

# Transnational Transitional Justice and Reconciliation: The Participation of Conflict-generated Diaspora in Addressing the Legacy of Mass Violence

## A Scoping Paper

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## Prelude

In 2006, I met with a returnee in Prijedor, Bosnia and Herzegovina (BiH). He and his family had fled from the country during the 1992-1995 war. After spending eight years overseas, he returned to his hometown in 2000. In 2005-2006, he was involved in efforts to establish a memorial at Omarska mine complex just outside of Prijedor, after Mittal Steel purchased a 51% majority ownership of the mine. The complex has a sordid history. In the summer of 1992, the mine and two other sites in Keraterm and Trnopolje were transformed into Bosnian Serb-administered concentration camps. Bosniaks (Bosnian Muslims), Bosnian Croats and other non-Serbs were detained in horrendous, inhumane conditions, with regular exposure to killings, torture, rape, beatings and humiliation. The camps formed part of the policy of ethnic cleansing, the term used to describe "the elimination by the dominant ethnic group of a given territory of members of other ethnic groups within that territory" (UN, 1995, pp. 65-66).

Negotiations to establish a memorial, desired by many camp survivors and others affected by the war, involved a series of face-to-face individual and group meetings in Prijedor. These sessions were mediated by an external non-governmental organisation and included survivors, people associated with the mine – including a former mine manager, young Bosniaks and Bosnian-Serbs, politicians and various other community members. Ultimately, a rough consensus was reached and plans to erect a memorial were formally announced in national and international media. The mayor of Prijedor, however, remained opposed to such plans throughout the process. Further, opposition emerged from members of the Bosniak diaspora, many of whom are also survivors of the camps. They critiqued what they perceived to be the non-transparent nature of the process to date and circulated an online petition opposing the plans, which received approximately 1,200 signatures. Wary of such opposition, Mittal

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Steel put the memorial on hold. Despite subsequent efforts by the diaspora and others in BiH to re-start negotiations, there has been little movement and the establishment of a memorial remains unfulfilled.

The following year, in 2007, I worked at the War Crimes Chamber at the State Court of Bosnia and Herzegovina, on a case that involved the prosecution of the chief of the Omarska camp and a shift leader. Trial dates and the ordering of witnesses were often based on and adjusted in order to accommodate the schedules of members of the Bosnian diaspora from around the world, travelling to Sarajevo to serve as witnesses. Their testimonies contributed to the gathering of evidence and to the narrative that emerged from the trial. The participation of these witnesses and survivors in the trials also had the potential to benefit their own individual healing and process of personal reconciliation.

### **Rationale for this paper**

These brief anecdotes indicate the important role that diaspora communities can play in transitional justice and reconciliation processes. Transitional justice seeks to address a legacy of large-scale past abuses, and includes mechanisms such as criminal trials, truth commissions, memorials and reparations. When effectively designed to include the diaspora, such initiatives can also contribute to addressing the needs of communities outside of the home country. However, there has been limited consideration of the participation of the diaspora in transitional justice and reconciliation processes.

Much of the literature on diasporas and conflict focuses on their role in fueling conflict in the homeland and as a spoiler of peace processes (Cochrane, Baser and Swain, 2009; Cochrane, 2007). A number of studies, including a well-cited study by Collier and Hoeffler (2000), have focused on the funding of rebel organisations by diasporas and their role in supporting insurgencies (Lyons, 2004). Beyond the provision of financial support, diasporas may also contribute to framing the debate around issues of conflict and identity. Benedict Anderson coined the term 'long-distance nationalists' to indicate the political irresponsibility of diaspora groups in exacerbating identity politics in the homeland and endorsing ethnicist, nationalistic and exclusionary movements without having to directly experience the repercussions (Anderson, cited in Cochrane, Baser and Swain, 2009; Werbner, cited in Lyons, 2004; Mohamoud, 2005).

More recently, there has been emerging research on and recognition of the positive role that diasporas could play instead in conflict situations as peacebuilders (Sinatti et al., 2010; Cochrane, Baser and Swain, 2009). The focus however, has primarily been on the growing importance of diaspora groups to development in the homeland through remittances (flows of funds from diasporas to their home countries) and investment in economic activities. Remittances have been sent in the billions of dollars over the decades. Alongside investments, they can help to promote economic recovery and contribute to the foundation for sustainable peace (Swain and Phan, 2012, pp. 165-166). Beyond the provision of support to economic recovery, there has been limited research on other potentially positive roles that diasporas can play in the aftermath of violence and large-scale abuses.

This paper is a preliminary exploration of the role that diaspora communities can play in transitional justice and processes of reconciliation. The aim is to consider what potential there is for tapping into diaspora communities and the possible benefits this could have on diasporas themselves and on peacebuilding processes in the homeland. The goal is also to explore and reflect on ways in which reconciliatory attitudes can be encouraged among diaspora communities, as well as their participation in transnational activities.

The paper begins by providing a brief overview of diasporas, followed by a discussion on relationships and attitudes within conflict-generated diaspora communities in the aftermath of violence. The paper then explores the various roles that diasporas can play in transitional justice, such as providing input to strategies and participating in established mechanisms; or mobilizing on their own to push for transitional justice measures. This is followed by a brief look at diaspora involvement in other processes of reconciliation, including dialogue and media initiatives. The paper then discusses how integration policies and outcomes in the hostland can influence the views of diasporas and their involvement with the homeland. The paper concludes with challenges related to diaspora participation and some overall reflections.

The terms 'homeland' and 'hostland', 'home' country and 'host' country, commonly used in the literature on diaspora and transnational migration, will be used in this paper to connote the country of origin and the country of destination, respectively. It is important to recognise, however, that such home/host dichotomies can be problematic as they assume a set linearity in migration processes. In actuality, 'home' is not fixed for diasporas and the 'host' country is in many cases not a transitory place. Rather, one's home and one's definition of 'home' can be adapted over time and can shift along with notions of belonging and identity (Mišković, 2011; Hoehne et al., 2010; Smith, 2007).

### **Diaspora as transnational communities**

Diaspora communities are formed from migration, stemming from various circumstances. These include violent conflict, natural disaster, situations of poverty in the country of origin and economic opportunity abroad. Migration, however, whether forced or voluntary, does not automatically result in diaspora formation. A critical component of the diaspora is the maintenance of an attachment to the country of origin regardless of length of time outside of the country (Swain and Phan, 2012, p. 161-163; Hoehne, Feyissa, Abdile, and Schmitz-Pranghe, 2010, p. 2). Diaspora identities are thus not confined to the nation state, but are "inherently hybrid in character" (Vimalarajah and Cheran, 2010, p. 11).

This paper focuses on conflict-generated diaspora, formed through forced migration. They comprise of individuals and families who have fled their home country as a result of large-scale violence and abuses, and scatter and remain in various other countries initially as refugees or asylum seekers. Their identities are shaped by the societies from which they have come, the new societies to which they have migrated, and their experience of conflict and flight (Van Hear, 2009, p. 183). Their experiences imbue them with a "sense of collective trauma" (Suntha, 2011, p. 9). The maintenance of "cultural memory" and distinct local identities can form the basis of diaspora consciousness and the basis for social ties across borders

and connection with homeland (Halilovich, 2011). Migrants who left voluntarily may also suffer from violence and war, through loss of loved ones, property and investments (Young and Park, 2009) and concern for their homeland.

Migrants, whether forced or voluntary, often engage in transnational behaviours and activities. The attachment of diaspora communities to their homeland can result in return visits and simultaneous investment, socially, economically and/or politically in more than one society (Antwi-Boateng, 2011; Ramet and Valenta, 2011). The range of potential transnational activities is extensive:

They may include activities that are political (for example, lobbying), economic (for example, remittances and investment), social (such as, promotion of the human and other rights of the transnational group within different societies) and cultural (for example, articles in newspapers). They may take place at the individual level (through family networks), or through institutional channels (such as, through community or international organizations) (Al-Ali, Black, and Koser, 2001, p. 581)

Advancements in communications, transport and finance have greatly improved the ability of diasporas to maintain links and to contribute to their country of origin (Swain and Phan, 2012). The willingness and ability of diaspora communities to engage in transnational activities often depends, however, on the skills and resources available to them, which can be influenced by the opportunities in the country of destination. They can also be influenced by the internal organisation and cohesion of diaspora communities (Al-Ali et al., 2001, p. 581).

It is important to remember that there can be a high level of diversity within the diaspora and within specific diaspora communities. The Bosnian community in Melbourne, Australia, are not preoccupied with ethnic exclusivity and nationalistic patriotism, which continues to play a divisive role in their homeland and among other diasporas. The associations that they have established include all members of Bosnian ethnic groups (Halilovich, 2011). In contrast, associations in Norway were perceived to be ethnically exclusive and the persistence of inter-ethnic tensions undermined inter-group cohesion (Valenta and Strabac, 2011a). Even within one hostland, diaspora attitudes can differ. Orjuela (2008) finds that despite divisions between Tamils and Sinhalese in Sri Lankan diaspora communities in Australia and Canada, there are people who maintain friendships across ethnic divides and share commonalities with fellow Sri Lankans regardless of ethnic identity.

It thus cannot be assumed that members of the diaspora or a particular community share similar perspectives on homeland politics or intergroup relationships; or share similar loyalties toward the homeland and engage with the home country to the same degree. Other identities and experiences, such as class, gender, age, generation, urban or rural background, level of education and occupation, date of departure from the home country, and specific location of origin within the country, can

segment diasporas and influence their perspectives and level of transnationalism (Hoehne et al., 2010; Orjuela, 2008; Mey, 2008; Spear, 2006).<sup>2</sup>

### **Diaspora community relations**

Violent conflicts are massive traumatic events that result in the breakdown of societal structures and networks of relationships that provide the basis for a functioning community. States of terror and collective fear are created through indiscriminate violence that penetrates all levels of society. In contemporary wars, much of this violence is perpetuated in the immediate communal environment—pitting communities against communities, neighbours against neighbours and friends against friends (Fletcher and Weinstein, 2002). People begin to turn increasingly to their own identity group for psychological safety; and distrust of the *other* group results in the gradual demise of intergroup friendships and communal networks (Halpern and Weinstein, 2004; Bar-Tal, Halperin and de Rivera, 2007).

Addressing societal divisions in the aftermath of violent conflict is often one of the most challenging yet necessary aspects of recovery. Attention, however, has primarily been placed on those remaining in the homeland and on returnees to the area.<sup>3</sup> There is little attention to the relationships among conflict-generated refugees/diasporas that remain in their host country. In some cases these relationships may similarly suffer from the strain of divisions and residual hostilities, which also needs to be addressed. Mohamoud (2005) finds, for example, that some African diaspora groups in the Netherlands “reproduce and sometimes multiply the social and political fragmentation and other particularised cleavages existing in the homeland” (p. 26). In Britain, the Bosnian diaspora were divided in many respects, with little sense of community (Kelly, 2003). Steinberg (2010) finds low levels of trust among the Liberian community in New York City; people were not sure who their neighbours were or what they may have done and were afraid of being hurt by them.

Diaspora attitudes may even be more hardened and communities more divided than in the homeland. While views of the conflict in Sri Lanka are just as incompatible among Tamils and Sinhalese in London as in the home country, Tamil-Sinhalese relations have been said to be more segregated and polarized in London (Orjuela, 2008). As noted, diasporas may be more prone to support divisive, exclusionary,

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<sup>2</sup> It is important to note that the views and relationships among particular diaspora communities can also diverge from those held by populations in the homeland due to differing demographics of groups in the homeland and groups in the diaspora. In addition, perspectives and relationship of those living in the home country can also vary, similar to within the diaspora.

<sup>3</sup> The UN Refugee Agency (UNHCR) has engaged in efforts to improve intergroup relations in areas with high levels of returnees, for example, through their Imagine Coexistence project launched in parts of Bosnia and Herzegovina and Rwanda in 2000. This involved the funding of activities catered to interaction and collaboration between different ethnic groups.

nationalistic movements, without having to suffer from the potential consequences in the homeland (Mohamoud, 2005; Werbner, cited in Lyons, 2004).

In other cases, diaspora communities may be less divided and they may harbor more reconciliatory views of the *other*. Hall (2011) finds in his study of Bosnian diaspora in Sweden that many of the factors that contribute to insecurity and the persistence of a conflict ethos in BiH are simply absent in Sweden. Being in a different country provides “the ability to exist outside of the social-psychological infrastructure created by war” (p. 12). In Malmö, Sweden for example, Bosnian children of Serbian, Croatian or Muslim background attend school together and play together (Slavnić, 2011). This is in contrast to the prevalence of divided schools in Bosnia and Herzegovina (see Sivac-Bryant, 2008) and the lack of exposure that young people have to the *other*.

Living in a different environment may also challenge conflict identities. Diasporas from the same homeland may find overarching commonalities that supersede parochial identities, based on their shared culture and the similar challenges they face in terms of integration in a new society (Slavnić, 2011). Exposure to other cultures and nationalities could also result in diasporas ascribing less importance to particular identities. Hall and Kostić (2009) find that Bosnian diasporas in Sweden who expressed higher socio-cultural identification with natives were more positive about multiculturalism in their homeland and placed less emphasis on ethnic identities.

Diasporas may also develop more reconciliatory views due to exposure to different norms and perspectives in the hostland (Spear, 2006). Antwi-Boateng (2011) finds that U.S.-based Liberian diaspora, for example, considered the adoption of non-violent means in the civil rights movements in the U.S. and subsequent progress in race relations to be a useful model to draw upon for reconciliation in Liberia. Norms of tolerance, diversity and rule of law were also considered to be attractive and worthy of adoption and promotion in the homeland. Alternative social spaces for dialogue in the hostlands can also allow diasporas to challenge conventional politics and divisive attitudes in the homeland, and to set new agendas and solutions (Hoene et al., 2010).

Regardless of the condition of relationships in diaspora communities, the various outcomes still point to the importance of engaging with the diaspora. In cases where diasporas harbor nationalist, exclusionary attitudes and where communities are divided, interventions aimed at addressing the legacy of violence and improving social relations are important. In cases where diasporas have reconciliatory attitudes, it could be beneficial to tap into these groups and encourage them to participate in initiatives to promote peaceful relations in the homeland.

## **Diaspora participation in transitional justice**

The United Nations defines transitional justice as the “full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation” (UN Security Council, 2004, p.4). These are seen to include judicial and non-judicial mechanisms, primarily individual prosecutions, truth-seeking, reparations, institutional reform, vetting and memorializing. A recent review of transitional justice literature finds that reconciliation is considered to be the “ultimate goal” of transitional justice, with the view that reconciliation is essential to preventing a renewal of conflict and ensuring the process of democratization (Oduro, 2007, pp. 2-3).

The term *reconciliation* is frequently used by academics and practitioners. There is limited consensus, however, on what reconciliation entails and how it should be promoted. The IDEA handbook on reconciliation defines it as “a process through which a society moves from a divided past to a shared future” (Bloomfield, 2003, p. 12). For some, reconciliation is about justice in its many forms.<sup>4</sup> For others, reconciliation is about truth-telling and coming to a shared view of the past. Others believe instead that reconciliation is about apology and forgiveness. More commonly, and from a transformative peacebuilding perspective, reconciliation may be seen as the process of repairing relationships and societies at all levels and confronting dominant narratives of the past (see Rodicio, 2001, p. 131). This may entail psychological interventions at the individual level in order to address war trauma. At the interpersonal level, reconciliation involves restoring intimate relationships between old friends. At the community level, reconciliation has been identified with efforts to promote intergroup relationships and to challenge stereotypes and perceptions of the ‘other’ and of one’s own group. The development of common civic goals and collective civic action are considered important at the societal level. At the wider political level, reconciliation has been associated with efforts to foster representative institutions, commitment to the rule of law, positive state-citizen relations and nation building (Barsalou, 2005; Chapman, 2009; Halpern and Weinstein, 2004).

### *Methods of diaspora participation*

Transitional justice mechanisms to date have primarily focused on institutions within national borders and have been limited in their outreach to populations outside of the homeland (Rimmer, 2010). As such, the needs of diaspora communities and their potential as actors in the transitional justice process have not yet been fulfilled (Mey, 2008). There has in recent years, however, been some limited recognition of the importance of involving diasporas in transitional justice.

One way in which refugee and diaspora communities have been involved is in providing input to transitional justice strategies. The Kenyan Truth, Justice and Reconciliation Commission, for example,

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<sup>4</sup> This may include retributive, distributive, procedural and restorative justice.

conducted interviews in 2011 with refugees in camps in Uganda to determine how refugee communities that fled the electoral violence in 2007 could be included in transitional justice processes (Lyodu, 2011). Zimbabweans in Europe are also being approached by the Zimbabwe Human Rights non-governmental organisation Forum for input on transitional justice (Marks, 2010). In addition, the Iraqi community in the U.S. was particularly involved in setting up the Iraqi Special Tribunal (Mey, 2008).

Transitional justice mechanisms have in a couple of unique instances specifically incorporated refugee and diaspora communities in their design and implementation. Truth commissions in East Timor and Sierra Leone included programmes to engage refugees in neighbouring countries. The final report of the Truth and Reconciliation Commission in Sierra Leone included 175 statements from refugees (Young and Park, 2009, p. 349).

The most comprehensive effort to date to involve diasporas in all aspects of a transitional justice mechanism is the Liberian Truth and Reconciliation Commission (LTRC). Recognising that the Liberian diaspora played a role in starting the civil war and that key witnesses, alleged perpetrators and other conflict actors, were known to be among the diaspora, the LTRC was mandated to include the Liberian diaspora in its activities (Antwi-Boateng, 2011; Young and Park, 2009). This resulted in a series of public hearings held in cities overseas with a strong Liberian diaspora presence.

Diaspora communities themselves have also mobilized to initiate transitional justice initiatives or to further ongoing processes. The Haitian diaspora community effectively pushed in the 1990s for the truth commission for Haiti (the *Commission nationale de vérité et de justice*). They created a proposal outlining the parameters for the Commission's activities and lobbied for its implementation. Once in place, the diaspora participated from abroad, sending written accounts and in some cases coming to testify before the Commission (Quinn, 2009). The Iraqi community in the U.S. also mobilized and was particularly involved in civil society initiatives to establish victims' reparations programmes (Mey, 2008).

Another way that diasporas have been active is by pushing for justice through universal jurisdiction. Universal jurisdiction legislation in various countries in Europe has provided the possibility of prosecution for serious human rights violations committed anywhere in the world, particularly where the home country justice system is unable or unwilling to prosecute. Chilean and Argentinean diaspora communities have relied on universal jurisdiction in attempts to have criminals arrested while travelling through Europe and tried. Rwandan diaspora in France have formed the Association of Rwandan Victims, whose primary purpose is to bring lawsuits against criminals currently in France. Cambodian diaspora in Belgium and France have also mobilized and brought suits against the Khmer Rouge before Belgian and French national courts (Mey, 2008).



### *Potential benefits of diaspora participation*

There are various potential benefits to engaging diasporas in transitional justice. These include diversity of perspectives; more comprehensive truth gathering; greater international awareness; and the potential for addressing societal divisions within diaspora communities.

Surveying a range of perspectives is important to designing and developing transitional justice processes and mechanisms that meet the needs of the diverse populations affected by violent conflict. Diasporas may have different yet meaningful needs that should be expressed in the formulation of policies and in the operation of transitional justice mechanisms. They may, for example, have very different views on restitution for the loss of property from displacement than those remaining in the home country. Young and Park (2009) emphasise in the case of the Liberian truth commission the importance of considering both perspectives in light of the eventual reparations process. Abdulkadir and Abdulkadir (2011) find that Somalian diaspora communities often have different views on transition. It is necessary to document their opinions on how to address the legacy of mass atrocities from the ongoing civil war in order to design a process that can have meaning for a broader segment of the scattered Somalian population.

Additionally, the act of listening to and incorporating the voices of diasporas and refugees who were forced to flee their home country can be beneficial in terms of psychological healing. Lyodu (2011) finds that the solicitation of refugee perspectives and concerns by the Kenyan Commission had positive psychological effects as refugees no longer felt that they had been forgotten.

The participation of diasporas in transitional justice mechanisms can also contribute to more comprehensive gathering of evidence and truth-telling, contributing to greater effectiveness of such initiatives. In the case of trials, diasporas have comprised a significant number of witnesses in international criminal tribunals and in national courts in the homeland, such as the War Crimes Chamber in the State Court of BiH – providing testimony and essential evidence. Cases tried against the Khmer Rouge before Belgian and French national courts, under universal jurisdiction, have contributed to the collection of evidence that could also be relied upon at the Extraordinary Chambers in the Courts of Cambodia, set up for prosecution of the Khmer Rouge regime (Mey, 2008). Additionally, in situations of persistent tensions in politicised home countries, it may be safer for diasporas to testify than survivors living within the country.

In the case of truth commissions, the Liberian truth commission took and included statements from Liberians in 11 U.S. cities, the UK and the Buduburam refugee settlement in Ghana (Young and Park, 2009, pp. 345-346). The assumption was that this would provide a more comprehensive understanding and narrative of the civil war, particularly as the U.S. diaspora were viewed as having played a key role in the war (Young and Park, 2009; Steinberg, 2010). Many Liberians not only in Liberia but among the diaspora participated in the Commission process with the hope that it would assist them in gathering

information about the whereabouts of their lost relatives or the circumstances of their deaths (Young and Park, 2009).

Diasporas can also play an active role in outreach and awareness-raising in their host country. The mere involvement of diasporas around the world can garner greater media attention and raise awareness in host countries of transitional justice processes and mechanisms and situations in the homeland. Young and Park (2009) state that without the diaspora component, the Liberian commission would not have received the level of coverage in mainstream U.S. media as it did. The high-profile Pinochet case in Europe filed under universal jurisdiction legislation, garnered interest not only among Chilean diaspora but other populations in Europe (Mey, 2008).

Transitional justice processes and mechanisms that incorporate diasporas may also have the added benefit of highlighting and addressing divisions and trauma in diaspora communities. The Liberian truth commission revealed the divisions and residual hostilities and tensions present in many diaspora communities. Further, the final commission report formally documented the need for community reconciliation initiatives to be implemented among the diaspora. This recommendation has propelled the development of such programming (Young and Park, 2009). The Commission's outreach events in the U.S. also contributed to the initiation of dialogue amongst divided Liberian diasporas. Some were brought together for the first time since the war. Such engagement allowed for dialogue on a range of issues affecting diaspora communities, such as the ongoing effects of trauma, refugee and immigration policies, and ways in which reconciliation could proceed in a diaspora setting (Young and Park, 2009). Antwi-Boateng (2011) argues that the involvement of Liberian diasporas also encouraged reconciliation processes in the homeland. Their participation in the commission's programmes, including the attendance of key leaders of a U.S.-based diaspora organisation at a major conference on reconciliation in Liberia organised by the LTRC, had the potential to validate the commission process and improve the prospects for reconciliation.

### **Diaspora participation in reconciliation-oriented and peacebuilding initiatives**

Diaspora communities have engaged in various other transnational activities aimed more explicitly at processes of reconciliation and peacebuilding among themselves and in the homeland. Such activities have the potential to improve relationships within diaspora communities and to transform diasporas into sources of peacebuilding. Initiatives have extended beyond remittances and economic investments and have included dialogue; media initiatives; and support for civil society organisations working in reconciliation and peacebuilding.

Various non-governmental organisations in hostland countries have initiated dialogue initiatives in order to challenge divisions and polarization between identity groups in diaspora communities. Australian and Canadian Sri Lankan NGOs have engaged both Tamils and Sinhalese, for example, in discussions of the

war and prospects for peace. The Berghof Foundation, an international NGO, has also facilitated connections between the diaspora members and the homeland, organizing study tours such that diaspora can learn about the situation in Sri Lanka and build links with local groups. The short time-frame afforded to many of these initiatives, however, makes it difficult to generate significant and sustained peace-oriented attitudinal and behavioural changes (Orjuela, 2008).

More extended dialogue measures have been implemented with Ethiopian conflict-generated diaspora in the U.S. The Institute for Conflict Analysis and Resolution, based at George Mason University, facilitated sustained dialogue among Ethiopian diasporas from 1999 to 2003 with the goal of addressing protracted social conflict and rebuilding and transforming relationships. An extensive series of small group meetings and workshops were held, which contributed to building of trust and relationships among diasporas from diverse backgrounds. The initiative provided a safe space for dialogue on issues of identity and eventually on conflict and peace processes in the homeland. It allowed for the recognition of shared interests in promoting sustainable peace (Lyons, 2004).

Media initiatives are another way in which conflictual relationships among diaspora could be addressed and way through which reconciliatory and peace-oriented diaspora attitudes can be transmitted to the homeland. Diaspora-produced films, books, articles, music and other cultural expressions can help to counter negative impacts of victimhood and contribute to processes of healing (Cheran, 2003). They can play an important role in influencing discourses about violence, conflict and peace; and ideas and attitudes held by key actors and ordinary people in the diaspora and country of origin (Orjuela, 2008).

The Ethiopian diaspora community in the U.S., for example, has a range of newspapers, websites, radio and television broadcasts that have the potential to influence strategies of key actors in Ethiopia (Lyons, 2004). Diaspora-run media is also widely read and listened to in Sri Lanka. It contributes to framing the debate on conflict and peace issues and influencing attitudes and opinions. In addition, reporting on diaspora peace initiatives can be symbolically important as they demonstrate the possibility of dialogue and alternative views. There is a risk, however, with all open and participatory media initiatives of inflammatory statements on message boards or on the airwaves, which could be destabilizing in some circumstances (Antwi-Boateng, 2011). Sri Lankan diaspora-run media, for example, is often strongly polarized (Orjuela, 2008).

Radio programmes with call-in segments and discussions on internet forums have provided space for members of the diaspora to engage in dialogue and for moderate voices to challenge extremist contributors. These mediums can link not only disparate diaspora populations but also diasporas with those in the homeland. Popular Liberian radio stations routinely include selected diaspora online news journals before opening up their programme to callers from the public. This allows not only an avenue for the infusion of diaspora norms but also a space for those in the homeland to evaluate the relevance of such norms for peacebuilding (Antwi-Boateng, 2011). An NGO, founded by a U.S. based Liberian, has

provided grants for the training of community radio staff to diversify programming content and to make programmes more interactive, such that the general population can be involved in national dialogue on peacebuilding (Antwi-Boateng, 2011).

Diaspora-produced media and literature can also advance truth-telling and awareness-raising among populations in the diaspora and homeland and internationally. *The Killing Days*, for example is a well-known book written by a UK-based Bosnian who arrived as a refugee during the 1992-1995 war. It documents his time in the Omarska and Manjaca prison camps.<sup>5</sup> Literature and films on the violent conflict in Bosnia have provided an outlet for survivors. They have also been used to inform people about past events and been relied upon to support evidence in trials.

Diaspora communities can encourage processes of reconciliation and peacebuilding also through the support of civil society organisations in the home country. In the case of Northern Ireland, although much attention has been paid to Irish diaspora in the U.S. funding the violence, more money has actually been donated by the diaspora toward peace-oriented activities, including donations to the International Fund for Ireland. This fund focuses on cross-community development and reconciliation projects in both parts of Ireland, giving priority to initiatives that promote cooperation across the border (Cochrane, Baser and Swain, 2009).

Diasporas have also engaged directly in the strengthening of civil society organisations (CSOs) in the homeland. Mohamoud (2005) outlines how diaspora communities from various conflict-affected African countries have provided resources and skills and capacity training to CSOs in their countries of origin. Training has been conducted by diaspora themselves. The aim is not only to enhance the capacities and structures of civil society networks but also to instill local communities with a civic-minded and collective mentality that can contribute to the development of social capital and eventually social transformation. The organisations that are emerging are hybrid in nature. They are locally developed but imbued in part with ideas, perspectives and knowledge of transnational African diasporas (Mahamoud, 2005).

In some cases, governments (national and local level) in the countries of destination have provided incentives for diasporas to engage in such activities, providing co-funding for development and peacebuilding projects developed by diaspora organisations toward their countries of origin (Sinatti, 2010). Diaspora organisations have also collaborated with local hostland NGOs, which can facilitate funding from the host government. A Somali diaspora initiative partnered with a Finnish development organisation, for example, and received funding from the Finnish Foreign Ministry for their work on local level conflict resolution in Somalia (Hoehne et al., 2010).

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<sup>5</sup> Pervanić, K. (1999). *The Killing Days: My Journey through the Bosnian War*. London: Blake Publishing.

## **Influence of hostland policies and integration on diaspora attitudes and participation**

The hostland can influence diaspora involvement in their homeland not only directly through the provision of governmental grants for diaspora projects and organisational collaborations but also indirectly through their immigration and integration policies (Baser and Swain, 2008; cited in Swain and Phan, 2012, p. 176). Al-Ali et al. (2001) find that the ability of individuals, families and communities in the diaspora to become involved in transnational activities depends on the skills and resources available to them, which can be dependent on the “opportunity structures in their countries of destination” (p. 581). Immigration policies and the degree of integration that forced migrants are able to achieve can thus affect their willingness and ability to engage with their country of origin. They can also affect the attitudes of refugees/diasporas toward reconciliation processes.

### *The status of refugees/diasporas*

Immigration policies of host countries are important in terms of creating or hindering the space for transnational activities. Refugees who face uncertainty about their legal status in the host country are likely to avoid activities that could jeopardize their status, in particular visits to their home country (Valenta and Strabac, 2011b; Kent, 2008; Al-Ali et al., 2001). This in turn could hinder participation in transitional justice activities, such as trials, truth commissions, commemoration events and traditional justice ceremonies that take place in the homeland. Young and Park (2009) highlight that many Liberian diasporas who provided information to the Liberian commission would have been unable to participate had the commission not held hearings in the U.S. Their U.S. immigration status could have been jeopardized had they traveled to Liberia.

Lack of permanent immigration status can limit the ability of diaspora to contribute to processes of reconciliation and peacebuilding in the country of origin. Bosnian diaspora in Germany, for example, faced long periods of “suspended animation” due to the uncertainty about their status, which hindered their ability to visit BiH (Coughlan, 2011, p. 110). Kent (2008) highlights that only after the threat of forced return had lifted did many Bosnian diasporas feel able to visit the homeland and to turn their minds to peacebuilding activities there.

The naturalization policies of the homeland can also affect transnational activities, in particular participation in elections. If the home country does not allow for dual citizenship and requires that home country citizenship is given up upon naturalization in a foreign country, then diasporas are no longer entitled to vote in home elections. This is relevant here to the extent that should diaspora communities harbor more reconciliatory views, they may be more likely to vote for inclusive parties rather than nationalist, exclusive politicians and political parties. Hall (2011) finds for example, that Bosniak diaspora can have a peace promoting influence in Bosnia and Herzegovina as they are more likely to vote for moderate parties and candidates if on the ballot.

### *Structural integration*

Structural integration refers to incorporation into central societal institutions, such as the labour market, language and education (Hall and Kostić, 2009). Hall and Kostić (2009) based on their study of Bosnian diasporas in Sweden, find that greater structural integration can encourage more moderation and reconciliatory attitudes among diasporas. Respondents with higher structural integration expressed less social distances to the *other* and more optimism for coexistence; as well as acknowledgement of past suffering of other groups (p. 6). Such reconciliatory attitudes on the part of diaspora communities in turn have the potential to encourage peaceful relations in the homelands through their transitional engagements.

Greater structural integration can also facilitate the ability and willingness of diasporas to participate in transnational activities. Attitudes toward engagement with the homeland are strongly qualified by the needs and demands of the diaspora themselves (Kent, 2008). If diasporas are pre-occupied with basic survival and with their status in the country, they are much less likely to have the flexibility and resources to turn attention to their homeland and to transnational activities. Eritrean diasporas in Germany, for example, have struggled in the labour market, which has undermined their ability to return to their home country and provide financial contributions (Al-Ali et al., 2001). Cambodian diaspora associations that support universal jurisdiction cases against the Khmer Rouge have found it difficult to pursue lawsuits due to the daily concerns and pre-occupations of their volunteer diaspora staff (Mey, 2008). Mohamoud (2005) finds that African diasporas in the Netherlands have only recently become concerned with contributing to social change in Africa now that they have achieved a certain level of social and economic integration in their host country.

Successful integration in the hostland can also have the reverse effect, however, of discouraging involvement with the country of origin. Swain and Phan (2012) highlight that in some cases the economic, social and cultural assimilation of members of the diaspora can result in a decline in their interest in political issues affecting the homeland. The effects can be more nuanced. Valenta and Strabac (2011a) find in their study of Bosnian diasporas in Norway that while the integration of Bosnians in Norwegian mainstream society has contributed to a decline in organized transitional activities (through ethnic associations), it has facilitated greater individual transnational activity, including visits to the home country (p. 100).

### **Diaspora participation in transitional justice and reconciliation: challenges and reflections**

The involvement of diasporas in transitional justice and reconciliation processes can be beneficial in terms of diaspora community relations and their process of coming to terms with past violence, abuses, and loss. It can also be beneficial in terms of their contribution to peacebuilding in the home country. There are various potential challenges with their involvement, however, that need to be recognised and addressed.

A key challenge is how to deal with divergent perspectives between the diaspora and populations living in the country of origin on issues of peace and conflict, recovery strategies, transitional justice and reconciliation; and how to forge links between the populations. The growing independence of some diasporas can lead to the development of interests, agendas and political opinions distinct from those of the local homeland population (Mey, 2008). There were concerns during the establishment of Haiti's truth commission, for example, that the Haitian diaspora community was approaching various aspects of the process in their own particular way (Quinn, 2009). There were also divergences between members of the Bosnian diaspora and those living in Prijedor on the best way to approach the establishment of a memorial at the Omarska mine.

The different contexts that diasporas experience living outside the home country may, as discussed, result in diasporas holding more nationalist, divisive views in some cases, or in other cases more reconciliatory views than those in the home country. On a practical level, diaspora communities also have differing needs, for example, in the case of property restitution and reparations. While it is important to survey the varying perspectives of the wider population affected by mass atrocity and to make the process as participatory as possible, it can be difficult to cater well to the needs and interests of distinct populations.

Moreover, homeland populations may resent the input of the diaspora, particularly if they perceive them as having escaped much of the violence and suffering in the home country and living comfortably in the host countries (Smith, 2007; Mey, 2008). Politicians in home countries can exacerbate such tension, as in the case of Bosnia and Herzegovina where nationalist politicians have stirred up resentments toward those who left the country as refugees (Al-Ali et al., 2001). Such behaviour also has the effect of deterring the transnational activities of diasporas.

In the case of Sri Lanka, Orjuela (2008) finds that while nationalist organisations have created strong links with the diaspora, Sri Lankan peace organisations have not reached out to create similar links. Diaspora communities may also bypass organisations in the home country. Cambodian diaspora victims associations that have filed lawsuits against members of the Khmer Rouge under universal jurisdiction have not established working relationships or contacts with local victims in Cambodia or with local associations that have been gathering testimony for years. The lack of coordination and communication has resulted in duplication of efforts and different expectations and perceptions of the process between local victims and the diaspora (Mey, 2008).

Collaborations between the diaspora and populations in the homeland are essential in addressing potential divergences in opinions between the communities and also to improve the effectiveness of transitional justice and reconciliation initiatives. Diaspora and local organisations should coordinate their work to avoid working on the same projects in parallel and to ensure that actions are

complementary. Where claims are filed under universal jurisdiction laws in host countries, for example, home country organisations could support such cases with evidence and testimony. This would also offer populations in the home country the chance to participate in trials and to be recognised as victims. Diaspora associations could focus on obtaining testimonies from the diaspora and raising awareness among the international community (Mey, 2008). Where populations in the home country remain skeptical of the involvement of the diaspora, the home country could exercise leadership and coordinate diasporic activities (Smith, 2007).

It is important to recognise that while some members of the diaspora will mobilize to engage in transitional justice and peacebuilding, there are many others who are unlikely to get involved on their own initiative. In such cases, efforts could be made to specifically reach out to diaspora communities. While hostland migration and integration policies may allow the resources and capacity for diaspora to participate in initiatives concerning the homeland, this is not an automatic outcome. Hostland initiatives, such as the provision of grants to fund homeland peacebuilding projects by diaspora organisations as has taken place in various European host countries, can be implemented to create incentives for such transnational activities.

Homeland policies can also encourage diaspora engagement. In Ghana, for example, returnees who have taken up positions of leadership as traditional chiefs have made trips overseas to establish contacts with diasporas (Kleist, 2011). While these efforts have been focused primarily on soliciting economic investments in the home country, they could also be oriented toward participation in transitional justice and reconciliation processes. The hearings that the Liberian truth commission held in the host countries enabled the participation of Liberian diaspora, particularly those who were unable to return to Liberia due to immigration status or insufficient resources; or those who would have been unwilling to make the emotional, physical and financial investment to return to the home country to take part.

The engagement of the diaspora in transnational activities cannot be encouraged blindly, however. If a diaspora community is deeply divided and conflict-oriented, then providing the space for members to influence the homeland could be de-stabilising. In order to engage in informed interventions, it is important to assess the conditions of diaspora communities. Efforts should be made to address those that remain divided and nationalistic. This is necessary for the healing of the diaspora communities themselves and also such that they can be transformed into a potential source of peace for the homeland. In some cases, the participation of diasporas in transitional justice may be sufficient support for diasporas to move forward in processes of reconciliation. In other cases, other initiatives, such as dialogue and media initiatives, aimed specifically at promoting such processes may be needed alongside.

There is no question that diasporas are already actively involved in transitional justice, reconciliation and peacebuilding activities. Much more research is required to capture what is taking place; to determine the best ways in which survivors in the conflict-generated diaspora can be heard; and to assess the attitudes and views of diasporas and how these affect relationships at all levels and perspectives on



homeland politics. The aim should be to gain a better understanding of the roles of diaspora in transitional justice and reconciliation in the context of peacebuilding within diaspora communities and in the homeland. Where initiatives are already in place to engage with the diaspora, it is essential to evaluate the various impacts of these efforts such that programmes can be designed more effectively and expanded upon to generate greater influence and impact. Only then will it be possible to promote a more comprehensive peacebuilding that involves and reaches the global community of survivors of mass atrocity in the homeland and beyond.

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