

NSU Summer Session 2016 - July 24-31 – Orivesi, Finland

Circle 5: International Relations and Human Rights - UNDERSTANDING THE GLOBAL HUMAN RIGHTS REGIME

	Mon 25	Tue 26	Wed 27	Fri 29	Sat 30
07h15-09h00	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast
9h00-9h55	Eyassu Gayim The Discourse on Human Rights and the International Regime of Human Rights	Katarzyna Małgorzata Sadowa Diversification of basic human rights based on cultural factor – an example of specific meaning of “honour”	Agnieszka Kuriata The Hijab in modern Iran - legal regulations	Mogens Chrom Jacobsen The Incoherence of the UN Human Rights Regime	
9h55-10h05	Pause	Pause	Pause	Pause	Pause
10h05-11h00	Barbara Gornik Understanding global human rights regime through governmentality	Barbara Anna Jelonek Woman in Japanese marriage and labour market	Oleg Bresky TBA	Olga Breskaya TBA	Mogens Chrom Jacobsen Outline of a Neo-Durkheimian Ethics
11h00-12h30	Lunch	Lunch	Lunch	Lunch	Lunch
12h30-13h25	Lars Erslev Andersen Migration and Security Developments in EU Migration Policy: The Securitization of the Muslim Refugee	Aleksandra Spsychalska Propaganda in the service of genocide - the case of ‘Islamic State’	Lars Erslev Andersen The Forgotten Refugees: The consequences for the Palestinians in Lebanon - Poverty, No rights, and security.		
13h25-13h35	Pause	Pause	Pause	Pause	Pause
13h35-14h30					
14h30-15h00	Coffee	Coffee	Coffee	Coffee	Coffee
15h00-16h30	Keynote	Keynote	Keynote	Keynote	Activities
16h30-17h30	Activities	Activities	Activities	Activities	Activities
17h30-19h00	Dinner	Dinner	Dinner	Dinner	Dinner

Abstracts:

Eyassu Gayim, Associate Professor, School of Global Studies, University of Gothenburg

The Discourse on Human Rights and the International Regime of Human Rights:

The international regime of human rights emerged as a result of the post-World War II interstate agreements. Probing its philosophical foundation enables us not only to appreciate the nature of this regime, but also to realize which ideologically charged positions have been rejected, accepted or avoided. The preambles of the UN Charter and the core conventions reaffirm faith in the dignity and worth of the human being. Is this a Natural Law way of thinking or an explanation for the justifications used by states to bring into existence the global concern for human rights, as positivists would argue? Are there rights that are fundamental and not? Or universal and relative? Should rights be necessarily individualized and justiciable? The UN may be careful not to sacrifice political consensus by taking sides on controversial issues relating to the discourse on rights. However, its human rights regime has rendered some of them obsolete.

Barbara Gornik, University of Primorska

Understanding global human rights regime through governmentality

The paper aims to overcome the framework of legal instrumentalism that is typical of conceiving human rights as a tool for protection of the individual against the state. It also moves away from conceiving human rights merely as an element of foreign policies. To embrace their functional and semantic aspects it explains human rights as discourse of global governance, which enables world-political projects, strategies and interventions. From this aspect human rights can be perceived as way of governing people and regulation of populations around the world. Many authors have been successful in demonstrating their role in governmentalization of international relations, especially through working of UN. In my paper I will try to explain that human rights regime operates as a mode of “good governing”, which results in humanitarian interventions, engineering of democratic states, expanding global economy market and promoting capitalist production. Humanitarian interventions may be legitimized by human suffering but are indeed more motivated by political and economic interests, which aim to establish conditions presumably necessary for the liberation of the local people, such as western liberal democracy, protection of private property and inclusion in global market economy. Žižek thus claims that “humanitarian apolitical politics” in reality means elaboration of collective project of social and political transformation, whereas Guilhot explains along with these lines, that the core issue about human rights is not “how can we limit power? but “how can we establish freedom?”.

Lars Erslev Andersen, Senior Research Fellow, DIIS

Migration and Security

Developments in EU Migration Policy: The Securitization of the Muslim Refugee

Based on securitization theory this chapter analyzes EU Migration from 1993, the start of the European Union, to 2016 and the agreement with Turkey on refugees. Up to 9/11 Migration was the top issue on the EU list of security threats against Europe. The security discourse pointed at migration from Eastern Europe after the fall of the Berlin wall and from the Southern shores of the Mediterranean from the population rich but economic poor states in North Africa. In center of the discourse on the Mediterranean was a developing concept of

Islamism as it was framed by the then Secretary General of NATO Villy Claes: “Islamic fundamentalism is at least as dangerous as communism was” (1995). 1994 EU Council agreed on an East policy and a Mediterranean initiative that was launched in Barcelona 1995, the “Barcelona process”. The first part of the chapter analyzes the framework of the Barcelona process; its implementation and how it was interpreted both in the Northern and Southern part of the Mediterranean. The second part looks at the ramification of 9/11 on the European security discourse and the Mediterranean policy concluding that soft security approaches as dialogue between civilizations, human right protection and democracy promotion actually was a framing for a prioritization of security over rights with the migrant or the refugee as the ‘securitized other’.

Katarzyna Malgorzata Sadowa, Ph.D. student University of Wroclaw

Diversification of basic human rights based on cultural factor – an example of specific meaning of “honour”

It seems to be clear, that some very basic human rights appears to have global dimension. Right to life is undoubtedly the major value for so called Western culture but the important question is, does it have the same value for the other cultures? In her presentation, speaker will analyze the issue of different understanding of honour as an example of a value which prevails the right to life in some cultures. Author will focus on a specific type of honour - namus which is respective to gender: women by their proper behavior are responsible for namus of their relatives, especially males. This type of honour is characteristic for some Middle Eastern and Southern Asia societies. The main problem appears when the namus is affected – despite that it is quite impossible to fully restore such honour, families seek to do so by punishing woman for her ‘dishonorable’ behavior, which very often ends in her death. What is crucial, perpetrators perceive such “honour” killings as bringing justice rather than as a crime. From their perspective the real crime was dishonorable woman’s behavior, such as improper clothing, unacceptable relationship or even a rumour about some ‘negative’ actions. For such cultures, saving their honour became a priority over a right to life of a unit – so do we really talk about global human rights regime?

Author will also analyze legal regulations in chosen countries, such as Pakistan, to show if or how, the law legalizes “honour” killings phenomenon there.

Barbara Anna Jelonek, Ph.D. student University of Wroclaw

Woman in Japanese marriage and labour market

Human rights are nowadays routinely violated. In my presentation, I would like to introduce the issue of Japanese marriages and the situation of women in the Japanese labor market. First of all, I would like to raise the issue of minority seksualnych in Japan (marriage), as well as the situation of women in the labor market (marriage vs. home vs. work).

On the subject of the institution of marriage was written countless hearings. Marriage is the oldest social institution, which for many years was the foundation of academic discussions and unscientific. Japanese institution of marriage has evolved over the years. Matrimonial law in Japan today is governed by legal acts for example Japanese constitution, Minpō, Koseki, Horei and the specific provisions. This presentation aims to present and explain the legal basis for the conclusion and termination of marriage in Japan, acts directly connecting to the institution of marriage and discuss the issue of same-sex marriages in Japan. Change of Art. 24 of the Japanese Constitution is

suggested by many lawyers and social activists. Unfortunately, at the peak of the Japanese government Prime Minister Shinzo Abe does not seem to preoccupy the mind, because for his policy the most important is nine provision of the Constitution of Japan. On the other hand, I would like to raise the issue of the rights of women to work and their rights at work, which are routinely violated. I would like to compare their situation with global trends, present statistical dates like GAP Report, and describe these practices on the background of violations of the rights of women.

Aleksandra Spsychalska, Ph.D. student University of Wroclaw

Propaganda in the service of genocide- the case of 'Islamic State'

The objective of the presentation will be to examine methods of running propaganda campaigns in facilitating the execution of the genocidal policy by the example of the so called Islamic State. I will base my research on the model of the crime proposed by Gregory Stanton. By analyzing genocides that occur in XXth and XXIth century, Stanton formulated ten stages of the crime, which are: classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination and denial. Stanton's model is crucial for transnational system of genocide prevention and punishment, since the identification of each stage would enable international community the effective containment of the crime. It is even more accurate in the case of Islamic State's genocidal policy.

The issue of using propaganda as a tool that support the crime of genocide has been a subject of studies before- mostly in regard to Third Reich and the genocide in Rwanda. The propaganda campaigns are designed to identify the enemy, to convince the society, that this enemy poses a great danger and it needs to be destroyed, and finally to persuade the 'audience' to support the extermination. However, it has never been noted in history that an organization so freely calling for genocide had such broad range of means of propaganda at its disposal as ISIS has.

ISIS summons its followers to Jihad understood as a battle with the 'infidels', which ought to be continued until the time, when Islam remains the only religion standing. While the ground for the policy of genocide is the concept of Jihad, the tools used are propaganda and meticulously built brand. ISIS, out of all terrorist organisations, was the first to use modern communication technologies (social media, the internet) so consistently and on such a wide scale, to promote its activities. Based on the analysis I've carried, it becomes clear that the IS creates its image consciously and effectively uses communication to facilitate its plans of genocide. In order to fulfil them, it uses new communication technologies on a scale never witnessed before.

The abovementioned research is conducted by me as a part of a project "Brand Is a Weapon", in which I study the usage of brand building and propaganda methods in conducting genocidal policy (more info: www.brandisaweapon.com). In my works on genocide mechanisms I also cooperate with members of UN Commission of Inquiry on Syria.

Agnieszka Kuriata, Ph.D. student University of Wroclaw

The Hijab in modern Iran - legal regulations

Iran is the only country in the world where obligation to wear hijab results from the Criminal Code and includes all women, even non-muslim. This is very strict regulation. Author will analyze legal regulations in article 638 of the Criminal Code, its modifications over the last years and its observance in modern Iran.

This is a very strict regulation which collides with basic human rights and the penalties for violating it are humiliating and severely restricting freedom. Author has been to Iran and has interviewed Iranian women about actual state of affairs and extent in which this law is executed.