



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria - Vlada - Government

**REGULATION (GRK) NO. 18/2024 ON THE DETERMINATION OF
EFFECTIVE PROCEDURES FOR THE IDENTIFICATION,
REPORTING, AND REFERRAL OF CHILD EXPLOITATION,
NEGLIGENCE, AND ABUSE AND PROTECTION OF CHILDREN IN
STREET SITUATIONS¹**

¹ Regulation (GRK) - No. 18/2024 on the Determination of Effective Procedures for the Identification, Reporting, and Referral of Child Exploitation, Negligence, and Abuse, and Protection of Children in Street Situations, has been approved in the 203th Meeting of the Government of the Republic of Kosovo, with the Decision no. 02/208, dated 13.06.2024.

The Government of the Republic of Kosovo,

Pursuant to Article 93 (4) of the Constitution of the Republic of Kosovo, in accordance with Article 26, paragraph 6 of Law No. 06/L-084 on Child Protection and Article 8, paragraph 4 (sub-paragraph 4.5) of Law No. 08/L-117 on Government of the Republic of Kosovo, as well as Article 19, paragraph 6 (subparagraph 6.2) of Regulation No. 09/2011 of Rules and Procedure of the Government of the Republic of Kosovo, (Official Gazette No. 15, dated September 12, 2011),

Approves:

**DRAFT REGULATION (GRK) NO. 18/2024 ON THE DETERMINATION OF
EFFECTIVE PROCEDURES FOR THE IDENTIFICATION, REPORTING,
AND REFERRAL OF CHILD EXPLOITATION, NEGLIGENCE,
AND ABUSE AND PROTECTION OF CHILDREN IN
STREET SITUATIONS**

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The purpose of this Regulation is to define effective procedures for the identification, reporting, and referral of child exploitation, neglect, and abuse, as well as the protection of children in street situations.

**Article 2
Scope**

The provisions of this Regulation are applied by all public institutions at the central and local level, as well as natural and legal persons, including professionals and persons who work with children and have responsibility for their protection.

Article 3 Definitions

1. The expressions used in this Regulation have the same meaning as the expressions in the respective Law on Child Protection.
2. In the entire text of this Regulation, when the effective procedure for the identification, reporting, and referral of exploitation, neglect, and abuse of the child is emphasized, it also implies the protection of the child in a street situation, unless otherwise specified in the respective Article.

Article 4 Guiding Principles

1. In all actions and decisions taken for the protection of the child, the institutions, the community and the family must be guided by the principles proclaimed by the Convention on the Rights of the Child and the respective Law on Child Protection.
2. Institutions, professionals, and individuals throughout the work, operation, and implementation of their mandate must take into consideration and apply with priority the principles stipulated in the respective Law on Child Protection to ensure that the life, dignity, integrity, and best interest of the child are guaranteed and protected at all times.

CHAPTER II EFFECTIVE CHILD PROTECTION PROCEDURE

Article 5 Prevention of child exploitation, neglect and abuse

1. In order to realize the child's rights for protection from exploitation, neglect and abuse, the child protection system must:
 - 1.1. act in the direction of preventing the exploitation, neglect, and abuse of the child;
 - 1.2. enable quick and coordinated action to stop the abuse and protect the child from further abuse and neglect;
 - 1.3. ensure appropriate intervention for the recovery and further safe development of the child.
2. Child protection services must be proactive and reactive, with the aim of preventing and reacting in cases of exploitation, neglect, and abuse of the child, as well as protecting the child in a street situation.
3. Within the framework of their responsibilities and obligations, the relevant institutions undertake initiatives that raise awareness about child protection and care on an ongoing basis.

4.All institutions that work directly with children draw up an internal Child Protection Policy that includes:

- 4.1. prevention of exploitation, neglect, and abuse of the child, as well as protection of the child in a street situation;
- 4.2. raising the capacities of employees to deal with exploitation, neglect, and abuse, as well as the protection of children in street situations;
- 4.3.creation of mechanisms for identification, referral, and reporting of child exploitation, neglect, and abuse, as well as protection of children in street situations;
- 4.4. institutional response and the increase of protective measures that promote the well-being and development of the child.

5.Public, non-governmental, and private institutions, as well as responsible persons who, within their mandate and competences, are directly and indirectly engaged in work with children, participate in the process of protecting the children from exploitation, neglect, and abuse, including cooperation with each other.

6. Process management, coordination, and provision of child protection services are carried out by the Center for Social Work.

Article 6 **Identification of child exploitation, neglect, and abuse**

1. The identification of child exploitation, neglect, and abuse is done by the parent or guardian, the child, as well as every legal and natural person.
- 2.Identification may come as a result of suspicion or concern regarding the vulnerability of the child's well-being.
- 3.In the identification of exploitation, neglect, or abuse of children, the knowledge of signs, symptoms, and risk factors in the child or the behaviors of the child and the family that indicate the possibility of abuse, neglect, and exploitation of the child must be taken into account.
4. The verification of the grounded suspicion can be done directly or indirectly by the child himself or by other persons who have knowledge or a grounded suspicion that the child has been abused.

Article 7 **Consultation and initial treatment within the institution where the identification is made**

1. Any person, upon reasonable suspicion, must consult with the responsible staff within the institution, provided that the consultation process does not slow down or delay the care or urgent protection measures of the child.

2. If necessary, consultations are also made with other services that are supposed to have knowledge about the child and the family in order to collect additional data about the child and the family, assess the risk to the child, and agree on the next steps to be undertaken.

3. If there are no conditions for such consultations at the level of the institution, or it is assessed that the consultation process may endanger the child's interest, the case must be referred and reported without delay to the nearest Center for Social Work or the Police.

4. The Child Protection Policy, drawn up by the institution, defines in detail the cases that can be handled within the institution, the manner of handling these cases, the response and reporting diagram, as well as the determination of the contact point within the respective institution that is responsible for referring the case.

Article 8

Documenting the child's condition and circumstances of exploitation, neglect and abuse

1. Institutions and professionals, according to their legal obligations, identify and document the condition of the exploited, neglected, and abused child.

2. The collected documentation is used as evidence of exploitation, neglect, and abuse of the child, for further child protection procedures.

Article 9

Reporting and referral of suspicions

1. Any person who notices or has information about a suspected situation or a case of physical or mental violence, mistreatment, abandonment, exploitation, abuse, or neglect of a child is obliged to report the case to the police or the respective Center for Social Work.

2. The parent or guardian, as well as any other person, if there is reason to suspect that the child has been subjected to any form of exploitation, abuse, or neglect, is obliged to report the case in writing or verbally to the Police as well as to the respective Center for Social Work.

3. A child protection professional, which includes, but is not limited to: educator, teacher, doctor, dentist, nurse, psychologist, social worker, police, any public or private child protection service provider or representative of non-governmental organizations for child protection, and anyone who has reason to suspect that a child has suffered violence, has been abused, mistreated, abandoned, exploited, or neglected, is obliged to report the case in writing or verbally to the Police, to the respective Center for Social Work, as well as to the respective office for protection and assistance to victims.

4. After reporting the case, the respective Center for Social Work notifies the Police in every case of child protection referral, and vice versa, the Police notify the respective Center for Social Work anytime a case of suspected or identified abuse is reported.

5. All professionals or institutions that refer and report cases must respond to the call of the bodies responsible for handling the cases, cooperate in handling the situation of the child, and implement the protection plan, namely the provision of child protection services.

6. Reporting on the case of a child in need of protection can be done by any means of communication, such as telephone, e-mail, post office, letters, communication with police officers, and relevant child protection structures, by maintaining confidentiality in accordance with the relevant legislation in force.

Article 10

Case management procedures

1. After the reporting and referral of the case of a child in need of protection, the respective Center for Social Work in order to manage the case must take, but not be limited only to, the following steps:

- 1.1. case assessment initial and comprehensive;
- 1.2. individualized plan of child protection services;
- 1.3. implementation of the service plan and case monitoring;
- 1.4. case closure.

2. The protection of the child is carried out through taking protection measures, respecting the rights of the child, and providing services, as per the needs, that correspond to the best interest of the child.

Article 11

Initial and comprehensive case assessment

1. Following the referral of the case of the child in need of protection, the Center for Social Work is obliged to take all necessary actions and measures to verify the information and assess the case.

2. Case assessment includes an initial assessment and a comprehensive assessment.

3. The initial assessment is a quick assessment of the level of risk based on the available information. The Center for Social Work, in cooperation with the relevant institutions, is responsible for the initial assessment.

4. The initial assessment must be done and include:

- 4.1. the safety of the child and the short-term risk level;
- 4.2. provision of necessary and urgent services.

5. After the initial assessment, the Center for Social Work, in coordination with the relevant institutions, drafts the professional evaluation report.

6. The comprehensive assessment identifies:

6.1. the short-term, medium-term, and long-term risk levels that the child is currently facing;

6.2. the child's needs, which correspond to his age and development;

6.3. the capacity and potential of the child, the family, and, if necessary, the wider family;

6.4. the comprehensive assessment must be completed in accordance with the deadlines set in the minimum quality standards.

7. Comprehensive assessment process in:

7.1. listening and talking with the child in accordance with the child's age and communication skills, with parents, family members, and other persons related to the child's and family's condition;

7.2. collection and analysis of relevant data by experts of other services whereby the child and family have benefited from the services of relevant institutions;

7.3. assessment of the injuries caused to the child, namely assessment of the risk to which the child is exposed;

7.4. identification of measures and services that can be used to protect the child in the family;

7.5. decision regarding further measures and services at the Center for Social Work or other services.

Article 12

Individualized plan of child protection services

1. The individualized plan of child protection services is drawn up by the case manager in cooperation and coordination with the team of the guardian body at the Center for Social Work.

2. The individualized plan of child protection services contain:

2.1. determination of objectives and actions in working with the child and the family in order to fulfill the needs and realize the rights of the child;

2.2. setting of deadlines;

2.3. professionals responsible for implementing the actions of the child protection service plan.

3. In cases where it is assessed that there is a risk to the well-being and safety of the child, the case manager schedules a meeting with the Multidisciplinary Roundtable for Assistance in Case Management in order to develop a joint plan for the assessment and coordination of actions for the provision of further services.

4. If a decision is made to place the child in alternative housing, the child must be housed as soon as possible, as a measure of immediate intervention.

5. The Center for Social Work must immediately start the procedure of finding a permanent, long-term solution for the child in a biological family or abroad.

Article 13 Implementation of the service plan and case monitoring

1. Implementation of the plan for protecting the child from exploitation, neglect, and abuse also includes the process of monitoring and assessing the adequacy of the planned and undertaken measures, as well as the deadlines for review.

2. This procedure should also be conducted in cooperation with all services involved in the community; cases should be handled and decisions should be made in joint meetings at the Multidisciplinary Roundtable for Assistance in Case Management.

3. The purpose of the monitoring and re-assessment process must be to ensure the best interest of the child in order to adapt the services and further measures to the changed circumstances and the new needs of the child and the family.

4. Depending on the results of the reassessment, a decision is taken in accordance with the changed circumstances.

Article 14 Case closure

1. The case is closed when:

1.1. after reporting, it is assessed that there is no sufficient evidence and basis to be considered as a case of exploitation, neglect or abuse;

1.2. the measures, actions, and other services provided according to the plan have been completed, and the child is out of danger, and there are no other concerns for the child;

1.3. the child changes his residence from one municipality to another, and the case management process is transferred to another Center for Social Work;

1.4. the child changes his residence by settling abroad, is transferred to the country of origin (birth) or to a third country based on the best interest of the child;

1.5. the child reaches adulthood;

- 1.6. in case of death of the child;
2. If the assessment of results shows that the child's living environment is safe and that the parent/guardian is able to provide conditions for the child's safe and uninterrupted psychophysical development, a decision can be taken to close the case.
3. With the exception of paragraph 1, point 1.5 of this article, the Center for Social Work can continue the services in special circumstances based on the professional assessment of the Center for Social Work.
4. For high-risk cases, the decision to close the case is taken at the Multidisciplinary Roundtable for Assistance in Case Management.

CHAPTER III THE ROLE AND RESPONSIBILITIES OF CHILD PROTECTION INSTITUTIONS

Article 15 Obligations of child protection institutions

1. All institutions and structures in the relevant field have the obligation to take the necessary measures to guarantee and protect the rights of the child.
2. Institutions and structures responsible for child protection have the following duties:
 - 2.1. determination of systematic measures and activities that contribute to the prevention of child exploitation, neglect, and abuse;
 - 2.2. inter-institutional cooperation for the exchange of information and coordination of joint work;
 - 2.3. close cooperation with local and international governmental and non-governmental institutions that develop programs for prevention, as well as undertaking joint awareness-raising activities for the population about the harmful effects of child exploitation, neglect, and abuse.

Article 16 The role and responsibilities of Centers for Social Work

1. The role and responsibility of the Centers for Social Work in identifying, reporting and referring child exploitation, neglect and abuse, includes, but is not limited to:
 - 1.1. identification of the child at risk through information obtained by the relevant Center for Social Work itself, receiving referrals from other institutions, organizations, community members, the public, the family, the child himself, and the media;

- 1.2. management of emergency child cases in cooperation with the police and other necessary actors, even outside the official working hours;
- 1.3. organization of the initial assessment for all cases of referred children;
- 1.4. organization of the comprehensive assessments for the referred child;
- 1.5. coordinating and facilitating meetings of the Multidisciplinary Roundtable for Assistance in Case Management to discuss any children considered at risk;
- 1.6. preparing and reviewing individual child-at-risk plans and monitoring implementation until the closure of the case;
- 1.7. when the guardian body, Center for Social Work has reasonable grounds to believe that there is a serious imminent risk to the health, safety, or well-being of the child, it may enter any place and have the child removed to a safe place, where he will be provided care for a period that does not exceed seventy-two (72) hours;
- 1.8. prior to the expiry of the seventy-two (72)-hour deadline, the guardian body must submit the case to the competent court, which decides on the custody of the child;
- 1.9. reporting to the police cases of actual or alleged exploitation, neglect, and abuse, in order to protect children;
- 1.10. organization of direct work with children and families, including counseling and support;
- 1.11. maintaining accurate and factual records on all managed and referred child cases at the respective center for social work.

Article 17
The role and responsibilities of the Police

1. The role and responsibility of the Police in identifying, reporting and referring child exploitation, neglect and abuse includes, but is not limited to:
 - 1.1 identification of the child in need of protection and immediate referral to the respective Center for Social Work;
 - 1.2. immediate removal of the child at risk and referral to the respective Center for Social Work, even when these cases are identified outside official working hours;
 - 1.3. issues immediate protection orders when children are in danger, in cooperation with the respective Center for Social Work;
 - 1.4. initiation of investigations in cases where there is grounded suspicion and sufficient evidence for a criminal offence being committed against the child, as well as the drafting of criminal reports against the suspects;

1.5. participation in the Multidisciplinary Roundable for Assistance in Case Management and support for the development and implementation of individual plans designed for the child;

1.6. immediate support to the relevant center for social work when necessary, during family visits, during the identification and case management of the child who is at risk;

1.7. support and cooperation with the respective Center for Social Work for the development of various informational activities in order to prevent exploitation, neglect and abuse of children.

Article 18

The role and responsibilities of educational institutions

1. The role and responsibility of educational institutions in identifying, reporting and referring child exploitation, neglect and abuse, includes, but is not limited to:

1.1. identification of the child in need of protection and prompt referral to the police, the respective center for social work;

1.2. facilitating and supporting the school attendance of children who have been identified as vulnerable to exploitation, neglect, and abuse;

1.3. on basis of the assessment, they participate in the Multidisciplinary Table for Assistance in Case Management and support the development and implementation of individual plans drawn up for the child;

1.4. education of the child to prevent and avoid dangerous situations.

Article 19

The role and responsibilities of the respective municipal Health Directorate

1. The role and responsibility of the respective municipal Health Directorate in identifying, reporting and referring child exploitation, neglect and abuse, includes, but is not limited to:

1.1. identification of the child in need of protection during the provision of health services, appearance at the relevant health centers, and timely referral to the police and the relevant Center for Social Work;

1.2. treatment of cases of child exploitation, neglect and abuse according to the treatment protocol and immediate referral of the case to the Police and the respective Center for Social Work;

1.3. drafting of medical reports on the health condition of the exploited, neglected, and abused child or the child presumed to be at risk of exploitation, neglect, and abuse;

- 1.4. facilitating the provision of medical services and assistance to the child;
- 1.5. participation in the Multidisciplinary Table for Assistance in Case Management, support for the development and implementation of individual plans drawn up for the child;
- 1.6. support and cooperation with the respective Center for Social Work for the development of various informational and awareness-raising activities with the aim of preventing child exploitation, neglect, and abuse.

Article 20

The role and responsibilities of other public, non-governmental, and private providers of children's services

1. The role and responsibility of other public, non-governmental, and private providers of children's services in identifying, reporting, and referring child exploitation, neglect, and abuse includes, but is not limited to:
 - 1.1. identification and referral to the relevant Center for Social Work when a child is suspected to have been or has been exploited, neglected, and abused;
 - 1.2. participation in the Multidisciplinary Table for Assistance in Case Management for the development and implementation of individual care plans drawn up for the child;
 - 1.3. provision of services to children and families in accordance with the approved individual child protection plan;
 - 1.4. cooperation with the respective Center for Social Work with regard to the implementation of the plan;
 - 1.5. facilitating contacts between the child and the family;
 - 1.6. support and cooperation with the respective Center for Social Work for the development of various informational and awareness-raising activities with the aim of preventing child exploitation, neglect, and abuse.

Article 21

The role and responsibilities of the Department for Juveniles in prosecution offices and in courts

1. The role and responsibility of the Department for Juveniles in the prosecution offices and in courts, in identifying, reporting and referring child exploitation, neglect and abuse, includes, but is not limited to:
 - 1.1. cooperation with the respective Center for Social Work during the imposition of measures to protect the rights and well-being of the child, including the placement of the child in a shelter or in an educational or similar institution, placement of the child under the supervision of the guardian body, or transfer of the child to another family; and if necessary,

separation of the child from the environment in which he lived or provision of assistance, protection, or shelter to him;

1.2. participation in the Multidisciplinary Table for Assistance in Case Management, as needed, and support for the development and implementation of individual care plans drawn up for the child;

1.3. support and cooperation with other institutions for the development of informational and awareness-raising activities in order to prevent child exploitation, neglect and abuse.

CHAPTER IV COOPERATION, REPORTING AND IMPLEMENTATION

Article 22 Cooperation and coordination

1. The relevant Ministry of Justice has a coordinating role in the child protection process.
2. In order to create an efficient, operational, inter-ministerial network for child protection from exploitation, neglect, and abuse, all relevant ministries are obliged to cooperate pursuant to the areas they cover in respect of the rights and protection of the child.
3. To ensure the sustainable development of the system for child protection from exploitation, neglect, and abuse, institutions, other organizations, and others who deal with the protection of children's rights are obliged to adhere to the basic principles and goals of this Regulation.

Article 23 Data maintenance

1. The respective Center for Social Work keeps the following data:
 - 1.1. individual data about the management of the child's case;
 - 1.2. records and updates the database of cases of exploited, abused, neglected children, and children in street situations.
 - 1.3. recording in the data base is the responsibility of the case manager within the respective Center for Social Work and only authorized persons can have access to those data.
2. The respective Ministry of Justice creates, maintains and manages the database.

Article 24
**Confidentiality and protection of
personal data**

All data are handled in accordance with the principles for maintaining confidentiality and privacy pursuant to the relevant Law on Protection of Personal Data and the relevant Law on Child Protection.

Article 25
Responsibility for implementation

1 All relevant institutions of the Republic of Kosovo, pursuant to the defined mandate and responsibilities, are obliged to plan and undertake all necessary measures for the implementation of the provisions of this Regulation.

2. The relevant public and private institutions are obliged to take the necessary measures to ensure the structure, organization, equipment, training, and sufficient number of specialized experts who deal with the issue of child exploitation, neglect, and abuse in accordance with the defined competences.

Article 26
Entry into force

This regulation shall enter into force seven (7) days after its publication in the Official Gazette of the Republic of Kosovo.

Albin KURTI

Prime Minister of the Republic of Kosovo

Date: 18 June 2024