This paper describes the contribution of professor Dušan Cotič to the reconciliation process in Bosnia and Herzegovina. He participated in the project which intended to re-establish inter-ethnic dialogue and to harmonize laws and regulations in this country. The results were quite impressive for those turbulent post-conflict times. Among other things a new manual for correctional officers and law reform proposals were made, seminars were organized and also for the first time since the beginning of the hostilities judges from both entities were brought together.

Keywords: Dušan Cotič, Bosnia and Herzegovina, contribution.

Introduction

At the risk of repeating what others may have written about Professor Cotić in this volume, he is the grandfather figure we would all wish to have - kind, wise, with a light guiding hand, always with a gentle smile on his face, curious and tolerant. Another way to describe him is the “last cosmopolitan Yugoslav.” He was born in Slovenia but married to a Serbian woman, lives in Belgrade and remains respected in Bosnia, Croatia, Serbia, and Slovenia. His...
great criminological work and law reform hopefully will be set down by other contributors.

I first met him as a Member of the UN Committee on Crime Prevention and Criminal Justice, where he was considered as one of its core members. He was Chair of the Committee but also the Great Compromiser who was able to bridge the differences between the different camps and therefore was regularly involved in working groups to find textual solutions. Many of the important resolutions coming out of the UN Crime Programme bear his mark. Professor Cotič did visionary work on environment crime and sanctioning strategies, drugs and punishment, always with comparative eye, social acceptability, sustainable development and human rights.

**Cotič – the man of action**

However, we would like to use this opportunity to describe an operational project which attempted to do perhaps the impossible in 1997: to bring together the judicial and correctional institutions in the Republika Srpska and the parallel institutions in the Bosnian and Croatian controlled parts of Bosnia and Herzegovina into dialogue and to harmonize their laws and practices as much as possible. This noble project was managed on the Serbian side by Brad Popović in Banja Luka and by Marc Andre Dorel in Sarajevo. However, the “guiding angel” over the project was Dušan Cotič.

This United Nation Development Programme project had lofty goals – the establishment of the rule of law, re-integration of the court systems and re-functioning of the judiciary, legal professions, and correctional facilities–after a bloody fratricidal war. We were to deliver computers to the courts, establish a case management system, and organize training seminars about international standards and norms and how to deal with new phenomena such as corruption. The main goal however was to establish inter-ethnic dialogue and to harmonize laws and regulations. For this, we relied heavily on the UN Standards, particularly those relating to treatment of prisoners. Under the supervision of Professor Cotič, a manual for correctional officers was developed “Osnovni priručnik za obuku zatvorskog osoblja” (Prodanović i sar., 2005). This comprehensive publication included the national law and international obligations for the administration of prisons and treatment of prisoners, as well as practical guidelines and techniques for correctional
workers. Training courses were carried out by Jack Holland of the Howard League, Christian Kuhn of the Austrian Prison Service, and Gary Hill of the International Penal and Correctional Association.

Various seminars on juvenile justice, with an emphasis on separate accommodations for juveniles from adults, principles of restorative justice rather than punishment were undertaken. In addition to advisory technical missions, law reform proposals were made (and adopted in the Federation).

The project sponsored a meeting of correctional workers of Republika Srpska at Brioni where they worked on addressing pressing issues in the administration of prisons, including presentations on issues of law and practice. The two day conference was particularly helpful for the Ministry of Justice (the Minister was present) to tackle the management issues (with a lack of funding) and how to maintain the standards of law without sufficient government support. It was the first forum for the correctional workers to bring to the attention of the Ministry the real problems they face in daily management.

A singular achievement of the project was to bring together judges from across the ethnic divide – for the first time since the beginning of hostilities. In the beginning, these former “enemies” were skeptical but relaxed slowly under the warm guidance of Professor Cotič and the generous hospitality of the UN Interregional Institute on Crime Prevention and Criminal Justice in Rome. Several renewed their old friendships and remained in contact. The conference also restored some of the dignity to those judicial officers who had been trying to carry on a semblance of the rule of law in difficult times by connecting them to international actors.

Professor Cotič also assisted in the organization of the first seminar in Bosnia on anti-corruption strategies. This seminar again provided an opportunity for members of the judicial system from both entities to meet and discuss issues of corruption in Bosnia. They were also able to hear from experts about efforts and progress made in other countries from international experts, this time in Banja Luka.

Other UN agencies such as UNDP and OSCE benefitted from the re-establishment of these professional and social ties. It also led to more Republika Srpska officials to reach across the lines and to collaborate on practical problems. No one can claim sole credit for these small steps toward normalization. It did help, that Mladen Ivanić was elected Prime Minister of
Michael Platzer, Brad Popović

Republika Srpska, who was in a parallel UNDP project of bringing economists together. He later became Foreign Minister of Bosnia and Herzegovina.

However, one cannot underestimate the quieter roles of Professor Cotič and Brad Popović who contributed to the healing. I have seen Dušan several times since during the demonstration against Milošević and more recently at a symposium at the Belgrade Law School on teaching, about climate change. He has remained interested in all things, the whereabouts of former colleagues, developments in the UN crime programme, but always had caring interest in one’s personal well being. A great and kind man.

References


Michael Platzer
Brad Popović

Dušan Cotič – Prijatelj, mentor, naučnik i čovek od akcije

Ovaj rad opisuje doprinos profesora Dušana Cotiča u procesu pomirenja u Bosni i Hercegovini. On je učestvovao u projektu koji je imao za cilj da ponovo uspostavi međuetnički dijalog i usklađi zakone i propise u ovoj zemlji. Rezultati su bili prilično impresivni za ono turbulentno posleratno vreme. Između ostalog, napravljen je novi priručnik za obuku zatvorskog osoblja, predložene su reforme pravosuđa, organizovani su seminari, a po prvi put od početka sukoba napravljen je i skup gde su učestvovale sudije iz oba entiteta.

Ključne reči: Dušan Cotič, Bosna i Hercegovina, doprinos.