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Human security and international accountability

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NEAPOLIS UNIVERSITY OF PAFOS, CYPRUS

***MSc INTERNATIONAL RELATIONS, STRATEGY AND
SECURITY***

**HUMAN SECURITY AND INTERNATIONAL
ACCOUNTABILITY**

*This thesis was submitted for distance acquisition of a
postgraduate degree in International Relations, Strategy and
Security at Neapolis University*

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The Denotation

Giancarlo Montaruli

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Abstract

This Master Dissertation examines the evolution of the concept of human security and its operational implications for international accountability in situations involving mass atrocity crimes.

Human security reorients the referent of security from the state to individuals and communities, encompassing protection of physical safety, dignity, and well-being.

The United Nations Development Program's 1994 report advanced a multidimensional framework grounded in freedom from fear, freedom from want, and freedom to live with dignity, thereby challenging sovereignty-centred legal and political structures. In doing so, it encouraged both state and non-state actors to reconsider responsibilities toward populations, expanding preventive diplomacy and providing normative foundations later reflected in the Responsibility to Protect doctrine.

The establishment of the International Criminal Court in 1998 marked a major institutional milestone, seeking to prevent and punish genocide, war crimes, and crimes against humanity when domestic authorities fail to act. Building upon the experiences of ad hoc tribunals such as the ICTY and ICTR, the Court institutionalized permanent accountability and developed jurisprudence concerning leadership responsibility and systematic violations.

Parallel developments at regional levels expanded avenues for individual legal standing, enabling victims to challenge abuses beyond domestic judicial limits, reinforcing the gradual juridical institutionalization of international human protection norms.

Despite these advances, the authority of human security remains limited in practice.

Enforcement depends largely on state cooperation, while the absence of major powers, including the United States, China, Russia, and India, sustains perceptions of selective justice.

Although post–Cold War governance has increasingly invoked human security, international responses continue to reflect alliances and strategic interests.

The veto power within the United Nations Security Council further preserves great-power dominance, constraining collective action in crises such as Gaza and Ukraine and revealing persistent tensions between normative commitments and geopolitical calculations in contemporary international order and future collective enforcement possibilities for lasting global accountability mechanisms.

Keywords:

Paradigm Shift in Security Studies

Freedom From Want in The Threat Agenda

Conditional Sovereignty and Multilateralism of Non-State Actors

Responsibility To Protect as Moral Obligation

Link to International Criminal Law

Introduction:

Human Security as a Global Principle of Equal Protection of Human Rights: Historical, Ethical and Legal Foundations. Contemporary Challenges for Political Cooperation

1. Human Security and the Limits of State-Centric Sovereignty

The contemporary demand for safeguarding human security has emerged as a defining post–Cold War challenge.

This shift is driven by two interrelated factors: “the growing interdisciplinary nature of foreign policy agendas, where security, development, and human rights intersect, and the accelerating impact of globalization, which renders instability and mass violence increasingly transnational” [1] (*Chinkin and Kaldor 2017, 479*).

In contrast with traditional state-centric approaches, vulnerable communities increasingly constitute “a matter of reputation that even the most powerful actors in the international system seem no longer eager to ignore” [2] (*Crawford 2000, 116*).

Realism historically interpreted insecurity as a problem of states in “an anarchic system, relying on military power, deterrence, and alliances” [3] (*Weiss 2004, 135*).

Citizens were protected only insofar as the state remained secure, “leaving minorities largely exposed” [4] (*Donnelly 2008, 150*).

Sovereignty granted governments near-absolute discretion over internal affairs, often with

“catastrophic consequences when states wield coercive power against their populations” [5] (*Tadjbakhsh and Chenoy 2007, 76*).

2. Responsibility to Protect and Contemporary Crises

Emerging from these failures, the Responsibility to Protect (R2P), endorsed at the 2005 UN World Summit, reconceptualized sovereignty as a collective responsibility: states bear the primary duty to “protect their citizens from genocide, war crimes, ethnic cleansing, crimes against humanity; when they fail, that responsibility shift to the international community” [6] (*Hough et al. 2020,67*).

R2P codifies a direct link between human security and international intervention.

Despite its moral clarity, the R2P remains contested in practice, particularly regarding which threats merit intervention and how multilateral institutions respond.

Critics warn that “prioritizing universal rights over sovereignty risks selective interventions and geopolitical manipulation” [7] (*Paris 2001,87*).

This tension was evident in NATO’s 1999 intervention in Kosovo.

Although justified to prevent ethnic cleansing, it lacked Security Council authorization. NATO framed its actions as legitimate but not strictly legal, highlighting the ambiguity of humanitarian intervention and reinforcing the perception that powerful states may circumvent international law when moral and strategic objectives converge.

Similar dynamics persist in contemporary crises.

Israel’s military campaign in Gaza under Prime Minister Netanyahu demonstrates the clash between humanitarian principles, international law, and geopolitics.

Israel invokes self-defense under Article 51 of the UN Charter, emphasizing protection against Hamas attacks. Yet the high civilian death toll, destruction of infrastructure, and mass displacement raise serious humanitarian concerns.

Despite scrutiny from the ICJ and ICC, the UN Security Council remains paralyzed by vetoes, notably from the United States.

A comparable pattern is evident in Russia’s invasion of Ukraine.

President Putin justifies the use of force on national security and historical grounds yet attacks on civilians and forced deportations have prompted ICC arrest warrants, including charges for the unlawful deportation of children.

These cases underscore a recurring structural problem: “statehood and national control are invoked to justify violence, while international legal mechanisms struggle to impose effective constraints on leaders shielded by power and alliances” [8] (*Chinkin and Kaldor 2017, 37*).

3. Institutionalizing Human Security and Accountability

Conceptually, these crises reveal the tension between state authority and universal human rights.

Sovereignty shields states from interference but loses legitimacy when used to justify atrocities.

Human security shifts focus to individuals, representing “not merely a policy adjustment but a radical ethical reorientation of international order” [9] (*Baldwin 1997, 5*).

Codified in the UDHR (1948), this principle underpins the ICC (1998), aiming to prevent or punish genocide, war crimes, and crimes against humanity even when states fail.

Building on ICTY (1993) and ICTR (1994), the ICC institutionalizes permanent accountability, reinforcing deterrence through jurisprudence on leadership responsibility.

Its authority remains constrained by reliance on state cooperation and the absence of major powers, including the US, China, Russia, and India.

Nevertheless post–Cold War attention to human security, governance largely remains state-centred; the UN Security Council veto preserves great-power dominance, explaining interventions in the Balkans while blocking Gaza or Ukraine.

This chapter examines three dimensions: “the exclusionary effects of state-first doctrines; the uneven international response to crises; and how tribunals shape accountability and prevention” [10] (*Trahan 2020, 142*).

Prioritizing universal rights is both ethical and functional, as illustrated by the deadly consequences of sidelining civilian protection in Gaza and Ukraine.

Recognition of human security signals a shift in international security studies, emphasizing rights and responsibility.

Chapter 1:

Human Security Between Theory and Practice: The UNDP Conceptual Evolution and Its Implications for International Accountability

1. The Emergence and Structure of a New Security Paradigm

The end of the Cold War marked a profound transformation in international relations, challenging assumptions that had shaped global security thinking for decades. During the bipolar era, domestic threats were largely interpreted through “the lens of external aggression, nuclear capability, and geopolitical balance” [11] (*King and Murray 2001, 585*).

The upheavals of the early 1990s, due to civil wars, authoritarian collapse, humanitarian emergencies, and mass displacement, exposed the “inadequacy of security frameworks built exclusively around state survival” [12] (*Buzan 1997, 5*).

This prompted a reassessment of security “in terms more closely aligned with people’s lived experiences” [13] (*Tadzbakhsh and Chenoy 2007, 7*).

As interstate wars declined, scholarship increasingly questioned military-centric assumptions that “failed to anticipate or prevent catastrophic human suffering arising from interconnected regional conflicts” [14] (*McMillan 1997, 33*).

Within this context, the United Nations Development Program introduced human security in its 1994 Human Development Report, “an initiative widely regarded as one of the most influential normative innovations in post–Cold War global governance” [15] (*Smith 2002, 23*).

Human security redefined the referent of security “from states to individuals and communities, encompassing protection of physical safety, dignity, and well-being” [16] (*Kaldor 2007, 224*).

The UNDP advanced a multidimensional framework grounded in “freedom from fear, freedom from want, and freedom to live with dignity” [17] (*Rothschild 1995, 53*), challenging sovereignty-centered legal and political structures.

This paradigm encouraged actors to “rethink their responsibilities toward populations, expanding the scope for preventive diplomacy” [18] (*Van Rooy and Foster 2000, 55*) and laid foundations “for later doctrines such as the R2P” [19] (*Bellamy 2010, 256*).

While “widely endorsed in rhetoric” [20] (*Keohane and Nye 1987, 725*), implementation has remained uneven, constrained by “uneven state participation and resistance from powerful states” [21] (*Owen 2004, 35*).

Institutions including the UN Security Council, NATO, and the International Criminal Court (ICC) incorporated human security language; yet decision-making “remains largely conditioned by the power-preserving strategies of dominant actors” [22] (*Reinalda and Verbeek 2004, 9*).

The recurrence of atrocities, from Rwanda and Srebrenica to Darfur, Syria, Myanmar, and Gaza, reveals a persistent gap between normative ambition and political constraint, raising “critical inquiries into why international institutions repeatedly fail to prevent or halt large - scale violence” [23] (*Jarvis 2022, 243*).

2. UNDP and Institutionalization of Human Security: A Critical-Theoretical Analysis

Human security challenges orthodox international relations theory by rejecting the assumption that security derives automatically from state survival.

Classical liberal and neorealist approaches conceptualized security as “the preservation of sovereignty within an anarchic system, treating military power, deterrence, and alliances as the primary means of protection” [24] (*Buzan and Hansen 2009, 400*).

Individuals were subsumed “within the state and presumed secure insofar as territorial integrity and regime stability were maintained” [25] (*Gueldry, Gokcek and Hebron 2019, 274*).

Human security exposes “the empirical and normative limits of this model” [26] (*Krause and Williams 2002, 404*).

“During the Post–Cold War experience” [27] (*Booth 1991, 313*), the gravest threats, like genocide, ethnic cleansing, repression, forced displacement, have often originated “from state

policies and internal securitization practices rather than external aggression” [28] (*Roe 2008, 615*).

Traditional security theory lacks criteria to assess such harm, whereas human-centered approaches evaluate security through individual protection.

A political order that systematically violates rights “cannot, by definition, be considered secure” [29] (*Pellet 1999, 425*). This reconceptualization carries legal implications.

The UNDP vision reveals “the inability to protect individuals from violent conflicts produced by the state itself” [30] (*Shakeri 2022, 227*), an insight central to understanding “crimes against human condition, which could abstractly also contemplate legitimate use of force by political authorities operating through legal, administrative, and military institutions” [31] (*James 2014, 17*).

While classical international law “associated sovereignty with non-interference under Article 2(7) of the UN Charter” [32] (*Mack 2005, 177*), human security reframes sovereignty as responsibility. When states “fail to protect populations, legitimacy erodes” [33] (*Thomas 2000, 159*).

The Responsibility to Protect affirms that “atrocities crimes constitute violations of obligations owed to the international community as a whole” [34] (*Lau 2023, 29*).

2.1 UNDP’s Deconstruction Method for A People-Centered Security

The 1994 UNDP Report introduced seven interrelated dimensions—economic, food, health, environmental, personal, community, and political security—arguing that “threats to dignity and well-being are multidimensional and mutually reinforcing” [35] (*Ikenberry, MacFarlane and Khong 2006, 159*).

Departing from “military conceptions” [36] (*Axworthy 2001, 19*), the paradigm “emphasized prevention, structural risk reduction, and the protection of individuals rather than territory” [37] (*Boulding 1991, 7*).

Grounded in “human rights law” [38] (*Stohl 2007, 1*), this “approach linked security to development, highlighting poverty, inequality, and marginalization as sources of vulnerability” [39] (*Sen 1988, 576*).

The UNDP provided analytical vocabulary to articulate humanitarian systemic failures, reframing sovereignty and power as responsibility rather than privilege.

2.2 Theoretical Debates: Breadth, Precision, and Political Resistance

Human security has been criticized for conceptual breadth. Scholars have expressed “a dissent on studying an all-encompassing definition including poverty, disease, conflict, and environmental degradation” [40] (*Newman 2005, 24*), and others argue UNDP’s application may “compromise analytical feasibility, placing unrealistic expectations on largely state-centric institutions” [41] (*Paris 2004, 370*).

Yet human security was intended “as a paradigm shift rather than a fixed doctrine” [42] (*Prezelj 2008, 6*).

Multidimensional vulnerability “requires flexible analysis on various circumstances” [43] (*Nef 1999, 1*).

UN proponents conceived it as complementing traditional security by exposing “the limitations of military-focused approaches in avoiding structural violence and atrocities” [44] (*Del Rosso 1995, 175*).

Resistance from major powers contributes to “uneven implementation” [45] (*Leaning and Arie 2001, 354*): human security is “adopted when politically convenient and neglected when it conflicts with national prerogatives” [46] (*Renner 1998, 87*).

2.3 From Human Security to R2P: Convergence and Divergence

The Responsibility to Protect, adopted at the 2005 World Summit, reflects the UNDP’s “global commitment pattern directed to the state for ensuring the respect of all the underlying law principles for a people-centric security” [47] (*Kaldor 2024, 522*).

R2P focuses on genocide, war crimes, ethnic cleansing, and crimes against humanity.

Its core implication is the “behavioral change in the way to protect vulnerable populations under the assistance of international community which has the right, according to the third pillar, to act collectively when they fail” [48] (*Etzioni 2004, 418*).

Convergence appears in three aspects:

- ❖ Human-centered sovereignty.
- ❖ Preventive focus.
- ❖ Universality of concern.

Operationally, R2P is narrower and more “contested because still not practically implemented in the context of specific situation, lacks robust enforcement mechanisms and remains dependent on Security Council authorization, which is often blocked by veto power” [49] (*Hampson et al. 2001, 210*).

Human security therefore persists as “amplified conceptual resilience for evaluating state conduct” [50] (*Seybott 2007, 38*), extending beyond atrocity crimes without necessarily requiring military intervention.

3. Impact of Human Security on International Accountability

Human security reshaped security studies by integrating development and rights into a unified agenda.

As a normative framework, it has become “an advantage and a necessity for the policy makers” [51] (*Stewart 2000, 245*) confronting interconnected threats.

3.1 Linking Human Security to International Criminal Law

Human security provides the lens for understanding why mechanisms such as the ICC and ad hoc tribunals are “essential multilateral final arbiters inside the global governance system on the scope to investigate and prosecute States, individual and other subjects acting against the international law” [52] (*Romano et al. 2013, 1072*).

Atrocity crimes represent the extreme manifestation of abuses: “countless violations of civil or human rights basically happen in less developed areas when organized political groups mobilize deliberately in conflict against each other and significantly heighten as a side effect of the onset of globalization in the post-Cold War political change” [53] (*Godson and Williams 2002, 311*).

International criminal law “operationalizes aspects of human security discourse by codifying the gravest harms to individuals and communities” [54] (*von Tigerstrom 2007, 254*).

ICC jurisprudence, from Lubanga to Al-Bashir, appears to “have successfully reinforced the ultimate plan that protecting populations is a matter of international concern” [55] (*Magdy 2020*;

Gaskins 2002, 211).

3.2 The Preventive Function of Accountability

Accountability supports human security through:

- Deterrence.
- Norm consolidation.
- Victim empowerment.
- Historical record.

The ICTR demonstrated “how swift justice could shape post-conflict expectations” [56] (*Zahar 2008, 600*).

By contrast, the ECCC illustrates “how delayed justice weakens both deterrence value and societal trust” [57] (*Campbell 2014, 1*).

3.3 Limitations of Accountability: Political Reactions and Criticism

Human security as accountability faces structural obstacles, “including veto politics and resistance from powerful states wary of ICC scrutiny” [58] (*Hopf 1998, 171*).

Selective intervention may “undermine legitimacy and universal enforcement, as seen in differing responses to Kosovo, Darfur, and Syria” [59] (*Nalepa and Powell 2015, 1191*).

Thus, realization remains “strictly dependent on political will at state level which usually impede the ability of tribunals to conduct its duty through investigations” [60] (*Tiemessen 2016, 30*).

4. Core Research Questions and Objectives

This chapter is guided by three overarching questions, both quantitative and qualitative, aimed at clarifying human security's conceptual evolution and its implications for accountability:

RQ1: How did the UNDP's definition shape debates on protection and responsibility?

RQ2: To what extent has human security influenced institutions such as ICTY, ICTR, and ICC?

RQ3: What limitations prevent full realization, particularly regarding enforcement?

The research emphasizes paradigm shift, responsible sovereignty, and collective accountability, aiming to suggest best practices for future global relations.

The ultimate level of this accurate and detailed theoretical description would be an ambitious suggestion about best practices for the future of global relations in human development protection.

5. A Rational Methodology

The first chapter employs analytical data qualitative, interpretive and multi-source methodology suitable for a normative and institutional contextualization in international relations and international law under the coherent purpose of understanding what is the relation between the recent paradigm of human shift in security studies and the collective measures required for tackling criminal accountability of states, groups or individuals.

5.1 Conceptual Formulation

Defining human security through analysis of UNDP texts, interdisciplinary scholarship, and principal critiques.

5.2 Case-Based Institutional Analysis

Examining statutes, mandates, and judicial reasoning of accountability institutions to identify practical applications of human security principles.

5.3 Policy and Discourse Inquire

Exploring diplomatic debates and official statements to understand how states frame and justify human security in practice.

5.4 Comparative Investigation

Confronting different judicial mechanisms and political contexts to assess variations in implementation.

5.5 Critical Legal and Political Evaluation

Evaluating how power relations, resistance, and institutional limits affect the enforcement of accountability norms.

6. Recap Between Theory and Practice: Human Security as a Normative Foundation for Accountability

Human security constitutes a transformative shift because it “redefines the matter of security as a fundamentally people’s concern, providing therefore a moral and analytical foundation for international accountability mechanisms” [61] (*Tickner 1995, 175*).

From the UNDP vision to tribunals and the ICC, it addresses “existent lacunae in the absolutist interpretation of sovereignty” [62] (*Krause and Williams 1996, 229*).

Yet implementation remains constrained: prevention still depends on “political will built on powerful states’ organization” [63] (*Christensen 2023, 753*).

If geopolitical interests override ethics, human security becomes “hostage by structural contradictions in the behavior of states” [64] (*Allen and Styan 2000, 825*).

Recognizing “as the principal referent of the security object the individual” [65] (*Reveron 2011, 274*), the dissertation proceeds to examine historical constructs underlying human security and its operational implications for international accountability.

Chapter 2:

International Stability Dilemma: Historical Shifts Beyond State-Centric Military Intervention and the Emergence of Human Insecurity

2.1 Historical Perspective Introduction: Rethinking International Stability

The traditional focus on international stability has been understood as regulated by dominant powers' military interests, largely ignoring sub-state security composed of "individuals or communities for which the protection was assumed as given in a common cause of national sovereignty"[66] (*Wright and Oliver 2012, 392*).

Historically, "the interdependent stability among states was automatically equated with a balanced order in the power dynamics and was ordinarily pursued through military mutual alliances and rivalry systems"[67] (*Wight 2023, 352*).

Common security was state-centric, protecting populations only insofar as safety aligned with national interests.

The emergence of "human security as a normative and analytical model"[68] (*A. and S. Lautensach 2020, 711*) challenged this due to the "contemporary rise of insecurity in the global context of new postmodern and hybrid wars, violent armed domestic conflicts with mass displacement and atrocities, terrorism, failed states, and structural humanitarian crises caused by poverty and natural disasters"[69] (*Johnson, Basham, and Thomas 2022, 607*).

Following the bipolar era, "the decline of interstate warfare and the consolidation of the western democratic status quo diverted the required minimum threshold of the public heedfulness

concerning the uncertain debates about the structured incapacity of the international system to afford existential transnational threats deeply rooted in social conditions in a post-colonialist orderliness" [70] (Parashar 2024, 456).

Contemporary instability cannot be fully understood without examining the legacy of power-based intervention and structural limitations. Classical order-maintenance theory, intended to stabilize relations, paradoxically contributed to sudden conflicts with mass atrocities.

2.2 Early Modern Foundations: Sovereign Equality and the Primacy of Power

The origins of a modern international system are "commonly associated with the principles of the Peace of Westphalia (1648)" [71] (Patton 2019, 91), institutionalizing sovereignty, legal equality, and non-interference, even if some argue that "the concrete routes are more proper in the latter obsessive trends about the same matter between the nineteenth and twentieth centuries" [72] (Center et al. 2020, 70).

The Thirty Years' War, "the most destructive conflict in the European history of the context of continuous religious fighting between the 16th and 18th centuries" [73] (Parker 1997, 281), created a dogma in interstate systems, settling "a strict rule in the competition of power, as each sovereign state was authorized to be within its proper sphere without interfering in external affairs" [74] (Osiander 2001, 251).

From a realistic orientation, "the consciousness about basic needs or equal treatment of populations was not conceived at all as an explicit objective at that time" [75] (Zwierlein and Graf 2010, 7).

Respect for territorial integrity was "later embedded in the UN Charter" [76] (Simpson 2004, 990).

The Westphalian order has been analyzed as a comparative model, albeit limited to a Western narrative, until "the appearance of the globalization process even if the effective applicability and relevance have been questioned several times from a variety of viewpoints" [77] (Ozavci 2018, 5).

While the system sought to prevent domination through alliances and interventions, the result was "the assumed functional trajectory of the doctrine which has substantiality normalized the

recourse to warfare, when necessary, as a typical tool for maintaining the status quo, for the reason that it should be a central feature of international stability" [78] (*Maya and Wene 2026, 6*).

2.3 The Concert of Europe: Stability Without Human Security

These ideas developed in the Concert of Europe, established in the Congress of Vienna to resolve post-Napoleonic disputes.

Major powers coordinated "in a perspective of unity for an extended period of relative peace, through the restoration of previous territorial arrangements and suppression of revolutionary chaos, considered as serious threat for a potential large-scale war among themselves" [79] (*Lemke 2023, 10*).

Diplomacy was "strategically conservative and elitist, with the preservation of dynastic legitimacy and social hierarchy as ultimate specific scope" [80] (*Šedivý 2023, 641*).

Military intervention suppressed uprisings, such as "the simultaneous occurring Polish crisis as one of the most significant examples" [81] (*Lewinski-Corwin 1918, 427*).

The balance of power mechanism consolidated states' authority, as "the Prussian general Carl von Clausewitz theorized decision-making strategies in his famous aphorism: War is the continuation of policy with other means" [82] (*Paret 1976, 496*).

Security relied on domestic coercion rather than structural violence, and freedom from fear was supposed to be achieved "only through coercion at the domestic level without representing human insecurity as structural flaw due to the long-standing indifference towards atrocities occurring elsewhere" [83] (*Smith 1990, 39*).

Excluding populations planted the contradictory seeds of future new divisions and brutal confrontation, as "the long-term power-based stability was hiding a profound rife largely attributed to the rival alliances system which progressively diminished the climate of collaboration" [84] (*Schulz 2015, 10*).

2.4 The Breakdown: New Imperialism and the World Wars

During the 19th and early 20th centuries, "the systematic use of military force and strategic

control of distant overseas territories, with the expansion of European empires, further entrenched an interventionist theory of international stability" [85] (*Gallaheer et al. 2009, 115*).

Most developed countries expressed domination through "forms of commercial colonial governance, which essentially relied on organized coercion, exploitation techniques and the denial of political rights, justified by claims of superiority and narratives of civilization" [86] (*Khan et al. 2024, 1304*).

Imperial stability was asymmetrical: "metropolitan centers experienced relative security and economic growth, but colonized societies endured chronic violence, forced labor, and social disintegration" [87] (*Vogler 2022, 189*).

Arbitrary borders and resource extraction produced "enduring insecurity in post-colonial states" [88] (*Page and Sonnenburg 2003, 3*).

This path culminated in "a global conflict, the Great War, by reflecting growing rivalries among the dominant in the catastrophic failure of the balance-of-power system erected by the Council of Europe" [89] (*Zacher 2001, 215*).

Alliance politics, arms races, and nationalism caused unprecedented destruction.

The League of Nations "sought collective security but failed in territorial disputes" [90] (*Tomuschat 1995, 527*), exemplifying "the weakness of institutional constraints under the state's prevalence, that exacerbating in a total conflict, The Second World War, as crude exemplification of ignoring human security" [91] (*Northedge 1986, 98*).

Genocides and mass displacement exposed the inadequacy of prioritizing sovereignty over human dignity.

2.5 The Post-1945 Bipolar System: Collective Security and Strategic Rivalry

After Europe's devastation, the United Nations represented "a decisive attempt to foster international cooperation beyond unilateral military intervention towards a durable system of collective security grounded in the international law" [92] (*Tadjbakhsh and Chenoy 2007, 130*).

The Security Council was tasked to "manage or restore international peace and security underneath the danger of territorial or local integrity infringement" [93] (*McNeill and Pomeranz 2015, 324*).

The Universal Declaration of Human Rights "linked peace to human dignity" [94] (*Tadjbakhsh*

and Chenoy 2007, 123), later “codified in the ICCPR” [95] (Sieghart 1983, 25).

The Cold War reshaped stability around the US and Soviet Union.

Military interventions persisted “within spheres of influence, though direct confrontation was avoided” [96] (Pedraza 2025, 809).

Collective security revealed contradictions as "immense human suffering due to instrumental and ideological factors triggered proxy wars in Asia, Africa, and Latin America" [97] (Evans 2008, 19).

Nuclear deterrence “stabilized superpower relations but perpetuated regional violence” [98] (Westad 2005, 498).

2.6 Post-Cold War Transition: Multilateralism to Humanitarian Intervention

The Cold War’s end generated optimism that "international stability could be achieved through multilateralism, the strengthening of international law, and the promotion of democracy and human rights" [99] (Mohapatra and Panigrahi 1998, 129).

Rising awareness of human insecurity prompted "humanitarian and coercive interventions in conflict zones, as evidenced by the cases of Somalia, Rwanda, and the former Yugoslavia" [100] (Brown 1996, 671).

Military actions aimed to protect civilians “even without belligerents’ consent” [101] (Gierycz 2010, 110).

UN missions "succeeded in achieving their primary objective of delivering humanitarian assistance to large segments of affected populations" [102] (Stewart 2011, 2) but “revealed tensions between humanitarian and political aims” [103] (Newby et al. 2005, 815).

Operations in Afghanistan and Iraq, driven by major powers’ concerns, destabilized regions. Western academic thought “shaped legal norms but often ignored local socio-cultural conditions” [104] (Oxford 2003, 443).

2.7 Global Civil Society: The Responsibility to Protect, the Crisis of Human Security and the Limits of Normative Progress

The Responsibility to Protect (R2P) redefined sovereignty as responsibility, requiring coordinated action in response to mass atrocities.

Nevertheless normative significance, it revealed "structural limitations regardless of the precautionary scope to defend exposed citizen against mass atrocity crimes" [105] (Evans 2008, 79).

The 2011 "NATO intervention in Libya, initially authorized by the UN" [106] (Paris 2014, 569) for an immediate ceasefire to protect civilians, precipitated a prolonged chaos connected to regime collapse" [107] (Kuperman 2013, 105), while paralysis over Syria "further eroded confidence in R2P decision-making processes, which were constantly influenced by opposed geopolitical interests" [108] (Enders 2012, 11).

These cases illustrate selective application of human-centered norms in "a system structured by power asymmetries" [109] (Evans 2008, 56).

Although interstate wars declined, violence became fragmented, with intra-state conflict, terrorism, displacement, organized crime, and environmental threats challenging traditional security paradigms.

Militarized responses often "failed to address root causes, leaving regions such as the Middle East, Sahel, Equatorial Africa, and parts of South Asia insecure" [110] (Seybolt 2007, 314).

2.8 Conclusion: From Power-Based Stability to Human-Centered Order

The historical evolution of stability demonstrates "a gradual but still incomplete shift from power-based military intervention toward a human-centered understanding of equilibrium in the realm of international relation" [111] (Thomas 2000, 159).

Contemporary human insecurity reflects historical strategies, driven by major powers managing disputes through force, with repeated patterns of selective enforcement.

Reconceptualizing stability through international norms and institutions requires formal commitments, structural reforms, and engagement with local socio-economic roots of state and non-state actors.

Only a universal analytical and empirical approach can build stronger accountability, transcending the ideological biases of a limited Eurocentric vision.

Chapter 3:

Assessing the Impact and Constraints of International Law: From the Universal Declaration of Human Rights to the Establishment of the International Criminal Court

3.1 Human Security and the Reorientation of International Law

The incorporation of human security into international law represents “one of the most essential ideological revolutions of the post-Second World War legal order, because the society has become more morally responsive in relation to more persuasive threats to life, dignity, and fundamental freedoms” [112] (*Wheeler 2001, 1*).

Classical international law, rooted in the post-Westphalia system, defined “a horizontal society governing relations among the sovereign states as primary actors, prioritizing non-intervention solutions, as an assumption of territorial integrity, political independence” [113] (*Orakhelashvili 2020, 512*), through treaties, customs, and diplomacy.

Individuals were “not treated as entities of international law, and their protection was considered an internal matter” [114] (*Brownlie and Crawford 2012, 785*).

The atrocities of the Second World War exposed “the ethical and legal inadequacy of this state-centered paradigm” [115] (*Waltz 1979, 250*).

Consequently, the international community initiated “a normative transformation placing the individual at the center of international legal concern by reformulating human security as a framework valid for multilateral protection in war and peace” [116] (*Held and McGrew 2002, 384*).

Although human security norms gradually institutionalized, “the effectiveness of judicial intervention remains limited by structural constraints, particularly national sovereignty and major powers' consent” [117] (*Erakat 2019, 352*).

This section examines how international law operationalized human security, from the UDHR (1948) to the ICC (1998), including state responsibility, individual petition mechanisms, and international criminal accountability [118] (*Boister 2012, 810*).

3.2 The Universal Declaration of Human Rights as the Key Convention in Defining Human Security

The UDHR (1948), drafted after unprecedented crimes, constitutes the normative foundation of human security law, articulating universal rights inherent to all humans.

While non-binding, it represents “a holistic break with traditional international rules by expanding security governance beyond territorial sovereignty” [119] (*Burchell et al. 1991, 95*).

The Declaration provides accountability for individual rights, e.g., “freedom from fear, such as Article 3 for the right to life and Article 5 prohibiting torture and slavery” [120] (*Ramcharan 2002, 70*), and socio-economic standards, Articles 22–27, “anticipating freedom from want central to later discourse” [121] (*Alfreðsson and Eide 1999, 524*).

These principles are crystallized into “customary law and binding treaties, notably the ICCPR and ICESCR” [122] (*Weston 2014, 133*), forming “the International Bill of Human Rights, the normative backbone against human rights violators” [123] (*Norchi 2004, 77*).

The ICJ has affirmed the “legal significance of fundamental human rights” [124] (*Tomuschat et al. 2019, 712*), including in “Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip” [125] (*Keane 2024, 1*).

Despite UNHRC and other mechanisms, limitations persist due to “the absence of global enforcement mechanisms” [126] (*Alexander 2024, 185*), with practical protection “dependent on treaty development and domestic implementation” [127] (*Tadjbakhsh and Chenoy 2007, 131*).

The four Geneva Conventions of 1949 remain a “humanitarian cornerstone for non-combatants,” applying to all states and non-state armed groups [128] (*van Dijk 2022, 117*).

3.3 Renew Security in War and Peace: The International Humanitarian Law

Human security is critically "tested in situations of war crimes, where individuals are involved in acute violations of International Humanitarian Law (IHL)" [129] (Stewart 2003, 850).

While human rights are "a relative doctrine upheld by judicial bodies and international agreements" [130] (Bloor 2022, 123), humanitarian intervention presumes universal protection of individuals in peace and war.

The primary legal framework is the historical customary obligations during the conduct of hostilities, as settled in the Geneva Conventions and Additional Protocols, with the aim to "distinguish between combatants and civilians" [131] (Greenwood 2008, 233).

Complementing this, "the discipline of The Hague, which determines the means and methods admitted being used in warfare under the intended scope to reduce the collateral effects" [132] (Kalshoven and Zegveld 2001).

Core IHL principles, as distinction, proportionality, military necessity, are abstractly "aligned with human security objectives and strictly associated with the debate on the international norm of Responsibility to Protect (R2P) since the early 2000s" [133] (Evans 2008, 129), with roots in "Grotius' 17th-century ideas of justified military intervention" [134] (Brett 2002, 31).

Legal commitments, restricting military action under Article 2 of the Charter, are valid "only without arbitrary attacks by containing violence, albeit acting in self-defense or authorized by the Security Council, within legally well-defined parameters" [135] (Henderson 2019, 365).

Advisory opinions, "such as on the Wall in the Occupied Palestinian Territory (2004) and Armed Activities in the Congo (2005)" [136] (Jamshidi 2024, 26), reaffirm that "human rights and IHL obligations are mandatory" [137] (Ventura 2023, 399).

Yet enforcement remains a challenge due to "often non-institutional in nature, involving non-state armed groups, asymmetric warfare, and fragmented authority structures" [138] (Shaw 2003, 272).

Violations of human security norms in civilian contexts are widespread, and accountability mechanisms remain limited.

3.4 Reacting to Crises: Legacy of NATO and EU Interventions

NATO and EU responses must be "examined within the broader progression of international law from a state-centered system grounded in sovereignty and non-interference toward a more human-centered legal order" [139] (*Ayoob 2004, 99*).

Article 2(4) of the UN Charter prohibits force, reflecting "the post-1945 commitment to collective security and the primacy of state sovereignty; this norm limited the legal space for external interventions" [140] (*Roth 2022, 161*).

From the 1990s, humanitarian intervention and R2P established a normative imperative level of commitment in international law, "allowing in fact military intervention for the express goal of bringing the violation of human rights to an end in a specific locality" [141] (*Buchanan and Keohane 2004, 1*).

NATO and EU actions, such as the Kosovo campaign (1999), illustrate exceptional measures aimed at "preventing serious harm when diplomatic persuasion must have literally failed, although they continuously are paralyzed by one of the permanent members in the Security Council" [142] (*Evans 2008, 133*).

Regional organizations like the Arab League, African Union, ASEAN, and ECOWAS also acted "to reestablish order on humanitarian purposes" [143] (*Biddle 2002, 138*), recognizing the security role of regional actors in "dealing with human protection catastrophes within their own delimited area" [144] (*Buzan and Wæver 2003, 269*).

Still, the absence of consistent Security Council mutual consensus and the selective application of self-defense continue to "raise concerns about legal certainty and equality in conflict preventions" [145] (*Bloor 2022, 65*).

NATO and EU reactions confirm both "the progressive expansion of international legal norms toward the protection of individuals and persistent structural limits imposed by horizontal inequities" [146] (*Howorth 2019, 85*).

3.5 State Accountability and Structural Tension in the Responsibility to Protect

State responsibility remains central in enforcing human security, as "UN members are the first responsible for violations of human rights committed by their organs or by entities acting under

their authority" [147] (Evans 2008, 196).

R2P states the whole spectrum protection of individuals should “not merely be a moral or political aspiration but a legal duty incumbent upon the willingness of the national governments” [148] (Bannon 2006, 1157).

Yet effective mobilization is constrained by "the consensual nature of international adjudication, and many states” [149] (Evans 2008, 163) have not accepted the compulsory jurisdiction of international courts, as currently “occurring with the International Criminal Court” [150] (Broomhall 2003, 143).

Sovereignty may also "degenerate as a tool for repression" [151] (Glanville 2013, 304).

The UN can, normatively, "replace a sovereign state reluctant or unable in the proper exercise of domestic power as last resort" [152] (Cohen and Deng 2016, 74), but applications are “selective and politically contested” [153] (Evans 2008, 175).

3.6 The Nuremberg Charter and Crimes Against Humanity

The Nuremberg Charter, post-World War II, marked "a turning milestone in international criminal law by fixing, for the first time, grave violations of prosecution norms applicable to a national government's treatment of its own citizen" [154] (Tomuschat 2006, 830).

Rejecting sovereignty claims as defenses, Nuremberg affirmed "individuals could be held accountable for crimes threatening both human security and international peace" [155] (Heller 2011, 551).

Despite "the shortcomings of a selective justice and the influence of geopolitical interests of Allied powers" [156] (Priemel 2016, 134), Nuremberg established "the true beginning in the persistent process of the formal reception of crimes against humanity" [157] (Sayapin 2014, 334). It declared the war of aggression as “a supreme crime against peace, due to its interconnected consequences of widespread systematic violence against civilian populations" [158] (Sellars 2013, 335).

The Tokyo Tribunal extended these charges ideas to “another area most involved, the Asia-Pacific region and contributed further to reinforce individual liability for a wide range of atrocity crimes" [159] (Boister and Cryer 2008, 331).

Both tribunals created the premises for ICC and ad hoc tribunals.

3.7 The International Criminal Court and Individual Criminal Responsibility

The International Criminal Court (ICC), regulated by the Rome Statute, is "a paradigmatic revolution in international law by affirming individual criminal responsibility for violations, as threats to international peace and security as a whole, that gravely undermine human security" [160] (*Silander and Janzekovic 2013, 75*).

The Rome Statute, following Nuremberg principles, defines "genocide, crimes against humanity, war crimes, and crimes of aggression" [161] (*Luban 2004, 85*).

ICC jurisprudence allows "potential victims of crimes to exercise appropriate legal representation by presenting views and observations in front of an independent judicial organ" [162] (*Moffett 2014, 13*).

In "Prosecutor v. Lubanga" [163] (*Corder 2009, 1*), the Court emphasized "the protection of civilian populations from mass violence by addressing the recruitment and use of child soldiers" [164] (*Hanson 2006, 120*).

Yet ICC effectiveness is materially constrained by "the reliance on state cooperation, the principle of complementarity with domestic authorities, and, in particular, the nonparticipation of major powers (United States, Russia, China, India)" [165] (*Wenqi 2006, 87*).

"Kampala amendments" [166] (*Kress et al. 2000, 572*) further addressed crimes of aggression, terrorism, and drug trafficking.

3.8 The Role of Ad Hoc International Criminal Tribunals

Before the ICC, ad hoc tribunals "revived universal criminal law, addressing mass atrocity crimes" [167] (*Evans 2008, 115*).

The ICTY (1993) and ICTR (1994) positively "expanded the field of international law" [168] (*Cryer et al. 2007, 441*) by connecting the definition of "atrocities with the domestic armed conflicts and by establishing a power to prosecute persons responsible for severe transnational crimes" [169] (*Scherzinger 2022, 3*).

On 25 June 2025, "the Special Tribunal for the Crime of Aggression against Ukraine" [170] (Vasiliev 2022, 114) was designed to investigate and prosecute the crime of aggression by Russian political and military leadership.

These tribunals have supplied "the protection of human security through the criminalization of practices, such as systematic ethnic cleansing or sexual violence" [171] (Del Ponte 2003; Reydams 2013, 41;54), but "the inherent selectivity and scope limitations of the Security Council" [172] (McInnes 2025, 23) reveal "important concerns about adequate enforcement" [173] (Ackerman and O'Sullivan 2001, 173), which seem to "reflect existing power asymmetries about unequal application of international justice"[174] (Schabas 2010, 535).

3.9 Individual Petition and the Integration of Human Security in International Law

A decisive development has been the recognition of a prevalence in favor of the role of "non-state actors as subjects of international law capable of asserting-essential rights against the impunity of atrocities perpetrators" [175] (Smith and van der Anker 2005, 382).

Individual petitions constitute "a crucial step in translating abstract norms into concrete forms of victim protection" [176] (Donnelly 2003, 290).

The HRC allows claims against states "accepting optional protocols" [177] (Dantas 2012, 9).

The ECtHR has been "particularly influential in advancing international human security"[178] (von Staden 2018, 1184), e.g., "Soering v. United Kingdom (1989)" [179] (Lillich 1991, 128) and "Al-Skeini v. United Kingdom (2011)" [180] (Zgonec-Rozej 2012, 131).

Nevertheless, access remains uneven as many states have not implemented non-binding procedures, meaning "increased involvement of the judiciary in political matters for human security enhances but does not guarantee effective protection of human development trends" [181] (Tadjbakhsh and Chenoy 2007, 120).

3.10 The Humanization of the International Legal System and Its Political Constraints

From UDHR to ICC, "the continuative evolution of international law, helped by the globalized awareness to raise and promote human rights everywhere, has undergone a profound transformation towards a human-centered understanding of security" [182] (*Bloor 2022, 76*).

Individuals are "rights-holders and, in some cases, as subjects of international criminal responsibility" [183] (*Evans 2008, 115*), recognized by doctrines like R2P.

However, effectiveness remains incomplete due to "structural obstacles rooted in sovereignty, because unsolved global power asymmetries constantly leave international institutions with weak enforcement tools" [184] (*McGlinchey 2022, 352*).

Consequently, human security functions less as a fully realized legal regime than as a normative framework, advancing yet exposing contradictions in security debates.

Chapter 4:

The Role of Human-Centered Approaches in the International System: Utility, Sovereignty and Diplomatic Challenges in the Post–Cold War Context

4.1 Practical Introduction: Diplomatic Challenges for Sovereign States

The end of the bipolar order after the Cold War designated "not only a redistribution of power within the international system but also a visionary transformation in the conceptual foundations of security and diplomacy" [185] (*Tadjbakhsh and Chenoy 2007, 76*).

With the collapse of ideological rivalry, instability increasingly originated within states rather than between them, "expressing two distinct worlds where the most severe threats to stability increasingly originated within states rather than between them" [186] (*Buzan 1991, 384*).

Internal conflicts, genocide, displacement, and underdevelopment have "challenged the presumed adequacy of traditional state-centric security doctrines with human rights gradually gaining more prominence as a normative reference and a practical policy instrument" [187] (*Kaldor 2007, 224*).

Human security, "articulated most clearly as a multidisciplinary paradigm for understanding global vulnerabilities" [188] (*ul Haq 1994, 226*), shifted the referent of security from the state to the individual, redefining it as freedom from fear and freedom from want.

This reconceptualization questions the assumption that "the security of homeland sovereignty or territorial integrity automatically translates into the security of its population, whether governmental policies affecting individuals, through violence, poverty, disease, or political

repression, might destabilize entire regions around the world" [189] (Hurrell 2007, 336).

Although it requires "more steps in the ongoing process of institutional reform within regional and international organizations" [190] (Booth 2007, 512), adoption of "a new common vision founded on the nexus between safety and human rights has not been uniform or uncontested the fundamental tension with realist theories of international politics continues to exist in the security studies and in the international law" [191] (Thakur 2016, 384) .

4.2 Power Reconfigurations and the Limits of Domestic Responsibilities

After the Soviet collapse, the United States emerged as "an unparalleled military power with massive global capacity in the defense sector" [192] (Huntington 1999, 35), embedding humanitarian rhetoric as "the unofficial world's policeman within its security discourse while pursuing its hegemonic global presence in key interventionist strategies aligned with national interests" [193] (Bloor 2002, 163) .

This fostered "perceptions of the concept as selectively applied and politically instrumental, rather than as a universally binding norm" [194] (Manners 2002, 235).

The European Union reflects "a reconsideration of traditional power models, privileging civilian instruments and normative influence over coercive force" [195] (Bloor 2022, 157), though "limited military capacity constrains effectiveness" [196] (Gao and Durdu 2024, 125).

China's rise, "alongside the expanding BRICS framework, and its ambition to counterbalance U.S. dominance" [197] (Bloor 2022, 106), reinforces "alternative security paradigms emphasizing development-led stability, particularly in the Global South" [198] (Berger and Müller, 2025,1), prioritizing regime durability and "challenging liberal, rights-based, and interventionist interpretations of civilian protection" [199] (Staunton 2025, 1).

At the multilateral level, the UN Security Council demonstrates that "persistent paralysis, veto dynamics, and strategic rivalries repeatedly hinder effective crisis prevention, demonstrating how structural power asymmetries limit the consistent enforcement of civilian protection norms" [201] (Bloor 2022, 163).

4.3 Western Interventionism and Fragmented Nature of World Order

In a post-Westphalian epoch, national sovereignty, once foundational to modern statehood, can “no longer be sustained due to the rapid wide-ranging dynamics of a global financial system in all aspects of contemporary social life” [204] (Hegre et al. 2001, 33).

Since the early twenty-first century, the United States and its NATO allies have intervened in regions already “weakened by deep-rooted socio-political challenges, themselves a legacy of the previous dominant international order” [205] (Bloor 2022, 180).

Within Western discourse, the post-Cold War era was shaped by the belief in an “end of history,” understood as “the triumph of liberal democracy and the expectation that the global spread of democratic values would produce a more peaceful and stable international system” [206] (Fukuyama 1992, 32).

Yet NATO doctrine has revealed “the ambivalent moral strategy of traditional military alliances in terms of civilian protection and crisis management, particularly in the Balkans, Afghanistan, and Iraq, often overlooking accountability for controversial operations” [207] (Roberts 2003, 507).

Contemporary politics is increasingly fragmented, marked by “the coexistence of consolidated democracies, resurgent autocracies, fragile and failed states, and rogue actors” [208] (Bøås and Dunn 2020, 1).

This fragmentation has “weakened the capacity of international organizations... to address security threats in a coordinated manner” [209] (Evans 2008, 163).

Non-state actors exploit weak institutions and grievances, challenging state-centric models [210] (Python et al. 2016, 21), while terrorism flourishes “where state authority is contested” [211] (OECD 2025, 43).

The selective application of human security norms, frequently aligned with strategic interests, undermines “the credibility of big powers, as evident in Syria, Gaza, and Ukraine” [212] (Bernat et al. 2023, 1).

Such inconsistencies reinforce perceptions that human security functions “more as a figurative tool than a universal principle” [213] (Thakur 2016, 384).

4.4 Human-Centered Security as a Tool of Prevention and Stability

A central argument for human-centered security lies in “the birth of the Responsibility to Protect,” emphasizing early warning and prevention [214] (Bellamy 2009, 256).

Traditional security approaches “rely on force and typically respond only after violence escalates” [215] (Weiss et al. 2012, 426).

Indicators such as political exclusion, discrimination, food insecurity, displacement, and attacks on civilians should be treated “not merely as humanitarian concerns but as warning signs of impending instability” [216] (Barnett 2011, 288), particularly given spillover effects including refugee flows, crime, terrorism, and economic disruption.

Systematic prevention aligns better “with the long-term interests of sovereign states” [217] (Chandler 2004, 224).

Policies promoting inclusive governance and basic needs may “reduce the likelihood of conflicts that ultimately demand costly international intervention” [218] (Wæver 2003, 189).

This development-oriented agenda has shaped UN peace operations and strengthened the normative evolution of R2P, linking sovereignty explicitly to the protection of populations from mass atrocity crimes [219] (McGlinchey 2022, 352).

4.5 Legitimacy, Soft Power and Multilateral Cooperation

In an era of heightened scrutiny and transparency, a human-centered approach offers “significant advantages in terms of legitimacy and diplomatic influence, beyond the responsibility to prevent crises” [220] (Paris 2001, 87).

States are believed to derive power “not only from military capabilities but also from effective commitment to human security norms, through development assistance, humanitarian engagement, and support for international institutions” [221] (Nye 2004, 28).

For middle powers and regional actors, human-centered diplomacy allows “foreign policy influence beyond traditional power metrics; human security functions as a diplomatic multiplier, allowing states to promote well-being through persuasion rather than coercion” [222] (Hampson 2012, 279).

States such as "Canada, Norway and Japan" [223] (*Suhrke 1999, 265*) have positioned themselves as norm entrepreneurs, spreading international agendas on civilian protection, conflict mediation, and development cooperation, applying "standard principles of market-orientated economics, the rule of law, and democratic peace" [224] (*Paris 2004, 360*).

Human-centered security also facilitates multilateral cooperation, resulting in "determinants to manage transnational threats, such as pandemics, climate change, and forced migration, reducing risks associated with unilateral intervention" [225] (*UNDP 1994*).

For major powers, acting through multilateral institutions mitigates accusations of imperialism; for smaller states, a broad human security vision provides access to collective protection and domestic resources.

4.6 Assessment and Conclusion: Utility Without Transformation

Human security, as a conceptual mechanism, provides "a detailed vocabulary for addressing the human consequences of political decisions, strengthening prevention, legitimacy, and cooperation" [226] (*Thakur 2016, 384*).

Its primary value lies in complementing, rather than replacing, state-centric security, while operating within an international system structured by sovereignty, hierarchy, and power asymmetries.

Instead of a full transformation, the effectiveness of human-centered security, as a corrective to traditional practices, inevitably "depends on political will, institutional design, and alignment with political and economic interests" [227] (*Tadjbakhsh and Chenoy 2007, 176*).

Post-Cold War normative innovation recognizes that "state security cannot be separated from the protection of individuals and communities while its implementation remains largely symbolic due to non-uniform application" [228] (*Bloor 2022, 65*).

For sovereign states, human-centered security is an essential framework for "addressing contemporary insecurities within a system dominated by power politics" [229] (*Kaldor 2007, 224*).

However, the systemic global politics, made up of selective enforcement, veto use, and strategic rivalry, contradicts the political usage in advancing accountability for atrocity crimes, which will be empirically examined in the next chapter through comparative analysis

of recent attempts to operationalize human-centered security.

Chapter 5:

Human Security–Based Prevention Mechanisms: Comparative Case Studies and Their Effectiveness in Addressing Mass Atrocity Crimes

5.1 Mapping Security Responsibility: From Normative Commitment to Empirical Assessment

The preceding chapters have explored human security as an "ideally innovative ethical construct with contested legal and diplomatic implications for social science and policymakers in the intricate contest of the post-Cold War era of international relations" [230] (*Tadjbakhsh and Chenoy 2007, 49*).

While this concept has gained "considerable normative traction, particularly through the United Nations, regional organizations, and international criminal law" [231] (*Annan/UN 2005, 60/1*), its translation from theory to practice has remained uneven.

In particular, the international community has pursued its operationalization "with the aim of preventing mass atrocity crimes in contexts where states are unwilling or unable to protect their populations" [232] (*Evans 2008, 56*).

This chapter seeks to bridge the gap between the aspirational nature of human security and empirical evidence of its impact.

Specifically, it examines under what conditions human security-oriented collaboration produces tangible preventive outcomes.

The analysis is guided by the central question: have human-centered strategies, grounded in shared ethical and political values, "meaningfully altered the trajectory of violence, constrained

state behavior, or reduced the likelihood of genocide, crimes against humanity, war crimes, and ethnic cleansing?" [233] (*de Cuéllar/UNSC 2006, 1674*).

Three interrelated arguments frame this inquiry.

- Early and multilateral engagement: human security initiatives are most effective when initiated early, involving coordinated, institutionally coherent responses that combine political pressure, civilian protection, and legal accountability.
- Enforcement capacity: the absence of enforcement capacity, particularly within the UN Security Council, remains the most significant obstacle to consistent preventive action.
- Selective application: geopolitically selective application of human security norms undermines their deterrent capacity, eroding both credibility and the universality of preventive frameworks.

To operationalize these principles, this chapter examines four comparative case clusters:

- Cambodia: illustrating delayed international response, transitional justice, and the development of hybrid tribunals.
- The Balkans (1990s): exemplifying initially retarded but eventually robust human security intervention.
- Rwanda: demonstrating the catastrophic consequences of non-engagement despite clear early warnings.
- Gaza and Ukraine: highlighting contemporary constraints in an era of renewed great-power rivalry and selective enforcement of norms.

These cases are selected not to exhaustively capture every instance of human security engagement but to offer analytically revealing contrasts that illuminate both the theoretical promise and the practical challenges of preventive strategies.

5.2 Human Security and Atrocity Prevention: Analytical Operational Model

Before turning to the specific cases, it is necessary to clarify how human security frameworks detect and address conditions conducive to atrocity prevention.

Such crimes are "not spontaneous eruptions of violence" [234] (*Evans 2008, 11*); they typically arise from observable patterns, including "political exclusion, identity-based mobilization, dehumanizing rhetoric, erosion of minimum legal protection, and militarization of domestic

security forces” [235] (Scheffer 2006, 238).

Human security interventions are “organized across three temporal dimensions” [236] (Green 2016, 9):

Primary prevention addresses structural risk factors before violence manifests, employing strategies such as inclusive governance, development assistance, and rights protection to reduce vulnerabilities within society.

Secondary prevention focuses on imminent threats, using diplomatic engagement, sanctions, peacekeeping operations, or, where necessary, coercive measures to halt emerging crises.

Tertiary prevention emphasizes accountability and justice mechanisms, aiming to deter recurrence and support post-conflict reconciliation.

The effectiveness of these interventions depends on more than normative commitment; it also relies on institutional capacity, political will, and the timely integration of resources.

Early warning systems, combined with coherent multilateral responses, constitute the backbone of a functional human security-based preventive approach. The following cases demonstrate how these dimensions interact in practice, revealing both successes and failures.

5.3 Cambodia: Poor International Response and Hybrid Justice

The Cambodian genocide illustrates the “profound consequences of delayed engagement” [237] (Gellately and Kiernan 2003, 396), highlighting the limitations of post hoc mechanisms for human security” [238] (Dutton 2007, 7).

The Khmer Rouge, ruling between 1975 and 1979, perpetrated “mass killings, forced labor, and systemic starvation, resulting in the deaths of 1.5 to 2 million people with almost a whole generation of people totally disappearing” [239] (Kiernan 2003, 28).

Ideologically motivated violence was combined with systematic social engineering, leaving deep scars on Cambodian society.

The international community's response was “largely absent, reflecting Cold War geopolitical alignments in which China, the United States, and the Soviet Union prioritized strategic considerations over civilian protection” [240] (Chandler 1999, 256).

The absence of timely action allowed atrocities to proceed unchecked, underscoring the risks of selective international engagement.

In 2003, the establishment of the Extraordinary Chambers in the Courts of Cambodia (ECCC) marked a milestone in hybrid justice, "combining domestic and international legal mechanisms" [241] (*Ciorciari and Heindel 2014, 432*).

While the tribunal prosecuted senior Khmer Rouge leaders and "pushed normative commitments into preventive action, the belated response restrained its immediate protective impact" [242] (*Romano et al. 2004, 496*).

As key lesson from Cambodia, delays in intervention substantially reduced the immediate protective impact, "allowing mass atrocities to unfold with devastating consequences" [243] (*Evans 2008, 81*).

Hybrid legal mechanisms, such as the ECCC, "advance accountability and contribute to norm development, but retrospective justice alone is insufficient to prevent future crimes" [244] (*Teitel 2000, 304*).

Effective human security practice requires sustained coordination between national political will and international institutions to ensure both deterrence and credibility.

Cambodia demonstrates that human security measures implemented post-conflict, while valuable for norm-building and justice, cannot substitute for early, proactive prevention.

5.4 The Former Yugoslavia: Delayed Intervention and Conditional Success

The wars in the former Yugoslavia during the 1990s represent one of the earliest and most consequential tests of human security in the post-Cold War era.

The UN Security Council faced intense political disputes over the legitimacy of humanitarian intervention as nationalist elites in disintegrating Yugoslavia mobilized "identity-based narratives, reinterpreting security in exclusionary terms that portrayed minorities as existential threats" [245] (*Kaldor 2007, 11*).

These dynamics triggered "systematic ethnic cleansing, mass displacement, and the genocide in 1995" [246] (*Hoare 2006, 386*).

Initially, international intervention reflected "state-centric caution, with the UN emphasizing neutrality, ceasefires, and humanitarian relief, while deliberately avoiding enforcement mandates" [247] (*Berdal and Economides 2007, 288*).

Peacekeeping forces were under-resourced and lacked authority to protect civilians effectively, "revealing the dangers inherent in separating humanitarian assistance from security enforcement and culminating in the catastrophic failure at Srebrenica" [248] (*Rieff 2002, 416*). Following this crisis, NATO initiated robust intervention framed "as necessary to safeguard populations and halt ethnic cleansing" [249] (*Daalder and E. O'Hanlon 2000, 320*). Despite "contested legality" [250] (*Evans 2008, 28*), their effectiveness in "stopping large-scale atrocities is broadly acknowledged" [251] (*Cassese 1999, 23*). The establishment of the ICTY further reinforced this evolution, signaling that atrocity crimes "would no longer be treated as inevitable by-products of war" [252] (*Akhavan 2001, 7*), advancing jurisprudence on crimes against humanity, genocide, and command responsibility. The Yugoslav case illustrates both the costs of delayed human security engagement and the conditional benefits of a robust multilateral intervention integrated with legal accountability. It highlights the necessity of combining military, diplomatic, and judicial tools to enhance prevention.

5.5 Rwanda: The Consequences of Non -Engagement

Rwanda remains a stark example of the "catastrophic consequences of non-engagement despite clear early warning signals" [253] (*Dallaire 2003, 562*).

In 1994, "over 800,000 people were killed within approximately one hundred days, even though the UN had deployed a peacekeeping mission and intelligence reports had repeatedly signaled impending genocide" [254] (*Des Forges 1999, 35*).

The reluctance of key UN Security Council members, particularly the United States, to authorize armed enforcement reflects "a profound prioritization of sovereignty over human life" [255] (*Barnett 2002, 15*).

Political exclusion, hate propaganda, and militia mobilization were well-documented, yet these indicators "were not translated into preventive action" [256] (*Straus 2006, 6*).

Instead, the UNSC reduced its peacekeeping presence during the crisis, reflecting the "Mogadishu Effect" [257] (*Power 2002, 620*), rooted in caution following Somalia's military failures in 1993.

The genocide exposed structural weaknesses: "lack of political will, inadequate mandates, and

the prevalence of state partnerships over universal protection" [258] (*Gourevitch 1998, 356*). Subsequent efforts to institutionalize human security, "most notably through the Responsibility to Protect (R2P) doctrine and the ICTR" [259] (*Evans 2008, 27*), emerged directly from these failures.

While the tribunal contributed to legal norm development, its deterrent effect remained "constrained by its retrospective nature" [260] (*Akhavan 2001, 7*).

Rwanda demonstrates a crucial principle: "justice after atrocity cannot substitute for responsibility to prevent before violence unfolds" [261] (*UNGA 2005, 60/1*).

5.6 Contemporary Constraints: Gaza and Ukraine

Recent conflicts in Gaza and Ukraine illustrate "the persistent limitations of human security under conditions of high geopolitical stakes" [262] (*Jacob 2024, 2563*).

Both cases reveal how legal and normative frameworks are often subordinated to strategic calculations, leaving civilian populations highly vulnerable.

In Gaza, Israel frames operations "as necessary to defend citizens against Hamas" [263] (*Shaw 2014, 95*), while international oversight mechanisms, including provisional measures by the International Court of Justice and ICC investigations, have been stymied by UN Security Council paralysis, "permanently divided by veto politics and the protective role exercised by the USA" [264] (*ICJ 2024, 192*).

Civilian casualties and infrastructure destruction have "created acute human security crises, including allegations of genocidal intent, while responses remain selective and politically constrained" [266] (*Dunkelberg 2025, 1*).

Russia's invasion of Ukraine similarly "underscores constraints on deterring measures" [267] (*Kuzio and Jajecznik-Kelman 2023, 9*).

Extensive civilian harm, forced displacement, and atrocity crimes have prompted financial sanctions, military assistance to Ukraine, and ICC arrest warrants, yet "preventive intervention remains limited due to the potential for escalation between nuclear-armed states" [268] (*Bond, Odendahl and Rankin 2015, 23*).

These cases collectively demonstrate that "human security norms are weakest where geopolitical interests are highest" [269] (*Freedman 2022, 64*), as moral and legal frameworks

exist but “implementation is contingent on power relations, weakening universality and deterrence” [270] (Weiss 2016, 272).

5.7 Comparative Assessment: Conditions for a Credible Strategy of Universal Prevention

Across these cases, several patterns emerge.

Human security cooperation is "most effective when timely, supported by multilateral consensus, and linked to credible enforcement mechanisms" [271] (Evans 2008, 81), whereas delayed or selective engagement diminishes deterrence and exacerbates human costs.

Efforts to transition from collective security to global justice, as envisioned by the UN, remain "conditioned by the absence of political will, particularly among major powers" [272] (Tadjbakhsh and Chenoy 2007, 191), rendering human security largely symbolic in many contexts.

While international tribunals contribute to normative development, "they cannot substitute for preventive action" [273] (Buzan and Hansen 2009, 400).

Regional organizations and middle powers may facilitate interventions, yet their effectiveness depends on integration with global institutions and coherent enforcement capacity.

Comparative analysis indicates that human security "operates successfully only if there is institutional coherence to confront sovereignty of authoritarian or rogue states" [274] (Paris 2001, 87) and “fails when rhetorical commitment is not matched by consistent practice” [275] (Newman 2010, 77).

The central challenge is gradually converting selective engagement into “credible universality, or prevention will remain insufficient relative to contemporary threats” [275] (Newman 2010, 77).

The future of universal prevention hinges not only on the proliferation of norms but on "the willingness of states to align power with principle and accept that the protection of human beings is not merely a matter of security, but its ultimate purpose" [277] (Thakur 2016, 384).

Conclusion:

Toward a New Global Security Model: Strengthening the International Architecture of Justice and Social Norms to Constrain Powerful State Crimes' Perpetrators

This dissertation has examined human security as a framework for “redirecting international relations from a state-centric focus to the protection of individuals and communities” [278] (Tadjbakhsh and Chenoy 2007, 76).

Traditional security models, “structured on state survival and sovereignty” [279] (Glanville 2013, 248), are increasingly inadequate for addressing “contemporary mass atrocities, where civilians face systematic harm, often tolerated or enabled under claims of national interest” [280] (Booth 2007, 520).

Cases such as Rwanda, the Balkans, Gaza, and Ukraine illustrate that prioritizing state security might “generate exclusion, exceptional legal regimes, and widespread civilian suffering” [281] (Moses 2024, 211).

Human security reframes sovereignty as a responsibility rather than an entitlement because it emphasizes “safeguarding human life, dignity, and agency over borders or geopolitical advantage” [282] (Sen 1999, 384).

Normative innovations such as the 1994 UNDP Human Development Report and the 2005 Responsibility to Protect articulate this shift, linking ethical obligations to legal frameworks. Yet institutional enforcement remains inconsistent, “as powerful states evade accountability while weaker actors face disproportionate scrutiny” [283] (Scheffer 2012, 18).

A human-centered approach furnishes “a concrete criterion for international accountability”

[284] (Davies et al. 2010, 224).

It combines reactive justice with preventive measures, including “early-warning mechanisms, civic protection, and structural interventions to reduce vulnerability” [285] (Evans 2008, 81).

Regional organizations and middle powers can “enhance legitimacy and operational effectiveness, complementing global norms without replacing them” [286] (Bloor 2022, 199).

Empirical evidence demonstrates the stakes of neglecting human security. Leaders such as Netanyahu and Putin show how prioritizing sovereignty over civilian protection results in catastrophic outcomes and undermines international law.

Even amid great-power rivalry, universal human rights “offer measurable benchmarks for evaluating compliance and guiding intervention” [287] (Bloor 2022, 126).

Enforcement gaps not only exacerbate suffering but also destabilize global order, highlighting the urgency of integrating human security into responsibility models.

In conclusion, human security is both a normative and functional standard for international accountability. It clarifies the ethical limits of sovereignty, provides operational criteria for assessing state and international action, and reinforces the obligation to prevent mass atrocities.

By prioritizing the protection of people rather than solely the interests of states, human security strengthens institutional and legal frameworks, improves deterrence, and offers a pathway toward a more just and resilient international order.

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