

would make a strong recommendation to the appropriate legislative body to remove that official. Initial reaction to the Mediator's proposal was favorable, and the proposal was sent on to the Federation Assembly in Sarajevo. Although it was on the agenda in June 1996, the parliament has yet to pass the law.

A successful strategy to overcome obstacles does not always require in-depth knowledge of the applicable law, but simply common sense. During a mediation session to convene a municipal assembly in Central Bosnia, the Croats complained that only the Bosniac flag was raised in the room. When the Croats presented a flag of Herceg-Bosna, the Bosniacs resisted.

Because the Herceg-Bosna flag is very similar to the flag of Croatia, which the Bosniacs were willing to accept, the Mediator's interpreter used her sewing kit to cut out the part that identified the flag as Herceg-Bosna, and with a few stitches turned it into a Croat-like flag. Under great media attention, the flag was then presented to the public and accepted by all sides.

#### Future Outlook

Despite the set-backs in implementing the Federation institutions and achieving progress in the civil implementation of the Dayton Agreement, progress can be seen in some areas. One cannot expect to quickly solve all the problems that have arisen as a result of the first war in Europe since World War II. Instead, Bosnia-Herzegovina is

in a slow democratization process. The success of this process and of the Dayton Agreement will depend not only on the ability of people to overcome hatred and start living together again, for which there are promising indications, but it will also depend on the willingness of the international community to assist in the reconstruction process and use all means, including military if necessary, to prevent any return to belligerent activity. If the future mandates of Post-IFOR and the IPTF do not close all security gaps existing under the current mandate, it is likely that war will afflict the region again. ☹

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## ALUMNUS PROFILE

### Alumnus Advises the International Mediator for Bosnia-Herzegovina

by Gillian Brady

Since February of 1996, Peter Backes (LL.M. '95) has had the opportunity to take part in reshaping the former Yugoslavia. As Legal Advisor to the Mediator for the Federation of Bosnia-Herzegovina, Backes assists in the peaceful resolution of complex legal and political conflicts between competing political parties and national groups. (For more information about the mediation process in the Federation of Bosnia-Herzegovina, please see Backes' article on page 1.)

Prior to his study at WCL, Backes received his law degree in Germany and completed his required apprenticeship in various fields of the law. Before he began his LL.M., he worked for six months at a German law firm in corporate and labor law. While at WCL, he focused on international trade, environmental law and worked on dispute settlement issues with the World Trade Organization. The work he did for the WTO in particular has been extremely useful in his current work with the International Mediator.

The opportunity to work in the Mediator's office came accidentally, through a

friend who had heard about the job. The mediation and arbitration process is operated primarily by Americans and Germans, so they specifically wanted someone who had legal training both in Germany and the United States. Backes chose to pursue an LL.M. in the United States because this training makes a lawyer much

human rights are a key part of the Dayton Accords being implemented by the mediation team. Backes believes the experience of working for the Mediator has given him insight into politics and diplomacy and has helped him to understand how difficult and deep-rooted the conflict is. He says it requires patience to deal

with the intense hatred that sometimes surfaces. Many meetings are friendly but some can get very tense.

The work of the Mediator is expected to continue through 1997, or as long as there is a need. Although Backes did not anticipate doing this type of work, he has found that he really enjoys it and finds the political aspects of his job to be very interesting. Working for the Mediator has also provided him with interesting experiences such as serving as an election observer for the Organization for Security and

Cooperation in Bosnia-Herzegovina. When he has finished his work for the mediator he would like to take the mediation talents he has developed into the realm of business, possibly working in dispute resolution. ☹



Peter Backes (left) and WCL's Rochus Pronk serving as election observers at the September 1996 elections in Bosnia-Herzegovina.

more marketable in Germany. The decision was obviously fortuitous, as he believes that he would not have his current position if not for his study in the United States.

The mediation in Bosnia-Herzegovina is mainly political and electoral, although

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