



United Nations  
Educational, Scientific and  
Cultural Organization



UNESCO Chair in  
Philosophy and Human Rights  
(Turkey)



MALTEPE UNIVERSITY  
Centre of Human Rights

To the Secretary  
of the Office of the United Nations  
High Commissioner for Human Rights (OHCHR)  
Palais des Nations  
CH-1211 Geneva 10,  
Switzerland

OHCHR REGISTRY

20 SEP 2012

Recipients: HR Committee  
(enclosure)

Istanbul, September 19, 2012

Dear Sir/Madam,

I was very glad to know about the initiative of the OHCHR related to the way of understanding or interpreting concepts of human rights. Such a discussion is really necessary not only for article 9, but for other articles as well.

Please, find attached a few thoughts on “the right to liberty and security of person”.

I shall send you the 35 hard copies by urgent post, because I shall not be able to come to Geneva.

With my sincerely regards,

Ioanna Kuçuradi



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## *Contribution to the Understanding of Article 9 of the International Covenant on Civil and Political Rights*

**by Ioanna Kuçuradi**

The article 9 of this Covenant concerning “the right to liberty and security of person” appears to be interpreted, in all its five paragraphs, more in relation to “liberty” than to security and, in fact, to liberty in a narrow sense.

This narrow understanding of liberty bears implications for the understanding of security. ‘Security’ is dealt with only in connection with the deprivation of “liberty”, i.e., in cases of arrest and detention.

The right to security could be understood as a meta-right, i.e., as the right of the individual not to be deprived from the guarantee of protection of all of his/her rights, or as the demand to be protected against the dangers that threaten all his/her basic rights. This amounts to finding out, in the existing different conditions, the implications of the basic right in question, and to carrying them out.

Thus understood the right to security would include not only the right of the individual not to be subjected to arbitrary arrest or detention and the treatments mentioned in the second, third, fourth and fifth paragraphs, but also many other rights. It would include, e.g., the right of the individual to be protected against starving, against deprivation of health care, as well as the right of individual to be especially protected when is obliged to carry out dangerous jobs, the right not to be sent to carry out duties during which it is obviously inevitable that he/she will die etc.