Security and Human Rights

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The link between security and human rights is important. This link is reinforced if we consider that human rights define human security. Individual, international, and national development requires the protection of human rights; therefore you cannot have security without the protection of human rights. Development requires respect for human rights, and respect for human rights prevents conflicts. Peacemaking must be built on human rights foundations and peacekeeping and peace-building must likewise give a central place to human rights considerations as indeed must incorporate human rights strategies.

Furthermore, we must pursue ‘human rights strategies as governance’, namely, that each society must indicate that it is the purpose of government, it is the nature of governance, that it seeks to implement the basic civil, political, economic, social and cultural rights of people. An understanding of this may be obtained through the example of the conflict prevention mechanism of the Organisation of African Unity. The mechanism insists on what may be termed the principal of ‘democratic legitimacy’, namely, that we must insist on democratic governance, that which may also be referred to as democratic transparency. Democratic legitimacy meaning, in many contexts, that governments chosen freely by the people must not be removed by coups. We must not tolerate or accept military coups that would overthrow democratically elected governments.

The concept of democratic legitimacy is seen as also pervading the practice of the Security Council. Therefore, the notion that human rights define human security and the notion of democratic legitimacy can be observed in the practice of the conflict prevention mechanism of the Organisation of African Unity and of the Security Council of the United Nations.

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A case analysis of Ivory Coast brings out the linkage between security and human rights. The Ivory Coast is a situation where the country was relatively stable and prosperous, a country with a highly educated class, that found itself with a mutiny, and then found itself in a conflict that is still indeterminate as to where this conflict will lead. This situation indicates that the prevention of conflicts is not only linked with human rights, human security and democratic legitimacy, but is linked also to confidence building in the military. It has been questioned by rebels from the rebel areas in the north of Ivory Coast, why the United Nations were not able to foresee that this conflict would take place. They consider that all of the elements were there for the United Nations to analyse the situation following the death of President Houphouet-Boigny in 1993.

We must look into the issue of confidence building measures for the military or the security sector, and the related issue of training in humanitarian and human rights norms for the security sector and for the military. The relevance of these issues can be illustrated by the example of Serbia and Montenegro where there have been reductions of forces. The country has a highly educated class, and is reasonably developed, a country that had lost its way, and is an example of a country that can now go about the process of bringing the military under control.

In some situations elsewhere, being in the army is a means of livelihood. It has been particularly acknowledged in the Ivory Coast that when the soldiers were asked to leave service, after their years of conscription, it meant going into unemployment. With an effective confidence building measure, it would mean you have the possibility of controlling the military. The question must be asked whether developing countries have the same possibility of controlling the military in this way, because their economic aspects, aspects of confidence, and perceptions about the composition of the military over a period of time call for confidence building and incentives and training in the military. This question is especially relevant to multiethnic countries.

There are very few cases in which human rights indicators have been used in practice to prevent conflicts. The Security Council deals with human rights issues in a particular way. There have been a large number of pronouncements in the Security Council on human rights issues, but there are very few instances of the Security Council acting on
the basis that the human rights indicators are such in a particular country, that the country is likely to go into deep crisis.

Furthermore there is difficulty in the political world of the Security Council where precaution must be taken concerning the issue of intervention and pre-emption on the one hand, with sovereignty and the need to be careful, and at the same time, on the other hand, to detect the signs when societies are headed for difficulties and how to balance these two.

Therefore, the importance of the issues of security sector reform, concepts of security, human rights and human security, democratic legitimacy, confidence building, training incentives, must be recognised.

In the human rights field, there is experience of ‘states of siege’ or emergency. There are numerous countries that are in permanent states of siege, and therefore the issue of prevention of conflict and security sector reform must be tackled. Sierra Leone is an example where one had to address the issue of how to stabilise a country on the basis of what was then the Lome peace agreement. The phenomenon needed to be addressed, namely, that those in the armed forces who either have access to resources, or the means of a livelihood, must also engage in disarmament, demobilisation, and development. It is noted that in poor countries this is not so easy, therefore when addressing the issue of security sector reform we have to think in terms of the conflict-prone nature of the society, and we have to tackle issues such as confidence building.

Concerning states of siege. For many years, the United Nations human rights programme has looked at societies that have either declared a state of emergency or de facto have a state of emergency. It has been discussed that in the past in Latin America, the countries had been invaded by their own armies. Therefore, this notion of security sector reform, states of siege, continuous states of siege, is recognised, and somehow we have to act for the prevention of conflicts. We are faced by many challenges in this respect.

Another issue is that of repression by the security sector. In some countries there is demonstrable evidence that the security services engage in terror of the civilian
population at night, and it is only a matter of time if the society has different armed
groups, before the opposing sides are going to stand up to this and are not going to
tolerate this for very long. Therefore, if the prevention of conflicts is desired, or
prevention of the deterioration of conflict, then you have to deal with the issue of
repression by the security sector.

This issue also arises in relation to combating terrorism, terrorism being anti-human
rights. We must consider respect for human rights and the notion that repression of
terrorism must not be combated by further repression if it is proving ineffective. One
must bring about disciplined standards of conduct on the part of the security sector in
situations where states are fragile, or countries are either in or near to conflict.

Then there is the further issue, namely that of security sector reform in multiethnic
states. In a multiethnic state it is important to have a vision of the future that embraces
all parts of the population. It is important that society has alert mechanisms that can alert
it to potential signs of difficulty. It is important that the society has safety valves for
addressing grievances. It is important that the society is working at nation-building as it
goes along. And in the midst of all of this there is the notion of the complexion of the
armed forces or the security sector in multiethnic societies and there is the problem of
jealousy among the ethnic groups being such that everything that is done in government
or out of government in the country is viewed through the lens of ethnic equity, and
likewise in the security sector and in the armed forces.

Regarding security sector reform and it’s relevance for conflict prevention, there is this
notion of habits of cooperation in societies that are conflict prone. At the time of the
Yugoslav peace negotiation, a mini Commission on Security and Cooperation in Europe
(CSCE) process was arguably needed. Furthermore, arguably a mini CSCE type
process was needed in the Great Lakes Region of Africa. The notions of coexistence
based on the human rights norms must be worked at, just as we have to work at the
notions of the rights of populations in border areas, we have to draw upon the
experience of the CSCE and the Organisation for Security and Cooperation in Europe
(OSCE), that there must be cooperation between states with trans-border populations,
and we have to work on issues such as the rights of peoples, the rights of nations, and
the rights of minorities.
There are thus many practical areas where security and human rights are closely linked. We must, in the future, try to highlight these issues more and more, and bring out the centrality of respect for human rights in the achievement of security. Respect for human rights is the measure of human security.