

Securitisation and Human Rights – Role of NHRIs (Part II)

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Plan

- Presenting the ratio, logic and main features of the securitization theory;
- How securitization works in practice, and how it can be detected at various stages;
- What NHRIs can do when they identify securitizing moves potentially dangerous for human rights.

The emergence of a theory

- The securitization theory was developed as part of deepening and widening of post-Cold War security studies.
- Critical approaches to security studies respond to failures of realism and liberalism to explain developments in security reality.

What is securitization

Security is a speech act, that solely by uttering 'security' something is being done. 'It is by labelling something a security issue that it becomes one' (Wæver 2004: 13).

Securitization is a process of social construction of threats which includes *securitizing actor* (mostly political elite), who declares certain *matter as urgent and a posing threat for the survival of the referent object*, that, once accepted by the *audience*, legitimizes the use of *extraordinary measures* (special kind of politics or as above politics) for neutralization of the threat.

What is securitization

Security 'frames the issue either as a special kind of politics or as above politics' and a spectrum can therefore be defined ranging public issues from:

- *non-politicized* ('the state does not deal with it and it is not in any other way made an issue of public debate and decision'),
- *through politicized* ('the issue is part of public policy, requiring government decision and resource allocations or, more rarely, some other form of communal governance') to
- *securitization* (in which case an issue is no longer debated as a political question, but dealt with at an accelerated pace and in ways that may violate normal legal and social rules) (Buzan et al., 1998: 23).

Securitizing move

This first step towards a successful securitization is called a **securitizing move**. A securitizing move is in theory an option open to any actor because only once an actor has convinced an audience (inter-actor relations) of its legitimate need to go beyond otherwise binding rules and regulations (emergency mode) can we identify a case of securitization.

Securitizing actors

- In theory, any actor can be a securitizing actor.
- However, in practice, securitization is far from being open to all actors and their respective subjective threats.
- Rather, it is largely based on power and capability (social capital) and therewith the means to socially and politically construct a threat.
- The most common securitizing actors are political leaders, bureaucracies, governments, lobbyists, and pressure groups. And security professionals.

Functional actors

- Those who can influence the dynamic of the field of security but who do not have the power to move an issue above politics.
- Functional actors are paramount since they help frame storylines about the existentially threatening nature of the issue, often creating divides between 'us' and 'them' – and often implicated in 'othering' processes.
- Examples of functional actors can be the media, academia, non-governmental agencies and think tanks.
- It can also include individuals themselves, by telling and sharing stories between friends, families and colleagues.

Audience

It is most prevalent that the general public or the parliament perform the **audience** role, there are cases that other figures such as the media perform that role. Media is sometimes a functional actor.

Sometimes the securitization process is not publicly available but covert. Still, there is always an audience that needs to be convinced by the securitizing actor for executing a securitization act (Salter & Mutlu, 2013).

There can be several audiences in one securitization act.

Types of audiences

- Formal and moral (Balzacq 2005)
- Audience streams: "problem", "policy", and "politics" (Leonard & Kaunert 2011)
- Four types of audiences, described as settings: "elite", "technocratic", "scientific", and "popular", each operating on different logics of persuasion (Sater 2008)
- Legal and political audience (Wertman and Kaunert 2022)

Facilitating conditions

The conceptual framework of securitization puts a special emphasis on the acceptance of the audience which is claimed to be essential in the successful securitization process.

Contextual factors, which are called **facilitating conditions**, help explain why some securitizing moves are more likely to be accepted by the audience than the other.

These facilitating conditions help or hinder securitization.

Paris attacks, 2015



Paris attacks, 2015

After the Paris attacks of 13 November 2015, President Francois Hollande declared that 'France is at war' against an army of jihadists that 'has attacked France because France is a country of liberty' (again, focus on 'what and who we are').

In this framing, the French people are 'a people that is fierce, valiant and courageous' and are victims of such attacks for simply 'being alive'. At the other end of the spectrum is 'them', 'an army of jihadists', of 'coward murderers' who constitute an 'abomination' and 'vile attack' that can only be characterised by 'horror'.

A point of no return is invoked when Hollande claims that the Islamic State group is an organisation that 'threatens the whole world' and that this 'is the reason why the destruction of Daesh is a necessity for the international community'.

Finally, the solution, lifting the issue 'above politics' is offered: 'immediate border controls and a state of emergency have been commanded' (Hollande 2015).

British military action in Syria, 2015



BBC

David Cameron says the UK faces a "fundamental threat to our security".

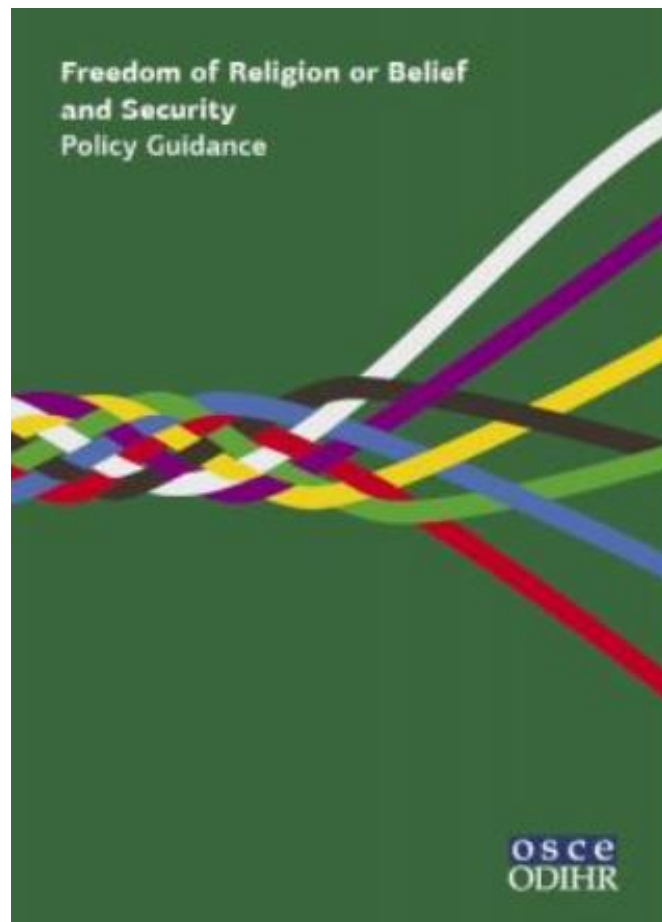
British military action in Syria, 2015

- British Prime Minister David Cameron argued that ‘we face a fundamental threat to our security’ from the threat of the Islamic State group, who ‘attack us because of who we are, and not because of what we do’ (this was the presentation of the nature of the threat and establishment of a regime of truth). He then said that ‘we should not wait any longer’ to reduce the threat (this was the point of no return). Finally, he pointed out that it is ‘not about whether we want to fight terrorism but about how best we do that’ (this was the solution provided).

Visual securitization

- Securitizing actor
- An existential threat
- Referent object
- Extra-ordinary measures
- Facilitating conditions
- Functional actors

Freedom of religion or belief and security



Freedom of religion or belief builds security

5 April 2022



<https://www.osce.org/odihr/514618>

Trends and developments from RoL reports (ENNHRI)

The securitization narrative resulted in the instrumentation of many areas

- Conduct human rights impact assessments of national laws and policies concerning national security
- Participation of NHRIs in consultations

Migration (pushbacks, limited access to international protection militarisation of border zones, increased in detention

- Implement a human-rights based approach to drafting of laws and policies in the area of security to identify risks of violation of human rights and mitigate them at an early stage

Regulations affecting freedom of peaceful assembly

- Ensure that any restrictions on human rights, in particular freedom of assembly, freedom of expression, comply with the principles of proportionality, legality, necessity, non-discrimination, transparency and accountability;

Strengthened and expanded powers of enforcement authorities

- Ensure legality and oversight of power, and implement a human rights-based approach when drafting and amending national laws aimed at strengthening and expanding powers of law enforcement authorities

Right to privacy, use of technologies

- Safeguard the right to privacy and data protection while using new technologies, including surveillance

Desecuritization as a goal

- Desecuritization is a return to normal politics.
- Security should be seen as a negative, as a failure to deal with issues of normal politics (Buzan et al. 1998: 29).
- Desecuritization implies that securitization is reversed and issues are moved out of 'the threat — defence sequence and into the ordinary public sphere' where they can be dealt with in accordance with the rules of the (democratic) political system.

The role of NHRI analysts

Thank you!