal remedies are often far to reach for the victims (Kosumi, 2021). Similarly, Macastena (2019) has researched the laws in Kosovo and indicated that the laws that protect against domestic violence have improved over the years and flag the persisting influence of customary law on the attitudes of the legal

practitioners when addressing gender-based violence leading to gender bias in the court proceedings. The study also discussed the concepts of gender and violence arguing that such concepts are embedded in the laws and well defined, however, the society has a different understanding of these concepts depending on their socio-demographic circumstances and levels of education (Macastena, 2019).

Kelmendi and Baumgartner (2017) research show that there are gender differences in intimate partner violence in Kosovo, where men reported high levels of perpetrated violence towards their partner 43.4%, as opposed to females 40.6% (Kelmendi et al., 2017). Moreover, men that were more exposed to violence in their families during childhood had larger correlations with their tolerant attitudes towards exercising intimate partner violence in their relationships. Whereas women are found to cause minor acts of violence and could have been perpetrated in a distinctive context (as opposed to men) and supposedly in self-defense. Altogether, the authors note that the findings of this study reflect the cultural context of patriarchal structure, gender inequality, and rigid gender roles that continue to strongly influence males' tolerant attitudes towards violence against women (Kelmendi et al., 2017). Similarly, a survey from the Organization for Security and Cooperation in Europe (OSCE) on the safety and well-being of women in Kosovo finds that 64% of women surveyed think violence exercised by partners, acquaintances, or strangers toward women is common. When asked about the forms of violence the respondent women have experienced, more than a half 54% said to have experienced psychological, physical, or sexual violence at the hands of an intimate partner since the age of 15, and nearly 29% said that they have experienced sexual harassment (OSCE, 2019). Similarly, a survey by Kosovo Women's Network in 2015 found that about 21% of respondents believe that is acceptable for a husband to sometimes hit his wife, and 32% think that when couples have disagreements, it is natural that sometimes physical violence occurs (Farnsworth et al., 2015). This shows that violence against women is somehow normalized in Kosovo society.

Arenliu, et al. (2019) studied the societal norms that influence individuals to have tolerant attitudes toward intimate partner violence against women in Kosovo. The study applied quantitative research utilizing the Multiple Indicator Cluster Survey (MICS) conducted by UNICEF to find that families in Kosovo continue to be heavily influenced by patriarchal family structures that impose traditional social norms and cultural attitudes affecting more tolerant approaches to violence against women. More specifically, the research results show that also women expressed tolerant attitudes towards intimate partner violence against women, especially the ones associated with the factors of living in rural areas, lower education and incomes, and less access to media. Also, younger men expressed more tolerant attitudes toward intimate partner violence against women as opposed to the elderly, indicating that youngers are becoming more conservative towards gender equality in Kosovo society. The authors argue that dominance of patriarchal values or limited socio-economic opportunities for women preserve traditional gender role restrictions thus

tolerating attitudes to violence against women in situations when women do not perform in their expected roles. This argument is further strengthened when considering the findings that women with lower education and incomes embrace similar values toward intimate partner violence since they are more likely to be subordinate, powerless, and economically dependent on men (Arëliu et al., 2019).

Moreover, the roots of gender-based violence originate from the culture of patriarchy that continues to be dominant in Kosovo society (AGE, 2020). These patriarchal values favor the dominant male's role in the family and public life, whereas women are expected to perform in traditional roles of taking care of children and households. As a result, women's labor force participation is relatively low, at only 12.7%, and with an economic inactivity rate of 80% (GAP, 2017). Women are also limited in property ownership, with only 20% of immovable properties registered in women's names, which restricts women from options to get out of abusive relationships (Limani et al., 2018). These factors have indirect effects on women's abilities to influence political decisions that will help improve the position of women in society. And even when women aspire and engage in politics or hold political positions, they are challenged with stigma and public intimidation (Limani, 2019). This diminishes women's interest to hold public decision-making posts, where only 11.9% of women in Kosovo held an important public decision-making role in 2018 (BGRG, 2019).

Some women are more likely to experience violence because their gender intersects with other social factors such as age, class, race, disability, religion, and sexual orientation to put them more at risk for violence. In this context, intersectionality theory studies how identity influences one's experiences with violence. Marginalized groups within society may experience violence differently even when encountered with the same system of violence. In this regard, Crenshaw (1991) introduced the intersectionality approach to examine how race and gender interact in making women of color have different experiences when faced with a system of oppression in the United States. As a result, race and gender interact to create multiple aspects of identity in relevance to the constructed social world (Crenshaw, 1991). Intersectionality can also be applied to policy making in considering how government actions and inactions can impact people disproportionately. A study conducted by Lombardo et al. 2016, argues that European policies on gender-based violence in the period 2000–2014 would enhance substantially the inclusiveness and gender equality should intersectionality had been taken into consideration (p.8). Therefore, even though limited, intersectionality studies on gender-based violence in the Western Balkan Region region show that Roma women continue to experience discrimination and social exclusion because of their ethnicity, race, gender, class, and education (Milenković, 2018).

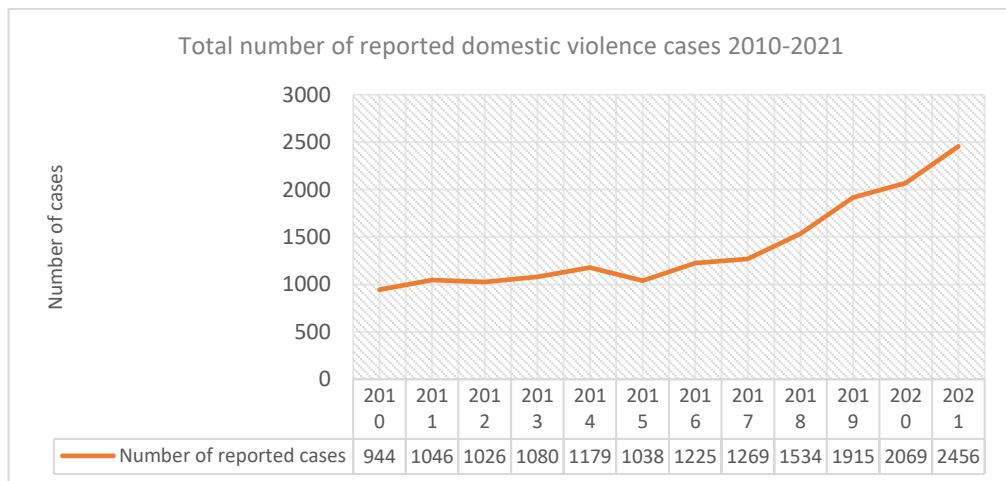
Methodology

In this study, we use a mixed-methods approach, utilizing quantitative and qualitative methods to investigate gender-based violence (GBV) during the COVID-19 pandemic. Quantitative methods include statistical data on domestic violence from Kosovo Police. These data provide information on the number of domestic violence cases reported from 2006-2021. We use these data to measure the trends of domestic and gender-based violence before and during COVID-19. The qualitative methods are used in analyzing the government measures related to COVID-19 and policies on gender-based violence. To provide contextual information, we also include reports from various local and international organizations. Using an intersectional approach, we pay special attention to cases and experiences of women from minority communities whose multidimensional identities make them more prone to discrimination.

Analyses and Discussion

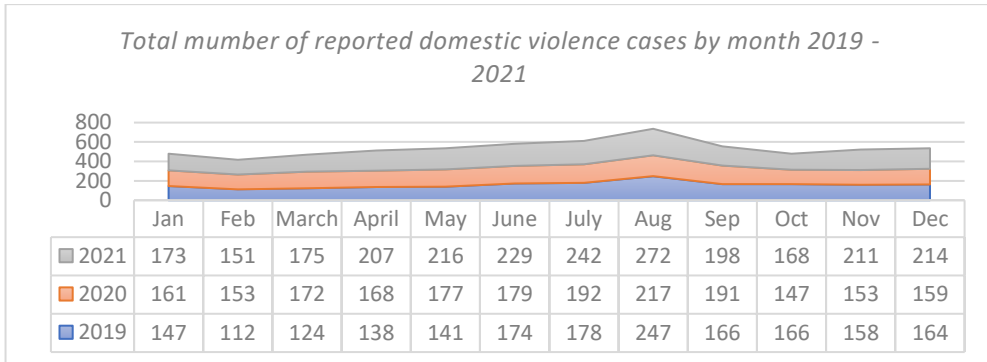
Institutional Data on Domestic Violence

The epidemic of domestic violence¹ in Kosovo has been widespread for many years. The institutional data on reported cases show that domestic violence has had a drastic increase between 2010 and 2021. In terms of percentage, this increase is 147% in reported domestic violence cases between 2010 and 2021.

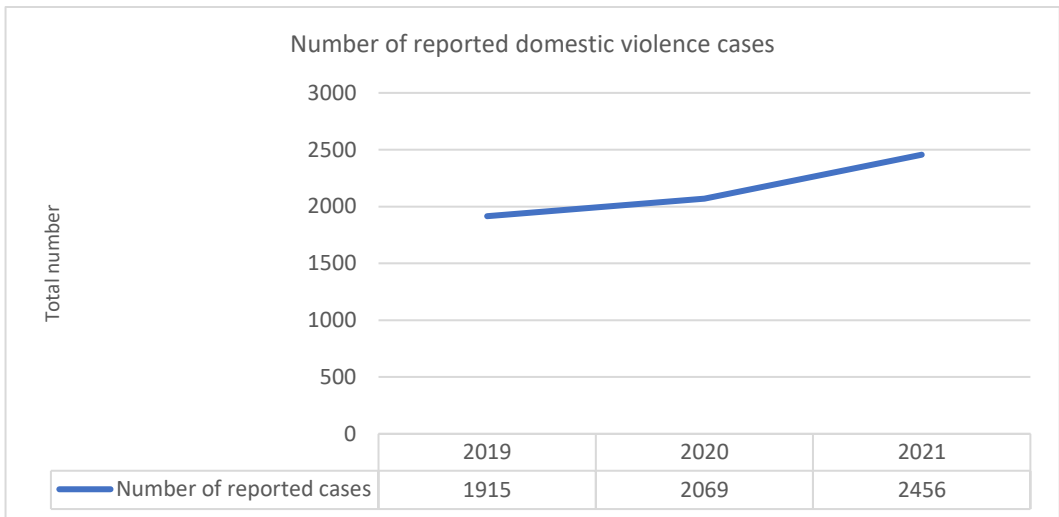


Domestic violence during COVID-19 pandemics has continued to increase. The Kosovo Police data shows that in the first seven months of the pandemic, or between March 2020 to September 2020, the reported cases of domestic violence increased by about 11%, when compared to the similar period of the previous year in 2019. Moreover, the increase seems to follow similar trends in 2021.

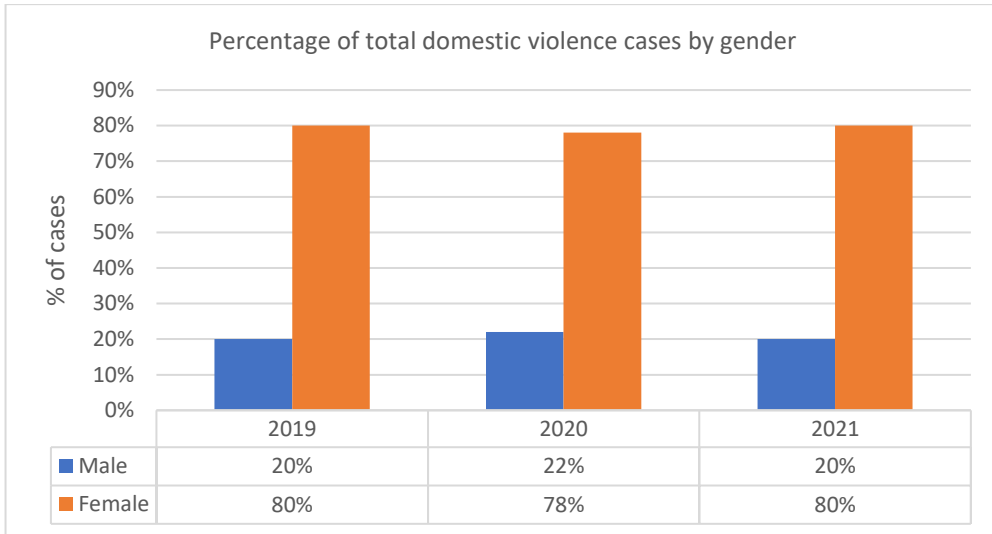
¹ Domestic Violence, among others, includes also acts of physical, sexual, and other forms of violence perpetrated against women. Kosovo institutions and laws capture data within the terminology of domestic violence, therefore the data analysis in this research will use similar terminology.



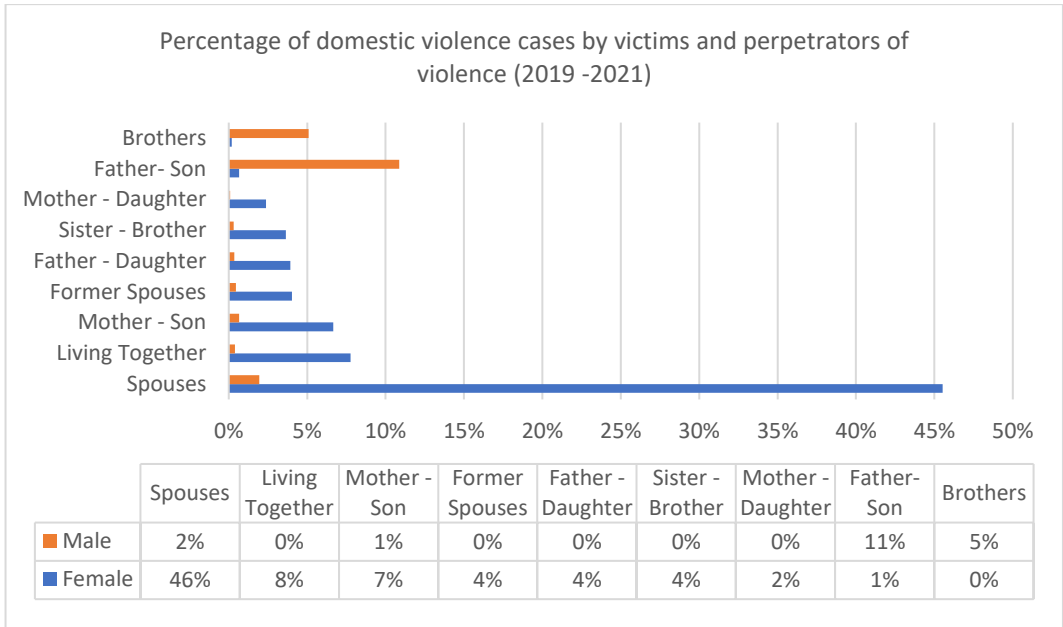
However, the total number of reported cases in pandemic years in 2020 and 2021 increased by 28% compared to the pre-pandemic year of 2019.



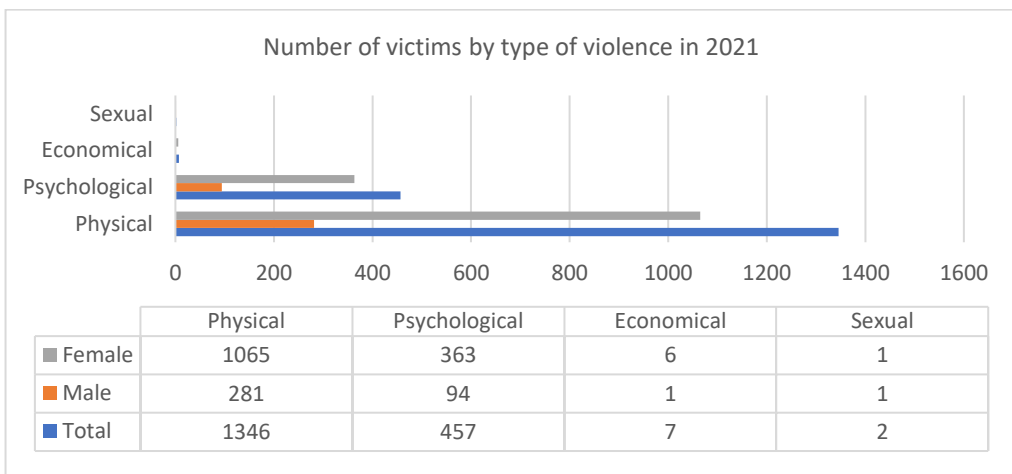
Women remain disproportionately affected by violence. Of the total domestic violence cases reported in 2021, 80% of victims were women. In 2020 there was a slight decrease in this percentage, where women made up about 78% of victims, whereas, in 2019, women made up 80% of victims of domestic violence in Kosovo.



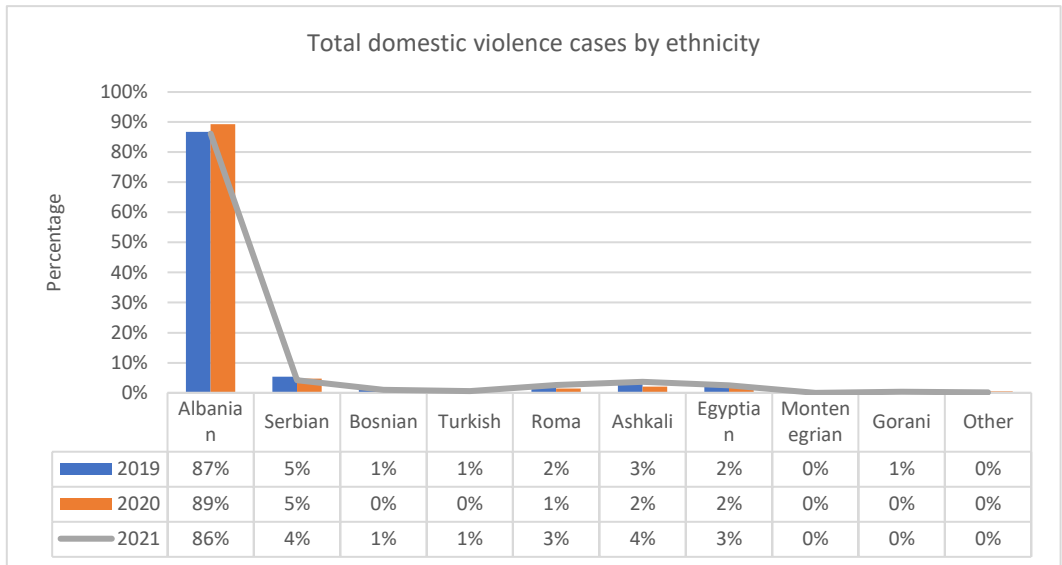
When looking at the perpetrators of violence based on the reported cases between 2019-2021, in most cases the violence is exercised by men. For example, 46% of reported cases are from women who experienced violence from their spouse, compared to 2% of cases reported where the victims are men. Women who live together with their partners are victims in 8% of cases compared to 0% of men. Former spouses also engage in violence towards their former wives, where women make up 4% of reported cases of domestic violence compared to 0% of men. The violence is common in other relationships within the family, for example, mothers experienced violence from their sons in 7% of reported cases, and daughters experienced violence from their fathers and brothers in 4% of reported cases. Violence between men within the family is also common. For example, violence among fathers and sons makes up to 11% of reported cases, and violence amongst brothers makes up to 5% of reported cases.



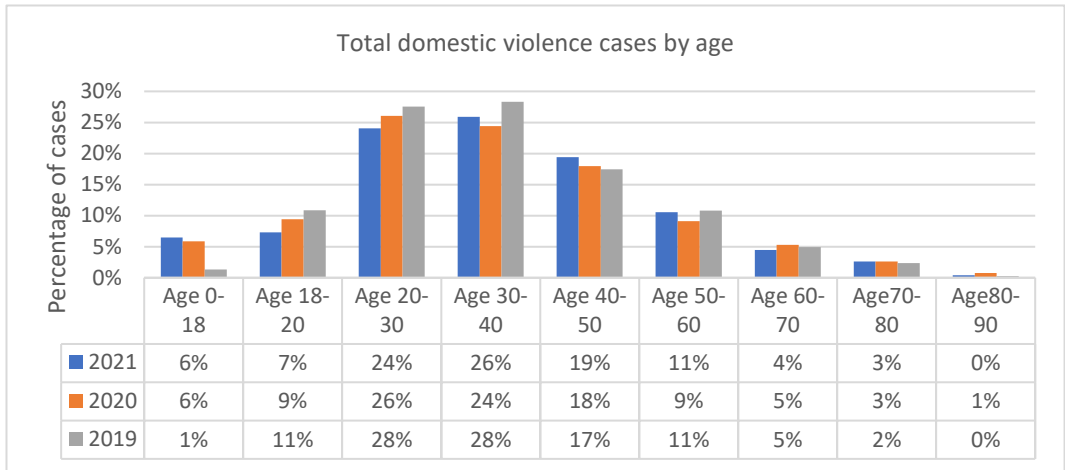
The most common type of violence is physical and psychological violence within families. From all the reported cases in 2021, about 1065 women have experienced physical violence compared to 281 men. Women also experience more psychological violence whereas in 2021 about 363 women reported psychological violence compared to 94 men. Economical and sexual violence is less common compared to physical and psychological violence.



When data analyses are performed by ethnicity, Albanians make up the biggest share of domestic violence cases or 87%, 89%, and 86% of cases between 2019-2021, followed by Serbians with around 4%- 5%, Ashkali between 2% to 4%, Roma and Egyptians between 2% to 3%, Bosnians, Turkish and Gorani show between zero to 1% of reported cases of domestic violence.



Domestic violence in Kosovo affects all ages but some are affected more severely. The most affected group are those between the ages 20 to 30 and 30 to 40 years old. However, during the pandemic years in 2020 and 2021, there has also been an increase in violence against children, aged 0-18 and elderly over 70 years old. The effects of pandemics in closing services for children and elderly (daily cares centers and other elderly services), as well as other economic and social stressors within families, could explain this increased violence against children and the elderly. This is an important area to examine by scholars in the future, to untangle more thoroughly the causes of exacerbated violence against children and the elderly during COVID-19 pandemics.



Institutional Measures during the COVID-19 pandemic

The challenges of crisis-management during COVID-19 from the Kosovo government and the attention given to intersectionality issues were overshadowed by the political instability that led to two changes of governments during the first months of the COVID-19 pandemic in 2020. The falling of the government on March 25th, 2020 complicated Kosovo’s initial response to the health emergency that was declared on March 11th, leading to overall weak coordination of the crisis management and overlooking of citizens’ needs in various sectors due to shifted attention toward new elections and forming of a government (Gerguri, 2021; Distler, 2020).

The Kosovo institutions undertook several measures to prevent the spread of the virus during the COVID-19 pandemic. The state of health emergency was declared on March 11th, the day when the first case of COVID-19 was declared in Kosovo. Strict measures were enforced to shut down all public and private institutions, retail businesses, restaurants, and service industry, cancelations of flights, closure of all land borders, and the restriction for movement of citizens and private cars within specific short-term timeframes only, mainly for essential or emergency needs (Government of Kosovo, 2020). Many countries globally have been comforting the COVID-19 spread through emergency measures; however, these measures did not always consider the different needs of women and men and vulnerable groups of the society (Wenham et al., 2020). This was true for Kosovo as well, since the government measures to prevent the spread of the virus were mainly one size fits all and lacked gender-based analysis, and often overlooked the needs of the most vulnerable groups (KWN, 2020).

One of the vulnerable groups affected negatively by the COVID-19 measures in Kosovo were the victims of domestic violence and gender-based violence. The isolation and quarantine at home increased the risks of exposure to violence, particularly for

women and children, as they were trapped with the abusive perpetrators at home (CoE, 2020A; SGG, 2020). Additionally, COVID-19 measures affected services for victims such as shelters for victims of violence against women leading to decreased ability to shelter victims due to capacity, distance requirements, and quarantine requirements. For many shelters of violence against women in Kosovo, these measures were impossible to implement in a short time and the offering of services from shelter workers became problematic due to their fear of infection (KWN, 2020). As a result, the Ministry of Health which was leading the works and decisions on the management of public health emergency in Kosovo took a decision that the stay-at-home orders and strict curfews did not apply to citizens that are experiencing violence and decided to provide temporary shelter for all victims of domestic violence and gender-based violence in student dormitories in Pristina (Ministry of Health, 2020). The later measure aimed to prevent the risks of the COVID-19 virus spread in the shelters of violence against women, therefore the victims of domestic and gender-based violence were quarantined in student dormitories for 14 days and then transferred to specialized shelters. With this action, the Ministry of Health guaranteed a temporary quarantine location and security for victims of domestic violence and gender-based violence, however, this location of quarantine did not offer additional specialized services that are most needed and mandatory such as psychological support and support from trained social workers. Victims of domestic and gender-based violence experience trauma and support from specialized service providers is of utmost importance to ensure their health and wellbeing.

Furthermore, the Ministry of Health shared information about this temporary shelter decision with various institutions and organizations publicly, which increased the vulnerability of victims as disclosing their sheltering location could expose the victims to additional threats and risks. The non-disclosing of the shelter locations of victims of gender-based violence is recommended by international conventions, to ensure the safety and security of the victims (CoE, 2021).

Gender-based violence within the domestic violence domain

Gender-based violence and violence against women in Kosovo continue to be treated within the domestic violence domain, leading to concerns that it does not address entirely the nature of the gender-based violence or violence against women in the country. The current law on Protection against Domestic Violence in Kosovo (Law No.03/L -182) sets rights and institutional mechanisms to prevent and combat domestic violence. It covers all forms of domestic violence occurring within the family nucleus, in the framework of coexistence between the members. As such, it does not include provisions of protection against gender-based violence which would recognize the aspects of violence perpetrated against women for the mere fact of being one (KWN, 2021). The statistical reports on total cases of domestic violence indicate the gravity of gender-based violence, showing that women made up 80% of the victims in the total of the reported cases in 2021 (Kosovo Police, 2021). Also,

Kosovars continue to consider violence, particularly domestic violence, a private matter, and as such gender-based violence often continues to be hidden, without ever being reported (OSCE, 2019). Moreover, cases of gender-based violence occurring outside the family nucleus, as they may occur in other countless settings become difficult to be treated within the justice system when the law focuses solely on domestic violence.

Moreover, the National Strategy on Protection from Domestic Violence and its Action Plan 2016-2020 is well developed and includes objectives with estimated costing and financing sources (Ministry of Justice, 2016). However, by definition, this strategy and its objectives focus on addressing domestic violence and do not address other forms of gender-based violence (KWN, 2021). This approach contributes to insufficient understanding of gender-based violence among institutions and other service providers, which may operate on basis of the domestic violence definition (Krol et al. 2018). Finally, addressing gender-based violence limited to the domain of domestic violence is a barrier to recognizing a much broader social problem, that of power imbalances and gender-based discrimination in Kosovo society. The gender-based violence that occurs in many families in Kosovo reflects patriarchal values and predefined gender roles that have been harmful to women for many years now (Farnsworth et al., 2008).

Positive developments in enhancing legislation to address forms of gender-based violence in Kosovo occurred in 2019 with the amending of the Criminal Code of Kosovo (CCK) that incorporated criminal offenses in compliance with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – Istanbul Convention, such as domestic violence, sexual harassment, and female genital mutilation. Also, as of 25 September 2020, the Kosovo Assembly has approved constitutional amendments that enable direct applicability in its legislation to the Istanbul Convention¹. This important milestone mandates Kosovo institutions to amend relevant laws to comply with the Istanbul Convention provisions on covering gender-based violence or violence against women in all prevention, protection, and combating domains (CoE, 2020b).

Conclusions

COVID-19 pandemic has been challenging for many countries around the world because, in absence of a vaccine or treatment, Governments were forced to take strict measures including quarantine and social distancing to contain or reduce the spread of the virus. These measures have been difficult for vulnerable groups within societies since they often rely on services that cannot be provided without social contact. Women in Kosovo have been disproportionately affected by COVID-19-related measures because they are vulnerable to domestic violence, and the quarantine

¹ The IC is now applicable under Article 22 [Direct Applicability of International Agreements and Instruments]

measures-imposed isolation at home, and increased the burden of stress and economic uncertainty, leading to women being more exposed to violence perpetrated mainly by male members of the family. Moreover, previous research suggests that women in Kosovo live in a society dominated by patriarchal values where limited socio-economic opportunities for women preserve traditional gender roles and there is in general a tolerance towards violence against women in situations when women do not perform in the expected roles.

The reports from the Kosovo Police on the total reported cases of domestic violence in Kosovo show that the trend of domestic violence has more than doubled since 2006. Also, in the first seven months of the pandemic, there has been an increase of 11% in domestic violence cases. Overall, since the pandemic started in March 2020 and until the end of 2021, there has been an increase of 28% in domestic violence cases. Women are in 80% of cases victims of domestic violence, whereas most perpetrators of violence were men members of the family including spouses, former spouses, partners living together, fathers, and brothers. Also, data show that during pandemics, trends of violence against children aged 0-18 and elderly over 70 years old have increased. This shows that pressure within families during pandemics has drastically increased, with women, children, and the elderly having been mostly affected by domestic violence. While issues with domestic violence against children and the elderly are beyond the scope of this study, we assume that a deteriorated mental well-being, closure of schools, along with social and economic uncertainty during pandemics has led to these groups being a target of domestic violence. Lastly, when intersectionality considerations are considered, the data on domestic violence cases reported to Kosovo Police show that Albanians make up the majority of reported cases of domestic violence during a pandemic. Also, there has been an increase in cases of domestic violence reported by Serb, Roma, Ashkali, and Egyptian communities in 2020 and 2021 when compared with 2019.

The political instability that predominated the political landscape in Kosovo during the very first months of the pandemics has influenced the priorities and effectiveness in managing the pandemic. The actions taken by the government were focused on containing the spread of the virus, often not taking well analyzed or informed decisions about how the confinement and social isolation actions would influence domestic and gender-based violence. Even when the government responded to calls for finding quick sheltering solutions for the victims of domestic violence, these actions did not enable sufficient conditions and treatment for the victims as required by law.

As the COVID-19 pandemic measures are eased in Kosovo with vaccine and more treatment becoming available, there is a critical need to review the true impact of the pandemic on gender-based violence and other groups in society whose multilayered social identities has put them at greater risk for experiencing violence, including people with disabilities or special needs. Children, the elderly, and women from

Roma, Ashkali, and Egyptian communities deserve special attention since the data analysis in our study shows that they have also been among those disproportionately affected by violence during the COVID-19 pandemic.

Kosovo should enhance the legislation to untangle gender-based violence from the domestic violence domain. This is very important because previous research informs that when the focus is shifted and gender-based violence is addressed as such, the societies begin to address issues that enable male dominance and their violence towards women. This includes disentangling the patriarchal social order which enables asymmetries of power within genders and enables institutions to address the multidimensional nature of power that men exercise over women, even in cases when violence is not directly exercised. Lastly, incorporating intersectionalities within government actions in Kosovo is critical at any time, but especially when faced with public health emergencies, considering that gender intersects with other social factors leading to making some groups more vulnerable to violence and other forms of discrimination.

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