THE RESPONSE OF INTERNATIONAL LAW
TO THE CHALLENGES TO HUMAN SECURITY

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ABSTRACT

Human security functions to enhance people’s welfare by ensuring their survival, protecting their livelihoods, and respecting their dignity. In the contemporary era, there are many challenges to human security. These include climate change, food and water scarcity, poverty, human trafficking, armed conflicts, and terrorism. International humanitarian law provides a framework for protecting non-combatants, prisoners of war, the wounded, the sick, and medical personnel during armed conflicts.

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INTRODUCTION

The term “human security” has been defined in United Nations (U.N.) General Assembly Resolution 66/290 as “an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their
people.”1 There are a number of challenges to human security in the contemporary era that are wide in magnitude and lethal in impact.2 The most prominent threats to human security, which relate to the U.N.’s seven arenas,3 include the following: armed conflict; terrorism; poverty; health-related issues; human trafficking; violence against women; depletion of resources on earth that result in food and water scarcity; and an increase in earth’s temperature due to climate change.4 Notable international organizations, such as the U.N., have attempted to identify ways to strengthen human security.5 However, despite these efforts, tremendous flaws, inefficiencies, and loopholes continue to exist in global politics and environmental regulation, which strengthen the threats to human security at the global level.6

This Article discusses the major threats to human security and examines how the international community, under the leadership of the U.N., has responded to these challenges. It examines various goals and policies implemented by the U.N. in an attempt to strengthen human security at the global level. These policies target regions where there is high vulnerability to human insecurities. Additionally, this Article examines whether the United Nations Trust Fund for Human Security (UNTFHS), Agenda 2030, and the Sustainable Development Goals are effectively implementing programs that strengthen human security in insecure regions. Finally, this Article discusses the International

3. The United Nations identifies seven arenas that affect human security: (1) economic, (2) food, (3) health, (4) environmental, (5) personal, (6) community, and (7) political. The scarcity of food and water can be included in the first three categories: economic, food, and health security. Climate change can be included in the fourth category: environmental. On the other hand, issues such as human trafficking and violence against women can be included in the fifth category, personal, while poverty can be added in the sixth category, community. Similarly, wars and militarization can be included in the last category, political. For details about the seven arenas that affect human security, see GÓMEZ & GASPER, supra note 2, at 2.
5. See, e.g., G.A. Res. 66/290, supra note 1.
Committee of the Red Cross’s efforts to ensure human security in conflict- and disaster-affected regions.

I. THE MEANING AND THE IMPLICATIONS OF THE TERM HUMAN SECURITY

Human security implicitly requires understanding the different needs that people have for their survival, livelihood, and dignity. It seeks to ensure that people have adequate facilities and suitable circumstances for their survival and livelihood. The human security approach serves as a lens to analyze people’s well-being. Governments can use human security reports to help vulnerable, poverty-stricken, and marginalized communities in their respective capacities.

A. Peace and Human Security

Human security is deeply connected with peace. Those living in conflict-affected regions become vulnerable to insecurities because of a lack of peace. These conflicts challenge the people’s survival and restrict their livelihoods. Furthermore, these conflicts impede the effectiveness of government development programs. For example, fragile and conflict-affected countries have achieved slow progress in the Millennium Development Goals. This leads to a failure in raising standards of living and, in turn, people’s dignity. Therefore, the

7. Id.
8. Id.
9. See id. at 1, 4.
10. Id.
12. See BRAUCH, supra note 4, at 80.
14. See id. at 13.
existence of peace is essential for ensuring human security. Without peace, efforts to strengthen human security will likely yield ineffective results.17

B. Types of Issues Identified by Human Security

The human security approach helps to identify various issues “ranging from deprivation in all its forms (food, health, education, employment, etc.) to violence and environmental problems.”18 It addresses the vulnerability of people living in a specific area,19 their financial well-being,20 their fundamental human rights,21 and their access to the basic necessities of life.22 Environmental well-being can also be estimated from the level of human security.23 A region of higher human security may have a greater chance of higher environmental well-being.24 Conversely, regions where human security is threatened will most likely have less favorable circumstances for environmental well-being.25

According to the U.N., human security also involves “freedom from fear, want, and indignity.”26 Therefore, human security creates an indispensable relationship between peace and human development.27

17. Id.
18. Id. at 13.
19. Id. at 8.
20. See, e.g., ROBIN RAMCHARAN, INTERNATIONAL INTELLECTUAL PROPERTY LAW AND HUMAN SECURITY 34 (2012); see also ROBERT J. HANLON & KENNETH CHRISTIE, FREEDOM FROM FEAR, FREEDOM FROM WANT: AN INTRODUCTION TO HUMAN SECURITY 168 (2016).
22. See HANLON & CHRISTIE, supra note 20, at 168.
25. See HUMAN SECURITY HANDBOOK, supra note 13, at 32-34.
27. G.A. Res. 66/290, supra note 1, ¶ 3(c).
Permanent solutions must be achieved to free people from insecurity by creating favorable conditions for installing societal peace and welfare.

C. The Potential Role of the United Nations in Strengthening Human Security

The U.N. can play a key role in strengthening human security around the globe.\(^{28}\) It can utilize its global platform to coordinate with governments in formulating regional goals for empowering vulnerable and marginalized communities.\(^{29}\) Furthermore, the U.N. can provide technical assistance and funding to achieve these goals.\(^{30}\) Similarly, the U.N. can coordinate with states to promote peace at the global level. Efforts can also be made to mitigate risks of conflict and violence at the regional level.\(^{31}\) By collaborating with regional organizations, the U.N. can also apply a people-centric approach\(^{32}\) to empower the populace, which may ultimately lead to successfully implementing human security oriented programs in the desired regions.\(^{33}\) Applying the human security concept can help successfully implement the Sustainable Development Goals (SDGs).\(^{34}\)


\(^{33}\) G.A. Res. 66/290, *supra* note 1, ¶ 3(b).

\(^{34}\) *Human Security Handbook*, *supra* note 13, at 5.
It is pertinent to mention here that the U.N. already runs numerous development programs in many regions of the world. These programs aim to reduce poverty, hunger, and malnutrition by building peace in different regions. The goal behind applying human security is to reduce the gaps and loopholes that may be present in the U.N.’s existing development programs. In particular, applying human security can make the SDG programs more people-centered, sustainable, and rigorously implemented. For example, in Kenya, the U.N.’s application of human security has advanced more inclusive approach in empowering marginalized people, including women.

In light of the concept of human security, regional development programs have integrated with the existing human development programs in various regions. This integration has advanced “an inclusive development process [that] reaches the most marginalized, and foster[s] greater overall well-being and social harmony, with significant gains across countries.”

35. See UNTFHS, supra note 30.
36. Id.
38. Id.
39. Id. See UNTFHS, supra note 30, at 31-39.
40. UNTFHS, supra note 30 (“Since its establishment in 1999, the UNTFHS has assisted over 220 programmes in more than 90 countries, including regional initiatives.”).
41. Human Security and Agenda 2030, supra note 37.
II. CHALLENGES TO HUMAN SECURITY

Unfortunately, a number of challenges to human security exist in the contemporary era. The most prominent challenges are discussed below.

A. Armed Conflicts

The first and foremost threat to human security arises from armed conflicts. “Every armed conflict is either international or non-international in character.” That is, they can be either between two or more states or internal armed conflicts. Both international and non-international armed conflicts pose threats to human security because they both involve violence and use of force, which result in civilian casualties. These casualties result regardless of who the parties are or where the conflict is occurring. For instance, the recent ongoing conflicts in Yemen, Syria, and Afghanistan have resulted in thousands of deaths. In Syria alone, more than 400,000 people have died in the conflict from 2011 to 2019. In Afghanistan, the war between the coalition of NATO forces led by the United States and the Taliban has caused around 157,000 deaths, including 43,000 civilian deaths since 2001. In Yemen, Saudi Arabia’s operations against the Yemeni Houthis broke the entire food supply chain, causing the country’s worst

42. See Sisk, supra note 2, at 11.
43. YUKIKO NISHIKAWA, HUMAN SECURITY IN SOUTHEAST ASIA 1 (2010).
44. YORAM DINSTEIN, NON-INTERNATIONAL ARMED CONFLICTS IN INTERNATIONAL LAW 1 (2014).
45. Id.
47. Id.
famine.\textsuperscript{51} Since 2015, this has resulted in 91,600 deaths, including the death of women and children, and has been the major cause of famine and cholera in Yemen.\textsuperscript{52}

Additionally, the U.S. war in Iraq has caused over 182,000 civilian casualties; however, “the actual number of civilians killed by direct and indirect war violence is unknown but likely much higher – in the hundreds of thousands.”\textsuperscript{53} Thus, the growing occurrence of armed conflicts has threatened human security to the greatest extent.\textsuperscript{54} Unfortunately, all of these conflicts have taken place in the modern twenty-first century, despite the presence of the sophisticated principles, codes of conduct, and regulations of international law.\textsuperscript{55} This calls into question international law’s successfulness in preventing threats to human security.

Pertinently, the definition of human security includes three aspects: “survival,” “livelihood,” and “dignity of the people.”\textsuperscript{56} Armed conflicts threaten all three of these aspects.\textsuperscript{57} That is, armed conflicts not only threaten people’s survival but also pose severe risks to their livelihoods and their dignity.\textsuperscript{58} Many of those who have survived the wars are facing difficulty in earning a sustainable living due to a weak post-conflict economy.\textsuperscript{59} Many attempt to immigrate to other countries, but

\begin{footnotesize}
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\item \textsuperscript{52} Rod Austin, Human Cost of Yemen War Laid Bare as the Death Toll Nears 100,000, Guardian (June 20, 2019, 4:00 AM), https://www.theguardian.com/global-development/2019/jun/20/human-cost-of-yemen-war-laid-bare-as-civilian-death-toll-put-at-100000.
\item \textsuperscript{54} See Nishikawa, supra note 43, at 1.
\item \textsuperscript{55} See Strand & Buhaug, supra note 48.
\item \textsuperscript{56} G.A. Res. 66/290, supra note 1, ¶ 3.
\item \textsuperscript{57} Nishikawa, supra note 43, at 1-2.
\item \textsuperscript{58} Id.
\end{itemize}
\end{footnotesize}
not all of them are able to do so, as developed countries hesitate to accept immigrants.\textsuperscript{60}

Moreover, according to the Human Rights Committee for the International Covenant on Civil and Political Rights, several violations of human rights have occurred in conflict-stricken regions.\textsuperscript{61} Children are particularly susceptible to insecurity resulting from human rights violations.\textsuperscript{62} According to the U.N., children become vulnerable to threats such as attacks on schools, sexual misconduct by belligerent warriors, injuries or killings resulting from violent attacks, and kidnapping.\textsuperscript{63} Thus, “[w]ar and terror violate the human rights of children, including the right to life, [and] the right to be nurtured and protected.”\textsuperscript{64} Similarly, women are victims of violence and other grave violations of human rights.\textsuperscript{65} Human trafficking and rape have been reported to occur in conflict-stricken regions.\textsuperscript{66} For instance, in Syria and Iraq, rape, torture, and violence have become weapons of ISIS.\textsuperscript{67} Such gross violations of fundamental human rights are the consequences of the armed conflicts in those regions, which ultimately threaten human security.\textsuperscript{68}

\textsuperscript{60} See, e.g., id. (discussing Japan’s reluctance in accepting Syrian immigrants).

\textsuperscript{61} Karen Hulme, \textit{Using a Framework of Human Rights and Transitional Justice for Post-Conflict Environmental Protection and Remediation}, in \textit{ENVIRONMENTAL PROTECTION AND TRANSITIONS FROM CONFLICT TO PEACE} 119, 128 (Carsten Stahn et al. eds., 2017).


\textsuperscript{63} Id.

\textsuperscript{64} Id.

\textsuperscript{65} Ardra Manasi, \textit{Gender Dimension of Armed Conflicts: Violation of Rights of Women}, in \textit{HUMAN RIGHTS IN A CHANGING WORLD} 178, 179 (P. Sukumaran Nair ed., 2011).

\textsuperscript{66} Id.

\textsuperscript{67} GWILYM LUCAS EADES, \textit{THE GEOGRAPHY OF NAMES: INDIGENOUS TO POST-FOUNDATIONAL} 119 (2016).

\textsuperscript{68} See Wexler & Kerem, supra note 62, at 235; Manasi, supra note 65, at 179.
B. Terrorism

Another grave threat to human security is terrorism, which has caused heavy civilian casualties. In the last two decades, numerous incidents of terrorism have occurred in many countries—both developing and developed. Such attacks include, but are not limited to, the attacks on the World Trade Center in New York on September 11, 2001; the terrorist attacks in Bali in 2002; the bombings in London in 2005; the bombing of the Samjhauta Express train in India in 2007; the 2014 terrorist incident at the Army Public School in Peshawar, Pakistan; and the mass shooting at a mosque in New Zealand in 2019.

Terrorist organizations such as Al-Qaeda and ISIS have claimed responsibility for terrorist attacks in numerous parts of the world. Their purpose is to spread terror. These organizations and others alike, directly threaten human security, which impels the global


78. *See id.*

community to take substantial measures to prevent terrorist financing and relevant activities.

C. Human Trafficking

In addition to wars and armed conflicts, human trafficking poses a great risk to human security. Human trafficking is a transnational crime, which is linked to other crimes such as drug trafficking, smuggling, and money laundering. In this regard, human trafficking primarily includes sex trafficking, which has reached an annual turnover of around $150 billion. Globally, approximately seventy-five percent of trafficked humans are women and children. Human trafficking is a grave violation of human rights. Generally, trafficked persons are treated as slaves by the human traffickers and purchasers. Most trafficked persons are mistreated and deprived of their fundamental human rights such as freedom of movement, freedom from violence, and freedom from inhumane treatment. Such conditions gravely threaten human security.

D. Poverty

Poverty has been a constant issue since the beginning of human civilization. Poverty is a lack of access to the basic necessities of life such as food, clothing, shelter, and healthcare. Poverty further
implies that certain people “lack . . . basic capacity to participate effectively in society” and lack financial resources to afford the basic amenities of life.\(^{89}\) Consequently, these people have to live in impoverished conditions, while desperately seeking food and other amenities for their survival.\(^{90}\) Poverty is a global issue.\(^{91}\) According to internationally recognized parameters set by the World Bank, $1.90 income per day is set as the international poverty line; those who earn this much or less are considered to be living in poverty.\(^{92}\) The World Bank has also set two other poverty lines: $3.20 per day and $5.50 per day for middle- and higher-income countries, respectively.\(^{93}\) According to the World Bank, in 2015, approximately ten percent of the world’s population lives below the international poverty line ($1.90 per day), while a further twenty-five percent lives below the $3.20 per day poverty line\(^{94}\) and almost half of the world’s population earns $5.20 or less per day.\(^{95}\) These estimates indicate that only half of the world’s population earns more than the highest poverty line recognized by the World Bank.

According to the estimates provided by the World Bank in 2015, there are approximately 736 million people living below the poverty line ($1.90 per day).\(^{96}\) These people do not have access to the basic necessities of life such as proper shelter, clothing, or food.\(^{97}\) They are living below the poverty line, getting meager food and water, and barely meeting their basic needs.\(^{98}\) They live with hardship rather than with dignity because often they have low-paying or menial jobs.\(^{99}\) Thus,

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\(^{89}\) Id.

\(^{90}\) Id.

\(^{91}\) Id.

\(^{92}\) WORLD BANK, POVERTY AND SHARED PROSPERITY 2018: PIECING TOGETHER THE POVERTY PUZZLE 67 (2018) [hereinafter POVERTY PUZZLE].

\(^{93}\) Id.

\(^{94}\) Id.

\(^{95}\) Id.

\(^{96}\) Id.

\(^{97}\) See ACHUNONU, supra note 88.

\(^{98}\) Id.

poverty disregards human security by threatening the survival, livelihood, and dignity of those living in poverty.  

E. Resource Depletion

The earth has finite resources. The unsustainable exploitation of resources such as fresh watercourses, fisheries, and forests will ultimately lead to their scarcity, because the demand for these resources is increasing due to ever-growing global population.

1. Water Scarcity

It is feared that many regions in the world will face extreme water scarcity after the year 2025. The stress on existing freshwater resources is expected to rise, which will cause competition over access to water resources. Recent research published by the Joint Research Center of the European Commission expresses the concern that water will become the major cause of conflicts in the world. Due to the scarcity of water, nations will fight each other for access to the major freshwater reserves. Accordingly, the depletion of resources, such as water, can pose risks to human security.

100. See HUMAN SECURITY HANDBOOK, supra note 13, at 5.
103. Id.
107. Id.
2. Food Security

The world is also facing inequality in the availability of food. Many people, particularly those residing in poor African countries, cannot afford sufficient quantities of food resources. The World Food Program estimates one billion people in the world are facing hunger. Many of them are also malnourished because they lack access to nutritious food. The absence of sufficient nutrition makes people vulnerable, because every human requires access to adequate food and water for survival. Thus, food and water scarcity significantly endangers human security.

F. Global Warming and Climate Change

The rise in Earth’s temperature due to the presence of greenhouse gases in Earth’s atmosphere is called global warming. According to the Intergovernmental Panel on Climate Change (IPCC), it is estimated that the average temperature of Earth will rise by 1.6 to 5.8 degrees centigrade by the year 2100, which is higher than its earlier estimate of 1.0 to 3.5 degrees centigrade. Such an increase in the average temperature of Earth has far-reaching, adverse consequences for Earth’s ecosystems and its resources. According to the National

110. Jagdish Singh, Biofortification of Food Legumus and Bioavailability of Nutrients, in BIOFORTIFICATION OF FOOD CROPS 51, 52 (Ummed Singh et al. eds., 2016).
111. TIM DELANEY & TIM MADIGAN, BEYOND SUSTAINABILITY: A THRIVING ENVIRONMENT 50 (2014).
112. See Singh, supra note 110, at 51-52.
113. For details, see MONASH UNIV. CASTAN CENTRE FOR HUMAN RIGHTS LAW ET AL., HUMAN RIGHTS TRANSLATED 2.0: A BUSINESS REFERENCE GUIDE 100-01 (Monash Univ. 2017) [hereinafter HUMAN RIGHTS BUSINESS GUIDE].
114. MOHAMMAD ALI, CLIMATE CHANGE IMPACTS ON PLANT BIOMASS GROWTH 13 (2013).
Aeronautics and Space Administration (NASA), the average temperature of Earth has already risen about 0.83 degrees centigrade from the average temperature before the year 1880.  

1. Rise in Sea Levels

The rise in sea levels is one of the most prominent consequences of global warming. As per estimates, global sea levels have risen at a rate of 3.1 millimeters per year since 1993. Between 1960 and 2003, this rate was only 1.8 millimeters. There are two causes for the rise in sea levels: (1) thermal expansion of seawater, and (2) the rise in the pace of glacier melting. Both of these events are caused by global warming.

2. Increased Absorption of CO2 into Sea and Thermal Expansion

Thermal expansion is defined as the expansion of water due to the absorption of heat from the atmosphere. As heat gets trapped in the atmosphere due to the greenhouse effect, this heat is directly absorbed by seawater, which makes the seawater warmer and, to a certain extent, expand. This happens because the warmer water takes up more space.

118. DAWSO N & SPANNAGLE, supra note 116, at 380.
120. Id. at 349.
122. Id.
123. CARLA S. JONES & STEPHEN P. MAYFIELD, OUR ENERGY FUTURE: INTRODUCTION TO RENEWABLE ENERGY AND BIOFUELS 38 (2016).
124. Id.
than the cooler water. This phenomenon threatens coastal regions, where the chances of unexpected floods increase.

In addition to the rise in sea levels, global warming has resulted in the increased absorption of carbon dioxide and other greenhouse gases by marine waters. This absorption is polluting seawater, which is causing damage to the natural habitats of marine species, particularly fish. Consequently, the survival of fish is threatened, placing human food supply at risk. Declining fishery production will affect the livelihoods of the people residing in coastal regions by reducing their available food sources. This may challenge human security by threatening the survival and livelihoods of those living in coastal regions.

3. Melting of Glaciers

The melting of glaciers is a phenomenon that results from increases in the atmospheric temperature. The pace at which glaciers melt has increased due to an average increase in Earth’s temperature. Furthermore, this pace is expected to increase due to the continual presence of greenhouse gases caused by the burning of fossil fuels on roads and in factories. Such impact has already been observed in

125. Id.
129. Id.
131. Id.
Greenland and Antarctica. As per estimates, due to global warming, Greenland lost around 3,600 billion metric tons of ice between 1992 and 2015, while Antarctica lost around 1,500 billion metric tons of ice during the same period. In a course of twenty years, the pace of ice melting in Greenland has increased to 286 billion metric tons per year, from 50 billion metric tons per year. In June 2019, around two billion metric tons of ice melted within just one week in Greenland. Soon after that, in the month of July 2019, around 197 billion metric tons of ice melted from Greenland to the Atlantic Ocean, which included the melting of 12 billion metric tons of ice within a span of 24 hours. Such colossal magnitude of ice melting into the sea is contributing to an increase in sea levels and is also raising concerns regarding Earth’s environmental condition.

4. Floods

A major concern related to the melting of glaciers is the resulting increase in the flow of water in rivers, which poses threats of flooding in river basins and nearby regions. Such flooding can be damaging to the regions and the locals whose livelihoods depend upon the

138. See FLETCHER, supra note 134.
rivers. For instance, in Pakistan, up to sixty-five percent of employed persons are either directly or indirectly connected with the agriculture sector, which, in turn, depends on the Indus River Basin for irrigating crops. Unfortunately, in 2010, the flow of water in the Indus River Basin increased significantly due to the melting of glaciers and heavy monsoon rains. This caused immense flooding in the regions connected to the Indus River Basin and a loss of around 429 billion Pakistani rupees to the agricultural sector of Pakistan due to the inundation of 1.93 million acres of cropland. Furthermore, as many as 274,334 animals died in the flood. The flood affected the lives of twenty million people and caused 2,000 human casualties.

5. Hurricanes and Typhoons

Another major consequence of global warming and climate change is the intensification of the strength of hurricanes. The warming of oceans due to climate change causes hurricanes to become more concentrated and act with higher force, resulting in more destruction. In recent years, there have been a number of hurricanes and typhoons in coastal areas, especially in the United States and Japan. These

140. Id.


144. Id.

145. Id.

146. Id.


149. Id.

150. PUKHRAJ RAKECHA & VIJAY P. SINGH, APPLIED HYDROMeteorology 126 (2010).
hurricanes have caused human casualties and damage to infrastructure. While commenting on Hurricane Sandy on November 1, 2012, Bill McKibben, an American environmentalist, said, “we’ve been given a warning by science, and a wake-up call by nature; it is up to us now to heed them.”

In summary, there are numerous challenges to human security in the contemporary era. Prominent challenges include the occurrence of armed conflicts and terrorist incidents, global warming and climate change, poverty, and food and water scarcity. The United States’ armed conflicts in Iraq and Afghanistan, the ongoing complex conflict in Syria, and the conflict between Yemeni Houthi rebels and the Saudi government in Yemen are some of the most prominent current armed conflicts; they have resulted in numerous human casualties, including civilians. Additionally, terrorism has threatened the security of several regions. For example, Al-Qaeda and ISIS are terrorist groups that have threatened the national security of states and individual human security in the last two decades. Moreover, the issue of human trafficking and sex trafficking is further intensifying the challenge to human security because the total annual turnover of sex trafficking has exceeded $150 billion. The growing scarcity of water and food resources is challenging the sustainable

153. See Sisk, supra note 2, at 11.
154. See Brauch, supra note 4, at 74.
155. See Crawford et al., supra note 50 (discussing the conflict in Afghanistan); Crawford, supra note 53 (discussing the conflict in Iraq).
156. See Syrian Civil War, supra note 49.
157. See, e.g., Starvation in Yemen, supra note 51, at 1; Austin, supra note 52.
158. See Strand & Buhaug, supra note 48.
159. See Toft & Duursma, supra note 69, at 404.
161. Cusack, supra note 82, at 32.
availability of food and water, which, in turn, challenges human security because adequate availability of food and water is essential for ensuring human security.\footnote{162} Likewise, poverty has also emerged as a social menace, depriving people of access to adequate food and water.\footnote{163} Lastly, the increase in Earth’s average temperature due to the burning of fossil fuels and other greenhouse gases is threatening human security by creating certain conditions such as a rise in sea levels, the melting of glaciers, floods, and hurricanes.\footnote{164} There is a dire need to create sustainable policies and goals to counter these challenges to human security in the contemporary era.

III. STEPS TAKEN BY THE INTERNATIONAL COMMUNITY TO ENSURE HUMAN SECURITY

The international community, especially the United Nations, has taken many steps to strengthen the protections for human security at the worldwide level.\footnote{165} Such steps include, but are not limited to, General Assembly resolutions, a number of international summits and conventions, and the initiation of regionalized human security–oriented programs.\footnote{166}

A. United Nations General Assembly Resolution

The U.N. General Assembly has taken the lead in establishing the foundations of the principles and norms of international law for strengthening human security around the globe. In this regard, the universally recognized definition of human security has also been presented by the U.N. General Assembly in its Resolution 66/290 in 2012.\footnote{167} The resolution also sets up a trust fund solely for the purpose

\footnote{162} HUMAN RIGHTS BUSINESS GUIDE, supra note 113, at 100-01.  
\footnote{163} ACHUNONU, supra note 88, at 11-12.  
\footnote{164} See DAWSON & SPANNAGLE, supra note 116; see also Singh & Singh, supra note 132.  
\footnote{165} See G.A. Res. 66/290, supra note 1.  
\footnote{167} See generally G.A. Res. 66/290, supra note 1.
of protecting human security around the globe. Additionally, it identifies the principles of recognizing and establishing human security, while also distinguishing human security from other concepts and principles of international law. For instance, the resolution differentiates between the concept of human security and the principle of state responsibility as recognized by international law. Furthermore, it affirms that “[h]uman security does not replace State security,” which implies a distinction between the concepts of human security and state security.

Additionally, the resolution guides governments in ensuring that all three fundamental aspects of human security—the survival, livelihood, and dignity of their citizens—are protected. In this regard, the resolution also recognizes the strong relationship between “peace, development, and human rights,” which is essential for upholding human security. Therefore, it emphasizes the idea that human security necessarily involves a people-centered approach for the security and sustenance of the people as well as for the preservation of the environment. To ensure the practical implementation of the resolution’s guidelines, it asks the secretary-general to submit to the floor of the General Assembly, a report of the member States’ views on the human security guidelines in U.N. General Assembly Resolution 66/290. This demonstrates the U.N. General Assembly’s commitment to provide a universally recognized framework for strengthening human security around the globe.

B. The United Nations Trust Fund for Human Security

The United Nations Trust Fund for Human Security (UNTFHS) aim to collaborate with governments to identify and resolve human vulnerabilities as well as fill the gaps that exist in ensuring human security.
security at the regional level. The fund also implements certain programs, which are crafted according to the security needs of the vulnerable communities in their respective regions. Such projects also empower the people by making them resilient to human security related vulnerabilities. In this regard, these projects seek to remove vulnerabilities related to people’s survival, livelihood, and dignity by making appropriate arrangements to manage vulnerabilities and avert predicaments. Furthermore, the projects focus on long-term welfare instead of short-term assistance. To meet this end, collaborations with local welfare bodies are also pursued. The impact of the UNTFHS is far-reaching as it has sponsored around 220 programs in more than ninety countries since its foundation in 1999.

C. Responding to Climate Change Threats

The U.N. has taken measures to respond to climate change threats. It persuaded all nations to agree on the fact that carbon emissions have caused global warming and that emissions need to be lowered significantly. It arranged a number of international summits and conferences to mitigate the risks associated with climate change.

176. See UNTFHS, supra note 30.
177. See id. (discussing how some specific programs are crafted according to the security needs of vulnerable communities in regions such as in Egypt, Peru, Pakistan, and Serbia); see also HUMAN SECURITY HANDBOOK, supra note 13, at 41 (discussing examples of programs implemented in other regions such as in Mali).
178. See UNTFHS, supra note 30; see also HUMAN SECURITY HANDBOOK, supra note 13.
179. This is because the core definition of human security necessarily implies protecting the livelihood and dignity of people around the world. Therefore, the UNTFHS projects aim to reduce vulnerabilities and threats that people face in accessing their livelihood and in ensuring their survival and dignity. See generally UNTFHS, supra note 30.
180. HUMAN SECURITY HANDBOOK, supra note 13, at 41.
181. UNTFHS, supra note 30.
182. Id.
184. See, e.g., REPORT ON GLOBAL ENVIRONMENTAL COMPETITIVENESS (2013), at 20 (Li Jianping et al. eds., 2014).
Prominent conventions include the Rio Earth Summit 1992 (also known as the “Earth Summit”); the United Nations Framework Convention on Climate Change 1994; the Kyoto Protocol 1997, and the Paris Agreement 2015.

1. The Rio Earth Summit 1992

The Earth Summit was held in June of 1992 in Rio de Janeiro, Brazil. It is also known as the United Nations Conference on Environment and Development. The U.N. member states discussed many aspects relating to the adverse impacts of climate change on economies and societies. The summit also presented frameworks and suggestions for mitigating the risks of climate change. It called for a systematic review of industrial processes to make such processes favorable to the environment and development. In particular, the conference demanded the inspection of harmful materials produced by factories, especially radioactive materials that are discarded by factories without a special procedure.

Furthermore, the summit urged member states to consider installing alternative sources of energy and initiating public transport systems

185. See id.
187. See id.
189. REPORT ON GLOBAL ENVIRONMENTAL COMPETITIVENESS, supra note 184, at 20-21.
190. Id.
191. Id.
192. For example, the summit presented the United Nations Framework Convention on Climate Change 1994. See Halvorssen, supra note 186, at 36.
194. See id. ch. 7.
195. Id. ch. 7, para. 7.47.
to reduce the number of vehicles on the roads\textsuperscript{196} to lower carbon emissions.\textsuperscript{197} Additionally, the summit discussed the growing use of water and projections of future water scarcity.\textsuperscript{198} Notably, the summit’s greatest achievement was the signing of an agreement that led to the United Nations Framework Convention on Climate Change.\textsuperscript{199}

\section{2. The United Nations Framework Convention on Climate Change 1994 and the Kyoto Protocol 1997}

The United Nations Framework Convention on Climate Change (UNFCCC) was adopted at the Earth Summit in 1992 and entered into force in 1994.\textsuperscript{200} The convention’s main purpose was to lower the concentration of greenhouse gases in Earth’s atmosphere.\textsuperscript{201} To achieve this goal, the UNFCCC created nonbinding restrictions on the emission of greenhouse gases for every country.\textsuperscript{202} However, the convention did not detail any implementation plans for meeting targets to restrict greenhouse gases.\textsuperscript{203} Nonetheless, in 1997, at the Conference of Parties, the Kyoto Protocol was ratified in Kyoto, Japan, \textsuperscript{204} which entered into force in February 2005.\textsuperscript{205}

Unlike the Earth Summit, the Kyoto Protocol set binding restrictions on the emission of greenhouse gases.\textsuperscript{206} Developing countries, in particular, were asked to follow the restrictions on

\begin{itemize}
\item \textsuperscript{196} Id. ch. 7, para. 7.52.
\item \textsuperscript{198} Agenda 21, supra note 193, ch. 18, para. 18.6.
\item \textsuperscript{199} Halvorssen, supra note 186, at 36.
\item \textsuperscript{200} Id.
\item \textsuperscript{201} Friedrich Soltau, Fairness in International Climate Change Law and Policy 51 (2009).
\item \textsuperscript{202} Halvorssen, supra note 186, at 36.
\item \textsuperscript{203} Id.
\item \textsuperscript{204} Id.
\item \textsuperscript{205} Id.; Kyoto Protocol to the United Nations Framework Convention on Climate Change, Dec. 11, 1997, 2303 U.N.T.S. 162 [hereinafter Kyoto Protocol].
\end{itemize}
emissions of greenhouse gases. Under Article 2 of the Kyoto Protocol, greenhouse gas emissions must be lowered to a scientifically acceptable level for Earth’s atmosphere. In essence, the Kyoto Protocol is an extension of the UNFCCC guidelines designed to restrict emissions of greenhouse gases. “Currently, there are 192 parties (191 States and 1 regional economic integration organization) to the Kyoto Protocol to the UNFCCC.”

The Kyoto Protocol was amended in 2012, and the new amendment was named the Doha Amendment as it was adopted in Doha. The Doha Amendment imposed binding greenhouse gas restrictions on thirty-seven industrialized countries and the European Community. However, the amendment has not entered into force yet because it requires the acceptance of 144 states. “As of February 18, 2020, 137 Parties have deposited their instrument of acceptance.”

3. The Paris Agreement 2015

The Paris Agreement was adopted in 2015 and entered into force in November of 2016. The agreement demanded that both developed
and developing countries lower their emissions of greenhouse gases.\textsuperscript{216} It set the target global warming level below 1.5 degrees centigrade, lowering the earlier two degree centigrade target.\textsuperscript{217} The agreement also created “nationally determined contributions” aimed at regulating the greenhouse gas emission levels for each country.\textsuperscript{218} This requires each country to formulate and report respective plans not only to lower greenhouse gas emission levels, but also to meet the criteria for emissions set in its nationally determined contribution.\textsuperscript{219} However, it does not force any country to meet the emission targets immediately or within a certain timeframe.\textsuperscript{220}

As a result of the U.N.’s efforts, 195 countries have signed the Paris Agreement.\textsuperscript{221} Furthermore, several countries have planned to reach their greenhouse gas emission targets either by replacing diesel vehicles with fuel-efficient vehicles or by other similar arrangements. For example, France has announced an initiative to completely ban all diesel and petrol vehicles on its roads by the year 2040.\textsuperscript{222} This plan is in accordance with the nationally determined contribution set for France under the Paris Agreement.\textsuperscript{223} Furthermore, France will stop using coal to generate electricity.\textsuperscript{224} France has announced it will invest around four billion euros to obtain an alternate source of manufacturing energy.\textsuperscript{225} Like France, the United Kingdom has announced a plan to ban all diesel and petrol cars by the year 2040, while Germany has

\begin{thebibliography}{99}
\bibitem{217} Xiufeng Yue et al., \textit{From 2 Degree Centigrade to 1.5 Degree Centigrade: How Ambitious Can Ireland Be?}, in \textit{Limiting Global Warming to Well Below 2°C: Energy System Modelling and Policy Development}\ 191, 192 (George Giannakidis et al. eds., 2018).
\bibitem{218} Jan Klabbers, \textit{International Law}\ 286-87 (2017).
\bibitem{219} \textit{Id.}
\bibitem{220} \textit{Id.}
\bibitem{221} Kjersti Flottum, \textit{Willingness of Action, in The Role of Language in the Climate Change Debate}\ 113, 113 (Kjersti Flottum ed., 2017).
\bibitem{223} \textit{Id.}
\bibitem{224} \textit{Id.}
\bibitem{225} \textit{Id.}
\end{thebibliography}
passed a resolution banning combustion engine vehicles by the year 2030.\textsuperscript{226} Likewise, Norway is aiming to reduce carbon emissions by the year 2025,\textsuperscript{227} and the Netherlands is considering banning diesel and petrol vehicles on its roads by the year 2025.\textsuperscript{228} Furthermore, the Netherlands’ parliament is working on a bill that aims to reduce greenhouse gas emissions by up to forty-nine percent by the year 2030 and up to ninety-five percent by the year 2050.\textsuperscript{229} By implementing this bill, the Netherlands will meet its nationally determined contribution and exceed its targets of lowering greenhouse gas emissions as set out by the Paris Agreement.\textsuperscript{230} The Netherlands has already enabled the powering of its electric trains by wind energy, which will help lower its emissions.\textsuperscript{231}

4. United Nations Efforts for Consensus Building on Mitigating Climate Change Risks

The U.N. is also providing a platform to establish consensus among states in reducing greenhouse gas emissions and in accepting the fact that climate change is threatening human security.\textsuperscript{232} The U.N. conferences have helped formulate frameworks to reduce greenhouse gas emissions and substantiate the U.N.’s efforts under the authority of international law.\textsuperscript{233} The rules and guidelines of the conventions have

\textsuperscript{226} RUI XIONG & WEIXIANG SHEN, ADVANCED BATTERY MANAGEMENT TECHNOLOGIES FOR ELECTRIC VEHICLES 1 (2019).
\textsuperscript{227} Id.
\textsuperscript{228} Id.
\textsuperscript{230} Id.
\textsuperscript{232} For instance, the U.N. has arranged several conventions on climate change that have helped member states realize the grave impacts of climate change. See, e.g., REPORT ON GLOBAL ENVIRONMENTAL COMPETITIVENESS (2013), supra note 184, at 20.
\textsuperscript{233} See id.
become part of codified international law. As a result, the U.N. has emerged as a leader in this regard.234

D. Agenda 2030

The Agenda 2030 is “a commitment to eradicate poverty and achieve sustainable development by 2030 world-wide, ensuring that no one is left behind.”235 The indirect goal of Agenda 2030 is to fulfill the conditions of protecting human security236 by protecting people from hunger, disease, violence, fear, and poverty.237 All of these aspects are indirectly connected with the three conditions of human security: “survival, livelihood, and dignity of people.”238 Moreover, Agenda 2030 aims to achieve an equitable distribution of resources by providing deprived and less privileged people access to social protection, healthcare, and an adequate supply of food and water.239 Furthermore, Agenda 2030 strives to achieve access to education for everyone.240 These goals are aimed to be achieved sustainably for the people.241 Pertinently, under the targets of Agenda 2030 and the Sustainable Development Goals, the UNTFHS has sponsored the launch of different programs in ninety countries.242 These programs are implemented with the collaboration of regional welfare organizations.243 The programs for reducing human insecurity aim to achieve long-term benefits.244

234. Id.


236. Human Security and Agenda 2030, supra note 37, at 1.

237. Id.

238. G.A. Res. 66/290, supra note 1, ¶ 3(e).

239. Human Security and Agenda 2030, supra note 37, at 1.

240. Id.

241. HUMAN SECURITY HANDBOOK, supra note 13, at 5.


243. Id.

244. Id.
E. Armed Conflicts and International Humanitarian Law

International humanitarian law (IHL) has provided sufficient guidelines for the protection of individuals in the event of armed conflicts. IHL distinguishes between non-combatants and combatants, providing protection to them and to prisoners of war. Furthermore, it obligates states to provide protection to the wounded, medical personnel, and relief workers in warlike situations.

1. Non-Combatants

In the context of IHL, non-combatants do not participate in the fight against any party to an armed conflict. Non-combatants can be civilians who are not involved in any kind of planning or war-related activity, or soldiers who only work as paramedics. Article 50 of Protocol I to the Geneva Conventions defines a civilian as any person who is not a combatant.

Protocol I to the Geneva Conventions grants protection to non-combatants. No warring party can use force against non-combatants. Article 51 affirms that protection must be provided to non-combatants. In addition to Protocol I, Article 8 of the Rome Statute of the International Criminal Court also makes it illegal to attack

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249. Id.

250. See id. art. 50.

251. Id. arts. 50-52.

252. Id.

253. Id. art. 51.
non-combatants. Further, Protocol I to the Geneva Conventions prohibits using civilians as defensive shields. The Geneva Conventions also prohibit attacking the sources of civilians’ livelihoods such as farms, crops, and health facilities. Children and women are provided with special protection during war, such as protection against sexual abuse. Additionally, refugees and internally displaced people are protected.

Significantly, the aforementioned obligations bind all parties to an armed conflict. Therefore, it is mandatory to protect non-combatants. This binding obligation of the Geneva Conventions also applies to non-international armed conflicts. According to Article 3 of the Fourth Geneva Convention 1949, regardless of where the conflict is taking place, each party is responsible for protecting civilians. The Fourth Geneva Convention particularly defines non-combatants as “persons taking no active part in the hostilities.” IHL also prohibits taking such persons hostage. Even before the Geneva Conventions, the Hague Conventions of 1899 also obliged member states to protect non-combatants during fighting.

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254. Rome Statute of the International Criminal Court, art. 8(2)(b)(i), July 12, 1998, 2187 U.N.T.S. 90 (It is a war crime to “[i]ntentionally direct[] attacks against civilian objects, that is, objects which are not military objectives.”).

255. Additional Protocol I, supra note 248, art. 12(4).

256. Id. art. 54(2).


258. Additional Protocol I, supra note 248, art. 76.

259. Id. art. 73.

260. Id. art. 96.

261. Id. art. 37.


263. Id. art. 3(1).

264. Id.

265. Id. art. 3(1)(b).

266. See, e.g., Convention for the Adaptation to Maritime Warfare of the Principles of Geneva Convention of August 22, 1864, art. 6, July 29, 1899, 32 Stat. 1827, 1 Bevans 263.
2. Prisoners of War

“Prisoners of war” (POWs) is a term used to describe people who are detained by a warring party, during or after an armed conflict.\(^{267}\) According to the Third Geneva Convention, for individuals to qualify as POWs, they must have taken part in a military operation against the party that arrested them.\(^{268}\) Moreover, they must have a fixed distinctive sign of the other belligerent party’s army that is recognizable at a distance, and they must carry arms openly.\(^{269}\) However, it is not required that the POWs be armed soldiers of the other warring party.\(^ {270}\) Additionally, under the Third Geneva Convention, upon their detention, non-soldiers can be considered POWs\(^ {271}\) if they took up arms to fight a belligerent army seeking to invade or occupy their land.\(^ {272}\) Thus, although uniforms hold significance in determining POWs status, they should not be considered the only criterion.\(^ {273}\) Insurgents, mercenaries, terrorists, and militia cannot be considered POWs, primarily because such groups do not follow the rules of war.\(^ {274}\) Those who do not follow the rules of war are considered unlawful combatants and may not qualify as POWs upon their arrest.\(^ {275}\) There is one exception to this rule: guerillas are given POWs status when they are arrested, whether they wear any particular uniform or not.\(^ {276}\) Soldiers who surrender also obtain POWs status if they are wearing proper uniforms or have the

\(^{267}\) See, e.g., Additional Protocol I, supra note 248, art. 44.


\(^{269}\) Id. art. 4(A)(2).

\(^{270}\) See id. art.4(A)(4).

\(^{271}\) Id. arts. 4(A)(2), (5).

\(^{272}\) Id. art. 4(A)(6).

\(^{273}\) Id. art. 4(A).

\(^{274}\) See, e.g., id. (Protection is only provided to those who “conduct[] their operations in accordance with the laws and customs of war.”).


Finally, any civilians or non-combatants such as contractors who are connected with such soldiers are also declared POWs upon their arrest.  

IHL has provided substantial guidelines regarding the treatment of POWs. For example, Chapter II of the Annex of the Fourth Hague Convention 1907 includes guidelines on treating POWs. These guidelines were extended in the 1929 and 1949 Geneva Conventions. For example, Article 4 of the 1949 Geneva Convention protects detained prisoners who are either contractors or soldiers of the opposing warring party. The protection applies from the time of detention until repatriation or release. In particular, the convention prohibits the torture of prisoners.

The Third Geneva Convention imposes an essential obligation: treat POWs respectfully and humanely at all times. Their detention must be reported to their relatives in their home countries, as well as to the International Red Cross Committee. Additionally, they must be given proper healthcare, food, and clothing during their detention. They must not be forced to do any kind of dangerous work. Moreover, they must not be forced to reveal any information other than their name, service number, and related identity details. Upon

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278. Id. art. 13. See also Third Geneva Convention, supra note 268, art. 4(A)(4).
279. See, e.g., Third Geneva Convention, supra note 268, arts. 12-16 (covering “General Protection of Prisoners of War”).
281. Third Geneva Convention, supra note 268, art. 4.
282. See id. pt. III (covering “C aptivity”).
283. Id. art.17.
284. Id. art.13 (covering “General Protection of Prisoners of War”).
285. Id. art.70.
286. Id. arts. 15, 22 (covering POWs’ health care); id. art. 26 (covering POWs’ food); id. art. 27 (covering POWs’ clothing).
287. See, e.g., id. art. 33(c).
288. Id. art. 17.
termination of the armed conflict, they must be repatriated immediately.289

It is also an essential duty of the warring parties to report the identification details of POWs found in times of conflict or peace.290 This information may also be shared with the Central Prisoners of War Information Agency of the International Committee of the Red Cross.291

If a state is found to have breached the IHL rules on the treatment of POWs, it will be punished under the IHL guidelines.292 An example of such punishment is the Nuremberg Trials of the Nazi German army after WWII.293 Those German soldiers and army officers who treated POWs inhumanely and were involved in genocide were put on trial and sentenced accordingly.294 Thus, it becomes essential for every state to treat POWs humanely and ensure their dignity and security of life during detention.

3. Wounded, Sick, and Shipwrecked

The terms “wounded” and “sick” imply those who require medical care and, as a result, cannot take part in fighting.295 The term “shipwrecked” includes those civilians or military personnel who are not taking part in active fighting, have survived their ship or aircraft falling, and have landed in a hostile country.296

IHL protects the sick, wounded, and shipwrecked.297 The First Geneva Convention focused on this issue.298 The convention also extended protection to medical care givers that help the wounded and

289. Id. art. 66.
290. Id. art. 23.
291. Id. art. 123.
292. Id. art. 129.
293. See Jack Kugler, War, in THE OXFORD COMPANION TO POLITICS OF THE WORLD 894, 897 (Joel Krieger et al. eds., 2001).
294. Id.
295. Additional Protocol I, supra note 248, art. 8(a).
296. Id. art. 8(b).
297. Id. art. 10.
sick in times of war. The convention particularly prohibits any kind of attack on the wounded, sick, and shipwrecked, or on the medical teams that provide care to them during armed conflicts. This rule is one of the most fundamental principles of the law of armed conflicts. The rule was also included in Additional Protocol I in 1977. Article 10(2) of Additional Protocol I mentions that the “wounded, sick, and shipwrecked shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition [without distinction] founded on any grounds other than medical ones.” Furthermore, Additional Protocol I to the 1949 Geneva Conventions prohibits reprisals and violence against such people.

The humane treatment of the wounded, sick, and shipwrecked has certain implications. For instance, no action may be taken that may injure them or hurt them in any respect. The shipwrecked must be rescued immediately and should be provided with necessary medical care if needed and, in doing so, they must also be protected from pillage. Moreover, the Geneva Conventions prohibit subjecting wounded, sick, or shipwrecked to risky or wrongful medical procedures. Regardless of whether the patient gives consent, no such medical procedures may be carried out. Such medical procedures include the following: medical science or other scientific experiments; bodily mutilations; organ removal; or transplants, except as required for their survival or for recovery from an injury. This restriction has

299. Id. arts. 4, 9, 19.
300. Id. arts. 19, 20.
301. See EMILY CRAWFORD & ALISON PERT, INTERNATIONAL HUMANITARIAN LAW 120 (2015).
302. Additional Protocol I, supra note 248, art. 10 (covering protection and care).
303. Id. art. 10(2).
304. Id. art. 20.
305. See, e.g., First Geneva Convention, supra note 298, art. 50.
306. Additional Protocol I, supra note 248, art. 8(b).
307. Id. art. 11.
308. Id. art. 11(2).
309. Id.
been reiterated in Additional Protocols I and II of the Geneva Conventions 1949.\textsuperscript{310}

The wounded, sick, and shipwrecked also have an absolute right to refuse any surgical operation.\textsuperscript{311} Additionally, detailed records of all of their medical procedures are required.\textsuperscript{312} Article 11 of Additional Protocol I states, “each party to a conflict shall endeavor to keep a record of all medical procedures undertaken with respect to any person who is interned, detained or otherwise deprived of liberty as a result [of an international armed conflict].”\textsuperscript{313} Moreover, the protecting power must ensure that the medical record is “available at all times for inspection.”\textsuperscript{314}

4. Medical Personnel

IHL also protects medical personnel in the event of an armed conflict.\textsuperscript{315} IHL strictly prohibits using any kind of force or violence against medical personnel, whether they are civilians or military-affiliated.\textsuperscript{316} If medical personnel are arrested by an opposing army, then they obtain special status.\textsuperscript{317} That is, although they are not regarded as POWs upon detention, they are entitled to all of the relevant rights given to POWs under the Geneva Convention 1949.\textsuperscript{318}

In this regard, the First Geneva Convention also recognizes medical personnel associated with the military during armed conflicts as non-combatants; therefore, they must be protected and treated accordingly.\textsuperscript{319} Although medical personnel indirectly help the military

\textsuperscript{310} See id.; Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), art. 4, June 8, 1977, 1125 U.N.T.S. 609.

\textsuperscript{311} Additional Protocol I, supra note 248, art. 11(5).

\textsuperscript{312} Id. art. 11(6).

\textsuperscript{313} Id. art. 11(1).

\textsuperscript{314} Id. art. 11(6).

\textsuperscript{315} Id. art. 15 (explaining the scope of the protection).

\textsuperscript{316} Id. art. 16.

\textsuperscript{317} See First Geneva Convention, supra note 298, arts. 24, 28.

\textsuperscript{318} Id.

\textsuperscript{319} HENCKAERTS & DOSWALD-BECK, supra note 245, at 13.
in fighting, this does not deprive them of their non-combatant status, unless they actively take part in the fight.320

It is essential that medical teams have an emblem, preferably the red cross, displayed on their uniform or on their vehicles.321 They can also wear a badge displaying the Red Cross emblem.322 The purpose of displaying the emblem is to ensure that no belligerent party attacks them.323

5. Prohibiting Illegal Means and Methods of Warfare

International criminal law prohibits using illegal means and methods of warfare because they can severely threaten human security.324 This section discusses how international law has banned such means and methods of warfare. IHL restricts belligerent parties from choosing their means and methods of warfare.325 Additionally, Protocol I to the Geneva Conventions provides rules declaring that certain tactics such as perfidy, terrorization, starvation, and indiscriminate attacks are illegal actions and therefore must not be performed by any state under any circumstances.326 It also forbids attacking an area where there is a high presence of civilians.327 Furthermore, it proscribes misuse or exploitation of medical emblems.328

Certain dangerous weapons, for example chemical weapons, biological weapons, blinding laser weapons, and landmines, are

322. Id.
323. Id. arts. 35-47 (covering methods and means of warfare).
324. Id. arts. 35-47 (covering methods and means of warfare).
325. See Mara Tignino, Water in International Humanitarian Law, in RESEARCH HANDBOOK ON INTERNATIONAL WATER LAW 224, 226 (Stephen C. McCaffrey et al. eds., 2019).
326. See Additional Protocol I, supra note 248, art. 37 (covering prohibition on perfidy); id. art. 51(2) (covering terror); id. art. 51(4) (covering prohibition on indiscriminate attacks); id. art. 54 (covering starvation).
327. Id. art. 51(2).
328. Id. art. 38.
prohibited during armed conflicts. Restrictions on such weapons have been imposed in several treaties under international law. It is essential to determine the legality or illegality of every modern weapon of warfare that a state invents. Article 36 of Additional Protocol I to the Geneva Conventions provides the following guidance:

In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.

To determine the legality or illegality of modern weapons, legal advisers must be present. Article 82 of Protocol I to the Geneva Conventions states,

The High Contracting Parties at all times, and the Parties to the conflict in time of armed conflict, shall ensure that legal advisers are available, when necessary, to advise military commanders at the appropriate level on the application of the Conventions and this Protocol and on the appropriate instruction to be given to the armed forces on this subject.

F. The Role of the International Committee of the Red Cross

The International Committee of the Red Cross (ICRC) has been given an essential role in international law, particularly, by the Hague and Geneva Conventions, to ensure human security in times of war.

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329. For details, see Int’l Comm. of the Red Cross, Draft Rules for the Limitation of the Dangers Incurred by the Civilian Population in Time of War, art. 14 (1956) (detailing the prohibited methods of warfare).


331. This is required to protect the life of victims of war. See, e.g., Tignino, supra note 325.

332. Additional Protocol I, supra note 248, art. 36.

333. Id. art. 82.

334. Id.
conflict. The ICRC has distinctive red cross and red crescent symbols that denote its purpose to provide emergency medical service and humanitarian assistance to the wounded, sick, combatants, non-combatants, and anyone else who is affected by the conflict.

The ICRC’s fundamental goal is to provide humanitarian assistance to all in need, without any discrimination. It does not limit itself to providing assistance “to protect life and health and ensure respect for the human being” or to “prevent suffering”; rather, it goes beyond this to ensure human security. ICRC measures are directed at ensuring the well-being and security of the humans affected by armed conflicts or by natural disasters. Essentially, the ICRC’s actions embody the Institute of International Law’s definition of humanitarian assistance. “Humanitarian assistance means all acts, activities and the human and material resources for the provision of goods and services of an exclusively humanitarian character, indispensable for the survival and the fulfilment of the essential needs of the victims of disasters.”

Humanitarian assistance ensures human security because it facilitates the conditions of human survival in adverse circumstances.

The ICRC does not affiliate itself with any warring party; rather, it is an independent international organization with the sole purpose to


337. See Sandoz, supra note 336.


339. Id.


341. Id. at 36-37.

provide humanitarian assistance without any discrimination. Neutrality is the basic precondition for providing indiscriminate humanitarian assistance, thus the ICRC exercises complete neutrality in every conflict. The ICRC uses its red cross and red crescent emblems to distinguish its workers and vehicles from combatants and non-combatants during a conflict. No army shall attack those showing red cross or red crescent emblems on their uniform, badges, or vehicles. All warring parties must provide protection to the ICRC. The red cross sign can also be assigned to the medical teams of the warring parties during an armed conflict. Belligerent parties are prohibited from attacking such medical teams and the civilians associated with them. Thus, anyone displaying the red cross sign must be protected from attacks during armed conflicts. Accordingly, the parties to the Geneva Conventions are responsible for ensuring that the red cross emblem is not exploited or misused by any person or entity in their territory. Article 38 of Additional Protocol I to the 1949 Geneva Conventions prohibits private medical organizations from misusing the red cross or the red crescent emblem.

It is mandatory to protect persons providing humanitarian assistance from violence. No matter their nationality or the organization they belong to, humanitarian relief workers are guaranteed protection, unless they take part in fighting. This protection applies

343. Id.
344. Id.
345. See Sandoz, supra note 336.
347. Id.
349. Id.
350. Id.
352. Additional Protocol I, supra note 248, art. 38.
353. Id. art. 17.
354. Id.
in all international armed conflicts. Any mistreatment of humanitarian relief workers such as torture, violence, kidnap, or murder is considered a breach of Article 3 of Protocol I to the Geneva Conventions and will constitute a war crime. Thus, humanitarian relief workers obtain special protection in armed conflicts as they, in turn, perform the role of ensuring the security and survival of people affected by the conflicts.

In summary, the international community, in particular the U.N. and the International Committee of the Red Cross, have responded to the challenges of human security. The U.N. has approved a number of resolutions in its General Assembly, first, in regards to defining the term “human security,” and then, in setting goals to ensure the strengthening of human security worldwide. The U.N. has also set up the UNTFHS, which has a number of projects operating in many regions that are vulnerable to human insecurity. The fund aims to make sustainable changes in living conditions to ensure long-term strengthening of human security. Additionally, the U.N. has arranged a number of summits and conventions to deal with the challenges posed by climate change and global warming. Such notable conventions are as follows: The Rio Earth Summit 1992, the United Nations Convention on Climate Change 1994, the Kyoto Protocol 1997, the Doha Amendment 2012, and the Paris

356. See, e.g., Additional Protocol I, supra note 248, art. 3.
358. See, e.g., G.A. Res. 66/290, supra note 1.
359. See UNTFHS, supra note 30.
360. Id.
361. See, e.g., REPORT ON GLOBAL ENVIRONMENTAL COMPETITIVENESS (2013), supra note 184, at 20.
362. See id.
363. Halvorssen, supra note 186, at 36.
364. See id.
365. See CRISTOFANELLI ET AL., supra note 211.
Agreement 2016. Like the U.N., the ICRC is committed to ensuring human security by performing relief work in conflict and disaster affected regions. In this regard, IHL has provided a number of rules for protecting civilians, the wounded, sick, shipwrecked, POWs, medical personnel, humanitarian workers, and religious persons in the event of armed conflicts. The four Geneva Conventions of 1949 and Additional Protocol I of 1977 contain the above mentioned rules, which are binding on all State parties. Thus, the U.N., the ICRC, and the rules of IHL collectively set frameworks to protect human security during times of both peace and conflict.

CONCLUSION

Human security is defined as “an approach to assist Member States in identifying and addressing widespread and cross-cutting challenges to the survival, livelihood and dignity of their people.” The concept of human security helps evaluate the level of human development. Unfortunately, in the contemporary era, several threats exist to human security. For instance, poverty, water scarcity, violence, terrorism, armed conflicts, human trafficking, social inequality, and climate change are challenging human security. Poverty prevents people from accessing the basic necessities of life. It creates problems of deprivation and malnutrition. It also deprives people of other

366. See Winter, supra note 188.
367. See Human Security and Agenda 2030, supra note 37, at 1.
368. See Additional Protocol I, supra note 248, art. 81; see also Acharya, supra note 335.
369. See Sandoz, supra note 336; ICRC, supra note 338.
370. See, e.g., Additional Protocol I, supra note 248, arts. 37, 96; see also Fourth Geneva Convention, supra note 262, art. 3.
372. GÓMEZ & GASPER, supra note 2, at 1.
373. SISK, supra note 2, at 11.
374. See id.; see also GÓMEZ & GASPER, supra note 2, at 2.
376. According to UNCICEF, poverty causes deprivation. For details, see Elizabeth Fernandez & Ioana Romana, Child Poverty in the International Context, in
necessities such as quality education, an adequate level of health facilities, sufficient quantities of food, and decent livelihoods.\footnote{R. Lamont Smith II, Preaching to Improve an Economic Deprived Community 40 (2006).} According to the World Bank’s estimates in 2015, approximately 736 million people in the world live in extreme poverty.\footnote{Poverty Puzzle, supra note 92, at 1.} They cannot afford the basic necessities of life in adequate qualitative and quantitative terms. Such conditions deprive them of an adequate level of human security.\footnote{Human Security Handbook, supra note 13, at 5.} In addition to poverty, water scarcity poses another risk to human security.\footnote{Chris Cocklin, Water and ‘Cultural Security’, in Human Security and the Environment: International Comparisons 154, 154 (Edward Page & M.R. Redclift eds., 2002).} The world is moving toward scarce freshwater resources.\footnote{Madan K. Jha, Sustainable Management of Groundwater Resources in Developing Countries: Constraints and Challenges, in On a Sustainable Future of the Earth’s Natural Resources 325, 328 (Mu. Ramkumar ed., 2013).} This scarcity and stress on water resources is particularly evident in Africa and South Asia, where the per capita availability of water has declined significantly.\footnote{Id.}

Another prominent risk to human security is climate change, which is causing many harmful effects in Earth’s environment.\footnote{Reda el Fellah & Mohamed Behnassi, Global Environmental Change and the Crisis of Dominant Development Models: A Human Security-Centered Analysis, in Environmental Change and Human Security in Africa and the Middle East 25, 40 (Mohamed Behnassi & Katriona McGlade eds., 2017).} For example, Earth’s average temperature is rising, which is increasing sea levels. In turn, glaciers are melting more rapidly.\footnote{Elliott, supra note 108, at 1.} Consequently, coastal regions and regions alongside river basins are being gravely impacted by floods, significantly threatening human security.\footnote{Id.}
Furthermore, climate change is increasing natural disasters, such as hurricanes and storms.\textsuperscript{386}

Terrorism and armed conflicts are the other two major threats to human security,\textsuperscript{387} which have caused hundreds of thousands of civilian deaths.\textsuperscript{388} The rise of terrorist organizations such as ISIS and Al-Qaeda in the contemporary era has threatened human security as well as state security.\textsuperscript{389} Additionally, issues such as human trafficking and domestic violence,\textsuperscript{390} particularly violence against women and children, threaten the human security of vulnerable individuals.\textsuperscript{391}

The U.N. has taken the lead in countering the existing threats to human security by formulating policies and goals to ensure an adequate level of human security globally. For example, the UNTFHS\textsuperscript{392} and regional programs to reduce the insecurity of the vulnerable people in different regions are paving the way for sustainable human development and an increased level of human security.\textsuperscript{393} Furthermore, summits such as the Rio Earth Summit 1992, the United Nations Framework Convention on Climate Change 1994, the Kyoto Protocol 1997, the Doha Amendment 2012, and the Paris Agreement 2016 indicate the U.N.’s determination to mitigate the adverse effects of climate change and global warming. Agenda 2030 is also another example of the U.N. and the international community collaborating to create goals and strategies for sustainable development and improved human security.\textsuperscript{394} Above all, the codification of the rules of war in the Geneva Conventions and their additional protocols also aim to protect

\begin{thebibliography}{99}
\bibitem{387} NISHIKAWA, \textit{supra} note 43, at 1-2.
\bibitem{388} JAMES R. LEE, \textit{Climate Change and Armed Conflict: Hot and Cold Wars} 24 (2009).
\bibitem{389} See Wright et al., \textit{supra} note 160.
\bibitem{390} GÓMEZ & GASPER, \textit{supra} note 2, at 13.
\bibitem{391} HUMAN SECURITY HANDBOOK, \textit{supra} note 13, at 41.
\bibitem{392} UNTFHS, \textit{supra} note 30.
\bibitem{393} \textit{See id.}
\end{thebibliography}
humans in times of armed conflicts.\textsuperscript{395} The application of these rules directly leads to improved human security in armed conflicts.\textsuperscript{396} For instance, Article 3 of Protocol I to the Geneva Conventions provides protection of “persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause.”\textsuperscript{397}

Apart from the U.N., the ICRC has also been making efforts toward the codification and implementation of the rules of armed conflicts to ensure human security.\textsuperscript{398} Moreover, a number of international and regional agencies such as non-governmental organizations are working to improve conditions to strengthen human security.\textsuperscript{399} It is necessary that the international community, especially the governments of belligerent states and the governments of regions facing insecurities, collaborate with the U.N., the UNTFHS, and the ICRC to implement the relevant policies, goals, agendas, and rules to ensure an increased level of human security in their regions.

\textsuperscript{395} Davide Tundo, Justice and Protection of Civilians in Armed Conflicts Through the Enforcement of the International Legal Obligations: The Case of the Gaza Strip, in RETHINKING INTERNATIONAL LAW AND JUSTICE 63, 67 (Charles Sampford et al. eds., 2016).
\textsuperscript{396} David Reif discusses how the Geneva Conventions and its additional protocols are beneficial in protecting human lives. See, e.g., David Reiff, Humanitarian Action in a New Barbarian Age, in HUMAN SECURITY FOR ALL: A TRIBUTE TO SERGIO VIEIRA DE MELLO 52, 52 (Kevin M. Cahill & Sérgio Vieira de Mello eds., 2004).
\textsuperscript{397} Additional Protocol I, supra note 248, art. 3.
\textsuperscript{398} MIRIAM BRADLEY, PROTECTING CIVILIANS IN WAR: THE ICRC, UNHCR, AND THEIR LIMITATIONS IN INTERNAL ARMED CONFLICTS 2 (2016).