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VIOLATION OF HUMAN RIGHTS AS THE BASIS FOR THE THREATS TO INTERNATIONAL SECURITY*

Today our world faces an unprecedented convergence of transnational threats, armed conflicts, and instability spanning across the globe. Such human rights violations as mass killing, genocide, slavering, mass raping and others, together with other similar ones around the world, constitute a global threat to security. The main research question is identifying the nexus between human rights violations (concerning terrorism and migration) and threats to international stability on global levels. Therefore, the main goal of the research is to analyze these links and the role of different members of international relations (states) using global security challenges in their own interest while generating new waves of human rights violations and threats.

Keywords: human rights violation, global threats, security of the world and regions, international security, transnational threats, armed conflict.

Original article

INTRODUCTION. The myriad of threats such as regional[1] meddling and coercion, international terrorism, transnational crimes, cyber security, health insecurity, wide spreading of mass destruction and other unconventional weapons, massive migration, climate changes, new types of pandemic illness, and overwhelming humanitarian crises have created a complex environment[2].

It has become necessary for official governments and states to make conscious efforts towards networking with other states and engaging in global security[3].

In the modern world, human rights based on various international legal norms[4], are increas-

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ingly violated by individuals, specific social groups, official organizations, and states within bilateral, multilateral and individual international associations.

The following terms are used in research:

"Human rights abuse" is any act aimed at the destruction of any of the rights and freedoms set in the Universal Declaration of Human Rights (December 10, 1948) and other international legislation.

Human rights violations are the breaking of international agreements related to human rights, whether intentionally performed by the state's various actors (police, judges, prosecutors, government officials, and others) or resulting from the failure to prevent a violation in case of a conflict among individuals within a society[1].

Global (or international) security is a term that refers to the measures taken by states and international organizations, to ensure mutual survival and safety, which include military action and diplomatic agreements such as treaties and conventions. International and national security are invariably connected (Buzan, Hansen, 2009).

PURPOSE AND OBJECTIVES OF THE RESEARCH. The *purpose* of the study is to study human rights violations as the basis for the threats to international security. Based on this, the following *objectives* were set: 1) to describe cases of human rights violations on different continents; 2) to emphasize the importance of monitoring human rights violations, which is carried out by the United Nations to create a rigid mechanism in order to prevent the emergence of regional and global threats.

METHODOLOGY. This research applies an interdisciplinary legal analysis, combining methods from both law and political sciences. Liberal institutionalism declared that the anarchic system's global threats to world security cannot be solved without the rule of international law (Navari, 2008). International governmental and non-governmental organizations are seen as contributors to world peace, defending it from global threats. These international institutions lead to postmodern imperialism or interconnectedness between strong and weak post-conflict nations. International law protects human rights and nations from involvement in regional or global security threats (Weinstein, 2005). Therefore, international security policy is addressed to all nations for preventing the escalation of new conflicts or challenges (Fearon, Laitin, 2004). There are different legislative models based on human rights to safeguard global peace from different global threats (Fortna, 2004).

Rechtsanwalt Stefan Kirchner (2008, p. 69) in Chapter 3 – The Second Dimension: Massive Violations of Human Rights as a threat to international peace and security of his book "Human rights and international security" describes the main links between human rights violation and global security with various examples in Kosovo, Rwanda, Chechnya, and other countries.

Douglas Lee Donoho (1993) in his article "The Role of Human Rights in Global Security Issues: A Normative and Institutional Critique and Institutional Critique" also asserts that the Security Council and General Assembly are not appropriate institutions to conduct basic fact-finding or render legal interpretations of human rights for ordering sanctions for human rights violations which lead to rising of global threats and shows the demand for significant restructuring of the United Nations system.

Case selection. This research was based on the cases, which reflected the dramatically high level of human rights violation during terroristic activities, civil war, and genocide that have a parallel dynamic with threats to regional and global security: Human rights violation Report in Iraq[2], Syria[3], and Somalia[4]; Report of the United Nations High Commissioner for Human Rights violation in Afghanistan[5]; The International Court of Justice Case against Myanmar[1].

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RESULT AND DISCUSSION. Within the human rights community, human rights violations have long been believed to increase the risk of civil war. Civil wars are the result of very complex mechanisms, and violations of human rights are part of these mechanisms. Human rights violations lead to a lack of legitimacy for the government thus facilitating the creation and support of violent rebel groups (Skarstad, Strand, 2016, p. 127). Terrorism, local conflicts, transnational crime, migration, cyber security, climate changes, and others are examples of global threats to international security, which can be directly connected with the violation of human rights. For example, Statistics from the Human Rights Score of 1946–2017 seem to indicate that the worst cases of human rights violation coincide with "flashpoints" of local conflicts and terroristic instability[2].

1. Terrorism and local conflicts

Over the past five or six years, the global conflict trend has been very bleak. With 104,000 casualties, these years were the third most violent since the end of the Cold War and the number of conflicts reached an unprecedented level since the early 1990s. The main causes behind the high number of casualties were the war and terrorist activities in Syria, in addition to Iraq and Afghanistan. In 2019, there were seven wars in Afghanistan, Syria, Iraq, Yemen, Libya, Somalia, and Nigeria, accounting for 84 percent of all conflict-related casualties. These conflicts are more problematic than other armed conflicts[3]. According to the Global Terrorism Index annually published by the Institute for Economics and Peace the top highest impact of terrorism (terrorist attacks, victims, and other effects) is in the same six countries, mentioned above, except Libya which is in 16th position[4]. At the same time, according to the

data of statistic portal "Statista", the lowest rate of Human rights is exactly in these seven countries because of the high rate of violence of international law[5].

Let us enumerate the cases of Human rights violence by country:

In April 2016 the United Nations estimated that 400,000 people had died in the Syrian war[6], and casualties have continued to increase since, with a final estimate of up to 220,000 civilians, 175,000 government combatants, and 174,000 anti-government combatants by mid-2019[7]. More than 2 million Syrian citizens suffered different injuries and permanent disabilities. About 12 million other citizens including hundreds of thousands of children and the same number of women were displaced between the refuge and the displacement areas, during 2013–2017. Additionally, infrastructure, hospitals, schools, and private and public property were destroyed greatly[8].

According to the data of the United Nations Assistance Mission in Afghanistan, 1,659 civilians were killed and 3,254 wounded including women and children which means a 47 percent increase compared with the same period last year. In each of the last 13 years, terrorist attacks killed between 1052 to 1729 civilians, and injured 1440 to 3631[9]. During 2001–2021, according to the Costs of War Project, 176,000 people were killed in Afghanistan: 46,319 civilians, 69,095 military, and police. and at least 52,893 opposition fighters[10]. According to the Uppsala Conflict Data Program, the conflict killed 212,191 people[1].

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There is a clear direct connection between increasing human rights violations and terroristic activities from a large-scale suicide attack in urban areas to indiscriminate attacks. Only the Islamic State of Khorasan Province (ISKP), the Afghan branch of the Islamic State, claimed responsibility for killing and wounding thousands of people every year. Also, Human Rights Watch annually reports statistics regarding violence and sexual harassment against women or children, attacks on media and human rights defenders, and other types of human rights violation[2].

Another example is the Somali Civil War which is an ongoing civil war that started from the resistance to the military "junta" led by Siad Barre during the 1980s. From 1988 to 1990 the Somali Armed Forces were engaged in combat against various armed rebel groups. Approximately 500,000 people have been killed since the restart of the civil war in 1991[3]. The Armed Conflict Location & Event Dataset estimates that 3,300 civilians were murdered during the conflict in 2012, with the number of fatalities dropping slightly in 2013 to 3,150[4]. The United Nations Assistance Mission in Somalia (UNSOM) in November 2019 recorded more than 1,154 civilian casualties and more cases the following year. 67 percent of the killed are due to indiscriminate and targeted attacks, especially improvised explosive devices (IEDs) attacks, by the Islamist armed group Al-Shabab. Inter-clan and intra-security force violence, often over control of land, revenge killings, and sexual abuse led to displacement, injuries, and civilian deaths[5].

An armed conflict between Iraq, its allies, and the Islamic State (ISIS) escalated into a full-scale war. The major areas of northern Iraq held 56,000 square kilometers, containing 4,5 million citizens who were victims of all types of human rights violations. There were murdered civilian people: 2013 – 9,852; 2014 – 20,218; 2015 – 17,578; 2016 – 16,393; 2017 – 13,183; 2018 – 3,319; 2019 – 2,392; 2020 – 902. It is clear that the level of killing and other types of violation of Human rights rose during 2014–2017 when the terroristic activities became also widespread. A recent UNICEF report reveals that 5,6 million people, including 2,6 million children, continue to need humanitarian assistance (Hamourtziadou, 2020).

The same situation occurred in other local conflicts where civilian people were killed, women and children were raped, sold into slavery, or forced to serve in terrorist organizations, because of human rights violations that subsequently formed new and more violent waves of terrorists, whose struggle continues for decades, as in Afghanistan, Somalia, Iraq, and other states.

2. Migration

In 1970, about 78 million people, or just 2,1 percent of the world population, lived outside of their motherland. By 1990, that number had nearly doubled to more than 150 million people or about 2,8 percent of the global population[6]. According to the estimates of the International Organization for Migration in 2020, there were 272 million international migrants around the world which is equal to 3,5 percent of the world's population. It is widely recognized that international migration is connected to extreme situations such as severe instability, economic crisis, or conflicts[7].

As a result, analyzing the reasons for Global migration we find that there are different "push" and "pull" factors. "Pull factors" are the reasons why people decided to move to a particular area because of their own plans for economic, social, political, environmental, or other career opportunities. For instance, India had the largest number of migrants living abroad – 17,5 million, followed by Mexico with 11,8 million and China with 10,7 million (Erlinghagen et al., 2021).

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Other people are forced to migrate, which means that these people move due to a war or famine, these refugees have left their home and do not have a new home to go to. Often refugees do not carry many possessions with them and do not have a clear idea of where they may finally settle. We call the reasons why people leave an area "push factors" and they include: the flaw of social services; a drawback of safety; level of crime; natural disasters; poverty; political fear; torture and mistreatment; any types of discrimination; bullying; unfair justice; conflict or war[1].

Most of the refugees and asylum seekers are fleeing endemic violence: 79 percent are mostly from Syria (conflicts 10 years old), Afghanistan (43 years), South Sudan (66 years), Somalia (30 years), the Democratic Republic of Congo (41 years), the Central African Republic (17 years), Myanmar (73 years), Eritrea (29 years) and Burundi (12 years) (Dan, 2014). Migrants fleeing persecution based on race, religion, and/or membership to a particular group may apply for asylum or refugee status elsewhere, and international law strongly encourages countries to accept asylum seekers and refugees. However, there are no statutes holding countries accountable if they deny seekers entry, causing many immigrants to remain in uncertainty or to return to their conflict-stricken countries (Hernandez, 2019). For example, the pre-war population of the Syrian Arab Republic was estimated at 22 million, including permanent residents[2]. The United Nations (UN) identified more than 50 percent of Syria's population – 13,5 million (2016) as displaced persons, requiring humanitarian assistance. Since the start of the Syrian Civil War in 2011 more than six million were internally displaced, and around five million (2017) crossed into other countries[3], seeking asylum or were placed in Syrian refugee camps worldwide. Other reasons for displacement in this region, adding to the Syrian Civil War, target the refugees of Iraqi, Kurdish refugees, and Palestinian refugees.

For instance, 6 million people were displaced from Iraq during the 2014–2017 conflict against ISIL (Waite, 2018), and 4,1 million people require some form of humanitarian assistance. Approximately 1,5 million civilians were internally displaced and 70 percent of them were displaced during the following four years[4].

Another recent example is the Rohingya crisis in Myanmar with significant spikes following violent attacks in 1978, 1991–1992, and 2016–2018 with nearly 75 percent of the country's Muslim population, more than 624,000 people, fleeing to neighboring Bangladesh. More than 909,000 stateless Rohingya refugees reside in Ukhiya and Teknaf Upazilas in the wake of violence and ethnic cleansing. In 2017, amid the escalation of ongoing tension and violence, the United Nations deemed the plight of the Rohingya the "fastest-growing refugee emergency" in the world (Giovetti, 2019). The Rohingya genocide was a series of ongoing persecutions and killings of the Muslim Rohingya people, perpetrated by the Burmese military, and consisted of two phases to date: from October 2016 to January 2017, and the second since August 2017[5]. The United Nation found evidence of wide-scale human rights violations, including extrajudicial killings; summary executions; gang rapes; arson of Rohingya villages, businesses, and schools; and infanticides. In January 2018 the military and local Rakhine population killed at least 25,000 Rohingya people and perpetrated gang rapes and other forms of sexual violence against 18,000 Rohingya women and girls. They calculated that 116,000 Rohingya were beaten, and 36,000 were thrown into fires[6].

CONCLUSION. According to the cases described in this research, it is clear that the level and extent of human rights violations are usually proportional to the emerging global security

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threats, which in turn create conditions for new threats and challenges to security.

We also witness the situation when global threats like migration are used by some countries such as Turkey for challenging the European Union, getting billions of Euros[1] and neutralizing the opposition[2].

It is important to reform United Nation institutions to create a rigorous mechanism for monitoring human rights violations in order to prevent the emergence of regional and global threats. Victims' registries are tools traditionally used in transitional justice processes to identify the population that has suffered human rights violations and to guide reparation programmes. Official registries are useful tools if they adopt appropriate elements (institutional design, the definition of victim, the methodology for analysis) from the outset and if they develop effective implementation. The political, legal, or administrative decisions that are adopted to resolve the challenges of the process have an impact on the utility of the registry as a tool for the recognition of victims and for the later implementation of reparation programmes (Rivas, 2016).

In a perspective, it is possible that a further deterioration of US-China conflict could lead to a "Cold War"-like situation and the return of proxy wars on some regional levels, where local powers are involved on different sides in Africa and the Middle East which could create new human rights violations and new global threats to international security (Strand et al., 2019).

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РУЗМЕТОВ Б. НАРУШЕНИЕ ПРАВ ЧЕЛОВЕКА КАК ОСНОВА УГРОЗЫ МЕЖДУНАРОДНОЙ БЕЗОПАСНОСТИ

Сегодня наш мир столкнулся с беспрецедентным сочетанием транснациональных угроз, вооруженных конфликтов и нестабильности, охвативших весь земной шар. Такие нарушения прав человека, как массовые убийства, геноцид, рабство, массовые изнасилования и другие, вместе с другими подобными явлениями по всему миру представляют собой глобальную угрозу безопасности. Основной исследовательский вопрос – выявление связи между нарушениями прав человека (в отношении терроризма и миграции) и угрозами международной стабильности на глобальном уровне. Поэтому основной целью исследования является анализ этих связей и роли различных участников международных отношений (государств), использующих глобальные вызовы безопасности в своих интересах, порождая новые волны нарушений и угроз правам человека.

Ключевые слова: нарушение прав человека, глобальные угрозы, безопасность мира и регионов, международная безопасность, транснациональные угрозы, вооруженный конфликт.

РУЗМЕТОВ Б. ПОРУШЕННЯ ПРАВ ЛЮДИНИ ЯК ОСНОВА ЗАГРОЗИ МІЖНАРОДНІЙ БЕЗПЕЦІ

Наш світ стикається із безпрецедентною конвергенцією транснаціональних загроз, збройних конфліктів і нестабільності, що поступово охоплюють усю земну кулю. До складу держав, які відчувають цей тиск, входять регіони, які не обов'язково перебувають у відкритому конфлікті, але є економічно й інституційно слабкими та вразливими до «шоку». В епоху глобалізації це важливо, оскільки кордони зникають, а держави розвивають тісніші зв'язки. Тому такі держави часто підкреслюють спільні інтереси та співпрацю в економічній, дипломатичній і культурній сферах. Крім того, багато держав знаходять спільні причини для боротьби із загрозами безпеці. Такі порушення прав людини, як масові вбивства, геноцид, рабство, масові зґвалтування тощо, становлять глобальну загрозу безпеці в усьому світі.

Тероризм, локальні конфлікти, транснаціональна злочинність, міграція, кібербезпека, зміни клімату тощо є прикладами глобальних загроз міжнародній безпеці та завжди безпосередньо пов'язаними з порушенням прав людини. Статистичні дані з оцінки прав людини за 1946–2017 роки свідчать, що найгірші випадки порушення прав людини збігаються за «гарячими точками» з локальними конфліктами та терористичною нестабільністю.

З огляду на випадки, описані в дослідженні, зрозуміло, що рівень і масштаби порушень прав людини зазвичай пропорційні виникненню загроз глобальній безпеці, що, у свою чергу, створює умови для нових загроз і викликів. Ми також є свідками ситуації, коли такі глобальні загрози, як міграція, деякі країни використовують для отримання мільярдів євро від Європейському Союзу та нейтралізації всієї опозиції. В іншому випадку деякі країни використовують міграційну проблему (створивши гібридну кризу, штовхнувши понад 4000 мігрантів до кордонів Польщі, Латвії та Литви) для вирішення власних проблем із застосуванням санкцій і визнання легітимним лідера держави. Дуже важливо реформувати інститути Організації Об'єднаних Націй для того, щоб створити суворий механізм моніторингу порушень прав людини з метою запобігання появі регіональних і глобальних загроз. У майбутньому, можливо, подальше загострення американо-китайського конфлікту може призвести до ситуації, схожої на «холодну війну», і повернення проксі-війн на деяких регіональних рівнях.

Ключові слова: порушення прав людини, глобальні загрози, безпека світу та регіонів, міжнародна безпека, транснаціональні загрози, збройний конфлікт.