



CENTRE FOR
INTERNATIONAL
INTERVENTION

UNIVERSITY OF SURREY



20 YEARS AFTER KOSOVO:

The prospects for and limits of International Intervention

18 – 19 September 2019,
University of Surrey, Guildford UK
Rik Medlik Building



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THE CENTRE FOR INTERNATIONAL INTERVENTION,
DEPARTMENT OF POLITICS

cii – the Centre for International Intervention at the University of Surrey – researches how intervention is conceptualised, justified, and conducted across four broad themes: humanitarianism, law, ethics, and geopolitics. In doing so, the Centre provides critical scrutiny of the range of interventions and methods of interventions used in international relations today. These include developmental projects situated within peace building/state building operations in conflict-affected and ‘fragile’ states, military intervention and humanitarian assistance in situations of extreme crisis, ‘softer’ forms of intervention such as mediation and diplomacy, and the use of new military technologies in the pursuit of interventionist aims. cii’s purpose is to develop an in-depth, solid, understanding of how interveners conceptualise, rationalise, and operationalise their interventions, of the response from recipient communities, and of the consequences for both. It undertakes this task with the aim of enhancing both academic and practical understanding of intervention.

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BISA Working Group on The Responsibility to Protect (IR2PWG)

IR2PWG is a working group located within, and supported by, the British International Studies Association (BISA). It brings together scholars from all fields of IR and related disciplines to study issues pertaining to intervention and R2P. It holds an annual event and awards prizes for outstanding contributions to the study of R2P and intervention.

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The British International Studies Association (BISA)

The British International Studies Association (BISA) is a learned society which develops and promotes the study of International Studies, Politics and related subjects through teaching, research and the facilitation of contact between scholars. Founded in 1975, BISA is the leading organisation for researchers, policy makers, practitioners and students of International Studies in the United Kingdom. The association has around 1,200 members, across the UK, Continental Europe, North & South America, Africa, Asia and Australia. The Association’s journals, magazine and book series, along with its conference and events, position it as a key forum in shaping and disseminating current research in International Studies and Politics. Through its Working Groups, BISA provides a dynamic and pro-active environment for more focused research in to subfields of International Studies.

Welcome



Professor Amelia Hadfield,
Chair in European and International Affairs,
Head of Department of Politics

I am delighted to welcome you to the Department of Politics and the University of Surrey for the joint Centre for International Intervention (cii) and BISA IR2PWG conference on the prospects and limits of international intervention twenty years after the Kosovo War. The cii itself has made valuable contributions to furthering our understanding of intervention, sovereignty, humanitarianism, and I’m most grateful to its three lead staff in this respect: Sir Mike Aaronson, and our current co-Directors, Dr Alex Leveringhaus and Dr Nick Kitchen. International intervention remains an important area for research here at Surrey, as well as in the International Relations and Politics community more generally. It also remains a crucial and often controversial issue for practitioners involved in policy-making, civil society, and non-governmental organisations. In this light, we are not only proud to be able to bring together some of the most talented early career and established academic researchers in the field, but also to facilitate dialogue between academics, policy-makers, and practitioners – something that is central to cii’s agenda and Surrey’s mission as a socially responsive university. I’m personally very honoured to be supporting this event, and participating on the Thursday morning. I do hope that each and every one of you enjoy your time with us and wish you all the best for the conference.

Conference Organisers



► Dr Jonathan Gilmore

Dr Jonathan Gilmore is Lecturer in International Relations at the University of Manchester and one of the conveners of the BISA working group on Intervention and the Responsibility to Protect. His research explores on the ways in which cosmopolitan ethical commitments feature in the rhetoric and practice of contemporary foreign and security policy, with particular reference to stabilisation, peacekeeping and civilian protection operations. His recent work has been published in *Security Dialogue*, *International Affairs* and the *European Journal of International Relations*. His book *The Cosmopolitan Military: Armed Forces and the Protection of Human Security in the 21st Century*, was published by Palgrave-Macmillan in 2015.

► Professor Pinar Gozen Ercan

Dr Pinar Gözen Ercan is an associate professor at the Department of International Relations of Hacettepe University, Turkey. She researches on the Responsibility to Protect, international law and the law of the sea, and IR theories. Besides journal articles and book chapters, she has authored the books entitled *Debating the Future of the 'Responsibility to Protect': The Evolution of a Moral Norm* (Palgrave, 2016), and *The Territorial Sea Issue in Greek-Turkish Relations* (VDM Verlag, 2009), and edited *Turkish Foreign Policy: International Relations, Legality and Global Reach* (Palgrave, 2017).

► Dr Nicholas Kitchen

Dr Nick Kitchen is Lecturer in International Relations in the Department of Politics at the University of Surrey, where he co-directs the Centre for International Relations. In addition, he is a Visiting Fellow at LSE IDEAS, and Treasurer of the US Foreign Policy Working Group of the British International Studies Association. His research interests lie in the relationship between power, ideas, and strategy in international relations, with a particular focus on the role of the United States. Recent and ongoing work deals with neoclassical realism, power shifts, soft power and structural power, and US-Cuba relations.

► Dr Alex Leveringhaus

Dr Alex Leveringhaus is lecturer in Political Theory in the Department of Politics at the University of Surrey, where he co-directs the Centre for International Intervention. His research focuses on the repercussions of contemporary theories of rights and justice for our understanding of the ethics of armed conflict. He has written on the challenges posed by autonomous weapons technology, as well as issues pertaining to the ethics of intervention. From 2016-19, he was the holder of a Leverhulme Early Career Fellowship based at the Universities of Manchester and Surrey, with a research project on non-state actors, emerging military technologies and intervention. His book *Ethics and Autonomous Weapons* was published by Palgrave in 2016.

► Professor James Pattison

James Pattison is a Professor of Politics at the University of Manchester, and one of the three Co-Conveners of the BISA WG on Intervention and R2P organising this conference. His research focuses on ethical issues in international politics, with research expertise on humanitarian intervention and the R2P, Just War Theory, private military and security companies, and the alternatives to war. His most recent book is *'The Alternative to War: From Sanctions to Non-Violence'*, published by Oxford University Press in 2018.

The conference organisers would like to thank: Vicki Blamey, Mirela Dumic, Professor Amelia Hadfield, and Lucy McDermott.

Speaker Profiles:

KEYNOTE ADDRESS:

‘The Chicago Speech Twenty Years on: Are the criteria still relevant?’

► Professor Sir Lawrence Freedman, KCMG, CBE, PC, FBA

Sir Lawrence is an Emeritus Professor of War Studies at King's College London, where he taught from 1982 until 2014. From 2003-13, he was Vice Principal at King's. He was educated at Whitley Bay Grammar School and the Universities of Manchester, York and Oxford. Before joining King's, he held research appointments at Nuffield College Oxford, IISS and the Royal Institute of International Affairs. He was elected a Fellow of the British Academy in 1995 and awarded the CBE (Commander of the British Empire) in 1996. Sir Lawrence was appointed Official Historian of the Falklands Campaign in 1997. Sir Lawrence was awarded the KCMG (Knight Commander of St Michael and St George) in 2003. He was appointed in June 2009 to serve as a member of the official inquiry into Britain and the 2003 Iraq War. His most recent books are *Strategy: A History* (2013), *The Future of War: A History* (2017) and *Ukraine and the Art of Strategy* (2019).

Roundtable:

► Chair: Professor Amelia Hadfield

Amelia joined the University of Surrey in January 2019 as Head of the Department of Politics, and Chair in European and International Affairs. Amelia is a long-standing Jean Monnet Chair in European Foreign Affairs, researching, teaching, consulting & postgrad supervising on EU foreign policy, EU-UK relations. Her areas of expertise include Common Security and Defence Policy, EU-Russia Energy Relations, EU Neighbourhood Policy, EU Development policy (with a focus on sub-Saharan Africa), EU relations with the US and Canada, Arctic & northern governance issues, and European energy governance. Additional areas of interest include foreign policy analysis, international and diplomatic history, the role of sovereignty in political history, International Relations theory, international political economy, public policy analysis, the Commonwealth and EU education policy. She is regularly called upon as a guest speaker, external supervisor, research partner, consultant and media pundit on areas of EU foreign affairs, and of late, EU-UK relations.



Panellists:

► Dr Joshua Andresen

Dr Joshua Andresen (JD, Yale; PhD, Northwestern) is Senior Lecturer in National Security and Foreign Relations Law in the School of Law at the University of Surrey. He works at the cross section of the Law of Armed Conflict, Human Rights Law, and Criminal Law, with particular interest in the legal and ethical questions that arise in modern conflict and counterterrorism operations. Dr Andresen's recent work has appeared in the *Yale Journal of International Law*, the *Harvard National Security Journal*, and is forthcoming in an anthology by Oxford University Press. Prior to Surrey, Dr Andresen was Senior Policy Advisor for Europe and Russia in the Office of Terrorist Financing and Financial Crimes at the U.S. Department of the Treasury, as well as an Attorney-Adviser at the U.S. Department of State. His international law and human rights experience include work at the Court of Justice of the European Union and the Office of the United Nations High Commissioner for Refugees. Prior to his law and policy work, Dr Andresen was Associate Professor of Philosophy at the American University of Beirut.

Panellists cont:

► Professor Sir Mike Aaronson

From 1995-2005, Sir Mike Aaronson was Director General (chief executive) of Save the Children UK, and from 1988-1995 was the charity’s Overseas Director. He first joined Save the Children in 1969, spending two years as a relief worker in Nigeria after reading philosophy and psychology at St John’s College, Oxford. Between 1972 and 1988 he held various posts in the UK Diplomatic Service, serving in London, Paris, Lagos, and Rangoon. From 2007-2012 he was a Civil Service Commissioner, appointed by the Crown to maintain the principle of fair and open recruitment to the UK Civil Service. From 2006-2016, he was Chairman of Frimley Park Hospital NHS Foundation Trust, and from 2006-2018 a non-executive director of Oxford Policy Management Limited, a development consultancy firm based in Oxford. Since June 2016 he has been Chair of the Strategic Advisory Group for the Global Challenges Research Fund, a £1.5bn fund for research into pressing global development challenges. Sir Mike is Director Emeritus of cii.

► Dr Kate Ferguson

Dr Kate Ferguson is Co-Founding Director of Protection Approaches where she heads Research & Policy. Protection Approaches was established in 2014 to fill a gap in the UK’s third sector, where attention on the specific threats posed by mass atrocities had been lagging behind civil society endeavours elsewhere. Protection Approaches is the only organisation in the United Kingdom that works to address the diverse challenges of identity-based violence, from hate crime to violent extremism and genocide. Prior to founding Protection Approaches, Kate worked in research and policy in the British parliament, with NGOs in the UK and overseas, and as a freelance consultant. She was Research Associate at the University of Cambridge where she completed a project for the Partnership for Conflict, Crime & Security Research (PaCCS). She is an Honorary Research Fellow with the School of History, University of East Anglia where she taught on subjects relating to the history of human rights, mass violence, and international justice, and where she was Editor of Refugee History. She received her BA and PhD from the University of East Anglia and has an MPhil in Russian and East European Studies from the University of Oxford.

► Mrs. Jeta Krasniqi

Jeta Krasniqi is project manager at the Kosovo Democratic Institute (KDI), leading the project to strengthen the Assembly’s oversight role towards Government and increase the participation of citizens in the Kosovo-Serbia dialogue process. Previously, Mrs. Krasniqi served as Political Advisor to the President of Kosovo, Atifete Jahjaga, where she was engaged in the field of foreign policy, economic development, promotion of human rights and gender equality. Mrs. Krasniqi was the Coordinator of the National Council for Survivors of Sexual Violence during the War established by the then President of Kosovo, Atifete Jahjaga. Mrs. Krasniqi has a long-standing commitment to civil society organisations in advancing the role of women in society in Kosovo and Albania. She graduated in International Affairs from Johns Hopkins University, School of Advanced International Studies (SAIS), and finished her undergraduate studies in International Relations at Eastern Mediterranean University in the Turkish Republic of Northern Cyprus. She is a board member of the Kosovo Women’s Networking Board and the Kosovo American Educational Fund (KAEF), as well as a member from civil society in the Governmental Commission for the Verification and Recognition of Sexually Abused during the War.

► Dr Robert Muharremi

Dr Muharremi teaches on the Public Policy and Governance programme at the Rochester Institute of Technology Kosovo (R.I.T Kosovo). He graduated in law from the Universitaet des Saarlandes, where he obtained his PhD in law. He also holds an MSc Public Policy and Management from the University of London/SOAS. Robert has provided legal and policy advice to several government institutions in Kosovo, including the Office of the Prime Minister, the Assembly of Kosovo, the Ministry of Economic Development, the Ministry of Finance, the Ministry of Trade and Industry, and the Ministry of Health. He has also worked as a consultant for different foreign and international organisations, including USAID, EU, UN, GIZ, DFID, and UNDP. Robert has participated in the development and drafting of legislation in areas, including public private partnerships and concessions, property, mining, arbitration, and foreign investments. He has also assisted in the establishment and functioning of various Kosovo institutions, such as the Secretariat of the Assembly of Kosovo, the Kosovo Security Council, and the Constitutional Court of Kosovo. He has published in various academic journals on legal and public policy topics. He is a member of the International law Association and an Associate with the Chartered Institute for Arbitrators in London.

► Professor Jamie Shea

Professor Shea was Deputy Assistant Secretary General for Emerging Security Challenges at NATO Headquarters in Brussels, Belgium until his retirement in late September 2018. He received his B.A. (Hons.) in Modern History and French from the University of Sussex and his D.Phil. in Modern History from Lincoln College, Oxford. During the Kosovo War in 1999, he served as the spokesperson for NATO. Outside NATO, Dr Shea has been involved with several prominent academic institutions. He was Professor at the Collège d’Europe, Bruges, a Visiting Lecturer in the Practice of Diplomacy, University of Sussex, and an Associate Professor of International Relations at the American University, Washington DC, where he was Director of the Brussels Overseas Study Programme. Amongst his many associations and memberships, Professor Shea is a member of the Advisory Board, Security and Defence Programmes at Chatham House, a member of the Policy Council at the World Economic Forum in Geneva and founder and member of the Board, Security and Defence Agenda Brussels and Friends of Europe. He is a recipient of the Golden Eagle medal of the Republic of Albania and the Linden medal of the Czech Republic. He was European Communicator of the Year in 1999 and in 2016 was awarded the International Prize for Human Rights of the AAB University in Kosovo. He has also been awarded two honorary doctorates: one from the University of Surrey and the other from the National School of Public Administration in Bucharest, Romania. He is a recipient of the NATO medal for Meritorious Services. Dr Shea is currently a Professor of Practice at the Centre for International Intervention at Surrey.



Conference Programme

18 September (Wednesday)	
	Coffee from 8.45am in the foyer of the Rik Medlik Building
09:30 - 09:45	Opening remarks and award ceremony
09:50 - 10:00	Adrian Gallagher’s introduction of the Global Responsibility to Protect Journal
10:00 - 11:15	Panel 1
11:15 - 11:30	Coffee break
11:30 - 12:45	Panel 2
12:45 - 13:30	Lunch break
13:30 - 14:45	Panel 3
14:45 - 15:15	Coffee break
15:15 - 16:45	Panel 4
16:45 - 17:00	Coffee break
17:00 - 18:15	Keynote address by Sir Lawrence Freedman
	Dinner @ Olivo Restaurant, 53 Quarry Street, GU1 3UA, Guildford.

19 September (Thursday)	
	Coffee from 9am in the foyer of the Rik Medlik Building
09:30 - 10:45	Panel 5
10:45 - 11:00	Coffee break
11:00 - 12:30	Roundtable Session
12:30 - 13:30	Lunch break
13:30 - 15:00	Panel 6
15:00 - 15:15	Closing remarks

Panel Details

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3	Chloë M. Gilgan	The UK's Responsibility to Protect Syrian Refugees	1
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14	Julia Himmrich	The limitations of the recognition of Kosovo as an intervention	5
15	María Fernanda Arreguín Gámez	The Permanent Members of the United Nations Security Council and their Responsibility Not to Veto in cases of Genocide, War Crimes and Crimes Against Humanity: Syria as a Case Study	5
PC6	Jonathan Gilmore	Panel 6 Chair	6
16	Anh Le	Towards a theory on the use of force short of war: Jus ad Vim	6
17	Kate Ferguson	UK's response to the Rohingya crisis	6
18	Kateřina Fridrichová	Humanitarian intervention, worldviews and strategic culture	6
ROUNDTABLE (between Panels 5 and 6)			
RTC	Amelia Hadfield	Roundtable Chair	7
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24	Kate Ferguson		

Abstracts:

KEYNOTE ADDRESS:

‘The Chicago Speech Twenty Years on: Are the criteria still relevant?’

► Sir Lawrence Freedman, FBA, Professor Emeritus, King’s College London

Tony Blair set five ‘considerations’ for intervention in his Chicago speech of April 1999 - sure of case, diplomacy exhausted, feasible military options, ready for long-term and national interest. Are these the right considerations? Might there be others? How should they be applied?



Panel 1

The Responsibility to Protect in a Post-Liberal Order

► James Pattison, University of Manchester

With the potential demise of the liberal order, states may increasingly downplay and ignore normative concerns, pushing instead their national interests and promoting nationalist and xenophobic foreign policy more than ever. This paper considers the implications of a potential post-liberal order for the responsibility to protect (R2P) doctrine. It focuses on two challenges. The first is the Influence Challenge: the normative concerns underlying the R2P will be less influential. The second is the Meta-ethical Challenge: the cosmopolitan foundations of the R2P will be even less secure, as foundationalism looks increasingly parochial and the notion of an international overlapping consensus on R2P evaporates. The paper goes on to consider how lingering liberal actors should respond to these challenges. It emphasises the need, on the one hand, to be even more wary of the potential abuse of the R2P or similar norms and, on the other, to be willing to make universalising claims and to do even more to ensure atrocity prevention to cover for others' disinterest. In doing so, the paper considers whether that it might become necessary to move beyond the R2P narrative, designed for a particular era, to a framework more applicable to a post-liberal order.

The Responsibility to Protect at 14 under the United Nations: the shift from humanitarian use of force towards prevention?

► Pinar Gözen Ercan, Hacettepe University

Bringing into focus the two formal debates on the Responsibility to Protect (R2P) that took place in 2009 and 2018, this study identifies the approaches of member states towards the humanitarian use of force by locating it in the United Nation's (UN) deliberations on R2P. To this end, the article compares and contrasts country statements in order to trace states' general approach towards humanitarian intervention on the basis of their reflections on R2P. Following from this, the article examines whether or not states' approaches to humanitarian intervention have been transforming in the twenty-first century, and evaluates how the humanitarian use of force is perceived in relation to the R2P framework that was embraced by the member states of the UN General Assembly in 2015, and how this affects the future of R2P under the UN.

The UK's Responsibility to Protect Syrian Refugees

► Chloe M Gilgan, University of York

The UK endorsed the Responsibility to Protect (R2P) but has been criticised for evading commitment to millions of displaced Syrian refugees despite having several national responses to Syria, including the Home Office's Syrian Vulnerable Persons Resettlement programme. Under R2P, states agreed to use "diplomatic, humanitarian and other peaceful means" to help protect populations from mass atrocities when a state is manifestly failing. However, misconceptions around R2P, especially its conflation with military intervention, have not only prevented consensus on the UN Security Council but have resulted in the failure to link R2P to existing national responses that are aimed at helping protect Syrians. This has fueled perceptions that the UK is only rhetorically committed to R2P. Therefore, the central aim of this research is to understand how the different understandings and practices of R2P across the relevant agencies of a powerful, liberal state like the UK may be augmented into a more coherent policy on mass atrocity response. In particular, the research employed a broad discourse analysis and elite interviews to examine the added value of framing the Home Office's existing refugee resettlement programme as "other peaceful means" under R2P as a way for the UK to implement its commitment to R2P precisely when military force is impossible, and diplomacy has been exhausted. Linking R2P to the UK's national responses to Syria advances the UK's commitment from rhetorical to practical and sets an example for other states, particularly in the context of Brexit and the US' receding role in international affairs.

Panel 2

Integrating contact skills into pre-deployment PoC training for military peacekeepers

► David Curran, Coventry University

This paper examines the requirement for 'contact skills' to be integrated into PoC training for military peacekeepers, and the resultant training requirements this brings. Alongside responses to protection which require traditional military approaches, a range of UN policy documentation has asked that military peacekeepers develop 'soft skills' such as negotiation and communication skills, cultural awareness and civilian-military coordination to better implement PoC mandates. Based on research of pre-deployment training programmes in PoC for UN peacekeepers, this paper argues that due to the demand for 'soft skills', there exists the potential to integrate creative forms of training for personnel, drawn from the conflict resolution field. This includes both training content – i.e. the topics – but also approaches and methods to training. Here, the paper examines the utility of 'elicitive' approaches to training, based on the implicit assumptions of training participants, as opposed to more traditional models which assume that an expert knows what training participants need.

The paper attempts to match these aspirations to the realities of the training field, and argues that significant structural problems exist which hinder such approaches to training for PoC. Here, the paper will examine the characteristics of the peacekeeper training system, which is largely decentralised to member states, contains programmes which are time limited, and has variations in training provision. From this, the paper will ask to what extent it is possible to implement ambitious training approaches, or whether UN peacekeeping will always be limited in this regard.

Everyday Practices of Solidarity: From Negative to Positive Forms of Civilian Protection

► Jonathan Gilmore, University of Manchester

Recent debates on the Responsibility to Protect (R2P) provide an important opening for examining the practice of civilian protection in world politics. The practices typically explored have been those associated with diplomacy, normative advancement and/or with the conduct of armed humanitarian intervention (see Adler-Nissen & Pouliot, 2014; Gilmore, 2015; Hehir, 2015; Gifkins and Ralph, 2017). Conversely, much less attention has typically been dedicated to what Adler and Pouliot (2011: 28) would refer to as "micro-practices" of everyday world politics, in the ways that civilian protection is practiced at the sub-state level.

This paper explores everyday micro-practices of civilian protection, linked to the reception and protection of refugee and asylum seekers. The paper argues that whilst Western states have often supported the R2P in their diplomatic practice, significant ambivalence about refugee reception remains evident, despite clear responsibilities under international law. Refugees and asylum seekers frequently experience what the paper conceptualises as 'negative protective practices' - immediate physical protection but with insecure legal status, limited access to employment/housing, frequently amidst a context of nativist and anti-migrant discourse.

Using the case of sanctuary city movements, the paper develops an alternative rendering of 'positive protective practices' - immediate protection, combined with networks of solidarity, hospitality and social support, resulting in a more comprehensive sense of security and protection. By exploring sub-state, micro-practices of civilian protection, the paper moves toward a fuller understanding of the meaning of protection within the R2P and the different modalities, levels and actors that constitute its practice.

A Theory for Understanding International Protection Practice: A Case Study of the African Union

► Noelle Crossley, University of Oxford

What explains the inconsistency of international responses to conflict and mass atrocities, despite the emergence of an international human protection regime? This paper presents a theory for understanding international practice based on motives and intent of individual agents on the one hand, and exogenous, contextual and relational factors on the other. The paper develops a typology of agents before proceeding to demonstrate the ways in which agents' competing motives shape international practice. Collective regional responses in three cases – Darfur, Kenya, and Libya – are surveyed in detail. The article maps motives and intent of agents – governments, regional bodies, humanitarian agencies, civil society organisations – and, using exemplar agents in each category, paints a detailed picture of human protection practices in the context of an emerging international human protection regime. The findings suggest that, while human protection norms have gained traction, and the protection regime is consolidating, the positions of some agents – particularly states – remain ambiguous, fluid, and contextually determined.

Panel 3

The UK's Doctrine of Humanitarian Intervention: Legitimate but Illegal?

► Edward Newman, University of Leeds

UK governments have often claimed that humanitarian intervention – without the consent of the target state and if necessary without UN Security Council authorisation – is legally permissible in exceptional circumstances, a stance that is highly controversial. The UK's position is at odds with prevailing international legal doctrine, which is counterintuitive for a country that is generally committed to international law, the UN framework, and multilateralism. It is also in tension with recent normative developments related to human protection, such as the international 'Responsibility to Protect' principle, which established that coercive responses to suffering must be authorised by the UN Security Council. Moreover, the UK's position is potentially problematic for its own interests in a transitional international order, given that powerful or resurgent states – such as China and India – are known to be hostile to the humanitarian intervention norm. This presentation will explore the background for the UK's position on humanitarian intervention, and argue that this reflects a theme of continuity in the UK's foreign policy in historical perspective, as a legacy of global engagement and a sense of moral righteousness and duty. The paper also considers whether the UK's position may be contributing to an evolution of the norms governing the use of force for human protection, or indeed undermining the R2P principle.

Norm Cluster or Clusterfuck? Analysing huma protection and counterterrorism norm interaction in Mali (2013-2018)

► Adrian Gallagher & Blake Lawrinson, University of Leeds

Real world crises in countries such as Mali, Somalia, South Sudan, and Syria routinely see United Nations Security Council Resolutions reference multiple norms: the Responsibility to Protect, the Protection of Civilians, Peacekeeping, and Counterterrorism. This reality outstrips the traditional academic focus on individual norms (Finnemore and Sikkink 1998). The article utilises the 'norm clusters' concept (Winston 2017; Lantis and Wulderlicht, 2018) to propose that Responsibility to Protect, the Protection of Civilians, and Peacekeeping form a human protection norm cluster which, to use Winston tripartite structure (2018; 647) has an i) identified problem (violence against civilians), ii) underlying value (human rights), and iii) associated behaviour (positive duty to protect those threatened) but problematically, that the boundaries of this human protection norm cluster are malleable and have become linked to counterterrorism in the aforementioned real-world cases. We utilise Winston's tripartite frame to argue that counterterrorism embodies i) a different problem (threat to the state), ii) a different underlying value (sovereign authority), and iii) a different behaviour (positive duty to act to address the threat posed to the government). This theoretically informed empirical study analyses the international response to the crisis in Mali to argue that counterterrorism is served by a different underlying logic that is not necessarily compatible with the human protection norm cluster. In so doing, the article calls for future research to investigate the interaction between R2P, PoC, Peacekeeping and counterterrorism norms in both theory and practice.

Addressing the Protection of Refugees from an R2P Perspective: The Cases of Libya and Syria

► Selin Kul, Hacettepe University

In the post-2011 period, civil wars and the subsequent instabilities in many Middle Eastern countries led to the displacement of millions of people, and also had a direct impact on the neighbouring countries. The international community's, particularly the EU's, inadequate responses (or "burden sharing") to the internal crises resulting in unprecedented number of refugees have turned the situation into a protection crisis that became even more visible with incidents of boat crashes carrying asylum seekers. In this vein, given the lack of effective and timely international response, this paper focuses on the link between the Responsibility to Protect (R2P) and the protection of refugees.

In this regard, with a specific focus on Pillars 1 and 2 of R2P, as well as its peaceful measures, the responsibilities of countries hosting the refugees and asylum seekers will be taken into consideration vis-à-vis the responsibility of the international community to assist states in upholding their individual responsibility. Hence, R2P will be studied as a complementary framework to the existing refugee protection regime. To this end, the very much debated cases of Libya and Syria in the R2P literature will be comparatively analysed from the underexplored aspect of refugee protection within the R2P framework.

Panel 4

The Ethics of Post-intervention Reconstruction

► Alex Leveringhaus, University of Surrey

Many philosophical theories of intervention tend to focus on the question when intervention is morally permissible, perhaps even obligatory. By contrast, with few exceptions, relatively little thought has been given to the ethical issues arising during the reconstruction of post-atrocity societies. Intervention rarely stops with the halting of atrocities. In this paper, I examine some of the most pressing issues in this regard. In particular, I discuss the tension between a community's right to political self-determination and the construction of democratic institutions by interveners and international organisations. There is, I argue, a case to be made for political self-determination to be understood as democratic self-determination, which serves as a *prima facie* justification for democratising post-atrocity societies.

The Responsible Veto

► Richard Illingworth, University of Leeds

The veto power of the United Nations Security Council's (UNSC) five permanent members (P5) exists as a tool for the management of international peace & security. Yet, the veto was controversial at its time of adoption and has remained so in the years that have followed. With current veto practice the P5 ultimately possess the power to block any potential UNSC resolution as they see fit. This is problematic because the UNSC now also has a dual responsibility (Morris, 2015) towards international peace & security *and* to cosmopolitan-based human protection under the Responsibility to Protect (R2P) norm. Use of the veto has led to deadlock and inaction in the face of grave R2P crises meaning that the UNSC has sometimes failed to live up to its R2P. This has been most evident regarding the ongoing crisis in Syria, where 12 draft resolutions have been vetoed to date. This paper explores the issue of UNSC veto reform, offering its own version of reform that seeks to build on recent developments vis-à-vis the Accountability, Coherence and Transparency (ACT group) Code of Conduct and the France-Mexico joint initiative. The reform proposal offered here is referred to as the 'Responsible Veto'. This proposal seeks to provide a pragmatic solution to the current impasse surrounding UNSC veto reform by attempting to balance between the UNSC's duty towards international peace & security, its cosmopolitan duty under R2P, and the instrumental and normative interests of the P5 members.

EU's approach towards R2P and its implementation dilemmas

► Aslihan Turan Zara, Istanbul Okan University

Kosovo was one of the significant case among others that made changes within the international society. European countries that had been so close to Yugoslav War tragedy made further steps towards having a common foreign policy and to develop concrete policies towards neighbour countries. The Responsibility to Protect (R2P) report prepared by the ICISS in 2001 and adopted by UN General Assembly in 2005 was also supported by the members of the European Union. This was the reflection of the EU members' determination to respect international humanitarian law and to become prominent in the protection of global security. Among many qualifications, the EU is mostly identified as a normative power due to its approach towards third states, based on the delivery of technical and financial assistance in order to promote democracy and human rights. In this regard, EU seems to have a suitable understanding and conform institutions for the implementation of R2P's foundational principles in terms of both means and motives: prevalence of non-military tools and prevention of mass atrocity crimes. Nevertheless, it is not possible to evoke that the EU is an influential actor in the implementation of R2P. Aside from dilemmas inherent to R2P, EU has its own internal challenges avoiding it to follow a consistent foreign policy for the management of new paradigms, concerning international intervention, set by Kosovo experience.

Panel 5

The Responsibility to Protect and the Politics of Identifying and Prosecuting Mass Atrocity against the Civilian Population: The Rohingya Experience

► Nicholas Emareh, Chrisland University

The Universal Declarations of Human Rights, Genocide Convention and the doctrine of the Responsibility to Protect represents significant milestones for upholding basic human rights. Nonetheless, recent experiences with these frameworks and in particular the Responsibility to Protect in addressing mass atrocity against the civilian population has remained largely abysmal in violent cases like the Rohingyas minority in Myanmar. While studies abound on the Rohingya crisis and the question of non- intervention, only a few have concerned themselves on the what greater implications the crisis portrays both for a human rights crusade, the Responsibility to Protect, and by extension the potency of the International Criminal Court of Justice in prosecuting mass atrocity. The deliberate and systematic prosecution of the Rohingyas, suggests that the international community is yet to come to terms with a maximum threshold upon which interventions become justified for the sake of upholding basic rights, and the appropriate sanctions thereof. Consequently, a consensus must be reached on what constitutes mass atrocity and the nature of the response both in terms of applying the doctrine and the readiness of the International Criminal Court to prosecute those culpable of violating the rights of the Rohingyas Muslims and in future conflicts.

The Permanent Members of the United Nations Security Council and their Responsibility Not to Veto in cases of Genocide, War Crimes and Crimes Against Humanity: Syria as a Case Study

► Maria Fernanda Arreguin Gamez, National Autonomous University of Mexico

The law is a cultural product that evolves according to the necessities of the society for which it is designed for. In this sense, international law is not the exception. As the international community and its relations have evolved from an exclusive inter-state interaction to a more complex international arena, the international legal framework has been impacted. For this reason, recognising that the 'classic' or 'traditional' legal institutions are no longer enough for the regulation of the international relations, this dissertation will explore an innovative legal framework based on the humanisation of international law which will suggest that the international community has a duty to protect human rights –by all means– in cases of mass atrocities, war crimes and crimes against humanity. In this case, Syria will be used as an example. Nonetheless, it does not mean that Syria is the only country which this paper applies for. On the contrary, the purpose of this paper is to create a conscience on the permanent members of the Security Council whom should recognise their Responsibility Not to Veto to guarantee that atrocities such as those happening in Syria never happen again.

The limitations of the recognition of Kosovo as an intervention

► Julia Himmerich, London School of Economics and Political Science

This paper will develop the concept of recognition as part of international intervention and focus on the limitations of this approach in regards to Kosovo's statehood which remains contested among European states. After the dissolution of the former Yugoslavia, the Badinter Commission used conditional recognition of the former republics as new states as conflict intervention (Caplan 2005; Zaum 2007). Caplan identified the use of recognition to internationalise a conflict and the use of conditional recognition on a new state entity as the key aspects of the EU's approach. Regarding Kosovo, which was excluded from this process, conditional recognition became an even greater aspect of EU policy in the Balkans. Since the 1990s, and particularly in the early 2000s, the UN and the EU developed a dual strategy of state building and European integration. Over the years, the EU linked statehood conditionality increasingly with EU accession promises. (Bieber 2011, Noutcheva 2009) When recognising Kosovo in 2008, many EU members considered this to be 'supervised' independence while five member states still have not recognised Kosovo as an independent state. The EU-led Belgrade-Pristina dialogue, being status neutral, has added additional conditions on Kosovo's statehood and potential EU membership prospects. The negotiations have stagnated significantly in recent years. The paper, therefore, develops Caplan's analysis in regards to the Kosovo case to highlight the limitations of such conditionality as a sustainable conflict management approach.

Panel 6

Towards a theory on the use of force short of war

► Anh Le, University of Manchester

The use of military force to protect vulnerable groups against persecution (armed intervention) has traditionally been governed by the principles of *jus ad bellum* (which governs the resort to war) and *jus in bello* (which governs the conduct of war). Many recent armed interventions (the NATO bombing of Kosovo included), however, do not resemble the traditional understanding of war where armies face each other on the battlefield and the fighting occurs over a relatively clearly defined period of time. As instead, armed interventions are increasingly being used on smaller scale and over an extended timeline. Some scholars (Walzer 2006, Brandt Ford 2013) refer to this form of force as 'force short of war' (or *vis*). While *vis* shares certain similarities with *bellum* such as both involve the use of kinetic military force, Walzer argues that these elements all 'involved the use of force... but it is common sense to recognise they are very different from actual warfare' (Walzer, 2006: xiv). This paper develops Walzer's suggestion by proposing the principles of *jus ad vim* (the just use of force short of war), emphasising on the differences between *jus ad bellum* and *jus ad vim*. This, the theorisation of *jus ad vim*, fills a much-needed gap in the literature and foster further debates and inquiries into the theorisation of *vis*.

Humanitarian intervention, worldviews and strategic culture

► Kateřina Fridrichová, Masaryk University

Humanitarian intervention had always been lodged in the cracks of the international system, because it is intimately tied to a key concept – sovereignty. In a system that puts sovereignty forward as one of the highest values, humanitarian intervention is an uncomfortable exception in the best of cases. From this standpoint, R2P is on a paper a maximum of what is possible within the system. Had R2P worked properly, building the post-WWII world would have been completed. Yet, the implementation of humanitarian intervention subsumed under the third pillar of R2P is still contested by two members of UN SC, body responsible for approving legal interventions. Both Russia and China approved R2P by assenting to the 2005 World Summit Outcome version of the norm, but remain sceptical, even hostile to the implementation of the third pillar. The aim of this paper is to examine and compare worldview issues of Russia and China to the rest of the P5 considering how the countries see their own role in the world. This includes questions like how they frame sovereignty and how they approach key values of human protection vis-a-vis other values, such as order and legality under the international law. It shows growing divergence between the two and the rest of the P5, especially when looking at the functioning of the system itself. Therefore, R2P is unlikely to be implemented in any efficient manner.



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