

# New York, New York... a Fulbrighter in the Big Apple

Eszter Kirs

<i>University of Miskolc, Faculty of Law</i>	<i>Columbia Law School</i>
<i>Dept. of International Law</i>	<i>435 West 116th Street, New York, NY 10027</i>
<i>H-3515 Miskolc, Egyetemváros</i>	<i><a href="http://www.law.columbia.edu/">http://www.law.columbia.edu/</a></i>
<i>kirs.eszter@gmail.com</i>	
<i><a href="http://jogikar.uni-miskolc.hu/">http://jogikar.uni-miskolc.hu/</a></i>	<i>Adviser: Prof Brian Gibson</i>

*New York was the best place in the world for me at the time I arrived there thanks to the Fulbright Commission. I finalized my Ph.D. thesis in the beginning of the summer, and I was planning to broaden my research perspective from the narrow topic of my doctoral research. I needed to find a new, challenging topic for further analysis. For that I needed an excellent library, an inspiring atmosphere and some practical experience in the field of my research topic. All the three advantages were provided by the city of New York. The present report briefly introduces both the professional and the personal aspects of the unique possibility of being in the Big Apple as a Fulbrighter.*

## 1. Research

As a visiting research fellow at the Columbia Law School I had access to the best academic sources. The Forum of Visiting Scholars and Research Fellows, together with the course which I audited provided a perfect forum for changing ideas and gaining useful input from other experts of my research field. In addition, I was admitted to a non-governmental organization as an intern where I had the possibility to obtain an insight into the work of practitioners.

Now let's come to specific terms. The field of my research is transitional justice. This branch of public international law covers all the relevant public legal issues regarding the transition of a society emerging from an armed conflict or a repressive regime. These issues range from international and domestic criminal accountability of perpetrators of war crimes, crimes against humanity or other grave breaches of international humanitarian or human rights law; through reparation and truth revelation issues; to lustration and memorialization. Earlier I was dealing with the truth seeking function of international criminal judicial bodies and their relation to truth commissions. My thesis focused on the topic whether and how international or hybrid criminal tribunals should have a cooperative relationship with truth commissions working in the field. I analyzed the cases of South Africa, East Timor, Rwanda, Uganda and Sierra Leone and drew conclusions in order to answer this fundamental question concerning the permanent International Criminal Court and future truth commissions.

During my stay in New York I was working on a paper which was supposed to be submitted to the Grotius Centre for International Legal Studies. The paper is the outcome of a research course attended in The Hague and the research done at the Columbia Law School. The essay “Complementary relationship between the International Criminal Court and truth commissions” was published as a chapter of a book including writings from experts of the field of international criminal law. In the paper (1) prevention of impunity and deterrence, (2) the effects on the relevant society and (3) revelation of the truth were the starting points of the comparative examination. The Court and the commissions serve these aims in a different way therefore the goal of my argumentation was to prove the need for cooperation between these institutions with the specific focus on the legal framework of information-sharing.

### 1. 1. The relationship between the International Criminal Court

There are different possible models for understanding the relationship between truth commissions and the International Criminal Court (hereinafter, ICC). According to one of the extreme alternatives, criminal prosecutions threaten the process of peaceful transition, and therefore truth commissions must be strong and independent institutions. This could lead to the lack of regulation regarding the relationship between these two institutions that might have negative consequences, such as a decrease of voluntary will of the affected people to participate in commission hearings. In this way, both institutions would be deprived of essential statements to be given before the truth commission. The second extreme view is that since the main aim of transitional justice must be retribution, the affected commissions should function as subsidiary organs of the ICC with an obligation of unconditional information-sharing.

In many cases the operation of truth commissions has not had a significant effect on domestic criminal proceedings. This phenomenon has appeared in different ways. There were cases where any kind of relationship was already excluded by the establishing documents. In other cases the commission had the authority to grant amnesty but did not use it to a large extent, or it made recommendations for prosecutions which were not enforced.

The following examples demonstrate this trend. The Act of the truth commission in Solomon Islands declares *expressis verbis* that the Commission shall not be subject to the direction or control of any person or authority in order to ensure independence for the truth seeking body in the system of justice.

At the discretion of the Commission, any person shall be permitted to provide information to the Commission on a confidential basis and the Commission shall not be compelled to disclose any information given to it in confidence.<sup>1</sup> At the same time, it has an irregularly broad authority including the power to issue summonses and subpoenas.<sup>2</sup>

In the case of El Salvador, although the commission made recommendations for prosecutorial investigations, it emphasized that the domestic judicial system might not be able to accomplish these investigations partly because of the fact that it was run by officials whose omissions were part of the system than the truth commission itself revealed.<sup>3</sup> Consequently, it was not surprising that just five days after the publication of these recommendations on March 20, 1993, a blanket amnesty was declared.

<sup>1</sup> The Truth and Reconciliation Act (No 5 of 2008) of Solomon Islands, Art 6 para 3

<sup>2</sup> Ibid, Art 8 para 1 (f)

<sup>3</sup> From Madness to Hope. The 12-year war in El Salvador. Report of the Commission on the Truth for El Salvador, 1993, p 178

Similar phenomenon has appeared in Africa. Although the Liberian commission declared its independence from any criminal courts regarding information-sharing, it made recommendations for prosecution.<sup>4</sup> It also indicated the persons who it believed should not be prosecuted due to the fact that they had given a detailed statement before the Commission. The example of Liberia leads us to a general problem, namely the lack of enforcement of recommendations given by truth commissions. The Final Report of the Liberian Commission included recommendations for the prosecution in the case of nearly a hundred individuals.<sup>5</sup> Nevertheless, on September 17, 2009 a law was signed by President Ellen Johnson Sirleaf that suspended any action on the Final Report of the commission.<sup>6</sup>

The afterlife of truth commission findings depends largely on political will. In many cases *de facto* amnesties or the illegitimate prolongation of the truth commission amnesty granting process is much more probable than the execution of the findings regarding prosecution. An example of this phenomenon is the case of presidential pardons in South Africa. A special dispensation was established by President Mbeki in 2008 for the granting of pardons to persons who were convicted of offences allegedly committed in pursuit of political objectives before June 16, 1999, and who did not apply for amnesty before the Truth and Reconciliation Commission. The Pardons Reference Group (RG), which consisted of members of political parties, received applications for pardons and made recommendations to the President. Although a coalition of local NGOs began lobbying the RG and various government officials to address issues of victim participation and transparency, these requests were refused. The RG created a list of 121 prisoners and other convicted persons recommended for pardon.<sup>7</sup> In other cases, the enforcement of the findings is simply not possible due to inter-state political pacts, such

as in East Timor, where future prosecutions were blocked by an agreement between the government of East Timor and Indonesia on the establishment of the Commission of Truth and Friendship.<sup>8</sup>

These cases raise the question how great an impact the operation of a truth commission has on criminal proceedings. An expectation cannot be that criminal courts should determine their prosecution policy according to the recommendations of a truth commission. However, in order to better serve the aims of long-term reconciliation and strengthening the rule of law, the recommendations of a truth commission should be taken into consideration in case selection. This can raise the acknowledgement of the operation of the Court in the affected country and facilitate the work of the OTP as well.

Summarizing these examples, we can draw the conclusion that regarding the theoretical question of how truth commissions and the ICC should relate to each other, *aurea mediocritas* should be the way to follow. The working group convened by the UN Office of the High Commissioner for Human Rights and the Office for Legal Affairs in order to discuss the issue of the relationship between the Truth and Reconciliation Commission and the Special Court for Sierra Leone reached the same conclusion. According to this approach, the main aim of the functioning of the two institutions differs from each other, and both aims are necessary to achieve in order to realize long term reconciliation and a peaceful transition.<sup>9</sup> Accordingly, the principle of complementarity should apply to their relationship. Still, the question remains under what conditions cooperation can be achieved.

## 1. 2. Information-sharing between the ICC and truth commissions

Truth commissions gather more than a thousand statements from former perpetrators, victims and witnesses during their existence.<sup>10</sup> All this information might provide a useful contribution to the more efficient proceeding of the ICC. An important consideration is the extent to which information sharing between the ICC and truth commissions would discourage participation in the truth commission hearings. Therefore, the statements

4 Act on the Establishment of the Truth and Reconciliation Commission of Liberia (May 12, 2005), Art VIII

5 Final Report of the Truth and Reconciliation Commission of Liberia, Vol. I. Findings and Determinations, available: <https://www.trcofliberia.org/reports/final>

6 TRANSITIONS. TRANSITIONAL JUSTICE NEWS FROM AROUND THE WORLD (International Center for Transitional Justice, October 2009), p 3

7 The legitimacy of the procedure was attacked by a group of local NGOs and the ICTJ before the North Gauteng High Court in Pretoria due to lack of transparency and victim involvement. The Court stated that the right of victims to participation was violated. It also found that the President should have considered all the relevant information prior to granting a pardon. Therefore, victims and/or their families and interested parties should have been heard prior to the release of a prisoner. However, the Court has not definitely decided yet the merits of the application. At the same time, it issued an interim interdict restraining the President from granting any pardon in terms of the special dispensation until the victims have been given access to the relevant application for a pardon and related information, and an opportunity to make representations to the President in that regard. Instead of providing the list of individuals who were recommended for pardon to the Coalition, the President sought to leave to appeal the whole judgment to the Supreme Court of Appeal. In addition, Ryan Albutt who has been recommended for pardon applied directly to the Constitutional Court for leave to appeal the interim interdict. See Case No: 15320/09, North Gauteng High Court, Pretoria (April 29, 2009)

8 See in more details, Eszter Kirs, *Possible models for the regulation of simultaneous functioning of truth and reconciliation commissions and criminal courts*, in D. Momtaz, M. J. Matheson (eds.) *THE RULES AND INSTITUTIONS OF INTERNATIONAL HUMANITARIAN LAW PUT TO TEST IN RECENT ARMED CONFLICTS* (Brill, 2009)

9 William A. Schabas, *A synergistic relationship: the Sierra Leone Truth and Reconciliation Commission and the Special Court for Sierra Leone*, in 1-2 *CRIMINAL LAW FORUM* (2004), pp 26-27

10 The commission in Sierra Leone took 7,000 statements, the one in East Timor elaborated more than 1,400 cases and the TRC in South Africa which can be considered the most efficient one till today gathered almost 30,000 statements.

taken by a truth commission should not be used as incriminating direct evidences by the ICC. The affected population must be informed to the largest possible extent about the differences regarding the mandate of the two institutions and about the fact that their statements will not be used against them. This is essential in order to avoid unnecessary doubts and fears that could prevent them from participation.<sup>11</sup>

Statements taken by truth commissions may not be admissible as direct evidences in the proceedings of the ICC especially in cases where the same standards of proof do not apply as those applied by the Court,<sup>12</sup> such as the case of solemn undertaking. Former Prosecutor of the Special Court for Sierra Leone, David Crane had a good reason to declare that he did not intend to use any statements taken by the Commission for investigations at the Special Court.<sup>13</sup> At the same time, this statement does not need to apply in every case. Even if the statements are not admissible as evidence, they can be useful for developing familiarity with the conflict in general or the individual case.

In addition, in most of the cases rights of a person giving a statement cannot be ensured by a truth commission to such an extent as they are ensured to a person during the investigation of the ICC.<sup>14</sup> Considering the rights of the accused listed in the Rome Statute from the point of view of commission hearings, the affected person appearing before a truth commission will be able to use his or her own language, will not be subjected to any coercion or threat or inhuman, degrading treatment, will not be arbitrarily deprived of liberty, and in the case of a well-managed and financed commission he or she will be legally assisted as well. On the other hand, since the main aim of statements taken by a truth commission is not to assist the functioning of the Court, the affected person will not be cautioned that the statement may be used against him or her as direct evidence. In this way, the right to silence cannot be ensured

either. These are circumstances equally emphasizing the fact that statements taken by a truth commission cannot be used as direct evidence by the ICC. Nevertheless, they might be useful sources of information for the OTP of the ICC during its investigations for generating new evidence. Specific agreements on the conditions of information-sharing might be concluded by the OTP and the relevant commission. In this regard, the case of the Peruvian truth commission constitutes an example, where the Attorney General's Office signed such an agreement with the Commission defining the fields where cooperation should be accomplished, such as in cases of enforced disappearance or the conduction of exhumation.<sup>15</sup> Due to human rights concerns mentioned above, the statements should be used only in the phases of preliminary probing and investigations prior to the confirmation of charges, where the Prosecutor may still rely on summary evidence or documentaries.<sup>16</sup> Considering the possible negative effects on participation in commission hearings, limits might be determined as they were in the case of Sierra Leone, where three conditions had to be fulfilled, namely that the requested information was specific, essential to prove the innocence of the accused and could not be obtained from any other resource.<sup>17</sup> Similarly in the case of the ICC, although it might not be possible to identify exactly the specific document needed, but the requested information must be specified for instance at least by the name of the person whose statements are requested.<sup>18</sup> Due to the fact that the individuals appearing before the truth commission must be ensured that their statement will not be used against them as incriminating evidence before any criminal court, we could argue that only exculpatory evidence should flow from truth commissions to the ICC. This is an essential condition from the point of view of successful functioning of a truth commission, since the appearance of high profile perpetrators needs to be facilitated so that the commission is able to draw an overall picture about past events. In this regard, the right of victims to the truth cannot be ignored. However, if the information is used only for investigations prior to the confirmation of charges and not as direct evidences, a rule on such a condition is not necessary.

11 See on this issue concerning Sierra Leone: Elizabeth M. Evenson, *Truth and Justice in Sierra Leone: Coordination Commission and Court*, in 104 COLUMBIA LAW REVIEW (2004), p 762; Priscilla Hayner, *THE SIERRA LEONE TRUTH AND RECONCILIATION COMMISSION: REVIEWING ITS FIRST YEAR* (International Center for Transitional Justice, 2004), p 4; SCHABAS (2004), p 30

12 "Before testifying, each witness shall, in accordance with the Rules of Procedure and Evidence, give an undertaking as to the truthfulness of the evidence to be given by that witness."

Rome Statute of the International Criminal Court, 17 July 1998, Art. 69 par (1)

"1. Except as described in sub-rule 2, every witness shall, in accordance with article 69, paragraph 1, make the following solemn undertaking before testifying: "I solemnly declare that I will speak the truth, the whole truth and nothing but the truth."

2. A person under the age of 18 or a person whose judgement has been impaired and who, in the opinion of the Chamber, does not understand the nature of a solemn undertaking may be allowed to testify without this solemn undertaking if the Chamber considers that the person is able to describe matters of which he or she has knowledge and that the person understands the meaning of the duty to speak the truth."

Rules of Procedure and Evidence, 3-10 September 2002, Rule 66

13 SCHABAS (2004), p 29

14 Rome Statute, Art 55; Rules of Procedure and Evidence, Rule 74

15 Eduardo González Cueva, *The contribution of the Peruvian Truth and Reconciliation Commission to Prosecutions*, in 15 CRIMINAL LAW FORUM (2004), p 62

16 Rome Statute, Art 61 par (5)

17 Abdul Tejan-Cole, *The Complementary and Conflicting Relationship between the Special Court for Sierra Leone and the Truth and Reconciliation Commission*, 5 YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW (2005), p 327

18 See Marieke Wierda, Priscilla Hayner, Paul van Zyl, *EXPLORING THE RELATIONSHIP BETWEEN THE SPECIAL COURT AND THE TRUTH AND RECONCILIATION COMMISSION OF SIERRA LEONE* (International Center for Transitional Justice, 2002), p 14

### 1. 3. The confidentiality problem

ements made during public sessions or in any other public document, does not cause any problem. On the other hand, in the case of statements taken by a commission under confidentiality OTP shall respect this condition.<sup>19</sup> At the same time, a truth commission should not prevent the flow of information in a general manner even if it is about a confidential one, especially if it possesses information which is critical to avoiding a miscarriage of justice before the ICC. The Prosecutor may conclude a special agreement with the affected state in order to guarantee that it will not disclose information obtained solely for the purpose of generating new evidence, consistently with the relevant provision of the Rome Statute.<sup>20</sup> Similarly, the Prosecutor can conclude special agreements with a truth commission as well or if the relevant commission accomplished its mission, with the Follow-up Committee or the national authority designated as a representative of the former commission. However, such agreements might be concluded only on an exceptional basis under the scrutiny of the Trial Chamber of the Court since otherwise it would raise serious concerns regarding the rights of the accused.<sup>21</sup> Equality of arms of the parties must be ensured to the largest possible extent especially in the case of international crimes, since they are complex and may raise complicated legal issues. Therefore, numerous rights need to be ensured to the accused, such as the disclosure of evidence within the shortest delay.<sup>22</sup> On the other hand, the right of the victims to the truth cannot be forgotten either. As mentioned above, if a high profile perpetrator, who played an essential role in the relevant

<sup>19</sup> If the information is to be obtained from a truth commission established by a State Party to the Rome Statute, the relevant State has an obligation to provide the requested document in the framework of its duty to cooperate with the ICC. On the other hand, there are exceptions to this obligation under the Statute that can be referred to in a case when the statement is protected under domestic law, or its confidentiality must be respected due to national security interests. If the relevant statement was taken by a truth commission that had functioned in a State which is not a party to the Rome Statute, beside the voluntary intent of the State, there is not any other way to oblige her to provide the document requested by the Court or by a State Party.

See Rome Statute, Art 93 par (1) , Art 72 par (5) and Art 73

<sup>20</sup> “(The Prosecutor may...) Agree not to disclose, at any stage of the proceedings, documents or information that the Prosecutor obtains on the condition of confidentiality and solely for the purpose of generating new evidence, unless the provider of the information consents;”

Rome Statute, Art 54 par (3) (e)

“The requested State may, when necessary, transmit documents or information to the Prosecutor on a confidential basis. The Prosecutor may then use them solely for the purpose of generating new evidence.”

Rome Statute, Art 93 par (8) (b)

<sup>21</sup> According to the opinion of the ICC Appeals Chamber, the use of Article 54 (3) (e) of the Rome Statute must not lead to breaches of the obligations of the Prosecutor vis-à-vis the suspect or the accused person. *Prosecutor v. Thomas Lubanga Dyilo*, 21 October 2008, Case No. ICC-01/04-01/06 OA 13, par 42

In the case against Thomas Lubanga Dyilo, the OTP concluded confidentiality agreements routinely, and did not disclose the documents, since the information providers, such as the UN did not give its consent, that lead to the decision of the Trial Chamber about the stay of the proceeding.

<sup>22</sup> Antonio Cassese, *INTERNATIONAL CRIMINAL LAW* (Oxford University Press, 2008), p 385

armed conflict, does not appear before the commission being aware of the fact that a confidentiality agreement is not concluded by the truth commission and the ICC, an overall picture cannot be drawn about past events.

### 1. 4. Flow of information towards truth commissions

If we admit that institutions of transitional justice should cooperate at least to a limited extent in order to achieve the common goal of peaceful transition and long term reconciliation, the question becomes relevant of how the ICC could facilitate the work of truth commissions that are functioning simultaneously in affected states. The archives possessed by the Court might be useful for a truth commission trying to draw a reliable overall picture about past events. From this point of view, records taken by the Prosecutor have a high credibility, since it is ensured by numerous guarantees declared by the Rules of Procedure and Evidence of the Court.<sup>23</sup> The assistance, such as transmission of statements and documents possessed by the Court might be ensured in favour of a commission in accordance with the relevant provision of the Rome Statute.<sup>24</sup> The Court may provide assistance to a State Party that conducts an investigation. This investigation does not need to be a judicial proceeding and might be conducted by a truth commission as well.

A clash of the mandate of the two institutions can occur in a problematic scenario where the commission needs to hold a hearing of a person accused and detained by the ICC. The case of Sam Hinga Norman is an interesting example in this regard. He was a deputy minister of defense and the chief of the Civil Defense Forces in Sierra Leone and was responsible for numerous serious crimes, such as forced cannibalism. He was arrested in 2003 and accused by the Special Court. Initially, Norman’s legal representative refused an interview with the Truth and Reconciliation Commission. After the Commission had closed the functional period of hearings,

<sup>23</sup> “A record shall be made of formal statements made by any person who is questioned in connection with an investigation or with proceedings. The record shall be signed by the person who records and conducts the questioning and by the person who is questioned and his or her counsel, if present, and, where applicable, the Prosecutor or the judge who is present. The record shall note the date, time and place of, and all persons present during the questioning. It shall also be noted when someone has not signed the record as well as the reasons therefor.”

Rules of Procedure and Evidence, Rule 111 par (1)

<sup>24</sup> “The Court may, upon request, cooperate with and provide assistance to a State Party conducting an investigation into or trial in respect of conduct which constitutes a crime within the jurisdiction of the Court or which constitutes a serious crime under the national law of the requesting State.

(b) (i) The assistance provided under subparagraph (a) shall include, inter alia:

a. The transmission of statements, documents or other types of evidence obtained in the course of an investigation or a trial conducted by the Court; and

b. The questioning of any person detained by order of the Court;”

Rome Statute, Art 93 par (10) (a-b)

Norman changed his mind and stated that because of the prolongation of the Court proceedings he expected judgment from the people of Sierra Leone, and therefore he would have liked to participate in a public hearing. This change in Norman's behavior was obviously aimed at the manipulation of the criminal proceedings by the pressure of public opinion. Therefore, the Registrar of the Special Court drafted a strict guideline for such cases. According to its provisions, judges of the Special Court were entitled to decide whether the Commission hearing could occur and what questions could be posed at the hearing. Moreover, the interview would have been supervised by a lawyer from the Court who could have interrupted or even suspended the hearing.<sup>25</sup>

There is a risk without a doubt that a negative outcome of a commission hearing considered as a pre-judgment might lead to the violation of the presumption of innocence. In any cases, such hearing can lead to expectations in the public related to the future judgment of the Court. On the other hand, an in camera hearing would not influence the functioning of the Court in such a manner as it would be in the case of a public hearing. Moreover, the truth commission can be obliged not to identify the affected accused in its public reports that are published before the Court passes its judgment. In this way, the right to justice and the right to truth can be reconciled.

## 2. Research Forum and other activities at the Columbia

I presented the outcome of my research by giving a presentation titled “The International Criminal Court from a transitional justice perspective” at the Columbia Law School's Visiting Scholar and Research Fellow Forum. In addition to giving a presentation myself, I was one of the two moderators of the Forum. These events took place every second week. We had two presentations per occasion given by two of the Law School's approximately 60 visiting researchers. Organization of the events was a good opportunity to build up better acquaintance with the colleagues from all around the world. In addition, this work became a good basis for future cooperation with the colleagues managing the International Programs at the Faculty.

I visited one course on Transitional Justice which provided for me a perfect overall view and structure of the broad topic. The professor, Graeme Simpson was a Director of the Truth v. Justice Program at the organization where I interned. He was the founder of the most significant local human rights NGO in South Africa at the time of the fall of the apartheid regime. Accordingly, he has a very broad

knowledge about transitional justice and experiences in the field. His practical and not purely legal but rather political perspective ensured a unique possibility for broadening my view on transitional justice. At the same time, I became a *de facto* assistant of his in the classes contributing with comments on international law.

## 3. Internship at the ICTJ

In addition to the academic activities it was a further purpose of my stay to gain some practical experience as well. The International Center for Transitional Justice where I was working as an intern is one of the most significant non-governmental organizations in my research field. I was working at the Prosecutions Program under the supervision of Caitlin Reiger, the Deputy Head of the Program. She is an experienced lawyer in the field, having worked at criminal courts dealing with accountability of perpetrators of international crimes in East Timor and Sierra Leone. Her career is an extremely inspiring example and her expertise is outstanding in the field of transitional justice. We were working on projects affecting a number of post-conflict countries in the world, from Bangladesh to South Africa. My colleagues in the office were mostly Americans, in this way it became the focal point for me to connect to life of Americans and “New Yorkers”.

## 4. Social life, sport and culture

Beyond the professional advantages that I gained, the city provided wonderful personal experiences as well. We found an apartment together with two other Fulbrighters, a Slovakian and a South African mathematician and an Iranian performance artist. This fact in itself already ensured a rich cultural environment. In addition, we kept in touch with many of the other Fulbrighters in New York whom we met in Portland thanks to the pre-academic program.

I do not need to introduce the thousand faces of the city that lead to a never-ending dynamic of everyday life. The unlimited cultural possibilities do not let anyone be bored. I tried to save as much time as possible for exploring these potentials of the Big Apple. Since I am keen on visiting museums, I had a long list of what to see, where to go. The checking of the list began at the Upper East Side in the Natural History Museum and was closed in the Brooklyn Museum. Furthermore, the vivid life of performances within or outside of walls, the Lincoln Center, the Carnegie Hall or our favorite jazz pub in the middle of Harlem ensured additional amusement. These visits were facilitated by the cultural desk of the Institute of International Education.

<sup>25</sup> SCHABAS (2004), pp 44-49

Their NY office is extremely active and helpful in providing information and assistance to Fulbrighters. One just needed to make a phone call in the beginning of the week, and they provided the information for which performance or theatre piece there is a free or discount ticket available.

At the very beginning of my stay it became obvious that beside cultural relaxation some physical activity would be essential as well in order to find some peace in the intense daily life. This became the Shotokan karate. I found an excellent dojo at the Columbia where I went to practices three times a week for two hours. This community and activity was important not only for my physical well-being but for the strengthening of my mental strength as well. It provided a routine that became an additional “backbone” of my life in the city.

## **5. Small trips from Washington to Philadelphia**

Since life in New York is a never-ending adventure in itself, I decided not to travel to further edges of the United States. At the same time, it was essential to leave the “jungle” from time to time for two or three days. Hence, I visited Washington, Philadelphia, Boston and Providence, which trips gave me some rest but again they were full of cultural input. [...]

## **6. The aftermath of the journey**

The whole stay in the United States from the beginning to the end was complete both in professional and in personal sense, but still it was a hard decision to leave the country a bit earlier than it was originally planned. I received an offer that I could not refuse, namely a legal assistant position at the United Nation’s International Criminal Tribunal for the former Yugoslavia in The Hague, the Netherlands. This job facilitated the discovery of my new research topic as well, namely the legacy of the Tribunal regarding criminal justice done in the affected countries. Another unique benefit of the Fulbright Program is that I became a member of an excellent alumni community which is rich in highly interesting people who are dedicated to their profession but also open for cooperation and civil action.

Let me once again express my gratitude towards the Fulbright Commission and all the people who assisted me, who made this trip possible which was one of the most wonderful experiences in my life.