



APWLD

Asia Pacific Forum on Women, Law and Development

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HUMAN SECURITY: SECURING WOMEN'S HUMAN RIGHTS¹

**Report prepared by APWLD for the International Public Symposium on
Challenges to Human Security in a Borderless World**

Organised for the Commission on Human Security

11 December 2002

Chulalongkorn University, Bangkok, Thailand

National Security - a denial of human rights

The concept of national security has long been used to retain the national sovereignty of a State within the domain of international laws. However, historically, national security has also been used by States to introduce martial law, military juntas and state of emergency acts, through which States have acted to repress peoples' movements and freedoms. For example, in Malaysia, the *Internal Security Act* has been used to detain people without trial.

Increasingly today, national security is being used by States to abrogate from their obligations to protect, promote and fulfill international human rights standards within their own States as well as internationally. For instance, most recently we have seen the problematic use of 'national security' by nations such as United States, Australia and England, to advance a campaign of terror to combat "terrorism" against their own citizens and people in other countries.

The myth of a nation State, and its correlative of national security, has been used to protect the rights and interests of powerfully dominant groups within a territory over that of other peoples in that or other territories. This has posed problems for groups, who identify themselves as indigenous or as ethnic or religious minorities, not prioritised by the nation State. For women, this is further aggravated by the lack of recognition of their interests as women, often in addition to their ethnic or religious marginalisation.

The negative impacts of national security on women in the Asia Pacific

The use of national security to deny people their human rights has had a severe impact on women in particular in the Asia Pacific. Some of the examples of this are:

- The systematic use of rape as a weapon of war by the Burmese military regime against Shan and other ethnic or non-Burmese women in Burma;
- The increasing militarization in the region, particularly in the form of increased presence of US troops in the Philippines and Korea, has lead to increased State violence against

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women, as well as increased numbers of women being trafficked and engaged in prostitution/sex work in the areas near military bases;

- The curtailment of freedom of expression of women's organisations, particularly those who are advocating against the presence of military bases in Asia and are consequently branded as "terrorists", through harassment, cancellation of funds, threats to their lives and security; defenders of women's human rights are facing increasing risks of human rights violations by States;
- As a result of States' assertion of national security there has also been a rise in fundamentalist movements and associated violent oppression particularly of women from ethnic and religious minority groups including the Moro people in the Philippines, the Aceh people in Indonesia, the indigenous groups in North East India, the Muslim communities in India, etc.;
- Reduced freedom of movement across border for women who are either fleeing persecution or are seeking employment, forcing them increasingly into illegal channels of movement across borders or into situations of trafficking;
- National security has also been linked to the protection of national interests which has been invoked in large scale development projects resulting in the displacement of women and their families of indigenous and other local communities, from their lands and livelihoods, e.g. in Indonesia and the Mekong region.

In light of these negative impacts of national security, there is an urgent and emerging need to develop a concept of State security that upholds State's accountability to international human rights standards of all peoples during times of internal or external conflict, as well as during times of peace.

Human security - claiming human rights

The Commission of Human Security at its third meeting in Stockholm, June 2002 stated that, "Human security can be understood as the protection and preservation of human survival and daily life (presumably against premature death avoidable ill-health, illiteracy etc.) and as the avoidance of indignities that can result in injury, insult and contempt as well as the participation and empowerment of individuals and communities".

Two of the important elements that the Commission has identified as being necessary for the concept of human security include:

- An emphasis on people-centered security, that focuses on individuals and communities, thus shifting from a State-centered to a human-centered sense of security;
- Addressing down-side risks.

However, there is a concern that the concept of human security as it is currently emerging is still based within the dynamics of creating a response to a perceived threat (whether it be to conflict or development related) and therefore invokes a protectionist mode, by the State, for its citizens. There is need to ensure that human rights, based on peoples' agency to claim and develop their own capabilities for their own fulfillment, are made central to the concept of human security.

Further, international human rights have been substantially developed and have been widely accepted as international norms by States, and where ratified, have been accepted as demandable obligations on States. Importantly, the combination of civil and political and economic social and cultural rights places the focus not just on conflict situations but also on situations related to development. It is crucial to ensure that this existing and accepted framework of peoples' rights is sustained in emerging contexts of human security.

There is a concern that the focus on human security not be developed as an alternative to human rights, or narrow the scope of human rights. Rather, human security, as an alternative to national security, needs to be founded upon the full range of human rights. Therefore, for human security to be a useful concept for women, it is important to see human security as a means for securing human rights for all.

Engendering human security

In order for the concept of human security to be strategic in fulfilling women's human rights for empowering women, the following elements should be included:

- Recognition of all forms of violence against women as a serious denial of human security;
- Realisation of the justiciability of human security by strengthening the enforcement of State's obligations to fulfill the full range of human rights;
- Recognition and actualisation of the indivisibility of human rights, where civil and political rights can not be enforced at the expense of economic, social and cultural rights and vice versa;
- Adoption of the principle of non-discrimination as inherent to ensuring a person's human security;
- Adoption of the principle of equality to ensure all human rights and capabilities are secured equally, particularly for women;
- Adoption of the principle of intersectionality, as codified in the World Conference Against Racism Racial Discrimination, Xenophobia and Related Intolerance Declaration and Programme of Action which recognises the importance of addressing the multiple and simultaneous forms of discrimination experienced by women (on the basis of their gender, race, caste, ethnicity, disability, sexual orientation etc.);
- Recognition of human rights as inherent to all human beings and not contingent on a person's citizenship;
- Enforcement by states of non-State actors' accountability for violations of human rights that undermine a person's or community's human security.

Recommendations

In conclusion, additional supplementary measures have been identified that are necessary for attaining human security. To ensure human security, particularly for women within the Asia Pacific, APWLD calls upon all States and the United Nations to:

- Promote, protect and fulfill all human rights for men and women, regardless of conflict or citizenship;
- Stop militarization and promote conflict resolution and peace building;
- Include women in all decision-making forums relevant to human security related matters;
- Eliminate all forms of violence against women, particularly the systematic use of rape by the military against the ethnic women in Burma; and
- Promote equitable and sustainable development.

Human security should not be developed as an alternative to human rights, or narrow the scope of human rights. Rather, human security, as an alternative to national security, needs to be a means for securing human rights, especially for women.

It is essential that all human rights lie at the core of any concept of human security.

References

Commission on Human Security, Compiled by Centre for Social development Studies, Faculty of Political Science, Chulalongkorn University: available from <http://www.humansecurity-chs.org>

Ellen Seidensticker, *Human Security and Human Development*, Harvard University, 2002