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Compensation of Material and Non-Material Damages to Crime Victims by the State in the Republic of Kosovo

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Abstract

The role of the state in providing legal and financial support to crime victims is vital, particularly for all individuals or groups affected by various criminal acts. This paper explores the mechanisms through which states offer assistance to victims, including counseling, healthcare, ongoing education on victims rights, and financial compensation for both material and non-material damages. Legislation enacted by states outlines specific criteria and programs aims at aiding crime victims in their rehabilitation and return to their normal life. The compensation system for crime victims varies from one country to another. This paper focuses on the compensation of crime victims in the Republic of Kosovo, a relatively new institute, not only in our country but also in the entire region. It examines the compensation of material and non-material damages as a fundamental right of victims, considering instances where the damages result from criminal offences and the corresponding obligations of the state. Furthermore, it analyzes the effectiveness of state compensation of victims well-being, drawing insights from relevant data on access to compensation by crime victims in Kosovo. This study highlights the importance of the state intervention in compensating crime victim, aiming to mitigate the impact of criminal acts and facilitate the victims recovery and reintegration into society.

Keywords: Crime Victims, Compensation, Law, Damages etc.

Introduction

This paper addresses the topic of compensation for material and non-material damages to crime victims by the state, specifically in cases where a victim cannot be compensated by the perpetrator, and in such instances, compensation is provided by the state.

The paper discusses the right to compensation for material and non-material damages by the state, based on the Constitution of the Republic of Kosovo, relevant legislation, and other legal mechanisms. This section explains how this right is granted to citizens when they meet the required legal conditions. Within the context of the topic addressed in this paper, this section is the first and introduces this aspect.

The paper also covers the obligation of the perpetrator of a criminal offense when they cause harm to a victim, both materially and non-materially. This obligation to compensate the victim's damages is a responsibility of the perpetrator. If the perpetrator is unable to compensate the victim, the state intervenes to provide compensation for both material and non-material damages.

In chronological order, the paper discusses the compensation for material and non-material damages by the state in the Republic of Kosovo. This section provides an overview of the historical development of state compensation for victims, as well as the stages this legal

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institution has gone through. Within this section, the conditions, forms, amounts, procedures, and the relationship to the damages caused by the perpetrator of the criminal offense are elaborated in detail.

The most important part of this paper is the research and analysis of cases of compensation provided by the state. This section explores individual cases, their specifics, trends in the increase of compensation, and the effects of state compensation for crime victims. It presents concrete data and elaborates on the relationship between them in terms of the development and advancement of this right for victims who meet the required conditions. In this paper, this section represents the research component.

Based on the research conducted in this paper, conclusions have been drawn that are based on the analysis of the data and will be significant for this topic and for those who read this paper. The hypothesis of this paper examines whether crime victims in Kosovo are compensated for material and non-material damages by the state, and the trends in the development of this process. The aim of this paper is to investigate the topic of crime victim compensation in Kosovo by the state. This section will provide insight into the conclusions drawn, which are crucial for understanding the development of this policy and for those who will read this paper.

Compensation for Material and Non-Material Damage is A Right for the Entities That Cause the Damage.

In the framework of the relations of obligations, there are the sources of the right of obligations, divided into formal sources and material sources. In the framework of material resources, situations and legal facts are included through which the relations of obligations can be created, changed and extinguished. In addition to other aspects, within the context of the compulsory relationships concerning material resources, the infliction of the damage is also an integral part.

The infliction of damage, as a source of obligations, is treated in two forms. As part of legal science, the infliction of damage, is treated with the the Law of Obligations which originate from Roman law and continues until present day, which constitutes an advanced development, having different theories.

In addition to this, the infliction of damage as a source of obligations is also part of positive law, which has a development and advancement in different stages of time. Even our legal system has incorporated the causing of damage as a source of obligations and is part of the positive law in the country. The regulation within the framework of positive law, the cause of damage as a source of obligations, is defined within the Law on Obligations.

According to the Law on Obligations, Article 136 par.1, defines: "*Whoever causes damage to another has the duty to compensate him, unless it is proved that the damage was caused without his fault*" which clearly defines that the person who causes damage to another person, has an obligation to compensate.

This is related to article 137 where it is emphasized that "Damage is the reduction of one's property (ordinary damage) and the prevention of its growth (lost profit), as well as causing physical pain, psychological suffering or fear to another (non-material damage))" where it is clearly seen that the damage is not only defined as damage in the sense of the reduction of wealth but also in the actions that affect the prevention of the growth of wealth but also in the emotional/immateral damage caused.

This is related to article 137 where it is emphasized that “*Damage is the reduction of one's property (ordinary damage) and the prevention of its growth (lost profit), as well as causing physical pain, psychological suffering or fear to another (non-material damage)*)” where it is clearly seen that the damage is not only defined as damage in the sense of the reduction of wealth but also in the actions that affect the prevention of the growth of wealth but also in the emotional/immateral damage caused.

Further, the Commentary of the LOR defines that - Lost profit, in contrast to the reduction of wealth that represents the real damage, means the evident profit in the future, which the injured party would benefit, if the damage did not occur. Even the lost profit can be contractual and non-contractual, respectively delictual and at the same time a condition for its recognition.

The commentary also emphasizes that regardless of the causes foreseen in Article 183 par. 1 of the LOR, the violation of human personality rights is a reason and cause for compensation. This can be seen from the provision of Article 139, which defines the protection of personality also in the field of civil rights guaranteed by the Constitution.

The Constitution of the Republic of Kosovo, in addition to other fundamental rights and freedoms, in Chapter II, guarantees human dignity (Article 23), the right to personal integrity (Article 26), the right to freedom and security (Article 29) , the right to freedom of movement (Article 35), the right to privacy (Article 36) as well as many other freedoms and rights deriving from the Constitution of the Republic of Kosovo and from international agreements and instruments provided by the Article 22 of the Constitution.

Të gjitha këto liri dhe të drejta, në rast të cënimit të tyre, mund të realizohen drejtpërdrejt në bazë të Kushtetutës. Këto liri dhe të drejta të garantuara me Kushtetutë janë të mbrojtura edhe me Ligjin për kompensimin e viktimave të krimit, ashtu që çdokush ka të drejtë të kërkojë nga gjykata ose nga një organ tjetër kompetent të urdhërojë pushimin e veprimit me të cilin shkelet integriteti i personalitetit të njeriut, të jetës personale e familjare dhe të drejta të tjera të personalitetit të tij, e të gjitha këto ndërlidhur edhe me kompensimin e dëmit material dhe jo material, si një e drejtë e viktimave të krimit, që rregullohen me ligjin special për kompensimin e viktimave të krimit.

The Code of Criminal Procedure of the Republic of Kosovo has also defined the compensation of damages from the convicted person, where at the end of a criminal procedure, the court orders the defendant who has been found guilty of a criminal offense to compensate the injured party or injured parties for the damages resulting directly or indirectly from the criminal offense.

The process in which victims of crime are entitled to material and non-material compensation, including other necessary assistance for the damage caused and suffered due to a criminal offense, has gradually passed through several stages and many countries and states have already created the legal framework by which they provide legal protection for these categories as victims of crime.

Compensation for material and non-material damage is a form/method for compensating crime victims which aims to help them recover after a criminal act that has resulted in material and non-material damage. But how is this compensation made? Many states have already regulated this institute and that in different forms, such as: the creation of special funds where, with the request of victims for material and non-material damage, they can obtain the right to compensation in accordance with predetermined criteria.

Another form of their compensation in different countries is presented to us through victim insurance, where, as in other spheres of life, such as health insurance, in the same form there should also be insurance for victims, insurance which can compensate victims of crime. Crime victim compensation is a process in which crime victims receive financial compensation or other assistance for the harm and suffering they have suffered as a result of a criminal offence. This is a way to compensate victims and help them recover after a crime. Also, victims of crime often find support in various organizations, which offer them emotional support, advice as well as financial and legal assistance.

Compensation of Victims of Crime and the Obligation to be Compensated By the Perpetrator of the Criminal Offense.

In the framework of interpersonal relationships, through behavior, a person can infringe or greatly damage human freedoms and rights, as well as other rights and social values guaranteed and protected by the Constitution of the Republic of Kosovo and international law. Therefore, for all these behaviors when we violate or damage these values, society has defined these actions as illegal actions, namely criminal offenses, and in the case then they are violated, it has also defined criminal sanctions.

By giving constitutional and legal protection to freedoms and human rights as well as other rights and social values, it is possible to limit one's violation and damage to these values under the threat of sanctions. This enables inter-human relations to take as a basis that their values must be preserved and not be the object of non-human and therefore illegal actions by which these values are damaged. Although one is limited to the violation of one's values, thus causing damage to one, it happens continuously causing criminal offenses that result in the violation and causing damage to one.

In the case of causing a criminal offense by the perpetrator, in addition to violating human values, we also cause damage against the person against whom the criminal offense was committed.

This is due to the fact that there is no criminal offense which does not cause damage to the victim. Depending on the criminal offense caused to the victim, the damage from this offense can be material or non-material, but the criminal liability is for both or one, depending on which damage was caused. As a criminal offense is caused, which also causes material or non-material damage, consequently we also have the responsibility of the perpetrator for compensating the damage to the victim, since the damage is a derivative of the criminal offense caused.

Compensation for damage that is a derivative of the criminal offense is a legal category. The competent and responsible body that is the Court, when it declares a person guilty of any criminal offense, the court forces the perpetrator of the offense to compensate the victim. "When the court sentences the person who has been found guilty of any criminal offense involving theft, loss, damage or destruction of property, the court will order the perpetrator to make restitution to the victim of the criminal offense. Compensation includes the value of expenses that are equal to the value of any property stolen, lost, damaged or destroyed. Compensation will also be ordered for any loss of income that the victim experiences as a result of the criminal offense and the investigative and judicial proceedings related to that offense".

The existing legislation establishes the initial entitlement to safeguard human values and imposes a corresponding duty to provide compensation in the event of rights infringement. This creates legal security for the values that one has and in case they are violated, their value will be protected and compensated.

Moreover, we have a clear legal definition that the perpetrator is ordered by the Court to compensate the loss or damage to the victim. From this legal definition and regulation, the importance of human values and the obligation for compensation in case they are violated or damaged is highlighted. This creates legal security and limitation of the perpetrator to one's values, that every time he must be careful and not damage them, otherwise the perpetrator will compensate the victim for the stipulated damages.

When the Court has evidence that a criminal offense has been committed, the court pronounces the corresponding legal penalty for this criminal offense. The sentence imposed is against the measure imposed on the perpetrator for the criminal offense he caused. Every punishment must have its own purpose aiming to reach the perpetrator of the criminal offense. Compensation for the damage caused by the illegal action, in particular the criminal offense, is also an integral part of the purpose of the punishment. Among others, the purpose of punishment is also **“to compensate the victims or the community for the losses or damages caused by the criminal offense;”** from this legal definition, one of the purposes of punishment for the criminal offense caused is for the perpetrator to compensate the victims for the caused damage. Among the objectives of punishment, compensation for the damage of the victims is the obligation that is charged to the perpetrator of the criminal offense after he has caused the violation or damage to the values of one, namely the victim.

After the court certifies that the perpetrator of the criminal offense is responsible for the criminal offense and consequently also for the damage caused, the court, in addition to imposing the main punishment on the perpetrator, can also impose a supplementary punishment. Among others, supplementary punishment is also “the order for the compensation of loss or damage;” When we refer also to this, the harshness towards the perpetrators of criminal offenses rises to a higher standard, since the part of the compensation is also included in the complementary punishments and this makes the perpetrator of the criminal offense even more responsible through which material or non-material damage is caused.

Why the compensation of the victims is of great importance is proven by the fact that the Court, in the case of softening or toughening the punishment, also takes the compensation of the victims into account. This fact is also a legal regulation, where the court “When determining the sentence, takes into account but is not limited to the following mitigating circumstances: the testimony that the convicted person gave for the compensation of the victim;” This is also a great evidence of how important it is to compensate the victim, the more important it is that the victim receives the counter value of what was caused to him as material or non-material damage.

Compensation of crime victims by the state, the case of Kosovo.

Referring to the positive law in Kosovo, when the criminal offense is committed, we also have material and non-material damage caused to the victim. Therefore, in these cases, the perpetrator of the criminal offense has the obligation to compensate the victim, while the victim has the right to this compensation. When we refer to the purpose of punishment, one of the purposes is “to compensate the victims or the community for the losses or damages caused by the criminal offense;” where the compensation of the victims is one of the aims of the punishment.

Referring to the practical aspect within the legal system in the Republic of Kosovo, not every time the victim succeeds in obtaining compensation from the perpetrator, this is due to the fact that the perpetrator in many cases does not have the capital and will to be able to compensate the victim's. In these situations, the victim remains uncompensated despite the fact that he has

rights, recognized by the law and the court decision, but in practical terms he cannot achieve compensation in financial means. Seeing the extremely difficult situation of many victims, after criminal offenses and their inability to realize compensation from the perpetrator of the criminal offense, the state has planned to compensate these victims.

The initial idea for a fund and to regulate the compensation of crime victims in Kosovo by the state, was presented in 2015 when the first law regulating this issue was drafted and approved, Law no. 05/I-036 on Crime Victim Compensation. Being the first normative regulation within the legal system of the Republic of Kosovo, the purpose of this Law is to “create and operationalize the program for compensation of victims of crime” with a specific scope of how: “This law regulates the right to compensation financial support of victims of violent criminal offenses and their dependents, decision-making authorities as well as procedures for realizing the right to compensation in local and cross-border situations”. It can be seen, from the purpose and scope of the normative regulation, that we have a pro-active approach from the state so that the compensation of crime victims have a legal regulation, which will be set in motion, for the compensation of crime victims, in cases when this is not fulfilled by the perpetrator. In this case, it is the state that is activated for compensation as a right of crime victims.

The beginning of the implementation of compensation for victims of crime through the new legal regulation had its own challenges, initially because there was not enough information for the victims that they can realize this right, then also the relevant institutions were not sufficiently informed that how to deal with victims of crime, in terms of notifying, providing assistance to victims and completing the relevant documentation.

Regarding the notification and functionalization of the mechanism of compensation for victims of crime by the state, international and local organizations in Kosovo have given a special role and importance, helping this process, with special emphasis on the drafting of legislation and awareness campaigns. The subsequent part of this paper will cover compensable acts and conditions, immediate compensation, regular compensation, types of compensation and amounts of compensation, submission of the request and deadlines.

Compensable Acts and Conditions - Unlike the law of 2015, according to which the categories of criminal (violent) offenses are listed which fall into the category of compensable offenses, and where the offenses are specified[1], according to the law of 2022, compensable violent offenses are all acts resulting in: the death of the victim, serious bodily injury, serious damage to physical health, or damage to mental health. So, it is a substantial difference from the textual count of offenses, in that any offense which results in these consequences.

It is worth noting that an exception is made here for criminal offenses against public traffic safety, because these offenses, even if they resulted in consequences, are not covered under this law. So it is a substantial change, which places the victim in the epicenter, regardless of the offense (except for criminal offenses against public traffic safety). Also, in contrast to the previous law, where, among other things, the criminal offense must be punished with a minimum of one year of imprisonment; as well as that the criminal offense was not committed due to carelessness, always in function of easing these criteria and having the victim in the epicenter, these criteria with the new law are not defined[2].

Immediate Compensation - The possibility of immediate compensation, namely the request for immediate access to compensation is one of the main elements that is available to all victims of crime, when we are dealing with: child victims, victims of human trafficking, victims of rape,

victims of criminal offenses that fall within the definition of domestic violence as well as family members of the deceased victim.

Immediate compensation can be requested for funeral expenses, expenses paid by the victim or a family member on behalf of the victim, including but not limited to compensation for physical injury or health damage, compensation for mental health damage, compensation for injury or the destruction of medical equipment, as well as compensation for other reasonable expenses which the Committee estimates can be included in immediate compensation, up to a maximum of five hundred (500) euros. Compensation for physical injury or health damage, compensation for mental health damage, compensation for damage or destruction of medical equipment, where the maximum value of immediate compensation cannot exceed the amount of three thousand (3000) euros.

In order to benefit from immediate compensation, the following conditions must be met: the criminal offense was committed against a vulnerable victim[1]; and the victim is in a difficult financial situation; beneficiary of social assistance or in a similar situation. Regarding this type of compensation, the request can be submitted within a period of three (3) years from the reporting of the criminal offense to the competent authorities, whereas the relevant Committee must take a decision on the request within 30 days from the day of completion of the material.

Regular Compensation - The regular request for compensation is submitted after the regular court procedure is completed, respectively after the verdict becomes final. In order to request regular compensation, the applicant is obliged to first request compensation from the defendant in criminal proceedings in accordance with the Code of Criminal Procedure[2], except in cases where the victim documents that it was impossible to present a such request. In cases where the defendant does not compensate the victim, the victim has the right to submit a claim for compensation from the crime victim compensation program, as well as in cases where the defendant only partially compensates the victim, then the victim has the right to submit a claim for compensation additional from the crime victim compensation program.

Also, regular compensation can be requested in cases where the compensation will not be possible to be realized by the perpetrator due to the following circumstances: if it is proven that the person was a victim but the perpetrator is not criminally responsible, the perpetrator is unknown, has died, fled and is inaccessible to the justice authorities, the perpetrator is unable to pay the compensation, is a beneficiary of social assistance or in a similar situation, two (2) years have passed since the reporting of the criminal offense and there is no having filed the indictment, the relative or absolute statute of limitations has been reached.

Types of Compensation and Compensation Amounts

The types of compensation are: Compensation for physical injury or health damage; the amount as follows: when moderately severe injuries, damages or illnesses lasting more than six (6) weeks, which result in disability for that period, making it impossible to realize income. Compensation will be given in a single amount, calculating no more than one hundred and **fifty (150) euros per month** from the presentation of the injury or damage according to this article, but in no case shall exceed the maximum amount of **two thousand (2,000) euros**; and when serious injuries, damages or illnesses with visible or functional, long-term or permanent consequences, or which were objectively life-threatening. The calculation of the compensation for this category is done in accordance with what was emphasized above and shall not exceed the maximum amount of **four thousand (4000) euros**. In cases where we have expenses for

hospitalization, medications and other follow-up services necessary for treatment, the victims are recognized the right to compensation up to the maximum amount of **five thousand (5,000) euros**, as long as they can document those expenses;

And if the Committee, regardless of the type of injury, damage, or illness and medications or other follow-up services received, deems it reasonable, it can, by unanimous vote, increase the maximum compensation up to **ten thousand (10,000) euros**. Compensation for mental health impairment; Compensation up to the value of three thousand (3000) euros can be given for: documented expenses for the services of specialists for outpatient treatment to remedy the created condition; projected expenses for the services foreseen for the remediation of the created condition, if it is ascertained by the specialists in the field that the damage is of such a nature that it requires continuous treatment; hospitalization expenses, medications and other follow-up services, compensation for mental suffering; is given in a **fixed amount of two thousand (2000) euros**.

Compensation for mental suffering for the loss of a family member; and cannot exceed the amount of **three thousand (3000) euros** in total for all members of the victim's family. Compensation for the loss of the right to maintenance; will not exceed the maximum amount of **three thousand (3,000) euros** for all dependents. Compensation for funeral expenses; this compensation is given in a fixed amount of **one thousand (1,000) euros**. Compensation for damage or destruction of medical equipment: shall not exceed the maximum amount of **three thousand (3,000) euros**.

It is worth stating that the amount of compensation for a certain type of damage according to this law will be reduced for the part of services covered free of charge by public health institutions, compensation received by the perpetrator, compensation received from public or private health insurance, compensation from other public funds, or compensation received from other compensation programs inside or outside the country, if they are covered on behalf of the same damage respectively from the same basis.

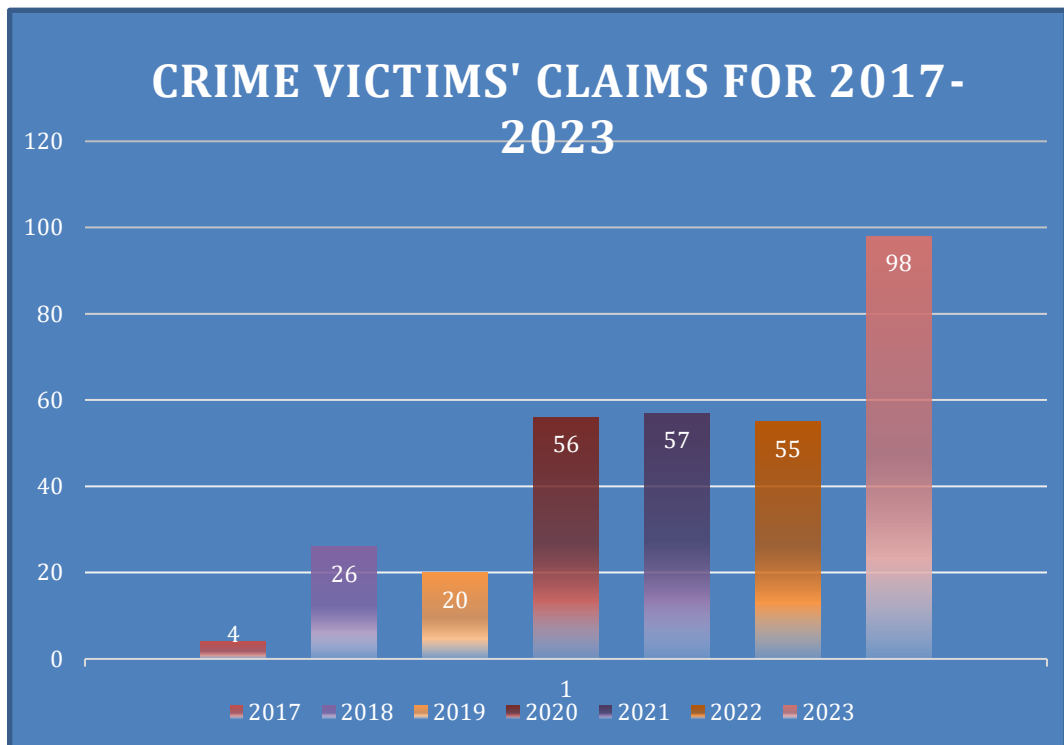
Commission for the Compensation of Victims of Crime, Submission of the Request and Deadlines

The Committee for Crime Victim Compensation is a professional mechanism appointed by the Government of the Republic of Kosovo, and is composed of 1 (one) judge of the Supreme Court, who holds the position of Chairman of the commission, 1 (one) representative from civil society and 1 (one) doctor from the field of Psychiatry. The Committee can hold a meeting when 2/3 of the members are present, and they have to decide as follows: for the request for immediate compensation, the Committee takes a decision within thirty (30) days from the day of receiving the complete documentation, while, for the request for regular compensation, the Committee takes a decision within ninety (90) days from the day of receiving the complete documentation.

The request for compensation is submitted to the Ministry of Justice, addressed to the relevant support unit of the Committee for Crime Victim Compensation, in one of the following ways: directly, by mail; or by electronic mail (e-mail), together with the completed documentation. The request can be submitted within the period of three (3) years from the acceptance of the omnipotent verdict, or the acceptance of the notification by the applicant about the existence of other circumstances that enable the submission of the request for compensation.

Based on the article 113, par 39 of the Code no. 06/L-074 Criminal Code of the Republic of Kosovo: Vulnerable victim - is a victim of a crime who is a child, a physically or mentally

handicapped person, a person suffering from diminished capacity, a pregnant woman, the elderly or a person whose relationship to and dependence on the offender make them particularly vulnerable to repeat victimization, intimidation or retaliation.] Article 459, paragraph 4, of the Code of Procedure, among other things, stipulates that: The party is informed that failure to submit the proposal may exclude the injured party from the Victim Compensation Program even if the party would meet other eligibility criteria according to the law in force.



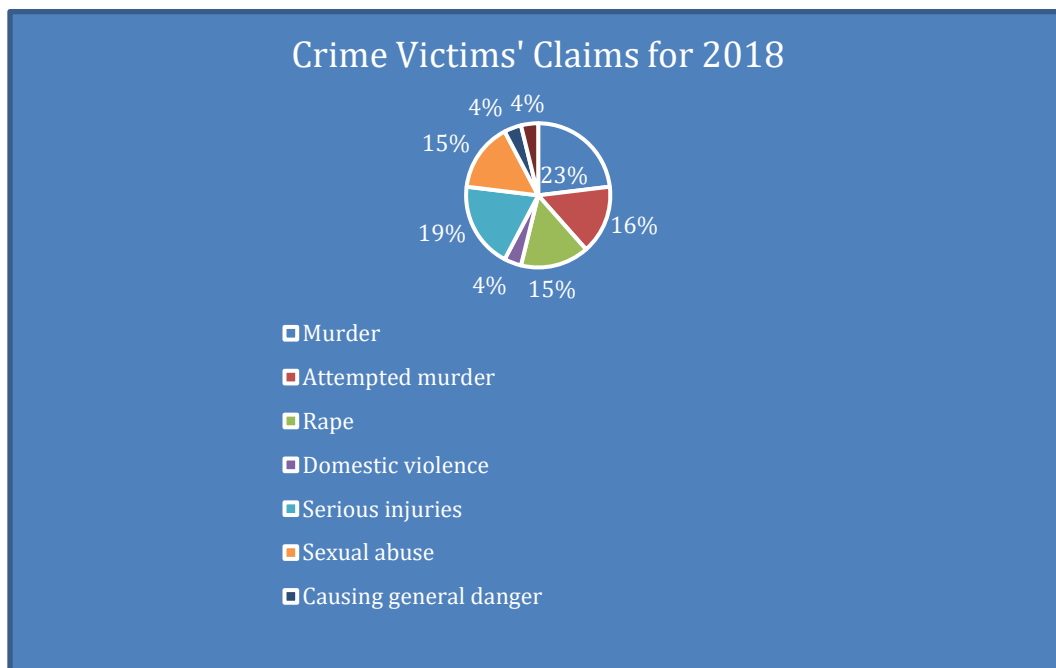
The Development and Impact of Victim Compensation in Kosovo Throughout the Years

The table with data on the number of claims from crime victims in the years 2017 - 2023, addressed to the Committee, shows that at the beginning the number of requests was very low (year 2017) comparing to 2023. The increase in the number of claims from victims of crime is attributed to informing and sensitizing victims, for the possibility of submitting a claim for compensation for victims of crime.



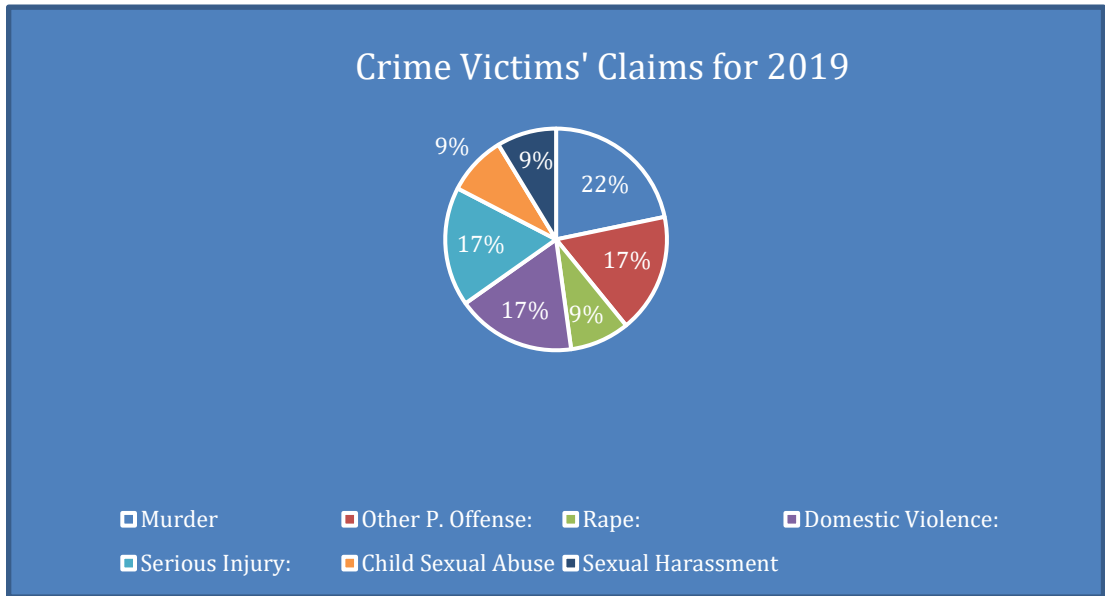
The claims of victims of crime, in 2017, were for following criminal offences: murder (50%); rape (25%) and Human Trafficking (25%).

It can be clearly seen from these data, that the claims were made only for three categories of criminal offenses, where murders dominate with the largest percentage.



The claims of victims of crime, in 2018, were for following criminal offences: murder (23%); attempted murder (15%); violence (15%); domestic violence (4%); minor injuries (19%); sexual abuse (15%); causing general danger (4%); and trafficking in human beings (4%).

This proves that the claims were made only for eight categories of criminal offenses, where murders dominate with the largest percentage. It is noticeable that in 2018 there is an increase in the number of claims for compensation of victims of crime, consequently also informing and sensitizing the victims for addressing the claims.



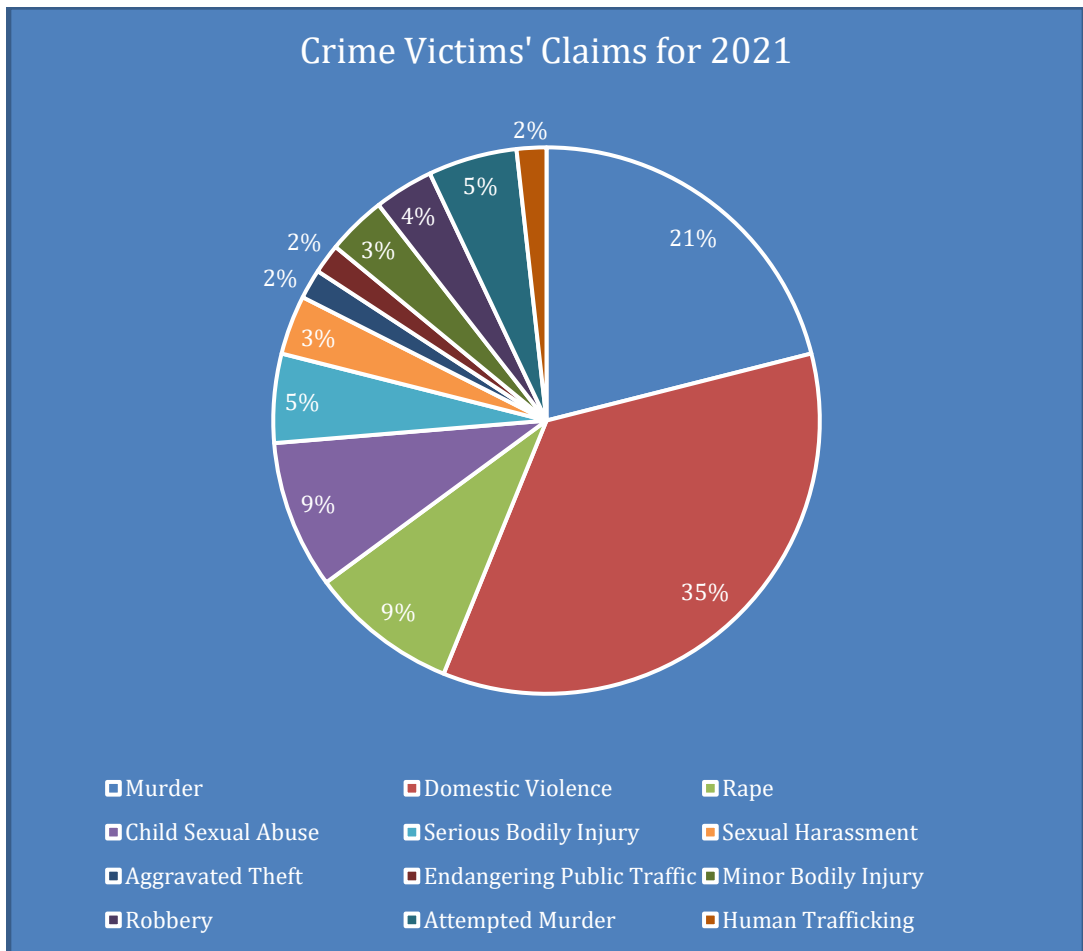
The claims of victims of crime, in 2019, were for following criminal offences: murder (22%); Other ocriminal offenses (17%); violence (9%); domestic violence (17%); grievous injuries (17%); sexual abuse of children (9%); sexual harassment (9%).

This proves that the claims were made only for seven categories of criminal offenses, where murders dominate with the largest percentage.



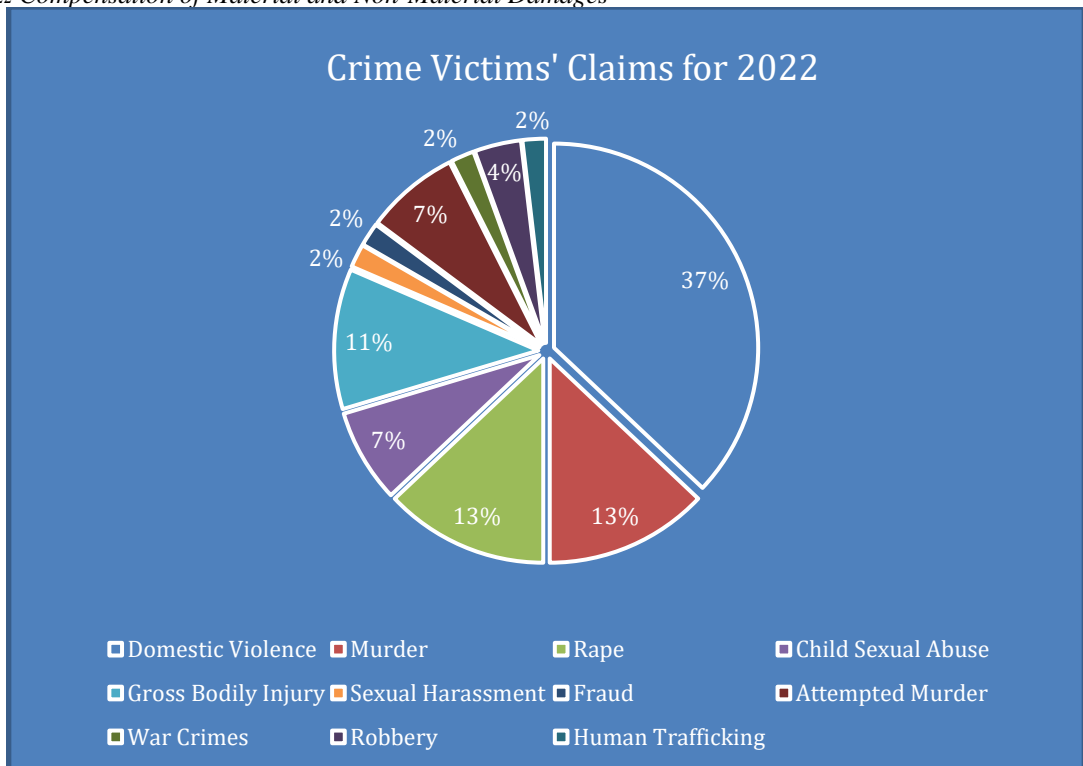
The claims of victims of crime, in 2020, were for following criminal offences: rape (16%); domestic violence (25%); grievous injuries (13%); sexual abuse of children (9%); sexual harassment (6%), human trafficking (13%); minor bodily injury (6%); robbery (3%); money laundering (13%).

This proves that the claims were made only for nine categories of criminal offenses, where claims for the crime of domestic violence dominate, with the largest percentage.



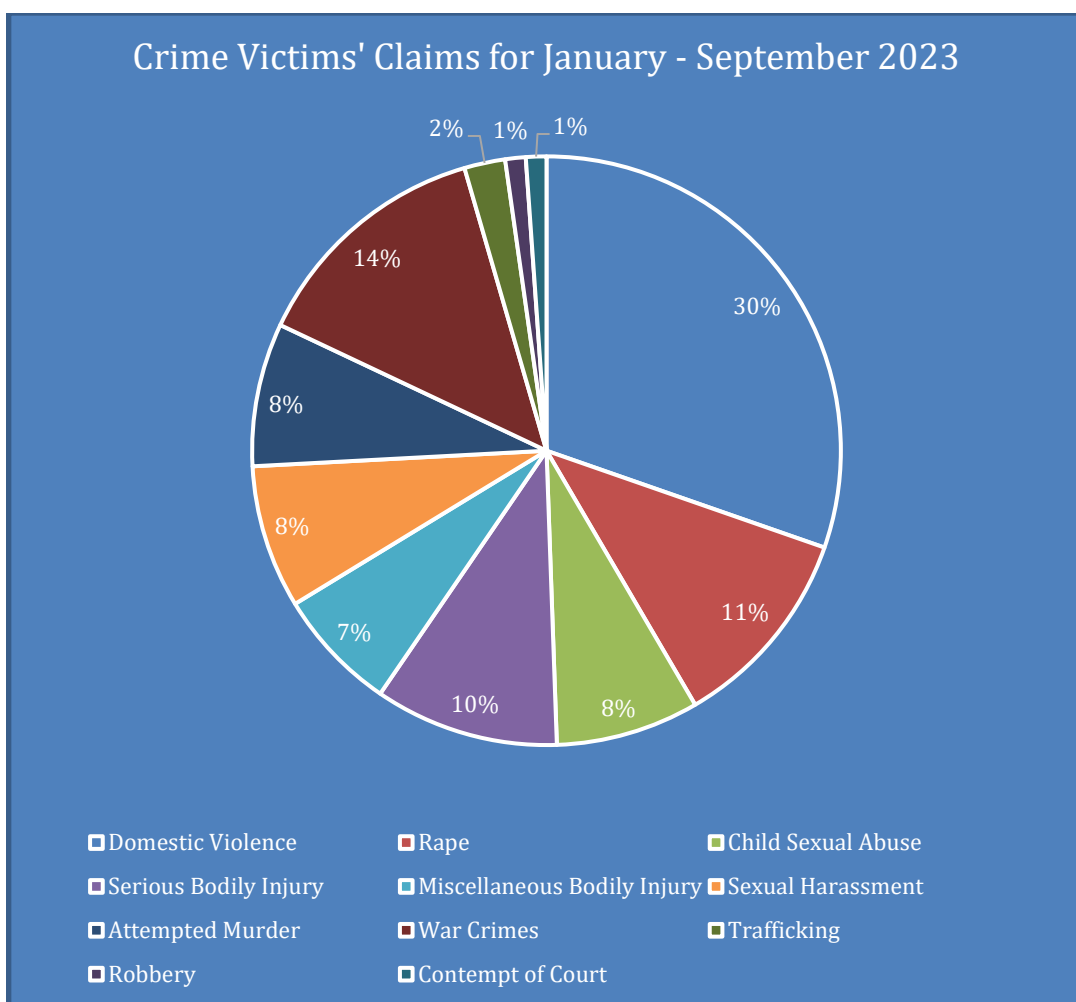
The claims of victims of crime, in 2021, were for following criminal offences: murder (21%); domestic violence (35%); violence (9%); sexual abuse of children (9%); grievous injuries (5%); sexual harassment (4%); aggravated theft (2%); endangering public traffic (2%); minor bodily injury (2%); robbery (3%); attempted murder (5%); trafficking in human beings (4%).

This proves that the claims were made only for twelve categories of criminal offenses, where claims for the crime of domestic violence dominate, with the largest percentage.



The claims of victims of crime, in 2022, were for following criminal offences: domestic violence (37%); murder (13%); violence (13%); sexual abuse of children (7%); serious injuries (11%); sexual harassment (2%), fraud (2%), attempted murder (7%); war crimes (2%); robbery (4%); trafficking in human beings (2%).

This proves that the claims were made only for eleven categories of criminal offenses, where claims for the crime of domestic violence dominate, with the largest percentage.



The claims of victims of crime, in 2023, were for following criminal offences: domestic violence (30%); violence (11%); sexual abuse of children (8%); grievous injuries (10%); minor bodily injury (7%); sexual harassment (8%), attempted murder (8%); war crimes (14%); trafficking in human beings (2%); robbery (1%); contempt of court (1%).

This proves that the claims were made only for eleven categories of criminal offenses, where claims for the crime of domestic violence dominate, with the largest percentage.

Conclusions

Through the investigation conducted on this subject, utilizing pertinent data, and adhering to research protocols, we present the data upon which these conclusions are formulated as outlined below:

referring to the fact that the compensation of crime victims in Kosovo by the perpetrators of criminal offenses was very small, this was the fact that was reflected by the state in the creation of the relevant mechanism for compensation of crime victims, as a fundamental right of the

victims. The compensation mechanism for victims of crime in Kosovo began to be implemented for the first time in 2017, being a legal category;

The Republic of Kosovo is the first country in the region that has drawn up the legal basis and functionalized the compensation mechanism for victims of crime, giving victims the right to realize their right to compensation depending on the categories of criminal offenses.

Compensation of victims of crime, being a legal category, has defined regulation which is a function of the victim's access to the compensation mechanism, which foresees a series of facilities for the victims, including the right to immediate compensation, as an opportunity very favorable to victims, especially vulnerable victims.

In 2022, the mechanism for compensating crime victims was reformed. In this reform, the elimination of the legal obstacles identified during the implementation was reflected, the number of criminal offenses for which victims can be compensated has increased, and there is a significant increase in the values for the types of compensation.

An important issue for victims' access to the compensation mechanism is the extension of the application deadline.

On an annual basis, there has been an increase in claims from victims for compensation and this has come as a result of the notification and awareness of crime victims in order to realize their rights;

Based on the number of claims submitted to the Committee, it is observed that the largest number of them were submitted for the criminal offenses of murder and domestic violence, as a growing trend from year to year.

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