

Using Human Security to Harness Human Rights in the Post-COVID World

Alexander Gilder

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In a global pandemic, it is commonplace to look toward global solutions for global issues. But the pandemic has highlighted how states cannot unilaterally counter complex threats that cross borders unseen. One lesson from the current COVID-19 pandemic is that states must cooperate not just amongst themselves but also with a broad range of non-state actors to better realise human rights, particularly the right to health. But the state-based international system is not geared toward such relationships where the key voices in international organisations, for example, are states. Top-down decision making by the international community can fail to consider the lived experiences of individuals and reduce our humanity. How then can the international community ensure local involvement in decision-making on human rights, and “new” human rights in particular, such as the right to health, that affect peoples’ daily lives in a multitude of ways? This post looks at how the non-legal concept of ‘human security’, coined by the UN Development Programme (UNDP), can be used to encourage the empowerment of the local to inform and contribute to decision-making in relation to human rights. Human security can help reshape the international system to prioritise the empowerment of individuals and groups to have ownership of their rights and contextualise action on “new” human rights.

The Added Value of Human Security

Traditional notions of security are focused on how the state aims to reduce violence that threatens physical security. However, in the second half of the 20th century security was liberalised to become denationalised and both globalised and individualised. The result is the idea of human security introduced by the [UNDP in 1994](#). Human security has been [argued](#) to represent a ‘broader normative shift leading to the strengthening of the position of individual human beings at the international scene’. The UNDP explains broader causes of insecurity include threats to the environment, community, health and more. Human security first aims to shift the referent object of security from the state to the individual. This gives the individual intrinsic value and places the interests of the individual ahead of the state. For instance, human rights arguably maintain the power differences between the state and individuals in the duty-bearer and rights-holder relationship. Whereas human security seeks to create a more equal relationship where individuals are empowered to have ownership of their security, and consequently, their rights. Second, human security gives rise to a broader view on what can cause insecurity, beyond only a link to conflict and physical violence, and that many threats are interconnected and reinforcing.

[Elsewhere](#) I have argued that human security is based upon five principles; (1) existing rights and norms found in international law (including human rights), (2) a focus on a varied vital core of what people hold to be the essence of life and crucially

important based on their needs, with needs identified in a bottom-up manner, (3) a concern for vulnerability and building resilience, (4) preventative protection efforts, and (5) the empowerment of people to act on their own behalf and implement localised solutions.

A potential risk within the international legal system is top-down decision making that fails to consider the lived experiences of individuals and reduces our humanity. For instance, when we speak of the universality of human rights it is important to remember that universality does not prevent interpretations which have cultural or societal differences. There is an element of flexibility in how human rights can be actioned to better represent the humanity of those affected a diverse range of threats. One method of coordinating an approach to human rights which considers the humanity of rights holders is by using the principles of human security as an overarching framework with which to shape our interpretation and implementation of international law.

International law, and importantly international human rights law, needs to be further “humanised” to better reflect the needs of individuals. That is to say for the continued legitimacy of international law it cannot remain primarily focused on states but must accommodate meaningful engagement with and ownership of processes by other non-state actors. Individuals need to be able to influence decision-making to ensure their humanity is reflected in the implementation of international law. [Higgins](#) advocates a view that individuals are participants in the international legal system but notes how individuals are ‘extremely handicapped’ with little access to the international arena. For example, [the voices of survivors of conflict-related sexual violence](#) are crucial to inform international responses to such crimes and infuse their lived experiences into human rights but their contributions can be overlooked. This issue is especially potent in the 21st century where individuals and advocacy groups can have their voices heard worldwide on social media. [Individuals are already being empowered on a global scale](#) which may, in time, lessen the legitimacy of state-centric systems.

I suggest a human security approach would help achieve international responses and decision-making that is locally informed and advance progress towards a human-centric, as opposed to state-centric, interpretation of human rights obligations and their effects. [Shireen Daft](#) has similarly suggested the use of human security as a ‘synthesised overarching framework’ where human security can have legal character by serving as a framework for the expression of existing norms with human security providing a principled future direction for how international law tackles threats. In so doing human security can influence the interpretation and implementation of international law when used by the international community to realise rights and other obligations.

For example, in providing direction, a human security approach would require international actors to base their actions on agreed international norms but importantly they would need to open equitable channels of communication to give affected groups and individuals a method of communicating how their rights, or indeed security concerns, should be addressed. International organisations have slowly opened up to listen to the views of individuals. For example, based on

her experience as part of the World Bank's Inspection Panel, [Edith Brown Weiss discusses](#) how legitimacy depends on listening to those affected by the World Bank's projects in a bottom-up manner. Going further, to implement a human security approach there would need to put strategies in place to ensure people are empowered to ultimately have ownership of their rights and have the skills and knowledge to combat vulnerabilities and capacity to mobilise to implement solutions, not only that individuals are listened to by the international organisation. With a quick moving pandemic that affects groups and communities in different ways it, is vital that states and international organisations are able to appreciate the nuances of COVID-19's impact. Human security-based strategies would strengthen bottom-up communication and give ownership to those affected by the pandemic.

The Synergy between Human Rights and Human Security

There is a close affinity between human rights and human security, but the compatibility of the concepts has been critiqued. Opponents of a human security approach have criticised the discourse for diluting and threatening the indivisibility of human rights. The root of these criticisms is that human security recognises a range of insecurities that individuals deem important, which may not be expressly covered by international human rights law, making the two discourses potentially incompatible. [Rhoda Howard-Hassmann](#) takes the view that human security prioritises some human rights over others and "that there are some human rights that society need not acknowledge, safeguard and promote because they do not address basic insecurities". The fear is that where individuals are able to prioritise their needs this could lead to a threat to indivisibility of rights.

A human security perspective does seek the prioritisation of the so-called '[vital core](#)' of what people deem crucial for their livelihoods, but there is flexibility in deciding what that means based on the circumstantial needs of those in question. However, that does not mean human security regards some rights as more important than others. Human security's focus on the interconnectedness of different threats in fact advances an indivisible view of human rights and can be mutually reinforcing to refocus human rights responses to reflect interests of those affected by human rights violations or those seeking to assert their rights.

Other arguments on the compatibility of the concepts have been made, such as the assertion that it is 'bizarre' to say human security gives greater content to human rights where existing regimes are simply reasserted under a new banner. [Yaniv Roznai](#) has similarly suggested the use of human security risks undermining the use of *rights* and could make human rights a list of *needs* that require fulfilment, muddying the waters of who is the duty holder to ensure the needs are met. However, the purpose of an overarching framework of human security to guide the implementation of legal regimes would be to empower rights holders and promote ownership of rights, not to create a list of needs. Where human security is used as a lens to interpret human rights it would not be the case that needs would trump rights and instead the lens would attempt to make the two synonymous where needs are identified, and rights used to realise them.

Importantly, [Gerd Oberleitner](#) has explained both concepts are driven by the motivation that people are as important as states, support a revised understanding of state sovereignty, and seek to empower individuals. In 2001, the [Commission on Human Security](#), commissioned by Kofi Annan, published a Declaration on Human Rights as an Essential Component of Human Security. The Declaration emphasises the fact that human rights must be used as a reference point to construct and implement human security. By adopting a human security approach human rights can be further strengthened by promoting agency, and consequently the humanity, of individuals.

Both Gerd Oberleitner and [Dorothy Estrada-Tanck](#) have recognised the potential for Article 28 of the [UDHR](#) to be the mobiliser of human security within the existing human rights law regime. Under Article 28 “everyone has the right to a social and international legal order in which the rights and freedoms set forth in this Declaration can be fully realised”. Human rights, and particularly “new” rights, are experienced in different social, economic, and political contexts and human security’s principles are ideal for recognising the needs of many in determining how to ensure an environment for human rights. [Ogata](#) goes as far as to say that human security’s protection and empowerment methods are a better way of achieving the realisation of human rights by “addressing violations in integrated and comprehensive ways”. Human security could then be an ‘integrating bridge’ between human rights and new, interrelated, threats that form the primary concerns of individuals. By doing this, human rights remain responsive to human need but also allow individuals to realise their dignity and take action in partnership with international actors as opposed to being passive recipients.

Human Security, COVID-19, and beyond

Arguably, there should not need to be a global pandemic for the international community to seriously consider how to better respond to complex threats and better incorporate the views of those affected. The [humanisation of international law](#) is far from complete when groups and individuals continue to struggle to access decision-making at the international level. The global pandemic has only exacerbated these concerns where, for instance, individuals are divided into groups based on age and vulnerability to receive the vaccine. Voices from the Global South struggle for a platform to have ownership of their rights and lobby the monopolisation of vaccine resources for wealthy states.

In a world where global challenges require multilaterally negotiated solutions, legitimacy demands the international community be able to respond in a way which considers the needs of affected groups and individuals in a bottom-up manner. As a method of empowerment and giving disenfranchised peoples a meaningful voice in decision-making, human security can strengthen existing legal regimes to provide dividends for individuals. Through a framework of human security, the individual humanity of individuals can be prioritised, their views heard from lived grounded realities, and law used to promote action and the realisation of their rights.

