

INITIATIVE REPORT

RULE OF LAW AND THE LEGACY OF CONFLICT

January 16-19, 2003

Gaborone International Convention Center, Gaborone, Botswana

Program Chair: Sir Ketumile Masire

One of the most important challenges that the global community faces is how to best assist with the establishment of rule of law in countries that have become trapped in reinforcing cycles of violent conflict and instability. This is particularly true for the United Nations (UN), which is now generally expected to take the lead role in the management and reconstruction of post-conflict societies. This task has come to mean developing capabilities that go well beyond humanitarian relief and diplomacy to include the strengthening of societal and governmental institutions, local capacity building, and infrastructure development. An important new dimension of these peace-building activities is to assist local authorities in the development of institutions that address issues of justice and reconciliation. But which institutions are appropriate for which context and which resources are needed are not always clear cut. **Rule of Law and the Legacy of Conflict** was the third regional conference organized by the Project on Justice in Times of Transition of Harvard University (the Project) and the United Nations Association-USA (UNA) that was designed to address these issues and to collect best practices from practitioners in the growing field of international justice. The event was especially focused on those situations on the Africa continent where years of poverty and violent conflict have created uniquely difficult challenges for political leaders and multi-lateral institutions alike.

In an effort to stimulate creative thinking on these subjects, the Project and UNA launched the **Partnership on Peace-building and Rule of Law Program**, which seeks ways to strengthen the capacity of the United Nations and other multilateral institutions to support the establishment of rule of law during peace operations. What distinguishes this program is that it engages “local voices” – in-country practitioners who have struggled to rebuild their societies working in

concert with an international presence – in order to ensure that the design of future peace operations incorporates their perspectives and the lessons learned on the ground. To date the **Partnership Program** has held four meetings – in Singapore (with the National University of Singapore), New York, Istanbul (with Koç University), and Botswana. This report summarizes the discussions held during the Botswana conference and outlines the recommendations on peace-building formulated by the participants during that meeting.

The conference was held January 16-19, 2003 at the newly constructed Gaborone International Convention Center. As with the previous meetings in Singapore and Turkey, the primary objective of the Botswana conference was to facilitate the drafting, by practitioners from the field, of recommendations on peace-building in the area of rule of law. The conference was meant to have a special focus on the very difficult challenges being faced by the UN and other peace-builders handling the often less publicized conflicts of Africa. The program was designed to look carefully at these conflicts and to compare them to the experiences of countries in other parts of world, including Afghanistan, Cambodia, Guatemala, and Iraq. Using such comparative analysis the goal was to identify problem areas and successful practices in order better inform and improve the UN’s current and future peace operations.

The discussions at the Botswana conference brought light to an extremely valuable set of perspectives and experiences. The interactions between participants were candid and offered rare insight into the nuanced situations that practitioners working on peace-building face, particularly in Africa. Through many formal and informal conversations, the conference also allowed the participants to build relationships and

develop a network that they will be able to draw on to enhance and further their work.

CONFERENCE PARTICIPANTS

Sir Ketumile Masire, Former President of Botswana and the current Chief Facilitator of the Inter-Congolese Dialogue, was the chairman of the Botswana conference. However, due to last minute obligations in the Congo, Sir Masire was unable to attend and served in absentia. **Mr. Bakari Dabo**, his chief political advisor, spoke for him during the opening and closing of the conference. Sir Masire's experience as the head of state of Botswana, Africa's longest standing democracy, and as negotiator between the Congolese rebel groups and Congolese state representatives provides for unparalleled qualifications to assess the situation of the rule of law on the African continent.

Among the conference participants were 44 local practitioners and international administrators representing 17 different countries. Each of these individuals has extensive experience working on rule of law issues in coordination with UN peace-building institutions. The group included 28 Africans, representing Angola, Botswana, Burundi, Congo, Nigeria, Rwanda, Sierra Leone, South Africa and Tanzania, and 16 international practitioners representing Afghanistan, Cambodia, Germany, Iran, Iraq, Sweden and the United States. The 44 conference participants were:

- **Jonas Alberoth**, Deputy Director General, Folke Bernadotte Academy, Sweden
- **Bakhtiar Amin**, Founder and Executive Director of the International Alliance for Justice, Iraq
- **Quadir A. Amiryar**, Member, Judicial Commission, Afghanistan
- **José Maria Argueta**, former Ambassador to Peru and Japan, former Head of the National Security Council, former Secretary General, Presidential Office of National Strategic Studies, Guatemala
- **Solomon Berewa**, Vice President of Sierra Leone, former Minister of Justice and former Attorney General
- **Mary Burton**, former Commissioner of the Truth and Reconciliation Commission, South Africa and Deputy Chairperson on the Council of the University of Cape Town
- **Bakari Dabo**, Political Advisor, Office of the Facilitator, Inter-Congolese Dialogue
- **Tomas DaSilva**, Human Rights Commission, Bar Association, Angola
- **Priscilla Hayner**, International Center for Transitional Justice-USA
- **Helen Jarvis**, Office of the Council of Ministers, Cambodia
- **Winrich Kühne**, Director, Zentrum für Internationale Freidenseinsätze, Germany
- **Nina Lahoud**, Principal Officer, Department of Peacekeeping Operations, United Nations
- **Keboitse Machangana**, USAID, Botswana
- **Lethebe Maine**, Ombudsman, Botswana
- **Augustine Makgonatsotlhe**, Legal Adviser, Office of the Facilitator, Inter-Congolese Dialogue
- **Ram Manikkalingam**, Assistant Director, Global Inclusion, Rockefeller Foundation
- **Rafael Marques**, Freelance Journalist, Angola
- **Arthur Mbanefo**, Permanent Representative of Nigeria to the United Nations
- **Joseph Melrose**, former US Ambassador to Sierra Leone
- **Norman Moleboge**, Commissioner of Police, Botswana
- **Sanji Monageng**, Executive Secretary, Botswana Law Society
- **Enerst S. Mpofo**, Permanent Secretary, Foreign Affairs and International Cooperation, Botswana
- **Albert Muchanga**, Deputy Executive Secretary of the Southern African Development Community
- **Lizo Ngcongco**, Assistant Attorney General of Botswana
- **Louis Marie Nindorera**, League of Human Rights, Burundi
- **Thierry Nlandu**, International Human Rights Law Group, Congo
- **Daniel Nsereko**, Professor of Law, University of Botswana
- **Dumisa Ntsebeza**, Former Chief Investigator, Truth and Reconciliation Commission, South Africa
- **Tuelonyana Oliphant**, Permanent Secretary, Political Affairs, Office of the President, Botswana
- **Mohamed Othman**, former Chief of Prosecutions International Criminal Tribunal for Rwanda & East Timor, Tanzania
- **Joseph Rahall**, Chair, National Forum for Human Rights, Sierra Leone
- **Samuel Rathedi**, Administrative Secretary, Office of the President, Botswana
- **Ron Ridley**, Kosovo Police Operations, DynCorp International
- **Behrooz Sadry**, Deputy Special Representative of the Secretary-General for Sierra Leone, United Nations Mission in Sierra Leone

- **Sean Visoth**, Office of the Council of Ministers, Cambodia
- **Sok An**, Senior Minister and Minister in Charge, Council of Ministers, Royal Government of Cambodia
- **Zola Sonkosi**, Director, Africa Programs, Institute for Justice and Reconciliation, South Africa
- **Phandu Skelemani**, Attorney General, Botswana
- **Tanko Suleiman**, Permanent Mission of Nigeria to the United Nations
- **Dawn Thomas**, Deputy Director, USAID, Botswana
- **Tony Kranh**, Office of the Council of Ministers, Cambodia
- **Ozias Tungwarara**, USAID, Botswana
- **Ishola Williams**, Secretary-General, Transparency International, Lagos National Chapter, Nigeria
- **François Zoka**, Group Justice and Liberation, Congo

In addition to the local practitioners and UN field staff, participants included individuals representing the sponsoring organizations, the Project on Justice in Times of Transition and the United Nations Association-USA, as well as Harvard University. They are:

- **Stanley S. Byers**, Program Officer, Project on Justice in Times of Transition, Harvard University
- **Kimberly Dasher**, Program Associate, United Nations Association-USA
- **Michelle Greene**, Executive Director, Carr Center for Human Rights Policy, Kennedy School of Government, Harvard University
- **Jeffrey Laurenti**, Executive Director, Policy Studies, United Nations Association-USA
- **Wendy Luers**, Co-Founder and Steering Committee Member, Project on Justice in Times of Transition, Harvard University
- **William Luers**, President, United Nations Association-USA
- **Kirsten Lundberg**, Case Writer, Case Program, Kennedy School of Government, Harvard University
- **Timothy Phillips**, Co-Founder and Steering Committee Member, Project on Justice in Times of Transition, Harvard University
- **Robert Rotberg**, Director, Program on Intrastate Conflict, Conflict Prevention, and Conflict Resolution, Harvard University
- **David Scheffer**, Senior Vice President, United Nations Association-USA

CONFERENCE STRUCTURE AND SUMMARY OF DISCUSSIONS

The conference was held over three and a half days, January 16-19, 2003, at the Grand Palm Hotel and the Gaborone International Convention Center in Gaborone, Botswana. The first day consisted of three panel discussions designed to spark debate on the major topics of the conference and to outline the main questions for discussion. These panels were followed by three working groups that assembled the participants into smaller issue-specific forums. These allowed for a focused and frank exchange of ideas and encouraged participants to draft recommendations for the improvement of future United Nations peace operations. Significant time was also built in through meals and frequent breaks to allow for more informal interaction. Events included a welcoming dinner reception hosted by President of Botswana **Festus G. Mogae**, who delivered an insightful speech and officially opened the conference. Two lunch talks were also held: one by **Dr. Banu Khan**, Coordinator of the National AIDS Coordinating Agency, on the subject of HIV/AIDS in Botswana; and the second presented by **Mr. Jeff Laurenti**, Executive Director of Policy Studies at the United Nations Association-USA, on the role of the US in international peace-building. In addition, the American Embassy also hosted an evening reception and on the final night the conference participants took part in a safari drive at Mokolodi Game Park near Gaborone, and enjoyed a braai (cook out) along with a performance of traditional music and dance.

Addressing War-time Crimes When Crafting Political Settlements

The first panel, *Addressing War-Time Crimes when Crafting Political Settlements*, was held the afternoon of the first day of the conference. It was moderated by **Priscilla Hayner**, from the International Center for Transitional Justice-USA and included **Solomon Berewa** and **José Maria Argueta**, who gave accounts of the conflicts in Sierra Leone and Guatemala, respectively, and described the difficulties these countries faced in dealing with issues such as accountability, amnesty, and negotiating under the threat of continued atrocities.

Mr. Berewa, the Vice President of Sierra Leone, began his presentation with an account of the recent war in Sierra Leone. According to him, the situation in Sierra Leone differed from most wars in

Africa because there was no point during the conflict when Sierra Leone could be called a failed state. The governmental and police structures were damaged but at no point were they destroyed. As Mr. Berewa put it, the “instruments for enforcing the law of the state were all there, but they were weakened.” When the conflict ended, the democratically elected government reassumed complete control. In addition, as he explained, the national constitution was never repealed and remained unchanged throughout the war. This meant that the government had a choice to make. Because of its relative strength, it could continue to battle the rebels and try to either wear them down or, in time, possibly force them from the country. This of course would have led to continued bloodshed and also would have carried the risk that the rebels could become stronger and put the government in a weaker bargaining position. The alternative was for the government to end the fighting and negotiate with the rebels, but concede to some of their demands, including amnesty. The Vice-President explained that they decided to take the second option because the conflict was, as he called it, a “most vicious war” that was destructive to the will of the government and people. Because of this it became the priority of the government to bring the fighting to an end, *at any cost*. Much of the population had moved to state controlled areas, which strengthened the government, but negotiations with the rebel groups continued to be extremely difficult. After the first negotiated peace agreement failed, the war resumed and the rebels attacked and entered the capital city of Freetown. When this happened the international community responded and forced the parties back to the negotiation table to draft a new agreement. However, there was nothing in the agreement that addressed the numerous war-crimes that had been committed, including the use of systematic severing of civilians’ hands, feet or entire limbs in order to promote terror and control by fear.

José Maria Argueta, former Ambassador to Peru and Japan and first civilian head of the Guatemalan National Security Council and Secretary General of the presidential Office of National Strategic Studies, began with the observation that the major differences between countries at war are of name and place. The costs, causes and nature of the conflicts are very similar. He went on to say that while it is good to hear stories of success, it is those of failure that teach us the most; and it is cheaper to learn from others’ mistakes than our own. Mr. Argueta explained there are three common rules that should be followed when trying to find answers to conflicts:

1. There are no simple solutions.
2. The true nature of the problem has to be understood; otherwise valuable time is spent addressing the expressions of the problem and not the problem itself.
3. The support of *all* parties involved in the process should be obtained, including those that may not be at the table but are always present.

Mr. Argueta used the complicated history of peace-building in Guatemala to illustrate the premises behind these guidelines. In 1986, after 32 years of military rule, a new government was democratically elected. This government had a long-term vision and recognized that a new approach was required in order to end the 26 year old conflict in the country. The possibility of political negotiation was finally accepted as a way to deal with the ‘armed internal conflict’, as it was called in lieu of the term ‘civil war’. He noted that it took 10 years, from 1986 to 1996, three different attempts, and the work of four separate institutions (the Presidential Secretary for Peace, the National Reconciliation Assembly of the Civil Society, the Center for Strategic Studies for National Stability, and the Secretary for Strategic Analysis) to finally reach an agreement. Throughout this process there were also numerous other institutions that actively participated but were never recognized. The role of the international community was critical for moving the process forward and for giving the population the sense that they were not alone. However, despite the attempt to make sure that all citizens, especially the indigenous population (which made up 63% of Guatemala’s population) were fully represented, the process did not include the participation of many groups. Mr. Argueta felt that if it were to be done again, all parties should have a role and the final agreement should have the support of every group.

The question and answer period following the panel brought out many compelling issues, including the question of ownership, the role of the international community and civil society, and the inherent imperfections of any agreement. **Arthur Mbanefo**, Nigerian Ambassador to the UN, asked about the question of ownership and wondered how parties could be expected to sign an agreement that they were not a part of creating. **Joseph Rahall**, a human rights activist from Sierra Leone, questioned the role of the United Nations in the peace negotiations in his country and claimed that it did not do enough to ensure that human rights provisions were included in the accord. He also asked why the views of civil society were conspicuously

absent in the process, especially in negotiations on amnesty, and if this was a factor in the failure of the first accord. Mr. Berewa responded that the United Nations had tried to insert a provision on war crimes and explained that the UN would not support blanket amnesty in return for an agreement. At the same time, the Sierra Leonean government felt that if they did not agree to amnesty, the rebels would back out of the talks and the fighting and atrocities would continue. **Behrooz Sadry**, Deputy Special Representative of the UN Secretary-General for Sierra Leone, offered some additional insight into the United Nations role in the negotiations. He explained that the United Nations representative on the ground went along with the government's position on amnesty but had been instructed by headquarters in New York not to accept amnesty. Mr. Sadry went on to say that no agreement can be expected to be perfect. Compromises are often based on the personal biases of the negotiators, and that in the case of Sierra Leone, pressing for the prosecution of war crimes would have only caused the guilty to end talks. For this reason, in his opinion, there are times when it is only after the peace process that these issues can be addressed. As for the role of civil society, Mr. Berewa stated that its views were taken into account in Sierra Leone, but that they kept changing as the negotiations progressed. He emphatically proclaimed, "We did not ignore the views of civil society!" but also felt that he could not comment on whether greater participation by civil society would have made a difference.

Challenges of National Rule of Law Capacity Building

The second panel session, *Challenges of National Rule of Law Capacity Building*, was moderated by **Winrich Kühne**, Director of Zentrum für Internationale Freidenseinsätze in Germany, and featured **Quadir Amiryar** from Afghanistan and **Thierry Nlandu** from the Congo. They discussed the immense challenges of establishing rule of law in their war-torn and impoverished countries. Topics included bridging the gap between the poor and illiterate and the political elite, how to create a working and effective judicial system and what the international community can do to support such efforts.

Thierry Nlandu, from the International Human Rights Law Group in the Congo, explored the gulf that exists in the Congo between ordinary citizens who have lost faith in judicial and economic systems and the

decision makers in government, because the latter are often out of touch with the voices and fundamental needs of the population. He expressed that there must be a mutual and shared desire between these groups to "build up a democratic culture rooted in ethical values that can sustain that culture, avoiding the corruption and distortions of the past." Mr. Nlandu called upon the public and the international community to counter this by urging and supporting the initiation of a negotiated social process for sharing power. In particular, Mr. Nlandu suggested that "the successful establishment of the rule of law in the Democratic Republic of the Congo will depend on the literate and illiterate's ability to nurture a democratic process that moves beyond political democracy." In his view, the debate on the socio-political transformation of the Congo has to include the participation of more than the intellectuals in Kinshasa and it should draw upon the knowledge of the illiterate, and see the poor as active agents in reshaping the Congolese society. Unless this is done, there will be a continuing mood of uncertainty, confusion and mistrust; the Congolese people will not learn to rely upon themselves to create change; and political decisions will be separate from the realities of people's needs. As Mr. Nlandu noted, "Change is not either individual or collective but both simultaneously." He concluded by saying that it will be the slow and deliberate building of ethical and democratic foundations by both literate and illiterate Congolese, not accelerated and hastily built institutions, that will ultimately succeed in bringing development to the country.

Quadir Amiryar, member of the Afghan Judicial Commission, presented the case of Afghanistan as an example of the challenges that are faced in promoting transitional justice. Primary among the difficulties is the need to restore a broken process that has lost the trust and confidence of citizens. At the same time other problems include a scarcity of resources, competing demands, and an opposition to change by those with vested interests. Added to these are pressures from the international community for increased speed, and the adoption of international norms and standards. Finally, unrealistic expectations are often produced, especially among the most vulnerable groups, that could later fuel frustration and despair. For these reasons Mr. Amiryar suggested that the following points should be kept in mind in managing a reconstruction process:

- 1) One must set realistic expectations.
- 2) An integrated approach that is incremental, inclusive, consistent, proportional and fair

should be developed. Though it should also be remembered that no plan will be perfect.

- 3) Ownership of the process must be developed by participants, recipients and consultants.
- 4) Processes such as the appointment of commissions must remain depoliticized.

According to Mr. Amiryar, the challenge in Afghanistan is designing a realistic plan that takes into account the many limitations in professional and human resources, security, financing, and education, while addressing the problems caused by a legacy of war, the second class status of women and children, and

continuing ethnic rivalries. Other difficulties exist in trying to reconcile social norms, values and religion with a mix of secular and religious courts. Additionally, the diverse country is changing region by region, rather than in a unified manner. This has made it resistant to 'one-size-fits-all' policies. Both substantive and procedural laws need to be formalized and the entire justice system is still being organized. All this must be done while working within the various local and international organizational cultures of the United Nations, European Union, OSCE, and regional and specialized agencies. Mr. Amiryar concluded by stating that in order to promote rule of law in this environment a new approach is necessary – one that provides professional skills training in law and education and that departs from the traditional model of waiting for state-organized rebuilding. Instead, transitional justice professionals need to take the initiative in setting global standards and monitoring and enforcing basic rights. According to Mr. Amiryar, if this does not happen “the job will be left to state authorities who may undertake the mission unilaterally.”

The discussion period after the presentations highlighted some of the sobering realities faced in post-conflict contexts such as Rwanda and the Congo. The prosecution of war criminals in Rwanda, for instance, still confronts numerous challenges such as how to humanely detain such a large number of defendants; how can this be done while at the same time maintaining respect for human rights, including the right to a lawyer; and what should be done when there is such a large number of 'low-level perpetrators'? Participants questioned whether this challenge could be dealt with judicially. It was also noted that while identifying best practices is important, one also needs to remember that establishing rule of law is expensive and there needs to be funding to back up the pressure to reform. In the Congo for example, there are serious problems in

creating a working judiciary, exacerbated by the fact that there are no resources to build the requisite institutions. Finally, a participant brought up the issue of perceived double standards by the United Nations and western countries, namely that the international community does not follow its own rules and that practices on the ground often do not match the theories on rule of law that are espoused in public.

Challenges of International Mechanisms Designed to Fill the Breach

The third panel explored how the international community can best assist when local institutions are failing or non-existent. The panel was moderated by **David Scheffer**, Senior Vice President of the United Nations Association-USA, and included presentations by **Mohamed Othman** and **Sok An**.

His excellency **Sok An**, Senior Minister, Minister in charge of the office of the Council of Ministers, Kingdom of Cambodia, and President of the Task Force for Cooperation with Foreign Legal Experts and Preparation of the Proceedings for the Trial of Senior Khmer Rouge Leaders, used his presentation to tie together the experiences of the past and present in Cambodia. He stated that this was important because the answers to the questions of the conference differed depending upon which period was being addressed.

The Minister gave a historical analysis of what he described as the “Cambodian situation”, beginning in the year 1979, and how the lack of international support in helping to overthrow the Khmer Rouge and the genocidal regime of Pol Pot caused tremendous suffering. Mr. Sok supported this assertion by noting that through the 1980s the Khmer Rouge continued to be recognized as the official representatives of Cambodia in the UN General Assembly and were given assistance in efforts to overthrow the government. Mr. Sok stated that even when the Cambodian government organized a special tribunal for the prosecution of Pol Pot and Ieng Sary, the international press ignored the story and the effort was written off as a “show trial” by western governments, despite the fact that international observers were invited but did not attend.

Sok An acknowledged that there were serious deficiencies in the tribunal, such as a tense post-conflict atmosphere and an extremely weak defense by court-appointed lawyers, but decried the international community's failure to offer expertise and financial

support, and its continued support of the Khmer Rouge, which according to Mr. Sok cost hundreds of thousands of lives. He went on to say, "Ideology and interests of certain powerful countries caused the international community to forget truth, justice and human rights and to ignore the tragedy and the deaths of millions of Cambodians."

He then explained how Cambodia has been negotiating for the last five years with the UN to gain its support in establishing the Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea. In 1999 the UN Group of Experts proposed that a trial be held outside the country, with Cambodians only participating as defendants or spectators. Cambodia did not accept the proposal and countered that for the sake of reconstruction, democratization and national sovereignty the Khmer Rouge should be tried in a domestic court, but with the assistance of the United Nations. Mr. Sok said that Cambodia holds this position because it is "acutely aware of the weaknesses in our judiciary" and also because it feels it is important for the international community to clear its own record of support for the Khmer Rouge.

The negotiations have resulted in what the Minister called the "Cambodian model", which allows for a complementary balance of power between the national and international parties in the tribunal. The Minister sees the agreement as a move away from externally run processes and believes that it will encourage "each country to exercise justice at the national level in a manner that meets international standards."

Mohamed Othman, former Chief of Prosecutions for the United Nations International Tribunals for Rwanda and East Timor, used his experience in these two countries to outline the specific challenges that the United Nations faces when promoting rule of law in a post-conflict setting. First, there must be a clearly defined premise for intervention. Once this requirement is satisfied, it is up to the Security Council to legislate the mode of intervention. Incumbent with this decision is some level of responsibility by member states to support the process. When looking at East Timor, it had to be determined what would be supportive or non-supportive in terms of national capacity. Promoting rule of law is more than the prosecution of criminals, he explained. It is a strengthening of the judiciary to bring greater justice into the overall process. However, one way of doing this is

to create the capacity for prosecuting those most responsible for egregious crimes. In short, the international community's role is the reinstatement of rule of law in a way that supports the capacity of the host country to rebuild its judicial system.

The key weakness of this approach, according to Mr. Othman, is that there is often not a 'technical assistance function', only a judicial function. By this it is meant that there is not enough support for building local judicial capacity. Instead, the United Nations simply installs an interim system to create stability, but this does not survive when the international community leaves. For example, in the Rwandan tribunal, there are no Rwandans in positions of responsibility as judges or prosecutors. Mr. Othman recognized that there are pros and cons to this and that there are many debates on the subject. Some argue that prosecution should be done nationally, but others question whether local judges can be impartial. Closely related to this, Mr. Othman pointed out that the lessons and institutional knowledge being learned through the process are not being transferred to the national system.

Looking at East Timor, Mr. Othman described how in the face of the nearly total destruction that was inflicted by the 1999 violence, the United Nations was mandated with full judicial and administrative control for a period of approximately two years. The system designed by the United Nations was based on two factors: that its presence would be temporary, and that the contribution of the international community would be the formation of laws based in human rights, the creation of an independent judiciary, and the development of investigative capacity. What was different from Rwanda was that, instead of two separate systems, there was just one prosecutorial system that was based nationally and included international participation. In this way, when the United Nations mission leaves East Timor, the court system will remain unchanged.

The discussion that followed the panel presentations was short as time was limited. Many of the issues raised in the presentations were however discussed in the working group meetings that immediately followed the third panel presentation.

RECOMMENDATIONS

On the second and third day of the conference, participants were divided into three working groups. The groups were designed to allow for a more in-depth

discussion of the specific challenges involved with establishing justice and reconciliation. From these discussions, the group members were asked to draft a set of recommendations. The groups focused on three areas:

- 1) Negotiating political settlements
- 2) International mechanisms for accountability
- 3) Non-punitive mechanisms

The composition of each working group was determined, based on participants' backgrounds, by the program organizers prior to the arrival of participants in Botswana. Each group was moderated by a staff member of the Partnership Program

Negotiating Political Settlements

The working group, *Negotiating Political Settlements*, was moderated by William Luers, President of the United Nations Association-USA, and was charged with assessing the roles the international community can play during peace negotiations in shaping the settlement's provisions concerning post-conflict legal and law enforcement institutions, and particularly the provisions concerning accountability for war-time crimes perpetrated by combatants. Group members were Jonas Alberoth, Bakhtiar Amin, Solomon Berewa, Stanley Byers, Jeffrey Laurenti, Augustine Makgonatsothe, Ram Manikkalingam, Rafael Marques, Arthur Mbanefo, Joseph Melrose, Joseph Rahall, Ron Ridley, and Francois Zoka.

According to the group, there are such a wide variety of experiences and diverse approaches to dealing with rule of law issues that it would be ineffectual to seek to establish models for managing the negotiating phase. Yet there are emerging principles and best practices that should be considered by negotiators and interlocutors and certain structural changes that need to be made in the way the international community responds to post-conflict situations that will better prepare those institutions for the negotiating phase. For example, in seeking to reach political settlements, most parties find it essential to reach agreement on police and judiciary structures. But it is harder for parties to address the issues of justice and accountability.

What makes a settlement possible was discussed in detail. Clearly settlements are highly political and contextual, depending on each situation. However, there are four factors that contribute to arriving at an

agreement. The following observations suggest possible directions where progress could be made in the process.

- Most believe that a *balance of power* leads to political settlement. This is not often the case. Instead, settlements are most likely when one party is winning and another is losing, but the winning party does not want to take full responsibility for the political, social, and economic destruction that may be the cost of an outright victory.
- *Exhaustion* may force parties tired of conflict to sit down at the negotiating table.
- A *third force* within the country, such as civil society, business, churches, or even among the belligerents often plays a part in forcing negotiations.
- *International actors* can use their economic and political leverage to pressure the combating parties towards peace.

The recommendations produced by the working group were:

How can international actors influence the establishment of rule of law mechanisms?

General Importance of Rule of Law

- The UN and other international organizations should place rule of law issues and reconciliation at the top of their agendas and devote the resources necessary to make that emphasis clear. Since the UN does not want to remain in a country permanently, the UN should help the local leadership to establish or revive lasting legal institutions and promote national reconciliation. This requires a comprehensive rule of law approach at the very beginning of the operation.

The Role of the Secretariat

- The Secretary General should work with UN staff to increase the UN's accepted level of responsibility on rule of law issues. Doing so would better enable it to play a leadership role with experienced professionals, and to include rule of law considerations in the negotiating of settlements as well as in the initial phases of peacekeeping.

The Role of the UN Security Council and General Assembly

- The UN Security Council and the General Assembly should, within their respective competences, make

provision for rule of law considerations in all authorized peace operations.

- A rule of law assessment team should be included in mandated peacekeeping operations. This team would, in coordination with the peacekeepers, make the initial evaluation of legal needs, and assess the methods of dealing with the issues of justice for war crimes and truth and reconciliation. Funding for such initial assessments should be identified in the operation mandate prepared by the UN Security Council (UNSC).
- The assessment team should seek to evaluate important third party players who can be included in the efforts to incorporate non-armed local voices in the assessment and implementation phases.
- The UN rule of law assessment should be shared with the national community and should clearly explain the role that the UN sees for itself in dealing with related issues.
- The UNSC should receive regular reports from DPKO on progress in establishing rule of law institution in connection with the periodic reports on the activities and progress of the military peacekeeping forces.

Regional Organizations

- The UN should support capacity building in regional and sub-regional organizations to address issues related to rule of law in peace settlements. Where regional and sub-regional organizations do not have mechanisms to deal with issues of rule of law, the UN should encourage and support them in establishing such mechanisms.

Accountability

Various approaches for promoting justice and accountability in peace settlements were discussed. There was particular emphasis on the opposing options of blanket amnesty or maximum prosecution of all perpetrators. Critics believe the former runs the risk of undermining the rule of law. Those directly involved in the negotiations often describe the latter as impractical. In order to define a middle ground, the following recommendations have been made:

- Justice and accountability in the peace process can be dealt with in three ways. The first is that the parties have a just and effective process that punishes the decision-makers and masterminds of

atrocities crimes, while making provision for the rehabilitation of the rank and file that is compatible with international norms. While this is desirable, it is usually the result of the outright victory of one party over the other. Secondly, justice and accountability are addressed as a low priority in the agenda for the sake of facilitating a peace agreement. However a secondary agreement is made for initiating a justice process after peace is established. Examples of this type of arrangement are South Africa and Congo. Thirdly, there are situations where parties demand blanket amnesty in exchange for peace.

- With the recognition that ending the conflict is the priority in most situations, it is recommended that the parties be permitted to work out their own political settlements, but that members of the international community, especially the UN, should refrain from endorsing settlements that include blanket amnesty for atrocity crimes.
- The international community should look for ways and means to hold accountable those indirectly responsible for atrocity crimes, including those that provide resources and arms to abusive combatants.

International Mechanisms for Accountability in Post-Conflict Societies

The second working group looked at the complicated issues of how and when the international community should be involved in post-conflict efforts to enforce rule of law and prosecute war-crimes. Group members were Quadir Amiryar, Sok An, Bakari Dabo, Kimberly Dasher, Nina Lahoud, Wendy Luers, Dumisa Ntsebeza, Thierry Nlandu, Daniel Nsereko, Mohamed Othman, Behrooz Sadry, Zola Sonkosi and Tanko Suleiman. The discussion was moderated by David Scheffer. Their recommendations were as follows:

Assessment

- The group reaffirmed an existing recommendation, namely: “In crafting the UN Security Council mandate, among the first questions should be, ‘Does a durable solution of this conflict require attention to the development of the rule of law in the affected societies? How can the UN (or other international lead actor) help empower the people to sustain a rule of law? How can the UN help the society make its

judicial and law enforcements systems work? To what extent is the UN or other international actor needed and able to fill the gaps?”

- The United Nations and the international community should regard as a critical factor in the initiation of any international judicial role, including a pre-mandate or pre-deployment, as well as any subsequent UN assessment team (hereafter, an “assessment team”), whether the host government has requested it.
- Civil society and interested governments can serve a valuable role by making any reports and assessments about relevant domestic legal systems available to the United Nations and others as soon as possible, including prior to any direct UN engagement in a post-conflict society. Those civil society and governmental experts that are involved with such reports and assessments should be made available, to the extent possible, for consultations with the assessment team and the international personnel

engaged with a peace operation or other international legal role in the post-conflict society.

- The assessment team should determine the capacity of judicial capabilities, including the sufficiency of human resources and the physical infrastructure.
- Ideally, the assessment team should consult with a broad composition of local representatives (e.g., as was done in Afghanistan recently) with whom the assessment team can collaborate in order to formulate accurate information and advice.
- The assessment team should seek a full understanding of the character of domestic civil society, because one sector of civil society, particularly that sector that may live in safety within a turbulent society, may not fully represent the diverse character of civil society throughout the region.
- The assessment team should recognize that within a society there may be a division of capacities between one region that has physical infrastructure and perhaps functioning courts, and another region that is essentially devoid of judicial infrastructure (e.g., northern and southern Sudan).

Guiding Principles in Considering an International Judicial Role in a Post-Conflict Society

- Flexibility is required in decision-making for any international judicial role as each country presents a varied set of circumstances.
- Every effort should be made to ensure that a transitional government prioritizes development of the judicial system as part of the objective of strengthening the rule of law.
- The strategic planning for an international judicial role should point towards the development of a sustainable national legal system, not only what will suffice for near-term justice. A sustainable national legal system would be a domestic judicial and law enforcement structure that can render justice and enforce the law long after the departure of international institutions and personnel. The international personnel should seek to help create a sustainable structure that includes well-trained local personnel and workable domestic enforcement mechanisms.
- The following important local circumstances should be factored into initial proposals for international mechanisms:
 - the extent of development of the domestic legal system
 - the number and qualifications of available judicial personnel
 - the national government’s political will to strengthen rule of law
 - the ability of local authorities to offer witness protection
 - training of legal defense counsel
 - the understanding of the local population with respect to seeking justice for crimes that typically have been committed against them,
 - the magnitude of the problem
- Every reasonable effort should be made to respect domestic law and practice to the extent they do not violate international standards of justice, which should be critical standards to achieve in strengthening the domestic legal system.

Consideration of Options for an International Judicial Role

- The options for international judicial mechanisms that should be available for evaluation include, but are not limited to:

- international criminal tribunals established under Chapter VII authority by the Security Council (even though the Council has long demonstrated fatigue with this option)
 - a hybrid international court established by the United Nations in agreement with a sovereign government and including national law within its jurisdiction
 - a mixed court established under domestic law as part of the domestic legal system but with significant international participation and international standards of due process, perhaps involving a formal agreement with the United Nations
 - a permanent International Criminal Court.
- The success of any option for an international judicial role will depend in part on the degree to which there are resources from the international community and domestically to support that effort. Every effort should be made to make assistance economically and financially efficient.
- Among the considerations that should guide the selection of any such option are the capabilities of the national judiciary and government, the cost of such an option, the probability of a successful negotiation for such option, and the degree to which international standards of due process and justice are to be implemented with such option.
- Negotiations and deliberations regarding international judicial mechanisms should seek to insure that international standards of due process are used by requiring compliance with articles XIV and XV of the International Covenant for Civil and Political Rights (ICCPR) and, to the extent possible, the further elaboration of due process rights found in the statute and the rules of procedure and evidence of the International Criminal Court. Particular attention should be paid to international practice relating to the right to defense counsel, the protection of witnesses, conditions of imprisonment, and conflicting views on capital punishment.
- The United Nations should not necessarily always engage in the creation of international mechanisms, including hybrid courts. Other options for such engagement include regional organizations, coalitions of governments, and even the assistance of civil society. The advantage or merit of UN

engagement is the legitimacy that such engagement provides to the process, as well as the prospect of rigorous oversight of the process by UN authorities and UN Member States.

- The United Nations should explore, if circumstances permit, how it might simply monitor specific rule of law needs in a post-conflict society and inform the international community of such needs as a possible alternative to a direct UN role.
- The introduction of an international judicial mechanism should take into account such mechanism's relationship with any truth and reconciliation commission (or body of similar intent) that may be established, and the international and national parties should endeavor to separate the operations of the judicial and non-judicial bodies so that individuals subject to the jurisdiction of the judicial body are distinguished from those who should only be involved with the non-judicial body.

Funding for Justice Mechanisms

- International mechanisms for justice should be financed in a manner that encourages local ownership of the process, but also establishes the commitment of both the international community and the national government to that process.
- Careful consideration should be given to the political willingness of the member states of the United Nations to finance any international judicial mechanism through assessments on their required dues to the UN Voluntary methods of financing such mechanisms should be thoroughly explored, if necessary, to insure that adequate international resources are committed.
- There should be a capability to quickly estimate the costs associated with an international judicial mechanism based upon prior experience and financial analysis. In order to facilitate the best decisions on the application of an international judicial mechanism, it is essential to compile a depository of precedents and the domestic and international costs associated with each such precedent.
- The host government should ensure that it is aware of the effect of any disparity in the financial remuneration between international and local judicial personnel and consider, in consultation with

the international contributors of personnel, how to address such disparity.

- In order to strengthen the national role in rule of law development, particularly in light of the financial constraints that usually apply to an international role, the United Nations should be encouraged to activate partnership arrangements and trust funds, as referenced in the Executive Committee on Peace and Security Task Force Report. The United Nations thus could play an important role in identifying to interested governments and civil society the judicial needs that might merit their assistance either directly or through a UN trust fund.

Communication of the Process to the General Public

- Prior to the deployment of an assessment team and thereafter, international and domestic civil society should share responsibility to educate the general public about the reasons for an international judicial role and the impact it will have on society and legal traditions. This requires a uniquely tailored educational and media strategy that reaches the broadest possible audience.
- It is imperative that there be outreach of the judicial mechanism to the broadest spectrum of the national population in real time so that they feel invested in the process and understand its significance for their own future.
- Strategic planning should include how to use the media and other means of communication to explain the rationale for and the workings of the judicial mechanism to the local population.
- Information about the role of the permanent International Criminal Court (ICC) should be broadly disseminated to government officials and to the general public in a post-conflict society so that there is a proper understanding of how the ICC may seek to exercise its jurisdiction. *[Note: For atrocity crimes committed prior to July 1, 2002, the United Nations and the international community likely will continue to consider the full range of options for judicial mechanisms, including international ad hoc, hybrid, mixed and, when possible, national courts (but not the ICC). For atrocity crimes committed after July 1, 2002, the role of ICC will be a paramount consideration in determining what international judicial mechanism, if any, will be most useful. The operation of the ICC holds the potential of challenging the utility of other options*

by exercising pre-emptive jurisdiction over the atrocity crimes that otherwise would be subject to the negotiation of an alternative mechanism. This can both limit the scope of options in a particular situation and introduce a dynamic factor into the entire exercise.]

Complementary Mechanisms

The third working group looked at non-punitive mechanisms for dealing with war crimes and how these could be used in order to attain a just peace settlement. The strengths and weaknesses of several different procedures were examined with a focus on effectiveness and how they could be improved. Group members were Jose Maria Argueta, Mary Burton, Tomas da Silva, Michelle Green, Priscilla Hayner, Winrich Kühne, Timothy Phillips, Louis Marie Nindorera, and Ishola Williams. Robert Rotberg moderated the discussion and the group formulated the following recommendations:

- Inclusive complementary mechanisms can be useful in post-conflict reconstruction by helping promote accountability and address victims' concerns and needs.
- Complementary mechanisms should have the sense of national ownership. Local non-governmental organizations, civil society, and other local actors should be involved in the process of identifying appropriate mechanisms. The decision-making process should be open, transparent and inclusive. The process of selecting and establishing complementary mechanisms should take place in advance of the start of implementation.
- Possible complementary mechanisms include: truth commissions; NGO truth-seeking procedures; traditional truth-telling; investigatory mechanisms; reparations; lustration; vetting; compensation; and reconstruction.
 - **For atrocity crimes, crimes against humanity, and war crimes**, amnesty is not a favored option and should be avoided whenever possible. When amnesty is considered, it should be conditional and limited, in accordance with international law.

- **Truth commissions** provide a mechanism for victims and perpetrators to recount their experiences. There must be a sense of national ownership for a successful outcome. In addition, truth commissions are most likely to meet their goals when they result from ongoing, widespread, open discussion. They must:

- Be involved and led by citizens of the country;
- Have an open appointment process;
- Be independent.

Ideally, they will also provide medical and mental health assistance care for victims and will have competent and trusted investigators on staff.

- **Traditional forms of truth telling** may aid a reconciliation process. They should:

- Be truly participatory;
- Provide a forum for restoration to victims;
- And, in some cases, involve the perpetrators' acknowledging and admitting their offenses and providing a full confession and apology.

The desired result ideally should be to reintegrate the perpetrator into society through the perpetrators making amends for the damage.

- **Compensation, reparations, and reconstruction** help provide tangible, direct assistance to meet victim needs. A foreseeable obstacle involves responsibility for funding.

- Combinations of complementary mechanisms should be also be considered since the best approach may involve more than one complementary mechanism and/or a process leading up to one or more.
- No single complementary mechanism or combination of mechanisms appropriate for all situations, and it would be a mistake to simply import a particular mechanism or combination from one context to another. Rather, each individual situation requires an evaluation of the most effective

complementary mechanism for the particular cultural and political context.

- The process of identifying the most appropriate mechanisms should focus on the utility of possible complementary mechanism in the particular country.
 - First, the goals of a potential complementary mechanism should be clearly defined. All parties must have shared or, at least, not conflicting goals. Examples of goals: truth, reconciliation, deterrence, legitimization of the rule of law, restorative justice, promotion of democracy
- Once the goals have been established, the broadest possible array of complementary mechanisms should be considered, assessing the effectiveness of particular mechanisms in meeting identified goals within the particular political and cultural context.
 - Political and cultural factors should be considered, as well as resource constraints.
 - Identification of the most effective complementary mechanisms should include the determination of context-appropriate characteristics.
 - Often, making proceedings public and/or encouraging a free press will increase the efficacy of such mechanisms.
 - The relationship of complementary mechanisms to tribunals should be established.
- **Reconciliation** is a longer-term goal. The needs of victims should be considered and addressed in the reconciliation process. The process must recognize that victims will only be reconciled through methods that provide some benefits to them. (e.g. peace, assurance that there will not be a recurrence of atrocities, etc.)
- **Reconstruction and redevelopment**, which take place in most post-conflict situations anyway, can be framed and implemented to be a productive part of the reconciliation process.
- **Reintegration of combatants** requires as the first step the acknowledgment of guilt. However, the nature of the apology is needed to demonstrate to the

victims comprehension of wrongdoing and responsibility.

- **The international community** can play important roles in helping complementary mechanisms to succeed, but ownership and decision-making must take place on the national level. Appropriate roles for the international community include providing technical assistance, guidance on international legal standards, information, training, and qualified personnel and neutral investigators where appropriate.

Planning Ahead: Options for Hard Cases

The final panel session was held on Sunday morning and looked at how the recommendations could be applied to existing and possible future post-conflict operations in countries such as, Angola, Iraq, and the Democratic Republic of the Congo. **Robert Rotberg**, Director of the Program on Intrastate Conflict, Conflict Prevention, and Conflict Resolution at Harvard University, moderated the panel, comprised of **Rafael Marques** from Angola, **Bakhtiar Amin** from Iraq and **François Zoka** from the Congo. A spirited question and answer period followed and offered an appropriate close to the conference discussions.

Rafael Marques, a freelance journalist and human rights activist in Angola, commenced the panel with an update of the state of his country. He explained that since the signing of the peace settlement in April 2002, Angola is in a better position to benefit from the discussions at the conference. Establishing rule of law is now the main issue for building peace in the country and he felt that it is in this area where the UN can make a significant contribution as an international stakeholder. According to Mr. Marques the UN should work to organize conditions for a return to elections and the development of a proper democracy through reconstruction of political and judicial institutions. But lack of funds as well as political will have prevented significant international efforts from being initiated in this direction. Mr. Marques also pointed out that Angola is a rich country, with abundant natural resources. In some ways what Angola needs most from the UN is help in creating a high level mechanism for the enforcement of economic accountability; one that ensures that the funds obtained from its resources are invested in the development of functioning and accountable judicial and political institutions. Mr. Marques concluded by noting

that the issues being discussed at the Botswana conference are the same as those currently being raised in Angola and that he was glad the conference gave the participants a chance to share their ideas and experiences.

François Zoka, from the human rights organization Group Justice and Liberation, agreed with Mr. Marques' call for more international involvement. He explained that in the Congo the public is never consulted and never a part of governmental decision making. This was partly due to the government's control of the Congo's substantial natural resources, which gives them a base of financing and power that is independent of the people. For this reason, Mr. Zoka stated, it is important to promote rule of law solutions within the government. As he put it, "Rule of law means a tradition of justice. It means a tradition of democracy." According to Mr. Zoka, international involvement would be particularly important in the coming months. With the help of the Southern African Development Community (SADC) a cease-fire was reached, but only elections would allow a democratic culture to be initiated. A push for elections had to come from outside. Mr. Zoka also felt that the Congo needs the help of the international community to assist with the building of a national judiciary system and in dealing with war crimes and crimes against humanity perpetrated in his country. However, he pointed out that civil society organizations in Congo are organized and are willing to do their part.

Bakhtiar Amin, an Iraqi who is the founder and Executive Director of the International Alliance for Justice, gave the final presentation of the panel. Mr. Amin focused on the current state of human rights in Iraq, the Kurdish situation in particular. After giving a short review of recent history, Mr. Amin outlined the dire economic situation in the country and the many human rights abuses that have become common under the Hussein regime. But, he said, there has also been progress in the Kurdish areas where local institutions such as the police, schools, health centers and a legal system are being rebuilt. He recognized that there is still much to do and the system is far from perfect, but Mr. Amin hoped that lessons learned from the Kurdish experience could be applied internationally.

With the threat of war looming in his country, Mr. Amin stated that there was both anxiety and hope among the poor in Iraq in regards to a possible deposition of Saddam Hussein and that it is hoped that the errors after World War II would be heeded. He then

pointed out that though the UN is becoming more adept at preparing roadmaps for post-conflict situations, it is unclear how to deal with a situation such as Iraq that seems to be caught in a state of permanent conflict.

Mr. Amin ended his comments by returning to the topic of human rights. He called for the establishment of an international criminal tribunal in Iraq. The tribunal, he said, should include an expert commission that would be able to fairly examine all of the documentation of abuses.

In the discussion period after the panel several insightful points were made. First there was identification of the common characteristics between the three cases of Angola, Congo and Iraq. Each has a poor economy (despite abundant natural resources), weak political institutions, atrocities and human rights abuses are common, and there is evidence of post-conflict trauma. One participant cautioned that it is important to remember that as the international community experiments with different approaches for judicial, political and economic reform in post-conflict countries, it is human lives that are being directly affected. He said that people in these countries are not looking for charity, but “a restoration of dignity” and justice. He also warned the international community to be careful about the way that the term ‘expert’ is used. He said that it “is losing its meaning due to the type of ‘expertise’ that we see on the ground.” Local expertise exists and when inexperienced international non-experts are put in charge it causes resentment. It was urged that “real experts” be brought in “in order to avoid failure that will be blamed on local people.” In the Congo there is a real need for better coordination among the international actors. In particular, there is disagreement between the Anglo and Franco countries and it is impacting the types of

solutions proposed in the country. As one participant put it, “there is tricky behavior going on behind the curtain.”

In a question to Rafael Marques, Jeffrey Laurenti asked what leverage the international community has to pressure the Angolan government on judicial reform. Mr. Marques replied that the international community (especially the US, France and Great Britain) has a great deal of leverage in Angola through their oil interests in the country. But, Mr. Marques cautioned, the international community “needs to be serious about enforcing rule of law, democracy, and accountability.” For example, according to Mr. Marques, the UN did not support the human rights

community’s report that criticized the Angolan government and instead defended the government because the UN felt that the situation was improving. Similarly Mr. Marques felt that it was wrong to have awarded Angola with a seat on the Security Council, despite a lack of reforms. To him it shows the level of international support that the government enjoys. These moves send confusing signals that show that there are contradicting views on what rule of law means.

CONCLUSION

The Botswana conference offered many valuable opportunities for the exchange of ideas on how to better promote rule of law in Africa and other regions. Over the course of the three and a half days of discussions, participants addressed some of the most intractable problems faced by efforts to establish rule of law in post-conflict zones. There was general agreement on the following issues:

- Flexibility and the adaptation of models and frameworks are important in order to meet the unique needs and characteristics of different situations.
- Sufficient financial resources are necessary if rule of law programs are to be successful. Too often poor countries are charged with carrying out operations that they are not capable of funding.
- Inclusiveness is vital for the success of any peace-building operation. All relevant parties, especially civil society and marginalized groups, must be involved in and share ownership of the process.
- Capacity building, including professional training, should be a central part of international rebuilding and judicial and security reform efforts in post-conflict countries.
- Local knowledge should be valued and utilized. This also includes maintaining high standards for international “experts” and addressing the disparities in compensation between international and domestic workers.
- Efforts should be made to respectfully integrate local institutions and customs with international laws and norms.

- Realistic expectations should be set. There are no simple solutions and no agreement will be perfect.
- The international community must hold itself to the same principles that it promotes. Perceived failures to do this have been very damaging to the image and effectiveness of international peace operations.

The Project on Justice in Times of Transition and the United Nations Association-USA plan to add the recommendations generated by the Botswana conference to those collected from the Partnership Program's previous regional meetings in Singapore and Turkey. The full set of recommendations is to be presented to the

United Nations Department of Peace-Keeping Operations in the late spring of 2003. In addition, the Project on Justice in Times of Transition is working with the Kennedy School of Government to develop case studies, based upon the experiences of conference participants, that will be used to discuss lessons learned and to train future staff of international organizations.

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The Project on Justice in Times of Transition

The Project on Justice in Times of Transition is an inter-faculty initiative of Harvard University under the auspices of the Kennedy School of Government, the Harvard Law School, and the Faculty of Arts and Sciences. Originally founded in 1992 as part of the New York-based Foundation for a Civil Society, the Project assists states emerging from repression or conflict to engage in dialogue across national, ethnic, religious and ideological boundaries with the intention of preventing legacies of the past from jeopardizing their progress toward democracy and peace. Among the countries and regions in which the Project has worked are South Africa, Northern Ireland, Central and Eastern Europe, and Central America. In 34 distinct initiatives, the Project has provided an extraordinary stimulus to pragmatic problem-solving by offering a broad spectrum of leaders exposure to international experiences in ending conflict, establishing peace, and building civil society.

United Nations Association - USA

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