

S.F. Mediator's Skill To Get Bosnian Test

While a student in Italy in the 1960s, former San Francisco Superior Court Judge Daniel Weinstein fell in love with neighboring Yugoslavia.

Now, 30 years later, the JAMS/Endispute mediator has a chance to show how much he cares by helping war-ravaged Bosnia-Herzegovina, one of the Adriatic states that formed when Communist Yugoslavia broke up in 1992.

With the international community pouring billions of dollars into the volatile region, Weinstein has been selected as part of a three-member team to help settle financial disputes as the country's Serb, Croat and Muslim populations move from socialism to private enterprise.

The task won't be easy. Three years of war have left 200,000 dead and six million displaced from their homes. Weinstein's duties will include making sure \$15 billion of worldwide aid gets distributed fairly.

"We don't want to promote more ethnic cleansing through the tyranny of economics," Weinstein said last week. "It is enormously difficult to divide assets when the country is as divided as any place in the world."

Weinstein, who made his first official trip to the region in late October, joins two European finance leaders on the Privatization Monitoring Commission — an independent body supported by European nations, local Bosnian leaders and the U.S. Department of State.

Appointed by the Office of the High Representative — an international office charged with implementing the 1995

Dayton Peace Accord — and on the recommendation of Deputy U.S. Ambassador to the United Nations Richard Sklar, the ex-S.F. judge will hold his post as long as he's needed.

Sklar, who headed up Bosnia reconstruction in 1997, said Weinstein's skills will be tested by the assignment.

"The judge is already

'The whole legal system is emerging from the ashes.'

— Daniel Weinstein

immersed in the problem and has made valuable personal contacts on his first trip," Sklar said. "Bosnia's reconciliation requires common acceptance of rule and law and equitable treatment irrespective of ethnic background."

Aside from his official duties, Weinstein has initiated a program to train Bosnian judges and lawyers in mediation. His employer, Irvine-based JAMS/Endispute, will subsidize a mediation training trip to the U.S. for 10 Bosnian lawyers and judges.

Weinstein hopes mediation will be used to quell tensions in the neighboring countries of

Serbia and Croatia and the disputed province of Kosovo, where the Albanian majority seeks independence.

The judge also has been asked to settle an energy dispute between Slovenia and Croatia over claims to a nuclear power plant.

Weinstein said his goal is to provide the Bosnian people with the tools to settle disputes through accord and not by more violent means.

"The whole legal system," he said, "is emerging from the ashes."

— Kevin Livingston



DANIEL WEINSTEIN: The ex-S.F. judge's duties will include making sure \$15 billion of worldwide aid gets distributed fairly. RECORDER FILE CL