

Chapter Three

An Alternative for Improving Human Security in the Middle East and North Africa

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The Arab uprisings indicated that people are seeking human rights and democracy that has been lacking in the Middle East and North Africa (MENA) for decades. Yet the post-Arab Spring developments did not help to change human security conditions. Polarization in the societies and the violence spreading in the region have further jeopardized human security in the MENA region. In this article, the Council of Europe, which is guardian of those rights and developments in the MENA region focusing on the concept of “human security,” will be evaluated in order to find an answer to the following question: Is it possible to improve human security conditions by establishing a “Council of MENA” or expanding membership of the Council of Europe to the MENA countries?

Council of Europe: Guardian of Human Rights and Democracy

Although documents asserting individual rights go back to the *Magna Carta* (1215) and the English Bill of Rights (1689), the idea of human rights, which is closely related to natural rights, were conceptualized by the Enlightenment philosopher and political theorist, John Locke (1632–1704) as natural and inalienable rights given to men by God that government could not take away.^{1,2} Locke advocated the view that men have rights by their nature, and natural rights of the people should be protected by the government.³ His ideas, which are

¹Patterson, John (2004). *The Bill of Rights: Politics, Religion, and the Quest for Justice*, Universe Inc., p. 52.

²The *Magna Carta* limited powers of the King to tax and issue fines by those who were being governed. English Bill of Right is one of the significant charters of English liberty which eliminated the methods kings used to suppress Parliament. The English Bill of Right promoted the God-given rights of English speaking people. Patterson, *op. cit.*, p. 1, p. 40.

³Patterson, *op. cit.*, p. 52.

the basis of human rights and classic liberalism, are still used to proclaim moral inviolability of men in the face of oppressive government today.⁴

The idea of human rights, which underlay the American Declaration of Independence in 1776 and the French Declaration of the Rights of Man and of the Citizen in 1789, re-emerged and developed strength after the Second World War following the experiences of Nazism and Fascism.⁵ The calls for human rights standards to protect citizens from abuses by their governments gained enormous importance. The International Bill of Human Rights: the 1948 Universal Declaration of Human Rights and the two international covenants, on Civil and Political Rights and on Economic, Social and Cultural Rights are the basic international framework for the protection of human rights declared after the Second World War. The Genocide Convention and the Convention against Torture are other important treaties in terms of human rights. Yet committees monitoring their implementation cannot force a state to comply.⁶

The idea of establishment of a Council of Europe was first voiced by the Prime Minister of the United Kingdom, Winston Churchill on a radio broadcast at the time of Second World War. He repeated his view on the establishment of a “United States of Europe” in a speech he made at Zurich University in 1946. The major reason lying behind his idea was not only to provide a reconciliation among the people of Europe that would prevent the re-emergence of a conflict, but also to protect individuals in the continent by establishing common institutions, standards and agreements. The Council of Europe thus was established on May 5, 1949 by 10 countries to develop democratic principles based on the European Convention on Human Rights (1950) and other reference texts on the protection of individuals throughout Europe. The Council of Europe has 47 members today.

⁴Simmons, A. John (1983). “Inalienable Rights and Locke’s Treatises,” *Philosophy and Public Affairs*, Vol.12, No. 3, p. 175.

⁵The Declaration of the Rights of Man (1789) has the goal of granting individuals natural, sacred and inalienable human rights—freedom, property, safety and right to resist oppression. Yale Law School (2008). *Declaration of the Rights of Men-1789*, The Avalon Project Documents in Law, History and Diplomacy.

⁶Smith, Karen E. (2003). *European Union Foreign Policy in a Changing World*, Cambridge: Polity, p. 98.

The European Convention of Human Rights (ECHR) lays down a number of civil and political rights, including freedom from torture and slavery to freedom of religion and expression. Under the ECHR, an individual can file a complaint against his or her own state alleging violations of the convention. Contrary to other international treaties on human rights, the judgment of the European Court of Human Rights is binding on the state. All EU member states that ratified the ECHR indicated their willingness to protect human rights strongly. This reflects the need for making human rights issues that happen within state boundaries subject to international scrutiny.⁷

Human Security

The concept of human security, which was first introduced in the United Nations Development Program's (UNDP) 1994 Human Development Report, is closely related to the respect for human rights and for democratization.⁸ In contrast to earlier state-centered security understanding, which focuses on protection of the state, the concept of human security emphasizes the protection of individuals. It comprises everything that is "empowering" for individuals: human rights, including economic social and cultural rights, access to education and health care, equal opportunities, good governance, etc.⁹ Extreme poverty, inequalities among and within countries, environmental damage, pandemics, discriminations, and human rights violations, which transcend national frontiers, cannot be handled by traditional military security understanding. Hence, the military conception of security had been superseded by a global conception of the democratic security of populations.¹⁰

Despite the debates among scholars, there is no real consensus reached on what should constitute the focus of human security studies, which led to three distinct conceptions of human security. The first conception of human security is related to the basic individual rights to

⁷Smith, *op. cit.*, p. 99.

⁸UNDP (1994). *Human Development Report 1994*, New York & Oxford: Oxford University Press.

⁹UNESCO (2008). *Human Security: Approaches and Challenges*, p. 3.

¹⁰*Ibid.*, p.xiv; p. xviii.

life, liberty and the international obligation of the states to protect those rights.¹¹ The second conception of human security is humanitarian, which focuses on international efforts to deepen and strengthen international law, particularly related to genocide and war crimes, and to abolish weapons that are harmful for civilians and non-combatants.¹² It is mostly related to humanitarian interventions directed at improving the basic living conditions of refugees.¹³ The third conception of human security suggests that human security should include economic, environmental, social and other forms of harm to the overall livelihood and wellbeing of individuals, in contrast to the other two conceptions, which focus on basic human rights and their deprivations.¹⁴

The emergence of the concept of human security reflects the impact of values and norms on international relations. Human security argues that there is an ethical responsibility to reorient security around the individual. Not only the emergence of new threats, which led to international norms and values superseding national ones, but also targets became global.¹⁵ A transition from a security that has been identified solely with defense issues to a multidimensional human security based on the respect for all human rights and democratic principles has been realized. Some steps were decided to be taken for contributing to sustainable development and especially to the eradication of extreme poverty, which is a denial of all human rights. Furthermore, steps for reinforcing prevention at the root of different forms of violence, discrimination, conflict and internal strife, mainly on civilian populations in all regions of the world were taken.¹⁶ There has been

¹¹Morsink, Johannes (1998). *The Universal Declaration of Human Rights*, University Park: University of Pennsylvania Press; Lauren, Paul Gordon (1998). *The Evolution of Human International Rights*, University Park: University of Pennsylvania Press; Alston, Phillip (1992). The Commission on Human Rights in Phillip Alston (Ed.) *The United Nations and Human Rights*. Oxford: Clarendon.

¹²Hampson, Fen Osler (2008). *Human Security*, in *Security Studies: An Introduction*, Paul D. Williams (Ed.) New York: Routledge, p. 279.

¹³Kaldor, Mary. (2007). *Human Security: Reflections on Globalization and Intervention*, Cambridge and Malden: Polity Press.

¹⁴Hampson, *op. cit.*, p. 280.

¹⁵Newman, Edward. (2001). *Human Security and Constructivism*, International Studies Perspectives, Vol. 2, p. 242.

¹⁶UNESCO, *op. cit.*, p.xx, p. xxi.

an internationalization of ethical standards that has increasingly impinged upon “national” laws and norms.¹⁷

As a result of these developments, forms of government, human rights and gender equality have all become international issues. Democracy is no longer an issue confined to territorially enclosed communities. The human needs and rights that comprise human security are slowly becoming part of decision-making relating to security. People’s awareness and expectations of rights has an impact. Similarly, people’s expectations and attitudes toward governance and authority have evolved.¹⁸ In the following section, the first two conceptions of human security related to basic human rights and their deprivations in the MENA region, particularly focusing on the post-Arab Spring developments, will be evaluated.

The Arab Spring and Human Security

The Arab uprisings, which commenced with the “Jasmine Revolution” in Tunisia on December 17, 2010, following the self-immolation of Mohammad Bouazizi, indicated that people of this region are seeking human dignity, human rights, fundamental freedoms and democracy that has been lacking in the Middle East and North Africa for decades. In other words, the Arab uprisings were prompted by the same universal values such as fundamental freedoms, human rights, dignity and equality that are upheld by the Council of Europe and shared by its member states. Free and fair elections followed some of the uprisings. As stated by Mignon, free and fair elections do not on their own guarantee the success of democratic transition. Consensus on constitutional reform, promoting equality between men and women, empowerment of women both in the public and private sphere, ensuring respect for human rights including personal freedoms and against the risk of religious fundamentalism, protecting the rights of religious minorities, freedom of the media, fighting corruption, empowering civil society, and fighting terrorism are *sine qua non* of the success of democratic transition.¹⁹

¹⁷Newman, *op. cit.*, p. 242.

¹⁸Ibid.

¹⁹Mignon, Jean-Claude (2012). *Conclusions of the President of the Parliamentary Assembly*, European Conference of Presidents of Parliament, Strasbourg, 20–21 September 2012, p. 4.

The right of all citizens to be represented in the political decision-making process as well as the representativity of elected bodies are core principles of democracies. Political composition of the electorate as well as other significant aspects like gender, ethnicity or other group identities, including age or specific vulnerability, should be reflected in an elected assembly. The legitimacy of a democratic system depends upon the conviction of all sections of society. These sections should have adequate access to decision-making institutions. Excluding sections of the population from the right to be represented is detrimental to a democratic system.²⁰

As stated in Resolution 1888²¹ of the Parliamentary Assembly of the Council of Europe, “Sound states are based on strong democracies. Strong democracies are possible with the inclusion of direct democratic elements designed to increase citizens’ participation as well as the promotion of active citizenship.”²² Accordingly, sound states should be guided by the public interest and capable of maintaining a high level of trust amongst their citizens, need to be made strong against the abuse of political, administrative or judicial power, unethical behaviour such as corruption, favoritism and undue influence by the media or interest groups. If a state cannot achieve these, citizens’ confidence in decision-makers will further decrease.²³

Egyptian President Hosni Mubarak’s authoritarian regime, which had been charged with corruption, human rights abuses, implementation of a state of emergency for decades, and anti-democratic acts such as restriction on opposition parties, ended with his overthrow. The democratically elected government of Mohammed Morsi came to power in Egypt in the post-Arab Spring era. However, Egyptians experienced decreasing confidence in their new leader after Morsi’s effort to enhance his power by initiating legislation that would put

²⁰Parliamentary Assembly, Doc.12107 (2010). *Thresholds and Other Features of Electoral Systems Which Have an Impact on Representativity of Parliaments in Council of Europe Member States*, Parliamentary Assembly, Political Affairs Committee, Rapporteur: Henrik Daems, Alliance of Liberals and Democrats for Europe.

²¹Parliamentary Assembly, Resolution 1888 (2012). *The Crisis of Democracy and the Role of the State in Today’s Europe*.

²²Ibid.

²³Ibid.

him above the rule of law. Moreover, closing ears to Christians', liberals' and women's demands during the constitution drafting process in Egypt led to disappearance of a nationwide consensus, which is vital to the success of a pluralistic representative democracy.

According to the Muslim leaders Sheikh Muhammad al-Ghazali and Sheikh Yusuf al-Qaradawi of Egypt and Rashid al-Ghanouchi of Tunisia, prevention of arbitrary rule and making government accountable, protection of the rights of minorities, protection of the citizens from the abuse of power by government, holding free elections, peaceful transition of power are among the universal principles which are also must be respected under an Islamic democracy.²⁴ Despite the claims of Muslim leaders who advocated the compatibility of Islam and democracy, tactical alliances of the Muslim Brotherhoods on some issues in practice led to criticism of the "Salafization of the Muslim Brotherhood" which means less room for human rights, women's rights and minority rights.

Lowering the marriage age for girls to nine or ten and attempts to de-criminalize female genital mutilation (FGM) in Egypt after years of efforts to pass a ban on FGM are some examples to those backwards steps lawmakers attempted to take. Women who fought for their freedoms during the uprisings still have continued to face an increasing number of threats to their security in the post-Arab Spring era. Harassing women for their style of dress, attacking secular intellectuals, assaulting women activists verbally and physically, beating women wearing short dresses in the countries of the MENA region in the post-Arab Spring era are some examples of increasing Salafi violence against women in the region.²⁵

Since the Egyptian Revolution, religious minorities' role, and particularly Coptic Christians' role within the governance of the nation has dwindled further, and violence against them has increased, although Coptic Christians joined with Muslims in Tahrir Square to overthrow Mubarak. Moves made to introduce Islamic-based laws into Egyptian society have further isolated Coptic Christians. Moreover,

²⁴Dorraj, Manuchehr. (2002) *Islam, Governance and Democracy*, in *Human Rights and Religion: A Reader*, Liam Gearon (Ed.), Brighton & Oregon: Sussex Academic Press, p. 149.

²⁵Marwan, Asma (2012). *Tunisian Women Slapped by Salafists for Wearing Trousers and Skirts*.

the Coptic Christians' participation in the removal of President Morsi by military coup d'état made them victims of Sunni reprisals through violent attacks to their churches, houses and businesses.²⁶

The assassinations of Chokri Belaid and Mohammed Brahmi, the political leaders of secular opposition parties in Tunisia, and increasing Salafi threats to people's freedoms are some of the developments that occurred in Tunisia in the post-Arab Spring era, leading to a decrease in citizens' confidence in the ruling party, Ennahda, and mass anti-governmental protests in the streets of Tunisia. Ennahda was accused of not protecting secular politicians and allowing the rise of armed Salafists and Ansar al-Sharia in Tunisia.

The question of whether these Arab uprisings represent a step forward or backward for human rights and democracy came to the agenda because of marginalization of those rights by some fundamentalist religious political groups and their efforts to impose their own variant of totalitarianism under the pretext of protecting Islamic sanctity and truth in the post-Arab Spring era.²⁷ *Sharia* law thus as a source of legislation became a contentious issue between Islamists and liberals/secularists/Christians. People in Tunisia and Egypt were disappointed with the newly elected Islamist governments, owing to their failure to implement economic, social and political reforms intended to increase the welfare of the public and liberties.²⁸

Similar and even worse experiences have been experienced by the people of Libya and Syria. The uprising in Syria began similarly to other uprisings but turned into a civil war. Tens of thousands of Syrians have died, tens of thousands of protestors have been imprisoned and tortured, hundreds of thousands became refugees, and millions of Syrians were left in poor living conditions as a result of this war, which also has transnational effects. The involvement of *jihadist* and Al Qaeda affiliated groups in the civil war in Syria radicalized and complicated the situation in Syria.

²⁶Benham, Peter (2013) *Christians in the Middle East and Their Fate in the "Post Arab Spring World,"* Conflict & Security.

²⁷Dorraj, *op. cit.*, p. 154.

²⁸Kienle, Eberhard (2013). *The Security Implications of the Arab Spring*, Geneva Center for Security Policy, p. 20.

The Libyan assembly voted to make *sharia* law the foundation of all legislation and state institutions in the country despite the secular-leaning National Front Alliance, which called for a more liberal position. This step has the potential to deteriorate the chaotic transition period in Libya.

Democratic transition in the MENA region was frustrated by increasing authoritarian tendencies of democratically elected governments. Disappointment of the people in the post-Arab Spring era led to a new wave of anti-governmental protests. The Arab Spring that made democratic elections possible in the MENA region turned into an anti-democratic form through the military coup d'état and toppling of Mohammed Morsi in Egypt, and call for the resignation of the democratically elected ruling party, Ennahda in Tunisia.

Furthermore, the outbreaks of clan, community, sectarian and street fighting in Libya and Yemen, and civil war in Syria which led to an increasing number of refugees lacking humanitarian conditions, Islamic radicalization and terrorism, sectarian conflicts, polarization of societies as secular versus Islamist, Salafist versus Sufi, Muslims versus Christians, discrimination against women and minorities, which all represent principal threats to human security, became prevalent instead of the realization of pluralistic representative democracies in the MENA region. Contrary to the expectations of the people, post-Arab Spring developments did not help to change human security conditions. Moreover, increasing polarization in the societies and the violence spread in the region have further jeopardized human security in the MENA region.

Council of Europe in the MENA Region

In the post-Arab Spring era, the Council of Europe followed the developments in the MENA region and put some effort into preventing human rights violations. Following the violence against Christians in the Middle East, the Council of Europe took the following measures to hinder these violations against Christians living in the region. The Parliamentary Assembly of the Council of Europe called on the European Union to enhance its monitoring of the situation of Christians and other religious communities in its political dialogue with the

countries of the Middle East and to link its European Neighborhood Policy, including financial aid, to the degree of human rights protection and awareness in those countries.²⁹

Moreover, following the countries of the MENA's interest in strengthening cooperation with the Council of Europe, the Council of Europe as an organization has worked with countries from the MENA region for many years and launched the "South Programme" in January 2012 in order to identify priority lines of cooperation. Hence, this joint programme, also known as "Strengthening Democratic Reform in the Southern Neighborhood" was initiated by the Council of Europe and the European Union.³⁰

This joint program focuses on the following objectives:

1. To enhance efficiency and independence of the judiciary by improving courts' performance and by facilitating judicial reform, using as a reference relevant Council of Europe standards.
2. To promote good governance through increased prevention of corruption and money laundering on the basis of the relevant Council of Europe standards, mechanisms and instruments, and to improve the basic framework for regional cooperation.
3. To strengthen and protect human rights, in particular through the prevention and control of trafficking in human beings in line with the provisions of the Council of Europe Convention on Action Against Trafficking in Human Beings and other international standards.
4. To promote democratic values in the region, building on the Council of Europe's existing networks such as those developed by the North-South Centre, the Youth Department, the Pompidou Group, the Venice Commission, the School of Political Studies and the Parliamentary Assembly of the Council of Europe.³¹

²⁹Parliamentary Assembly, Recommendation 1957 (2011). *Violence Against Christians in the Middle East*, Parliamentary Assembly of the Council of Europe.

³⁰Council of Europe and European Union Joint Programme. *Strengthening Democratic Reform in the Southern Neighborhood*.

³¹Ibid.

The areas of cooperation with the countries in the Southern Neighborhood are decided in accordance with the specific needs expressed by each country, with reference to shared values of human rights, the rule of law and democracy. Some activities were planned for implementation over the period 2012 to 2014 throughout the region.³² In comparison to other initiatives, this initiative has a tailor-made approach to the countries of the North Africa. Given the reactions of the Council of Europe to the developments in the MENA region and its joint actions with the European Union, it is significant to mention the EU's foreign policy in the MENA region and its limits in the post-Arab Spring era. The following section focuses on these areas.

Democracy and Human Rights Promotion Efforts in the EU Foreign Policy

The promotion of respect for human rights in third countries is one of the objectives of the EU's foreign policy. The EU assumes that the protection of human rights and democracy is a distinctive feature of the EU's international identity.³³ As a part of this understanding, protection of human rights has been included as a significant goal of the EU's foreign policy since the 1990s. The Council, Commission and European Parliament set up committees or working groups to monitor human rights situations in third countries.³⁴

The EU applies sanctions on third countries that abuse human rights and democracy. Its weakest form is to condemn violations of human rights in common declarations, which is the traditional tool of the EU's Common Foreign and Security Policy (CFSP). The other forms of sanctions and coercive measures that the EU applies are diplomatic sanctions, arms embargoes and approving military interventions to end human rights abuses. The EU uses its financed pro-

³²Ibid.

³³Panbianco, Stefania (2006). "The Constraints on EU Action as a 'Norm Exporter' in the Mediterranean." In *The European Union's Roles in International Politics: Concepts and Analysis*, Ole Elgström and Michael Smith (eds.), London & New York: Routledge, p. 137.

³⁴Sedelmeier, Ulrich (2006). "The EU's Role as a Promoter of Human Rights and Democracy: Enlargement Policy Practice and Role Formation." In *The European Union's Role in International Politics: Concepts and Analysis*, Ole Elgström & Michael Smith (eds.) London and New York: Routledge, p. 119.

grams designed to promote human rights to achieve this end. The EU also uses asymmetrical interdependence to attach conditions related to democracy and human rights to its offers of membership or trade agreements with third countries.³⁵

However, as stated by Balfour,³⁶ promoting human rights and democracy issues even in the EU's neighbors was not so simple due to different member states' opposite policies or the EU's hesitance or fear that these acts further leads to the emergence of new ruling governments with anti-democratic and anti-EU agendas.³⁷ Moreover, promoting human rights in third countries could undermine other fundamental norms: sovereignty, inviolability and non-interference in the domestic affairs of other states.³⁸ One of the main challenges confronting the promotion of human security is that it may be perceived as a means of intervention of the developed nations in the affairs of developing ones as an imposition of Western values upon other sets of values.³⁹ The underlying suspicion the concept represents a Western agenda, centered as it is on such liberal values and approaches as human rights and humanitarian intervention, while giving short shrift to regional economic and developmental priorities.⁴⁰ Universality of human rights is another criticism on this issue.⁴¹

Despite these critics, the EU aims to export to third countries the EU-principled norms that inspired the EU's creation—democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity, and respect for the principles of the United Nations (UN) Charter and international law.⁴² Kagan describes the EU's role in world poli-

³⁵Ibid.

³⁶Balfour, Rosa (2007). *Promoting Human Rights and Democracy in the EU's Neighborhood: Tools, Strategies and Dilemmas*. In *Reassessing the European Neighborhood Policy*, R. Balfour and A. Misiroli (eds.), Brussels: European Policy Center.

³⁷Ünver Noi, Aylin (2013). Introduction. In *Islam and Democracy: Perspectives on the Arab Spring*, Aylin Ünver Noi (ed.), New Castle: Cambridge Scholars Publishing, p. 1.

³⁸Smith, *op. cit.*, p. 98.

³⁹UNESCO, *op. cit.*, p. 4.

⁴⁰Ibid.

⁴¹Smith, *op. cit.*, p. 98.

⁴²Panebianco, *op. cit.*, p. 137.

tics: “Europe is turning away from power, or it is moving beyond power into a self-contained world of laws and rules and transnational negotiation and cooperation. It is entering a post-historical paradise of peace and relative prosperity, the realization of Kant’s perpetual peace.”⁴³ The EU aims to promote norms and values in the international system by embracing the Kantian goal of perpetual peace⁴⁴ with its “normative power.” Attempts to realize this happened through the EU enlargements or regional cooperatives and partnerships.⁴⁵ Central and Eastern European Countries (CEECs), Euro-Mediterranean Partnership (EMP), European Neighborhood Policy (ENP), and the Union for the Mediterranean (UfM) can be given as examples of such attempts of the EU. These norms are particular to the EU or are universally acceptable.⁴⁶

Kagan⁴⁷ claims that “every international order in history has reflected the beliefs and interests of its strongest power, and every international order has changed when power shifted to others with different beliefs and interests.... The better idea does not have to win because it is a better idea. It requires great powers to champion it.”⁴⁸ The continuity of postwar liberal international order went beyond the Wilsonian vision in its more expansive embrace of universal human rights and its liberal internationalist agenda for spreading liberty and democracy worldwide related to the Great Powers’ ability to champion it.⁴⁹

Yet, French Professor Guy Hermet claims that “democracy is spreading at the peripheries of the world, but exhausted in the center,”

⁴³Kagan, Robert (2002). *Power and Weakness: Why the United States and Europe See the World Differently*. Policy Review.

⁴⁴Ibid.

⁴⁵Sedelmeir, *op. cit.*, p.119.

⁴⁶Sjursen, Helene (2006). “Values or Rights? Alternative Conceptions of the EU’s ‘Normative’ Role,” In *The European Union’s Role in International Politics: Concepts and Analysis*, Ole Elgström & Michael Smith (eds.), London and New York: Routledge.

⁴⁷Kagan, Robert (2013). *The World America Made*, New York: Vintage Books, p. 5.

⁴⁸Ibid., p. 21.

⁴⁹Ikenberry, G. John (2009). Introduction. In G. John Ikenberry, Thomas J. Knock, Anne-Marie Slaughter and Tony Smitih (eds.) *The Crisis of American Foreign Policy: Wilsonianism in the Twenty-first Century*, Princeton & Oxford: Princeton University Press, pp. 19–20.

and explains the basic reason of the decline of political democracy thus: “Our societies came to their material limits.... The petrol of democracy is material promises... the welfare state is now sitting on the sand, unable to finance any promises anymore.... The hope, upon which democracy was based, has been destroyed.”⁵⁰ Furthermore, the correlation between economic development and democracy, which was made by American sociologist Ronald Inglehart, has been eroded today. The rise of the BRICS can be given as an example to the erosion of the correlation between economic development and democracy.

Developed democracies might not only lead to a change of parties in the next election or to protests against the president, but also lead to lack of trust and increased disinterest of citizens in current institutionalized procedures of democracy. It also affected the EU’s “normative power,” which is its ability to spread its norms and values to other states, and its “soft power,” which is its ability to attract others to its point of view.⁵¹ The trust of their citizens in democratic institutions that is the basis of their legitimacy has been fading, owing to the apparent failure of the northern Mediterranean countries’ social model—the welfare state. The democratic model, which took shape and came to the fore in the 19th century in Europe, is being eroded and is perceived as outdated.⁵²

Howorth⁵³ argues that in the emerging environment, the rising powers will be persuaded to embrace the existing international order in its current form or the great powers will agree to devise a new global order which better manages and harmonizes the multiplicity of preferences, the diversity of cultural realities and governance systems.⁵⁴ Whatever the outcome, human security is a significant issue with transnational effects and should be taken seriously by everyone.

⁵⁰Parliamentary Assembly, Doc. 11623 (2008) “The State of Democracy in Europe: Specific Challenges Facing European Democracies: The Case Diversity and Migration,” p. 99.

⁵¹Parliamentary Assembly, Doc. 12498 (2012) “Austerity Measures—a Danger for Democracy and Social Rights”.

⁵²Parliamentary Assembly, Doc. 12279 (2010). “Democracy in Europe: Crisis and Perspectives.”

⁵³Howorth, Jolyon (2012). “Developing a Grand Strategy for the EU.” In Thomas Renard & Sven Biscop (eds.) *The European Union and Emerging Powers in the 21st Century: How Europe Can Shape a New Global Order*. Burlington: Ashgate.

⁵⁴*Ibid.*, p. 119.

It does not change the reality that there is a need for international organizations such as the Council of Europe to provide people who suffer from anti-democratic practices in their countries with a second chance to demand justice.

Democracy in the European Union member states is in crisis today. Their efforts to find a remedy to their own democracy crisis should not be ignored. Moreover, this does not mean that basic values and norms such as respect for fundamental freedoms, human rights, minority rights, the rule of law, and democracy are not universal norms that should be respected by all states. Democracy is still the best system of governance in the world. The situation of Europe might be interpreted in other ways, even as an opportunity to rebuild a strong democracy and universal values and norms—respect for human rights, fundamental freedoms, the rule of law etc.—together with the countries of the MENA region. Their partnership and possible achievements might give a new impetus to the European institution known as the guardian of democracy and human rights, adapting itself to the emerging needs and demands of the people of both Europe and the MENA region.

Conclusion

The Arab Spring was ignited by the human security goal of achieving freedom from want, freedom from fear and freedom to live in dignity.⁵⁵ People deprived of human rights and freedoms demonstrated against their authoritarian regimes to change their human rights and security conditions, which were undermined by their former regimes. Yet democratic transition efforts that will guarantee the security of all have failed. The actors defined their own security in the light of their respective position, interests and concerns with only little regard for their counterparts, disappointed popular expectations and weakened state capacity for improving human rights and security⁵⁶. Hence, the goal of achieving human security could not be realized in the MENA region in the post-Arab Spring era. The negative citizen-state relationship that leads to human rights abuses not only damaged the

⁵⁵Nuruzzaman, Mohammed (January 4, 2013). "Human Security and the Arab Spring," *Strategic Analysis* Vol. 37, No. 1.

⁵⁶Kienle, *op. cit.*, p. 7.

human security but also the state itself, since states, for ensuring their own legitimacy and state security, need human security as well.⁵⁷

Some potential models on the way of achieving this goal should be considered. The first is to initiate the establishment of a Council of MENA, which will become the protector/guardian of human rights in the MENA region. There are some former attempts to establish a human rights regime in the MENA region. The Cairo Declaration on Human Rights in Islam, which was adopted by the Organization of the Islamic Conference in 1990, and The Arab Charter on Human Rights adopted by the League of Arab States in 2004, are examples of those attempts. Yet these initiatives are criticized as introducing discrimination against both non-Muslims and women; threatening intercultural consensus; containing restrictive character in regard to certain fundamental rights and freedoms; being below the legal standards in effect in a number of Muslim countries; and its confirmation under *Sharia* law of the legitimacy of practices such as corporal punishment that attack the dignity of the human being.⁵⁸

The second model might be extending geographic areas of the existing Council of Europe to the countries of the MENA region by accepting them as new members of the Council of Europe. Widening of the membership of the Council of Europe to the countries of the south and the east of the Mediterranean, which might help to build a basis of shared values through the progressive implementation of the European Convention on Human Rights, has been voiced in some platforms.⁵⁹ However, no concrete step has been taken in this respect, at least up to now.

Following the accession of the countries of the MENA region, their citizens would be able to petition the European Court of Human Rights directly.⁶⁰ In other words, membership of the MENA countries in the Council of Europe gives their citizens who believe their rights

⁵⁷Morris, Kieran (2012). "The Arab Spring: The Rise of Human Security and the Fall of Dictatorship," *Internet Journal of Criminology*.

⁵⁸Littman, David (1999). *Universal Human Rights and "Human Rights in Islam"*. Midstream.

⁵⁹Executive Summary: Report of An Expert Group EuroMed-2030. (2010). *Long Term Challenges for the Mediterranean Area*.

⁶⁰Massias, Jean-Pierre (2007). *Russia and the Council of Europe: Ten Years Wasted?* Russia/NIS Research Program, p. 9.

curbed or paralyzed or to be used or treated unequally or unjustly a second chance to seek their right to demand justice after they exhaust all the judiciary options in their respective countries. The decisions of the European Court of Human Rights might be treated as binding precedents by the MENA Constitutional Court and other courts. The principles carried by the Convention for the Protection of Human Rights and Fundamental Freedoms might serve as point of reference in these countries. This might lead to the promotion of progressive propagation of European standards and the convergence of legal regulations.⁶¹ The existence of such a control mechanism and its binding force have the potential to prevent and hinder the member countries from continuing their human rights abuses.

Their membership will be an opportunity for the countries of the MENA region to emerge with a call for democracy, since they will have a chance to show their willingness to consolidate their alignment to the universal values upheld by the Council of Europe and to gain international respectability and a good image internationally. Their membership will be interpreted as an encouraging and productive factor in their democratic transition, since it will not only raise awareness in human rights and democracy, but also the continuity of condemnation for violating rules might force them to adopt a series of measures to improve human rights conditions. Joining the countries of the MENA region to the Council of Europe might not only test the credibility and capability of the Council of Europe, but also give it a new impetus as an international organization that is the guardian of human rights and democracy.⁶²

The lack of a reward of EU membership, resistance to wholesale import of Western-style democracy, attempts to make *Sharia* law a source of legislation or perception of Western initiatives as an imperial ambition of the Western powers are some of the challenges that might lead to deceleration of such a process. On the other hand, some representatives in the Council of Europe might have reservations against the danger of opening the doors of the Council of Europe, which has the institutional responsibility to defend human rights and the rule of law, to countries that leave much to be desired in those respects, as we have witnessed in Russia's case.⁶³

⁶¹Ibid., p. 10.

⁶²Ibid., p. 4.

⁶³Ibid., p. 5.

Despite these challenges listed, the Council of Europe might have more of a chance to improve human security conditions and democratic transitions in the MENA region in comparison to other Western-sponsored initiatives that have institutionally imbalanced partnership, lack of co-ownership and invisibility in the daily lives of people of the MENA region. In this respect, it is important to consolidate the Council of Europe's role as the "guardian" of democracy within the wider Europe by expanding its membership to the MENA region.⁶⁴ A willingness to submit national human rights practices to some international review is necessary to achieve the goal with respect to improvement of human rights internationally. Although traditions, cultures and religious background may be different, human nature is universally the same. Any attempt to bring in cultural and religious particularisms would simply remove the specifically universal character of human rights and fundamental freedoms.⁶⁵ The Council of Europe is far from this particularism.

In conclusion, the people of this region needs a protector of human rights, democracy, fundamental rights and freedoms in their respective countries. The need to expand the role of international organizations that maintain human security is undeniable.⁶⁶ As Professor Daniel Serwer said, "Transitions need a destination, since they gave the countries direction and impetus. Otherwise, countries would have wandered aimlessly." Despite the difficulties that Western democracies suffer today for being a force of attraction, the values they embrace are still the best option among others. It provides ways to rescue people who suffer from anti-democratic practices in their countries and maintain the human dignity they seek. In this respect, an expanded Council of Europe would give the countries of the MENA region a destination for both the governments expected to meet the human rights standards and their citizens to provide a second chance to demand what they deserve as human beings.

⁶⁴Parliamentary Assembly, Resolution 1888, *op. cit.*

⁶⁵Littman, *op. cit.*

⁶⁶McDonald, Matt (2002). "Human Security and the Construction of Security," *Global Society* Vol. 16. No. 3, p. 279.