What's new in human rights doctoral research

A collection of critical literature reviews Vol. VII

edited by

Pietro de Perini, Paolo De Stefani

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PADOVA **UP**

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Introduction

Paolo De Stefani and Pietro de Perini

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The essays collected in this new volume of the series show an interesting shift in the interests of our human rights-focused scholar community. The research projects that motivated these chapters address social and institutional practices and mechanisms that contribute to the cause of human rights and represent practical tools that support struggles for justice and peace. Rather than interrogating on the 'ontology' of human rights, the contributions presented here delve into their 'ontic', elaborating on objects (including complex dispositives like memory, educational trajectories, local capacity-building patterns for peacebuilding and social inclusion, alternative remedies to contrast labour exploitation) in relative isolation from an overarching human rights narrative.

This 'experiential shift' may correspond to a general regression of human rights rhetoric that no longer 'naturally' intercepts progressive and transformative societal changes, as other rhetorics have emerged putting emphasis on different theoretical frameworks. More optimistically, it can be associated with a balanced and mature understanding of the ontologically multilayered and diversified multiplicity of human rights, a paradigm that needs careful handling, especially when used to ground and steer socially impactful measures. Better, therefore, to concentrate on circumscribed and finely carved objects whose analysis can contribute to the broader human rights framework, rather than applying standardised theoretical, legal or ideological frames to the social phenomena under scrutiny.

An 'ontic' rather than 'ontological' approach to human rights witnesses a sheer necessity of rediscovering and regrounding the human rights discourse in light of the radical and accelerating changes that global and local societies are experiencing in our time and are expected to undergo

even more intensely in the coming years. A crucial task for the current generation of human rights scholars would be to build and populate an open repository of practices, data, stories, norms, and any other 'objects' produced in the first 100 years of 'human rights rule' (from 1945 to 2045?) that could support a political and epistemic refoundation of human rights in the second half of the XXI century. A long-term commitment that looks more and more urgent.

<p align="center">***</p>

The first chapter, by Alek Barović, examines the role of memory in shaping post-genocidal identity, highlighting the interconnections between genocide, memory, religion, and identity formation. Barović explores how genocidal intent aims to destroy not only a group but also its collective memory, yet paradoxically creates new traumatic memories that become central to the group's post-genocide identity. The review analyzes how authorities like states and religious institutions can shape this memory, sometimes for political manipulation. It also discusses the significance of memorialization practices and the role of religious communities in preserving traumatic memories, embedding them into the ethno-religious identity's core, especially in diasporas. Overall, it underscores the complex interplay between collective trauma, memory, religion, and the construction of post-genocidal national narratives and identities.

Sara Lina Kamoun is the author of the second chapter, which critically examines the intersection of Stability Policing (SP) and Community-Based Policing (CBP) in post-conflict peacebuilding. This literature review argues for a more integrated, community-driven approach by identifying gaps in the literature, such as the lack of focus on security in early recovery stages, limited integration of SP with local structures, and inadequate empirical evidence on SP-CBP synergies. Kamoun advocates aligning SP with CBP, DDR (Disarmament, Demobilisation & Reintegration), and mine action through a human security lens, emphasizing community participation and local ownership, introducing security governance as a tool for coordinating diverse actors and processes. Overall, the chapter calls for a shift towards inclusive, community-centered security frameworks that prioritize stability as a precondition for sustainable peacebuilding.

In Chapter 3, Denise Zucchini explores 'Vocational Guidance 5.0' as a tool to promote peace and social justice through career education. Zucchini shows that in an era of growing inequalities, conflicts, and environmental challenges, traditional career guidance is inadequate. Vocational Guidance 5.0 emerges as an innovative paradigm integrating critical consciousness,

peace education, and a holistic vision of careers. By analyzing guidance's historical evolution and drawing on recent studies, the chapter highlights how this approach can prepare youth to become ethically responsible professionals and active citizens contributing to a more equitable, peaceful society. It emphasizes integrating critical reflection on global dynamics and the ethical implications of career choices into guidance pathways, promoting work as a means for social responsibility and sustainability.

The fourth critical literature review is provided by Asude Oruklu. The author examines the effectiveness of non-state-based non-judicial grievance mechanisms in preventing severe labor exploitation. The chapter identifies research gaps in empirically assessing these mechanisms' effectiveness, particularly in evaluating their preventative role. It further aims to define key elements of severe labor exploitation through multidisciplinary perspectives, including political philosophy and legal frameworks. It explores concepts such as forced labor, slavery, and human trafficking, highlighting the complexity in distinguishing and identifying such practices. Finally, the chapter proposes a framework for categorizing workers' complaints based on their severity, laying the groundwork for future empirical research.

Elisa Gamba completes the book with her exploration of the challenges faced by refugees in accessing and succeeding in higher education, and how universities can effectively promote their inclusion. In her literature review, Gamba highlights issues like data collection difficulties, lack of national policies, and the need for a trauma-informed, human rights-based approach. The importance of higher education as a space for freedom, well-being, and empowerment for refugees is emphasized. The review underscores the moral and social responsibility of universities in serving the public good through inclusive practices. It advocates for multi-level governance, with universities forming alliances beyond academia to support refugees. Overall, this final chapter calls for a shift from philanthropy to an inclusive, participatory model that values diversity and addresses systemic disadvantages faced by refugee students.

Genocide, Memory, Religion and Identity: A Review

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Abstract: The genocidal intent seeks to entirely or partially destroy a specific ethnic or religious group, and with it, its collective memory. However, in this attempt, genocide also creates memory. Such traumatic collective memory is of paramount importance for the creation of the post-genocidal identity of the group. Genocide, i.e. victimhood, becomes an inseparable part of the community's identity and is reflected in all spheres of life. Institutions of authority, such as the state or religious institutions, have the capacity to shape that memory. Because of this, political abuse of memory often occurs, aiming at the political manipulation of emotions. On the other hand, religious communities strive to incorporate the memory of suffering into their dogma, thereby embedding it into the identity DNA of the ethno-religious community, so it is never forgotten, but also passed on to future generations, especially those who continue their lives far from the motherland.

Keywords: Identity, Memory, Religion, Genocide

> 'The stories must be told and retold until traumatic memories are integrated into the moral fibre of the communal life of the nation.' (Nytagodien and Neal 2004, 468)

Introduction

When I stayed in Rwanda in April 2024, on the occasion of three decades since the genocide against the Tutsis, I could not help but notice the silence that pervaded Kigali. The streets were partially empty, the city moved slowly, and it seemed as though time had stopped for a week in the capital of this East African country. On the other hand, one would never

guess that in this green city, just thirty years ago, tens of thousands of people were murdered simply because they belonged to a different ethnic community.

Life in a community is what characterises human beings. They cannot live in any other way. Since their inception, humans have attempted to overcome all the difficulties they encountered through association and communal living. As early as the 4th century BC, Aristotle viewed man as a political animal, or 'zoon politikon', and considered this one of the primary reasons for the formation of the state (Aristotel 1988, XXVI). Simply put, human nature dictates that man resides within a community or collective.

The development of human communities has gradually become more complex over time. From tribal associations, connections expanded and multiplied, eventually leading to the formation of the first states. Through the evolution of state organisation, the awareness of identity and connection with the community strengthened. This state of affairs culminated at the end of the 18th century after several major revolutions, which sparked the awakening of national consciousness and the collective identity and sense of belonging to a nation. This marked the beginning of the nation-building process, which continues today and remains highly fluid and susceptible to change.

On the other hand, since the earliest communities, there has also been an intention among some to completely destroy certain groups. For this reason, we can argue that genocidal intent is as old as the first human collectives with a shared identity.

Alesina and Bryony (2015, 3) state that 'we define ''nation-building'' as a process which leads to the formation of countries in which the citizens feel a sufficient amount of communality of interests, goals, and preferences so that they do not wish to separate from each other'. In other words, there exists a need and desire to continue living within the community and to be part of that collective because our individual identity cannot function without the collective, and vice versa.

Today, identity is the key element of a national community. Identity is what holds it together and distinguishes it from other communities, i.e. national/ethnic groups. What connects people within such a collective are the common space they inhabit, their symbols, origin, language, the connection of these elements to a shared history, in most cases the same religion, and shared suffering, or trauma.

This paper addresses precisely such collective traumas and their impact on the construction of collective identity. Great suffering plays a crucial role in shaping a group, strengthening it, and fostering national revival.

It can also signify the emergence or extinction of a national group. In the case of genocide, its primary element is the intent to destroy such a group.

The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly in 1948, states that the main element of genocide is the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group as such (Convention on the Prevention and Punishment of the Crime of Genocide, 1948). In other words, the perpetrators of genocide aim to annihilate an entire collective identity and erase all traces of its existence. Such an act, whether attempted or (partially) accomplished, leaves a lasting scar on the endangered collective identity and creates a collective trauma that profoundly shapes the future course of identity development and the shared memory of the group.

Such trauma represents a significant turning point in the development of identity. If we take, for example, the Holocaust, the genocides in Armenia, Bosnia, Iraq, and other countries, by merely analysing the history of these societies, we can observe major identity shifts compared to the pre-genocidal period.

Almost the entire population of European Ashkenazi Jews was destroyed, leading to immense cultural change within this group. Not only was the vast cultural heritage of this community obliterated, but numerous crucial identity elements tied to it were erased as well; for instance, the Yiddish language has nearly disappeared today. The Bosniak national identity underwent significant changes during the war and its aftermath, culminating with its total identity consolidation. Similarly, after the genocide and expulsion of Armenians from their ancestral territories in the Ottoman Empire, the first modern Armenian state emerged. The multiple genocides against Kurds in Iraq, carried out by Saddam Hussein's regime, forged a strong collective identity and a desire for self-defence and a national state of their own to ensure such atrocities would never be repeated.

Post-traumatic societies are highly fragile. Their vulnerability, along with the process of rebuilding, can be exploited as a powerful political weapon. Sodaro (2018, 61) observes that 'while in the nineteenth century the nation-state was the dominant producer and caretaker of memory and history, using the past to unite a people around a common identity and set of political objectives, the totalitarian regimes of the twentieth century sought an even greater hegemonic control over the past in the service of their ideological goals.' Through the development of politics and propaganda, it has been determined that manipulating the national sentiments of a people can lead to significant political homogenisation of the target

group. In fact, such power is wielded by all authorities, not just states and governments.

In such a state, the role of religious communities is significant, as they serve as refuges, places of gathering and hope, and centers for the preservation of identity. On the other hand, religious communities also possess their own ideological goals and are often centers where nationalist narratives emerge and weapons are in the hands of nationalist-oriented politicians with whom they collaborate. The central theme of this research is the role of religious communities in articulating collective trauma in the construction of national identity and collective memory.

Religious communities and religious workers play a crucial role in preserving collective identity, both in the homeland and in the diaspora. They represent places of gathering collective action and nurturing of identity. Due to the role of religious workers and dignitaries in the process of post-traumatic societal shaping and the memorialisation of genocide, religious communities and their roles are chosen as the primary focus of this research.

The aim of this paper is to present an analysis of the existing published material concerning the role of memory in identity construction, particularly traumatic memory in societies affected by genocide. We will see that scholars to some extent agree on the importance of memory in the daily social life of the group, but also that such memory is frequently misused for political purposes.

The focus is certainly not only on the government, as the primary authority in any state, but also on religious communities, given their significant influence on the construction and preservation of identity, not only in the homeland but also in the diaspora. By principle, religious communities are expected to remain immune to politics and contribute as much as possible to the preservation of identity and memory, as well as their transmission to younger generations, especially where religious communities are the sole source of identity.

Such actions by religious communities do not only impact nation-building. They also significantly influence the construction of sustainable peace, provided that religious communities do not manipulate the religious sentiments of their members to foster new forms of chauvinism and hatred. Through their actions and the commemoration of victims, religious communities can promote a 'human rights vision of memorialization as a process of remembering the wrongs of the past and honoring the victims (...) with the idea that public and official recognition of crimes is essential to

prevent further violence in divided or post-conflict societies' (David 2017, 298).

Facing the past is a major obstacle on the path from totalitarian to democratic societies where human rights are protected. However, collective memory and trauma continue to play a crucial role in shaping these societies and are used 'depending on the political and social conjuncture' (Crocco 2021,124). Therefore, this paper aims to analyse the factors that connect nation-building, identity, memory, and religion. The goal is to uncover patterns of action that could potentially be utilised in the promotion of human rights and the building of sustainable peace in post-conflict societies, which are unfortunately prone to political manipulation and the abuse of collective memory and national narratives for political purposes.

1. Genocide and Memory

If we define genocide as the intent to destroy a particular group in whole or in part, we must also define what constitutes a group. According to the United Nations definition, such groups include ethnic, national, religious, and racial groups. If we ask the question, 'what is a group?' we can theorise that it refers to people of shared ethnic or national origin, religious affiliation, etc. However, a group can also be viewed as a collection of individuals who share a common memory related to a specific matter. Therefore, genocide can also be defined as the intention to destroy a particular memory, a specific gene, or a certain identity. Genocide aims to obliterate a particular memory but also creates it after the violence has ended. This scar on collective memory heals and generates new narratives that become an inseparable part of collective memory and identity.

Individual human memory is a mutable category. People remember, forget, or alter their recollections to the extent that they often cease to bear any relation to actual events. The same applies to collective memory. It can be created, erased, or modified, either accidentally or intentionally. However, unlike individual memory, whose authority diminishes over time, the authority of collective memory increases as long as it adapts to the times and remains current (Zelizer 1998, 3). Leydesdorff (2010, 122) argues that 'the narrative of collective memory is never static and always volatile, but can be structured by the crystallized memories of specific events that have been reiterated in public discourse for such a long time that no one questions them'. This may sound as if falsehoods become truths over time, but memory can indeed be constructed even if it lacks grounding in

real events. An example of this is myths, which in some societies play such a crucial role that the members of the community that nurtures them completely believe in their reality, despite being fabricated events.

When it comes to collective traumas, their memory is even more complex. Traumatic events are generally marked so that they are neither repeated nor forgotten. Frankowski (2021, 79) states that 'commemoration appears at the intersections of politics and art, history and colonialism, and within the discursive limits of discourse and the sensible'. The role of remembering traumatic events is precisely to build and preserve feelings and emotions related to these events.

Individual memories and perceptions of various things are personal in nature and vary from case to case. On the other hand, 'collective memories are thus shared images and representations of the past that assist in constructing social solidarity' (Brewer 2006, 215). Collective memory helps to keep a group united.

Medina and Binford (2016, 149) propose that memory should be viewed as something retained, which is activated at a given moment. This is essentially accurate, as every memory, even the most distant, requires a trigger to awaken it. This is often the case with collective memory that is passed on to future generations or when dealing with traumas that have been forgotten for many years, only to be activated at a certain point and become real, as if there had never been a break in the recollection.

Brutin (2018, 148) says that 'memorialization is the act of remembering an event, a personality or a group of people'. Members of a group that has faced an attempted destruction become aware that their annihilation was threatened simply because they were members of that group. This fact of association with the group makes them stronger and compels its members to further identify with the group. Such behaviour means that 'memorialization becomes an act of collective reaffirmation of the value of what genocide attempted to destroy' (Blustein 2018, 28).

However, it should be clearly emphasised that memory is a mutable category, both individually and collectively. 'Collective memory changes over time, some memories being more important for a certain group at a certain point of time than others. It disappears once the relevant group is no longer interested in a certain memory, once the group disperses, or once the members of the group have died' (De Jong 2018, 13). The aim of embedding traumatic events into collective identity is to ensure that these events are never forgotten, but rather passed down from generation to generation.

One way to work on embedding certain traumas into the group's identity DNA is through the memorialisation of these events, i.e. marking them through religious, cultural, and political rituals, as well as through the construction of monuments and places of memory. These places are of great significance as they provide a location for the narrative and connect a specific territory with the story. Mannergren Selimovic (2013, 335) notes that 'museums and monuments are important symbols that consolidate a new collective narrative'. Certainly, this narrative is strongly influenced by the creator of the museum and monuments, i.e., the authorities, who have the power to direct narratives towards their ideological agendas.

Places of memory serve to preserve and further intensify emotions and to build intergenerational connections with the suffering of those who have perished. Becker (2019, 319) argues that 'these places exist primarily in the minds of those whose past causes them suffering, both individuals and groups'.

Of course, the cultivation of memory of the past also plays a role in preventing the recurrence of similar tragedies and violence (Ihsan 2017, 7). In fact, this is its primary role, which is often misinterpreted for political purposes.

Memory is inseparable from the nation and identity. Together, they form national identity. Essentially, all groups have their collective memory and their identity. Memory represents the shared past that connects them, while identity comprises the factors that distinguish a particular group from others. If we consider that in many cases some members of a given nation do not speak the national language or do not belong to the dominant religious group, yet still maintain a shared memory, we can argue that memory takes precedence over identity when it comes to sustaining national consciousness.

2. Nation and Identity

Collective memory is an essential part of national identity formation. David (2017, 303) notes that 'collective memory plays a key role in constructing both collective and personal identities'. Identity cannot exist without memory (Leydesdorff 2010, 125). Collective identity is the one that identifies us as a member of a community and compels us to be loyal to that community. Collective traumas solidify the individual in their identity perceptions, and 'the traumatic collective memories of the past constitute an affective foundation for the birth of a new kind of nation' (Denton

2021, 17). In such situations, the new national identity is 'premised on recognition of past abuses' (Feldman 2021, 164). Brewer (2006, 216) notes that 'nations need a narrative by which to construct a sense of nationhood'.

Toivanen and Baser (2019, 10) argue that 'certain massacres can be constructed as the ''chosen trauma'' and consequently become a central element in commemoration practices and identity formation'. One such trauma is certainly genocide, which represents a 'crime above crimes' and aims to destroy a group and its identity. This is also the source of its greatest impact on identity changes in the targeted group following traumatic events.

What distinguishes genocide from other crimes is precisely its intent to annihilate a specific identity. This also underscores its power to influence the construction of post-genocidal identities. Blustein (2018, 36) notes that 'genocide typically destroys or intends to destroy a group's common culture, the shared identity that is dependent on it and the affective bonding in which people feel some attachment to one another'. This connection among group members, at the moment of revitalisation in post-genocidal contexts and during the healing of trauma, creates new bonds that forge a new identity.

After traumatic events such as genocide end, the group finds itself in a state of disintegration and requires swift consolidation. The construction of a post-traumatic identity is a process of 'rebuilding a shattered nation' (Weeraratne 2021, 212). The nation is rebuilt on new foundations, and its traumatic experience becomes an integral part of its identity and collective memory. Simply put, the entire history is placed 'in the service of the nation' (Biwa 2017, 94).

Focusing on the traumatic experience and centralising it in the construction of a new national identity affects the entire spectrum of identity components. Among the new components are new symbols (national emblems and insignia), a dominant narrative around which the collective gathers, and nationalism as the main centre of the national community's unity. Fox (2021, 74) terms this process 'stratification of collective memory' and defines it as 'the process whereby certain memories are elevated while others are marginalized in an attempt to create a more unified national narrative'. According to her understanding, 'creating a collective memory for a nation is both a process, and an outcome'.

This process results in the 'traumatic past [becoming] a defining feature of the national experience' (Denton 2021, 17). It becomes a central element of national awakening and unification. Trauma affects all spheres of society, both directly and indirectly. Directly when its open narrative is

frequently employed in the public sphere, and indirectly when it impacts people's lives, even when it is not frequently discussed.

The narrative of collective trauma placed at the centre of identity and nation-building is referred to by Pitic (2021, 466) as a 'grand narrative'. In this way, the narrative becomes institutionalised and systematised (Mwambari 2019, 1321). In case of Bosnia where genocide against Bosniak people was motivated by their religion, the 'grand narrative' becomes more connected to not just ethnical identity, but also to the religious one. That kind of 'grand narrative' serves as the primary link between politics, identity, and memory, and is a central factor in all political decisions aimed at consolidating 'ethnoreligious' identity.

A primary role in the creation of a post-traumatic identity is played by the creation of post-traumatic memory. The manner in which these events are remembered is of great importance, as the way they are remembered will determine their role in the construction of identity. Feierstein (2018, 68) notes that 'constructing a memory simultaneously involves constructing an identity'. These two processes are inseparable. Religion or politics may only serve as a stimulus or as a guide for the direction these processes will take. The Hebrew word zachor means 'remember'. It appears nearly two hundred times in the Hebrew Bible. This clearly illustrates the significance of memory in Judaism, which has proven to be very important even after the Holocaust in the formation of modern Jewish identity. As Reinharz (2018, 50) emphasises, 'zachor is a call to the creation of individual and collective memory'.

A characteristic of collective memory is its ability to be transmitted to younger generations. De Jong (2018, 12-13) argues that 'unlike individual memory, collective memory consists of the memories that are important for a group's identity, but that are not necessarily based on the experiences of the members of that group'. Memory is passed from generation to generation and thus preserved. It becomes part of the identity and an inseparable component. Trauma thus continues to live within the group and plays an important role. The role of religious communities in this is multifaceted, ranging from gathering and uniting the community to nurturing specific memory of past traumatic events and their commemoration. Memory serves to nourish identity with the historical validation of its own existence. Simply put, 'identity becomes a vehicle by which a nation can define its historical existence' (D. J. Becker 2014, 59).

Ultimately, memory is a social category and is highly dependent on the social conditions within a community. It reflects the social state of those who invoke it (Cohen 2008, 241).

3. Memorialization and Politics

A crucial element in maintaining the link between memory and identity is the manner in which traumatic events are commemorated, whether through various commemorations or the construction of monuments and places of remembrance. In this way, 'collective traumas from the past continue to have a living influence upon the contemporary present' (Nytagodien and Neal 2004, 468).

Such expressions of connection to specific events serve to demonstrate an identity link with them. In these moments, there is a surge of identity and a reminder of times of identity threat and suffered trauma. As Marutyan (2014, 68) notes in the Armenian case, 'annual marches to the Memorial combine collective memory and burial rituals to become a particular manifestation of national identity'. A similar practice is observed in Bosnia and Herzegovina in relation to the commemoration of the genocide in Srebrenica.

However, politics plays a significant role in the memorialisation of these events. Politics, narrative, and memory are interrelated and 'constitute one another' (Williams 2022, 5). The events of memorialisation and monuments are 'used both for mourning and for making politics' (Mannergren Selimovic 2013, 335). Furthermore, 'in this inherently political process, memorials are material carriers and important instruments for governance and hegemonic memory production as stakeholders attempt to control the past in order to maintain power in the present' (337). Politics, that is, political actors, have always sought to manipulate people's emotions and harness that energy to achieve their ideological aims. This is also the case with collective memory and identity. Politics utilises these narratives but also significantly influences their creation. This is particularly pronounced in politically charged societies with strong nationalist sentiments, as 'nationalistic political elites in particular have used official histories to craft the nation state's memory in their desired shape' (Umit Ungor 2014, 154).

Fomenting national emotions serves not only to strengthen ties to identity but also to effect 'ethnic mobilisation and political dissent by instrumentalising trauma through state-controlled commemoration' (Baldwin 2019, 356). The goals of this mobilisation are varied. Some aim to increase the ruling party's ratings, while others focus on creating and altering identity and collective memory. Authorities such as the state or religious communities possess the power to determine what will be remembered and what will be forgotten, thereby fostering 'cultural amnesia' (Cohen 2008, 222). Baser and Toivanen (2017, 11) refer to this as 'chosen trau-

ma' and 'chosen amnesia'. Such amnesia may sometimes aim to encourage forgiveness and political stability within the country (Snyder 2021, 161). Collective memory imbued with trauma becomes the basis for creating not only identity but also a complete political narrative and state policy. It becomes a myth around which all other elements of the nation are built, as all nation-states need national myths (Umit Ungor 2014, 154). Pettitt (2017, 176) terms this process 'mythologizing memory'.

Identity, memory, and trauma are deeply interconnected elements as they collectively shape nationalism. Nationalism is what enables collective mobilisation around a shared identity. Therefore, it is difficult to regard trauma merely as a pure emotion. It is much more than that. It constitutes the foundations of the nation and the entire politics arising from them. McGrattan (2016, 19) notes that 'trauma as a concept moves from being simply about perception or inarticulacy towards being construal and constitutive of identity – it resides in emotions but is also capable of being mobilized'.

Institutions of authority, such as the state, political and religious communities, have the capability to mobilise trauma. This is especially true for the state, which can utilise sovereignty and state apparatus to implement such measures. The state holds a monopoly on creating the dominant historical narrative (Kelso and Eglitis 2016, 104). It constructs the perception of the past in line with current politics so that 'perception is always distorted to meet the agenda of the present' (Cohen 2008, 241). The primary means of shaping perception are undoubtedly education and memorial sites.

There is a distinction between whether perception is purely narrative or if it has additional dimensions. When a narrative is supplemented by space, it becomes a much stronger tool in constructing identity and policy. In this way, a three-dimensional image of the narrative, space, and identity is created, which has the potential to be more easily retained in the emotions of group members and transmitted to future members and younger generations. Thus, the role of memorials, monuments, and cemeteries related to trauma is of immense importance. Golbert (2004, 222) notes that 'place connotes both a physical site to be recalled and memorialized and a conceptual site constructed and given meaning through memory practices'. On the other hand, with the passage of time and the disappearance of direct witnesses to genocide, as memory transitions from survivors to younger generations, the places of suffering become the primary link to these events, and their role is crucial in the transmission of memory (Jilovsky 2015, 123).

Ibreck (2010, 330) states that 'the memorials are part of a state-led endeavour to promote a collective identity in a nation torn apart by genocide'. Of course, the role of memorialisation depends on political will, that is, whether it will serve political purposes or contribute to reconciliation and the construction of a better and fairer society, deeper understanding of events, and social transformation (Caplan 2007, 20). Therefore, Bolin (2012, 203) notes that the lessons learned in memorial centres can be categorised into three areas: 'educational, humanitarian, and political'. Indeed, in most cases, the political aspect prevails, especially if such actions aim at 'rewriting the past' (Ibreck 2010, 331) and generally 'politics avoid forgiveness' (Doubt 2021, 178), particularly in ultra-nationalist and chauvinist regimes that use trauma and memory to stir up identity sentiments among their voters. The politicisation of memory is precisely what 'impedes the potentially healing effects' of memorialisation and monuments dedicated to these events (Kenyon Lischer 2021, 276).

The role of memorial centres in the construction of identity and collective memory is substantial. They serve to connect individuals with the suffering, horrors, and victimisation of their own people (Kulašić 2015, 3), but also to awaken identity and 'public historical consciousness' (P. Williams, 2007). This connection with the past evokes emotions, and the narrative becomes an even stronger and eventually inseparable part of personal memory, even if the individual has no familial or close ties to the victims. Suffering is transmitted to others and to future generations, becoming part of the national DNA and an inseparable component of collective memory. Korstanje (2023, 60) refers to this as 'collective mobilisation', which can often be subject to manipulation by authorities who, due to their political interests, create a biased story and determine what should be remembered and what should be forgotten. This results in a 'chosen government narrative' (Kenyon Lischer 2019, 813) and leads to the 'political exploitation of death and tragedy' (Sharpley 2009, 151) and the exploitation of the victims of genocide themselves (Beech 2009, 212).

Education plays a central role when it comes to younger generations, in which the aim is to instil the 'grand narrative'. This ensures the creation of an identity and politically 'aware' youth. This is especially true in nationalist regimes, which use this approach to secure future voters who can be easily mobilised based on narratives of national threat or similar themes designed to stir patriotic emotions. Textbooks, from which students learn, play a crucial role in this educational process. Hagai et al. (2017, 49) argue that 'textbooks are political tools used to build norms, values, and legends within society'. They further state that 'through official knowledge, certain

ideologies are instilled in a country's youth to dictate which political forces should be included and which should be excluded from the ''social imaginary'' of a nation'. In this way, the government creates an image of the internal enemy, often representing opposition as national traitors, thereby ensuring its own survival in power.

On the other hand, the way a particular community manages its culture of memory reveals much about that community and its identity and political stage. Whigham (2022, 44) notes that 'the memory of landscape, or memoryscape, of a place offers crucial insights into a given society and how it relates to its own past'. From such practices, we can determine the stage of the politicisation of memorialisation, that is, to what extent memory is used for political purposes versus the creation of identity narratives.

In the case of Rwanda, the government has shaped the post-genocide narrative and memory with the aim of creating a unified nation for state development plans. The government has managed to completely control the ways in which the genocide is remembered (Recker 2021, 205). By abusing its position, the government shapes memory according to its own interests, often creating a black-and-white portrayal of past events (Williams 2022, 3). The Rwandan government is a prime example of such action, seeking to present itself as a virtuous war actor in contrast to the evil it has defeated. The goal is 'to reinterpret the genocide not by pitting Hutus against Tutsis, but rather as Rwandan against Rwandan' (Aoki and Jonas 2016, 250).

It is also possible to use the narrative of genocide to gain legitimacy for the formation of a national state. Israel was established to ensure that something akin to the Holocaust would never happen again. Muslims in Bosnia and Herzegovina persisted in their quest for statehood to avoid being prey to the territorial ambitions of Croatia and Serbia. On the other hand, in the case of Iraqi Kurdistan, Moradi (2017, 60) notes that 'to replace Al-Anfal with such a legal name (genocide) was hoped to add the Kurdish people to the list of other peoples with a history of genocide, which in turn was to help to lay foundations for a future of Kurdish nation-state'.

If we accept the notion that a state has the capacity to mobilise narratives and utilise trauma in shaping identity according to its political principles, then the reverse scenario is also possible. The goal of genocide is to destroy a collective identity wholly or partially. Hence, it can be determined that a state perpetrator can impose a new identity and assimilate the hostile community as a form of implementing genocide against it. In the case of Iraqi Kurdistan, the Iraqi government attempted to achieve this through the 'arabizing of Iraqi identity through the process of the last solu-

tion, which is the Anfal campaigns' (Sadiq 2021, 113). Here, there was an attempt to impose a new identity with the aim of destroying the group's original identity, as well as creating a new identity through the use of violence.

Just as it is possible to create an identity narrative based on collective trauma, it is also possible to create an identity narrative as a form of 'counter narrative' (Pettigrew 2018, 192). Such a case is evident in the situation of Republika Srpska. The modern identity of this Bosnian entity is based on the denial of the genocide in Srebrenica. Simply put, the post-war Serbian identity in Bosnia and Herzegovina was formed as a counter to the Bosniak identity. Just as the genocide in Srebrenica played a significant role in shaping the post-war Bosniak identity, the denial of this genocide has played a significant role in shaping the post-war Serbian identity.

Memory and politics are inseparable precisely because politics sees immense potential in memory for the homogenisation of the electorate. The capacity of traumatic memory to shape identity benefits politics as emotional manipulation of memory can stir voters' emotions and harness this emotional charge for ideological purposes.

4. Religion

In April 2015, the Armenian Apostolic Church canonised over 1.5 million Armenians who perished in the genocide as saints, or martyrs. This was widely presented as the 'biggest canonisation service in history' (News Wires, 2015). In this way, the Armenian Church integrated the genocide and the suffering of its people into its doctrine, aiming to eternally link faith and identity with the memory of the immense collective trauma that afflicted its people.

Religion can be either a choice or an identity (Eisenberg 2016, 297). Shared faith represents one of the main connections within any group. It is a crucial factor that unites community members in religious ceremonies, as well as an inseparable part of their ethno-religious identity. This connection extends to the point where certain ethnic groups sometimes find it difficult to distinguish between their ethnic and religious affiliations, as Porter (2001, 289) notes in the case of Poland. On the other hand, religious institutions serve as gathering places not only to meet the spiritual needs of the faithful but also as centres for social interaction, connection, 'identity exchange,' and the preservation of shared memory, i.e., memory.

This function is especially evident in the diaspora, where it is common for religious buildings belonging to the national community to be the only centres of identity. Thus, their role is even greater, as they help preserve identity, along with collective memory and collective traumas.

Hervieu-Léger (2000, 125) defines religion as a 'chain of memory'. She notes that 'in the case of religious memory, the normativity of collective memory is reinforced by the fact of the group's defining itself, objectively and subjectively, as a lineage of belief. And so its formation and reproductiveness spring entirely from the efforts of memory feeding this self-definition.' Collective memory and religion are deeply interrelated. As collective memory wanes over time, so too does religiosity.

Religiosity tends to increase during times of hardship and catastrophe. As previously mentioned, groups affected by genocide are extremely fragile, and the task is to recover the devastated nation. Religious institutions play a crucial role in this process. They gather the victims and provide them with comfort, while simultaneously members of the group form a new relationship with each other, creating a form of ethno-religious community. Additionally, religion in post-genocidal moments can serve as a 'force for reconciliation and healing' (Bergen 2008, 215).

If one of the elements of genocidal intent was the destruction of a specific group not only because of its ethnic origins but also its faith, then the religious element in the formation of a new identity becomes even more significant. It can be said that ethno-religious identity adopts elements of ethno-religious nationalism which is not inclusive but has clearly defined boundaries. Werbner (2010, 254) notes that 'religious nationalism with its invented rituals draws even sharper and more xenophobic boundaries around identity, as it posits a sacred mythical relationship between worshipers, the past, and a territorially demarcated land.'

The existence of an ethno-religious community also implies a very strong link between these two elements. Examples of this are the Armenians or Bosniaks. The Armenian Apostolic Church is an inseparable part of Armenian ethnic identity. On the other hand, Islam is a crucial component of Bosniak identity. 'The robust link suggests that nonexistence of religion implies the high likelihood that the ethnic group would not exist' (Oppong 2013, 14). Of course, the connection to religion diminishes over time, but in the first years and decades after a religiously inspired genocide, it remains very strong.

It is interesting to examine how religion, i.e., the religious community as an institution, links ethno-religious identity with genocide. Victims of genocide generally hold a special status within the religious community.

They are declared 'martyrs' or 'shahids,' people who suffered for their faith and nation. In this way, a permanent link is established between religion, identity, and memory related to the specific traumatic event. Memory thus becomes part of the religious tradition. Urbaniak (2015, 2) remarks that 'in such a way, tradition becomes a powerful and shaping agent of the present. The religious community is capable of incorporating into its own tradition the innovations and reinterpretations demanded by the present, but it always attempts to link this new data to the ancient data and thus to place it within the body of its doctrine.' In this way, the religious community preserves the memory of traumatic events.

Seul (1999, 561) notes that:

> 'religious texts and oral material embody, among other things, myths, lore, songs and prayers that contribute to identity construction in various ways. They are, in part, repositories of community memory, often providing individuals and groups a cross-generational sense of belonging in time, as well as a sense of belonging with others in distant places. (…) Members of a group assimilate the group's narrative, which becomes a feature of their individual identities.'

In cases of diaspora, certain elements of identity, such as language and values, weaken over time. However, religion is an 'essential feature of identity' for every ethnic group (Glick 2017, 61). Peek (2005, 218) notes that:

> 'immigrants frequently react to the alienation and confusion that result from their arrival in a new country by turning to religion. In an attempt to resolve adjustment issues, they build religious institutions and re-establish familiar social and cultural activities in the new host society. Consequently, religion can assume greater importance for immigrants' definition of self and group affiliations than was the case in their homelands, where religion may have been taken for granted or at least been of lesser importance.'

Simply put, in such situations, there is a desire to preserve identity, and with it, memory. In the absence of other institutions dedicated to preserving group identity, religious institutions take precedence in this process and become much more significant among the diaspora than in their countries of origin.

Conclusion

Memory is an integral part of every identity and constitutes its fundamental element. Without memory, identity cannot exist. However, memory, like identity, is a mutable category. It can be created, altered, or erased. Depending on these processes, identity will also change.

Traumatic memory is particularly significant for the construction of identity, especially in post-genocidal societies, which strive for national and identity consolidation. In such societies, trauma continues to play a crucial role, and it persists as long as people remember it.

Authoritarian institutions, such as state authorities or religious communities, have the capacity to influence what will be remembered and what will be forgotten. According to their interests, they will seek to promote, alter, or erase certain memories. This is especially true for state authorities, particularly if they are nationalist in nature. Authorities use identity memory to manipulate the emotional sentiments of citizens for political and ideological purposes.

On the other hand, religious communities operate somewhat differently and endeavour to preserve traumatic events from being forgotten and incorporate them into their own doctrine. Their actions are particularly evident in the diaspora, where institutions from the homeland have less substantial influence. Religious institutions, through religious rituals and the gathering of ethnic group members, strive to preserve identity and memory, as well as to pass them on to younger generations who have not grown up in environments where they would otherwise have had the opportunity to identify with the collective.

Certainly, we can conclude that memory plays a very important role in all socio-political aspects of citizens' lives. It is an inseparable part of every group and every individual, as long as it is remembered.

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Towards a More Coherent Approach to Peacebuilding. The primacy of Community-Oriented Security in Post-Conflict

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Abstract: After more than a decade of multifaceted peacebuilding missions, securing a stable environment has emerged as a critical foundation for sustainable peace. This literature review critically examines the importance of Stability and Community-Based Security (CBS) as crucial components of post-conflict peacebuilding, with a focus on its integration to foster sustainable peace. The study explores how Stability Policing (SP), which bridges military and policing functions, plays a pivotal role in addressing immediate security challenges in fragile post-conflict settings. The research highlights the adaptability of SP in supporting long-term stability, particularly in conjunction with disarmament processes. The review critiques the liberal peacebuilding approach, which prioritizes political and economic reforms while neglecting the foundational importance of security, arguing that peacebuilding efforts must prioritize stability before attempting democratic or economic reforms. In addition, the review identifies significant gaps in the literature, particularly the lack of empirical evidence on the synergies between SP and CBS. By examining these gaps, the article emphasizes the importance of integrating community-driven approaches to security, where local actors play an active role in shaping peacebuilding efforts. Furthermore, the research underscores the necessity of incorporating human security principles focusing on individual and community protection into peacebuilding frameworks, ensuring that security interventions address both immediate threats and underlying social vulnerabilities. The concept of security governance is thus introduced as a crucial tool for coordinating diverse peacebuilding actors and ensuring a holistic approach to post-conflict recovery. This review advocates for a more integrated, locally informed model of peacebuilding that aligns SP with CBP and other post-conflict processes, including disarmament and community reintegration, to build sustainable and resilient societies.

Keywords: *Post-Conflict Peacebuilding, Community-Based Security (CBS), Human Security.*

1. Introduction

The Primacy of Community-Oriented Security in Peacebuilding, explores the evolution and relevance of Stability and Community-based Security (CBS) as strategies within post-conflict frameworks. Situated in the field of human rights and security studies, this literature review examines the role of these policing models in addressing complex security needs through inclusive, community-oriented approaches.The review takes a critical stance towards traditional top-down peacebuilding practices, which often lack sufficient community involvement. By analyzing scholarly debates and empirical studies, the article identifies how CBS can bridge the gap between local communities and peacekeeping forces, contributing to peacebuilding efforts such as Disarmament, Demobilization, and Reintegration (DDR). It argues that CBS fosters long-term stability by strengthening community trust, addressing underlying grievances, and empowering local actors in security efforts.

One of the primary contributions of this review is its identification of key limitations in the literature, notably the fragmented discussion on SP and CBS integration and the lack of empirical evidence on effective SP-CBS synergies. The synthesis underscores the importance of embedding SP within community-oriented strategies to create adaptable, resilient peacekeeping frameworks that respond to the unique social dynamics of each post-conflict setting adequately. This comprehensive approach to literature offers a valuable framework for advancing the theory and practice of peacebuilding, aiming to inform more sustainable and locally-driven strategies.

2. UN Emphasis of Community-Oriented Policing in Peacebuilding

The primacy of international peace and security through political solutions is a question commonly reiterated, from the HIPPO 2015 Report to the 2018 Declaration of Shared Commitment for Peacekeeping initiatives. National and sub-national political solutions are moreover often at the heart of any UN procedure to bring about the needed peace to affected countries. There is also a widespread recognition among practitioners and academics that the sustainability of peace is highly dependent on the inclusivity of the adopted solutions. As noted in the Security Council Resolution 2282 (2016):

> 'sustaining peace' [...] should be broadly understood as a goal and a
> process to build a common vision of a society, ensuring that the needs of

all segments of the population are taken into account'.

This, however, cannot be achieved solely through a top-down approach, which often involves reinforcing elite bargains while overlooking power-sharing agreements. Instead, community engagement must be seen not as a mere initial outreach effort but as a comprehensive process of inclusion in decision-making. This paper argues that such an approach is fundamental to achieving sustainable development. This article sheds light on the current practices in post-conflict reconstruction from an academic standpoint and justify the necessity to have a community-based approach for achieving sustainable and long term peace. Especially as there is a noticeable gap between peacekeeping missions, local communities and national authorities. The primary section delves into a range of literature examining the concept of community oriented policing, it emphasizes various aspects that define the term and scholarly arguments on its use with a critical lens as an overarching thread:

Community-oriented policing is a novel approach in post-conflict reconstruction that recognizes that *community problems require community engaged solutions*. According to the UN Security Council Resolution 2185 (2014), peacebuilding involved: *'a strategy for encouraging the public to act as partners with the police in preventing and managing crime as well as other aspects of security and order based on the needs of the community.'*

In peacebuilding missions, one of the major challenges related to community engagement is the frequent use of a top-down approach (United Nations Peace Operations 2018). This approach often depends on high-level negotiations which often lack broad societal involvement and tend to be short-lived. Consequently, these solutions often fail to address deeper community grievances. As highlighted in Security Council Resolution 2282, sustainable peace requires inclusivity, ensuring that all segments of the population are meaningfully involved in the peace process (UN Peacebuilding Commission 2020, 2).

This approach is notably effective in building public trust and accountability toward beneficiaries, while also enhancing the police's ability to prevent crime. Community-based Security (CBS) operates on the understanding that police are more successful in fulfilling their protective role when they have public support. Through collaboration, police gain access to critical crime-related information, additional resources, and community respect, all of which bolster their effectiveness (United Nations Peace Operations 2018, 79). The following section delves deeper into the key components of CBS and its significance in post-conflict reconstruction.

2.1 Defining Community-Oriented Security

Community-based Security (CBS) is a strategy whose goal is to strengthen relationships between officers, citizens and workers in a specific region, the approach enables public safety officers to have consistent presence within the community, and engage in a more sustainable way with local residents to prevent crimes before these latter occur. What community based security emphasizes is the relationship between security forces and local communities as a grassroot approach, contrasting with more militarized forms of peacekeeping, CBS refers to a localized approach by which peace and order are maintained in post-conflict settings where security efforts are designed in collaboration with the community, this includes three sets of principles involving:

Local ownership	Whereby community members actively participate in identifying security needs and shaping responses accordingly. This in turn provides more legitimacy to security forces and fosters trusts between the two stakeholders.
Collaboration with Non-State Actors	CBS also often involves partnership between official security forces including police peacekeepers, official security forces and informal or non-state actors such as local, religious leaders as well as civil society organizations.
Prevention of Recurrence	One of the aims of CBS is not only to address immediate security threats but also to build long-term trust and cooperation thus preventing the recurrence of violence or conflict.

Title: Core principles of Community-Oriented Security

In post-conflict peacebuilding settings CBS becomes a crucial component to achieve peace as it fosters rebuilding trust between the population and the authorities, especially when formal institutions are fragile or viewed with suspicion which is often the case of these latter. Rebuilding social cohesion fosters cooperation and dialogue, helping to restore fractured social ties in communities affected by conflict. Community-Based Security (CBS) goes beyond merely responding to violence by addressing the root causes of insecurity. It emphasizes understanding underlying

factors such as social divisions, poverty, ethnic tensions, and past human rights abuses, addressing these issues in ways that align with local customs and values. Finally, CBS tailors security strategies to the specific context of each post-conflict setting, acknowledging the unique social and cultural dynamics at play. This adaptive approach avoids the pitfalls of a one-size-fits-all solution, ensuring more effective and sustainable outcomes.

3. Previous Research on Community-Oriented Security

Rutikanga (2023) in *Community Policing in Post-Conflict Settings* provides a detailed look at how community-based security (CBS) initiatives can be vital in post-conflict environments, especially where formal state institutions, including the police, have been weakened or discredited due to conflict. More specifically the author explores the implementation of community policing as a form of security in Somalia, a country that has faced multifaceted conflict where state authority has been fragile, the key argument put forward is that lack of trust in formal policing, state institutions and the central government in Somalia has limited reach especially in rural areas where clans and other local actors hold significant influence, thereby accentuating the need of a tailored context specific approach as is emphasized by the definition of CBS (Rutikanga 2023).

Moreover, the author demonstrates that CBP initiatives support rebuilding security by empowering local communities to take an active role in maintaining law and order. In a similar vein, restoring trust through local engagement as a core strength of CBS provides the ability to engage local elders, clan leaders and religious figures who historically have played a crucial role in resolving conflicts, by including these trusted figures of the community, CBS efforts helped to gradually restore trust in the formal police force. This collaborative security structure also encouraged collaboration between formal police and informal community networks creating a hybrid security model that is more flexible and responsive to local dynamics. The author argues that this was crucial in the context of Somalia where strict adherence to top-down security models would most likely have failed. In the same case, CBS successfully mediated various disputes between rival clans leading to a marked reduction in local violence. This effort laid the groundwork for broader peace and security initiatives. What the author of this article believes is particularly useful in Rutikanga's work is its illustration of the effectiveness of taking a CBS approach, particularly in fragile

post-conflict states where the vulnerability of formal security institutions makes traditional security approaches insufficient.

3.1 Insufficient focus on Security in Early Post-conflict Phases

On another token, Roland Paris, in *At War's End: Building Peace after Civil Conflict* (2004) criticize the liberal peacebuilding model which emphasize the promotion of rapid democratization, market liberalization and institutional building in post-conflict settings however without initially establishing a security and stable environment the mentioned set of activities would not be sustainable and broader reforms have a high chance of failing. Premature political and economic reforms at the early phase of peacebuilding exacerbate tensions in unstable post-conflict societies, which ultimately undermine the peace process. Security as a precondition becomes of high relevance as it must be the primary focus after a conflict. Without basic safety and stability, reforms like democratic elections which is often the very first process initiated after democratization, economic recovery and human rights advancement are at risk. The criticism that the author of this article agrees with is that liberal models emphasize institutional and economic reforms without addressing underlying security issues, a model assuming that political and economic changes will naturally lead to peace, however the correlation is necessarily linear, this is believed to be overly optimistic in conflict-ridden societies.

The critique of liberal peacebuilding models is centered around the overly confident assumption that political and economic reforms will naturally foster peace in conflict-affected societies. This approach, widely promoted in international peace operations, often prioritizes democratization and market liberalization over immediate security needs, thus failing to address the underlying conditions for sustained peace (Paris 2004 & Chandler 2006). Scholars argue that this model is insufficiently attuned to the unique challenges of post-conflict societies, where social instability and weak security institutions make rapid liberalization potentially destabilizing (Richmond, 2011). For instance, Paris (2004) highlights how in Bosnia and Haiti, the liberalization approach led to renewed tensions, as the reforms focused on institutions rather than reinforcing local security, resulting in a fragile peace.

Similarly, Chandler (2006) examines Kosovo, where institution-focused reforms imposed by external actors failed to address localized security concerns, ultimately fueling local resentment and fragmentation. Empirical studies support this critique, as Doyle and Sambanis (2006) demonstrate in

their analysis of UN peace operations, that cases prioritizing security such as Namibia achieved more lasting peace than those relying solely on liberal reforms (Chandler 2006, 139-162). Richmond (2011) further criticizes this model, asserting that Western-centric approaches often disregard the role of local dynamics, a factor critical in maintaining post-conflict stability (Ibid 52-78). Moreover, Call (2012) emphasizes that the liberal model's failure to incorporate security reforms is one reason for conflict recurrence, noting that El Salvador's relatively stable peace depended on addressing security sector reform alongside institutional changes (Call 2012, 130-162). Collectively, these critiques illustrate that peacebuilding efforts which assume economic and political reforms primarily and solely can establish peace are misguided; instead, a phased or hybrid approach that prioritizes security and incorporates local input is essential for meaningful stability (Buckland 2012).

The approach advocated by Roland Paris aligns closely with Stability Policing (SP), which underscores the establishment of law and order as foundational to long-term peace. Paris's argument supports the view that SP, as an early intervention in post-conflict recovery, is vital in creating the stable environment necessary for the successful implementation of broader peacebuilding efforts, including community-based security (CBS). This approach accentuates the necessity of SP in addressing immediate security needs, which is often overlooked by the dominant liberal peacebuilding models that prioritize democratization and market liberalization over security (Paris 2004). While existing literature on peacebuilding provides a solid foundation for understanding post-conflict recovery, significant gaps remain in current research, for instance, Paris (2004) argues that effective peacebuilding must prioritize security stabilization; however, much of the scholarship still emphasizes political, economic, and institutional reforms without adequately addressing the security vacuum common in the early stages of post-conflict environments. Scholars often advocate for democratic institution-building or economic recovery but fail to acknowledge that these reforms are unlikely to take root without an initial focus on security (Chandler 2006), (Call 2012).

Without early security interventions, these reforms risk exacerbating instability rather than fostering peace, as demonstrated in cases like Kosovo and Haiti, where liberal peacebuilding approaches have inadvertently fueled local resentment by neglecting immediate security concerns (Chandler 2006). This critique highlights that effective post-conflict recovery requires a phased approach where locally driven security-oriented measures serve as essential preconditions for sustainable reform. Thus, filling this

gap by focusing community security-oriented peacebuilding is not only foundational but a prerequisite for any meaningful socio-political or economic reconstruction to succeed.

3.2 Limited Integration of Stability Policing (SP) with Local Security Structures

Works like Michael Doyle and Nicholas Sambanis' *Making War and Building Peace* (2006) highlight democratization and economic development as essential, but they do not delve into the importance of establishing security first.

Dole and Sambanis analyze peacebuilding efforts through the lens of UN missions focusing on institutional building and governance reforms without sufficiently addressing the need for immediate security frameworks. The authors discuss long-term reforms overlooking security as a precondition for their success. There is also a limited integration of SP with local security structures, as current literature remains fragmented. Scholars such as Charles T. Call and Elizabeth Cousens in their work, *Ending Wars and Building Peace: International Responses to War-Torn Societies* (2007), focus on international peacebuilding missions in isolation from local security dynamics. They do not explore how SP can work alongside community-led initiatives or how international forces can collaborate effectively with local actors.

In the study Call and Counsus emphasize on institutional reforms and the role played by international actors such as the UN and NATO but very little attention is devoted to how these missions interact with local security forces, while recognizing the importance of security the analysis tend to be limited in explaining how local and international efforts can be harmonized. This gap is also filled by this article that addresses how SP can be integrated with Community Based Policing (CBP) efforts to create a comprehensive security framework. This integration is vital to ensure that peacebuilding efforts are locally driven and sustainable thus the need for collaboration between international forces and local actors to create effective security structures.

3.3 Lack of Empirical Evidence on Stability Policing and Community Based Policing Nexus

Another notable gap in the literature is the lack of empirical evidence on the relationship between Stability Policing (SP) and Community-Based Policing (CBP). For example, while Robert Perito's *The American Experience with Police in Peace Operations* (2002) provides valuable insights into the role of police in peacekeeping, it stops short of examining how international police forces can integrate with local, community-based stakeholders to enhance security. Perito's study on international peace operations thoroughly covers aspects such as training, deployment, and law enforcement capacity building, but does not delve into potential collaboration between international police forces and local community policing initiatives, nor how such partnerships might foster sustainable, community-oriented security. Similarly, much of the existing research on policing in peace operations concentrates primarily on the role of stability policing where international police forces are deployed to stabilize post-conflict zones while largely overlooking how these forces might work alongside local community police structures to promote lasting security.

However the emphasis in many works is on high-level, top-down interventions such as the training and deployment of international police. These mentioned studies often look at police capacity, rule of law and study mission effectiveness but do not necessarily take into account how international forces can interact with or even support sustainable approaches such as the bottom-up one. David H. Bayley and Robert M. Perito in *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (2010), similarly focuse on the role of police forces in war and post-conflict settings, putting forward the need to reform policing in fragile states. Although the book leans heavily on the role of international police, it also discusses the potential of community oriented approaches in conflict zones, however it does not fully address how international stability policing forces and local community based models can cooperate to achieve a more coherent peacebuilding process. Renata Dwan in *Executive Policing: Enforcing the Law in Peace Operations* (2002) furthermore also looks at a multitude of studies on how international forces enforce law and order in post-conflict environments, while still providing insight into top-down law enforcement mechanisms by international peacekeepers, the study hints at the importance of engaging with local populations in policing efforts touching on community relations without specifically bridging the gap with SP, Dwan's collection put forward how international policing operates but lacks to provide an in-depth case study of collaborative efforts between international Stability Policing and local CBP.

On another token, Bruce Baker in *Security in Post-Conflict Africa: The Role of Non-State Policing* (2009) examine the role of non-state actors in providing security in post-conflict Africa, while the book does not focus on stability policing per sei, it emphasizes how informal, community driven security initiatives can be critical in areas where the state's reach is weak. The synergy between formal policing structures and local security initiatives is still explored providing insights into bottom-up approaches to security. Some of the key themes in Baker's work include how informal and community driven policing models often emerge as key actors in providing security, more specifically how traditional leaders like chiefs and elders often hold legitimacy and authority within their communities, moreover vigilante groups such as informal ones that organize to protect their neighborhoods from crime or external threats in the absence of formal police forces.

The author studies cases such as Sierra Leone and how local chiefs and vigilante groups contribute to post-conflict security during the building phase after the civil war. These groups provided immediate, localized responses to security needs where the formal police were ineffective, in northern Uganda. Baker also examined how local defense units (LDUs) and community initiatives emerged to provide security, particularly in areas affected by the Lord's Resistance Army Insurgency. These informal groups often filled the security vacuum left by the weakened state. Although Baker doesn't directly discuss the synergy between Stability Policing and Community-Based Policing (CBP), he does explore how formal policing structures often need to collaborate with local informal actors to maintain security, for example in post-conflict Sierra Leone the state police worked alongside traditional leaders and vigilantes to obtain a hybrid security model reflecting the potential model of how Stability Policing could interact with CBP by incorporating community insights and leveraging local actors to improve security in the long run (ibid).

Furthermore the Geneva Centre for Security Sector Governance (DCAF) publishes influential reports on Police Reform and Community Policing that stress the importance of building police forces that are effective, accountable, and trusted in post-conflict societies. These reports argue that integrating community-oriented strategies into national security frameworks is essential for restoring the rule of law and public trust. DCAF's guidelines advocate for capacity building, accountability enhancements, and alignment with human rights standards as core components of Community-Based Policing (CBP) (DCAF 2015, 13-17).

However, while DCAF's emphasis on trust-building and accountability is valuable, the reports often lack concrete, context-specific guidance

for implementing these reforms in the volatile environments typical to post-conflict settings. For instance, DCAF's frameworks on police-community trust can appear idealistic, as they may not fully consider the entrenched suspicion communities may hold toward police forces due to prior abuses which is a stigma factor not to be neglected (DCAF 2015, 23-26). Additionally, while DCAF advocates for human rights-aligned reforms, it rarely addresses the complexities of applying these standards in fragile states, where resources and community cooperation may be limited. A more integrated approach would better explore how Stability Policing (SP) can establish basic security, thus enabling CBP to gradually take hold. Nonetheless, DCAF tends to treat police reform and community-based approaches as separate, missing an opportunity to outline the complementary relationship between SP and CBP (DCAF 2020, 18-21).

4. Long Lasting Coordination Dilemma in Peacebuilding Processes

There is a growing awareness among researchers, policy-makers, and practitioners regarding the importance of increased coordination among numerous post-conflict peacebuilding processes and the consequent need for conceptual clarity as a precondition for coordinated, holistic peacebuilding interventions. Disarmament, demobilization, and reintegration (DDR), and Mine Action are among the very first entry points in post-conflict reconstruction, however, despite sharing similarities they form part of distinct communities of practice, and the nexus between the two remains widely unaddressed academically and in practice. A particular window of opportunity is identified through the difficulties that DDR reintegration generates.

A persistent challenge in peacebuilding processes such as DDR (Disarmament, Demobilization, and Reintegration) and Mine Action is achieving effective coordination among diverse programs. Since the 1990s, peacebuilding efforts have become increasingly institutionalized, incorporating a wide range of actors, mandates, and methods. This shift, while enriching, has introduced complex layers of bureaucracy and varying organizational cultures, often hindering cohesive efforts to establish security and stability in post-conflict settings (Muggah & Altpeter 2014, 2). Recognizing these issues, the United Nations established the Peacebuilding Commission (PBC) in 2005 to unify efforts and resources, creating integrated strategies for early post-conflict phases such as DDR and mine action (Haass 2012, 2).

However, this complexity and the lack of coordination often result in fragmentation, a challenge seen equally within the domains of SP and CBP. For instance, just as DDR activities frequently suffer from a disconnect due to fragmented responsibilities, armed forces manage disarmament while civilian agencies handle reintegration. SP and CBP can face similar issues without a unifying framework. Effective coordination here is essential: early-stage SP can establish the stability needed for CBP to succeed, fostering community trust and reinforcing the rule of law. Yet, reports such as those from DCAF often focus on enhancing community trust and aligning police reforms with human rights without addressing how SP might be phased in to secure immediate stability before CBP efforts begin. As in DDR, where operational divides have historically led to inefficiencies, these coordination gaps between SP and CBP highlight an ongoing need for integrated frameworks in peacebuilding (Lamb & Stainer 2018, 73).

4.1. Dilemma in Post-conflict Disarmament

Coordination between various post conflict reconstruction processes has not been widely addressed in the scholarly literature and when discussed the synthesis is oftentimes more descriptive and insufficient in its theoretical foundation. When it comes to the process of DDR the issue is in regards to the lack of cooperation and poor communication between key stakeholders. This can be questioned as it is reflected in few attempts to link DDR to other post-conflict reconstruction processes both academically and operationally. One reason behind this shortage can be found in the divergent nature of the three constitutive elements of DDR as the the entities managing these latter have been directed by juxtaposing organizational culturement, implementation approaches and institutional goals (Kamoun 2022, 11).

On the one hand the military components of Disarmament, Demobilization, and Reintegration (DDR), particularly associated with disarmament and demobilization, often present challenges due to their hierarchical and martial nature. This distance can inhibit collaboration with non-military organizations, which are typically predominant in various peacebuilding programs. Reintegration in DDR has on the other hand evolved over time to encompass a diverse range of local and international non-governmental entities, contributing to the complexity of coordination within DDR frameworks (Lamb & Stainer 2018: 74).

The other crucial process in post-conflict reconstruction, Mine Action stands out as a professional and highly regulated sector, governed by its

own set of international standards and personnel capacities. However, the orientation of mine action has come under scrutiny, with critics arguing that an excessive focus on the technicalities of mine clearance can limit its interaction with broader international peacebuilding processes. This critique points to the need for mine action to adopt a more integrated approach to maximize its potential in supporting peacebuilding initiatives.

However as a mine action practitioner herself the author of this article believes that other pillars of the process, beyond the mere technicality of mine clearance, can significantly impact the success of DDR reintegration efforts. Recognizing that mine action must broaden its perspective, as suggested by Harpviken and Skåra (2010, 812-813). The author emphasizes that mine action offers essential security benefits through disarmament and confidence-building, which not only hold intrinsic value but also serve as enabling activities for related peacebuilding tasks.

One of the few studies linking mine action to peacebuilding processes is that conducted by Hoffman, Maspoli, Massleberg, and Rapillard (2016) in their book 'Linking Mine Action and SSR through Human Security.' The authors emphasize a shared conceptual foundation between mine action and Security Sector Reform (SSR) that transcends traditional state-centric views. Their approach is rooted in a people-centered, rights-based understanding of security, opening avenues for synergies between mine action and SSR initiatives. They argue that both fields should promote national ownership, accountability, and effectiveness, thereby fostering conditions conducive not only to state and human security but also to socio-economic development. This alignment can further be strengthened through the integration of Community-Based Policing (CBP) principles, which emphasize local engagement and capacity building.

CBP approaches can complement DDR and mine action by ensuring that local communities play an active role in their security and development processes. By focusing on local ownership and accountability, CBP can enhance the reintegration of former combatants and the effectiveness of mine action efforts. Integrating CBP with mine action and DDR processes can thus help build trust and cooperation between local populations and security actors, fostering a more holistic approach to peacebuilding.

Despite the potential synergies, past research exploring linkages between DDR and mine action has been scarce. The literature often highlights the first pillar of mine action, humanitarian demining as a primary focus for integrating former combatants into communities. However, a recent study by Druelle, Garbino, and Åhlin (2022) expands this discourse by emphasizing the connections, advocating for an integrated approach that

addresses the broader implications of human security, livelihood, and access to services. The authors assert that local-level human security should remain a key outcome of humanitarian mine action, providing a pathway for enhancing the development-peace-security nexus.

Humanitarian demining can serve as a tool for reintegration processes by fostering a sense of security at the community level. The removal of mines not only contributes to safety but also generates public support for peace and reconciliation efforts and fosters de-stigmatization of the former combatants. Recruiting former combatants as deminers, although rare, could provide unique insights and access to affected populations, especially in contexts where former combatants possess firsthand knowledge of mine placement. This dynamic is particularly relevant in regions where rebel groups held authority or where civilians experienced victimization such as the case of Colombia for example (Druelle & Garbino & Åhlin 2022, 26).

However, the integration of demobilized soldiers into mine action efforts presents its own set of challenges. (Hoffman, Maspoli, Massleberg, & Rapillard, (2016) & (Druelle, Garbino, & Åhlin, 2022). Bryden (2005) identifies several obstacles, particularly in contexts like Afghanistan and Kosovo, where external actors may struggle with unfamiliar and complex local environments. For instance, the Mine Action for Peace (MAFP) initiative in Afghanistan attempted to align mine action with the broader DDR objectives, yet faced significant challenges, including factional disputes and limited local capacities. Despite these challenges, the program effectively facilitated reconciliation among former combatants.

In conclusion, the exploration of synergies between DDR, mine action, and CBP is essential for fostering sustainable peace and security in post-conflict settings. By broadening the focus beyond humanitarian demining to include other humanitarian activities such as explosive ordnance risk education (EORE) and victim assistance (VA) the scholarly literature can be broadened and aim to provide a more comprehensive understanding of the potential for reintegration processes in diverse contexts.

5. Security Governance as a Tool

What is interesting in Bryden's approach (2005) is the introduction of security governance as a tool for deconstructing the policy process and its link to mine action programming enabling a better understanding of the linkages and potential synergies between mine action and other aspects of post-conflict peacebuilding. Security aims to be expanded to compromise

political, economic, societal, environmental and military threats while governance looks at the multiplicity of actors beyond the state and how they interact: thus introducing security governance.

Security governance provides an interesting tool to complex governing mechanisms in the broader security field. It allows disparate activities, policies, and programs to be treated coherently, which serves as a very useful analytical perspective in the context of post-conflict states. Furthermore, understanding mine action from a governance perspective encompasses the study of various levels of political authority at national, and sub-national levels. Around these various levels lies the principles of 'good governance' including accountability, transparency, and democratic participation. Bryden furthermore supports the claim of this study's author arguing that the linkages and potential synergies between mine action and other post-conflict peacebuilding activities have not been fully exploited and need to take into account security governance which this study aims to contribute to.

Other scholars such as Harpviken and Skåra (2010) deduce from a review of donor policy statements that 'the link between mine action and peacebuilding is widely acknowledged but poorly developed' (Harpviken and Skåra 2010, 812-813). They describe, through the case study of Sri Lanka, that the demining and reopening of Highway A9 in the country allowed internally displaced persons to return home to settlements that had not been cleared themselves resulting in casualties among returnees. What is deduced is a seemingly logical link between building mine action capacity and DDR with demobilized soldiers offering an adequate pool of recruits already familiar with handling weapons and habituated to follow orders and set procedures (Bryden 2005, 173). An interesting reflection that can be made is the vulnerability of external actors that are unfamiliar with complex local contexts.

6. Human Security and Community-Based Policing in Post-Conflict Peacebuilding: A Theoretical Foundation

The theoretical foundation of this study is grounded in the human security approach, which has emerged as a dominant framework for understanding post-conflict reconstruction. Human security shifts the traditional state-centric concept of security to a broader, people-centered perspective, emphasizing that security should focus on individuals and communities rather than the state alone. Scholars agree that post-conflict

peacebuilding must be based on a shared understanding of security that transcends national borders, incorporating not only military concerns but also economic, environmental, societal, and political dimensions. This inclusive perspective is essential for addressing the multifaceted nature of insecurity, which in post-conflict settings can stem from various sources such as arms proliferation, economic instability, and societal fragmentation (Mkutu, 2004).

Historically, the concept of security was synonymous with the survival and defense of the state, with military threats such as border control being central. However, after the Cold War, the prevalence of civil wars and intra-state conflicts led to the expansion of the security concept, incorporating environmental, social, and economic vulnerabilities. This shift was further cemented by the recognition that individual and community well-being must be at the heart of security concerns (Hoffman et al., 2016). In this context, human security emphasizes the need for the security sector to protect citizens from both internal and external threats, including violence, economic hardship, and societal instability.

In the realm of mine action and disarmament, the human security approach has been especially influential. The global movement to ban anti-personnel landmines in the 1990s highlighted the humanitarian impact of these weapons, focusing on their effects on individuals rather than national security (Hoffman & al 2016). This shift in perspective laid the foundation for understanding the interplay between mine action, DDR (Disarmament, Demobilization, and Reintegration), and human security (Mkutu 2004). The complexity of human security, with its broad scope, has led to challenges in defining its boundaries, with scholars differing on the extent to which it should encompass various threats to safety (Verkoren et al., 2010). However, the UNDP's 1994 Human Security Report outlined essential dimensions of human security, including economic, food, health, environmental, personal, community, and political security, all of which are interconnected and interdependent (UNDP, 1994).

This study narrows the human security framework to focus on community security, a critical aspect of post-conflict peacebuilding. Community security, as an end state and process, serves as the core of this research. It is not only a goal where communities feel secure from the threats posed by violent conflict, arms proliferation, and lack of state protection but also a dynamic process through which communities actively participate in identifying and addressing their security needs. The study posits that community security is integral whereby local communities, rather than national au-

thorities, play a central role in maintaining security and facilitating peace-building.

6.1 Community Security Framework in DDR and Mine Action

The adoption of a community security approach offers valuable in-sights into the intersection of DDR and mine action. These two post-con-flict peacekeeping initiatives share a common goal: to reduce violence, demilitarize and disarm society, and facilitate the reintegration of former combatants into civilian life. Both DDR and mine action directly contribute to human security by addressing the proliferation of arms and ensuring that communities are protected from the lingering threats of weapons and conflict. However, they must go beyond mere disarmament and demobi-lization to incorporate broader peacebuilding strategies that engage local communities in the process.

The rationale for adopting a community security approach stems from the understanding that post-conflict environments are characterized by a breakdown in both social and institutional structures. In these settings, se-curity becomes a private concern for individuals, often leading to the pro-liferation of small arms and light weapons (SALW). The state's inability to provide adequate security exacerbates this issue, making it essential to ad-dress security at the local level through community-based initiatives. This approach aligns with the core objectives of DDR and mine action, which seek to foster long-term peace and security by reducing the availability of arms and promoting societal cohesion (Whitehead, 2007).

Community security offers a more sustainable solution to the post-con-flict security dilemma, whereby communities themselves are empowered to take ownership of their security. This approach emphasizes the impor-tance of reconciliation, economic development, and local capacity building in creating a secure environment.

As a process, community security involves not only protecting individu-als from immediate threats but also enabling them to actively contribute to their own security. This includes the participation of affected communities in identifying their security concerns and in designing and implementing responses to these threats. Such participatory approaches are critical in addressing the root causes of conflict, particularly the mistrust between local populations and state authorities. By promoting local ownership and ensuring that reintegration programs are tailored to community needs, the effectiveness of DDR and mine action can be significantly enhanced.

7. Community Security as an End State and Process

This article's author's approach to community security is greatly informed by the work of Verkoren et al. (2010), who proposes a dual understanding of community security: as both an *end state* and a *process*. As an end state, community security represents a condition where communities feel safe from the threats posed by conflict, crime, and the failure of state protection. As a process, it emphasizes the active role of communities in shaping their security environment, including the identification of security needs and the development of responses to threats.

In practical terms, the adoption of community security as both an end state and a process implies a shift towards more localized, bottom-up approaches to security. This approach not only improves the sustainability of peacebuilding efforts but also ensures that the needs and aspirations of affected communities are central to the process. It also enhances the legitimacy of the state and its security institutions by demonstrating their commitment to the security and well-being of local populations.

In conclusion, community security, as a core component of the human security framework, is crucial to achieving long-term peacebuilding and stability. By focusing on the active participation of communities and emphasizing local ownership, these efforts can better address the root causes of conflict and contribute to sustainable security.

7.1 Reintegration with Enlarged Targeting

When it comes to DDR, adopting a community security approach in post-conflict settings entails broadening the focus beyond ex-combatants alone, extending assistance to a wider range of community members. This stands in contrast to traditional reintegration processes, which often follow an individualistic approach, where ex-combatants are believed to be able to reintegrate independently into civilian life through the provision of skills and resources. This assumption has been largely disproven. As Åström and Ljunggren (2016) argue in 'DDR and Community-Based Integration,' a more effective strategy involves expanding the target group to include not only ex-combatants but also other vulnerable community members, such as youth, who share similar socio-economic challenges. This approach recognizes that limiting assistance to ex-combatants alone can exacerbate tensions and create new conflicts within communities, especially in fragile contexts where other groups may feel neglected (Verkoren & al 2010).

Widening the target group in this way leads to a more comprehensive, community-centered reintegration process. The community itself, or its

representatives, takes on a central role in identifying needs and providing solutions, promoting local ownership and ensuring the sustainability of the reintegration process. This bottom-up approach emphasizes the importance of community participation at all levels of planning and implementation. As Pougliny (2004) highlights, community consultation is essential to understanding local conditions and effectively addressing security challenges.

In the context of this research, which explores the role of Stability Policing (SP) and community-oriented policing in post-conflict environments, adopting a community security approach provides significant insights. This approach allows for a deeper understanding of how DDR and mine action processes can be aligned with human security goals. It shifts the focus from viewing the community as passive beneficiaries to active participants in the process of rebuilding security. This inclusive, community-driven model not only aids in the reintegration of ex-combatants but also fosters social cohesion and reduces the risk of new tensions or violence.

The integration of community security as both an end state and a process reinforces the human security framework by addressing both immediate threats and the underlying social, economic, and political vulnerabilities that drive instability.

Conclusion

This literature review critically examines the intersection of Stability Policing (SP), Community-Based Policing (CBP) in post-conflict peacebuilding drawing on empirical examples and theoretical frameworks to argue for a more integrated, community-driven approach to security in fragile post-conflict environments. The review highlights key challenges in the literature, identifies gaps, and proposes how these frameworks can be optimized to create more sustainable and inclusive peacebuilding processes.

One of the central findings of this study is the insufficient focus on the role of security in the early stages of post-conflict reconstruction. The review critiques the liberal peacebuilding model, which prioritizes political and economic reforms without securing the environment for such reforms to take root. Authors like Roland Paris (2004) and David Chandler (2006) argue that the lack of a secure environment undermines peacebuilding efforts by fostering instability, as evidenced by the failure of rapid democratization and market liberalization in post-conflict contexts such as Bosnia, Kosovo, and Haiti. Paris, in particular, highlights the need for a 'phased'

peacebuilding approach, where the establishment of basic security is a prerequisite for democratic and economic reforms. This idea aligns closely with the notion of Stability Policing (SP) as an early intervention that lays the groundwork for subsequent peacebuilding activities. By embedding SP in the early stages of post-conflict recovery, the review asserts that the risks associated with premature institutional reforms can be mitigated, ensuring that foundational security needs are met before broader reforms are implemented.

Further, the study reveals a significant gap in the literature concerning the integration of SP with local security structures. The literature overwhelmingly focuses on international peacekeeping interventions without sufficiently addressing how these can work in tandem with community-based initiatives. The review identifies the fragmentation between top-down peacebuilding approaches, driven by international actors like the UN and NATO, and local security practices. For instance, the work of Michael Doyle and Nicholas Sambanis (2006) explores peacebuilding in post-conflict societies but largely overlooks how SP can be integrated into community-led security systems. Similarly, studies by Charles T. Call and Elizabeth Cousens (2007) discuss institutional reforms but fail to address the synergies between international SP and local Community-Based Security (CBS) initiatives. This lack of integration often leads to inefficiencies, as seen in cases like Somalia, where community policing models supported by local actors provided more effective security solutions in the absence of state institutions (Rutikanga (2023). The review therefore advocates for the development of frameworks that integrate SP with CBP, ensuring that international and local actors collaborate effectively in creating sustainable security systems.

Another critical issue identified is the lack of empirical evidence on the relationship between SP and CBP. Despite the growing theoretical understanding of their potential synergy, limited research has been conducted to evaluate how these two policing strategies can be effectively combined in real-world post-conflict settings.

The coordination dilemma in peacebuilding remains a persistent challenge, as multiple actors with varying mandates and approaches often work in silos. This lack of coordination between security, governance, and development actors complicates peacebuilding efforts, especially in the context of Disarmament, Demobilization, and Reintegration (DDR) and mine action. As noted by Muggah and Altpeter (2014), peacebuilding since the 1990s has been characterized by an increasing number of institutionalized actors, leading to bureaucratic inefficiencies and fragmented responses.

What is particularly concerning pertains to how fragmentation negatively affects the coordination of SP and CBP efforts. For instance, in Liberia, DDR efforts were often disconnected from broader peacebuilding frameworks, with security actors focusing on disarmament while reintegration programs operated separately. This fragmentation highlights the need for integrated frameworks that unite SP, CBP, and DDR efforts to ensure that security processes work cohesively. The review proposes that SP should be strategically integrated into DDR and mine action efforts, helping to create a secure environment that allows for the smooth reintegration of ex-combatants and the successful implementation of disarmament measures.

In post-conflict, disarmament is often approached in isolation, with a focus on technical clearance and destruction of weapons without considering the broader social and political context. The review argues that integrating disarmament with SP and CBP is essential to ensure that communities are not only disarmed but also empowered to maintain their security in the long term. For example, in Colombia, the demobilization of combatants was coupled with mine action efforts that cleared affected areas and created a safer environment for reintegration. This integration of disarmament, mine action, and community-based policing is key to ensuring that the post-conflict environment is not only safe but also sustainable.

The review also introduces the concept of security governance as an essential tool for integrating various security-related processes. Security governance helps coordinate different security actors including state, non-state, and international actors in order to work together towards common goals. The review draws on the work of Bryden (2005) and Harpviken and Skåra (2010), who argue that security governance frameworks enable more coherent and integrated approaches to security. In the case of post-conflict peacebuilding, security governance offers a valuable tool for linking SP and CBP initiatives with other peacebuilding processes such as DDR, mine action, and justice reform. By adopting a security governance perspective, peacebuilding actors can better understand the complexities of local security dynamics and collaborate effectively to address the root causes of conflict.

In the context of DDR and mine action, the review emphasizes the importance of community security as both an end state and a process. As an end state, community security refers to the condition where communities are safe from the threats posed by violence, arms proliferation, and insecurity. As a process, community security involves the active participation of local communities in identifying and addressing their own security needs. This dual understanding of community security is essential for

creating sustainable peace in post-conflict settings. For example, in Sierra Leone, the integration of local actors, such as village leaders and former combatants, into community security efforts helped reduce tensions and fostered cooperation between local populations and peacekeeping forces. By empowering local communities and ensuring their involvement in security efforts, the review argues that post-conflict peacebuilding can be more inclusive and sustainable.

Finally, the study calls for a shift towards more community-centered approaches to security in post-conflict environments. By expanding the focus beyond ex-combatants and involving a wider range of vulnerable community members in reintegration processes, the review asserts that peacebuilding can be more inclusive and effective. This approach not only helps rebuild social cohesion but also ensures that peacebuilding efforts resonate with local customs, values, and needs, creating more durable peace.

In conclusion, this literature review underscores the need for a more integrated, locally-driven approach to post-conflict peacebuilding, where Stability Policing, Community-Based Policing, DDR, and mine action work together to create a secure, sustainable environment. By addressing the gaps in the literature and advocating for a shift towards community-centered security, the review provides valuable insights into how peacebuilding efforts can be optimized for long-term stability and resilience.

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Vocational Guidance 5.0: an Instrument for Peace Education: Towards an Integrated Vision of Work, Social Responsibility, and Sustainable Development

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Abstract: This contribution explores the role of Vocational Guidance 5.0 as a tool to promote peace and social justice through career education actions. In a global context characterized by growing inequalities, conflicts and environmental challenges, traditional career guidance proves inadequate. Vocational Guidance 5.0 emerges as an innovative paradigm that integrates critical consciousness, peace education and a holistic vision of careers. By analysing the historical evolution of guidance and drawing on recent studies and educational programs, the contribution highlights how this new approach can prepare young people to become ethically responsible professionals and active citizens, capable of contributing to the construction of a more equitable and peaceful society. The importance of integrating critical reflection on global dynamics and the ethical implications of career choices in guidance pathways is emphasized, promoting a vision of work that goes beyond individual success to embrace social responsibility and sustainability.

Keywords: Vocational Guidance 5.0, Peace Education, Critical Consciousness

Introduction

The contemporary era in Western countries, and thus also in Italy, is marked by profound changes and increasing socio-economic complexity. Economic and social inequalities are widening, accentuated by global phenomena such as the digitization of work, the climate crisis, migration and

geopolitical instability. As highlighted by the Oxfam report The Pandemic of Inequality (2022), Italy faces structural problems that impact the labour market and the prospects of younger generations: high youth unemployment, precarious employment, economic stagnation and a marked territorial divide between North and South, which limits growth opportunities for a significant portion of the population.

These factors make it increasingly difficult to imagine a future based on equity, sustainability and collective well-being. The concept of decent work, promoted by the 2030 Agenda of the United Nations (UN, 2015), still seems distant in many Italian realities, where the lack of protections, insufficient remuneration and contractual instability compromise the possibility of building autonomous and satisfying life paths. Added to this is a growing crisis of confidence in institutions and politics, which fuels disillusionment and reduces civic participation, especially among younger generations, as reported by the 2022 Youth Report of the Toniolo Institute.

In addition to the traditional criticalities of the labour market, in recent years there has been a worrying phenomenon of the militarization of the economy and employment. According to the SIPRI report (Stockholm International Peace Research Institute, 2022), an increasing number of companies, including those operating in the technology and research sectors, have reconverted or expanded their activities in the military field, producing weapons, surveillance technologies and tools for military security. This process has also involved companies historically linked to civilian sectors: aerospace and telecommunications giants have begun to collaborate with governments for the development of weapon systems, while universities and research centres have intensified partnerships with the military industry.

Italy is not exempt from this trend. According to data from the Observatory on Italian Military Expenditure (MIL€X, 2022), the country has grown its investments in the production of weapons and military research, increasingly involving private companies and academic institutions in defence-related projects. The transfer of civilian technologies to the military sphere, known as dual-use, has become a widespread practice, raising ethical questions about how work can be directed towards purposes that fuel conflicts instead of promoting human progress.

Despite Goal 16 of the 2030 Agenda recognizing peace as an essential foundation for sustainable development, the 17th edition of the Global Peace Index (Institute for Economics & Peace, 2024) highlights an increase in active conflicts and a decline in the level of global peace. Save the Children (2023) reports that 468 million children worldwide live in areas af-

fected by armed conflicts. Being born and growing up in war zones has pervasive effects on developmental trajectories, starting from the prenatal stage, with an increased risk of premature birth and low birth weight (Wainstock et al., 2014; Torche and Shwed, 2015; Hayaty and Ahmed, 2024).

Numerous studies have also highlighted the psychological consequences of conflicts, with a prevalence of anxiety, depression and post-traumatic stress disorder (PTSD) two to three times higher than average in populations affected by war (Carpiniello, 2023). Women and children are particularly vulnerable, with about 40% of minors in war zones developing PTSD (Feldman and Vengrober, 2011). These effects are not limited to childhood, but also influence future prospects, reducing motivation and the ability to imagine alternative life paths.

In this context, policies and actions that promote peace and prevent conflicts become essential to offer young people the opportunity to imagine and build a desirable future for themselves and for society. If work itself can become an instrument of war, then vocational guidance cannot shirk a critical reflection on these dynamics. If its objective is to guide people towards conscious and responsible choices about their future work, it must also include an analysis of the ethical implications of the careers undertaken. It is necessary to question the role of professions in the war economy, the available alternatives and the need to promote job opportunities that favour peace, social justice and sustainability.

In light of these considerations, this contribution aims to answer the following research questions:

How can vocational guidance integrate a critical perspective on the dynamics of war and promote social justice, sustainability and peace?

What role does awareness of global inequalities and the war economy play in career choices and Life Design processes?

How can guidance support young people in becoming active and aware citizens, capable of contributing to the construction of a more equitable and peaceful society?

Faced with these challenges, it becomes crucial to promote a mindset that allows young people to critically analyse the present and act to build a more inclusive and sustainable future. This implies not only a rethinking of economic and social policies, but also a renewal of educational systems and vocational guidance.

In recent decades, career guidance has often adapted to market needs, favouring a functionalist approach mainly aimed at ensuring immediate employability. However, in an increasingly unstable and uncertain world, this approach is no longer sufficient (Guichard, 2018).

From this perspective, this contribution aims to explore how vocational guidance can not only support people in defining their life path but also foster the development of skills useful for building a more just and violence-free society. This innovative approach to guidance, called Vocational Guidance 5.0 (Soresi et al., 2023), is proposed as a tool to address the challenges of the present, preparing young people not only for entry into the world of work, but also for their role as active and aware citizens in a global and interconnected society.

1.The History of Vocational Guidance

To fully understand the innovation and importance of Vocational Guidance 5.0, it is essential to analyse the historical evolution of vocational guidance, closely linked to the socio-economic and cultural changes of Western societies. Since its inception, guidance has responded to the needs of the labour market and shifts in educational paradigms, progressively modifying its approach.

Vocational Guidance 1.0: The Birth of Vocational Guidance. The earliest forms of vocational guidance can be traced back to the late 19th century, coinciding with the rise of industrial society. The main objective during this phase was to optimize the allocation of the workforce to maximize economic productivity. In Europe, experimental psychology laboratories began to develop tools for assessing the psychophysical characteristics of workers, such as sensory, perceptual and motor aptitudes, with the aim of placing them in roles best suited to their abilities.

A turning point occurred in 1908 with the founding of the Vocational Bureau in Boston by Frank Parsons, considered the father of vocational guidance. This marked the beginning of a more structured and systematic approach, which went beyond the traditional hereditary transmission of professions and responded to the new possibilities of social mobility emerging with industrialization (Santilli and Ginevra, 2024).

Vocational Guidance 2.0: The Second Industrial Revolution and the Matching Paradigm. During the Second Industrial Revolution, the expansion of industries and the introduction of mass production generated a strong demand for labour. Vocational guidance adapted to this new reality, with the aim of combining business productivity and job satisfaction. It was in this context that the matching paradigm was born, aimed at creating the best compatibility between individual characteristics (abilities, aptitudes, interests) and the specific requirements of job roles.

This phase represented a significant transition: for the first time, guidance was not limited to personnel selection but aimed to promote professional well-being, recognizing that an appropriate career choice impacted the quality of life of individuals. However, the matching model was still closely tied to a deterministic vision of work, based on relatively rigid and predictable career paths (Santilli and Ginevra, 2024).

Vocational Guidance 3.0: The Third Industrial Revolution and Career Education. With the end of World War II and the advent of the Third Industrial Revolution (1970s-1980s), the development of computer technologies and increasing automation profoundly changed the labour market. Professions began to transform more rapidly, and the concept of a career became less linear and more dynamic.

In this context, Vocational Guidance 3.0 emerged, based on the Career Education approach, which shifted the focus from assigning a professional role to preparing the individual to face career choices and transitions throughout their life (Guichard, 2016; Savickas, 2015). This model encouraged the acquisition of planning and decision-making skills, with a growing emphasis on soft skills.

At the methodological level, there was a shift from a purely evaluative and certifying approach to a more personalized one, influenced by complexity theories and the principle of actively constructing one's own career path.

Vocational Guidance 4.0: The Fourth Industrial Revolution and Digitalization. Between the 1990s and 2000s, with the acceleration of globalization and the consolidation of the Fourth Industrial Revolution, digitalization and automation radically transformed the labour market. Vocational guidance began to increasingly rely on computer technologies and online systems, used for skills assessment and support for educational and vocational choices.

Even in this phase, the matching paradigm remained central, but with a more sophisticated approach based on algorithms and artificial intelligence. However, the emphasis on digital skills and productive efficiency led to neglecting fundamental aspects such as social justice, sustainability, and collective well-being. The growing job insecurity and uncertainty about the professional future made it evident the need for a new model of guidance, capable of integrating ethical and social considerations (Santilli and Ginevra, 2024).

Vocational Guidance 5.0: Towards a Sustainable and Inclusive Future. Vocational Guidance 5.0 was born in response to the limitations of the 4.0 approach, proposing a model that goes beyond the individualistic vision of

careers to embrace a community and systemic perspective, in line with the transition towards Society 5.0 (Deguchi et al., 2020).

This new paradigm integrates the principles of prevention and long-term planning, promoting career education processes that are not limited to supporting career choices, but encourage a critical reading of economic, social and environmental dynamics. The objective is no longer just to facilitate employability, but to develop a collective awareness that allows young people to understand the role of work in society and its ethical implications. At the base of this model lies Life Design (Savickas et al., 2009), a theoretical paradigm that helps people become active designers of their own future, not only in terms of their personal fulfilment, but also the well-being of the community.

Vocational Guidance 5.0, aimed particularly at younger generations, therefore aims to: a) anticipate the challenges of the future, preparing young people for a constantly evolving and increasingly uncertain world of work; b) develop critical consciousness, helping people to understand work as a social phenomenon, with consequences that go beyond the individual; c) promote sustainable and responsible career choices that promote social justice, inclusion and peace.

This perspective implies a break with the traditional approach, which considers professional success as the result of self-entrepreneurship and adaptation to the system. On the contrary, Vocational Guidance 5.0 promotes a process of collective agency, in which individual choices are interpreted within a broader framework that includes the mechanisms of reproduction of inequalities and the structures of economic and political power (Vargas and Alfinito, 2024). For Vocational Guidance 5.0 to truly promote a new vision of work, it is essential to integrate a critical reflection on the social and economic structures that influence career choices into the guidance process. Within this framework, critical consciousness emerges as an essential component, as it allows decoding the mechanisms of reproduction of inequalities and developing a greater awareness of the connections between work, society and global justice.

2. Critical Consciousness: a New Dimension for Vocational Guidance

If Vocational Guidance 5.0 is proposed as a transformative paradigm, critical consciousness represents its theoretical and methodological foundation, as an essential element to decode the systemic influences on educational and work opportunities. Career choices do not develop in a social

vacuum but are the result of a complex interaction between economic, cultural and political factors, which can reinforce or limit the possibilities of self-determination. The idea of critical consciousness has its roots in the critical theory of the Frankfurt School in the 1920s. The idea of critical consciousness is rooted in the critical theory of the Frankfurt School (Horkheimer, 1937), according to which overcoming social injustices cannot occur through simple awareness but requires concrete action to transform existing structures. In more modern times, in the field of critical consciousness, the work of Paulo Freire (1970) emerges as particularly relevant, who states that education is a political act, which can serve two opposing purposes: it can be an instrument of conformity and integration into the existing system, or a means for liberation and social transformation. Freire strongly opposes forms of education aimed at sterile indoctrination, with the thought that these formulas only serve to perpetuate existing power structures and maintain the status quo. In his view, students need an educational model based on dialogue, critical reflection and transformative action, capable of providing tools to help them perceive social, political and economic contradictions and act in opposition to them. Based on Freire's work, scholars today define critical consciousness as composed of three distinct but related sub-components: (1) reflection, that is, the analysis of unjust social factors; (2) motivation to action, that is, interest and belief in effectiveness in remedying these inequities; and (3) critical action, that is, concrete, individual or collective action aimed at creating social change towards the inequities encountered (Watts et al., 2011; Rapa et al., 2020; Shin et al., 2016; Diemer et al., 2015; Thomas et al., 2014; Mahalingappa, 2024).

In contemporary educational practice, the integration of critical consciousness aims to identify the systemic causes of inequalities, discrimination, environmental crises and conflicts, and to promote actions for social change (Nota et al., 2020; Jemal, 2017).

Vocational Guidance 5.0, with its aspiration to support the transition towards Society 5.0, adopts this methodology, positioning itself as a tool for the development of critical consciousness in young people. In contrast to guidance approaches based on neoliberal assumptions, which emphasize adaptability and self-entrepreneurship without considering structural barriers, Vocational Guidance 5.0 invites us to question the systemic factors that condition access to work and education. Among these, neoliberal economic policies stand out, which profoundly influence professional and social dynamics (Cadenas and McWhirter, 2022). Furthermore, guidance must open up to reflection on new forms of work and the evolution of hu-

man value in a context where digitalization and automation are redefining production and employment models.

Several preventive career guidance programs have experimented with approaches aimed at stimulating critical consciousness in young people and social minorities. A study by Diemer and Blustein (2006) analysed the role of critical consciousness in career choices, showing that young people with greater awareness of socio-political inequalities interpreted career opportunities more critically, integrating this vision into their individual agency. Consequently, they showed greater clarity about their professional identity, more active involvement in building their career, and attributed deeper meaning to work.

A subsequent study by Diemer (2008) confirmed these results, showing that the early development of critical consciousness influences occupational expectations already in adolescence, with measurable effects on career choices in adulthood. Furthermore, McWhirter et al. (2019) demonstrated that career intervention programs based on critical consciousness reduce the risk of school dropout among Latino students and promote their involvement in social justice activities.

In the career context, critical consciousness plays a crucial role in addressing emerging ethical dilemmas, especially in a globalized world where work and the production of goods can have controversial implications. The current geopolitical scenario has highlighted the direct and indirect involvement of Western companies in conflicts, as demonstrated by global boycott reactions linked to the war in Palestine (Abdullah, 2024). Even Western universities, traditionally considered neutral institutions, often participate in dual-use research, simultaneously contributing to civilian innovation and the development of military technologies (Marisco, 2024).

An exploratory study presented by Nota et al. (2023) involving around two hundred young Italian adolescents with an average age of 17 years, highlighted how a neoliberal economic orientation is associated with a greater propensity for war and less attention to peace, sustainability and collaboration. The results show how the individualistic vision of those who adhere more to a neoliberal vision of careers pushes young people to consider themselves 'entrepreneurs of themselves', emphasizing individual responsibility for success and minimizing the role of structural socio-economic conditions. This mentality, combined with job insecurity and the militarization of the economy, contributes to generating insecurity and pressure to achieve immediate success, hindering the acceptance of error and the ability to learn from failures. These results underscore the need to include macro-systemic factors, such as global economic dynamics and

attitudes towards war, in vocational guidance pathways. Developing critical consciousness is therefore essential to understand the collective consequences of individual choices, especially in relation to conflicts and the future of work.

The integration of critical consciousness into Vocational Guidance 5.0 therefore represents a necessary step to prepare young people to face the ethical and professional challenges of the future. Future studies could further explore the integration of critical consciousness into guidance programs, evaluating its effects on career choices and young people's social engagement, with the aim of developing educational interventions aimed at encouraging peace education processes.

3. Vocational Guidance 5.0: an Instrument for Peace Education

Peace education, understood as a process aimed at developing knowledge, skills and values that promote a culture of non-violence and cooperation, finds in vocational guidance a strategic ally to promote more just and sustainable societies.

As highlighted by Christie et al. (2001), peace is not only the absence of conflict, but a dynamic process that requires an active commitment to transform the social and economic structures that perpetuate inequalities and injustices.

In this sense, Vocational Guidance 5.0 plays a key role in promoting critical awareness and social responsibility, helping young people understand how their career choices can contribute to building an equitable and peaceful future. Guidance can intervene both in peacemaking, supporting the reduction of conflicts through the development of relational and communication skills, and in peacebuilding, favouring a structural and cultural change that reduces systemic violence and promotes inclusion. Programs such as RULER (Yale Center for Emotional Intelligence) and the Resolving Conflict Creatively Program (RCCP) have shown that socio-emotional education and peer mediation can reduce conflicts and improve the social climate in both school and professional contexts, demonstrating the effectiveness of interventions aimed at building more collaborative environments (Hoffmann et al., 2020; Jones et al., 2019). Furthermore, experiences such as the 'Pathways into Reconciliation' program by Biton and Solomon (2006), which involved Israeli and Palestinian youth in dialogue and collaboration activities, or the Nonviolent Communication Program (NVC), also applied to business contexts to improve conflict management

(Delgado-Suárez et al., 2021), highlight how guidance can be an effective means to promote mutual respect and social cohesion.

Vocational Guidance 5.0 represents a significant evolution from traditional models, integrating a systemic and community vision of careers, which is not limited to ensuring employability, but encourages reflection on the ethical and social implications of career choices. As emphasized by Soresi et al. (2020), this approach promotes critical awareness of global dynamics, pushing young people to consider the social and environmental impact of their work and fostering the development of critical thinking capable of deconstructing inequalities and recognizing the interconnections between the economy, social justice and sustainability. Guidance, therefore, is not only a tool to support the individual in building their career, but assumes a broader educational value, capable of influencing society as a whole. A transformative approach to guidance can prevent phenomena of radicalization and social exclusion, offering young people opportunities for personal and professional growth in line with values of justice, equity and respect for human rights.

Programs such as Education for Peace (EFP), implemented in Bosnia-Herzegovina (Danesh, 2008), demonstrate how an educational path that combines critical thinking, emotional insight and creative experience can promote profound cultural change, fostering the development of active and aware citizens. This approach is based on well-established educational theories, such as cognitive-gestalt approaches (Burns, 1995), experiential learning (McGill and Beaty, 1995) and Carl Rogers' humanistic approach (Rogers and Freiberg, 1993), which emphasize the importance of direct experience, the search for meaning and the creation of a supportive learning environment.

Even in contexts not directly affected by armed conflicts, peace education finds space through integration into the school curriculum and guidance activities, as demonstrated by initiatives in Italy aimed at developing civic awareness oriented towards cooperation and respect for the environment in young people (Fortunato, 2022; Capobianco, 2022). These initiatives are in line with the MIUR (2017) Guidelines for Education for Peace and Glocal Citizenship, which attribute a central role to schools in promoting a culture of peace.

From this perspective, guidance is configured as an essential tool for building peaceful societies, not only by accompanying people in the labour market, but also by contributing to the training of professionals aware of their social responsibility. The integration of peace education and guidance allows connecting the individual's professional path to a broader vision of

justice and sustainability, promoting a cultural change that considers work not only as a means of subsistence, but also as an opportunity to build a more equitable world.

This approach aligns with the most recent theories of guidance, such as Savickas' Life Design (2009), which emphasizes the importance of considering the social and cultural context in career construction, and with Guichard's (2016) reflections on the need for guidance that goes beyond traditional practices, adopting a more comprehensive socio-constructivist perspective. Nota et al. (2021) emphasize how this new paradigm promotes community empowerment, encouraging individuals to actively participate in the construction of the collective future.

In an era characterized by growing inequalities, conflicts and environmental crises, vocational guidance must play an active role in promoting ethical and value-based choices, contributing to the training of a generation of professionals committed to building a more inclusive and peaceful future. This line requires a rethinking of guidance practices, integrating a critical reflection on global dynamics and the ethical implications of career choices, as highlighted by recent studies showing a correlation between adherence to neoliberal visions of careers and less attention to peace and sustainability (Nota et al., 2023).

Vocational Guidance 5.0 therefore presents itself as a paradigm capable of responding to contemporary challenges, promoting a holistic vision of careers that integrates personal, social and global dimensions, in line with a modern conception of peace that goes beyond the mere absence of war, embracing fundamental aspects such as social justice, economic equity, respect for human rights and environmental sustainability.

Conclusion

Vocational Guidance 5.0 emerges as a transformative paradigm capable of responding to the complex challenges of the contemporary world. This study has explored three fundamental questions that have guided our research and that we can now re-examine in light of the results that have emerged.

The first question focused on how vocational guidance can integrate a critical perspective on the dynamics of war and promote social justice, sustainability and peace. The research has shown that Vocational Guidance 5.0, by integrating critical consciousness and peace education, can effectively promote a vision of work that goes beyond individual success

to embrace social responsibility. Programs such as RULER (Hoffmann et al., 2020) and RCCP (Jones et al., 2019) demonstrate that it is possible to develop relational and communication skills that reduce conflicts and promote more collaborative environments.

The second question explored the role of awareness of global inequalities and the war economy in career choices and Life Design processes. Studies by Diemer and Blustein (2006) and Nota et al. (2023) have shown how greater awareness of socio-political inequalities and the dynamics of the war economy significantly influence young people's career choices. Vocational Guidance 5.0, by promoting this awareness, can guide towards more ethical and sustainable career choices, contrasting the neoliberal vision that tends to minimize the impact of structural socio-economic conditions.

The third question investigated how guidance can support young people in becoming active and aware citizens, capable of contributing to the construction of a more equitable and peaceful society. The integration of peace education programs and the development of critical consciousness in guidance pathways have proven to be effective tools for this purpose, as demonstrated by the experience of Education for Peace (EFP) in Bosnia-Herzegovina (Danesh, 2008).

There is a strong need to rethink the role of vocational guidance not only as a tool to facilitate entry into the world of work, but as a means to promote a critical and aware vision of social and economic reality. Vocational Guidance 5.0 represents an innovative approach capable of responding to the challenges of our time, integrating the dimensions of sustainability, social justice and peace in the construction of young people's life and career paths.

For Vocational Guidance 5.0 to truly transform the way young people imagine and build their future, a cultural change is needed that challenges dominant neoliberal ideas. In particular, it is essential to overcome the belief that success depends solely on individual merit and that each individual must be the sole architect of their own professional destiny. Accepting error, valuing collaboration and developing a critical perspective on the systemic influences of the economy and war are essential steps towards a new vision of vocational guidance, oriented not only towards personal growth, but also towards the construction of a more equitable and sustainable future.

Looking to the future, the implementation of research projects and training pathways inspired by Vocational Guidance 5.0 can contribute to understanding the extent to which young people recognize the influence

of war economies on the labour market and how this awareness can translate into peace-oriented choices, which is essential for developing more effective educational strategies. Furthermore, the construction of career education laboratory projects that integrate the constructs of Vocational Guidance 5.0 with those of peace offers new possibilities for building a more resilient and cooperation-oriented social fabric rather than conflict. If education and vocational guidance succeed in instilling in young people a sense of collective responsibility and the ability to critically read global dynamics, then it will be possible to redefine the very concept of development and progress, overcoming the dichotomy between economic growth and ethical values.

The greatest challenge remains that of transforming this awareness into concrete actions. Vocational guidance can become a catalyst for change, fostering the emergence of a new generation of professionals aware of their role in society and ready to contribute to the construction of a more equitable and peaceful world. Because if work is an engine of development, it can and must also become an engine of peace.

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Tackling Severe Labour Exploitation Through Non-Judicial Pathways: A Literature Review on Effectiveness of Non-State Based Grievance Mechanisms and Key Characteristics of Severe Labour Exploitation

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Abstract: Non-judicial grievance mechanisms have gained prominence as businesses establish channels to fulfil their obligations under the UN Guiding Principles on Business and Human Rights (UNGP). Central to the 'access to remedy' framework, these mechanisms play dual roles: preventing human rights violations and providing remedy. Composed of two parts, firstly, this study, focusing on non-state-based mechanisms, reviews the literature on the topic and explores their effectiveness by examining definitions, key functions, and criteria. It also identifies research gaps. In the second part, the review attempts to define the key elements of severe labour exploitation through multidisciplinary perspectives, including political philosophy and legal frameworks, establishing a foundation for empirical research into the mechanisms' capacity to prevent and address such cases.

Keywords: non-judicial mechanisms, access to remedy, severe labour exploitation, forced labour

Introduction

In 2011, the United Nations (UN) endorsed the 'Protect, Respect, and Remedy Framework' for business and human rights, known as the Guiding Principles (hereinafter referred to as UNGP). The third pillar, remedy, requires States and companies to establish governance structures that contribute to access to remedy through judicial and non-judicial mechanisms

(state-based and non-state-based) covered under the umbrella term 'grievance mechanisms'.

The UNGP framework presents two key functions for non-judicial grievance mechanisms. Firstly, these mechanisms function as early warning systems and support the identification of human rights impacts. Secondly, they contribute to access to remedy. Once issues are identified, these mechanisms facilitate the early and direct remediation of adverse effects, thereby minimising harm and preventing grievances from escalating further (UN 2011). Measuring the effectiveness of these mechanisms poses significant challenges as they vary widely in scope, design, and implementation across industries and geographies. Despite their increasing utilisation, scholarly research on the subject remains relatively scarce. While a limited number of studies have assessed their effectiveness, these primarily concentrate on the remedy function, with minimal attention given to their preventative role.

This literature review seeks to provide the foundational basis for a broader investigation into the effectiveness of non-state-based grievance mechanisms in preventing severe labour exploitation. It is structured in two parts: the first part aims to identify research gaps by focusing on the existing literature regarding the effectiveness, while the second part attempts to define the key elements of severe labour exploitation, establishing the framework and scope for the empirical phase of the study.

Given the complexity and diversity of non-judicial grievance mechanisms, the first part outlines the definitions, key functions, and effectiveness criteria as articulated by the UNGP. It further examines existing literature on effectiveness primarily focusing on non-state-based, non-judicial mechanisms, offering an overview of the methodologies employed in measuring effectiveness, as well as the general findings, challenges and considerations related to enabling factors. It concludes by identifying the research gaps.

The second part of the study seeks to outline the key components of severe labour exploitation through a multidisciplinary lens structured in three complementary sections. It begins with an overview of perspectives based on political philosophy on labour exploitation, followed by an examination of the legal definitions of its severe forms. The section concludes by consolidating the main elements identified as central to understanding labour exploitation.

Part 1: Effectiveness of Non-State-Based Grievance Mechanisms

1.1. Definitions, Key Functions and Effectiveness Criteria

The UNGP recognises grievance mechanisms as a crucial component of the human right's due diligence processes. This approach is also reflected in other international instruments addressing businesses, such as the Organisation for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises (OECD 2023) and the International Labour Organisation (ILO) Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (ILO 2022). Aligned with these international instruments, most major voluntary standards and initiatives on sustainability require its members or certified bodies to establish a grievance mechanism while they also having their own[1]. Despite these instruments and initiatives constituting a voluntary framework, there has been a notable trend in legislation mandating human rights due diligence, including the establishment of grievance mechanisms as a core component[2].

The UNGP refer to grievance mechanisms as a broad concept. They are defined as 'any routinised process (state-based or non-state-based or judicial or non-judicial) in which grievances concerning business-related human rights abuse can be raised, and remedy can be sought' (UN 2011, Commentary 25).

Grievance mechanisms encompass both judicial and non-judicial approaches, including state-based and non-state-based forms. Unlike state-based mechanisms, non-state-based non-judicial mechanisms operate independently of State control, without State involvement in their creation or activities (Zagelmeyer et al. 2018). The UNGP framework views both forms as complementary components of a broader remedy system. Effective non-judicial mechanisms can offer benefits such as faster remediation, lower costs, and international reach, though they should not undermine legitimate trade unions or limit access to judicial or other types of grievance mechanisms (UN 2011, Commentary 29).

The taxonomy of the non-judicial mechanisms (hereinafter referred to as grievance mechanisms) is, on the other hand, an evolving area. For in-

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[1] For instance, to be eligible for membership in the International Social and Environmental Accreditation and Labelling Alliance (ISEAL), organisations must have "a publicly available complaint or dispute resolution mechanism" (ISEAL 2024).

[2] The Corporate Sustainability Due Diligence Directive (CSDDD) mandates that companies "establish a fair, publicly available, accessible, predictable and transparent procedure for dealing with the complaints" (European Parliament and Council of the European Union 2023).

stance, studies reveal significant structural diversity among mechanisms, yet a clear categorisation for these various types remains absent[3] (Centre for Research on Multinational Corporations (SOMO) 2015; Zagelmeyer et al. 2018; UN Human Rights Council (UNHCR) 2020, A/HRC/44/32; Grama 2022).

For its objectives, the UNGP framework presents two key functions: early warning: they support the identification of human rights impact and remedy: once identified, these mechanisms serve adverse impacts to be remediated early and directly, therefore minimising the harm and preventing grievances from escalating (UN 2011). The UNGP emphasise that complaints or grievances do not need to rise to the level of alleged human rights violations before they can be raised and may also reflect legitimate concerns. This highlights the preventative function of grievance mechanisms. Nevertheless, there has been limited discussion and guidance on the remedial aspect in the context of non-state-based grievance mechanisms (Zagelmeyer et al. 2018). This gap is intended to be addressed by the Accountability and Remedy Project (ARP). Launched in 2014, the ARP project focuses on facilitating more effective implementation of the 'access to remedy' component of UNGP[4]. From 2018 to 2020, the Project extended its focus to the role of non-state-based grievance mechanisms (ARP III) (UN Human Rights Office of the High Commissioner (OHCHR) 2022). ARP III's final report underscores that an effective judicial mechanism is 'at the core' of ensuring access to remedy. Non-state-based mechanisms

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[3] The UNGP Framework classify non-state-based mechanisms under two main categories: one category encompasses those administered by a business enterprise or with stakeholder and multi-stakeholder groups, and another category comprises regional and international human rights bodies (UN 2011). A briefing study conducted by SOMO classified the non-judicial mechanism under five categories, namely intergovernmental grievance mechanisms (created by international agreements with the States e.g. OECD National Contact Points), national human rights institutions; mechanisms associated with development finance institutions (e.g. project-based mechanisms), sectoral and multistakeholder grievance mechanisms (e.g. mechanisms created by self-regulatory initiatives such as Fair Labor Association, Roundtable on Sustainable Palm Oil) and operational-level grievance mechanisms (mechanisms implemented by companies) (SOMO 2015). An exploratory analysis prepared for the OHCHR identified four categories (company and corporate-level grievance mechanisms, grievance mechanisms of international development finance institutions, grievance mechanisms related to international framework agreements and multi-actor initiatives) (Zagelmeyer et al. 2018). In 2020, the ARP project focus was dedicated to three categories: company-based grievance mechanisms, grievance mechanisms developed by industry, multi-stakeholder and other collaborative initiatives, and independent accountability mechanisms of development finance institutions (A/HRC/44/32).

[4] During its initial phases (2014-2016), the Project concentrated on state-based judicial and non-judicial mechanisms under ARP I and ARP II (OHCHR 2022).

are envisioned as complementary, mutually reinforcing elements alongside state-based systems, further emphasising that non-judicial mechanisms contribute to, rather than independently provide, access to remedy[5] (A/HRC/44/32).

The UNGP sets out the criteria for non-state-based mechanisms, which are used as benchmarks for designing, operating, and tracking effectiveness (UN 2011, Commentary 31). While the Guiding Principles presents brief descriptions for each criterion, the ARP III report presents detailed descriptions and recommendations to comply with the requirements[6](A/HRC/44/32). The mechanisms should be considered legitimate by the targeted users and stakeholders and be accountable for the fair conduct of grievance processes. Legitimate structures are described as mechanisms that have a clear, transparent, and sufficiently independent governance structure to ensure that no party to a particular grievance process can interfere with the fair conduct of that process. Potential users and stakeholders should be aware of the system, which means that the system should be publicised to those who may wish to access it and provide adequate assistance when necessary. The system should also be predictable, with clear procedures defining timelines, processes, and potential outcomes. The mechanisms seek to ensure equitability by providing reasonable access to sources of information, advice, and expertise necessary for fair, informed, and respectful terms. Parties to the grievance should be informed about its progress and provide sufficient transparency by presenting information about the mechanism's performance. Finally, the outcomes and remedies should be right-compatible, according to internationally recognised human rights (UN 2011). Additionally, grievance mechanisms are expected to promote continuous learning keeping proper records and systematically tracking its performance, evaluating the impacts of the outcomes and feedback from the users. As a final element, the operational mechanisms are expected to be a source of engagement and dialogue by effectively communicating with relevant stakeholders through meaningful consultation and providing multiple opportunities, it also focuses on using dialogue as the means of addressing and resolving grievances (A/HRC/44/32/Add.1).

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[5] For example, the Explanatory Addendum acknowledges that "in many cases, remedial outcomes non-state-based grievance mechanisms may only contribute to effective remedies rather than constitute remedies on their own" (A/HRC/44/32/Add.1 parag.63). The report attributes these limitations to several factors, including a lack of policy coherence on the part of the State, the insensitivity of many mechanisms to their specific legal regulatory, economic, social and cultural contexts, and insufficient collaboration among relevant actors (A/HRC/44/32).

[6] It is also supported by an Addendum (A/HRC/44/32/Add.1).

1.2. Existing Research on Non-Judicial Mechanisms and Their Effectiveness

While judicial mechanisms are the subject of well-established legal research, grievance mechanisms, in particular non-state-based forms, represent an unexplored category. In recent decades, scholarly interest in the topic has steadily increased, primarily driven by the efforts of research organisations, civil society, and multistakeholder initiatives (SOMO 2015; Freeman et al. 2014; Shift 2014). At the academic level, research on the subject remains largely confined to the periphery of corporate social responsibility studies and due diligence frameworks, often lacking a direct focus on the mechanisms themselves, as well as their definitions and objectives. In one of the first comprehensive literature reviews, Grama (2022) examined over one hundred articles specifically addressing corporate grievance mechanisms. Grama's review (2022) underscores that while grievance mechanisms have been in existence for diverse purposes over an extended period[7], one of the earliest academic studies dedicated exclusively to this topic can be traced back to 2009.

Grievance mechanisms are often designed to address various issues and are not exclusively focused on human rights violations. Initially emerging as components of human resources policies, they have since expanded to encompass broader concerns, including community relations, ethical considerations, corruption, and environmental pollution. Studies agree on the significant institutional diversity characterising these mechanisms[8] (Grama 2022; A/HRC/44/32; Zagelmeyer et al. 2018). This diversity is largely shaped by the ecosystems in which they operate, often resulting in challenges to measure their effectiveness. The broader category of grievance mechanisms is receiving limited scholarly attention; therefore, research focusing specifically on their effectiveness is even more sparse. While the operational guidelines are widely regarded as a benchmark, they primarily permit the assessment of 'effectiveness' at the procedural level.

Despite the various methodologies employed, the literature reviewed overwhelmingly follows two main lines of inquiry. The first approach assesses the effectiveness of grievance mechanisms based on 'outcomes',

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[7] According to the study, one of the earliest documented mechanisms dated back to 2000 by IFC (Gramma 2022).

[8] As an example, Grama (2022) categorised the prevailing approaches to grievance mechanisms into three broad perspectives: those that emphasise harm and remedy (effective remedy), those that focus on grievance mechanisms as a form of tool for managing company-community relations (community relations) and those that review the mechanisms from the nexus of power between private and public (private power).

largely focusing on whether these mechanisms achieve their stated objectives as part of contributing 'access to remedy'. The centre of these studies is mainly corporate-based operational grievance mechanisms and predominantly evaluates whether the examined mechanism fulfils its intended goal when violations already occurred (Owen et al. 2024; Harrison et al. 2023; Wielga et al. 2021; Miller-Dawkins et al. 2017). The preventative aspect, however, remains largely unexplored. The second approach assesses effectiveness at the procedural level, often utilising the UNGP criteria as a benchmark or foundation for methodological frameworks. These studies focus on the outcomes as part of right-compatibility criteria, however, extend beyond the evaluation to other principles, including but not limited to legitimacy, transparency, and accessibility.

Nevertheless, these two lines of inquiry are not entirely separate, particularly when viewed from the perspective of remedy. There is a strong correlation between the effectiveness of a grievance mechanism as a system and the achievement of an effective remedy as an outcome. Effective processes may not necessarily lead to outcomes that are appropriate or compatible with the desired remedy and conversely, unsatisfactory outcomes may stem from procedural deficiencies, such as a lack of timeliness or meaningful consultation.

1.3. Effectiveness in 'Outcomes' and/or 'Remedy'

'Effective remedy' is a relatively well-developed legal concept in connection to international human rights law and judicial mechanisms. It encompasses both procedural (which mainly refers to the availability and access to remedial mechanisms) and substantive dimensions (type of reparation provided). Aligned with international norms, the UNGP highlight that access to remedy is primarily provided through judicial mechanisms, which are regarded as the principal avenue for redress. However, also emphasises grievance mechanisms (both state and non-state-based) as essential and complementary to judicial processes. From a theoretical standpoint, some scholars advocate for the potential of alternative dispute resolution mechanisms, arguing that they may address a broader range of issues within their specific context and do so more efficiently (Rees 2011). Furthermore, it is suggested that non-judicial mechanisms may enhance access to justice by offering more flexible and accessible pathways (Lukas et al. 2016). Conversely, some scholars raise theoretical concerns regarding the appropriateness of dialogue-based mechanisms (e.g. alternative dispute resolution methods), arguing that these mechanisms may fail to

'ensure rights-compatibility', potentially relativising human rights and undermining the remedial dimension (Laplante 2023; Schormair et al. 2020).

According to the UNGP, 'remedy may include apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions, as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition' (UN 2011 Commentary 25). The nature of the remedy is case-specific, determined by the circumstances and the needs of the affected rightsholders. This variety is often conceptualised as the 'bouquet of remedies,' a crucial component of comprehensive redress. However, what constitutes an effective remedy remains a subject of debate. Procedurally, the UNGP underscore that remedy must be compatible with human rights standards. An early contribution to this discourse by Scheltema (2013) examines the effectiveness of remedy provided by non-judicial mechanisms through predefined judicial parameters. Scheltema highlights the importance of timely, thorough, and fair investigations, alongside the necessity of access to independent remedial mechanisms established through judicial, administrative, or other appropriate means. At the outcome level, the imposition of 'appropriate sanctions' and the provision of 'a range of forms of appropriate reparation' are deemed essential components. While Scheltema did not differentiate between state-based and non-state-based non-judicial mechanisms, the study stresses the absence of state involvement and, consequently, the inapplicability of enforcement and criminal measures to non-judicial mechanisms. Given the diversity of non-judicial mechanisms, the author questions whether it is feasible to identify common elements for effectiveness that would apply to all (Scheltema 2013).

In 2017, the UN Working Group on the issue of human rights and transnational corporations and other business enterprises further examined the meaning of effective remedy. The report aligns with the procedural dimensions of these mechanisms, emphasising the principle of equitability. It suggests that in contexts of power imbalances, remedial mechanisms should take proactive measures to address asymmetrical relationships, ensuring access to remedy without discrimination, representing an initial effort to unpack how grievance mechanisms contribute to remedy. In addition to procedural and substantive elements, the report introduces a significant conceptual development by highlighting the 'subjective' aspects, noting mechanisms should be responsive to the diverse experiences and expectations of rightsholders and that the effectiveness of remedy should be judged from the perspective of those affected (UN General Assembly (UNGA) 2017, A/72/162).

Subsequent research on the broader framework of non-judicial mechanisms proposed several parameters to evaluate effectiveness at the outcome level. Key measures include the compatibility of the remedy with rights, the enforceability of the remedy (i.e., the degree of implementation), and the scope of outcomes (whether remedies focus solely on reparation or also include punitive measures or incentives to prevent future abuses) (Zagelmeyer et al. 2018). The substantive aspects of access to remedy are further elaborated in the Addendum to the ARP III project report, emphasising that the 'provided remedy' must align with applicable international standards, drawing from all relevant categories, and must be appropriately responsive to the specific context, particularly the needs and perspectives of affected stakeholders (A/HRC/44/32/Add.1).

At the practice level, studies focusing on the contribution of non-judicial mechanisms to the provision of effective remedy argue that, where remedies are provided, they are often neither rights-compatible nor adequate (A/HRC/44/32; A/72/162; Zagelmeyer et al. 2018). Case studies, despite their limited number and the diversity of grievance mechanisms they examine, strongly support this argument (Owen et al. 2024; Harrison et al. 2023; Wielga et al. 2021; Miller-Dawkins et al. 2017, Knuckley et al. 2015).

In their respective studies, scholars identified various elements that impact the 'effectiveness of the remedy'. One of the early studies conducted in this sphere is part of a project entitled 'Non-Judicial Human Rights Mechanisms' which draws findings from five-year research (from 2011 to 2015) covering both collaborative findings and case studies concerning state and non-state-based grievance mechanisms (Ethical Trading Initiative (ETI), Roundtable for Sustainable Palm Oil (RSPO), OECD National Contact Points, Compliance Advisor Ombudsman and Freedom of Association Protocol) (Miller-Dawkins et al. 2017). The collaborative findings based on ten case studies, concluded that the non-judicial mechanisms 'fell short of delivering an individual remedy both procedurally and substantively' (Miller-Dawkins et al. 2017, 6). Authors argue that the effectiveness of these systems does not fully rely on the institutional design or procedural rules but rather on their interaction within a broader system and further stress while procedural aspects such as fairness and transparency can be improved, their effectiveness in terms of providing remedy is highly linked to conditions such as 'commitment, skills, relationship and leverage of all parties'(Miller-Dawkins et al. 2017, 6-7).

Haines and Macdonald (2020) further examine 'the leverage of all parties' in a complementary study. Recognising the diverse contexts in which

grievance mechanisms operate, the authors identify key enabling conditions that influence the effectiveness. First, at the level of 'institutional design', they highlight the importance of mechanisms being both accountable and oriented towards problem-solving. Second, the authors emphasise 'institutional empowerment' focusing on whether the institution establishing the grievance mechanism possesses the authority and capacity to enforce the outcomes of the process. Finally, they address 'social empowerment', analysing the leverage available to complainants (communities). This aspect is explored at two levels: the extent to which the non-judicial institution supports community leverage and the capacity of the community itself to define the nature of the grievance and the terms of redress. Over the five years of research, the authors identified three (3) out of ten (10) cases as reflecting examples of successful interventions in which they made meaningful contributions to supporting the community remedy. Despite being noted as successful interventions, the authors highlighted the redress outcomes as 'very uneven' (Haines et al. 2020).

Harrison and Wielga centre on mechanisms implemented by multistakeholder initiatives and explore their effectiveness regarding remedy. The initial study refers to RSPO as a case study and argues that the mechanism fails to provide substantive outcomes for rightsholders, noting that complaints often result in unsatisfactory remedies or no remedies at all (Wielga et al. 2021). In 2023, the authors expanded the scope of the research to the empirical analysis of six grievance mechanisms implemented within multistakeholder initiatives, concluding that despite some success, those mechanisms tend to provide remedy only in particular cases and contexts and meeting the operational criteria does not necessarily result in access to remedy for the rightsholders (Harrison et al. 2023).

Owen and Kemp (2024) focus on the corporate responses to grievances held by local communities in extractive settings based on their engagement with grievance mechanisms implemented by mining companies over ten years. The paper identified pathologies such as *procedural fiction* (indicating major differences between what is written in procedure and practice), *deferral by default* (inaction as a result of grievance), and *pressure release* (cash interventions to keep the mining activities as planned). The last two pathologies focused on the remedy perspective and titled *disconnected remedy* and *irremediability*. The authors argue that the link between the remedy and the issue underpinning the grievance is often missing. Either there is no right compatibility meaning the remedy is thematically connected but not at all adequate (e.g. the mine pollutes natural water resources of the community but provides tank water) or the remedy appears in the

form of a gift. The authors further added a third category 'remedy attempt,' where the remedy does not at all address or repair the issue brought by the affected parties. Under the irremediability section, authors describe grievances that become impossible to remedy (Owen et al. 2024).

1.4. Procedural Effectiveness

The operational criteria primarily emphasise procedural aspects in establishing an 'effective' grievance mechanism and are used as a benchmark in measuring effectiveness. The research and studies focusing on the performance of the organisations meeting the procedural effectiveness are mainly driven by research organisations, private initiatives and civil society organisations. Examples include various surveys and processes that attempt to do benchmarking and performance reviews of the grievance mechanisms at the corporate level and among multistakeholder initiatives such as the World Benchmarking Alliance (WBA), Accountability International, and ISEAL. Despite the diversity of methods, focus sectors, industries, and characteristics of grievance mechanisms, several findings indicate common patterns in organizations' ability to meet operational requirements.

As highlighted in this study and corroborated by other literature reviewed, the lack of limited availability of information on grievance outcomes points to significant deficiencies in transparency and predictability within these systems. According to the Corporate Human Rights Benchmark study conducted by the WBA, 'access to grievance mechanisms without trust and ownership hinders remedies'. The study found that while 91% of the companies provide a grievance mechanism for all their workers, only 5% disclose evidence of ensuring rightsholders' trust, and 10% present evidence of ensuring rights holders' ownership (WBA 2023). The Independent Commission of Jurists'(ICJ) study highlights concern regarding equitability, noting that the 'shortcomings at the operational level exacerbate the existing imbalances of power between parties to the dispute' (ICJ 2019, 11). Nomogaia, an independent research network, conducted a study of forty-five (45) multi-stakeholder initiatives, revealing that while nineteen (19) reported having grievance mechanisms, many failed to disclose information on the claims received (Nomogaia 2022).

Field studies conducted by advocacy groups similarly raise concerns regarding the effectiveness. While these organisations often function as the 'complainants' themselves, which may call into question the independence of their studies due to their proximity to the direct users of the system (e.g.,

Indigenous communities and workers), their firsthand engagement with these stakeholders also provides valuable evidence. One of the early studies conducted on the topic aimed to relate workers' experiences with their factory's grievance mechanisms and document their recommendations and note that a very large majority of the respondents do not trust the grievance mechanisms implemented by the factory due to reasons such as lack of impartiality of the process, lack of remedy, fear of reprisal and lack of knowledge about the outcomes[9]. The survey concludes that out of 107 complaints, only 35 were resolved satisfactorily (Freeman et al. 2014).

In 2020, Forest People's Program (FPP) Briefing presents the findings and observations of the organisation over twenty years using the remedy procedures of various non-judicial mechanisms[10]. In terms of accessibility, the brief noted the barriers concerning language and the cost of translation, as well as the fear of reprisal. Despite the existence of procedures in place for safeguarding in several contexts (RSPO, IFC CAO), the long duration of the investigations and lack of confidentiality are marked as factors that increase the risks for human rights defenders and/or complainers. The Briefing notes that the communities 'start with a reasonable level of trust in the process', nevertheless, overall findings question the legitimacy since 'none of the cases has provided an adequate, effective and prompt remedy to the communities concerned' (FPP 2020, 8).

It is important to highlight that studies rely on information from existing complaints. Nevertheless, numerous field studies indicate that these systems are not at all used by target groups; therefore, they mainly focus on barriers and challenges. A review by the Rainforest Alliance (RA) of practices across RA- certified farms and groups concluded that many grievance mechanisms 'fall short in terms of being accessible, trusted, transparent and providing access to remedy', revealing that many certificate holders were not receiving any complaints through their grievance mechanisms (RA (a) 2023, 2). A study by the Fair Labor Association (FLA) on grievance mechanisms for farm workers within the hazelnut supply chain of member companies found that, despite the presence of grievance hotlines operated by the project partners, none of the respondents among workers were aware of these hotlines or had ever utilised them (FLA 2018). Research

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[9] The research focused on the electronics sector and surveyed 337 workers from 40 factories including the evaluation of the 107 complaints and the 67 respondents who filled the complaints.

[10] The research covers multistakeholder initiatives namely RSPO, FSC; company operational mechanism: Unilever; mechanisms created by international agreements: OECD NCP and CAO.

conducted by the ETI on existing grievance mechanisms in the agriculture sectors of Italy and Spain identified several obstacles, including limited language comprehension, fear of reprisal, discomfort in direct communication with managers and supervisors, uncertainty about consequences, and vulnerability due to lack of documentation (ETI 2023). The existence of various organisations at each level of the supply chain and the confusion among the potential users are noted as additional points for awareness. In the complex structure of the supply chains, affected rightsholders are not always aware of the company or the certification/membership models and are perceived as 'too far removed to understand the MSI involvement' (Twenty-fifty 2022, 4).

1.5. Research Gap

The academic literature on non-state-based grievance mechanisms remains underdeveloped, particularly regarding the mechanisms' effectiveness within the broader human rights due diligence landscape. This review identifies a substantial empirical gap, with sparse data on complaints and outcomes that could inform an assessment of these mechanisms' effectiveness in meeting their objectives. Limited transparency and ethical challenges—such as confidentiality of victims, data protection, and safeguarding concerns—further hinder empirical investigation in this area.

While theoretical frameworks suggest these mechanisms could play a preventative role, empirical evidence is largely lacking in their ability to identify and address grievances before they escalate into human rights violations. Conversely, existing research indicates their low usage. While there exist, certain common elements concerning challenges and barriers, the interrelationships between evaluation criteria, such as the connections between legitimacy and rights compatibility, or transparency and legitimacy, remain largely unexamined. Current assessment models and methodologies typically evaluate these criteria in isolation, overlooking the potentially critical interplay among them or the role of enabling conditions.

Research on these mechanisms has predominantly focused on community and Indigenous rights, particularly within the context of deforestation and land disputes where data is relatively accessible. However, there is a notable paucity of studies addressing severe labour exploitation and fundamental workers' rights.

Finally, a significant conceptual and practical gap exists regarding the role of non-state-based grievance mechanisms as complements to judicial processes. In practice, many of these mechanisms operate with minimal in-

tegration or cooperation with judicial systems. Studies assessing 'access to remedy' often overlook how these mechanisms contribute to rather focus on to what extent they independently achieve remedy in a judicial sense. This disconnect between theoretical intent and practical implementation underscores recommendations from the ARP, which emphasises the importance of collaboration among diverse actors and conducive domestic legal frameworks.

Part 2: Severe Labour Exploitation and Key Elements

'Labour exploitation' serves as an umbrella concept that incorporates a spectrum of abuses spanning from instances of human trafficking and coerced labour to less serious forms and manifests as a continuum of experiences and situations that mark its severity (Giammarinaro 2022; Skrivankova 2010). One could argue that a certain level of labour exploitation is tolerated and allowed by structures (Zwolinski 2012). Because exploitation occurs in diverse supply chains to various degrees. The occurrence of 'everyday abuses' often escalates into extreme exploitation (Marconi 2022; Quirk et al. 2020; Davies 2019). Other scholars complement such an approach with background studies, indicating that exploitation is often 'structural' (Mantouvalou 2018; Zwolinski 2012). Background conditions such as migration policies, labour laws, welfare policies, as well as supply chain structures, and business practices often create the enabling conditions for exploitation (Quirk et al. 2020). Nonetheless, the delineation between decent work and exploitative practices and the threshold at which the latter escalates to a severe degree remains ambiguous (Boersma et al. 2022; Weatherburn 2021; Rijken 2013; Skrivankova 2010).

In the last decade, scholarly interest has increased in examining the concept, as human trafficking laws address trafficking for exploitative purposes, including labour exploitation (Council of Europe 2005; Palermo Protocol 2000). Severe manifestations of labour exploitation encompass, at a minimum, coercive and abusive forms such as forced labour, slavery, and human trafficking. Despite the prevalent, albeit unhelpful, interchangeable usage of these terms, it is imperative to acknowledge their discrete significances. There is a certain convergence within these terms from a human rights standpoint, and the definitions are not strictly exclusive. For instance, forced labour may be constituted as an outcome of human trafficking, yet not all instances of forced labour are attributable to trafficking. Conversely, a substantial number of trafficked individuals experience ex-

ploitation in labour contexts, but the entirety of exploited labourers cannot be unequivocally classified as victims of trafficking. Consequently, the task of categorising the distinctive experiences of workers is inherently intricate. Each delineation carries distinct legal, social, and economic implications for the affected individuals, rendering the classification of their experiences a complex undertaking. Emphasising the core elements of severe exploitation represents an effort to address this complex challenge.

The review intentionally does not aim to define 'exploitation' or 'severe exploitation' comprehensively, as such an undertaking would be overly ambitious and could well serve as the focus of an entire thesis. Instead, this section seeks to identify the key characteristics of severe labour exploitation by examining how it is defined across various disciplines.

A multidisciplinary approach is considered appropriate, given the evolving and complex nature of exploitation. Exclusive reliance on the definition of predetermined categories of severe labour exploitation may not capture the nuanced and evolving nature of exploitative practices[11]. Notably, victims seldom self-identify as such (UN Office on Drugs and Crime (UNODC) 2022; ILO 2020; Global Alliance Against Traffic in Women (GAATW) 2010). Individuals in irregular employment situations are hesitant to engage in criminal proceedings due to the conditions that protective measures will only be applied if they can prove their cases. Notwithstanding the challenges they face, workers frequently endeavour to regain control and actively strive to extricate themselves from exploitative circumstances[12] (UNODC 2022). Consequently, this study assumes that there is a higher probability that workers report cases or complaints through non-judicial channels, framing them as violations of labour rights and in less severe forms.

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[11] This literature review aims to facilitate the categorisation of workers' grievances as part of a broader study on non-judicial mechanisms. Consequently, a narrow focus, relying exclusively on definitions of extreme forms cited in international law, risks overlooking other types of severe practices that may not fall within these legal categories. Furthermore, as will be examined in subsequent sections, practices such as forced labour, forms of slavery, and human trafficking are complex and challenging to identify. Non-judicial systems may be hesitant to classify complaints under these categories due to their criminal implications or may struggle to recognise them as such because of definitional complexities.

[12] According to the Global Report on Trafficking in Persons (2022), finding 3 indicates that "victims rely on "self-rescue" as anti-trafficking responses fall short. 41% of the victims initiated the action." According to the report, this constitutes an alarming result "considering many victims of trafficking may not identify themselves as victims."

2.1. Exploitation as a Debated Concept of Politics, Economics and Philosophy

The concept of exploitation is widely debated in politics, economics, and philosophy, with various frameworks offering distinct interpretations. From a political philosophy perspective, Marx's theory views exploitation as inherent to capitalist production. According to Marx, capitalists leverage their power over workers, compelling them to produce value while controlling wages and intensifying labour demands. Exploitation, thus, becomes a structural outcome of capitalism, where power dynamics between classes shape the degree of exploitation in production processes (Screpanti 2019). Contrastingly, liberal microeconomic perspectives frame exploitation through 'opportunistic accounts,' where one party takes 'unfair advantage' of another in a mutually beneficial relationship (Wertheimer cited in Goodin 1997, 733). Here, exploitation is less about systemic power imbalances and more about fairness in individual transactions. Other scholars explore exploitation through the lens of vulnerability. Mayer (2007), for instance, defines it as 'wrongful gain' at the expense of disadvantaged individuals, suggesting that even seemingly beneficial interactions, like sweatshop labour, constitute exploitation if they inadequately benefit workers. Similarly, Wood (2016) opposes viewing exploitation solely as an extraction of surplus value, emphasising instead the role of control and vulnerability, and argues that exploitation becomes unjust when it involves coercion, lack of consent, or rights violations, positioning the issue within broader ethical concerns. This ongoing debate reflects evolving perspectives on exploitation, ranging from Marxist structural views to more nuanced considerations of consent, fairness, and vulnerability in labour contexts. As labour markets transform, questions of justice and fairness in exploitation remain central to contemporary discourse.

2.2. Exploitation from a Legal Perspective

There is no universally accepted legal definition of labour exploitation, leading some scholars to question the necessity of establishing one, arguing that existing legal frameworks enumerate exploitative practices (Allain 2015, 345). The ILO provides a threshold through international labour standards, describing labour exploitation as work conditions significantly diverging from normal standards in terms of recruitment, work conditions, and living arrangements (ILO 2020). International law, while lacking a comprehensive definition, identifies severe forms of labour exploitation, including slavery, forced labour, and human trafficking, as minimum coercive

and abusive practices (Council of Europe 2005; Palermo Protocol 2000). In 2015, the UNODC (2015) acknowledged the conceptual ambiguity of 'exploitation,' highlighting challenges in defining it consistently across cultural and temporal contexts. This lack of definition has led to varying national interpretations, with thresholds for exploitative conditions differing widely (Cavanna et al. 2018; Group of Experts on Action against Trafficking Human Beings (GRETA) 2017; European Union Agency for Fundamental Rights (FRA) 2015, 2019). Recent interdisciplinary studies emphasise the significance of structural factors—such as labour, migration, and criminal justice policies—that underpin exploitation, highlighting the risks of reducing labour exploitation solely to an aspect of human trafficking (Mantouvalou 2018; Rijken 2013). These studies suggest that addressing structural vulnerabilities is crucial for a comprehensive understanding of labour exploitation.

2.3. Defined Forms of Severe Exploitation: Forced Labour, Slavery and Servitude

Slavery: The Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) prohibit and define slavery and slavery-like practices. Slavery is defined as 'the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.' While legal ownership of individuals has been abolished under international law, rendering slavery legally unrecognized, the traditional definition reflects a *contradictio in terminis* by presupposing that one person can legally possess another (Rijken 2013). This presents challenges in applying the legal definition to contemporary forms of slavery, where control over a person resembles ownership in substance but lacks legal recognition. To clarify this, international scholars, historians, and social scientists reviewed existing definitions and developed the Bellagio-Harvard Guidelines on the Legal Parameters of Slavery (Bellagio Guidelines 2010). These Guidelines redefine 'the powers attaching to the right of ownership' as exerting control over an individual in a manner that significantly deprives them of liberty, with the intent of exploitation through use, management, profit, transfer, or disposal. Scholars, such as Bales, argue that the Guidelines 'form a bridge between the lived reality of enslavement and the legal definition needed to specify and address this crime' (Bales 2012, 283). The manifestations of slavery have also evolved and now encompass a range of practices, including traditional or chattel slavery, debt bondage,

serfdom, the sale of children for exploitation, domestic servitude, and servile marriage (Supplementary Convention 1956).

Forced Labour: The ILO Convention on Forced Labour (No. 29) defines forced labour as 'all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily' (ILO 1930). This definition, widely used by international organisations and governments, relies on three core elements: work or service, the menace of penalty, and involuntariness. Since 2005, the ILO has developed guidelines and indicators to support law enforcement and legislative actions in interpreting these components[13] (Weatherburn 2021; Lewis et al. 2015). The General Survey in 2007 further clarified that 'penalty' encompasses a broad range of coercion, from penal sanctions and physical violence to psychological coercion, retention of documents, and the threat of lost rights or privileges (ILO 2007).

Though the ILO's approach emphasises deceptive recruitment practices and contract termination ability (ILO 2012 (a); ILO 2024), some scholars argue this view may inadequately capture workers' complex experiences. They question the relevance of consent given under coercion (Lucifora 2019; Scarpa 2013; Jones 2012) or whether one can consent to exploitation at all (Gallagher 2008). Structural factors, like debt-financed migration, often push workers to accept abusive conditions 'willingly'[14] (Carling et al. 2015). Case law shows that economic necessity heightens workers' dependency, worsening power imbalances (UNODC 2020). While there is a certain level of consensus that the existence of physical and psychological coercion may render the worker's consent irrelevant, there is very limited reference to economic coercion, which may seriously limit workers' ability to terminate employment or indirect coercion. This complexity results in varied national interpretations, with limited reference to econom-

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[13] In 2003, the following forms were listed as physical violence or restraint, or even death threats addressed to the victim or relatives; threats to denounce victims to police or immigration authorities when their employment status is illegal; threats to denounce victims to village elders in case of girls forced to prostitute themselves in distant cities; economic penalties linked to debts; the nonpayment of wages; the loss of wages accompanied by threats of dismissal if workers refuse to do overtime beyond the scope of their contract or national law; the retention of identity papers by employers and may use the threat of confiscation of these documents to exact forced labour (ILO, 2003).

[14] UNODC report (2020) classified the percentage of cases by pre-existing factors that traffickers have taken advantage of, as reported in the GLOTIP court cases. Economic need (with 51%) was by far the highest pre-existing factor among others such as immigration status (10%), limited education or knowledge of foreign language (6%) and intimate partner as trafficker (13%) (UNODC, 2020, 9).

ic coercion that severely restricts workers' freedom to exit employment[15] (Paz-Fuchs 2016). Examples include undocumented workers forced into exploitative labour or refugees with no viable alternatives (Focus on Labour Exploitation (FLEX) 2024; Carling et al. 2015).

Servitude: Servitude is a distinct legal concept included in the International Convention on Civil and Political Rights (ICCPR) and also in the Palermo Protocol however, it lacks a clear definition and distinction from other types of slavery-like practices (Allain et al. 2020; Scarpa 2013). ICCPR introduced slavery and servitude as two different concepts; while 'slavery implied the destruction of the juridical personality, servitude was a more general idea covering all possible forms of man's domination' (UNGA 1955). According to Allain (2015), the term is narrowly interpreted and considered synonymous with practices like slavery and the distinction remains vague.

Human Trafficking: Human trafficking is legally defined in the Palermo Protocol by three key elements namely, action, means, and purpose. The Palermo Protocol (2000) states the following:

> 'The activities involved in human trafficking can include the recruitment, transportation, transfer, harbouring, or receipt of a person.
>
> The means used can include force, deception, abduction, coercion, fraud, threats, abuse of power or position of vulnerability; and
>
> The purpose is identified as exploitation, which includes forced labour or services, slavery or similar practices, and servitude.'

The Palermo Protocol (2000) noted the 'irrelevance of consent' where any 'means' outlined in subparagraph (a) have been used. All three elements must be present to constitute a 'trafficking' case (with the exception of child trafficking). The Protocol definition is highly recognised by states as well as by international instruments. However, it does not result in consistency on what constitutes a human trafficking case.

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[15] Paz-Fuch illustrates diverse views via two cases. In the case of R. v Khan, workers from Pakistan travelled to Pakistan to renew their permits and chose to return despite excessive working hours, denial of medical treatment and restriction of liberty. Yet the Court of Appeal considered this "evidence of further exploitation". The Supreme Court of India viewed excessive dedication which results in workers being paid less than the minimum wage as forms of forced labour (Paz-Fuch, 2016).

Human trafficking is a complex phenomenon. The hidden nature of the problem often obstructs the identification of the cases. GRETA noted that there has been a rising trend among trafficking cases for the purpose of labour exploitation and it has emerged as a predominant form (GRETA 2017, 14). However, as per the definition, exploitative conditions alone are not sufficient to establish a trafficking case. Several elements have to be present to constitute a case. Within this context, Rijken (2013) underlined the challenges concerning the application of the definition, in particular its relation to labour exploitation. According to the author, the lack of definition of exploitation in the protocol, combined with the use of the terminology of forced labour and slavery complicates the identification of the cases. Firstly, the definition introduces a double requirement by referring to the 'means' related to the 'acts' Secondly, although the definition does not explicitly require international movement for a case to be defined as human trafficking, the phrase 'trafficking' leads attention to a movement. This often results in a restrictive interpretation of the cases (Rijken 2013).

2.4. Workplace Harassment: An Indicator or A Different Form of Severe Exploitation?

Convention No.190 on Violence and Harassment at Work was adopted in 2019 and is perceived as a milestone since it contains the first international definition of violence and harassment:

> 'The term "violence and harassment" in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.' (ILO 2019)

The definition encompasses all forms of violence and harassment – whether verbal, physical, social, or psychological- including gender-based violence, which are frequently cited as indicators of severe labour exploitation, such as forced labour and human trafficking. For instance, physical and sexual violence is identified as one of the key indicators of forced labour (ILO (b) 2012). The methods employed by traffickers, as outlined in the international definition of human trafficking, include the 'use of force or other forms of coercion' (Palermo Protocol 2010). Additionally, Delphi Survey Indicators specifically refer to 'violence on victims' as a marker of coercion at the destination (ILO 2009). While workplace harassment is often listed as an indicator of severe forms, it also embodies certain characteristics inherent to exploitation, such as power imbalance, coercion, control,

and the degradation of human dignity. Harassment typically involves the abuse of power or the exploitation of a worker's vulnerability. Regardless of its forms, harassment constitutes a type of coercion, frequently manifesting through manipulative and intimidating behaviour intended to influence the actions of victims. This control, while not necessarily reaching the threshold of slavery, can compel workers to endure working conditions they would otherwise reject. Although the worker may retain the ability to terminate the employment contract, working under such circumstances undermines their dignity.

Drawing a clear distinction between workplace violence and its escalation into forced labour or human trafficking presents a considerable challenge. This intersection has been insufficiently explored in the academic literature. The UNODC report highlights this overlap, noting that 'all forms of trafficking are frequently physically and/or psychologically violent' (UNODC 2020, 100). However, not all victims of violence necessarily become victims of trafficking. Critical factors may lie in the identity of the perpetrator (who conducts the act) and the underlying purpose of their actions (for which purpose). The 'purpose' of the act is a determinant in cases of human trafficking. In instances of trafficking for the purposes of sexual exploitation, sexual harassment and abuse are intrinsic to the act itself. When the purpose of the act is established, sexual harassment serves as an indication[16]. The academic literature based on empirical research frequently refers to harassment as an indication of labour exploitation (Berg et al. 2023; Abdukadyrova et al. 2023). However, its severity level remains to be a question without the elements of forced labour and human trafficking. This ambiguity is particularly pronounced in cases where harassment takes place in the form of verbal or physical abuse rather than sexual harassment, as the question of severity remains largely unexplored.

2.5. Unveiling Key Components of Severity and Exploring Grey Areas

This section synthesises the literature to identify shared characteristics that constitute severity. While recognising the importance of precise definitions for law practice, the primary aim is to develop a sufficiently comprehensive framework to capture severe exploitation and practices that may lead to severe exploitation to classify workers' complaints without being confined to strict legal definitions of severe forms.

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[16] Examples of such cases include T.I and Others v. Greece (No.40311/10), S.M. v. Croatia, No.60561/14. Conversely, if the other indicators are absent, sexual harassment is often addressed under Article 8 of the European Convention on Human Rights, with less or no emphasis on potential workplace exploitation (C.v. Romania No. 47358/20).

The literature often emphasises distinguishing specific concepts and how they diverge from one another, which is particularly evident in discussions around forced labour and slavery in contemporary contexts. Some scholars argue that this boundary has become blurred within the framework of human trafficking as a criminal offence (Paz Fuchs 2016; Bales 2012; Cullen 2012). In attempts to make the distinction between defined severe forms, the concepts of dignity, consent, coercion, control, ownership and vulnerability are central to understanding the nuances. One consensus emerging from the literature is the association of severe forms of labour exploitation with the violation of human dignity (Maayan 2024; Weatherburn 2021; Paz Fuchs 2016). Severe exploitation marks the boundary between criminal law and labour rights, with such practices being criminalised due to their affront to societal morals. In such contexts, consent becomes irrelevant, as no one can consent to violations of their fundamental rights to freedom from slavery, servitude and forced labour (UNODC 2014). Such a perspective allows the assumption that other workplace practices not traditionally classified as severe forms- such as working in abusive, hazardous conditions or enduring harassment- may also be considered severe exploitation when they endanger workers' health and safety and physical and psychological integrity[17].

Nonetheless, elements of control and coercion are critical across all contexts. Even if workers appear to 'agree' to exploitative conditions, the presence of coercion (e.g. threats, force) and control that deprives them of autonomy may classify the situation as severe exploitation. As previously noted, one aspect of exploitation is the degree of control that employers and workers have over working conditions[18](Screpanti 2019).

There remains considerable debate regarding what degree of coercion may result in control (Cullen 2012; Bales 2012). Traditional forms of physical control, such as document confiscation or physical restrictions, persist in some contexts. Regional courts agreed that physical restraint is not a prerequisite for enslavement (European Court of Human Rights, *Chowdury and others vs Greece*; Inter-American Court of Human Rights, *Hacienda Bra-*

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[17] Although the Court determined that the Chowdury case constituted forced labour, the circumstances surrounding it may also support such interpretation (Chowdury and others v. Greece, No. 21884/15). If a worker's consent is deemed irrelevant in such situations, the severity of the exploitation is defined by the abusive conditions and harassment they have endured.

[18] For instance, while professional athletes who are often being "sold" to teams, might as well experience coercion and harassment, on the other hand, they typically retain more control over their contract as compared to a migrant plantation worker who is often engaged with a workplace through an employment agency.

sil Verde v. Brazil). However, as exploitation practices evolve with supply chain structures, there is less consensus on when economic coercion, such as debt and wage withholding, transitions into control. For instance, if a worker's mobility – especially that of international migrant workers- depends entirely on their wages, does economic coercion amount to control? Furthermore, when workers have no say in their workplace assignments or living conditions, determined by employment agencies without a clear understanding of their contracts, this may resemble ownership in practice, if not in legal terms. Jurisdictions continue to interpret these situations diversely. However, for this study, economic coercion, including wage withholding, debt and deductions, is classified as a potential indicator of severe exploitation. This issue is particularly critical because wages and remuneration fall within the purview of labour law, which may inadvertently create legal structures that exploit workers' vulnerabilities.

A significant factor that influences the levels of control and coercion is workers' vulnerability. Some scholars argue that exploitation is facilitated by control, which is often achieved by identifying and leveraging vulnerabilities (Wood 2016). The 'abuse of a position of vulnerability' is recognised in the Palermo Protocol, though it remains undefined at the international level. Vulnerability is indeed a complex concept, shaped by both individual characteristics and external circumstances and often a combination of both (Mantouvalou 2018). Weatherburn (2021) highlights that its application is also fragmented, and it is important to avoid narrow, stereotypical classifications. The author identifies various forms of vulnerability – economic, social, cultural, linguistic, legal and structural- though this list may never fully encompass the diverse experience of workers. An intersectional understanding of the term advocates considering the existence of various subjective and contextual elements (situational vulnerability) and the interplay among them (Palumbo 2023; Giammarinaro 2022). Aligning with such an approach, in this study, vulnerability will be considered as a key element that may exacerbate the severity of exploitation.

A final element that remains relatively explored but warrants consideration is the concept of 'harm'. The review revealed that the notion of 'harm' is seldom addressed or given due consideration. Some scholars argue that this aspect is inadequately explored in academic literature (Davies 2020; Scott 2017). Scott (2017) endeavours to identify the nature of contemporary labour exploitation 'beyond criminology' and critiques the legal system's capacity to address cases that fall outside of extreme conditions. Workplace fatalities are presented as the extreme end of the labour exploitation continuum. This perspective invites an examination of occupa-

tional health and safety, particularly workplace practices that significantly jeopardise workers' physical health and other practices that may harm their psychological well-being. Notable examples include the collapse of the Rana Plaza in Bangladesh and the Soma Mine disaster in Turkey (Scott 2017). Therefore, the element of harm or potential harm of the working conditions (including working hours) is identified as an element that affects the severity.

Conclusion: When a Complaint is Considered Severe Exploitation?

This review outlines a categorisation methodology designed to facilitate the systemic analysis of complaints submitted to stakeholder initiatives' grievance mechanisms and identifies two main categories. Legally defined severe forms of exploitation, such as forced labour, servitude, and slavery, are categorised as 'explicit' forms. Complaints that explicitly reference these forms of exploitation will be included in the review to assess the effectiveness of grievance mechanisms. Additionally, complaints related to occupational health and safety, particularly those concerning workers' safety, and complaints involving harassment due to their intrinsic connection to human dignity will also be classified under this category.

A second category focuses on underlying elements that may result in control and coercion. Complaints that exhibit indicators which may potentially escalate to defined forms of severe exploitation highlight the 'preventative' function of grievance mechanisms. These indicators include the withholding of wages, abusive working or living conditions, and excessive overtime.

Vulnerability will be assessed as a cross-cutting factor that influences the severity of exploitation, contingent upon the availability of sufficient data. This analysis will consider a range of vulnerability factors, including migration status, gender, and the structural characteristics of the workplace (e.g. informal), to provide a nuanced understanding of how these factors contribute to the risk and impact of exploitation.

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The Inclusion of Refugees and Students at Risk in the Higher Education System: a Literature Review

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Abstract: The condition of refugees in higher education is gaining more and more attention, however, despite many initiatives being created and promoted in the Global North, refugees in academia still face numerous challenges (Lambrechts 2020, Kalocsányiová et al. 2022), starting with the difficulties universities encounter in collecting data on this specific group of students (Brunner et al. 2024). Still, universities have the potential to do much to foster a real inclusion of refugees in the higher education system (Ager and Strang 2008, Sontag 2021): higher education institutions have a *social and moral responsibility* (Rundell et al. 2018, Piazza and Rizzari 2019, Zlatkin-Troitschanskaia et al. 2021, Berg 2023, De Maria et al. 2023) to serve the public good (Zlatkin-Troitschanskaia et al. 2021), as social agents with the final aim of creating a better world (Rundell et al. 2018). For refugees, the academic world can be a space of freedom after much suffering (Arar et al. 2020), and hopefully also a space of psycho-social well-being (Jack et al. 2019): education brings daily structured activity and purpose, and its normalising routine has a therapeutic value (Elwyn et al. 2012). To achieve this, it is essential to keep in mind that access to education is a human right and, consequently, 'shifting from the traditional approach of charity to a restorative lens of humanistic and inclusive perspective while supporting and empowering those who are in need' (Rundell et al. 2018, 19).

Keywords: refugees, students at risk, higher education, university, inclusion, integration

Introduction

This article presents a literature review about the inclusion of refugees in the higher education system.

Research on this topic has increased since 2015, when various European and American universities established policies for the inclusion of Syrian refugees. The war in Ukraine and the Afghan crisis have brought renewed attention to the subject, as well as new practices in the academic world.

The higher education (HE) system has not always been welcoming:

> 'HE has long been an enclave for the elite, the privileged and the wealthy, with its contributions to knowledge benefitting the many […], but its tacit contributions support existing hegemonies and reproduce powerful/powerless subjectivities. The elite history of HE has resulted in stubbornly entrenched absences of particular groups in the modern academy, leading to global efforts in the last three decades to open entry to university to traditionally underrepresented students via the promise of social mobility.' (Stevenson and Baker 2018, 35)

This (relatively new) openness in the academic world corresponds to a real need for universities, which, without enrolled students, would obviously not survive. As higher education systems in the Global North become increasingly reliant on international student tuition fees, and governments view these students as prospective ideal immigrants, higher education has become deeply embedded in the evolving nexus of education and immigration, or *edugration* (Brunner et al. 2024). While the financial and immigration-related aspects of international student mobility are increasingly shaping higher education policies, it is also important to consider how these dynamics influence broader trends in internationalisation. In this context, Latorre et al. (2024) highlight the continued dominance of education abroad over internationalisation at home and the growing emphasis on global rankings, which further reinforce existing inequalities within the sector. Education abroad, in all its manifestations, continues to dominate the agenda more than internationalisation at home. An increasing emphasis on international rankings has become the norm, benefiting certain institutions over others. The gap between the Global North and the Global South, as well as between those universities deemed top world-class institutions and all others, remains pronounced. Internationalisation has shifted to become more closely associated with competition and marketisation, rather than its traditional values of cooperation, exchange, and societal service (Latorre et al. 2024).

In this context, which not only welcomes international students but also creates and invests in active (and sometimes aggressive) recruitment policies, numerous actions[1] by UNHCR to ensure refugees' access to high-

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[1] Among these, the following are cited as not exhaustive examples: the UNICORE programme (official website: https://universitycorridors.unhcr.it/) for the creation of

er education are often embraced with great willingness by universities worldwide and incorporated into *Third Mission* activities or *Equity, Diversity, and Inclusion* policies (Gaebel and Zhang 2024).

Unfortunately, despite good intentions, the path for refugees in academia is fraught with obstacles - obstacles that institutions struggle to overcome. This difficulty arises from the problem of data collection on refugees enrolled in universities, both because refugees rarely disclose their status and because categorising such students poses challenges. Domestic students with migrant backgrounds are often arbitrarily distinguished from international students, while individuals who are undocumented, stateless, members of transborder Indigenous nations, or otherwise not easily categorised challenge the conventional domestic-international divide. At the same time, asylum-seekers and recently resettled refugees may be classified as domestic students, yet they require international student services, adding further complexity to student affairs and funding models. According to Brunner et al., this ambiguity is partly the result of an insufficiently nuanced analytical approach to the intersection of international student mobility and migration (Brunner et al. 2024).

The issue of data collection adds to other criticalities, as highlighted by Lambrechts: 'the ethical and methodological challenges of researching with hard to reach, marginalised communities [...], the lack of national policy frameworks to support refugee education and increasing anti-immigrant sentiments in Europe and across the world' (Lambrechts 2020, 804).

This literature review will explore the difficulties faced by refugees in higher education and show how universities[2] can effectively contribute to a real inclusion.

The article begins with brief but necessary clarifications regarding the terminology to use when discussing refugees and at-risk students.

In the next part, the concepts of integration and inclusion are clarified, before moving on to illustrate how the academic world can be a space of freedom after much suffering, and hopefully also a space of psycho-social well-being.

After that, the article presents an overview about the history of human rights and education and then it details how a multi-level governance

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university corridors in Italy, the EU-Passworld programme (official website: https://www.eupassworld.eu/) for the creation of university corridors in Ireland and Belgium, and the DAFI scholarship programme (official website: https://www.unhcr.org/what-we-do/build-better-futures/education/tertiary-education/dafi-tertiary-scholarship-programme)

[2] This literature review focuses on reception in the Global North; however, it is essential to remember that 85% of the world's displaced population is hosted by low- and lower-middle-income countries (World Bank and UNHCR 2021).

system that establishes clear national policies is required, not only to achieve the goal set by UNHCR for 2030 (i.e., 15% of refugees enrolled in higher education institution worldwide), but especially for the effective inclusion of refugees. It is also crucial for universities to open up to alliances beyond the academic sphere: alliances that will not be easy to manage but are essential for the well-being of students.

1. Refugees and Students at Risk: Definitions

In common language, there is often little distinction made when referring to migrants, displaced persons, refugees, asylum seekers, or individuals at risk. However, precise terminology is crucial, as each category corresponds to a different set of rights and responsibilities, which are obviously linked to the current immigration regulations. Below are the main definitions provided by international organisations such as UNHCR, UNESCO, UARRM[3], ESU[4].

Asylum seeker: a person who applied for international protection or refugee status and is still waiting for the results.

At-risk migrant: a migrant in a vulnerable situation, regardless of their legal status.

Country of Asylum: the country in which a refugee finds protection from persecution and refoulement.

Internally displaced person: a person who has been forced to leave their home and who has not crossed an internationally recognised State border.

Refoulement: the forced return of refugees or asylum seekers to a country where they might be persecuted.

Refugee: a person who cannot or does not wish to return to their home country due to a well-founded fear of persecution based on race, religion, nationality, membership in a specific social group, or political beliefs (UN 1951).

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[3] 'The University Alliance for Refugees and At-Risk Migrants (UARRM) is a group of researchers, practitioners, and policymakers seeking to harness the potential of university communities for the empowerment and protection of refugees and at-risk migrants', retrieved from https://www.uarrm.org/about (accessed: 31/07/2024).

[4] 'The European Students' Union (ESU) is the umbrella organisation of 45 national unions of students' from 40 European countries. ESU promotes and represents the educational, social, economic and cultural interests of almost 20 million students to all key European decision-making bodies: the European Union, Council of Europe, UNESCO and the Bologna Follow Up Group', retrieved from https://esu-online.org/about/our-history/ (accessed: 31/07/2024).

Since both words are commonly used in the context of higher education scholarships or inclusion programmes, a clarification is needed about the distinction between *refugees* and *students at risk*.

According to the European Students' Union (ESU), at-risk students are individuals facing the threat of political persecution and/or the inability to complete their educational journey due to their activism. They typically differ from refugees, as they often possess the legal right to travel, holding valid passports. Nevertheless, they encounter many of the same challenges as refugees and other forcibly displaced individuals, particularly in accessing higher education and essential support infrastructure (ESU 2024).

Obviously, these are definitions that tend to simplify and, consequently, overlook the complexity and breadth of the diverse experiences lived by individual students: 'refugees are a heterogeneous group who vary by, for example, country of origin, gender, age, sexuality, religion, pre-migration and post-migration experiences' (R student et al. 2017, 586). For reasons of practicality, this brief article will not delve into the important concept of intersectionality, for which reference is made to Unangst and Crea (2020). It should also be noted that, given the focus on inclusion and the fact that the needs of both groups are the same, this article will use the term *refugee students* in a broad sense, also encompassing *students at risk*.

2. The Concepts of Integration and Inclusion

The concepts of integration and inclusion are often used interchangeably, despite the different implications they entail. Both are central when discussing refugees in higher education, and both are characterised by significant complexity and long-term effects; the multidimensional nature of the concept of integration serves as a crucial objective for contemporary social inclusion policies, as well as for the design of interventions that prioritise strategic impact over mere emergency responses (Scardigno et al. 2019).

Ager and Strang created a conceptual framework based on the idea of a common foundation of rights: in an integrated community, refugees should be granted the same rights as the residents they live alongside. The framework identifies ten areas to shape understandings of the concept of integration:

> 'The domains cover achievement and access across the sectors of employment, housing, education and health; assumptions and practice regarding citizenship and rights; processes of social connection within and between groups in the community; and barriers to such connection,

particularly stemming from lack of linguistic and cultural competences and from fear and instability.' (Ager and Strang 2008, 184).

A conceptual framework defining core domains of integration

Figure 1
A Conceptual Framework Defining Core Domains of Integration

Fig.1. The concept of integration (Source: Ager and Strang 2008)

Ager and Strang's framework represents an interesting basis for reasoning to identify the complexity inherent in the concept of integration (and inclusion, as we will see later).

Sontag proposes another type of analysis, starting from the concept that 'the frame of integration is problematic, if the focus lies on those who should integrate and does not take general diversity at universities and the changing nature of systems or even the change of systems because of newcomers into account' (Sontag 2021, 206). Her model highlights five points regarding the concept of integration:

1. 'an imagined homogenous or cohesive national society into which someone should be integrated'. Identity cannot be static, and society cannot be homogeneous. Furthermore, integration can concern different levels of various aspects, such as education or work;

2. 'a certain settledness or immobilisation'. The very concept of migration entails a movement that is unlikely to be singular. Furthermore, migration can occur in various forms, allowing individuals to lead

transnational, multilocal, or mobile lifestyles;

3.   individual performance. Being a migrant or refugee is not an inherent personal characteristic but rather a status shaped by the structures, policies, and frameworks of migration systems. These systems assign legal categories and define opportunities for access, such as entry into the job market or the educational system. Furthermore, this is even more true for refugees, who must navigate within very well-defined rules;

4.   'othering'. It is assumed that the macro category of refugee includes a certain homogeneity of situations and treatments, when in reality, ethnicity itself gives rise to a series of privileges or disadvantages. Furthermore, factors such as class, gender, and other social distinctions influence the extent to which *the others* are perceived as *different*;

5.   economic utility. Refugees are often not regarded as highly skilled migrants. Furthermore, this approach also affects refugee students.

Despite the difficulty in defining the concept of integration, there is substantial unanimity in the scientific literature regarding the benefits of higher education: it fosters the ability to participate in the host society and to increase one's social network and wellbeing. In summary, enrolment in higher education can be seen as a driver of social integration (Ager and Strang 2008, Cremonini 2016, Marcu 2018, Sontag 2021, Berg 2023, Campomori 2023).

Refugees frequently suffer from trauma and discrimination: education is crucial to become active members of their new societies, allowing them to use their skills and qualifications again (Marcu 2018).

Campomori notes that integration is such a central aspect for European countries, that it receives substantial international funding, such as the Asylum, Migration, and Integration Fund (AMIF)[5], the European Social Fund Plus (ESF+)[6] and the Interreg Central Europe[7]. Immigrant integration policies, including those related to refugee integration, fall under the jurisdiction of EU member states, meaning that national laws take

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[5] The *Asylum, Migration and Integration Fund (AMIF)* is funded by the European Union for the period 2021-2027, with the aim of supporting different actions in the EU countries for the management of migrations. Official website: https://home-affairs.ec.europa.eu/funding/asylum-migration-and-integration-funds/asylum-migration-and-integration-fund-2021-2027_en (accessed: 31/07/2024).

[6] The *European Social Fund Plus (ESF+)* is working in the period 2021-2027 and its main aim is the implementation of the European Pillar of Social Rights. Official website: https://european-social-fund-plus.ec.europa.eu/en (accessed: 31/07/2024).

[7] *Interreg Europe* is an interregional cooperation programme, co-funded by the European Union for the period 2021-2027. Its aim is reducing differences in the levels of development, growth and quality of life in the EU countries. Official website: https://www.interregeurope.eu/ (accessed: 31/07/2024).

precedence, and the EU lacks the authority to regulate this matter through binding regulations or directives. However, since the Treaty of Amsterdam (1999), migration and asylum issues have been incorporated into the EU's legal framework, with a focus on fostering cooperation, coordination, and the exchange of ideas and best practices (Campomori 2023).

As mentioned above, the terms *integration* and *inclusion* are often used interchangeably. However, as Sontag aptly reports, terms such as participation and inclusion have been used as alternatives to integration. Inclusion and belonging should be regarded as societal responsibilities rather than individual obligations. Inclusion encompasses various dimensions of diversity beyond migration-related aspects, incorporating transnational and multinational perspectives, and has the potential to mitigate *we/they* dichotomies (Sontag 2021). While the concept of integration primarily entails an individual's adaptation to the pre-existing norms and structures of the host society, inclusion necessitates a systemic transformation aimed at ensuring the equitable participation of all community members without requiring them to conform to a dominant model. In other words, integration implies the assimilation of the individual into an already established framework, whereas inclusion fosters a paradigm in which diversity is recognised, valued, and incorporated into social dynamics, thereby promoting a more equitable and participatory society.

Higher Education as a Space for Freedom

After escaping trauma and loss, higher education is seen as a space for freedom. Its vital role in 'mitigating the impact of displacement and ensuring the integration of the migrants into the social and economic structures of their host countries' (Arar et al. 2020, 200) has been widely explored in the past ten years[8].

Another concept that frequently recurs in the scientific literature is that of moral and social responsibility (Rundell et al. 2018, Piazza and Rizzari 2019, Zlatkin-Troitschanskaia et al. 2021, Berg 2023, De Maria et al. 2023, Gaebel and Zhang 2024): universities are called upon to serve the public good (Zlatkin-Troitschanskaia et al. 2021), as social agents with the final aim of creating a better world (Rundell et al. 2018). The factive support from higher education institutions can work as a counteract against social exclusion and

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[8] See for instance Dryden-Peterson 2010, Cremonini 2016, Bajwa et al. 2017, Marcu 2018, Jack et al. 2019, Arar et al. 2019, Estrada Moreno and Palma-García 2020, Arar 2021, Berg et al. 2021, Cantat et al. 2022, Berg 2023.

marginalisation (Berg 2023), since it enhances equality and independence, reducing risks of militarization (Rundell et al. 2018) and radicalisation: de facto, these can be peacebuilding actions (Berg 2023).

The European University Association (EUA) dedicates a section of its 2024 report[9] to initiatives supporting academics and students at risk. It is undeniable that the Russian invasion of Ukraine in February 2022 triggered a series of solidarity actions towards the Ukrainian population, to which the academic world in Europe promptly adhered: 'over recent years, engagement and support for academics and students at risk has gained in importance at HEIs because of increased demand and probably also the emergence of more — and more visible — institutional, national and European policy and support initiatives' (Gaebel and Zang 2024).

Hosting at-risk backgrounds

Figure 11: Hosting at-risk backgrounds
Q38.2. Does your institution host researchers or students at risk? Please select one option per column (one for researchers, one for students). N=281.
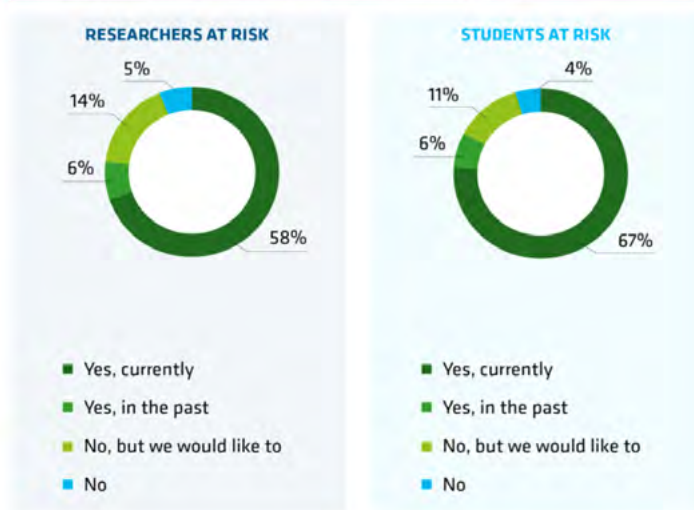
Fig. 2. Researchers and students at risk in European HEIs in 2023 (Source: Gaebel and Zhang 2024)

The role of universities extends beyond direct support and hospitality measures, to encompass scientific research on the effectiveness of reception systems, the training of professionals equipped to address

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[9] The EUA 2024 report is based on an online survey available between April and July 2023, that gathered responses from 489 HEIs across 46 higher education systems within the EHEA. The questionnaire explored significant changes and their impact, focusing on the past five years (since the publication of Trends 2018) and institutions' expectations for the next five years.

societal challenges related to the economic and social inclusion of migrants, and the study of migratory phenomena, including the factors that facilitate or hinder the full realisation of migrants or those considering migration (De Maria et al. 2023). The social responsibility of universities is therefore realised through various actions, not just ensuring refugees' access to higher education (Piazza and Rizzari 2019).

Support actions for refugee students cannot merely be welfare philanthropy: rather, it is about working on the empowerment of refugees, contributing to their ability to hope, desire, and achieve socially valuable goals (Zlatkin-Troitschanskaia et al. 2021). Higher education can turn students into leaders, giving them a sense of purpose and belonging again (ESU 2024). It simultaneously allows for the reconstruction of shattered lives and provides hope for future post-conflict reconstruction (Dryden-Peterson 2011, Streitwieser et al. 2018, Berg 2023): access to education is a fundamental human right and a key element of development strategies aimed at reducing poverty, offering prospects for stability, economic growth, and improved living conditions for children, families, and communities (Dryden-Peterson 2011). Supporting refugees in higher education can be seen as a tool for reconstruction and a true act of resistance for universities, bringing peace, hope and stability in the whole society.

Higher Education as a Space for Well-being

Higher education is not just a space for freedom, where human rights and one's aspirations are finally welcomed and protected: it's a space for psycho-social well-being, where refugees can feel healed from their past traumas, back to a normality of calm and routine.

Jack, Chase and Warwick use two interlinked conceptual frameworks for the promotion of the well-being of refugees in the higher education system: the health-promoting university (HPU) and the social ecological model (SEM) (Jack et al. 2019).

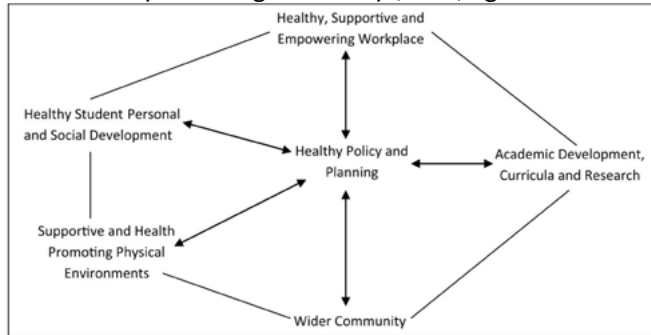The health-promoting university (HPU) agenda for action

Figure 1. HPU agenda for action.

Fig. 3. The health-promoting university (HPU) model (Source: Jack et al. 2019)

The health-promoting university (HPU) considers health as a sum of physical, psychological and social well-being; it has been adapted by a model of the World Health Organisation (1986) and Dooris (1998). It takes a holistic, socio-ecological approach to health promotion, considering how broader environmental and personal factors, along with the contexts in which individuals live and work, fundamentally shape their health (Jack et al. 2019).
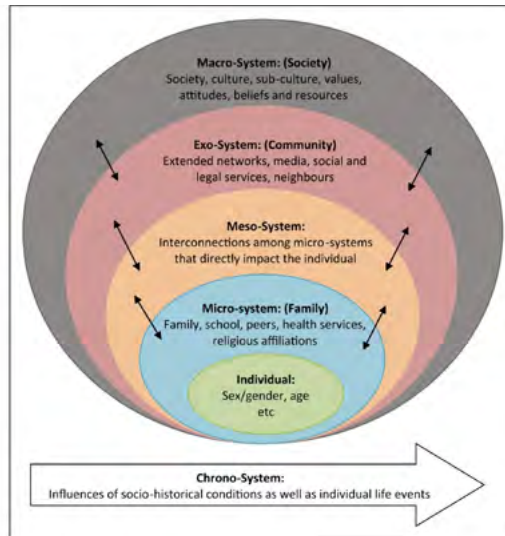
The social ecological model (SEM)

Figure 2. Bronfenbrenner's social ecological model.

Fig. 4. The 1970 Bronfenbrenner's social ecological model (SEM) (Source: Jack et al. 2019)

The Social Ecological Model (SEM) highlights the interaction between the individual and the environment across five distinct system levels, which collectively shape human development; it has been adapted by a model of Bronfenbrenner's (1970) (Jack et al. 2019).

Jack, Chase and Warwick integrate the two models to apply them to the university context and attempt to investigate the dynamics that influence the well-being of refugees: 'Refugees are first embedded within the micro-system which consists of their individual selves, home and relationships with others. [...] The exo-system consists of the educational systems, governmental agencies and transport networks, all instrumental in shaping the lives of refugees' (Jack et al. 2019, 53). Both environments could equally be sources of stress or comfort for refugees, and both are important for their physical and psychological well-being.

As Stevenson and Baker explicit, the cultural mismatch between the student and the institution often impacts students' participation and success: 'for refugee students, [...] the university can be a culturally alienating place' (Stevenson and Baker 2018, 56). In the *uncaring academy*, often refugee support projects are sustained solely by the passion and dedication of the staff, however, 'this labour is not recognised in workload allocation models or legitimised' (Stevenson and Baker 2018, 93). Beyond a few enlightened individuals, universities generally tend to ignore refugee challenges: what Al Hussein and Mangeni refer to as *systemic disadvantage* (Al Hussein and Mangeni 2022) and Lambrechts calls *super disadvantage*[10] (Lambrechts 2020).

It is difficult even to imagine the challenges that refugees must face daily to live a simple student life. The resilience they demonstrate, which has carried them through long journeys - often perilous, always complicated - undoubtedly assists them. However, to better understand the social-psychological support they need, it would be beneficial to adopt a *trauma perspective* (Rundell et al. 2018): 'This means shifting from the traditional approach of charity to a restorative lens of humanistic and inclusive perspective while supporting and empowering those who are in need' (Rundell et al. 2018, 19).

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[10] A term proposed by Lambrechts (2020) and then used by other authors, the *super-disadvantage* is created by the inter-relation and exacerbation of the different barriers lived by refugees in higher education: 'the term is not meant to set up a hierarchy of disadvantage - to indicate a disadvantage greater in relative terms to that experienced by other individuals or groups - but to foreground the complexity, gravity and compound nature of the problems faced'.

The figure below accurately represents a mapping of the multiple barriers faced by refugees in higher education (Kalocsányiová et al. 2022):

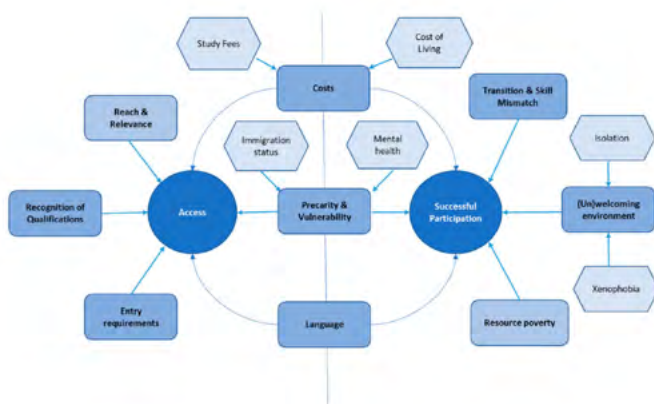Barriers to access and successful participation in European HE

Fig. 5. Barriers for refugees in HEIs (Source: Kalocsányiová et al. 2022)

With this informed perspective, one comes to recognize the profound sense of guilt that accompanies those who have managed to escape, especially in relation to the families left in difficult circumstances (Elwyn et al. 2012, Zlatkin-Troitschanskaia et al. 2021). The thought of loved ones left behind, with whom it is sometimes not even possible to maintain contact, causes anxiety, uncertainty, and difficulty in looking toward the future. In this challenging context, education provides a structured daily routine and a sense of purpose and its normalising routine has a therapeutic value (Elwyn et al. 2012). Furthermore, being aware of the barriers that refugees face in the higher education system means not only visualising, recognizing, and addressing sociocultural dissonance, stress, anxiety, health challenges, experiences of racism, and difficulties in adapting to the practical aspects of resettlement (Stevenson and Baker 2018), but also working to ensure that the university equips itself accordingly. The significant number of obstacles that refugees encounter results in these students being more prone to dropping out of university study programmes than other students (Zlatkin-Troitschanskaia et al. 2021, Kalocsányiová et al. 2022). The support offered by the university becomes crucial for those who lack their own familial and friendly networks: for refugees who may lack supportive networks, it is essential for institutions to establish support mechanisms that can offset the absence of protective factors (Stevenson and Baker

2018). To be truly effective, the relationship with the university cannot be limited to merely providing a scholarship: instead, interactions must remain continuously dynamic and adaptable to their specific needs. In this way, the refugee student feels seen and considered, especially when they had ceased to be so by their own country/community: 'mattering is the subjective perception that we make a difference to others in our lives [...] Mattering thus operates as a form of external validation by others, both at an interpersonal (individual) level and/or at a societal (community or government) level' (Stevenson and Baker 2018, 110).

Unfortunately, it often happens not only that refugees are not adequately *seen* in their condition of extreme disadvantage, but also that there is a lack of information about the services available to them at the university (Jack et al. 2019, Estrada Moreno and Palma-García 2020, Lambrechts 2020). This difficulty encountered in communication is partly due to the institutions' own challenges in identifying refugees: completing a mapping of such students is unfortunately very complicated because refugees rarely publicly declare their status (Berg 2023). The problem of data collection further complicates the creation and design of intervention policies, whether local or national: without having a clear understanding of *who* these students are, universities cannot accurately assess their real conditions and tend to assimilate them mostly into the group of international students (Stevenson and Baker 2018), thus ignoring the specific life challenges that this kind of students have to deal with (Al Hussein and Mangeni 2022). Recognising these systemic disadvantages, universities should approach displaced students with sensitivity and ensure a safe environment that supports refugees in their academic progress (Al Hussein and Mangeni 2022).

Human rights and Education

As Gilchrist highlights, while the right to primary education is widely recognised in human rights law, the right to higher education remains less fully established (Gilchrist 2018). However, higher education is not a privilege but a fundamental right and necessity, both for individuals and society. Its significance cannot be overstated, as it is closely associated with expanded future opportunities for individuals and plays a vital role in societal development. An educated population is essential not only in countries where refugees resettle but also in those affected by conflict and natural disasters. Refugees and immigrants make substantial

contributions to their new communities, and those who attain higher education frequently play pivotal roles in post-conflict and post-disaster reconstruction (AACRAO[11] 2019).

Access to education as a human right was affirmed already in 1948, in the Universal Declaration of Human Rights (Article 26), and a few years later in the 1951 Refugee Convention, which constitutes the foundation for the work of the UNHCR. A reference to the field of education can be found in Article 22, which states that countries have the duty to strive to ensure fair access to education for refugees. Nowadays, the 1951 Refugee Convention is obviously outdated, as Koser points out in his general yet insightful critique: the Convention primarily addresses persecution by the state, a focus shaped by its original intent to protect those targeted by the Nazi regime. During the Cold War, its definition also served a political purpose, particularly in relation to those fleeing Communism. However, in today's world, many refugees escape not from direct political persecution but from the broader insecurity caused by conflict. Additionally, Koser points out that the Convention does not explicitly include individuals persecuted due to their sex or sexuality, nor does it account for those displaced by environmental factors such as tsunamis or earthquakes (Koser 2007). Nevertheless, despite the evident limitations highlighted by Koser, the Convention remains undeniably a fundamental document at the international level, subject to only one important amendment with the 1967 Protocol, which removed the Convention geographic and temporal limits. UNESCO's 1960 Convention against Discrimination in Education represents another fundamental one, since it sets legally binding provisions for its 109 ratifying States. With the 1989 Convention on the Rights of the Child, it is clear that higher education represents a human right and according to art.28, it's important to make it accessible to all (Gilchrist 2018).

The European Union promotes the access to higher education for refugees through various tools: the most famous is undoubtedly the 1997 Lisbon Convention about the recognition of qualifications in the higher education system. In its article 7, the Lisbon Convention emphasises the importance of supporting 'refugees, displaced persons and persons in a refugee-like situation' in gaining access to higher education, even in cases of incomplete documentation. Thanks to the Convention, the valuable

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[11] The American Association of Collegiate Registrars and Admissions Officers (AACRAO) is a non-profit, voluntary, professional association that provides advocacy, research and training to higher education professionals.

instrument of the European Qualifications Passport for Refugees[12] was created, enabling those without educational credentials to reconstruct their previous careers.

The commitment from the European Union is embodied in the Directive 2011/95/ EU, Art. 27.2: 'Member States shall allow adults granted international protection access to the general education system, further training or retraining, under the same conditions as third country nationals legally resident' and with its Action Plan on Integration and Inclusion 2021-2027, which sets priorities, actions and funding opportunities.

The crucial role of education in combating marginalisation and abuse, as well as its capacity to empower individuals to improve their lives and emerge as leaders and role models within their communities or upon returning to their home countries (Martin and Stulgaitis 2022) is included in the Agenda 2030 and specifically in the Sustainable Development Goal n.4 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'.[13] Both UNESCO and UNHCR[14] play a central

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[12] 'The European Qualifications Passport for Refugees is a special international tool developed to assess refugee's qualifications for which there is insufficient or missing documentation', retrieved from https://www.coe.int/en/web/education/recognition-of-refugees-qualifications (accessed: 02/02/2025).

[13] 'The 2030 Agenda for Sustainable Development, adopted in September 2015, provides an impetus for action on refugee education, recognizing that education is both a goal in itself and a means for attaining all the other Sustainable Development Goals (SDGs). Refugee education is implicitly supported by the SDGs' promise to "leave no one behind" – the acknowledgement that the goals will not be met unless they are met for the most vulnerable and marginalized groups in society. Sustainable Development Goal 4 (SDG4) aims to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" by 2030.' (UNESCO 2019).

[14] As detailed in the latest UNHCR report, the number of refugees worldwide is unfortunately constantly increasing, arriving to 120 million in 2024 (UNHCR 2024). For many different reasons - among them, the proximity to their home countries - the majority of refugees reside in host countries in the Global South; however, 'young refugees are resettling in increasing numbers in northern European countries in the hope of seeking safety, building a future, and continuing their education' (Harðardóttir and Jónsson 2021). Approximately 50% of asylum seekers in Europe are between the ages of 18 and 34, a demographic for whom access to higher education can significantly impact integration (European Commission 2016, Piazza and Rizzari 2019, Di Stefano and Cassani 2022). Nevertheless, despite the clear statistics, access to higher education for refugees worldwide is significantly below the global average: the latest UNHCR data indicates 7%, compared to 42% for the rest of the population. UNHCR has set an ambitious goal of 15% of refugees enrolled in university by 2030. To achieve this, it has initiated a series of global actions over the past few years, and the first results are indeed visible, considering that in 2019 the percentage was only 1% (UNHCR 2024). The first significant formal act was the signing of the Global Compact on Refugees (GCR) in December 2018. The document commits to increasing investments in access to quality education for refugees, since higher education is thought as a link between civil society, young people, and the job market, promoting peace and the well-being of society

role to reach this goal, nonetheless the primary responsibility for ensuring refugees' access to education lies with local governments, international non-governmental organizations, and - particularly in the case of higher education - charities, the private sector, and specialised university programs in the Global North. 'As a result, refugee education ends up being the concern of many, but the duty of none' (Storen 2024, 8). Storen presents an interesting reflection by employing the Kantian concept of moral obligation: a significant portion of the contemporary global refugee system relies on the goodwill and generosity of host nations. However, from the perspective of Kantian duty ethics, all individuals should be treated with dignity and hospitality, not merely as an act of benevolence, but because it is inherently the *morally right* course of action (Storen 2024). This concept of duty simultaneously generates the concept of rights: it is precisely the universality of human rights that can encourage the transcendence of national citizenships, moving towards global citizenship.

As bearers of denied rights, refugees become protagonists of their own story, active subjects rather than mere objects of others' charity. This shift in perspective contrasts with the dominant narrative, which portrays refugees as 'tragic victims, superhuman agents or opportunistic, criminal invaders.' (R student et al. 2017, 599). Moreover, by reframing refugees as rights-holders, we also recognize the central role of duty-bearers and the existence of global moral obligations (Storen 2024). Global refugee education has no shortage of providers and advocates; however, the field lacks accountable duty-bearers whose commitment to ensuring refugees' access to quality education is driven by responsibility rather than charitable intent (Storen 2024). As Gilchrist points out: 'education is a human right in itself and is needed to enjoy other rights' (Gilchrist 2018). But who is responsible for ensuring the enforcement of this universal right?

Multi-level Governance and National Policies: the Importance of Networking

The concept of multi-level governance is thoroughly examined by Bache and Flinders, who, after compiling various contributions on the subject and analysing its different aspects, outline the following key characteristics: decision-making across various territorial levels is

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as a whole. To reach the target of 15% refugee enrolment in higher education by 2030, a Global Task Force on Education Pathways has been formed, putting together governments, the private sector, NGOs, refugees, UN agencies and donors.

increasingly marked by the participation of non-state actors. The role of the state is undergoing a transformation, with state actors adopting new strategies for coordination, guidance, and networking (Bache and Flinders 2004). Daniell and Kay describe multi-level governance processes as systems of ongoing negotiation, in which authority is not only distributed vertically across different levels of administration but also horizontally across various sectors of interest and spheres of influence, encompassing non-governmental actors, markets, and civil society (Daniell and Kay 2017).

According to Petrovic, multi-level governance of integration is an unavoidable reality. While integration policies for third-country nationals remain under national jurisdiction, he argues that in many EU countries, local authorities serve as the primary guarantors, as they are directly responsible for managing reception policies and cultural diversity (Petrovic 2018). The importance of the locality for immigration management, and especially of cities, is underlined also by Gallo, Poggio and Bodio, for whom 'cities, in particular, are recognised as active agents in addressing the challenges related to diversity accommodation and in developing policies that can influence state-based models of governance' (Gallo et al. 2022, 260).

The formation of alliances that extend beyond the walls of the academic world is therefore necessary: universities, local governments, social workers, non-governmental organisations, and refugee charities are called upon to join forces to manage such delicate and complex situations together (Jungblut et al. 2018, Marcu 2018, Estrada Moreno and Palma-García 2020, Sontag 2021, Kalocsányiová et al. 2022).

In some universities, actions in support of refugees are considered part of the so-called *Third Mission*[15], while in others they are included in the *Equity Diversity and Inclusion* policies (EDI)[16].

According to the 2024 report by the European University Association (EUA), the Third Mission has gained increasing importance in recent years. The report indicates that 83% of institutions consider it highly significant, while approximately two-thirds identify service to society as a strategic priority. Moreover, there is a clear upward trend, with 28% of

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[15] The *Third Mission* follows the two main areas of the university world: education and research; its aim is to share knowledge beyond the university. The university thus becomes a real engine of innovation for the community it inhabits.

[16] If, in practice, there is little substantive difference - since in both cases universities engage in concrete support actions for refugees - it may be worth reflecting on the different approaches implied by the choice of one label over the other. The *Third Mission* encompasses activities carried out *in*, *with*, and *for* the local community, whereas EDI policies focus on those already *within* the university.

higher education institutions describing their contribution as stable and strong, around 70% reporting an increase over the past five years, and 59% expressing a desire to expand their activities in this area in the future (Gaebel and Zhang 2024). Despite the Third Mission being a priority for European universities, the lack of dedicated staff and specific funding is striking[17].

The inclusion of migrants and refugees is listed among the Third Mission activities only for 9% of institutions, while substantially higher number of institutions take migration, at-risk backgrounds, or refugee-like experiences into account for both staff and students within their institutional inclusion policies (Gaebel and Zhang 2024).

EDI[18] policies have also gained great importance in the past decade: nearly all institutions (90%) surveyed in the 2024 EUA Report have established strategies and policies to address EDI, while an additional 8% plan to implement them in the future.

Aspects addresses in inclusion policies

Figure 23: Aspects addressed in inclusion policies
Q38. What aspects are considered in the inclusion policies and measures of your institution? Please select all applicable options, distinguishing between students and staff. N=467
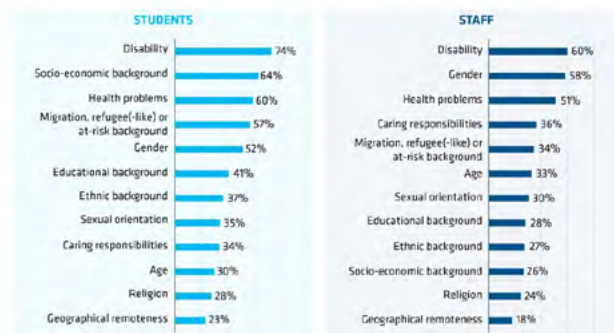
STUDENTS		STAFF	
Disability	74%	Disability	60%
Socio-economic background	64%	Gender	58%
Health problems	60%	Health problems	51%
Migration, refugee(-like) or at-risk background	57%	Caring responsibilities	36%
Gender	52%	Migration, refugee(-like) or at-risk background	34%
Educational background	41%	Age	33%
Ethnic background	37%	Sexual orientation	30%
Sexual orientation	35%	Educational background	28%
Caring responsibilities	34%	Ethnic background	27%
Age	30%	Socio-economic background	26%
Religion	28%	Religion	24%
Geographical remoteness	23%	Geographical remoteness	18%

Fig. 6. EDI policies in European HEIs in 2023 (Source: Gaebel and Zhang 2024)

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[17] 'Only 49% of institutions have established a dedicated office to implement an institutional and systematic approach, and only 39% have a dedicated leadership portfolio. A fifth of institutions report that their activities are understaffed and a quarter report that they are underfunded compared with their other missions (education, research).' (Gaebel and Zhang 2024).

[18] The concept of *Equity, Diversity, and Inclusion (EDI)* stems from the need for a society and a higher education system that are truly inclusive, as inclusion benefits society as a whole. The main document of reference is the 'Principles and Guidelines to Strengthen the Social Dimension of Higher Education in the EHEA', which encourages the creation of an *inclusive environment* in higher education 'that fosters equity, diversity, and inclusion, and is responsive to the needs of the wider community' (EHEA 2020).

It is interesting to note how institutional policies encompass a wide range of aspects under the umbrella of *diversity and inclusion*: regarding the student body, the most prevalent topic is undoubtedly disability, followed by socio-economic background, health, migrants/refugees, and gender. Unfortunately, as in the case previously discussed regarding the Third Mission, the lack of planned funding is a significant issue: only 39% of higher education institutions report receiving specific funding support from the government, with an additional 6% indicating that such support is planned. The 2024 *Bologna Process Implementation Report* outlines the diverse funding landscapes across EHEA countries, revealing that only eight higher education systems allocate funding to institutions that achieve targets related to widening access, increasing participation, or ensuring the completion of higher education, particularly for underrepresented, disadvantaged, and vulnerable groups (Gaebel and Zhang 2024). The lack of funding is accompanied by a lack of national policies: 'programs for refugee students are often HEI-specific and not part of a coordinated national or international approach' (Berg 2023, 12).

Universities are therefore left alone in striving for genuine inclusion. However, it is unrealistic to achieve such ambitious and complex objectives without relying on the essential multi-level governance. With specific regard to the complex circumstances of refugees, it is clear that achieving the ambitious goal of the 2030 Agenda - ensuring that no one is left behind - necessitates a shared and collective commitment at both the international level and within individual states (Borgonovo Re 2022). After all, universities are part of the societal fabric that surrounds them and cannot refrain from combating practices of power, inequality, and injustice in society. University members have often been hesitant to establish transformative alliances beyond their institutions, however, 'it is folly to pursue transformative change solely from inside the university; indeed, there is no *inside* within the university in splendid isolation from an *outside*' (Cantat et al. 2022, 14). The functioning of such extensive networks is certainly not straightforward: organisations that are vastly different in purpose and operation must learn to communicate and collaborate, despite being accustomed to using typically very different languages and tools.

Despite the difficulties, the importance of forming multi-level networks is to be considered essential to effectively support vulnerable student populations. Engaging with NGOs and non-profit organisations is crucial, as many of these entities offer dedicated, long-term, and individualised support (AACRAO 2019).

Conclusions

This literature review has highlighted the main challenges related to the inclusion of refugees in the higher education system. The initial issue lies in data collection and the very definition of a *refugee student*, both of which inevitably influence university policies: obviously, refugees in higher education form an *atypical group of international students* and therefore they cannot be investigated with the tools usually applied to international students. Consequently, this group requires different policies and practices to be able to integrate into the higher education systems (Maringe et al. 2017, Arar et al. 2020, Unangst and Crea 2020). The tendency to ignore the needs of refugees or to equate them with those of international students fits into a broader context: policy and public discourses about citizenship and asylum are driven by an imperative to restrict the movement of certain migrants. Unfortunately, academia is not immune to this topic: we can easily see it, when higher education institutions actively compete for and welcome certain migrants, such as international students who pay tuition fees, considering them desirable and worthy of support and attention, while overlooking and marginalising less desirable migrant groups, such as refugees (Morrice 2013, the same concept is in Maringe et al. 2017). It is undeniable that economic rationales, competition, and rankings still hold a central place in the internationalisation agenda of universities. However, there is a growing emphasis on the quality and the contribution that universities can make towards achieving the Sustainable Development Goals[19]: from this renewed awareness we must begin, because 'we must engage more with stakeholder groups beyond the academy, striving towards the common goal of creating a better, more equal and fairer world' (De Wit 2020, 541).

For refugees, feeling part of the higher education system is a boost for inclusion and empowerment and its benefits are extended to the whole society. As Bredée, Hissard and Sicks well explain, providing and supporting higher education in emergencies is a moral obligation: as global instability rises, it is essential to create opportunities for displaced and otherwise affected young populations to prevent lost generations, cultivate hope and perspective, and contribute to the future reconstruction of societies

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[19] In July 2024, UNESCO officially launched its new tool called SET4HEI (Sustainability Evaluation Tool for Higher Education Institutions). It is a 'free, online and open resource for higher education institutions to map their current and potential future contributions to the UN Sustainable Development Goals'. The aim of the tool is creating more involvement in higher education institutions for the achievement of the SDGs. Official website: https://set4hei.org/.

(Bredée et al. 2023). In other words, it is to be recognized 'the critical need to empower young people affected by war and conflict, and higher education's unique role and responsibility to uphold human dignity, foster democratic and pluralistic values, and build the social bases for lasting and sustainable peace' (Watenpaugh 2016, 15).

Unfortunately, despite the good intentions of many universities and some existing best practices[20], as well as a substantial body of literature on refugees in academia, there is still a long way to go. The research gap that requires more attention seems to be how Italian universities can effectively promote the inclusion of refugees.

The creation of alliances between different entities is essential, as is the development of national inclusion plans that provide uniformity to the current patchwork of projects: the transformation of higher education into open, accessible, supportive, safe, and successful spaces for refugee students necessitates collective institutional efforts, including cross-sector collaboration. Genuine transformative change can only be achieved through the development and implementation of national policies on refugee higher education (Stevenson and Baker 2018). To this aim, 'understanding from the perspective of displaced learners how support structures function to promote or inhibit higher education access and success will have indications for government and higher education actors alike' (Unangst and De Wit 2021, 8). An agenda for future research could therefore include the development of a national plan of actions for Italian universities.

Academia should open its doors: to refugees, and to the local and international institutions already supporting them.

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[20] Since the social integration processes are linked to specific territorial conditions, local best practices 'can become national and European drivers if their innovative potential is recognized' (Scardigno et al. 2019).

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This book collects 5 state-of-the-art analyses prepared by Ph.D. students addressing human rights-related topics in their respective doctoral programmes. These works show an interesting shift in the interests of our human rights-focused scholar community. The research projects that motivated these chapters address social and institutional practices and mechanisms that contribute to the cause of human rights and represent practical tools that support struggles for justice and peace. Rather than interrogating on the 'ontology' of human rights, the contributions presented here delve into their 'ontic', elaborating on objects in relative isolation from an overarching human rights narrative.

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