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# Advancing Youth-Inclusive Transitional Justice Lessons from Kosovo and Beyond

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## 1. Executive Summary

Traditional transitional justice processes, centring on formal and state-led mechanisms, often overlook the perspectives and contributions of young people, who remain marginalised in both policy and practice. Yet they are among those who are severely affected by violent past, either directly or indirectly, as they carry the legacies of violence passed down through intergenerational trauma. Including the voices and needs of young people is therefore not just a nice-to-have but must be an integral part of designing transitional justice. The first step to achieving this is to listen to young people's voices to better understand their perspectives and consequently find ways to integrate them into existing and future transitional justice settings.

To meet this aspiration, the Youth Initiative for Human Rights in Kosovo (YIHR KS) convened in September 2025 youth activists and professionals from different contexts with established expertise in transitional justice and dealing with the past for a Study Visit in Kosovo on Historical Reconciliation and Transitional Justice (Study Visit). Through a combination of expert lectures, institutional meetings, site visits, and facilitated discussions with local civil society organisations (CSOs), participants examined transitional justice, dealing with the past and reconciliation processes in Kosovo. While Kosovo served as an illustrative case, the youth activists brought together a wide range of transitional justice expertise and integrated the experiences from their own contexts into the reflections. The learnings emerging from the Study Visit are comparative in nature, offering broader relevance beyond

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<sup>1</sup> This paper was written by the Kosovo team of the Youth Initiative for Human Rights.

any single country case, and providing a valuable perspective of a younger generation towards the implementation of transitional justice.

Reflections from the Conference on Transformative Transitional Justice in Practice: Confronting Challenges, Recognising Successes (Practitioners' Conference), held shortly thereafter in October 2025 in Berlin, complemented the voices of the youth activists and supported that legitimacy in transformative transitional justice depends not only on legal compliance, but on sustained engagement with victims, civil society, and integration of younger generations. Both events took place within the framework of the *Global Learning Hub for Transitional Justice and Reconciliation*.

The synthesized learnings point to progress in institutional frameworks and civil society engagement, while simultaneously revealing persistent structural gaps. These include limited and uneven victim participation, ongoing challenges in ensuring accountability, fragmented approaches to memorialisation, and insufficient inclusion of youth perspectives in transitional justice. The risk remains that transitional justice becomes overly procedural or symbolic when disconnected from affected communities and younger generations. Transitional justice is vital for transforming violent pasts into just futures, but must be locally grounded, victim-centred, and supported by strong coalitions between civil society and state actors.

This policy paper contributes to ongoing discussions of transitional justice by systematically integrating the perspectives of young practitioners and activists. It provides insights for state institutions, CSOs, educational bodies, and other actors, aimed at strengthening victim-centred approaches, enhancing meaningful youth engagement, and safeguarding the relevance, credibility, and transformative capacity of transitional justice processes in complex transitional settings.

## **2. Introduction**

Transitional justice continues to hold global relevance as societies grapple not only with the legacies of past violence, but also with ongoing conflicts, unresolved political tensions, and increasingly polarised environments. It is no longer understood solely as a legalistic set of mechanisms for addressing past atrocities, but as a forward-looking framework aimed at fostering social transformation, restoring trust, and preventing the recurrence of violence. In contexts marked by shrinking civic space and conflicts, transitional justice must adapt to remain meaningful, inclusive, and responsive to the needs of affected communities.

Kosovo's post-conflict landscape is profoundly shaped by the armed conflict of 1998–1999. While the end of war in Kosovo and independence have provided space for rebuilding, the wounds of war and challenges of reconciliation persist. Transitional justice measures, including war crimes trials, memorialisation initiatives, and civil society advocacy, have sought to address past atrocities. However, gaps remain in ensuring justice for victims and fostering genuine reconciliation.

The United Nations defines transitional justice as “the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation.” Such attempts may encompass truth-seeking, criminal prosecutions, reparations, institutional reform, and guarantees

of non-recurrence drawn from international human rights, humanitarian, and criminal law obligations (United Nations, 2004). Core mechanisms in the process of transitional justice typically include truth commissions, reparations programmes, criminal justice and accountability measures, and institutional reforms designed to prevent the recurrence of abuse. Within this framework, young people play a critical role as both beneficiaries of justice efforts and agents of societal change. They should hence be meaningfully and systematically included in transitional justice processes through policies that promote their active engagement and empowerment. Effective transitional justice therefore also requires mechanisms that are victim-centred, youth-engaging, inclusive, gender-responsive, and innovative.

Drawing on insights from the Study Visit to Kosovo (22–26 September) and the Practitioners' Conference (October 2025), this policy paper synthesises expert inputs, discussions among youth activists and practitioners, site visits, and collective reflections, and provides key takeaways to stakeholders. Findings from the Study Visit and the Practitioners' Conference underscore that transitional justice cannot be reduced to legal accountability or material reparations alone. Instead, it must similarly shed light on truth-seeking, recognition, psychosocial healing, and the restoration of dignity, especially for survivors of human rights violations and their families. Discussions on intergenerational and transgenerational trauma further illustrated how the consequences of violence extend far beyond those who directly experienced it, reinforcing the need for transitional justice approaches that address long-term social and psychological harm alongside institutional reform. While grounded in experience-based and perception-driven perspectives, the paper offers in-depth and context-sensitive analysis that contributes meaningfully to ongoing debates on transitional justice and reconciliation.

### **3. The case of the Republic of Kosovo**

Transitional justice in Kosovo since the war has achieved a certain level of progress through a diverse range of mechanisms, yet substantial challenges remain. A key unresolved issue continues to be the fate of missing persons, which requires sustained cooperation with Serbia to advance truth, accountability, and justice. Efforts to establish a Truth Commission were ultimately unsuccessful, highlighting the complexities of developing comprehensive truth-seeking processes. In this context, CSOs have played a significant role by supporting victims and families of the missing, documenting violations, and contributing to public discourse on transitional justice.

Kosovo's transitional justice framework is supported by several key legislative measures addressing the legacy of the 1998–1999 war. Law No. 05/L-060 on Forensic Medicine, in force since 2016, established the Institute of Forensic Medicine and mandates it to locate, exhume, and clarify the fate of missing persons. Additionally, Law No. 04/L-172, which amends legislation on the status and rights of war victims, includes provisions recognising survivors of conflict-related sexual violence; however, its scope is limited to incidents occurring immediately after the war, creating challenges for broader recognition. More recently, Law No. 08/L-177, adopted in 2023, established the Institute of Crimes Committed during the War in Kosovo, tasked with researching and documenting crimes committed between 1 January 1998 and 20 June 1999. The Institute began documenting war crimes to support transitional justice. During the Study Visit, participants met its representatives, who explained their methodology for gathering evidence, fact-checking, filing, and other key aspects, highlighting the

Institute's crucial role in ensuring accountability and truth. Kosovo also has a Strategy on Transitional Justice 2024 – 2034 and an integral Action Plan for 2024 – 2026. Together, these documents form an important but still evolving legal foundation for transitional justice in Kosovo (Youth Initiative for Human Rights – Kosovo, 2025).

### Youth attitudes, memorialisation, and reconciliation in Kosovo

In 2025, YIHR KS conducted an analysis on youth attitudes towards war and war crimes in Kosovo. The study confirms that memories of war significantly shape the attitudes of Kosovar youth, even though most respondents did not personally experience the war or suffer direct family losses, indicating the strong influence of “second-hand” memories. It reveals notable differences between Kosovo-Albanian and Kosovo-Serb youth in their attitudes towards war, war crimes prosecution, reconciliation, and peace agreements, while showing a strong correlation between addressing the past and improving interethnic relations, underscoring the need for transitional justice measures. Attitudes towards war and accountability were largely consistent across other demographic categories and regions, with only minor variations. Most respondents expressed dissatisfaction with how war events are addressed in schools, highlighting gaps in formal education, while conversations with parents and close family members emerged as the primary source of information about the war. Despite these differences, there is broad consensus across all groups that war crimes should be prosecuted regardless of the ethnicity of victims or perpetrators (Youth Initiative for Human Rights – Kosovo, 2024). These findings emphasise the importance of integrating youth perspectives in the design of memorialisation and transitional justice measures.

CSOs have played a crucial role in the processes of memorialisation and the preservation of collective memory in Kosovo, implementing a range of initiatives that document, reflect upon, and educate about the past. Notable examples include the Children of War Museum established by YIHR KS, which highlights the experiences of children affected by war; the Once Upon a Time and Never Again exhibition by the Humanitarian Law Center in Kosovo, which explores human rights violations and social injustices towards children; and the Reporting House, which provides platforms for storytelling and documentation.

During the Study Visit, youth activists from Kosovo emphasised their impression that sexual violence has left a deep and largely unspoken wound in Kosovar society, sustained by stigma, prejudice, and long-term institutional neglect. The Kosova Rehabilitation Center for Torture Victims (KRCT) has made a significant contribution to addressing wartime sexual violence in Kosovo through its long-standing, survivor-centred work with victims. Notably, elements of KRCT's methodologies and approaches to documentation, psychosocial support, and advocacy have informed and been adapted to responses to conflict-related sexual violence in other contexts, such as Ukraine.

Reconciliation in Kosovo remains an ongoing and long-term process focused on rebuilding trust and improving relations between different communities. CSOs have played an important role by bringing together people from different ethnic backgrounds to engage in dialogue, address sensitive issues, and promote mutual understanding as a foundation for sustainable peace. Although Kosovo still has much work to do in the field of transitional justice, significant steps have already been taken in all aspects of the process. However, greater collaboration between institutions, CSOs, and all other stakeholders is needed to achieve results in transitional justice and dealing with the past processes.

#### **4. Youth perspective on transitional justice in practice: Cross-context challenges**

Participants in the Study Visits approached transitional justice through a broader and multidisciplinary lens, understanding it not only as a set of legal mechanisms but also as a process of reconciliation and social healing aimed at rebuilding trust within communities. They highlighted the importance of psychosocial support and mental health programmes to address trauma, and of education and memory initiatives aimed at preserving historical truth. Furthermore, the meaningful participation and inclusion of victims and marginalised groups were noted as an essential element for ensuring the legitimacy, effectiveness, and sustainability of transitional justice processes.

##### **Meaningful engagement with those most affected**

The reflections from diverse post-conflict contexts on the case of Kosovo revealed that many challenges in transitional justice remain consistent despite differing political and historical settings. Notable is a lack of meaningful inclusion in transitional justice processes as well as the lack of political will among governments to engage with the victims and dealing with the past. Families of victims, survivors, young people, and marginalised groups are often consulted symbolically rather than empowered to shape decisions. This exclusion undermines trust in institutions and weakens the legitimacy and sustainability of justice and reconciliation efforts.

Study Visit participants pointed to delayed or unimplemented transitional justice commitments, limited cooperation with victim associations, and inadequate reparations, including pensions. They stressed that material justice, not merely symbolic recognition, is essential for dignity and social repair. Staying relevant in times of contestation requires transitional justice to move beyond narrow legal approaches towards holistic, victim-centred approaches that prioritise inclusion, mental health, education, and sustained political commitment.

##### **(Inter)generational trauma and stigmatisation: Persistent challenges**

The insufficient integration of mental health and psychosocial support within transitional justice frameworks was an additional aspect to which participants drew attention. In many countries, legal accountability and truth-seeking mechanisms often proceed without adequate psychological care, increasing the risk of retraumatisation. Another major issue is intergenerational trauma, as unresolved violence and silence are transmitted to younger generations who are rarely recognised as stakeholders in transitional justice processes. The absence of intergenerational dialogue limits collective understanding of the past and constrains long-term reconciliation.

Memorialisation and education were also identified as key, yet contested, areas. Memorial initiatives are often politicised, exclusionary, or underfunded, while public awareness of historical trauma remains limited. Biased narratives and the lack of evidence-based information in school textbooks contribute to fragmented collective memory and ethnic division, especially in Kosovo. At the same time, victims and survivors continue to face stigmatisation and social exclusion, with transitional justice processes rarely addressing these societal attitudes directly.

Building on these reflections, the following sections examine key aspects for advancing transitional justice: youth inclusion in transitional justice; victim-centred approaches; and memorialisation and education in transitional justice processes. These reflections are complemented by the critical perspectives and learnings from the Practitioners' Conference.

#### ***4.1. Inclusive youth justice***

Transitional justice has traditionally centred on formal, state-led mechanisms, often overlooking youth perspectives and contributions. Despite their critical role in post-conflict reconstruction, young people remain largely marginalised in both policy and practice. Participating activists emphasised that when young people are excluded from formal mechanisms, they often develop alternative, grass-roots approaches that contribute to truth-telling, collective memory, accountability, and broader visions of justice. During the Practitioners' Conference, the importance of including young people in transitional justice processes was reiterated, as excluding them risks perpetuating the very power hierarchies that contributed to past violence. These perspectives demonstrate that young people are active agents capable of shaping forward-looking responses to historical injustices, rather than passive recipients of justice or security threats. Young people are key actors in transformative transitional justice, and its processes must be designed in collaboration with them rather than for them, recognising their lived experience of intergenerational trauma and their role in shaping future-oriented change. In this sense, participatory youth engagement was considered essential to move beyond victimhood towards active citizenship, healing, and prevention.

Beyond these structural and procedural considerations, meaningful transitional justice must also attend to the emotional and social dimensions of harm, recognising that healing and accountability are closely linked to addressing intergenerational trauma and collective memory. Activism thus creates a space where familial, community, and individual trauma can be expressed and processed, shaping political identities and social attitudes long after mass atrocities. Integrating youth participation, trauma-informed approaches, and informal strategies allows transitional justice to move past centralised, legalistic models towards collaborative, restorative justice and proactive processes. Learnings from the Practitioners' Conference underscored that the youth can play a transformative role in transitional justice by actively engaging in documentation, storytelling, artistic expression, and digital innovation. In all conflict settings, documenting past violence is one of the biggest challenges, as a participant from Ukraine pointed out. Young people can play a crucial role in this context. Similarly, the importance of highlighting young people's transformative role resonated with the youth activists, who called for more active engagement of those who might have the greatest "stake in the future" and thus bear much of the ownership of transitional justice processes. "Let us be part of the storytelling" was the apt demand from one of the youth activists from South Africa. By participating in evidence-gathering and archiving, sharing personal narratives, using art to express lived experiences, and leveraging digital tools such as social media, online storytelling, and AI-based educational content, young people can foster empathy, challenge denial, bridge generational divides, strengthen grass-roots civic engagement in inclusive and accessible ways, and contribute to reconciliation process.

#### ***4.2. A victim-centred approach in transitional justice processes***

A victim-centred approach has become a defining principle of transitional justice, reflecting a broader shift from state-centred and purely disciplinary responses towards frameworks that prioritise the rights, dignity, and agency of those most affected by violence. At the Practitioners' Conference, victim-centred approaches were understood not as ethical add-ons, but as structural requirements for legitimacy and sustainability in transitional justice processes. Transitional justice mechanisms are therefore increasingly assessed by the extent to which they meaningfully involve victims and respond to the social, psychological, and structural dimensions of harm.

Justice loses legitimacy when victims are treated as passive recipients of decisions made by institutions. Instead, victims must be recognised as active stakeholders in transitional justice processes. While international law recognises victims' right to reparations, experience from post-conflict and post-authoritarian contexts shows that individualised, case-by-case compensation alone is often insufficient in situations of mass harm. As a result, many transitional justice processes have increasingly relied on collective reparations, including community-based development projects, access to health and education services, memorials, and official acknowledgements of responsibility (Contreras Garduño, 2018).

Victim-centred transitional justice requires sensitivity to the diversity of victimhood. Harm is not limited to those directly targeted by violence, but extends to families, communities, and subsequent generations. Refusing to recognise victims' agency or imposing rigid definitions of "innocent" victimhood risks undermining dignity and excluding those most affected by structural injustice (Méndez, 2016). Gender-sensitive frameworks are equally essential, as women, children, and marginalised groups often experience distinct forms of harm, and face additional barriers to participation and recognition.

By prioritising victims' rights, dignity, and agency, transitional justice can move beyond retribution to support meaningful social transformation. Discussions during the Practitioners' Conference underlined that recognition, dignity, and agency are often as important to victims as material reparations or judicial outcomes. This approach provides a foundation for reforms that advance reparations, institutional accountability, and long-term human rights protections. Reflections from the youth activists echoed the need for flexible reparation approaches which must be tailored to the specific needs and perspectives of survivors rather than applying uniform or predefined measures, thus ensuring that justice is responsive and context-sensitive. Addressing stigmatisation remains a critical component of victim-centred approaches, not only in Kosovo, as social exclusion and marginalisation can undermine the impact of any reparative or restorative measure. The group reflected that justice always must be a "case-by-case question" and that "stigmatisation is the biggest obstacle [to achieving] justice". The struggle of stigmatisation was affirmed not only by the learnings from the Kosovar context, but also by the youth activists' sharing their experiences from their home countries, such as a Syrian activist who emphasised the struggles and obstacles she faced in the search for her disappeared family. By integrating these considerations, transitional justice processes can lay the foundation for reforms that advance reparations, institutional accountability, and long-term human rights protections in ways which genuinely empower survivors and affected communities.

#### ***4.3 Memorialisation and education***

Memorialisation and education play a key role in transitional justice processes not only as a symbolic recognition of past atrocities but also as a tool for promoting accountability and fostering societal healing. Memorial initiatives should be integrated into transitional justice frameworks in order to recognise victims, preserve collective memory, and prevent the forgetting of past abuses. By acknowledging what happened, such initiatives contribute to ensuring that similar violations are not repeated in the future. These memorials do more than commemorate; they facilitate reparation processes by giving visibility to marginalised voices and fostering public reflection on historical

injustices. The Practitioners' Conference considered memorialisation as a contested yet vital arena in which societies negotiate responsibility, recognition and collective memory. Likewise, the youth activists emphasised the importance of memorialisation, oral history, and museums in the process of dealing with the past. Hence, inclusive processes of designing memorialization become a necessity, as does the need to avoid undermining the experiences and suffering of victims at all costs. Memorialisation plays a pivotal role in shaping collective memory and is therefore essential in any state that has experienced conflict. An activist from Colombia argued that it is crucial to continue strengthening the capacities of museums, monuments, and other memorial sites that record the effects of war, since these sites preserve history, encourage collective reflection and education, and ensure that the past is not repeated. Additionally, inclusiveness could be enhanced by designing memorialisation and education initiatives that actively engage young people, for example through social media, virtual spaces, or interactive platforms, and by involving them directly in the creation and planning of such spaces.

In the context of memorialisation and education, participants further highlighted the role that biased and one-sided narratives play in the negotiation process of memorialisation, particularly for younger generations. Such narratives, disseminated by various actors and through different platforms, play a crucial role in shaping political, social, and psychological realities in post-conflict countries. The persistence of such narratives has significant consequences in peacebuilding processes, as they undermine the suffering of all victims and trust in public institutions, weaken transitional justice mechanisms, and entrench social divisions that can reignite violence. Different actors such as former combatants, political elites, state institutions, and specific groups often construct selective interpretations of the past that legitimise their actions, minimise responsibility, or portray particular groups exclusively as victims or enemies. Biased narratives often marginalise victims and exclude vulnerable groups, particularly when past abuses are relativised. They lower the trust between communities, which consequently has a negative impact on the process of reconciliation. Additionally, disinformation has a significant impact, especially on younger generations who did not directly experience the war, as it shapes their perceptions of the armed conflict through selective and often distorted narratives. In the absence of lived experience, these younger generations are more likely to rely on mediated accounts, making them particularly susceptible to manipulative information that frames a violent past in polarised terms.

Keeping such dynamics in mind, the youth activists emphasised the need for continuous dialogue formats between young people and survivors so that younger generations can learn from survivors' direct experience while reappraising and challenging one-sided narratives. These perspectives confirm that addressing biased narratives therefore requires long-term investment in independent journalism, inclusive textbooks, inclusive memorialisation, media literacy, and truth-based transitional justice processes that acknowledge multiple experiences while remaining grounded in verifiable evidence.

## **5. Conclusions**

The insights gathered from the Study Visit in Kosovo and the Practitioners' Conference highlight that transitional justice is a multifaceted, evolving process that extends beyond legal accountability to encompass social, psychological, and intergenerational dimensions. While formal mechanisms, such

as criminal prosecutions, reparations, and institutional reforms, remain essential, they are insufficient on their own to foster reconciliation, social healing, and the prevention of future violence. Progress in one area of transitional justice does not automatically translate into broader societal transformation. Transitional justice can only be transformative if it remains embedded in broader social struggles for equality, accountability, and democratic participation.

Youth engagement materialises as both a challenge and an opportunity. The policy paper demonstrates that young people, including those who did not directly experience a violent past, are profoundly influenced by familial, social, and educational narratives. Their active involvement can bridge intergenerational gaps, counter biased narratives, and contribute to more inclusive and sustainable transitional justice processes. Conversely, their marginalisation risks perpetuating historical grievances and undermining trust in institutions.

The Kosovo context illustrates these dynamics in practice. Legislative frameworks and civil society initiatives provide important foundations for transitional justice, yet gaps remain in victim recognition, interethnic understanding, and meaningful youth participation. The lessons that youth activists have drawn from Kosovo, along with their insights from other post-conflict contexts, show that reconciliation unfolds unevenly and is highly context-dependent. While progress can occur in areas such as institutional trust or intergroup coexistence, structural, social, and political obstacles often limit broader transformative progress. Ultimately, its transformative potential depends on continuous engagement, societal ownership, and the courage to confront uncomfortable truths.

## 6. Key takeaways

- 1. Youth engagement in transitional justice processes plays a key role in shaping more inclusive and sustainable approaches.** The existence of formal platforms that enable young people to participate in truth-seeking, reconciliation initiatives, and public dialogue can ensure that their perspectives meaningfully inform policies and programmes. It is important to understand that young people, although often overlooked, are affected by the violent past and must therefore be considered and addressed as active agents of transitional justice.
- 2. The need to counter biased narratives and strengthen media literacy is vital for advancing reconciliation.** Educational institutions play a central role in shaping collective memory; by promoting balanced, fact-based, and inclusive historical narratives, equipping young people with critical media skills and involving them in content creation and memorialisation, societies can foster greater understanding, tolerance, and long-term reconciliation.
- 3. A strong victim-centred approach is indispensable for effective transitional justice, emphasising the recognition of victims as active rights-holders whose meaningful participation should shape truth-seeking, reparations, and policy processes.** Ensuring inclusive involvement of victims and marginalised communities, particularly through civil society platforms, can prevent exclusion and better reflect diverse experiences of injustice. Integrating mental health and psychosocial support into transitional justice is essential to address (intergenerational) trauma, avoid retraumatisation, and promote the long-term well-being of survivors and their families.

- 4. Promoting inclusive and sustainable memory practices alongside evidence-based advocacy is crucial to strengthen transitional justice.** Supporting diverse and representative memorial initiatives, while grounding advocacy in credible documentation and testimonies, can ensure that collective memory reflects multiple perspectives and effectively informs policies and reforms in human rights and justice processes. Taking advantage of young people’s expertise, and in collaboration with them, actors should be encouraged to transfer memorialisation and memory practices into youth spaces.
  
- 5. Strengthening institutional accountability and transparency is essential for effective transitional justice.** Clear and accessible procedures, regular public reporting, independent oversight, and the involvement of civil society and the youth in monitoring can not only enhance credibility and reinforce public confidence in justice mechanisms but also help to identify blind spots and further refine transitional justice mechanisms.

## 7. Further reading

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## ABOUT THE INITIATIVE

The Global Learning Hub for Transitional Justice and Reconciliation is a network of organisations from Germany and across the world, initiated by the Berghof Foundation and the German Federal Ministry for Economic Cooperation and Development in early 2022. We want to facilitate an inspiring space for dialogue and learning that is driven by solidarity, inclusivity and innovation. By building bridges, generating knowledge and amplifying voices, the Hub seeks to advance the policy and practice of dealing with the past to strengthen peace and justice.

The Youth Initiative for Human Rights (YIHR) is a regional network of non-governmental organisations with programmes in Serbia, Croatia, Montenegro, Bosnia and Herzegovina and Kosovo. Since its foundation in 2003, they have been fighting for truth, justice, accountability, equality, freedom, democracy, and peace in former Yugoslav countries. To sensitise young people to the region's difficult past, YIHR engages in regional dialogues, youth education and civic activism.

### IMPRINT

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