# THE EVOLUTION OF THE INTERNATIONAL DEBATE OVER HUMAN SECURITY AND THE CASE OF THE INTERVENTION IN LIBYA

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## English Summary

## 1. Human Security: development of concept

The term 'human security' has been first used in 1994 by the UN Development Program in its Fifth Human Development Report. Nevertheless, the underpinning ideas are not new. According to Lloyd Axworthy, a doctrine based on people security starts to develop in the mid 19th century, with the foundation of the International Committee of the Red Cross and the Geneva Conventions[1]. The UN Charter is also important in the path toward human security: in its Preface, the will to guarantee security and development of all peoples is evident in the very same recognition of the rights of individuals. The Charter gives start to coding human rights within the international law and to establishing institutions to protect them, thereby creating a favourable ground to human security. Later on, in 1948, the Universal Declaration of Human Rights states that "the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people"[2] which is particularly crucial because freedom from fear and freedom from want are the two pillars of a broad vision of human security. A new vision of the international relations as based on the value of people, on their rights and their protection emerges throughout this document. Finally, the four Conventions of Geneva constitute the base of humanitarian international law. Their violation, indeed, is an international crime.

With the end of the cold war, the threat of a nuclear conflict disappears and the security of states grows. Although the latter is necessary for human security, insofar as its first objective is to preserve territorial integrity from outside attacks, it is not enough to guarantee individuals' security[3]. In fact, nowadays the majority of conflicts take place inside single

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1  See Axworthy (1999: 335)
2  See General Assembly (1948)
3  See Axworthy (1999: )

states, under the form of civil wars, with a great number of non-fighters being involved. For these people, the major threat may arise from the state itself, as in the case of failed states that are no longer able to provide security to their citizens. In this new scenario, the United Nations Development Program (UNDP) issues in 1994 its Fifth Report on Human Development. This document is considered to give official birth to the concept of human security, because its second chapter is entirely focused on it. It states that "the concept of security has for too long been interpreted narrowly"[4], because it has been linked more to the nation-states than to people. The Report declares also that "for most people today a feeling of insecurity arises more from worries about daily life that from the dread of a cataclysmic world event"[5]. Herein lies the crucial point: human security has not to do with weapons, rather it is concerned with human life and dignity. The subject to be defended is no more the state, but the individual. Four are the essential characteristics of human security presented in the Report: it is a universal concern, its components are interdependent, it is easier to ensure through earlier prevention than later intervention, and it is people-centred[6]. Thus, human security thwarts the importance of territories and increases the attention to peoples, by dropping the realist and military approach to security and adopting a liberal one, focused on sustainable economic development and on humanitarian intervention. Though it is difficult to provide a coherent, comprehensive definition of human security, the authors of the Report highlight two main aspects. "It means, first, safety from such chronic threats as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life - whether in homes, in jobs or in communities. Such threats can exist at all levels of national income and development."[7] Moreover, the Report states that human security has two components, freedom from fear and freedom from want, and that the threats to it can be listed under seven categories, including economic, food, health, environmental, personal, community and political security[8].

It is of essence to distinguish human security from 'human development' and 'human rights'. The latter two, in fact, are the conceptual frameworks aimed to protect human beings before the birth of human security. Hence, it is essential to examine whether human security generates a new stock of values so as to justify its adoption as a conceptual framework both in

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4  See UNDP (1994: 22)
5  See UNDP (1994: 22)
6  See UNDP (1994: 22-23)
7  See UNDP (1994: 23)
8  See UNDP (1994: 24-25)

the academic and practical field.

As to human development, it originates from a different perspective than human security, with regard to both the extent of the approach and the degree of attention. As stated in the Human Development Report, human development "is a broader concept – defined (…) as a process of widening the range of people's choices", while "human security means that people can exercise these choices safely and freely - and that they can be relatively confident that the opportunities they have today are not totally lost tomorrow"[9]. Obviously, the two concepts are strictly intertwined, because progress or failure in one area entails similar outcomes in the other.

Human security and human rights also are complementary to and strengthen each other. Respect of human rights is crucial to people protection and empowerment. Human security helps identifying human rights, and these in turn help promoting the issues of human security [10].

It is also useful to highlight the notion of 'responsibility to protect', defined in 2001 by the International Commission on Intervention and State Sovereignty. The Commission states that every state has the responsibility to protect its citizens, but when it is "unable or unwilling to do so"[11], or it is itself the source of threats, the responsibility shifts to the international community of states. Sovereignty is no longer seen as control, but as responsibility, because the state has the duty to protect its citizens. It is clear that the notion of human rights has played an important role in the definition of the responsibility to protect: it is not only state security to matter, but also, and foremost, protection of individuals from any kind of threats[12].

**2. The actors in the debate on Human Security**

A number of states have endeavoured to make human security inspire their foreign policy. This has led to two different visions and policies, a narrower one, supported e.g. by Canada and Norway, and a broader one, advocated e.g. by Japan.

During the 1990s the Canadian government has actively worked to bring the debate on human security in the international limelight, using it as a framework of international relations. Its major achievement has been the establishment, in 1999, of the Human Security

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9   See UNDP (1994: 23)
10 See Abass (2010)
11 See ICISS (2001)
12 See Evans and Mohammed (2002: 4)

Network, a group of states led by Canada and Norway, whose goal is to pursue shared policies to strengthen human security[13]. All these states have adopted a narrow vision of human security, consisting of "freedom from fear" only. Thus, they are concerned with removing the use of force, or the threat of it, from people everyday lives[14].

The broader vision of human security refers to the definition of the UNDP, which includes not only freedom from fear but also freedom from want. Human security is about "ensuring fundamental human needs in economic, health, food, social and environmental terms"[15]. Therefore, Japan has emphasised human security and strengthened its own engagement in facing threats against human life, livelihood and dignity. This vision has filtered into the 2003 Report of the Commission on Human Security, created by Japan.

The United Nations, after the UNDP Report in 1994, have continued to support the evolution of human security. In 1999, the Human Security Trust Fund, sponsored also by Japan, was established. The General Secretary's commitment resulted in two Reports, "We the Peoples: the Role of the United Nations in the 21st century" in 2000 and "In Larger Freedom: Towards Development, Security and Human Rights for All" in 2005. Both Reports stated the importance of realizing freedom from fear and freedom from want, as also did the Report "Human Security Now" of the Commission on Human Security in 2003. During the World Summit in 2005 human security was formally acknowledged, and the states committed themselves to discuss and define it in the General Assembly. Subsequently, in 2008, the UN General Assembly characterised human security as a framework to further the principles of the UN Charter and as the "glue" to keep together the range of threats to security and to understand and address them[16].

The European Union has often been defined as a "normative power", characterised by a normative base coherent with the UN Charter, or as a "civil power", the economic and commercial influence of which is not matched by an equal power in foreign or defense policy. The EU implicitly acknowledged human security in 2003, with the European Security Strategy, which had the objective of defining the Common Foreign and Security Policy and the Foreign Security and Defence Policy in terms of security cooperation and of the soft end of security[17]. The ESS acknowledged the primary responsibility of the Security Council to

13 See Christie (2010: 175)
14 See Krause (2009: 150)
15 See Krause (2009: 150)
16 See Edwards and Ferstman (2010: 26)
17 See Mascia (2006: 58)

maintain international peace and security and it indicated the empowerment of the UN as a European priority. Given the UN crucial role in promoting human security, European Union cannot help but endorsing it too. EU explicit acknowledgement materialized the following year in the Barcelona Report, which included human security within EU official policies [18]. In 2007 the Madrid Report further developed the concept of human security. Even though the Lisbon Treaty did not refer explicitly to the notion of human security, the role of the latter as one of the guiding principles of EU action is quite manifest, when the Treaty states that the international action of the Union is based on the principles of democracy, rule of law, universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity and adhesion to the principles of the UN Charter and the international law. Thus we can easily say that the EU policies are shaped on human security principles.

Implementing human security requires also the intervention of non-state actors. NGOs play a major role in promoting human security on the ground. During internal conflicts, they have a closer involvement with local communities than official actors, so that they can better build local capacities[19]. Moreover, they can talk to different parties in a relatively suspicion-free setting and they are more flexible than state actors[20]. For these and several similar reasons, NGOs should be singled out as key players in promoting human security, in that each of them operates in different sectors and can focus on different security issues. Their role should be implemented and favoured.

## 3. Humanitarian Intervention in Libya: Responsibility to Protect or Regime Change?

Similarly to many other North African and Arab states in this period, Libya was shaken by uprisings which started in January and February 2011. The protest was immediately met with a violent retortion by the Gadhafi regime. In March 2011, after lasting and repetitive acts of violence against protesters and civilians, the joint opposition forces established the National Transitional Council (NTC), which declared to be the only legitimate representative of the Libyan people.

Since the beginning of the confrontation, the international community firmly condemned

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18 See Akokpari (2008: 74)
19 See Brauderlein (2000: 2)
20 See Brauderlein (2000: 3)

the violent reaction of the regime, including indiscriminate killing, detention and torture of protesters. In this context, on February 26 2011 the UN Security Council adopted the Resolution 1970, which condemned the attacks involving the civil population, to be considered as possible crimes against humanity, and asked for immediate stop to any violence. It also referred the Libyan case to the International Criminal Court and imposed sanctions on Libya[21]. The only result, however, was an intensification of violence.

Thus, different parties, including a number of Western states, the Arab Conference and the League of the Arab States, and later on also the leaders of the NTC, requested over and over to impose a no-fly zone over Libya. At that stage, the regime troops were besieging Benghazi, a city controlled by the opposition, and massacres of civilians were feared to be impending, also because of violent announcements made by Gadhafi[22]. Therefore, on March 17 2011, the UN Security Council adopted Resolution 1973. This document explicitly stated that the situation in Libya was a threat to peace and international security, and asked for immediate cease-fire and the end of attacks against civilians. It also authorized the member states to take "all necessary measures" in order "to protect civilians and civilian populated areas under threat of attack" in Libya, while "excluding a foreign occupation force of any form or part of Libyan territory"[23]. It also established a no-fly zone. Two days later, a coalition of Western states initiated a military intervention under the guide of the NATO. Over time, the NCT received more and more acknowledgement and support from the international community. In October 2011 the rebel forces gained control over Tripoli and Gadhafi was killed during the battle.

The intervention in Libya is noteworthy because it is the first humanitarian intervention conducted in the framework of the responsibility to protect. In fact, this doctrine was presented as a justification for the intervention in the two Resolutions of the UN Security Council and often in the international debate. For these same reasons, the Libyan case deserves a close scrutiny to unveil whether the primary goal of the mission was to protect civilians or rather to overthrow the Gadhafi regime.

At least in the early stages of the international intervention, the protection of civilians seemed to be the real issue at stake. The military targets selected for bombing were a clear threat to civilians' security, the actions undertaken fulfilled the requirements of the ethics of

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21  See Bellamy (2011: 265)
22  See Payandeh (2011: 378)
23  See UN Security Council (2011: 4)

humanitarian intervention: i. low number of innocent casualties, ii. legitimate authorization, iii. last resort - forced by the imminent attack of Gadhafi; iv. support of the international community; v. reasonable hope of success[24].

US President Obama, during his speech on March 28 2011, explained the reasons of the intervention, referring widely to the doctrine of the responsibility to protect and to the elements given by the ICISS as legitimating an intervention[25]. The latters one are: i. just cause - requirement met by the atrocities committed and about to be committed on large scale by the Gadhafi regime; ii. authorization by the United Nations - indeed the US President waited for the Resolution of the UN Council before starting the military intervention; iii. righteous intentions - presented by Obama as the protection of the Libyan people; iv. proportional means - the President opposed to broaden the mission beyond the task of protecting people[26]; v. reasonable prospect of success – this requirement met by existing ability to stop the violence[27].

All these humanitarian justifications refer to the concept of responsibility to protect and to its language, but it is yet to ascertain whether they were used to cloud the regime change being a primary objective.

The concept of regime change encompasses the idea that "a government that does not abide by minimum human rights standards and the principle of self-determination forfeits its legitimacy and may be overturned, with the use of force if necessary"[28]. In the history of international relations, regime changes have occurred much more often for particular interests of some external state than for protection of civilians.

In the case of Libya, shortly after the beginning of the intervention, several states of the Western coalition began to admit openly that the ultimate goal of the military mission was to overturn the Gadhafi regime. In an open letter of 15th April 2011, U.S President Obama, former French President Sarkozy and U.K. Prime Minister Cameron stated that, while a regime change was not their task or mandate, it was "impossible to imagine a future for Libya with Gadhafi in power"[29]. The Group of Eight that met in France in May 2011 issued a final communiqué affirming that Gadhafi and the Libyan government had failed "to fulfill their responsibility to protect the Libyan population and have lost all legitimacy" and so they

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24 See Payandeh (2012: 273)
25 See Groves (2011:2)
26 See Groves (2011: 3)
27 See Chesterman (2011: 8)
28 See Payandeh (2012: 357)
29 See Payandeh (2012: 382)

should be gone.

Thus, the Libyan affair may be the first case of a military mission inspired by the UN Security Council, acting with the eventual purpose of overthrowing a government and changing a regime. The legitimacy of the action pursuing such a goal is a matter of debate.

It is evident that the UN Security Council, first, and the coalition of Western states thereafter, engaged the concept of responsibility to protect and its specific language to justify their response to a case in which the human security of people was seriously threatened. Their intervention has surely avoided a greater number of innocent victims. Nonetheless, the objective of protecting the population was strictly linked to, and probably also overcome by, the one of erasing Gadhafi's dictatorial regime, thereby pursuing the interests of several Western countries.

In conclusion, even though human security is a fundamental and even revolutionary concept in international relations, in that it shifts the attention from state to individual security, its development is far from being complete.

On theoretical grounds, an agreement is still to be found between a broader and a narrower vision of human security. A widely accepted, unifying line of thought would help to reduce criticism and to improve further the concept.

On practical grounds, when human security is linked with the responsibility to protect and with its implementation, the concept has been used not only to secure civilians, but also likely to veil diverse economic and political interests.

The relevance of the Libyan intervention is not limited to a single case, but it has serious repercussions on future actions that states will, or will not, decide to undertake. Indeed, it will be difficult for the international community not to intervene in any situation similar to the Libyan one, without being accused to pursue, and to have pursued, only vested interests. In the case of interventions, serious doubts will be raised about their real intentions.

In the real world, a very thin line may divide the realms of human security and of usual interests. Nevertheless, freedom from fear and freedom from want, the two pillars of human security, are with us to stay and hopefully to root deeper and deeper in the conscience and in the conceptual framework of political leaders, so as to make protection of individuals become the heart of state interests.