

# PREFACE AND ACKNOWLEDGMENTS

This book is a successor to *Combating Serious Crimes in Postconflict States*, which was first published in 2006. In the years since then, the pursuit of stability and the promotion of rule of law in conflict-affected societies have grown more challenging, not less. The experiences of Iraq and Afghanistan, for example, have shown how problems such as corruption, organized crime, the narcotics trade, and ethnically or religiously motivated violence can worsen in conflict-affected societies despite substantial international engagement. Those problems can be compounded yet further when a country's neighbors teeter on the brink of state failure, offer refuge for transnational criminal and terrorist networks, or shatter under-the-hammer blows of remorseless civil war and ruthless insurgency.

Yet, even in today's turbulent world, some countries threatened by, embroiled in, or emerging from conflict have taken significant steps toward preserving or restoring domestic peace, demobilizing armed groups, tackling corruption, and bringing formerly criminal elements into the fold through political reforms and transitional justice programs. Northern Ireland, Nepal, and Timor-Leste, for instance, have all made major strides forward. Many others, though, still have a good distance to go before they can overcome persistent enemies such as gang violence and a political culture of impunity for the powerful.

Like its predecessor, *Fighting Serious Crimes* is designed to help them and states like them on their journey toward stability and rule of law. The earlier volume earned plaudits from many corners of the international community for drawing on the collected wisdom of policymakers and

practitioners and distilling a range of practical considerations and recommendations that recognized the uniqueness of each situation, yet were broad enough to apply to a diversity of settings. This new book retains much of the material in the earlier volume but builds on it substantially, discussing new challenges and new tools while reflecting on events and developments in the eleven years since the original edition was published.

This book expands upon discussion of such concepts as confiscating assets obtained through illegal means, the role of civil society in addressing serious crimes, the importance of public awareness campaigns, and the growing role of technology in both terrorism and counterterrorism. It tracks the progress of relevant institutions and initiatives since 2006, such as the Court of Bosnia and Herzegovina, and analyzes the emergence and performance of new institutions, such as the Extraordinary Chambers in the Courts of Cambodia. This book also takes account of major developments in recent years, such as the growth of piracy off the coast of Somalia and in the Gulf of Guinea, which highlights the need for greater international cooperation in law enforcement, and the blossoming (and subsequent withering) of the Arab Spring, which reshaped the political landscape of the Middle East and North Africa while introducing a host of new security challenges.

These updates remind us that this book is not a work of theory; the topics it covers have proved to be vitally important in one conflict-affected state after another. It is my hope that the collective experience of all our contributors and experts, as captured in the following pages, will continue to be useful to those engaged in combating serious crimes in conflict-affected societies.



The origins of this book lie in 2002, when the then Rule of Law Program of the United States Institute of Peace (USIP) assembled a small team of practitioners who were directly involved in efforts to tackle serious crimes in Kosovo. I am forever grateful to those original members of the Serious Crimes Working Group—Elaine Banar, Adi Gross, Michael Hartmann, Andrew Mackay, and David Ralston—whose vision shaped the earlier volume and whose passion and perseverance saw it through to completion. Their experiences with serious crime and their knowledge of the havoc it

wreaks on societies emerging from conflict drove them to volunteer countless hours of their scarce time to help put the earlier volume together.

The earlier volume owes a debt of gratitude to Neil Kritz, then director of the Rule of Law Program and associate vice president of USIP, for his invaluable and unwavering support and encouragement. Chrissy Hoffman and Christian De Vos—respectively, then senior program assistant and research assistant in the Rule of Law Program—were always there for “just one more” task, even though one always turned into many. Kurt Basseuner provided keen political insight and support, for which I am very grateful.

I also want to thank Debbie Isser and Vivienne O’Connor, who graciously allowed themselves to be recruited into the original group as contributors. Without their expertise, keen intellects, and abilities as writers, the earlier volume would not have moved forward. I am grateful to Vivienne not only for the mind-mapping skills that helped organize the earlier volume but also for the gift of her friendship.

This book is greatly indebted to Thomas Stevenson for his invaluable contribution to updating and expanding the original text. His firsthand experience in the field and familiarity with many of the issues animating contemporary debates about postconflict justice and security enabled him to zero in on the key developments of the past decade and offer thoughtful, balanced, and fluent accounts and analyses. Vivienne O’Connor was invaluable, too, in the preparation of this book. She worked with me from start to finish, contributing at a moment’s notice. Appreciation goes to Lelia Mooney, who helped shepherd the new edition through the complex revision process, and Leanne McKay, who drew on her considerable firsthand expertise to update and revise various elements of the book. Philippe Leroux-Martin and Georgia Holmer provided insightful reviews of the revised draft and recommended additions that have contributed to making this book more current and more pertinent to practitioners addressing serious crimes. Mark Shaw also reviewed the manuscript and offered astute observations and valuable suggestions for additions. Chelsea Dreher and Lauren Gillespie ably shepherded the process to ensure that the biographies of the contributors and experts were accurate. Tina Luu painstakingly reviewed page proofs with me.

Our developmental editor, Nigel Quinney, deserves particular mention. He became part of our serious crimes family and worked both on this book

and on the earlier volume. Nigel is a true professional. He is equal parts cheerleader and taskmaster. But throughout he could always be counted on to deliver witty phrases to make me laugh and to provide encouragement at times when it seemed our endeavor would not make it to fruition.

The publication of this book would not have been possible had it not been for the support of Carla Koppell, vice president of the Applied Conflict Transformation Center at USIP. She saw the importance of the work and encouraged its publication in an expanded form. Jake Harris and Cecilia Stoute of USIP's Publications department provided support throughout, as did Christina Murtaugh.

No fewer than forty experts contributed to the development of this book. They were drawn from a remarkable array of professional backgrounds: scholars, legal specialists, police officers, military personnel, judges, prosecutors, defense counsel, intelligence experts, prison and security personnel, policy advisers, human rights advocates, and representatives of international organizations. The range of countries in which they had worked was equally impressive, covering five continents, states both tiny and vast, democratic and authoritarian, some spiraling into violence and others moving up the path to peace. To every contributor to this book, I extend my warm and sincere thanks. Your willingness to share your expertise and insights with us has given the handbook a depth and breadth that it would not otherwise possess.

I am also grateful to those agencies and offices of the United Nations and of various governments that allowed their staff to attend meetings and otherwise contribute to the development of the content of the original volume that is also reflected in this book. Those organizations include the UN Office on Drugs and Crime; the Office of the High Commissioner for Human Rights; the UN Mission in Kosovo; the UN Mission in Sierra Leone; the Irish Centre for Human Rights; the U.S. Department of Justice in Washington, DC; the U.S. Attorney's Office in the Eastern District of New York; the police department of North-Rhine-Westphalia, Germany; the Department of Justice in Bari, Italy; the Ministry of Justice in Liberia; the Greater Bochum Police Department in Germany; the High Court in the Palestinian Authority; the High Court of Fiji; and the Faculty of Criminal Justice and Security Studies of the University of Marbor, Slovenia.

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Finally, I wish to thank Patrick and Calvin Dunn, who tolerated endless evenings and weekends at home with me while I sat with my computer in my lap and my mind on serious crimes.

Everyone who has worked on this book has wanted it to be a practical and useful tool for those who endeavor to build sustainable peace. We hope that it will make some contribution, no matter how modest, to the creation of a world guided by the rule of law and to the establishment of a peace that will last far longer than the ink on these pages.

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