



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria –Vlada-Government
Ministria e Drejtësisë-Ministarstvo Pravde-Ministry of Justice

**REPUBLIC OF KOSOVO STRATEGY ON TRANSITIONAL
JUSTICE**
2024-2034

Content

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EXECUTIVE SUMMARY

The Republic of Kosovo Strategy on Transitional Justice is a monumental step reflecting the Government's unwavering commitment to upholding the rule of law and addressing gross violations of human rights¹, international humanitarian law and other crimes under international law law² violations that occurred during the war in Kosovo. This strategy is intricately aligned with the constitutional principles of the Republic of Kosovo, and global international standards, making it a holistic approach towards ensuring justice, truth, reparation, and non-recurrence guarantees for the victims and society at large.

The Republic of Kosovo is committed to reinforcing the rule of law as a cornerstone of its constitutional order. Emphasizing this commitment, the Government has elucidated its dedication towards drafting transformative Transitional Justice policies within its 2021-2025 program.

The Transitional Justice Strategy underscores a holistic approach that revolves around a set of core principles and values such as a victim-centered approach, inclusivity, gender sensitivity, and compliance with international norms and standards, among others. This Strategy aims to meticulously address the heinous crimes committed during the war and the manifold needs of the victim groups that have emerged in the 24 years following the cessation of war.

Kosovo envisions a transitional justice system that acts as a strategic platform, where the victims, as well as the society's needs and right to truth and justice are prioritized and realized. Central to this vision is the active inclusion of victims and their communities in shaping the processes and policies of transitional justice.

A comprehensive and inclusive approach will be adopted, which will involve a wide array of stakeholders beyond legal experts and academics, ensuring that community-level participants play a significant role in the design and implementation of transitional justice projects.

¹ *Gross and systematic violations. include, as well as torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism, racial discrimination and apartheid, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law* - World Conference on Human Rights, Vienna Declaration and Programme of Action, 1 30, U.N. Doc. A/CONF. 157/23 (June 25, 1993).

“gross and large-scale human rights violations... [should include] murder, including arbitrary execution; torture; genocide; apartheid; discrimination on racial, national, ethnic, linguistic, or religious grounds; establishing or maintaining over persons the status of slavery servitude, or forced labour; enforced or involuntary disappearances; arbitrary and prolonged detention; deportation or forcible transfer of population.” - Working paper submitted by Mr. Stanislav Chemichenko in accordance with Sub Comm. decision 1992/109, 14, U.N. Doc. E/CN.4/Sub.2/1993/10 (June 8, 1993) and Theo Van Boven, Study Concerning the Right to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms, Final Report submitted by M. Theo van Boven, Special Rapporteur, 7-8, U.N. Doc No. E/CN4/Sub2/1993/8, (July 2, 1993). *See also*, MAX DU PLESI & STEPHEN PETE, REPAIRING THE PAST?: INTERNATIONAL PERSPECTIVES ON REPARATIONS FOR GROSS HUMAN RIGHTS ABUSES 18 (2007).

² The categories of international crimes are genocide, crimes against humanity, war crimes, crime of aggression and the ethnic cleansing.

Special emphasis is placed on youth and gender sensitivity, exploring gender-based experiences to adequately address gender-based violations.

The Strategy on Transitional Justice is a comprehensive blueprint aimed at promoting a culture of respect for human rights, truth, justice, and social cohesion in Kosovo. It signifies an enormous stride towards addressing past injustices, fostering a harmonious society on the principles of tolerance, diversity, and mutual respect.

Republic of Kosovo's Transitional Justice Strategy is not just a roadmap to heal past wounds, but it is also a vision for a cohesive and inclusive future.

INTRODUCTION

Rule of law is one of the main principles of the constitutional order of the Republic of Kosovo. In this context, within the Program of the Government of Republic of Kosovo 2021 – 2025³, under rule of law priorities, the Government has specifically defined its commitment to drafting Transitional Justice policies. Through a comprehensive approach, it is committed to identify and promote various processes that will guarantee victims of gross violations of human rights, international humanitarian law and other crimes under international law the right to truth, justice, reparations and guarantees of non-recurrence.

This approach is in full compliance with the constitutional principles of the Republic of Kosovo, the European Union integration process, and other international standards. It is also a continuation of the –Government’s commitment to address crimes committed during the war and violations of values protected by international law and providing justice for victims.

Through the foreseen activities, the Strategy on Transitional Justice will also reinforce the commitment of the institutions of the Republic of Kosovo towards respecting human rights guaranteed by the Constitution, national laws, and international conventions. The Strategy goals are to: address the crimes of gross violations of human rights, international humanitarian law and other crimes under international law law, for the time period 1989 - 2000 based on the following principles and values:

- Victim-centered approach;
- Inclusive approach;
- Gender sensitivity;
- Compliance with international norms and standards;
- Integrity and impartiality;
- Participative and empowering;
- Equality and non-discrimination;
- Do No Harm principle.

³Program of the Government of Kosovo 2021-2025, page 14. Available at:<https://kryeministri.rks-gov.net/wwp-content/uploads/2021/05/Programi-i-Qeverise-se-Kosoves-2021-2025.pdf>

MAIN PRINCIPLES

The main principles that guide the Strategy for Transitional Justice 2024-2034 and the Action Plan 2024-2026 are:

- **Victim-centered approach:** Transitional justice is a multidisciplinary and victim-centered theoretical and practical field to deal with the legacies of mass human rights abuses. Victim-centeredness is defined as the recognition, acceptance and centralization of victims, taking into account their special status in the design and implementation of transitional justice processes. Respecting the dignity of the victims, taking into consideration the views, their priorities and concerns are guidelines of this strategic document that will be fully respected.
- **Inclusive approach:** It is a determining factor for the process. This includes all interested parties in Kosovo society, whether they are victims or not, regardless of their political, social, religious or ethnic affiliation, as well as communities and the wider society, with an emphasis on the inclusion of those who may have traditionally or are often left out or marginalized.
- **Gender sensitivity:** Inclusive approach for women at all stages and levels of decision-making in the transitional justice process and holistically addressing the range of human rights violations to transform gender inequality, including by adopting a specific focus on sexual and gender-based violations and their root causes. Sexual and gender-based violence were used as weapon of war. While the experiences and suffering of women during war are being recognized, the stigma and harm endured by victims of such violations need to be addressed through concrete gender sensitive programs and measures.
- **Compliance with international norms and standards:** Despite the fact that each transitional justice program is a unique set of processes and mechanisms, implemented within a specific context, compatibility with international norms and standards is very important. To comply with these international legal obligations, transitional justice processes should seek to ensure investigations and prosecutions of gross violations of human rights and serious violations of international humanitarian law, including sexual violence. Moreover, they should ensure the right of victims to reparations, the right of victims and society to know the truth about violations, and guarantees of non-recurrence of violations, in accordance with international law.
- **Integrity and impartiality:** Since the transitional justice process has to do with addressing past violations, it is very important that this process has integrity and impartiality in dealing with the past. Integrity has to do with maintaining citizens' trust in the mechanisms of the process, while impartiality has to do with dealing with past crimes, regardless of who is the victim and who is the executor. Only an impartial

process with integrity can ensure that every citizen of the Republic of Kosovo is at the center of the process.

- **Participative and empowering:** To ensure meaningful participation and consultation with victims and affected communities in designing and implementing transitional justice mechanisms, thereby contributing to a shift in victims' and broader society's perceptions and understanding of their status and roles as beneficiaries of the process and as powerful agents of change in pursuit of transformation, peace and democracy. Civil society and other social stakeholders can play an important role in this process. Civil society actors are fundamental partners for presence in the field of human rights. A strong and autonomous civil society, capable of acting freely and knowledgeable about human rights is a key element in ensuring the sustainable protection of human rights at the national level and ensuring that a state is accountable for fulfilling its human rights obligations.

1. METHODOLOGY

The Working Group for the drafting of the Kosovo Strategy on Transitional Justice was established, by Decision of 26 July 2021 of the Minister of Justice. It consists of representatives of relevant institutions, organisations and representatives of affected communities such as: Office of the Prime Minister; Ministry of Education, Science, Technology and Innovation; Ministry of Finance, Labor and Transfers; Ministry of Culture, Youth and Sports; academic institutions including Faculty of Law of the University of Prishtina, as well as representatives of the civil society organizations.

The Strategy was drafted based on the legal framework of the Republic of Kosovo, international human rights standards, and the principles of transitional justice. The United Nations approach to transitional justice as well as the European Union policy framework to support transitional justice processes were at the heart of the Working Group's work. Best practices and lessons learned in drafting strategic documents for transitional justice of cases from the region and the world were also considered.

The Working Group has identified and reviewed all initiatives which have been undertaken in Kosovo in relation to dealing with the past and transitional justice by public institutions, civil society organizations and the international community in Kosovo.

The Strategy on Transitional Justice was drafted through public consultations with victim groups, relevant institutions, and other stakeholders. A total of 30 meetings were organized with the victims and their representatives from all communities, women, youth and students, workers in the public sector, human rights activists, education workers, intellectuals, journalists, religious communities in Kosovo, legal professionals, the security sector, and social workers.

22 meetings were held with the majority community and 8 with the non-majority communities. The total number of participants in the focus groups is 465, of which 334 represented the majority community and 131 non-minority communities. The percentage of participants by gender in focus groups is 50% women and 50% men.

The data collected and the recommendations obtained from the consultation process were analyzed by the members of the Working Group and field experts, and were used in drafting the objectives and Action Plan of the strategy.

The process of drafting the Strategy on Transitional Justice has gone through five main phases:

- 1) **The first phase** included a review of publications, legal framework, international human rights standards, and best practices in drafting a strategy in the field of transitional justice. During this phase, the Working Group also reviewed all transitional justice initiatives undertaken to date by either Kosovo institutions, the international community or civil society organizations.

- 2) **The second phase** involved identifying the initial strategic and specific objectives for the Strategy, followed by the development of a comprehensive action plan based on the contribution of all stakeholders involved in the process.
- 3) **The third phase** involved organizing public consultations with all stakeholders, including victim groups and civil society organizations.
- 4) **The fourth phase** involved drafting the final version of the Strategy based on data collected from public consultations and review of literature.
- 5) **The fifth final phase** included consolidating the final draft of the Strategy and submitting it to the Government of the Republic of Kosovo for approval.

Recognizing the centrality of victims in the design and implementation of the Strategy on Transitional Justice, Government of the Republic of Kosovo remains committed to continue its dialogue and engagement with victims, civil society, and all relevant stakeholders throughout the implementation of this Strategy.

2. BACKGROUND AND HISTORICAL CONTEXT

Repressive and discriminatory policies during 1989-1998 against the ethnic Albanian population in Kosovo led to intense conflicts, as well as the degradation of fundamental human values and rights. During the 1980s, in addition to the economic decline and continuous violence against Albanians, the phenomenon of the so-called "Dominant Nation" was created as a Serbian national ideology for the "Historical Right" to dominate. This ideology of systematic violence was executed through discriminatory and repressive measures that led to the suppression of Kosovo's autonomy.

On February 23, 1989, the Serbian parliament approved proposals for constitutional changes, including one amendment that removed Kosovo's power to oppose amendments to the Serbian Constitution. On March 18, 1989, the Assembly of Serbia approved several constitutional amendments, thereby arbitrarily granting itself additional powers over Kosovo in violation of both the Constitution of Kosovo and the Constitution of Yugoslavia. On March 23, 1989, under police siege, the Assembly of Kosovo abolished the Constitution of the Autonomous Socialist Province of Kosovo. On September 28, 1989, the Assembly of the Socialist Republic of Serbia adopted a new constitution, which demoted Kosovo from an autonomous province to a territorial-regional unit of Serbia. For a very long time, the citizens of Kosovo were deprived of the right to live in a democratic state of law, in which they would enjoy freedom, equality, justice and inclusion for all citizens without exception.

Unlike other countries, with the end of the communist regime, during the 90s, Kosovo faced an apartheid type state policy and massive violations of basic human rights that were well documented by international institutions of the time⁴. During 1990 and 1991, Serbia implemented a series of segregation policies in Kosovo, establishing an apartheid regime where Albanians and Serbs were segregated and treated differently based on ethnic grounds. The Independent International Commission on Kosovo had characterized the regime installed in Kosovo in the 1990s as an "apartheid-like" regime.⁵

⁴ *Idem*, Resolution 48/153, 20 December 1993, 85th plenary meeting, Violation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the FRY (Serbia and Montenegro); UNGA Resolution 49/204, 23 December 1994, 94th plenary meeting, Violation of Human Rights in Kosovo; UNGA Resolution 50/190, 22 December 1995, 99th plenary meeting, Violation of Human Rights in Kosovo; UNGA Resolution 51/111, 12 December 1996, 82nd plenary meeting, Violation of Human Rights in Kosovo; UNGA Resolution 51/116, 12 December 1996, 82nd plenary meeting, Violation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the FRY (Serbia and Montenegro); UNGA Resolution 52/139, 12 December 1997, 70th plenary meeting, Violation of Human Rights in Kosovo; UNGA Resolution 52/147, 12 December 1997, 70th plenary meeting, Violation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the FRY (Serbia and Montenegro); UNGA Resolution 53/163, 9 December 1998, 85th plenary meeting, Violation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the FRY (Serbia and Montenegro); UNGA Resolution 53/164, 9 December 1998, 85th plenary meeting, Violation of Human Rights in Kosovo; UNGA Resolution 54/183, 17 December 1999, 83rd plenary meeting, Violation of Human Rights in Kosovo. Shih po ashtu (7) Raportet e Komisionit për të Drejtat e Njeriut të OKB në Kosovë dhe në ish-Jugosllavi prej vitit 1992-1999; (5) Rezolutat e Komisionit për të Drejtat e Njeriut të OKB në Kosovë dhe në ish-Jugosllavi prej vitit 1993-1999.

⁵ Independent International Commission on Kosovo (2000): The Kosovo Report. Conflict, International Response, Lessons Learned, Oxford University Press, p. 1, Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/6D26FF88119644CFC1256989005CD392-thekosovoreport.pdf>

Organized and systematic state violence against the majority of the population in Kosovo in the 1990s included the mass removal of Albanians from workplaces, schools and public institutions, and mass violence committed, during the so-called the action of collecting “illegal weapons” between 1992-1996⁶. In March 1990, authorities from the Serbian and Yugoslav secret services poisoned several thousand Albanian students, resulting in long-term harmful consequences.

Throughout the 1990s, as wars raged in Slovenia, Croatia, and Bosnia and Herzegovina, Kosovo Albanians faced brutal oppression by the Belgrade regime. The Council for the Protection of Human Rights and Freedoms (CPHRF) documented daily instances of arbitrary stops and arrests, summons to police stations, torture, politically motivated judicial proceedings, political imprisonments, and punishments in absentia, as well as torture and murder. Despite the absence of war in Kosovo during the 1990s, it experienced the most severe political oppression and serious violations of human rights in Europe at the end of the 20th century. According to the CPHRF, in 1994 alone, 17 Albanians in Kosovo died due to torture by Serbian police.

The illegal political organizations of the previous three decades, along with their successors, began transitioning from political to military organizations at the end of the 1980s. During 1998-99, hundreds of volunteers from all areas of Kosovo and many from the Albanian diaspora returned to join the Kosovo Liberation Army (KLA).

It is estimated that during the period 1989-1997, 120-150,000 Kosovo-Albanians were displaced from their homes⁷. Meanwhile, the expulsion of Albanians from Kosovo in the form of ethnic cleansing⁸ by Serbia reached its peak with the outbreak of open war in 1998 and 1999. It is estimated that 862,979 Albanians were displaced from Kosovo through military and police violence,⁹ half a million were displaced within it, and hundreds of entire villages and city neighbourhoods burned with their possessions previously looted. By the end of the 20th century, numerous serious violations of basic human rights and International Humanitarian Law had occurred, including massacres torture, sexual violence, forced deportations, massive destruction of houses, properties, and cultural and religious objects.¹⁰

A large number of war crimes, crimes against humanity and other serious crimes under international law - in the form of civilian killing, forced resettlement of civilian population, unlawful imprisonment, torture, sexual violence, inhuman treatment, robbery and the destruction of property, economic assets, cultural and religious objects and other similar

⁶ The action was a repressive measure against the Albanian population, under the pretext of collecting “illegal weapons”

⁷ Report of the Kosovo Statistics Agency, Kosovar Migration, Pristina, April 2014. P. 24

⁸ *The Kosovo Conflict and International Law*, An Analytical Documentation 1974-1999, Cambridge International Documents Series Volume II, ed. Heike Krieger, Cambridge University Press, Cambridge UK, 2001. Document No. 33. UN, ECOSOC, Commission Resolution 1999/2, Situation of Human Rights in Kosovo, 13 April 1999, 30th meeting 13 April 1999, p. 43: “1. *Condemns* strongly the widespread and systematic practice of ethnic cleansing perpetrated by the Belgrade and Serbian authorities against the Kosovars,”.

⁹ *Idem*, Document No. 44, “Numbers of Refugees displaced from Kosovo from 23 March 1998 – 9 June 1999, 15 October 1999”.

¹⁰ About the human rights situation in Kosovo during the communist regime as well as in the final phase of the war, see e.g. Bellamy, Alex J. (2000), Human Wrongs in Kosovo: 1974–99, *The International Journal of Human Rights*, 4:3–4, 105–126.; Kosovo/Kosova. As Seen, As Told. An analysis of the human rights findings of the OSCE. Kosovo Verification Mission October 1998 to June 1999, publikuar nga OSBE/ODIHR 1999.

offenses have been committed in the territory of Kosovo in large or systematic contexts and as a consequence of the development of the war that occurred in the period between 1998 and 1999.¹¹ According to the data of Fund for Humanitarian Law, about 13,000 people were killed during the war in Kosovo. There are still 1,597 forcefully disappeared persons (109 children).

The war in Kosovo was the final war in the series of wars that disintegrated and ultimately destroyed Yugoslavia in the last decade of the twentieth century. This war had two significant outcomes: it ended the decades-long oppression of the Albanians in Kosovo by Serbian authorities, leading to their liberation from what was perceived as the oppressive and occupying power of the Serbian state; and nine years after the war, in 2008, it led to the establishment of the Republic of Kosovo, the newest and last state to be recognized on the political map of Europe.

International efforts

In the circumstances of open war, for over a year 1998-1999 the international community attempted to stop systematic state violence against civilians while pursuing a political statement. The failure of these efforts led to the humanitarian military intervention of the international community through NATO, which resulted in the establishment of the military peace mission - KFOR. At the same time, the United Nations Interim Administration Mission in Kosovo (UNMIK) was established. Throughout this time, a solid foundation for a democratic and legal state was created, including the development of policies for confronting the past, addressing war crimes and its consequences. Among others, the Office for Missing Persons and Forensics was established in 2002 by the United Nations Interim Administration Mission in Kosovo (UNMIK).

In relation to dealing with the past, the international community has mainly focused on criminal justice, by establishing the International Criminal Tribunal for the former Yugoslavia (ICTY), hybrid courts, and investigating and prosecuting war crimes in Kosovo within the European Union Mission for the Rule of Law in Kosovo (EULEX).

Local efforts

On the other hand, Kosovo institutions established truth-seeking mechanisms to document, war crimes and clarify the fate of forcibly disappeared persons. These initiatives were transformed into formal mechanisms such as:

- Governmental Commission on Missing Persons together with forensic mechanisms established by the Government of Kosovo;
- Committee on Human Rights, Gender Equality, Victims of Sexual Violence during the war, Missing Persons and Petitions established by the Assembly of Kosovo;
- Coordination Council of the Association of Families of Missing Persons in Kosovo established in 2011 by the Government of Kosovo;
- Kosovo Memorial Complex Management Agency;

¹¹ STRATEGY OF WAR CRIMES, Kosovo Prosecutorial Council/ State Prosecutor

- The Governmental Commission for the Recognition of the Status of Victims of Sexual Violence;
- Department for Transitional Justice and Support to Crime Victims within the Ministry of Justice;
- Institute for crimes committed during the war in Kosovo.

Other bodies with specific tasks have been established, such as: the State Commission for the research, registration / inventory, evaluation and documentation of cultural and historical heritage sites destroyed during the 1998 and 1999 war; Inter-ministerial Committee for Memorial of children killed and disappeared during the war; Working Group for the establishment of the museum of crimes of Yugoslavia and Serbia in Kosovo; the Inter-ministerial committee for coordination of the project selection process and monitoring of the project implementation process for the Memorial Complex "Adem Jashari" in Prekaz.

Previous initiatives aimed at truth seeking have not fulfilled their mandates.

In 2011, the Government of Kosovo established the Institute for War Crimes Research as a public research institution, which was active until 2018. The task of this Institute was to collect, systematize, process and publish data on crimes against peace, war crimes, crimes against humanity and acts of genocide committed in Kosovo between 1998 and June 1999.

The Inter-Ministerial Working Group of 2012 for Dealing with the Past and Reconciliation, was mandated to draft a national strategy for transitional justice in Kosovo. However, this Working Group failed to deliver such a strategy.

The Special Prosecution of the Republic of Kosovo since June 2018, has received exclusive competencies to investigate and prosecute war crimes and other violations of international humanitarian law and criminal law. 1 The War Crimes Investigation Unit, namely the Sector for Missing Persons in the Kosovo Police is part of the Directorate for Serious Crimes in the Kosovo Police Investigation Department and is a specialized police unit and authorized to investigate these criminal offenses after EULEX's delivery. The Rule of Law Mission in Kosovo has transferred to the SPRK approximately nine hundred (900) cases of war crimes and other violations of international humanitarian law. Also, nearly two thousand (2000) cases for missing persons have been transferred from the EULEX Police War Crime Unit to WCIU of KP.¹² The Kosovo Specialist Chambers and Specialist Prosecutor's Office were established in 2016 pursuant to an international agreement ratified by the Kosovo Assembly, a Constitutional Amendment and the Law on Kosovo Specialist Chambers and Specialist Prosecutor's Office adopted by the Assembly of Kosovo in 2015.¹³

In 2023, the law establishing the Institute for Crimes Committed During the War in Kosovo was adopted.

Additionally, in 2023, a Working Group was established to draft the concept for the creation of the Museum for the documentation and presentation of crimes committed by the former Yugoslavia and Serbia against the Albanians in Kosovo.

¹² STRATEGY OF WAR CRIMES, Kosovo Prosecutorial Council/ State Prosecutor

¹³ <https://www.scp-ks.org/en>

Social transformation from a context of systematic violence to a peaceful co-existence is difficult to achieve if victims lack adequate care and if the principles of transitional justice are not applied.

In Kosovo, various initiatives have also been taken to address the past by local, regional, and international civil society organizations. Despite the importance of these initiatives, they cannot replace the need to address and promote transitional justice by Kosovo public institutions.

Despite numerous institutional and sectoral commitments, the transitional justice process has been accompanied by fragmented and ad-hoc initiatives. This has prompted the Government of the Republic of Kosovo to commit to developing a strategic approach to transitional justice.

The Strategy will recognise the concerns of victim groups from marginalised groups, particularly minorities, women and youth, acknowledge the existence of victims of other ethnic groups, and the fight prevalence of hate speech.

The Strategy on Transitional Justice will serve as an umbrella for all existing initiatives, by coordinating existing ones, as well as proposing new initiatives to respond to the demands and needs of victims as well as society as a whole. Through addressing the past, this Strategy aims to contribute to the creation of a future which is based on respect for human rights, and the strengthening of institutions which would guarantee the non-recurrence of past violations.

This strategic document will serve as the basis for the establishment of conditions for truth seeking, achieving justice, ensuring support and reparations for victims, and building lasting peace through the upholding of the rule of law. Ultimately, the strategy aims to promote social integration and cohesion, in which people in Kosovo respect each other's human dignity.

3. TRANSITIONAL JUSTICE

The Strategy on Transitional Justice provides a comprehensive approach and response to the legacy of human rights violations through engagement in political, legal, socio-cultural, and economic transformations to consolidate peace and build an inclusive society. The type of transitional justice approach will depend on Kosovo's context, history, culture, and local priorities, in particular victims' expectations.

It is of the outmost importance that all key stakeholders, including victim communities own the process, and participate in its design and implementation.

Dealing with the past is a long-term process aimed at creating a culture of accountability and rule of law. Transitional justice ("TJ") is premised on respect for individual and collective rights to the truth, access to justice, and address of massive human rights violations. TJ measures ought to comply with international human rights standards and principles.¹⁴

The human rights-based approach means that the TJ programs should be victim-centred and designed and implemented in close cooperation with the victims. It is important that throughout the transitional justice process, women, youth and marginalized communities are fully engaged, and their rights and perspectives are addressed. The United Nations Commission on Human Rights, in Resolution 2005/70, highlights *"the importance of an inclusive national consultation process, particularly of those affected by human rights violations, thus contributing to a comprehensive strategy on transitional justice taking into account the specific circumstances of each situation and in accordance with international human rights standards."*¹⁵ It is similarly important that victims and their community play a meaningful role in its implementation.

All parties to past conflicts, regardless of their roles, affiliation, status or background, should have an opportunity to participate in the mechanisms and processes to be established. Special attention should be paid to promoting the participation of women, youth and children, as well as marginalized or non-majority communities.

A comprehensive Strategy on Transitional Justice can help to create a sustainable platform to search for the truth and justice, to address war-related injustices and traumas, preserve collective memory, reforms, and build trust in institutions.

The Strategy on Transitional Justice is based on the four pillars of transitional justice, namely truth seeking, justice, reparations and institutional reform:

¹⁴Office of United Nations High Commissioner for Human Rights, RULE-OF-LAW TOOLS FOR POST-CONFLICT STATES National consultations on transitional justice, 2009 p. 1. Available at: http://www.ohchr.org/Documents/Publications/NationalConsultationsTJ_EN.pdf

¹⁵Ibidem, p. 1.

- **The obligation to establish the facts - The right to truth**

Kosovo, under international law, is subject to a state obligation to disclose all facts about the truth for victims, their families and society about gross human rights violations. This obligation required the investigation of systematic violations of human rights, which have taken the form of international criminal offenses such as torture, genocide, enforced disappearances, war crimes and crimes against humanity.¹⁶

Consequently, the state must take all necessary measures to uncover the truth of what happened, including the identities of perpetrators, victims and the fate and whereabouts of forcibly disappeared persons. In relation to perpetrators, the roles of the decision makers who set up the machinery behind the violence should be exposed. The state is also obliged to create a safe environment for all victims to be heard.

Knowing the truth about the past is not only an important step towards justice, but it is also a human right to which all victims and survivors of human rights violations are entitled.

Effective truth seeking contributes to justice, reparations and institutional reforms by providing important information and data for use in these processes.

- **Obligation to investigate, prosecute and punish - The right to justice**

The state has a legal duty to investigate and prosecute perpetrators of gross human rights violations and international humanitarian law violations, including crimes against humanity, war crimes and genocide.

In the context of gross human rights violations, the capacity and resources of ordinary justice mechanisms are limited when it comes to addressing the large number of victims seeking justice, thus creating a "gap of impunity". Therefore, the prosecution of criminal responsibility requires specific and strategic methodologies of investigation.

- **Obligation to repair the damage - The right to reparations**

Reparations for victims of violations of gross human rights violations and international humanitarian law are necessary measures that post-war states undertake in order to redress harm suffered. International law describes reparations as 'rights' which are aimed at addressing the consequences of illegal acts and restoring the dignity of victims.

The right to reparations refers to the return, compensation or rehabilitation granted to victims of human rights violations. Such actions aim to recognize the damage suffered, restore dignity, and support social integration. As such, the right to reparation includes, inter alia: measures to restore the victims' dignity; rehabilitation as a measure to provide psychological care, legal and social services; compensation for victims for economically assessable damage, loss of

¹⁶ <https://www.corteidh.or.cr/tablas/r17382.pdf>

earnings, loss of property, loss of economic opportunities, and moral damage; and satisfaction as a measure to ensure the cessation of continuing violations, truth-seeking, search for forcibly disappeared persons, public apologies, judicial and administrative sanctions, memorials and commemorations.

- **Obligation to avoid repetition - The right to guarantees of non-recurrence**

Guaranteeing the non-recurrence of conflict and human rights violations is a central component of a comprehensive transitional justice framework. According to Pablo de Greiff, the former Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence, prevention interventions should be undertaken in four spheres: at the institutional level, in the realm of civil society, in the sphere of culture and in the sphere of personal dispositions.¹⁷ Societies undergoing transition need to review, restructure and / or reform institutions to build the trust of citizens in them and increase transparency. Ultimately reforms of institutions should be aimed at making them:

- Grounded in the rule of law and respect for human rights,
- Democratically controlled,
- Responsive to needs of all groups within society, particularly victims and the marginalized.

While Kosovo has developed measures to strengthen public institutions, there is a need to provide further support to improve legislation and strategic documents. Moreover, the overall capacity of public institutions is limited. The obligation to provide guarantees of non-recurrence goes beyond merely reforming institutions. It is also about taking constructive action in building a society in which denying the violent past would be unthinkable. This includes building the rule of law, eliminating unfair discrimination, upholding freedom of expression, while not tolerating hate speech, and the instilling of values that promote tolerance and respect for human dignity. This involves a special focus on the position and role of vulnerable groups in society, non-majority communities, women, youth and children. It also calls for discussions on economic policy and sustainable development, particularly in areas worst hit by the war.

¹⁷ Human Rights Council (HRC), Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, UN Doc. A/HRC/30/42, 7 September 2015.

4. COMPARATIVE CASES AND PRACTICES

The geo-political, historical, economic, social, and legal circumstances in a country ought to influence the design of a Strategy on Transitional Justice. However, the experiences of different countries can provide useful comparative lessons.

Case studies from South Africa, Sierra Leone, East Timor and Colombia are considered in this section.

4.1 The case of South Africa

Apartheid was a system of racial segregation and oppression enforced by law between 1948 and the early 1990s. The South African approach focused on creating an inclusive process through the Truth and Reconciliation Commission (TRC), which was mandated to investigate the gross human rights violations committed during the apartheid regime. Key features from the South African TRC experience include the:

- Largely open and transparent manner of operations,
- High level of participation, particularly through public hearings,
- High profile acts of reconciliation,
- Public education and taking the country on a journey of discovery about its past.

The South African TRC was empowered to grant amnesty when perpetrators made full disclosure of their crimes. However, those who were not amnestied have not been prosecuted, thereby undermining the transitional justice project in South Africa.¹⁸

4.2 The case of Sierra Leone

Sierra Leone experienced an internal armed conflict, between the government and insurgent factions, from 1990 to 2002. Transitional Justice in Sierra Leone saw the parallel operation of the Special Court for Sierra Leone and the Truth and Reconciliation Commission (TRC). The relationship between these bodies was at times troubled, which stemmed from a failure to harmonize objectives and to agree on modes of operation and dispute resolution.¹⁹

The TRC was one of the first truth commissions to focus coherently on the role of women, youth and children. It was also one of the first commissions to closely examine socio-economic causes of conflict, including the role of corruption, misuse of public goods and exploitation of

¹⁸ Howard Varney, *Transitional Justice, Criminal Justice and Exceptionalism in South Africa*. In: Reed, Michael & Amanda Lyons, *Contested Transitions: Dilemmas of Transitional Justice in Colombia and Comparative Experience*. Bogotá: ICTJ and Ministry of Foreign Relations of Norway, 2010.

¹⁹ Paragraphs 474 – 481, Volume 2, Chapter 3, Report of the Truth and Reconciliation Commission for Sierra Leone, 2004; and paragraphs 220 – 233, Volume 3B, Chapter 6.

natural resources.²⁰ A key finding was that rampant corruption and nepotism had reduced most people into a state of abject deprivation, which in turn ignited a violent backlash.²¹

The TRC made many recommendations to address these scourges, several of which have been implemented over the years, largely as a result of social mobilization.²²

4.3 The case of Colombia

In 2016, the Government of Colombia and the Colombian Revolutionary Armed Forces (FARC) reached a peace agreement after 50 years of conflict. As part of this peace agreement, Colombia developed a comprehensive system of truth, justice, reparations, and non-recurrence focusing on victims. The Colombian program represents the most holistic and integrated approach to transitional justice pursued to date. It involved the establishment of multiple bodies that operated simultaneously. These included the Truth, Coexistence & Non-Repetition Commission, and the Special Jurisdiction for Peace. The truth commission was aimed at contributing towards historical clarification and promoting social coexistence across the country.

The Special Jurisdiction for Peace included a Peace Tribunal and several Judicial Panels. Political crimes that did not rise to the level of grave human rights violations were subject to a general amnesty.²³ Perpetrators of grave violations who disclose the truth of their crimes and contribute to reparations do not face incarceration but will be required to perform services that have a “restorative & reparative function”, and which involve restrictions of their liberty for periods of between 5 to 8 years. Those who decline to participate in this process may face the full force of the law and imprisonment of up to 20 years.²⁴

4.4 The case of East Timor

Following the withdrawal of Portugal from East Timor in 1975, it was occupied by Indonesia between 1975 and 1999. This period was characterized by state repression against the civilian population and in particular against those resisting Indonesian rule. East Timor gained independence in 2002 following which the process of nation building began, which included transitional justice.

²⁰ Other truth commissions which explored these issues included truth commissions in East Timor, Liberia, Kenya and Tunisia.

²¹ Volume 2, Chapter 2, Report of the Truth and Reconciliation Commission for Sierra Leone, 2004.

²² Volume 2, Chapter 3, Report of the Truth and Reconciliation Commission for Sierra Leone, 2004

²³ Agreement on the Victims of the Conflict, December 15, 2015.

²⁴ Varney & Schwartz, *The Pitfalls of Post-Conflict Justice: Framing the Duty to Prosecute in the Aftermath of Violence*, co-author, published in *Beyond the Binary: Securing Peace and Promoting Justice after Conflict* (Nelson Camilo Sánchez León & Rodrigo Uprimny Yepes eds, March 21, 2019), Dejusticia, Bogota

East Timor adopted a pragmatic approach which placed social stability, peace and democracy at the heart of the transitional justice process. This involved an emphasis on the promotion of reconciliation and social harmony while also seriously pursuing truth and justice.

The mandate of the Commission for Reception, Truth, and Reconciliation (in Portuguese, the *Comissão de Acolhimento, Verdade, e Reconciliação*, or CAVR) included: establishing the truth regarding past human rights violations and supporting the reintegration of perpetrators back into communities through community-based reconciliation mechanisms.²⁵

Serious crimes were prosecuted by a specialised unit known as the Serious Crimes Unit (SCU) under the control and direction of the Deputy General Prosecutor for Serious Crimes.²⁶ The SCU referred cases for trial to the Special Panels for Serious Crimes, a chamber within the Dili District Court. It was decided that lesser crimes would be handled by the CAVR's Community Reconciliation Procedures whereby those accused of "minor" crimes could take part in a local hearing conducted under customary law known as *adat*.

This was a village-based participatory process involving community hearings in which perpetrators who admitted their crimes could enter into an agreement with the community and perform an act of reconciliation such as community service, apology, symbolic fine, repair of a building, tree planting, cleaning of public places, reimbursing victims for damage caused etc. Once the act had been performed, the perpetrator was accepted back into community and he or she acquired immunity from prosecution.²⁷

It should be noted that the most serious crimes were committed by Indonesian security forces who were protected by Indonesia. Although several were indicted, none stood trial in the serious crimes process.²⁸ Subsequently an attempt was made by East Timor and Indonesia to fill this gap by establishing a joint truth commission known as the Truth and Friendship Commission.²⁹ However, this exercise was criticised for not being a serious accounting of the role Indonesian perpetrators.³⁰

²⁵ CAVR Final Report titled 'Chega'.

²⁶ Regulation No 2001/10 on the Establishment of a Commission for Reception, Truth and Reconciliation in East Timor, UNTAET/REG/2001/10.

²⁷ See chapter in CAVR Final Report titled "Community Reconciliation".

²⁸ Hirst and Varney, *Justice Abandoned? An Assessment of the Serious Crimes Process in East Timor*, Occasional Paper, International Center for Transitional Justice (New York), June 2005.

²⁹ Truth and Friendship Commission Final Report.

³⁰ Hirst, Megan, 2008, *Too Much Friendship, Too Little Truth: Monitoring report on the Commission of Truth and Friendship in Indonesia and Timor-Leste*, Occasional Paper Series.

5. INTERNATIONAL LAW

At the international normative level, transitional justice is based primarily on the Charter of the United Nations, the Universal Declaration of Human Rights, international conventions and instruments on human rights, international humanitarian law, international criminal law and international refugee law. The essence of these conventions and instruments is also reflected in the “*Updated Principles for the Protection and Promotion of Human Rights through Action to Combating Impunity*” as well as in the “*Basic Principles and Guidelines on the Right to Compensation and Compensation for Victims of Serious Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*”.³¹

The United Nations promotes a nationally owned, context-specific, victim-centered and comprehensive approach to transitional justice processes and mechanisms, taking into account the demands of victims, victims' representatives, civil society and other stakeholders in design and implementation.³² The UN Secretary-General's transitional justice guidance note, adopted in 2023, promotes transitional justice as a practical, human rights-based policy tool for peace and security, human rights, accountability, and sustainable development.

Transitional justice has also received special attention from Regional State Organizations such as the European Union and the African Union. The European Union Council in 2015 issued the “*European Union Policy Framework on Support to Transitional Justice*”.³³ This framework highlights inclusion, the importance of context and gender sensitivity. The EU also treats transitional justice as an integral part of state-building and peace-building. Consequently, the EU, in guiding principles, emphasizes the fact that “*in developing a strategy to support transitional justice, the EU will strive for a flexible approach based on a true understanding of specific contexts and needs, as well as the sustainability of meaningful transitional justice processes, respecting the “needs and objectives in the context of the state”*”.

In 2019, the African Union (AU) issued the “*African Union Policy Framework on Transitional Justice*”.³⁴

³¹See, for example: Convention on the Prevention and Punishment of the Crime of Genocide (1948); Geneva Conventions (1949) and Additional Protocols (1977); Convention for the Protection of Cultural Property in Cases of Armed Conflict (1954) and two Additional Protocols; Biological Weapons Convention (1972); International Convention on Civil and Political Rights (1966); Conventional Arms Convention (1980) and its protocols; Chemical Weapons Convention (1993); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984); Ottawa Convention on Anti-Personnel Mines (1997); Optional Protocol of the Convention for the Protection of Children Involved in Armed Conflicts (2000); International Convention for the Protection of All Persons from Enforced Disappearance (2006). All international UN conventions can be found at: <http://www.un.org/en/documents/udhr/>

³²See e.g. paragraphs 15-26 of the United Nations Security Council, The rule of law and transitional justice in conflict and post-conflict societies, Report of the Secretary-General, 23 August 2004. Available at: <https://www.un.org/ruleoflaw/files/2004%20report.pdf>

³³The EU's Policy Framework on support to transitional justice, (2015), CoE Doc. 13576/15. Available at <https://data.consilium.europa.eu/doc/document/ST-13576-2015-INIT/en/pdf>

³⁴Transitional Justice Policy. An Integrated, Prosperous and Peaceful Africa. African Union (2019). Available at https://au.int/sites/default/files/documents/36541-doc-au_tj_policy_eng_web.pdf

6. DOMESTIC LAW

Key document, at the state normative level, for undertaking transitional justice processes is the Constitution of the Republic of Kosovo.

The Constitution of Kosovo guarantees international human rights standards, it provides a central role for international human rights agreements, and also guarantees extended protection for the rights of minority communities.³⁵ These constitutional values create the legal basis for redressing past abuses through social and political transformation, in an inclusive and integrated society.

The freedoms guaranteed by the Constitution are indivisible, inalienable, and inviolable.

The Constitution expressly guarantees that everyone enjoys the right to equal legal protection and sanctions discrimination based on race, color, gender, language, religion, political or other beliefs, national and social origin, affiliation with a community, property, economic and social status, sexual orientation, birth, disability or any other personal status. The principles of equal legal protection do not prevent measures for the protection and advancement of the rights of individuals and groups who are in a disadvantaged position. The TJ process can give considerable meaning and effect to these enshrined rights and freedoms.

There are a number of normative acts that guarantee equal treatment of all citizens, as well as promote the protection of fundamental human rights and freedoms in Kosovo.³⁶ Political representation by minority groups is guaranteed by Article 64 of the Constitution which provides a minimum of 20 seats in the Assembly for non-majority communities in Kosovo are guaranteed the freedom to express, maintain and develop their culture and practice and preserve religion, language, traditions and customs. They are also guaranteed public and private education at all levels in their mother tongue.³⁷

³⁵Constitution of the Republic of Kosovo, Chapter II. Fundamental Rights, and Chapter III. The rights of Communities and their members.

³⁶The package of norms, primary and secondary legislation on human rights in Kosovo, among others, includes the following norms: Law no. 03 / L-195, on the Ombudsperson; Law no. 05 / L-21, against Discrimination; as well as Law no. 05 / L-020 on Gender Equality. Law No. 04 / L-017 on Free Legal Assistance, supplemented and amended by Law No. 08 / L-035.

³⁶Package of norms, primary legislation

³⁷The package of norms, primary and secondary legislation, for the rights of non-majority communities in Kosovo, among others, includes the following norms: Law No. 02 / L-37, on the Use of Languages; Law No.03 / L-040, on Local Self-Governance; Law No.04 / L-032, on Pre-University Education in the Republic of Kosovo; Law No.03 / L-068, on Education in the Municipalities of the Republic of Kosovo; Law No.04 / L-037, on Higher Education in the Republic of Kosovo; Law No.02 / L-88, on Cultural Heritage; Law No. 03 / L-047, on the Protection and Promotion of the Rights of Communities and Their Members in the Republic of Kosovo, supplemented and amended by Law no. 04 / L-020. ; Law No.02 / L-88 on Cultural Heritage.

³⁷In Kosovo there are a number of legal acts that guarantee, among others, the right to compensation and reparation such as: Law No. 04 / L-054, on the Status and Rights of Martyrs, Invalids, Veterans, Members of the Kosovo Liberation Army, Civil Victims and Their Families supplemented and amended by Law (no.04 / L-172); on the Status and Rights of Martyrs, Invalids, Veterans, Members of the Kosovo Liberation Army, Victims of Sexual Violence of War, Civilian Victims and Their Families; Law No. 04 / L-261, on War Veterans of the Liberation Army of Kosovo supplemented and amended by Law No.05 / L-141; Law No.04 / L-023, on Missing Persons; Law No.03 / L-95, on the Rights of Former Convicts and Politically Persecuted Persons; Law No.04 / L-249, on Health Insurance; Law No.06 / L-059, for the Memorial Complex "Adem Jashari" in Prekaz; Law No.04 / L-146, on the Kosovo Memorial Complex Management Agency; Law No.05 / L-010, on the Kosovo Agency for Property Comparison and Verification; Law No. 06 / L-073, on the Status of Albanian Education Workers of the Republic of

7. THE VISION AND THE OBJECTIVES OF THE STRATEGY ON TRANSITIONAL JUSTICE

Kosovo's vision for transitional justice is to create a strategic platform aimed at realizing victims and society's right to truth, reparation, justice and guarantees of non-recurrence.

In developing such a vision Kosovo will place all victims and their communities at the heart of the process and consult with them, their representatives and civil society organizations. The Strategy on Transitional Justice (The Strategy) aims to:

- Enable social dialogue about the past, through restorative justice;
- Provide the necessary conditions for the attainment of justice for all victims;
- Ensure the implementation of a comprehensive, transparent process of material, symbolic and psycho-social support for all victims;
- Ensure that all strategic objectives respect gender sensitivity and that each program includes measures to explore gender experiences and address gender-based violations.

The aim of the vision is to ensure that those involved in the roll out of the TJ strategy are not confined to lawyers, academics and technocrats. All stakeholders, particularly at community level, should play a role in the design and implementation of projects.

Transitional justice in Kosovo should not just be about technical interventions. It should also be about the building of new national values that promote tolerance, understanding and respect for all humanity. It ought to be about respecting diversity while exploring what unites those living in Kosovo, rather than what divides them. In this regard, interventions involving art, culture, sport and education ought to be pursued.

The strategy recognizes that not all its strategic objectives can be pursued at the same time and that flexibility will be required. Consideration will have to be given to sequencing. Most objectives may be pursued simultaneously, while others may have to wait until the necessary planning and resource generation have occurred.

Kosovo from the School Year 1990/91 to the School Year 1998/99; Law No.04 / L-174, on Spatial Planning; Law No.04 / L-131, on State Funded Pension Schemes. Law No.03 / L-100 on pensions of members of the Kosovo Protection Corps; Law No.04 / L-071 on Address Systematization; Law No. 04 / L-017 on Free Legal Aid, supplemented and amended by Law No. 08 / L-035.

7.1 STRATEGIC OBJECTIVE – The right to truth

Documentation, disclosure and publication of facts and circumstances on which violations of human rights and international humanitarian law occurred and those responsible for these violations.

SPECIFIC OBJECTIVES

Specific objective 1	Functioning of the institutional mechanism for documenting crimes committed during the war
Specific objective 2	Intensifying the process of clarifying the fate and whereabouts of the enforced disappeared persons
Specific objective 3	Initiation of the process for providing relevant documentation from international organizations
Specific objective 4	Establishment of the Presidential Commission

1. Functioning of the institutional mechanism for documenting crimes committed during the war in Kosovo

Institutional mechanisms for documenting crimes committed during the war are established for the purpose of identifying, collecting, verifying, systematizing, processing, archiving and publishing data on crimes committed during the war in Kosovo. The Institute for Crimes Committed During the War in Kosovo ('the Institute') aims to conduct research and document the crimes that occurred during the war in Kosovo, spanning from January 1, 1998, to June 20, 1999 ('the period of war'). The research and documentation outlined in paragraph 1 of this article may also extend to crimes related to the war that were committed after the period of war, up until December 31, 2000. The Institute will document and research crimes and other actions linked to the war in Kosovo, to comprehensively present facts directly associated with the war.

The Institute can be seen also as Institute for collective memory, which seeks to preserve Kosova's collective memory (written, oral, visual, artefacts, art, etc), promote truth and justice, and engage in public education & become a centre for public dialogue.

The work of the Institute will contribute to the preservation of the collective memory, to the creation of a common understanding of the events of the past, the education of generations on past events and the guarantees of non-recurrence.

This objective will be realized through the actions/measures presented in the table:

Specific objective 1: Functioning of the institutional mechanism for documenting the crimes committed during the war	
Measure/Action 1.1	Drafting of sublegal acts according to the Law for the Institute for the Documentation of Crimes Committed during the War in Kosovo
Measure/Action 1.2	Operationalization of the Institute for Documentation of Crimes Committed during the War in Kosovo
Measure/Action 1.3	Strengthened capacities of staff members on the fields relevant to the mandate of the Institute
Measure/Action 1.4	Comparative analysis of the way of establishment and content of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo
Measure/Action 1.5	Drafting of the legal basis for the establishment of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo
Measure/Action 1.6	Research, curation and operationalization of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo

2. Intensifying the process of clarifying the fate and whereabouts of the enforced disappeared persons

Clarifying the fate of enforced disappeared persons during the war remains one of the ongoing priorities of the institutions of the Republic of Kosovo. Special mechanisms have been set up to investigate and clarify the fate of forcibly disappeared persons and victims of enforced disappearance, including the Governmental Commission on Missing Persons. The Governmental Commission on Missing Persons is a governmental body that leads, supervises, and coordinates activities with local institutions, cooperates with international institutions and

organizations and other actors, in relation to clarifying the fate of forcibly disappeared persons as a result of the 1998-1999 war, regardless of ethnicity, religion or military or civilian status³⁸. However, the process of clarifying the fate of missing persons continues to be slow and challenging, with 1597 persons still missing. It is necessary that the rights of the families of missing persons and the obstacles faced by the responsible institutions in clarifying the fate of their loved ones are properly addressed.

This objective will be realized through the actions/measure presented in the table

Specific objective 2: Intensifying of the process of clarifying the fate and whereabouts of forcibly disappeared persons	
Measure/Action 2.1	Amendment and completion of Law No. 04/L-023 on Missing Persons
Measure/Action 2.2	Amendment and completion of Law No. 04/L-054 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, victims of war sexual violence, civilian victims and their family members, amended and supplemented by Law no. 04/L-172
Measure/Action 2.3	Amendment and completion of Law No. 05/L-060 on Forensic Medicine
Measure/Action 2.4	Drafting of the bylaw on the termination of the search for forcibly disappeared persons
Measure/Action 2.5	Increasing the capacities of the Institute for Forensic Medicine in specific fields
Measure/Action 2.6	Re-inventory/detailed re-examination of all cases of mortal remains in the IFM Morgue
Measure/Action 2.7	Increasing and strengthening the capacities of the Government Commission for Missing Persons
Measure/Action 2.8	Establishment of budgetary possibilities for the continuous support of the families and activities of associations of families of forcibly disappeared persons

³⁸ **LAW NO.04/L –023 ON MISSING PERSONS-** <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2765>

Measure/Action 2.9	Preparation of annual reports for the work of GCMP and IFM
Measure/Action 2.10	Unification of the data of the disappeared persons
Measure/Action 2.11	Advocacy measures, organizing local, national, regional and international initiatives in addressing the issue of forcibly disappeared persons
Measure/Action 2.12	Strengthened capacities of Disappeared persons sector at the War Crimes Directorate at KP

3. Obtaining relevant documentation from international organizations

Part of the documentation of human rights violations, war crimes and crimes against humanity committed in Kosovo has been drafted or established/collected by international institutions and organizations. The Kosovo archives of the International Criminal Tribunal for the former Yugoslavia, for example, have not yet been transferred or accessed by the Kosovo institutions.

Kosovo should establish cooperation with all relevant stakeholders and ensure the preservation of collective memory by using all necessary means to gather all the facts and data on the circumstances in which human rights violations were committed during the war in Kosovo.

This objective will be realized through the actions/measure presented in the table:

Specific Objective 3: Obtaining relevant documentation from international organizations	
Measure/Action 3.1	Current status scan for available documents
Measure/Action 3.2	Requests sent to international mechanisms for the collection of documentation
Measure/Action 3.3	Administration of collected documents

4. *Establishment of the Presidential Commission*

The Presidential Commission is a transitional justice mechanism with a specific mandate, which provides the means for fair and equal treatment of all parties affected by the war. Such a mechanism focuses on dealing with the past, analysing patterns of events that have occurred during a given period. This type of mechanism gives the opportunity to all parties affected by the war to engage directly and extensively in order to collect data on their experiences.

Presidential Commissions are temporary bodies and their work is completed through a final report submitted to the public authorities. Such mechanisms aim to document and establish facts about past human rights violations, restore the dignity of victims, raise awareness and contribute to social transformation. This is typically done through outreach or awareness programs and the holding of public hearings on a range of key issues, as well as permitting victims from all affected communities to share their stories with the nation. Like any other transitional justice mechanism, commissions aim to prevent the recurrence of gross violations and human rights violations.

This objective will be realized through the actions/measures presented in the table:

Specific objective 4. Establishment of the Presidential Commission	
Measure/Action 4.1	Preparatory group for the establishment of the Presidential Commission
Measure/Action 4.2	Drafting of Presidential Act on establishment and functioning of the Presidential Commission
Measure/Action 4.3	Preparation for the establishment of the Presidential Commission
Measure/Action 4.4	Functionalization of the Presidential Commission

7.2 STRATEGIC OBJECTIVE – Right to justice

Access to justice and fighting impunity for war crimes and crimes against humanity committed by the state of Serbia, as a matter of justice for victims

SPECIFIC OBJECTIVES

Specific objective 1	Strengthening the justice system and building the capacities of justice and security institutions
Specific objective 2	Reviewing the existing legal framework in line with international standards as well as needs identified nationally
Specific objective 3	Increasing regional and international cooperation
Specific objective 4	Establishment of the Office for the protection and representation of victims in criminal and civil judicial processes in the cases of their realization for compensation.

1. Strengthening the justice system and building the capacities of justice and security institutions

Based on war crimes case monitoring reports, the justice system in Kosovo lacks the human and material capacity to deal with war crimes in a timely and professional manner. Therefore, it is necessary to strengthen and increase the capacity of the prosecutorial and judicial system. This also applies to the Police, and its current capacity to investigate war crimes cases. This objective will be realized through the actions/measure presented in the table

Specific Objective 1: Strengthening the justice system and building the capacities of justice and security institutions	
Measure/Action 1.1	Recruiting and increasing the number of prosecutors dealing with the investigation of crimes committed during the war

Measure/Action 1.2	Recruitment of support staff of the Special Prosecution Office of Kosovo
Measure/Action 1.3	Organization and development of trainings for employed and recruited prosecutors and support staff
Measure/Action 1.4	Recruitment of the necessary staff in the Directorate for the Investigation of War Crimes in the Kosovo Police
Measure/Action 1.5	Identifying the needs for the necessary equipment for the investigation of the crimes committed during the war
Measure/Action 1.6	Organization and development of training for recruited police officers
Measure/Action 1.7	Prioritization of cases and selection of cases based on established criteria
Measure/Action 1.8	Developing a database for serious crimes under international law in Kosovo at the Special Prosecutor's Office
Measure/Action 1.9	Updating the electronic register of the Special Prosecutor's Office
Measure/Action 1.10	Development of a witness protection program
Measure/Action 1.11	Development of an investigation protocol of war crimes
Measure/Action 1.12	Provide free legal aid to wartime victims
Measure/Action 1.13	Drafting of a guideline aiming to inform victims of war crimes on the compensation of damages in criminal procedures
Measure/Action 1.14	Establishment of Victim Support Office

2. Reviewing the existing legal framework in line with international standards

Kosovo's legal framework in the field of criminal justice for human rights violations is advanced, but much more needs to be done, especially in empowering victims when they enter justice processes. It is also necessary to identify and eliminate possible discriminatory articles, in order to realize the inclusiveness of the categories of victims. For example, it is necessary to ensure victims' legal rights to psychosocial treatment when facing a judicial process.

This objective will be realized through the actions/measure presented in the table

Specific Objective 2: Reviewing the existing legal framework in line with international standards as well as needs identified nationally	
Measure/Action 2.1	Scanning of the legal framework addressing the needs of the war crime victims
Measure/Action 2.2	Organization of awareness campaign for victims rights and access to justice

3. Increasing regional and international cooperation

Cooperation of Kosovo justice institutions with regional and international stakeholders is vital to their goal of achieving justice for victims and their families.

In the case of Kosovo, hybrid and international justice mechanisms have been established to investigate, prosecute and punish the aforementioned.

The right to a fair trial is guaranteed by the Constitution of the Republic of Kosovo and by international instruments. Therefore, cooperation between relevant justice institutions is important to ensure respect for the fundamental human rights of all individuals involved.

This objective will be realized through the actions/measure presented in the table

Specific Objective 3: Increasing local and international cooperation	
Measure/Action 3.1	Establishing cooperation with regional and international organizations and institutions

4. Establishment of the Office for the protection and representation of victims in criminal and civil judicial processes in the cases of their realization for compensation

Specific Objective 4: Establishment of the Office for the protection and representation of victims in criminal and civil judicial processes in the cases of their realization for compensation.

Measure/Action 4.1	Drafting of the regulation for establishment of the Office
Measure/Action 4.2	Development of staff recruitment procedures
Measure/Action 4.3	Development of the training program for office staff

7.3 STRATEGIC OBJECTIVE – Support for victims

Equal access to support needed for victims of crimes committed during the war through local and central institutions

SPECIFIC OBJECTIVES

Specific objective 1	Providing psychosocial and wellbeing support to victims on research based
Specific objective 2	Improving existing programs and developing new ones
Specific objective 3	Preservation of collective memory through memorialization

1. Providing psychosocial and wellbeing support to victims on research based

The institutions of the Republic of Kosovo have established special programs through which financial support is provided to victims of gross human rights violations committed during the war in Kosovo. However, the process of identifying victims and recognizing their status as 'victims' subject to state support has been hampered by many challenges and obstacles that have prevented all victims from receiving the support provided.

As state support for victims of gross human rights violations has been provided mainly through financial means in the form of a monthly 'pension', other necessary means such as health and psychological support for a number of victims have been provided by civil society organizations. Kosovo institutions should develop policies and programs to address all the needs of victims and realize their rights.

This objective will be realized through the actions/measure presented in the table.

Specific Objective 1: Providing psychosocial and wellbeing support to victims on research based	
Measure/Action 1.1	Research on existing public and private institutions that provide psychosocial treatment for victims of crimes committed during the war

Measure/Action 1.2	Research on the public health of the Kosova population related to the effects and consequences of war
Measure/Action 1.3	Research on the needs of elderly survivors and lone family members of war crime victims
Measure/Action 1.4	Research on impact of transgenerational trauma
Measure/Action 1.5	Documentation and identification of poisoning victims
Measure/Action 1.6	Documentation and identification of mine victims
Measure/Action 1.7	Support civil and war invalids for Medical Treatment Outside Public Health Institutions
Measure/Action 1.8	Subvention for placement of elderly survivors lone family members of war crime victims in nursing houses

2. Improving existing programs and developing new ones

Existing programs through which Kosovo institutions provide support to victims of human rights violations need to be reviewed and amended according to the needs of the victims. Victims and their families have consistently expressed dissatisfaction with the institutional treatment, unfair inclusion and support received compared to certain categories of victims.

Within the documentation, the categories of the victims of the 90s are not included. It is a category which even today suffers the consequences of that period, which is the category of poisoned persons. Poisonings in Kosovo with toxic gases in the spring of 1990, resulted as an exterminating doctrine prepared by the Serbian military secret service, where thousands of young people were poisoned, mainly students, and among them there were also children in preschools. In March and April 1990, more than 7,000 Kosovo Albanian school children with

signs of poisoning sought medical help through Kosovo medical centers and makeshift ambulances.

This objective will be realized through the actions/measure presented in the table

Specific Objective 2: Improving existing programs and developing new ones	
Measure/Action 2.1	Extension of the period of time within which victims of sexual violence could apply for recognition of their status, through the amendment of Law No. 04/L-172 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, Victims of War Sexual Violence and their families
Measure/Action 2.2	Amendment and completion of Law No. 04/L-054 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army and their family members.
Measure/Action 2.3	Establishment of special scheme for employment and self-employment of war victims categories
Measure/Action 2.4	Drafting of the regulation for determining the procedures for equipping with cards for the categories of civilian victims of the war
Measure/Action 2.5	Increasing the capacities of the Centres for Social Work, with psychologists and sociologists

3. Preservation of collective memory through memorialization

Collective memory is of particular importance to victims and the society as a whole. At the institutional level, Kosovo has not yet preserved and promoted the collective memory of human rights violations and the legacy of war. Commemorative dates should be determined. The construction of memorials should be standardized through legal, artistic, social and cultural criteria. The memorial should contain a message of peace and be a function of remembrance and not repetition.

Memorialization represents an important tool for promoting the recognition of victims and survivors, their status as rights holders, and for promoting peace, justice and social co-existence. Therefore, the voices of victims and survivors of gross human rights violations

*should be at the center of collective memory building as a way to avoid distortions by perpetrators.*³⁹

*The topic of memory, as part of the transitional justice framework, must be consistent with a human rights approach⁴⁰, whose purpose is to establish through memory the truth that creates “the conditions for a debate within society on the causes and consequences of crimes and violence in the past and on the attribution of direct and indirect liability” which allow to go beyond the separate and incompatible accounts of the past.*⁴¹

This objective will be realized through the actions/measure presented in the table.

Specific Objective 4: Preservation of collective memory through memorialization	
Measure/Action 4.1	Drafting of the legal basis for the evaluation and categorization of the memorials
Measure/Action 4.2	Determination of official commemorations dates
Measure/Action 4.3	Updating the database for memorials
Measure/Action 4.4	Memorialization for forcibly disappeared and missing persons
Measure/Action 4.5	Creation of commemorative symbols for the victims
Measure/Action 4.6	Memorial for the children killed and disappeared during the war
Measure/Action 4.7	Memorial Complex “Adem Jashari”
Measure/Action 4.8	Establishment of the Museum for the documentation and presentation of the crimes of the former Yugoslavia and Serbia in Kosovo
Measure/Action 4.9	Documentation of the cultural and historical heritage destroyed by Serbian forces during the 1998-1999 war
Measure/Action 4.10	Annual programs dedicated to the documentation, presentation and commemoration of war victims

³⁹A / HRC / 45/45 (un.org) p. 8, point 41

⁴⁰ A / HRC / 45/45 (un.org), p.7 point 36

⁴¹ A / HRC / 45/45 (un.org)p. 7, point 36

Measure/Action 4.11	Publications on the documentation, presentation and commemoration of war victims
Measure/Action 4.12	Remembrance of political prisoners killed during the war in Dubrava
Measure/Action 4.13	“Burgu i Idealit” museum
Measure/Action 4.14	Joint calendar for memorial days

7.4 STRATEGIC OBJECTIVE– Guaranteeing non-recurrence

Eliminating opportunities for recurrence of gross human rights violations through institutional reform

SPECIFIC OBJECTIVES

Specific objective 1	Building institutional capacities for transitional justice
Specific objective 2	Improving public policies from the perspective of transitional justice: education and culture
Specific objective 3	Empowering Youth in Transitional Justice Processes
Specific objective 4	Promoting Social Cohesion among Youth from all Communities
Specific objective 5	Ensuring Gender-Sensitive Transitional Justice and addressing Gender-Based Violence and discrimination
Specific objective 6	Empowering existing and new civil society initiatives on transitional justice
Specific objective 7	Strengthening social cohesion

1. Institutional capacity-building for transitional justice

Kosovo institutions lack the necessary capacity to properly address the past and transitional justice. Officials directly or indirectly involved in the design and implementation of transitional justice policies lack basic on-site knowledge, as well as knowledge on international humanitarian law and human rights.

Governing institutions as well as other public institutions should ensure the continuation of education of officials working on-site by regularly providing adequate training, study visits and ensuring participation in various local and regional education programs. This can be done in cooperation with the Kosovo Institute for Public Administration, Academy of Justice, Academy for Public Security, responsible for preparing special programs for professional capacities building for justice sector.

This objective will be realized through the actions/measure presented in the table

Specific Objective 1: Building institutional capacities for transitional justice	
Measure/Action 1.1	Transitional Justice Training Program
Measure/Action 1.2	Establishing a transitional justice trainer program
Measure/Action 1.3	Trainings of relevant officials on need based in specific fields
Measure/Action 1.4	Strengthening the capacities of DFDIL offices

2. Improving public policies from the perspective of transitional justice: education and culture

Structural and program reforms of the education system in Kosovo are very necessary. Textbooks provided to students, especially those focused on Kosovo's recent past history, should be reviewed and updated from the perspective of fundamental human rights by combating hate speech, as well as misinformation.

Educational institutions and competent authorities should take the necessary steps to ensure that the educational programs offered to children and students contribute to the creation of a common understanding of the past, ensuring a culture of dialogue and inclusion in order to prevent recurrence of violence and promote respect for human rights.

This objective will be realized through the actions/measure presented in the table.

Specific Objective 2: Improving public policies from the perspective of transitional justice: education and culture	
Measure/Action 2.1	Education programmes / extracurricular activities developed
Measure/Action 2.2	Preparation of teaching material on transitional justice, with methodological guidelines
Measure/Action 2.3	Support the development of new cadres in transitional justice, human rights and rule of law
Measure/Action 2.4	Organization of professional development activities for teachers in the field of transitional justice
Measure/Action 2.5	Development of the Center for Transitional Justice
Measure/Action 2.6	Establishment of transitional justice sections in the public libraries

3. Empowering Youth in Transitional Justice Processes

Youth constitute a significant segment of the population in Kosovo, and their participation in TJ processes is crucial for the success of such initiatives. The objective of this goal is to empower youth and ensure their meaningful participation in the design and implementation of transitional justice mechanisms in Kosovo.

To achieve this objective, measures/actions that can be taken are as follows:

Specific Objective 3: <i>Empowering Youth in Transitional Justice Processes</i>	
Measure/Action 3.1	Establish partnerships with youth-led organizations to increase their participation in transitional justice processes and activities.
Measure/Action 3.2	Create opportunities for youth to engage in dialogue with victims and other stakeholders to enhance their understanding of the impact of past human rights violations.
Measure/Action 3.3	Encourage the participation of youth across communities (all ethnic groups) in decision-

	making processes related to transitional justice mechanisms through the establishment of youth-led advisory group
Measure/Action 3.4	Organization of artistic activities in collaboration with art students in Kosovo from different communities

4. Promoting Social Cohesion among Youth from all Communities

The aim of this objective is to promote social cohesion among youth from all communities in Kosovo, particularly Albanian and Serbian communities, who were directly impacted by the war. The objective seeks to address the mistrust that may exist between these communities and prevent future conflicts. It aims to encourage young people from different ethnic backgrounds to share their personal experiences in order to address the legacy of the war and foster empathy and understanding. Through the measures set out below, this objective seeks to promote reconciliation and social cohesion among youth from all communities in Kosovo, particularly Albanian and Serbian communities, and create a shared vision for the future. By fostering a culture of respect and understanding, this objective aims to build a more peaceful and inclusive society in Kosovo.

To achieve this objective, measures/actions that can be taken are as follows:

Specific objective 4: Promoting Social Cohesion among Youth from all Communities	
Measure/Action 4.1	Create opportunities for youth from different communities to engage in inter-community dialogue and exchange programs to enhance mutual understanding and respect
Measure/Action 4.2	Promote youth-led efforts, such as joint social projects and cultural, artistic and sporting events, that encourage intercommunity dialogue and exchange.
Measure/Action 4.3	Develop and implement programs that are specifically aimed at youth from all communities, to encourage language learning and cultural interaction.
Measure/Action 4.4	Encourage young people from every ethnic background to take part in programs for transitional justice.

5. Ensuring Gender-Sensitive Transitional Justice and addressing Gender-Based Violence and discrimination

The aim of this objective is to ensure that transitional justice mechanisms in Kosovo are gender-sensitive and consider the unique experiences and needs of women and girls who have been affected by the war. This objective seeks to address gender-based violence and discrimination that were pervasive throughout the war. Through promoting gender equality and justice, this objective aims to build a more inclusive and just society in Kosovo.

To achieve this objective, measures/actions that can be taken are as follows:

<i>Specific objective 5: Ensuring Gender-Sensitive Transitional Justice and addressing Gender-Based Violence and discrimination</i>	
Measure/Action 5.1	Undertaking affirmative measures to ensure equal gender participation in accordance with the requirements of the Law on Gender Equality in decision making positions in relation to dealing with the past
Measure/Action 5.2	Develop targeted programs that provide women with access to information and resources related to TJ processes
Measure/Action 5.3	Create safe spaces and forums for women to share their experiences and perspectives on the conflict and its aftermath, including gender-based violence.
Measure/Action 5.4	Develop and implement programs that focus on the prevention and response to gender-based violence and discrimination, as a result of war related trauma within families
Measure/Action 5.5	Undertake specialized trainings to investigate and address sexual violence during the war
Measure/Action 5.6	Develop and implement targeted programs that promote the participation and leadership of women in transitional justice processes
Measure/Action 5.7	Strengthening of capacities of the Governmental Commission for Survivors of Sexual Violence

	During the War and organizations involved in the process of application for status recognition
Measure/Action 5.8	Support to survivors of sexual violence during the war through authorized NGOs
Measure/Action 5.9	Training programs for victim advocates, social workers and service providers/ licensed CSOs on CRSV
Measure/Action 5.10	Development of specific programs for access to justice for survivors of sexual violence during the war
Measure/Action 5.11	Development of rehabilitation programs for survivors of sexual violence during the war
Measure/Action 6.12	Increasing society's awareness through advocacy on access to justice, focusing on survivors of sexual violence during the war and other rights deriving from relevant legislation
Measure/Action 5.13	Awareness-raising campaigns on fight against prejudice and stigmatization of survivors of sexual violence
Measure/Action 5.14	Regional and international conferences on the sexual violence during the war in Kosovo
Measure/Action 5.15	Provision of vocational training for women and girls from the families of the war categories, with special focus on women with low level of education and women who have been unemployed for a long time
Measure/Action 5.16	Women, Peace and Security Forum
Measure/Action 5.17	Research and data collection on the role of women in relation to human rights, rule of law and transitional justice

6. Empowering existing and new civil society initiatives on transitional justice

Civil society, including individuals, civil society organizations and associations of families of forcibly disappeared persons in Kosovo are key stakeholders in truth-seeking initiatives. Civil society in Kosovo has contributed to documenting gross human rights violations, assisting in identifying victims, illuminating the fate and whereabouts of forcibly disappeared persons, and providing direct support to victims in form of social and psychological support.

The transitional justice process can only be legitimate if all relevant actors are involved and given space to contribute to the achievement of justice and the discovery of the truth for the victims and their families.

This objective will be realized through the actions/measure presented in the table

Specific Objective 6: Empowering existing and new civil society initiatives on transitional justice	
Measure/Action 6.1	Establishing institutional and programmatic support schemes for civil society organizations dealing with Transitional Justice

7. Strengthening social cohesion

The aim of this objective is to prevent Kosovo from sliding back into war and violence. This requires understanding the root causes of division and conflict in society and recognizing the potential triggers of future tensions. It involves devising programs that build respect, tolerance and understand amongst people. This requires activities that reduce cultural and historical divides, and which enable people to freely discuss the past and collaborate on a vision for the future.

Specific objective 7: Strengthening social cohesion	
Measure/Action 7.1	Consultative Council for Communities
Measure/Action 7.2	Develop programs, including public education, aimed at promoting freedom of expression and eliminating hate speech
Measure/Action 7.3	Training programs for media on transitional justice, do no harm, war-sensitivity, and victim centered approach

Measure/Action 7.4	Research the prevalence and impact of discrimination and devise measures to eliminate such discrimination
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8. IMPLEMENTATION, MONITORING AND REPORTING

Monitoring of the implementation of the Strategy for Transitional Justice will be developed according to Administrative Instruction No. 07/2018 for the Planning and Drafting of Strategic Documents and Action Plans, as well as the Manual for Planning, Drafting and Monitoring of Strategic Documents and their Action Plans, which derives from the Administrative Instruction.⁴²

An integral part of the strategy is the action plan for the period 2024-2026, which elaborates in detail the strategic and specific objectives, the actions, the responsible institutions, the financial cost for implementation as well as the indicators (baseline value, mid-term and final goal).

The leading institution for continuous monitoring and coordination of strategy implementation is the Ministry of Justice. Simultaneously, some of the most important supporting institutions in the process of monitoring and implementing the Strategy are, in particular: Ministry of Justice, Assembly of the Republic of Kosovo, Office of the Prime Minister, Ministry of Finance, Labour and Transfers, Ministry of Foreign Affairs and Diaspora, Ministry of Education, Science, Technology and Innovation, Ministry of Internal Affairs, Ministry of Culture, Youth and Sport, Ministry of Health, Government Commission on Missing Persons, Office for the Strategic Planning, Institute of Forensic Medicine, Prosecutorial Council of Kosovo, Special Prosecutor's Office of Kosovo, Kosovo Institute for Public Administration, Agency for the Management of the Memorial Complexes of Kosovo, Kosovo Police, the Government Commission for the Recognition and Verification of the Status of Persons Raped during the Liberation War of Kosovo, the National Institute of Public Health and the Employment Agency of the Republic of Kosovo.

As a leading institution, the Ministry of Justice is responsible for creating an effective monitoring and reporting mechanism in accordance with monitoring and reporting requirements and ensuring its implementation, gathering information from supporting institutions for the implementation of the strategic document and its action plan, the preparation of regular annual reports on the implementation of the strategic document and the six-monthly report on the implementation of the action plan, as well as the publication of regular reports on the website of the ministry after their approval by the relevant body.

In accordance with Article 16 of the UA, the Ministry of Justice will take action if necessary to ensure the timely and effective performance of the activities defined in the Action Plan.

The Ministry of Justice will establish and coordinate the inter-institutional coordinating body to ensure the regular monitoring of the implementation of the strategy and action plan, the performance of interim reviews and the final evaluation of the strategic document. The strategy's interagency coordinating body will meet at least twice a year to discuss progress and periodic reports. The main representatives in the inter-institutional coordinating body are the responsible and supporting institutions in the monitoring and implementation of this Strategy, as well as representatives of civil society.

⁴² Government of the Republic of Kosovo, Decision No. 03/39, dated 04.04.2018, Accessible at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=18813>

The secretariat of the inter-institutional coordinating body in the MoJ, the Division for Transitional Justice is the main mechanism that ensures the implementation, monitoring and quality and timely reporting by collecting data and information from the leading and supporting institutions for the implementation of the strategy and action plan, mentioned above. In this direction, common practices will be used to collect data related to the implementation of strategic documents such as ERA, PKZMSA or other sectorial strategies.

The preparation of regular annual reports on the implementation of the strategy and six-monthly reports on the implementation of the action plan will be made by the Secretariat of the inter-institutional coordinating body. These reports will then be presented to the inter-institutional coordinating body of the strategy.

The aforementioned reports are then reviewed and approved by the Inter-Institutional Coordinating Body, as the main governing body of the strategy and action plan.

On the other hand, the Role of the Commission for Strategic Planning and the Government of Kosovo in relation to this Strategy is determined by Government Decision no. 04/12.26.⁴³

All responsible actors, including but not limited to DDT and Reporting Officers, must ensure that in all measures and actions related to the implementation, monitoring and reporting process of the Strategy and Action Plan, a gender perspective and the rights of communities must be taken into account at all stages

⁴³ Government Decision No. 04/12, dated 09.07.2020. <https://kryeministri-ks.net/wpcontent/uploads/2020/07/Vendimet-ngambledhja-e-12-t%C3%AB-e-Qeveris%C3%AB.pdf>

9. ACTION PLAN

The action plan consists of 3 sections:

- a) Section 1: The strategic objective and its indicators
- b) Section 2: Specific objectives and their indicators
- c) Section 3: Actions related to specific objectives.

Nr.	Strategic and specific objectives, indicators and actions	Baseline [2023]	Mid-term goal [2024]	Final goal [2025]	Result				
1.	Strategic Objective: Documentation and publication of facts and circumstances of crimes committed during the war								
1	Indicator: Documenting and establishing facts	N/A	Yes	Yes	Documentation of human, environmental, material damages				
2	Indicator: Publication of data	N/A	Yes	Yes	Data published				
1.1	Specific Objective: Establishment of an institutional mechanism for documenting crimes committed during the war								
1	Indicator: Institutional mechanism for documenting crimes committed during the war in Kosovo functionalized	Functioning of the institute	Yes	Yes	Research and documentation of the crimes committed during the war, collection, classification and creation of the archival fund.				
2	Indicator: Museums and archival mechanisms for war heritage established	N/A	Yes	Yes	Collective memory/ Preservation of collected archival funds, artifacts made available to the public, researchers, and institutions				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year 1	Year 2	Year 3				
1.1.1	Drafting of sublegal acts according to the Law for the Institute for the Documentation of Crimes Committed during the War in Kosovo	TM2 2024	0	0	0		Office of Prime Minister	Adopted bylaws	Law on the Institute of Crimes Committed during the

									War in Kosovo
1.1.2	Operationalization of the Institute for Documentation of Crimes Committed during the War in Kosovo	TM3 2024	1,113,165.00	1,565,560.00	1,634,192.00	Budget of Kosovo/ Donors	Office of Prime Minister	Functional institute with necessary physical infrastructure, human resources and budget line	Law on the Institute for Documentation of Crimes Committed during the War in Kosovo
1.1.3	Strengthened capacities of staff members on the fields relevant to the mandate of the Institute	TM4 2024	0	0	0		Institute for War Crimes Committed during the war	Trained Institute officials	Law no. 06/L-114 on public officials; Law no. 04/L-221 on the Kosovo Institute for Public Administration
1.1.4	Comparative analysis for the establishment of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo	TM1 2024	0	0	0		Ministry of Culture, Youth and Sports	Comparative analysis report	N/A
1.1.5	Drafting of the legal basis for the establishment of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo	TM2 2024	1,500.00	0	0	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports	Legal basis established	N/A

1.1.6	Research, curation and operationalization of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo	TM1 2025	50 000	50 000	50 000	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports	Full functioning of the museum institution for documenting the crimes of the former Yugoslavia and Serbia in Kosovo	N/A
	Overall budget for Specific Objective 1.1:		1,119,665.00	1,615,560.00	1,584,192.00	Budget of Kosovo/ Donors			
1.2	Specific Objective: Intensifying the process of clarifying the fate and whereabouts of the enforced disappeared persons								
1	Indicator: Treating new information and locations excavated to find persons of enforced disappearance		N/A		Yes	Yes		Cases treated, new locations and excavations	
2	Indicator: Solved cases		N/A		Yes	Yes		Cases solved and mortal remains identified	
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year 1	Year 2	Year 3				
1.2.1	Amendment and completion of Law No. 04/L-023 on Missing Persons	2024	1,500.00	0	0	Budget of Kosovo/ Donors	Office of the Prime Minister/ <i>Govern ment Commission on Missing Persons</i>	Amended and supplemented Law on missing persons adopted	N/A
1.2.2	Amendment and completion of Law No. 04/L-054 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, victims of war sexual violence, civilian victims and their family members, amended and supplemented by Law no. 04/L-172	2024	1,500.00	0	0	Budget of Kosovo/ Donors	Ministry Of Finance, Labor And Transfers	Recognition of the status of persons of enforced disappearance from Kosovo in compliance with the Law on Missing Persons	N/A
1.2.3	Amendment and complementation of Law No. 05/L-060 on Forensic Medicine	2024	0	0	0		Ministry of Justice	Law approved with amendments and supplements	N/A

1.2.4	Drafting of the bylaw on the termination of the search for forcibly disappeared persons	TM3 2024	1,500.0 0	0	0	Budget of Kosovo/ Donors	Ministry of Justice	Regulation approved	N/A
1.2.5	Increasing the capacities of the Institute for Forensic Medicine in specific fields	2024	20,000	20,000	20,000	Budget of Kosovo/ Donors	Ministry of Justice	Strengthened capacities IML officials	Law No. 05/L-060 on Forensic Medicine
1.2.6	Re-inventory/detailed re-examination of all cases of mortal remains in the IFM Morgue	2024	15,000	15,000	0	Budget of Kosovo/ Donors	Ministry of Justice/Institute of Forensic Medicine / Government Commission on Missing Persons	Mortal remains re-inventorized/ identified	Law No. 04/L-023 on Missing Persons
1.2.7	Increasing and strengthening the capacities of the Government Commission for Missing Persons	2024	13,728	13,728	13,728	Budget of Kosovo/ Donors	Office of the Prime Minister	New staff recruited / CMP capacities strengthened	Law no. 06/L-114 on public officials;
1.2.8	Establishment of budgetary possibilities for the continuous support of the families and activities of associations of families of forcibly disappeared persons	2024- 2025- 2026	50.000	50.000	50.000	Budget of Kosovo/ Donors	Government of the Republic of Kosovo / Office of the Prime Minister / MFLT Government Commission for Missing Persons / IFM	Support provided / Identified forms for future support for families and family associations Prepared reports	
1.2.9	Preparation of annual reports for the work of GCMP and IFM	2024- 2025- 2026	0	0	0		GCMP / IFM	Prepared reports	
1.2.10	Unification of the data of the disappeared persons	2025	0	0	0		GCMP	Database updated	

1.2.11	Advocacy measures, organizing local, national, regional and international initiatives in addressing the issue of forcibly disappeared persons	2024-2025-2026	0	20.000	20.000	Budget of Kosovo/ Donors	GCMP	Organized initiatives	N/A
1.2.12	Strengthened capacities of Disappeared persons sector at the War Crimes Directorate at KP	2024-2025-2026	39,072.00	39,072.00	39,072.00	Budget of Kosovo/ Donors	MIA/KP	Recruited staff	N/A
	Overall budget for Specific Objective 1.2:		140,800.00	157,800.00	142,800.00	Budget of Kosovo/ Donors			
1.3	Specific Objective: Obtaining relevant documentation from international organizations								
1	Indicator: Archival funds obtained		N/A	Yes	Yes	Funds submitted to the archive of the Institute for the documentation of crimes committed during the war			
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year 1	Year 2	Year 3				
1.3.1	Current status scan for available documents	2024	15,000	0	0	Budget of Kosovo/ Donors	Ministry of Justice	Preparation of the current status report	N/A
1.3.2	Requests sent to international mechanisms for the collection of documentation	2024-2025	0	0	0		Institute for crimes committed during the war in Kosovo	Requests submitted	N/A
1.3.3	Administration of collected documents	2025-2026	0	10,000	10,000	Budget of Kosovo/ Donors	Institute for crimes committed during the war in Kosovo	Administered data	N/A
	Overall budget for Specific Objective 1.3:		15,000	10,000	10,000	Budget of Kosovo/ Donors			
1.4	Specific Objective: Establishment of the Presidential Commission								

1	Indicator: The national non-judicial mechanism operationalized	Establishment of the Mechanism by legal act	Necessary staff recruited	N/A	Mechanism established				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
1.4.1	Preparatory group for the establishment of the Commission	TM3 2024	87,912.00	0	0	Budget of Kosovo/ Donors	Office of the President of the Republic of Kosovo/Assembly of Kosovo	Functional preparatory group	N/A
1.4.2	Preparation for the establishment of the Presidential Commission	2024	0	0	0		Office of the President of the Republic of Kosovo/Assembly	Approved act	N/A
1.4.3	Functionalization of the Presidential Commission	2026	0	1,202,625.65	1,202,625.65	Budget of Kosovo/ Donors	President/Assembly	Full functioning of the Commission	N/A
	Overall budget for Specific Objective 1.4:		87,912.00	1,202,625.65	1,202,625.65	Budget of Kosovo/ Donors			
Nr.	Strategic and specific objectives, indicators and actions	Baseline [2024]	Temporary goal [2025]	Final year goal [2026]	Result				
2.	Strategic Objective: Access to justice and fighting impunity for war crimes and crimes against humanity committed by the state of Serbia, as a matter of justice for victims								
1	Indicator: Equal access to justice	N/A	Yes	Yes	Investigation and prosecution of cases				

2	Indicator: Combating impunity	N/A	Yes	Yes	Bringing perpetrators of crimes to justice/ trial in absentia Handing of perpetrators from Serbia to be tried in Kosova justice institutions				
2.1	Specific Objective: Strengthening the justice system and building the capacities of justice and security institutions								
1	Indicator: Increase in the number of prosecutors/supporting staff	N/A	Yes	Yes	New recruited prosecutors and supporting professional staff				
2	Indicator: Increase in the number of police investigators	N/A	Yes	Yes	New recruited police investigators				
3	Indicator: Support for victim categories	12	2	N/A	Extension and consolidation of programs to support categories of victims				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
2.1.1	Recruiting and increasing the number of prosecutors dealing with the investigation of crimes committed during the war	2024-2025	40,920.00	61,380.00	0	Budget of Kosovo/ Donors	Kosovo Prosecutorial Council/Ministry of Justice	Recruited prosecutors	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.2	Recruitment of support staff of the Special Prosecution Office of Kosovo	2024-2025	44,880.00	22,440.00	0	Budget of Kosovo/ Donors	Special Prosecutor's Office of the Republic of Kosovo	Recruited staff	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.3	Organization and development of trainings for employed and recruited prosecutors and support staff	2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/ Donors	Office of the Chief Prosecutor and Kosovo Prosecutorial Council	Trained prosecutors and support staff	Strategy of war crimes by the Prosecution Council and the State Prosecutor

2.1.4	Recruitment of the necessary staff in the Directorate for the Investigation of War Crimes in the Kosovo Police	2024-2025	46,200.00	46,200.00	0	Budget of Kosovo/Donors	Kosovo Police	Recruited staff	Law No. 04/L-076 on Police
2.1.5	Identifying the needs for the necessary equipment for the investigation of crimes committed during the war	2024-2025-2026	15,000.00	20,000.00	20,000.00	Budget of Kosovo/Donors	Ministry of Internal Affairs/Kosovo Police	Obtained equipment	N/A
2.1.6	Organization and development of training for recruited police officers	2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/Donors	Kosovo Police	Trained Police Officers	N/A
2.1.7	Prioritization of cases and selection of cases based on established criteria	2024-2025-2026	0	0	0		Special Prosecutor's Office of the Republic of Kosovo	The efficiency of the resolution of court cases	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.8	Developing a database for serious crimes under international law in Kosovo at the Special Prosecutor's Office	2025	0	10,000.00	0	Budget of Kosovo/Donors	Special Prosecutor's Office of the Republic of Kosovo	Database created	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.9	Updating the electronic register of the Special Prosecutor's Office	2024-2025-2026	0	0	0		Special Prosecutor's Office of the Republic of Kosovo	Updated electronic register	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.10	Development of a witness protection program	2024-2025-2026	20,000.00	20,000.00	20,000.00	Budget of Kosovo/Donors	Special Prosecutor's Office of the	System or program developed	Strategy of war crimes by the Prosecution

							Republic of Kosovo		Council and the State Prosecutor
2.1.11	Development of an investigation protocol of war crimes	2024-2025	0	0	0		Special Prosecutor's Office of the Republic of Kosovo	Protocol and Strategy developed	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.12	Provide free legal aid to wartime victims	2024-2025-2026	1,500.00	0	0	Budget of Kosovo/Donors	Ministry of Justice/ Victims Advocate		
2.1.13	Drafting of a guideline aiming to inform victims of war crimes on the compensation of damages in criminal procedures	2024-	0	0	0		State Prosecutor/Special Prosecutor's Office of the Republic of Kosovo/Kosovo Police	Guideline drafted	Strategy of war crimes by the Prosecution Council and the State Prosecutor
2.1.14	Establishment of Victim Support Office	2024-2025	44,880.00	44,880.00	0	Budget of Kosovo/Donors	Special Prosecution of Republic Kosova	Provision of support for victims who are going through a trial process	
	Overall budget for Specific Objective 2.1:		213,380.00	254,900.00	70,000.00	Budget of Kosovo/Donors			
2.2	Specific Objective: Reviewing the existing legal framework in line with international standards as well as needs identified nationally								
1	Indicator: Legal framework in compliance to international standards	N/A		Jo	Po	Advancing the legal framework according to international standards			
2	Indicator: Legal framework in compliance with needs identified nationally	N/A		Jo	Po	Advancing the legal framework according to needs identified nationally			
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				

2.2.1	Scanning of the legal framework addressing the needs of the war crime victims	2025	0	0	0		Ministry of Justice	Prepare a report on the current situation	N/A
2.2.2	Organization of awareness campaign for victims' rights and access to justice	2025-2026	0	15,000	15,000	Budget of Kosovo/ Donors	SPRK / Ministry of Justice	Awareness raising for victims	Strategy of war crimes by the Prosecution Council and the State Prosecutor
	Overall budget for Specific Objective 2.2:		0	15,000	15,000	Budget of Kosovo/ Donors			
2.3	Specific Objective: Increasing regional and international cooperation								
1	Indicator: Establishment of cooperation agreements at the regional and international level	N/A		Yes	Yes	Agreements reached			
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
2.3.1	Establishing cooperation with regional and international organizations and institutions	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	Ministry of Foreign Affairs and Diaspora / Ministry of Justice	Established contacts	N/A
	Overall budget for Specific Objective 2.3:		10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors			
2.4	Specific Objective: Establishment of the Office for the protection and representation of victims in criminal and civil judicial processes in the cases of their realization for compensation								

1	Indicator: Representation of victims in criminal and civil judicial processes	N/A	N/A	N/A	Establishment of the Office				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
2.4.1	Drafting of the regulation for establishment of the Office	2024	0	0	0		Ministry of Justice	Approval of the regulation	N/A
2.4.2	Development of staff recruitment procedures	2025-2026	0	4,6538.00	4,6538.00	Budget of Kosovo/Donors	Ministry of Justice	The staff is recruited	N/A
2.4.3	Development of the training program for office staff	2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/Donors	Ministry of Justice	Training completed	N/A
	Overall budget for Specific Objective 2.4:		0	61,538.00	61,538.00	Budget of Kosovo/Donors			

Nr.	Strategic and specific objectives, indicators and actions	Baseline [2024]	Temporary goal [2025]	Final year goal [2026]	Result
3.	Strategic Objective: Equal access to support needed for victims of crimes committed during the war through local and central institutions				
1	Indicator: Expansion of support programs	N/A	Yes	Yes	Support provided
3.1	Specific Objective: Providing psychosocial and wellbeing support to victims on research based				

1	Indicator: Services provided	12	2	N/A	Support provided				
2	Indicator: Researches conducted	N/A	Yes	Yes	Research outcomes				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
3.1.1	Research on existing public and private institutions that provide psychosocial treatment for victims of crimes committed during the war	2024	0	0	0		Ministry of Health/ National Institute of Public Health	Research conducted	N/A
3.1.2	Research on the public health of the Kosova population related to the effects and consequences of war	2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	Ministry of Health/ National Institute of Public Health	Research conducted.	N/A
3.1.3	Research on the needs of elderly survivors and lone family members of war crime victims	2024-2025	0	0	0		Ministry of Finance, Labor and Transfers		
3.1.4.	Research on impact of transgenerational trauma	2024-2025-2026	0	20,000.00	0	Budget of Kosovo/ Donors			
3.1.5	Documentation and identification of poisoning victims	2025-2026	0	0	0		Institute for documentation of Crimes committed during the war	Database completed	N/A
3.1.6	Documentation and identification of mine victims	2025-2026	0	0	0		Institute for the documentation of war crimes committed during the war	Database completed	
3.1.7	Support civil and war invalids for Medical Treatment Outside Public Health Institutions	2024-2026	0	150,000.00	150,000.00	Budget of Kosovo/ Donors	Ministry of Health / Health Insurance Fund		AI 03/2017, appendix

									for Medical Treatment Outside Public Health Institutions
3.1.8	Subvention for placement of elderly survivors lone family members of war crime victims in nursing houses	2024-2025-2026	100,00 0,00	200,00 0.00	200,0 00.00	Budget of Kosovo/ Donors	Ministry of Finance, Labor and Transfers	Persons systemized	N/A
	Overall budget for Specific Objective 3.1:		100,00 0,00	390,00 0.00	370,0 00.00	Budget of Kosovo/ Donors			
3.2	Specific Objective: Improving existing programs and developing new ones								
2	Indicator: Improved and developed programs		N/A	Yes	Yes	Treatment of victims through rehabilitation programs			
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
3.2.1	Extension of the period of time within which victims of sexual violence could apply for recognition of their status, through the amendment of Law No. 04/L-172 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, Victims of War Sexual Violence and their families	2024-2025-2026	0	0	0		Government of the Republic of Kosovo/Ministry of Finance, Labor and Transfers	Extended period for victims of sexual violence	N/A
3.2.2	Amendment and completion of Law No. 04/L-054 on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army and their family members.	TM4 2024	1,500.0 0	0	0	Budget of Kosovo/ Donors	Government of the Republic of Kosovo/Ministry of Finance and Transfers	Levelling of the pension amount for civil invalids	N/A

3.2.3	Establishment of special scheme for employment and self-employment of war victims categories	2025-2026	0	250,000.00	25,000.00	Budget of Kosovo/Donors	Ministry of Finance, Labor and Transfers/ Employment Agency of the Republic of Kosovo	Number of employed persons	N/A
3.2.4	Drafting of the regulation for determining the procedures for equipping with cards for the categories of civilian victims of the war	2025	0	0	0		Ministry of Finance, Labor and Transfers	Approved regulation	N/A
3.2.5	Increasing the capacities of the Centres for Social Work, with psychologists and sociologists	2025-2026	0	541,728.00	541,728.00	Budget of Kosovo/Donors	Ministry of Justice	Appointed psychologists and sociologists	N/A
	Overall budget for Specific Objective 3.2:		1,500.00	791,728.00	791,728.00	Budget of Kosovo/Donors			
3.3	Specific Objective: Preservation of collective memory through memorialization								
1	Indicator: Memorials categorized	N/A		Yes	Yes				
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
3.3.1	Drafting of the legal basis for the evaluation and categorization of the memorials	2024	1,500.00	0	0	Budget of Kosovo/Donors	Ministry of Culture, Youth and Sports	Approved bylaws	Law NO.04/L-146 on Agency for the Management of the Memorial Complexes; Law NO.08/L-063 on

									Amending and supplementing the laws
3.3.2	Determination of official commemorations dates	2024	0	0	0		Government of the Republic of Kosovo / OPM/ MCYS/ MEST	Unified dates	N/A
3.3.3	Updating the database for memorials	TM1 2025	0	0	0		Agency for the Management of Kosovo's Memorial Complexes	Database established	N/A
3.3.4	Memorialization for forcibly disappeared and missing persons	2024-2025	10,000.00	25,000.00	0	Budget of Kosovo/ Donors	/ MCYS/ GCMP	Memorial created	N/A
3.3.5	Creation of commemorative symbols for the victims	2025	0	10,000.00	0	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports / Agency for the Management of Kosovo's Memorial Complexes	Approved symbols	N/A
3.3.6	Memorial for the children killed and disappeared during the war	2025-2026	0	50,000.00	50,000.00	Budget of Kosovo/ Donors	Interministerial Committee / Ministry of Culture, Youth and Sports	Memorial constructed	N/A
3.3.7	Memorial Complex "Adem Jashari"	2024-2025-2026	1,000,000.00	1,000,000.00	1,000,000.00	Budget of Kosovo/ Donors	Interministerial Committee/ Ministry of Culture, Youth and Sports	Well maintained memorial	Law no. 06/L – 59 - Law on the Adem Jashari Memorial

									Complex in Prekaz
3.3.8	Documentation of the cultural and historical heritage destroyed by Serbian forces during the 1998-1999 war	2024-2025	0	0	0		The state commission for documenting the cultural and historical heritage destroyed by Serbian forces during the 1998-1999 war/ Institute for crimes committed during the war	Documentation done	N/A
3.3.9	Annual programs dedicated to the documentation, presentation and commemoration of war victims	2024 – 2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports/National Museum of Kosovo/National Library of Kosovo/ Agency of Archives of Kosovo / National Gallery	The realized programs	N/A
3.3.10	Publications on the documentation, presentation and commemoration of war victims	2024-2025-2026	25,000.00	25,000.00	25,000.00	Budget of Kosovo/ Donors	History Institute of Kosovo	15 published publications	N/A
3.3.11	Remembrance of political prisoners killed during the war in Dubrava	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	Ministry of Justice / Association of former political prisoners /	Memorial days	N/A

							Correction Service of Kosova		
3.3.12	“Burgu i Idealit” museum	2025	15,000.00	15,000.00	15,000.00	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports	Well maintained museum	N/A
3.3.13	Joint calendar for memorial days	2024-2025-2026	0	0	0		Government / Municipalities / Ministry of Local Government Administration / MYCS	Annual programs dedicated to the documentation, presentation and commemoration of war victims/ Supported municipalities for remembrance days	N/A
3.3.14	Memorial for the ‘90s poisoning victims	2025-2026	0	15,000.00	25,000.00	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports / Institute for documentation of crimes committed during the war / Agency for the Management of Kosovo's Memorial Complexes	Memorial operationalized	N/A
3.3.15	Memorialization of parallel institutions of the ‘90s	2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports / Institute for documentation of crimes committed during the war / Agency for the Management of	Functionalized memorial	N/A

							Kosovo's Memorial Complexes		
	Overall budget for Specific Objective 3.3:		1,071,500.00	1,180,000.00	1,155,000.00	Budget of Kosovo/Donors			
Nr.	Strategic and specific objectives, indicators and actions	Baseline [2024]	Temporary goal [2025]		Final year goal [2026]	Result			
4.	Strategic Objective: Eliminating opportunities for recurrence of gross human rights violations through institutional reform								
1	Indicator: Institutional reform	N/A	Yes		N/A	Reformed institutions			
4.1	Specific Objective: Institutional capacity-building for transitional justice								
1	Indicator: Certification of trainers	0	5		5	10 certified trainers			
2	Indicator: Number of officials trained for Transitional Justice	0	50		100	150 trained officials			
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year 1	Year 2	Year 3				
4.1.1	Transitional Justice Training Program	2024	0	0	0		Ministry of Justice/Division for Transitional Justice University of Prishtina	Program established	
4.1.2	Establishing a transitional justice trainer program	2024	0	0	0		Ministry of Justice/ Division for Transitional Justice/ University of Prishtina	Program established	

4.1.3	Trainings of relevant officials on need based in specific fields	2025-2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	MIA	Trained officials	Law no. 06/L-114 on public officials; Law no. 04/L-221 on the Kosovo Institute for Public Administration
4.1.4	Strengthening the capacities of DFDIL offices	2025-2026	0	22,572.00	22,572.00	Budget of Kosovo/ Donors	MLFT	Capacity created	N/A
	Overall budget for Specific Objective 4.1:		0	47,572.00	47,572.00	Budget of Kosovo/ Donors			
4.2	Specific Objective: Improving public policies from the perspective of transitional justice: education and culture								
1	Indicator: Number of education programmes developed		0		0	Over 5		Programmes developed	
2	Indicator: Number of trained teachers		0		150	150		The training is completed	
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
4.2.1	Education programmes / extracurricular activities developed	2025-2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	Ministry of Education, Science, Technology and Innovation	Programs developed	Law no. 04/L-032 on Pre-University Education in the Republic of Kosovo

4.2.2	Preparation of teaching material on transitional justice, with methodological guidelines	2025 - 2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	Ministry of Education, Science, Technology and Innovation / University of Prishtina Transitional Justice department	Teaching material developed	Law no. 04/L-032 on Pre-University Education in the Republic of Kosovo
4.2.3	Support the development of new cadres in transitional justice, human rights and rule of law	2025 - 2026	0	15,000.00	15,000.00	Budget of Kosovo/ Donors	Ministry of Education / University of Prishtina	Trained staff	N/A
4.2.4	Organization of professional development activities for teachers in the field of Transitional justice	2025-2026	0	30,000.00	30,000.00	Budget of Kosovo/ Donors	Ministry of Education, Science, Technology and Innovation/ University of Prishtina	Trainings organized	Law no. 04/L-032 on Pre-University Education in the Republic of Kosovo
4.2.5	Development of Center for Transitional Justice	2025-2026	0	50,000.00	50,000.00	Budget of Kosovo/ Donors	University of Prishtina/ MoJ/MESTI	The center is in operation	N/A
4.2.6	Establishment of transitional justice sections in the public and school libraries	2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	Ministry of Culture, Youth and Sports/Municipalities / MESTI	Corners created	N/A
	Overall budget for Specific Objective 4.2:			165,000.00	165,000.00	Budget of Kosovo/ Donors			
4.3	Specific Objective: Empowering Youth in Transitional Justice Processes								

1									
Indicator:									
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
4.3.1	Establish partnerships with youth-led organizations to increase their participation in transitional justice processes and activities.	2024-2025-2026	30,000.00	40,000.00	50,000.00	Budget of Kosovo/Donors	Ministry of Justice/MCYS	Developed and implemented targeted programs to educate youth on transitional justice concepts and mechanisms.	N/A
4.3.2	Create opportunities for youth to engage in dialogue with victims and other stakeholders to enhance their understanding of the impact of past human rights violations.	2024-2025-2026	20,000.00	20,000.00	20,000.00	Budget of Kosovo/Donors	MYCS / MoJ	Youth-led advisory board from 4.4.4 is invited in each Working Group or public discussion.	N/A
4.3.3	Encourage the participation of youth across communities (all ethnic groups) in decision-making processes related to transitional justice mechanisms through the establishment of youth-led advisory group	2024-2025-2026	15,000.00	15,000.00	15,000.00	Budget of Kosovo/Donors	MYCS	Participation realized	N/A
4.3.4	Organization of artistic activities in collaboration with art students in Kosovo from different communities	2024-2025-2026	15,000.00	15,000.00	15,000.00	Budget of Kosovo/Donors	MYCS	Activities performed	N/A
	Overall budget for Specific Objective 4.3:		80,000.00	90,000.00	100,000.00	Budget of Kosovo/Donors			
4.4	Specific Objective: Promoting Social Cohesion among Youth from all Communities								
1	Youth engaged								

2	Youth initiatives supported								
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year 1	Year 2	Year 3				
4.4.1	Create opportunities for youth from different communities to engage in inter-community dialogue and exchange programs to enhance mutual understanding and respect	2024-2025-2026	20,000.00	30,000.00	50,000.00	Budget of Kosovo/ Donors	MoJ/MCYS	Yearly Public Call for implementation of inter-community exchange programs by youth organizations.	N/A
4.4.2	Promote youth-led efforts, such as joint social projects and cultural, artistic and sporting events, that encourage intercommunity dialogue and exchange.	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	MCYS	Encouraged young people to interact with their peers from other communities, in creating a better understanding of each others culture and background	N/A
4.4.3	Develop and implement programs that are specifically aimed at youth from all communities, to encourage language learning and cultural interaction.	2024-2025-2026	15,000.00	15,000.00	15,000.00	Budget of Kosovo/ Donors	Language Commissioner / OPM Community office	Up to 50 young people were trained	N/A
4.4.4	Encourage young people from every ethnic background to take part in programs for transitional justice.	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	MESTI/ MCYS/ University of Prishtina TJ Department	Enabling participation of diverse young people in programs for transitional justice.	N/A
	Overall budget for Specific Objective 4.4:		55,000.00	65,000.00	85,000.00	Budget of Kosovo/ Donors			
4.5	Specific Objective: Ensuring Gender-Sensitive Transitional Justice and addressing Gender-Based Violence and discrimination								
1	Women Participate in Transitional Justice Mechanisms								

2									
Address Gender-Based Violence and Discrimination									
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
4.5.1	Undertaking affirmative measures to ensure equal gender participation in accordance with the requirements of the Law on Gender Equality in decision making positions in relation to dealing with the past	2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/ Donors	AGE	Participation guaranteed	Law on Gender Equality
4.5.2	Develop targeted programs that provide women with access to information and resources related to TJ processes	2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/ Donors	AGE/Moj/ University of Prishtina	Developed Programs	Law on Gender Equality
4.5.3	Create safe spaces and forums for women to share their experiences and perspectives on the war and its aftermath, including gender-based violence.	2024-2025-2026	15,000.00	20,000.00	20,000.00	Budget of Kosovo/ Donors	Government Commission on CRSV / AGE in close cooperation with NGOs already engaged in the process	The spaces created	Law on Gender Equality
4.5.4	Develop and implement programs that focus on the prevention and response to gender-based violence and discrimination, as a result of war related trauma within families	2025-2026	0	10,000.00	10,000.00	Budget of Kosovo/ Donors	AGE	Developed Programs	Law on Gender Equality
4.5.5	Undertake specialized trainings to investigate and address sexual violence during the war	2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	Kosovo Police / SPRK	Trainings completed	N/A

4.5.6	Develop and implement targeted programs that promote the participation and leadership of women in transitional justice processes	2024-2025-2026	5,000.00	5,000.00	5,000.00	Budget of Kosovo/Donors	AGE	Developed Programs	Law on Gender Equality
4.5.7	Strengthening of capacities of the Governmental Commission for Survivors of Sexual Violence During the War and organizations involved in the process of application for status recognition	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/Donors	Government Commission on the Recognition and Verification of the Status of Survivors of Sexual Violence During the War in Kosovo, MFLT,	Created capacities	Regulation (GRK) No.10/2016 amending and supplementing the Regulation No.22/2015 on defining the procedures for recognition and verification of the status of sexual violence victims during the Kosovo liberation war

4.5.8	Support to survivors of sexual violence during the war through authorized NGOs	2024 – 2025-2026	15,000.00	15,000.00	15,000.00	Budget of Kosovo/ Donors	Ministry of Finance, Labor and Transfer/Government Commission for the recognition and verification of status of SV victims	Support provided	N/A
4.5.9	Training programs for victim advocates, social workers and service providers/ licensed CSOs on CRSV	2025-2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	IKAP/Division for Transitional Justice	Created programs	Kosovo Program for Gender Equality 2020-2024
4.5.10	Development of specific programs for access to justice for survivors of sexual violence during the war	2024-2025-2026	0	10,000.00	15,000.00	Budget of Kosovo/ Donors	SPRK/KP/ Authorized NGOS	Created programs	Kosovo Program for Gender Equality 2020-2024
4.5.11	Development of rehabilitation programs for survivors of sexual violence during the war	2024-2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	AGE	Created programs	Kosovo Program for Gender Equality 2020-2024
4.5.12	Increasing society's awareness through advocacy on access to justice, focusing on survivors of sexual violence during the war and other rights deriving from relevant legislation	2024-2025-2026	10,000.00	10,000.00	10,000.00	Budget of Kosovo/ Donors	Government Commission on recognition and verification of the status of victims of sexual violence / AGE	The campaign developed	Kosovo Program for Gender Equality 2020-2024
4.5.13	Awareness-raising campaigns on fight against prejudice and stigmatization of survivors of sexual violence	2024-2025-2026	0	15,000.00	15,000.00	Budget of Kosovo/ Donors	AGE/ Ministry of Finance, Labor and Transfers/ Governmental	Organized campaign	N/A

							Commission for the Recognition and Verification of the Status of Persons Raped during the Kosovo Liberation War		
4.5.14	Regional and international conferences on the sexual violence during the war in Kosovo	2025	0	50,000.00	0	Budget of Kosovo/ Donors	Government Commission for verification and recognition of status of SV victims	Organized conference	Kosovo Program for Gender Equality 2020-2024
4.5.15	Provision of vocational training for women and girls from the families of the war categories, with special focus on women with low level of education and women who have been unemployed for a long time	2025-2026	0	20,000.00	20,000.00	Budget of Kosovo/ Donors	AGE	Trainings completed	N/A
4.5.16	Women, Peace and Security Forum	2025	0	50,000.00	0	Budget of Kosovo/ Donors	Office of the President/ MFAD	Forum held	N/A
4.5.17	Research and data collection on the role of women in relation to human rights, rule of law and transitional justice	2025	0	25,000.00	0	Budget of Kosovo/ Donors	AGE / Institute for crimes committed during the war / Kosovo Archives	Research done	N/A
	Overall budget for Specific Objective 4.5:		55,000.00	335,000.00	215,000.00	Budget of Kosovo/ Donors			
4.6	Specific Objective: Empowering existing and new civil society initiatives on transitional justice								
1	Indicator: Civil society initiatives and projects supported	Yes		Yes		Yes		Projects supported	

No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
4.6.1	Establishing institutional and programmatic support schemes for civil society organizations dealing with Transitional Justice	2024-2025-2026	0	50,000.00	50,000.00	Budget of Kosovo/ Donors	Ministry of Justice/ Department of Transitional Justice	Scheme developed / Regular reports and recommendations on future initiatives development	N/A
	Overall budget for Specific Objective 4.6:								
4.7	Specific Objective: Strengthening social cohesion								
1	Indicator:								
No.	Action	Deadline	Budget			Funding Source	Leading and supporting institution	Output	References to documents
			Year N1	Year N2	Year N3				
4.7.1	Consultative Council for Communities	2024-2025-2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	Office of the President	Platform for representatives from all communities to engage for the protection of the rights of communities	Law on the Protection and Promotion of the Rights of Communities and Their Members in the Republic of Kosovo
4.7.2	Develop programs, including public education, aimed at promoting	2024-2025-2026	10,000.00	15,000.00	25,000.00	Budget of Kosovo/ Donors	MESTI	Programs developed	N/A

	freedom of expression and eliminating hate speech								
4.7.3	Training programs for media on transitional justice, Do no harm, conflict-sensitivity, and victim centered approach	2024-2025-2026	0	25,000.00	25,000.00	Budget of Kosovo/ Donors	KPM/ University of Prishtina	Journalists trained	N/A
4.7.4	Research the prevalence and impact of discrimination and devise measures to eliminate such discrimination	2024-2025-2026	0	15,000.00	0	Budget of Kosovo/ Donors	Office for Good Governance	Research done	N/A
	Overall budget for Specific Objective 4.7:		10,000.00	80,000.00	75,000.00	Budget of Kosovo/ Donors			