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Protection from domestic violence in the Republic of Kosovo

Ibrahim Kosumi

Phd Candidat in Criminal Law

Ibrahimakosumi@gmail.com

Abstract. The paper analyzes and elaborates the protection from domestic violence, the subjects protected by law, the protection measures provided by law such as: lawsuit, court order, shelter of the victim, issuance of protection order, investigation, identification and responsibilities of the police on the basis of the law on the protection of victims of domestic violence. The paper will also analyze the measures taken to prevent domestic violence, strategies and efforts. Mutual police communications with the public through press releases, leaflets, leaflets, targeting negative phenomena in society, transparency on all taboo topics in the public interest but understood on the basis of legal restrictions. The paper also included research by various authors from both national and international perspectives on domestic violence. The paper uses inductive and deductive research methods, as well as analytical and comparative methods. This paper contributes to the existing scientific literature, especially the legal, criminological and victimological literature. Furthermore, this paper is likely to contribute to the work of NGOs that deal with providing victims of domestic violence, but also to the work of state bodies for the prevention of domestic violence, which is and remains a national challenge.

Keywords. Protection from violence, domestic violence, victims, protection measures, police, perpetrators of domestic violence, prosecution, court

Introduction

The family is the main basis of any society and as such it requires the attention of all institutions in order for it to be kept healthy because any deviation in the family has major social consequences with a domino effect. The traditional Albanian family not only in Kosovo is exposed to many dangers. Economic difficulties, lack of adequate education, moral crises, crime in the family and by family members, multiple divorces, early marriages, etc. are factors that undermine the traditional character of the family. Also the characteristics of the globalization process such as the free movement of people, goods and services, the employment of both parents, etc. have a direct effect on the family. Different forms of crime are the biggest threat to families today and not only in our society.

Domestic violence is also a very common form of crime related to the family. This form of crime manifests itself in various forms where the consequences are long-term and in many cases irreparable. Usually the victims of domestic violence are all family members. Some are exposed to domestic violence crimes directly while others are indirectly exposed as secondary victims of crime.

The weakest categories such as women, girls, children and the elderly are the most frequent victims of domestic violence but without excluding other family members who in some cases are presented as victims of violence.

Domestic violence manifests itself as physical violence and as psychological violence.

The consequences of these two forms of violence are severe and rehabilitation from this violence is long and very difficult. The damage caused by physical violence can also be curable (repairable) but the psychological effect of this violence is eternal. Thus, cases of domestic violence have consequences not only at the moment of violence but also for long periods of time and in some cases for life. Dealing with this challenge that threatens the family at all times is not easy. This is an ongoing "war" of institutions and society against this very negative phenomenon. This war extends to two levels, firstly in the prevention of cases of domestic violence and secondly in the avoidance of the consequences caused by domestic violence. None of these battles are easy.

The focus of the efforts of society and institutions should be on preventing cases of domestic violence. And this is not easy considering the many factors that influence the occurrence of domestic violence. However, the efforts should not be stopped at any moment and for no reason, because the prevention of cases of domestic violence is of vital importance. It is not always possible to prevent domestic violence despite the efforts of various actors to achieve such a goal. But in cases where cases of domestic violence occur, it is very important that the attention and treatment of the victims as well as their rehabilitation be adequate and immediate. Avoiding physical and psychological consequences also requires a great deal of long-term commitment. Failure to avoid these consequences by ignoring and neglecting them has a negative effect because in this way the perpetrators are encouraged to continue to repeat their actions and on the other hand discourage victims from reporting in the future any new or recurring cases of domestic violence. Another very important area for the prevention of cases of domestic violence is the preparation of adequate legislation to anticipate and deal with all cases of this nature. The lack of legislation is a big handicap for combating these negative phenomena.

The Republic of Kosovo, in addition to the Constitution¹, protects the family from violence and other negative phenomena by other laws. The Criminal Code of Kosovo², the Law against Domestic Violence³, the Law on Gender Equality⁴, the Law on Family⁵ and other bylaws that provide a good basis for regulating this very challenging issue. The National Action Plan against Domestic Violence is also a very important act through which the work of institutions is oriented towards combating domestic violence. Of course, the mere existence of legislation is not enough to achieve success in preventing and combating domestic violence. It is very important to create and operate state professional mechanisms for dealing with these

¹ Constitution of the Republic of Kosovo, Official Gazette of the Republic of Kosovo, Prishtina. September 07 <https://us.search.yahoo.com/search?fr=yhsinvalid&p=Kushtetuta+e+Republik%C3%ABs+s%C3%AB+Kosov%C3%ABs%2C+Gazeta+Zyrtare+e+republik%C3%ABs+s%C3%AB+Kosov%C3%ABs+%2F+nr.+37+%2F+28+dhjetor+2012%2C+Prishtin%C3%AB> access 21.08.2021.

² Criminal Code of Kosovo, Official Gazette of the Republic of Kosovo /Nr.19 / 13 Korrik 2012, Prishtinë. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2834> access 12.08.2021.

³ Law on Protection from Domestic Violence, Official Gazette of the Republic of Kosovo / Prishtina:/ nr. 76 / 10 gusht 2010. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2691> access 02.08.2021.

⁴ Law no. 05 / 1 -020 On Gender Equality. Official Gazette of the Republic of Kosovo / no. 16/26 June 2015, Prishtina. [ActDetail.aspx \(rks-gov.net\)](https://gzk.rks-gov.net/ActDetail.aspx). access 02.08.2021.

⁵ Kosovo Family Law, no. 2004/32, Official Gazette of the Provisional Institutions of Self-Government in Kosovo / Pristina: Year I / Nr. 4 / 01 Septembar 2006. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2410> access 22.07.2021.

cases. The professionalization and training of judges, prosecutors, police investigators, social workers, victims' advocates, etc., is of particular importance for greater success in this fight towards the protection and sanctioning of domestic violence. Kosovo has created such mechanisms but the need for further professionalization of these institutions in these very sensitive areas. An important role in preventing and combating domestic violence is played by other institutions, including various ministries, Non-Governmental Organizations (NGOs), schools and other educational institutions. Undoubtedly, the print and electronic media also have a great role because the various campaigns to raise public awareness about the effects and consequences of domestic violence have a great impact on general prevention and public awareness in reporting cases of domestic violence.

Therefore, successfully dealing with cases of domestic violence is a very serious challenge which requires, as mentioned above, great attention of all state institutions, other organizations, media and civil society.

This is an ongoing battle which requires constant commitment, patience, professionalism, human and financial resources. I am convinced that the results after such efforts and commitments will not be lacking.

When a person in a marital, premarital relationship, cohabiting, divorced or in any close relationship, mistreats and abuses the other, then we are dealing with domestic violence.

Based on several studies on domestic violence, various studies have shown that violence against women is a complex and multidimensional problem.

Regardless of the legal and institutional framework for the prevention and protection of victims of domestic violence and despite the efforts and measures taken to prevent and minimize it by state bodies and non-governmental organizations, domestic violence continues to be one of the most problematic phenomena in our society.

In the Republic of Kosovo, the legislation related to gender equality, women's rights and protection from violence is quite advanced. Kosovo now has a Law on Protection from Domestic Violence as well as a strategy and action plan. But the main challenge is the implementation of these laws and strategies in practice, in everyday life.

The Law on Protection from Domestic Violence aims to prevent domestic violence, in all its forms, with appropriate legal measures, of family members who are victims of domestic violence, paying special attention to children, the elderly and people with disabilities.

Also, this law also aims at treating and sanctioning those who commit domestic violence but also controlling the consequences of sanctions for these perpetrators.

Literature Review

The author Halili⁶ in his book *Criminology* in chapter VII, in the context of the crime of violence has paid extremely great attention to the crime of domestic violence, in particular violence in marriage, violence against children and violence against parents and the elderly.

Also from the victimological point of view, the same author Halili⁷ in his book *Victimology* analyzes quite well the rights of victims and their treatment, the factors of victimization, as well as the protection and assistance of victims of crime. Criminality is a negative social phenomenon, which has been accompanying every society throughout all stages

⁶ Halili, Ragip. (2011). *Kriminologjia*. Balmed. Prishtinë.

⁷ Halili, Ragip. (2011) *Viktimologjia*. Prishtinë.

of its development.⁸, even domestic violence as a form of crime was and is apparent at every stage of society. Author Maloku in his work.⁹

Alcoholism as a pathological social problem in the region of the municipality Gjilan-Kosovo among other things emphasizes (...) It should be noted that alcohol users not only degrade the individual, but also the environment in which they live since its effects have been reflected in all premises where alcoholic is its part..

Therefore, the most common problems alerted due to uncontrolled consumption of alcohol the society faces in the Municipality of Gjilan are the following: domestic violence, peace and public tranquility violation all along with reckless driving as a consequence of being drunk, etc.

Government of Kosovo has adopted a strategy for the elimination of trafficking, and on 19 October 2011, a toll-free hotline was opened for victims of trafficking and domestic violence.

This Strategy focuses on four main goals: prevention, prosecution of perpetrators, protection of victims of trafficking in human beings, and protection of children often targeted by criminals.¹⁰

SRVAW, report to the Commission on Human Rights,¹¹ provides recommendations on the protection and information of women about their legal rights and their education, especially in relation to domestic violence.

In war-torn countries, countries in transition, the phenomenon of suicide has become much more frequent, becoming a phenomenon which poses a serious danger to society itself.¹²

One of the factors that affect suicide directly or indirectly is domestic violence and especially violence against women.

In another study of 103 pre-school children who were at risk of being exposed to domestic violence against their mothers, it was found that domestic violence negatively affected children's interactive behavior with mothers, but which did not affect the reporting of mother for the child's problematic behaviors.

These findings suggest that the impact of domestic violence begins very early, reflecting more on the area of relationships built with the mother and other individuals than on the child's mental health¹³ (Levendosky, A. et al. 2003)

Research methodology and purpose

Working methods have a special importance in dealing with this negative phenomenon or these criminal offenses, and through these methods it is best to present the social reality and domestic violence as a harmful social act.

⁸ Maloku, A. (2015). Fear of Violence and Criminality in the Region of Gjilan, Kosovo. *Mediterranean Journal of Social Sciences*, 6(2 S5), 29. Retrieved from <https://www.richtmann.org/journal/index.php/mjss/article/view/6156>

⁹ Maloku, A. (2015). Alcoholism as a pathological social problem in the region of the municipality Gjilan-Kosovo. ICLS 2015. Pristina.

¹⁰ Maloku, A., Maloku, E. (2020). Protection of Human Trafficking Victims and Functionalization of Institutional Mechanisms in Kosovo. *Acta Universitatis Danubius. Juridica*, 16 (1), 21–44.

¹¹ SRVAW, report to the Commission on Human Rights, (1996). AI Interview with NGO. Useful to albanian women.

¹² Maloku, A. & Maloku, E. (2020). SOCIOLOGICAL PERSPECTIVE OF SUICIDES / Sociological Perspective of Suicides . *Uluslararası Ekonomi İşletme ve Politika Dergisi* , 4 (2) , 319-334 . DOI: 10.29216/ueip.784154

¹³ Levendosky, A. A., Huth-Bocks, A. C., Shapiro, D. L., & Semel, M. A. (2003). The impact of domestic violence on the maternal-child relationship and preschool-age children's functioning. *Journal of Family Psychology*, 17(3), 275–287. <https://doi.org/10.1037/0893-3200.17.3.275>.

The criminal offenses of domestic violence are numerous and different, even the methods of work are numerous and different. During the preparation of this paper, inductive and deductive methods, analysis method and comparative method were used.

Research findings and analysis

1. Entities protected by the law on domestic violence

The law protects the person who has been subjected to violence, which occurs between him and persons who are or have been in a family relationship with him. It also protects other members of this person's family or other relatives when they themselves become victims of domestic violence. By law, family members are:

- spouses or cohabiting partners or ex-spouses / ex-cohabiting partners;
- brothers, sisters, including adoptive parents and adopted children;
children and spouses of these persons;
- parents and adopted children of spouses or cohabiting partners;
- brothers / sisters of the spouses if they have lived together during the last 3 months;
- children of spouses or cohabiting partners.
- straight-line gender, including parents, and adopted children of the spouse or cohabitant;

2. Protective measures provided by law for victims of domestic violence

- Prevention and reduction of domestic violence in all its forms, through appropriate legal measures.
- Ensuring the legal protection of family members who are victims of domestic violence, paying special attention to children, the elderly and people with disabilities.

The victim, any person or relative or representative of the responsible institutions that finds cases of domestic violence can be addressed with a request to the nearest police station (of the area where he lives or is located), the relevant local unit against domestic violence, the health center of the area where he resides or is located or with a request-lawsuit to the court of the district of residence, its location or of the abuser, to take the necessary measures.

a. lawsuit request

For the drafting of the claim-lawsuit, the preparation of the acts and their submission to the court the applicant (victim, his representative) is assisted by a free lawyer being dismissed and by the court fees. Upon the issuance of the protection order, the court costs are charged to the party who has committed domestic violence.

b. Court order

When the family section of the court of civil jurisdiction considers such a claim, it may impose one or more of the following safeguards aimed at protecting the victim of domestic violence:

- immediately ordering the respondent (perpetrator) not to commit or threaten to commit an act of domestic violence against the plaintiff (victim) or other members of the victim's family;
- immediately ordering the respondent (perpetrator) not to harm, harass, contact or communicate directly or indirectly with the victim or members of the victim's family;
- immediately removing the respondent (perpetrator) from the apartment for a period of time determined by court order and not allowing a newcomer to enter without the court's authorization;

- immediately stopping the respondent (perpetrator) from approaching the victim or members of the victim's family beyond a certain distance;

- immediately stopping the respondent (perpetrator) from approaching the home, place of work, apartment of the family of origin or the apartment of the future couple or other persons and moreover the school of the children, or places which are mostly frequented by the victim, except when the attendance is done for work reasons; which are mostly frequented by the victim, except when the attendance is done for work reasons;

c. Placement of the victim in temporary shelters

- immediately placing the victim / s and the juvenile in temporary shelters, taking into account in each case the highest interest, that of the juvenile;

ç. Restrictions - prohibitions imposed by the court

- restricting or preventing the respondent (perpetrator) from meeting with any of the victim's relatives;

- prohibiting the respondent (perpetrator) from entering or staying in the temporary or permanent residence of the victim, or in any part of it, regardless of the property rights or possession of the perpetrator;

d. Accompanying the victim by an authorized person

- ordering a person authorized by the court (law enforcement officer or bailiff) to accompany the victim or defendant (rapist) to the victim's apartment and supervise the removal of personal property;

- ordering law enforcement agencies to confiscate any weapon belonging to the perpetrator or ordering the perpetrator to surrender any weapon belonging to him;

- ordering the respondent (perpetrator) to allow the victim to own the apartment which is used jointly by the victim and the perpetrator or any part of it;

- ordering the defendant (perpetrator) to pay the rent of the permanent or temporary residence of the victim, as well as the alimony obligation for the victim, children or other family members in charge;

- transferring to the victim the right of temporary custody of the children and temporarily removing the parental responsibility of the respondent (perpetrator);

- deciding and ordering on a case-by-case basis (within the jurisdiction of the court) the intervention of social, public or private services of the place of residence or near organizations that aim to support and receive abused persons in the family;

- ordering the respondent (perpetrator) to make a periodic payment in favor of cohabiting persons, who, for the effect of the above measure, remain deprived of their livelihood.

To secure payment, the court may order that the amount be paid by the employer in favor of the beneficiary. Such a decision constitutes an executive title;

- including the victim of domestic violence in rehabilitation programs;

- ordering the respondent (perpetrator) to participate in rehabilitation programs;

- If the respondent (the abuser) is ordered to go to a rehabilitation program, those in charge of the program are required to report weekly to the court if the abuser attends or participates in it.

Depending on the need to take protective measures for the victim of domestic violence, the court decides on the issuance of an immediate protection order and protection order.

3. Who can apply for the issuance of a protection order

The request for a protection order can be submitted by:

- The victim himself, the victim's legal representative or lawyer, and the Police / Prosecutor.

a. If the victim is a minor, they can apply for a protection order in his or her name:

- his parent or guardian, his legal representative or lawyer, his relatives;
- representatives of the social services office at the municipality or commune, where there are such offices,
- centers and services for the protection and rehabilitation of victims of domestic violence such as the Ministry of Labor, Social Affairs and Equal Opportunities, -police or prosecution, persons legally responsible for the juvenile.

b. The request for an immediate protection order and where to go can be submitted:

- victim, legal representative or lawyer of the victim, police / prosecutor, a member of the victim's family, representatives of the social services office at the municipality or commune, centers and services for the protection of victims of domestic violence mentioned above.

c. Where should the victim go to seek a protection order?

To request an immediate protection order or a protection order can be filed with the Civil Court of Jurisdiction (family section) of the district where the victim or abuser resides.

4. How is a protection order issued?

The immediate protection order is issued by a court decision within 48 hours from the submission of the request in cases when:

- there are grounds to believe that the respondent (the perpetrator) has committed or threatened to commit an act of domestic violence;
the respondent (the perpetrator) poses a direct and immediate threat to the safety, health or well-being of the victim and other members of the victim's family;
- the issuance of an immediate protection order by a court decision is necessary to protect the safety, health, well-being of the victim or other family members of the victim, who are protected by the protection order.

The court decision for the issuance of an Immediate Protection Order contains one or more of the protection measures provided by law.

The court decision to issue an immediate Protection Order is notified to the parties and is immediately executed by the office of the judicial bailiff service.

An immediate protection order is a temporary order, pending the issuance of a protection order, which may take several hours, or several days but a maximum of no more than 20 days.

If an immediate protection order is issued, the court must schedule a hearing within 20 days of issuance and decide whether to replace the immediate protection order with a regular protection order or not. The respondent (offender) will be required to be present at the hearing, but if he or she does not appear, the hearing will continue normally for as long as the respondent has been notified. The malfunction of the postal system is not a reason to postpone the hearing.

5. Initiation of investigative procedures

Upon receipt of the first information, the police assess the risk to the victim, and begin investigating the case. This assessment should be carried out after all necessary emergency measures have been taken to establish safety for the victim and all others.

If the case concerns a child victim, the interview must take place in the presence of the parent, except (if the parent is suspicious, or the child cannot express himself or herself freely in his or her presence), in the presence of the Victims Advocate in his or her presence. of the custodial body.

6. Protection and response in cases of domestic violence

Both identification and referral and protection is an ongoing obligation of the Police. If there is a risk to the victim, witnesses or perpetrators all measures must be taken to ensure the safety of the individual regardless of the stages of the proceedings.

The services provided to victims of domestic violence according to these standard operating procedures are divided into four broad categories:

1. identification,
2. reference,
3. Protection, and
4. Investigation,

7. Who and where can present the case

Anyone who encounters domestic violence or has the opportunity can report a case of domestic violence, including: civilians, officials, the victim himself, the CSW officer or anyone with knowledge of one or more cases of domestic violence and others should and can do so at the nearest institution or the first police officer they meet or by telephone and other means of information.

The term "official identification" is used to identify cases, victims and perpetrators of domestic violence. Formal identification should be made due to the implementation of procedures, and not to characterize a case of domestic violence as a case where an ordinary individual reports a case of domestic violence, despite the fact that all cases of domestic violence will be treated as a case

current domestic violence.

So identification and protection should be carried out by the police. And based on all the data and information collected, the police will make the risk assessment, and based on the risk assessment should prepare the data form which should include:

1. urgent needs of the victim,
2. personal data,
3. assess the health condition,
4. security circumstances,
5. describe the case briefly, and
6. the need for temporary housing.¹⁴

The police should enable contact between the service provider and the victim at the victim's request; As part of the obligation to enable the victim to contact the service providers,

¹⁴ Standard action procedures for protection from Domestic Violence in Kosovo, Prishtina. p.33. <https://abgj.rks-gov.net/assets/cms/uploads/files/Publikimet%20ABGJ/Procedurat%20Standarte%20t%C3%AB%20Veprimit%20p%C3%ABr%20Mbrotjtje%20nga%20Dhuna%20n%C3%AB%20Familje.pdf>, access 20.09.2021.

the police have a duty to provide transportation or to ensure transportation to the appropriate medical facility for treatment or medical examination.

In cases where the case concerns the child victim, the interview should take place in the presence of the parent, except in cases where (the parent is suspicious, or the child can not express himself freely in his presence), should be conducted in the presence of the MV in presence of the custodial body (OK).

8. Cooperation in identifying and penalizing perpetrators of domestic violence

Institutional mechanisms

- Police, Police Inspectorate,
- Victim Advocate / Office for Victim Protection and Assistance,
- Prosecutor,
- Courts,
- Ministry of Labor and Social Welfare (MLSW), CSW, NGOs and NGOs dealing with domestic violence:
- Free legal aid agency,
- Municipal Director of Education,
- Health institutions / primary, secondary, tertiary and mental health centers¹⁵.

8.1. Courses as partners that support this activity

- Shelters, and Non-Governmental Organizations (NGOs).

The purpose of cooperation is to create a coordinated system of Kosovo institutions, which react immediately and continuously even in cases of sexual harassment in order to provide quality assistance and protection to the victim.

8.2. The importance of cooperation consists in clarifying the role and responsibilities of the competent institutions in the protection of victims through:

1. identification,
2. referral,
3. defense, and
4. rehabilitation and reintegration, so that the young victim is not victimized

9. All these actions are based on:

Juvenile Justice Code¹⁶, Criminal Procedure Code¹⁷; Criminal Code of Kosovo¹⁸, Constitution of the Republic of Kosovo, Law on Gender Equality, 2004 / 2Law on Family, 2004/32, Law on Discrimination 2004/3, Law on Protection from Domestic Violence 2010/03-L-110...,etc.

9.1. Declarations and international conventions:

- Universal Declaration of Human Rights
- Charter of Fundamental Rights of the European Union,
- United Nations Convention on the Rights of the Child, 02.09.1990.

¹⁵ ¹⁵ Ibid. p.24.

¹⁶ Juvenile Criminal Code, Official Gazette of the Republic of Kosovo / No. 17/18 October 2018, Prishtina <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=18019>, access 11.07.2021.

¹⁷ The code of the Penal procedure; Official Gazette of the Republic of Kosovo, No. 37/28 December 2012, Prishtina. <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2861> access 22.08.2021.

¹⁸ Criminal Code of the Republic of Kosovo. Official Gazette of the Republic of Kosovo / no. 2/14 January 2019, Prishtina. Actdetail.aspx (rks-gov.net), access 22.08.2021.

- Council of Europe Convention on Violence against Women and Domestic Violence, 2011.

-The police have an obligation to respond to any notification of acts or threats of these cases regardless of who makes the notification.

If there are facts which support reasonable suspicions that a criminal offense has been committed, especially in relation to offenses against sexual integrity, the Kosovo Police shall arrest the alleged perpetrator in accordance with the law and advise the victim.

10. Strategies and efforts to prevent domestic violence

The state of Kosovo, in the framework of its obligations to its citizens, seems to respect, protect, fulfill and promote the right of all citizens to live a life without violence. The drafting and implementation of a National Strategy enables:

Coordinating and matching the existing strategies and efforts of all government departments and institutions of different ministries and non-governmental organizations under a single one to prevent and combat domestic violence.

The prevention of domestic violence engages various public and private structures to discuss and resolve issues of education, health, employment, justice, family, children, the elderly, social services, moreover the process of development of a society.

Legislative-executive structures and non-profit organizations have all specific functions and the national strategy and action plan unify these and share the duties and responsibilities of each. Domestic violence, against its various members, makes in many cases rape and sexual harassment specifically addressed by law, while beating and neglecting children in another way. A national strategy would make all forms of domestic violence to be identified, the causes of this violence to be precisely defined and ways to present this complex problem would be addressed by law, social policies and programs to be implemented by all stakeholders.

The National Strategy should include but not be limited to:

- All forms of domestic violence should be adequately addressed;
- The needs (cultural, ethnic, geographical) of victims of violence should be well reflected;
- There is a coherent approach and implementation to prevent domestic violence;
- Part of the budget to be used to prevent and address domestic violence.

If violence, as is often justified by calling it a natural instinct and a condition for the domination and affirmation of the personal self over the other, that is, a condition of physical existence, we cannot allow this instinct to still prevail in social life.

The violence characterized as a simple catastrophe coming from nature as an element of movements in it, can not be equated nor compared to the unnecessary historical violence premeditated and woven by man himself for selfish benefits and causing terrible pain to the other.

The logic of state law and national deities that caused destruction and mass murder to the point of extermination of the other has no place in any comparative scale with its nature and course.

This violence is known to stem from the combination of force and cunning rhetoric of the state but also of smaller social institutions, including the family, to serve the interests of the perpetrator.

For us, it is not important now to deal with congenital and acquired violence that violence everywhere has its origins, breeding extremism, war, destruction and pain. Based on

this, the ways and processes for quality education that means tolerance, peace, coexistence and love must be persistently sought.

Social life, in different cases needs repression is a fact, but no repression should turn into extreme violence, even for the cessation and isolation of the perpetrator - the perpetrators of violence.

Ignorance, greed, impatience, obsessions, differences between people and states are the starting point of violence after which sometimes it is easier to catch than to oppose therefore and it is more courageous to oppose than to tolerate it.

10.1. Where to look for the most successful courage and form to eradicate violence?

Education begins twenty years before a child is born," and this is the most prosperous source for avoiding violence. Generational education based on sound human principles "produces" humanity with quality values and feelings that eliminate physical and verbal violence. "It is important for every child, every teenager to learn to govern their aggression in a way that does not turn into violence."

Each of us will accept what we call social dependence, dependence on each other and for each other in human-human relations; man - animal world; man - plant world and man still life and vice versa. This principle of non-exclusion of the first relations mentioned exhausts the source of violence from its roots. This also interrupts other simple sources of violence because it prevents the rise of the idea of total right and total guilt or injustice in the individual or group's relationship with the outside world.

This education, as much as it is practiced, will help to raise true freedoms and preserve our own, family and national dignity at the world level. Dialogue, democracy and human rights will have their rightful place in society.

Any desire to establish "my right" by killing and raping the values of another will be cut off from the beginning and the extreme will be cut off by the courageous education itself to dare not to use violence because it is much easier violence than opposition. Do we not often say that peace is built on peace? Are we not saying that violence breeds violence? Then let us sow peace, that we may reap peace!

This phenomenon continues to be treated by the majority of the population as a private problem, belonging only to the family, and not to society.

Despite the awareness-raising work that has been done especially over the last ten years to raise public awareness, attitudes towards violence have not changed much. The difficulty of studying the phenomenon increases even more if we consider that the phenomenon occurs "behind closed doors". As such, it is difficult to observe and study closely. Only about 5 to 10 percent of abused women in the family denounce the violence against them.

The only source of information remains in most cases the victim himself, which in any case is not free from prejudices and stereotypes that exist in the society or community in which he / she belongs. Domestic violence is only rarely defined and penalized as a crime within the family, thus not appearing in official statistics.

The study of domestic violence is difficult if we consider a number of myths that do not allow penetration into the core of the problem. Thus, in different communities and social environments, opinions are shared that "violence affects only a certain stratum or groups", "violence is a problem of the poor", "abused women have certain personalities that encourage violence by the husband", "Abused women stay in violent relationships because they accept violence", "violence is accidental and happens very rarely", etc. Data on the prevalence of domestic violence continue to be limited.

Police stations, law offices, health care centers and social service centers are not required by law to collect and present data on violence. Albania is one of the few countries in Europe that does not officially register, publish and regularly present data on the size and prevalence of this phenomenon.

Domestic violence and the need for a national strategy and action plan Domestic violence is a problem that affects all strata and groups of society, regardless of race, ethnicity, economic level, geographical area, religion, age, etc. World-wide data collected in the last ten years show that violence against women is an obstacle in the development process of human society. Calculating the socio-economic costs of domestic violence is a strategic intervention in raising the awareness of policy makers about the importance and effectiveness of its prevention. As domestic violence is a very sensitive issue in different countries and regions, addressing it requires programs and strategies in accordance with their culture.

Domestic violence is a widespread phenomenon in Albanian society and as a result, it is the responsibility of the state, community and individuals to take the necessary actions to stop it. It is imperative that the government take appropriate initiatives against this phenomenon in order to respect and fulfill the fundamental rights of women and children as part of human rights. Despite the initiatives and activities of various organizations, the actions taken by the state have the opportunity to unify and consolidate these efforts and why not encourage and promote them. There are a number of arguments that seek to draw the attention of policy makers regarding the taking of preventive measures and the fight against domestic violence.

Argument of justice: Every individual should enjoy the fundamental right to live free and untouched by violence. While in cases of domestic violence special care must be taken with the victim, policymakers must take into account the fact that the effects of violence are felt by society as a whole.

Final conclusions and recommendations

This phenomenon continues to be treated by the majority of the population as a private problem, belonging only to the family, and not to society. Despite the awareness-raising work that has been done especially over the last ten years to raise public awareness, attitudes towards violence have not changed much. The difficulty of studying the phenomenon increases even more if we take into account that the phenomenon occurs "behind closed doors" and as such, it is difficult to observe and study closely. Only a certain% and even less than 10% of abused women and women within the family denounce the violence against them.

The only source of information is the victim himself, who is not yet free from the prejudices and stereotypes that exist in the society or community in which he / she belongs. Domestic violence is only rarely defined and penalized as a crime within the family, thus not appearing in official statistics, remaining as a dark number of criminality. Thus, in different communities and social environments, opinions are shared that "violence affects only a certain stratum or groups", "violence is a problem of the poor", "abused women have certain personalities that encourage violence by the husband" ", Abused women stay in violent relationships because they accept violence", "violence does not happen by chance and happens very rarely", in many cases women acclimatize to violence (do not report violence) for the interests of their children by not dashtë to give up children but also wanting to protect them from violence which in many cases is exercised against them, etc. Data on the spread of the phenomenon of domestic violence continue to be incomplete despite the efforts of institutions to protect and prevent violence against women and with it and domestic violence in general.

We believe that the truth is inviolable and sacred, that providing information to the public is a necessary civic service, that the general public and that citizen enjoy the right to be

known and informed in a full and equal, comprehensible and in a timely manner with indisputable facts and evidence of occurrences and events which are related and relate to civil security. Society and the state have a responsibility not only to stop the violation of the human rights of women, children and any other victim of domestic violence, but also to take active measures to prevent and protect these victims.

During the work on this topic, it was noticed that despite the tedious work and material cost, more work needs to be done in this direction because it can be returned to the state and security bodies in various forms, first of all in terms of providing the environment. safer for all citizens.

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