

Research report on dealing with conflicts by NGOs and the state: Dealing with interethnic conflicts in Serbia and the place of restorative justice and victims

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Executive summary

About the research

Within ALTERNATIVE, Victimology Society of Serbia (VDS) is implementing a research called *Fostering victim-oriented dialogue in a multiethnic society*. Its aim is to identify, propose and implement a restorative model of conflict resolution in multiethnic contexts through involving all citizens, in particular victims, which may contribute to closing a circle of violence and increase overall security of citizens.

During 2012 VDS conducted theoretical research, i.e. literature review and qualitative research of civil society's and state's dealing with interethnic and related political and intercultural conflicts in Serbia in the period 1990-2012.

The main aim of the research was to find out how interethnic and related political and intercultural conflicts are dealt with by various state and civil society actors, and what is the potential for using restorative justice approaches in dealing with interethnic conflicts in Serbia as a possible alternative way of closing existing and preventing future conflicts.

The research methodology

The qualitative research of civil society's and state's dealing with interethnic and related political and intercultural conflicts in Serbia included:

- Collection and analysis of the available written material (including academic publications, research reports, reports and other documents of governmental and non-governmental organisations, printed press clippings, web site information etc.) on conflicts in Serbia and the former Yugoslavia and the way the state and civil society organizations have been dealing with them in the period 1990-2012;

- Group interviews with representatives of civil society organisations, state institutions, and independent state agencies in the form of three round tables organised in 2012;
- Participation, observation and analyses of the content of press conferences, round tables, panels and similar events organised by civil society organisations during 2012.

For the purpose of the research, interethnic conflict was understood very broadly, including a wide range of problems in relationships between members of different ethnic groups from the territory of Serbia and other countries of the former Yugoslavia, on macro, meso and micro level. Thus, interethnic conflicts addressed in the research report relate to:

- Conflicts between Serbs, Croats, Bosniaks and Albanians on the territory of the countries of the former Yugoslavia where the armed conflicts were going on during the 1990s as well as on the territory of Serbia itself.
- Interethnic conflicts that were going on during the 1990s and those that have been emerging after political and social reforms in Serbia in 2000.

The structure of the research report

Introductory part gives information about the research. It is followed by a brief review of the interethnic conflicts and their socio-historical context. Fourth and fifth part brings analysis of dealing with interethnic conflicts by the state institutions and civil society organisations in Serbia. On the basis of the literature review, an analysis of both the activities and practice, and the discourse is done. Special emphasis is put on identifying and analysing the restorative justice discourse and mechanisms used in

dealing with interethnic conflicts in Serbia, as well as on the role played by victims.

Main conclusions

- In Serbia security of citizens requires dealing both with past and present interethnic conflicts as well as with their very complex interconnectedness.
- Unstable political context in Serbia with still strong nationalistic discourse did not create favourable conditions for dealing effectively with the conflicts from the 1990s and their consequences. There is still a lack of a clear political will to deal with the responsibility for the interethnic conflicts from the 1990s and to speak openly about the role of the Serbian authority and the people that have been engaged in these conflicts.
- In dealing with past and present interethnic conflicts by the state, the security discourse prevails and state institutions focus primarily on judicial mechanisms (legal justice).
- There is a permanent increase of repression in the name of protecting victims, but the effects of such a policy are not visible: conflicts still exist and they become even deeper.
- Victims are not actively involved in conflict transformation: they are rather passive observers of the processes, particularly of the criminal justice procedure.
- However, in the period after 2000, institutional and legal frameworks have been developed, providing a basis for the development of more efficient criminal justice system as well as of the alternative conflict resolution model, based on the restorative justice.
- There is a lack of the strong civil society movement as one that existed during the 1990s.
- Although civil society organisations contributed significantly to dealing with the past in Serbia, they were not able to send strong and convincing messages about the past to Serbian citizens.
- The security discourse of civil society organisations as the most visible one provokes resistance and hostile attitudes rather than contributing to the dialogue and resolving existing conflicts.
- Civil society organisations are not always paying enough attention to the agency and empowerment of victims, as well as to their need to be reintegrated into the society and to be included in solving the conflicts.
- Elements of restorative justice approach are used by many NGOs including those that publicly mostly use security discourse.
- Potential for restorative justice exists in Serbia, but restorative justice discourse and restorative activities are not visible and recognised enough both on the level of the state and civil society organizations, which is partly connected with a lack of awareness and knowledge on its potential. Therefore, there is a need for education of the representatives of both the state institutions and the civil society organisations on this issue, and to further work on raising awareness on the need to develop and implement mechanisms of dealing with interethnic conflicts that would be based on the principles of restorative justice.

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