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Transforming Understandings, Expanding Mechanisms:

International Institutions and Colonial Violence

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Abstract:

This TraCe Working Paper gives an overview of how colonial violence interlinks with international institutions. The text analyzes how international legal and institutional frameworks approached colonial violence throughout the 20th century until today. We show how understandings and approaches to colonial violence have transformed over time, highlighting the ambivalent role of international institutions in, on the one hand, the legitimation and continuation of colonial violence, and, on the other hand, its containment and contestation. The transformation brought about both a broadening and a softening of legal and institutional frameworks on colonial violence. While the scope of what is considered colonial violence has expanded over the last decades, resulting institutions have taken a less binding form.

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1. Introduction[1]

Ever since international institutions emerged, they have faced challenges arising from colonial violence. Throughout the past century, international institutions have played an ambivalent role. They were instruments for implementing colonial interests and were deeply shaped by the norms and ideologies of a colonial era. At the same time, they also became platforms for struggles for the expansion of rights and justice in a global context. Yet, how they interpret and approach these challenges has transformed over time. This working paper analyses this transformation and the resulting adaptation of the international institutional architecture by spotlighting this development in three different phases.

Colonial violence is a complex phenomenon. In a narrow definition, it encompasses types of physical violence that occurred in the context of colonial expansion, rule, and decolonial struggles (Macdonald 2023). In a wider version, it includes, among others, the cultural, socioeconomic, and psychological effects colonial violence had and has, also in a postcolonial era (Wright et al. 2023). We do not give a final definition of colonial violence in this working paper. However, we show in subsequent sections how its contested nature/width/scope has shaped its international rules and frameworks, governed (mainly) by international organizations.

Research on the interaction of international institutions and colonialism has seen more attention in the past decades but still is rather scattered across different subfields. Postcolonial and Third World Approaches were essential for putting more focus on issues of colonial violence and its effects. Inspired by de- and postcolonial thinkers,[2] postcolonial approaches in IR[3] provided better insights into the dependencies and colonial legacies, as well as into existing epistemic injustices of an international order. Critical approaches (Doyle 1986; Long and Schmidt 2005) put forward analytical perspectives, which put the legacies of imperialism at their center to understand the current international institutional structure. Only recently, this also translated into more detailed empirical studies on how such broad trends shaped the dynamics of specific international institutions. Inspired by the groundwork of postcolonial and critical traditions, historical-sociological and more constructivist research with a focus on international institutions (Muschik 2022; Schlichte and Stetter 2023) explores international institutions' contested development – pointing out how struggles over power and normativity shaped international institutions. However, the transformation of how international institutions approach colonial violence has not been at the center of attention. In our analysis of this transformation, we find that, in the context of colonial violence, the institutional processes over time are characterized by a *widening* of phenomena subsumed under the term, alongside a *softening* of international institutional mechanisms to address such violence, i.e., these mechanisms are mostly not legally binding, but operate at a "softer" policy level.

In the following, we will discuss the conceptual challenges of colonial violence (section 2). We will give an overview of how international institutions' approach to colonial violence has transformed over time, broadly distinguishing a colonial phase, a phase of decolonization, and struggles over truth and reconciliation in a postcolonial

[1] We would like to acknowledge and thank Routledge for their permission to publish this working paper, which is based on our forthcoming chapter in: Bonacker et al. (2026): The Routledge Handbook on Transformation of Political Violence. London: Routledge.
[2] Guha and Spivak 1988; Said 1978; Fanon 1963; Bhabha 1994.
[3] Darby and Paolini 1994; Ayoob 1998 & 2002; Ling 2002; Chowdhry and Nair 2002.

phase (section 3). The conclusion discusses promising avenues for future research (section 4).

2. Conceptual Issues: Colonial Violence and International Institutions

As political violence is one of the foundational phenomena of the discipline (Buzan and Hansen 2012), the institutions[4] regulating such violence in an international context have been amply researched and discussed (Finnemore 2003; Hurd 2008). Colonial violence, for a long time, did not fit into researchers' categorizations of "traditional" violent conflicts because of its "differing nature" of neither interstate nor civil war. Despite evading easy categorization, colonial violence profoundly shaped the governance of conflict, global relations, and the international realm as such.

Colonial violence differs from violence carried out in times of war in several important aspects. Unlike battles between sovereign entities, colonial violence "was used to extend sovereignty over other peoples, and then to maintain a state of dominance over them," underpinned by an ideological dimension of cultural and racial hierarchy (Dwyer and Nettelbeck 2018: 15). Notably, the "effects and impacts of this violence were not only physical but also epistemic." (Dwyer and Nettelbeck 2018: 15) In its genesis, the exhibition of colonial violence was not intended to establish, defend, or maintain a "strictly" political project but was much rather a by-product of commercial expansionism and the strive for economic gain and the appropriation of land (Mutua 1995). Historical actors were the monarchy, the church and European merchant families, less so and only later, states. This changed in the 19th and early 20th centuries, when states became the protagonists, e.g. in the fight for territorial control and expansion known as the "scramble for Africa" (Chamberlain 2014; Pakenham 2015).[5]

The question of the political component in colonialism can be transferred to the more general debate on what precisely constitutes the *political* in notions of political violence. We argue that an essential part of it falls under the narrow definition of political violence as physical damage aimed to impact governance. However, based on the specific nature of colonial violence, we also argue for including more indirect forms of harm. In a more narrow sense, colonial violence can be understood as physical harm enacted in the processes of colonial expansion, maintenance, and retraction, such as imperial wars, genocides and measures short of war (Benton 2021; Hull 2004). Amply documented by military historians, colonial violence has been described as organized violence against the colonized group(s), their livestock, and properties, featuring genocide, indiscriminate killings, torture, incarceration in camps, forced displacement, abuse for scientific studies, and forced labor (Kuss and Smith 2017). Colonial violence, however, did not predominantly take shape in large-scale acts of warfare but "small-scale insurrections that perpetually called forth […] military interventions" in an ongoing struggle for domination (Nettelbeck and Ryan 2020: 227) while also resulting in "private" battles fought along frontier lines (Dwyer and Nettelbeck 2018a: 5).

Beyond the "use of physical force to injure, abuse, damage or destroy something or someone" (Wight 2019: 179), colonial violence has been ascribed a structural or cultural capacity related to discrimination, racism, and the suppression of languages, religions and traditions (Vaidya 2018); an intergenerational notion (Licata and Klein 2010); a symbolic notion[6] (Kalman 2010); a psychological and traumatic notion; (Fanon 1963) and an epistemic notion (Dotson 2011). Violence in the processes of *decolonization* occurred during the attempts of the colonized groups to free themselves from colonial occupation, and the response from the colonizing force to those actions (Abbink et al. 2003). As in previous eras, colonial violence in the context of decolonization often took the form of "small wars," in which the technical superiority of colonial armies was met with tactics of wearing down the enemy. These were often retaliated by anti-subversive warfare against colonial protest and the use of systemic torture, as most closely documented in the Algerian war of decolonization against France (Klose 2009: 214). Violence and disruption were also caused by the power vacuum left by decolonization and the subsequent state formation processes following the withdrawal (Wimmer and Min 2006).[7] *Postcolonial*[8]

[4] Here understood as "as relatively stable sets of related constitutive, regulative, and procedural norms and rules that pertain to the international system (including states as well as nonstate entities), and their activities." (Duffield 2007: 7–8).
[5] The discussion of colonial violence is closely related to the terminology of empire, classifying the constant threat or exercise of violence as a strategy of dominance of rulers to exert political, social and military control (Dwyer and Nettelbeck 2018: 3).
[6] According to Bourdieu (1989), meaning the social practices of exclusion, political marginalization and social disempowerment of colonized peoples, carried by the construction of a dominant social discourse and the implication of inferiority by the education system, religious institutions, and the European general population in the colonial context (Dwyer and Nettlebeck 2018: 2).
[7] Military historians have also pointed out the influence of colonial warfare—in the wars of independence, but also before – on interstate warfare, see Dwyer (2013); Bloxham and Gerwarth (2011); Bernstorff (2018). They also studied explanations for the exceptional brutality of colonial violence, see MacDonald (2023); Menger (2022); Price (2018); Rosengarten (2016); Price (2018).
[8] While we are using the labels of de- and postcolonial violence in a temporal sequencing logic for the purpose of this chapter, we point towards important distinctions in de- and postcolonial theorizing focusing on different ideological, cultural, structural or epistemic components in constituting harm. Following the decolonial tradition of thinkers, such as Quijano (2007) and Mignolo (2012), decolonial violence not only encompasses historic acts of resistance but also aims to dismantle contemporary structures of power, knowledge, and social organization rooted in colonialism. It thus more closely resembles what is here classified as postcolonial violence.

violence has been associated with the violent structures and legacies of colonial occupation that still shape the lives of affected communities. The emphasis here has been put on the colonial violence experienced by indigenous women (Weaver 2009), and in a structural notion on enduring inequalities and consequences for current conflicts (Balibar 2015) as well as intergenerational trauma (Talaga 2020).

In sum, we do not attempt to offer a clear and comprehensive definition of colonial violence in this chapter. At the same time, we clearly position colonial violence in the field of political violence. In the following, we will focus on how international institutional approaches to political violence transformed due to the altered understandings and visibility of colonial violence. In the analysis of institutional responses to violence related to the colonial project more generally, this working paper divides strands into colonial violence (denoting violent expansion, control and maintenance), de- or anti-colonial violence (violent resistance to colonial occupation and liberation struggles – rebellion, separatism, terrorism, uprisings, "civil war" against mostly state-organized military and police as well as their retaliation), and postcolonial violence (violent structures remaining after formal independence).[9]

3. Major Trends

3.1 Continuity and Ambiguity in International Institutions

Postcolonial scholarship critiquing Eurocentrism and epistemic injustice (Guha and Spivak 1988; Said 1978; Fanon 1963; Bhabha 1994) and (post-)Marxist analysis of global dependencies (Singer 1950; Prebisch 1950; Frank 1969; Wallerstein 1979) have a tradition of pointing to colonial legacies in the international institutional system. Historical-sociological and postcolonial International Relations scholars, as well as constructivist researchers, have recently given more detailed accounts of the two-fold role of international institutions: 1) as encapsulating and diffusing imperial ideology and interest and 2) as providing platforms for challenging such ideologies and colonial violence. In the context of this ambiguity, we show how international institutions changed their approaches to colonial violence through a colonial, decolonial, and postcolonial phase – bringing about a widening and softening of approaches.

Colonial violence is now increasingly discussed in the research on the genesis of existing international standards in the governance of political violence and its containment. Scholarship in this field laid bare the discriminatory standards in the international and national institutional regulation of violence, while also pointing out the agency of marginalized groups via such international institutions. Much research in this field aimed at tracing the imperial legacies of colonial violence in international law and institutions. Colonialism and imperialism, and, based on this, a *mission civilsatrice*, have deeply shaped concepts of international law and institutions (Anghie 2006). Historical analyses of international law showed the simultaneity of the emergence of a rule-based international sphere and colonial expansion (Anghie 2006) and, more recently, the simultaneity of decolonization and the expansion of international organizations since WWI (Muschik 2022).

Scholarship in this field highlights how (former) colonial powers exercised influence over global institutions to provide norm-supported rule via militarized control, shaping international policies and norms. However, international institutions were simultaneously access points for countering colonial powers. Third World Approaches to International Law (TWAIL) perspectives point out the contributions of formerly "peripheral" actors to international normative and legal developments, especially regarding international violence (Mutua 2000). Historical research also highlights the influence of marginalized populations in shaping the international order. Becker Lorca (2014) shows, for example, how international lawyers from the "semi-periphery" adapted and changed international law into a hybrid legal order in their efforts to decouple formal statehood from a Eurocentric "civilization standard" to gain subjectivity before international law. This reassessment contextualises the conventional narrative on the genesis of the international sphere, adding the perspectives of the former colonial "periphery" to the global narrative of violence in IR (Martineau 2016).

Historically oriented research has also increasingly studied the specific role of international institutions regarding colonial violence – a field that had found little attention before the 2000s. This goes hand in hand with a general attention to the historical dimension of International Relations (Schlichte and Stetter 2023). IR and institutional research drawing on global history and historic-sociological perspectives (Barnett and Lawson 2023) provide an important new reading of colonial history and of the institutional regulation of political violence. Research strands in this field study the international organizational regulation via the League of Nations and the UN (security) system (Pedersen 2015; Tudor 2023). Again, international institutions played an ambivalent role, as did international law more widely: Colonial and imperial thinking was deeply engrained in their design and function; at the same time, during the 20th century, they also served as platforms to

[9] While we are thus using these classifications of "de- and postcolonial" in a temporal sequencing logic for the purpose of this working paper, we point towards differences in de- and postcolonial theorizing (as elaborated in Sabaratnam 2022 and Bhambra 2014).

challenge colonial violence (Muschik 2022). This struggle, we argue, has created different understandings and transformed approaches to colonial violence over time.

3.2 Analysis

To illustrate the development, this working paper will divide the institutional regulation of colonial violence into three historical periods, starting with the onset of formal organizational regulation. Importantly, colonial violence already shaped international legal institutions even before formal organization. In the process of colonial expansion, clerical and later secular "discovery doctrines" (primarily on the American continent) initially legitimized the violations and obligations of indigenous populations through different "natural" and positivist legal criteria relating to a degree of "civilization/culture" and "race" (Simpson 2001; Miller 2011, 2005). Additionally, it removed non-European societies, or societies that were not organized as a state, from the realm of international law (Anghie 2006: 745). Overall, international institutions regulated and organized colonialism with a focus on preventing conflict between colonizing powers.

Research tracing the coloniality of international law highlights how European powers used the ascribed non-sovereignty of colonial territories to justify the exception of non-European societies from their standards of violence regulation and protection, such as the two Hague Conferences of 1899 and 1907 (Anghie 2006: 741; Bernstorff 2018). This omission did not go entirely unchallenged at the time, when, for example, domestic institutions such as the British Parliament debated the colonial "wars" and their cruelty, demanding their subsumption under international humanitarian law (Szabla 2023). These developments shaped how formal international organizations then approached colonial violence.

3.2.1 Before 1945: Focus on Slavery and Forced Labor

In a first period of formal organization, international institutions were in a phase of emergence in the context of ongoing colonial power. International institutionalization was shaped by colonial interest (Lawson 2023; Yao 2022) but also by imperial competition, leading to strategic shaming about atrocities with the unintended consequence of opening up colonial regimes and governance to future scrutiny (Bomholt Nielsen 2020). International engagement with issues of colonial violence took place through issues of active colonialism; making international institutions work mostly on issues such as forced labor and slavery by prohibiting or exempting specific abuses within ongoing regimes (Müller 2023). With the end of World War I and the establishment of the first non-specialized/general purpose international organization, the League of Nations (LoN) (and then later its successor, the UN) were also entrusted with the administration of colonial territories – which also made these institutions a platform to contest colonial violence.

After the First World War, newly independent territories of the war losers, Germany and the Ottoman Empire, were placed under the Mandate System of the LoN (Anghie 2006: 746). Mandates were placed under the control of mandate powers, e.g., Britain and France, who acted as trustees towards the League in the governance of the territories (Anghie 2006: 747). Even though self-governance and ultimate sovereignty were goals set by the mandate system, it often perpetuated colonial control and compromised some territories' self-determination for imperial interests, as "an examination of the Mandate System illuminates the ways in which political sovereignty could be created to be completely consistent with economic subordination." (Anghie 2006). Interestingly, defending imperial interests also brought about the first attempts at transnational advocacy and lobbying. Wagner (2022) shows, for example, how colonial interests of European states were coordinated transnationally in the think tank known as the International Colonial Institute – which also lobbied and shaped the Geneva-based League of Nations regarding colonial questions.[10]

The League of Nations system simultaneously offered (limited) sites of bargaining, contestation, and public scrutiny (Muschik 2022). This also included counter-institution building, such as the foundation of the League Against Imperialism (LAI) (Muschik 2022), and platforms for more entangled creation of expertise, such as in the League of Nations Health Organization (Iacob 2022).

By taking up colonial administration, the League of Nations also became a platform to challenge colonial violence: Despite a relatively uncontested adoption of the 1926 Slavery Convention,[11] colonial powers strongly opposed wider codification of forms of forced labor that could apply to their colonial territories (Daughton 2013). Due to the International Labour Organization's (ILO, created in 1919) efforts to improve conditions for the affected population in the colonial territories, the aftermath of negotiations to the Slavery Convention granted the International Labour Office a narrow mandate to conduct a study into possible steps "to prevent compulsory labour or forced labour from

[10] Other studies analyze the influence of individual member states such as France, GB and Belgium to keep up their imperial and colonial interests within the institutional structure of the UN (Pearson 2017).
[11] While the Slavery Convention of 1926 enjoyed wide international consensus, it insufficiently addressed colonial violence, as it focused strictly on the prohibition of the legal form of slavery and slave trade and additionally contained an opt-out clause for colonial territories (Daughton 2013).

developing into conditions analogous to slavery" (Maul 2007b: 480). The resulting International Forced Labour Convention of 1930 prohibited involuntary work under the threat of penalty, notably also for private entities, but contained an opt-out for colonial territories (Roberts 2024: 236),[12] and also led to the separate set of (more permissive) norms for colonial labor, deemed "native labour"[13] (Maul 2007b: 481). The overall successes of the convention were thus limited (Fall and Roberts 2019). Yet its existence served officials of the ILO, as well as League of Nations officials, who were involved in gathering support for the reform of colonialism in the interwar years (Daughton 2013; Maul 2007a) – a topic colonial powers strongly challenged (Wagner 2022).

Overall, while there was no joint understanding on colonial violence, specific prohibition norms governing certain acts of violence in the colonial territories found their way into international institutionalization, opening pathways to contest issues around concepts like forced labor or slavery in international fora – still dominated by colonial powers.

3.2.2 After 1945: Colonial Violence under the Framing of Human Rights and Humanitarian Law

After 1945, the end of the Second World War accelerated the momentum for decolonization, resulting in the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960). In the context of the newly established United Nations, the understanding of colonial violence shifted and widened in a more comprehensive framework under the umbrella of human rights and humanitarian law. The ambivalent role of international institutions became even more pronounced in this period. While decolonization was not a uniform monolithic process and became utilized by different actors in different, sometimes competing ways to achieve political autonomy and certain rights, "[i]nternational institutions like the UN provided crucial arenas where postcolonial statehood became the norm yet was nevertheless contested and questioned" (Leake 2022: 274). In addition, transnational networks increasingly used the UN system to challenge colonial powers (Bandeira Jerónimo and Monteiro 2022, 2020; Perkins 1958).

Research in this field shows the continuities in political logics and actors between colonial administration, the mandates system of the League of Nations and the Trusteeship System of the UN (Ketzmerick 2023; Tortolini 2023). At the same time, existing international institutions were used by the anti-colonial movement to take action against colonial violence, particularly the wars of decolonization against France and Great Britain. For example, the Universal Declaration of Human Rights (1948) and the Genocide Convention (1951) led to serious justificatory pressure for France in the General Assembly of the UN when the new standards of humanitarian law were tested in the face of violence in the decolonial wars of the 1950s and 1960s in Algeria (Klose 2009: 275–276). Also, Lesch (2026) shows how the decolonial wars shaped and shifted emerging institutional mechanisms in the context of prohibiting torture. Specifically, the International Committee of the Red Cross (ICRC) supported the strengthening of international standards of humanitarian protection by fighting for their equal application in cases of colonial wars and violence, e.g., in South-East Asia (van Dijk 2021). This was, however, only achieved in the 1977 Additional Protocols to the Geneva Conventions, which explicitly extended protections to people in wars of national liberation, thereby creating legal recognition of colonial struggles as international conflicts.

The era was marked by an expansion of protective mechanisms under a human rights umbrella. Centrally, this took place through the extension and updated institutionalization of already codified phenomena, such as forced labor.[14] Alongside this, especially during decolonization, protective standards proliferated from the field of civil and political rights, under the International Covenant on Civil and Political Rights (ICCPR, 1966), prohibiting slavery, servitude, and forced labor to a wider frame of International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), addressing issues of systemic exploitation by emphasizing fair labor standards and socioeconomic rights, which, however, saw less systematic implementation and translation into protective measures. Particularly during the Apartheid regime in South Africa, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD 1965) targeted discrimination based on legalized inequality as a violation of the individual human right to equal treatment.

In sum, the postwar move towards the international codification of human rights and humanitarian law also

[12] In addition, a "colonial clause" in the International Labour Organization's constitution of 1919 granted the metropolitan powers the right to exclude their overseas territories from the ratification of ILO norms (Maul 2007b: 480).
[13] Relating to the Forced Labour Convention, the more stringent provisions addressing the forced labor encountered in colonies, such as the use of taxes, vagrancy and pass laws to compel local populations into work (Maul 2007b: 480), were put into two additional recommendations, the FLICR (No. 35) and the FLRR (No. 36), reducing the visibility and thus risk of justificatory pressure for violating colonial powers (Roberts 2024: 238).
[14] Such as the Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956), but also updated standards on forced labor based on racial and cultural discrimination, via the updated 1957 Abolition of Forced Labor Convention (ILO) and later the 1989 Indigenous and Tribal Peoples Convention (ILO). Regional organizations also became platforms for counterbalancing and contestation in international relations and enhancing protections on forced labor and colonial violence, such as the Organization of African Unity (1963), which, with the African Charter on Human and Peoples' rights, included provisions against slavery, forced labor, exploitation and dispossession.

created subversive potential (Burke 2010). It granted actors agency, although the structural conditions faced ongoing challenges (Jensen 2016). The understanding of colonial and decolonial violence widened, from narrower norms prohibiting specific violent acts to a more encompassing framework focusing on human rights violations. This widened the scope of violent phenomena subsumed under international institutional regulation. It focused mostly on direct repression such as bodily integrity, genocidal or war crimes, and, less so and only later, on legalized discrimination based on wider systemic issues linked to colonial violence.

3.2.2 After 1990: Addressing Colonial Violence through Soft Institutionalization

Only in the past decades have colonial violence and its legacies been acknowledged as such. While global inequalities persisted even after formal independence, international institutions began recognizing the long-term structural impacts of colonial violence, such as systemic inequality, persistent racism, and uneven economic development alongside the more direct consequences of mass atrocities (Gani and Marshall 2022; Fehl and Freistein 2021). Increased attention to economic exploitation, environmental degradation, and indigenous rights,[15] as well as structural racism, reflected broader understandings of colonial legacies. This has, again, transformed understandings in international institutions and found wider institutional expression in an international context. However, the level of legalization of new institutional mechanisms is low.

While institutional mechanisms addressing colonial violence exist on the international as well as on the national and regional levels, international efforts to deal with colonial violence have mainly adopted soft measures, i.e., these are not legally binding and often have more declarative and symbolic functions. These consist, on the one hand, of special bodies and reports addressing human rights violations in colonial contexts. On the other hand, they include adaptations of transitional justice measures, originally designed for civil war, to the reappraisal of violence stemming from colonial contexts.

Currently, "[c]ontemporary politics of redress in international relations are dominated by a state-centric approach that frames all questions about historical responsibility, rectificatory justice, or political reconciliation in terms of interactions between former colonizing and colonized peoples or states" (Lu 2011). Despite this, the respective international organizations and resulting institutional features have become a subject of research in processes of addressing colonial violence, albeit not yet a prominent one.

In particular, the UN human rights system serves to address colonial violence via the Special Procedures of the Human Rights Council.[16] Theurer (2023) also shows the relevance of the UN Special Rapporteurs[17] who exerted pressure on Germany and Namibia when they found that the Ovaherero and Nama peoples were not sufficiently included in the negotiations during the two countries' process of colonial reappraisal. The role of the United Nations is also important not only regarding the establishment of legal frameworks and expertise in relation to bilateral processes, but also because it has facilitated international public momentum to address the colonial past in relation to the slave trade, as it did during the UN International Decade for People of African Descent (Immler 2021), but also in regional organizations.[18] This marks a transition from individual human rights to dealing with colonial violence and its legacies in a more structural manner. Importantly, these declarations and programs of action have a more programmatic, less binding character.

At the same time, "regular" Transitional Justice mechanisms of violent conflict reappraisal after mass violence, such as Truth Commissions, have been adapted to colonial violence. Truth and reconciliation commissions, most famously South Africa's Truth and Reconciliation Commission dealing with Apartheid, became prominent tools for addressing colonial violence in a restorative rather than punitive manner. Around the turn of the millennium, these international institutions emphasized reparative justice (e.g., apologies, reparations, and truth-telling) over punitive measures, reflecting a soft institutional approach to addressing structural colonial legacies. These transitional justice frames have been applied in settler colonial countries to address violent pasts and legacies. The Canadian Truth Commission tried to forge a path of social reconciliation after acknowledging the violent attempts of assimilation, often resulting in the deaths of Indigenous children

[15] Such as the United Nations Declaration on the Rights of Indigenous Peoples (2007).
[16] Since 1980, the organization has appointed Working Groups and Special Rapporteurs on a wide array of issues related to Human Rights violations such as enforced or involuntary disappearances, food safety, and social protection standards (Office of the High Commissioner for Human Rights 2024).
[17] Notably, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on the rights of indigenous peoples; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and the Special Rapporteur on violence against women and girls, its causes and consequences.
[18] The field of colonial redress with relation to slave trade also saw regional organization's activity when the Caribbean Community (CARICOM) in 2013 established the Caribbean Reparation Commission with a Reparations Justice Program and an Action Plan, intended to pursue "reparations against European governments for native genocide, slavery, the transatlantic enslaved trade and massive land dispossession" (Atiles-Osoria 2018).

in its boarding school system (Nagy 2013, 2022). New Zealand (Sullivan 2016), Australia (Bracka 2024), and the U.S. (Posthumus and Zvobgo 2022) have also seen national or local truth commissions working on the mistreatment of their racialized or indigenous population. In the case of European states, Truth Commissions on colonial pasts, such as the Belgian one, inquire into the country's colonial legacy, and reflect on adequate measures toward reparation and social reconciliation (Destrooper 2023).[19] While the transitional justice framework evolved as a "culturally sensitive" and normatively inclusive, soft institutional mechanism (Durdiyeva 2024), it has also received substantial criticism for insufficiently addressing the persisting structural and social features of colonial injustice (Lu 2018).

In these domestic or bilateral processes, international organizations feature as facilitators and standard-setters – sometimes with their own intervening agency – of transnational and bilateral processes of colonial redress. They use normative power, while simultaneously being bound by international law that manifests structural obstacles to appropriate measures via an (increasingly contested) principle of non-retroactivity and lacking binding codification. At the same time, these organizations have served as arenas of contestation, where colonial violence has been increasingly redefined beyond direct physical repression to also include structural dimensions. This widened understanding of colonial violence encompasses the redress of past atrocities (such as forced labor, genocide, and land dispossession) as well as the recognition of ongoing violations due to colonial legacies.

Regional organizations, such as the Inter-American Commission on Human Rights, have also taken steps in Transitional Justice agenda-setting related to the *persisting* effects of colonial violence in contemporary violent conflict via regulations on truth-seeking and memorialization efforts. But international organizations exhibit agency themselves. For example, UN Special Rapporteurs examine structural challenges of colonial harm in contemporary peace processes (Wright et al. 2023).

The field of redressing colonial violence and its continuous effects also closely relates to the international organizations' efforts to combat racism and indigenous discrimination. Several UN bodies and frameworks have been established. The Committee on the Elimination of Racial Discrimination (CERD), for example, connects long-lasting effects of colonial violence, such as transatlantic slave trade and slavery, to the phenomenon of contemporary racism (Achiume and McDougall 2023). Scholarship also increasingly highlights indigenous rights in settler-colonial contexts. Global and regional frameworks like the UN Declaration on the Rights of Indigenous Peoples (2007) and the Inter-American Human Rights System (IAS) guide discussions by promoting principles such as self-determination, cultural rights, and socioeconomic equality (Nagy 2022; Gold 2022).[20]

Overall, colonial violence as such has now been discussed more comprehensively in the context of international institutions, yet no coherent approach exists. The United Nations as well as regional organizations try to regulate and inscribe normative ideals, paired with administrative and legal structures; however, these also reflect the diversity of actors and preferences on issues of colonial violence. While the organizations show innovative and emancipatory potential, limitations persist regarding legal frameworks based on reluctant but powerful member states. This manifests both in the careful behavior of former colonial powers (such as Germany and the UK) to establish any precedent towards legal liability for colonial atrocity crimes, as well as largely symbolic colonial redress measures such as memorialization and restitution that strongly depend on political willingness. Additionally, they remain largely disengaged from more transformational accounts addressing structural legacies of exploitation and slavery (as demanded by the CARICOM). These institutionalizations generally rely on soft-law mechanisms, such as declarations, international guidelines, and voluntary frameworks, which gained prominence over binding treaties as tools for state accountability for colonial legacies. The development of international institutionalization can thus be described by both a *widening* of definitions of violent phenomena, and a *softening* of institutional mechanisms addressing it.

4. Conclusion

This working paper has demonstrated how international institutions have transformed their approach to colonial violence over time. Based on the ambivalent structure of international institutions being shaped by (former) colonial powers and platforms for contestation, this transformation

[19] In addition to the cases of overseas colonialism, awareness of the treatment of indigenous populations and racism has also increased in Europe, as the establishment of parliamentary Truth Commissions in the Scandinavian countries show. Research on the Norwegian Truth and Reconciliation Commission demonstrates both the spread of the institutional model of Truth Commissions according to the Canadian model, as well as the international dynamics pushing for a systematic reappraisal and investigation into the continuities of (mal)treatment of the indigenous Sami people (Skaar 2023).

[20] These frameworks are credited for their emancipatory potential but also expose challenges rooted in colonial histories, such as the tension that arises in the attempt to integrate indigenous communities into state structures while recognizing them as distinct political groups (Lee 2016; Johnson 2020).

brought about both a *widening* of the interpretation and meaning of colonial violence and the increasingly *soft* institutionalization of measures to combat or redress it. International institutions shifted from a focus on slavery and forced labor in the interwar period to one on human rights and humanitarian law in a period of decolonialization, to more comprehensive understandings of colonial violence and colonial redress in the past decades. At the same time, such aspects of redress or structural violence were not covered by binding treaties but by "soft," non-legally binding institutional approaches to deal with the legacies of colonial violence.

These changes show two broader developments. First, there is a move away from frameworks in international organizations that focus only on individual Human Rights or traditional conceptions of Transitional Justice after wars or violent conflict to more encompassing and declaratory ones (grounded in voluntary compliance). Yet, there are ongoing contestations around a more comprehensive understanding of colonial continuities. Secondly, and in part as a result of the widening of phenomena, we observe increasingly fragmented and thus contradictory claims articulated under the label of "decolonization." Future research could study concrete mechanisms, tensions and/or institutional responses arising from these changes. It could also explore to what extent the current "crisis of multilateralism" also affects institutions and processes dealing with colonial violence. Additionally, monitoring these institutional developments could help practitioners, lawyers, and activists to detect and react to changing institutional structures in a timely manner.

This working paper emphasizes the role of colonial processes and colonial violence for the development, design, and work of international institutions. Such entanglements have been studied in greater detail in recent decades, mostly by neighboring fields such as historical-sociological or historical international-law perspectives. Only very recently have they received more comprehensive attention within the field of International Relations. Bringing together postcolonial and critical approaches with detailed research on the dynamics of international institutions could open up promising pathways for future research in this field. This also deepens our understanding of transformations in political violence, where international institutions are central fora for struggles and negotiations over what political violence actually "is" and how it can be contained.

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ABOUT TRACE

What effects do global developments such as technologization and climate change have on political violence? How can political violence be limited or legitimized by international institutions? How is it interpreted and conceptualized? Since April 2022, these questions are addressed by the BMFTR-funded research center "Transformations of Political Violence" (TraCe), in which five Hessian research institutions work together with a variety of disciplinary perspectives.
More information: www.trace-center.de/en/ // www.linkedin.com/company/trace-violence // bsky.app/profile/trace-center.de

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