

that restorative justice, which addresses systemic problems by trying to achieve reconciliation, is above all other forms of criminal justice the best way to deal with crimes.

Several key issues and challenges were raised. One, TRCs are useful tools in peacebuilding and reconstruction, however, they are not “magical solutions” to a country’s problems. It takes a great effort from governments and civil society to achieve peace. Two, within TRCs and the ICC, issues such as the power of judges and gender distribution should be considered. Three, leaders, not just “foot soldiers,” should also be prosecuted in cases like Sierra Leone and South Africa as direct criminal perpetrators. Only then can it be proven that nobody is above the law and that corruption can be avoided. Several gaps were also noted, one of the biggest in peacebuilding and reconstruction being funding. One should remember that low-income countries need financial assistance to create and operate appropriate criminal justice institutions and programs. Secondly, the international community should monitor TRCs and other peacebuilding mechanisms to make sure they efficiently serve their purpose.

Recommendations put forward included: the importance of signing and ratifying international treaties such as the International Criminal Court Statute and the need to resolve systemic problems such as racism and disparities in income in order to achieve reconciliation.

Rapporteur: Tiani Jiménez, Norman Paterson School of International Affairs

SESSION 9.3: Democratization and Good Governance

Geoff Dubrow, of the Parliamentary Centre, began his presentation with a provocative question: “Is it possible to strengthen the role of parliament in a country where there is no prior history of statehood/autonomy, no prior democratic template to guide it, and no national unity?” Is it even worth working in such a country? While looking at the case of Bosnia-Herzegovina, Dubrow concluded that it is still possible to support the strengthening of parliament in such countries. Compared to other Eastern European countries, Bosnia-Herzegovina faces these three challenges simultaneously. The 1995 constitution created a federal system in which the federal government has little power and taxation ability. The new federal government is further weakened by the presence of inexperienced officials. The lack of national unity in the country is evident in deep ethnic cleavages, which have been enshrined in the constitution. The lack of unity spawned a deeply divided parliament that spends much time on determining the agenda and often blocks new policies, making it difficult for the country to build stronger democratic institutions and to become more self-sufficient, in part because a weak parliament allows the international community to intervene and impose laws. Dubrow argued that there is a role for institution building in such circumstances and proposed three concrete ideas: first, building linkages between civil society and parliament; second, raising awareness about the functions of parliament; and third, promoting self-sufficiency by strengthening capacity. However, in order to be successful, sufficient time and resources will be required.

Shauna Sylvester from the Institute for Media, Policy and Civil Society examined the role that the media can play in furthering democratization. Firstly, she defined media as: “Several mediums or channels used in an organized fashion to communicate to groups of people.”