

# Political Committee

## Balancing Democracy and Security



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## Introduction

One of the fundamental values which all member states of the EU have in common is democracy, a system of government which is usually referred to as the most just, since the decisions are made (whether directly or indirectly) by the citizens of the country. And yet another priority of the EU is to ensure peace, a consideration which sometimes causes the government to act without seeking confirmation from the people. Therefore, the purpose of this committee is to evaluate the point at which ensuring state security encroaches on the primary principles of democracy. This requires, among other things, to strengthen democracy's core values, such as the freedom of the press, combatting discrimination, or other social injustices.

## Definition of Key Terms

### Democracy

Government by the people, exercised either directly or through elected representatives. The United Nations does not advocate for a specific model of government but promotes democratic governance as a set of values and principles that should be followed for greater participation, equality, security and human development.

### State Security

State security refers to the protection of a nation's interests, citizens, and institutions from internal and external threats, including terrorism, espionage, and crime. Ensuring state security often involves measures such as surveillance, intelligence gathering, and law enforcement, with the aim of guaranteeing the protection and stability of the governing authority.

### Civil Liberties

The rights of a person to do, think, and say what they want if this does not harm other people. These basic rights and freedoms, which include freedom of speech, assembly, and religion, are essential for maintaining a democratic society.

### Emergency Powers

Temporary or exceptional powers granted to governments during times of crisis or emergency, when a great number of lives are threatened, allowing for the suspension of certain

democratic processes or civil liberties. It is commonly agreed that these powers should only be used in such extraordinary circumstances (such as war, insurgency, terrorist attacks, or other severe threats to the state, environmental calamities, serious industrial accidents, pandemics), and even then only to the extent that the situation requires.

## Rule of Law

The rule of law is a political ideal that all citizens and institutions within a country, state, or community are accountable to the same laws, including lawmakers and leaders.

## Democratic Norms

Informal rules and principles that guide democratic behaviour and governance, such as respect for the rule of law, electoral integrity, and peaceful transition of power.

## General Overview

In today's interconnected world, the pursuit of state security often intersects with the principles of democracy, creating a complex and multifaceted challenge for policymakers. The European Union (EU) stands as a beacon of democracy, founded on the principles of freedom, equality, and rule of law. However, the imperative to ensure peace and stability sometimes leads governments to implement security measures that may encroach upon democratic values. This committee convenes to delve into the intricate relationship between state security and democracy. Central to our discussions is the exploration of whether certain security initiatives, while aimed at safeguarding citizens and institutions, inadvertently undermine the very foundations of democracy. Key areas of focus include the protection of civil liberties, such as freedom of the press and expression, as well as efforts to combat discrimination and address social injustices. Delegates are encouraged to examine the delicate balance between security imperatives and democratic principles, considering the potential trade-offs and consequences of security measures on individual rights and democratic institutions. By fostering a nuanced understanding of this complex interplay, we aim to develop innovative approaches that reconcile the imperative of state security with the preservation of democratic values.

## Major Parties Involved

In today's complex geopolitical landscape, the tension between state security and democracy poses a significant challenge for governments. While ensuring the safety and security of citizens is primordial, it must be balanced with upholding civil interests and rights, even in emergency cases. Local governments, such as those in France, Germany, Poland, Austria, and the European Union, along with various organisations, grapple with this delicate equilibrium.

### France

Historically valuing liberty and equality, France faces the perpetual challenge of maintaining state security while safeguarding democratic principles. Recent debates surrounding counterterrorism measures and the state of emergency highlight the tension. France has implemented measures like expanded surveillance powers, raising concerns about privacy and civil liberties. However, efforts are made to ensure oversight mechanisms and judicial review to mitigate potential abuses.

### Germany

Grounded in a strong commitment to human rights and the rule of law, Germany navigates the tension between security and democracy with a focus on proportionality and legality. Stricter data protection laws and constitutional checks and balances help maintain a balance between security measures and civil liberties. The Federal Constitutional Court plays a crucial role in upholding fundamental rights, especially in times of crisis.

### Poland

With a recent history of democratic backsliding, Poland faces criticism for prioritising state security at the expense of democratic values. The government's expansion of surveillance powers and erosion of judicial independence raise concerns about the abuse of power. Civil society organisations and the European Union have been vocal in condemning such actions and advocating for the preservation of democratic norms.

### Austria

Striving to uphold democratic principles while ensuring security, Austria emphasises the importance of transparency and accountability in its policies. Measures such as counterterrorism legislation are subject to parliamentary scrutiny and judicial oversight. However, challenges persist in

balancing the need for security with the protection of civil liberties, particularly concerning issues like immigration and national identity.

## The European Union (EU)

As a supranational entity, the European Union grapples with harmonising security measures across member states while upholding democratic values. Frameworks like the Charter of Fundamental Rights and the European Convention on Human Rights provide a common standard for safeguarding civil liberties. The EU also recognises the rule of law as a cornerstone of democracy, intervening when member states' actions threaten democratic principles.

## Organisations

Civil society organisations, human rights groups, and watchdogs play a critical role in advocating for the preservation of civil liberties amidst security concerns. They monitor government actions, raise awareness about potential abuses, and provide legal assistance to individuals affected by security measures. International organisations like Amnesty International and Human Rights Watch exert pressure on governments to uphold democratic norms and respect human rights.

## Timeline of Key Events

- |             |  |
|-------------|--|
| <b>1948</b> | The adoption of the Universal Declaration of Human Rights sets a global standard for the protection of fundamental rights, including civil liberties and the right to security.                                      |
| <b>1950</b> | The European Convention on Human Rights (ECHR) is established, providing a framework for the protection of human rights in Europe, including the right to privacy and freedom of expression.                         |
| <b>2001</b> | Following the September 11 attacks, the EU adopts the Framework Decision on Combating Terrorism, aimed at enhancing cooperation among member states in counterterrorism efforts while respecting fundamental rights. |
| <b>2001</b> | The European Convention on Human Rights (ECHR) is established, providing a framework for the protection of human rights in Europe,   |

including the right to privacy and freedom of expression.

- 2015** In response to the refugee crisis, several European countries implement border controls and security measures, raising concerns about human rights violations and the erosion of democratic principles.
- 2015** The USA Freedom Act is passed, aiming to reform certain surveillance practices authorised by the USA PATRIOT Act and increase transparency and oversight.
- 2020** The COVID-19 pandemic prompts European governments to implement emergency measures, including lockdowns and surveillance measures, raising questions about the balance between public health and civil liberties.
- 2021** The January 6th insurrection at the United States Capitol shocks the nation and raises questions about the rise of domestic extremism, the security of democratic institutions, and the balance between freedom of expression and public safety.

## Possible Solutions

### Multi-Stakeholder Oversight Committees

Establishing multi-stakeholder oversight committees composed of representatives from government, civil society, academia, and relevant industries. These committees would review proposed security measures, ensuring they align with democratic principles and respect civil liberties. By incorporating diverse perspectives, these committees could enhance transparency, accountability, and legitimacy in security decision-making processes.

### Proportionality Principle and Sunset Clauses

Implementing a proportionality principle, requiring security measures to be necessary, proportionate, and time-limited, as well as introducing sunset clauses to emergency security measures, mandating that they automatically expire after a specified period of time unless explicitly renewed by democratic processes. This approach ensures that security measures are tailored to

specific threats, reviewed regularly for effectiveness, and do not become permanent fixtures that undermine democratic freedoms.

## Preventative Measures and Community Engagement

Prioritising investment in preventative measures, such as social programs, education, and community policing, to address root causes of insecurity and extremism, as well as fostering community engagement and trust-building initiatives between law enforcement agencies and marginalised communities to enhance cooperation and information-sharing. By addressing the underlying grievances and strengthening social cohesion, this approach reduces the need for heavy-handed security measures while promoting inclusive and resilient societies.

## Appendix

In 2002, the UN Commission on Human rights declared the following principles as essential for democracy:

- Respect for human rights and fundamental freedoms
- Freedom of association
- Freedom of expression and opinion
- Access to power and its exercise in accordance with the rule of law
- The holding of periodic free and fair elections by universal suffrage and by secret ballot as the expression of the will of the people
- A pluralistic system of political parties and organisations
- The separation of powers
- The independence of the judiciary
- Transparency and accountability in public administration
- Free, independent and pluralistic media

## Guiding Question for Individual Research

- What legal frameworks or constitutional provisions exist in our country to protect civil liberties during times of security concern?
- How does our government define and prioritise national security threats?
- What specific security measures or laws have been implemented in recent years to address security concerns?



- How does the government ensure oversight and accountability for security agencies and measures?
- Are there any recent cases or controversies regarding the balance between security measures and civil liberties?
- What role do the judiciary and legislative branches play in safeguarding democratic principles in security-related decisions?
- How does our country engage with civil society organisations and human rights groups on security and democracy issues?
- Are there any ongoing debates or proposed reforms related to balancing security and democracy?
- How does our country compare to others in terms of the balance between security measures and civil liberties?
- What measures are in place to protect marginalised or vulnerable communities from discrimination or abuse in the name of security?

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