

CHILD PROTECTION INDEX

Kosovo

2016

Measuring government efforts
to protect girls and boys

www.childprotectionindex.org

Created by a consortium of local, national, regional and
international members of civil society

ChildPact



The Coalition of NGOs for Child Protection

(Kosovo) is a coalition composed of 22 local and international NGOs working in the child protection field, with a joint mission to advocate for and protect the rights of children in Kosovo. The mission of the Coalition of NGOs for Child

Protection is to promote protection, respect, well-being and the advancement of the rights of children. Together, we will advocate to and lobby institutions of influence to promote and develop the rights of the child in accordance with the UNCRC. www.komfkosova.org/

The member organisations of Kosovo's Coalition of NGOs for Child Protection include:

Associazione Amici dei Bambini • Asociacioni për Trajnime Sociale • Hulumtime dhe Avokim – ASTRA • Action for Mothers and Children • Balkan Sunflowers Kosova • Iniciativa 6 • Kosovo Education for Sustainable Development • Kosovo Rehabilitation Center for Torture Victims KRCT • Organizata Rinore Akti, One To One Kosova – Qendra e Këshillimit për Familje • One to One Children's Fund • OPFAKKOS •

Programi për të Drejtat Civile • PL4Y International • Qendra për Edukim e Kosovës – KEC • Qendra për Mbrojtjen e Viktimave dhe Parandalimin e Trafikimit me qenie njerëzore – MVPT • Qendra për Studime të Avancuara FIT • Save the Children • SOS Fshatrat e Fëmijëve Kosovë • Shpresa dhe Shtëpi për Fëmijët Kosovë • Terre des hommes • VoRAE dhe World Vision

ChildPact

ChildPact is a regional coalition of 650 civil society organisations that advocates for greater child protection reform in the Southeast Europe and South Caucasus sub-regions. Established in 2011, ChildPact is a coalition of coalitions: its members are national networks of child-focused civil society organisations from 10 countries within the European Union's Enlargement and Neighbourhood zones. www.childpact.org

World Vision International

World Vision International is a Christian relief, development and advocacy organisation dedicated to working with children, families and communities to overcome poverty and injustice. World Vision International's Middle East and Eastern Europe Office is the official partner for the Child Protection Index. www.wvi.org/meero

September 2016

Series I of the Child Protection Index includes nine countries: Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Georgia, Kosovo*, Moldova, Romania, and Serbia.

*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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Contents

Abbreviations

28 Policy Conclusions

1 Introductions

A Message from Kosovo's Coalition of
NGOs for Child Protection Executive
Director

A Message from World Vision's Albania
and Kosovo National Director

32 Credits

Donors
Authors
Data Analysts
Data Visualisation
Design
Photography

4 Index Methodology

34 Addendum: Detailed Index Methodology

9 Analysis and Policy Recommendations

Child vulnerability
Governance
End & Prevent
— All forms of violence
— Economic exploitation
— Sexual exploitation
— Abduction, sale and trafficking
Care & Protect
— Disability
— Helping Families Stay Together
— Keeping Children Safe
— Caring for Children Separated from
their Families
— Adoption
— Children living and/or working on
the street

36 End Notes

Abbreviations

GDP	Gross Domestic Productt
ILO	International Labour Organisation
NGO	Non-Governmental Organisation
UNCRC	United Nations Convention on the Rights of the Child

Introductions

A Unified Civil Society Monitoring Tool for Kosovo and Child Protection

Kosovo has taken many positive steps to establish national policies and a legal framework for child protection. Like all governments, weak points remain; Kosovo must now implement legislation and provide adequate resources to solidify the child protection system. Further, central and local level institutions are not yet successfully providing sufficient services.

With the Index, we seek to identify gaps between policy and practice by documenting facts on the ground and providing a rigorous, yet accessible evidence base that can inform policy debates. The Index provides an opportunity to unify and strengthen various stakeholders' understanding of child protection in our country and across the region. It can serve as a guide to unify donors, governments and members of civil society and it can be used as a policy monitoring tool to increase institutional capacity and provide evidence to suggest next steps, resources and coordination. Moreover, we plan to use the Index to create a shared vision for reforms by government and civil society. As both entities are often on parallel but different paths towards reform, the Index can be a communication tool for more ambitious results.

The publication that you read now is the first of its kind. For us, it is a baseline, as we hope we can produce it ever two years to build a long-term and ongoing monitoring process owned by civil society organisations. We are very enthusiastic about its comparative dimensions, as this will hopefully encourage replication of regional good practices and unify governments on common issues.



DONJETA KELMENDI
EXECUTIVE DIRECTOR

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COALITION OF NGOS FOR CHILD
PROTECTION - KOMF

Grading for the Sake of Success

Protecting a child through their early years and as they grow up is one of a parent and a society's most basic and most important duties. As children, we are at our most vulnerable and impressionable; the start that we have in life shapes the person that we will become.

The level to which our children are safe from abuse and harm is a fundamental marker of the health of any society. The UN Convention on the Rights of the Child gives us the framework within which we must work, and now, with the Child Protection Index, we finally have a tool that allows us to analyse and ultimately improve our child protection system. We should celebrate this tool and use all of its advantages to influence our work in Kosovo and help us to ensure that our children are safe.

The Child Protection Index reveals to us the reality of the protection system in countries that we think we know; we have probably all talked about the issues we face, but we have never seen them expressed in a comprehensive way. Putting a score or grade on the system is a way to raise awareness of issues and mobilise us to the next level of action. This is what the Child Protection Index does and it does so for a system that regulates one of the most crucial aspects of child well-being: safety from harm and abuse.

World Vision has been operating in Kosovo since the start of the crisis in 1999, shifting its programme from an immediate humanitarian response following the war to peacebuilding efforts with children, to youth mobilisation. Working side by side with children, youth and communities, we can testify to the high levels of child and youth vulnerability. At the same time, we can also testify to the power of change that children can have in their own lives and in their communities and their country.

The Index recognises much of what has been achieved by the different actors in this field. Efforts to improve laws and protocols should be highlighted and applauded. Policies to prevent parent-child separation, child labour and violence against children must be in place and constantly reviewed. Among the important things the Index shows, however, is the reality that measures to prevent trafficking and domestic violence remain limited.

At World Vision Albania & Kosovo (WVA&K) we feel hopeful that this tool will inform the decisions not just of Kosovo's policy-makers, but also the agents of change who are often found among the children, youth and community members themselves. We are hopeful the Index will be used to urge change so that the policy and services environment provides quality responses to the needs of children. The system must be accountable and friendly to children who experience abuse of any kind. Moreover, we are hopeful it will produce the necessary debate and action to change the mindsets and attitudes that allow child abuse of any kind. There are many lessons to be learned through the exercise of analysing the Index. On behalf of WVA&K, I thank ChildPact, my World Vision Middle East and Eastern European colleagues and the country experts for designing the tool and shining a forensic spotlight onto the situation of child protection.



TONI GOGU
NATIONAL DIRECTOR

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WORLD VISION ALBANIA
& KOSOVO

Index Methodology

The Child Protection Index is designed to encourage regional cooperation, stimulate more robust implementation of the UNCRC, and serve as a policy analysis tool for civil society, governments and donors. The Index consists of 626 indicators that together measure a state's policy and actions to protect and care for girls and boys under their jurisdiction. The Index framework of indicators heavily relies on *the Implementation Handbook for the Convention on the Rights of the Child*, published by UNICEF. The Handbook provides a series of yes, no and partially-implemented checklists to create an understanding of each UNCRC article's significance. The Index uses these checklists as core indicators to measure state performance.

The 2016 Index series is a pilot. Therefore, the Index scoring is based upon data available as of December 2013. This date ensured that all information was available across all nine countries and could be standardised over the last two years. However, to validate new efforts since 2014, the analysis and recommendations take these new actions into account to every extent possible.

Please see the addendum to this brief for further information on the Index framework, data collection and scoring

To read the Index, a score of one is a perfect score; the lower the score, the weaker the action; the higher the score, the stronger the action for children.

Dimensions of Government Action

The Index measures five dimensions of government action for each of the articles of the UNCRC that refer to child protection. These five dimensions are: policy and law, services, capacity, coordination and accountability.

Policy & Law

The dimension of policy and law scores a country's efforts to create policy, laws and regulations that protect and care for children in situations of violence and vulnerability.

Services

The dimension of services measures a country's efforts to provide services that respond to children at risk or experiencing exploitation or in need of special care.

Capacity

The dimension of capacity scores a country's efforts to provide resources, staff, infrastructure and equipment necessary to adequately implement its policies and services for children.

Coordination

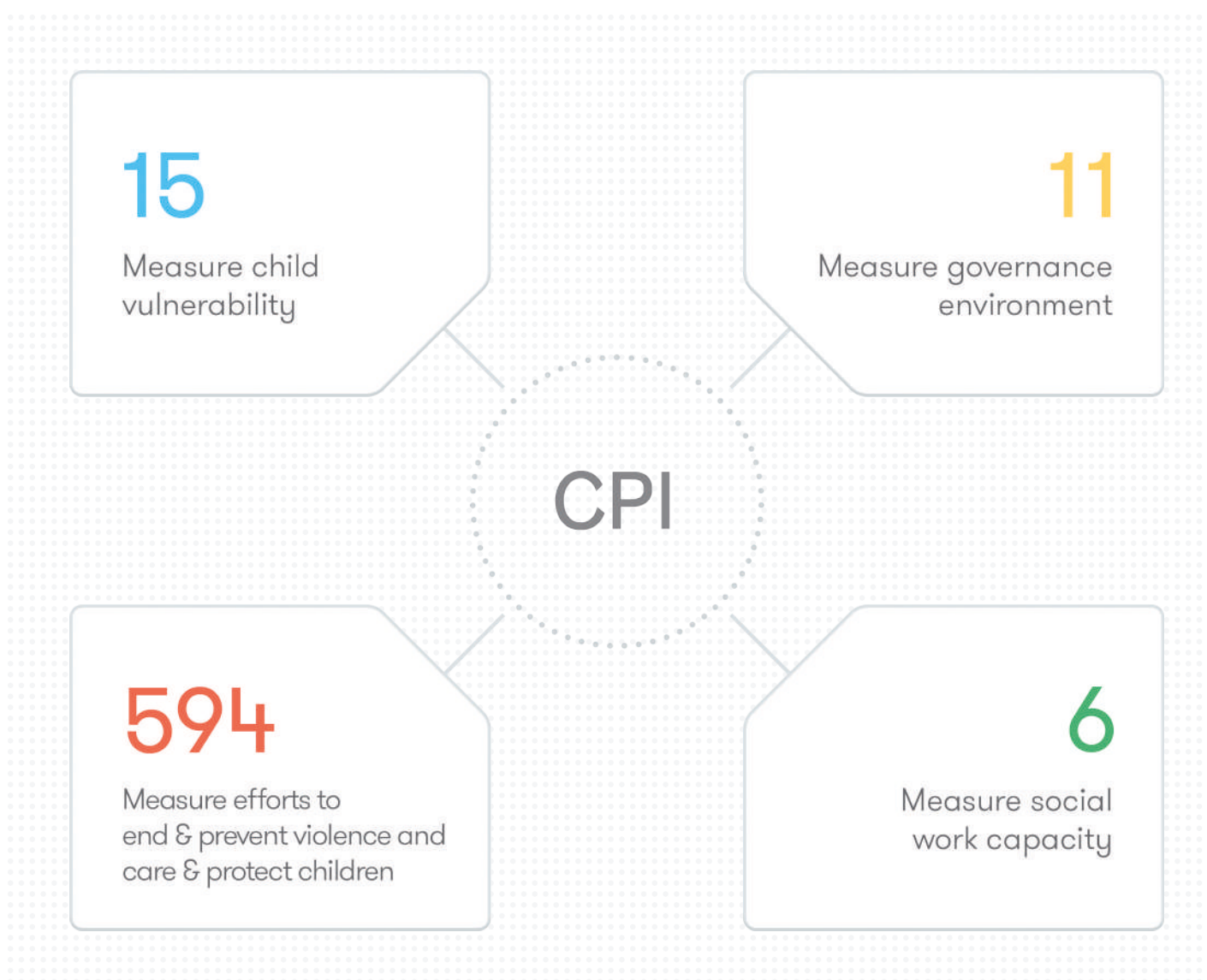
The dimension of coordination scores a country's efforts to effectively coordinate between different ministries, agencies and levels of government.

Accountability

The dimension of accountability measures a country's efforts to create accountability of public sector actions and formalise responsibilities so that public sector actors know their roles and limits of responsibility.

Index Indicators

The Index framework consists of a total of 626 indicators that are categorised into the following sections.



Index Teams

Teams at the national level researched and collected data to answer each index indicator question. Regional teams compiled data, analysed country results and visualised results.

Regional
Team

Data
Manager

Visualisation
Experts

Policy
Analyst

National
Team
x9

5

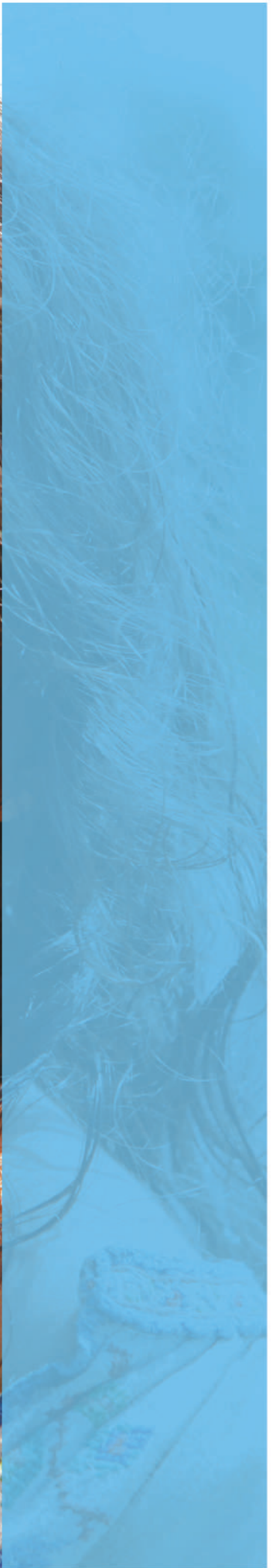
Child
Protection
Experts

1

National
Coordinator

2

Legal
Experts



Analysis and Policy Recommendations

Child Vulnerability



The “child vulnerability” score measures three distinct elements: the situation of children living outside of their biological families; public sector personnel available to advocate on behalf of vulnerable children; and finally, the amount of state welfare expenditures as a percentage of Gross Domestic Product (GDP).

Kosovo scores high in comparison to the other Index countries in the category of child vulnerability. Therefore, Kosovo hosts lower rates of vulnerable children than most other Index countries. It ranks second out of nine countries with a score of 0,562 out a possible score of 1,0 and is closest in score to Serbia (0,623).

Kosovo is not a country with high rates of children separated from their parents. In addition, Kosovo is one of the few South-East European countries that does not operate publically-run classical residential institutions. Kosovo has adopted alternative forms of placement for children separated from their parents.

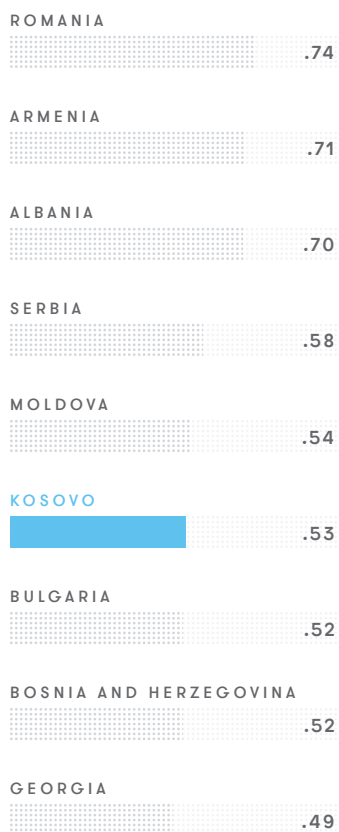
Kosovo has created a strong kinship/guardian service that allows children who are separated from their parents to receive care and support in alternative family environments. Domestic adoption rates are low and the rate of domestic adoption for children with disability is zero. Children with disability are mainly adopted through international adoption.

Compared with other Index countries Kosovo has a high rate of public sector personnel, such as social workers, who are tasked on a local level to work individually with children to secure their protection and connect them with needed services. This is a case management role. Kosovo employs over 12 social workers per 100,000 people. Nevertheless, there are a limited number of judges trained especially in child rights (3.31 specialised judges per 100,000 people). Without specialised judges it is less likely that judicial proceedings and outcomes will align with UNCRC provisions.

Kosovo spends nearly four per cent (3.6 per cent) of its total annual GDP on social protection. In comparison, Serbia’s social protection budget comprises 21 per cent of its total GDP. Kosovo’s expenditure on social protection is low in comparison to other Index countries.

With such a landscape, it is recommended that Kosovo strengthen its social work services, train more judges in child rights norms and jurisprudence and create a domestic adoption programme that can encourage the domestic adoption of children with disability in Kosovo. With such limited allocation of funding towards social protection, it is recommended that Kosovo increase its expenditures on social protection.

Governance



Kosovo ranks sixth out of the nine Index countries in the category of “governance environment”. It scores 0,525 out of a possible 1,0 as compared to Romania who ranks first at 0,742. The score reflects Kosovo's limited consolidation of laws that protect children and the weakness of the formal bodies that monitor and hold accountable actors tasked with child protection. Kosovo's new legislation on child rights will consolidate a series of over 14 laws that regulate actors and set policies for children.

Generally, governance refers to the process of rulemaking and enforcement, and the Index reviews whether a government has pursued aspects of good governance in its implementation of the UNCRC. Good governance upholds citizen rights, provides transparent access to information, relies on consistent decision making and rule of law and pursues furtherance of the public good.¹

Within its laws, Kosovo has aligned its approach to child rights with the language and spirit of the UNCRC. A strong focus on the best interests of the child places children's own views at the centre of child protection.

To enable coherent and successful decision making, Kosovo has created a number of coordination bodies. Currently, conversations and policy discussions between national ministries are facilitated by a special coordinating body for child rights within the Prime Minister's Office of Good Governance, Human Rights, Equal Opportunities and Non-Discrimination. There is also a special body within the Ministry of Internal Affairs on the issue of trafficking in persons (National Authority against Trafficking with Human Beings). Finally, Kosovo has created a special coordinating body on the issue of child labour (Committee on Prevention and Elimination of Child Labour) within the Ministry of Labour and Social Welfare. *The next step should include strengthening the coordinating and monitoring bodies between ministries to widen efforts to address child protection. Such bodies could unify tasks and outcomes by managing responses to the public sector that take into account all ministries and views. It is also recommended that Kosovo strengthen the relevant monitoring bodies to further secure the place of children within the realm of debate and accountability.*

Regular conversation between finance and social protection authorities is also recommended. Without an established mechanism to review budget and expenditure on a yearly basis, officials may be limited in their ability to set accurate and aligned budgets. *Budget analysis for all child protection issues should review the proportion of overall budgets devoted to children and identify any disparities between Kosovo's regions, rural/urban areas and particular groups of children. It is important that officials are able to verify that sufficient funding reaches the most disadvantaged groups of children. Parliament should also establish a formal body on child protection with a clearly defined mandate to monitor child protection in Kosovo and respond to specific issues when they arise. The parliamentary group should meet at regular intervals to align discussion with the legislation cycle.²*

Kosovo has mandated a human rights ombudsman's office that promotes the rights of children. It is required to increase the human and financial resources for the Ombudsman's Office in order to broaden its activities in this field. Otherwise it may be difficult to lodge complaints against various government bodies when there are allegations of child rights violations.

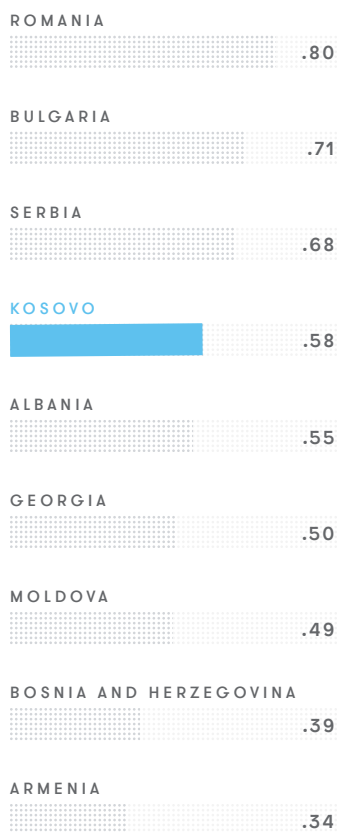
Scores relating to the Prevention of Violence & Exploitation



Government action to prevent and end violence against girls and boys must respond to domestic abuse and neglect, economic exploitation (labour), sexual exploitation and trafficking. Government and a variety of other actors at every level are essential in effective efforts to **identify** situations of violence, adequately **report** and investigate these situations, **refer** victims to services of rehabilitation and **operate** such services effectively.

Kosovo scores highest in its efforts to combat child labour and end sexual abuse. Actions to prevent trafficking and domestic violence remain limited.

All Forms of Violence



In the “catch all” category of violence discussed within Article 19 of the UNCRC, Kosovo ranks fourth out of the nine Index countries with a score of 0,607 out of a possible score of 1,0. Albania and Serbia rank similarly with scores of 0,552 and 0,679 respectively. “All forms of violence” is defined in the article as mental or physical violence, any form of corporal punishment, and any other form of cruel or degrading treatment in any setting.

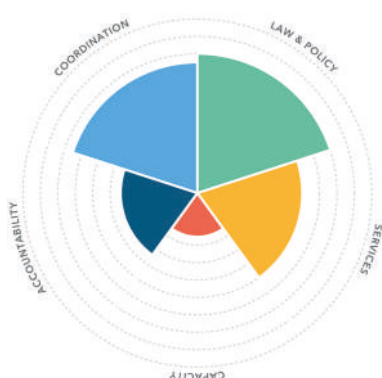
Kosovo’s actions to prevent all forms of violence against children are more evident in its law and policy (0,800) and coordination protocols (0,750). While Kosovo’s capacity is limited (0,500), its work to build appropriate violence prevention services is reflected in a score of 0,600. Accountability to beneficiaries, families and other stakeholders is low with a score of 0,438. There is a wide discrepancy between Kosovo’s level of services and its capacity.

Kosovo’s law and policy score reflects strong actions to ensure structures that identify, report, refer and operate services to prevent and end violence against girls and boys.³

Under law, efforts have been made to prevent acts by institutional bodies (schools, justice, home environments) that could effectively be defined as “violence” or lead to violence. In educational venues, corporal punishment is illegal⁴ and Kosovo’s Family Law prohibits acts of violence in domestic settings and allows for the limitation or termination of parental rights in these cases.⁵ In situations of criminal justice, the law limits detention to a “last resort” act and determines time served in proportion to the severity of the offense.⁶ Because detention can become a form of violence, it is important that Kosovo go farther in the case of children; [the legal framework needs to be revised to accommodate recommendations from the UN Committee on the Rights of the Child that reduce pre-trial detention to six months in the case of children.](#)

To enforce these laws, Kosovo has made it compulsory for all state officials and professionals with the duty to care for children – in the sectors of health, education and justice – to report allegations of violence to the appropriate Centre for Social Work or Kosovo police authorities.⁷ Despite this effort, referrals from these institutions remain low, especially in cases of violence in schools. [It is recommended that Kosovo introduce trainings and awareness actions to remind state officials and professionals of their duty of care to report situations of alleged violence against children.](#)

Kosovo has also created reporting mechanisms for children. A national hotline allows for peer-reporting and for children to self-report through the Victim’s Advocate Office. However, calls to the hotline are not free, which discourages access by the most vulnerable group of victims: children. The Centres for Social Work (CSWs) located in all municipalities also have complaint boxes, but as is the case with the hotline these boxes are open to all citizens, not specifically to children, and are located in Centres rather than school settings. [Thus, there is a need to provide children with more accessible venues for self-reporting. It is recommended that the national hotline create a free-of-charge line accessible to children. The new line should be staffed with experts that are able to support, counsel and serve this vulnerable group, and it should be promoted through awareness campaigns directed specifically at children.](#)



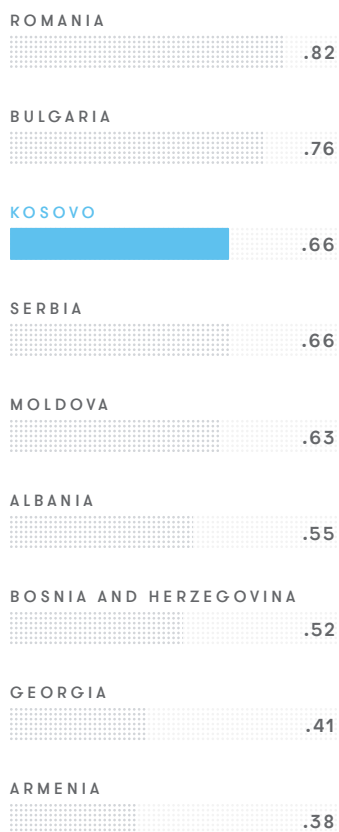
Once cases have been identified and reported, the state has a duty to manage the care of the victim and prevent future violence. Centres for Social Work are tasked with case management, which includes investigation, protection, coordination with other services, appointment of a guardian ad litem and referral to necessary services for rehabilitation and reintegration. Index results point to limited resources for needed field work and follow up on cases. To build necessary resources it is recommended that Kosovo adopt financial standards for all CSWs that align with its tasks (as outlined by Kosovo's quality standards on services for victims of domestic abuse, and services for abused children) so that appropriate levels of capacity and resources are available.⁸

The government sponsors a variety of services⁹ for children in situations of violence through partnership with civil society and international donors. Due to economic shortfalls, however, the state does not fully sponsor such services and thus there is a reliance on foreign aid to bridge the gap. The next step toward meeting obligations under the UNCRC would require the state to adopt further responsibility in funding and supporting civil society. Along with financial standards, it will be important to make budgetary decisions both nationally and regionally in alignment with the prevalence of local issues and disaggregated data including disability and local level risk factors. Because Kosovo's system of services and case management is highly defined, the inadequacy of resources has become the main obstacle to child protection.

Coordination of services through case management is one of many needed coordination mechanisms. Horizontal and vertical level coordination is essential to fill child protection gaps and verify that systems are well-positioned to respond to needs. The Law for Social and Family Services defines in detail the roles of all stakeholders in child protection, including various levels of government: the Ministry of Labour and Social Welfare, the role of the Municipality/ Department for Health and Social Services within the Municipality and Centres for Social Work. It is recommended that the Council for Child Protection and Justice, established by decision of the Prime Minister, be given the adequate oversight and authority to work in concert with and delegate tasks to all government agencies. Finally, it is recommended that case management training extend to actors in education, health and justice agencies so that operational standard procedures for victims of violence are known, accepted and relevant to decision making processes. It is also recommended that Kosovo strengthen the Inter Ministerial Coordination Group against Domestic Violence.

Accountability for decision making and services for situations of violence remain limited. Kosovo's new monitoring and evaluation unit within the Ministry of Labour and Social Welfare represents a strong step forward in creating accountability mechanisms for quality control. The unit has the ability to recommend new policy steps based on grassroots level actions. However, this is not an independent body that stands apart from political actors and political incentives. It is recommended that Kosovo create an independent inspection body to monitor the quality of service provision.

Economic Exploitation

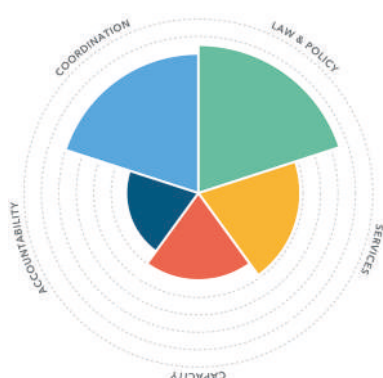


Article 32 of the UNCRC prohibits child any labour that interferes with a child's education and is hazardous or harmful to a child's development. The Article requires that States Parties set a minimum age for employment, define hours and conditions for acceptable employment of youth and create enforcement mechanisms to motivate compliance by all potential actors.

Kosovo scores 0,657 out of a possible score of 1,0 and ranks third out of the nine Index countries in its actions to prohibit economic exploitation. Bulgaria and Serbia rank closely to Kosovo with scores of 0,757 and 0,655 respectively.

Kosovo has made strong progress to end and prevent economic exploitation through its law and policy. It should be noted that Kosovo has not adopted the International Labour Organisation's (ILO) Conventions on child labour due to its current international status. However, Kosovo's domestic laws are aligned with ILO Convention language and obligations, as defined (worst forms of labour), including age requirements and standards preventing children from engaging in hazardous work.¹⁰

There is limited capacity to identify and report situations of economic exploitation. Centres for Social Work are limited in staff and resources, making them unable to identify cases of children involved in hazardous work. The Labour Inspectorate is an independent government agency tasked with inspecting workplaces and conditions of employment, but it is not scaled to all municipalities and is limited in staff and time. Self-reporting and peer-reporting is also limited. The national hotline available to report instances of violence and abuse is not for children involved in economic exploitation. It is recommended that Kosovo increase venues that allow self-reporting and peer-reporting on economic exploitation. [The local level committees for the prevention and elimination of child labour that coordinate between the Centre for Social Work, the Municipal Directorate for Health and Social Welfare, the Municipal Directorate for Education, the Kosovo Police and child rights units should determine locally relevant identification and reporting mechanisms aimed at increasing identification.](#)

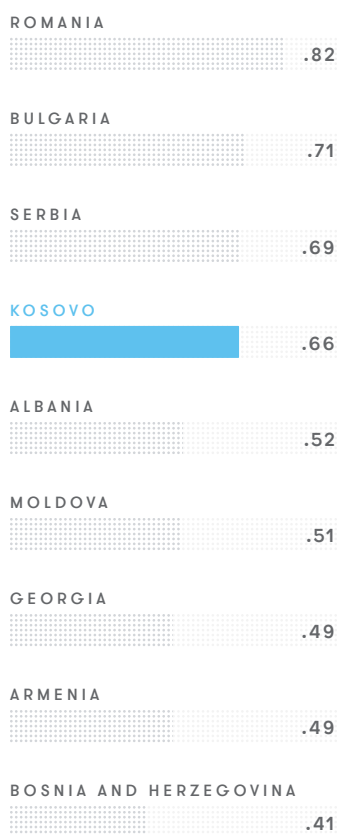


Once cases are identified and reported, Kosovo's CSWs are tasked to manage the cases and refer victims to needed services and recovery programmes. Detailed standards on children involved in hazardous work are available to guide the case management process.¹¹ [Unfortunately, CSWs are limited in staff and resources. The shortages of staff and resources minimises the effectiveness that CSWs can achieve because there is not enough time to adequately serve each child. The role of case management requires follow up and feedback from various service providers and actors so that actions are coordinated and case managers are able to navigate the kinds of complex issues that arise during recovery.](#) Without social workers to coordinate and assume leading roles, other actors and resources may go underutilised.¹² Civil society organisations operate in some areas to host recovery and rehabilitation services, but these are extremely limited. Kosovo regulates these private services through licensing and quality standards.

Kosovo does not maintain a national database on reports of children who are victims of economic exploitation. [Going forward, it is recommended that](#)

Kosovo establish ongoing data gathering and research mechanisms in order to generate stronger information on the prevalence of economic exploitation. Data should be disaggregated by gender, age, type of labour and disability. Police units collect information on known cases, but without an understanding of the prevalence of child labour in general policies may be applied too narrowly or not narrowly enough. With further data, and considering limited funding, budget choices can be made more carefully and with a much better understanding of actual need.¹³

Sexual Exploitation



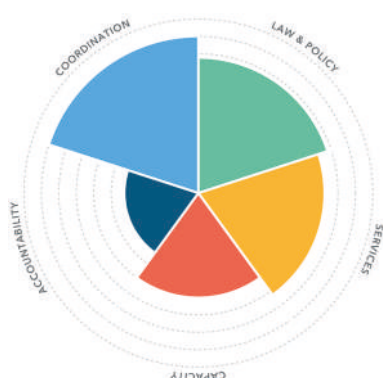
Article 34 of the UNCRC requires that States Parties protect girls and boys from sexual exploitation and sexual abuse. The Convention requires States to prevent the abuse of children through prostitution and pornography and prevent actions (coercive or otherwise) engaging children in unlawful sexual activity. States Parties must take all necessary action, including joint action with other States Parties to prevent this type of exploitation.

Kosovo scores 0,662 out of a possible score of 1,0 and ranks fourth out of the nine Index countries in its actions to prevent the sexual exploitation of girls and boys. Kosovo ranks closely with Serbia (0,691) and Albania (0,516).

Kosovo scores high on actions to prevent and end sexual exploitation through law and policy (0,777), services (0,722) and coordination (0,900). Kosovo's capacity (0,600) and accountability scores are low in comparison to the other dimensions of government action (0,423).

Kosovo's law and policy score is strong but not its highest on the issue of sexual exploitation. Kosovo's legal provisions assign criminal liability to offenders who engage children in prostitution, pornography or unlawful sexual practices.¹⁴ Children under the age of 18 are unable to consent to sexual activities. There are no specific provisions on access to sex through electronic communication devices. Without legal acknowledgement, this type of access may present a loophole that precludes prosecution of some offenders. Kosovo's laws on sexual exploitation of children also allow for the prosecution of Kosovo nationals in other foreign jurisdictions.¹⁵

Kosovo has not ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. It has not signed other international conventions due to its international status, including the 2001 Budapest Convention on Cybercrime.



There is a need to strengthen Identification and reporting mechanisms that facilitate self-reporting, peer-reporting and reporting access for professionals who regularly engage with children and youth (e.g. teachers, counsellors). Because not all cases of sexual exploitation involve trafficking, development is also needed for other types of child-friendly complaint mechanisms that address all manners of sexual exploitation and abuse. The national hotline for reporting instances of violence and abuse is open to people of all ages and includes all situations of abuse. It does not specifically train staff to counsel children. *It is recommended that Kosovo increase venues that allow for self-reporting and peer-reporting in situations of sexual exploitation and abuse.*

Centres for Social Work manage individual cases of sexual exploitation. Specific standards for services and case management are in place, similar to situations of abuse and neglect. *Unfortunately, CSW's are limited in staff and resources.*

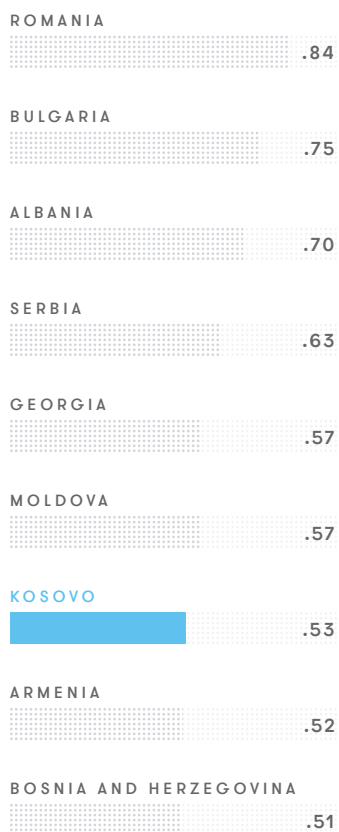
Services of rehabilitation and recovery are offered by civil society organisations with support from the government and international donors. It is important that these services, as the only state-sanctioned rehabilitation

services in Kosovo, maintain proper support from government and the donor community. In order to clarify funding, [it is recommended that Kosovo also develop financial standards for separate types of services so that municipal budgeting and national budgeting align with service needs.](#)

In the prosecution of offenders, Kosovo protects child witnesses in cases of trafficking and provides witnesses with support, counselling and protection.¹⁶ For cases of sexual exploitation outside the bounds of trafficking there is a more general approach under a witness protection law and criminal procedure. [It is recommended that Kosovo review these more general provisions to verify that child witnesses in cases of exploitation that are not trafficking-in-persons cases still receive proper protection and support during criminal prosecution of the alleged offender\(s\).](#)

In order to protect more children from sexual exploitation, [further work is needed to educate parents, teachers and others caring for children on how to recognise, report and avoid sexual abuse.](#) Kosovo's laws should also require criminal background checks for all persons who work with and/or in the presence of children. [The law should preclude known child abusers from attaining jobs that involve engagement with children.](#)

Trafficking



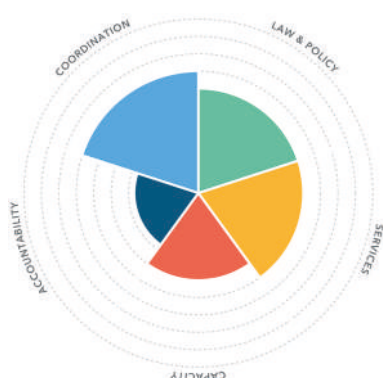
Article 35 of the UNCRC requires that States Parties protect girls and boys from the abduction, sale or trafficking of persons. States Parties must take all necessary action, including joint action with other States Parties to prevent this type of exploitation.

Kosovo scores 0,529 out of a possible score of 1,0 and ranks seventh out of the nine Index countries in its actions to prevent the abduction, sale or trafficking of children. Moldova and Armenia score closely with Kosovo at 0,568 and 0,519 respectively.

The Index compares each dimension of government action to end and prevent the abduction, sale and trafficking of children: policy, services, capacity, coordination and accountability. Coordination is Kosovo's highest score at 0,700. Policy and law and services both score similarly at 0,600. Kosovo's capacity to end and prevent trafficking is 0,500 and its accountability score is a low 0,366.

Kosovo's domestic law prohibits all forms of trafficking and sale of persons¹⁷ and includes a prohibition on bonded labour, begging and the sale of organs.¹⁸ Due to its current international status, Kosovo is not a signatory to any of the international conventions on trafficking. Kosovo, as a country of origin or destination, is party to bilateral and multilateral agreements that require partnership with other countries.¹⁹

There is also a need to operate a national hotline and activation mechanism for missing children. Kosovo's early identification and reporting mechanisms are essential given that early identification of missing children is an important factor for the successful recovery of a child.



Once a child is returned, CSWs act as case managers and contract with civil society organisations to provide rehabilitation and recovery for trafficking victims. There are two shelters available in Kosovo. The state operates one shelter for victims found to be at high or medium risk of further victimisation, and another shelter for low risk victims is operated by an NGO and financed mainly by international donors with partial support from the Ministry of Labour and Social Work (MLSW). Because trafficking and exploitation is often organised through well-resourced international and domestic crime rings, the state acknowledges that some rescued victims need special protection. Kosovo lacks a long term reintegration programme for victims of trafficking. Without such a programme, there is a risk that children exposed to trafficking will be re-victimised.

Prosecution also requires special protection for child witnesses. Kosovo's standard operating procedures for victims of trafficking and minimum standards of care for victims of trafficking maintain that stakeholders respond to and honour the wishes of the child in all decisions and venues. Service providers also have a mandate to seek and respect the views of children who are 10 and older. It is recommended to extend such respect and opportunity for participation to children under 10 years old in order that child victims are taken seriously and empowered to play a role in their own recovery. Services should also be reviewed with the aim that monitoring and licensing aligns with both quality and financial standards.

Generally, monitoring for accountability continues to be an issue in the child protection system. Without an independent inspection body, private services and state-run services including CSWs do not have adequate oversight to limit indiscretion and respond to systemic errors. [It is strongly recommended that an independent inspection body be established and strengthened to inspect the quality of services provided by both the public and private sectors.](#)

[To build government leadership to prevent trafficking, it is also recommended to strengthen the role of the National Authority against Trafficking of Human Beings that operates within the Ministry of Internal Affairs.](#)

Disability



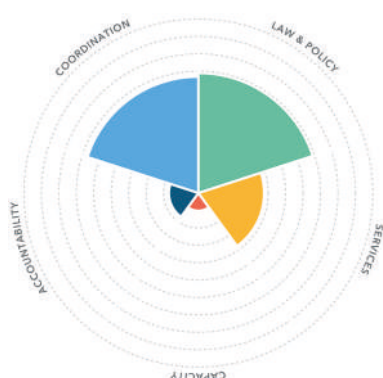
Article 23 of the UNCRC recognises that children with disability often need additional resources and care to enjoy a full and decent life. Therefore, Article 23 creates a special duty to protect and promote the welfare of children with disability and their families.

Kosovo scores 0,359 out of a possible score of 1,0 on its actions to protect children with disability. Kosovo ranks closest in its actions to Bosnia and Herzegovina and Georgia, at 0,333 and 0,434 respectively. Overall, Kosovo ranks eighth out of the nine Index countries.

Although Kosovo scores relatively high in law and policy actions for disability (0,688), its services (0,375), capacity (0,100) and accountability (0,167) scores are significantly lower. Coordination mechanisms, like law and policy, speak to Kosovo's strong legal and regulatory provisions (0,667).

Kosovo's legal framework addresses discrimination against persons with disability, requires an inclusive setting for education and other services (including recreation) and sets forth adequate accessibility directives for building and construction.²⁰ Standards are now in place to regulate services for children with disability.²¹ *It is recommended to create financial standards for services designed for children with disability. Without financial standards, services are much less likely to be adequately resourced.* This recommendation pertains to Kosovo's poor capacity score for children with disability and suggests a further recommendation: *prioritise the protection of children with disability by increasing financial investments to actions in health, social welfare and education that are meant to include children with disability.*

Kosovo's services score, although stronger than others, remains limited as well.



Next steps require further coordination and multidisciplinary work that tailors individual children's needs and rehabilitation plans within a case management approach. Services to extend care and rehabilitation for children with disability are limited. Civil society and international donors have partnered to provide day rehabilitation centres in some municipalities. A portion of the funding needed to sustain these services comes from national and municipal budgets. *It is recommended that these services are scaled in the municipalities lacking them and that funding contributions are increased where services are currently in operation.*²² Transportation can be a significant challenge to families and children with disability, making reliable travel to another municipal district for rehabilitation service difficult if not impossible. In order for children with disability to enjoy a full and decent life, access to specialists such as child psychiatrists, psychologists, speech therapists, physical therapists and play therapists is essential. Municipalities, according to their legal mandate, must develop social services based in the community for children with disability. The establishment of day care centres is a fundamental need for treatment, rehabilitation and reintegration of children with disability. These services, public and private, should be managed and monitored according to quality and financial standards.

Social workers within the CSWs are tasked with making home visits to check in

with families of children with disability, but they lack the resources and time to conduct these visits on a regular basis. Limited CSW staff and resources make it difficult to effectively meet government obligations toward children with disability. Because limited family resources and capacity to care for children with disability can result in abuse and neglect, it is essential that social workers engage with families to provide needed support and services. Kosovo offers financial welfare entitlements for families of children with permanent disability, but does not offer the same entitlement for families with children of partial disability. It is recommended that the law be amended to include families of children with partial disability so as to ensure that these families have the support they need to adequately care for their children.²³

By law, schools are inclusive venues of education, but teachers do not yet have the requisite training and resources to consistently include children with disability. It is recommended that the supply of trained and qualified specialists within education is increased with the aim of effectively integrating children with disability into the school system. A welcome next step would involve efforts to reform teaching pedagogy and curriculum to promote greater inclusion.

Physical barriers to inclusion are also significant. There are public institutions, including schools, courts and CSWs that do not have the necessary lifts, ramps and auxiliary equipment (in bathrooms, for example) that would facilitate use by all persons with disability.

Kosovo's practices and funding for children with disability are not aligned with its extensive laws on children with disability. To make strong next steps, further research and studies should be conducted to determine the number of children with disability, with data disaggregated by age, gender, types of disability and municipality. This data will allow policy makers to take decisions that better validate Kosovo's legal framework. Data should be centralised and updated at regular intervals.

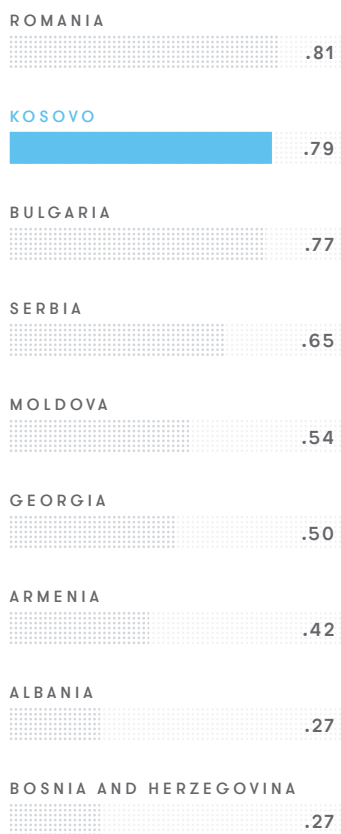
Kosovo's accountability score is also very limited. The National Council on Disability and the Committee for Monitoring, Reporting and Assessing the National Strategy for the Rights of Persons with Disability are the two bodies that monitor, coordinate and make recommendations at the national level. It is recommended that Kosovo empower these bodies to engage regularly with policy makers and perform monitoring, and to vest them with the investigative powers to hear individual cases of complaint and verify policy implementation.

Scores relating to Children Separated from their Parents

The following scores measure government efforts to manage the separation of a child from her parents. Although not all biological families are safe from violence and neglect or allow for appropriate child development, living outside the care and protection of a biological family creates an additional set of vulnerabilities for children. Without the care and protection of parents, other distinct groups and individuals must proactively step in to identify needs, provide protection and care and create a nurturing environment for growth and development. Without the proactive engagement of the right advocates and social safety nets, children outside of family care do not receive the basic care and protection to foster long term development, resilience and well-being. Instead, the effects of neglect and poverty leave children vulnerable to harmful actors and risky behaviours. The UNCRC sets forth particular obligations of States Parties to care for and protect this subset of girls and boys.

UNCRC States Parties must first work to prevent child and parent separations as long as parent care is within the best interests of the child (i.e. a child is not susceptible to harm from within the family unit). If separation is required to protect a child, States Parties must follow certain protocols to keep children safe and encourage a strong path of development for the child. If separation will be permanent, the UNCRC recommends an alternative family or community-based environment for the child's development. Finally, the UNCRC instates a responsibility to care for children living on the streets without family or home.

Helping Families Stay Together



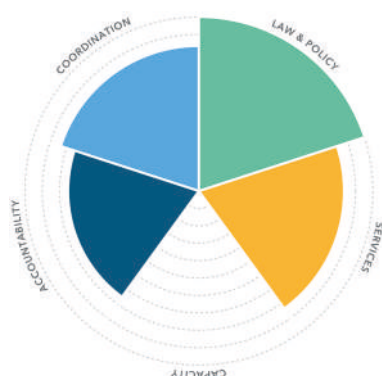
Article 9 of the UNCRC addresses the separation of parent and child, creating three distinct obligations of the state. It requires that States Parties provide services and support to families, with the goal of keeping family units together. Second, it requires that States Parties only separate parents and children when separation is in the best interests of the child. Third, it requires that States Parties help parents and children maintain contact in cases when parents and children are separated. The first requirement is analysed below.

The state can play an important role in preventing unnecessary separations. Kosovo scores a total of 0,788 out of a possible score of 1,0 and ranks second out of the nine countries. Kosovo's scores are closest to Romania (0,808) and Bulgaria (0,769).

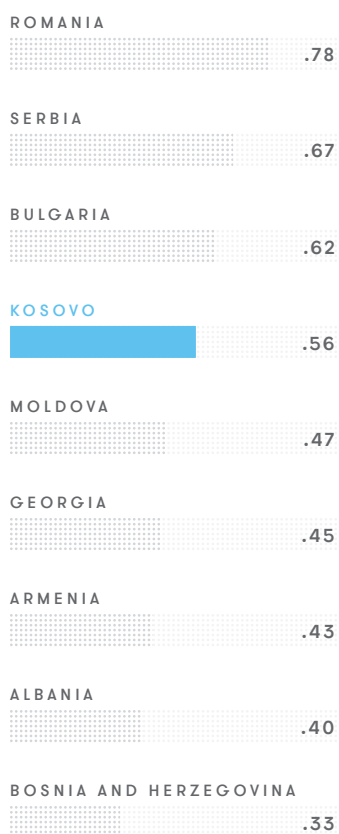
Kosovo has met its obligations under the UNCRC to establish law toward the prevention of separation, with a score of 1,0. Scores are also high in the areas of services (0,833), coordination (0,833) and accountability (0,750). However, Kosovo scores zero on its capacity to deliver adequate services.

Kosovo's law requires assistance for families to prevent the separation of parents and children. Assistance can include social welfare (i.e. material assistance), psychological assistance and actions to return children to their families in cases of physical separation.²⁴

Prevention and re-integration services that keep families together are weak due to CSW case overload and insufficient resources, which often limits focus to urgent situations. As a result, prevention is much less likely to be a core element of a CSW's mission. A municipal registry lists children considered at risk of neglect, abuse or exploitation. [It is recommended that the staff and resources available to CSWs are increased in order to facilitate follow up with children in the "at-risk" registry.](#)²⁵



Keeping Children Safe



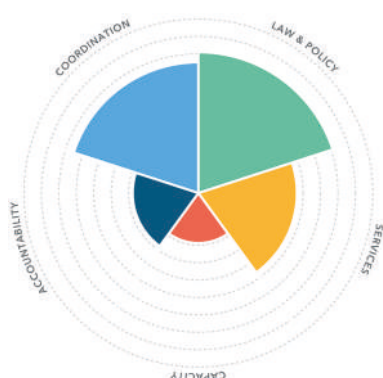
Article 9 of the UNCRC also provides guidance to States Parties in situations that require the separation of a child from her parents. The Article provides that States Parties may only initiate separation of a parent and child when it is in the best interest of the child. In this way, the UNCRC allows that States Parties can act to separate children from their parents only when remaining in their custody would compromise a child's development and well-being.

Kosovo scores fourth out of the nine Index countries at 0,556 out of a possible 1,0 and ranks closest to Moldova (0,471) and Bulgaria (0,619).

Government actions for initiating separation are diverse, with a high law and policy score (0,807) and limited capacity and accountability at 0,285 and 0,375 respectively. In services Kosovo scores 0,562 and in coordination 0,750.

Kosovo's legal framework on parent-child separation abides by UNCRC language, allowing for separation as a last resort and only when it is in the best interest of the child.²⁶ Together, CSW social workers and judicial bodies determine whether the standard of "best interests" is met in specific cases. Kosovo holds closed sessions during judicial proceedings to protect the child's right to privacy.²⁷ Children, regardless of age, also have the right of participation in legal proceedings that would determine their status.²⁸ *There are no courts with specialised judges to hear these specific cases. It is recommended that Kosovo assign a specific number of judges to cases that involve parent-child separation. Trained and experienced judges offer more consistency of verdict and are better able to interact appropriately with the children involved in such cases.*

Centres for Social Work are legally mandated to offer psycho-social counselling and other support services to both parents and children in situations of separation.²⁹ *Available time and resources also factors into Kosovo's services and capacity score; without proper numbers of trained staff these services will remain limited. With the adoption of quality standards for social work it is imperative to maintain sufficient funding to guarantee quality.* The Ministry of Labour and Social Welfare contributes 20 per cent of needed funding to municipalities in cases of parent-child separation.



Due to the sensitive nature of these cases, it is necessary for the government to minimise delays in proceedings and decisions regarding the separation of parent and child. Case studies indicate that children can remain in temporary protective care for three years before a conclusion in their case is reached. Childhood development, on the other hand, does not allow for such a delay as it may compromise the relationship between child and caregiver.³⁰ *It is recommended that these cases are prioritised on judicial dockets and appointed judges are familiar with and trained in the pace and requirements of these proceedings. Coordination between the justice, social work, education and health sectors requires that roles are predetermined and any timeline for action is understood and accepted by all parties involved.*

Maintain contact between parent and child



Caring for Children Separated from their Families

Once a child is separated from his or her parents (due to a voluntary surrender of custody or state action to separate family members), States Parties have a duty to allow and help maintain contact between the child and parents. The UNCRC maintains that the bond and relationship between parent and child is an important child right. Family and, specifically, parental connection fosters the emotional development of personhood.

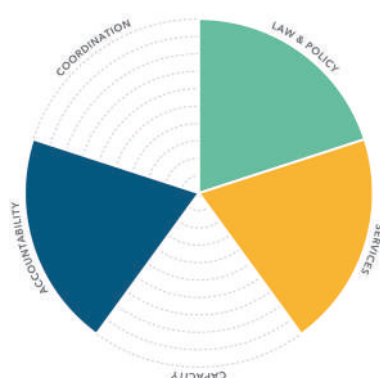
The Index scores a government's effort to allow and help maintain contact between parent and child as required under Article 9 of the UNCRC. Generally, all nine countries have made significant efforts to preserve the contact between separated parents and children who have been separated. Kosovo records the highest score possible (1,0) along with Armenia, Georgia, Romania and Serbia.

Kosovo receives a score of 1,0 because its law and practice allow for parents and children to maintain contact while separated as long as such contact serves the best interests of the child. Courts decide whether visitation (e.g. for a divorced parent without custody or a parent held in detention) is within the best interests of the child. The CSWs monitor visits and report to the court on the implementation of the court order.³¹

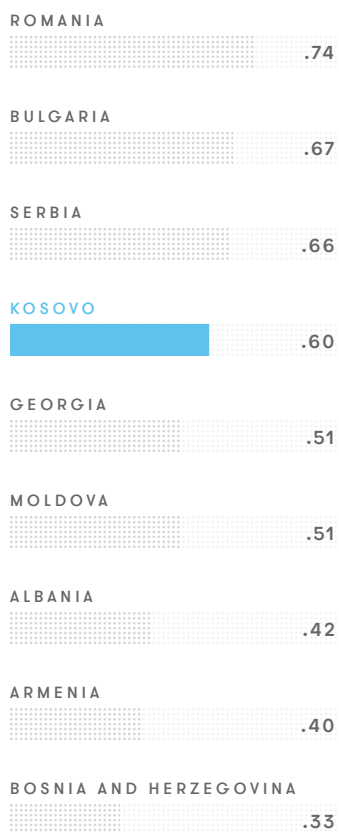
States must also take action to provide adequate care environments for children deprived of their biological families (Art. 20.1). Kosovo scores 0,599 out of a possible score of 1,0 and ranks fourth out of the nine Index countries. Kosovo's services (0,800) and coordination (0,875) scores are strong along with law and policy (0,679). Capacity (0,384) and accountability (0,416) are fairly low.

One very notable difference between Kosovo and the other eight Index countries is that Kosovo does not host children in large 'classical' residential institutions. This is a very significant achievement. There are community-based residential care options such as shelters and small-group homes for children in vulnerable situations including domestic violence, trafficking and sexual exploitation. Such services operate under quality standards to allow for monitoring and accountability.

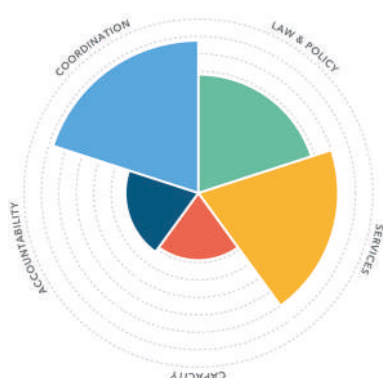
Kosovo's legal framework requires that state authorities provide appropriate care for children deprived of parental care.³² As regards decision rights for alternative placements, per law, the responsibility is with CSWs and a panel within the Ministry of Labour and Social Welfare. *Because CSWs are already also tasked with providing other services such as counselling and rehabilitation, it is recommended that an independent decision making body is assigned for alternative placement decisions.* Foster care or kinship care are the "go to" alternative care services for children in distress. *It is recommended that Kosovo scale foster care services as another option for children separated from their parents. Currently, 22 out of a total of 38 municipalities operate foster care services.* Kosovo has created financial incentives to encourage the recruitment of new foster care families. *It is recommended that these incentives be revisited to fortify ample numbers of foster parents when needed. It is recommended that foster parents receive payments based on the age and need of the foster child, among other factors.*



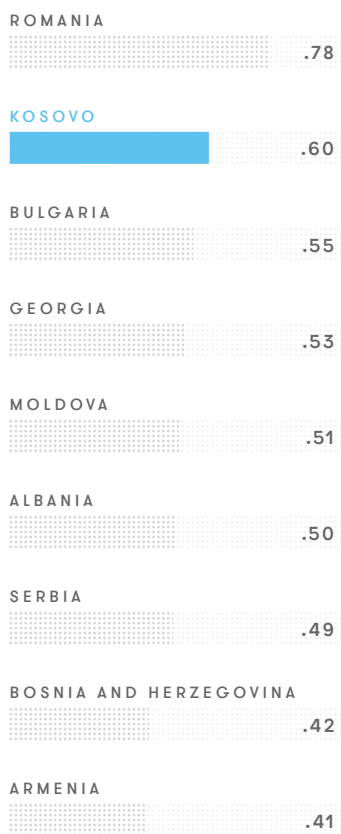
Care for children separated from parents



Finally, there is at present no language in Kosovo law discouraging or limiting unnecessary changes of placement. Because stability of relationships and family life are important components for childhood development, it is recommended that CSW quality standards include language discouraging unnecessary changes in placement. [Because the placement of children into alternative living situations often occurs at the end of a difficult and emotionally taxing period, it is essential that placement decisions align with in-depth knowledge on family psychology and child development.](#)



Adoption



In situations where the state terminates parental rights, the UNCRC establishes the right of children to live in a secure, family environment. Adoption affords children without parental care the right to live in a secure, family environment.

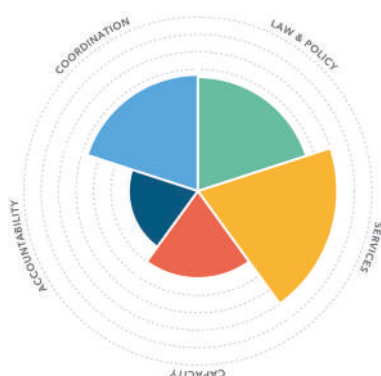
In the category of adoption, Kosovo scores a total of 0,601 out of a possible score of 1,0. It ranks closest to Romania and Bulgaria with scores of 0,779 and 0,548 respectively.

Kosovo's scores are relatively high in law and policy (0,653) and services (0,800). Again, Kosovo's coordination is well-established at 0,666, but its capacity and accountability scores are lower at 0,500 and 0,395 respectively.

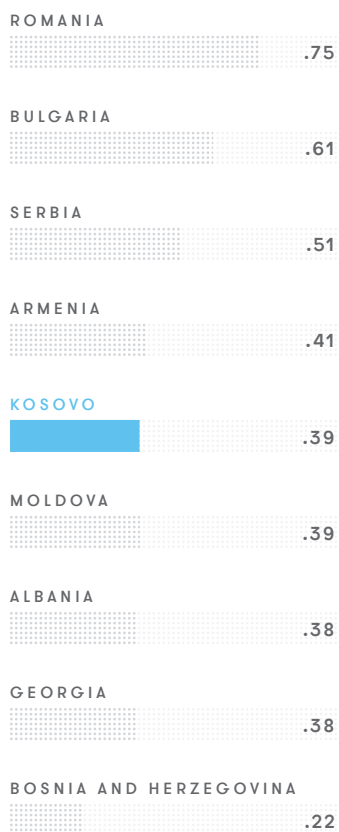
Legal adoption procedures in Kosovo include a "best interests of the child" requirement and place an emphasis on quality standards that must be maintained throughout the process.³³ Kosovo prohibits private adoption, requiring the involvement of CSWs, a panel on adoption within the Ministry of Labour and Social Welfare and judicial review. In practice, the adoption processes are often delayed due to administrative procedures developed by the CSW's. *Because the status of the child and biological and adoptive parents is uncertain during the adoption process, it is recommended that Kosovo limit undue delays so that status can be determined quickly. Due to the complexity of Family Law (which requires home studies, the termination of parental rights and a review of potential adoptive parents, etc.), it is recommended that the field of judges with the authority to hear adoption cases is narrowed in order to strengthen expertise and efficiency.*

Accountability for decision making in cases of adoptions requires sufficient time with probationary periods that include home visits. However, ongoing monitoring is not required after the probationary period.³⁴ *It is recommended that Kosovo introduce periodic monitoring after the probationary period ends to ensure a stable and protective environment for the child and adoptive parents.*

Kosovo's child vulnerability numbers verify that domestic adoption is limited as an option for children permanently separated from their biological parents. Only younger children (aged 0-3) are adopted domestically in any statistically significant number. Given the volume of tasks and management responsibilities that CSWs are already responsible for, the additional responsibility of locating potential adoptive families in alignment with the needs of specific children seems like a stretch. Therefore, it is recommended that adoption processes are allocated to a separate body or agency, private or public.



Children Living and/or Working on the Street



The UNCRC also addresses the rights of one of the most vulnerable classes of children deprived of parental care: children living on the street. Article 20.2 requires States Parties to address the situation of children living and/or working on the street.

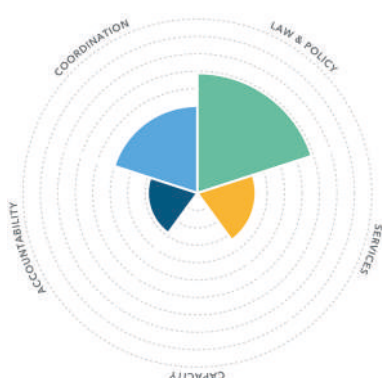
In actions taken to address children living and/or working on the street, Kosovo's score of 0,390 out of a total of 1,0 is one of its weakest overall. Kosovo ranks closest to Moldova (0,387) and Albania (0,383).

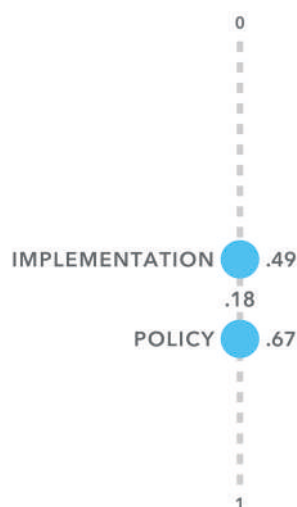
Kosovo has well-regulated assistance for children found living on the streets and describes the plight of homelessness in its sectoral strategy on poverty as defined by the Ministry of Labour and Social Welfare. Kosovo also provides welfare assistance and specific housing programmes for families who have lost property or encounter economic challenges.

Responsibility to address child homelessness is often coupled in policy and practice with the other category of children who work on the streets. Children who travel to Kosovo with their families are often subject to identification and detention by police authorities, which can lead to deportation.

There are no specific services to address children working on the street. Such services could include day or night shelters, rehabilitation and reintegration services (providing social, educational and psychological support to children and parents) and mobile teams for proactive outreach to children on the street. *It is recommended that Kosovo define new services based on location and prevalence of need.*

There is also a need to create avenues for birth registration that do not depend solely on self-reporting in municipalities. If children and their parents lack proper status documentation, self-reporting is an unlikely outcome. *Because children living and/or working on the streets are at greater risk of trafficking and other forms of exploitation, it is essential that Kosovo seek out and provide status to children living outside the bounds of services and protection.*





Policy Conclusions

Article 4 of the UNCRC requires that, “States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the present Convention...”. The UNCRC is not meant to remain a document of ideals, but rather a document that describes implementation.

Kosovo scores 0,490 out of a possible score of 1,0 on the implementation of its UNCRC commitments. The gap between its law and policy (0,669) and implementation scores (0,490) is fairly small in comparison to other countries in the region. Kosovo scores first place out of the nine Index countries with the smallest gap between its policy and implementation scores. Next steps must include strong financial investment to build adequate capacity to close this gap. With this in mind, the Index provides the following recommendations in alignment with the five dimensions of government action (policy, services, capacity, coordination, accountability):

[Services, Capacity]

Adopt financial standards to adequately resource services and align with quality standards. Without financial standards in place, it is difficult to secure consistent and sufficient budgets for services. Unsecure and insufficient funding has an overall negative impact on the structure/quality of staff and availability of equipment. This, as a consequence, lowers the quality of the services provided.

[Accountability]

Create consistent, independent monitoring and inspection mechanisms to review the quality of service provision and administer licensing. Monitoring should review both private and public sector services (CSWs). It will be necessary to introduce compulsory licensing, linked to quality and financial standards, for all service providers. Monitoring is necessary to ensure quality and competence of all service providers. The Law on Social and Family Services provides for the inspection of such services, but it is not yet common practice. Inspections should be regulated by year and service.

[Accountability]

Public services should also require licensing. Licensing provides a procedure for further accountability and monitoring to all service providers.

[Accountability, Governance]

Create a permanent parliamentary body mandated to assess and solve child protection issues. Unlike public sector bodies, a permanent parliamentary body serves citizens and children as their representative. It is critical to welcome in a legislative body to check public sector authority and serve as a voice for citizens.

[Services]

Establish a free, national level hotline designed with and for children. The service should take calls and provide support, counselling and networking for children in situations of violence, abuse, neglect, drug abuse, abduction, trafficking and other forms of exploitation.

[Law and Policy, Services]

Further development of quality standards may be required for specialised counseling services, helplines/hotlines and emergency intervention services.

[Services, Capacity]

Specific to children with disability, create adequate accessibility and inclusive settings for rehabilitation services, education, health care and recreation.

[Capacity]

The scale or reach of services to rural and sub-urban areas is still a concern. It may be necessary to build a plan for sustainable and fair financing of social services across Kosovo to respond to variance in tax base and capacity in different regions.

[Policy and Law]

Research and data collection should be prioritised to determine the prevalence of different issues in Kosovo. This data should include the number of children with disability, children engaged in hazardous labours, children who are victims of violence and children abusing drugs. Such data should be disaggregated by age, gender, types of disability and municipality.

Credits

Donors

ChildPact, its national coalition members and World Vision International wish to thank their donors for moral and financial support during this process. We are so grateful for the support and confidence.



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Addendum - Index Methodology

Index framework

The Index framework includes a series of 626 indicators that together measure a state's policy and actions towards greater child protection. The indicators are drawn from four sources.

The first set of indicators draws from quantitative data about the current child protection status of girls and boys in each country. For example, one indicator considers the rate of children aged 0–2 in residential care (per 100,000 population aged 0–2), at the end of the year. For a review of all quantitative indicators used, please see the indicator addendum section of this brief. Data collected for this section originates directly from UNICEF's TransMoEE database, a widely used source of data on the well-being of children globally and official statistical data reported by each of the nine countries.

The second set of indicators comes from Article 4 of the UNCRC. This Article requires that states apply all appropriate measures within the toolbox of government action to achieve child protection. The Index refers to this category as "the governance environment" for child protection. An example of the governance environment indicator is: Has a consolidated law on the rights of the child and child protection been adopted?

The third set of indicators uses specific child protection articles from the UNCRC and principles from the systems approach to child protection as the common foundation and matrix for its qualitative indicators. To unpack each Article's requirements, the Index framework relies on the Implementation Handbook for the Convention on the Rights of the Child published by UNICEF. The Handbook offers analysis on each UNCRC Article from the Committee on the Rights of the Child's

Concluding Observations in over 300 different opinions. The Handbook provides a series of "yes", "no" and "partially-implemented" checklists to create an understanding of each Article's significance. The Index uses these checklists as core indicators for the framework. The qualitative indicators are "yes", "no" and "partially-implemented" questions that measure a state's (i) Policy/ legal and regulatory framework; (ii) Services, processes, mechanisms; (iii) Capacity; (iv) Accountability; and (v) Coordination and cooperation in relation to the UNCRC articles on child protection. These key elements are necessary to achieve a functional child protection system. UNCRC articles chosen are those associated with every child's right not to be subjected to harm and a state's duty to protect and care for children vulnerable to harm.

The fourth set of indicators focuses specifically on government support for social workers. Social work plays a key role within the public sector to administer child protection mechanisms, processes and services at both the local level and regional or national levels. Therefore, the Index includes specific indicators on social work, with the importance of this role in mind.

Data collection & validation

Each national data collection team included eight child protection experts (one served as national coordinator) and two legal experts selected in order to acquire a variety of expertise. A training workshop led by the Index Data Manager (and co-author of the Index framework) provided training to the team prior to collection. In the first stage of collection, groups of two experts collected data independently on one of four sections of indicators (using reports, studies, articles, statistics data, etc.) to validate a “yes”, “no” and “partially-implemented” responses to each Index indicator. In this way, two experts reviewed the same indicator separately. Where such evidence-based information was not available, interviews with relevant stakeholders and information based on the personal experience of professionals with relevant expertise in that particular field were taken into account.

After the completion of individual review and validation, responses provided for the same indicator by

two different experts were considered and compared side-by-side by the Index Data Manager. Responses found to be inconsistent between the two experts or that lacked sufficient validation required further review and evidence gathering. The two experts assigned to the same indicator again in group work reviewed and discussed the evidence and sought additional information when needed. Joint answers provided by each sub-team were further reviewed by the Index Data Manager. Three to four reviews over a total period of 3 to 4 months were required for the entire review process, in order to reach final agreements on each indicator considered.

A final cross-check of information provided under the various sections of the Index framework was performed by the Index Data Manager before finally validating the National Index, with the support of the National Coordinator and the team of experts.

Scoring

Each qualitative indicator required a “yes,” “no,” or “partially-implemented” answer. To score the results, “yes” = 1, “no” = 0, and “partially-implemented” = 0,5. In situations where several sub-indicators contributed to one main indicator, the final main indicator score is calculated as an average of the scores of its sub-indicators (e.g. $1+0,5+0+1+0,5 = 3 : 5 = 0,6$).

For the quantitative indicators, a linear transformation formula was applied: $Y = X - X_{min} / X_{max} - X_{min}$ where Y is the score, X is the quantitative data for the respective country, X_{min} is the quantitative data of the least performing country, and X_{max} is the quantitative data for the strongest performing country. An average score was calculated for three of the four sources of indicators 1) Current Child Protection Status

of Girls and Boys, 2) Governance Environment and 3) Social Work. In the case of the main source (UNCRC Articles analysed with the Child Protection Systems Approach), each UNCRC article and its indicators is scored separately (to create one average score per article) and equally contributes to the final Index score. Therefore, the final CPI score for each pilot country is calculated as an average of the three sources and the average scores from each UNCRC article.

End Notes

¹ World Bank at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/EXTMNAREGTOPGOVERNANCE/0,,content-MDK:20513159~pagePK:34004173~piPK:34003707~theSitePK:497024,00.html>

² Child Protection is covered by the Commission on Human Rights, Gender Equality, Missing Persons and Petitions (<http://www.kuvendikosoves.org/?cid=2,110,133>)

³ The Constitution of the Republic of Kosovo (RK), art.50, para.3 and 4

⁴ RK Law on Pre-University Education, Art.4, para.2

⁵ RK Family Law, Chapter IV, art.149

⁶ RK Juvenile Justice Code, art.3 para.1 and 3

⁷ RK Law on Social and Family Services, art.10.6

⁸ Minimum specific functional standards: Standard no.1, Service for victims of domestic violence; Standard no. 9, Service for abused children

⁹ RK Ministry of Labour and Social Work (MLSW), Information System, MLSW funded services – there are six NGOs sheltering women and children victims of domestic violence; one NGO that shelters and rehabilitates victims of trafficking; one NGO that shelters children who have been mistreated or neglected and victims of trafficking with low degree of risk

¹⁰ RK Labour Law; GRK Administrative Instruction on preventing and prohibiting hazardous child labour in the Republic of Kosovo, no.05/2013, art.1.5.

¹¹ Standard Operational Procedures, 2012; Minimum specific functional standards – Standard no.2, Service for the protection of children involved in hazardous work, 2013 Standard no. 2 Minimum specific functional standards - Service for the protection of children involved in hazardous work, adopted in 2013.

¹² KOMF, Take Me Home, 2014, p.21 para.5-6

¹³ RK Office for Good Governance, Inter-ministerial Committee on the Rights of the Child, Progress Report for 2013 - The number of children at work based on this Report for 2012 is 168, although it's mentioned in this report that the data are not realistic for different reasons.

¹⁴ RK Juvenile Justice Code, art.145 of Juvenile Justice Code; RK Criminal Code, articles 235-238, 228.1, 230, 232

¹⁵ RK Criminal Procedure Code, articles 33 and 32.1

¹⁶ RK Law on Preventing and Combating Trafficking in Human Beings and Protecting Victims of Trafficking; RK Law on Witness Protection; RK Criminal Procedure Code

¹⁷ RK Juvenile Justice Code, art. 145; RK Criminal Code, art.171.2, 194.4

¹⁸ RK Criminal Code, art.171, para.2 and 6.2,

art.265

¹⁹ For example, Kosovo signed a Protocol with Albania for cooperation in fighting trafficking, safely returning children and providing rehabilitation services.

²⁰ RK Law on Pre-University Education; RK Law on Vocational Ability, Rehabilitation and Employment of People with Disabilities; RK National Strategy for Rights of People with disabilities in Republic of Kosovo; RK Law on Social and Family Services; RK Law on Health; RK National Strategy and Action Plan for Children Administrative Instruction for Construction Buildings Technical Terms of Accessibility to Disabled Persons, No.33/2007

²¹ Minimum specific functional standards: Standard no.10, Service for Children with Disabilities, 2013

²² RK Law on Health, chapter 2, art.5, para.1.1.1 and chapter 4, art.12, para.9

²³ RK Law on Family Support, Material Support for Families with Children with Permanent Disability, Law No. 03/L-022.

²⁴ RK Law on Social and Family Services; RK Law on Social Assistance Scheme, no.2003/15, art.3; RK Law No.04/L-096 on Amending and Supplementing Law on Social Assistance Scheme, no.2003/15, art.12

²⁵ KOMF, Take Me Home, 2014, p. 21, p 33, para.3

²⁶ RK Family Law, articles 10 and 1 RK Family Law, articles 10 and 14747

²⁷ RK Criminal Procedure Code, art.294; RK Juvenile Justice Code, art.71, art.162

²⁸ RK Family Law, no.2004/32, art.140, para.5; RK Law on Social and Family Services, no.02/L-17, art.10, para.3 and 15

²⁹ RK Law on Social and Family Services, no.02/L-17, art.7

³⁰ KOMF, Take Me Home, 2014, p.20, para.4

³¹ RK Family Law, articles 70, 125, 140, 145 and 208

³² RK Law on Social and Family Services ; RK Family Law

³³ RK Family Law, art.161: Adoptions are authorised only by competent authorities; art.168: Decisions of adoption include the views of the child

³⁴ MLSW Administrative Instruction for regulation of procedures for adoption for children without parental care, art.15.3

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