

“Security for Whom?”

By Irene Khan

Secretary General, Amnesty International

London School of Economics: 10 December 2003

Fifty five years ago on this day, the member states of the United Nations came together to proclaim the Universal Declaration of Human Rights. It conveyed in very simple language a powerful and inspiring message of enduring value: of what humankind can work towards.

Yet, human rights are not just lofty ideals; they 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 UDHR: *“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.”*

So let me begin this evening with one such small story that occurred in a small country called Burundi. 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 Itaba, Gitega province in which some 174 villagers were killed by the army. There were only four survivors. My colleagues and I went to the hospital to meet the survivors. We were taken to big empty room in the hospital, and then after a few minutes the door slowly opened – and a little girl 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 couldn't remember her family name, but she recalled in vivid detail how she saw her grandfather, her father, her stepmother, her two sisters killed, and her baby brother bayoneted to death 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 escape in the commotion without being noticed. A neighbour found her wounded, naked and unconscious in the forest, and brought her to the hospital, but both the neighbour and the hospital were so poor they could not afford 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.

The next morning I had an appointment with President Buyoya. 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 are fighting to protect our national security.”

That does have a familiar ring, does it not?

How often have we heard that said when dissidents have been tortured in Egypt, or minorities persecuted in China, or political opponents attacked in Zimbabwe, or civilians bombed and killed in conflicts in the DRC, Chechnya or Middle East – or when human rights are violated today in the name of fighting the so-called “war against terrorism” in many parts of the world including Afghanistan, Yemen, Saudi Arabia and the United States.

The perpetrators are not just governments but also armed groups. The governments justify their violations in the name of security, and armed groups their violence in the name of liberty. But the policies and practices of neither make the world safer, nor more free. On the contrary, they destroy lives and livelihoods and threaten the very framework of international law and human rights. Just look at the growing insurgency in Iraq, the increasing anarchy in Afghanistan, the unending spiral of violence in the Middle East.

In my presentation this evening I would like to highlight the clash between security and human rights and where the world now stands as a result of it, and what we as human rights defenders must do.

The erosion of 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 and in many autocratic and dictatorial regimes around the world before and since. What is new however is the notion of a *global* doctrine on security, promulgated by the most powerful government on earth, trumping human rights with impunity and audacity. It put forwards new challenges: both to security analysts as well as for human rights activists.

This global doctrine is couched in the language of war by the US Administration, creating a new dimension in US exceptionalism. By speaking of “war”, the US Administration is denying the applicability of human rights or civil liberties, because as we all know in times of war human rights law is displaced by international humanitarian law. But by then using the term “terror”, they are also denying the application of international humanitarian law. By combining the two into the dubious notion of “war on terror” what has been created is what the Court of Appeal called a ‘legal blackhole’ the Administration is seeking to jettison all domestic and

international law obligations and standards into a lawless black chasm. By complementing this “war on terror” with the doctrine of pre-emptive attacks, it has put both international security and human rights at risk.

It is ironic that while professing to make the world more secure the US and its allies have sought to undermine the best form of collective security that exists and that is the rule of international law and human rights.

Fundamental concepts of human rights and international humanitarian law have been flouted. In the US hundreds of people have been detained without charge or trial at will, US citizens have been designated as enemy combatants at whim, mass killings by allies in Afghanistan have gone uninvestigated or civilian deaths by the US army in Iraq have been ignored, allegations of torture and ill treatment of terrorist suspects brushed away. And over 600 prisoners, including minors, have been condemned to the hell hole in Guantanamo, threatened with trial by military commissions which do not meet either international or American standards. The Guardian described the proposed trials in Guantanamo as “the Pentagon’s Kafkaesque justice system.” Lord Steyn, a judicial member of the House of Lords, was more polite but more damning in his description of the military commissions as kangaroo courts – 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”. Next spring the US Supreme Court will examine the legality of detention of some of the people – from Australia, UK and Kuwait because these nationals are not counted as enemy aliens. Amnesty International will be one of many organizations which will submit an amicus brief to the court.

The US Administration has sought to stay out of the ambit not just of US justice but also of international justice, by actively seeking to undermine the International Criminal Court, through bilateral agreements of impunity for its own nationals.

It is deeply disturbing to read reports that the US forces in Iraq are adopting precisely those tactics which we have condemned as gross violations of international humanitarian law by the Israeli Army in the Occupied Territories – house demolitions, humiliating restrictions on movement of civilians, killings without investigations, and even reports of plans to execute and assassinate.

The impact around the world has been equally chilling. In the days, weeks and months that followed the attacks of 9/11, many countries rushed through laws, restricting people’s right of assembly, free speech, fair trial, freedom from arbitrary detention. Almost every country in

the world, from Australia to Zimbabwe, has expanded its powers – lawfully or unlawfully – to investigate, arrest and detain. The UK had adopted an anti-terrorist law in 2000 which was so far reaching that AI considered it to contravene international human rights obligations of the UK. It had already led to the banning of twenty organizations, including al-Qaida. Yet within weeks of 11 September, Parliament rushed through another piece of legislation permitting the government to detain on the basis of secret evidence and without charge or trial foreigners suspected of involvement in terrorism but who cannot be deported. The United Kingdom is the only country in Europe to seek derogation from the European Convention on Human Rights to allow it to introduce such a measure. Right now, fourteen men are imprisoned under the Act in high security institutions, six of them have been imprisoned for almost two years. We do not know when, if ever, they will be released. The hearing to challenge the detention uses secret evidence not available to the detainees or their lawyers. The Special Immigration Appeals Commission which hears the detention hearings have denied the people presumption of innocence, the burden of proof is on the other side – and remember that this is based on secret evidence – and has even ruled that evidence extracted from a third party through torture is not only admissible but can be relied on by the Commission to make its decision on the detentions. So, here we have a British administrative tribunal endorsing the use of torture!

Is it any surprise then that some countries have used the so-called “war against terrorism” as a license to clamp down ruthlessly on political dissidents or minority groups? China has linked its own repression of Uighur minority to the “war against terrorism”. Since 11 September 2001, we have documented increased arrests of Uighur muslims by the Chinese authorities and restriction of their human rights, including their freedom of religion. In Egypt many members of the Islamic groups have been arrested and detained without trial following the 11 September attacks.

Others such as Russia and Colombia have escaped international scrutiny and censure because of the eagerness of to create a “global coalition against terrorism”. Last year I was campaigning to improve the human rights situation in Russia and I met with the Foreign Minister of Germany in that context. He told me bluntly that he did not dispute AI’s findings on Chechnya but could not raise these concerns with the Russians because Germany was using the military facilities in Daghestan for its operations in Afghanistan. And of course an outrage like Guantánamo, you hear a lot about it in the news, you hear a lot about it from people like ourselves – human rights activists, but you very rarely hear the governments themselves raise it – even those governments whose own citizens are held there. At least one British minister has admitted that should the British citizens be returned to the UK, under British law it would be difficult to prosecute them for any offence.

The war on terror and the war in Iraq have divided the world and people in a way not seen since the end of the Cold War. International legal scholars can debate the legality or illegality of military action in Iraq but for the vast majority of the people in the world the war was unjust. AI takes no position on the use of force – our position as human rights activists has been to focus on the impact on the people of Iraq who remain in insecure conditions. But there is no doubt that the war in Iraq and the war on terror and all the rhetoric and action surrounding it have created a deep sense of injustice and alienation by pitching one group of people against another, and creating a deep sense of cynicism about human rights and the value of human rights as an answer in this world. Anti-terrorist laws in some countries, including the US and the UK, have targeted only foreigners or foreign-born citizens clearly making them discriminatory. A British citizen, posing the same security risk as a foreigner can walk the streets of London free, but a foreigner can be locked up with no charge or trial indefinitely. This kind of stigmatizing is a source of danger, encouraging a climate in which xenophobia and racism flourishes. Only this weekend the Observer newspaper carried stories of how the arrest of two suspects in Dudley, two Muslim boys, had exposed the entire community to a backlash of shooting incidents, trashing of cars and shop windows. Moslems, Arabs and Asians are easy targets of Islamophobia. On the other side, anti-Semitism has also re-emerged, particularly with the worsening of the conflict in the Middle East. Political rhetoric about “good and evil”, “you are with us or against us”, “the forces of evil”, “them and us” have accentuated this gulf.

New seeds of social discord and insecurity are sprouting between citizens and non-citizens, between non-Muslims and Muslims. Racism and xenophobia are a latent feature in all societies, but shamefully, they appear to have become a blatant feature of European politics, with some politicians exploiting people’s fears and prejudices for short-term electoral gains. They play upon people’s fears and prejudices. Some parts of the media have played into this strategy, dehumanising and demonising refugees, asylum seekers, foreigners, and even foreign-born citizens. Those who need their rights protected the most have become the ones most targeted for attacks.

The increasing polarisation between communities, them and us, Arabs and non-Arabs, Muslims and Christians, has strengthened the hands of those who have always feared the powerful appeal of human rights and who, in turn, have used arguments based on cultural and religious norms to undermine human rights. Recently we have seen a resurgence of these arguments and practices, not only among some fundamentalist and extremist groups but also increasingly among some more intellectual sectors of society and we certainly see it among some governments in non-western countries. Cultural relativism – Islamic law, Asian

values – is again being used as grounds for de-legitimising the universality of human rights. Whether at the hands of Christian, Islamic or Hindu fundamentalists, one particular casualty of this trend has been women's human rights. This is the price that is being paid by women on the sidelines of the "war on terror" which is going unnoticed. We see this in Iraq, where we are receiving reports that women are less free today than ever before. We see it in Afghanistan where the liberation of Kabul was justified on the grounds of the way in which the Taliban had treated women. I was in Kabul, Afghanistan in July this year and I met with women's groups and I asked them their situation. They said to me that during the time of the Taliban if you showed an inch of flesh you would be punished and you knew that. Now, and this is an exact quote, "Now it doesn't matter what you do, who you are, where you are. You are likely to be abducted, forcibly married, raped and attacked." Insecurity of women is a major issue in Afghanistan. I visited women's prison where 90% of the population is aged between 16 and 40, all of them were in prison for adultery, running away from brutal husbands, or wishing to marry the man of their choice. I heard heart-rending stories of young girls who had been forcibly married, abducted, mistreated or raped and who were afraid to go home because if they did return they would be killed by their own families because they would be seen as having shamed the family honour. In March, I suppose thanks to the influence of AI and other human rights activists, President Karzai gave amnesty to twenty such women, five of them were killed immediately by their own families and several others have disappeared. These are the hidden stories that one doesn't hear very much.

A narrowly focused security agenda has given priority to the powerful and the privileged over the poor and the marginalized, and overlooked real sources of insecurity and uncertainty which confront people around the world daily: The real sources of insecurity for many people lie in corrupt judicial systems and inept and repressive governments, in the failure to halt the flow of small arms, to eradicate extreme poverty and preventable diseases, to arrest and treat the spread of HIV/AIDS, and to deal with the social dimensions of globalization. Many poor feel insecure because they are denied basic needs. Many women feel unsafe because they cannot be protected from violence in their homes and communities.

Take small arms: they are the real weapons of mass destruction because they kill half a million people every year. The world is awash with weapons – today there is one weapon for every ten people and two bullets produced each year for every man, woman and child on this planet. Developing countries spend about \$22 billion a year on weapons. For \$ 10 billion dollars, they would achieve universal primary education.

Last month I was in Brazil, where more than 300,000 people have died in the past decade because of gun violence by gangs or police forces, and that is not a conflict-ridden country.

In Rio some 5000 children carry guns. I met 16 year old Camilha who had shot by a bullet as she was getting out of her school bus. She had wanted to be a gymnast but was now paralysed from waist down.

In October I was in the Democratic Republic of Congo and visited Eastern Congo, Goma and Ituri where thousands of children have been forcibly recruited to fight because small, light weapons are so easy for them to carry and children can make good soldiers. At a centre for rehabilitating child soldiers in Bunia, I met a chubby eleven-year-old boy who told me with a disarming smile that he had killed and tortured and watched his mates die. At a medical centre near Bunia in Ituri, I met eight year Maky who had been mutilated and tortured with razor blades by a band of child soldiers who had attacked his village and killed his family. Five months after that incident when I saw Maky, he was still so traumatised that he would run away if he saw any children.

To make matters worse, in the name of combating the so-called 'war on terror', many governments, led by the USA, have relaxed controls on exports to governments that are known to have appalling human rights records, among them Colombia, Indonesia, Pakistan and Israel. The uncontrolled trade in arms puts us all at greater risk.

A major source of insecurity for millions of people is poverty. More than a billion people out of a global population of six billion live on less than \$1 a day – and even Michael Howard now refers to the cost of \$2 a day being spent in Europe to maintain a cow.

The Universal Declaration of Human Rights proclaims the right not only to liberty and freedom of expression but also to a standard of living adequate for their health and well-being, including food, housing and medical care. More than 3,000 African children die of malaria every day, over 3 times the number of people killed as a direct result of armed conflict. Over half the population of Africa do not have access to life-saving drugs, while the five largest pharmaceutical companies in the world have twice the GDP of sub-Saharan Africa. Only 50,000 of the 26 million people infected with HIV/AIDS in Africa have access to the health care and medicines they need.

The Millenium Development Goals were adopted by governments as targets to be achieved by 2015 – they included targets for child and maternal mortality, getting all children to primary school, halving the number of people with no access to clean water – they are all measurable, achievable goals. Yet, we won't achieve them. And we won't achieve them because according to the World Bank, the war on terror is shifting attention and resources away from issues of development.

New resources are being directed to security, police and counter-terrorism agencies. Where are the funds to meet the social needs of poor and marginalized communities? Where are the new resources to help countries build fair and effective justice and policing systems? Where is the new money to strengthen the UN's human rights machinery which has been grossly under-funded for years? Addressing these diverse sources of insecurity requires commitment and investment by governments and the international community in all human rights, economic, social, cultural, civil and political. It requires establishing or strengthening institutions that can protect human rights.

In a climate of fear where even the most powerful and the protected feel vulnerable, people are easily persuaded that the price for safety is erosion of liberty. Yet there is no empirical evidence to show that restraining freedom strengthens security on a sustainable, durable basis. On the contrary, on International Human Rights Day, we need to acknowledge that the drive for security, far from making the world a safer place, has made it more dangerous by encouraging secrecy, by shielding governments from scrutiny, and by undermining the international institutions and the rule of international law.

Real security comes through respect of human rights and the rule of law. If we want a more secure world, then we must demand a paradigm shift in the concept of security, a shift that puts human security and not national security at the heart of the international agenda, that recognizes that insecurity and violence are best tackled by effective, accountable states which uphold, not violate human rights.

In saying this I am not challenging the right of governments to act against criminal and political violence by armed groups and individuals. But governments are not entitled to respond to terror with terror. The people who organize suicide attacks in Israel or Istanbul, who kill civilians in Burundi, or who bomb buildings in Moscow must be brought to justice, but they must be brought to justice in accordance with standards of fair trial. So too must the Israeli soldiers who carry out unlawful killings in the Occupied Territories, the Indonesian police who torture in Aceh and Papua, the Russian security forces who rape villagers in Chechnya.

Just as criminal violence is best addressed through better – not brutal – policing, so too insecurity and violence are best tackled by effective accountable states which respect human rights and ensure the security of their people by upholding, not violating their rights.

There is no trade off between security and human rights – on the contrary, human rights are the best guarantor of national security. The lessons of history are clear: supporting

repressive regimes does not pay. Arming dictators is dangerous. Ignoring human rights is not just short-sighted or unprincipled, it is plain dangerous.

Global insecurity, far from diminishing the value of human rights, has actually heightened the need to respect them. And that has made the job of human rights activists more important ever. We live in a dangerous, polarized world. It is precisely in a divided and dangerous world that we need a sense of international community; we need global values to bring us together. And nothing is more powerful than the glue of the global universal values of human rights in a bruised and fractured world. And there is no stronger international community than that of global civil society committed to human rights.

Just as I was getting ready to come here, a colleague showed me a letter from Luis, who was a journalist in Chile, and who had tortured by the Pinochet regime. His wife disappeared – she was then 23, he was 26. He was adopted as a prisoner of conscience by Amnesty International. Many years later, he wrote: “When you are there, naked on a metal bed, and they are giving you electric shock torture and your wife is going to die and the child she is carrying is going to die, and the other person next to you is being killed, you wish there was an international community, a bigger humanity, somebody who will say that this has to stop, that this is useless, it corrupts everything, it corrupts life. It should not be possible.”

That’s what we need today: an international community that will speak out to these words. I began with the small stories of small people and it is those small people that we must turn to find our way on human rights. It is through the voices and vision of ordinary men and women that we must carry the message of human rights forward – and I assure you, we will not be disappointed.

In October this year, Amnesty International joined forces with Oxfam and the International Action Network on Small Arms to launch a global campaign to control arms. Within two months more than nine governments, including Brazil, Finland, Netherlands, Cambodia and Mali have signed on to support an International Arms Trade Treaty. We hope that the arms control campaign will generate the kind of combined interest of governments, civil society and public opinion which led to the banning of land mines.

That is just one example. Next March we will launch a campaign to Stop Violence Against Women and already the response has been amazing. We are working with human rights groups, in little places like Bahrain and big ones like Brazil. We are looking for new and innovative ways to network, to lobby, to put pressure, to bring about change. We are expanding our work on companies and armed groups. We are engaging on economic, social and cultural rights. We are working with many NGOs and local communities to construct strong civil societies and viable states.

At the end of the day it is local human rights groups, social movements and activists are the real lifeblood for change around the world, opening up societies, and fighting for international standards of human rights and good governance. Protecting them is an essential aspect of promoting human rights. If we nourish those “roots” so that the plants will grow strong and straight, they can never be uprooted. That will be the best antidote to the attack on human rights that we are seeing worldwide today. “Human rights have gone global by going local,” in the words of Michael Ignatieff and nothing can turn that tide. The power of human rights is within us now and no “war on terror” can take this away.

The best antidote to those who seek to erode human rights is a global community of human rights defenders. A teacher in Ghana, a housewife in Philippines, a doctor in Sweden, young people everywhere – each in their own way – bring hope to people at risk – the prisoner of conscience; the prisoner of violence; the prisoner of poverty so that they can break free of the paralysis of fear and despair, can feel optimistic about the future and confident about building a more just world

So, yes, if you look at the world around, there may seem to be a lot of gloom and doom. But our work on human rights is more important today than ever before. We are not only alive and kicking; we are a very powerful potent force.

So as I look ahead to 2004, I see the challenges but I am not daunted. Instead I am inspired. I am inspired by the words of an Israeli peace activist I met in Tel Aviv last year. His sixteen year old had been killed in a suicide bombing. I will always remember his words: he said: “I could have made my grief a tool for revenge but I decided to make it a platform for change.”

We live in a dangerous world. We could live with our fear or we could turn it into defiant courage to uphold human rights. Every day, through our action and our commitment, we – you – prove that ordinary people can achieve extraordinary change. Thank you.