

# ALTERNATIVE

## Restorative justice approaches to conflicts in intercultural settings

How restorative approaches help to build more safe and tolerant societies

This **POLICY BRIEF** is based on the findings of the **FP7 Project ALTERNATIVE (02/2012-01/2016)**, which looked into the possible use of restorative justice approaches when dealing with conflicts in intercultural settings. The project focused on theoretical research as well as action research with regard to social housing conflicts in **Austria**, a village with minorities in **Hungary**, and ethnic/ societal/ political conflicts in **Serbia and Northern Ireland**.

**PROJECT ALTERNATIVE** Developing alternative understandings of security and justice through restorative justice approaches in intercultural settings within democratic societies

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# GROWING INTOLERANCE IN DIVERSE EUROPE

European societies are becoming more and more diverse. Support for extreme ideologies and intolerance in general are increasing. **Repression and security responses show to people that the problem is taken seriously but people's sense of insecurity remains present.** Rather than trying to shield community groups from one another and building Europe as a fortress, **the opportunities of both diversity and conflict can be taken at heart in order to develop a society that deals with its increasing diversity in a positive and constructive manner.**

## WHAT CHARACTERISES 'INTERCULTURAL CONFLICTS'?

- ◆ They have harmful effects on both individuals and communities
- ◆ They are a reflection of wider social issues and inequalities
- ◆ They are often petty incidents of discord accompanied by disrespect
- ◆ They may lead to polarisation of communities and exclusion of people
- ◆ Polarisation and exclusion can lead to radicalisation and violent extremism

## RESTORATIVE JUSTICE IN INTERCULTURAL SETTINGS

### WHAT IS RESTORATIVE JUSTICE (RJ)?

- ◆ RJ is a communication process, helped by a facilitator, actively involving all parties affected by the conflict in finding a solution
- ◆ The aim is to identify, understand and transform conflicts
- ◆ RJ explores the willingness to address conflicts and improves capacity to handle conflicts

### **RJ AIMS AT TACKLING CONFLICTS AND TRANSFORMING RELATIONSHIPS.**

A restorative response cannot only resolve and defuse conflict, but it can also strengthen inter-communal relations. **Such responses prevent conflict escalating to the level that would require a political or criminal justice response.** Restorative responses facilitated by trained people and implemented appropriately improve community relations and save public expenditure. Rather than waiting until a serious crime or political disorder has occurred, **trained restorative facilitators can react on small scale incidents, engage with all the parties affected by the conflict.**

### RJ KEY PRINCIPLES

Voluntariness  
Respect & Dignity  
Inclusion  
Active participation  
Dialogue  
Empowerment  
Restoration  
Transformation  
Facilitator's multipartiality

# SUGGESTIONS FROM THE ALTERNATIVE PROJECT

RJ approaches offer room for and stimulate **PRACTICES OF COMMUNICATION** both between individuals and between different groups in society. These dialogues help to get rid of prejudices, fears, feelings of insecurity and injustice, enhance a better understanding of the other and help to build healthy relationships. **RJ sees conflict and diversity as an opportunity for change.**

## WHICH TRADITIONAL RJ MODELS CAN BE USED IN INTERCULTURAL SETTINGS FOR IDENTIFYING, UNDERSTANDING AND TRANSFORMING CONFLICT?

Traditional RJ models are: **COMMUNITY CONFERENCE | MEDIATION | RESTORATIVE CIRCLES.**

A restorative approach does not mean only applying one of its practice models, it is a way of thinking through principles while dealing with communities and conflict.

People should be familiar with RJ: awareness is needed for people to initiate RJ processes.

## WHY USE RJ IN INTERCULTURAL SETTINGS?

- ◆ RJ is suitable for different types of harms and opportunity to prevent the escalation of conflicts
- ◆ RJ dissolves barriers of difference and appreciation of the other's humanity and dignity
- ◆ RJ enhances democratic societies and values (equality, inclusion, respect, accountability)
- ◆ RJ transforms conflicts and enhances people's feelings of insecurity
- ◆ RJ uses comprehensible procedures and terminology
- ◆ RJ includes all parties and focuses on everyone's viewpoint
- ◆ RJ aims at the participants' active participation in decision making process and empowerment
- ◆ RJ facilitates the understanding of the complexity of narratives
- ◆ RJ practitioners are trained in managing (intercultural) conflicts
- ◆ RJ reduces the costs of security responses (policing, criminal justice)

## CHALLENGES OF RJ IN INTERCULTURAL SETTINGS

Language barrier

Lack of specific training for practitioners

Lack of diversity in the cultural background of practitioners

Different cultural perceptions, e.g. of conflict, time, dialogue

Association of RJ with criminal justice systems in Europe

Limited structures to address systematically all type of conflicts

# WHAT CAN YOU DO TO MAKE IT HAPPEN?

## GOVERNMENT AUTHORITIES AND EU POLICY MAKERS SHOULD:

- ◆ Set-up mechanisms to identify low level conflicts in intercultural settings
- ◆ Support cooperation between restorative facilitators and local civil society
- ◆ Develop policies to support RJ principles and values
- ◆ Introduce restorative approaches to conflicts in different fields
- ◆ Support the RJ field by providing the needed resources, including funding and training for practitioners
- ◆ Develop community work and educational work providing training in non-violent communication
- ◆ Integrate RJ approaches in the inclusion process of immigrants
- ◆ Allocate RJ tasks to professional experts in the field
- ◆ Be an example of active participation, involving RJ practitioner's knowledge in daily policy making
- ◆ Set standards for monitoring, evaluating and further researching RJ processes

## MUNICIPALITIES SHOULD:

- ◆ Assess the needs of the community and the possible tensions present between its members
- ◆ Be open to collaborate with the other stakeholders for a common project together and showing an example of participation
- ◆ Be ready to engage in honest dialogue which can also bring different views and criticism about your own work
- ◆ Support open, transparent, long term and sustainable communication
- ◆ Offer a neutral and safe space for RJ encounters to take place
- ◆ Keep in mind that mayors and other decision makers in the municipality are also citizens

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