

**ANETREC COURSE 2:  
RECONCILIATION IN THE POST-CONFLICT ENVIRONMENT IN THE  
WESTERN BALKANS AS A PRECONDITION FOR THE EFFICIENT  
IMPLEMENTATION OF THE EU ENLARGEMENT POLICY**

**Syllabus of the course**

**Course title:**

**RECONCILIATION IN THE POST-CONFLICT ENVIRONMENT IN THE WESTERN BALKANS AS A PRECONDITION FOR THE EFFICIENT IMPLEMENTATION OF THE EU ENLARGEMENT POLICY**

Lectures delivered by ANETREC professors (hours)	Suggested seminar (hours)	Suggested tutorial (hours)	Suggested individual work (hours)	Suggested ECTS
16	10	30	40	5

**Teachers delivering the virtual lectures:**

Doc. Dr Fjorda Shqarri, Faculty of Law, University of Tirana  
Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb  
Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina

**List of potential teachers at PCU:**

- Doc. Dr Fjorda Shqarri, Faculty of Law, University of Tirana
- Assoc. Prof. Dr Mirela Bogdani, Faculty of Law, University of Tirana
- Dr Nedžma Džananović Miraščija, Faculty of Political Science, Sarajevo
- Prof. Dr Siniša Tatalović, Faculty of Political Science, University of Zagreb
- Assoc. Prof. Dr Đana Luša, Faculty of Political Science, University of Zagreb
- Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb
- Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina
- Valëza Ukaj Elshani, Faculty of Law, University of Pristina
- Assoc. Prof. Dr Danijela Vuković-Ćalasan, Faculty of Political Science, University of Podgorica
- Marko Savić, MA, Faculty of Political Science, University of Podgorica
- Assoc. Prof. Dr Goran Ilik, Faculty of Law at "St. Kliment Ohridski" University Bitola
- Assoc. Prof. Dr Elena Tilovska-Kechedji, Faculty of Law at "St. Kliment Ohridski" University Bitola
- Assoc. Prof. Dr Mladen Karadzovski, Faculty of Law at "St. Kliment Ohridski" University Bitola
- Prof. Dr Branko Rakić, Faculty of Law, University of Belgrade
- Dr Marko Davinić, Faculty of Law, University of Belgrade
- Ass. Marija Vlajković, Faculty of Law, University of Belgrade

**Syllabus outline:**

**Theoretical approach**

**1.1. Peace and Conflict Studies and Reconciliation (conflict-negative peace-positive peace)**  
(lecture prepared by Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb)

The introductory lecture of the course will deal with a theoretical approach to the concept of reconciliation within peace and conflict studies. Additionally, it deals with concepts and definitions of peace, conflict, violence and how they are connected to reconciliation.

**1.2. What is Reconciliation – Definitions, Scope, Actors, Processes, Theoretical Debates and the Role of International Organizations** (lecture prepared by Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb)

The purpose of this lecture is to introduce basic ideas about reconciliation: how it is defined, what it means, which actors are characteristic of the process, how different theories approach the concept, and how different scientific disciplines have contributed to the holistic understanding of reconciliation. The lecture focuses on reconciliation on intra- and inter-state level in post-conflict settings generally, with some brief remarks about Western Balkans.

**1.3. Conflict Resolution, Peace Building and Reconciliation (human security approach; security community building; transitional justice as a precondition for reconciliation)** (lecture prepared by Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb)

This lecture provides definitions of conflict resolution, conflict settlement, conflict transformation, conflict prevention and peacebuilding; analyses connections and differences between these concepts; contextualizes the role of reconciliation within conflict resolution and peace building; explains how the concept of human security became the ground for shaping the scope of peace building and reconciliation; explains the theory of security community building and its intra- and inter-state dimension; and deals with transitional justice as a relatively new concept and practice.

**1.4. Reconciliation in Post-Conflict Societies – Peace Agreements and Elements/Dimensions of Reconciliation (political, economic, social); bottom-up and top-down approaches to reconciliation** (lecture prepared by Assoc. Prof. Dr Ružica Jakešević, Faculty of Political Science, University of Zagreb)

The purpose of this lecture is to analyse the role of peace agreements in conflict transformation, peacebuilding and reconciliation in post-conflict societies. Political, economic and social dimensions of reconciliation in post-conflict societies are explained in theory and in practice - through the case study of Erdut peace agreement in Croatia in 1995. The lecture also tackles bottom-up and top-down approaches to reconciliation

**II. EU Enlargement Process and Reconciliation in the Western Balkans**

**2. 1. Peace-Building and Reconciliation – European Experience (the notion, three states of reconciliation including psychological elements and the nature of reconciliation with case studies approach in Europe in comparison with other case studies)** (lecture prepared by Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina)

The topic of peace-building and reconciliation covers the theoretical aspect of the notion of reconciliation and peace-building by analysing complementarity elements, differences and also psychologic elements of the process. In academic literature, conflict resolution and peace- building gained significance due to the rising number of internal conflicts, civil wars, and ethnic conflict in the Post-Cold War world. In order to understand the conflict and the approach towards the conflict, this topic will illustrate European Experiences, with case studies taken from the France-German Case, Case study of Northern Ireland, the US and EU policy in the process of reconciliation of Northern Ireland, the Polish-German Case and also

the Visegrad Experience. Of crucial significance for understanding the reconciliation process is the resolution-specific outcome of the conflict. Outcome of the process is mostly determined by whether the two groups must continue to live in one political system or not. In this regards this topic will thoroughly analyse the case of Northern Ireland.

**2.2. Conflict-Negative Peace-Positive Peace Transition in the WB – the Role of External Actors, Peace Operations, Development Aid, Mediation, Peace Agreements in the WB and Elements of Reconciliation (Erduť, Dayton, Ohrid, Bruxelles agreements...)** (lecture prepared by Ass. Prof. Dr Fjorda Shqarri, Faculty of Law, University of Tirana)

Western Balkans is a region that has passed through continuous transition and where conflict resolution and peace building have not been an easy goal to achieve. During this challenging journey, it has to be said that this region has been in the focus of various external actors that at some point of their history of events has had a crucial position. The topic discusses the exact role of the actors like United Nations, European Union, United States of America and their intervention during conflicts for ending of wars and in the post-conflict era toward peace building and reconciliation in the region. In this context, this topic will analyse the conditions in which the peace agreements like those of Erduť, Dayton, Ohrid, Bruxeles were concluded, with emphasis on objectives, elements and mechanisms provided or proposed by these agreements regarding reconciliation. The topic also covers a general discussion about the peace operations in the Western Balkans, conditions in which they were imposed, and their functions and other elements like development aid and mediation in the region to achieve peace and reconciliation.

**2.3. EU Enlargement Policy and WB – General Framework, Conditionality Policy, Process and Policy Analysis, Key Documents** (lecture prepared by Ass. Prof. Dr Fjorda Shqarri, Faculty of Law, University of Tirana)

European Union has been a crucial actor in the difficult and challenging journey of Western Balkans countries toward development and integration, but on the other hand it has represented the objective and goal of these counties to achieve. This topic analyses the enlargement policy of the European Union, which must be said to be a part of constant change and progress within union policies. This discussion will also include the evolution of EU enlargement policy and the waves of expansion of the EU, while analysing special conditions applied in specific cases. As we can say that the enlargement policy is composed of various conditions to be fulfilled by the states that aspire to be part of the EU in the future, this topic explains the legal framework proposed by the Treaties of EU regarding the new memberships and other conditions imposed later like the Copenhagen criteria. An interesting part of this topic will be a general overview of the concrete process and stages through which these countries have to pass toward the accession in the EU.

**2.4. Current State of Play – WB6 and EU Enlargement Process – Elements of Reconciliation** (lecture prepared by Ass. Prof. Dr Fjorda Shqarri, Faculty of Law, University of Tirana)

This topic is a continuation of the previous one which discusses the enlargement policy of the EU, but its focus is on the Western Balkans countries. As we all know, these countries have been in line for many years now trying to fulfil the conditions for accession. This topic analyses the process of EU enlargement toward the Western Balkans region while offering

a brief history of the EU's relations with this region and its conditionality policies towards these countries. This lecture focuses on the analysis of some of the key documents that have defined the EU's approach to this region as well as the current status of these countries in the pre-accession process. This lecture also discusses the EU policies and contribution on regional cooperation, peacebuilding process and reconciliation in the Western Balkan countries as well as the role of the Berlin process in this regard.

### **III. Prospects and Obstacles to Reconciliation in the WB**

**3.1. Intra-and Inter-State Reconciliation in the WB (process of Reconciliation in relation with contribution of International Mechanisms-EU specifically in Balkans, in relation to the European Integration)** (lecture prepared by Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina)

This topic deals with the legacy of war crimes and human rights violations as a challenge in post conflict societies. The process of reconciliation as such is based on hybridity process which signifies the meeting of liberal, in principle external and local norms, and also analysing existence of liberal and norms opposite to liberal ones. After analysing the China-Japanese conflict and the process of reconciliation, the topic analyses the Western Balkans and the approach of the EU Intervention through International Mechanisms. Sometimes, the process of reconciliation cannot achieve immediate results if it is imposed upon by an international intervention since it is often met with scepticism. The topic will also look at sceptical attitude towards international interventions.

**3.2. State-Building and Elements of Reconciliation (institutional design, power-sharing, minority rights - the three elements will be analysed in a three case studies, Kosova, Bosnia-Herzegovina and Macedonia)** (lecture prepared by Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina)

International principles became a precondition for membership in many International Organizations. In this regard, the Western Balkans in the process towards European integration are characterized by the internationalization of their constitutional law. This topic will analyse the nature of conflict in the Western Balkans, the EU and International Mechanism Intervening in the Agreements. To illustrate the process, it will address the case of Macedonia regarding constitutional design, power sharing in the sense of checks and balances, and treatment of minority rights. The same process will be elucidated in the case of Kosovo and that of Bosnia and Herzegovina.

**3.3. Reconciliation in Divided Cities (case studies of Mitrovica, Mostar, Vukovar)** (lecture prepared by Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina)

When looking at reconciliation in the context of post-conflict social reconstruction and given the variety of changes that must take place concerning individual, social and political change, it becomes clear that it is a difficult, perhaps an impossible goal. As a result, governments often develop interventions at different times.

In this topic, the Mostar case will be addressed with regards to post war situation, misperception of the situation by the Bosnian and Croat communities on one side and the Serb community on the other side. Also, the policy of the Organization for Security and Cooperation in Europe "Two Schools Under One Roof" will be analysed. The Vukovar case

will serve as another example by presenting the situation of the conflict and intervention of the non-governmental organizations in the process of reconciliation as facilitator and mediator of cross-community relations. Lastly, the Mitrovica case is an example that there is a need to establish trust and belief among two communities - the Serb and the Albanian community. Nevertheless, the process of reconciliation is a path that two communities should develop.

**3.4. The Role of Civil Society in Reconciliation – REKOM and Other Initiatives** (lecture prepared by Ass. Prof. Dr Fjorda Shqarri, Faculty of Law, University of Tirana)

Civil society is a very important social formation that plays a key role in strengthening democracy and the rule of law. In countries that come from a legacy of conflicts and war, the role of civil society becomes even more essential given that it can make an important contribution towards the formation of peace and reconciliation. This topic will focus on the role that civil society has in reconciliation, explaining firstly who can be involved in civil society, its composition, and then explaining the transitional justice processes where civil society can be actively engaged. It will also discuss why civil society can be a much more effective mechanism in this direction. Also, the topic it discusses the role of civil society in stability and peace building in the Western Balkans region, especially REKOM and its inclusion in the context of the Berlin process and other initiatives such as the Regional Youth Cooperation Office, Igman Initiative, as well as the support that the EU gives today in terms of initiatives of this nature. The main purpose of this lecture is to understand and be aware that each of us can play an active role and can have a voice in achieving reconciliation, and that any initiative is worthwhile.

**3.5. Reconciliation and Education in the WB– Present the Realities and Difficulties in the Process of Education** (lecture prepared by Prof. Dr Iliriana Islami, Faculty of Law, University of Pristina)

Education is very important in the process of state building and reconciliation. Therefore, states have a positive obligation, firmly entrenched in international human rights law, to tackle and eradicate school segregation. Generations of children in Bosnia and Herzegovina, Croatia, Kosovo and Northern Macedonia have been educated in ethnically segregated schools under the pretext of the protection of language and cultural rights of certain ethnic groups. In order to understand reforms of the education process, we will analyse the case of Kosovo, and the process of “Two Schools Under One roof” in Bosnia and Herzegovina. In the process of Northern Macedonia, the Ohrid Framework Agreement will be analysed and also the situation of the reform process.

**Readings:**

*Mandatory readings:*

- Aggestam, Karin and Annika Bjorkdahl. 2013. Rethinking peacebuilding: the quest for just peace in the Middle East and the Western Balkans, Routledge, London and New York
- Bloomfield, David, Teresa Barnes and Luc Huyse (eds.). 2003. Reconciliation After Violent Conflict – A Handbook, IDEA, Stockholm



- Fischer, Martina and Olivera Simic (eds.). 2015. Transitional Justice and Reconciliation: Lessons from the Balkans, Routledge, London and New York
- Malley-Morrison, Kathleen, Andrea Mercurio and Gabriel Twose (eds.). 2013. International Handbook of Peace and Reconciliation, Springer, New York

*Recommended literature:*

- Adamović, Mirjana, Anja Gvozdanović and Marko Kovačić. 2017. Process of Reconciliation in the Western Balkans and Turkey: A Qualitative Study, Banja Luka/Zagreb
- Alpaslan, Ôzerdem, Sukanya Podder. 2015. Youth in conflict and peacebuilding, mobilization, reintegration and reconciliation, Palgrave Macmillan, New York
- Bieber, Florian. 2019. The Rise of Authoritarianism in the Western Balkans, Palgrave MacMillan, London
- Buckley-Zistel, Suzanne, Teresa Koloma Beck, Christian Braun and Friederike Mieth (eds.). 2014. Transitional Justice Theories, New York and London
- Dimitrijevic, Nenad. 2011. Duty to Respond – Mass Crime, Denial and Collective Responsibility, CEU Press, Budapest
- Gentiola Madhi, Jana Juzová, Tomáš Strážay, Adam Balcer, Jelica Minić and Nikolett Garai, Reconciliation in the Western Balkans: Overcoming the past together (<http://europeum.org/data/articles/policy-paper-3.pdf>)
- Keane, John. 2020. The New Despotism, Harvard University Press, Cambridge, Massachusettes, London
- Kronenberger Vincent. 2004. The European Union and conflict prevention: policy and legal aspects, TMC Asser Press, Hague
- Lederach, J. P. 2003. The Little Book of Conflict Transformation, Good Books, Intercourse
- Mac Ginty, Roger (ed.). 2013. Routledge Handbook of Peacebuilding, Routledge, London and New York
- Perchoc, Philippe, Velina Lilyanova, Reconciliation in the Western Balkans, The difficulty of emulating the EU model:  
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637964/EPRS\\_BRI\(2019\)637964\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637964/EPRS_BRI(2019)637964_EN.pdf)
- Ramsbotham, O., T. Woodhouse and H. Miall. 2012. Contemporary Conflict Resolution, Polity, Cambridge
- Stojanović Gajić, S. and F. Ejduš. 2018. Security Community Practices in the Western Balkans, Routledge, Abingdon
- Vujadinovic, D., L. Veljak and V. Goati. 2003. Between Authoritarianism and Democracy – Serbia, Montenegro, Croatia - Institutional Framework, CEDET, Belgrade
- Vujadinovic, D., L. Veljak and V. Goati. 2005. Between Authoritarianism and Democracy – Serbia, Montenegro, Croatia, Civil Society and Political Culture, CEDET, Belgrade
- Wallensteen, P. 2007. Understanding Conflict Resolution, Sage Publications, London/Thousand Oaks/New Delhi
- Zelizer, Craig (ed.). 2013. Integrated Peacebuilding – Innovative Approaches to Transforming Conflict, Westview Press, Boulder

*Proposal of 3 most relevant books that should be purchased by Partner University:*

- Malley-Morrison, Kathleen, Andrea Mercurio and Gabriel Twose (eds.). 2013. International Handbook of Peace and Reconciliation, Springer, New York
- Fischer, Martina and Olivera Simic (eds.). 2015. Transitional Justice and Reconciliation: Lessons from the Balkans, Routledge, London and New York
- Aggestam, Karin and Annika Bjorkdahl. 2013. Rethinking peacebuilding: the quest for just peace in the Middle East and the Western Balkans, Routledge, London and New York

### **Objectives of the course:**

Competences that students are supposed to acquire through this course should be relevant in terms of possible future roles/jobs they might occupy within institutions and organizations (governmental and non-governmental).

Hence, the overall objective is to provide students with a thorough understanding of the prospects for reconciliation in the Western Balkans and the role of external actors (especially the EU) in the process.

This course aims to analyse the key concepts of conflicts and reconciliation and to give basic information about the most important elements of this processes through the exploration of diverse theoretical approaches. The objective is to explain the relation between reconciliation, post – conflict situation and justice in order to achieve stability and collaboration between parties and also to analyse how these theoretical aspects are applied in the Western Balkans countries.

The purpose is to give students necessary knowledge to enhance their practical skills and ability to analyse a concrete conflict and to be able to construct a reconciliation framework. The idea is to prepare future professionals with the capacity to become strong actors of the peacebuilding process and help the society.

Another important objective of this course is to give knowledge about the enlargement policies of the EU and how reconciliation is related with pre-accession conditions in WB states, in order to explain the major importance of the involvement of every state and non-state actor who can contribute in this process, taking in consideration the crucial role of the youth in this context.

### **Expected teaching results:**

The course should result in:

- understanding the concept of reconciliation and its connections with the wider processes of peacebuilding, conflict prevention and conflict resolution,
- understanding the difficulties and challenges of reconciliation in developing post-conflict countries,
- understanding the role of different actors in the process of reconciliation and the interdisciplinary nature of the process,
- understanding the specifics of the reconciliation process in the Western Balkans at intra- and inter-state level,
- acquiring the knowledge about the role of external actors, especially European Union, in the process of conflict resolution and reconciliation in the Western Balkans,
- understanding how different measures (such as conditionality policy, for example) taken by the EU affect the reconciliation process,



- comparing peacebuilding and reconciliation process in regional and international context,
- being able to develop a reconciliation framework in a hypothetical or real case,
- developing critical thinking and analysing skills.

**In which working posts (areas of professional activities) would / could the graduated students use the knowledge acquired in the course?**

- government structures – ministries, agencies and public administration institutions involved with various levels of policymaking and peacebuilding processes. Institutions which deal with the European integration in each WB country to provide a clear perspective of the relation between reconciliation and future European integration. This knowledge could also be helpful in institutions such as the Ministry of Foreign Affairs to create a new dimension of foreign politics and collaboration with the region countries or Ombudsman Office as part of monitoring and protection of human rights process,
- units of the local and regional self-government,
- NGO sector - Information acquired in this course will be helpful to students who will work at NGOs involved in the reconciliation processes, civil society activists and centres of transitional justice created in WB countries,
- international organizations,
- academic community and research institutions.

**Learning and teaching methods:**

- Lectures with active participation of students and in-class discussions  
To increase the students' input during the lectures, teaching/learning will be conducted principally through questions and answers – the so-called Socratic method. This will also include a 'think-pair-share' strategy combined with PowerPoint presentations which will allow the lecturer to formatively assess the learning outcomes. This implies that whenever the lecturer will pose a question that is not trivial and requires some thinking and deployment of analytical and synthetic skills as well as legal imagination on the part of the students, the lecturer will pose the question, explain it and then give the students five minutes to talk to their neighbours. This approach allows for time to think, pair/group deliberation, answer, and later, discussion from other pairs/groups and the instructor. Talking with others about ideas is fundamental to classroom learning. Classroom discussion that promotes and sustains learning should be accountable to other learners, use accurate and appropriate knowledge, and adhere to rigor in thinking. Accountable talk responds to and further develops what others have said through relevant observations, ideas, opinions, or more information. Accountable talk draws on evidence appropriate to the content. It is expected that such a proactive teaching/learning with an exchange of views and the students' articulate presentations will result in much higher satisfaction, higher thinking skills and enhanced motivation of the students.

- Individual research work and seminars  
Every student will have to write a 5000-6000 word (10-12 pages) research paper on the specific topic agreed upon with the lecturer and hand it in two weeks before their oral

presentation to the class. The research papers have to be adequately referenced. Students will receive the lecturer's feedback on the paper's content, structure, organisation, clarity and coherence, one week before their presentation. They will have one week to consider the lecturer's comments and incorporate them in their presentation. Students will give a 20-minute presentation to the rest of the class in which they will present the topic of their paper. Students will receive feedback forms from their peers, as well as from the lecturer. As for the assessment of the research paper, both the written piece and its presentation will be evaluated. The completed feedback forms will also be taken into consideration when assessing the student's performance. By using this approach students will learn both how to produce a well-organised and coherent essay-long text on a particular issue and how to clearly and effectively present their written work to others.

- Dealing with concrete problems, topical issues, relevant cases  
 Analysis of cases will form the basis for applying the concepts and international legal norms to real world situations, thereby promoting curiosity, exploration, problem solving and understanding. Students will be expected to have read and analysed the cases thoroughly prior to class. The students will be formatively assessed based on how well they are able to analyse the central problem of the case, use different ways of representing knowledge and present their oral argument. Occasionally, content material taken from current news and information will be discussed during the lectures to add relevance to a lesson topic or content.

**Suggested assessment of the knowledge:**

	Weight
- Regular and active participation in lectures and tutorials	10%
- Group presentations	15%
- Mid-term exam	20%
- Preparation and oral presentation to the class of an essay on the topic agreed upon with the lecturer/teacher	30%
- Final exam	25%

**Interrelation with other courses which are already taught at the PCU:**

*Faculty of Law, University of Tirana*

Settlement of International Disputes, International Organizations and institutions, European law and institutions, Transitional Justice and Human Rights, Humanitarian Law.

*Faculty of Political Sciences, University of Sarajevo, Bosna and Herzegovina*

No.

*Faculty of Political Science, University of Zagreb*

Comparative policies of ethnic conflict management, Croatia in the European Security System, Theories and Policies of Peace.

*Faculty of Political Science, University of Montenegro*

Policies of ethnic conflict regulation

*Faculty of Law, University of Pristina*

Human rights and peace building (no ECTS)

International Organizations and institutions,

EU Law - Master Program,

Humanitarian Law - Modular program-bachelor

Transitional Justice and Human Rights Resource Centres, extra courses for students.

*Faculty of Law and Faculty of Security, University St. Kliment Ohridski, Bitola, North Macedonia*

Justice and internal affairs, Politics of enlargement of the EU, International political relations, Institutions of the EU, Common Foreign and Security Policy of the EU, EU in international relations, Multilateral European organizations, Political systems and law of the EU, Political science. (Courses are thought at the I, II, and third-cycle studies.).

*Faculty of Law, University of Belgrade*

International Relations.

*Faculty of Law, University of Maribor*

The course is related to the course "Law and institutions of the EU."