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## AGENDA

### PhD workshop

## Transitional justice in the Western Balkans: Emerging research and theory building

**Date and time:** 27 MAY 2022, 10:00 – 14:00

**Venue:** The London School of Economics and Political Science, European Institute, meeting room CBG 6.14

### 10:00 – 10:30 Welcome and Introduction

Dr Denisa Kostovicova

Venera Cocaj

### 10:30 – 12:30 I. Panel

#### History, Transitional Justice, and Reconciliation Politics

**Chair:** Dr Denisa Kostovicova

**1 Transitional Justice in Albania, Kosovo and North Macedonia in a comparative framework** | Ines Stasa, Epoka University

Discussant: Venera Cocaj

**2 (Hi)Story according to the ICTY: Tribunal's interpretation of political causes of violence during the 1991-1995 war in Croatia** | Petar Finci, Amsterdam School of Heritage, Memory and Material Culture, University of Amsterdam

Discussant: Cagla Demirel

**2 "Victim Olympics" or Prospects for Reconciliation? Exploring inclusive victimhood in Bosnia-Herzegovina** | Cagla Demirel, Department of Political Science, Södertörn University

Discussant: Andreas Moeller, Department of War Studies, King's College London

**4 Silence Breakers and Wartime Sexual Violence: Affiliation and Disaffiliation in the Public Sphere in Kosovo** | Venera Cocaj, European Institute, The London School of Economics and Political Science

Discussant: Petar Finci

### 12:30 – 12:45 Final remarks and conclusion

### 12:45 – 14.00 Lunch



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Abstracts:

**Transitional Justice in Albania, Kosovo and North Macedonia in a comparative framework** | Ines Stasa, Epoka University

Justice is a political concept, and it requires willingness, national conscience, and acknowledgment of the truth to put it on the top of political agendas. If prioritized, justice can indisputably contribute and lead to development of a society and democratization of a particular country. This becomes particularly important for post-communist and post conflict countries such as Albania, North Macedonia, and Kosovo, where healing the societies wounds requires strong will to deliver much needed justice to keep the social cohesion and co-existence intact and strong. Transitional justice is a key approach to address these challenges in fast changing societies and countries such as Albania, North Macedonia, and Kosovo. This PhD dissertation elaborates key pillars and concepts on transitional justice in these countries by establishing the common ground of understanding the perception of justice; its areas of implementation as a state- building instrument, and the contrasting elements that result from the qualitative data analysis of elite interviews conducted in the three countries in study. The thesis focuses primarily on theoretical evolution of transitional justice as an international norm and its development towards transformative efforts in reaching justice goals. It aims to explain the transition paradigm specifically in highly divided societies and post-communist countries which cover the three case studies. Given that little evidence is available on this issue, few researchers have addressed the problem of justice and reconciliation in the Western Balkan countries, therefore it remains crucial to introduce in a multidisciplinary level the transitional justice paradigm and the relationship of truth versus justice / democracy versus justice dilemmas in the regional context.

**(Hi)Story according to the ICTY: Tribunal's interpretation of political causes of violence during the 1991-1995 war in Croatia** | Petar Finci, PhD Candidate, Amsterdam School of Heritage, Memory and Material Culture, University of Amsterdam

As part of a larger research into the ICTY's contribution to the creation of historical record in the former Yugoslavia, this paper examines the Tribunal's interpretations of the political causes of violence during the war in Croatia. Over the years, the ICTY judges heard evidence on the 1991 campaign of persecution of anti-Serb population in Croatia, allegedly aimed at annexing a third of Croatian territory to a future Serb-dominated state, often referred to as "Greater Serbia". On the other hand, the prosecution alleged that the Croatian political and military leadership organised the Operation „Storm“ in 1995 with the aim of returning the Krajina region under Croatian control and in order to permanently and forcibly remove the Serb population from that part of Croatia, thus creating an ethnically „pure“ Croatia. The research establishes that the ICTY judgements did not present a single interpretation in either case, since different chambers (and, sometimes, the judges within the same chamber) took a different view of events, their protagonists and their respective roles. This “historical narrative pluralism” was at the ICTY paired with the prosecutorial discretion in the choice of cases and the suspects, as well with natural causes (death



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of the accused) to produce an uneven, sometimes confusing and even controversial interpretation of some of the key questions related to the political causes of violence in Croatia.

**Is it just a 'Victim Olympics', or does every mother cry the same? Inclusive victimhood narratives in post-war Bosnia-Herzegovina** | Cagla Demirel, Department of Political Science, Södertörn University

Narratives are essential tools to communicate thoughts about competitive and inclusive victimhood socially and politically. In countries emerging from war and experiencing peace-building and reconciliation processes, promoting narratives of inclusive victimhood (an understanding that "we all suffered together") has been suggested as one of the ways of overcoming competitive victimhood (the view that one ethno-religious group or nation is the sole or primary victim in a conflict or war). However, the notion of inclusive victimhood remained understudied in post-war and post-conflict contexts within which exposure to violence was relatively imbalanced between former adversaries. This article traces the potential narrative transformation from competitive victimhood to inclusive victimhood in post-war Bosnia-Herzegovina. It draws upon two analytical frameworks: 1) an outline of sites to trace victimhood narratives and 2) the competitive victimhood typology as categories of interpretation. The paper scrutinizes less competitive and inclusive victimhood in Bosnia-Herzegovina by examining the narratives that recognize outgroup victimhood and acknowledge ingroup responsibility for harming others. Drawing upon the empirical findings from Bosnia-Herzegovina, the paper suggests a potential for peaceful coexistence that figures through the narrative of shared suffering if only violence was not entirely unidirectional. However, shared perpetratorhood seems less likely to be observed in post-war contexts where the exposure to violence is highly asymmetrical.

**Silence Breakers and Wartime Sexual Violence: Affiliation and Disaffiliation in the Public Sphere in Kosovo** | Venera Cocaj, European Institute, The London School of Economics and Political Science

Wartime sexual violence has been recognised as a gross human rights violation and a weapon of war, for which justice is due. Transitional justice scholars recognise victim-blaming as well as the shaming culture that the victim survivors face, which is why they struggle to break the silence and attempt to achieve justice. While there is a significant body of scholarship on the silence and stigma surrounding war-time sexual violence, there is limited understanding of how women break with silence and with what effect. I argue that injustice for sexual violence is perpetuated in the public domain even when victims/survivors break the silence, and I identify mechanisms of public affiliation and disaffiliation on how this unfolds. Empirical evidence draws on the story of wartime rape shared by a woman survivor in Kosovo on national television. This interview triggered a wider public interaction involving political parties, politicians, activists, intellectuals and ordinary citizens. By applying critical discourse analysis to original data in the Albanian language, this chapter analyzes affiliation and disaffiliation in the public sphere on the issue of sexual violence.



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Author information:

### **Ines Stasa**

Ines Stasa was born and raised in Albania, where she finished bachelor's in political science at the University of Tirana. Ines is graduated with a M.A in International Relations at Leeds Beckett University in United Kingdom. Currently, she is finishing her Ph.D. thesis on transitional justice in a comparative analysis between Albania, Kosovo, and North Macedonia. Her thesis is a combination of qualitative and quantitative methods in two main theories of compliance and of regime change and consolidation in the Western Balkan countries. She has presented research articles in many international conferences and published in international journals mainly on transitional justice, responsibility to protect, liberal international order and of politics on gender justice. Ines has also participated at OSCE/ODIHR school on Political Parties and Democracy; also attended the summer school "Democratic innovations in the EU and in Europe", held by University of Saint –Louis Brussels; Summer School participant "Justice after mass atrocities" organized by Center for Comparative Conflict Studies, University of Belgrade, and participant at Summer School "EU law and European Governance in populist times", UCLan Cyprus, School of Law. Recently she held an intensive training program of Leadership Academy for Development led by Prof. Francis Fukuyama and faculty members at Stanford University. Ines research interests are on democratization processes in the Western Balkans, reconciliation, and transitional justice.

### **Petar Finci**

In addition to his PhD research, Petar Finci works as a researcher for the International Committee of the Red Cross, searching the relevant archives for information about fate and whereabouts of more than 11 thousand persons still missing from the 1990's wars in the former Yugoslavia. Between 2009 and 2017, Finci worked as a researcher, writer and film-maker for the Outreach Programme of the UN International Criminal Tribunal for the former Yugoslavia in The Hague and, before that, for the ICTY's Office of the Prosecutor. Before 2002, Finci worked as a journalist and editor in The Netherlands and Bosnia and Herzegovina. For a number of years, he was also a cook in Israel and Italy.

### **Cagla Demirel**

After graduating from Karadeniz Technical University (KTU) with a Bachelor's degree in International Relations in 2010, Cagla Demirel became a research assistant at the same university the same year. She had visited Coventry University (in the UK) as a researcher for three months in 2012 before she graduated from the International Relations Master's degree program at KTU in 2013. She completed her second master's degree at the Department of Political Science at Södertörn University (in Sweden) in 2016. She visited Cooperation Ireland, a peacebuilding organization, in Northern Ireland for three months in 2018 to conduct research. She is currently a Ph.D. candidate at Södertörn University. She also acted as a Ph.D. representative at Peace Research in Sweden (PRIS) between 2020 and 2022. Her research interests are reconciliation processes, peace and conflict research, victimhood, narratives, identity, and memory politics. Her current research context is Bosnia and Herzegovina.

### **Venera Cocaj**



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Venera Cocaj is a PhD Candidate at the European Institute, London School of Economics and Political Science. Her PhD research is part of a larger scientific research project 'Justice Interactions and Peacebuilding: From Static to Dynamic Discourses across National, Ethnic, Gender and Age Groups,' funded by the European Research Council. Her research focuses on wartime sexual violence and gender-based violence in Croatia, Bosnia and Herzegovina and Kosovo.

Chair:

**Dr. Denisa Kostovicova** Associate Professor in Global Politics, European Institute

The workshop is organised jointly within the scope of the research project 'Justice Interactions and Peacebuilding: From Static to Dynamic Discourses across National, Ethnic, Gender and Age Groups' (JUSTINT), funded by the European Research Council (ERC, No. 772354), and in collaboration with the LSEE, a Centre for Research on South-Eastern Europe, both based at the European Institute at London School of Economics and Political Science.