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NEW THREATS TO GLOBAL SECURITY AND THE RESTRICTION OF HUMAN RIGHTS

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Abstract:

In the context of globalization, the contemporary world faces a series of security threats such as economic and financial crisis, terrorism, proliferation of weapons of mass destruction, regional conflicts, organized crime, etc. However, current developments of the security environment, characterized by the economic crisis, terrorism, globalization, climate change and increase nuclear threat, have caused concern for human rights issues to pass in the second place. Threatening condition caused by the fight against terrorism has led some states to limit some rights and to derogate from human rights principles in order to put in place measures to prevent and combat terrorism.

Key words: globalization, security, human rights, regional conflicts, terrorism.

1. Introduction

The current developments of the security environment, characterized by the economic crisis, terrorism, globalization, climate change and increase nuclear threat, have caused concern for human rights issues to pass in the second place. Of course, the terrorism, trafficking of arms, drugs and people, the transnational organized crime and weapons of mass destruction have a key role, but without neglecting completely local conflicts with huge potential to acquire an international character. Such the conflicts generated by the disappearance or appearance of state entities, such as those occurring at the end of last century, have often the starting point in the pressure of globalization on state sovereignty, economic and military components of the states that have a relative stability, which contributes the exacerbation to the national or religious feelings.

2. Globalization and security

In the context of globalization, the contemporary world faces a series of security threats such as economic and financial crisis, the different level of the economic and social development of states, the effects of international migration, multiculturalism, terrorism, proliferation of weapons of mass destruction, regional conflicts, organized crime, etc.[1]. These threats to global security were especially highlight in "strategies", as policy documents and the defense planning. Thus, we wish to emphasize, for example, how these new threats are addressed in the complex and very volatile security environment.

In the National Security Strategy of United States of America[2], of May 2010, are detailed the main threats, risks and vulnerabilities, as are perceived during the mandate of President Obama:

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“Terrorism is one of many threats that are more consequential in a global age. The gravest danger to the American people and global security continues to come from weapons of mass destruction, particularly nuclear weapons. The space and cyberspace capabilities that power our daily lives and military operations are vulnerable to disruption and attack. Dependence upon fossil fuels constrains our options and pollutes our environment. Climate change and pandemic disease threaten the security of regions and the health and safety of the American people. Failing states breed conflict and endanger regional and global security. Global criminal networks foment insecurity abroad and bring people and goods across our own borders that threaten our people.

The global economy is being reshaped by innovation, emerging economies, transition to low-carbon energy, and recovery from a catastrophic recession. The convergence of wealth and living standards among developed and emerging economies holds out the promise of more balanced global growth, but dramatic inequality persists within and among nations. Profound cultural and demographic tensions, rising demand for resources, and rapid urbanization could reshape single countries and entire regions. As the world grows more interconnected, more individuals are gaining awareness of their universal rights and have the capacity to pursue them. Democracies that respect the rights of their people remain successful states and America’s most steadfast allies. Yet the advance of democracy and human rights has stalled in many parts of the world.”

Also, the European Security Strategy, of 2003, entitled “A secure Europe in a better world” [3] assumes that: “Security is a precondition of development. Conflict not only destroys infrastructure, including social infrastructure; it also encourages criminality, deters investment and makes normal economic activity impossible. A number of countries and regions are caught in a cycle of conflict, insecurity and poverty.”

We can see that are still topical issues related to terrorism risk:

”Terrorism puts lives at risk; it imposes large costs; it seeks to undermine the openness and tolerance of our societies, and it poses a growing strategic threat to the whole of Europe. Increasingly, terrorist movements are well-resourced, connected by electronic networks, and are willing to use unlimited violence to cause massive casualties. The most recent wave of terrorism is global in its scope and is linked to violent religious extremism. It arises out of complex causes. These include the pressures of modernization, cultural, social and political crises, and the alienation of young people living in foreign societies. This phenomenon is also a part of our own society.” [4]

An important place in the list of possible threats to EU security is occupied, however, and organized crime: “Europe is a prime target for organised crime. This internal threat to our security has an important external dimension: cross-border trafficking in drugs, women, illegal migrants and weapons accounts for a large part of the activities of criminal gangs. It can have links with terrorism.” These threats are exacerbated by a series of EU internal and external factors such as population aging, migration of people, globalization, nationalist manifestations and/or separatist movements in some European countries.

Regarding the security environment who exercising influence on our country, the National Defense Strategy [5], approved by the Decision of Parliament no. 30/2008, highlight the complexity of the security environment, which is constantly changing. The Strategy highlights to that traditional forms of regional risks and vulnerabilities adds new asymmetric threats, unconventional and cross-border, that increase in intensity and as area of manifestation.

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The main asymmetric threats to international security mentioned in the National Defense Strategy, are represented by international terrorism and the proliferation of weapons of mass destruction. Instability generated by regional crises and conflicts, namely the activation potential of "frozen" conflicts, increased availability of the new types of conventional weapons, transnational organized crime, using new technologies for destructive, off the flow of vital resources, illegal migration and the effects of natural disasters are most likely medium-term challenges.

These types of threats, risks and vulnerabilities already considered classics are captured and updated in the draft of the National Defense Strategy [6] of 2010, which has not yet been approved by a decision of Parliament. Thus, the Strategy analyzes not only regional instability and terrorism, but other risks such as pandemics, natural disasters, cyber and energy security.

3. Conclusion

From the above it can be concluded that terrorism globalization became a reality that can not be challenged, a threat to national and international security and implicitly a phenomenon under the responsibility of the entire international community. In the context of the close interaction between terrorism and various forms of criminal activity (organized crime, money laundering, drug trafficking, illegal arms trafficking and illegal movement of nuclear, chemical, biological and other potentially destructive materials, etc.), Romania said to be a partner in the process of ensuring a stable security environment and efforts to prevent and combat terrorism, in line at the national and international cooperation fora (EU, UN, NATO, OSCE, EC), based on the existing legal framework and the human rights and fundamental freedoms.[7]

After events of September 11, the fight against terrorism has become a central point on the agenda of international politics and terrorism one of the main threats to global security, and therefore a priority in the policy states. In connection with this threat to global security have been numerous discussions on the limitation of rights for its citizens, as a result of the fight against terrorism.

With regard to human rights issues in the context of the fight to prevent and combat terrorism was stressed the necessity of protection of citizens against terrorist acts and similar acts, to capture and punish terrorists. This discussion focuses equally on human rights standards regarding the protection of terrorist suspects, who are subject to criminal investigations, interrogation to inquire of information, their punishment and detention. At the international level were discussions relating to the legal limits on the use of military force against terrorists. Protection against terrorism has raised some important issues concerning the application of basic human rights conventions and international treaties on law of armed conflict.

Assuming that terrorist networks are driven by ideology fundamentally opposing to values that lead democratic states, it was considered that religious tolerance, respect for fundamental human rights, women's equality, economic freedom and the mass media are unknown concepts to those who are willing to sacrifice innocent civilians in the name of occult interests and ideologies.

In this context, protection of citizens, their rights and security of the state is also achieved by imposing restrictions on human rights. Considering that the aim of global terrorist networks and organized crime has been reached, namely the establishment of the general state of panic, restriction of civil rights by adoption of regulations often very

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restrictive nature which prejudice the very essence of a democratic society.[8] Respect for the human rights, including those suspected of having committed serious crimes, the presumption of innocence, defense right and entitlement to a fair trial, the regulation the conditions in which to make the arrest, on the expulsion, the status of aliens are powers belonging only democratic societies which must be respected.

Of course, the fight against terrorism should not be used as an excuse, nor should lead to restriction of human rights and fundamental freedoms, even if many international treaties that permit this for some categories of rights and well-defined conditions. However, these international instruments establish a series of intangible rights such as right to life, the right not to be subjected to torture or to degrading treatment or cruel, the right not to be detained solely because they do not can fulfill a contractual obligation, the right not to be subjected to slavery, the right to freedom of thought, conscience and religion and to the non-retroactivity of the law. [9]

Assuming that the terrorist threat is not only a direct impact on the security of citizens from countries that were victims of terrorist attacks, but also the potential to undermine the security of all others, is widely accepted that requires a global response to the security problems and full compliance with fundamental rights. The literature put particular emphasis on the need for democratic states of the world will not make the fight against terrorism into a pretext for dictatorial and undemocratic states to implement practices and measures to violate fundamental human rights in the name of democratic values and rule of law.

However, the current security environment characterized by proliferation threats to the global level, state of danger determined by the fight against terrorism has led states to restrict some rights and derogate from human rights principles in order to put in place measures to prevent and combat of terrorism. Of course, for such threats must be answered by concerted action at global level, to counteract these threats, but also to respect the basic principles of any democratic society, including the human rights and fundamental freedoms.

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