

GLOBAL SECURITY OR HUMAN SECURITY? RECENT EVENTS IN PERSPECTIVE

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Human rights must not just remain lofty ideals; they must make a real difference to the lives of ordinary people the world over. In the words of Eleanor Roosevelt, one of the key architects of the Universal Declaration of Human Rights: *“where ... do universal human rights begin? In small places, close to home - so close and so small that they cannot be seen on any maps of the world. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere”*.

Let me tell how security affected one small person in a small place. In September 2002, I visited Burundi, a tiny country in the heart of Africa torn by bloody conflict in which tens of thousands of civilians have died at the hands of the military and armed groups. Just a week before my visit, there had been a massacre in a little village in which some 174 people had been killed by the army - so brutally that the authorities could not tell how many of the dead were men, how many women and how many children. I was told there were only four survivors in the local hospital. My colleagues and I went to the hospital to see them. We were taken to a big empty room in the hospital to wait. After a few minutes the door slowly opened and the first survivor came in. She could not have been more than six years old - she still had her milk teeth, a beautiful child with large black eyes in a little round face. She was naked, wrapped in a blanket, with her arm in a bandage with a sling. She sat down on the bench next to me and told me her name was Claudine. She could not remember her family name, but she recalled in vivid detail how she saw her grandfather, father, stepmother, two sisters killed, and her baby brother bayoneted by soldiers. She herself was wounded but because she was so small, she had somehow managed to crawl between the legs of the soldiers and escaped in the commotion without being noticed. A neighbor found her wounded, naked and unconscious in the forest, and brought her to the hospital, but neither the neighbor nor the hospital had the means to buy her any clothes. That is why Claudine, the youngest of the four survivors of a bloody massacre, was still wrapped in a blanket when we saw her.

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The next morning I had an appointment with President Boyoya. I raised with him the case of Claudine and asked him what he would do to stop such massacres. He replied, "Madam, you do not understand - we have to protect our national security". For Boyoya, Claudine's security was not a part of the national security agenda - but let's not condemn Boyoya alone. What he said to me was exactly what senior members of the Government of Bangladesh said to me when Amnesty International took up the case of Chakma villagers whose homes had been burned or journalists who had been detained arbitrarily or Hindu minority girls who had been raped.

Dissidents are tortured in Egypt, minorities are persecuted in China, political opponents are attacked in Zimbabwe, civilians are killed in the Democratic Republic of Congo, Chechnya or Middle East, foreigners are detained without charge or trial in the United States and the United Kingdom, Afghanistan is attacked and Iraq is occupied - all in the name of security.

The attacks on human rights in the name of security is nothing new - we saw it in Eastern Europe during the Cold War, in Latin America in the 1980s, in Bangladesh in 1971 and later, and in many autocratic and dictatorial regimes around the world before and since. But to that rather familiar scenario a new and even more dangerous element has been added and that is a *global doctrine* on security, promulgated by the most powerful government on earth, which seeks to triumph human rights with impunity and audacity in a way never seen before.

This global security doctrine, far from making the world a safer place, has made it less free and more dangerous. Just look at the growing insurgency in Iraq, the increasing anarchy in Afghanistan, the unending spiral of violence in the Middle East, the spate of suicide bombings, and the growing racial tensions and hatred between communities. In many different parts of the world, people's lives and livelihoods are being destroyed, freedom and human rights are being undermined, and respect for the rule of law and the very framework of international law are under attack. In the richest, most powerful country in the world, the United States, the people are living as though under siege. How can the world be safe when people do not feel safe?

I use the word "siege" deliberately because the discourse on global security by the US Government is couched in the language of war. Look at the term "war on terror". By speaking of "war", the US

Administration is trying to deny the applicability of human rights law as war is normally subject to the norms of international humanitarian law. But by speaking of “terror”, the Administration is also ducking the application of international humanitarian law. By combining the two into the dubious notion of “war on terror”, the Administration is seeking to create a gray zone outside the ambit of law. By complementing the so-called “war on terror” with the doctrine of pre-emptive attacks, it is putting international security as well as international law and human rights at risk.

All this is symptomatic of deeper, more serious efforts to undermine multilateralism and the rule of international law, and replace them with unilateralism and the rule of the powerful. The international human rights system is based on multilateralism and international law; if they are undermined, human rights are weakened.

Fundamental concepts of human rights and international humanitarian law are being ignored and eroded with impunity. The US Government has detained hundreds of people without charge or trial in the Mainland of the USA. It has transferred over 600 prisoners, including minors, from Afghanistan and other countries to what has been called a “hell hole” in Guantanamo, and has refused to give them the status of POW or access to family, lawyers or the US courts. Instead, it has threatened them with trial by military commissions, which do not meet either international or American standards. The English newspaper the Guardian described the proposed military trials as “the Pentagon's Kafkaesque justice system”. Lord Steyn, a judicial member of the House of Lords in the United Kingdom, was more polite but even more damning in his description of the military commissions as kangaroo courts - a term derived, as he puts it “from the jumps of the kangaroo.....the idea of pre-ordained arbitrary rush to, judgment by an irregular tribunal which makes a mockery of justice”. This is a very strong and totally uncharacteristic outburst from an English Law Lord, and expresses the depth of distress in the legal community as what is being done by the US Administration. Next spring the US Supreme Court will examine the legality of detention of some of the people being held in Guantanamo from Australia, UK and Kuwait. Amnesty International, which has been campaigning heavily against the way in which prisoners have been held in Guantanamo in contravention of the most basic principles of international law, will submit an *amicus* brief to the court.