WORKSHOP

Security, Intervention and Humanitarianism: The political and moral challenges of the 21st Century

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Institut Barcelona d'Estudis Internacionals

ABSTRACTS

Thursday 17th November

PANEL 1 – Gendering security and conflict analyses
Chair: Marta Iñiguez de Heredia

How the Gender Lens Securitizes: The Dynamics and Contestation of Naming Atrocities in Conflict
Alexandra Cosima Budabin & Natalie Hudson (University of Dayton)

How does the adoption of a security lens of sexual- and gender-based violence (SGBV) in conflict shape transnational advocacy and humanitarian interventions? Research on the strategies of transnational human rights advocacy has grown in recent years, particularly in terms of agenda-setting and mobilization. Scholarship has shown that framing is a vital tactic in interpreting situations as human rights violations, determining responsibility, and promoting solutions. Despite this research, there is still much to learn about why networks choose certain frames for advocacy campaigns around conflict, how those choices construct new discourses, and the impact of those discourses on the people those campaigns claim to represent. This paper will examine the use of the SGBV frames by Western advocates during the Darfur conflict from 2004 to 2010. Using interview data dating back to 2006 with advocacy organizations, humanitarian institutions, and other practitioners as well as discourse analysis of campaign materials and media coverage, this research employs a multi method approach for analyzing the multiple narratives that emerge at the intersection of security, intervention and humanitarianism. A review of advocacy around Darfur that included references to sexual violence in conflict it reveals multiple narratives that, at times, providing evidence for genocide or underscoring changing legal or humanitarian considerations.We argue that the framing of certain human rights violations in these conflicts as SGBV, "securitized" various elements , victim groups, perpetrators in these conflicts, producing the unintended effect of narrowing understanding of the conflicts and constricting comprehensive action. This case raises important questions about power dynamics within advocacy networks, the multiple narratives of securitizing of "violence against women" lens that reflect the complex process of naming atrocities, with potentially destabilizing effects. At stake here are the consequences of framing gendered experiences of violence in conflict in ways that may broaden audiences, but may dictate responses that are limiting and ineffectual.

Security, Humanitarianism and «Crisis» in Europe: A Gendered Analysis of the European Refugee Crisis
Jane Freedman (University Paris 8)

In 2015 over 1 million refugees arrived in Europe, many of them seeking protection from armed conflict and violence in their countries of origin. The huge numbers of arrivals on the coasts of Italy, and principally of Greece, has led the EU to label this a migration "crisis", further reinforcing an ongoing process of securitization of migration to the EU, and at the same pressure for a humanitarian (rather than a mainly political) response to this migration. Whilst studies of the securitization of migration in the EU have previously pointed to way in which the level of the "crisis labelling" and political spectacle operate at the same time as the ongoing bureaucratic and technical processes of migration management, in the current situation it seems that every day bureaucratic procedure has been largely over-ridden by the political spectacular. This focus on the spectacular politics of crisis has also obscured another dimension, that of the experiences of the refugees themselves, including the gendered experiences of men and

women attempting to reach Europe. This paper will examine the ways in which the convergence of securitisation and humanitarianism have impacted on the experiences of men and women trying to reach Europe, analyzing the racialized and sexualized representations and responses to this "crisis".

Governing Sexual Violence at the Foreign Office
Paul Kirby (University of Sussex)

Since the launch of the Preventing Sexual Violence Initiative (PSVI) in May 2012, the United Kingdom has positioned itself as a major actor in the Women, Peace and Security (WPS) agenda. Through diplomatic pressure, Security Council resolutions, expanded funding, international guidelines, expert training, and public engagement, the UK - and in particular then-Foreign Secretary William Hague and UN Special Envoy Angelina Jolie - concentrated attention on the issue of conflict-related sexual violence. In this paper, I build on an earlier analysis of PSVI to examine it in relation to critical security studies. In particular, I explore three possible characterisations of PSVI, each of which I find ultimately lacking. First, that PSVI is an example of the revival of ethical foreign policy in the UK's external relations, by which it might claim some parity with normative power Europe and repair the damage of the late Blair years. Second, that the PSVI is emblematic of a wider trend towards the securitisation of sexual violence, in which military and police actors expand their influence relative to civil society or civilian authorities. And third, that the deployment of expert knowledge by PSVI is best explained in terms of governmentality in global politics. Each characterisation finds partial support, but the unfolding work of PSVI has a more fragmented and contingent (and sometimes contradictory) impact, marking it out as a partial and quietly contested artefact of foreign policy.

Trafficking in Persons (TIP) in the Bay of Bengal: The Humanitarian Amenableness and its Regional Significance
Farhana Razzak (University of Dhaka)

This Transnational Organized Crime (TOC) poses direct threat to individual security along state authority. The suffering of boat people and the unfortunate discovery of mass graves of Bangladeshi and Rohingya in Thailand and Malaysia inspires this paper. Some goes willingly on this terrible journey, lured with promises of high-paying work abroad while others are kidnapped, drugged or beaten and there is nobody to take responsibility. Internationally operating trafficking rackets grabs this opportunity in which both Bangladeshis and Rohingyas become victim. From 2007 till present, about 250,000 Bangladeshis and Rohingyas were captived in Thailand's remote areas for ransom. Moreover, there are thousands of evidence exists of brutal torture over the trafficked people in these destination county's jails. All of them traditionally fall in the definition of human trafficking as provided by Palermo Protocol of 2003. This paper aims to locate border control, security, cooperation, and its underlying politics to understand the regional aspect of this TOC. Considering the conventional thoughts on unitary action notion, this paper alternatively articulates the call for regional cooperation based on the nature of the problem. Here the units of analysis are different approaches (migration, economics, law enforcement, human rights) of extensive counter measure with focus on regional humanitarian action.

PANEL 2 – The military and the use of force
Chair: Lesley-Ann Daniels

The Civil-Military Cooperation in Post-Conflict Operations as an Anthropological Space: the Case of the Italian Multinational CIMIC Team in the Space of Virtual Peace of Lebanon
Giovanni Ercolani (University of Murcia)

This paper looks at the concept of security as a myth, and it wants to show, inside the framework of the notion of the security dilemma, the evolution of the security-insecurity concept, and the securitization process which from an orthodox approach has moved to a liquid dimension. In this liquid dimension 'the risk of...' represents the new leitmotiv of the security-insecurity metalanguage fabricated-certified-employed by power-knowledge-security structures. The evolution of the concept of security-insecurity has demonstrated (1) the inadequacy of IR macro-narratives theories to understand security-insecurity realities, and to produce legitimate security knowledge; and (2) the need to move to micro-level analysis which makes know the reality of insecurity and of the theater of operation of security operations. Therefore, the paper (1) considers NATO's Crisis management securitization process and the military tools of CIMIC Operations; (2) looks at the recent use of anthropological approach to military security operations (conflict ethnography; human terrain system); (3) develops the methodological approach of the 'space of virtual peace' based on an anthropology of security; (4) applies this methodology to the field experience of the author with the Italian Multinational CIMIC team in the UNIFIL mission in Lebanon. The

conclusion of the paper highlights the importance to analyses, in order to produce legitimate security knowledge, the new liquid insecurity environment through the lens of an anthropological approach due to the fact that IR theories have been converted in a status quo ideology-language-protocol of action.

Videogames and the US Military: Recruitment, Training, and the Politics of Immersive Play
Aggie Hirst (City University)

The proliferation of videogame technology in the US military's recruitment and training regimes has led to several significant shifts in the character of solder-identity and the conduct of contemporary security practice and warfare over last two decades. This paper explores the following tension, identified by Robert Sparrow: On the one hand, commercial games developers claim that videogame play is harmless fun, that players experience no substantive or enduring effects, whether in terms of their values, ideas, or behaviour, from militarised/violent game play. On the other hand, the very same developers sell their games to the military because they have proven to be highly effective pedagogical tools, spanning areas including language learning, technical and mechanical skills training, inculcating military values and doctrine, and developing combat skills, indicating that games can and do have lasting real world impacts on players. Through an analysis of two key phenomena - 'immersion' and 'play' – which draws upon the thought of Theodor Adorno and Johan Huizinga, the paper challenges claims that videogames are simply harmless fun.

The Engagement of the Security Council in Protection of Civilians: A More Humanoriented Approach Toward Armed Conflicts
Asuka Mikami (Waseda University)

Protection of civilians in armed conflict is one of the crucial issues in international society today. Given constant non-compliance and failures to enforce international humanitarian law, how to effectively offer external protection has been a growing concern of various international actors. Among these actors, the UN Security Council has been playing a central role in promoting protection of civilians. The purpose of the presentation here is to illustrate a recent trend of the Council's approach toward armed conflict through examining its engagement in the protection of civilians since the end of 1990s. At a normative level, the protection of civilians has progressed to a goal of efforts taken by the Council in response to armed conflict, through interactions with humanitarian agencies as well as a series of debates and following documents within the Council. At an implementation level, a progress can be seen in UN peacekeeping operations; the establishment of a new 'protection' mandate and following change in the use of force by peacekeeping forces. Such progress in both norm and implementation demonstrates the Council's more human-oriented approach toward armed conflict.

PANEL 3 – Borders and refugees
Chair: Laura Chaqués Bonafont

Xenophobia business in the Security agenda? Migratory controls in the intersection of the ethical and the political
Myriam Fotou (LSE)

With the number of migrants having globally trebled since the 1960s, an increasingly repressive narrative concerning migratory fluxes is being established. In the European space but also elsewhere, tighter border controls, investment in high tech surveillance techniques, delocalisation of borders and externalisation of their management along with a constantly increasing criminalisation of migration are only some of its characteristics. The criminalisation of the current refugee "crisis" and the xenophobia business created as a result brings into sharp relief a cast of ethical figures, which may reveal much about how the rights, responsibilities and virtues of citizens and outsiders are understood and securitised. This paper focuses on one such ethical figure: the migrant smuggler and it inquires into International Political Theory and International Security's portrayal of migrant smuggling as solely a highly profitable illicit activity with a relatively low risk of detection, hence attractive to criminals. It explores their failure in challenging such perception and finds it to be concomitant of their equal failure to address institutional responsibility as central to the current crisis. The paper goes on to discuss institutional responsibility and argues for the need of an ethical approach to grasp the contours of the figure of the smuggler.

Securitization, Humanitarianism, and Criminalisation on the Egyptian-Israeli Borderland
Nir Gazit & Efrat Ben Zeev (Ruppin Academic Center)

The following article investigates three interconnected border logics—securitization, humanitarianism, and criminalization—as they unfold as part of soldiers' border experiences. Based on ethnographic fieldwork conducted between 2012 and 2014 along a section of the Israeli-Egyptian border, as well as off-site interviews with soldiers who were stationed along this border, media reports, and court affidavits, we show the complementary nature of these logics. Dedicating special attention to the interactions between soldiers and irregular migrants, we argue that the ambiguities experienced by the soldiers are an inevitable characteristic of such borders and demonstrate how the conditions invite for what we call "situational humanitarianism."

The European Union and the Syrian Refugees
Özgür Ünal-Eriş (29 Mayıs University)

During the 1980s and 1990s asylum policy was largely a matter for individual countries but in the late 1990s the European Union (EU) embarked on a process to build a Common European Asylum System (CEAS) which eventually led to a growing degree of harmonisation and cooperation in EU refugee policy. In the past two decades more than six million people have applied for asylum in the EU. Specifically when the war in Syria forced millions of people to flee their country to look for alternative ways of living, the European refugee policy was also put to test. This article aims to show whether the refugee policy can indeed be Europeanised and if yes to what extent can it find a permanent solution to the one of the most horrifying destructions to humanity in the recent years.

PANEL 4 – Exploring the Liberal Peace
Chair: Marta Iñiguez de Heredia

The Sources and Effects of Liberal Interventions: Realism, Liberalism and the State-to-Nation Balance
Benny Miller (University of Haifa)

The paper will present an explanation for the rise of liberal interventions in the 1990s, and also for their effects on regional stability. I argue that the sources of the rise of the practice of liberal interventions have been derived from the combined effect of realist factors and liberal values following the end of the Cold War. Unipolarity made it possible for the West to consider the use of force for ideological or non- realpolitik causes because of the declining costs of the use of force under Western hegemony. The dominant liberal ideology provided the specific purpose of these interventions, namely, humanitarian purposes and/or democracy promotion. The effects of such interventions on regional stability, however, depend on the size of state-to- nation imbalance in the country and the region in which the intervention takes place. In regions where Western interventions were able to create greater levels of state-to nation balances because of the limited scope of these places—such as in the Balkans— the interventions brought about peace. However, the huge scope of the imbalances in the South Asia and the Middle East/North Africa resulted in higher levels of instability following the interventions than before they took place.

The contemporary militarisation of peacebuilding: shaping politics by force?
Marta Iñiguez de Heredia (IBEI)

The 21st century has opened with an ever-expanding security agenda to which seemingly unprecedented measures and ways of intervening both nationally and internationally have been addressed. Just as security concerns have included inequality, lack of democracy and underdevelopment, and governments and international organisations have committed to ethical policies through the promotion of good governance, democracy, and development, they have increasingly relied on military operations for issues as varied as stopping refugee flows, ending wars or toppling dictators. The article explores this trend through the case of peacebuilding, looking at the use of military force and the reliance on powersharing agreements to strike peace deals. Whereas the use of military means to achieve peace is well entrenched in history, the paper argues that military means are now used not just to enforce peace, but to form governments and build political institutions. What this does goes well beyond a peacekeeping/peace-enforcement divide. As the article argues, it militarises politics and turns on its head the so-called liberal agenda for good governance and democracy, manifesting the increasingly forceful approach in carrying out particular political and security agendas. The implication is that the politics of security and intervention rely not on the ethics of humanitarianism but on the possibility to use force.

A pragmatic approach to peacebuilding? Incorporating the Unintended Consequences of Interventionist Practices
Pol Bargués-Pedreny (Institute for Development and Peace)

At the beginning of the 21st century, international responses to the crises in the Global South were centred on the building of formal rules and institutions by the means of top-down and externally driven policy strategies. These highly interventionist measures were deemed necessary to solve the causes of the conflicts and stabilize societies that represented a security threat in an increasingly globalised world. However, this liberal project of international intervention is in crisis: the practices of intervention have mostly suffered negative results and the incessant critiques of interventions have sapped the confidence of international practitioners. Against this background, this paper argues that understandings of international interventions are shifting: from a concern with fixing the causal factors that affected the war, to process-oriented frameworks in which international and local agents are cooperating and negotiating, relying on local resources, and incorporating the consequences, contingencies and errors of the everyday practices for peace. Drawing on John Dewey's philosophical pragmatism, this paper attempts first to conceptualize this shift. Second, it seeks to draw out a possible implication. While the promise is to free peacebuilding from the domineering nature of the liberal peace, the implication is an agonising process that will continually encounter new indirect, complex and sombre consequences to be addressed.

A Critical Overview of UN's Humanitarian Interventions and its Security Implications for African Conflicts
Olaifa Temitope Abimbola & Damilola Adekunle (Nigerian Federal University of Agriculture)

The collapse of the League of Nations following the outcomes of the Second World War (WWII) brought a moral concern to security thinkers and opened a new wave of challenges across the globe. For the first time in the history of international politics, attentions were shifted to moral justification as basis for actions and inactions of states in the global arena. The wake of the 21st century witnessed the 9/11 attack on America which left casualties and an enormous death toll on the American soil and this further redirected the focus of world leaders on global threats and security. Hence, a resurgence of global war against terrorism was launched justifying UN coalition forces' incursion in Iraq, Afghanistan, Cote D'Ivoire, Syria and Sudan. However, there are arguments on the nature of UN's intervention in such countries as observers, scholars and political actors are divided on the moral justification for the interventions. Are these interventions humanitarian, altruistic, or purely for other political and economic gains? This paper therefore, explores the stakes of nations in global conflict and security issues and how it has influenced the UN and the 'Big Five' countries' humanitarian policies particularly as it affects Africa.

PANEL 5 – The politics of terrorism
Chair: Juan Carlos Triviño

Autonomy versus Terrorism: The use of the terrorist narrative by the Moroccan political elite in the Western Sahara conflict
Blanca Camps-Febrer (Universitat Autònoma de Barcelona)

This paper explores the relation between the global narrative on terrorism and the diplomatic position of Morocco on the Western Sahara issue. Since the emergence of a global terrorist narrative in 2001 in the United States of America, and especially since the adoption of the a national terrorist narrative in Morocco (2003), Moroccan officials have been increasingly alluding in international fora and on bilateral encounters to the connection between terrorist networks and the POLISARIO. The Moroccan authorities further insist on the danger that an independent Western Sahara would entail for the region and for the spread of terrorist networks as these would easily penetrate and abuse a newly established state. These statements are not mere hints but have been reproduced, even if to be deemed weak, by other state officials or by think tanks in arenas of global power. Our research shows how the use of a narrative that inserts the Western Sahara issue into the current global security agenda has added leverage to the Moroccan State in the search for international support to its Autonomy Plan. Informed with Critical Discourse Studies, we have analyzed different communicative events produced by the Moroccan political elite at the national and international level since 1975 and have identified, among others, the emergence in the last two decades of an argumentative strategy based on the mezzo-topic terrorism. The strategy shows a reinforcement of the case for autonomy against the call for the independence of the Western Sahara. The analysis of this argumentative strategy sheds light over the process of localization of a global security discourse (on terrorism). Moreover, the research is particularly relevant as it contributes to the so far underresearched topic of subsidiarization of a global narrative, as the terrorist narrative (and the fight against terrorism) becomes a diplomatic tool for the Moroccan government at the international level.

Fighting Terrorism and compromising Regional Integration and Democracy Agenda: New Threatens against African Citizens' Rights and Hope
Boubacar D Diallo (Université Abdou Moumouni de Niamey)

The counter terrorism such as led nowadays in Sahel and in West African countries infers a destabilization of ECOWAS Regional Integration and the process of Democratization agenda. The Libyan crisis has already changed completely the security policy in the Sahel Sahara countries since 2011. In 2013 the commitment against the Extremist armed groups in the North of Mali was also going to compromise the current democratic processes. The terrorist activities of Boko Haram pushed back the democracy and freedom in Niger and in Chad. In Cameroon, the war against the Nigerian insurgents postpones the vague desires of political alternation. This contribution will try to show how with the participation in the various operations of counter terrorism (2003-2015), lead by USA and French in Sahel countries, some local leaders return back to dictatorship methods. In Niger and Chad the commitment in counter terrorism actions allows the two presidents to push back the democratic advances.

Countering Violent Religious Extremism and Human Rights Violation in Nigeria
Abosede Omowumi Babatunde (University of Ilorin)

Nigeria has been facing serious security challenges arising from the activities of violent religious extremism, Boko Haram which has been linked to Al-Qaeda. The Nigerian security forces deployed to counter the violent extremism have been accused by the international community and local people of human rights violations against the civilians they were meant to protect. The incident of April 2013 in Baga, Borno state in which the military Joint Task Force (JTF) was accused of killing about 200 unarmed civilians in retaliation for Boko Haram offensive is instructive. This pattern of military response is a violation of the rule of law and democratic tenets with devastating consequences for the human rights and security of civilians trapped in the middle. This paper examines the human rights violations that occurred in the efforts to counter violent extremism and the implications for the fight against terrorism. Drawing on extant studies, the paper argues that the ineptitude of the security agencies undermine the counter-terrorism efforts and has grave implications for internal and regional security and global war on terror. Conclusively, there is dire need for maintaining respect for human rights and security as well as the rule of law in the fight against terrorism.

American Interventionism as a method to fight terrorism after 2001 – Legal, Political and Ethical Dilemmas
Ewelina Wasko-Owsiejczuk (University of Bialystok)

American Interventionism constitutes an instrument of hegemony and expresses itself in armed interventions that are not always compatible with international law. What is more, the goal of armed interventions, despite the many declarations of the White House, is not necessarily to spread democracy or human rights. By taking such steps, Americans are pushing their own interests. These military actions are usually led for a short period of time on the territory of a particular country (i.e. to overthrow an unfriendly government or to interfere in a country's economic processes). Unfortunately, the war in Iraq that began in 2003 has become an example of a short-time military operation that has turned into a long-term stabilization mission (i.e. occupation). The moral character of all armed interventions (to help civilians) is used to justify these actions. Nowadays, it is increasingly difficult to pursue a policy of interventionism for political reasons due to the development of international law. However, as administrative operations of George Bush in Iraq (2003) as well as similar operations led by Barack Obama in Syria (2014) show, some international rules can be easily bent or ignored. The purpose of my presentation is to analyze American interventionism as a means to fight terrorism after 2001. Presentation of legal, political and moral dilemmas in relation to the largest military interventions mentioned above is meant to provide answers to the following question: Can American interventionism after 9/11 be considered as an effective method to fight terrorism?

PANEL 6 – Humanitarian Intervention and Just War Theory
Chair: Sergey Sukhankin

Sinking Refugee Ships in the Mediterranean: A Just Use of Force?
Tal Dingott Alkopher (Hebrew University of Jerusalem)

Recent decision taken by the EU to launch a common military response against immigrants; traffickers and smugglers off the coast of Libya, raise serious questions and dilemmas. For example, can forceful action against smugglers be legitimized as "collective self-defence" as with the use of force against pirates? After all, smugglers

do not physically threaten European forces as pirates do. The "only" threat smugglers pose is by enabling illegal immigration to Europe, a phenomena that is socially constructed as a security threat. Second, in the context of the growing number of deaths of refugees in the Mediterranean can the use of force against smugglers & vessels be legitimized as a military humanitarian intervention? And if yes- is this an overall legitimization against all vessels involved in illegal migrants&smuggling and trafficking? Third, taking illegal migrants to be asylum seekers, how does a positive value attached to their smuggling affect the normativity of using force against smugglers & vessels? Since international lawyers has yet to give satisfying legal analyses on the case, this paper wishes to shed light on some of the normative inquiries and dilemmas that accompanies forceful operation against traffickers & boats through the prism of just war theory, the normative toolbox that served political philosophers, international lawyers as well as IR scholars in examine the use of force in the international arena for hundreds of years.

The United Kingdom and the Libya intervention of 2011: a failed outcome for a flawed policy
Grant Dawson (University of Nottingham)

Most scholars and commentators believe the Libya intervention was a successful military and humanitarian action, while sceptics accept the interveners tried to do the right thing about a humanitarian emergency. The question I will ask is, why did UK Prime Minister David Cameron's government intervene in Libya? I expect to argue that Gaddafi was mischaracterized as a madman out for blood, and that the intervention was misleadingly framed as a humanitarian action. Above all, I argue that the government acted primarily for its political self-interest, for the British interest in having the transition begun by the rebels run its course, and for recognition of Britain as a great power. My critique is grounded in an moral understanding of war, on the concept of just cause and principle of right intent as formulated by Augustine. He believed just cause was not enough – right intent was also needed – and justness could exist on each side in a war. In the Libya case, which side, the interveners or Gaddafi, was juster? Following analysis of the civil war, enriched by Augustine's just cause and right intent, I will answer the question.

Interventionism and Biopolitics in Eastern Europe - Russia's Narratives for Legitimizing Its Recent Actions in Ukraine
Miruna Troncotă (National University of Political Science and Public Administration)

The article wants to contribute to the recent analyses on the challenges to Eastern European security, and to address more specifically the accusations of illegal external intervention by Russia in the conflict in Ukraine. The topic remains under-researched as the events continue to unfold. The regional context is marked by the annexation of Crimea and the ongoing war in Eastern Ukraine, which have reheated the existing debates in the literature on specific cases and general principles of international law, such as the right to self-determination, the legitimacy of external intervention and the international responsibility of the states, the illegal character of acquiring territories by force, 'the new cold war' paradigm etc. Thus, the article aims to analyse Russia's actions in Ukraine as a result of the intersection between particular types of 'interventionism' and 'biopolitics'. The main argument presented in the paper will try to show that this security policy claim of Russia (to protect Russian citizens abroad) is rooted in 'biopolitics', which has served as its main legitimizing mechanism for the intervention in Ukraine. The article will focus both on the annexation of Crimea, and the presence of Russian troops there, but also on the so-called 'humanitarian trucks' which entered on Ukrainian territory in 2015 (especially in the Eastern part of Ukraine – Donbass and Donetk, areas in which the Ukrainian government is fighting against secessionist paramilitary groups which are believed to have direct links with Russia). The conclusions will outline the biopolitical efforts of Russia to exercise its power over the former Soviet space by challenging international law and European order.

PANEL 7 – Humanitarian Intervention, norms and R2P
Chair: Patrick Herron

Birth of a Norm? Kosovo, Discursive Practices, and the Pre-emergence of R2P
Michael J. Butler (Clark University)

Why has the provision of and support for humanitarian intervention declined over the last decade, despite concerted efforts to facilitate it? This disjointed reality seems paradoxical when one considers its contemporaneous overlap with the introduction and endorsement of a concept (the 'Responsibility to Protect') intended to enhance the capacity of the international community to respond to humanitarian crises. Rooted in a critical reappraisal of the

norm life-cycle model relative to the alleged emergence of a humanitarian 'norm shift' in international society, this paper examines the possibility and parameters of a 'pre-emergence' of R2P within the sociopolitical and discursive context of the 1998-99 Kosovo crisis. More specifically, this research advances a critical discourse analysis of the legitimating and strategic discourse employed to frame the conditions and dynamics of the crisis as well as NATO's military response to it. In this, the paper seeks to discern whether and to what extent the prevailing narrative advanced by Western decision-makers within the context of a precedent-setting example of "humanitarian intervention" contributed to a humanitarian norm shift and the ultimate emergence of R2P.

Intervention in International Law - Overthrowing the Charter of the United Nations and the Nuremberg Principles
David Jacobs (Watson Jacobs McCreary LLP)

This brief paper explores the new international criminal law order which came into being following the end of the Cold War, and NATO military action against Yugoslavia. The new legal order is based on the proliferation of international criminal tribunals and the legitimation of the doctrine of humanitarian intervention. It overturns the prohibitions against war enshrined in the Charter of the United Nations and the Nuremberg Principles. While it promises an end to the presumed culture of impunity for the powerful, the new international criminal law regime has effectively legitimated military interventions while criminal acts are being committed and the interventions themselves are not considered a potential source of criminal prosecution.Recent decisions by the Republic of South Africa, Burundi, Gambia and Namibia to withdraw from the International Criminal Court highlight the problems arising under the new legal order. The new international criminal law regime undermines the intention of Charter of the United Nations to end the scourge of war, and the Nuremberg Principle that crimes against the peace are the supreme war crimes.

Taming the State? International Criminal Law, Responsibility to Protect and the Politics of Humanity
Filipe dos Reis (University of Erfurt)

Over the course of the last few decades we witnessed an increasing relevance of international legal and law-like vocabularies in world society. However, this optimism was recently challenged by critical scholars from International Law (IL) and International Relations (IR) pointing to the politics of international law, particularly the 'dark sides' of the international legal discourse, and arguing that violence happens within a legal order and through legal expertise. In this paper I pursue the question, how law works when it comes to international violence? To do so, I proceed in three steps: First, I reconstruct some contribution of critical scholars from both, IR and IL, on the 'dark sides' of law, legal expertise and shifting boundaries of legality. Second, I look at the case of 'legitimacy' in international legal discourse and how through the notion of 'legitimacy' a new 'flexibility' (semantic uncertainty) is achieved when it comes to discuss the legality of international interventions. Third, I examine how in the discussion about a 'responsibility to protect' the focus shifted from a backward oriented (normative) logic of international law to a future oriented logic (temporal uncertainty) to provide effective protection to populations at risk from being victims of international crimes.

R2P: Still a Normative Response to The New Security Challenges?
Menent Savas Cazala (Galatasaray University)

The broader definition of security in the aftermath of the Cold War and especially the human security concept explains the changing focus of international relations that puts the individual level at the centre of any analysis in this discipline. The military interventions to stop the humanitarian crises were sometimes successful, but sometimes they ended in such circumstances that put the civilian population in a more dangerous situation then before the intervention. The intervention of the western states in Libya was the first concrete example of the use of the Responsibility to Protect (R2P) as a norm of humanitarianism by bringing an end to the principle of non-intervention. Although this intervention wasn't successful regarding the state building in the post conflict process, R2P might still be understood as a normative tool to configure a humanitarian vision to understand and to handle new security challenges that threaten mostly the civilian populations in contemporary conflicts.