

Three Dimensions of Peacebuilding in Bosnia

Findings from USIP-Sponsored
Research and Field Projects

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Introduction

The former Yugoslavia has come to represent one of the most vexing collections of challenges facing international policymakers and practitioners who are still coming to terms with the post–Cold War world order. The challenges are indeed many: How can ethnic and religious strife be best understood and alleviated? How can the wrenching processes toward democracy and market economies be encouraged more effectively and implemented equitably? Should the notion of state sovereignty be redefined, and to what end? Particularly in light of the recent tragic events in Kosovo and the broader Balkan region, what are the evolving roles, responsibilities, and structures of the United Nations, regional bodies, and other multinational alliances and institutions—including the North Atlantic Treaty Organization (NATO)—and nongovernmental organizations (NGOs) in the enforcement of international law, the promotion and consolidation of democratic governance, and peace? How can the sometimes conflicting goals of democracy and peace (and truth and reconciliation) best be pursued?

These are but some of the many questions springing from the turbulence in the former Yugoslavia—questions that have resonance in other countries and regions in the throes of, or emerging from, violent conflict.

For several years now, the Balkans has been a key focus of the United States Institute of Peace. The Institute's Balkans Initiative draws on the efforts of various Institute programs to support the peace implementation process in Bosnia, Croatia, and Kosovo. The Institute has conducted training programs for staff of international and local NGOs working in Bosnia to help them in their relief and reconciliation work in the aftermath of this intense conflict. The Institute's Religion, Ethics, and Human Rights Program has supported the efforts of top religious leaders in Bosnia to form an Inter-Religious Council to work "together to replace hostility with cooperation and respect" and to acknowledge their shared moral commitment to peace and reconciliation. This program is also working with other members within the religious communities in Bosnia to support their efforts at reconciliation.

The Institute recognizes that if any measure of reconciliation is to occur for Bosnia, war victims, regardless of ethnic affiliation, must have access to fair hearings and due process. To support citizen participation in the justice process, the Institute's Rule of Law Program has been working with Bosnian officials at various levels on a number of initiatives, including protection for trial witnesses, more effective police screening procedures, and programs to improve the efficiency of the International War Crimes Tribunal at The Hague. It is also advising several groups in Bosnia and Herzegovina on the creation of a Truth and Reconciliation Commission in response to requests from the country's judicial officials and community leaders.

The Institute's Balkans Working Group, composed of specialists from various government agencies, think tanks, and NGOs, acting in their personal capacities, meets frequently to address issues of Bosnia peace implementation and Balkan security and

stability. The working group shares information, develops options, and takes the longer view on conflict prevention and reduction of tensions in the region. In the past year, it has published reports on Bosnia, Croatia, Serbia, Montenegro, and Kosovo.

This *Peaceworks* is the product of the Institute's Grant Program, which funds a broad array of scholarly investigations of the Bosnian conflict, as well as conflict resolution and peacebuilding projects undertaken by local and international NGOs and other practitioners in Bosnia. (A list of recent Bosnian and Balkans-related grants is appended to this report.)

The purpose of this *Peaceworks* is to highlight some of the Institute-funded programs focusing on Bosnia and Herzegovina and to share some of the lessons gleaned from policy-related research covering foreign aid, human rights and rule of law, and programs devoted to reconciliation and civil society institutions in Bosnia. As this report's title suggests, the ensemble of these three categories represents a more comprehensive approach—three-dimensional, as it were—for understanding some of the basic elements and complexity of rebuilding war-ravaged societies and reconstructing a civic order.

Virtually every initiative represented in this report, be it policy research, training, or a grassroots initiative, notes the importance of early and substantial involvement by Bosnians in the conception, design, and implementation of reconciliation and reconstruction activities, from the provision of aid to the development of conflict resolution training curricula.

As detailed in this report, several other lessons have emerged from these programs funded by the United States Institute of Peace. In examining how political capacity can be restored through international assistance, Susan Woodward posits that many of the initial assumptions about the impact of elections have not been supported. Indeed, early conclusions suggest that the pivotal role that elections play in the international strategy to bring peace to Bosnia and permit outsiders to go home has in fact made the international presence more necessary and without an end in sight. While recognizing that the international presence in Bosnia has accomplished much, Woodward notes that "the engagement of the international community with its separate objectives and priorities in the peace process . . . has transformed the primary political dynamic in the country into a conflict between local leaders and international actors," thus delaying the transition to Bosnian responsibility and independence.

Research undertaken by Zlatko Hurtic, Amela Sapcanin, and Susan Woodward on pledges of aid to Bosnia stresses the importance of early planning and involvement of the multilateral aid agencies, the prior establishment of a normalizing political and security framework, and an agreed-upon aid strategy for the "triple transition"—from humanitarian aid to reconstruction; from war to sustainable peace; and from socialism to a market economy, political democracy, and economic sustainability. The research also points out the need for greater transparency and consistency in reporting at both ends of the aid pipeline.

A number of more action-oriented projects are seeking to strengthen the rule of law in Bosnia, while at the same time attempting to provide a positive avenue of interaction across ethnic and political lines. An Institute-supported project undertaken by the Coalition for International Justice, summarized in this volume by John Heffernan, sought to as-

sess the work of the International Criminal Tribunal for the Former Yugoslavia and provide guidance for increasing its effectiveness in promoting justice, peace, and reconciliation. April Major details a program to build a legal information infrastructure and to link via the Internet members of the Bosnian legal profession, including members and staff of the planned Truth and Reconciliation Commission. Mindful of the importance of access to information in the transition to democratic governance, Major stresses the importance of simultaneous development in communication technology in both the Republika Srpska and the Bosnian Federation.

Mark Bromley of the International Human Rights Law Group describes a number of Institute-funded legal education programs to advance the understanding and use of human rights mechanisms enshrined in the Dayton Accords. Bromley underscores the importance of the multiethnic nature of the programs and the critical link between training activities and broader civic action as keys to the twin goals of strengthening legal structures and promoting reconciliation. A grant from the Institute helped launch a program undertaken by the League of Women Voters to encourage women's participation in democratic activities and the peace process. Writing about the initiative, Project Director Orna Tamches Blum highlights the importance of women's involvement in rebuilding the war-torn country, the critical role the NGO sector plays in strengthening civil society, and the need to explore and promote democratic values in the home.

Reflecting on his years of experience and involvement in relief and development work in the Balkans, Landrum Bolling offers some lessons learned in several realms: information sharing, planning, and coordination; partnerships with local leadership, including religious leaders; and the increasing and important opportunities for civil-military cooperation.

Robert Hennemeyer reports on an Institute-funded conference entitled "Forgiveness in Conflict Resolution: Reality and Utility—the Bosnian Experience." He underscores the complexity of the relationship between forgiveness and justice and between forgiveness and reconciliation. Not surprisingly, religion figured heavily in the discussion of forgiveness. While the role religion played in the conflict in Bosnia is widely recognized, institutionalized religion was viewed as "too important a player" to be neglected in the process of reconciliation and conflict resolution.

Finally, persuaded of the critical role youth can play in efforts to establish a culture of peace in any war-torn setting, Branka Peuraca writes about the Institute-funded Youth-to-Youth ("Mladi Mladima") Project that trains high school students in the former Yugoslavia in conflict resolution, leadership, and communication skills. She notes the need for "safe space" for youth from different ethnic groups to come together, for disseminating information about and deepening practical experience with nonviolent alternatives to resolving conflict, and for a culturally sensitive training system and material. She also cautions that training and encounter programs that "humanize the enemy" can do harm if, after completing the process, participants return home to unsympathetic or unsupportive families and friends.

The Institute is pleased to have been able to provide financial support to these and other important projects in, and related to, Bosnia and Herzegovina. The lessons drawn from these experiences will, it is hoped, aid programs in Bosnia and elsewhere.

Part I: Foreign Aid

One

Transitional Elections and the Dilemmas of International Assistance to Bosnia and Herzegovina

In September 1998, the people of Bosnia and Herzegovina went to the polls for the third time—and residents of Mostar and of the Republika Srpska for the fourth time—since the signing of the Dayton Accords in November 1995. These general elections for cantonal, entity, and all-Bosnian offices were intended to mark the real transition from cease-fire to peace. Although the first elections in September 1996 were timed to fulfill President Clinton's promise to the U.S. Congress that the NATO-led forces would leave after twelve months, the election results persuaded all, including Clinton, that a second deployment of eighteen months would be needed to bring peace.

The results of the second elections—those postponed for municipal offices until September 1997—and of the special parliamentary elections in Republika Srpska in November 1997 persuaded Washington that there was progress, but that the peace was too fragile to withdraw immediately. Although NATO remained cautious in June 1998, when it decided to delay downsizing until after the next general elections of September 1998 and to renew its deployment until international officials could agree that peace was self-sustaining, the staff of the Organization for Security and Cooperation in Europe (OSCE) responsible for organizing the elections were almost giddy with relief that after these elections, Bosnians would take over. Not only elections but the peace process itself would be handed over to the people of Bosnia after September 1998.

This moment seemed especially propitious, therefore, for the next stage of field work on my Institute-supported project: analyzing how political capacity can be restored through international assistance. More and more, with the end of the Cold War, outside arbiters and peacebuilders are viewed as helpful and even necessary to end civil wars. Although much of the foreign reporting has focused on the behavior of Bosnians, it is the interaction between local parties and representatives of the international community that will determine success or failure in achieving a stable peace. In Bosnia and Herzegovina, moreover, international officials and organizations have their own objectives, in addition to peace, and each is constrained by its own rules and mandates that must be applicable universally. In addition, this engagement has become a highly visible testing ground for post-Cold War interventions in general, for the redirection of European and transatlantic

by
Susan L.
Woodward

security organizations, and for the new agenda of developmental agencies in regard to postconflict reconstruction.

The 1998 election campaign and its results revealed many elements of democratization in Bosnia and Herzegovina. Voter interest was extremely high. Copies of the free newspaper with party platforms and candidates prepared by the OSCE went faster than *killle* (a small, inexpensive Bosnian bread sold at kiosks and eaten daily for breakfast or lunch), and the televised candidates' debates, organized by OSCE staff under the direction of a former *Charlie's Angels* star, drew ever larger audiences. Presidential candidates showed improvement in campaign tactics, as a result of training assistance from NGOs and other groups such as the National Democratic Institute (NDI), and some parties, particularly the Social Democrats, began to organize and operate like their best counterparts in the West. The OSCE set up political party centers in larger towns to provide campaigning materials and equipment, and these attracted increasing numbers of activists from the smaller political parties who began to overcome their personal and partisan antagonisms by talking, for the first time since the war, and sharing common interests. Turnout was high—70.7 percent—but not quite as high as in previous elections, suggesting a healthy normalization. Not to be underrated, there was no violence, and local police acted responsibly, relieving NATO troops of any need to intervene in the process. Voters traveled freely, without outside help, and respect for the “free and fair” rules was serious. A new Croat political party had a respectable showing, given its newness and the control exercised by the ruling party in Croat areas over mass media. The Social Democrats fared well enough in the federation to become the center of an emerging legitimate opposition to the wartime parties and to give hope of substantial inroads against the ruling monoliths to all opposition parties in the elections of 2000 and 2001.

In Republika Srpska, the vote for parliament was spread among six major parties and coalitions, on top of many smaller parties, with a trend away from national loyalties toward a European party system norm based on economic interests and cultural values. And the last wartime nationalist, Momcilo Krajisnik, was turned out of office. His opponent, Zivko Radisic, was chosen as the Serb representative on the three-person Bosnian presidency and the new president of Bosnia, as a result of votes from absentee and out-of-country voters—most of whom had to be non-Serbs—which demonstrated that national lines dividing the electorate are far from frozen.

Nonetheless, the election results were a disappointment to the international community. In the federation, the two wartime parties—the Party of Democratic Action and its president, Alija Izetbegovic, and the Croatian Democratic Union and its president, Ante Jelavic—retained their dominance over postwar Bosnia, with Izetbegovic's vote climbing from 80 percent in 1996 to 87 percent in 1998. And in Republika Srpska, a right-wing nationalist, Nikola Poplasen, won the presidency and defeated the government of Biljana Plavsic and Milorad Dodik, which the international community was supporting overwhelmingly.

By March 1999, the High Representative, Carlos Westendorp, had used his authority to overturn the voters' choice by removing Poplasen from office. In the interim, foreign commentary on the elections seemed to conclude from the results that Bosnia was partitioned and Bosnians were nationalists who could not be reconciled to living together. The inter-

national field presence, however, appeared to be doubling efforts to implement Dayton: in February, Westendorp requested a budget for 1999 to allow the expansion of the staff of the Office of the High Representative from 300 to 700, while NATO troops were not downsizing.

The international disappointment with the election results, perhaps most intense in Washington, reveals the critical role that elections play in the international strategy to bring peace to Bosnia—and, for that matter, in American policy toward the transitions taking place throughout much of the world. The three elements of the transition in Bosnia—physical security, political reform, and the economy—depend, it is assumed, on elections and the rules and regulations establishing who has a right to govern in Bosnia and Herzegovina. The reason is not some idealistic notion of democracy, moreover, but a practical objective of donors and troop contributors: to empower political leaders who will cooperate with the international community. In practice, that has meant to find authorities who will implement the Dayton Accords willingly, who will cooperate across the national divisions of the war, who will implement the market reforms in the aid package, and who will not obstruct “multiethnic” cooperation among Bosnian citizens, the creation of multiethnic police forces, or the restoration of multiethnic neighborhoods. The result, in turn, will be to graduate Bosnia from its fragile condition and to permit outsiders to go home.

Conclusions drawn at the early stage of this Bosnian transition and of this project in the fall of 1998 suggest that this pivotal role of elections has had the opposite effect: making the international presence more necessary and without an end in sight. Thus far, initial assumptions about elections have not been supported. Elections do not necessarily bring moderates to power, nor do economic carrots and sticks. The reasons can be sought in a series of interwoven dilemmas of the internationally guided peace process in Bosnia and Herzegovina.

One such reason follows from the goal, “cooperate with Dayton.” Negotiated settlements to civil wars in which third parties play the mediating role are compromises in place of military victory, and the Dayton Accords contain many of the internal contradictions that follow from such a compromise—to obtain a cease-fire on terms simultaneously acceptable to three parties, to the major international powers, and to two neighboring states with active national interests (Croatia and Serbia), and to do so by shuttle diplomacy, in which each side is given some part, but not all, of what that party desires. The result was a written document that reproduces all the elements of compromise in the previous Yugoslav system that led to war once the international conditions supporting that system had gone. The election of wartime parties and their leaders continues the war, albeit with peaceful means as long as NATO troops are present. The engagement of the international community with its separate objectives and priorities in the peace process, however, has transformed the primary political dynamic in the country into a conflict between local leaders and international actors. Instead of facilitating international timelines and goals, such as multiethnic communities, refugee return to prewar homes, and the capture of indicted war criminals, as quickly as possible, this political dynamic delays the transition to Bosnian responsibility and independence. It also encourages votes for leaders who “stand up for their nation” against “international dictate,” thus transfer-

ring this line of political conflict into the population as a whole. Instead of holding their own leaders accountable for policies and living conditions, the population has been divided between those who see a new enemy or scapegoat for their difficult times in the imperious representatives of the international community and those who are increasingly impatient that the international community will not fully acknowledge its de facto international "protectorate" and thus take over and govern directly. Between these two camps lies a large silent mass who are increasingly apathetic because they see the outsiders as "boss."

It is generally conceded by officials in the international operation that to get beyond this prolongation of the war by other means, both among leaders and within the population, some fundamental changes in the political contract of the Dayton constitution are required. Primary among them is a permanent law on elections drafted by outsiders with the aim of reversing Dayton's system of ethnic-based power and representation. But neither the international adjudicating bodies responsible for protecting "Dayton" nor the elected members of parliament who would have to approve changes with a two-thirds majority will allow them. The crucial role of the accords in consolidating the cease-fire and in sealing the deep divisions in the international coalition cannot be risked. The constitution has become a straitjacket to the peace process, but it cannot be changed.

Another series of interwoven dilemmas follows from the international dependence on Bosnian leaders to implement the accords, because imposition by force and a true protectorate are out of the question. When elections have not produced such leaders, international officials attempt to remain on schedule and to achieve their goals by seeking other forms of "leverage" over leaders' compliance. Two tools are favored: disqualification of elected officials and conditionality of economic aid. But the authority to disqualify an official who is not performing the duties of his or her office—namely, cooperating with the Dayton implementers—does not remove that person from power. Instead it reinforces the existence and strength of parallel power structures that are not accountable to either voters or international officials, and thus delays the political transition. Similarly, the distribution of aid as a reward or incentive to cooperation delays the economic transition in those very areas that are most intransigent by keeping their populations impoverished and isolated. This reinforces the regional economic inequalities that were one of the main causes of the war, and it runs counter to the peacebuilders' assumption that economic improvement will benefit moderates and promote peace. Delays in the economic and political transitions place a greater burden on the NATO-led force—the international guardians of the third element of the international strategy: physical security.

Because neither tool—disqualification and replacement by other leaders or political conditionality in the allocation of aid—had the results desired by mid-1997, the High Representative was given a much stronger instrument: the authority (called his "Bonn powers") to make decisions for Bosnians. And while the decision to impose new license plates had a very positive result in improving freedom of movement throughout the country, decisions relating to tasks that some politicians view as fundamentally against their interests, such as refugee returns, police reform, cooperation with the International Criminal Tribunal, or strong political and economic institutions for the entire country, have turned this authority into an incentive to irresponsibility. Free riding on the High

Representative's authority, a politician can choose intransigence and delay when a decision would be unpopular with constituents or colleagues. This further reduces politicians' accountability.

One consequence of such delaying tactics has been to create conflict among international officials who must meet deadlines set externally—by the military deployment, their organizational budgets, the frequent contractual turnover of personnel, or the impatience of home legislators and donors. Their quarrels, however, are not over strategy but over tactics—whether to be fast and assertive against top Bosnian politicians, or to work quietly with Bosnians in a step-by-step pace. This tactical disagreement is of major importance, leading each faction to find fault in the other when troubles arise. This result in turn encourages each organization in the international operation to turn inward, focusing on its own agenda, while outwardly protecting turf.

For those who believe that peace is a process and that it cannot occur in a short time, the international presence in Bosnia and Herzegovina has accomplished much. Municipal elections, now scheduled for spring 2000, may demonstrate that much has been learned and transferred to locals. The OSCE in the meantime has developed the capacity to act elsewhere, including Kosovo. The World Bank has adapted procedures for postconflict countries permanently. NATO has proven to an American Congress that it can do peace operations without casualties. And the United Nations has restored some of its credibility. It is too soon to judge whether the dilemmas of peacebuilding without an explicit occupation have become vicious circles without an exit, or whether the training of legislators, political parties, local officials, and civil servants, and the reforms of the economy, civil-military relations, the electoral system, and the police and judiciary will begin to bloom.

What the early lessons of this ongoing project do suggest is that the peace process in Bosnia and Herzegovina is a complex political dynamic between locals and international actors. No tactic or strategy will succeed if the role of the international actors as players in the domestic political process is not explicitly assessed. But it is unlikely that peace will be self-sustaining until politics in Bosnia is domesticated, where Bosnians confront each other over issues of reform, governance, and policy disputes rather than where the main line of confrontation is between Bosnians and the international community.

Two

Pledges of Aid to Bosnia and Herzegovina

by
Zlatko Hurić,
Amela Sapčanin,
and Susan L.
Woodward

No violent conflict comes to an end, nor can any systemic transition succeed, without adequate financial resources to carry out essential tasks. No international action in support of peace, the prevention or cessation of violent conflict and humanitarian disasters, or the protection of human rights can occur if there is no budget or donor resources to tap. Effective action by the international community requires the ability to mobilize secure and reliable funds. Increasingly, the international community has sought multilateral instruments to complement (and even to assume the lead role over) bilateral assistance programs; it has also turned increasingly to functional international organizations and NGOs to carry out the crucial activities of postwar reconstruction and reconciliation, economic transition and democratization, and the institution building necessary to achieve these goals.

Seeking to shed light on the preconditions for successful donor support for reconstruction, the Center on International Cooperation at New York University and the Social Science Research Council initiated a comparative study of multilateral assistance to countries emerging from violent conflict and undertaking the transition to a market economy. The research sought to document and explain gaps in the delivery of aid pledged through multilateral donor programs, with the goal of developing policy recommendations to strengthen the tool of multilateral pledging conferences. Bosnia and Herzegovina was one of six cases in this comparative study, alongside Cambodia, El Salvador, Mozambique, Palestine, and South Africa.

International assistance to Bosnia and Herzegovina combines three types of aid: post-conflict reconstruction, implementation of a peace agreement, and economic transition. External assistance began even before the signing of the Dayton Accords in November 1995, through two major multilateral assistance programs in support of partial cease-fire agreements. One was the Action Plan to Restore Public Services in Sarajevo, mandated by United Nations Security Council Resolution 900 and supported by \$95 million pledged at a donor conference in June 1994. The other was the European Union Administration of Mostar, supported by EU assistance of ECU 144 million. Throughout the war, beginning in 1992, United Nations humanitarian agencies mobilized funds through annual consolidated UN interagency appeals (for the UN Office of High Commissioner for Refugees, UNICEF, the World Food Programme, the International Organization for Migration, the Food and Agriculture Organization, the World Health Organization, and others). The 1996 consolidated appeal for Bosnia and Herzegovina was \$500 million, of which only half was collected. The 1997 appeal of \$370 million was met in large part, and the 1998 appeal was reduced to \$263 million. Pledging conferences were used to help finance police reform by the United Nations International Police Task Force, to reconstruct the city of

Brcko, and to support military training and the provision of equipment to the federation entity. In addition, approximately \$250 million was mobilized for democratization, human rights, independent media, and arms control.

The primary multilateral program, however, has been the Priority Reconstruction and Recovery Program designed by the World Bank in conjunction with the Bosnian government, the European Commission, and the European Bank for Reconstruction and Development. By May 1998, this three-to-four year, multisectoral program of \$5.1 billion had received pledges of \$4.195 billion at four donor conferences—in December 1995, April 1996, July 1997, and May 1998. (In addition, two information donor conferences and one sectoral and technical meeting were held between January 1996 and January 1997.) The four pledging conferences brought together some fifty countries and twenty to thirty international organizations. In delivering on their pledges, donors calculate their entire contributions to the Bosnian peace effort in terms of in-kind goods and services to NGOs, to bilateral development agencies, to international organizations involved in the peace operation, and to the International Criminal Tribunal for the Former Yugoslavia. In some cases, they also counted salaries of civilian and military personnel stationed in Bosnia, commercial loans, and unrequested technical assistance.

Our study documents multilateral assistance of more than \$5 billion between 1992 and 1998, analyzing its goals and programs, discussing the structure of aid coordination, reviewing the types of aid provided, and explaining the data sources and methodology of their collection. It then offers explanations for delays in delivering or implementing the pledged aid. Two overall conclusions must be kept in mind, however. The peace process and reconstruction effort in Bosnia and Herzegovina are barely at mid-course, and the transition had only just begun during 1998. Therefore, all assessments and explanations are necessarily preliminary and tentative. Second, there are multiple databases recording funds committed, allocated, and disbursed. As our in-depth analysis of these databases shows, they use different sources and methods for collecting data, different definitions and categories of aid (sectors, projects, programs), different accounting practices, and different standards for remaining up-to-date. This makes quantitative comparison among the databases and any global, quantitative analysis of the aid actually delivered nearly impossible, including any clear assessment of what the gap might be between aid pledged and aid disbursed to actual projects and the extent of double-counting.

Some conclusions can nevertheless be drawn.

1. One of the most important lessons to be learned from the Bosnian experience is the importance of early planning and involvement by multilateral institutions. The World Bank was involved early and extensively, starting during the war in 1994, in assessment, in planning, and in the peace negotiations themselves. This involvement allowed the speedy mobilization of donors and assistance. Normal World Bank procedures were also streamlined, and a strong field presence was given substantial discretion over implementation, including procurement decisions. Particularly indispensable to success was the Dutch government's early funding of project preparation and of the loans needed to clear arrears for International Monetary Fund membership. In drawing lessons for other cases, however, one should note that

behind this speed lay firm political support from important interested international actors.

2. A key to mobilizing resources and to sustaining donor interest in postconflict circumstances is the prior establishment of a stable political and security framework. In Bosnia and Herzegovina, frequent delays in disbursing aid and implementing projects occurred because of political disagreements among the Bosnian authorities, and this was further exacerbated by ambiguities in the Dayton Accords. Substantial aid was pledged in support of refugee repatriation as a donor priority, but without the security conditions necessary for return. In response, donors in May and December 1997 gave heightened powers to the High Representative for Dayton implementation to impose interim or arbitration decisions when the decision-making procedures of the peace agreement or the parties' political differences allowed them to stall or obstruct. Unfortunately, the effect of these extraordinary powers was to slow the essential development of local ownership and responsibility for the peace and transition process.
3. In the Bosnian case, the greatest benefit of donor conferences, which were the main instruments for mobilizing large financial support for reconstruction, was to provide incentives for building consensus within the country, for centralizing lobbying efforts by the Bosnian government, for identifying priorities, for setting up coordination structures and channels for information exchange, and for accelerating the reconstruction effort in general. However, such conferences also carried the risks of raising unrealistic expectations, particularly in the recipient country, about the speed and actual value of the aid that would follow. In general, pledges are made before they are approved by legislatures, which can have time-consuming procedures and may decide to dilute the pledge or to impose conditions on its disbursement. Pledged aid, in other words, does not always reveal real commitments.
4. Donors have had three goals in their aid to Bosnia and Herzegovina: to assist the country's triple transition away from humanitarian-emergency response to reconstruction, from war to sustainable peace, and from socialism to a market economy, political democracy, and economic sustainability. The organizational basis for aid programs and the lump-sum character of pledges, however, made it nearly impossible for donors to confer and agree on a common strategy, which is critical for this triple transition and for the proper sequencing of tasks. The complex coordination structures set up, including task forces for sectoral coordination, could not outweigh priorities set by the domestic politics of donors or the mandates of international and nongovernmental organizations. For example, donors favored financing housing for refugee return and a social safety net, whereas aid for telecommunications, natural gas and other energy, health, transport, budgetary support, and industrial revival showed greater delivery gaps and was underfunded. Quarrels over strategy, priorities, and specific programs; frustration with political delays; and criticisms of specific donors led many donors to defect into bilateral programs and municipality-level projects, and to channel aid through foreign NGOs. Attention to the special needs of peacebuilding, apart from conventional transition assistance, occurred only

through efforts to speed procedures, decentralize operations, and use political conditionality on aid to enforce the Dayton Accords.

5. Accountability emerges from the Bosnian case as a critical, and insufficiently developed, element of effective aid delivery—on the part of both the donor community and the recipient country. Criticism of corruption in Bosnia and Herzegovina grew louder in proportion to criticism of donor delays and disappointments with the slowness of implementation, but the corruption charges—largely unsubstantiated by investigation and partly attributable to the transition itself—gave cause for substantial delays. Currently, both donors and international financial institutions are placing much rhetorical emphasis on transparency, but they have not committed adequate monies for monitoring aid flows. The best check against corruption, the misappropriation of funds, or wasted aid would be a policy of transparency and consistency in reporting by both donors and recipient countries. This study reveals the need for improved tracking of actual aid delivery figures on the ground, for proper and uniform accounting practices, and for strengthened cooperation to avoid a duplication of effort.

One proposal that appears to have much merit is to post existing databases on the Internet, or to merge the various databases into a “live database” module that would be accessible to all agencies involved. The aid program is plagued by the frequent turnover in field personnel, hampering institutional memory, and by the large number of donors, each with its own assistance goals. A publicly open database could help to reduce duplication, be an incentive to provide information regularly, and offer a means to evaluate the progress of projects and any needed reforms.

6. Much of the pledge gap in Bosnia and Herzegovina reflects delays in delivery and implementation, rather than malfeasance or default by donors. Implementation delays occurred on both the donor and the recipient sides. Donor inexperience with the circumstances of the Bosnian peace process contributed to start-up costs. Delays were caused by unresolved political disagreements within Bosnia and Herzegovina; the extremely decentralized governmental structure created by the Dayton Accords and its intricate decision-making procedures; the weak administrative capacity and existence of parallel, and even illegal, administrative arrangements in the federation and of political conflict within Republika Srpska; and annual elections. Particularly influential in delayed implementation was the dominant role of political conditionality in the use of aid, delaying disbursement until specified behaviors occurred and creating disagreements among donors over the appropriateness and role of aid conditions. Other contributing factors were the delay for more than two years in establishing a mechanism for land mine clearance; the uncontrolled return of refugees without prior preparation; debt repayments (such that the overall positive net transfer from the World Bank to the country is only about \$50 million) and the decentralized debt management structure; and persistent regional instability, which led donors to redirect their attention.

Part II: Human Rights and the Rule of Law

Three

Issues Concerning the International Criminal Tribunal for the Former Yugoslavia

by
John
Heffernan

Despite the importance of the two international war crimes tribunals, which were created by the United Nations to contribute to the restoration and maintenance of peace and to facilitate the cessation of violations of international humanitarian law in the former Yugoslavia and Rwanda, they have faced significant obstacles: the lack of political will to make them succeed, bureaucratic obstacles within the United Nations, an early shortage of available resources, and the fact that the United Nations has no experience in supporting full-time criminal investigative tribunals. To address and overcome these obstacles, the Coalition for International Justice (CIJ) was created as a result of an initiative by the Open Society Institute; Madeleine Albright, then-U.S. permanent representative to the United Nations; John Shattuck, then-assistant U.S. secretary of state for democracy, human rights, and labor; Conrad Harper, then-legal adviser to the U.S. Department of State; and the American Bar Association's Central and East European Law Initiative (CEELI).

CIJ provides financial and in-kind support and technical legal assistance to the two tribunals. It also coordinates support for the tribunals from interested nongovernmental organizations and provides public education about and advocacy in support of the tribunals.

Over the past several years, CIJ in cooperation with CEELI has responded to a major, long-standing request of the Office of the Prosecutor to provide attorneys to review and assess files sent to the International Criminal Tribunal for the Former Yugoslavia (ICTY) from authorities in Bosnia and Herzegovina, pursuant to the so-called "Rules of the Road" (ROR) Agreement signed in Rome in 1996. The ROR agreement required signatories to the Dayton Accords to refer any domestically filed indictments involving serious violations of international law to the ICTY for an initial determination as to whether they were consistent with international legal standards. CIJ assembled a team of three American attorneys with prosecutorial experience and sent them to The Hague from June through August 1997 to help review ROR case files pursuant to that standard. Based on the success of the first Rules of the Road project, CIJ was asked to send three additional teams of legal specialists to The Hague.

More recently, CIJ/CEELI was approached by the U.S. Department of State to organize a Rules of the Road seminar in Bosnia and Herzegovina. The seminar would consist of a

series of one-day roundtable meetings, led by attorneys selected by CIJ and CEELI, in cities such as Sarajevo, Banja Luka, and Mostar. Their purpose would be to educate and inform local officials about the ROR process, and to provide assistance on how best to prepare indictments and present supporting evidence in a manner consistent with international legal standards.

Despite CIJ's efforts to ensure that national war crimes prosecutions conform to the obligations set forth in the ROR agreement, significant gaps in the process still remain. Recognizing the need for a permanent, ongoing Rules of the Road operation, CIJ worked closely with the ICTY and the U.S. Department of State to establish a permanent, full-time ROR office within the tribunal. For the Rules of the Road project to be effective, the tribunal's own ROR office will need to continue the progress made by CIJ and CEELI in reviewing files submitted by the local entities and monitor the progress of trials in the region.

In January 1998, CIJ organized a "Trial Management Workshop" to assist the ICTY with modifications to its rules of procedure and evidence. Outside experts came together with tribunal staff to discuss trial management techniques in the civil and common law systems and ways in which these techniques could serve to promote a more efficient trial process. Specifically, with the financial support of the United States Institute of Peace, CIJ organized a workshop where experts in the field of criminal procedure, international law, or comparative law provided the ICTY judges with their insights as to how certain outstanding procedural matters might be resolved to enhance the administration of justice at the ICTY. When the rules of procedure and evidence were subsequently amended, recognition was given to the workshop for having contributed to this process. For the tribunal to be more effective, a regular review process that seeks external participation, similar to the way the Trial Management Workshop did, is needed.

Another need is for the ICTY to adopt a systematic approach toward outreach in the former Yugoslavia. Years of government-controlled information in the region has done a major disservice to the reputation of the tribunal. To enhance the tribunal's credibility by countering the misinformation spread throughout the region, CIJ's representative in The Hague organized a two-day "Outreach Symposium" at the ICTY.

Funded by the United States Institute of Peace, the symposium brought together a diverse group of judges, criminal prosecutors, and defense lawyers from Bosnia, Croatia, and Serbia/Montenegro. CIJ and tribunal representatives selected fourteen participants based on recommendations from CEELI and other independent sources. When participants viewed tribunal operations firsthand and talked to tribunal officials, some of the myths, rumors, and misunderstandings about the tribunal were clearly dispelled. The symposium gave concerned members of the region's legal community a chance to establish contacts with each other that might not otherwise have been possible. It has also facilitated the establishment of regular lines of communication among the participants so they may serve as informational liaisons between their communities and the tribunal.

As an advocate, CIJ helps to educate the public and opinion makers on the importance of the tribunals and their mission. CIJ has testified and assisted in developing legislation for congressional committees and subcommittees, particularly about the need to secure adequate resources and the need for a more aggressive approach toward apprehension of

indicted war criminals. Similarly, CIJ coordinates the work of NGOs that are interested in pooling efforts and information in support of the tribunals. Political support for the apprehension of indicted war criminals and the need to secure adequate funding for the two tribunals are a primary focus.

To demonstrate popular support for a more aggressive approach to apprehension of the indicted, in July 1997 CIJ organized a press conference in front of the U.S. Holocaust Memorial Museum, at which former Senator Robert Dole (R-Kansas) and Senator Joseph Lieberman (D-Connecticut) spoke in support of more aggressive action by the United States and NATO to apprehend the indicted. At the event, the CIJ released a letter signed by more than eighty religious, ethnic, women's, labor, and human rights organizations representing millions of Americans as well as prominent former U.S. government officials and activists. The letter, which was published that morning in the *New York Times* and later in *The New Republic*, called on the president to exercise American leadership, unilaterally if necessary, to arrest more indicted war criminals.

As part of its push for the apprehension of indicted war criminals, CIJ has focused on the use of systematic rape and other sexual abuse as an instrument of war in both the former Yugoslavia and Rwanda. This campaign has highlighted the need to prosecute rape as a war crime and a crime against humanity, to issue indictments expeditiously, and to apprehend those indicted for these heinous crimes.

Working closely with Senate and House staffers and representatives from various human rights organizations, CIJ was instrumental in establishing support for the introduction of the "War Crimes Prosecution Facilitation Act" and for its movement through Congress. The act, which conditions bilateral and multilateral reconstruction assistance (except humanitarian, democratization, and certain crossborder projects) on compliance with the tribunals, is a crucial means of maintaining pressure on countries to turn over indicted individuals. The act was included in the foreign operations appropriations bill, and was passed by the Senate on July 17, 1997. CIJ worked closely with congressional staff to garner support from members and interest groups for the Senate version of the foreign operations appropriations bill and to provide assistance to those members advancing the bill in the House-Senate conference. The bill was signed into law in November 1997 and was then strengthened and reauthorized in October 1998 and again in October 1999.

CIJ's related work with members of Congress to urge administration officials not to support international financial institution loans to countries in the region that are protecting the indicted or otherwise failing to cooperate with the tribunal bore fruit in June and July 1997, when the United States succeeded in indefinitely delaying an International Monetary Fund loan and a World Bank loan to Croatia. CIJ had organized opposition to earlier U.S. votes in favor of similar loans and, working with Croatian human rights advocates, helped generate media pressure and related press coverage in the *New York Times*, the *Washington Post*, and elsewhere regarding inconsistencies between American public pronouncements and action.

While an increasing number of indictees are currently being held in the tribunal detention facility in The Hague, any final judgments on the effectiveness of the ad hoc tribunal and future prospects for the establishment of a permanent court ultimately rest on the apprehension of the so-called "big fish"—the organizers and leaders of the worst of the vio-

lent campaigns against unarmed civilians during the Bosnian and other wars—and their subsequent trials. In recognition of that fact, CIJ has devoted substantial attention to highlighting the need for the arrest of the architects of the genocide in Bosnia. Working with the Twentieth Century Fund, CIJ helped establish the Fund's Task Force on the Apprehension of Indicted War Criminals. The task force, which is chaired by Justice Richard Goldstone of South Africa and whose members include esteemed international jurists, diplomats, and statesmen, has met with U.S. leaders and opinion makers to urge more aggressive action by the United States and other NATO members in bringing those indicted to trial.

CIJ also coordinated the task force's report *Making Justice Work*, a collection of legal texts and analyses that includes CIJ's "Whereabouts List," providing detailed information about the locations of indictees who are still at large.

CIJ also organized the task force's European meeting in Rome to coincide with the opening of negotiations on the establishment of a permanent international criminal court. CIJ coordinated a number of press conferences and public meetings to emphasize to journalists covering the International Criminal Court negotiations that unless those already indicted for war crimes by the ad hoc tribunals are brought to trial, the prospects for the creation of an effective permanent criminal court will be severely compromised. Also at the Rome meeting was the release of an open letter from the European members of the task force to the leaders of NATO-member countries, calling for more aggressive action by the 30,000 NATO troops now in Bosnia to arrest those indicted by the tribunal. The statement also called upon the European leaders to ensure that the tribunal's mandate in Kosovo be fulfilled so that ethnically based murders and torture of civilians there do not go unpunished.

Over the past year, CIJ has been working with a number of human rights organizations to end the war in Kosovo and establish accountability for the atrocities there. CIJ has acted as a catalyst among the human rights and humanitarian communities in urging the tribunal to pursue a visible, aggressive investigation which, it is hoped, could act as a deterrent against further acts of violence against unarmed civilians there and elsewhere. On March 10, 1998, the ICTY issued a statement asserting its jurisdiction over the conflict in Kosovo, and on July 7 it issued a finding that the events there met the legal, "armed conflict" standard necessary for the tribunal to pursue a full-scale investigation. But following the announcement and the subsequent legal finding, evidence of the tribunal's investigation was very limited until the March 24 NATO intervention.

In May 1999, CEELI and CIJ established the Kosovo War Crimes Documentation Project to assist the ICTY with its investigation efforts. The project screens witnesses of alleged war crimes, provides documentation to the tribunal for further investigation, and helps coordinate witness documentation by other nongovernmental organizations.

CIJ felt it was essential that considerable time, energy, and resources be devoted to the Kosovo investigation which could ultimately lead to the establishment of an irrefutable linkage between the atrocities being committed and the government command structure. In May 1999 Yugoslav President Slobodan Milosovic and four others were indicted by the tribunal.

Four

Building Computer Connectivity in the Legal Information Infrastructure of Bosnia

by
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and
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Access to information in Bosnia and Herzegovina has been very limited since the end of the war. This scarcity of information has a direct impact on at least two facets of the legal and political environment: the transition toward a democratic society and the resolution of conflict among political opinion leaders. Bosnia's conventional information infrastructure, including libraries, printing presses, and the physical transport of the paper media, was largely destroyed during the war. Rebuilding these physical resources will take years; an infrastructure that can provide access to information necessary to restore democracy and maintain a rule of law is needed now.

Project Bosnia, a collaborative initiative between Villanova University School of Law and Chicago-Kent College of Law, has undertaken to rebuild this critically needed information infrastructure by using the most expedient and efficient means available—the Internet. Unlike a conventional information infrastructure, an Internet-based system uses a network of computers to provide access to information by connecting the Bosnian legal and political community to each other and to the international community. In other words, an Internet-based infrastructure is helping to provide the information exchange that is essential to the day-to-day operations of institutions such as legislative bodies, courts, and executive ministries while the mortar, bricks, and paper are being repaired. The creation of electronic databases, which include governmental rulings and operations, along with the free and open exchange of such information, has already begun to strengthen the legitimacy and accountability in the nascent democracy that is taking root in Bosnia. Moreover, given the central role that trust plays in conflict resolution, communication among conflicting parties can begin to rebuild mutual trust by expressing their desire to cooperate.

Project Bosnia is based on the premise that the most effective and efficient manner of supplying and disseminating pluralistic information to facilitate the goals mentioned above is through virtual means, or via the Internet. Clearly a form of communication that can both provide information in an efficient manner and act as a conduit for cooperation is necessary. The Internet is unique in that it is a multifaceted medium. Communication on the Internet operates on a continuum, and can range from interpersonal to mass exchanges. This gives an Internet user the ability to interact on a one-to-one or one-to-many basis, depending on the user's needs. The Internet then becomes the ultimate form of communication, because it can reach a broad segment of a population and at the same time allow for a bidirectional information flow not possible with other media. Project Bosnia does not suggest that citizens can currently be expected to have personal computers to access this information. Rather, the medium plays an important intermediate role

by gathering information available through electronic databases and distributing it to the citizens in the traditional manner.

As noted by several specialists in the field, the Internet is also the ideal tool to facilitate democratic consolidation. First, the Internet has the ability to disseminate timely information that is important in establishing public legitimacy for political opinion leaders and citizens of a nascent nation-state. Second, Internet technology enables ideas to move across borders as if the borders do not exist. In a country divided along ethnic lines, this flow of ideas is extremely important. Third, the Internet provides access to pluralistic information that can, it is argued, lead ultimately to political and economic stability. It is difficult, depending upon one's geopolitical location in Bosnia, to gain access to pluralistic information. As Antoine and Geeraerts note, "No organization, media, or government has a monopoly on Internet information-redistribution. Once hooked in the Internet, one can read the information from any information provider, whether official, semi-official or unofficial. It is the user who decides on the information inflow."*

Project Initiatives

The discussion above suggests several objectives: the creation of institutional content in digital form, the ability to exchange and disseminate this content via the Internet, and the implementation of inter-institutional communication. The political, legal, and media institutions of Bosnia would be better served if each had an ability to develop its own electronic databases of relevant content. In the case of legal institutions, "relevant content" refers to cases, procedures, and human rights and property documents. Legislative content consists of the procedures, laws, and proceedings (that is, contents of the *Official Gazette*). Administrative content could include the interpretation and discussions among ministers on the exercise of current regulations. This information is particularly useful to potential investors in the economy of Bosnia and Herzegovina.

To achieve these goals, our tactical plan for building an information infrastructure addresses several phases of development. First, users and creators of information must have computer hardware. Second, the computer hardware must be connected to networks through which information can be exchanged. Third, content useful to decision makers and citizens must be organized and made accessible. Fourth, training and technical support must be provided.

Project Bosnia initially targeted the Federation Constitutional Court and the Federation Ombudsmen because both institutions were functioning in early 1996 and both are symbolic of a rule of law. Through grants from the Open Society Institute (OSI) of the Soros Foundation and the World Bank, Pentium computers and printers were donated to the Federation Ombudsmen, the Federation Constitutional Court, and other government agencies in Bosnia. Additional computer equipment, including an Internet server, was purchased as a result of two Democracy Commission grants from the United States Information Service. These grants also underwrote training and support for forty-eight trainees of the ombudsmen and constitutional court offices on Internet applications and

* Anthony Antoine and Gustaaf Geeraerts, "IT and IS: Identifying the Needs of International Organizations," paper prepared for the United States Institute of Peace's Virtual Diplomacy conference, Washington, D.C., April 1-2, 1997. <http://www.usip.org/oc/vd/confpapers/itisag.html>.

word processing. The project team then installed, configured, and connected computers for the justices of the constitutional court and ombudsmen. The ombudsmen now have an extensive and highly informative Web page and use a database for daily operation, both designed by the Fund for the City of New York.

Working closely with OSI, Project Bosnia provided software and content for the Soros Internet server in Sarajevo in order for legal materials to be placed on the Web. The project also collected more than one hundred donated computers and delivered them to the University of Sarajevo Law School, the University of Tuzla, and the legal community in Mostar. In addition, through a cooperative effort with the U.S. Information Agency, the project has implemented an Internet service provider in Banja Luka to facilitate the creation of an independent press network throughout all of Bosnia and Herzegovina and allow communication between entity boundaries.

The project also supported several student externships in the region and convened a workshop in which open government, freedom of information principles, and draft statutory provisions were introduced and discussed among members of Bosnian institutions, representatives of the Office of the High Representative, and the press.

Most recently, through support from the United States Institute of Peace, the project's latest endeavor entails designing and implementing a communication structure between members and staff of the planned Truth and Reconciliation Commission in Bosnia via the Internet, and additionally creating a Sarajevo net. The commission will be unique in that it will consist not only of representative members of the ethnic communities of Bosnia and Herzegovina, but also of members of the international community. Current plans anticipate a main office based in Sarajevo and regional offices strategically placed throughout Bosnia and Herzegovina. Internet connectivity of these offices will have three distinct advantages. First, connectivity will enhance the essential communication between in-country and international members of the commission. Not only is e-mail an effective tool for this function, but Project Bosnia has customized software for on-line conferencing. This software would allow members of the commission to meet virtually when appropriate and to exchange ideas with a group in an asynchronistic manner. Second, the Internet would provide effective access to an abundance of essential information which can be easily updated, such as human rights documents, court opinions, rules, and procedures which are already on a server in Sarajevo. Finally, by publishing its own material on the Internet, the commission would have the ability to mobilize world opinion. The same Internet databases and access points that would permit commission members to exchange information would also permit journalists to obtain information and to publish it to the world at large.

To date, the project team has installed the Sarajevo net, located at the offices of the Federation Constitutional Court, the Federation Ombudsmen, and the Ministry of Justice. This configuration will enable the planned Truth and Reconciliation Commission to connect to the Internet. The ability now exists to dial into this server and access information placed on the server by the Ministry of Justice, the Federation Ombudsmen, and the Federation Constitutional Court.

What Have We Learned?

Our project offers some tentative conclusions regarding impediments to and successes of our efforts in the region vis-à-vis the application of information technologies. First, we have experienced difficulties commonly encountered by most individuals working in Bosnia. The alphabet soup of NGOs and various international initiatives often either work at cross-purposes or duplicate efforts. After nearly three years of experience in the country, we continue to meet new individuals and organizations that are involved in initiatives complementary to ours. Organizations' efforts could be maximized if their leaders were made aware of possible allies already working in the region. To this end, we are planning an international conference composed of parties involved in the different facets of institution building in Bosnia.

Assisting Bosnia's governmental community with information technology has also yielded benefits beyond our initial expectations. Over a period of three years, we have witnessed a process whereby Bosnian officials have increasingly embraced our mission of using the Internet as a civic tool. Repeatedly, officials have praised the Internet's ability to spare them scarce human and other resources—resources that they previously had to expend to gather and disseminate information. In addition, the act of implementation itself was productive. Encouraging certain entities within the government to share computer hardware and Internet resources has produced a secondary, unexpected effect of bringing together parties who previously had little contact and incentive to communicate with each other. We saw first hand the value of simply getting people acquainted with each other and having them meet over a common interest. With the information technologies and training that the project has supplied, we have helped enable a component of the Bosnian government, albeit a small one, to pursue its mission more effectively and efficiently. However, we are short of achieving the full potential of our project's goals. The realization of strengthening Bosnia's democratic institutions through information exchange demands further attention. Both inter-entity and inter-cantonal communications could be improved via the initiatives discussed in this essay. But in the process, international organizations must not ignore one entity in favor of the other. The only way for Bosnia to achieve peaceful unification is to encourage each entity's simultaneous development.

Five

Supporting Reconciliation and Human Rights in Bosnia and Herzegovina through Legal Outreach

by
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Over the past two years, the International Human Rights Law Group has been conducting a series of cross-entity legal training programs in Bosnia and Herzegovina. The programs have been designed, primarily, to provide legal education, while promoting cooperation among former colleagues living on opposite sides of the Inter-Entity Boundary Line (IEBL), the internal border that continues to separate the two entities that make up the unified state of Bosnia and Herzegovina. These legal training programs, which were supported at their inception by the United States Institute of Peace, form a crucial component of a comprehensive Law Group program of human rights advocacy and technical assistance to human rights NGOs, activists, court personnel, and lawyers in Bosnia.

The Law Group's work in Bosnia seeks first and foremost to build on the direct incorporation of the European Convention for the Protection of Human Rights and Fundamental Freedoms (the European Convention) into the domestic legal system under the Dayton Accords. The Law Group's efforts, in essence, attempt to build confidence in the new legal and human rights machinery that was put into place under the Dayton process by providing local advocates with training and documentation to allow them to use these legal mechanisms more effectively. Toward that end, Law Group trainings, beginning with the first set of trainings in April 1997, have concentrated on practical legal issues, such as the European Convention's nondiscrimination provisions and basic due process guarantees in criminal proceedings under the convention.

Since the program began, the Law Group has conducted approximately forty training programs for more than 500 professionals, including lawyers, judges, and human rights activists in both entities of Bosnia and Herzegovina. These programs have often brought together legal professionals living on opposite sides of the IEBL. In implementing these training programs, the Law Group's partners in the field have included the Law Center in Sarajevo and the Organization for Security and Cooperation in Europe (OSCE). In particular, OSCE field offices throughout the country have assisted the Law Group by providing training venues, logistical support, and secure transportation for participants crossing the IEBL. This relationship with the OSCE has developed into a cost-efficient model of effective cooperation between a large international peacebuilding mission and a human rights NGO working to support civil society and the rule of law in a postconflict environment.

Legal Background

The General Framework Agreement for Peace in Bosnia and Herzegovina, otherwise known as the Dayton Accords, brought an end to the hostilities in the former Yugoslavia in 1995. The agreement devotes significant attention to individualized protection of human rights and fundamental freedoms in the region, most notably through the direct incorporation of the European Convention. As a result, complaints alleging basic human rights violations, including complaints relying exclusively on precedent from the European system to support such claims, may now be brought before local courts, or, when such avenues of address are likely to be ineffective, before various quasi-international institutions, including a Human Rights Ombudsman and a Human Rights Chamber based in Sarajevo.

Law Group assessments suggest that the enforcement records of both the Human Rights Ombudsman and the Human Rights Chamber, the institutions that are primarily responsible for implementing the human rights aspects of the Dayton Accords, remain weak and that the political and human rights landscape in the country, while clearly improving, also remains precarious in many regions. The Law Group is concerned in particular with the implementation—or lack thereof—of rights protective decisions that are now beginning to emerge from local courts and from national judicial institutions, including the backlog of unimplemented decisions from the Human Rights Ombudsman and the Human Rights Chamber. Nonetheless, by supporting the efforts of lawyers and human rights activists to rely on and interact with these new human rights mechanisms, the Law Group's programs seek to advance this modest record of accomplishment under the Dayton process and to support the future development of human rights mechanisms in Bosnia.

Substantively, the Law Group's training programs have focused on Articles 5 and 6 of the European Convention, which establish basic due process protections in legal proceedings, and Article 14 of the convention, which contains the convention's nondiscrimination provisions. Initial trainings have also sought to highlight the fact that the European Convention has been directly incorporated into the domestic legal system and must be applied accordingly. This requires that attorneys must begin to fashion legal arguments around the convention's provisions and that prosecutors and judges should begin to cite the convention in their own arguments. Law Group training materials, moreover, particularly in the initial months of the program, were often the only general materials that most Bosnian professionals had access to that explained and provided translations in local languages of key sections of both the Dayton Accords and the constitution of Bosnia and Herzegovina, which is contained within the Dayton Accords. All training materials have also included translations of the European Convention, along with translations of leading cases from the European human rights system in Strasbourg. In particular, translations of the case law from Strasbourg are essential, because the cases may now be relied on in domestic proceedings in Bosnia to interpret the European Convention.

While trainings have been conducted throughout the country, the Law Group, working through its office in Sarajevo, has also supported the efforts of those undergoing significant discrimination based on ethnic, religious, or political grounds to utilize the new legal avenues created under the Dayton Accords to address human rights violations. Thus,

through a permanent presence in the country, the Law Group provides hands-on assistance in handling actual human rights claims as well as translations of case law from the European Commission and the European Court of Human Rights to help substantiate such claims.

In order to strengthen the capacity of local courts, and in light of the general need to exhaust local remedies first, before appealing to the human rights institutions established under Dayton, the Law Group seeks initially to advance the efforts of local attorneys to litigate human rights cases before municipal courts, whenever the security of the litigant is not directly at issue. In addition to building cases from the ground up, such efforts offer local courts an important opportunity to develop their own familiarity with the European Convention. When unsuccessful at the local level, the Law Group will then support the efforts of litigants to appeal unfavorable decisions to the human rights institutions created under Dayton.

Linking Training Activities to Larger Advocacy Issues

The Law Group has also found that its legal training programs are more effective when they can be linked to a complementary advocacy program that seeks to build the talents and resources of local NGOs, thereby animating Bosnian civil society and testing the capacity of local institutions to implement effectively the broad human rights protections and democratic reforms guaranteed through the Dayton Accords. In short, while the Law Group's training programs in Bosnia focus on legal education, the group also seeks to link this education, which promotes an increased awareness of the existence of human rights protections and mechanisms under the Dayton Accords, to a broad-based strategy for civic action that relies on these mechanisms and the Dayton process itself to create lasting legal and political change. This relationship between advocacy and legal training has become increasingly important and beneficial, particularly as we enter a new phase in the postwar reconstruction process.

Opportunities for Reconciliation

All Law Group activities are also designed to bring together lawyers, judges, and human rights defenders from all three ethnic groups and from the two entities of Bosnia and Herzegovina. This multiethnic approach seeks to reintroduce former colleagues from the legal profession, many of whom worked together before the war but have since been separated by the bitter ethnic conflict in Bosnia. These reconciliation efforts have provided participants, at the most basic level, with the opportunity to engage one another in a professional capacity, an important step in the reconciliation process. These contacts have also facilitated legal exchanges and cooperation among lawyers working on both sides of the IEBL. Because many lawyers are still not willing to cross the IEBL on their own, these new relationships are particularly important from a professional standpoint; otherwise the IEBL might pose a significant impediment to the adequate preparation of legal claims, often by frustrating the cross-entity collection of necessary evidence or documentation to support a client's claim.

The reconciliation aspect of all Law Group training programs also creates a lively discussion and an impetus for addressing difficult political issues in a professional and legal-

istic manner. The Law Group believes that such discussions, especially when they are approached from a professional and legal point of view, represent an important vehicle for encouraging a national dialogue around the need for cooperation and reconciliation. Moreover, in a professional context, such discussions often produce encouragingly moderate responses. Above all, therefore, the Law Group believes that such professional contacts must be encouraged in the future, especially if the central premise of the Dayton Accords, the preservation of a unified, multiethnic state, is to be preserved. Such an approach must ultimately be extended well beyond the legal sector to encompass a broad range of professionals, including medical, business, and educational professionals, who are working on both sides of the IEBL.

Lessons Learned

A number of important lessons have emerged over the course of the Law Group's two years of activities in Bosnia. Based on these lessons, the group's programs have evolved to emphasize the following points:

Local Capacity. Law Group training activities have been conducted in local languages by experienced Bosnian legal professionals. Given the international political structures that were established through the peace process, this approach has often allowed the Law Group to serve as an intermediary, facilitating contacts between the Bosnian legal community and the international community to discuss the implementation of human rights provisions.

Multiethnic Approach. In addition to bridging divides that separate the Bosnian legal community from the international community, by bringing legal professionals from all three ethnic groups together, and by purposefully facilitating cross-entity contacts between the federation and the Republika Srpska, the Law Group's programs have contributed at a very basic level to ethnic reconciliation. Such contacts have also supported the reintegration of the legal profession within the unified territory of Bosnia and Herzegovina, encouraging lawyers from all ethnic groups to cooperate in a professional context.

Professionalism. Law Group training programs often broach highly political subjects through substantive legal discussions on technical issues. Such discussions, when conducted at a professional level and in a professional tenor, have encouraged surprisingly moderate responses to larger political questions.

Linkages to Larger International Organizations. As a small NGO with a modest program budget, the Law Group has developed its Bosnia programs in cooperation with larger organizations, including the Organization for Security and Cooperation in Europe. These relationships represent an important and cost-effective model of cooperation between NGOs and intergovernmental actors operating in the context of human rights peacekeeping missions. Such relationships deserve additional scrutiny in future peacekeeping operations.

Grassroots Engagement. Although the initial goal of the Law Group's program was to provide information to legal professionals in Bosnia concerning the human rights protection mechanisms that were established under the peace agreement, the group recognized that support for educational programs alone, absent a more sustained investment in the effectiveness of the mechanisms themselves, would have little lasting value. As a result, current Law Group training programs also seek to provide additional hands-on training opportunities and concrete case support to legal practitioners pressing individual human rights cases.

Advocacy Component. Following the first year of activities, the Law Group also recognized that the Bosnian legal community had become increasingly familiar with the basic human rights mechanisms created under the peace process. Thus, in addition to an added emphasis on individual support to human rights advocates, the Law Group has sought to incorporate into its ongoing training programs a new focus on advocacy initiatives. These initiatives seek to identify limitations to the peace process and ongoing human rights concerns. This new mix of training and advocacy programs provides an opportunity for the Law Group to work closely with Bosnia's legal and advocacy communities as the peace process enters a more mature, peacebuilding phase.

Perhaps the most basic but most important lesson that has guided the Law Group's ongoing programs in Bosnia is the simple but increasingly important recognition that the Bosnian legal community itself must ultimately take responsibility for the future effectiveness of the legal and human rights protections in the country. This lesson creates both opportunities and obligations for all actors engaged in the peace process. International organizations, including international NGOs, must recognize this point to ensure that the Bosnian legal community is not shut out of future discussions over the legal structures that must ultimately ensure the fundamentals of Dayton. At the same time, members of the Bosnian legal community must also recognize that they cannot rely on the international community, acting alone, to address potential deficiencies in the current human rights protection system. All future advances in the peacebuilding process, as opposed to earlier peacekeeping operations, must surely be the product of sustained cooperation between the international and the Bosnian legal communities.

Part III: Reconciliation and Civil Society Institutions

Six

Voices for Women—Forces for Change: Building Peace in the Bosnian Community

Since the signing of the Dayton Accords, the international community has mobilized to organize elections in Bosnia and Herzegovina at national and local levels and to encourage politicians and citizens alike to take responsibility for their nation's future. Free and fair elections, it is hoped, can promote political dialogue, government accountability, citizen awareness, reconciliation, and community and national reconstruction.

It is nevertheless important to recognize that a top-down effort by international organizations and governments to promote democracy will have little success in the long term if the local population does not have “ownership” of the process. Citizens need to feel invested in a democracy—they need to know that their voices and their votes have power. They need to feel confident that once the international community leaves, they will have control over a system that works.

In July 1998, with support from the United States Institute of Peace, the League of Women Voters Education Fund (LWVEF) launched an innovative training program to encourage Bosnian women to take an active role in peace and reconciliation efforts throughout their country. *Voices for Women—Forces for Change: Building Peace in the Bosnian Community* was designed with several key objectives essential to the success of civilian implementation of the Dayton Accords:

Introduce Bosnian communities to the role of an independent, nonpartisan NGO in elections and political processes.

Provide objective information to citizens on issues related to the implementation of the Dayton Accords.

Increase citizen participation in elections and political processes in communities throughout Bosnia and Herzegovina.

Improve the leadership, networking, and grassroots skills of women political and civic activists.

by
Orna Tamches
Blum*

* The author extends her thanks to the members of the LWVEF facilitation team in Bosnia: Kay J. Maxwell, Linda Jenkins, David Anderson Hooker, and Sanja Mehmedinovic. Their diverse expertise, flexibility, and compassion were greatly appreciated, especially by Bosnian counterparts.

Support and strengthen the viability of grassroots efforts to promote dialogue, reconciliation, and participatory democracy among diverse communities in Bosnia and Herzegovina.

Enhance institutional relationships, sustained contact, and the exchange of ideas among grassroots leaders in the United States and Bosnia and Herzegovina.

Strengthen a network of grassroots trainers working to empower women in communities throughout Bosnia and Herzegovina.

The League of Women Voters in Bosnia and Herzegovina

A growing number of Bosnian women throughout the country recognize they have a special role in promoting community dialogue, reconciliation, and democracy-building efforts as part of the postsettlement peace process.

“Women don’t have obstacles when they talk to each other,” explained a woman from Banja Luka, eager to promote the role of women in community dialogue and reconciliation efforts. She was one of thirteen women leaders from Mostar, Sarajevo, Tuzla, and Banja Luka creating a countrywide initiative in support of the Dayton Accords. The group was convened by former U.S. Ambassador to Austria Swanee Hunt, in coordination with the U.S. Embassy in Sarajevo, at Task Force Eagle Base in August 1997. Ambassador Hunt was asked to meet with the group by NATO’s supreme allied commander in Europe, U.S. Army General Wesley Clark, who wanted to hear opinions on how the Stabilization Force could assist women in rebuilding Bosnia and Herzegovina.

Asked anonymously to list the three greatest concerns for their country, the women overwhelmingly ranked freedom of movement, return of refugees, and apprehension of war criminals far above such other issues as unemployment and education. United behind the Dayton Accords, they agreed that their top priority was to actively support its implementation.

After deliberating over several models of action, they decided to form a League of Women Voters in Bosnia and Herzegovina (Liga Zena Glasaca, or LZG), based on and adapted from the model of the League of Women Voters of the United States (LWVUS), a nonpartisan, nongovernmental organization whose mission is to encourage the informed and active participation of citizens in government and to influence public policy through education and advocacy. (The U.S. and Bosnian leagues are not affiliated.) Emphasis was placed on equal levels of activity in the two Bosnian entities, Republika Srpska and the Federation of Bosnia and Herzegovina. They adopted basic principles, a structure of governance, an initial program of activities, and a definition of membership.

With the September 1998 elections looming, members of the LZG felt it was important to unite women from all communities of Bosnia and Herzegovina, to seek common ground, and to work together as a nonpartisan organization to support the Dayton Accords and the transition to democracy in Bosnia and Herzegovina. The LZG wanted to learn new skills for prioritizing issues, overcoming prejudices, forming coalitions, educating citizens, influencing decision makers about issues and problems affecting the well-being of people in local communities, and solving conflicts in a nonviolent manner. They turned to the LWVEF for assistance.

Of utmost importance to the LZG and the LWVEF was the ability to organize a Grassroots Initiatives Workshop before the September 1998 Bosnian elections. The LZG had already led a successful lobbying campaign to amend the new electoral law of Bosnia and Herzegovina: all political parties were now obliged to include three women among the top ten places on their ticket. This rule was the condition for eligibility of parties to register for the September elections.

Consequently, the LZG was uniquely positioned to build bridges between the candidates and women at the grassroots, interviewing political party representatives and preparing a nonpartisan voter's guide to women candidates throughout the country. The next step was to unify the members of the LZG in Republika Srpska and the Federation of Bosnia and Herzegovina, and to strengthen the basic grassroots skills needed to monitor civilian implementation of the Dayton Accords.

Grassroots Initiatives Workshop (Mostar, August 1998)

The LZG requested a training program designed by the LWVEF to learn the skills for nonpartisan grassroots involvement in elections and political processes. As the first phase of the LWVEF's training and capacity-building program for the newly established League of Women Voters of Bosnia and Herzegovina, it was important for this workshop to be hands-on, and to focus on the skills needed by the fledgling organization.

The LZG invited some fifty women from communities throughout Bosnia and Herzegovina—from Brcko to Western Mostar, from Banja Luka to Bugonjo, from Tuzla to Zenica. The thirty participants included students, journalists, lawyers, doctors, retirees—a range of ages, professions, interests, and organizations, reflecting the diversity of the country. Most remarkably, these women came to the banks of the Neretva River, to Eastern Mostar—the side of a divided city that had sustained tremendous damage during the war. (Most meetings take place in Western Mostar, where hotel and conference facilities are in better condition.) All were eager to meet in the city of bridges, to overcome their divisions, and to seek common ground.

The LWVEF training team included experts in conflict resolution and negotiation, lobbying and government relations, community organizing, and civic education. Workshop participants appreciated the training methodology, which emphasized sharing personal experiences, group dialogue, facilitation, and small group strategy sessions. Topics included the role of nongovernmental organizations in a democracy in general and their role in organizing candidate forums in particular; promoting community dialogue, building consensus, and overcoming fear, prejudice, mistrust, and apathy in the postsettlement peace process; strengthening volunteer resources; and influencing and monitoring government.

By identifying and prioritizing issues related to the civilian implementation of the Dayton Accords, the participants were able to build common ground and focus on concrete steps for promoting citizen participation in democracy. The LZG established four priority issues for work in the 1998 elections and beyond: a unified constitution for Bosnia and Herzegovina; economic reform; arrest of war criminals; and return of refugees and displaced persons.

It is important to note that the LWVEF training team had to spend a significant amount of time in the pretraining sessions in Sarajevo, as well as during the Mostar workshops, to building trust among participants. The women were dealing with issues of anger, fear, and guilt. Several of the participants were ashamed to have “abandoned” their homes during the war. Some of the women learned that they were living in each other’s cities, each unable to return home. The LWVEF trainers emphasized that each person had her own tragedy, and that individuals’ experiences could not be compared, or one person’s rated as greater or less than another’s. Common ground was found when participants recognized that each person in the room had her own sad story to tell.

Training and dialogue sessions are useful insofar as they empower participants with skills to use in the real world. By sponsoring the first debate for women candidates ever held in Bosnia and Herzegovina, the LZG was able to put to immediate practice the skills learned at the workshop. Organizers experienced firsthand the challenges of negotiating with political parties and the media.

The Grassroots Initiatives Workshop has already begun to have a strong multiplier effect, in that participants returned to their own communities, organizations, and universities to share the skills learned in the workshop and to encourage citizen involvement in the 1998 elections. Organized public debates have been successfully carried around the country, and members of the LZG were invited to join a LWVUS member in organizing the first televised presidential debates in Bosnian history, sponsored by the OSCE.

Through this training initiative, a committed group of Bosniak, Croat, and Serb women had come together to support the Dayton Accords and the transition to democracy. In remarkably short order, they produced a voter’s guide for all the women candidates in the country, worked with the LWVEF to organize a televised debate for women candidates, decided on their action priorities, and devised action plans to meet their goals.

Although it was the first official training program for the Bosnian organization by the LWVEF, we expect it will serve as the foundation for a sustainable, long-term development program and fruitful partnership between our organizations. Many lessons may be drawn from the LWVEF project.

1. **Do not underestimate the power of women.** Women are taking great strides in building their war-torn country. Projects to promote peace and democracy should include an equal number of women and men. Whenever possible or appropriate, special projects should be developed to train women leaders at the local, regional, and national levels.
2. **Democracy begins at home.** In training sessions, participants should explore democratic values in the home, and how they affect relations with neighbors and the community at large. How does a patriarchal family structure affect the participation of women in politics? Are children encouraged to question authority? How do a parent’s values and prejudices influence children?
3. **Each person has a story to tell.** Through small group dialogues, encourage each participant to tell his or her story. Recognize that each person has experienced personal tragedy; their stories cannot be rated one against the other. Facilitators or trainers also should take the opportunity to “get personal”—share triumphs and tragedies.

Participants will be more willing to share their experiences with someone they trust and with whom they identify.

4. **Work with the media.** The success of the postsettlement peace process relies in large part on the support of the public at large. By working in partnership with the media, participants can publicize their work and demonstrate to fellow citizens that constructive change is possible.
5. **Empower the NGO community.** A top-down effort by international organizations and governments to promote democracy will have little success in the long term if the local population does not have “ownership” of the process. Citizens need to feel invested in a democracy—they need to know that their voices and their votes have power.
6. **Train the trainers.** Citizens are weary of being told what to do by foreigners. Share training and facilitation skills with NGO leaders, and encourage them to pass on their skills to youth, senior citizens, women’s groups, trade unions, government leaders, and others.

Seven

Lessons from Bosnia on Civil Society Initiatives

by
Landrum
Bolling

Those who came from faraway places to Bosnia at the end of 1995, just as the Dayton Accords were going into effect, had much to learn about the fractionated Balkan peoples they proposed to assist. We brought with us a great variety of perceptions, some seriously flawed, about the problems at hand and the possibilities for dealing with them. We were embarking on work that was difficult and complicated beyond our imaginings, our understandings, or our immediate capabilities.*

We underestimated the huge scale of the physical reconstruction work to be done. We overestimated the readiness of the political leaders of the parties to the conflict to give up their antagonisms and their nationalist ambitions to make peace. At the same time, the international military forces, whose presence guaranteed the end of violence, at first greatly overrated the threat to their own security and adopted defensive policies and postures that undercut or prevented certain initiatives that might have more quickly advanced the social/political reforms essential for a peace. Or so it seemed to many of us involved in the civilian reconstruction activities that go on alongside the military.

The truly fantastic achievement of the military was that they stopped the killing, they separated the belligerent forces, they collected the heavy weapons, and they eliminated any threats to order and stability from armed units—all of this without suffering a single casualty from hostile fire. A most extraordinary aspect of these operations was that they were carried out through the integration of uniformed personnel from an astonishing array of national armed services—far beyond the core NATO forces of Western Europe and America, to include contingents from Argentina, Morocco, Jordan, Ukraine, Russia, Slovakia, Nepal, and the Fiji Islands, to give only a partial list.

What was missing was any comprehensive, coherent overall plan for maximizing cooperation between the military and civilian branches of the reconstruction effort. If the goal for all of us was to help create a peaceful, united, pluralistic, democratic Bosnia, we had no handbook on how we could all work together most effectively to achieve that shared objective.

In hindsight, here are some lessons we may have learned.

*These comments are candid reflections of the senior adviser to Mercy Corps International who has been involved in a variety of its relief and development activities in the Balkans since December 1995. His opinions do not necessarily represent the institutional judgments of his organization; nor should they be seen as an “official” report on its programs. They are a summary of one person’s “lessons” he thinks he has learned from an immersion in the multifaceted dialogues about civil society initiatives in the region, attempted and not attempted, successes and failures, including some projects that have had partial funding by the United States Institute of Peace.

Lessons on Information Planning and Coordination

1. **Sharing of Intelligence and Political Analysis.** No one and no agency could claim to know all the relevant facts about the political, social, economic, and security conditions that impinged upon our work. We all could have benefited from a more systematic, regular, comprehensive sharing of information and exchange of perceptions about given situations and trends.
2. **Need for Better Broad National and Specific Local Planning.** While the various operating entities among us, governmental and nongovernmental, had useful general information about broad reconstruction programs to which our projects might be related, it would have been helpful if there could have been a somewhat greater sense of some overall national redevelopment plan we were all helping to fulfill. More important, it would have been especially advantageous if there could have been comprehensive local community reconstruction and development plans, town by town, village by village, outlining all the projects it would be desirable to undertake but suggesting credible priorities for carrying them out in a coordinated fashion. Too often, one NGO would go into a community, implement a particular project, and go away. Later, another NGO would arrive to do another, at times related, project and soon depart, to be followed by still another organization with another project. The measure of progress should not be the completion of a number of separate projects, but the reviving of the overall life of a livable, self-sustainable community.
3. **Desirability of Meshing Civil Society Initiatives with Physical Reconstruction.** An official of the United Nations Office of High Commissioner for Refugees, long experienced in the problems of the flashpoint city of Brcko, once explained how physical reconstruction and grassroots economic development are virtual prerequisites for meaningful civil society initiatives: “We have known for the past two or three years that here in Brcko we urgently need programs to promote civil society in its various dimensions. But the time was never quite ripe. There were two other problems that had to be dealt with first: housing and jobs. Before training in human rights, democratic decision making, peaceful negotiation, problem solving, and related civil society activities have any chance to succeed, we must get more displaced families back in their homes. But getting a new roof over their heads is not enough. They have also got to find a way to make a living.”

Lessons about Partnerships with Local Leaders

1. **Involve Local People from the Beginning.** Wherever possible, enlist some kind of advisory committee to consult with on each project, whatever its nature—and involve them at the outset. They can be a useful channel for communication to the whole community. They can provide early warning about potential troubles. They can further understanding and acceptability of activities and consequences related to the project, even unpleasant ones. They should not have power of decision, but their advice should be given respectful attention. They may originate useful ideas.

Moreover, their very existence can help to change an unfortunately common idea that humanitarian assistance is something outsiders do to or for needy people into the experience that what is being done is building a partnership of outsiders and locals to meet community needs. Working together in that kind of relationship can be a far more effective lesson in democracy and civil society responsibility than many lectures and seminars.

2. **Join Expatriates and Locals in Staff Training.** Mercy Corps found that its own staff of about one hundred local citizens and ten expatriates formed a suitable beginning place for a civil society initiative. However, the term was hardly used, and we did not talk much about conflict resolution, although negotiation processes were part of the subject matter. Rather, we designated our initial efforts as “problem-solving workshops,” a kind of management training. When we used “game scenarios” we related them as directly as we could to practical work situations connected with our projects. In the case of workshops for monitors, staff, and local social service workers at the “collective centers” (refugee hostels for which we had oversight), we began by enlisting the people most immediately concerned to put together a collection of problems and difficulties that needed to be addressed. The results of these workshops were, predictably, uneven, but on the whole they seemed a useful way of introducing our own Mercy Corps International staff to basic concepts of civil society and giving such initiatives practical credibility.
3. **Partnerships with Religious and Academic Leaders.** When we began the exploration of possible groups to participate in civil society training projects, we raised the question of working with leaders of the several religious communities. A Bosnia lawyer, deeply committed to human rights, democracy, and open society concepts, forthrightly said: “Forget it. The religious leaders are a major part of the problem. They will be of no significance in helping to find a solution to our democracy and ethnic conflict problems.” A plausible case could be made for that secular-bias judgment, given the realities of the chauvinistic bigotry associated with ethnic cleansing. Such attitudes had been reflected in the words and actions of some clerical figures in the three major religious communities—excepting, of course, the small Jewish community. Nonetheless, we decided to explore the possibilities of collaboration with various religious leaders—with unusual consequences.

Quite unexpectedly, I found myself drawn into confidential and intimate dialogue with all four top religious personages in Bosnia and Herzegovina: the Croat Roman Catholic Cardinal/Archbishop, the Reis ul-Ulema of the Islamic Community, the Serb Orthodox Metropolitan, and the President of the Jewish Community. Over a period of many months, I acted as a kind of go-between among these leaders, arranged semi-clandestine trips across the “boundary” between the Republika Srpska and the rest of Bosnia for Serb Orthodox representatives, and eventually facilitated their meeting together in open session. In the end, they formed the Inter-Religious Council of Bosnia and Herzegovina and adopted a remarkable document that they read together before the local and international media (and the Sarajevo diplomatic corps) as their “Statement of Shared Moral

Commitment.” Thus did they take a common stand against ethnic violence, religious discrimination, and sectarian hostility and call for reconciliation and friendly cooperation.

Lessons about Civilian-Military Cooperation

Despite long-standing civilian fears (one might say prejudices) that the military will not involve its uniformed personnel in the accomplishment of social/political missions not directly concerned with military security, and the wide-ranging arguments over “mission creep,” there is considerable evidence of far greater flexibility among the armed service men and women stationed in Bosnia than they are generally given credit for. Examples:

1. **Transportation for Humanitarian Assistance Goods.** One thing the armed services generally have available in ample supply is transportation. Many shipments of sporting goods, books, and other supplies given by American donors have found their way to schools and youth organizations thanks to assistance through military aircraft and ground transport. Whether this is done only on an informal, not-quite-legal basis or has been accomplished with all the official permits is not a question the grateful recipients ask.

To expedite the delivery of building supplies for war-damaged home repairs, I once approached a major in a British transport company in the Bosnian Croat town of Kiseljak. He made Mercy Corps a straightforward proposition: He would provide as many heavy trucks as would be required to haul tile, concrete blocks, and other building materials (tons of it) from factories in Hungary to the repair sites in northern Bosnia. There would be no charge for the use of the trucks, the fuel, or the time of the drivers and their helpers. The only cost to Mercy Corps would be for the overnight hotel rooms of the crew. “I have only about 30 percent as much work for our transport crew to do as they have time to put in. So, most of the day, they’re bored silly. They’ll gladly do a humanitarian errand.”
2. **Identifying Projects That Humanitarian Agencies Are Supposed To Handle.** Once an Implementation Force officer in the early days of his unit’s duty in the Tuzla area called to ask if Mercy Corps could send an engineer to look at a water supply problem in an isolated village near the Zone of Separation. I made an appointment for the next day. At the appointed hour a convoy of four vehicles showed up with a dozen armed men in their helmets and flack jackets. Off we went at the stately speed of twenty-five miles an hour over twisting mountain trails; on the last ridge we found the village of 527 inhabitants, not one of whom had a job, and all of whom needed safe drinking water. What was required was 1,200 feet of two-inch plastic pipe, four metal clamps, and a filter. Job quickly done.
3. **Providing Protection for Returning Refugees.** Strictly speaking, this can be called mission creep, but it has proved decisive in making it possible for many displaced families to return to their homes, the most crucial promise of the Dayton Accords. In a multiethnic village near the Mostar airport, about eighty families, driven out five years earlier, decided in the summer of 1998 to come repair their damaged

homes and move back to this area now controlled by Croats. What had finally convinced them to return? “The assurance of security.” What assurance? One lone jeep with two armed Stabilization Force soldiers parked beside the lane leading into the village. No problem.

A more dramatic example came from the volatile area of Brcko, where the dominant Serbs attempted to prevent the return of Muslims to repair their war-damaged homes. After the work was well along, “unknown” vandals would fire-bomb the houses at night, even while U.S. NATO troops passed by and did nothing. After weeks of this seeming indifference, serious armored convoys were sent out from Camp McGovern to move continuously up and down the back roads. Not a shot was fired, but the message was clear. The expatriate military, no longer constrained by fear of mission creep, had signaled that they would not tolerate more politically inspired intimidation of refugees. The vandalism and harassment stopped.

The larger question remains: What is the proper role of military forces (specifically U.S. forces) in the implementation of peacekeeping and humanitarian assistance and democratization initiatives in times of complex emergencies, in areas of chaos and conflict in faraway parts of the world? Clearly, there is no easy, simple, or universal answer to that question. How it is addressed has had and will continue to have enormous and decisive impact on how government agencies and NGOs may be able to carry out their physical reconstruction and civil society assignments in places like Bosnia.

Eight

Forgiveness in Conflict Resolution: Reality and Utility—The Bosnian Experience

A young Catholic priest from Banja Luka who was at the seminar told the story of what happened to his family during the war. At the time, he was a very young man, maybe twenty-two or twenty-three years old. His family consisted of a father, a mother, and six children. His father was killed in their house right in front of the children and the wife. . . . When there was discussion among the attackers of whom should they kill—all the boys at least, if not the wife—the mother suddenly raised her voice and somehow made them listen to her. His mother said, “You don’t understand. We’re Catholics and some of my boys are future priests. We’re Christians; they are not going to get into revenge. I believe that they will learn and will teach me how to forgive.” That was one of the moments when God’s miracle of forgiveness worked. It may not happen often that aggressors would hear such a plea and not kill, but this time it did happen. . . . This statement by the woman, whose husband had been killed right in front of her eyes, was so powerful that they could not proceed with killing.

—Olga Botcharova, *Center for Strategic and International Studies*

Recent history provides a wide variety of examples of conflict situations in which “forgiveness” has by its presence or absence affected the resolution of the conflict. Donald W. Shriver, Jr., in his *An Ethic for Enemies: Forgiveness in Politics* (Oxford University Press, 1995), has offered an interesting description of “forgiveness” as a process and considers its applicability in a number of significant situations. Douglas M. Johnston, Jr., and Cynthia Sampson (eds.), in their *Religion: The Missing Dimension of Statecraft* (Oxford University Press, 1994), have examined the role of religions (including the place of forgiveness) in mitigating and, albeit rarely, exacerbating conflict situations in a wide variety of examples.

With the assistance of the United States Institute of Peace, the Woodstock Theological Center at Georgetown University embarked on a two-year study entitled “Forgiveness in Conflict Resolution: Reality and Utility,” with the goal of discovering and describing the meaning and applicability of “forgiveness” in the resolution of conflict situations. This study consisted of a series of consultations, four colloquia on particular conflict situations, the publishing of the proceedings of these colloquia, and, finally, a volume (now in progress) summarizing the lessons learned. The volume is intended to be a practical guide for conflict resolution practitioners and others.

by Robert T.
Hennemeyer

Nature of the Research

This article discusses the Bosnia portion of our study, drawing on two of the four colloquia held at the Woodstock Center on the Georgetown University campus. One, held on December 9, 1996, was entitled “Forgiveness in Conflict Resolution: Reality and Utility.” The other, held on October 24, 1997, was called “The Bosnian Experience.” This article also draws on a series of discussions within the core group that led the study. The core group of eight—political scientists, theologians, diplomats, and so forth—were “custodians of the questions” and provided continuity throughout our series of colloquia and the intervening discussions, keeping the process focused on the central theme of “forgiveness.”

In addition, after much discussion, the core group agreed on a working definition of “forgiveness” that contained the essential elements described by Shriver: “Forgiveness in a political context, then, is an act [or process] that joins moral truth, forbearance, empathy, and commitment to repair a fractured human relation.” Shriver also includes as preconditions for forgiveness: (a) a turning from the past; (b) the recognition of justice, but the rejection of revenge; and (c) recognition of the humanity of one’s enemies.

The colloquium on the Bosnian experience was preceded by a test colloquium, in which we examined concepts, format, definitions, and so forth before embarking on the full study, and by a colloquium on “The Northern Ireland Experience.” A final colloquium in March 1998 examined “The Experiences of the Truth Commissions (South Africa, El Salvador, and Chile).” Thus, when addressing the Bosnian experience we had already agreed to pay special attention to the potential utility of organized religion in promoting reconciliation (and forgiveness) in conflict situations, notwithstanding the frequent use of religious symbols in Bosnia in exacerbating ethnic frictions.

In his poem “The Star-Splitter,” Robert Frost writes, “To be social is to be forgiving.” Does this suggest that a wish to seek an eventual solution to a conflict situation is a natural consequence of being social? There may be a basic “peace” or compromise vocabulary to which all humans—religious or not—respond. One could argue that all the major faiths have built on this primal vocabulary to make the advantages of peace in efficient social interaction more explicit—and supremely ordained. At least some of this teaching may be implanted in all of us. If so, how can it be tapped and utilized in conflict resolution, reconciliation, and ultimately forgiveness? Given these considerations from previous related colloquia and related definitional discussions within the core group, we gave particular, but not exclusive, attention to the religious/ethnic dimensions of the Bosnian conflict and their impacts—positive or negative—on efforts to further reconciliation.

Lessons Learned

Some of the important lessons learned about the contribution of religious leaders during the study emerged in a discussion of the difficult but ultimately successful negotiations conducted by the World Conference on Religion and Peace to involve Bosnian religious leaders of the four major faiths in an ecumenical call for nonviolence and respect for human rights, irrespective of religious or ethnic affiliation. The leaders of the Moslem, Orthodox, Catholic, and Jewish communities issued such a “Statement of Shared Moral Commitment” in Sarajevo on June 9, 1997. While this was an important first step, the reli-

religious communities in Bosnia have been severely compromised by the widespread use of religious symbols in support of ethnic hatred by political leaders and many local religious authorities. This extreme nationalization of religious symbols has resulted in a loss of credibility for the religious leadership that they can overcome only by their standing together.

While it is very important for the conflict resolution practitioner to appreciate the importance of understanding the power of belief systems and their significance for diplomatic strategies and peacebuilding, many religious leaders have shown extreme moral cowardice in failing to stand up to their own flocks and their political leadership and denounce acts of ethnic hatred.

Several discussants during the study spoke of the crucial importance of time in creating an atmosphere in which reconciliation is possible—time for people to get away from the immediate trauma of conflict and personal loss. They also emphasized that ethnic antagonisms are frequently based on inaccurate mytho-histories and urgently called for reasonably objective histories and common school curricula. All participants in the study deeply regretted the decisions of the Bosnian authorities to authorize separate ethnic history curricula, thereby continuing the destructive influence of mythological histories—an influence that has particular relevance in the willingness of a captive ethnic audience to believe even the most outrageous media propaganda.

Despite the many obstacles, religious communities, even those that have been politically compromised, are capable of generating constructive initiatives in reconciliation and peacemaking because their moral and spiritual traditions emphasize neighborly concern. Also, local religious leaders frequently have greater influence and credibility with their people than do their political counterparts.

Among the most interesting experiments in conflict resolution in Bosnia was that of the Center for Strategic and International Studies (CSIS). This consisted of a number of conflict resolution training workshops for religious and lay leaders from all faiths in the former Yugoslavia. These workshops were designed to teach participants conflict resolution techniques, including the role of forgiveness, and to encourage and empower religious communities to undertake initiatives in peacemaking and conflict resolution. Many workshop participants had themselves recently experienced the trauma of violence; it was therefore necessary to focus on attitudinal changes, healing, and building of trust among participants before problem-solving skills could be imparted. Their experiences validated the importance of participants having the opportunity to express their grievances and hear those of the other religious/ethnic participants in a safe, nonconfrontational environment. This enabled the participants to feel one another's pain and to recognize that today's aggressors are often yesterday's victims.

Out of these workshops came a better understanding of the psychology underlying the transition from being a victim of aggression to becoming an aggressor oneself, and of those points in the cycle of revenge where intervention might be possible, turning the victim instead onto the path of forgiveness. The discussion emphasized that forgiveness in this context is not presented with any expectation of changing the aggressor, but rather of healing the victim, helping him or her to let go of hatred, the desire for revenge, and a need to change the past. This process of cultivating forgiveness was described as "identify-

ing the fears of the participants, examining their basis in reality, ensuring that people feel they are heard, and identifying resources to reinforce the courage of their newfound convictions, usually in the form of personal faith, community support, or intergroup cooperation.” There was particular emphasis on the importance of relating all conflict resolution training initiatives to the larger goal of building a civil society. In the case of the CSIS project this means empowering enlightened people of faith to promote democratic pluralism and social justice as well as peace.

The hope was voiced that stories of forgiveness by victims of aggressors from other religious/ethnic communities, albeit rare, would be given greater publicity and be incorporated into future, more objective histories. The study participants warned against premature and inaccurate use of the term “forgiveness” as promoting a kind of pseudo-dialogue between communities. The relationship between forgiveness and justice is often perceived as forgiveness versus justice, and becomes an obstacle to initiating a serious dialogue on reconciliation. This traditional understanding of justice as punishment does not address the primary need of the victim, which is healing. Healing is possible through forgiveness, a process of re-humanizing the enemy, identifying with the enemy’s very basic human needs, and understanding the fears behind them, all the while respecting one’s own suffering. In this view, forgiveness is an unconditional, personal, and essentially spiritual act, but it is unfulfilled without some form of justice or repentance—public or private. Objective, discreet third parties can assist the victim in overcoming his angry isolation and breaking out of the cycle of revenge. Victims are almost always better able to forgive than aggressors. There is a “wisdom of suffering” that enables the victim to address the complexity of conflict and find healing through commencing the process of reconciliation.

Conclusion

The study highlighted the need to establish closer relationships between track one and track two diplomacy—to bring efforts to implement the Dayton Accords in better alignment with private sector work on forgiveness and reconciliation. Second, while public statements of forgiveness by religious and secular leaders serve a generally positive purpose in challenging the general public to adjust its attitudes, they have also been described as “ambivalent.” In the religious sector in Bosnia, this is often the result of a disconnect between national and local leadership.

Propaganda and/or mytho-history, as broadcast by the various media, played a significant role in initiating and exacerbating violence. The questions of the media and common curricula are vital for a peaceful future in the region. While a number of discussants questioned the practicality of utilizing religious institutions as the foci for the reconciliation process and called for a secularized approach, many participants felt that the CSIS workshop methodology offers a real healing process with public dimensions. “The only way that people are able to fully come to grips with their pain,” one discussant said, “and therefore to forgive and go about the work of restorative justice together, is to deal from their deepest religious convictions, attitudes, and experiences. Out of that you can have a process of healing, not only for individuals and small groups, but for the nation.”

One of the reasons forgiveness is often misunderstood, in the opinion of one presenter, is that it is defined too thinly. The following definition was proposed as more inclusive: “[F]orgiveness begins in a judgment about the truth of an unjust atrocity. Then it is combined with forbearance from revenge and growing empathy with the perpetrator, all under a will and intention to achieve eventual social reconciliation.”

Among the important conclusions that emerged during the day’s several discussions were the following:

1. The necessity of establishing the historical truth.
2. The importance of humility, not only on the part of the primary participants in a conflict, but also on the part of would-be conflict resolvers from the outside. “Nothing works worse in human relations than self-righteousness.”
3. The question of how we turn “alongside” relationships into “with” relationships. What makes people who have lived next door to each other for years turn into deadly enemies? Clearly, more work is needed in social psychology on how to encourage interactive coexistence as a step toward engagement of the alienated and their re-entry into civil society.
4. The question of a transethnic civic and human identity. Ethnocentric nationalism is eroding as cultures and peoples become more intimately interconnected.
5. The challenge of discovering how politics can free religious groups to be genuinely religious, and how religious groups can free political institutions to be genuinely secular.
6. The problem of interreligious political battles spilling over into secular society. Interreligious work on forgiveness and reconciliation is as important as trying to apply forgiveness to the secular realm.
7. The value of repentance by political and religious leaders on behalf of their constituents. While some would question whether these leaders have the authority to speak on their constituents’ behalf, some have one word for such an act: “leadership.”

To sum up the results of our four colloquia (including the colloquium on Bosnia) and the related consultations, the following observations seem valid:

1. Forgiveness, as we defined it, does occur in conflict situations; sometimes it occurs as a single, prophetic act, but more often it occurs as part of a process.
2. When it occurs, it is most frequently the result of an initiative by a victim; rarely is it the act of an aggressor.
3. National or regional religious leadership can be a major factor in encouraging reconciliation and forgiveness, but local religious leaders can sometimes be major obstacles to such a process.

4. A sensitive, knowledgeable, and humble third party can be an important facilitator in initiating a dialogue that breaks the cycle of revenge and begins a process of reconciliation.
5. There are techniques, validated by field experience, that can be very important in turning “a dialogue of the deaf” into serious discussion of the practical advantages of being “social.”
6. The importance of a serious effort to establish historical truth and make it part of a common school curriculum in order to diminish the pervasive poisons of mythohistories cannot be underestimated.
7. All of these conclusions call for more research and greater precision, but none more than the very important real and potential role of organized religion as peacemaker. We need to know more about when it is effective and when it is not, and why. Institutionalized religion is too important a player in conflict resolution not to be helped to become more effective.

The Bosnia colloquium, we believe, contributed importantly to our full study of forgiveness. First, it helped us develop and refine a useful definition of forgiveness as a prophetic act and as a process. Second, it highlighted the utility of institutionalized religion, despite its many weaknesses in Bosnia, as a significant instrument in encouraging forgiveness and/or reconciliation. Third, we identified specific techniques for initiating a process of communication and understanding that can culminate in reconciliation and forgiveness. Our conclusions are tentative and our study is only a beginning, but we are persuaded that “forgiveness” is real, it can be inspired and encouraged, and it has a genuine role in conflict resolution.

Mladi Mladima: Youth-to-Youth Project

by Branka
Peuraca

War isolates people from each other, and being in fear of their lives, people find it increasingly difficult to avoid being drawn into groups whose identity is centered around a shared nationality or religion. During the conflict in the former Yugoslavia such groups became subject to the kind of manipulation, panic, and mass hysteria that pushed their members toward hatred and violence. It became difficult for ordinary individuals to resist arguments of political leaders who promised them protection. In these circumstances, people even found themselves capable of committing atrocities against their neighbors. As the conflict developed, additional conflicting groups were created within national and religious groups: refugee versus local, urban versus rural, national majorities versus minorities.

Teenagers in the post-Yugoslav countries were growing up in environments that generally promoted both the language of intolerance and the notion that might makes right. Their value systems were created on this basis. Even in the areas where no armed conflict occurred, civil rights were not respected. Such surroundings also taught young people that showing initiative or disagreement or just being different could be dangerous.

Young people, however, are more open to different ways of thinking than their parents, and a number of groups took part in encounters with youth from other post-Yugoslav states and searched for ways to maintain contact during the armed conflict. Such contacts became personal and private as these groups went through different developmental stages and as their members entered adulthood. In seeking to identify strategies that would decrease the isolation of different groups and their members in the region, it became clear that young people needed both encouragement to act in their own communities and a safe space for exchanging ideas and experiences. The Youth-to-Youth (or “Mladi Mladima” in Serbo-Croatian) Project is an attempt to meet those needs.

The Youth-to-Youth Project is managed by the Sarajevo-based Institute for Development of Human Resources and offers training in leadership, communication, and conflict resolution skills for young people affected by the armed conflict in post-Yugoslav states. The initiative aids in identifying individuals and organizations that are potential allies to Youth-to-Youth trainers and trainees, and facilitates networking and cooperation. An integral part of the work is follow-up and professional skills support once the trainees have returned to their communities.

The Need for Empowerment, Knowledge, and Skills

There are individuals among youth who think differently from the mainstream public opinion in their communities and who want to change that opinion. Unfortunately, they often feel isolated and discouraged in their communities, and they lack the skills that would enable them to influence their surroundings. For example, one Youth-to-Youth

Project participant worked on the local radio, and instead of reading a text that the editor prepared, he read his own text in which he sought to hold representatives of his nation accountable for some of the armed interethnic conflict in his town. Besides losing his job, he was harassed, threatened, and labeled a traitor. His comments were too direct for a local audience that was not prepared to hear his message. Working in the region, the program has identified many such young people with leadership potential who can promote dialogue and tolerance in their communities and has sought to meet their needs for empowerment, knowledge, and skills.

The Need for Safe Space

Youth in countries affected by the armed conflict often suffer deep trauma. Indeed, only the tip of the iceberg can be seen. Many of those identified as good leaders bear the burden of responsibility for their families or their peers, and they do not admit their difficulties to the people that depend on them. The program has provided a safe environment in which seemingly healthy and optimistic teenagers can share their depressions and nightmares, and find allies who share their strengths and weaknesses.

The Need for Promoting an Alternative to Violence

Violence has too often become a common if not legitimate means for a person to achieve his or her goals in postwar societies. During the armed conflict, violent acts or violent language were not questioned or criticized. The general public became inured to such violence, and after the war such behavior remained tolerated by the general public—this in a society that once had a high level of solidarity, where people truly cared for their neighbors. Local people still do not have sufficient knowledge of and experience with alternatives to violence in resolving conflicts. At the core of the Youth-to-Youth Project is an attempt to promote an alternative to violent solutions: nonviolent communication, conflict resolution, and dialogue.

The Need for a Training System and Material Appropriate to the Region

It quickly became clear that models of training that were created in different cultures were not always appropriate or suitable to the culture and language in this region. In 1995, as a response to this need, the Youth-to-Youth Project was established. Initially focusing on creating a peer-mediating project for youth from Bosnia and Herzegovina, Croatia, and the Federal Republic of Yugoslavia, the project evolved into a broader gauged initiative for youth from these areas who share similar histories and problems. The joint training activities enabled youth to connect not only with those from the “enemy” states, but also with those from opposed or isolated groups within their own countries, such as refugees or rural youth.

The Youth-to-Youth Project acts not only through the content of the project, but also through the indirect messages that are drawn from the process:

It is the responsibility of locals to initiate and carry out change in their countries.

Demonstrating a positive example of cooperation and coexistence of a diverse group provides a critical alternative to the many incidents and patterns of violence in the region.

The project is designed and carried out by nationals with diverse experiences and backgrounds from Croatia, Bosnia and Herzegovina, and the Federal Republic of Yugoslavia. The training program has drawn on their resources and experience. We do take foreign perspectives into account wherever they are appropriate, but we do not rely uncritically on foreign models.

Experiences of young people from the groups in Croatia during 1992–1995 suggest that, apart from the benefits of making connections and gaining new knowledge, encounters between youth from the “enemy” side may, in fact, do harm. Returning to the participants’ respective communities was often painful, because the surroundings did not change. After the participants in such encounters had realized that the “enemies” have a human shape, they felt even more isolated back home because their friends and families had not gone through similar experiences with the “enemy.” Their potential in peace-building is diminished without a support system and committed allies in their surroundings.

The social position of young people in the post-Yugoslav region differs from that of their peers in the West. Before the war, youth in this region were socially and economically dependent on their parents. Ageism remains prevalent, and there is little sensitivity about age-based discrimination. Although in Bosnia many young people have the kind of language skills that enable them to support their impoverished families by working for foreign organizations and agencies, there is no significant change in the general expectations their parents have for them. The youth are generally expected to fulfill their school duties and are not encouraged to take social initiatives.

In this context the Youth-to-Youth Project team has concentrated on long-term goals and sought to create a support structure for its trainees. The project works intensively with a smaller, rather than a larger, number of beneficiaries. Participants are selected on the basis of the following criteria: self-awareness, critical thinking, motivation, originality, sense of humor, level of initiative, and good teamwork skills. The project does not work with young people from communities where participants do not have contacts with adults committed to supporting them after their return from training.

The Way of Learning about Conflict Resolution

Rather than creating an “artificial paradise” in a training program, we try to connect with the real problems of the participants’ local communities and to create enough safety in the group to enable the participants to feel accepted and to speak up about their differences. We rely on experiential learning processes, mindful that for participants who have experienced losses and atrocities, games, feedback and panel discussions may not be an experience that is strong enough to affect their views and behavior. We set up a mediation process and lead the group through it. We explain every step and brainstorm about all the options at key points in the process. Trainees not only witness, but also take part in, a new way of dealing with problems that works. This has proven to be an effective way to influ-

ence thinking and behavior. In partially controlled training settings, the opening of difficult and painful issues becomes a powerful learning tool.

Group-Specific Interdisciplinary Programs and Their Results

The Youth-to-Youth Project's training programs are not "ready-made." Rather, they are tailored for each specific group on the basis of needs that are identified through contact with the participants before their training and even during the training itself. Training programs must be adjusted to the trainees and their needs. This approach has influenced the project's interdisciplinary character, encompassing needs beyond the narrow area of conflict resolution. Project staff realized that in training peer-trainers there was a clear need to address obstacles and challenges that were being encountered. Thus staff incorporated work on such issues as approaching people with a nonviolent message in a violent surrounding, dealing with strong emotions, identifying interests and searching for common ground, identifying allies, and preventing burnout.

Some of the trainees, although they did not start their own groups, were very successful in influencing their communities as youth organizers or as advocates. For example, a Youth-to-Youth Project participant who leads a local rock band has used his popularity for promoting ideas of tolerance and nonviolent problem solving among the youth of his ethnically divided town in Bosnia. He provided support during a training with youth in his town, and his mere presence in the workshop gave us more credibility than the support of any official authority could. Staying in touch with and supporting those participants over a period of two and half years following the training increased the impact of the project.

Dealing with the Obstacles

Several factors external to the project present particular challenges. Indeed, we found that brain drain and competitive income opportunities contributed to withdrawal from the project. In 1996–1997 more than one-third of the project's participants left the country to study in the United States and Canada. Because we selected outstanding individuals to participate in the training, it was no surprise that many were able to attract funding for their education. For most of them, this represented the only way to obtain a college education. Nonetheless, the project has kept in touch with most of them, and strategies are being developed to help youth involved in social change obtain scholarships that would enable them to complete their studies in the region.

Both trainees and adult supporters are highly qualified, and therefore they are likely to find a job that will take them far from social change activities. They face the dilemma of continuing to work on projects that are good and needed, but struggle constantly for funding, or taking jobs with greater security. This is particularly difficult given the relative poverty in which most people live. Although the project is not in a strong position to compete in the job market, we try to balance deep and detailed long-term work with growth. We try to secure funds for a permanent team of trainers that will work both inside and outside of their communities.

Summary

When violence becomes a legitimate means for people to achieve their goals in these post-war societies, there is a growing need for promoting an alternative to violent solutions—nonviolent communication, conflict resolution, and dialogue. The Youth-to-Youth Project is a response to the needs in the field. It enables young people to act in their own communities and provides a safe place for the exchange of ideas and experiences. Models of training that correspond with the culture in this region were created. Change was initiated and carried out by nationals to demonstrate positive examples of cooperation and coexistence among diverse groups.

Appendix

Bosnian and Balkans-Related Projects Funded by the Institute's Grant Program, 1996–1999

AMERICAN BAR ASSOCIATION–FUND FOR JUSTICE AND EDUCATION, Washington, D.C. Project Director: Nicolas Mansfield. A project to establish a training institute to raise the level of professionalism of judges in Bosnia as a step toward a strong and independent judicial system, seen as a critical component of democratic development.

BRANDEIS UNIVERSITY, Waltham, Massachusetts. Project Director: Cynthia Cohen. A project to develop four teaching cases illustrating the nature of post-conflict reconciliation, emphasizing in particular the tensions between the demands of coexistence and of justice, as well as other ethical dilemmas, that confront practitioners working in community-level peacebuilding projects in conflict regions. The cases will be based on the experiences of fifteen conflict-resolution practitioners from South Africa, the Middle East, the Balkans, and Sri Lanka who have been selected as the first cohort of Brandeis International Fellows.

BROOKINGS INSTITUTION, Washington, D.C. Project Director: Susan Woodward. A project to determine what can be learned from postsettlement peacebuilding in the NATO-led Dayton agreement in Bosnia and Herzegovina and the parallel UN-led and now OSCE-continued one in eastern Slavonia, Croatia, with comparison to five other interventions in the Balkans since 1991.

CATHOLIC UNIVERSITY OF AMERICA, Washington, D.C. Project Directors: Michael W. Foley and Paul Arthur. A project to analyze memory, forgiveness, and reconciliation in postconflict societies as an antidote to entrenched conflict, based on case studies of Northern Ireland, India, Lebanon, Latin America, former Yugoslavia, former Soviet Union, and Africa.

CENTER FOR CIVIL SOCIETY IN SOUTHEASTERN EUROPE, Washington, D.C. Project Director: Max Primorac. A training and outreach program to advance reconciliation in Bosnia and Herzegovina. Training workshops will hone conflict resolution skills among staff of local Centers for Civic Cooperation, and technical assistance will reinforce efforts to increase community participation in the centers' reconciliation activities.

CENTER FOR RELIGIOUS DIALOGUE, Sarajevo, Bosnia. Project Director: David Steele. A project to build an indigenous institutional capacity within Bosnia and Herzegovina that is competent to facilitate civil society initiatives, conflict resolution, and reconciliation efforts within and between religious communities. A number of seminars will be held to train the local leadership and widen the network of religious people involved in this field.

CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES, Washington, D.C. Project Director: David Steele. A project to build an indigenous capacity for training in conflict resolution skills by religious leaders in Bosnia. The grant will support efforts to create an institution that will be led and staffed by Bosnians to continue training programs for community-based conflict resolution that have been previously conducted by international specialists.

CENTRE FOR PEACE STUDIES, Zagreb, Croatia. Project Director: Vanja Nikolic. A project to develop course manuals and evaluation reports for the first peace studies program in Croatia.

CENTRE FOR TRANSITION AND CIVIL SOCIETY RESEARCH, Zagreb, Croatia. Project Director: Branislava Baranovic. A project to examine the value structure and content of history, politics, and literature textbooks at the primary and secondary school levels in Bosnia, Croatia, and

Serbia. The study, which will be conducted by a multinational team, will assess the utility of existing textbooks to promote reconciliation and develop recommendations for designing and implementing peace education programs in the former Yugoslavia.

COALITION FOR INTERNATIONAL JUSTICE, Washington, D.C. Project Director: John W. Heffernan. A grant for a symposium to review and evaluate the work of the International Criminal Tribunals for the Former Yugoslavia and Rwanda. Engaging top officials in the tribunals, specialists in international humanitarian law, and NGOs associated with the tribunals, the symposium will draw lessons from the tribunals' previous work and provide guidance for increasing their effectiveness in promoting justice, peace, and reconciliation in the former Yugoslavia and Rwanda.

COMMUNITY OF ST. EGIDIO USA, INC., New York, New York. Project Director: Roberto Morozzo della Rocca. A project to enable the Community of St. Egidio to continue facilitating the implementation of the Education Accord between the Serbian authorities and the Albanian population in Kosovo, based upon the protocol for the implementation of the accord signed in March 1998.

CONFLICT MANAGEMENT GROUP, Cambridge, Massachusetts. Project Director: Landrum Bolling. A project to explore the possibilities of developing a nonofficial dialogue between Kosovo Albanians and Serbs over the longer term.

CONFLICT RESOLUTION CATALYSTS, Montpelier, Vermont. Project Director: Gary Shapiro. A project to address the needs of community rebuilding, social reconciliation, democracy advancement, and conflict resolution in Banja Luka, Bosnia, through the training of community facilitators and the development of community-building activities.

DUKE UNIVERSITY, Durham, North Carolina. Project Director: Madeline Morris. A conference organized in collaboration with the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia and Rwanda to identify the most appropriate and efficacious roles for national and international criminal justice systems in responding to mass crimes in violent conflicts.

FUND FOR THE CITY OF NEW YORK, New York, New York. Project Director: Richard Zorza. A project to develop an interactive Internet-based multilingual resource for the dissemination of statistics and other information about complaints of human rights violations in the Federation of Bosnia and Herzegovina.

GROUP MOST CAA, BELGRADE, Belgrade, Yugoslavia. Project Director: Dragan Popadic. A training and education program in peace studies in Belgrade including courses, workshops, and public lectures, to be developed for students of diverse ethnic backgrounds. The program will draw from interdisciplinary academic and grassroots expertise and will offer research and internship opportunities.

HARVARD UNIVERSITY, Cambridge, Massachusetts. Project Director: Payam Akhavan. A project to assess the impact of the International Criminal Tribunal on the Yugoslav peace process. The project will also explore the tribunal's potential role in both advancing interethnic reconciliation and democratization and deterring similar conflicts and atrocities in the Balkan region and elsewhere. The resulting publication would assist the tribunal in formulating future policy and inform international public opinion about the issues associated with reconciling power and principle in the context of postconflict peacebuilding.

HELLENIC FOUNDATION FOR EUROPEAN AND FOREIGN POLICY, Athens, Greece. Project Directors: T. Veremis and D. Triantaphyllou. A project to examine recent developments in and relations among Kosovo, the Former Yugoslav Republic of Macedonia, and Albania, as well as the likely responses to conflict in the region by the international community. The resulting book will

also explore possible conflict prevention strategies for the region, including confidence-building measures, preventive diplomacy, and dialogue programs.

INSTITUTE FOR RESOURCE AND SECURITY STUDIES, Cambridge, Massachusetts. Project Director: Paula Gutlove. Two training workshops to address the integration of conflict management with the delivery of health care, as well as the potential role of health professionals in social reconstruction and community reconciliation, with participants from all parts of the former Yugoslavia.

INSTITUTE FOR THE DEVELOPMENT OF HUMAN RESOURCES, Zagreb, Croatia. Project Director: Branka Peuraca. A project to train ten groups of high school students in different towns in Croatia, Bosnia and Herzegovina, and the Federal Republic of Yugoslavia in conflict resolution, leadership, and communication skills.

INSTITUTE FOR THE STUDY OF GENOCIDE, Cambridge, Massachusetts. Project Director: Helen Fein. A project to probe the terms and limits of the UN Genocide Convention, the increasing incidence of genocide over the past fifty years, and the use and disuse of the convention. The resulting volume will also examine the new and revised institutions needed to realize the goals of the 1948 Genocide Convention.

INSTITUTE FOR WAR AND PEACE REPORTING, Brussels, Belgium. Project Director: Christopher Bennett. A project to write a book on the history of the first four years of the peace process in Bosnia and Herzegovina. The study will include an examination of the evolution of Bosnian society and the possibilities of reconstructing multi-ethnicity, as well as the steps which should be taken to preserve Bosnia as a unified state.

INSTITUTE OF WORLD AFFAIRS, Zagreb, Croatia. Project Director: Max Primorac. A training program based at three Centers for Civic Cooperation in Vinkovic in eastern Croatia, and in Gradacac and Odzak in Bosnia and Herzegovina, to foster confidence- and consensus-building and conflict resolution skills, enabling local leaders to address interethnic tensions and advance reconciliation in the context of civic infrastructure reconstruction.

INTERNATIONAL CRISIS GROUP, Brussels, Belgium. Project Director: Miranda Vickers. A project to analyze Albanian nationalism in Kosovo, Macedonia, and Albania and to consider approaches for improving ethnic relations in the southern Balkans, including specific policy proposals.

INTERNATIONAL HUMAN RIGHTS LAW GROUP, Washington, D.C. Project Director: Mark Bromley. A grant to support the preparation of resource and training materials and the implementation of a training program in Bosnia that will provide information about new mechanisms and procedures for protecting human rights established under the Dayton Accords.

INTERNATIONAL HUMAN RIGHTS LAW GROUP, Washington, D.C. Project Director: Stephen Bowen. A grant to support the preparation of resource and training materials and the implementation of a training program in the Republika Srpska that will focus on Article 6 of the European Convention and will highlight the elements needed to establish a prima facie legal claim, evidentiary foundations, and strategies needed to identify and substantiate human rights claims.

ITHACA COLLEGE, Ithaca, New York. Project Director: Valere P. Gagnon, Jr. A research project on the link between ethnicity and violent conflict which questions the assumptions underlying policies and institutions emphasizing ethnic sentiment as the key to resolving the Bosnian conflict. A major aim is to identify institutional structures and policies which encourage peace and stability.

LANDMINE SURVIVORS NETWORK, Washington, D.C. Project Director: Jerry White. A project to establish a network to promote social and intercommunal reconciliation through cooperative action among landmine survivors and disability groups in Bosnia.

LAVAL UNIVERSITY, Quebec, Canada. Project Director: Reneo Lukic. A project to assess the impact of the war in the former Yugoslavia on the international organizations, such as the UN, OSCE, NATO, and the European Union, that intervened to quell the fighting and provide safety for humanitarian relief operations. The research will consider the implications of the effects on these organizations' ability to act to prevent and resolve ethnic conflicts in the southern European region in the future.

LEAGUE OF WOMEN VOTERS, Washington, D.C. Project Directors: Orna Tamches Blum and Kendra Davis. A training program to assist the new League of Women Voters of Bosnia and Herzegovina to take a more active role in the peace process. The initiative will include a survey of issues of concern to Bosnian citizens, an intensive Grassroots Initiatives Workshop in Bosnia, and community outreach efforts to engage Bosnian citizens in the September 1998 presidential, parliamentary, and cantonal elections.

MEMORIAL HALL ASSOCIATION, Fort Leavenworth, Kansas. Project Directors: Walter E. Kretchik and Robert F. Baumann. A project to assess the experience of U.S. Army peacekeepers in Bosnia since 1996 based on an examination of U.S. Army documents, interviews with participants, and field observation. The study, to be published as a book, will examine several aspects of peacekeeping, including training for peacekeeping missions, the methods employed to curb violence and nurture trust, and the applicability of the Bosnian case elsewhere.

MERCY CORPS INTERNATIONAL, Portland, Oregon. Project Director: Landrum Bolling. A training program that links infrastructure rehabilitation with a series of conflict resolution training activities in Bosnia. The project will include problem-solving workshops for individuals engaged in reconstruction activities, the development of a conflict resolution training manual, and a "lessons learned" document that will be based on a conference for local and international NGOs active in Bosnia.

NEW YORK UNIVERSITY, New York, New York. Project Directors: Stewart Patrick and Lorenzo Garbo. A comparative study of the post-Cold War aid experiences of Cambodia, El Salvador, Bosnia, Russia, South Africa, and the Palestinian-Administered Territories. Pairs of scholars from donor and recipient countries will examine: 1) the sources, composition, and objectives of pledged aid; 2) the record of aid conditionality, delivery, and coordination; 3) the appropriateness, use, and benefits of disbursed assistance and 4) the causes, consequences, and lessons of shortfalls in pledged aid.

PERICA, VJEKOSLAV, Rockville, Maryland. Project Director: Vjekoslav Perica. A project to analyze the role of Yugoslav religious organizations as sources of conflict in the former Yugoslavia and to assess how religious institutions and leaders might contribute to peace there.

PROTECTOR, Bosnia and Herzegovina. Project Director: Jezdimir Milosevic. A project designed to motivate and educate young people in Bosnia and Herzegovina about positive events and instances of multi-ethnic tolerance in their surroundings during and after the war. Youth groups will be established, and provided training and encouragement to explore real world situations of cooperation between different ethnic groups and to develop their own stories which will be published as a book.

PUBLIC INTERNATIONAL LAW AND POLICY GROUP, Arlington, Virginia. Project Director: Michael P. Scharf. A project to assess the functionality of the justice peace paradigm in the crisis in Bosnia and Herzegovina, along with other paradigms, to determine whether the policy instruments selected by the international community were employed in the manner necessary to attain its policy objectives. Recommendations will be developed for the most appropriate paradigms for addressing future conflicts.

PUBLIC INTERNATIONAL LAW AND POLICY GROUP, Washington, D.C. Project Director: James R. Hooper. A project to develop and disseminate recommendations on ways to implement electoral reform in Bosnia that is more conducive to constructive political discourse there.

RADIO KAMELEON, Tuzla, Bosnia and Herzegovina. Project Director: Zlatko Berbic. A television and radio programming initiative engaging the mayors of Tuzla, Brcko, and Brcko-Ravne to enhance public understanding of and stimulate debate on human rights and democracy-building topics.

SEARCH FOR COMMON GROUND, Washington, D.C. Project Director: Sheldon Himelfarb. A project to produce and broadcast a series of interactive radio programs to promote peace and reconciliation in Bosnia. The project will provide training for journalists in strategies and techniques for building consensus across ethnic lines, encourage citizens' participation in public policy issues, and expose Bosnians to constructive approaches to the transition from war to peace.

UNITED METHODIST COMMITTEE ON RELIEF, Arlington, Virginia. Project Director: Angela Oliver. A training and curriculum development program to enhance the teaching of nonviolent conflict resolution skills for primary school teachers, staff of community development organizations, and others engaged in peacebuilding initiatives in Bosnia and Herzegovina.

UNITED METHODIST COMMITTEE ON RELIEF, Arlington, Virginia. Project Director: Jaco Cilliers. A grant to support a conference on conflict resolution and postsettlement peacebuilding at the University of Sarajevo, Bosnia and Herzegovina, which will explore practical ways in which the field of conflict resolution and mechanisms for reconciliation can be institutionalized in that country. The conference will lead to specific recommendations through which various organizations, groups and individuals can contribute to postwar reconciliation and reconstruction, including the introduction of conflict resolution curriculum at the University of Sarajevo.

UNITED METHODIST COMMITTEE ON RELIEF, Sarajevo, Bosnia and Herzegovina. Project Directors: Akram Ali Eltom and Julia Ann Demichelis. A project to draw lessons from the experience of international NGOs working to build peace in ethnically divided municipalities in Bosnia. The purpose is to help policymakers and NGOs develop more effective programs during the next phase of reconstruction in Bosnia.

UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, Chapel Hill, North Carolina. Project Director: Anthony R. Oberschall. A project to assess the patterns of emerging violence that led to the outbreak of war in the former Yugoslavia in 1990 and 1991. The project director will apply a polarization model of emerging ethnic violence that emphasizes the importance of within-group differences for explaining and predicting between-group violence.

VILLANOVA UNIVERSITY, Villanova, Pennsylvania. Project Directors: John Gotanda and April Major. A project to create computer connectivity to facilitate communication among the members of the soon-to-be-created Truth Commission in Bosnia.

WOODSTOCK THEOLOGICAL CENTER, INC., Washington, D.C. Project Director: Robert T. Hennemeyer. A project to discover and describe the meaning and applicability of forgiveness in conflict management and reconciliation, including case studies of Northern Ireland, Bosnia, the Middle East, South Africa, El Salvador, and Mozambique.

WORLD VISION, INC., Sarajevo, Bosnia and Herzegovina. Project Director: Juliet Stein. A project to promote the reintegration of minority populations in communities located in the Zone of Separation between the town of Brcko in Republika Srpska and the municipality of Brcko in the Federation of Bosnia and Herzegovina. The initiative will develop and implement projects to enhance positive interaction between the local communities and police force, and strengthen participation of minority returnees in the formal education system, particularly through parent-teacher associations.

About the Contributors

Orna Tamches Blum directed the international relations program of the League of Women Voters Education Fund from 1992 to 1999, where she trained grassroots NGO leaders in the skills for participatory democracy. Ms. Blum currently serves as program officer for professional exchanges and training for sub-Saharan Africa at the Bureau of Educational and Cultural Affairs of the U.S. State Department (formerly a bureau of the U.S. Information Agency).

Landrum Bolling, president emeritus of Earlham College, a Quaker college in Richmond, Indiana, first became involved in Yugoslavia as a young war correspondent with Tito's partisans in World War II, visited the country various times as professor of international relations, and since 1992 has served as senior adviser on Eastern Europe for Mercy Corps, stationed in Sarajevo in 1996–1998.

Mark K. Bromley serves as the deputy program director of the International Human Rights Law Group and has also served as the Washington coordinator of the Law Group's initiative in Bosnia since the program began in 1997.

John Heffernan was formerly executive director of the Coalition for International Justice, a not-for-profit NGO created to provide technical, legal, advocacy, education, and fundraising assistance to the International Criminal Tribunals for the Former Yugoslavia and Rwanda.

Robert T. Hennemeyer is a consultant to the U.S. Catholic Conference and to the U.S. State Department; associate fellow at the Woodstock Theological Center at Georgetown University; former director of the Office for International Justice and Peace, U.S. Catholic Conference; and a retired foreign service officer, serving as U.S. ambassador to The Gambia.

Zlatko Hurtic, former assistant minister and head of the Department for Reconstruction of Economic Recovery in the Ministry of Foreign Affairs of Bosnia and Herzegovina, currently works for the World Bank.

April Major is a visiting assistant professor at Villanova University School of Law, where she teaches courses on computer and information law. She is also the faculty director of the Global Democracy Project, a student-led initiative that seeks to promote the rule of law through Internet technology.

Branka Peuraca was born in Zagreb, Croatia, in 1967. Since 1992, she has trained in leadership, communications, and conflict resolution skills. In post-Yugoslav countries and in the United States, she has facilitated a series of training seminars for youth, women, and community leaders. Since 1996, she has been vice president of the Institute for Development of Human Resources in Sarajevo.

Christopher Reenock is a Ph.D. candidate at Pennsylvania State University's Department of Political Science.

Steven M. Riskin is a program officer in the Grant Program and a specialist in Middle Eastern affairs at the United States Institute of Peace.

Sevima Sali-Terzic, a national of Bosnia and Herzegovina, has served as the legal director of the International Human Rights Law Group's programs in Bosnia since 1997. In that capacity, she is responsible for implementing all aspects of the Law Group's extensive program of legal training and advocacy support for human rights activists, lawyers, and nonprofit organizations in Bosnia.

Amela Sapcanin currently works as a management associate in Global Emerging Markets with Citibank, N.A. She served in the foreign service of Bosnia and Herzegovina (1993–1996) and worked on several projects as a research associate and consultant with the World Bank in Wash-

ington, D.C. She coauthored several case studies on microfinance in the Middle East and North Africa. She holds an M.A. in international relations from the Johns Hopkins University's School of Advanced International Studies and a B.A. from the University of Sarajevo.

Susan L. Woodward is a senior research fellow at the Centre for Defence Studies, King's College, University of London. She has been a senior fellow at the Brookings Institution in Washington (1990–1999) and a professor of political science at several American universities. Having held positions with the UN Protection Force and the OSCE mission to Bosnia and Herzegovina, Woodward has published numerous books and articles on southeastern Europe, the postcommunist transition in Eastern Europe, state failure, peacekeeping, and postconflict reconstruction.

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