



EXPERT SEMINAR

RJ in Intercultural Conflicts

Mediation in Interkulturellen Konflikten

Berlin

2 June 2017

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Venue



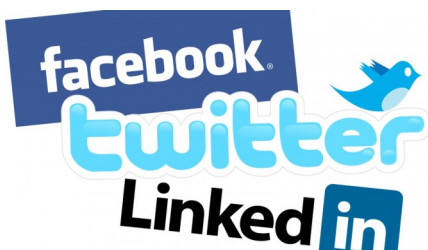
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European Forum for Restorative Justice

Welcome from the EFRJ

A very warm welcome to all participants to this international **expert seminar on Restorative Justice in Intercultural Conflicts**. It is the first event of the European Forum for Restorative Justice (EFRJ) held in Germany. It has been co-organized together with the Servicebureau for Victim-Offender Mediation and Conflict Settlement (TOA-Servicebüro) of DBH – Association for Social Work, Criminal Law and Criminal Policy, Cologne.

The Board of the EFRJ has decided to choose **Berlin as the venue** for the 2017 seminar in light of the fact that the German capital has developed to be one of Europe's multi-cultural hot spots. Its 3.5 million residents (6 million in the greater capital region Berlin-Brandenburg) include people coming from more than 190 countries. Berlin also has a very multifaceted restorative justice 'landscape' with a wide range of initiatives, groups and organizations providing a variety of services for self-reliant conflict resolution, mediation, arbitration, neighborhood dialogue and other forms of advice and support. With the arrival of the many more refugees since 2015 these initiatives gained even more importance.

The program offers a variety of perspectives on the concepts of as well as specific problems in the day-to-day practice of **conflict settlement in intercultural settings**, from national as well as from comparative perspectives. It includes different formats: themed keynote lectures, a moderated panel discussion and an interactive session which is meant to take up your contributions and interventions. Experts represent all relevant groups of restorative justice: daily practice, including training and supervision, research, criminal justice and criminal policy.

Our events are also meant to be a forum for discussion and interpersonal exchange with people from other countries. We therefore hope that this event will be an **inspiring personal experience for you**. It might perhaps raise your interest to perpetuate this sense by joining the EFRJ as a member. The individual membership fee is moderate, the added value of being part of the European restorative justice community is much higher. Our staff at the reception are happy to provide you with more information. Your support is needed in order to further increase the impact of our constant efforts to promote the further development and expansion of restorative justice in Europe.

Last but not least we would like to express our thanks to the Commission of the European Union and the German Federal Ministry of Justice and Consumer Protection for the financial support of this event.

Michael Kilchling

Member of the EFRJ Board

Organising committee



Michael Kilchling, Board member

Edit Törzs, Executive Director

Emanuela Biffi, Communication & Events Officer

Rik Defrère, Finance & Administration Officer



Christoph Willms, Research & Public Relation

Ines Staiger, Research & Public Relation

Evi Fahl, Business office & Finance



Daniel Wolter, Director

Sponsors



European Commission Justice Programme



German Federal Ministry of Justice and
Consumer Protection

Organisers



Founded in 2000 by a group of academics, practitioners and policy makers, the **European Forum for Restorative Justice** (EFRJ) has the aim to contribute to the further development and establishment of victim-offender mediation and other restorative justice practices. Every person in Europe should have the right of access to RJ services, at any time and in any case. Since 2012, the EFRJ is part of the Criminal Justice Platform Europe, a partnership of three network organizations working in the fields of detention (EuroPris), probation (Confederation of European Probation, CEP) and restorative justice (EFRJ).



In 1992, the German Federal Parliament and the Federal Government initiated the setting-up of a national advisory service, called **Servicebureau für Victim-Offender Mediation and Conflict Settlement**. It is a project of DBH – German Association for Social Work, Criminal Law and Crime Policy – and is mainly funded by the German Federal Ministry of Justice. The mission of the Servicebureau is to help to establish 'restorative justice' becoming a real alternative to the traditional criminal justice practice and to promote an increasing application of victim-offender mediation. The main fields of activities are developing and securing quality and standards, qualification and information.



The **DBH e.V. – Association für Social Work, Criminal Law and Criminal Policy** (DBH e.V.-Fachverband für Soziale Arbeit, Strafrecht und Kriminalpolitik) is a non-profit, nationwide organisation founded in 1951 by order of the Federal Ministry of Justice. Its member organisations come from the fields of probation service, offender and victim support as well as restorative justice. The main activities are in public relations, organising nationwide conferences, trainings and educational courses in our field and committee work. DBH is carrier of the Servicebureau for Victim-Offender Mediation and Conflict Settlement, Project LOTSE and DBH-Bildungswerk (education institute).

Programme

- 8:45 Registration | [Anmeldung](#)
- 9:15 Opening | [Eröffnung](#)
Edit Törzs, executive director of the EFRJ (English only)
Christoph Willms, research and public relations at TOA-Servicebureau (DBH e.V.) (German only)
- 9:30 Welcome address | [Grußwort](#)
Heiko Maas, Federal Minister of Justice and Consumer Protection
| [Bundesminister der Justiz und für Verbraucherschutz](#)
- 9:45 Keynote presentation | [Einführungsvortrag](#)
Now is the time for restorative justice! Opportunities and chances of mediation in cases involving refugees | [Jetzt ist Mediation gefragt! Chancen und Einsatz der Mediation in der Arbeit mit Geflüchteten](#)
Sosan Azad, mediator, Federal Association Mediation | [Vorsitzende Bundesverband Mediation](#)
- 10:30 Coffee break | [Kaffeepause](#)
- 11:00 **Experiences with restorative justice in intercultural settings in Europe: The ALTERNATIVE project** | [Erfahrungen mit Restorative Justice bei interkulturellen Konflikten in Europa: Das ALTERNATIVE-Projekt des EFRJ](#)
Tim Chapman, chair of the EFRJ, researcher in ALTERNATIVE
- 11:45 Interactive session with participants | [Interaktive Session \(bilingual | deutsch-englisch\)](#)
Methodological challenges in intercultural mediation | [Methodische Herausforderungen interkultureller Mediation](#)
Claude-Hélène Mayer, Europa University Viadrina Frankfurt/ Oder
- 12:30 Lunch break | [Mittagspause](#)

Unless in sessions announced as bi-lingual, the presentations will have unofficial consecutive translation in German or English.

- 13:30 **How much 'culture' is implied in intercultural conflicts? Experiences as seen from the perspective of supervision**
| *Wieviel 'Kultur' steckt in interkulturellen Konflikten?*
Erfahrungen aus supervisorischer Sicht
Susanne Bourgeois, self-employed supervisor, coach and trainer
- 14:15 **Empirical analyses of mediation cases in intercultural settings in Germany, England and Norway** | *Empirische Fallanalysen aus der Praxis interkultureller Mediation in Deutschland, England und Norwegen*
Clara Rigoni, researcher, Max Planck Institute for Foreign and International Criminal Law
- 15:00 Coffee break | *Kaffeepause*
- 15:30 Moderated panel discussion | *Podiumsdiskussion (bilingual | deutsch-englisch)*
Participants | *Teilnehmerinnen und Teilnehmer*
Moderator *Daria Nashat*, Senior Consultant and Trainer, Brussels
Michael Gebauer, Head of Division for Juvenile Justice and Victim/Offender Mediation, Federal Ministry of Justice and Consumer Protection, Berlin
Clara Rigoni, researcher, Max Planck Institute for Foreign and International Criminal Law
Martina Fischer, policy advisor for the Human Rights and Peace Desk at Bread for the World – Protestant Development Service, Berlin
Arthur Trossen, mediator and former magistrate, Altenkirchen
Oliver Jacob, mediator, Berlin
- 16:45 Wrap-up session | *Schlussworte*
Edit Törzs, executive director of the EFRJ (English only)
Christoph Willms, research and public relations at TOA-Servicebureau (DBH e.V.) (German only)
- 17:00 Closing of the conference | *Ende der Veranstaltung*

Unless in sessions announced as bi-lingual, the presentations will have unofficial consecutive translation in German or English.

Speakers

Opening and wrap-up sessions

Edit Törzs studied law at the ELTE University Budapest (Hungary), where she later followed the PhD programme in the field of Criminology. She also has a degree in European and French Law from Université Panthéon-Assas in Paris (France). From 2004 she worked for the Hungarian Office of Justice, on the Methodological Department of the Probation Service and from 2006 was responsible for the field of victim-offender mediation. She is a trained mediator and facilitator of restorative conferences and she almost completed a 4-year programme in dance therapy. She joined the EFRJ in January 2012 as a project officer in the project 'ALTERNATIVE' on RJ in intercultural settings and since 2016 she is the Executive Director of the EFRJ.

Christoph Willms, born in 1981, studied Social Work at the University of Applied Sciences of Frankfurt am Main (Germany) and Criminology at the University of Berne (Switzerland). He took further courses of study e. g. in Restorative Justice, Project Management or Motivational Interviewing. Since October 2014 he is working for the Servicebureau for Victim-Offender-Mediation and Conflict Settlement (Cologne, Germany) in the fields research and public relations. Before that he worked as a case manager in various prisons in North Rhine-Westphalia and headed a youth club near Berne.

Sosan Azad (Berlin, Germany): Managing Director of StreitEntknoten GmbH; Mediator and Trainer BM®; Diploma Social Pedagogue; Organisation Developer, Supervisor, Coach (DGSv); Internationally Certified Conflict Manager DACH-Verband; Accredited Team Management System-Trainer (TMS); Trainer in Intercultural Competence; Systemic Family Therapist; Denkzeit-Trainer. Membership and Participation in the following Associations: Board Federal Association Mediation; Member of the Advisory Board Mikk e.V. - Mediation in international conflicts involving parents and children; Member of the Editorial Board "perspektive mediation"; Support Organisation Mediation D A CH e.V., Germany, Austria, Switzerland.

Now is the time for restorative justice! Opportunities and chances of mediation in cases involving refugees

The arrival of refugees in Germany is accompanied by insecurity and a lack of awareness, by xenophobia and hate, but also by great civil commitment and helpfulness. However, a comprehensive consensus on the meaning of 'welcome culture' and its implementation in practice has still to be identified. What does contribute to it – information and experience, transparency and participation? What is essential for a successful communication with refugees – in institutions, associations and in the administration? In our view, appropriate framework conditions are necessary for a critical reconsideration of positions and practices. They shall contribute to raising motivations and to possible changes without the fear of loss. This is manageable. In this respect, it is an essential aspect that people are able to understand the situation of refugees as well as to redefine the understanding of conflicts / infringements.

Tim Chapman (Northern Ireland, UK) is a visiting lecturer at the University of Ulster teaching on the Masters programme in restorative practices. He has contributed to the development of restorative conferencing in both the voluntary and statutory sectors in Northern Ireland, where he spent 25 years working in the probation service. He played an active part in developing effective practice in the UK particularly through the publication of 'Evidence Based Practice', written jointly with Michael Hough and published by the Home Office. His 'Time to Grow' model for the supervision of young people has influenced youth justice practices especially in Scotland. He has published widely on restorative justice and effective practice and has conducted significant research into restorative justice in Northern Ireland including the project 'ALTERNATIVE'. Since 2012, he is a EFRJ Board member, responsible for the Forum 15 project (2015) and chair of the Board (2016).

Experiences with restorative justice in intercultural settings in Europe: The ALTERNATIVE project

The ALTERNATIVE research project was funded by the European Commission under the FP7 programme between 2012 and 2016. It involved a partnership between research organisations in Austria, Belgium, Hungary, Northern Ireland, Norway and Serbia and the European Forum for Restorative Justice. Its aim was to develop new understandings of the contribution of restorative justice to security and justice in conflicts in intercultural settings. This presentation will present the key theoretical and practice findings of the research which will be published later this year in two books.

More info on www.alternativeproject.eu.

Claude-Hélène Mayer (Frankfurt - Oder, Germany) - PD Dr. habil. Phd, PhD - is an Adjunct Professor (Privatdozentin) at the Europa-Universität Viadrina, Frankfurt (Oder), Germany, and a Senior Research Associate at Rhodes University, South Africa. She holds Doctoral degrees in Psychology, Management and Cultural Anthropology. Her *Venia Legendi* is in Work, Organisational and Cultural Psychology. Her research areas are transcultural conflict management and mediation, transcultural identity development, mental health and well-being in organisations, as well as women in leadership. She is a trained mediator and mediation facilitator (BM), a systemic therapist (SG) and constellation facilitator, a hypnotherapist (TIM) and an integrated learning therapist (ILT).

Methodological challenges in intercultural mediation

When members of various cultural groups meet, different perceptions, expectations and realities need to be considered, and the potential for creativity and conflict arises. Mediation is a conflict management and restorative justice practice which is used globally and in various cultural groups to resolve conflicts and/or to transform conflict (potential) into a creative force for change and peaceful co-existence. Intercultural mediation aims at exploring the culture-specific world views and realities of conflict partners and at finding win-win solutions for conflictual situations. Conflict mediation within complex intercultural settings requires a complex intercultural understanding of the mediator, intercultural competence, as well as a conscious awareness and ability to apply mediation practices adequately. This interactive session introduces what intercultural mediation means and which intercultural competences are needed by mediators to mediate successfully. The session's focus is on mediation methods and the challenges intercultural mediators may experience within their practice. Selected methods used in intercultural mediation are presented and discussed.

Speakers

Susanne Bourgeois (Cologne, Germany) -Dipl. -Päd. - works as freelance supervisor (DGSv), coach and consultant with the focus on intercultural competence and awareness in Cologne since 2000. Escorting executives and teams in different areas of social welfare often means looking for constructive solutions of conflicts. A major impact of this work comprises intercultural themes and problems related to migration and refugees. For more info see www.susanne-bourgeois.de.

How much 'culture' is implied in intercultural conflicts? Experiences as seen from the perspective of supervision

What distinguishes 'intercultural' conflicts from 'common', or 'usual,' conflicts? In my presentation I will discuss this question not as a mediator, but from the perspective of a supervisor who has wide practical experience in guiding and advising migrants, joined intercultural teams and individuals who are active in refugee assistance and care (professionals as well as volunteers). Based on this experience I have formulated several propositions which shall be explained on the basis of theoretical background considerations as well as concrete examples from practice. At first, my propositions will provide critical reflections on the concept of culture: What do we mean when we speak of 'culture', and what is the influence of such understanding of culture on conflict situations? Further theses will focus on additional factors which potentially have even a stronger impact on conflict situations than culture itself. These include the recognition of migration as a formative, mostly critical life event, and the importance of self-determined access of conflicting parties to effective resources and autonomy for conflict resolution.

Clara Rigoni (Freiburg, Germany) is doctoral candidate of the Max Planck Institute for Foreign and International Criminal Law, in the context of the International Max Planck Research School on Retaliation, Mediation and Punishment (IMPRS-REMEP). She holds a Master in Law from the University of Bologna and a European Master Degree in Human Rights and Democratization from the European Inter-University Center. In 2015, she was admitted to the Italian Bar Association.

Empirical analyses of mediation cases in intercultural settings in Germany, England and Norway

So-called 'honor-based violence' and forced marriages are increasing in European countries, especially among migrant communities. Victims are often young women from second or third generation migrants struggling between the culture of their family and country of origin and that of the host society, in which many of them are born. Policy makers and women associations usually reject the use of restorative justice in such cases for reasons of power imbalance and for the high risks that a contact between the woman and the family entails. However, many victims are reluctant to report their families to the authorities and are unwilling or unable to participate in a criminal trial against them. The Norwegian restorative justice agency (Konfliktrådet) together with other Scandinavian countries, has started employing restorative justice (mainly in the form of cross-cultural transformative mediation) to bring together victims and their families and to discuss the rights, values, and traditions at stake. In countries that do not offer such programs, communities often organize themselves through NGOs, informal tribunals, religious and cultural leaders, or informal mediators and arbitrators. This is the case, among others, in the United Kingdom and Germany. The presentation will discuss cases analyzed through interviews with mediators and victims.

Panel discussion

Bridging the culture gap: Human connection as a key to successful mediation and dialogue

While cultural awareness is an important skill in today's world, the focus on intercultural differences and conflicts can contribute to a sense of disconnection between human beings. Especially in times of political polarization, it is tempting to think in categories of people and of what divides us and to lose sight of the individual and of 'all that we share' as human beings. In order to transform conflicts successfully we have to make an extra effort to acknowledge our human interconnectedness and dignity and to leave the "boxes" behind. Human connection is the point of departure and precondition for any successful mediation or dialogue and needs to be emphasized and nurtured by those facilitating the process. Panelists will discuss issues related to successful mediation and dialogue and their dependence on a shared sense of human interconnectedness and dignity that goes beyond cultural differences. Each of the panelists represents a different professional view on restorative justice.

Daria Nashat (Brussels, Belgium) is a political scientist, specialized in peace, community building, and refugees. In the past fifteen years she has gained work experience at a variety of international organizations such as NATO, OSCE, PAX and the Stability Pact for South Eastern Europe. In 2016 she was Executive Director of the EFRJ. She is currently working as a senior consultant and trainer for "Strategies for Trauma Awareness and Resilience" (STAR) and is involved in intercultural neighborhood dialogue in Brussels.

Dr. Michael Gebauer is head of the division 'Juvenile Criminal Law; Victim-Offender Mediation' of the German Federal Ministry of Justice (since 2013: ... and Consumer Protection) which he has been for several years up to now. Previously he inter alia was in charge of drafting and taking care of the formal legislative process concerning the German Völkerstraf-gesetzbuch (Code of Crimes against International Law) and staff counsel in the former division 'Criminology; Crime Prevention'. Before joining the Federal Ministry in 1993 he was research associate at

the Kriminologische Zentralstelle (Centre for Criminology) in Wiesbaden.

Clara Rigoni (see p.10).

Dr. Martina Fischer is a Political Scientist and engaged in Peace Research since the 1980s. She has been working for the Berghof Foundation (Berlin) from 1998-2016 as a Senior researcher, Deputy and Acting Director of the Foundations Center for Constructive Conflict Management and Programme Director Southeast Europe. Currently she supports the Human Rights and Peace Desk at the Protestant Development Service Bread for the World (Berlin) as a Policy Advisor. She has extensively published on Peacebuilding and Conflict Transformation in Post-Conflict Societies, Civil Society, Transitional Justice and Reconciliation.

Arthur Trossen, born in 1955, studied psychology and law. He is a former public prosecutor in white collar crime, and a former judge. Actually he is a full scale mediator, author and teacher in mediation. He is the editor i.e. of a commentary to the German mediation act 'Mediation (un)geregelt' and www.wikitoyes.org. On his researches how to implement mediation competences at court processes, he invented integrated mediation as a method and founded an association 'integrierte Mediation e.V.' which today is situated in several countries of Europe. His main approach is, to see mediation as a cognition process.

Dr. Oliver Jacob since 2000 works as a mediator in (youth) criminal matters (victim-compensation) for the established Träger der Integrationshilfe - carrier integration assistance, a project of the nonprofit evangelical youth and welfare work in Berlin. His doctorate deals with the opportunities for cooperation between TOA centers and the police. In addition to working as mediator, he is also active as a consultant for the topics of victims-compensation and restorative justice, deals with public relations and networking, and is involved in dealing with school conflicts.

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- **4-7 JULY** Barcelona, Spain | CJPE summer course on desistance, radicalisation, engaging offenders to change
- **23-28 JULY** Como, Italy | EFRJ Summer School on RJ in serious crimes
- **SEPTEMBER** Leuven, Belgium | Workshop on Values & Standards for RJ
- **19-26 NOVEMBER** | International RJ WEEK 2017 on arts and restorative justice
- **JUNE 2018** Tirana, Albania | 10th international conference of the EFRJ