

Kosovo

Violations related to the conflict 1988-199	Official Statistic	Results of the re-search
Killing	1,024 killed 109 missing	1,230 killed 1,647 missing (among them there are many children)
Recruitment or use of children as soldier	/	/
Sexual violence	Between 23,200 and 45,600 women raped (number of children unknown)	About 20,000 people raped (135 children)
Abduction of children	/	/
Attacks against schools or hospitals	132 schools were destroyed and burned and 873 schools damaged	/
Denial of humanitarian access for children	/	/

Challenges met during the research

Typology	Challenges	Comment
Quantitative	Absence of reliable data	Not all violations have been recorded during the conflict.

		Some violations such as SGBV were under-reported due to stigma and fear of reprisals. This led to difficulties in collecting data. Moreover, there are multiplicity of sources with different data collected. Children were generally accounted for into the more general category of 'civilian population' or under 'women and children'.
Qualitative	Cross reference and verification of data	See comment <i>supra</i> .
Quantitative	Under - reporting	See comment <i>supra</i>

Introductory note

The main purpose of this study is to analyse and present the key challenges and issues that children have faced during and after the armed conflict in Kosovo in 1998-1999. The identification of the challenges contributes to the ongoing debate on lessons learned and good practices that might be useful for policy makers and other stakeholders for promoting children's rights in Kosovo peace building contexts. Indeed, "Children, caught in the midst of critical stages of personal development, are affected by war more profoundly than adults. They depend, even more than adults, on the protection afforded in peacetime by family, society, and law" (The Ministry of Foreign Affairs of Japan, 2000).

The issue of children in armed conflict must be examined from the different perspectives (justice, politics, culture, education,

economy, etc.) which may impact on possible solutions. In this context, this study provides a data analysis of the children's situation during the conflict and examines the post-conflict actions to enhance their legal and socio-cultural status. The objective is to provide reliable information from primary and secondary sources, as well as to analyse said data from the socio-cultural and legal aspects.

For the realization of the study, desk-based research, as well as field research was used: published literature, empirical studies, reports and surveys produced by national and international organizations and by government agencies. A range of documents, and additional data were provided by researchers committed to child rights advocacy and international documents holding legal force and direct applicability within the justice system have been referenced. Interviews were conducted to identify the main challenges suffered by children during the armed conflict.

1. Country analysis

Nestled in the centre of the Balkans, Kosovo struggles with its past while working toward a better future. This small landlocked nation has experienced tremendous change and hardship because of its complicated history, ethnic diversity, and geopolitical complexities. It has an area of 10,905,25 square kilometres with an estimated population of around 1.8 to 1.9 million people in 2022. With a minor percentage of Serbs (1.5%) and Turks (1.1%), Ashkali (0.9%) Egyptians (0.7%) Roma (0.5%) and Gorani (0.6%), the majority of people in Kosovo are Albanians (92%). Christians are the minority, being Muslims (95%) the majority. Kosovo borders North Macedonia to the south, Montenegro to the west, Albania to the southwest, and Serbia to the north and east. Kosovo

is a parliamentary republic.²⁶ Following extensive destruction, uprooting, and fatalities, the Kosovo War (1998–1999) brought in NATO intervention and the creation of the United Nations Interim Administration Mission in Kosovo (UNMIK). Due to geopolitical reasons, Kosovo's declaration of independence is recognized by several nations but is still not widely accepted. However, Kosovo has made significant steps toward creating democratic institutions, strengthening the state apparatus, and the sense of national identity. Nonetheless, issues with governance, the rule of law, corruption, and interethnic relations are still evident. The geopolitical landscape of Kosovo continues to be complex, shaped by both regional and global forces. The European Union is mediating between Kosovo and Serbia to resolve pending issues such as the international recognition and the status of districts with a Serb majority. Kosovo's economic development has improved in recent years but high rates of unemployment, particularly amongst young people, little foreign investment, and a reliance on transfer of funds continue to be major obstacles. Sustained growth and stability depend heavily on initiatives to diversify the economy, improve the infrastructure, and draw in investment. In order to move toward stability and development, Kosovo must address important challenges. Crucial goals include bolstering democratic institutions, advancing the rule of law, combating corruption, encouraging interethnic harmony, and driving socio-economic development.

26 For this section see also : Ilcock, J. B. , Young, . Antonia and Lampe, John R. Kosovo (2023). Encyclopedia Britannica. <https://www.britannica.com/place/Kosovo>; Noel M. (1999). Kosovo: A Short History; Judah T. (2000). Kosovo: War and Revenge; and FRED Abrahams F. et al. (2001). Under Orders: War Crimes in Kosovo; Weller M. (2009). Contested Statehood: Kosovo's Struggle for Independence.

According to research, between 1989 and 1997 there were 103 armed conflicts in 69 different countries, 33 of which were still raging in 1997. Following the conclusion of the cold war, disputes multiplied and peaked in 1992. By the end of 1997, the majority had been stopped. 27 conflicts took place in 1998, and 36 in 1999 (Wallensteen and Sollenberg, 1998). One of these conflicts was the Kosovo War.

1.1. Conflict

The Kosovo War lasted from 28 February 1998 until 11 June 1999. It was fought between the forces of the Federal Republic of Yugoslavia (i.e. Serbia and Montenegro), which controlled Kosovo at the time, and the Kosovo Albanian rebel group known as the Kosovo Liberation Army (KLA). In early 1998, KLA attacks targeting Yugoslav authorities in Kosovo resulted in an increased presence in the country of Serb paramilitaries and regular forces who subsequently began pursuing a campaign of reprisal targeting KLA sympathisers and political opponents. It is estimated that this campaign killed 1,500 to 2,000 civilians and KLA combatants and displaced 370,000 Kosovar Albanians by March 1999 (Human Rights Watch, 1999). On 20 March 1999, Yugoslav forces began a massive campaign of repression and expulsions of Kosovar Albanians following the withdrawal of the OSCE Kosovo Verification Mission (KVM) and the failure of the proposed Rambouillet Agreement. In response, NATO intervened with an aerial bombing campaign that began on 24 March 1999 justifying it as a "humanitarian war". The conflict ended with the Kumanovo Agreement, signed on 9 June 1999, with Yugoslav and Serb forces agreeing to withdraw from Kosovo and to instal an international presence. NATO forces entered Kosovo on 12 June 1999. On 10 June 1999, by resolution 1244, the U.N. Security Council,

acting under its Chapter VII, authorized the Secretary-General to establish an international civil presence in Kosovo – the United Nations Interim Administration Mission in Kosovo (UNMIK) – in order to provide an interim administration for Kosovo under which the people of Kosovo could enjoy substantial autonomy. Its task was unprecedented in complexity and scope; the Council vested UNMIK with authority over the territory and people of Kosovo, including all legislative and executive powers and administration of the judiciary. In essence, the principal responsibilities of UNMIK included performing basic civilian administrative functions where and as long as required; organizing and overseeing the development of provisional institutions for democratic self-government, including the holding of elections; and facilitating a political process designed to determine Kosovo’s future status, which had to take into account the Rambouillet accords.

1.2. Post-conflict situation

After nearly nine years of international administration and a series of internationally mediated talks failed to produce a mutually agreed outcome, the U.N. Special Envoy recommended that “the only viable option for Kosovo is independence [...] supervised by the international community” (UNSG Special Envoy on Kosovo Status, 2007). A Troika comprising representatives of the European Union, the Russian Federation, and the United States, who undertook an additional, three-month period of negotiations with the goal of achieving a negotiated agreement confirmed the Special Envoy conclusion. In its report submitted to the U.N. Secretary-General, the Troika concluded that, despite intensive negotiations, “the parties were unable to reach an agreement on Kosovo’s status” and that “[n]either side was willing to yield on the basic question of sovereignty”. (Report of the European Union/United

States/Russian Federation Troika on Kosovo, 4 December 2007). Meanwhile, on 21 February 2007, the president of Finland Ahtisaari began a period of consultations with the parties in Vienna to finalize a Comprehensive Proposal for the Kosovo Status Settlement (CSP) – known as the Ahtisaari Plan.

Subsequent to the Special Envoy’s recommendation, in a letter dated 26 March 2007, the U.N. Secretary-General addressed the President of the Security Council as follows: “Having taken into account the developments in the process designed to determine Kosovo’s future status, I fully support both the recommendation made by my Special Envoy in his report on Kosovo’s future status and the Comprehensive Proposal for the Kosovo Status Settlement.” A vote in the Security Council was, however, not possible due to Russia’s expected use of its veto power. Therefore, a draft resolution sponsored by Belgium, France, Germany, Italy, the United Kingdom, and the United States, which was circulated among the Council’s members, was later withdrawn. Following the failure of negotiations about the Ahtisaari Plan, on 17 February 2008 the Assembly of Kosovo by 109 out of the 120 members declared the independence of Kosovo.

The International Court of Justice (ICJ) issued a pivotal advisory opinion in 2010, casting a spotlight on Kosovo’s declaration of independence and the subsequent implications for its statehood aspirations. The ICJ’s pronouncement followed a request by the United Nations General Assembly. Central to the opinion was the court’s assertion that the declaration did not violate international law, underscoring the principle of self-determination as a cornerstone of statehood. The ICJ emphasized that there was no general prohibition against declarations of independence, and the act itself did not breach any binding international norm. The opinion dissected the intricacies of the Kosovo case, recognizing that while the declaration of independence itself was not unlawful, it was

also not a definitive proclamation of statehood. The ICJ elucidated that the recognition of statehood was a prerogative of individual states, and that the act of recognition was independent of the legality of the declaration. This separation between legality and recognition drew a distinct line, underscoring the complex interplay of international law and political realities (ICJ, 2010). Subsequent to the Court's Advisory Opinion, on 9 September 2010, the U.N. General Assembly adopted by acclamation resolution 64/298, acknowledging the Advisory Opinion and welcoming the readiness of the European Union to facilitate a process of dialogue between Kosovo and Serbia.

Since the declaration of independence from Serbia on 17 February 2008, Kosovo has made successful efforts both in the field of construction and stabilization and in building democratic institutions. The government has attempted to establish institutions, infrastructure, and governance. Although the country continues to face challenges in economic, social, and political development, oriented towards integration into the European Union, it has taken a series of steps to promote human rights. In this context, Kosovo has made efforts to adopt laws that will protect children. On its path towards development, Kosovo has received strong support from civil society, national organizations, and international organizations present in the country.

Kosovo has experienced steady economic progress over the past decade, with a nearly 50% increase in per-capita income and a 35% reduction in the poverty rate. It has successfully transitioned away from a growth model based on high dependence on foreign aid inflows, outperforming peer countries of similar per-capita income thanks to a steady expansion in consumption and investment, with a strong impetus from diaspora inflows, public investment in infrastructure, and financial deepening, amid a stable fiscal stance and an environment of low inflation. Although Kosovo's

growth has largely been inclusive, it has not been sufficient to provide enough formal jobs, particularly for women and youth. To continue to grow, Kosovo needs to unleash productivity gains and create more quality jobs. This will require addressing infrastructure bottlenecks, prioritizing human capital investment, and creating an environment more conducive to private sector development (World Bank, 2023).

1.3. Social, cultural and religious aspects

With a rich cultural legacy and historical significance, the area has been influenced by numerous empires and cultures over the years, including Greek, Byzantine, Ottoman, and Yugoslav eras. Historical occurrences have had a profound effect on social interactions, resulting in separated communities and a brittle sense of oneness. The socio-economic structure of the area has been characterized by ethnic divisions, which frequently cause tensions and confrontations. The ethnic diversity of Kosovo, particularly between the Serbian minority and the Albanian majority, has been a cause of armed conflict in the late 20th century, but also a source of strength. Being at the intersection of several Western and Eastern civilizations, traditions, and religions, for ages the country has formed its own distinct identity (Zylfiu-Gerbeshi, 2011). Understanding the complex interplay of Kosovo's social, cultural, and religious dimensions reveals a patchwork of influences that shape its modern society. A diverse range of languages, cultures, and ethnicities created Kosovo's social fabric. Kosovo has a very rich culture because of its vibrant patchwork, influenced by the various civilizations that have passed through the area. Folklore, music, art, and food all reflect the influence of various cultural backgrounds. The colourful celebrations held during festivals such as the Rugova Mountain Wedding Festival and traditional Albanian

music, which is distinguished by its unique polyphonic singing, are examples of the rich cultural legacy that has been preserved in the area. A key component of maintaining cultural identity is language. Serbian, Turkish and other minority languages are also spoken in Kosovo, despite Albanian being the official language. This highlights the historical and cultural blending of the region. Such rich cultural heritage is a valuable treasure for the society. Since several faiths coexist in Kosovo, religion is very important. The two main religions practiced are Islam and Orthodox Christianity, both of which add to the region's religious fabric. "According to the 2011 census (the most recent), 95.6 percent of the population is Muslim, 2.2 percent Roman Catholic, and 1.4 percent Serbian Orthodox, with Protestants, Jews, and persons not answering or responding "other" or "none" together constituting less than 1 percent" (2022 Report on International Religious Freedom: Kosovo). All citizens are guaranteed freedom of conscience and religion under the Constitution, which includes the ability to adopt new religious beliefs, to practice their faith or not, to join or not join a religious community, and to change, express, or not express their religious beliefs. The freedom of religious communities to autonomously regulate their own organizations, events, and rituals is one of the rights guaranteed by the Constitution, which also separates religious communities from public entities. Equal rights for all religious communities are guaranteed, along with the declaration that the nation is secular and nonreligious, the state is tasked with safeguarding the nation's religious legacy, and discrimination based on religion is outlawed.

1.4. Implementation of human rights

Significant human rights issues include credible reports of serious government corruption and impunity; lack of investigation of

and accountability for gender-based violence, including domestic or intimate partner violence, sexual violence, and other forms of such violence; and crimes involving violence or threats of violence targeting ethnic minorities or other marginalized communities. The government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses, but at times lacked consistency. The law criminalizes rape and domestic violence regardless of gender, including rape of a relative or spouse. By law, rape is punishable by two to 15 years in prison. The government did not enforce the law effectively. EULEX noted that courts often applied penalties lighter than the legal minimum in rape cases and that law enforcement bodies rarely took steps to protect survivors and witnesses. In addition, sentences were often further decreased by the appellate court. Instances of gender-based violence, including sexual violence and rape, were rarely reported by survivors, frequently due to social stigma or lack of trust in authorities. As of September 2022, prosecutors investigated 160 cases of rape or sexual violence and issued 38 indictments. The law recognizes gender-based violence as a form of discrimination but lacks a definition of gender-based violence for use in criminal and civil proceedings. The government provided partial funding to 10 NGO shelters that assisted women and child survivors of domestic violence and human trafficking but shelters for survivors of rape and other forms of sexual violence, as well as most lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) survivors of violence, were not available. The government maintained a budget line for the financial support of shelters and NGOs reported timely receipt of funding. Shelters aided women survivors and their children for up to six months. Boys above the age of 12 were not allowed to reside with their mothers in shelters but were accommodated separately in shelters for child survivors of abuse. The government maintained standard operat-

ing procedures for protection against domestic violence, but shelters did not have unified case management manuals to standardize operations and services.

In April 2022, the government extended the mandate of its commission²⁷ to identify and recognize survivors of conflict-related sexual violence for an additional three years but did not concurrently extend the timeframe for survivors to apply for or receive financial compensation. The law does not recognize as conflict-related any act of sexual violence that occurred after NATO intervention in June 1999 and does not provide free or adequate access to health services. The commission has granted pensions to more than 1,342 women since 2018, including 284 during the year as of September 2022. Civil society organizations working with survivors of conflict-related sexual violence and authorized to assist survivors' application process have noted the slow pace of the government commission in the review of applications.

The law requires equal conditions for all schoolchildren and recognizes minority students' right to public education in their native language through secondary school. This law was not enforced. Bosniak, Croat, Gorani, Montenegrin, Romani, and Turkish community leaders cited the unavailability of textbooks and other materials in their native languages, occasionally turning to Albanian-language curricula or curricula sponsored by Serbia or Turkey to educate students. Segregation of Roma, Ashkali, and Balkan-Egyptian children in public schools remained a problem.

27 In 2015, Kosovo enacted a Law enabling women and men who experienced CRSV between 27 February 1998 and 20 June 1999 to apply for 'survivor status'. Through this status, they can apply for a pension. In February 2018, the government created the Kosovo governmental Commission responsible for the verification and recognition of the status of CRSV survivors.

A May 2002 report from the Education Inspectorate characterized as discriminatory the separation of Roma, Ashkali, and Balkan-Egyptian children from other students at a book festival of a primary school in Peja/Pec. The inspectorate required disciplinary measures against a teacher and required the school to actively promote the principle of equality and engage in the advancement of the rights of all ethnic communities. The Child Protection Law provides for specific definition of different types of child abuse and neglect. In addition, the criminal code addresses various elements of child abuse, including in sections on sexual assault, rape, trafficking in persons, child pornography, forced marriage, child neglect and failure to report child abuse, among others. Penalties range from five to 20 years' imprisonment. The incidence of child abuse was unknown due to social stigma and lack of reliable data.

2. Level of adequacy to international law

Article 17 (1) of the Constitution provides that Kosovo shall respect international law and holds the authority to enter into international agreements and become a member of international organizations. International agreements relating to certain subjects must be ratified by a two-thirds vote of all 120 members of National Assembly (Article 18(2)). These subjects include: (a) territory, peace, alliances, and political and military issues; (b) fundamental rights and freedoms; (c) membership of Kosovo in international organizations; and (d) the undertaking by Kosovo of financial obligations. The President ratifies other international agreements upon signature. International agreements become part of the internal legal system upon publication in the Official Gazette. They are directly applied except where application requires the promulgation of a law—i.e., when they are not self-executing

(Article 19(1)) (Qerimi & Krasniqi, 2019).

Since the declaration of independence, Kosovo has concluded around 100 treaties, mostly bilateral (Official Gazette of the Republic of Kosovo, International Agreements).

Besides entering into new international treaty relations, Kosovo has undertaken to honour all international obligations deriving out of treaties concluded by the predecessor entities to which it was a constituent part of (i.e., Socialist Federal Republic of Yugoslavia (SFRY) - or it was administered by - i.e., UNMIK) (Kosovo Declaration of Independence). Kosovo's lack of membership with the U.N. and other multilateral forums implies that, although Kosovo has undertaken to honour and respect the obligations from multilateral treaties concluded by the former SFRY, and it does and should do so domestically and internationally, it is not considered a State Party to such treaties, except those of the organizations to which it is a member, such as the International Monetary Fund (hereinafter IMF) or World Bank (Qerimi & Krasniqi, 2019). The practice so far has demonstrated that all interested states have relied on Kosovo's commitment in the Declaration of Independence. In this regard, the Ministry of Foreign Affairs of Kosovo addressed a Note Verbal to all Embassies, Liaison and Diplomatic Offices accredited in Kosovo, and to the Foreign Ministries of all states that recognize Kosovo but do not have a representation within the State, asking for a list and the texts of concerned treaties. As of 2019, the Ministry has received lists from a number of states, and most include the texts of the treaties. After studying the replies, the Ministry proposed several Exchange of Notes on treaty succession. To date, the treaty succession agreements with Austria, Belgium, Czech Republic, Finland, Germany, and the United Kingdom have been concluded (Qerimi & Krasniqi, 2019). Often, states in their statements of recognition or other communications related specifically to treaty relations have made explicit references to this undertaking. For in-

stance, the recognition letter of the United States is unequivocal in its understanding of the legally binding character in international law of Kosovo's commitment in the Declaration of independence. It reads in relevant part: "The United States relies upon Kosovo's assurances that it considers itself legally bound to comply with the provisions in Kosovo's Declaration of Independence" (Qerimi & Krasniqi, 2019).

In its Regulation Nr. 1999/24 of December 12, 1999, UNMIK decided that the law applicable in Kosovo shall be: (a) the regulations promulgated by the Special Representative of the Secretary-General and subsidiary instruments issued thereunder; and (b) the law in force in Kosovo on 22 March 1989. In the absence of any other specific determination, both under domestic and international instruments that date would seem to be the date that should most properly be conceived as the date that marks the applicability of the SFRY treaties to Kosovo. This does not preclude Kosovo from undertaking the international obligations under treaties concluded by the SFRY after said date. In any event, any such treaty should be approached with care. Although discriminatory provisions or provisions contravening basic human rights and fundamental freedoms are less likely to be found in legal instruments of an international character compared to domestic legislation, one has to make sure that those treaties comply with the requirements stipulated in Regulation 1999/24, or the principles enshrined in the constitutional and legal order of Kosovo.

The legal framework broadly guarantees the protection of human and fundamental rights in line with European standards. While the capacity to monitor implementation of policies and legislation has improved, further efforts are required to effectively enforce fundamental rights. More human and financial resources should be allocated to relevant institutions. Efforts continued to improve gender equality, but Kosovo needs to further strengthen implementation of legislation (European Western Balkans, 2023).

3. National legislation

The Constitution guarantees equal treatment and non-discrimination for women (Article 7), as well as protection for children's rights (Article 50). It contains clauses that pertain to the defence of children's rights (UNICEF, s. a.). It acknowledges the idea of everyone having the same legal standing, even children. While several laws and policies implement the provisions of the Constitution, there are still gaps in the legal and policy framework regarding children's rights, and the ability for implementation and enforcement of the law is insufficient to adequately ensure that children effectively and fully enjoy such rights.

Already in 2012, OSCE observed that Kosovo is dedicated to guaranteeing the safety and welfare of children as a signatory to international agreements like the United Nations Convention on the Rights of the Child (UNCRC), (OSCE, 2012). In accordance with a Report by the European Commission, the Kosovo legal system offers a strong basis for the protection of human and fundamental rights in line with European standards (European Commission, 2019). The Constitution clearly protects children's rights and places a strong emphasis on their growth and welfare. Furthermore, several laws define the rights and safeguards granted to children in the nation such as the Law on Family, the Law on Protection of the Rights and Interests of the Child, and the Law on Juvenile Justice. "The Juvenile Department is given the competency to judge the juveniles and adults in cases when their crimes involve children as victims. The General Department is given the competency to judge in the first instance on all matters, except if that is in the competency of another department of the Basic Court" (Hajdari, et al., 2014).

In Kosovo, the family is very important to the social system. For the Albanian society, the family institution is still considered a

value, and often treated as the most important element in the social life of children and youth. It frequently encompasses extended kinship networks in addition to nuclear families, promoting a strong sense of community and connectivity. Social standards, which were once patriarchal, are changing to promote gender equality and women's participation in a wider range of fields (Zylfiu-Gerbeshi, 2008).

However, Kosovo's legal system still need to be adjusted in order to fully conform with the obligations under the CRC and EU criteria. To ensure that children's rights are upheld in accordance with global best practices, adequate human and financial resources are required (UNICEF, 2019). Based on finding of this research: "The Prosecutor's Office, at all levels of its organization, prioritizes cases involving children as a matter of utmost importance. These cases encompass issues such as psychological and physical abuse, mistreatment, and any criminal activity that affects children in any way. It's important to emphasize that all relevant legal regulations, whether at the national or international level, and all international conventions aimed at safeguarding the fundamental rights and freedoms of children, are consistently applied without exceptions" (Respondent- 3-M). The Prosecutor's Office swiftly and efficiently forwards these cases to the courts, giving priority to legal procedures involving children. It's crucial to note that these cases are treated with the same level of importance as domestic violence cases, recognizing the vulnerability of children as a unique group (Respondent- 3-M).

As in many societies around the world, children in Kosovo are considered one of the most vulnerable categories of people. Children's rights have been protected even according to the unwritten law, called *Kanun* (Canon), which represents Albanian customary law, where children's rights have been included in the framework of family law.

The protection of children in Kosovo before the armed conflict was regulated by law. According to the opinion of an expert in the field of justice, *“It's worth noting that while many international organizations and legal experts believe that Kosovo's legal system only began after 1999, this is not entirely accurate. Kosovo had an effective legal system until 1990, after which a period of significant change occurred during the classic occupation from 1990 to 1999. During this time, the governance of Kosovo's judicial institutions shifted away from democratic principles and towards externally imposed structures. After 1999, with the re-establishment of courts and prosecutor offices, there has been a consistent commitment to treating cases related to children fairly, equally, and in a timely manner”* (Respondent- 3-M).

As already mentioned, the Constitution provides for the direct implementation of the CRC in order to implement international standards in the field of children's rights (Constitution of the Republic of Kosovo, 2008). Article 3 of the CRC stresses that *“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration”*.

In Kosovo, children's rights are primarily set in the Family Law No. 2004/32. Article 125 includes fundamental rights such as to an undisturbed life, to actively participate in social life, to free education, to be raised by parents, etc.. According to said law, children "enjoy the right to protection from economic exploitation, child labour, trafficking, and sexual exploitation, as well as from any work that poses a risk or jeopardizes their education or harms their health. Children must be protected from abuse and sexual violence, etc." (*Gazeta zyrtare*, 2006).

By creating the legal framework for guaranteeing and protecting children from all forms of physical and mental violence, abuse, ex-

ploitation, neglect, and other forms that endanger their life, safety, health, education, and development, the Child Protection Law, adopted by the Assembly of Kosovo on 27 June 2019, represents a significant achievement in the protection of children's rights.

The Law on Family covers a variety of topics, such as marriage, divorce, and child custody. It contains clauses pertaining to parental rights and obligations. The Child Protection Law encourages the best interests of children and outlaws corporal punishment in all contexts. It also requires relevant governing entities to start working together to enact local enforcement measures. The purpose of the Law is to encourage the development of explicit and accountable mandates between national and local responsibility bearers. A revised version of the Law on Protection of the Rights and Interests of Children was adopted in 2004, creating further safeguards for children's protection and laying forth their fundamental rights. Education Laws provide for children's access to high-quality education.

Kosovo has adopted the Strategy and the National Action Plan for the Rights of the Child (2009–2013) to address regional and global concerns while also adhering to the duties of the state parties outlined in the CRC. The Ombudsperson Institution has a dedicated division to safeguard children's rights and has the mandate of identifying and responding to violations of their rights.

Even though the legislative frameworks largely adhere to international standards and respect the CRC's language, there are gaps when it comes to assessing how well state institutions are performing in terms of standard-setting. Social services and child protection agencies have been created to help at-risk or underprivileged children. These agencies strive to protect children's health and safety. Moreover, considerable work has been done to secure children's full engagement, albeit progress has been made in the area of their involvement in decision-making.

Overall, the following legislative acts promote and guarantee children's rights:

- Child Protection Law no. 06 / 1-084,
- Administrative Instruction no. 01/2021 for the protection and treatment of juvenile delinquents under the age of criminal responsibility,
- Administrative Instruction no. 02/2021 for the implementation of child-friendly justice in criminal, civil and administrative proceedings,
- Municipal regulations for the protection and care of children,
- Municipal regulations for the establishment and structuring of the municipal children's assembly,
- Municipal regulations for the realization of rights, protection and prevention of hard work for children,
- Regulation no. 01/2019 on Special Procedures for accepting, handling and addressing complaints submitted by children or complaints related to children's rights,
- Administrative Instruction no. 03/2017 for the safety seat for children,
- Regulation no. 04/2016 for the professional assessment of children with special educational needs,
- Administrative Instruction no. 01/2016 for the Amendment and completion of Administrative Instruction no. 12/2012 on the composition and functioning of the panel for placing children without parental care in family housing and adoption,
- Administrative Instruction no. 19/2016 on the inclusion of children in preschool institutions in Kosovo,
- Regulation 01-110-85291 for the Protection of children from actions that harm their health and development,

- Administrative Instruction no. 09/2014 on the Regulation of adoption procedures for children without parental care,
- Law no. 03 / 1-022 for Material support for children of families with permanent disabilities,
- Law no. 03 / 1-212 of Labor,
- Law no. 02 / 1-17 for social and family services,
- Law no. 03 / 1-189 for the State Administration of Kosovo,
- Law no. 2004 / 4 for Health,
- Law no. 02 / 1-52 for preschool education,
- Law no. 03 / 1-040 for local self-government,
- Law no. 2004/32 of Kosovo on the Family,
- Code no. 06 / 1-074 Criminal Code of Kosovo,
- Code no. 06 / 1-006 of Juvenile Justice (Zeqiri, D. 2021).

A report by UNICEF found that on many issues, the legislation on children is generally in harmony with international standards (UNICEF, 2022).

To address challenges and especially issues related to the welfare of children, the existing legislation must be fully implemented, and the institutions charged with its implementation must coordinate their actions in the most effective way.

Gender equality is one of the main topics that Kosovo society is prioritizing and is regarded as a fundamental right and a significant element that has an immediate impact on stability, social welfare, and development. Through the implementation of the Gender Equality Law and pertinent regulations, the Government is strengthening institutional systems that promote gender equality and safeguard against discrimination based on sex. Furthermore, enhancing women's roles and their status in society is a key component of the government program 2020–2023. Said program

includes the creation of conditions for the execution of appropriate policies for women's economic empowerment to progress and strengthen women's status including through education (World Bank Report, 2012).

Mechanisms, tools and programs should focus on the welfare of women and children as for example the UN Resolution 1325 adopted in 2000 which emphasizes the need for gender equality and women's participation in conflict prevention, peacekeeping, and post-conflict reconstruction. Kosovo has developed its first National Action Plan (NAP) in 2014 for the period 2013-2015. The NAP was developed by the Agency on Gender Equality in the Office of the Prime Minister in cooperation with the working group, which consisted of central governmental entities and civil society members, and with the support of UN Women and OHCHR. The NAP identified its main objectives as the promotion and protection of women's human rights as well as the recognition of the victims of the Kosovo War. Additionally, the NAP recognized three outcomes: increased participation of women in decision-making and peacekeeping and building processes; integrated gender perspectives in security affairs and increased women's participation in the security structures; and improved access to protection, justice, rehabilitation, and reintegration for survivors of sexual violence, torture, and other forms of violence associated with conflict/war. Each outcome had a set of indicators, as well as a corresponding budget line for estimated costs, but the NAP did not specify how monitoring and evaluation will be carried out.

The situation of children's rights in Kosovo has certainly improved. In fact, first, the war and ethnic persecution is no longer present. Secondly, the patriarchal tradition is gradually evolving into a modern one that condemns gender-based violence and any kind of abuse against children. Thirdly, several national and international entities are committed to defending the rights of children.

Fourthly, there is currently essentially no physical or psychological abuse of pupils in schools. Fifth, the Ombudsman (which includes a team for children's rights) is in place, and there is suitable law protecting children's rights. Finally, individuals' awareness about and how to respect children's rights at home, in classroom, and within the community has grown (Rexha and Pllana, 2016). However, because of Kosovo's isolation and non-acceptance into the European Union and the United Nations, along with the widespread poverty, the realization of children's rights is significantly constrained, particularly in the psychological and economic aspects. Many children remain without parents or one of them and experience trauma from what they endured during the war and the economic difficulties of the post-conflict period. Infant mortality is still high while many children do not experience parental love and familial and societal respect. A significant number of children are abandoning school for economic reasons, and another portion is not receiving quality education. This forms a real basis for the emergence of negative phenomena such as begging, theft, other crimes and suicides. Therefore, a sustained engagement by the government is necessary in order to advance children's rights in all spheres of social life.

4. Judicial system

Like other countries undergoing change or dealing with the fallout from a conflict, Kosovo's court faced extreme pressure (OSCE, 2012). The judicial system still faces massive backlogs, deeply ingrained organized crime, complicated property disputes, a history of significant executive influence, inter-ethnic crimes, corruption allegations, a contentious caseload of war crimes, and inadequate infrastructure, to mention only a few of the many issues.

However, Kosovo's judicial system has changed significantly since the 2008 declaration of independence (Gashi & Musliu, 2013). The Functional Review of the Rule of Law Sector started in November 2016. The review would comprise all institutions related to the topic and seek to impose a comprehensive strategy for the development of effective Rule of Law in the country. The Action is in accordance with the European Commission's February 2018 adoption of the Strategy for the Western Balkans and its flagship initiatives relating to the rule of law by enhancing efficiency and developing capacity in the institutions.

The endeavour to preserve the rule of law asserts that it will build upon the policies, plans of action, and legislation now in existence to fight corruption and ensure the fairness, excellence, and efficacy of the judicial system. By reducing major risks that affect children, this action will make it easier to carry out the following:

- Child Rights Strategy 2019-2023;
- The Sector Strategy and Action Plan 2018-2022 of the Ministry of Labour and Social Welfare;
- Kosovo's Education Strategic Plan 2017-2021.

The action will also contribute to the achievement of relevant Sustainable Development Goals and is in line with the UN Convention on the Rights of the Child. (European Union. IPA 2020 /042 089/ 03/ Kosovo / EU4 Justice and Home Affairs). The Rule of Law Strategy 2021-2026 was approved in August 2021.

According to the Constitution, the judicial system is composed of the Supreme Court, a Constitutional Court, other courts, and an autonomous prosecuting authority. The courts are administered by the Kosovo Judicial Council.

The Kosovo judicial system uses a multi-tiered strategy to handle cases involving the protection and rights of children. To safeguard

the rights and interests of children, these levels include social services, specialized tribunals, law enforcement, and legislative actions.

Cases involving child abuse, exploitation, and trafficking are investigated and handled by the Kosovo Police's Special Unit for Child Protection and Special Prosecution Office for Children's Issues. These specialist departments are essential to making sure that those who commit crimes against children are brought accountable and that the affected children are supported and their rights safeguarded.

Moreover, Kosovo has established specialized courts with specific jurisdiction over issues involving juveniles, such as the Basic Courts' Special Department for Juvenile Justice (Juvenile Justice Code of Kosovo, 2018). These courts have a child-centric stance, considering the child's best interests throughout the judicial process and focusing more on rehabilitation and reintegration than on severe punishment for young offenders.

Social services are essential for safeguarding children. To protect the welfare and safety of children, social workers investigate, detect, and resolve incidents of abuse, exploitation, and neglect. They also offer interventions and assistance in said situations. Building a broad safety net for children in need requires cooperation between the legal system and social services. Nonetheless, obstacles continue to exist in the efficient execution of child safety protocols within the legal framework. The full realization of children's rights and safeguards is impeded by a lack of resources, capacity issues, cultural beliefs, and awareness gaps. To increase the system's ability to protect children, there is a need for public awareness campaigns, professional training, and capacity building.

In conclusion, Kosovo's judicial system has made great progress in building a strong foundation for children's protection. Kosovo shows its dedication to protecting children's rights and welfare by

working with social services, creating specialized units, courts, and legislative measures. However, to achieve a society where every child is protected, nurtured, and given the opportunity to realize their full potential, sustained efforts are required to overcome obstacles and guarantee the successful execution of child protection measures.

5. Crimes against and affecting children during the armed conflict (1998-1999): quantitative and qualitative results

The war had a significant impact on the lives of Kosovo citizens. As in all conflicts, children were among those most impacted, being subjected to numerous atrocities and hardships. The Kosovo case stands as a stark example of the tragic consequences that armed conflicts can have on children. Situated in the heart of the Balkans, the conflict not only destroyed inter-ethnic relations, but the general political situation exposed children to violence, rape and other form of sexual violence, displacement, and loss. Because of the conflict, children were obliged to leave schools and stopped their everyday life, were killed or are still missing. Some experienced sexual violence or many deprivations, which, *inter alia*, lead to a shortage of food and educational resources, the loss of parental supervision and of a family atmosphere. It is common knowledge that armed conflict infringes to varying degrees on children's fundamental rights, including the right to life, to be with family and community, to the development of the child's individuality, to be nurtured, and to protection.

Children were compelled to witness horrific acts of violence or even take part in them. Flashbacks, nightmares, social isolation, increased aggression, despair, and a weakened sense of the future

are just a few of the consequences that many children face as they develop (David et al., 2009).

Although the children of the armed conflict have already grown up, the sufferings and problems they experienced during that time continue to remain part of their memories and the consequences of the conflict on their lives persist. Some of the post-conflict challenges for children include poverty, stigmatization, social re-integration, and the need for sustainable support systems.

Prior to the conflict, families and neighbours looked out for one another, took care of each other's children and of the orphans. During the war families were stretched even to care for their own. This disappearance of informal social networks to look after orphans and other children at risk made them even more vulnerable (Machel, 2009, p. 20). One of the participants in the research affirmed that: *"The deterioration of interpersonal ties has been influenced by both the war and the pandemic. Children are also impacted in this way because care for them has greatly diminished. Parents are primarily concerned with providing for their children's needs; they don't have time to care for their own children, and neighbours and family members are much less concerned with other people's children's welfare. Once more I will emphasize that parents have the majority of the responsibility about their children, but teachers also owe their charges"* (Respondent, 5).

The international community, in collaboration with local organizations, played a critical role in addressing the difficulties faced by children in Kosovo. Worth noting is the work by UNICEF in supporting children and youth. For example, young activist Rijad Mehmeti was supported in the development of *"Team Rijad"*, a platform for advocacy that brought together influential individuals, journalists, and private businesses to inspire society to take concrete steps toward the inclusion of children with disabilities. In its first year, *Team Rijad* collaborated with ten private compa-

nies to build accessible restrooms and install ramps at schools. Additionally, it raised awareness of the need for additional teaching assistants in classrooms. UNICEF can build on the success of this multi-stakeholder advocacy project in the future to ensure equality for kids of all abilities (UNICEF, 2022).

In this regard, another interviewee noted that “UNICEF, maintains continuous communication with Kosovo's government bodies. When necessary, it collaborates with prosecutorial authorities. UNICEF has also developed a comprehensive national strategy that clearly outlines how to handle, develop, and advance the establishment of a system dedicated to protecting these rights and freedoms for children” (Respondent-3-M). As a post-conflict region, Kosovo is home to a variety of initiatives that focus on young people, including by OSCE and UNMIK. The bulk of projects focusses on developing skills and promoting interethnic harmony through sport, cultural and other events (UNICEF, 2019). Furthermore, rehabilitation and reintegration programs were established to provide psychosocial support, education, and vocational training to assist children in rebuilding their lives. Additionally, continuous efforts have been made for the reconstruction and normalization of life in Kosovo, including the rebuilding of infrastructure and public services, education, healthcare, etc. However, Kosovo struggles with a high rate of unemployment, a largely dependent economy on remittances from abroad, and pervasive corruption. High levels of air pollution, an inadequate educational system, the absence of a visa liberalization agreement with the EU, the waning international recognition of Kosovo's statehood, the impasse in the EU-led dialogue with Serbia, and the COVID-19 pandemic's effects, which included lockdowns and a significant economic contraction, are some of the issues that indirectly impact the possibility of a better future for children (BTI 2022 Country Report — Kosovo).

According to the findings of the study, unemployment is the main issue faced by citizens. Most of the participants mentioned this problem. One of them said that “*The children of Kosovo should be equal to other children of Europe. We have understood that during the previous regime we did not have the opportunity to offer our children better conditions for life, but now, we cannot be calm when we see that our children do not have even close to the same conditions and opportunities for life that others have*” (Respondent 5-M).

Based on the research, in the last war in Kosovo, 1024 children were killed and 109 were missing (Kosovo Memory Book 1998-2000). Thousands of people were raped during the war (Jahjaga, 2019), including men. Children who were born as a result of rape are a concern for the society. Psychological trauma remains a serious challenge for children. Because schools were closed and damaged during the conflict, children faced significant obstacles in terms of their education and opportunities for the future.

5.1. Killings

From the numerous studies on war crimes in Kosovo conducted by researchers, governmental and non-governmental organisations on a national and international scale, there is evidence that Albanian children have been injured and killed during the conflict. The Council for the Defense of Human Rights and Freedoms put the figure for reported children's deaths at 92 on 27 August 1999. Analysis of a list of Albanian children killed between February and 4 September 1999 demonstrates that the most vulnerable age group of children were boys aged 16-18 years, followed by children of both genders aged 0-5 years (Hamilton and Man, 1999). Many studies have documented killings, torture, sexual violence, forced evictions, and other crimes carried out by Serbian and Yu-

goslav government forces against Kosovo Albanians, mostly between 24 March and 12 June 1999 (Human Rights Watch, 2001). Numerous violations of the individual's rights and liberties, as well as grave violations of international humanitarian law, were perpetrated against children.

Investigations were conducted after the war, and many instances of children killing and other violations of human rights were documented. In this context, the Kosovo Memory Book Database (KMBD) - a joint project between the Humanitarian Law Centre (HLC) in Belgrade and the HLC in Kosovo - compiled comprehensive data on deaths related to the Kosovo War between 1998 and 2000. The data were based on death certificates, testimonies from surviving family members, and testimony from witnesses. This database contains the victims' data at the moment of death, including name, age, ethnicity, the incident's scene, the day it occurred, the type of casualty, whether they were civilians or members of the military, etc. Overall, the Kosovo Memory Book indicates that 13,140 individuals were killed or missing (Rudic et al., 2018), with an average of 437 casualties per municipality. From the total number of victims, around 76% are civilians, while 24% are members of armed forces. Based on several analysis and findings, including a comparison with ten other databases in which no new death records were found, the KMBD was found to have more records than any other database in every period and for each municipality (Trako, 2018).

Some of the atrocities committed against the people of Kosovo have also been documented by Human Rights Watch (Human Rights Watch, 1999). Attacks resulted in the deaths of several individuals including members of Kosovo families. The Drenica villages Ahmeti and Sejdiu families provide examples of specific incidents when children were among the victims. The report states: "On February 28 and March 1, the police mounted a ma-

gor attack on two other villages in Drenica: Çirez and Likoshan". Both times, armed special police units attacked without warning and opened fire indiscriminately on civilians including children, women, and other non-combatants.

Prior to police troops entering the town on foot and opening fire into private homes, military vehicles and helicopters sprayed bullets across village rooftops. A pregnant woman, Rukije Nebihi, was shot in the face, and four brothers from one family were killed, apparently while in police custody. Ten members of the Ahmeti family were summarily executed by the police" (Human Rights Watch, October 1998).

Furthermore, the family of Adem Jashari, the leader of the Kosovo Liberation Army, from the village of Prekaz, suffered serious crimes at the hands of Serbian forces. "An estimated fifty-eight members of the Jashari family were killed, including eighteen women and ten children under the age of sixteen. "After a three-day siege, everyone was killed, except for Besarta. She lived to tell the truth to us, and to the world. Among others, she shared her story with the late war correspondent for The Times, Marie Colvin, who then revealed it to the world. She described the moments after Besarta shook her three dead sisters (7, 8, and 10 years old), trying to wake them up: "Besarta climbed through a hole in the wall and ran around the house, shouting: 'Anybody - is anybody still alive?' When nobody answered, she crawled back under the table. The pause in the shelling was all too brief. Besarta would spend the night and the next day alone, with her family dead all around her, as the Serbs' rockets came again and again, smashing into the whitewashed house with red-tiled roof that had once been home. A bright, happy pupil at school, Besarta was the sole survivor of an attack that can now be revealed as nothing less than a calculated, cold-blooded massacre (Jahjaga, 2019).

Also, "At least six ethnic Albanians were killed in unclear circum-



Image 1: Sovran Hoti, Children massacred during the Kosovo war. (Children massacred during the Kosovo War. A thread through pictures! 23 years ago, on this day, Apr.17, 2022, 53 Albanians were killed by Serb policemen in what's known as the Poklek massacre, in Old Poklek, Drenas. 23 amongst them were children from 6-months-old to 13.

stances in the nearby village of Llausha”. Children and women were also killed in the Delijaj family from the village of Obri, where 21 members of the family were massacred, one of whom was only 18 months old. Similarly, children and women were killed in the massacre of Reçak, where 45 Albanians were killed, including a 12-year-old boy and two women (Human Rights Watch, January 1999).

More than sixty Albanian men were executed in Bela Crkva, including twenty members of the Popaj family and twenty-five members of the Zhuniqi family” (HRW Kosovo Human Rights Flash #27, April 17, 1999). On 26 March 1999, Yugoslav forc-



Image 2: Picture in the exhibition ‘Once Upon a Time and Never Again’ in Pristina, May 2019. Photo: EPA-EFE/Valdrin Xhemaj.

es reportedly killed forty Albanian men in Velika Krusa (HRW Kosovo Human Rights Flash #18, April 4, 1999). According to the account of refugees, Yugoslav security forces killed at least forty-seven men in a violent depopulation campaign in Djakova, (HRW Kosovo Human Rights Flash #26, April 13, 1999). In some cases, children were also executed. If not, in many cases, they have been eyewitness executions, affecting seriously their mental health. In addition, there are evidence of mass killings (including of women and children) of Kosovo Albanians by the Serbian army, paramilitary forces, and police. The photo below shows some of the children killed.

The killings conducted by the Serbian police, Yugoslav army soldiers, and paramilitary forces had the objective not only of ethnic cleansing but also of instilling fear within the Albanian population

and eliminating individuals who had been active in the field of science, politics, business, etc.

According to the results of a research, until the end of the war, in June 1999, approximately 12,000 Kosovo Albanians were killed and around 3,000 disappeared taken by the Yugoslav Army. 1432 children were killed during the period 1981-1999 (Pllana, N. and Ilazi, H. 2019).

The Humanitarian Law Center Kosovo prepared an exhibition in memory of the children victims of the armed conflict. By starting a collective memory through the objects exposed and others that will be added in the future, the exhibition is an invitation to facing and reflecting, to discourse, and to healing. The kid-related items serve as a reminder of everyday life and the simple, priceless things often overlooked. It is not just an exhibition; it is a monument to all the children who died or went missing during the conflict. The exhibition at the Hivzi Sylejmani Library in central Pristina, entitled 'Once Upon a Time and Never Again', includes photographs and personal items like clothes and toys commemorating more than 600 children who were killed during the 1998-1999 war.

5.2. Displacement

Displacement and migration also directly affect children during conflict. Based on research findings "A common and visible violation during armed conflict is forced displacement, whether within one's own country or across national borders. Displacement can be both a cause and a consequence of armed conflict, typically increasing children's risk in terms of other violations. Children's well-being is also in jeopardy if they become separated from their families or caregivers" (UNICEF, 2009). Armed conflict forces millions of people worldwide to flee their homes each year, either

as refugees or internally displaced people (IDPs). As a result of persecution, conflict, violence, or abuses of human rights, there were 65.6 million forcibly displaced people worldwide as of the end of 2016, which is the greatest number ever recorded, according to the UNHCR 2017 Global Trends Report. Displacement is a direct result of armed conflict, since people are compelled to leave their native homes because of danger to their lives. Due to this condition, people and families become extremely vulnerable, losing their social support system, material possessions, and frequently even family members (Trako, 2018). Children make up between 55% and 63% of Kosovo's population, and up to a quarter of that population is thought to have been displaced because of the war. Due to the escalation of hostilities and the continued displacement, it is difficult to estimate the real number of internally displaced persons (IDPs). The lowest estimate of was 120,000. Some organizations estimated the number to be closer to 250,000 at the time. It is evident, however, that a rise in Serbian military actions has caused the number of IDPs to keep rising throughout September 1999. The estimates of some organizations working in the field, both national and international put the figure closer to 500,000 (Hamilton and Man, 1999).

According to another study, many Kosovan families were displaced, including children due to the bloodshed and strife during the Kosovo War. Because of Serbian military and paramilitary actions, the Albanian of Kosovo, which made up the majority of the population, experienced mass displacement. During this time, there were several reports of atrocities, such as ethnic cleansing, forced relocations, and mass murders. Many Albanian families left their homes in search of safety and sanctuary in nearby nations like Albania, Macedonia, and Montenegro. Around 13,140 people died or went missing in Kosovo during the 1998–1999 conflict, particularly during the NATO bombing campaign (March–June



Image 3: Photo: Anja Niedringhaus/STF/EPA.

1999), and more than 1 million people were displaced as refugees representing almost 70% of Kosovo's pre-conflict population (Trako, 2018).

Around 230,000 people were internally displaced within Kosovo, while another 800,000 fled to nearby nations including Albania, Macedonia (now North Macedonia), and Montenegro, according to the United Nations High Commissioner for Refugees (UNHCR, 2000).

According to Save the Children, around 300,000 Kosovo children were forced to flee their homes during the fighting. The following picture (Image 3) shows a painful situation of displacement of children from their country. Kosovo Albanian children and their parents cry as they cross the Yugoslav-Macedonian border in April 1999. Thousands of Kosovo Albanians fled the country during NATO campaign against Yugoslav leader Slobodan Milosevic.

Forced displacement is considered a difficult challenge for children to bear. A report from the Organization for Security and Co-operation in Europe on patterns of human rights and humanitarian law violations in Kosovo, (OSCE, 1999) pointed out that: "After the start of the NATO bombing on the FRY on 24 March, Serbian police and/or VJ (Yugoslav Army), often accompanied by paramilitaries, went from village to village and, in the towns, from area to area threatening and expelling the Kosovo Albanian population. Others who were not directly forcibly expelled fled as a result of the climate of terror created by the systematic beatings, harassment, arrests, killings, shelling and looting carried out across the province. Kosovo Albanians were clearly targeted for expulsion because of their ethnicity. [...] Large numbers of civilians were also deliberately targeted and killed because of their ethnicity. No-one, it seems, was immune, as people of all ages, including women and children, were killed in large numbers".

Another study, entitled "Children's participation in the context of forced migration", explains the challenges of minors in cases of displacement and forced migration: children forcibly relocated are among the most marginalized and subject to political, social, and economic discrimination of any group of children. The difficulty of maintaining social participation and social justice for these communities grows as the scope of displacement increases globally. However, there are many barriers preventing children from taking part in forced migration, and in certain situations, these barriers pose very significant security dangers to children and their families (Boyden, 2001). Mainly because of the war, but also because of unfavourable economic conditions, Kosovo Albanians were forced to relocate.

The ethnic cleansing and NATO bombing campaign caused Kosovo to experience one of the biggest demographic shifts in Europe since World War II. According to reports from the Humanitari-

an Law Centre (HLC) in Belgrade and Kosovo, 13,535 civilians and troops are thought to have died or gone missing. The United Nations High Commissioner for Refugees (UNHCR) estimates that over 1.4 million individuals were uprooted from their homes, 600,000 of whom were internally displaced and 850,000 of whom sought refugee status outside of Kosovo (UNHCR, 2018).

In the history of refugee flows, the Kosovo emergency was a relatively uncommon occurrence due to the rapid and "front-loaded" character of the inflow. Nearly 860,000 Kosovo Albanians fled or were exiled to Albania (444,600), FYR Macedonia (344,500), and Montenegro (69,900) within nine weeks of the airstrikes starting. In the ten years since 1990 only twice such comparable migrations took place: in the African Great Lakes region in 1994 and the Kurdish-Iraqi war in 1991. This explains why the international community was not prepared and at first overwhelmed. The development of earlier refugee groups had generally been slower, but they had frequently been larger. The Kosovo movement was challenging to counter because of its scale and rapidity (Suhrke, et.al., 2000).

According to UNDP (2014), Kosovo has seen numerous distinct waves of migration during the past century. Prior to 1989, uneducated, unskilled men immigrated to Germany and Switzerland as temporary employees. Young men with skills and education migrated from rural and urban areas to European countries between 1989 and 1997, when Kosovo autonomy was terminated.

Before and during the 1990s, the escalating conflict in the former Yugoslavia, the violation of Kosovar Albanians fundamental human rights, ethnic discrimination (such as the expulsion of all Albanian civil servants from the public sector at the start of the 1990s), and the rise of extreme poverty served as lenses to see migration trends. Despite the general consistency of the reasons for migration between 2015 and 2020, some of the underlying

elements that influence migration altered. 800,000 people fled or were driven from their homes during 1998 and 1999 as a result of armed conflict. For Kosovo children, migration has been a challenge they will never forget. Since 1999 there has been a constant small-scale migration to EU countries, mostly for economic and family reunion reasons. However, in 2014, there was a noticeable shift in the pattern of migration as many Kosovars (an estimated 50,000) crossed into EU countries, particularly Germany, through unofficial routes in search of better economic and social conditions. Most of them smuggled themselves into Hungary through Serbia, asking for protection but they were captured by Hungarian authorities. Most people, including those who asked for asylum in Hungary, continue on to Germany. The number of Kosovo citizens seeking asylum in EU countries has steadily increased since 1999. Specifically, the number of applicants for asylum increased from 20, 226 in 2013 to 37,895 in 2014. Kosovo was ranked as the third-highest country for asylum seekers, behind Syria and Afghanistan. 48,900 of the first-time applicants for asylum who were evaluated in EU countries during the first quarter of 2015 came from Kosovo, or 26% of all first-time applications in the EU (Eurostat, 2015).

High unemployment rate, the standard of education, and the dearth of possibilities for young people to participate in society are all factors explaining the high rate of emigration or a strong desire to emigrate.

This issue was also discussed by the focus group participants in the research. The whole group discussed youth migration as a special topic and as one of the most serious concerns. In their opinion, this is an urgent issue and requires the mobilization of all state actors to make efforts to create conditions for young people to contribute to their country.

Even if there has been a noticeable improvement in each of these

areas, difficulties still exist. With no considerable natural resources, and the youngest population in Europe, Kosovo lacks the structural, industrial and economic capacities to create the necessary jobs in order to reduce the risk of social strife and exclusion (Bertelsmann Stiftung, 2022).

5.3. Rape and sexual violence

Rape (and other forms of sexual violence) occurred during the armed conflict has been and continues to be one of the main problems in Kosovar society. Girls, women - but also men - who experienced rape, due to stigmatization, did not speak for years about the events they suffered from. The events had a negative effect on their social and personal life. Rape has been used as a weapon of war against Albanians. Sexual assault and rape were often employed during the Kosovo War to evict Albanian inhabitants from their homes. Members of the Serbian and Yugoslav armed forces committed acts of sexual violence in order to terrorize the populace and carry out ethnic cleansing operations. Unfortunately, these heinous actions did not spare even children.

The public had access to very limited information on rape in Kosovo before the start of NATO bombing on 24 March 1999 (Human Rights Watch, 1998). Information on rape and sexual violence against civilians and children is available from several sources. The most reliable ones come from the people themselves, who have experienced and then witnessed the rape. Vashja was a child when she was raped. In 2018, she became the first woman to speak publicly about being raped during the Kosovo war – which led to her legal case being reopened.

According to Human Rights Watch, which has investigated and uncovered several instances of sexual violence during the

NATO bombing period, rapes that occurred in Kosovo can generally be divided into three categories: those happened in the houses of the victims, those occurred during transportation, and those perpetrated while the victim was being detained. Security personnel committed sexual assaults on women in the first category while breaking into private homes, outside, or in a neighbouring room. The Yugoslav Army, Serbian police, or paramilitaries stopped, robbed, and threatened displaced persons who were wandering on foot or with tractors in the second category. The security forces warned the families that their daughters would be abducted and raped if they were unable to pay. However, several reports claim that there were instances where girls were raped while receiving financial assistance from their family. The third group includes rapes that were conducted in temporary detention facilities like abandoned homes or barns (Human Rights Watch, 2001).

Based on this study, more than half of Kosovo's civilian population sought safety in camps in Albania and Macedonia throughout the conflict. Women and girls who were trying to flee were among those who were displaced. They were forcibly separated from the larger refugee convoys leaving Kosovo and were the victims of sexual violence by Serbian soldiers, paramilitary groups, and the police. Some women experienced sexual abuse while caring for their children and elderly relatives, often in their homes and in front of family members. Their stories include multiple instances of sexual violence, mostly committed by police officers, paramilitaries in Serbia, and soldiers from the former Yugoslavia. Many of the survivors have been suffering for 18 years without speaking to their family members at all about what happened to them. Some victims were able to share their stories with the help of non-governmental organisations. However, only few have stepped out publicly because of fear of social stigma (Amnesty International, p.5.).

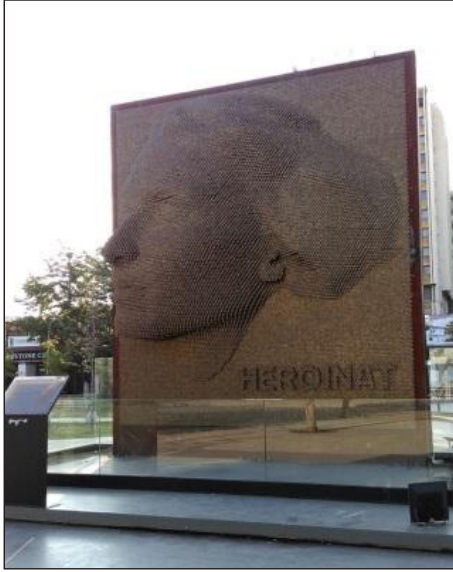


Image 4: “Heroinat” (Heroines) monument in Pristina. It is dedicated to the female victims of sexual violence during the Kosovo War.

Indeed, shame surrounds rape - both at the community level (the humiliation of men for being ‘powerless’) and at the individual level (the humiliation of women and girls for what they have endured). Women are unfairly stigmatized bearing the burden of their own guilt, as well as the cost of men's feelings of emasculation and dishonour. The fact that most of them failed to disclose the crime they suffered is, therefore, not surprising. The study shows that 621 of the 900 sexual abuse cases that the Kosovo Rehabilitation Centre for Torture Victims (KRCT) documented involved more than one abuser, and that half of the crimes took place in "rape houses" which were facilities where women were detained momentarily before being sexually abused. 56 out of 900 victims were men. One-third of the victims—roughly 135—were children when they were sexually abused (Bami, 2022). The KRCT concluded that rape was employed as a weapon of

war during the Kosovo conflict after collecting information from 900 survivors.

An Albanian civil society group called the Council for the Defense of Human Rights and Freedoms (*Kshilli për mbrojtjen e të drejtave e të lirive të njeriut*) gathered a considerable amount of information on acts of sexual violence committed since the 1990s among its information on other human rights violations committed by Serbian authorities. However, in the Bulletins published by the organization, references to women who experienced sexual violence were simply described as “*maltraitée par la police serbe*” (mistreated by Serbian police).

The number of survivors of sexual violence during the war is unknown. As already noted, due to shame and stigma, most women chose not to disclose what happened to them. After the rape, some of them were killed. According to a 1999 survey of female refugees conducted by the Centers for Disease Control and Prevention, between 23,200 and 45,600 Kosovar Albanian women are believed to have been sexually assaulted between August 1998 and August 1999 (Hynes, 2000). In 2014, Kosovo’s parliament passed a law which recognizes the status of victim of the women who suffered gender crimes and offers them pensions up to 220 euros per month.

An important aspect of the crime is that many children in Kosovo were born as a result of rape. “The children born from the wartime rape of thousands of Kosovo Albanian women by Serbian forces have been kept secret, being abandoned, adopted, or raised in shelters, while the very few mothers who agreed to speak on condition of anonymity remain terrified of the possibility of exposure in public” (Haxhiaj, 2018). Because Kosovo is a patriarchal society, women were reluctant to seek help during and after pregnancy fearing stigma and this worsened their social position.

6. Rehabilitation and reintegration of children

Following a conflict, children need substantial rehabilitation and reintegration into their communities. Trauma-specific counselling, security, education, training, housing, access to food, and a range of social services should be provided. The ability of children and their families to integrate economically is another crucial requirement. Cooperation at the local, regional, and international level is necessary to promote reintegration and reconciliation. From a post-war rehabilitation perspective it is important to identify patterns of behaviour, attitudes and relations between international and local participants of post-war contexts in order to identify strengths and weaknesses. “Despite the fact that international and local divides are not always evident, as both groups constitute heterogeneous macro-groups, international intervention in post-war processes inevitably draws a line between the external and internal actors” (Ariño and Redondo de la Morena, 2008). Measures to protect and reintegrate children who have been involved in armed conflict can also be implemented with political will. Remedies need to address the underlying causes of the conflict as well as other issues, such as discrimination, poverty, inequality, and resource availability.

Numerous initiatives were undertaken for the rehabilitation and reintegration of children impacted by the armed conflict in Kosovo in large part by the international community working with local groups. In order to help the children rebuild their lives, rehabilitation and reintegration programs were created to offer psycho-social support, education, and vocational training. Additionally, ongoing efforts have been made to restore normal life, including the repair of the country’s infrastructure and public services, such as education and healthcare. Legal integration is a crucial component for ensuring that a person has access to fundamental services,

civil rights, and social rights, particularly in cases in which the person who returned cannot produce any document that provides them with immediate and unquestionable access to their primary rights after returning (Strategjia e rishikuar, 2010).

6.1. Mental health

Studies indicate that torture, murder, sexual violence, forced displacement and in general exposure to violence have devastating consequences on children’s mental health. This was also true for minors who suffered during the Kosovo War. “Three in four young people in Kosovo (77%) expressed slight to extreme concerns about coping with stress, and 83% felt that physical and mental health were essential in their life. Focus groups also revealed that mental health problems are often perceived as not sufficiently addressed and acknowledged in Kosovo” (UNDP, 2021). Children need assistance in recognizing and comprehending their trauma and social and culturally relevant coping mechanisms should be designed (Becker, 2000).

Child Advocacy International created a community-based child and adolescent mental health service as opposed to a psycho-trauma service. The initial goal was to develop a long-lasting, culturally sensitive package to address the mental health needs of kids and teens throughout Kosovo and to serve as a training ground for future specialists in general psychiatry. It was to be integrated with adult psychiatric services, which were also being turned into community-based treatments, as well as paediatric and primary health care services (Jones et.al., 2003). Additionally, initiatives were created to foster communication and understanding of the sufferings endured by children among Kosovo's different ethnic groups, notably among young people. The process of reintegration was difficult, and numerous obstacles were faced due to lack

of resources, the physical devastation caused by the war, interethnic conflict, and the social and economic instability.

Children were exposed to continuous and repeated assaults. Social links and networks supporting children's physical, emotional, moral, cognitive, and social development were severed and children invariably experience severe physical and psychological trauma. The following example describes the impact of the conflict on a child's mental health: "Case vignette 2. The patient was 7 years old and lived with her father, mother and five siblings in a burnt and partly destroyed house in western Kosovo. A teacher referred the child, who apparently suffered from elective mutism precipitated by the war. The parents described an occasion at the beginning of described an occasion at the beginning of the war when Serbian soldiers had come the war when Serbian soldiers had come to the village, lined the families up in the street and threatened to shoot them. When the child began to cry a soldier had put a gun in her mouth and threatened to shoot her if she did not shut up; the parents said she had not spoken since. A home visit was conducted, which all the family and additional relatives attended. The family lived in one room in very poor conditions with mattresses on the floor. Through careful interviewing, a more complex story of the child's complaint emerged. The child had never learnt to speak, apart from occasional words; she communicated by pointing, and although sociable and friendly with her siblings and friends, she had other developmental problems. She had been bedwetting until 3 months previously. She was able to help with simple household tasks. There had been behaviour changes since the war: she had become irritable with her friends, was frightened of anyone in uniform and had sleep difficulties in the form of night terrors. However, the parents stated that all these problems had resolved themselves in the past few months except for the speech difficulties" (Jones, et.al. 2003).

6.2. Education

During the armed conflict children faced significant setbacks and obstacles in terms of their education. Many schools were closed and damaged causing a drastic decline of education. Prior to 1989, enrolment rates in primary schools were above 90%. These numbers significantly decreased in the 1990s, especially among girls. Despite today's high primary enrolment rates, a sizable portion of teenage girls lack literacy due to the legacy of the 1990s. In this regard, the government enacted several laws and regulations aiming at raising the bar for education in Kosovo.

The majority of Kosovo Albanians withdrew from the formal school system in 1990 because of the assertion of centralized control over educational content in Kosovo. A "parallel" education system was created, funded by remittances from abroad and unofficial tax revenues collected and administered at the municipal level. Despite everyone's best efforts, especially those of the teachers, to keep the educational system running under extraordinarily difficult circumstances, the standard of instruction inevitably declined. "During the period of conflict, Kosovo relied on an informal (and rather low quality) education system. During this time, massive layoffs of individuals from the public sector and long unemployment spells contributed to a rapid depreciation (and a slow renewal) of skills demanded by the emerging labor market" (World Bank, 2008). After the end of the conflict, the education system undergone significant changes, including rebuild of Kosovo educational infrastructure and establishment of a new education system for both primary and higher education. The reconstruction of schools, curricular reforms and teacher training greatly influenced the improvement of education.

However, new challenges arise. One participant in the research asserted: "Throughout my career, I have been faced with problems

of different nature regarding my professional work. The difficult conditions in which our citizens have lived have also affected the disposition of children to learn. As for children's rights according to the law, we are OK, but the laws must be implemented. Now, I see non-socialization as a serious problem and concern. Children are preoccupied with technological tools and have no interest in games or activities that affect their physical and mental health. There is an immediate need for thinking in this aspect” (Respondent-4. F).

High rates of young unemployment can deter students from continuing their education since they may believe there will be few job opportunities available to them once they graduate. Another issue is access and infrastructure. In this regard, several districts of Kosovo, notably the rural ones, struggle with a lack of suitable school infrastructure. Children living in these areas may have limited access to high-quality education. The learning process can occasionally be hampered by outmoded teaching techniques and a shortage of qualified teachers. Teachers must motivate students to learn. In this context “Children's rights guaranteed by law must be lived. This requires serious commitment from all parties. As for children to love school, I think that we should encourage parents and teachers to actively participate in their children's education and personal development. This includes fostering a curiosity for the world beyond the classroom” (Respondent 1-F).

The younger generation can benefit from greater possibilities and a brighter future by overcoming the difficulties that youngsters in Kosovo must overcome through education. “Schools should organize workshops and extracurricular activities that encourage creativity, teamwork, and problem-solving. Incorporate technology and innovation into education to prepare children for the challenges of the modern world” (Respondent 5-M).

Kosovo is a tiny, economically underdeveloped nation. Infrastruc-

ture, teacher pay, and educational materials can all be impacted by a lack of funding for education. Additionally, ethnic tensions can occasionally seep into Kosovo's educational system due to the diverse population here, which affects some children's access to school.

Despite successes, there are still a number of issues with Kosovo's educational system. The high secondary dropout rate, which is mostly caused by poverty and a lack of employment possibilities for young people, is one of the key concerns. Exchange programs can help children for personal development, “We should promote cultural exchange programs both within the country and abroad to expose children to different cultures and perspectives. In addition to that we should work towards facilitating travel opportunities for children, such as school trips, scholarships, or exchange programs, to broaden their horizons” (Respondent 4-F).

The lack of access to vocational and technical education, which has hampered the creation of a trained and competitive workforce, is another issue. Through the Strategic Plan for Pre-University Education 2017-2021, efforts are made to solve the challenges in the education system through a cross-sectoral thematic approach to dealing with these challenges (Aliu, 2019).

The Law on the Empowerment and Participation of Youth seeks to improve youths' quality of life and social standing by promoting and reaffirming their continued participation in democratic decision-making processes without discrimination or exclusion. To achieve this, “Children from Kosovo should rapidly gain the opportunity to travel, enabling them to engage with diverse states and cultures. While a strong commitment to their formal education is essential, it is equally crucial to nurture their problem-solving skills and encourage them to think outside the box” (Respondent 1-F).

Additionally, there is a Kosovo Youth Strategy (2018-2023) and a Youth Action Plan (2018-2021). Strong representations of youth

issues may be found in the Sustainable Development Goals, the Sustainable Development Agenda, and Generation Unlimited, a worldwide program of the United Nations that aims to link secondary education and training with entrepreneurship and employment, (UNICEF, 2019).

Concerning children of the Roma, Ashkali, and Egyptians (RAE) community, education continues to remain a challenge that requires greater commitment. The Constitution guarantees and upholds fundamental freedoms for all citizens, irrespective of their color, ethnicity, gender, or other distinguishing characters; and Chapter 3 protects the rights of communities and their people is the only focus of the third chapter of the Constitution. The following legislation also recognizes the rights of the different communities:

- Law on the protection and promotion of the rights of communities and their members in Kosovo⁴⁵ (03/L-047)
- Law on education in the municipalities of the Republic of Kosovo (03/L-068) 47
- Law against discrimination (2004/3)
- Law on the use of languages (02/L37)
- Law on local self-government (03/L-040)
- Law on cultural heritage (02/L-88)51; and
- Law on special protected areas (03/L-039).

The gross enrolment rate of children from the Roma, Ashkali and Egyptian communities in compulsory education is about 85 per cent, well below the national average (MEST, 2016).

Access to an appropriate education is aided by the availability of teachers and assistants who have been educated in inclusive education as well as other provisions for removing obstacles includ-

ing transportation, availability of assistive devices, and suitable restrooms. Similar difficulties navigating the competitive labour market are experienced by young individuals in their second decade of life due to issues with educational systems' quality, applicability, and inclusivity. Only approximately 20% of Roma students finish their secondary education, compared to non-Roma pupils, who do so on average at a rate of 80%. In 2018, the rate of youth unemployment grew slightly, reaching 55.3%. In contrast, the national unemployment rate is 29.6% (Kosovo Labour Force Survey, 2018). Early marriages are considered an obstacle for the education of the children of the communities. The majority of European nations' laws have an age requirement of 18 for marriage, although they also permit exceptions, typically for youngsters between the ages of 16 and 17. The Family Law's process for approving exceptions seems reasonable (UNICEF, 2019).

In some regions, health care is almost non-existent, and even in the larger cities it can be rudimentary at best. Patients who have the resources to seek medical care still face long waits, outdated technology and doctors who lack advanced education and training. Roma, Ashkali, Egyptians and other marginalized groups have limited access to the social safety system (Bertelsmann Stiftung, 2022).

Private dwellings, educational and medical facilities, as well as other infrastructure, suffered significant damage throughout the 1990s since civilian communities were the focus of the violence, Soumya, 2002).

Numerous kids are compelled to quit school and work when still young, sometimes in hazardous and exploitative positions. 10.7% of all Kosovar children, including the 6.6% who worked in risky and exploitative circumstances, were affected by child labour in 2014, according to MICS. Roma, Ashkali, and Egyptian ethnic minorities had a 17% child labour rate.

To address the situation, in addition to the law on child protection, the government created the following programs :

- Strategy for the Inclusion of Roma, Ashkali, and Egyptian Communities (2016–2020): Focuses on employment, social issues, health care and housing for the Ashkali and Roma communities. Aims to strengthen their realization of rights and full integration into society. A special educational component promotes inclusive education for the children of these communities.
- Kosovo Education Strategic Plan (2017–2021): Emphasizes the inclusion of vulnerable minorities in the education system, especially preschool children of the Roma, Ashkali and Egyptian communities. The KESP sets targets for inclusion and establishes regulations at the municipality level to facilitate preschool enrolment and raises awareness on school attendance and enrolment, (UNICEF, 2019).

Social norms are also crucial since in some communities may prevent women from pursuing higher education, leading parents to prioritize their sons' education.

7. Post-conflict challenges

“Our thinking and commitment as a society to overcome the challenges and issues that our children face today, means a guarantee for a future without conflicts and without violence” (Respondent 5-M). Post-conflict challenges include poverty, stigmatization, social reintegration, and the requirement for ongoing support systems. Due to extensive destruction, many Kosovo households were forced to live in terrible economic and social circumstances. Children directly felt the effects of these challenging economic

conditions. As a result, families and children needed humanitarian aid to help them return to their regular lives.

7.1. Reconciliation

Reconciliation is currently a major challenge in Kosovo context because thousands of people are still missing and this is particularly painful for Kosovan people, (International Committee of the Red Cross, 2018). In the Kosovo post-conflict and divided society, reconciliation will aid in eradicating ethnic animosities, advancing further social democracy, and, most importantly, enabling the establishment of a shared state identity. Reconciliation calls for multifaceted and ongoing efforts to strengthen relationships and cultivate trust between previously at odds communities (Baliqi, 2017).

Sometimes the word "reconciliation" can be offensive. In Kosovo, this is unquestionably true for the communities of Albanians and Serbs. It is inconceivable that these peoples could ever coexist peacefully given the intensity of their animosity toward one another and their openly declared desire for retribution. However, the ultimate objective of the foreign troops present in the country, including KFOR and UNMIK, as well as the non-governmental organizations and UN organizations, such as UNESCO, is to assist these communities in laying the groundwork for a society in which they can coexist and develop side by side. “Someone has to start somewhere, they argue, because without reconciliation there can be no real peace. The problem is that there are no set recipes for achieving this, and it will take a long time - at least one generation, according to Bernard Kouchner the UN administrator for Kosovo, who prefers to speak of restoring “peaceful co-existence” rather than a multi-ethnic society.

According to Kelly and Hamber (2005), reconciliation should ideally permanently stop the past from serving as the catalyst for a

fresh conflict. It solidifies the state of peace, ends the cycle of violence, and supports recently created or reinstated democratic institutions. Realizing such a comprehensive reconciliation is difficult in practice. The aftermath of a violent past makes the quest for harmonious cohabitation a risky and complex endeavour. Reconciliation is a continuous willingness to let go of the oppression of violence and fear rather than a singular deed. It is a process rather than an event, and typically a challenging, drawn-out, and uncertain one with a number of steps and stages. Hence, the importance of a new school curriculum for the province's children - those who will lead Kosovo tomorrow. An education for reconciliation program needs a number of basic components and the school system must incorporate lessons on justice, tolerance, and peace. Therefore, reconciliation education should:

- “Promote an understanding of the causes, consequences and possible resolutions of conflict and estrangement on the personal, social, institutional and global levels.
- Introduce and develop the skills necessary to rebuild relationships torn apart by violent conflict.
- Develop an understanding and accommodation for the differences that may exist in experience, ethnicity, religion, political beliefs and so on. It must be rooted in fundamental values such as respect, dignity and equality, be concerned with issues of pluralism in general, and address specific issues of culture, identity, class and gender” (Bloomfield et.al., 2003).

7.2. Poverty

Poverty is one of the challenges inherited from the past and which has forced many children to leave school and do different jobs to ensure survival or even to help their families. “The challenge

for our children is their engagement in physical work, especially in rural areas. For example harvesting trees or working with pesticides in agricultural work are difficult activities for children. Some jobs are more dangerous for children, so we as a society must take care in this aspect. Laws must be completed and everything possible must be done to protect children from work that is dangerous for their health. So, it is necessary that the laws are continuously reviewed and supplemented” (Respondent 3-M).

Not infrequently, even parents force their children to work or drop out of school due to lack of means to provide education. Although there is a lack of accurate information regarding children's employment, it is evident that a large number of children work in industries including agriculture, waste collection, loading and unloading, etc. All of these jobs put their health in jeopardy and hinder their academic achievement. In order to guarantee that children's rights are upheld and that all children, adolescents, and young people are healthy, protected, and integrated so they can attain their full potential, UNICEF extended its assistance to children and families in Kosovo in 2022. Kosovo has the youngest population in Europe, with an average age of 26. This "demographic dividend" has the potential to be a significant economic and social development accelerator. However, many children and teenagers, especially the most vulnerable, continue to have inadequate access to high-quality health, education, and other social services. Kosovo has a poverty rate of around 23%, with 7% of children experiencing extreme poverty. The pressure on these kids and their families increased in 2022 when they experienced a spike in inflation. Bread and cereal prices, as well as the costs of meat, dairy products, and baby food, all climbed by more than 4%, contributing to the overall increase in inflation.

Kosovo continues to have some of the lowest child health statistics in the area, despite a recent increase in the funding for basic

healthcare. Child mortality rates in Roma, Ashkali, and Egyptian communities, where immunization rates are low and access to clean water and sanitation is limited, are four times higher than the EU average and eight times higher than the EU norm” (UNICEF, 2022, p.3). One of the issues that the institutions of Kosovo continue to face is the provision of social services for vulnerable populations, especially the handling of cases of children exposed to child labour. Poor service delivery has been caused by a lack of social worker profiling, inadequate resources to support municipalities after the transfer of responsibility to provide social services through Social Work Centers, and insufficient funding for the institutions providing these services, (International Labour Organization, 2020). Three choices are given for how to pay for social services for people who were the victims of child labour. The budget might first be gradually moved from the line Ministry to the municipalities. Second, comparable to the grants for health and education, the government can create the Third Special Grant for Municipalities. Thirdly, municipalities can finance social services using their source of income (ILO, 2020).

The Kosovan economy grew consistently more than the Western Balkan average in the post-global financial crisis period. GDP per capita increased from €898 in 2000 to €3,679 in 2019. Nevertheless, Kosovo remains the third-poorest country in Europe. Kosovo’s GDP, which grew by 4.17% in 2019, was expected to shrink by 4.5% in 2020, according to the World Bank. Still, the country’s economy is projected to rebound to achieve 5.2% growth in 2021. The inflation rate stood at 2.7% in 2019 (having averaged 2.0% between 2003 and 2018) and was 0.7% in early 2021. While other Western Balkan countries face stagnation or contraction due to falling exports and foreign investment, Kosovo was still able to count on remittances from Kosovans living abroad (15.3% of GDP in 2017) and diaspora investments in

the real estate sector (Bertelsmann Stiftung, 2022). The trade balance and unemployment haven't been greatly improved by this policy, though, thus far. In Kosovo, there is a considerable gap between planning and execution, suggesting that good intentions on the part of policymakers are not consistently followed through with outcomes. In order for children in Kosovo to equally realize their rights and outcomes, considerable obstacles still need to be overcome. Poverty is still a brutal reality for many people in Kosovo. Child labor, child marriage, and limited access to healthcare are only a few of the detrimental effects of poverty on the realization of children's rights in Kosovo. Living in poverty is a major contributing factor to many issues that affect how well children's rights are being upheld in Kosovo, including child labor, child marriage, limited access to resources, and poorer socioeconomic outcomes. Women, children, members of racial and ethnic minorities, those with disabilities, and rural areas are particularly affected by poverty in Kosovo (World Bank Group, 2017).

The development of democracy, justice, equality, and the battle against poverty are all powerful notions that depend on the success of the state and the establishment of a developed society, respectively. In addition, the right to education is a fundamental right in light of the protections for children's rights provided by international agreements and applicable domestic laws, playing a crucial part in the learning, upbringing, and development of a child's full potential. In its Sustainable Development Goals for 2030, the United Nations has identified education as goal (SDGs 4) that is fundamentally split and articulated by focusing on quality education, with the premise that "Achieving a quality education is the foundation for creating sustainable development (UN 2015; Strategy for the rights of the child 2019-2023).

7.3. Child trafficking

Child trafficking is another challenge requiring continuous commitment. Although it falls short of the basic requirements for the eradication of trafficking, the Kosovo government is making major efforts in that direction. Kosovo remained on Tier 2 because the government showed overall increased efforts compared to the last reporting period, taking into account the COVID-19 pandemic's potential impact on its capacity to combat trafficking (U.S. Department of State, 2022). Sex trafficking and labour trafficking were made crimes under Article 165 of the Criminal Code, which also set penalties of five to 12 years in jail and a fee for crimes involving adult victims and five to 15 years in prison and a fine for crimes involving children. These penalties were severe enough and, in terms of sex trafficking, comparable to those set down for other major crimes like rape.

The majority of victims of internal trafficking experience sexual exploitation. Although Kosovo criminal groups also coerce women from Albania, Moldova, Romania, Serbia, and other European nations into sex trafficking, which occurs in private houses and apartments, nightclubs, and massage parlours, many sex trafficking victims in Kosovo are girls. Roma, Ashkali, and Egyptian communities that are marginalized are susceptible to forced begging and sex trafficking. Kosovo, Albania, and other neighbouring countries children are made to beg inside the nation. Some trafficking crimes are made possible by environments where there is actual or perceived government corruption, (U.S. Department of State, 2019). Globally, child trafficking, child labour, child soldiers, and educational access continue to be major problems for the children around the world. Increasing awareness of the need of listening to children's voices and involving them in decisions that affect their lives and wellbeing.

8. Conclusions and Recommendations

Ethnic differences, socio-political tensions, and the aftermath of violence continue to be obstacles for the development of an inclusive and united community. To resolve these issues and promote a common sense of identity among diverse people, reconciliation initiatives, socio-economic development, and intercultural discussion are still essential. There are reasons for optimism and advancement due to Kosovo's rich cultural legacy, resilient populace, and aspiration for peace and development. A more peaceful and prosperous Kosovo can be achieved via valuing diversity, encouraging cross-cultural interaction, and strengthening communities. Comprehending social, cultural and religious aspects is essential for promoting social unity, safeguarding cultural heritage, and cultivating a diverse society in which every community can prosper in harmony. Reconciliation, communication, and inclusive development initiatives are therefore important for creating a more promising and cohesive future for Kosovo.

It is vital to invest in the preservation and promotion of children's and youth's rights in a country like Kosovo where they account for over 60% of the population. Investing in adolescents and children also means investing in the future. Children who are involved with the legal system should have access to proper care and assistance. This global principle, which is based on the Convention on the Rights of Children (CRC), and namely the 'best interests' principle, is also incorporated into the Constitution, making it directly applicable in the Kosovo legal system. Kosovo has unique features related to its politics, economy, culture, social structure, and more. These distinctive qualities highlight the need for customized strategies when tackling complex challenges such as the consequences of armed conflicts on children. Programs and policies must be specifically adapted to the unique contextual characteristics of the area in order to properly fit with the needs of children.

Recommendations:

- Promote and defend children's rights;
- Promote social interaction, teamwork and tolerance;
- Educate children to peace by creating a peaceful learning environment, and promoting interaction and cooperation amongst different ethnic groups;
- Create and support mental health programs and counselling services ;
- Train educators to make learning environments supportive and attractive;
- Give children financial aid and scholarships;
- Create inclusive education teaching materials and teaching strategies;
- Stop child exploitation, abuse, and strengthen child protection systems and mechanisms;
- Offer financial support and aid to children affected by the war;
- Promote social cohesion, equity and gender equality;
- Set up for a where children can voice their needs, and concerns;
- Include peace education and human rights curricula in schools and universities to build a culture of non-violence and respect for diversity;
- Include education on conflict resolution and human rights;
- Inspire parents to take an active role in their children's education;
- Improve digital learning opportunities, particularly for pupils in distant places;
- Encourage diversity, inclusion, and tolerance in educational institutions.

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