Human Rights and Security: Wider Applications in a Warmer Arctic?

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1. Introduction and Program

It is clear from the other contributions in this Yearbook that human rights are now widely entrenched in international, as well as in national, law. They are increasingly a subject of international discourse in both inter-state and non-state, including academic and educational, settings. Dedicated tribunals have been established to pursue them through the judicial method: notably the European Court of Human Rights, but also courts that deal with specific abuses, such as the International Criminal Court for war crimes and ad hoc tribunals created internationally and/or locally to execute post-conflict justice.1 Within the High Northern space, as also explained in other Yearbook chapters, issues involving human rights are directly addressed by some international organizations – notably the Arctic Council itself2 – and/or may be affected by such bodies’ procedures and operations, including their handling of local constituencies’ representation.

The aim of this chapter is to widen and deepen the discussion in one particular direction, namely the connection between the protection of human rights (for individuals, groups, and wider populations) on the one hand, and various aspects of security on the other. Security may be defined in many ways, but in the Northern hemisphere setting to which the High North belongs, it is now seen as a broad and multi-dimensional concept that includes both military matters and a whole spectrum of non-military ones. It is most traditionally defined, measured, and promoted at the level of the state; but can also be examined at the international or transnational level – including the

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1 See: http://www.icc-cpi.int (accessed December 2010).

notion of collective defence and security for states linked through alliances and integrated communities – and at sub-state level, as applying to civil society, groups within society, and ultimately the human individual (“human security”). These broad modern understandings of security are enshrined in documents to which all the states in the Arctic Council have subscribed, most notably the “Strategy for the Twenty-First Century” of the Organization for Security and Cooperation in Europe (OSCE) dating from December 2003. A multi-dimensional, multi-level conception of security will accordingly be adopted without further argument in this chapter.5

How do the human rights and security agendas interact in the High North today? What is typical or untypical about that interaction compared with the European space or the Northern hemisphere in general, and how might it evolve further, or differently, in future? What stands out immediately – not least, from the contents of this volume – is that in the prevailing discourse on Arctic governance, one particular set of human rights issues and an intimately linked dimension of non-military security have played a leading and almost exclusive role. They concern the rights and welfare of indigenous peoples on the one hand, and the security and protection of the environment or ecosphere on the other, especially in the context of economic and spatial development and the response to climate change. At the interface of these concerns lie such well-debated practical questions as land use and wildlife management, the protection of customary lifestyles, and the role of local communities in policy-setting, ownership and government. It would of course be perfectly feasible to define and pursue such issues without using the word “security” at all, arguing instead on the basis of moral or legal norms or of practical utility or both. Yet, it is not a great semantic stretch to relate these specific Arctic challenges to the general and global notions of human, societal and environmental/ecological security; to recognize how

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