

# THE TOPIC OF THE ISSUE

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## Introduction

The legacy of gross violations of human rights and international humanitarian law during the conflicts of 1991-1999 in the former Yugoslavia has left a lasting impact on inter-state relations and intra-state conditions. The armed conflicts of the 1990s were characterized by such misdeeds as the systematic targeting of civilians, the use of torture, the desecration of cultural heritage and the large-scale destruction of private property. These events produced 2.5 million refugees and internally displaced persons and around 250,000 killed or missing persons.

Following the political changes in the region, a limited number of agencies, primarily international and non-governmental organizations, recognized that the Rule of Law agenda requires addressing institutional and professional legacies of the conflict. However, more recently governmental awareness of the necessity of transitional justice remedies has been steadily gaining momentum.

Given the state of events in the region, UNDP Serbia launched a regional Transitional Justice Programme in January 2005 in coordination with UNDP Country Offices in Bosnia and Herzegovina, Croatia, Kosovo and Montenegro. The aim of this Programme was to develop national capacities to deal with transitional justice issues; namely reinforcing the necessity of dealing with these issues and equipping national actors with the capacity to adequately form their own policies and initiatives. The programme is being implemented through research, training, knowledge sharing and outreach aimed at helping national partners explain to the general public why these initiatives are important for social development and democratic reform.

In August 2006 the UNDP Transitional Justice Programme organized a multidisciplinary Learning Workshop (LW) for regional stakeholders in Igalo, Montenegro. The event brought together more than sixty representatives of judiciaries and more than forty parliamentarians from the region. The Learning Workshop programme was divided in two modules; one for delegates of parliaments and the other for representatives of judiciary in the region. Each workshop dealt with the four pillars of transitional justice, (1) war crimes prosecution; (2) reparations; (3) truth-seeking; and (4) institutional reform. The objectives of the Learning Workshops were: 1) to introduce participants to the concepts of peace building and post-conflict justice through a series of case studies on four pillars of transitional justice, 2) to assist stakeholders in identifying and developing regional and national strategic priorities in advancing transitional justice issues, 3) to foster networks, synergies and linkages among government, judiciaries and development partners working towards the realization of rule of law and transitional justice in the region and 4) to assess the feasibility of transitional justice mechanisms for the region. The outcome of the Learning Workshops was 1) a greater understanding of the need to resolve outstanding issues relating to the legacy of the past, 2) an exchange of information among participants of national strategic priorities in advancing transitional justice and 3) proposals for integrated regional transitional justice development programming.

The significant effort invested in introducing viable mechanisms of transitional justice to national partners has yielded considerable progress in furthering the transitional justice agenda in the region. Nevertheless, much still remains to be done. The regional partnerships that have been developed need to be further supported and strengthened in order to successfully combat impunity, provide reparations for victims, and create lasting guarantees ensuring that these events will not recur.

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