Column
Cities and Migration
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Mayor of The Hague

Interview
Baroness Patricia Scotland
Pursuing and Applying Justice in a Globalized World

Current Work
The Global Migrant Crisis
Smuggling and Human Trafficking
Cover photo: An aerial view of Za’atari refugee camp, host to tens of thousands of Syrians displaced by conflict, near Mafraq, Jordan.
UN Photo/Mark Garten
The challenges of this century are forcing us to evolve our methods of governance. We see that the challenges the world is facing have little regard for national borders. The effects of climate change, armed conflict, cyber technology, and migration are just a few examples. In the near future, 70 percent of the world’s population will live in cities and metropolitan regions.

80 percent of global GDP comes from the cities and the urban regions. So it is understandable that in many recent international reports the importance of cities is stressed as is the importance of their involvement in mapping out policies with regard to the issues at stake.

Migration is the theme of this issue of Intersections. Driven by a variety of reasons, people are on the move. Not just from the Middle East to Europe, but also from Latin America to the United States. In countries like China, India and Brazil, the major migration flows take place from the countryside to the cities, in staggering numbers and at a staggering rate.

Cities take in the overwhelming majority of migrants. The challenges cities face are demanding in terms of integration, job creation and education, in order to maintain peace and social stability. We see this as a serious challenge, not just in Europe. In European cities it means absorbing people with different religious, ethnic and cultural backgrounds. In Asian cities like Beijing or Delhi, it often means accommodating the influx of vast numbers of migrants from the countryside.

Cities can learn from each other’s experiences and approaches. The particular circumstances may differ, but the general challenges remain the same: enabling cities and the people who live in them to flourish in all areas of life.

During my recent visit to the United Nations, I spoke with the Secretary General Ban Ki-Moon and with one of the great thinkers on urbanization and the role of cities, Dr. Benjamin Barber. One of the topics we discussed was a new platform to enable cities to put forward innovative and practical approaches to dealing with the consequences of climate change and migration. The success of the Mayors’ Meeting during the United Nations Climate Change Conference in Paris is an example of how to operate more often in the future.

The inaugural meeting of the Global Parliament of Mayors will convene in The Hague, in September 2016. It will allow cities and their mayors to collaborate in enacting common policies and pursuing common action to pressing cross-border issues. The Global Parliament of Mayors will, wherever possible, cooperate with nation-states and international organizations, especially the United Nations.

Participating cities will be invited to cooperate on problems that other institutions have not always been able to address. The Global Parliament of Mayors will provide a great opportunity for this type of exchange and interaction.
# Table of Contents

6  The Refugee Crisis is a Stress Test for European Values  
   Bert Koenders, Dutch Foreign Minister

8  Interview  
   Baroness Patricia Scotland, Secretary-General of the Commonwealth of Nations

11 Social Justice Expertise Center  
   Working to Advance Socioeconomic Justice

13 The Right to Food

15 Preparing Mass Atrocities  
   Atrocities Prevention Board Report

16 Establishing Governance in Fragile States

18 Migrant Smuggling  
   Preventing and Combating Migrant Smuggling and Human Trafficking

20 Peacebuilding Education  
   Lifelong Learning and Breaking the Cycle of Violent Conflict in DR Congo

22 Violent Radicalization  
   Countering Violent Radicalization in the EU and MENA Region

24 Climate Change and Migration  
   Implications for Peace and Justice

26 Convening Power  
   Global Strategy on Foreign and Security Policy

28 Snapshots  
   Dialogues, Meetings and Events

29 Save Wildlife: Act Now or Game Over

30 Recent Publications
Bert Koenders

The Refugee Crisis is a Stress Test for European Values

The plight of refugees who seek asylum in Europe is not just a humanitarian emergency. It is also a stress test for European values. The immigration challenge is forcing European citizens and governments to examine the principles that underpin our societies. To consider how newcomers can commit to our value system. And to show, through our actions, how committed we are to the values we proclaim.

Fundamental values aren’t just words, or luxuries we can only afford in good times. In the European Union, rule of law trumps rule by law. The death penalty has been abolished. All the member states have signed the European Convention on Human Rights and have to abide by the Charter of Fundamental Rights of the European Union when implementing EU legislation.

No government can ever uphold the rule of law by applying it selectively. No society can ever defend human rights while excluding certain groups from its protection.

Social Contract

European governments have a responsibility to uphold fundamental values, but so do newcomers to our societies. Everybody who lives in the European Union has an obligation to participate and contribute to society. Refugees and immigrants, like any other citizens, must play by the rules that apply to us all.

All who reside within our continent’s borders live in freedom. But that freedom entails a duty for every individual to respect the freedom of others. We need to talk about integration in a frank and open manner. But not in terms of ‘us’ versus ‘them’. De-humanising a group runs counter to the very values we seek to protect. The same applies to the refusal to accept entire groups of refugees, based on supposed cultural or religious incompatibilities.

I admit: it’s unrealistic to expect all migrants, many of whom come from very different cultures, to fit in immediately. Integration is a complex, long-term process. However, there is a collective responsibility for newcomers to adapt and for host states to accommodate their integration and full inclusion in society. The question is how to find ways of doing so that have broad appeal within the European Union.

It’s not easy to find a balance between tolerance and fixed social norms, between integration and assimilation. Each country must continually weigh up the interests of group identities against the interests of what in some societies is called the lead culture. The resulting balance will be different in each country, but one thing is clear: any outcome that lacks respect for basic values and human rights will be short-lived.
“The problems we face don’t stop at national borders and neither can the solutions. We should redouble our efforts to find common ground and we need to shape a rules-based system that guarantees a level playing field for all.”

**Instability**

A ring of instability around Europe is putting our continent under stress. To confront this challenge together, European countries must trust each other – and that means sticking to our fundamental values, first and foremost the rule of law. The European Union may have proven itself in fair weather, but the serious test is how it performs in foul weather. Freedom, equality and pluralism are the sources of our strength. That lesson is as important to our governments and citizens as it is to migrants hoping to make Europe their new home.

The migration crisis may be a stress test for our values, but it’s also an opportunity to show what Europe is made of. We should always keep in mind that the way we treat migrants and refugees is a reflection of who we are. If we treat them harshly and unfairly, we undermine our own dignity as civilised nations. You can’t put a price tag on dignity; it is priceless.

Bert Koenders

*Minister of Foreign Affairs of the Netherlands*
The international community has made a tremendous investment over the last few decades in international courts and tribunals, many of which are located in The Hague. What is your response to the critique that governments should rather invest in addressing concrete domestic challenges?

I think it is not either/or, it’s both. The ideal is to have states that are so able to meet the needs of their domestic populations that it is unnecessary to have international intervention. The international community is there when the state is either incapable or unwilling to deliver a justiciable solution to a justiciable difficulty or claim. We’re not there yet.

Many strides have been made in implementing Resolution 1325 on Women, Peace and Security, with more than 50 countries implementing National Action Plans and more women participating in peacekeeping and negotiating missions. But concrete results for women and girls, particularly in conflict-affected environments, have been limited. What more is required, in your view?

I have spent a great deal of time looking at the issue of domestic violence, which affects 1 in 3 women across the world and is the greatest cause of morbidity in women and girls. It is something which needs to be looked at as a matter of urgency, and I am very pleased to see that there is capacity to do that within the new SDG for 2030.

Domestic violence is not only killing and injuring women, it is also disabling women from participating in the policy development, the economic achievement and progress of all our countries. And there is no distinction to be made between east and west, north and south. That makes domestic violence terrifying. But it also makes it soluble. When I was Criminal Justice Minister in 2003, I was entrusted with chairing the inter-ministerial group on domestic violence.

We discovered that a huge amount of money, time and effort was being dedicated to reducing domestic violence. However, everybody was working in silos. If we wanted to make a significant difference, we had to take people out of silos and get them working together. We also set about finding out what the economic cost of not working conjointly was.
We discovered that it was costing the UK 23 billion pounds a year. We were able to work out a multi-agency, multi-risk assessment approach which would be conjoint, and we managed to devise a system in which, for every pound we spent, we saved six. But we also saved lives.

I want to make a profound shift in the paradigm of crime and violence against women, and therefore we have no choice but to go to the root of much of it, which is domestic violence.

Last year, the UK government hosted the Global Summit to End Sexual Violence in Conflict, a subject that has gained considerable international attention over the past few years. As Founder and Patron of the Global Foundation to End Domestic Violence, do you think that the focus on sexual violence in conflict has come at the expense of attention to domestic violence?

The two are conjoined. The link that has to be made is that violence in war-torn areas is not isolated. In post-conflict situations and before conflict breaks out, it has been demonstrated that the levels of domestic violence rise. There has to be a deepening of the understanding that these two are not separate, hermetically sealed issues. And if one is to be addressed, the fundamentals of the other have to be addressed as well. Because at the end of conflict, men and women go home. When looking at the level of violence against women in countries like South Africa, I believe part of that may well have been because South Africa was herself brutalized by the terrible experience of apartheid.

How should we tackle concrete, systemic obstacles to the advancement of women in the workforce?

The greatest asset any country has in the world is its people and its intellectual property as a result. It is the seeking of talent which needs to be built into our systems. To cut yourself off from 50 percent of the world’s talent seems to be a rather ridiculous position.
The modern Commonwealth spans five continents and comprises developed, emerging and developing economies. Is it possible to develop a common agenda that benefits all member states of the Commonwealth, and if so, how do you propose to do this?

The Harare Declaration is instrumental in demonstrating that member states have the basis upon which to work together in terms of common values, common language, and common law. Currently, they have a 10-15 percent advantage in dealing with each other because of this. What if we could double that? It would be highly beneficial to create Commonwealth standard practices for contracts and anti-corruption.

Member states also have an opportunity to help each other. I see great opportunities for innovation on a large scale in my country, Dominica. New forms of town and country planning could reconfigure the way the economy is managed. Partners across the Commonwealth can experiment with new methodologies in a way that could be beneficial to all parties.

Should there be room for cultural relativism in our conceptualization of global justice?

Frankly, the fundamental principles of individual human rights have no cultural relativity at all. All this talk of relativity is really quite dangerous, because it has been used as a cloak to commit iniquitous acts.

In my experience, best results are booked when one works with people within their culture. Have them stand up and say that certain practices are an aberrant part of their culture.

“The ideal is to have states that are so able to meet the needs of their domestic populations that it is unnecessary to have international intervention.”
Social Justice Expertise Center

Working to Advance Socioeconomic Justice

In October 2015, the General Assembly of the United Nations adopted the Sustainable Development Goals (SDGs), a set of ambitious objectives aimed at combating poverty, inequality, and climate change among other important global issues. With the adoption of the 17 new Global Goals, world leaders pledged to make a concerted effort to ‘free the human race from the tyranny of poverty’. The availability of decent employment opportunities is an essential component of sustainable development, as it helps reduce socioeconomic inequality.

Since its inception, SJEC has contributed to the promotion of fundamental labor rights through practitioner workshops and multi-stakeholder and scholarly debates on topical issues. Notably, SJEC facilitated the review of the efficiency and effectiveness of the ILO Supervisory Mechanism from March 2015 through March 2016. Commissioned by the Governing Body of the ILO, the review was conducted by Professor Paul van der Heijden (Independent Chair, ILO Committee on Freedom of Association / Chairperson of SJEC) and Judge Abdul Koroma (Chairperson, ILO Committee on the Application of Standards and Recommendations / former Judge, International Court of Justice).

An ongoing activity of SJEC relates to the development of the International Labor Rights Case Law (ILaRC) journal. ILaRC is a triannual journal – published by Brill Nijhoff – that compiles relevant and timely fundamental labor rights decisions in a systematic manner and provides professional annotation by experienced labor law practitioners and academics.

The editorial board of the journal consists of eminent labor law practitioners and scholars from across the globe. In April 2016, SJEC will convene the first global conference for international labor rights judges and other adjudicators. The conference will focus on ensuring coherent implementation of fundamental labor rights. In June 2016, SJEC will also host a training course for labor rights lawyers on the enforcement of fundamental labor rights with reference to the ILO system and the international framework agreements. Building on the SDGs, SJEC will conduct a multi-stakeholder dialogue on the SDGs and fundamental rights at the workplace; develop an interactive web-portal that contains a comprehensive collection of legal resources, policy documents, and short essays on fundamental labor rights; and publish a practitioners’ guide on fundamental rights at work and volume two of the International Labor Rights Case Law journal.

The Social Justice Expertise Center believes that the use of innovative and collaborative approaches to promote fundamental rights at work is crucial to advancing sustainable development. It welcomes new ideas and partnerships that can help advance socioeconomic justice globally.

Manuella Appiah
Researcher

Economic empowerment of the most vulnerable members of the population, particularly youth, women, and migrants, can be enhanced through awareness campaigns focused on socio-economic rights and access to justice. It is with this in mind that The Hague Institute for Global Justice and Leiden University established the Social Justice Expertise Center (SJEC) in 2013.

SJEC is a research and capacity-building platform that works to address deficiencies in the protection of fundamental rights in the workplace. It serves as a one-stop shop for professionals and stakeholders seeking advice and information related to the implementation of worker rights as enshrined by the International Labour Organization (ILO).

These rights include the Freedom of Association and Collective Bargaining, the Prohibition of Forced and Child Labor, the Right to Strike, Health and Safety at Work and the Elimination of Discrimination at the Workplace.

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Manuella Appiah
Researcher
Current Work

The three focus areas of The Hague Institute’s program of work are Conflict Prevention, Rule of Law and Global Governance.
An effective response to food insecurity requires attention to five different dimensions: horizontal coordination between different government sectors and non-state actors; vertical coordination between (inter)national governmental layers; accountability of governments; meaningful participation of all stakeholders; and effective monitoring of emerging threats.

Cities have come to the fore as linchpins between the various levels and institutions of formal and informal governance. Cities, individually and as part of an international network, can initiate and sustain dialogue between relevant stakeholders, which can help mitigate and even avert chronic challenges by addressing early conflict related to food insecurity.

To explore this issue further, the City of The Hague and The Hague Institute convened a roundtable dialogue on ‘The Right to Food’ on 24 September 2015, in the Leonardo da Vinci Museum in Milan as part of the Milan Expo. The event aimed to develop a concrete agenda for realizing the right to food in the broader context of international peace and justice, with a special focus on the role of cities.

The dialogue led to the formulation of an agenda for action centering on the following four key recommendations for the City of The Hague.

1. Make food security a source of cooperation rather than conflict;
2. Take a rule of law-based approach to food accessibility, security and nutrition challenges;
3. Contribute to global governance and the global goals for sustainable development; and
4. Protect seed rights for sustainable livelihoods and economic growth.
The Hague Institute will continue to partner with the City of The Hague, key organizations and experts to advance our understanding of the role that cities can play in realizing the right to food.

Follow-up is foreseen within the frameworks of the Milan Urban Food Policy Pact, which was signed by Deputy-Mayor of The Hague, Ingrid van Engelshoven on UN World Food Day last October in Milan; the EU Urban Agenda, which will be adopted this May in Amsterdam; and the Global Parliament of Mayors, which will be launched in The Hague in September 2016.

Rens de Man
Researcher

“I think that the fact that starving people is a weapon of war in Syria is an example of how people need the right to food. It is a basic human right. The fact that it is removed in order to punish people and make them suffer as a result of governmental decisions is part of the problem that the international community has to deal with.”

Madeleine K. Albright
Former U.S. Secretary of State
Enhancing the Prevention of Mass Atrocities

In the Preamble of the Rome Statute establishing the International Criminal Court (ICC), States' Parties declared that “[t]he most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured.” The Statute further highlights the determination to “put an end to impunity for the perpetrators of these crimes and thus to contribute to the prevention of such crimes.”

However, following the ICC’s first decade of operation, there is no consensus as to whether the ICC indeed prevents international crimes and has a deterrent effect. There is a broad discussion, known as the peace versus justice debate, over the application of international criminal law, conflict resolution, and conflict prevention that suggests that there may be a tradeoff between (international) prosecution of alleged perpetrators who are still in power and the realization of peace and the protection of human rights, as those in power may commit human rights violations to avoid prosecution.

The Hague Institute’s Peace-Justice Nexus Project contributes to the scant literature on these issues. The project assesses whether the ICC influences individuals’ behavior in the positive way suggested by the drafters of the Rome Statute. Based on the research findings, the Institute in coordination with its international and local partners – Global Partnership for the Prevention of Armed Conflict, Nairobi Peace Initiative and Dr. Yvonne Dutton – will provide recommendations on conflict-sensitive approaches and transitional justice strategies to achieve, when possible, sustainable peace and accountability for gross human rights violations.

Unique to this project is the fact that the team is conducting several case studies, each comprising of desk and field research. The first case study addresses the situation of Kenya and commenced in 2015. The project team visited the country in August and October 2015 to conduct interviews with experts, former government officials, academics, local journalists, and civil society leaders. They later returned to train local researchers on the collection of data from five different regions. In 2016, the team will present findings in several papers and policy briefs.

Atrocities Prevention Board Report

In 2012, the U.S. government established the Atrocities Prevention Board and has taken a number of other measures aimed at prioritizing mass atrocity prevention.

Conflict Prevention team members Tessa Alleblas and Eamon Aloyo are collaborating with Mount Holyoke College Professor and former State Department employee Jon Western, and Global Public Policy Institute researchers Philipp Rotmann and Sarah Brockmeier, on a report examining the efforts of the U.S. under the Obama administration to prevent and respond to mass atrocities.

Drawing on over a dozen interviews with current and former US officials, NGO representatives, and other experts, the report offers substantive chapters on mass atrocity prevention policy in the U.S., nine case studies (Burma, Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Iraq, Libya, South Sudan and Syria), the current policy toolbox for mass atrocity prevention and reaction, and an overall evaluation of the work undertaken by the U.S.. Additionally, the team will write policy briefs for the U.S. and Dutch governments as well as the EU.

The report and policy briefs will be released later this year.
President’s Office

Establishing Governance in Fragile States

We are confronted today by multiple crises that are complex in nature and global in scope. After a period where the rate of conflicts appeared to decline, new conflicts are arising in disparate corners of the world and violence is recurring in societies where peace was assumed to have been consolidated. Worldwide displacement is at the highest level ever recorded – due primarily to the turmoil in Syria.

Seemingly intractable state fragility grips countries like Mali and Yemen, with civil war and state collapse as their logical end-point. Even where more robust governments hold sway, as in Nigeria, legitimate authorities face increasing difficulties in dealing with threats to security in swathes of their sovereign territory.

Violent extremism in the Middle East and North Africa is a growing threat. Where it operates, ISIL appears to have transcended the Westphalian state system itself in favor of new forms of governance characterized by intolerance and shocking violence.

The consequences of these phenomena are felt most keenly by those on whose territory they are unfolding, but in an interconnected global system, there are palpable spillover effects which concern policymakers in even the most powerful states. But though they are concerned, are they willing and capable to act?

I discussed these crises and our responses with four eminent panelists during an official side-event of the 52nd Munich Security Conference titled “Global Crises – Shared Responsibility: Establishing Governance in Fragile States.” The event was hosted by the BMW Foundation and featured Deputy Secretary-General of the United Nations, Jan Eliasson; Foreign Minister of Lebanon, Gebran Bassil; Foreign Minister of the Netherlands, Bert Koenders; and President and CEO of the International Crisis Group, Jean-Marie Guéhenno.

Three issues emerged from our wide-ranging discussion that underline the significance of the work in which The Hague Institute is presently engaged:

Firstly, the international community must make concrete and credible commitments to preventing the onset and recurrence of violent conflict. This includes providing the necessary material and political support to peacekeeping efforts, as well as designing and implementing inclusive and politically-sensitive development policies.

Secondly, robust multilateralism is imperative if we are to confront successfully the multitude of challenges we face. Negotiation and political solutions must take precedence over
violent confrontation, and meaningful reform of the Security Council that balances representativeness and effectiveness is required urgently.

The Hague Institute aims to support and contribute to inclusive regional and international policy processes to strengthen the global governance framework and help formulate informed international policy. The Institute was privileged to partner with the Netherlands Ministry of Foreign Affairs in December 2015 to facilitate the provision of expert input into the EU’s forthcoming Global Strategy on Foreign and Security Policy, which will determine the direction of EU foreign policy for years to come.

Finally, the ongoing migrant and refugee crisis calls for a pan-European solution involving effective crisis management, equitable burden-sharing and enlightened social policy. Importantly, our response should be consistent with our obligations under international law to protect the vulnerable. The Institute’s work on migrant smuggling and human trafficking aims to further our understanding of migration in the context of transnational organized crime, while our contributions to the EU Strategic Review of the Common Foreign and Security Policy seek to strengthen the Union’s capacity for collective action.

The forecast for 2016 delivered in Munich this February was sobering – we are likely to see the deepening of ongoing crises and the rise of alarming new threats. In these troubling times, The Hague Institute is committed to redoubling its efforts to share knowledge and shape policy at the critical intersection of peace, security and justice.

Dr. Abi Williams, President
The Hague Institute
Managing migration, in particular protecting and assisting forced migrants, is vital for peace, justice and human security. It continues to present an enormous challenge for the international community, including the European Union (EU). The EU has identified migrant smuggling as its priority in its Action Plan against Migrant Smuggling 2015-2020; its Agenda on Migration, and its Agenda on Security.

The Netherlands, during its ongoing Presidency of the Council of the EU, has given primacy to addressing the issues of migrant smuggling and human trafficking for labor exploitation. On the subject of human trafficking, the Institute has initiated an innovative public-private partnership.

On 9 December 2015, during its second annual conference on Business and Human Rights, ABN Amro Bank made anti-human trafficking efforts its priority for this year. This commitment arose in the context of the Institute’s partnership with ABN Amro Bank, Global March Against Child Labour, the Global Initiative on Transnational Organized Crime, and the Bureau of the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children. This partnership was

Migration is one of the positive by-products of globalization, driving human progress and development while providing refuge to individuals fleeing natural disasters or conflicts. Yet the exploitation of the movement of persons by profit-seeking smugglers, or their exploitation upon arrival by traffickers, represents the darker side of migration.
“Migration is one of the positive by-products of globalization, driving human progress and development while providing refuge to individuals who are fleeing natural disasters or conflicts. Yet the exploitation of the movement of persons by profit-seeking smugglers, or their exploitation on arrival by traffickers, represents the dark side of migration.”

initiated at the Institute on 2 June 2015.

Currently, the Institute is engaged in designing a case study that assists financial institutions by helping government-led financial investigations, and by helping corporate customers to make their value and product chains free of human-trafficking. This work is needed urgently because the crime of human trafficking is multi-faceted and requires an interdisciplinary approach that engages the private sector.

In the area of anti-migrant smuggling efforts, the Institute has provided input into the ongoing legislative revision process of the European Union (EU), as the EU seeks to revise its legislation on the prevention and combat of migrant smuggling. The input of the Institute included recommendations as to how legislation should be brought in line with international law, notably the Protocol against the Smuggling of Migrants by Land, Sea and Air which supplements the United Nations Convention against Transnational Organized Crime (UNTOC).

The Institute recommended making the crime explicitly dependent on a financial or other material benefit; exempting from punishment providers of humanitarian assistance; and providing specific safeguards for victims of smuggling. This should bolster efforts to prevent smuggling and, where it cannot be prevented, help better protect the rights of smuggled migrants.

These two strains of work will be combined in future activities focused on the increasing nexus between smuggling and trafficking. This nexus is evident with regard to several issues. First, smugglers and traffickers are often quick to find loopholes in laws and policies. They are not constrained by the regulations that States have to abide by under their obligations to protect individuals at home and abroad. Second, strengthening border control alone will not be sufficient, because smugglers and traffickers can resort to other services that facilitate illegal migration. Third, an adequate system of information sharing by countries of origin, transit and destination is needed. Otherwise, perpetrators can easily take advantage of the weak criminal justice responses in some States to forge new routes that enable them to commit their crimes. Fourth, even if an individual has consented to being smuggled, this does not mean that he or she has agreed to the treatment received during the journey.

Finally, smuggled migrants are vulnerable to exploitation, with many beginning their journey consenting to their passage yet ending up as victims of trafficking.

There is an urgent need to design comprehensive, interdisciplinary, adaptable and evidence-based policies that take into account the trafficking-smuggling nexus. Only then can the dark side of migration be addressed adequately and the positive impact of migration be allowed to flourish.

Dr. Jill Coster van Voorhout
Senior Researcher
Despite significant interventions by international donors and agencies over many years, the Democratic Republic of Congo remains one of the most unstable and poorest countries in the world. The country was ranked 186 out of 187 states in the 2014 Human Development Index. Children, with 6.5 million of pre-primary school age, 10.6 million of primary age, and 7.2 million of secondary school age, are particularly vulnerable.

After decades of neglect in terms of governance, development and specifically, road infrastructure, many schools have been abandoned and access to education disrupted, especially in rural areas and in the eastern provinces of the country.

The armed conflict formally ended in 2003, but the proportion of young children not enrolled in primary education has increased since then. Many of those who do attend primary school do so irregularly. Very few can read and write even among those who manage to complete primary school. At every level, the quality of education is low, with the content and standards of secondary and higher education unreformed for over two decades.

Gender discrimination is clearly reflected in school access and completion rates. The education system entrenches tribal and ethnic divisions, which serves to reinforce and pass to a new generation deep divisions and prejudices, fueling a vicious cycle of hate and fear.

The situation in DR Congo is complex but it is possible to identify priorities: physical access to schools and the availability of primary school infrastructure and services, alongside the reform of the content and quality of education. Long-term, schools, families and communities need support to find ways to engage to promote positive societal change and a culture of peace.

In helping to address these challenges, The Hague Institute’s Conflict Prevention team together with the NGO Radio La Benevolencija (RLB), designed and implemented the Education for Peace Project during 2015 – a pilot project that forms part of UNICEF’s global Peace Building Education and Advocacy Program. The project aimed to promote the values of inclusion, moral courage and respect for authority among children, parents/guardians, teachers and local leaders.
within schools and communities. Deliberately bringing together parents/guardians and various leaders at the broader community level is important since children’s values, attitudes and behavior largely depend on how they are educated not only in school but also at home and in the community.

Through the project, The Hague Institute provided technical expertise in the design and implementation of three main activities. The first comprised the design of a learning program to help instruct adults on how to teach and socialize children using the values of moderate respect for the authority, inclusiveness and moral courage. The second involved participatory in-class activities for primary school children which included the use of culture and art. The third component sought to adapt and utilize RLB’s established radio programming to support the teaching of the three values at the classroom and family levels. As one of the main communication tools in DR Congo, a new package of radio programs were created under the project in order to reinforce the learning among children and their parents, as well as include broader representatives and leaders within the communities that participated in the project.

The research, which analyzes the effects of the project on knowledge, attitudes and practice by comparing participants and non-participants, will be published in 2016.

The project and the forthcoming findings from the research study are relevant to the design and further development of international policy and practice. In particular, Sustainable Development Goal No. 4 states that education should be a lifelong process that takes place within the school but also in the context of the family and community.

As the work of the Conflict Prevention team at the Institute has found since 2012, an integrated multidimensional approach to education is crucial in war-torn and fragile contexts. While educating the next generation is vital, such investments will be undermined if the current generation is not given the opportunity to challenge the logic of violent conflict.

As the final contribution to this project, The Hague Institute designed and managed a research study to assess the impact of the pilot project at all relevant levels, involving a selection of children and adults that participated in the project.

Agnese Macaluso
Researcher
Countering Violent Radicalization in EU and MENA through Education

Education offers a distinctive response to the actual and perceived threats from violent radicalization in the EU and MENA regions. Improving the quality and inclusiveness of education at primary and secondary schools are paramount. For youth, education can be the vital link to employment and stability. At the broader societal level, within and across both regions, education can produce an accurate understanding of the causes of violent radicalization, enable informed and joined-up debate, and inject fresh thinking into policy and practice. More directly, there is growing evidence to show that education can create ‘common ground’ among belligerents and enclaves of stability during war.

Education though cannot provide all the answers to violent radicalization. Longer-term solutions require states or the international community to protect civilians from violence, sustain political support for peace, create access to justice, and provide sufficient employment and social welfare for those in need. Nor can we ignore the possibility that education systems can be a form of structural violence when it is used to create or maintain deep divisions, and to promote distrust and even hatred among groups.

Expertise in education, as a response to different causes, types and contexts of violence, has evolved quite rapidly in recent decades. In particular, it is well-established that education is an essential and uniquely mobile form of human development, as recognized in the Millennium Development Goals and the recently agreed Sustainable Development Goals. There has been increased international consensus that education is the fourth pillar of humanitarian aid alongside food and water, shelter and health. The importance of peace education and the role of education more broadly in building peace have also gained greater attention among donors and agencies. Fundamental challenges nonetheless persist, notably, more than 1bn children live in war-torn countries, and in many of these contexts schools and universities are directly attacked.

‘Violent radicalization’ is a contested term. For some, it entails concrete violent behavior while others include the mere acceptance of ideas that condone or justify violence. Although imperfect, the term and its variations encourage a
more nuanced understanding of terrorism and other forms of violence, compared to the narrow ‘counter-terrorist’ approach to security. Education becomes particularly relevant as part of this shift as it brings the assumption that educated people are more aware of their legal rights and better empowered to formulate their ideas and claims, which enables personal development and decreases the chances of becoming victims of indoctrination.

In building resilience, education can shape ideas and attitudes from the early learning stages, and can determine values and behavior across generations. Quality education can play a critical role in helping young resist the ‘pull factors’ through awareness raising, generating respect for others, and creating and maintaining cultures of peace and dialogue.

While violent radicalization is not new, the current wave of jihadist violence or jihadist terrorism poses unprecedented challenges for the EU and MENA regions and beyond. Policy frameworks and responses adopted during 2015 include the United Nations ‘Plan of Action for Preventing Violent Extremism’, the Gulf Cooperation Council’s ‘Declaration on Human Rights’, and the European Commission’s ‘Paris Declaration’. The latter specifically prioritized education for children and youth.

To help address the challenges and in building upon its research expertise in education and conflict prevention, The Hague Institute will begin in 2016 a collaborative long-term policy-oriented project on the role of education in countering violent radicalization. It will seek to add value at the research and policy levels by leading an interdisciplinary study of the impact of pedagogy and reform of educational institutions on violence.

The project will also bring new insights by comparing the phenomenon of violent radicalization in a selection of countries in the EU and MENA. These juxtapositions will provide a contextualized understanding alongside an appreciation of some of the complex transnational links between both regions.

Dr. David Connolly
Head of Conflict Prevention
Climate Change and Migration

Climate change and migration are keywords featured heavily in media headlines. However, the related news reports fail to explain that climate change and migration are closely connected phenomena, with significant implications for causing or triggering violent conflict. This article addresses the phenomenon of climate change induced migration, covering refugees, migrants, and internally displaced persons (IDPs), and its implications for justice.

Droughts in Syria and floods in Bangladesh illustrate how climate change and migration are linked. Reports by the International Food Policy Research Institute and UNISDR show that from 2006 to 2011, 60 percent of the Syrian population had to deal with the worst prolonged drought and the heaviest crop failures in thousands of years as a result of climate change. The consequences included at least two million people living in extreme poverty, farmers forced to relocate to cities, and youth becoming more susceptible to joining extremist groups. The first protests against the Syrian government in early 2011 evolved into the current civil war, which has had far-reaching regional and international consequences, including the worst refugee crisis since the Second World War.

Bangladesh, a low-lying country with the majority of its population living close to sea level, is subject to frequent natural disasters such as cyclones, river floods and sea water intrusion due to a rise in sea levels. Climate change has the potential to displace 20 million people both within and beyond Bangladesh, most of whom will reside in urban slums with no access to basic services.

Two broad categories of events associated with climate change impact on migration in different ways. Rapid onset events such as storms and floods impact on migration directly and tangibly. These events have become a primary cause of forced migration, particularly internal displacement, and the effects of climate change are expected to intensify such disasters and accelerate displacement rates in the coming decades. The number of storms, droughts, and floods worldwide has increased threefold over the last thirty years. Since 2008, an average of nearly 27 million people have been displaced annually by natural hazard-related disasters. This is the equivalent to one person being displaced every second.

The relationship between slow onset events such as droughts, water scarcity, sea level rise, desertification, and coastal erosion and migration is more complicated, although ecological responses due to recent climate change are already clearly visible. Slow onset events place the most stress on vulnerable groups, including the poor, indigenous peoples, women, and children. These groups may be more dependent on natural resources for their survival and lack access to coping mechanisms such as land ownership and emergency funds. As a result, they may become migrants or IDPs in order to survive. Therefore, slow onset events may act as threat multipliers that exacerbate existing political and social tensions and undermine coping capacities. These may in turn lead to (violent) conflict between, or within, states, which can intensify the forced movement of people.

Climate change induced migration has grave implications for the human rights of those forced to migrate. The lack of citizen status, and sometimes the inability to speak the host area’s language, means that many refugees have limited access to basic services, are deprived of many rights and cannot
effectively participate in vital decision-making processes.

Legal frameworks, as well as institutional roles and responsibilities to respond to climate change induced migration, remain poorly developed and defined. There is no legally binding international agreement for climate change induced migration, although there is a UN Human Rights Council Special Rapporteur on the human rights of internally displaced persons. Those forced to move across borders because of climate change are not granted refugee status, which requires political persecution as a precondition. One case exemplifies this gap: a request for refugee status by a Kiribati national, whose land and livelihoods are eroded by climate change, was rejected by the High Court of New Zealand due to the lack of a legal basis.

There is also no clear legal provision addressing internal displacement caused by climate change. Currently, these movements are subject to domestic laws and should normally be governed by the freedom of movement and settlement. The United Nations Guiding Principles on Internal Displacement provide a normative framework for national authorities to protect IDPs in the context of conflict, human rights violations, natural disasters and development projects and can, in theory, cover internal displacements due to climate change impacts. Nevertheless, these are not legally binding.

Without an official definition of what constitutes a ‘climate-change-induced migrant,’ and the lack of official recognition under international law, humanitarian assistance offered to refugees, migrants, and IDPs can only be based on the creative use of existing instruments – if there is the political will to act. Protection for those displaced by climate change must include: clarifying and expanding normative and organizational frameworks; crafting comprehensive national protection policies; raising awareness of human rights protection; and pioneering more effective approaches for dealing with states that fail to protect their citizens.

Even though climate-change-induced migration has been recognized in the Cancun Adaptation Framework, the historical COP 21 climate-deal reached in Paris (December 2015) does not expand the definition of a refugee to include climate-induced migration, much to the disappointment of close observers. As a result, the UN still does not recognize climate or extreme weather as grounds for asylum. It is crucial, however, that high-level policymakers adopt at least some of the above-mentioned options to protect millions who have fled their homes due to extreme weather.

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**Dr. Patrick Huntjens**  
Senior Researcher
Global Strategy on Foreign and Security Policy
Common Rules in an Age of Power Shifts

In a world that is more connected, more contested, and more complex than ever before, it is impossible for the European Union (EU) to not engage with developments beyond its borders. One only needs to look at the enormous difficulties the Union is facing in handling the refugee crisis to see that what happens in one country can easily affect many countries within the EU.

The EU’s existing security strategy hails from 2003—more than a decade ago. This was before the Lisbon Treaty entered into force, which equipped the EU with new instruments to conduct its external relations in a more coherent and assertive fashion. First and foremost, amongst such instruments is the revamped position of the High Representative of the Union for Foreign Affairs and Security Policy, who would simultaneously be Vice-President of the European Commission, and would be assisted by the European External Action Service (EEAS) as the EU’s diplomatic arm.

This was also a time when the Union arguably faced fewer internal challenges than it does now—from controversial constitutional reforms in Hungary and Poland with the potential of undermining the rule of law to the as yet unresolved Greek government-debt crisis.

In addition, the upcoming referendum on the future EU membership of the United Kingdom is casting a shadow over the Union as a polity and as a global actor. While it was the joint initiative of then British Prime Minister Tony Blair and French President Jacques Chirac in 1998, known as the Saint-Malo Declaration, which kick-started what is now the Common Security and Defence Policy, the EU may see one of its most important Member States in terms of foreign affairs clout depart in 2016.

In order to coordinate and bolster the efforts of EU member
High Representative Federica Mogherini has been tasked with drafting a new EU Global Strategy on Foreign and Security Policy.

The process of writing the Global Strategy is being led by the European External Action Service in close consultation with EU Member States, institutions, and the broader foreign policy community. As part of this process, The Hague Institute for Global Justice, in close cooperation with the Netherlands Ministry of Foreign Affairs and with support from the European External Action Service, organized a two-day consultation in December 2015 to inform the Dutch input to the drafting of the Global Strategy.

High Representative Mogherini stressed the importance of developing a vision and a strategy which would address short, medium and long term challenges. The High Representative asserted that “we cannot be led by fear or act impulsively.” She further highlighted the implications of interconnectedness, whereby a conflict far away can strongly impact the European Union. In this context, she highlighted the need for an EU Strategy aimed at thinking globally, brokering regionally, and acting locally.

Following the public event featuring High Representative Mogherini and Dutch Foreign Minister Bert Koenders, several closed expert consultations were convened. These involved leading experts in EU foreign policy, global governance, European and international law, and multilateral diplomacy – including external representatives from emerging powers and key partners of the EU (including from Brazil, China, India, Nigeria, and Russia), as well as civil society and the private sector. They discussed how the Union and its Member States can promote a rules-based international system and effective and representative multilateral institutions, while engaging with non-state actors, in a rapidly changing environment.

The Global Strategy on Foreign and Security Policy is currently being drafted, drawing on the input from the Member States. From the Dutch perspective, the development of global rules and the bolstering of global institutions should take pride of place in the new strategy. Once its text is finalized, the strategy is to be presented to the European Council at the end of the Dutch Presidency of the Council in June 2016.

On 23 June, British voters will also decide on the future relationship of their country with the EU. Hence, the summer of 2016 will prove a defining moment in the EU’s history—both regarding its internal cohesion as a regional community of peace and its vision for advancing justice and the rule of law globally.
Dialogues, Meetings and Events

Snapshots

On 14 October 2015, former Dutch Prime Minister Wim Kok delivered a lecture on “Fostering Democracy and Good Governance as a Contribution to Global Justice”. Dr. Kok’s lecture was the fourth and final installment of Premier Perspectives.

On 15 March, The Hague Institute welcomed President-Elect of Kosovo, H.E. Hashim Thaçi for his first international speech after being elected President. Thaçi spoke on the topic “Kosovo: Working for the Future,” as part of the Institute’s Distinguished Speaker Series.

In cooperation with the Embassy of Canada to the Netherlands, the Institute convened top experts, including General Roméo Dallaire, to examine the vulnerability of children in armed conflict. The 28 January 2016 panel was moderated by Canadian Ambassador to the Netherlands Sabine Nölke.

Noting the rise in violent extremism across the world, Dutch Minister of Security and Justice Ard van der Steur stated that countering terrorism is one of the most pressing challenges of our time. He spoke at the Institute on 4 February 2016.

Eminent author and geopolitical thinker Robert D. Kaplan visited the Institute on 14 March to discuss his new book In Europe’s Shadow: Two Cold Wars and a Thirty-Year Journey Through Romania and Beyond.

On 19 January 2016, Dr. Abi Williams, President of The Hague Institute, traveled to Doha, Qatar, to sign a Memorandum of Understanding with Qatar University and the Qatar Leadership Centre.
Building on its philosophy that evidence-based research must inform both policy and practice, and that policymaking should never be divorced from the realities of implementation, the Institute organized a plenary panel discussion that brought together representatives of the academic, policy and practitioner communities to examine how law enforcement and sustainable development responses to wildlife conservation can be complementary.

During the discussion, panelists from the International Institute for Environment and Development, the UN Office on Drugs and Crime, the African Parks Network, and the Black Mambas Anti-Poaching Unit touched on issues of community engagement, education, and how to develop law enforcement responses that do not have a negative social impact on local communities. A critical aspect of the conference was to facilitate action through “wildlife deals.” To this end, the Institute organized two successful working groups on the role of technology and effective governance in preventing and combating wildlife crime. The working groups yielded several deals between international organizations (UNODC), research institutes (the Netherlands Forensic Institute, Wageningen University, and the Netherlands Institute for the Study of Crime and Law Enforcement), governments and civil society (Kenya and Welgevonden Game Reserve in South Africa), and the private sector (Sensing Clues).

On World Wildlife Day, Dr. Abi Williams, President of the Hague Institute, moderated a high-level discussion with over 40 Heads of national delegations and senior representatives from international organizations, NGOs and the private sector. The participants elaborated on how their countries and organizations would contribute to action-oriented approaches to conserve wildlife and responded to the recently unveiled EU Wildlife Action Plan.

The Hague Institute will assist the Dutch government in keeping track of the “wildlife deals” concluded during the conference, especially in light of the 2016 CITES Conference of the Parties in Johannesburg and the international conference in Hanoi later this year.

Tom Buitelaar
Researcher
Recent Publications

International Labor Rights Case Law Journal | March 2016
The International Labor Rights Case Law (ILaRC) focuses primarily on jurisprudential developments relating to fundamental rights at the workplace. ILaRC reproduces the relevant texts of key international cases, drawing upon the case law of regional and international mechanisms, such as the ILO Committees, the European Court of Human Rights, and the African Commission on Human and Peoples’ Rights and the U.S. Supreme Court. It also contains commentaries on selected decisions from leading international labor law experts from around the world.

Transboundary Wastewater Governance: Options Based on an Uncertainty Perspective | March 2016
This study focuses on the issue of wastewater in Israel and Palestine. It seeks to clarify the dispute and offer guidance on encouraging a shared framing by Israelis and Palestinians of the issues and possible solutions related to transboundary water cooperation.

Recognizing the growing importance of cyberspace in the foreign and security policies of states, as well as the economic prosperity and development of societies across the world, the 2015 GCCS called on all stakeholders to ensure that this global resource is managed in the public interest and remains ‘free, open and secure’. This special section provides insight into how freedom, openness and security can be achieved in cyberspace by making global cyber relations more stable, predictable and productive.

Cyber Governance: Challenges, Solutions, and Lessons for Effective Global Governance | December 2015
This policy brief provides policymakers with insights on how to improve the effectiveness of cyber governance institutions and processes. These insights could also inform efforts to improve global governance institutions and processes more broadly. The brief considers two principal questions: Who should govern cyberspace, and how?

Corporate Social Responsibility and Human Security in Fragile States | November 2015
Two primary conditions for productive entrepreneurship are political stability and civil harmony. This policy brief is based on the ideas which were exchanged during the September 2014 conference on Business and Human Security co-hosted by The Hague Institute and SPARK.

Building Peace in Afghanistan through Regional Economic Integration: From RECCA-VI to the Heart of Asia Ministerial | November 2015
This paper examines the economic dimensions of Afghanistan’s decades-long conflict, reviews the respective strengths of the Istanbul Process and RECCA since 2011 in improving the conditions for peacebuilding and reconciliation and considers the level and effectiveness of collaboration between these two regional forums.

Can Conflict Resolution Reduce Fear in Crime Victims? | October 2015
This working paper reflects a case study of Bhutanese refugees and examines different aspects of conflict resolution within Bhutanese refugee camps in Nepal.

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About

The Hague Institute

The Hague Institute for Global Justice is an independent, nonpartisan organization established to conduct interdisciplinary policy-relevant research, develop practitioner tools, and convene experts, practitioners and policymakers to facilitate knowledge sharing. Through this work the Institute aims to contribute to, and further strengthen, the global framework for preventing and resolving conflict and promoting international peace.

Advisory Council

Comprised of authorities from the world of international relations, the Advisory Council of The Hague Institute for Global Justice acts as a strategic sounding board for the President of the Institute.

Dr. Madeleine K. Albright (Chair)
Chair of Albright Stonebridge Group and former Secretary of State of the United States of America

Mayor Jozias van Aartsen
Mayor of the Municipality of The Hague and former Minister of Foreign Affairs of The Netherlands

Professor Igor S. Ivanov
Professor at Moscow State Institute for International Relations and former Minister of Foreign Affairs of Russia

Dr. Marwan Muasher
Vice President for studies at the Carnegie Endowment for International Peace and former Minister of Foreign Affairs and former Deputy Prime Minister of Jordan.

Dr. Shashi Tharoor
Former Minister of State for Human Resource Development for India, Member of Parliament, and former Under-Secretary-General for Communications and Public Information at the United Nations.

H.E. Judge Abdulqawi A. Yusuf
Judge at the International Court of Justice