



**National Principles on  
Transitional Justice for  
Victim Groups**

# Preamble

**We**, the victim groups of Kosovo, desiring to create meaningful and sustainable victim-centred transitional justice processes in our countries and the wider region, **recognise**:

- the suffering, hardship and injustice endured by victims throughout the region following past conflicts,
- the deep fault lines that have caused divisions in our countries, as well as the West Balkans region,
- the urgent need to:
  - » redress the harm sustained by all victims in the region,
  - » heal the divisions of the past that continue to afflict our region,
  - » set in place guarantees to prevent the recurrence of conflict, and the suffering it brings.

**Determined** to protect the dignity of all victims and survivors of our painful past and to always act in their best interests.

**Concerned** by the ongoing mistreatment of victims and survivors, and the political manipulations of the past, and **noting**:

- the diminished voices of victims from marginalized groups, particularly minorities, women and youth,
- the dominance of one-sided narratives and the prevalence of inflammatory speech,
- the ever-present potential for further violence and conflict.

**We accordingly adopt** these principles to guide the establishment of victim-centred transitional justice processes at the national and regional levels, and:

**Commit** to apply these principles and respect the values and sentiments they embody to ensure that the interests of victims and survivors are served, and they are not harmed.

**Call** on political and public actors to abide by these principles and uphold their enumerated values and standards.

**Undertake** to act with due diligence, professionalism and transparency in our pursuit of the principles, and

**Encourage** political and public actors to act similarly when dealing with the past, and in particular in relation to their discourse and actions with victims.

## **Public discourse based on one-sided narratives should not be promoted**

The narrative related to the legacies of the war must be built based on **evidence and facts** and should be **unbiased and inclusive**. The narrative of the war is a narrative of everyone, so everyone must do their part so that the war is properly learned and remembered, thus honoring each victim without distinction. This should start with the victims and their representatives to continue with relevant institutions and stakeholders.



## Every victim should be acknowledged

The sacrifice of every war victim must be recognized and respected, and unfortunately, this is not the case in Kosovo. All groups intend to minimize each other's sufferings and losses. Every victim is a victim. Therefore, neither family members nor representatives of the victims should make calculations based on the number of losses or the ethnicity of the victims. By not being biased and mono-ethnic, we **honor each individual victim** and thus the inclusivity of all victims without any discrimination further **empowers** the victims, survivors, and their families.



## **Gender-sensitive approach in TJ processes should be ensured**

In peacebuilding processes, **women should be very involved** since there is a need for a gender-sensitive approach to transitional justice and this should be done to ensure that all processes are as inclusive as possible. Furthermore, there is a need for equality to be achieved especially in the representation of the victim groups, meaning that women's involvement should not only be at the participatory level but also substantially as in **leading roles in dealing with the past processes**. Besides that, victims of sexual and gender-based violence, used as weapons of war require having the stigma stopped and there should be concrete programs and services, gender-sensitive, where especially **women benefit from equality and acceptance**.



## Memorialization and documentation of the past must be inclusive

Most victims do commemorate and memorialize the events from their mono-ethnic perspective. Public memory including documentation, memorialization, commemoration, and other forms of public memory should **belong to all communities living in Kosovo** without any discrimination on the category of victims and their ethnic backgrounds, this, since in Kosovo most of the public memory is characterized by one-sided and biased approaches.



## **Joint advocacy actions of victim groups should be intensified for common goals and causes**

Victim groups do not articulate their needs and requirements together, there is a sense of them being divided and not understanding the importance of **togetherness in advocacy**, as a powerful tool in relation to institutional bodies and for the society at large. There is a lack of involvement and lack of inclusive advocacy actions. **Joint advocacy actions** need to be realized in order that by **creating public pressure**, the causes are institutionalized.



## Victim groups should not be instrumentalized

Very often, various organizations and victims' groups were instrumentalized by political stakeholders for small scale benefits. Representatives of the victim organizations must be **responsible** when representing the interest of victim groups by avoiding any manipulation that may come from external factors because this damages their reputation and their work towards the victim's needs. Moreover, every action/initiative of victim groups must be **transparent and inclusive** so that the victims and their family members are involved and justly informed regarding any process regarding them as victims.





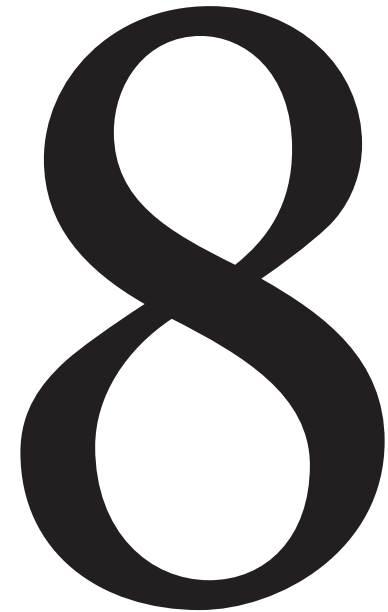
## All TJ and DwP processes should be victim-centered

All the activities and initiatives on dealing with the past regarding the victims should have them at the **center of the processes**. Their participation, mostly for the sake of numbers, should not be seen as such since **their contribution is essential** in all dealing with the past processes. No process of dealing with the past can be envisaged without having a **victim-centered participation and approach**.



## All the victims ought to be treated with dignity

All victims should be treated with **compassion and respect for their dignity**. Organizations of victims should act with sensitivity and correctness towards all victim groups and acknowledge their sufferings so that the stigma and existing prejudices are eliminated. Every victim seeks **accountability, acknowledgment, and redress** for their sufferings by having them and their **dignity at the center** of dealing with the past projects and activities.



## Protection of the identity and privacy of the victims must be ensured

There is an existing fear among specific victim groups that their stories can be made public and their personal integrity will be endangered by disseminating their identity. **Protective measures on privacy** must be taken especially on the confidentiality of the individuals that confess their stories about the experiences of the war. Without consent given by the victims, their **identity must be protected at all costs** meaning that no public disclosure should be made regarding them without prior consent. The right to privacy is a qualified and fundamental right and should be respected as such.



## **Victim's rights and equal justice should be promoted**

It is important that victims are recognized as a person with **rights and privileges**, and no one should be denied the rights inherent to the country where the individual lives. Victims' **rights should be acknowledged and promoted** by victims' organizations without discrimination in any aspect thus in compliance with international conventions and practices. Rights, such as the right to know the fate of victims and their family members, equal justice and reparations should be promoted without any distinction.

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## **Integrity and mutual trust should be ensured**

It is of great importance for organizations and their representatives to act with **integrity and build mutual trust** so that only after creating a fair relationship with the victims, their **involvement** in transitional justice processes can be increased. In general, victims have been stigmatized by the general public and lacked trustworthy representation, that's why they have fear and show reluctance on stepping forward and approaching the relevant organizations or institutions.



## **Cooperation and inclusiveness between victims' organizations must be enhanced**

Organizations and representatives of the victims should create an inclusive and **cooperative environment** for all family members of the victims coming from different communities. Victims' organizations must eliminate their differences, firstly among the organizations within the same group of victims coming from all communities and then as a general group of victims. This should be done by **increasing mutual understanding, acceptance, and cooperation among all.**

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## Rights to remedy for all the victims must be ensured

Every victim has the rights to **effective remedy including rehabilitation and reparation** since they, as victims, have suffered mental, physical, emotional harm and violations of their basic human rights. Victim groups must insist on **rehabilitation mechanisms, reparation programs** and measures that include a holistic and **integrated approach** with specialized services. In practice the law should be implemented in an inclusive form for **all the victims** coming from different ethnic backgrounds.

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## All victims should be informed of their rights

The victims should be **continuously informed** of their roles and rights for any process related to them. They should be provided with relevant information and be ensured that they understand the information, their roles and rights. Furthermore, they should be provided with relevant details when clarification is needed.

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## **Blaming and attributing of war crimes must not be done collectively**

For the victims and their family members, it is very important to **fight impunity** and to continue asking and seeking justice for perpetrators who committed war crimes so they can be **held responsible**. In this regard, it is very important not to blame parts or the whole of an ethnic group or community for these crimes. Crimes must be attributed to the individuals or institutions who committed or ordered the crimes just as criminal responsibility implies. **Crimes should not be attributed collectively** to an ethnic community because this impedes creating a safe environment for all the citizens living in Kosovo.

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## **Hate speech should be fought and eliminated**

Representatives of victim groups continue to use hate speech full of nationalism and biased discourse due to their ethnicity or degree of loss. Hate speech **threatens the normal and democratic functioning** of societies. Such actions when hate speech is used towards a group or a victim could lead to escalating the situation between them and potentially inciting discrimination. Every loss and every victim should be **honored and respected as such.**

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This project is a joint initiative implemented in Kosovo, Serbia and North Macedonia, by PAX Peace Movement, International Center for Transitional Justice (ICTJ), Integra, New Social Initiative (NSI), Citizen Initiatives (CI), and Action for Peace (PA), supported by the European Union





**Civic Initiatives:** Civic Initiatives is a civil society organisation that for the past 25 years has been working on educating citizens about their rights, democracy, civil society, and how to be active and equal citizens in decisions that affect their lives. Civic Initiatives' vision is a just society of citizen's conscious of their responsibilities and roles, socially active and vocal in a constant dialogue with an open and accountable state.

<https://www.gradjanske.org>



**International Center for Transitional Justice (ICTJ):** ICTJ works side by side with victims to obtain acknowledgment and redress for massive human rights violations, hold those responsible to account, reform and build democratic institutions, and prevent the recurrence of violence or repression. <https://www.ictj.org>



**Integra NGO:** Integra's mission is to assist the development of Kosovo, especially in the context of human rights and integration, by dealing with and promoting stories and experiences of marginalised communities, thus contributing to democratic processes and building trust and peaceful coexistence.

<https://www.ngo-integra.org>



**New Social Initiative (NSI):** NSI is a civil society organisation that empowers non-majority communities to participate in the social and institutional life of Kosovo and increases trust among communities by supporting them to deal with the past and normalise relations between Kosovo and Serbia.

<https://www.newsocialinitiative.org>



**Peace Action (Mirovna Akcija):** Peace Action is a non-profit organisation of activists who work on peacebuilding and promoting a culture of nonviolence through initiating and nurturing constructive dialogue, dealing with the past, integrated education and regional cooperation. <https://mirovnaakcija.org>



**PAX:** PAX is the largest peace organisation in the Netherlands. PAX works to protect civilians against acts of war, to end armed violence and to build inclusive peace. PAX works in conflict areas worldwide with local partners and people who, like them, believe that everyone has the right to a dignified life in a peaceful society.

<https://www.paxforpeace.nl>



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