

## **Introduction**

This paper explores the possibility of methodologically and conceptually problematizing the issue of truth, justice and reconciliation in the former Yugoslavia as opposite to the predominant approach of seeing these issues in the ethical or value judgment prospective. The article will explore achievements in and obstacles to reconciliation among the Yugoslav successor states. It will proceed with the line of reasoning that success in reconciliation could be facilitated by the re-examination of dominant narratives about the pre-war and war events (the issue of "truth") and by the successful implementation of the principles of justice, such as prosecution of war criminals. Contemporary discourses will be examined in order to position dominant perceptions on war crimes and issues of responsibility in the post-Yugoslav "core states" of Croatia, Bosnia, and Serbia. Special attention will be paid to their relationships toward the International Criminal Tribunal for the Former Yugoslavia (ICTY). At the end, the article will argue that: if there is the respect of separate avenues of activity of the International Criminal Tribunal for the Former Yugoslavia, the state sponsored Truth and Reconciliation Commissions, and the regional NGOs then they will complement each other in achieving reconciliation among different ethnic groups. Otherwise the clash of perceptions and incoherence in discourse of these three groups of actors that are serving different concepts of justice could lead their actions to nowhere.

In the first part of the article I will explore the major actors involved in the process of truth, justice and reconciliation in the core Yugoslav successor states, followed by the evaluation of their actual and perceived differences using primarily discourse analysis. In the second part of the article I will present various concepts of justice that are appropriate to parallel implementation by these actors.

### **Mapping the actors: perceived and real differences**

The post-war revitalization of Yugoslav successor states will be complex economic and political endeavor where each of the countries involved will, most likely, search for the specific developmental strategy. For the Yugoslav successor states' governments this will represent an uneasy task of implementing strategies that would have to balance economic growth, improve democratic processes and institutions, and increase security and stability. However, what those countries should do jointly in order to maximize their future multiethnic accommodation is to address the issues of freedom of movement (legal euphemism for return of refugees), return of all private property to its pre-war owners, and investigation and prosecution of war crimes. Institutionally addressing these issues would establish a minimum of rule of law required for potential reconciliation among different ethnic groups. The relevance of reconciliation in the former Yugoslavia is pivotal, as successor states, to different degrees and despite the efforts of national ideologues, remain to be multiethnic societies and will be more and more so if the freedom of movement and return of private property are achieved.

For the last eight post-Dayton years modest results were accomplished in regard to restoration of freedom of movement and return of private property while some success was met on the issue of war crimes. This difference was probably due to the fact that the issue of war crimes is more internationalized and institutionalized, embodied in the presence of International Criminal Tribunal for the Former Yugoslavia (ICTY), than it was the case with the freedom of movement and return of private property, but also because in its essence it is more political and ideological than economic or social issue. In this post-Tudjman/post-Milosevic era the priorities