



In this chapter you will find:

- Possible Measures to Address Violence and Direct Violence Affecting Return
 - Hybrid Courts
 - Truth-Seeking Processes
 - Community Oriented Policing
- Possible Measures to Address Structural Violence Affecting Return
 - Psycho-Social Reintegration Assistance
 - Providing Sustainable Housing
 - Supporting Entrepreneurship
- Possible Measures to Address Cultural Violence Affecting Return
 - Community Dialogue
 - Peace Education
 - Addressing the Root Causes of Gender-Based Violence



Chapter 8

Positive peace approach to Returning to the Country of Origin After Violent Conflict



INTRODUCTION

This chapter will explore how features of a positive peace approach to migration can be applied in countries recovering from violent conflict, enabling the voluntary return of migrants. It is important to emphasise that countries of transit or destination should never force migrants to return to their country of origin. Instead, they should offer migrants the right to stay if that is what they prefer. However, some migrants might want to return to their country of origin once a violent conflict has ended. Therefore, this chapter will focus on how to **address the different kinds of violence** that migrants are likely to encounter when they return to their country of origin after violent conflict. This is important because if these significant contributing factors are not addressed, migrants may feel unsafe to return. A positive peace approach to migration also includes a migrant's right to return to the country of destination if the return to the country of origin is unsuccessful or if they change their mind.

This chapter will first identify some of the ways in which violent behaviour and direct, structural and cultural violence might affect migrants returning to their country of origin after violent conflict. It will then explore the international migration-peacebuilding nexus in this context, before suggesting ways in which violent behaviour, direct violence, and structural and cultural violence can be addressed.

As in previous chapters, the line is not clear-cut between the situation in a country after violent conflict and during violent conflict. Traditionally, the signing of a national peace agreement was seen as the defining moment when a country that had been experiencing violent conflict entered the phase of post-conflict peacebuilding. However, experience from around the world has blurred this distinction. After a national peace agreement has been signed, the violent conflict can persist in some, if not all, places. This is especially the case when not all armed groups are party to the national peace agreement. Even if all armed groups are parties to the agreement, the violent conflict is likely to continue if all parties are not committed to the peacebuilding process. In most countries, it also takes time before the local population feel the effect of the peacebuilding

process. Therefore, for a while, it can feel as if the violent conflict is still ongoing. In addition, a country that is recovering from violent conflict can also be a country of transit for some migrants or even a country of destination for others affected by violent conflicts elsewhere. Hence, information in previous chapters might be relevant for a country that has gone through a violent conflict and which is now trying to establish a sustainable positive peace.

It is also essential to underline that practices implemented in one context might also be relevant in other contexts. As an example, a measure implemented after violent conflict in the country of origin to develop cohesive communities might also be relevant in countries of destination.

Violent Behaviour, and Direct, Structural and Cultural Violence Potentially Affecting Migrants' Return

There are often significant levels of both violent behaviour and direct violence in the aftermath of violent conflict. Many contemporary violent conflicts include a wide array of armed actors, and it is rare that they are all included in and supportive of the peace agreement that has been signed. Thus, it is common for direct violence, such as armed attacks on civilians, to continue, at least in the immediate aftermath of the violent conflict. It is also common for direct violence to be worse in some areas, making them more unsafe to return to. Communities are likely to encounter high levels of violent behaviour in the aftermath of violent conflict. Often, there is **no functioning police and judicial system** that can uphold the rule of law, and weapons used during the violent conflict remain widely available. Some people who have been actively involved in the violent conflict may become involved in violent behaviour, including gang violence and organised crime.

Therefore, though a peace agreement has been signed, the risk of becoming a victim of violent behaviour or direct violence often remains relatively high in the aftermath of violent conflict.

Therefore, though a peace agreement has been signed, the risk of becoming a victim of violent behaviour or direct violence often remains relatively high in the aftermath of violent conflict. Furthermore, people with complex intersecting identities continue to be more vulnerable to violent crime. For these reasons, should migrants return to their country of origin in the aftermath of violent conflict, they are often still prone to becoming victims of the same kind of violence that led them to leave in the first place.

Many migrants therefore choose to stay in their country of destination, at least in the short term, while the risk of becoming a victim of violent behaviour or direct violence remains high. Many migrants also fear that if they travel back to their country of origin and then regret that decision, their country of destination may not allow them back in. They prefer not to take that risk and stay in their country of destination.

There is also often considerable persistent structural violence in the aftermath of violent conflict. Firstly, **addressing direct violence often takes priority over countering structural violence**, at least in the immediate aftermath of violent conflict. Secondly, **peace agreements and peace processes rarely pay adequate attention to structural violence**, or the focus is solely on the structural violence that coincided with the fault lines of the violent conflict. As an example, if the violent conflict was mainly between ethnic groups, peace processes tend to, first and foremost, focus on eradicating structural violence based on ethnicity. While structural violence affecting people with more common identity markers, such as gender, is more often addressed than previously, it remains rare that peace processes adequately address structural violence based on identity markers that fewer people share, such as those belonging to the LGBTQ+ community or living with disabilities.

It remains rare that peace processes adequately address structural violence based on identity markers that fewer people share.

Some kinds of structural violence also attract **much more** attention than others. For example, many peacebuilding processes focus on ensuring free and fair elections and access to the political system for all. However, less attention may be paid to issues such as ensuring equal access to housing or addressing the ways climate change disproportionately affects some groups.

The **minimisation of structural violence** is also a long-term process. Even if addressing structural violence plays an important part in the peace agreement, it is likely that it will take some time before the people affected begin to perceive the necessary changes. Finally, peace agreements and peace processes often **promise much more than can be achieved**, given factors such as lack of funding and political commitment. All in all, whereas some groups of migrants might face less structural violence in the aftermath of the violent conflict, the situation is likely to not change for many other migrants, in the short run at least.

In many communities and countries cultural violence also continues to have a **negative impact** on many people's lives in the aftermath of violent conflict. In many cases, the violent conflict will have **increased cultural violence** because stereotyping, prejudices and discrimination have been left unchallenged and have even been allowed to increase. Addressing cultural violence is often not given adequate attention. This can be a consequence of the impact being less visible and mainly affecting people with less agency in the peacebuilding process. Moreover, even if it is given some attention, it often takes a long time before significant changes occur. This is partly because of ingrained **social norms** that often help to sustain it. Therefore, people, including migrants, are likely to continue to experience high levels of cultural violence. The different kinds of violence are also interlinked in this context. For example, stereotyping and prejudices are used to justify why some groups should be excluded from decision-making in the peacebuilding process.

The International Migration-Peacebuilding Nexus

Considering that the risk of becoming a victim of violent behaviour or direct violence is a significant obstacle to migrants returning voluntarily to their country of origin, **creating a safe environment** is a key part of a positive peace approach to this aspect of migration. It should be emphasised that, regardless of the situation in the country of origin, returning must be a fully voluntary decision that each migrant makes. No one should be forced to return to their country of origin, even if there is no longer any direct violence. It is also essential to emphasise that **improving security and safety in the country of origin** will not only benefit returning migrants. It will also benefit all the people that chose to stay or everyone who did not have any opportunity to migrate during the violent conflict, including those who were internally displaced.

A positive peace approach to migration will carefully identify and address all the different ways in which violence and direct violence are discouraging migrants from voluntarily returning to their country of origin

Hence, a positive peace approach to migration will carefully identify and address all the different ways in which violence and direct violence are discouraging migrants from voluntarily returning to their country of origin. In the first instance, this often means finding ways of holding to account the political and military leaders who bear most of the responsibility for the atrocities committed during the violent conflict. Without any kind of mechanism which removes these individuals from power, it is unlikely that migrants will consider returning to their country of origin. Examples of such mechanisms include national or international trials that hold perpetrators legally accountable for the crimes they have committed.

Given the large numbers of people involved in committing direct violence during contemporary violent conflicts, it is only possible to **hold those most culpable to account** through criminal trials. Nevertheless, it is also important to find ways of addressing lower-level perpetrators since the direct violence that they have committed has also had a significant damaging impact on local communities. Their impunity is likely to be an obstacle to migrants returning home. For example, if a local police inspector has been involved in direct violence during the violent conflict but is not removed from their position nor held accountable, migrants are unlikely to return. Examples of how this can be achieved include **restorative justice mechanisms**, such as truth commissions bringing victims and offenders together to address the harm caused by the crimes committed.

Another important contribution that is likely to reduce direct violence in the aftermath of violent conflict is a comprehensive and well-resourced programme for **disarmament, demobilisation and reintegration of former combatants**. This will offer them a viable alternative to committing further violence. It is also important to re-establish the rule of law to deter further violence that would discourage migrants from considering returning to their country of origin. Measures aimed at **strengthening the rule of law** include reforming and rebuilding the police and judicial system, including vetting and training personnel. This helps to ensure that they have not played a significant role in the direct violence, and that they are capable of upholding human rights.

A positive peace approach to migration will also focus on all the different ways structural violence continues to have an impact on groups of people, including migrants, who might consider returning voluntarily to their country of origin. This includes carefully identifying and mapping all the different manifestations of structural violence and how they affect groups of people defined by different identity markers. This process should include sensitively and authentically engaging with the different groups, and listening compassionately and empathetically to their lived experiences of structural violence. It is also important to get an understanding of their expectations for a shared future, where structural violence has been significantly reduced.

A positive peace approach to migration will also focus on all the different ways structural violence continues to have an impact on groups of people.

This process should also identify what is already being done to address the different kinds of structural violence, and how they will be addressed in the immediate and long-term futures. There should be a special focus on issues such as access to food, housing, education, healthcare and employment, which have a significant impact on people's daily well-being, as well as on the people, including migrants, who have been most affected by structural violence in the past.

A positive peace approach to migration will also acknowledge that unaddressed cultural violence which continues to support violent behaviour, along with direct and structural violence, is a significant obstacle to the safe and voluntary return of migrants. Therefore, it is important to plan and implement a comprehensive approach that can address, challenge and change the continued manifestations of cultural violence. This includes not only the cultural violence affecting migrants' decision to return to their country of origin, it also includes the cultural violence that continues to affect different groups in the country of origin, which might contribute to their contemplating migration themselves. In addition to countering stereotypes, prejudices and discrimination, it is also important to focus on building or **rebuilding relationships** between individuals and communities affected by cultural violence. The aim must be to develop socially integrated and cohesive communities and societies where all feel welcomed and valued, regardless of their experiences and intersecting identities.

Possible Measures to Address Violence and Direct Violence Affecting Return

1. HYBRID COURTS¹

In cases where the national judicial system is either unable or unwilling to prosecute political and military leaders responsible for crimes committed during the violent conflict, a hybrid court is a viable alternative. Hybrid courts are judicial institutions based on **national and international composition and jurisdiction**. This means that they draw on national as well as international law, and that their personnel is a mixture of national and international lawyers, judges and other staff. Compared to international courts, hybrid courts are much more closely linked to the country where the crimes were committed yet they still draw on significant international resources. If implemented properly, hybrid courts do not hold only the worst political and military perpetrators to account, they also contribute to the development of a fair domestic justice system that can prosecute past and future crimes and thereby, help establish the foundations for the rule of law and respect for human rights. Ultimately, hybrid courts can play a significant role in establishing the kind of environment which can help ensure the safe and voluntary return of migrants.

WHY IT WORKS

- Hybrid courts work because they help ensure that migrants are able to return safely, should they wish to do so, by initiating the process of establishing accountability for crimes committed during the violent conflict.
- Hybrid courts work because they can contribute to the development of a fair national judicial system and processes.

SOME POSITIVE PEACE PERSPECTIVES²

From a positive peace perspective, it is important for the outreach programmes³ of hybrid courts to be **inclusive**. The outreach activities are important for supporting the legitimacy of the hybrid courts, and for their contribution to transitional justice in the affected society. There are three guiding principles for this. Firstly, the information and messages shared with people must be impartial. Secondly, the information and messages must be widely accessible to the public, both in terms of how they are communicated and how they are distributed. Finally, the programmes must also be interactive and encourage people to help shape and participate in outreach activities. Information about issues, such as court proceedings and witness and victim's protection and support programmes, should also be shared with migrants. There should also be ways they can influence and participate in the work of the hybrid court. As always, it is important to consider the ways in which individuals' intersectional identities shape their agency and positionality, and to mitigate any challenges they face that negatively affect their ability to influence and participate in these processes. If migrants are kept informed and able to influence and participate in the activities of the hybrid court, then this information can help them decide whether they want to return to their country of origin.

From a post-colonial perspective, it is important for the international influence on the hybrid court to not overshadow the need to ensure that the hybrid court is sensitive to the local and national context. This includes drawing on local practices, including religious practices as appropriate, and seeing local actors and communities as the driving force behind the hybrid court. Reflective practice, including open-mindedness and curiosity, can help deepen conversations with the people affected by the direct violence, including migrants, about their needs and expectations concerning the hybrid court. It can also help determine who is best suited to take up important positions, such as judges.



Example of Promising Practice

The **Special Court for Sierra Leone (SCSL)**⁴ was established in the aftermath of the decade-long war in Sierra Leone that killed 75,000 civilians and displaced half a million people. Many civilians became victims of horrendous crimes, including amputation of limbs, sexual violence, destruction of homes and forced recruitment of children. The crimes were committed by government forces as well as armed groups, including the Revolutionary United Front, the Armed Forces Revolutionary Council and the Civil Defence Force. The SCSL was based on Sierra Leonean and international laws and procedures, and included both local and international staff. Based on an agreement between the Sierra Leonean government and the UN, the court was mandated to prosecute the people bearing the most significant responsibility for the crimes committed during the violent conflict. The limited mandate was meant to help the court complete its trials quickly and cost-effectively while being more visible and relevant for local people compared to purely international tribunals, such as the ones for the former Yugoslavia and Rwanda. In addition to successfully prosecuting Charles Taylor, the former President of Liberia, the SCSL convicted eight other perpetrators in three trials; one for each of the three main armed groups. After the SCSL closed in 2013, its work was taken up by the Residual Special Court for Sierra Leone (RSCSL). The RSCSL is mandated to continue some of the SCSL's work of, including the victims and witness protection and support programmes and oversight over the enforcement of sentences.

LIMITS AND CAVEATS

- So far, hybrid courts have only been able to prosecute a small number of cases against the most notorious perpetrators.
- The success of hybrid courts depends heavily on continuous and genuine commitment from both national and international authorities. This includes substantial financial resources.

2. TRUTH-SEEKING PROCESSES⁵

Considering factors such as the very large number of crimes committed during violent conflict and the often broken state of the judicial system after violent conflict, it is highly likely that only the most culpable perpetrators, or those that are easy to identify and apprehend, are dealt with in courts. In addition, trials only focus on the facts needed to determine whether a suspect of a crime is innocent or guilty. This may fail to provide victims with an adequate opportunity to share their experiences and the impact it has had on them, as well as to provide the necessary details to fully understand what happened to them and their loved ones. Therefore, it is important that **trials be complemented by other initiatives** which can help establish truth and justice for the serious human rights violations that were committed. This right to the truth has been recognised by national and international judicial institutions, and includes obtaining the facts about what happened, the identity of the perpetrator(s) and why the violation was committed.

Understanding what happened during violent conflict is not only important for individual victims but also essential for communities to understand the causes and patterns of past human rights violations in order to prevent their recurrence. In many countries and communities recovering from a troubled past, human rights violations and the identity of the people who committed them are either not publicly talked about or are publicly denied. This often increases polarisation and mistrust between communities. Truth-seeking mechanisms can counter this by accurately accounting for what happened and who was responsible. They are thereby able not only to pave the way for restoring the dignity of victims, but also to help communities collectively heal from their shared traumatic past, and to ensure that accountability for crimes is a priority in the future.

Examples of truth-seeking mechanisms include **truth commissions**, which are official but non-judicial institutions set up to establish the facts about the human rights violations that have been committed, including why they were committed and the impact they have had. Truth commissions typically bring together victims, perpetrators, witnesses and other people affected by the violence to give testimony and share their stories about what has happened and the impact it has had. If permitted by their mandate, truth commissions can feed into future **trials and reparation programmes**.

Truth-seeking mechanisms help create a safe environment to which migrants might choose to return.

Truth commissions are also often mandated to develop recommendations for policies, processes and reforms that need to be put in place in order to prevent further violence and move countries and communities towards positive peace.

WHY IT WORKS

- Truth-seeking mechanisms work because they provide opportunities for victims to share their experiences in a supportive environment and have these experiences publicly acknowledged and recorded.
- These mechanisms work because they create an accurate record of what happened that includes many different perspectives, meaning it will be more difficult to distort or deny what happened during the violent conflict.
- They work because they develop recommendations for how to avoid the different kinds of violence being committed in the future.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is important for any truth-seeking mechanism to be sensitive to the local context. For example, this might include drawing on local religious or cultural practices, or involving religious actors in the selection of personnel. It is also imperative that the truth-seeking mechanism be inclusive in its approach to identifying people asked to provide testimonies. Such mechanisms should, for example, consider how they can include people living with disabilities and migrants living abroad, who might be unable or unwilling to attend in person. This might mean taking testimonies in different geographical locations or offering the opportunity to join online. These mechanisms must also value the insights of people with intersectional identities in the process of determining how to create a safe space where all people, regardless of their identities and experiences, feel comfortable sharing their painful stories.

It is also important for the hearing of people's testimonies to not become a one-off event. Indeed, truth-seeking mechanisms must develop ways of continuously supporting people who have testified, and who might therefore have been re-traumatised, to ensure their safety. Truth-seeking mechanisms should focus on how the different kinds of violence have affected communities, and how relationships can be restored. In addition, it is essential that the mechanisms engage with all the people who are not actively taking part in the truth-seeking processes, but who still have an interest in the process. Hence, substantial and well-funded outreach programmes are needed. Finally, it is also important for there to be follow-up and implementation of the recommendations that have been developed, to ensure that people who have taken part in the process feel that they have been heard and valued, beyond the experience of giving testimony,



Example of Promising Practice

The **Sierra Leone Truth and Reconciliation Commission (SLTRC)**⁶, which was mentioned in the peace agreement between the Revolutionary United Front and the government of Sierra Leone, operated from 2002-2004. The SLTRC was mandated to provide a space where victims, perpetrators, witnesses and other people affected by the violent conflict could share their testimonies and stories. The aims also included developing a report on the human rights violations that had been committed and recommendations for how reconciliation could be facilitated and future violations prevented. Like the SCSL, the SLTRC was based partly on national laws and partly on international laws, and consisted of four commissioners from Sierra Leone and three from other countries, with three of the commissioners being women. The final comprehensive report named people responsible for crimes committed during the violent conflict, mostly men, along with some women and children. The report also identified the main causes of the direct violence, and the main categories of crimes committed, as well as making legally binding recommendations for how they should be addressed in order to avoid a recurrence of the violent conflict. These recommendations included countering corruption, ensuring the independence of the judiciary and placing tighter control on the security forces.

LIMITS AND CAVEATS

- Truth-seeking mechanisms are **expensive**, and countries might not be able to fund them in the immediate aftermath of a violent conflict when people's basic needs, such as food and shelter, cannot be met.
- These mechanisms can also be **controversial**, especially in the immediate aftermath of mass violence, when experiences are still raw, and influential perpetrators may still be in power. Therefore, timing is important when considering the establishment of a truth-seeking mechanism when people's basic needs, such as food and shelter, cannot be met.
- The resourcing of truth-seeking mechanisms needs to include substantial funding for the implementation of the recommendations. Otherwise, the impact of the process will be limited.

3. COMMUNITY ORIENTED POLICING⁷

In many countries and communities affected by violent conflict, public institutions- including the police- do not work well as people have lost trust in the established systems during or after violent conflict. For example, people may lose trust in the police during violent conflict as a result of the abuse of power, corruption and the lack of accountability. Hence, if the police are to play an important role in upholding the rule of law and thus counter the violent behaviour which persists in the aftermath of violent conflict, then the police system must be rebuilt. This includes activities such as reforms of policy and practices, as well as training and capacity building not only of the police, but also of the judicial system. Perhaps most importantly, this process also needs to include the **building or rebuilding of trust** between local communities and the police. As an example, without trust, local people will not report crimes to the local police and hence, the rule of law will not be upheld.

One of the approaches to policing which focuses not only on rebuilding the police but also on rebuilding trust within communities, is Community Oriented Policing (COP). COP can be defined as: a strategy to enhance human security by encouraging the police and the public to act as partners in preventing and managing crime based on the needs of the community. In order for this strategy to work, ties of confidence and trust between the police and community are essential.



Community Oriented Policing (COP): A strategy to enhance human security by encouraging the police and the public to act as partners in preventing and managing crime based on the needs of the community. In order for this strategy to work, ties of confidence and trust between the police and community are essential.

Recent research identifies three important factors:

1. Firstly, COP must be based on a concept of **human security** that not only focuses on physical security, but also on all security needs and concerns of local populations. As an example, whereas online hate speech might not be a threat to a person's physical security, it can still have a significant impact on their mental health and hence, must be addressed by the police. Lack of political and legal rights and unequal access to resources, such as food and employment, can also be included in the understanding of security.
2. Secondly, COP must be **sensitive to the local context**. For example, it is important to understand the impact of the violent conflict on relationships between local communities, the police and the state. It is also important to understand what these relationships were like before the violent conflict, and how the police and their practices were perceived by the local population. It is also important to know which groups had positive and negative perceptions of their relationships with the police, and why they differed. COP strategies and actions must be informed by local initiatives and participation to help ensure local ownership. Hence, it is necessary to identify who is already involved in providing human security and what practices they use.
3. Finally, COP must support the development of **mutual and equal partnerships** between different stakeholders, including the local population, civil society and the police. This will encourage the development of accountability, legitimacy and mutual trust.

A COP approach to policing can help to establish the rule of law and thereby reduce violence in communities. This might encourage migrants to decide to return voluntarily.

WHY IT WORKS

- Community Oriented Policing works because it considers local conceptions and focuses on local needs.
- Community Oriented Policing works because it focuses on developing mutually beneficial relationships between local communities and the police that encourage trust-building.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is important for the implementation of COP to include the recruitment of police officers from minority communities, especially those with more complex **intersecting identities**, such as people with a racialised and religious minority backgrounds belonging to the LGBTQ community who might have experienced discriminatory behaviour from the police on the basis of one or several of their identity markers. Moreover, considering the experiences people have been through, it is vital for all approaches and projects to be **trauma-informed**. Finally, from a post-colonial perspective, it is important to keep in mind that COP was developed in the Western world. Hence the suitability of its application in other contexts, including the degree to which it can be **incorporated into existing local practices**, needs to be carefully and critically considered.



Example of Promising Practice⁸

The **Kenyan Independent Policing Oversight Authority** holds an annual competition that rewards local police officers in a range of categories, including championing Community Oriented Policing, based on their practices and achievements. Recognised practices include a coordinated and well thought-through approach to COP, leadership that serves both the police and the local community, and careful practices in police stations such as thorough record-keeping. They also include responding appropriately to complaints from locals, engaging with community groups and businesses in crime prevention, and supporting youth without employment. Personal attributes, such as honesty, reliability, taking initiatives and going above and beyond what is expected, have also been acknowledged in the awards.

LIMITS AND CAVEATS

- Community Oriented Policing's contribution to establishing the rule of law is dependent on the effectiveness of other institutions, such as the judiciary.
- Local police forces are likely to have adequate resources available to address violent behaviour only if direct violence has either stopped or is addressed by other means, since direct violence is likely to have too severe an impact on the local population.

Possible Measures to Address Structural Violence Affecting Return

1. PSYCHO-SOCIAL REINTEGRATION ASSISTANCE⁹

The thought of returning to one's country of origin can bring up mixed emotions. On the one hand, there may be the joy and excitement of seeing friends and family again and being back in familiar surroundings. On the other hand, there might also be worries about how the interim period has changed family and friends and the migrant's relationship with them. There may also be a **fear of resentment and rejection** because the migrant managed "escape", while others were left to struggle through a traumatic period. The familiar neighbourhood that was once home might not be there anymore; houses may have been destroyed; and neighbours and friends scattered across different countries of destination. Migrants might also feel that their migration journey has changed them so much that they might **struggle to fit in** with the culture or norms of the country of origin. The thought of returning to the country of origin might also lead to **feelings of failure** and loss as those who return may fear being perceived as having failed to thrive in the country of destination. They might fear that the structural violence they faced in their country of origin prior to migration will persist or that they might not know how new policies, structures and systems aiming at reducing structural violence are going to affect them. Migrants may worry about how they are going to make a living and where they will be able to settle.

This can be worrying for migrants who strongly considered the structural violence as a pushing factor to migrate. The combination of all these issues influences migrants' decisions on whether or not to return voluntarily to their country of origin, and strongly impact their psycho-social wellbeing during this process.

It is therefore imperative to consider the psycho-social dimension of migrants' voluntary decisions to return to and be reintegrated in their country of origin. One of the ways this can be addressed is by providing migrants with psycho-social assistance before, during and after the return to the country of origin. This can include counselling where their concerns and worries are carefully and empathically listened to and addressed. It can also include informing them about what resources, such as housing and opportunities for training and employment, are available to them during this process, and about access to those resources. In all, this will help to alleviate migrants' concerns and worries about structural violence and enable them to make informed decisions. Psycho-social assistance might also facilitate contact with the community into which the migrant is hoping to settle, enabling the community to assist the migrant in the reintegration process.¹⁰

WHY IT WORKS

- Psycho-social assistance works because during the decision-making process, it can alleviate migrants' general concerns and worries about the return journey, including how they might be affected by structural violence upon return, thus enabling them to make an informed choice.
- Psycho-social assistance during the return can help migrants connect with the community they are returning to before leaving their country of destination and ensure support from this community throughout the returning journey.
- Psycho-social assistance provided after migrants have returned can help as it can allay ongoing anxieties and help them to deal with any setbacks.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is important that psycho-social assistance be closely adapted to the needs of groups of migrants with different intersectional identities. For example, a peace process might successfully change the ways structural violence has prevented people from specific ethnic groups from gaining employment in the past. However, the same positive change might not apply to people living with disabilities or belonging to the LGBTQ+ community. Thus, psycho-social assistance must address these differences. It is also essential for a wide variety of migrants to be involved in the planning, development and implementation of the psycho-social support programmes.

The lived experience of returning migrants is useful for migrants considering returning to their country of origin. Hence, in addition to connecting migrants to the community they are hoping to return to, it is valuable to connect them with other people with similar personal characteristics and experiences who have already made this journey. As an example, migrants belonging to the LGBTQ+ community are likely to benefit from being connected to a relevant LGBTQ+ community in their country of origin who can inform them about the real situation in what could become their new local community. It is also important for all psycho-social assistance to be sensitive to the local context and to gender.



Example of Promising Practice

Migrants in Germany who are contemplating returning to their country of origin are offered **return counselling**, funded by the national authorities and implemented by the International Organisation for Migration¹¹. Through various social media and communication platforms, migrants can connect with people in their country of origin who are able to advise them on the local context and to help them decide on, and potentially plan for, their safe return and reintegration. This information includes the availability of psycho-social assistance and resources, such as housing, healthcare, employment and support for entrepreneurship.



Example of Promising Practice

In Ethiopia, the International Organisation for Migration and the NGO Women in Self Employment have developed a two-day course aimed at supporting returning migrants to re-connect with their country of origin¹². The course invites returning migrants to explore their experiences, skills and strengths through dialogue and role-play to enhance their self-confidence. It also provides them with information about opportunities in education, training, employment and other services that can support their reintegration. Through that, participants are able to identify challenges and discuss ways of mitigating them.

The course is held in transit centres in the capital before the migrants return to their original communities. It is conducted in the migrant's first language, and includes a handbook that migrants can consult for information afterwards. There are also follow-up activities, such as a week-long training course that includes business skills and support for developing and implementing a plan for reintegration.

LIMITS AND CAVEATS

- Psycho-social assistance is only going to be helpful if it carefully reflects the context that migrants are returning to.
- Psycho-social assistance is likely to have the most impact if it is initiated prior to migrants' return to their country of origin and if it continues until the migrants feel that they have reintegrated into their community.
- Psycho-social assistance for those who have returned is only possible if local services are available and financially supported in the returnees' countries.

2. PROVIDING SUSTAINABLE HOUSING¹³

Securing short-term and long-term safe, affordable and acceptable housing is an important precondition for migrants considering returning to their country of origin. Yet, in the aftermath of violent conflict, the impact of structural violence can prevent some people, including migrants wanting to return to their country of origin, from finding a place to live. In some cases, people can return to the accommodation they left behind. However, in many other cases, people have no home to return to. Reasons for this include the previous accommodation being uninhabitable as a result of damage due to direct violence or climate change, or because other people have taken ownership of and moved into the property.

Additionally, in cases where many properties are substantially damaged, leaving many people without a place to stay, migrants wanting to return may not be first in the queue for moving into the remaining housing. Whereas it might be easier to find short-term accommodation with family or friends or in hotels and lodging houses, finding long-term accommodation, which is key to a successful repatriation, is likely to be more difficult. Even finding short-term accommodation may be just as difficult for people who are not considered vulnerable, considering that vulnerability is often a precondition for obtaining access to transitional shelters and housing. Individuals with little or no personal network that can help them identify and connect with suitable short-term accommodation are also likely to struggle. Likewise, large families, or single parent family units, or people/families living with disabilities, are also likely to face extra challenges in finding suitable accommodation in both the shorter and longer term. Securing accommodation is easier for people who have secured a job and can thus pay a deposit.

In conclusion, it is essential that national and local authorities focus on providing housing for all in need in the aftermath of violent conflict, thereby tackling the structural factors that prevent many people, including migrants, from access to housing.

WHY IT WORKS

- Addressing structural violence, including the economic and social factors that prevent people from finding short- and long-term accommodation, works because it enables people to move into safe and suitable housing. This makes them more likely to be able to rebuild their lives and reintegrate into society.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is essential that the accommodation be closely **matched with the needs** of individuals and, when relevant, their families as well as their lived experiences. It is also important to **acknowledge fully migrants' agency** and thus, their right to decide where they want to live. This means understanding that some migrants might want to resettle in the community they came from, whereas others might prefer to be elsewhere. Some might also prefer to live close to specific resources, such as hospitals, counselling providers and workplaces. For example, women might want to live close to a medical facility specialising in women's health issues and to workplaces corresponding to their skills, experiences and expectations for employment. From an inclusivity point of view, it is essential for the application process for housing to be simple, easily accessible and fair. The housing on offer should **meet a broad range of needs**.

As an example, someone living with disabilities will require accommodation that is carefully adapted to their needs. Similarly, an unaccompanied child and/or a victim of trafficking might need accommodation in a place with easy access to support. From a positive peace point of view, it is vital to consider how other kinds of structural and cultural violence are likely to affect the returnee, and the impact this can have on what they consider to be safe and suitable accommodation. Finally, it is important to ensure that short and long-term accommodation can be made secure if circumstances change, for example if affected by a loss of personal income or the return of direct violence.



Example of Promising Practice

Since 2017, UNHCR has helped facilitate the voluntary return of more than 180,000 Burundians¹⁴ from neighbouring and regional countries including Kenya, Rwanda, Democratic Republic of Congo, Uganda and Tanzania. The UNHCR does not actively encourage migrants to return to Burundi, and emphasises that they will continue to help people who decide to stay in the neighbouring and regional countries.

However, should a migrant decide to return, UNHCR helps to ensure that this decision is informed and strictly voluntary in order to ensure that people can return in a dignified and safe way. More than a third of people returning to Burundi cannot return to their previous accommodation, often because they sold the property to pay for the cost of migrating. Therefore, returning migrants are given a small sum of money to support them in finding suitable accommodation, at least in the short term. In addition, UNHCR also supports the Burundian government in building more accommodation for returning migrants, and implementing its Joint Refugee Return and Reintegration Plan.

LIMITS AND CAVEATS

- Ensuring adequate accommodation in countries of origin requires significant funding.
- Providing adequate accommodation will only make a significant difference if other kinds of structural violence are also addressed.
- Governments need to make the provision of adequate accommodation a priority for all groups, including migrants, in order to avoid creating tensions between different groups.

3. SUPPORTING ENTREPRENEURSHIP¹⁵

One of the most devastating effects of structural violence on people is that it hinders economic sustainability and livelihood opportunities. A lack of job opportunities is often a contributing factor to decisions to migrate, and it is also likely to influence migrants' considerations about returning to their country of origin. Structural violence also prevents many people remaining in their countries of origin from gaining employment, leading to financial insecurity for many individuals and their families. One of the many ways this kind of structural violence can be addressed is by supporting entrepreneurship. This means supporting people who want to start their own businesses. If successful, this investment will often create **continuous financial security** not only for the individual receiving the support, but also for people who might be employed by the business in the future.

Therefore, this can have a **positive impact on the wellbeing of many** more people than just the person receiving the support. However, it is not enough that people are provided with financial support to start a business. They also need further support, such as training in designing and managing a business. This should include support in developing a comprehensive business plan that is closely adapted to the local context, including the relevant market and supply chains. It should also include basic knowledge about how to do market research, accountancy and legal requirements. To help ensure the sustainability of the business, it is also important that the owner has **access to banking and credit services** to enable further investment in the business.

WHY IT WORKS

- Supporting entrepreneurship works because it provides a viable alternative to gaining employment in existing businesses, and hence, it addresses an important way in which structural violence has a negative impact on people's lives.
- Supporting entrepreneurship works because it can help create job opportunities for more people than the original entrepreneur.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, supporting entrepreneurship not only creates **new employment opportunities**, but also **facilitates relationship-building** between different individuals and communities. For example, support, including funding, can be provided to encourage business cooperation and networking between returning migrants and the local population in their country of origin, benefitting all parties. It can also be used to improve relationships between majority groups and ethnic and religious minorities. However, it is imperative that support provided is based on inclusivity. For example, it is important that the most vulnerable to structural violence, such as women and people living with disabilities, have access to such schemes and networks. It is also vital that schemes do not increase divisions by disproportionately awarding funding to specific groups in communities.

From a post-colonial perspective, it is important that if the funding is coming from abroad, the schemes remain scoped, designed, planned and implemented by local actors who have a better understanding of the local context and needs.



Example of Promising Practice

Lendwithcare¹⁶ is a scheme run by CARE International UK that connects individual funders with local entrepreneurs in low-income countries. Local entrepreneurs develop an idea for a local business, including a budget, which they present to one of Lendwithcare's development partners. If their loan is approved, their profile and proposal is added to Lendwithcare's global website. Funders can then browse the website and decide which project they want to invest in. The minimum investment is £15. When the designated total amount has been crowdfunded by many individual contributions, the local entrepreneurs receive their funding. The entrepreneur's profile is updated regularly so that the funders can follow their progress, including the repayments they are making to the funders. Once a loan has been repaid, the funder can withdraw the money or reinvest it in another local business idea.

LIMITS AND CAVEATS

- Supporting local entrepreneurship requires substantial and consistent funding and hence, long-term commitment.
- Schemes aimed at supporting local entrepreneurship need to be very inclusive in their approach to potential participants, otherwise they risk adding to the structural violence rather than addressing it.

Possible Measures to Address Cultural Violence Affecting Return

1. COMMUNITY DIALOGUE¹⁷

In many cases, cultural violence contributed to migrants' decision to leave their country of origin. **Cultural violence** is often deeply embedded in societies and difficult to change, yet it does not often receive the same attention as direct and structural violence in peacebuilding processes. Therefore, unless it is intentionally and profoundly addressed, it is likely to persist and may discourage migrants from considering a return to their country of origin. During their time abroad, stereotyping and prejudices against migrants may also have developed, increasing the cultural violence they face as returnees. The stereotypes and prejudices may be further strengthened if returnees are treated preferentially by local and national authorities, and by national and international NGOs.

One way to address these stereotypes and prejudices is through community dialogue. Community dialogue is a process whereby different people come together and talk in order to share information, perspectives and opinions about issues that are important to them. In contrast to a debate, where the aim is to convince others about the righteousness of one's arguments, the purpose of a dialogue is to gain a better understanding of other people's experiences, perspectives, interests and needs. Therefore, an important part of a dialogue is to **listen actively, empathetically and compassionately** to the other participants and be open-minded to different perspectives, without needing to contradict them with one's subjective views. Instead, the idea is for participants to **learn from each other** and thereby develop better relationships based on mutual respect and trust.

Hence, community dialogue can provide a forum where different groups can explore the stereotypes and prejudices they hold against each other by sharing their own views and asking questions about the perspectives and experiences of other groups. Returnees can participate in community dialogue with groups from their country of origin to help reduce the stereotypes and prejudices they hold against each other. Though community dialogue should preferably be held face-to-face, it can also be facilitated on a smaller scale online. This will enable a dialogue process, which includes the perpetrators of cultural violence and the victims, to be initiated before the migrants have made the final decision to return to their country of origin. Ultimately, this will help migrants make informed voluntary decisions about whether to return to their country of origin or stay in their country of destination.

WHY IT WORKS

- Community dialogue works because it provides a forum where stereotypes and prejudices can be expressed and explored.
- Community dialogue works because it can lessen the impact of stereotypes and prejudices on relationships between different groups.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is important for participants to be authentically included in the planning and implementation of the community dialogue to ensure that the process is meaningful to them and their daily life. This involves ensuring that their participation is equitable, regardless of their intersectional identities. **Reflective practice**, meaning keeping an open mind and asking inquisitive questions, is essential when engaging the participants in the planning of the community dialogues, as well as in the successful implementation of the dialogue process. Reflective practice also recognises the importance of continuous conversations to build trust between participants and to create spaces where they are confident to share their perspectives and experiences.

Faith-based values and practices can also be embedded in the community dialogue process as faith-based actors and networks can help to promote and validate it. Furthermore, from a post-colonial perspective, it is crucial for community dialogues to build on existing local conflict transformation mechanisms and structures. It is also important to consider how local understandings of agency and positionality potentially influence different people's ability to participate in community dialogues. For example, in some communities, social norms about the role of women might prevent them from participating in community dialogues. It is vital for these to be addressed and mitigated.



Example of Promising Practice

In 2006, a local NGO and the International Organisation for Migration initiated a community dialogue for internally displaced people (IDPs) and local communities in an area near Dili in Timor Leste¹⁸. The community dialogue was part of the government's efforts to safely return and reintegrate IDPs into local communities. The dialogue included representatives from IDP camps, local communities and national authorities, and was facilitated by church leaders and local NGO conflict mediators. A representative from the UN's international police force also listened in on the dialogue. The community dialogue focused on rebuilding trust and relationships between communities affected by the violent conflict that had led to more than 150,000 people becoming internally displaced. It enabled participants to raise their concerns and questions about the return and reintegration process. The outcomes included a commitment to further weekly dialogues, a plan of action and the identification of the support needed by the communities in order to enable the safe return and integration of the IDPs.

LIMITS AND CAVEATS

- Community dialogues only works if participants are fully committed to the process. This includes being willing to share their perspectives and listen carefully to others without any hidden agendas or motives.
- Community dialogues only works if people are open to change the attitudes and behaviours that fuel cultural violence.

2. PEACE EDUCATION¹⁹

Another way to address cultural violence is by embedding peace education in the national curriculum. There are many different dimensions of peace education. For instance, peace education can focus on **relationships** at different levels, including peace within oneself, peace between individuals, peace between groups and world-wide peace, as well as environmental peace with the planet. However, in this context it is most relevant for peace education to reduce stereotypes by critically challenging and deconstructing them. This means questioning the assumptions behind stereotypes, and highlighting alternative understandings and interpretations. Reducing stereotypes can also help reduce other aspects of cultural violence, such as prejudices, racism and discrimination. In addition, peace education can also introduce people to diverse histories, experiences, cultures and perspectives, which can help to **challenge and change preconceptions** that people hold against other groups. This can help to reduce prejudices and fear of 'the other.'

Furthermore, peace education can foster attributes, such as empathy and compassion, which are essential for **minimising cultural violence**. Therefore, peace education can help lower cultural violence and thereby, contribute to the development of communities where people from diverse backgrounds can live peacefully together. Peace education benefits not only migrants contemplating voluntary return to their country of origin, but also others in the country of origin directly affected by cultural violence, as well as all those affected in more indirect ways, such as by living in divided communities.

WHY IT WORKS

- Peace education works because it helps reduce stereotyping, prejudices and discrimination.
- Peace education works because it teaches people about 'the other,' which helps demystify and thus decreases fear of 'the other'.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is imperative that peace education not only informs about 'the other'. It also needs to provide opportunities for encountering 'the other' and building relationships with them. As an example, peace education can include facilitating online meetings between migrants in the countries of destination and people living in countries of origin. This will enable the two groups to learn about each other, to challenge their own prejudices and, potentially, to initiate the development of relationships. It is especially important for peace education to consider how intersectional identities shape individuals' perspectives of cultural violence, as those with more complex identities are often most affected. It is also vital for peace education to include a commitment to nonviolence.

Considering that peace education has mainly been developed in Western countries, it is essential that peace education be sensitive to the local context in which it is being taught. This includes using reflective and faith-based practices, such as deep conversations and empathetic and compassionate listening, in order to inform peace education as appropriate.



Example of Promising Practice

The **Global Partnership for the Prevention of Armed Conflict**²⁰, a civil society-led network aiming at building peace, includes a working group which focuses on integrating peace education in national curricula around the world. The working group consists of civil society actors, teachers, academics and representatives from Ministries of Education from many different countries. The group lobbies for the inclusion of peace education in schools, colleges and universities, as well as in teacher training. They meet regularly to share strategies and practices aimed at engaging relevant stakeholders in collaborations, focusing on planning and implementing peace education in schools. Together, they have also developed resources, such as webinars focused on implementing inclusive education and mediation mechanisms in schools, in multi-ethnic and multi-cultural communities.

LIMITS AND CAVEATS

- Peace education should not be taught only to children in schools but also in colleges, universities and in the wider public.
- Peace education needs to be sensitive to the local context and carefully embedded in national curricula.

3. ADDRESSING THE ROOT CAUSES OF GENDER-BASED VIOLENCE²¹

The term “gender-based violence” (GBV) covers a wide range of harmful acts of physical, sexual and psychological abuse committed against women and girls around the world. GBV is based on an identity marker and is enabled by unequal power between women and men, and by stereotypical and prejudicial assumptions about women. Examples of GBV include assault, murder, slavery, rape, child marriage and female genital mutilation, verbal abuse, sexual harassment and exploitation and denial of access to socio-economic resources. It is an example of violent behaviour directly caused by cultural violence. On average, one in three women globally will be exposed to gender-based violence in her lifetime.

However, the likelihood of experiencing GBV is higher for women living through violent conflict and displacement. For example, sexual violence is used as a weapon in many violent conflicts, and it is common in many of the camps and centres migrant women and girls pass through on their journey to their country of destination. Domestic violence is also more prevalent in conflict and crisis settings. Hence, preventing GBV in countries of origin is not only very important for migrants considering returning, but also for other women and girls trying to recover from violent conflict and the impact it has had on them.

Preventing GBV requires addressing its root causes, such as gender inequality, gender power relations and underlying gender norms. It also includes working towards ensuring that girls are kept in education for longer, because education is linked with better health, autonomy, security and safety. Countering the economic and political marginalisation of women which reduces their opportunities, freedoms and abilities to influence decision-making is also essential in preventing GBV.

WHY IT WORKS

- Preventing GBV works because it helps create environments where women and girls are safe from experiencing GBV and the devastating impact it has on their everyday lives.

SOME POSITIVE PEACE PERSPECTIVES

From a positive peace perspective, it is important that programmes aimed at preventing GBV acknowledge the impact of intersectional identities on the risk of being exposed to GBV. Factors that increase the risk of women and girls being exposed to GBV include belonging to an ethnic minority or an LGBTQ+ community, living with disabilities, being a migrant and being a juvenile or older woman. It is also imperative for initiatives aiming at preventing GBV to be inclusive, both in terms of involving women and young girls in activities, but also finding ways of engaging with men and teenage boys. It is also important to ensure that actions taken to prevent GBV are highly sensitive to the local context. This includes understanding and addressing the specific underlying factors for GBV in each community and country and the many ways GBV is manifested in them.

From a gender perspective, it is important to remember that gender norms which define the roles and practices of women and men are just human conceptualisations that can be changed, even if they are deeply ingrained in societies and presented as natural in many contexts. Likewise, gender stereotyping and prejudices can also be challenged and changed, leading to positive changes in individuals' behaviours and attitudes.



Example of Promising Practice

In Tajikistan, the project **Zinadagii Shoista** ('Living with Dignity')²² aims at preventing domestic violence against women. In the local context, there are significant gender gaps concerning access to resources such as education, employment and healthcare. Prevalent family patterns mean that many women live with their husbands' parents. This can lead to women struggling to have a voice and to feel valued in their own home, and to tensions building between family members, potentially leading to domestic violence. The project provides women with opportunities to gain an income, helping their family financially and thus strengthening their position in the family. The project also provides families with training and tools aimed at solving disputes through discussion and understanding rather than by turning to violence. Finally, it also works towards changing the gender norms that underpin GBV.

LIMITS AND CAVEATS

- Preventing GBV can only succeed if it is prioritised on political agendas around the world and is adequate and sustainably funded.
- Preventing GBV will not only require changes to policies and institutions but also to the gender norms that underpin it.

Endnotes

- 1 Office of the United Nations High Commissioner for Human Rights (2008). Rule of Law Tools for Post-Conflict States; Maximizing the legacy of hybrid courts. New York: United Nations.
- 2 War Crimes Research Group Department of War Studies (2008). The Special Court for Sierra Leone Outreach, Legacy and Impact. Report. London: King's College London; RSCSL: Residual Special Court for Sierra Leone; Fact Sheet.
- 3 Fichtelberg, A. (2020). 'Outreach at the Hybrid Tribunals: The Cases of Sierra Leone and Cambodia'. In: Journal of Global Justice and Public Policy, 6:33, pp. 33-68.
- 4 Residual Special Court for Sierra Leone: <https://rscsl.org/>
- 5 González, E. and Varney, H. (2013). *Truth Seeking Elements of Creating an Effective Truth Commission*. International Centre for Transitional Justice.
- 6 Sierra Leone Truth and Reconciliation Commission: <https://www.sierraleonetr.c.org/>
- 7 <https://www.communitypolicing.eu/about-the-project/>
- 8 ICT4COP: Community-Based Policing and Post-Conflict Police Reform: <https://www.communitypolicing.eu/media/pdfs/4.-pride-of-place-policy-brief-1-1.pdf>
- 9 IOM (2019). *Reintegration Handbook: Practical guidance on the design, implementation and monitoring of reintegration assistance*. IOM.
- 10 FAIR project (2024) *Best practices of implementing a human rights approach in assisted voluntary return and integration*. Introducing human rights monitoring. See page 12 for recommendations. https://fair-return.org/wp-content/uploads/2024/09/D7.2.1_Policy-Brief_-Introducing-HRM-in-AVRR-v2_web-version.pdf
- 11 EMM2.0. Return and reintegration of migrants in vulnerable situations: <https://emm.iom.int/handbooks/return-and-reintegration-migrants/return-and-reintegration-migrants-vulnerable-situations>
- 12 IOM (2019). *Reintegration Handbook: Practical guidance on the design, implementation and monitoring of reintegration assistance*. IOM.
- 13 IOM (2019). *Reintegration Handbook: Practical guidance on the design, implementation and monitoring of reintegration assistance*. IOM.
- 14 Tukundane, Y. and Ntwari, B. (2021). 'Burundian refugees head home but face reintegration challenges'. IOM Stories 27 October 2021.
- 15 IOM (2019). *Reintegration Handbook: Practical guidance on the design, implementation and monitoring of reintegration assistance*. IOM.
- 16 Lendwithcare: <https://lendwithcare.org/>
- 17 Search for Common Ground (2016). *Community Dialogue Design Manual*. Search for Common Ground.
- 18 IOM Timor Leste: <https://www.iom.int/countries/timor-leste>
- 19 Quakers in Britain: Peace Education: <https://www.quaker.org.uk/our-work/peace/peace-education#heading-1>
- 20 Global Partnership for the Prevention of Armed Conflict: <https://gppac.net/>
- 21 International Rescue Committee (2022). 'What is gender-based violence – and how do we prevent it?' Gender-Based Violence in Crisis.
- 22 International Alert (2023). 'Peace of Mind: Women living with dignity in Tajikistan'. Stories, October 2023.