Debates about State Security and Human Security: Effects for Colombia[1]

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Introduction

The attacks against the Twin Towers in New York on September 11th, 2001 brought with themselves new debates about international security, and in particular, the return of a more classic vision of state security as a center of international security. Also, since the events starting in 2001, an international agenda marked by the topics of security and the fight against terrorism has prevailed. This has happened despite the fact that new threats have been considered as non-state, transnational, and to some extent, the product of globalization (Hoffman 2002: 105), in other words, one might think that in order to confront these threats classic security would fall short.

Additionally, during the 1990s progress was made towards a more inclusive and modern concept of security based on the respect of individual and human rights. This is called *human security*.

These two concepts of security, the classic and modern one, are not necessarily contradictory to each other. However, there is a need for countries facing important difficulties in developing (partly due to their internal conflicts and lack of an adapted application of the Rule of Law) to analyze to what extent these two types of securities should be prioritized; not only for foreign policy, but also for internal security matters.

This article aims at retaking the classic concepts on international security and confronting them to new concepts of human security and responsibility to protect, indicating then, the effects that these concepts have on the insertion of Colombia in the international area and Colombian foreign policy.

Human Security

The concept of human security was used for the first time in the Report on Human Development of the United Nations Program for Development in 1994. This concept relates security and development subjects in order to channel larger resources aiming at development. Additionally, it considers new international developments such as the end of the Cold War and the increase in the number of countries with serious internal conflicts that have affected international security.

A concrete definition of what we understand by human security does not exist. That is to say, there is no consensus on this definition. Nevertheless, from the works that have been done by the United Nations - Commission on Human Security established in 2001 by the Secretary General – as well as by the Human Security Network, we can identify two lines of thought in this concept: the lack of fear and the lack of need.

The lack of fear means the responsibility of the state to offer guarantees to the individuals that live under its jurisdiction not to be victims of any type of violence and threats to their fundamental rights (Fuentes 2005:12).

A restricted notion of human security arises from here, in a classic agenda of great importance for Colombia with topics like small and light weapons, anti-personal mines, and children's recruitment in the war, amongst others.

In the lack of need are included threats to the individual that can come from the violation of its social, economic and political rights. Under this ampler concept, we can find that the fight against poverty is part of a security policy in which the military would participate taking an important role.

It is important to mention an ample definition that Kofi Annan, UN Secretary-General did in his commencement speech in the Millennium Summit (United Nations 2000):

> "Human security in its broadest sense embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfill his or her own potential. Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear and the freedom of future generations to inherit a healthy natural environment—these are the interrelated building blocks of human, and therefore national, security (Commission on Human Security 2003: 3- 4)".

The previous quote shows us the way in which human security has become a governing concept of the UN labor on development and security topics. According to the Security Council, responsible for protecting international peace and security, this has influenced on the way that new threats have been conceptualized, as we can later see.

Also, human security has become a point of reference in the foreign policies of several countries, particularly, those participating in the agenda of the Human Security Network and the United Nations. More recently, some countries like South Africa have asked for the concept to be included in the Non-Aligned Movement agenda, with an uncertain result so far, due to multiple reluctances of countries like China or India.

The concept of human security has stopped being a state-centered concept and extends now far beyond military affairs, including development and environmental issues, among others (Aya 2006:258). At the same time, however, this concept entails that the state must reformulate its own functions, responsibilities and priorities.

From these new state responsibilities, the International Commission on Intervention and State Sovereignty summoned in 2001 by Canada has established that if a state cannot or it does not want to protect its own population, then, the international community will be in charge to intervene, even militarily, to avoid regional crises or conflicts (as in the Colombian case), from becoming a threat to international peace and security. This is called "responsibility to protect" and it implies a new way to conceive sovereignty with responsibilities, as well as the commitment of the international community to take part in avoiding massive violations of human rights and serious armed conflicts that entail the mobilization of large human groups (International Commission on Intervention and State Sovereignty, 2001).

The "responsibility to protect" is based then on two basic principles. First, sovereignty implies responsibilities for the states, mainly, to protect their own population. Second, when the state does not fulfill its responsibilities, the international community will be able to take part in the internal issues of this state. Weak or collapsed states, which can be a center of instability and insecurity and therefore cause global or regional repercussions, could be the object of these humanitarian interventions. Then, in the case of failed states, the principle of non-intervention in the internal issues would not be absolute.

The "responsibility to protect" involves a substantial modification of the foundations on which international peace and security have been based after the Cold War. From this new notion of sovereignty and humanitarian intervention, the Security Council is going to adopt an ample concept of the threats to international peace and security, no longer from the classic perspective of the conflicts between states, but now including the internal armed conflicts and their effects on the civil population.

These types of humanitarian interventions are seen with distrust by countries that are less developed and are concerned by the use of humanitarian arguments to achieve political aims of a different kind. This concern has led to a lack of consensus on the acceptability of the concept of human security and responsibility to protect (Espinosa, 2004:21). So far, it has been accepted that the responsibility to protect their populations falls primarily on the states as centers and guarantors of international order. The international community would have the subsidiary obligation to fortify the states in the first place, and in a sufficiently restricted agenda regarding genocide, crimes of war, ethnic cleaning and crimes against the humanity.

All the interventions, either sanctions or actions of another type regarding the "responsibility to protect", will have to correspond within the framework of chapters VI and VII of the UN Letter, that is to say, with a preponderant role of the Security Council.

Although it is clear that "responsibility to protect" will be a governing principle for the future humanitarian actions of the United Nations, it is not defined yet if it will be constituted in a legal obligation of the international community or if it depends more on the political will of the Great Powers to take part in a certain case. This is due to the fact that many states have not accepted an obligation to intervene, even the United States conceives it more likely to be a moral obligation depending on the specific circumstances of each case, and that it can be decided without authorization of the Security Council, as an application of article 51 of the UN Letter on legitimate defense.

For the promoters of the concept of Human Security, the Security Council is exactly the most appropriate organ to decide on a humanitarian intervention (Commission on Intervention and State Sovereignty). Then, in spite of the mentioned reluctance, an ampler notion of security has modified the work of the Security Council. In order to face this new notion the Council has adopted resolution 1296 (2000) indicating that the collective security system must face new threats in which deliberate

attacks to the civil population, serious, massive and systematic violations of human rights and humanitarian international rights, and the vulnerability of refugees or displaced people are included. These issues are called "cross-sectional" so that they do not make reference to a country in particular, as it has been accustomed in the case of topics taken to the agenda of the Security Council.

This extension of the Security Council agenda regarding new threats could be interpreted as the step towards a more individual and less state-centered security (Peral, 2005: 2-3). But additionally, the Security Council's extension of its agenda has now considered internal issues of the states as threats to international peace and security, and in that sense, the application of Chapter VII of the UN Letter is considered pertinent (Espinosa, 2004:20).

The attacks on September, 11th of 2001 have influenced on the work of the Security Council. An example of this was the adoption of resolution 1373 (2001); forcing states to typify the crime of providing assistance or aiding terrorist activities, and thus creating the Committee against Terrorism as a subsidiary organ of the Security Council. That is to say, the advances towards a predominance of a security based on the individual were blocked by the resurgence of the classic idea of national security in the work of the Security Council, with the topic of the fight against the terrorism.

Nevertheless, the Security Council has continued considering these "new threats", although secondary to the way in which terrorism and the War in Iraq were a central issue in the debates in 2003. Through these new topics, many of them political, and considered previously by the General Assembly, the Colombian conflict has been included as a threat to international peace and security.

These topics are the protection of civilians, forced displacements, conflicts including armed children, and small and light weapons. Amongst these four topics, there are two that we think have been most reiterative in considering Colombia as a problem for peace with regional effects: the situation of violence and the violations of humanitarian international law. These are the forced displacements and the recruitment of children. We will analyze them in the sections that follow.

Classic Security and Fight against the Terrorism

Classic security, also called national security is a concept that shows the state as a

central actor in the international system, and it seeks to protect the state conceived as a population, a territory and sovereignty against any external or internal attack (Fuentes 2005).

This notion was weakened at the end of the Cold War with the appearance of new transnational and non-state threats, such as transnational organized delinquency or great natural disasters, and therefore as we have indicated in the preceding section, new forms to conceive security from the individual have been established. The fight against terrorism, which arose after the attacks of September 11th, 2001 against the Twin Towers, has made it so that problems related to the security of the state occupy an outstanding place in the debates on international security again, while the topic of human security lost force.

In order to make an analysis of how this reinforcing of state security as an international priority has affected human security, it should be mentioned that human security has a close relationship with the promotion and respect of human rights of first, second and third generations as well. If there is a violation of human rights, at the same time we can say that there is a violation of human security. The codification of human rights allows the concept of human security to pass from the rhetoric to the application of legal norms internationally recognized. Therefore, the Human Security Network has looked to promote the respect of human rights through education as one of its priorities, and the most effective work of the United Nations in this aspect is the reform that turned the Human Rights Commission into a Council.

On the other hand, the fight against terrorism has exacerbated national security issues over certain individual freedoms. At an international level, not only the advances in the implementation of norms regarding the protection of human rights and humanitarian international rights are in danger, but also the debates on international migration, to the detriment of migrants and refugees.. In order to protect state security illegal migrants have been stopped and people have been rejected without the due guarantees and sent back to countries in which they are in danger. Facing terrorism and the fight against terrorists, the obligation to respect human rights does not seem absolute. Then, anti-terrorist violence can become a double threat to both democracy and universally established values, as well as to the international and institutional scaffolding that has supported them.

Therefore, we can see that in some cases that the fight against international terrorism has transgressed international treaties on human rights that recognize the necessity to respect the right to life, to prohibit torture and degrading treatments, the legality principle, the freedom of thought, consciousness and religion. The UN Secretary General has recently shown concerns on this subject, suggesting the appointment of a special speaker that informed the Human Rights Commission on the compatibility of the measures against terrorism with international norms on human rights (United Nations 2005:30).

Therefore, the fight against international terrorism and the protection of human security are essentially different (International Commission on Intervention and State Sovereignty).

Article 51 of the Letter has been used for the fight against the terrorism in which the "immanent right of legitimate defense, individual or collective, in case of armed attack against a Member of the United Nations" is recognized, demanding measures to be immediately communicated to the Security Council. In its resolutions, 1368 and 1373, approved unanimously after the September 11th attacks, the Security Council has clearly indicated the extent of measures that states can and must take to respond to situations of that type (International Commission on Intervention and State Sovereignty). This clarity of appreciation does not exist for interventions with humanitarian purposes, and in many cases, the Security Council members have not reached agreements.

In the fight against terrorism, then, the classic doctrine of national security and the greater vulnerability of international institutions and human rights are reinforced. We face an international scene with very weak international institutions, where the international civil society is still very fragile; where sovereignty continues being source of conflicts and tension; and where the idea of a human security over state security has not taken yet the necessary force.

This conflicting relation has influenced on the Colombian case, since we have defined our objectives of national security directly in line with the post 9/11 fight against terrorism statements. Therefore there exists a constraint which needs to be clarified in a deeper way for Colombia to approach its internal conflict from a human security perspective.

Foreign Policy of Colombia and Human Security

The security issue has been constituted in a national priority for Colombia. This is due to the exacerbation of violence that the armed conflict and links of all armed illegal groups to drug money, kidnapping and extortion produce.

The key moment of this exacerbation was the failure of the peace process during the administration of President Pastrana (1998-2002). As a consequence of this failure the population elected President Uribe in 2002 and reelected him in 2006 with a clear mandate and intention: to recover the dominion of the legitimate force of the state, to control the territory and to strengthen military forces. That is to say, to fortify national security in its basic aspects.

Colombia has been included at an international level with its problems: first drugs, then, transnational organized crime, and more recently, its armed conflict. A second characteristic of this insertion is Colombia's association of its international and security objectives to its relation with the United States. The attempts to diversify our foreign policy geographically and thematically have been circumstantial, and they have not followed a long term planned strategy.

The internationalization of the Colombian conflict has had multiple consequences for the illegal armed actors as well as for the Colombian State. The inclusion in the list of terrorist groups has been a fundamental issue to reduce the international support - legitimacy and financing on which these groups have counted.

On the other hand, the international justice that has evolved from a state level to an individual one can be an important dissuasion factor so that the heads of illegal armed groups are afraid of the law when committing massive violations of human rights.

Finally, there is a greater pressure on illegal armed groups to comply with humanitarian international rights (Commission on Human Security 2003:32), from new regimes of international denunciation and the work of NGOs.

Also, the Colombian State, with the internationalization of conflict and the importance that some internal issues have acquired for the international public opinion, has had to face major external pressures to define its internal policies. Particularly, on the issues of providing a greater protection of the civil population, respect of human rights and humanitarian international rights, as well as the generation of democratic reforms and good government in the national and local administrations.

Additionally, the Colombian State has seen its capacity of negotiation considerably reduced, particularly with paramilitary members due to external pressures not only from the international civil society, among them Amnesty International or Human Rights Watch, but also of courts that have condemned the Colombian state in different cases, for example, the Inter-American Court of Human Rights.

Taking into account that the internationalization of the Colombian conflict is irreversible, the Colombian state must consider that any established policy would have to take into account the human security approach - prevention of conflicts and respect of human rights and humanitarian international rights.

Although a significant job has been done to improve these aspects, there is still much to do. For example, Colombia is still on the index of failed states that the magazine Foreign Policy produces annually and where Colombia has always appeared. In 2006, Colombia was ranked at the 27th place in a list in which the top country is the most vulnerable state showing high indices of displacement and weak legitimacy of its institutions. In 2008, the index continues locating Colombia amongst states in danger, but at number 37 (Foreign Policy 2008).

Then, in spite of a considerable improvement in the indices, we continue being considered as a state at risk of collapsing, which has important repercussions on the matter of international legitimacy, investment and international cooperation.

It is worth noting that controversy exists regarding the validity of the index and its indicators. Particularly, in the Colombian case, it is noted that the levels of legitimacy for institutions, as well as the legitimacy of the state are re high

The definition of a failed state is important, since from it could stem a more active intervention of the international community in the Colombian case. This in particular with regards to the responsibility to protect and in its being catalogued as a threat to international peace and security.

Because of this, Colombian diplomacy has been cautious regarding the concepts of human security and "responsibility to protect", considering that an international intervention without counting on a suitable framework and the Colombian state participation and acceptance could be negative. In a way it could further debilitate the legitimacy and territorial control objectives established during the past few years and generate certain slants that can fortify illegal armed groups through humanitarian aid.

An example of this is when the international agencies must negotiate with illegal armed groups so that humanitarian aid can arrive at certain zones of national territory and ends up being politicized.

The use of armed groups as valid spoke persons ends up giving them legitimacy and international political status. This is one of the points that generated a greater divide between the Government of Colombia and the United Nations entities providing humanitarian aid.

In any case, to face any threat to peace and to adopt measures that can include some type of intervention, the regional organisms such as the Organization of American States must be involved.

Within the framework of the United Nations, Colombia does not want to appear in the agenda of the Security Council as a threat to international peace and security. On the inclusion of Colombian issues in the agenda of the Security Council, it could be said, that although the advance of democratic security is evident, both main topics by which we are entering the agenda, such as the threats to peace and security, continue showing overwhelming numbers that require the state renew to its commitment.

Regarding forced displacements of the population, the Security Council has recognized that forced and massive displacements of population raise a threat to international peace and security. According to numerical data of the UN High Commissioner for the Refugees (UNHCR),as of September,2004 Colombia has 3 million people displaced internally, which ranks it as world's second in the number of internally displaced people after Sudan.

Regarding children and armed conflicts, the Security Council has advanced considerably towards a regime of control and sanctions. In 2001, the Council established the "dishonor list" in which actors in armed conflicts who recruit, make people move or commit another type of human rights violations towards children have appeared; without considering if they are state actors or not.

Colombia appears on the List II, corresponding to situations that concern the Security Council. Therefore, an evaluation and a follow-up of children recruitment by actors of the Colombian conflict is done in the reports.

It is important to mention that the UN Secretary General has recognized the work of the Colombian Institute of Family Well-being (ICBF) to prevent recruitment

and to return children to their communities. Besides, he has been indicating that there have been advances in the peace process with the United Self-Defense of Colombia and in the demobilization of the combatant children. Nevertheless, he also expresses deep preoccupation because the FARC, the ELN and the self-defense groups that have demobilized partially - Self-defense Farmers of the Casanare and the Pipinta Cacique Front - or new armed groups like the Black Eagles, continue compelling children to join their lines (Secretary General 2007:31).

When asking how the human security approach can help the Colombian State to solve its internal conflict, to secure a sustainable peace, and to position itself in better way in international area, we have concluded that central work must focus in both problems previously mentioned, since classic security is not sufficient to approach them.

Therefore, it is required, as a complement to the present actions of security, for the state to adopt not military mechanisms, but accurate and effective ones to prevent conflicts and their effects on the civil population. Some examples would be to make use of international regimes to denounce and force illegal armed groups to comply with humanitarian international law and the mechanisms of early alerts that help avoid population displacement and children's recruitment in the war.

These mechanisms would have positive repercussions when trying to palliate the negative effects the armed conflict has on the civil population, particularly, in the countryside confronting forced displacement or recruitment. It has been considered that there is a relation between internal displacement and recruitment, because in many areas of the country it is the only means by which families have to avoid the recruitment of their children (Secretary General 2007:2).

Cooperation initiatives exist, as the contributions of Japan, which can be considered novel and a response to the concept of human security. Japan has promoted the preservation of cultural patrimony as a form to improve pacific coexistence, especially in those areas where a high level of conflict is registered (Ministry of Foreign Relations 2008: 532). Musical instruments donated to children in vulnerable situations can be an example of that type of cooperation.

Two other fundamental issues of human security for Colombia can be identified where also a concrete task could be done with the cooperation of the international community: first, anti personal mines and second, small and light weapons.

First, mine-clearing and rehabilitation of disabled people are issues that will weigh in the future development of the country and its reconstruction after the armed conflict. In these the international community can offer an important form of assistance.

Second, Colombia has managed to be an international flagman to advance in the constitution of international accusations and control establishments selling small and light weapons. The interests of countries exporting weapons have constrained considerable advances, nevertheless, it is a topic in which Colombia shows that human security can be an important concept in a new foreign policy approach.

Finally, it is worth noting that the possibility of a humanitarian intervention or a multinational peace maintenance force, from "responsibility to protect" is seen more distant every day. The nature of the Colombian conflict, by being an irregular war with the use of non-conventional weapons and possible repercussions on the civil population, makes it very unlikely for it to count in the end with the participation of the international community.

On the other side, there is a reinforcement of state institutions, particularly concerning territory control, that would not make an intervention of that type imminent.

Finally, on the short term, there does not seem to be an intention in place to initiate peace negotiations which would call for the deployment of a multinational force to guarantee the pacts.

Conclusions

The debate on international security has not finalized. It could not be said yet that a multidimensional individual security representing human security has won on state-centered security. A consensus does not exist. Even as it is seen in some recent cases that states retake the concept of absolute sovereignty with insistence, beyond the idea of responsibility to protect their populations or of not being a refuge for terrorists.

In the current state of this debate, it could be highlighted that two notions of state security and human security continue to be effective and would have to be reinforced mutually. If state security also improves human security it would be seen fortified. The limited resources could be used for development, instead of being used in the fortification of the military apparatus. Additionally, the stability of the country would be reflected in major resources, as well as national and foreign investments.

Nevertheless, to fortify the state can not be sufficient to fortify human security, since it is necessary that the state also fortify the governing laws and the implementation of human rights to improve human security of its populations and the state of law. Then, it could be concluded that it is necessary to count on a consolidated state where the law and the state of law reign to fortify human security.

This way of being complemented is seen clearly in the Colombian case, with an important internal conflict, where fortifying state security because of illegal armed groups that have dominated ample territories of the country, has allowed to improve security of the individuals in the countryside and urban areas at the same time.

Nevertheless, it is pertinent to indicate that there is much to do in the Colombian case, particularly on issues such as children recruitment, internal displacement, anti personal mines and small and light weapons traffic. These are topics in which the international community can participate in an important way, through international cooperation to fortify state institutions, attention to the displaced population, reintegration and re-socialization of combatant children, mine-clearing of ample territories of the country, and by preventing the delivery of arms to illegal armed groups.

In cases of internal conflicts such as the Colombian one, the international community cannot pretend to strengthen human security without simultaneously fortifying the state. It continues being fundamental to strengthen the Colombian state, its institutions and their monopoly in controlling national territory. Therefore, any action undertaken by the international community on this framework must have as an objective the fortification of State of Law and not its weakening.

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