



QKRMT Qendra Kosovare për Rehabilitimin
e të Mbijetuarve të Torturës
KRCT The Kosova Rehabilitation
Center for Torture Victims

Policy Paper

TRAUMA HAS NO DEADLINE

Recognition and Justice for Survivors of Sexual
Violence during the War in Kosovo

March 2026

TABLE OF CONTENTS

Introduction	3
Why Trauma and the Realization of Rights Are Not Bound by Deadlines	4
Psychological Barriers	4
Changing Social Conditions and Safer Environments for Disclosure	5
International Legal Standards: No Statute of Limitations for War Crimes	6
Jurisprudence of International Criminal Tribunals	7
United Nations Standards on Conflict-Related Sexual Violence (CRSV)	8
Kosovo’s Legal Framework	9
Comparative Regional Practices	10
Recommendations	11
Conclusion	12
References	13

This publication is supported by International Rehabilitation Council for Torture Victims [IRCT]

The content of this publication is the sole and exclusive responsibility of the Kosovo Rehabilitation Center for Torture Victims [KRCT].

© Copyright belongs to KRCT. Unauthorized copying, reproduction, and publication, whether original or modified in any way, is prohibited without permission from KRCT.

Introduction

Conflict-related sexual violence constitutes one of the most serious violations of international humanitarian law and international human rights law. Rape and other forms of sexual violence committed during armed conflict have been widely recognized by international courts and tribunals as war crimes, crimes against humanity, and in certain circumstances acts of genocide (International Criminal Tribunal for the former Yugoslavia [ICTY], 2001; International Criminal Tribunal for Rwanda [ICTR], 1998). These crimes inflict profound physical, psychological, and social harm on survivors and often have long-lasting consequences for families and communities.

Over the past three decades, international criminal jurisprudence has played a critical role in recognizing the gravity of these violations. Landmark cases before international tribunals, including judgments of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), have confirmed that sexual violence may constitute torture, enslavement, persecution, and genocide when committed as part of widespread or systematic attacks against civilian populations. These developments have fundamentally transformed international legal understanding of sexual violence in conflict, emphasizing the need for accountability, recognition, and reparations for survivors.

In the context of the 1998–1999 war in Kosovo, numerous women and men were subjected to sexual violence, often as part of broader patterns of violence directed against civilian populations. For many years after the war, survivors faced significant barriers in disclosing their experiences due to stigma, fear of social exclusion, and the absence of institutional recognition mechanisms.

Kosovo took an important step toward addressing this legacy through the adoption of Law No. 04/L-172, which recognized survivors of wartime sexual violence as civilian victims of war and established a mechanism enabling them to access reparations and social support. The establishment of the Government Commission for the Verification and Recognition of the Status of Victims of Sexual Violence during the Kosovo Liberation War further institutionalized this recognition process and created a pathway through which survivors could obtain official acknowledgment and financial assistance.

This legal framework represents a significant achievement in Kosovo’s transitional justice process. By formally recognizing survivors and providing access to reparations, Kosovo acknowledged the harm suffered by victims of wartime sexual violence and took an important step toward restoring dignity and addressing long-standing injustices.

However, the effectiveness of such recognition mechanisms depends on their accessibility to survivors. The imposition of deadlines for submitting applications may undermine the purpose of the recognition framework by excluding individuals who require more time to disclose their experiences or seek institutional support. Survivors of sexual violence often face profound psychological and social barriers that delay disclosure. Research on trauma indicates that individuals may suppress or avoid discussing traumatic experiences for extended periods due to feelings of shame, fear, or emotional distress.

In post-conflict societies, these barriers are frequently compounded by stigma, patriarchal social norms, and concerns about family and community reactions. As a result, survivors may remain silent for many years before they feel safe enough to seek recognition or assistance. Justice mechanisms that impose rigid administrative timelines therefore risk failing to accommodate the realities of trauma and the lived experiences of survivors.

Ensuring that recognition mechanisms remain open and accessible over time is therefore essential for a survivor-centered approach to transitional justice. Such an approach recognizes that the process of healing and disclosure cannot be confined to administrative deadlines and that survivors must be able to seek recognition when they are ready.

Why are trauma and the realization of rights not bound by deadlines?

Psychological Barriers

Survivors of sexual violence often delay reporting their experiences for days, weeks, years, or even decades due to a complex combination of psychological, social, and structural barriers. Trauma, shame, stigma, fear of being blamed, and the risk of social exclusion frequently discourage survivors from speaking about their experiences. Sexual violence in particular is commonly associated with intense feelings of humiliation and self-blame, which may lead survivors to suppress or avoid discussing the event as a coping mechanism [Askin, 1997].

Psychological research on trauma demonstrates that survivors may require significant time before they feel emotionally capable of disclosing their experiences. Survivors of sexual violence frequently experience long-term psychological consequences, including post-traumatic stress disorder (PTSD), depression, anxiety, and dissociation. These conditions can affect memory, emotional regulation, and the ability to recount traumatic experiences. Disclosure itself may trigger re-traumatization, particularly when survivors anticipate disbelief, stigma, or insensitive institutional responses [World Health Organization, 2013].

Clinical research also suggests that delayed disclosure is a common and well-documented pattern among survivors of sexual violence. Judith Herman's foundational work on trauma highlights that survivors often remain silent for extended periods because disclosure requires a sense of safety and social validation that may not exist immediately after the trauma [Herman, 1992]. In many cases, survivors only begin to disclose their experiences once supportive environments emerge or when they gain access to trusted support systems.

These barriers are often intensified in contexts of armed conflict. In societies affected by war, survivors of sexual violence frequently face deeply entrenched stigma and gender-based discrimination. Patriarchal norms may associate sexual violence with shame or dishonor, placing the burden of stigma on survivors rather than perpetrators. Survivors may fear rejection by their families, divorce, loss of marriage prospects, or exclusion from their communities [Ní Aoláin et al., 2018].

Fear of retaliation also plays a significant role in discouraging disclosure. In post-conflict environments where perpetrators may remain within the same communities or continue to hold positions of authority, survivors may fear intimidation or reprisals if they report the crime. Additionally, weak institutions, lack of trust in justice systems, and limited access to psychosocial services can further discourage survivors from coming forward.

Evidence from international tribunals and post-conflict justice processes confirms that delayed disclosure is common among survivors of conflict-related sexual violence. During proceedings before the International Criminal Tribunal for the former Yugoslavia (ICTY), many witnesses testified about sexual violence that had occurred years earlier, reflecting the time required for survivors to feel sufficiently safe to speak about their experiences [Prosecutor v. Kunarac, Kovač & Vuković, 2001].

Similarly, studies conducted in post-conflict settings such as Bosnia and Herzegovina and Rwanda demonstrate that survivors often disclose wartime sexual violence only after broader societal acknowledgment of the crimes and the establishment of support services [de Greiff, 2012].

International health and human rights organizations have also recognized the long-term nature of trauma associated with sexual violence. The World Health Organization [2013] notes that survivors frequently delay disclosure due to stigma, fear, and psychological distress, emphasizing the importance of survivor-centered policies that allow victims to seek support when they are ready. The United Nations Office of the High Commissioner for Human Rights [2005] similarly stresses that justice and reparations mechanisms must be designed to accommodate the complex and long-term consequences of sexual violence.

For these reasons, recognition frameworks that do not impose strict application deadlines are better aligned with the psychological realities of trauma. Allowing survivors to seek recognition whenever they are ready ensures that individuals who require more time to process their experiences are not excluded from justice and support mechanisms. Such an approach promotes inclusivity and reflects a survivor-centered understanding of justice, ensuring that administrative procedures do not accidentally reinforce silence or marginalization.

Changing Social Conditions and Safer Environments for Disclosure

Social attitudes toward sexual violence are not static, they evolve over time as societies confront past abuses, engage in public dialogue, and develop institutional responses to gender-based violence. Advocacy efforts, survivor activism, and public acknowledgment by state institutions can gradually reduce stigma and create safer environments for survivors to disclose their experiences. Transitional justice research demonstrates that recognition, truth-telling initiatives, and public awareness campaigns often lead to increased reporting of previously hidden violations, particularly in cases involving sexual violence [Teitel, 2000].

Historically, survivors of sexual violence have faced strong social stigma and victim-blaming attitudes, which discouraged disclosure and reinforced silence. Scholars studying wartime sexual violence emphasize that these attitudes are often rooted in patriarchal norms that associate sexual violence with dishonor, placing responsibility on survivors rather than perpetrators [Askin, 1997; Ní Aoláin et al., 2018]. As societies begin to challenge these norms through advocacy, legal reform, and public education, survivors may feel safer to speak about their experiences and seek recognition or justice.

In Kosovo, public awareness of wartime sexual violence has grown significantly over the past decade. Advocacy efforts by civil society organizations, survivor networks, and international partners have played a crucial role in challenging stigma and promoting recognition of survivors' rights. The establishment of a legal framework recognizing survivors of wartime sexual violence as civilian victims of war marked an important milestone in this process [Republic of Kosovo, 2014]. This recognition, together with public campaigns and survivor testimonies, has contributed to a gradual shift in societal perceptions.

International experience demonstrates that such shifts in public discourse often lead to delayed but increased disclosure by survivors. Studies from post-conflict settings such as Bosnia and Herzegovina, Rwanda, and Sierra Leone show that survivors frequently begin to come forward only after broader social acknowledgment of the crimes and the establishment of support mechanisms [de Greiff, 2012]. As stigma diminishes and support services become more accessible, survivors who had previously remained silent may feel empowered to disclose their experiences and seek recognition.

However, rigid application deadlines for recognition mechanisms risk undermining these positive developments. When survivors decide to come forward only after social conditions have improved, deadlines may prevent them from accessing justice and reparations despite the legitimacy of their claims. In effect, such restrictions penalize survivors for the very barriers, stigma, fear, and social pressure, that delayed their disclosure in the first place.

A survivor-centered approach to justice must therefore recognize that disclosure is often influenced by changing social conditions. Recognition mechanisms that remain open over time allow survivors to seek justice when they feel safe and supported to do so. By contrast, strict deadlines risk reinforcing silence and excluding survivors who were previously unable to come forward due to stigma or fear.

International Legal Standards: No Statute of Limitations for War Crimes

International law clearly establishes that war crimes and crimes against humanity are not subject to statutes of limitation. This principle reflects the gravity of such crimes and the international community's commitment to ensuring that perpetrators can be held accountable regardless of how much time has passed. Sexual violence committed during armed conflict, including rape, sexual slavery, enforced prostitution, forced pregnancy, and other forms of sexual abuse, is recognized under international law as a war crime and, in certain circumstances, a crime against humanity [Rome Statute of the International Criminal Court, 1998, arts. 7–8].

The prohibition of statutes of limitation for these crimes is codified in several international legal instruments. The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity [1968] explicitly provides that no statutory limitation shall apply to war crimes and crimes against humanity “irrespective of the date of their commission” [United Nations, 1968, art. 1]. The Convention reflects a broader principle of international criminal law that certain grave violations are so serious that they must remain prosecutable indefinitely.

This principle is further reinforced in the Rome Statute of the International Criminal Court [ICC]. Article 29 of the Rome Statute states unequivocally that “the crimes within the jurisdiction of the Court shall not be subject to any statute of limitations” [1998, art.29]. These crimes include genocide, crimes against humanity, and war crimes, all of which encompass various forms of conflict-related sexual violence. By removing temporal limitations on prosecution, the Rome Statute acknowledges the reality that victims of such crimes may require significant time before they are able to seek justice.

International jurisprudence has also reinforced this principle. Both the International Criminal Tribunal for the former Yugoslavia [ICTY] and the International Criminal Tribunal for Rwanda [ICTR] prosecuted crimes committed years earlier, recognizing that accountability for mass atrocities must not be restricted by the passage of time. Cases such as *Prosecutor v. Kunarac, Kovac and Vukovic* before the ICTY established that rape and sexual enslavement constitute crimes against humanity, further affirming the seriousness of these violations under international law [*Prosecutor v. Kunarac et al.*, 2001].

Beyond criminal accountability, international human rights law also emphasizes victims' rights to justice and reparations without undue restrictions. The United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law affirm that victims of such violations have the right to equal and effective access to justice and adequate reparation [United Nations, 2005]. These principles recognize that the consequences of serious human rights violations often persist for many years and that victims may seek justice only after significant time has passed.

While survivor recognition mechanisms in countries such as Kosovo operate primarily as administrative processes rather than criminal proceedings, the underlying rationale of international law remains relevant. If the crimes themselves are recognized as so serious that they cannot be subject to temporal limitations, imposing strict deadlines on the recognition of their victims risks creating a normative inconsistency. In effect, war crimes remain legally actionable indefinitely, yet the acknowledgment and support owed to their victims may expire through administrative procedures.

From a human rights and transitional justice perspective, such inconsistencies can undermine the principle of victim-centered justice. Scholars and international practitioners have emphasized that reparations and recognition mechanisms must be designed to address the long-term and evolving consequences of mass atrocities [de Greiff, 2012]. Given that survivors of conflict-related sexual violence often require years or decades before they feel able to disclose their experiences, recognition frameworks that remain open over time are more consistent with both international legal standards and the realities of trauma.

Ensuring that recognition mechanisms are not constrained by rigid deadlines would therefore align national policies with the broader principles of international law, which emphasize accountability, victims' rights, and the enduring obligation to address grave violations of human rights.

Jurisprudence of International Criminal Tribunals

International criminal tribunals have played a crucial role in recognizing sexual violence as a serious international crime and in developing legal standards for accountability in cases of conflict-related sexual violence [CRSV]. Prior to the 1990s, rape and other forms of sexual violence were often treated as secondary or incidental crimes in armed conflict. However, the establishment of international tribunals following conflicts in the former Yugoslavia and Rwanda marked a significant shift in international criminal law, placing sexual violence firmly within the framework of war crimes, crimes against humanity, and, in certain circumstances, genocide [Askin, 1997].

The International Criminal Tribunal for the former Yugoslavia [ICTY] was particularly influential in developing jurisprudence on sexual violence in armed conflict. Through a series of landmark judgments, the ICTY clarified that rape and other forms of sexual violence constitute grave breaches of international humanitarian law and may also amount to torture or crimes against humanity.

One of the most significant cases in this regard is *Prosecutor v. Dragoljub Kunarac, Radomir Kovač, and Zoran Vuković* [2001]. In this case, the ICTY convicted the defendants for crimes committed in the town of Foča during the Bosnian war, where women and girls were detained and subjected to repeated acts of rape and sexual enslavement. The Tribunal recognized rape and sexual enslavement as crimes against humanity, affirming that systematic sexual violence can constitute a central element of campaigns of persecution against civilian populations.

Another landmark decision is *Prosecutor v. Anto Furundžija* [1998], in which the ICTY held that rape may constitute torture under international law when committed by or with the consent of a public official or during an armed conflict. The Tribunal clarified that sexual violence can cause severe physical and psychological suffering and therefore meets the legal threshold for torture. The judgment further established that individuals who aid or facilitate acts of sexual violence can be held criminally responsible, reinforcing the principle that accountability extends beyond direct perpetrators.

These cases were helpful in shaping international legal understanding of sexual violence as a grave violation of international humanitarian law and human rights law. They also contributed to broader recognition that sexual violence during armed conflict is not merely an inevitable byproduct of war but a deliberate tactic used to terrorize populations, destroy communities, and assert domination.

The jurisprudence developed by the ICTY influenced the legal framework of the International Criminal Court (ICC), which incorporated explicit provisions addressing sexual violence in its founding treaty. The Rome Statute of the ICC [1998, art. 7 and 8] lists rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, and other forms of sexual violence as both war crimes and crimes against humanity.

The development of international jurisprudence on sexual violence was further strengthened by the work of the International Criminal Tribunal for Rwanda (ICTR). In the landmark case *Prosecutor v. Jean-Paul Akayesu* [1998], the Tribunal delivered the first international judgment recognizing rape and sexual violence as acts that can constitute genocide when committed with the intent to destroy a protected group. The ICTR found that widespread sexual violence committed during the Rwandan genocide formed an integral part of the campaign to destroy the Tutsi population. The judgment established an important precedent by affirming that sexual violence can be used as a planned instrument of genocide, capable of causing both physical and psychological destruction of a targeted group.

A key case illustrating the ICC's approach to accountability for sexual violence is *Prosecutor v. Jean-Pierre Bemba Gombo* [2016]. In this case, the ICC convicted Bemba, a military commander, for crimes committed by troops under his control in the Central African Republic. The Court found that his forces had committed widespread acts of rape and sexual violence against civilians. Importantly, the judgment affirmed the doctrine of command responsibility, holding that military leaders can be held criminally liable when they fail to prevent or punish crimes committed by forces under their authority. Although the conviction was later overturned on appeal due to issues related to the evaluation of evidence, the case remains significant for its recognition of sexual violence as a central element of international crimes and for its articulation of command responsibility in such contexts.

Together, the jurisprudence of international criminal tribunals demonstrates the principle that the consequences of conflict-related sexual violence are long-lasting and often emerge long after the crimes themselves were committed. The international legal framework therefore reflects an understanding that the gravity and enduring impact of these crimes require legal mechanisms that remain accessible over time.

United Nations Standards on Conflict-Related Sexual Violence (CRSV)

United Nations frameworks [2020] emphasize the importance of survivor-centered approaches and the obligation of states to ensure access to justice, recognition, and reparations for victims of conflict-related sexual violence (CRSV). Over the past two decades, the UN system has developed a comprehensive normative framework addressing sexual violence in armed conflict, recognizing both the gravity of these crimes and the long-term needs of survivors. These standards stress that justice and support mechanisms must remain accessible over time, taking into account the complex psychological, social, and structural barriers that often prevent survivors from reporting violations immediately after they occur.

A central pillar of this framework is United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security. This landmark resolution acknowledges the disproportionate impact of armed conflict on women and calls on states to ensure the protection of women and girls from gender-based violence, including rape and other forms of sexual abuse during armed conflict. The resolution also emphasizes the importance of women's participation in peacebuilding processes and calls for the adoption of measures that ensure accountability and access to justice for survivors.

Building on this framework, United Nations Security Council Resolution 1820 (2008) explicitly recognizes sexual violence as a tactic of war and a threat to international peace and security. The resolution affirms that rape and other forms of sexual violence may constitute war crimes, crimes against humanity, or acts of genocide, depending on the circumstances. Subsequent resolutions further strengthened the UN's normative framework on CRSV. In particular, United Nations Security Council Resolution 2467 (2019) places strong emphasis on survivor-centered responses, calling on states to ensure that victims have access to justice, medical care, psychosocial support, and reparations. The resolution stresses that responses to sexual violence must respect the dignity, autonomy, and rights of survivors, and it encourages states to remove legal and structural barriers that may prevent victims from seeking recognition and assistance.

Complementing the Security Council's resolutions, the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (2005) establish a comprehensive framework for victim redress. These principles affirm that victims of serious human rights violations are entitled to equal and effective access to justice, adequate, effective, and prompt reparation, and access to relevant information concerning violations and reparation mechanisms. Importantly, the UN Basic Principles highlight that states must ensure that victims are not excluded from reparations mechanisms due to procedural barriers that fail to account for the realities of trauma and delayed reporting. States are therefore encouraged to adopt legal and institutional mechanisms that remain accessible over time and that do not impose arbitrary limitations that could prevent survivors from seeking justice when they are ready to come forward.

Kosovo's Legal Framework

Kosovo has taken an important step in recognizing survivors of wartime sexual violence through the adoption of Law No. 04/L-172 on amending and supplementing the law No.04/L-054 on the Status and Rights of Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Sexual Violence Victims of the War, Civilian Victims and Their Families (Republic of Kosovo, 2014). This law represents a landmark development in Kosovo's transitional justice framework by formally acknowledging survivors of conflict-related sexual violence (CRSV) as a distinct category of civilian victims of war entitled to state recognition and reparations. The inclusion of this category followed years of advocacy by civil society organizations and survivors themselves, highlighting the importance of addressing the long-term consequences of wartime sexual violence and combating the stigma associated with these crimes.

In order to implement the recognition mechanism, the Government of Kosovo established the Government Commission for the Verification and Recognition of the Status of Victims of Sexual Violence during the Kosovo Liberation War, which began receiving applications in 2018 (Government of the Republic of Kosovo, 2017). The Commission is responsible for reviewing applications, verifying survivor status through a confidential procedure, and issuing decisions granting official recognition. Survivors who receive this status become eligible for a monthly financial pension. The establishment of this recognition mechanism represents a significant milestone in Kosovo's transitional justice process. It acknowledges the suffering of survivors and provides an institutional pathway for recognition, reparations, and social support.

However, despite these important achievements, the implementation of the recognition process has included application deadlines that limit the period during which survivors may apply for official recognition. Such deadlines risk excluding individuals who may not yet feel ready to disclose their experiences due to psychological trauma, social stigma, or concerns about family and community reactions. Research on trauma and sexual violence consistently demonstrates that survivors often require many years before they feel able to speak about their experiences or engage with formal institutions [Rubio-Marín, 2006].

From a transitional justice perspective, imposing strict deadlines on recognition mechanisms may undermine the very objectives they seek to achieve. Transitional justice processes aim not only to provide material reparations but also to acknowledge harm, restore dignity, and rebuild trust between victims and state institutions. When survivors are excluded from recognition due to procedural time limits, the process risks reproducing patterns of marginalization and silence that survivors have faced for decades.

Given the evolving social and institutional environment in Kosovo, it is likely that additional survivors may feel able to come forward in the future as stigma decreases and awareness increases. Ensuring that recognition mechanisms remain accessible over time would therefore strengthen Kosovo's commitment to justice, human rights, and survivor-centered approaches consistent with international standards.

Comparative Regional Practices

Experiences from other post-conflict societies demonstrate that recognition and reparations mechanisms for survivors of conflict-related sexual violence (CRSV) must remain flexible and responsive to the realities of trauma, delayed disclosure, and the long-term social stigma associated with sexual violence. As a result, several post-conflict countries have adapted their legal and policy frameworks over time to ensure that survivor recognition processes remain accessible and inclusive.

One of the most relevant examples comes from Bosnia and Herzegovina, where wartime sexual violence was widespread during the 1992–1995 war. Initially, survivors faced significant barriers in obtaining recognition and accessing social benefits due to restrictive eligibility criteria and administrative procedures. Over time, however, legislative reforms were introduced to expand recognition mechanisms and improve access to reparations. For example, the Law on the Protection of Civilian Victims of War of the Federation of Bosnia and Herzegovina [2023] was amended to explicitly recognize survivors of wartime sexual violence as a separate category of civilian victims entitled to social protection benefits. Importantly, the recognition process did not impose strict application deadlines, acknowledging that survivors may come forward many years after the end of the conflict due to stigma, trauma, or changing social conditions.

Similarly, Croatia adopted a specific legal framework addressing survivors of conflict-related sexual violence through the Act on the Rights of Victims of Sexual Violence during the Armed Aggression against the Republic of Croatia in the Homeland War [2015]. This law established a formal recognition procedure and introduced financial compensation, psychosocial support, and healthcare services for survivors. The legislation acknowledged the long-term impact of wartime sexual violence and the challenges survivors face in disclosing their experiences. Consequently, the application process was designed with flexibility, including provisions allowing survivors to apply years after the adoption of the law and do not impose deadlines to apply for status recognition.

These comparative experiences highlight several important lessons for post-conflict societies. First, recognition mechanisms for survivors of conflict-related sexual violence must take into account the unique psychological and social barriers that survivors face when disclosing their experiences. Second, rigid procedural requirements, such as strict application deadlines, may unintentionally exclude survivors who require more time to seek recognition. Third, legal frameworks must remain adaptable, allowing governments to modify policies as new information emerges about the scale of violations and the long-term needs of survivors.

In this context, the experiences demonstrate that effective survivor recognition frameworks require flexibility and responsiveness. Policies that allow ongoing recognition of survivors are better aligned with the realities of trauma, delayed disclosure, and evolving social attitudes toward sexual violence. These examples therefore provide valuable guidance for strengthening recognition mechanisms in Kosovo, where similar challenges related to stigma, trauma, and delayed reporting continue to affect survivors of wartime sexual violence.

Recommendations

To ensure a survivor-centered and rights-based approach to the recognition of survivors of conflict-related sexual violence, Kosovo's institutions should consider adopting the following policy measures. These recommendations are grounded in international human rights standards, transitional justice principles, and comparative experiences from other post-conflict societies.

◆ **Remove Time Limitations on Applications for Survivor Recognition**

Kosovo should remove existing application deadlines for the recognition of survivors of wartime sexual violence. Research on trauma and sexual violence consistently demonstrates that survivors may require many years before they feel able to disclose their experiences or engage with official institutions. Deadlines may therefore unintentionally exclude individuals who continue to face psychological, social, or cultural barriers to reporting.

Eliminating time restrictions would align Kosovo's policies with international legal principles recognizing that war crimes and crimes against humanity are not subject to statutes of limitation. It would also ensure that survivors who come forward in the future, when they feel safe and ready, are not denied recognition and access to support due to procedural constraints.

◆ **Permanent Recognition Mechanism**

Kosovo should consider transforming the existing recognition process into a permanent institutional mechanism. A long-term mechanism would ensure continuity in recognizing survivors and prevent interruptions that could undermine trust in state institutions.

◆ **Expand Outreach and Awareness Initiatives**

Many survivors may lack access to reliable information about available support services. Kosovo's institutions should strengthen outreach efforts aimed at informing survivors about their rights. These efforts should include partnerships with civil society organizations, community leaders, healthcare providers, and social service institutions. Public awareness campaigns that emphasize confidentiality, dignity, and survivor support can contribute to reducing stigma and encouraging survivors to seek recognition and assistance.

◆ Ensure Trauma-Informed Procedures in Recognition Processes

Recognition procedures should continue to follow trauma-informed principles that recognize the psychological impact of sexual violence and the difficulties survivors may face when recounting traumatic experiences. A trauma-informed approach emphasizes respect, confidentiality, empathy, and the avoidance of re-traumatization during administrative processes [United Nations Office of the High Commissioner for Human Rights [OHCHR], 2012]. Institutional procedures should therefore ensure that survivors are not required to provide excessive documentation or repeatedly recount traumatic experiences.

◆ Align National Legislation with International Legal Standards

Kosovo should ensure that its national legislation and policies fully reflect international standards concerning conflict-related sexual violence and victims' rights. This includes alignment with the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation (2005), which affirm the rights of victims of serious human rights violations to access justice, reparations, and rehabilitation. Additionally, Kosovo's policies should remain consistent with the UN Security Council Women, Peace and Security agenda, including Resolutions 1325, 1820, and 2467 [United Nations Security Council, 2000, 2008, 2019], which emphasize survivor-centered approaches and access to justice for victims of sexual violence in conflict.

Conclusion

Conflict-related sexual violence leaves profound and long-lasting consequences that extend far beyond the period of war. Survivors frequently face complex psychological, social, and cultural barriers that prevent them from disclosing their experiences. In many cases, individuals require years, or even decades, before they feel able to seek recognition, justice, or support.

Kosovo has taken important steps in addressing wartime sexual violence by establishing legal recognition and reparations mechanisms for survivors. The adoption of legislation recognizing victims of sexual violence during the war represents a significant milestone in the country's transitional justice process and reflects years of advocacy by survivors and civil society organizations.

However, ensuring that these mechanisms remain accessible over time is essential to fulfilling their intended purpose. Administrative deadlines that limit access to recognition risk excluding survivors who continue to struggle with trauma, stigma, and social barriers to disclosure. Removing such limitations would strengthen Kosovo's commitment to survivor dignity, human rights, and inclusive transitional justice.

Ultimately, recognition mechanisms must reflect the reality that the consequences of wartime sexual violence do not disappear with time. Survivors' need for acknowledgement, support, and justice may arise long after the war has ended.

References

- Askin, K. D. [1997]. *War crimes against women: Prosecution in international war crimes tribunals*. Martinus Nijhoff.
- Clark, P. [2010]. *The Gacaca courts, post-genocide justice and reconciliation in Rwanda: Justice without lawyers*. Cambridge University Press.
- De Greiff, P. [Ed.]. [2012]. *The handbook of reparations*. Oxford University Press.
- Federation of Bosnia and Herzegovina. [2023]. *Law on the protection of civilian victims of war*. <https://fbihvlada.gov.ba/hr/9-zakon-o-zastiti-civilnih-zrtava-rata-u-federaciji-bosne-i-hercegovine>
- Government of the Republic of Kosovo. [2015]. *Regulation no. 22/2015 on defining the procedures for Recognition and Verification of the Status of Sexual Violence Victims during the Kosovo Liberation War*. <https://gzk.rks.gov.net/ActDetail.aspx?ActID=15049>
- Herman, J. [1992]. *Trauma and recovery: The aftermath of violence—from domestic abuse to political terror*. Basic Books.
- International Criminal Court. [1998]. *Rome Statute of the International Criminal Court*. <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>
- International Criminal Court. [2016]. *Prosecutor v. Jean-Pierre Bemba Gombo*, Case No. ICC-01/05-01/08. https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2016_02238.PDF
- International Criminal Tribunal for Rwanda. [1998]. *Prosecutor v. Jean-Paul Akayesu*, Case No. ICTR-96-4-T. <https://www.internationalcrimesdatabase.org/Case/50/Akayesu/>
- International Criminal Tribunal for the Former Yugoslavia. [1998]. *Prosecutor v. Furundžija*, Case No. IT-95-17/1. <https://www.icty.org/en/case/furundzija>
- International Criminal Tribunal for the Former Yugoslavia. [2001]. *Prosecutor v. Kunarac, Kovač and Vuković*, Case No. IT-96-23 & IT-96-23/1. <https://www.icty.org/en/case/kunarac>
- Ní Aoláin, F., Cahn, N., Haynes, D. F., & Valji, N. [2018]. *The Oxford handbook of gender and conflict*. Oxford University Press. <https://doi.org/10.1093/oxfordhb/9780199300983.001.0001>
- Republic of Croatia. [2015]. *Act on the rights of victims of sexual violence during the armed aggression against the Republic of Croatia in the Homeland War*. <https://www.zakon.hr/z/794/zakon-o-pravima-zrtava-seksualnog-nasilja-za-vrijeme-oruzane-agresije-na-republiku-hrvatsku-u-domovinskom-ratu>
- Republic of Kosovo. [2014]. *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, civilian victims and their families*. <https://old.kuvendikosoves.org/common/docs/ligjet/04-L-172%20a.pdf>

Government of the Republic of Kosovo. [2017]. *Decision No. 06/143 on the establishment of the Government Commission for the Recognition and Verification of Sexual Violence Victims during the Kosovo Liberation War*. <https://gzk.rks-gov.net/ActDetail.aspx?ActID=62640>

Rubio-Marín, R. [Ed.]. [2006]. *What happened to the women? Gender and reparations for human rights violations*. Social Science Research Council.
<https://www.ssrc.org/publications/view/what-happened-to-the-women/>

Teitel, R. G. [2000]. *Transitional justice*. Oxford University Press.

United Nations. [1968]. *Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity*.
https://treaties.un.org/doc/Treaties/1970/11/19701111%2002-40%20AM/Ch_IV_6p.pdf

United Nations. [2005]. *Basic principles and guidelines on the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law*.
<https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx>

United Nations. [2020]. *Report of the Secretary-General on conflict-related sexual violence [S/2020/487]*. <https://undocs.org/S/2020/487>

United Nations. [2014]. *Guidance note of the Secretary-General: Reparations for conflict-related sexual violence*. <https://digitallibrary.un.org/record/814902?v=pdf>

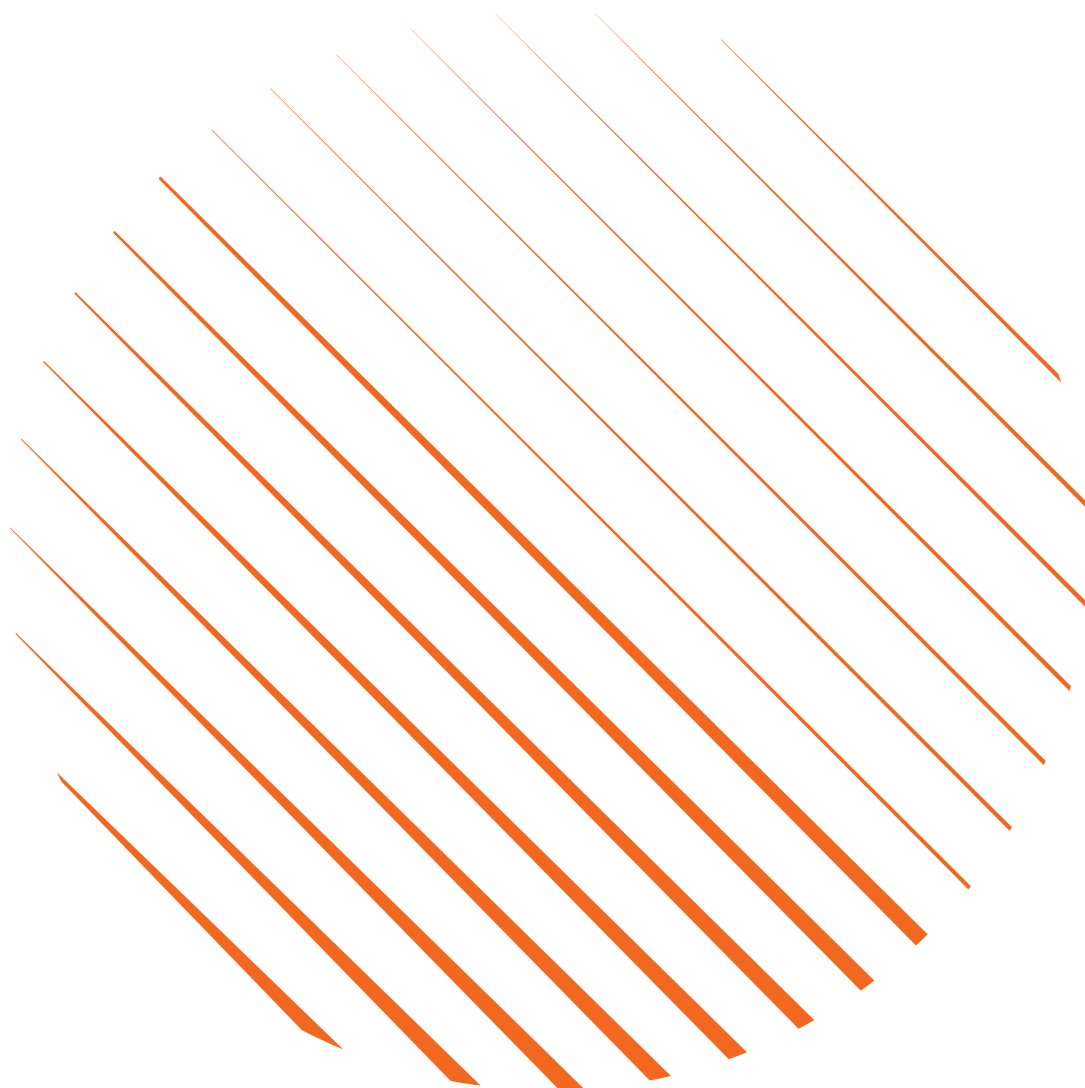
United Nations Security Council. [2000]. *Resolution 1325: Women, peace and security [S/RES/1325]*. [https://undocs.org/S/RES/1325\(2000\)](https://undocs.org/S/RES/1325(2000))

United Nations Security Council. [2008]. *Resolution 1820: Sexual violence in conflict [S/RES/1820]*. [https://undocs.org/S/RES/1820\(2008\)](https://undocs.org/S/RES/1820(2008))

United Nations Security Council. [2019]. *Resolution 2467: Conflict-related sexual violence [S/RES/2467]*. [https://undocs.org/S/RES/2467\(2019\)](https://undocs.org/S/RES/2467(2019))

World Health Organization. [2013a]. *Global and regional estimates of violence against women*. <https://www.who.int/publications/i/item/9789241564625>

World Health Organization. [2013b]. *Responding to intimate partner violence and sexual violence against women: WHO clinical and policy guidelines*.
<https://www.who.int/publications/i/item/9789241548595>



Supported by:

