

Tracking Gender-Based Human Rights Violations in Postwar Kosovo

Sapna Desai, MS, and Melissa J. Perry, ScD, MHS

Four years have passed since the institution of the cease-fire in Yugoslavia, and questions remain as to how Kosovar women are faring in the country's postwar reconstruction. Reports, albeit fragmented, suggest that violence against women began to increase in 1998 and 1999. This trend continued through 2001, even while rates of other major crimes decreased.

Despite considerable local efforts to address the conditions of women, there remains a lack of systematic data documenting the scope and frequency of violent acts committed against women. A centralized surveillance system focused on tracking human rights abuses needs to be established to address this critical need for empirically based reports and to ultimately guide reform efforts. (*Am J Public Health*. 2004;94:1304-1307)

IN 1999, THE NORTH AMERICAN

Treaty Organization's bombing campaign in the Federal Republic of Yugoslavia brought Kosovo, a previously little known province, to world center stage. Amid reports of more than 800 000 refugees and more than 12 000 fatalities caused by the conflict, the international community learned of the plight of Kosovar women in particular.¹ While the bombing has stopped and the province is now working toward self-governance, questions have emerged in regard to how Kosovar women have recovered since the cease-fire 4 years ago and how they are faring in postwar reconstruction.

In the postconflict environment of continued interethnic tension and unstable economic conditions, women have emerged as particularly vulnerable to violence and other human rights violations. According to both women's rights organizations and an assessment conducted by the United Nations Development Fund for Women (UNIFEM), violence against women has increased since the end of the conflict. Furthermore, local police reports confirm that violence against women is on the rise and is at least as common as violence stemming from interethnic and political tensions.² Yet, international and local human rights data do not typically capture this trend.³ Although political violence is methodically monitored, only anecdotal data are available to describe gender-based human rights violations. Despite consid-

erable local efforts to address the issue, there remains a critical lack of systematic data documenting the scope and frequency of violent acts committed against women.

These systematic data are vital; from institution-building activities to training of health professionals, their absence may result in violence against women not being addressed in strategies and programming. Eliminating violence against women is critical to the growth of any society, whether it is rebuilding after conflict or at the height of development. However, in the absence of proper resource allocation or commitment, political declarations offer little potential for change.

The United Nations Interim Mission in Kosovo, more commonly known as UNMIK, functions as the main governing body in the region, with a joint interim administrative structure designed to incorporate local Kosovars into the transitional government.⁴ In 2000, UNMIK established a policy advisory body, the Office of Gender Affairs (OGA), to address the needs of women. The OGA has declared violence against women as a key priority of its work.⁵ As UNMIK builds efforts in this area, establishing sustainable, methodical data systems to track prevalence rates of gender-based violence emerges as a major challenge. It is in this context, as the postwar situation in Kosovo demonstrates, that public health and human rights professionals can develop concrete

methods to monitor gender-based human rights violations and, ultimately, ensure that reform efforts are evidence based. Moreover, violence against women is a global phenomenon; the Kosovar experience can guide reconstruction efforts around the world.

VIOLENCE AGAINST WOMEN

The United Nations Declaration on the Elimination of Violence Against Women defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women."^{6(p2)} A manifestation of gender inequality, gender-based violence encompasses a broad spectrum of acts, ranging from intimate partner abuse to trafficking of women with the intention of forced prostitution, directed at women solely because of their gender.⁷ Violence against women is a pervasive public health problem, yet it is among the least recognized human rights violations. Largely as a result of lobbying efforts on the part of women's advocacy groups, eliminating gender-based violence has steadily emerged as a critical item on research, policy, and intervention agendas.

There are data, albeit piecemeal, suggesting that violence against women in Kosovo needs further attention. In UNIFEM's 2000 assessment of violence against the country's women, *No Safe Place*, the first study of its

kind conducted by an international organization in the region, researchers surveyed women representative of the demographic diversity in Kosovo, and results were adjusted for the population at risk.⁸ The study revealed that almost 1 in 4 women (23%) reported experiencing domestic violence. Notably, 44% of women reported their first exposure to violence as occurring in 1998 or 1999, suggesting a temporal connection to the escalating conflict in Kosovo in 1998. In attempting to provide an understanding of the situation, UNIFEM consultant Rachel Wareham pointed out that in postwar periods, when societal structures are weakened and traditional systems altered—and women move into roles previously unoccupied—societies are likely to witness an increase in violence against women.⁸

In addition to domestic violence, Kosovar women may be experiencing increased levels of sexual assault: UNMIK police reports indicate that while serious crimes such as murder, abduction, and arson decreased during 2000 and 2001, sexual assault was the only major violation to exhibit an increase, from 115 to 133 reported cases.³ Fear of stigmatization, compounded by a lack of support services, has been reported⁸ as a major obstacle to disclosure; accordingly, these estimates probably underrepresent actual prevalence rates of sexual assault.

There is also considerable anecdotal evidence that trafficking in women for the purposes of forced prostitution is on the rise in Kosovo. Societal factors such as poverty, increased vulnerability of women, and gender discrimination—coupled with a huge influx of international aid

workers—have contributed to creating a sustainable market for traffickers.³ Reports of women forced or tricked into traveling to the region indicate that the area is primarily a destination point for women forced into prostitution, although there are also a few scattered reports of women being abducted out of the province.⁹ Organizations addressing this issue report that a lack of systematic data collection, difficulty in investigation and enforcement, and limited social services available to victims of trafficking represent major obstacles to developing coordinated efforts.

ADDRESSING GENDER-BASED VIOLENCE

Although many urban women enjoy equality in education and professional life, the majority of Kosovar society is structured on a patriarchal, traditional system.¹⁰ The extended family is the primary form of social support, and most women would not be inclined to threaten its cohesiveness by reporting violence. Male relatives are the primary protectors against violence; if this support does not exist, there is little expectation of intervention.⁸ Moreover, male violence against women is generally unchallenged in Kosovar society, and victims who choose disclosure may be met with isolation or blame. Faced with a lack of economic opportunities outside of urban centers, female survivors of domestic violence may resist disclosure because, in many cases, they have little hope for an independent life apart from the family structure.

While a number of local and international organizations are working strenuously toward realizing women's equal societal sta-

tus as well as safety, most women's organizations report that current efforts are far from adequate and that political will is considerably lacking. International observers have primarily acknowledged incidents that can be classified as war crimes. International recognition of gender-based violence in Kosovo has largely concerned incidents occurring during the conflict. Prominent local activists have outwardly voiced concerns that the OGA does not effectively incorporate the concerns of local women and may serve as more of an obstacle than a source of support.¹¹ Despite the lack of strong women's voices within current political structures, local and international women's activist groups and organizations are steadily gathering force to establish both a firm voice and a firm agenda in addressing gender-based violence.

In the postconflict climate, however, women's groups report feeling overwhelmed, and some do not feel qualified to provide specific services such as domestic violence counseling. The influx of foreign assistance has been critical in providing resources, but, according to some nongovernmental organizations (NGOs), it has resulted in underestimation or hindrance of local efforts. There is an impressive contingent of organizations working in the field of gender and women's rights, yet most appear to be involved in welfare rather than education or prevention.⁸

The legal system does contain fragmented codes that could be used to prosecute violence committed against women in the home, although marital rape is excluded. A uniform protocol for addressing domestic violence cases does not exist, but ongoing

efforts on the part of local and international organizations to train police and attorneys represent a promising development. Despite the increasing number of reports of sexual violence outside the home, there is little evidence of coordinated efforts on the part of existing institutions and organizations to address or monitor prevalence rates.

Significant levels of resources have been allocated in the area of trafficking of women. In particular, the International Organization of Migration, along with the OGA and the Organization for Security and Cooperation in Europe, has instituted training and investigation programs. However, there is a considerable need for increased interagency coordination and response.⁹

THE NEED FOR SURVEILLANCE SYSTEMS

While the organizations just described undoubtedly are playing a critical role in addressing violence against women, the potential gains of their work will remain undocumented without adequate data. Currently, no tracking system exists to monitor progress in reducing gender-based human rights violations. Data sources are fragmented, and there is no formal mechanism available to coordinate data collection, analysis, or report distribution. Numerous local organizations have reported experiencing frustration with foreign NGOs and visitors who have repeatedly solicited preexisting public health and human service data with little attempt to follow up on or distribute the information collected.

Organizations that do collect data typically report raw numbers unadjusted for the popula-

tion at risk, increasing the perception that the data merely represent anecdotes with little proof to support them. Furthermore, data derived from police records, human rights organizations, and other civic groups have not been consolidated in a central database that can be shared and utilized by agencies in making priority assessments.

The Council for the Defense of Human Rights and Freedoms (CDHRF), a Kosovo NGO, and the Harvard School of Public Health are collaborating in an effort to establish a centralized system for collecting data on gender-based human rights violations. In a concentrated effort over the past year, CDHRF has been collecting anonymous incidence data on human rights abuses against women occurring during 2 target time periods: July 1999 through June 2001 and July 2001 through June 2003. As a result of the organization's long-term presence in human rights work, existing CDHRF networks have been included in data collection efforts. These networks include hundreds of medical, human service, and legal professionals, all of whom were working in Kosovo well before the ethnic strife in the province gained international attention.

In addition, CDHRF has established contact with the UNMIK administration and the many foreign NGOs that are relatively new to the province. In essence, any group or agency working toward women's rights and protection of women from violence is being asked to contribute to the data collection effort. Data on assorted human rights violations, including physical and sexual violence committed against any woman residing in the province,

are being collected without personal identifiers via a standard 2-page data collection form used by all participating agencies. The 2 study periods (1999–2000 and 2001–2003) were targeted to allow retrospective and prospective comparisons, and population-at-risk estimates will be used for each period to compute incidence rates.

To the best of our knowledge, this is the first effort to establish a coordinated surveillance system designed to track gender-based human rights violations at the population level in Kosovo. We anticipate that this pilot effort will inevitably produce incomplete data, but its results will probably prove invaluable in terms of improving the system and planning a longer term effort. Critical to the longevity of this effort will be rapid distribution of the information collected, both to reinforce agencies' participation and to provide much needed (albeit incomplete) data to inform programmatic decisionmaking.

STRUCTURES AND ACTORS FOR EFFECTIVE MONITORING

Because the surveillance project just described originated from a research effort, it is all the more important that an infrastructure be established to maintain its continuity and longevity. To date, participation by existing agencies in recording and reporting the data has been solid, and at the moment it appears that these collaborations can be maintained over time. The critical elements that must be established are as follows: (1) linking the data-coordinating system to the efforts of the government authority to address gender-based vio-

lence and (2) identifying sustainable funding sources.

Given that the OGA has declared violence against women a priority area, and given that international human rights standards oblige governments to eliminate gender-based violence, there is a clear role for the Kosovo governmental authority in formally establishing and securing funding for the surveillance system. While establishing the data coordinating center outside the structure of the UNMIK may be preferable in terms of maintaining and further building collaborations at the community level, there will be a strong continued need for coordination and funding support from a central authority as well.

To ensure that future resources will be available to maintain the data collection system, the OGA might identify potential funding sources from varied donors such as multilateral and bilateral agencies and international NGOs and foundations. To determine where and how the data coordinating system will be permanently established, UNMIK also could distribute a "request for proposals" to all participating agencies. In this scenario, it would be important for both UNMIK and nongovernment professionals to be involved in reviewing the solicited proposals and making final decisions.

An additional responsibility of the OGA could be to ensure that the agency ultimately charged with coordinating the data center is responsible for maintaining the highest level of data security at all times, issuing regular reports to the other contributing data collection agencies, and making data available to outside agencies for programmatic purposes as needed. In regard to

guaranteeing integration and maintenance of the centralized data-coordinating system over time, the involvement of the government authority will prove critical in further establishing these specific responsibilities, in accord with the authority's stated political commitment and obligation.

The strong presence in Kosovo of organizations working toward women's rights clearly demonstrates the potential to fill the obvious gaps in monitoring gender-based violations. Just as the international community systematically monitors cases of interethnic and political violence, current government structures must prioritize issues involving women and, accordingly, track and address violations of women's human rights. The development and administration of surveillance mechanisms has global ramifications as well. Reconstruction efforts throughout the world face similar challenges in developing interventions for violence against women and, in the absence of preestablished systems, probably lack the resources to initiate a data collection process.

Over time, the experience and monitoring mechanisms developed in Kosovo can serve as a basic model that can be adapted internationally. Professionals in the fields of human rights and public health can therefore productively work together to develop appropriate data collection systems in an effort to ensure that elimination of gender-based violence is accorded the global priority it deserves. ■

About the Authors

At the time of writing, Sapna Desai was with the Department of Population and International Health, Harvard School of Public Health, Boston, Mass. Melissa J.

Perry is with the Department of Environmental Health, Harvard School of Public Health.

Requests for reprints should be sent to Melissa J. Perry, ScD, MHS, Department of Environmental Health, Harvard School of Public Health, 665 Huntington Ave, Boston, MA 02115 (e-mail: mperry@hsph.harvard.edu).

This article was accepted August 4, 2003.

Contributors

Both authors contributed to the conceptualization and writing of the article.

References

1. Spiegel PB, Salama P. War and mortality in Kosovo, 1998–99: an epidemiological testimony. *Lancet*. 2000; 355:2204–2206.
2. United Nations Interim Mission in Kosovo. Police crime statistics: 2000/2001. Available at: <http://www.unmikonline.org/civpol/statistics.htm>. Accessed April 25, 2002.
3. *Getting It Right? A Gender Approach to UNMIK Administration in Kosovo*. Stockholm, Sweden: Kvinna till Kvinna Press; 2001.
4. United Nations Interim Mission in Kosovo. Joint interim administrative structure fact sheet. Available at: <http://www.unmikonline.org/1styear/jias.htm>. Accessed April 25, 2002.
5. United Nations Interim Mission in Kosovo. UNMIK at two, people's rights: challenges still. Available at: <http://www.unmikonline.org/2ndyear/unmik2p4.htm>. Accessed May 2, 2003.
6. *United Nations Declaration on the Elimination of Violence Against Women*. New York, NY: United Nations; 1993. UN document A/48/49.
7. Watts C, Zimmerman C. Violence against women: global scope and magnitude. *Lancet*. 2002;359:1232.
8. Wareham R. *No Safe Place: An Assessment on Violence Against Women in Kosovo*. Prishtine, Kosovo: United Nations Development Fund for Women; 2000.
9. Organization for Security and Cooperation in Europe Mission in Kosovo. Combating trafficking in Kosovo. Available at: <http://www.osce.org/kosovo/documents>. Accessed March 19, 2002.
10. International Helsinki Federation for Human Rights. Women 2000—investigation into the status of women's rights: Federal Republic of Yugoslavia (Kosovo and Serbia). Available at: <http://www.ihf-hr.org/reports/women/yugoslavia.pdf>. Accessed April 13, 2002.
11. Association for the Education of Women. Letter to United Nations office from Igo Rogovo on behalf of the Rural Women's Network. Available at: <http://www.motratqiriazhi.org/network.htm>. Accessed February 25, 2002.