CONFERENCE SUMMARY AND OUTCOMES OF PARALLEL SESSIONS

The Hague Academic Coalition (HAC) is a consortium of academic institutions in the fields of international relations, international law and international development. It was established in 2004 to promote collaborative efforts between the founding institutions¹: Research, education and public debate in support of the enhancement of international law, governance, international policies and negotiations towards justice, peace and sustainable development.

THE CONFERENCE

The city of The Hague is internationally known as the legal capital of the world. Peace and Justice are major concerns of The Hague’s international institutions, courts and tribunals. In a globalizing world peace and justice can only be sustained if security is promoted and insecurity is successfully combated. Although security issues are dominating the media, the meaning of the concept of ‘security’, and how to reach it, are as contested as ever. Interdependencies are emerging between security measures and other areas of concern such as human rights, gender, sustainable development and migration. International law and public policy are moving beyond their exclusive focus on protection of national security interests, regulation of violence by states, and reactive ‘crisis’ interventions, to embrace a broader, more complex agenda of promoting ‘human security’.

The conference aimed to respond to the curiosity of international young professionals and students to understand the issue of security by questioning our understanding of insecurity and by addressing its interdependencies with peace and justice.

The following plenary speeches were held:

‘Lessons from the Past’ by Professor Jan Pronk (Institute of Social Studies, former Minister for Development Cooperation)
“From a common goal of global security after World War II we went back to national security.”

‘Understanding Fear’ by Mark Dechesne (Centre for Terrorism and Counterterrorism)
“It is fear and insecurity that drives us away from the prospect of peace and justice, perhaps even more than peace and justice helps us to come close in a sense of security.”

‘Afghan Women: Invisible and Invincible’ by Catharina van der Ende (Institute of Social Studies)
“Change should come from within and at grassroots level.”

‘ICC: Using Justice to End Insecurity’ by Judge Joyce Aluoch (International Criminal Court)
“Justice and security are inextricably linked and they cannot be achieved separately unless justice is being done.”

‘Fighting Images?’ by Merdijana Sadovic (Institute of War and Peace Reporting)
“Media: It can hugely contribute to conflict and war escalation, or it can promote peace and help reconciliation efforts.”

‘Afghanistan: Will the Current Approach Work?’ by Christa Meindersma (Hague Centre for Strategic Studies)
“The Taliban about the NATO exit strategy: “You’ve got the watch, we’ve got the time.”

OUTCOMES OF PARALLEL SESSIONS

The following parallel workshops were held, prepared by the participating institutes:

Understanding Insecurity in the Changing Global Landscape
(Clingendael)

Insecurity and Aggression
(Asser Institute, Leiden University – Campus The Hague, International Centre for Counter Terrorism)

Insecurity and Civil-Military Cooperation in Afghanistan
(JASON, Clingendael)
Peace and Justice for Peoples at the Bottom
(Institute of Social Studies)

Security Networks and Legitimacy in Europe
(Hague University of Applied Sciences)

Security and Technology
(TNO Defence, Security and Safety)

The outcomes of the parallel workshops are presented on the following pages.

Understanding Insecurity in the Changing Global Landscape
Chair: Jan Rood (Clingendael)
Speakers: Ko Colijn (Clingendael), Christof van Agt (Clingendael), Maarten Lak (Ministry of Foreign Affairs)

Discussion
Insecurity is more and more a multidimensional phenomenon which is characterized by complexity and strong linkages between the various expressions of insecurity (e.g. scarcity and security). In order to cope with insecurity, cooperation and governance on both a regional and global scale is needed. The present multilateral governance arrangements are not able to adequately deal with insecurity. Taking into account profound shifts of power in the international system, the workshop explored potential adjustments in regional and global governance. It concluded that effective global and regional governance on issues of insecurity is only possible with the support of rising power like e.g. China, India, Brazil, etc.

Conclusions
1. Looking at the present world system the classical security issues are shifting from interstate conflicts to intrastate conflicts. This leads to problems with intervention, stabilization and rebuilding nations. New security/insecurity issues are emerging which are related to climate change, energy dependency/security and food-, resources-, minerals-, water-scarcity.

2. There exists a gap between statistics and perception. Lack of knowledge and information among policy makers, but also in societies, e.g. statistics (level of violence and number of conflicts) show that the world is much safer nowadays than thirty years ago. But when we ask people they say: “No, we feel less safe.” Framing issues (scarcity, energy dependency, climate change) in terms of security doesn’t help. Energy is primarily an economic issue and not a
security issue. Providing and deepening knowledge is necessary. Here there is a clear link with education, especially within a geo-political environment.

3. The world system of governance is not functioning that badly. The number of conflicts is reduced, solved by negotiations, not arms. But we need more instruments to address the problems mentioned above. What kind of solutions do we need and on what kind of level? When should it be dealt with on an international (global) base and when regionally or even locally? We need more knowledge to determine the context. And to what extent is the international market an effective mechanism?

4. EU leadership is needed but it requires the EU to speak with one clear voice. The new Lisbon Treaty (Ashton) hopes to establish this. It remains to be seen, however, whether it will work.

Insecurity and Aggression
Chair: Joe Powderly (Asser Institute), Carsten Stahn (Leiden University – Campus The Hague)
Speakers: Peter Knoope (International Center for Counter-Terrorism), Dov Jacobs (University of Amsterdam), Kenneth Chan (University of Leuven), Robert Heinsch (Leiden University), Deborah Ruiz Verduzzo (Parliamentarians for Global Action)

The workshop examined two distinct issues that find common ground in the sphere of countering insecurity at the State level. First, Peter Knoope of the ICCT gave a presentation on the subject of counter/de-radicalization issues. Following a discussion, the definition and jurisdictional mechanics of the crime of aggression -as recently agreed by the Assembly of States Parties of the International Criminal Court at their Kampala Review Conference- was looked at. There were two papers: Dov Jacobs (UvA) – “Reinventing the Square Wheel – Defining Aggression in the Rome Statute”; and Kenneth Chan (Leuven) – “The Role of the ICC in the Development of the Doctrines of Humanitarian Intervention and the Use of Force in the Crime of Aggression: Reflections on Kampala”. A discussion involving Dr. Robert Heinsch, Carsten Stahn and Joe Powderly followed.

Conclusions:
1. Building on Peter Knoope’s paper on countering-violent extremism it was generally agreed that the best place to start with respect to prevention of extremist narratives is with inclusion rather then further alienation. Feelings of alienation and insecurity can only be countered via a real commitment to societal inclusion. The theme of prevention was carried through to detailed discussions with regard to the crime of aggression as per the definition concluded at the Review Conference of the International Criminal Court. Prosecution in this regard however, is of course post-facto, nevertheless it is thought that the endeavors of the Assembly of State Parties to conclude this definition will, with time, have a preventive repressive effect.
There are therefore two issues with a common long-term goal of prevention via inter-state cooperation.

2. What was clear from both sessions is that the definition is of course not perfect, there remain significant question marks over the interpretative value of the so-called understandings appended to the amendments, what role victims will play in possible future prosecutions of the crime of aggression given the rapid jurisprudential developments in this regard and finally who exactly is protected by this definition and to what extent will it address issues relevant to global security.

Recommendations:

1. The immediate launching of a campaign for ratification of the amendments by all states parties, bearing in mind the threshold of 30 ratifications necessary for the amendments to come into force as per Article 15 bis (2).

2. Finally, the agreement is a good thing – it is far from perfect but patience must be exercised before passing judgment on its effectiveness.

Insecurity and Civil-Military Cooperation in Afghanistan
Chair: Kees Homan (Clingendael)
Speakers: Dick Scherjon (Rabobank Nederland), Marten de Boer (Ministry of Foreign Affairs), Mirjam Grandia (Leiden University – Netherlands Defence Academy)

Security can perhaps best be viewed as a quality of the environment in which people live, and as a feature of the relationship between an individual and her/his life world. A safe environment means that risks can be kept within acceptable limits, and that all members of a community make a contribution as an administrator, professional, or as a citizen.

The concept of human security takes the individual human being as a referent for security, instead of the state (national security). Insecurity emerges when the living conditions of people are at risk in some way or another, and more or less permanently, such as a prolonged economic crisis, food shortage / famine, energy shortages, extreme drought, crime, environmental disasters, political instability, war, etc. In a country like Afghanistan the internal war causes a high degree of insecurity for everybody, and people are searching for lasting solutions to the many problems the country has. Some of these solutions are found in new forms of cooperation. Civil-military cooperation in this respect becomes an increasingly popular topic.

Important actors in the security policy field believe that purely military intervention is not enough to provide lasting solutions. Therefore NATO started a new approach in Afghanistan that joins military,
developmental and diplomatic capacities to reach peace and security. The 3D’s (Defense, Development and Diplomacy), as this approach is called, is considered to be a new way of thinking to approach future conflict situations. This parallel session aimed to involve the participants in discussions on human security, and the contribution of the 3D approach to the security of local communities.

Conclusions:
1. 3D approach in Uruzgan: There exists too much dependency on the military dimension (defense), while more emphasis is needed on the other two (diplomacy and development). In other words, more civilian involvement within this approach.
2. In fragile states like Afghanistan a bottom-up method should be used to establish a kind of democracy (e.g. tribal, or in the field of security and development); not top-down.

Recommendations:
1. Looking at how all kinds of steering mechanisms are involved in our peace support operations at the moment and replacing them by an interdepartmental stabilization unit, under the leadership of the Ministry of Foreign Affairs.
2. Establishing an independent evaluation of lessons learned in Uruzgan, done by an independent institute. Nowadays every department does its own evaluation. It should be done independently and from an integrated perspective.

Peace and Justice for Peoples at the Bottom
Chair: Lauren Mumford (Institute of Social Studies), Tamara Soukotta (Institute of Social Studies)
Speakers: Rolando Vasquez (Rooseveldt Academy – University of Utrecht), Carmen Monterroso (Global Human Rights Defence), Merdijana Sadovic (Institute of War & Peace Reporting)

Marginalized groups are often not recognized by the state, or experience violence from the state, their rights being not protected nor recognized. The following questions were dealt with:
- How can international law ensure justice for people at the bottom?
- What alternative routes do people at the bottom have for genuine peace?
Rolando Vasquez spoke about ‘Reflections on Epistemic Violence and Human Rights’, Carmen Monterroso about ‘Justice and Peace for People at the Bottom in Guatemala’, Merdijana Sadovic about ‘The Role of Media and People at the Bottom (case of victims of war)’.

Security discussions are changing from state to interstate levels and from material security to human security issues. This working group looked at the way in which human rights, and the protection of those rights, are accorded by states taking into account that many conflicts are interstate and the states
themselves may be the aggressors. We need to expand the notion of security to human security. Systemic violence (e.g. injustice to the poor, land confiscation) is a reality. Human rights and security as discourses can be used to intervene and cause violence. Human rights are an end point. Getting there implies taking transgressions in intervening in states, changing structures, killing people, imposing democracy, development. This raises questions: Peace and justice for whom, and how to define (in)security? When we prioritize security issues, we often marginalize groups and communities. Often security measures are taken in the name of those with power, continuing to marginalize groups in the process, to justify marginalization and violence in the name of something else (e.g. development, security). Especially when we are talking about terrorism, terrorist discourses, intervention because of certain groups who are faceless. Conclusions and recommendations:
When we think about justice and peace we do this in a prescriptive way. We talk about peace for other people. We often make assumptions on their behalf; implement programs and institutions that are often destructive.
We need more dialogue with people who we are implementing justice for, acknowledging that other forms of justice, governance, democracy and ways of life are possible: Other knowledges. They require respect and dignity and if we are going to move forward on a global level we actually need to give other knowledges the same respect as we give our own knowledges and perceptions. Furthermore, we need to take action together.
There are many voices from all over the world (from marginalized women’s groups, indigenous communities to plantation owners). Western society tends to work with a linear path to progress: “First we clear insurgencies, then we make it safe, then we bring justice and peace, then we bring development”. But a lot of those voices oppose that because they have their own conceptualizations of what those concepts are. They are knowledgeable, not ignorant, they know their own path forward and it needs to be respected. It is not OK to take the linear path and then just add women, add the indigenous perspective, add marginalized people, and simply say: We have incorporated. We need to actually value it and understand it is as valuable a way of living and acting. We even need to deconstruct our own perceptions of peace and justice.

Security Networks and Legitimacy in Europe
Chair: Santino Lobianco (The Hague University of Applied Sciences)
Speakers: Monica den Boer (VU Amsterdam), Gregor Wewer (Europol), Jacques Verraes (European Commission)

In the field of internal security an extensive network has gradually emerged at the European, transnational level that consists of a variety of formal agencies and informal arrangements. Parts of this security network are not only the formal, institutionalized agencies of the European Union such as Europol and Eurojust. Informal governance arrangements such as the Counter Terrorism Group
(CTG) and the G6 also take part. The activities and products of this network of security governance may vary from intelligence sharing to the management of digital identities (Gruszczak 2008 \(^2\)). The motivation for the networked, informal form of cooperation includes the need for greater effectiveness and efficiency in combating terrorism and serious crime. Rather than adhering to time-consuming and rule-bound procedures that are part and parcel of an institutional setting with a clear legal mandate and (vertical) lines of accountability and responsibility, preference has now and then been given to informal settings where for instance intelligence is shared between cooperating partners on an equal basis (Gill 2006 \(^3\)).

While the importance of effectiveness and efficiency (or the exigencies of secrecy) in combating organized, cross-border crime and especially counter terrorism is not to be overlooked, the horizontal, informal approach that characterizes the networked form of security governance does also raise serious questions about its legitimacy and accountability (Den Boer 2002\(^4\)). In a systematic attempt to examine whether security networks, comprising both the vertical, formal and the informal, horizontal forms, live up to the standards of so-called in-put legitimacy (i.e. parliamentary and ministerial accountability, possibility of judicial redress, legal monitoring, transparency, openness, etc.), it has been concluded that there are severe limitations to this dimension of legitimacy (Den Boer, Hillebrand and Nölke 2008 \(^5\)). This conclusion was reached at the time before the entering into force of the Lisbon Treaty. Now, with the significant institutional changes introduced by the Lisbon Treaty (e.g. the strengthening of scrutiny powers of the European Parliament, the national parliaments and the Court of Justice), the question arises what impact the Treaty has on today’s governance and democratic control of security networks in the European Union.

The following conclusions were arrived at:

1. The security governance in Europe, especially in the form of networks, as opposed to institutions, is characterized by low in-put legitimacy (democratic, legal, social, professional) that is traded off in favor of out-put legitimacy (effectiveness, efficiency). The Lisbon Treaty has increased, to some extent, the input legitimacy of the institutionalized security governance arrangements (especially democratic legitimacy by means of providing co-decision powers for the European Parliament).

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2. There is a lack of public awareness for how unrestrained the flow of information is via European informal security networks. A case in point here is the 2006 Data Retention Directive, which has significant implications in the field of storing, retaining and exchanging information.

The following recommendations were arrived at:

1. Before a discussion on the security governance system is to take place, societies should first make, through national/European debate, an informed and conscious decision about the trade-off it is willing to make between input legitimacy and output legitimacy.
2. The public should be rendered aware that information, in the context that information exchange is the core business of security networks in Europe, can also be used as a tool against citizens, thereby creating insecurity in the quest for security.

**Security and Technology**
Chair and speaker: Gert-Jan Burghouts (TNO – Defence, Security and Safety)

We all know what an attack looks like - for example, London, Madrid, or Queens’ Day in the Netherlands in 2009. But what type of behaviors preceded those attacks? This is a difficult question. And, to make it even more complex: how can you recognize such anomalous behavior at an early stage? Those two questions were investigated in more detail in this workshop, for those interested in human behavior, in psychology, yet also in technology and the future of security.

The workshop started with a short movie, to take a sneak preview into the future of security, presented as our own Minority Report - yet all of the shown technologies are real. Some interesting examples of anomalous behaviors were shown and scientific insights from psychologists discussed. The audience was taken on a tour through the future's technology and some state-of-the-art pattern recognition methods were illustrated: Behavioral analysis is interesting yet also very complex. How can man and machine work together in the future, both having their own strengths and complementing each other?

Working with intelligence cameras, monitoring people’s behavior, trying to prevent criminal acts and terrorist events: ‘Big Brother’ issue raises controversy!

**Conclusions:**

1. Countering terrorism is important, but countering criminal acts is much more important, because we are confronted with it even more.
2. Cameras and technology can really help people to monitor public places.
3. To focus on behavior, rather than focus on identity, skin color or religion is a much fairer policy.

Recommendations:
1. Ethics and legislation are important issues to be resolved when it comes to big brother issues and the government is largely responsible for this.
2. Cameras and technology should be used proportionally to the acts they aim to prevent. In general measures taken should be adequate and appropriate to potential threats.

CONCLUSION

“Countering terrorism and promoting security is about countering and promoting psychological states.” (Mark Dechesne)

Fear, populism, national security, terrorism, the call for security technology, the rise of critique on international and interstate intervention, the call by marginalized peoples to value other knowledges, other strategies; they are all clear expressions of the ‘gut’ feeling of people about insecurity worldwide. There is a lack of knowledge and information among policy makers, as well as in societies at large. A better understanding of insecurity is of great importance in the global agendas. Reviews and evaluations should be done by independent institutions from an integrated perspective. The is a gap between statistics and perception: Although statistics show a declining number of armed conflicts and an increasing number of conflicts that are solved by negotiation, people increasingly feel insecure..

“Reporting on war crimes proceedings – had it been objective and non-biased – would have had a crucial role in helping people come to terms with their past and moving forward.” (Merdijana Sadovic)

Media plays an important role in fuelling conflicts and influencing feelings of insecurity. Ethics and legislation are important when it comes to security networks and security technology, which can be major tools in countering (the feeling of) insecurity. Interstate cooperation is essential.

“Firstly, we need to clear the areas. Secondly, we need to bring governance, thirdly; development and ultimately there will be complete peace.” (Christa Meindersma quoting Commander Petraeus)

Security issues are certainly not only a military concern. For instance the NATO intervention in Afghanistan shows that civilian involvement, good governance (locally, regionally and globally) is necessary for long lasting peace and security. To achieve this, multi-sector and interdisciplinary approaches (including social, anthropological, juridical, technological disciplines) are to be used in order to understand the local context, to value and involve other knowledges, enhance bottom up strategies and build good governance.

We have to be aware of the constraints when thinking within one particular security framework. Current frameworks are usually not built on the voices of (marginalized) local peoples, but on those
with power, while local people are often the ones which are heavily victimized by wrongly designed security measures.

“The Rome Statute isn’t perfect, ICC isn’t perfect, but we should not just ditch it. The horrendous crime of the rape of hundred thousands of women in the DRC shocked the world and needs to be prosecuted internationally.” (Joe Powderly)

Notwithstanding the growing feeling of insecurity and the existing critiques, global governance – e.g. international institutions for Peace and Justice like the International Criminal Court and International Court for Justice, interstate governance structures like the European Union – is not functioning that badly. But we have to be patient, we need to deepen our knowledge and keep improving our strategies and structures by working together, value and implement other knowledges and strategies, learn to work from the bottom by involving local communities, inclusion instead of further alienation.

“If national security, as the major paradigm, has replaced international security, does this mean the collapse of the international architecture of peace, justice and security?” (Monica den Boer)

We need to know more about the contexts, before deciding whether or to what extent insecurity issues have to be dealt with internationally. Existing local structures and knowledges are potentially valuable working systems to combat insecurity and to build up justice and peace.