

PRESS RELEASE



United Nations Development Programme

TRANSITIONAL JUSTICE IN THE REGION: MECHANISMS OF CONFRONTING THE CONSEQUENCES OF HUMAN RIGHTS VIOLATIONS

The just ended Regional Transitional Justice Programme Learning Workshops for Parliamentarians and Representatives of Judiciaries from Bosnia and Herzegovina, Croatia, Kosovo, Montenegro and Serbia

Igalo, Montenegro, August 28th, 2006. - As part of United Nations Development Programme's ([UNDP](#)) regional *„[Transitional Justice Programme](#)“* a two week Learning Workshops on Transitional Justice ended yesterday for parliamentarians and representatives of judiciaries from the region. The Learning Workshops were organized by UNDP Serbia's Judicial Reform/Rule of Law Cluster, in cooperation with UNDP Offices in Bosnia and Herzegovina, Croatia, Kosovo and Montenegro.

During the first Learning Workshops module the **parliamentarians** attended lectures and discussed their role in transitional justice processes. They were presented a comparative overview of existing practices and truth commissions in the region and alternative mechanisms of truth seeking; they discussed the institutional reform (vetting and lustration), opening of the secret files, determining the fate of missing persons, history and its misuses, material and symbolic reparations, political responsibility for 1991 – 1999 wars on the territory of former Yugoslavia, etc.. The parliamentarians gave special attention to resistance and obstacles to the process of transitional justice as well as to construction of shared understanding.

According to Olivera Purić, Judicial Reform/Rule of Law Cluster and Institutional Development Cluster Team Leader in Belgrade UNDP Office, **representatives of regional parliaments met for the first time on this occasion and for the first time they discussed transitional justice which, although conceptually stabilized, represents a relatively new topic in our region. The parliamentarians had an opportunity to get an insight in basic elements of transitional justice, said Ms. Purić, they recognized its importance for political discussions on national levels as well as the need for further cooperation. They showed great readiness to hear what has been said and to exchange opinions and they showed great understanding of the problems, e.g. the difference between the notion of guilt and the notion of responsibility; they sought possibilities for each country in the region to establish their own national model of dealing with transitional justice, and also they expressed a wish to make this type of gatherings become regular.**

The module intended for bearers of judiciary functions entailed (un)readiness for transitional justice; command responsibility and participation in a joint criminal enterprise; international, internationalised and local prosecutions; capacities of war crimes judiciaries, truth commissions as a complementary process to criminal justice; war crimes reporting, media and transitional justice; repression of International Humanitarian Law violations, etc..

Bearers of judicial functions from Bosnia and Herzegovina, Croatia, Kosovo, Montenegro and Serbia have already had traditional regional cooperation. They emphasized as important to expand the issue of war crimes to a wider social context. They perceived achieving of transitional justice as a common problem and, being aware of the importance of this theme, they wish to continue and to strengthen the cooperation, with the necessary support from the organizations like UNDP.

– **Most important thing is that we recognized the problems within war crimes trial procedures, and we came to a conclusion that our (at least when it comes to Serbia) legislative-judicial frameworks were good and there were solid technical conditions for an undisturbed war crimes trial process,** claims Siniša Važić, President of the Belgrade District Court and President of the War Crimes Chamber. **«It is very important to continue organizing gatherings of this kind since people have a chance to meet and existing contacts are getting more utilized and links getting tighter»,** Mr. Važić said. **«One of positive results of these Workshops will be an attempt to organize an expert group on regional level which should work on detection of certain problems and offer certain solutions».**

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Lecturers were, among others, Nenad Dimitrijević, Professor of Political Sciences at the Central European University Budapest; Ratko Božović, Professor and Chief of Desk for Political Sociology and Journalism at the Belgrade University and Chief of Postgraduate Studies for Cultural Politics and Sociology of Culture at the University of Montenegro; Ranko Marijan, Judge at the Criminal Department of the Supreme Court of Croatia; Medžida Kreso, President of the Court of Bosnia and Herzegovina; Ivo Banac, Professor of History at the Yale University; Mark Osiel, Professor of International Law at the University of Iowa; Caitlin Reiger, Senior Associate at the International Center for Transitional Justice in New York; Richard Desgagne, Regional Legal Adviser, International Committee of the Red Cross Budapest; Nerma Jelačić, Director of Balkans Research Network in Sarajevo; Dejan Anastasijević, Senior Investigative Reporter of the Belgrade-based Vreme weekly; Srđan Dvornik, Executive Director of the Croatian Helsinki Committee, etc.

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The goal of UNDP's regional Transitional Justice Programme is to support the strengthening of institutions and processes in order to provide better access to justice for past mistreatments. Due to its regional character, the programme activities connect the bearers of public functions in Bosnia and Herzegovina, Croatia, Kosovo, Montenegro and Serbia, with an intention to increase the level of trust, start up the mechanisms of exchanging information among colleagues engaged on same tasks in different areas, and also to provide the wider public with information about these processes. In addition, the aim of this programme is to offer strategic advice and support to the efforts of the governments in the region in overcoming the legacy of the past.

Within this Programme two regional conferences have been held so far: International seminar [«Crimes of War and Legal Legacy»](#) in Dubrovnik and International Conference: [“Building Partnerships for Transitional Justice Initiatives”](#) in Belgrade.

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