

The legal framework for human security in crisis management; towards an integrated approach between prevention and response

الإطار القانوني للأمن الإنساني في إدارة الأزمات؛ نحو مقاربة تكاملية بين الوقاية والاستجابة

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الملخص:

تتناول هذه الدراسة الإطار القانوني للأمن البشري في إدارة الأزمات، مستكشفةً التكامل بين آليات الوقاية والاستجابة. وتناقش مدى فعالية الأطر القانونية الحالية في استيعاب هذا النهج التكاملي، وتسعى إلى الكشف عن العقبات التي تعترض سبيل هذا النظام الوقائي-الاستجابي. وتعتمد الدراسة منهجاً تحليلياً للنصوص القانونية الدولية والوطنية، مدعوماً بمنهج مقارنة. وتخلص إلى أن الأمن البشري يمثل المدخل الأمثل لتحقيق التكامل، على الرغم من أن تطبيقه يواجه معضلة الموازنة بين متطلبات الطوارئ وضمانات الحقوق. وتوصي الدراسة باعتماد تشريعات وطنية شاملة تستند إلى معايير حقوق الإنسان، وتعزيز التنسيق المؤسسي، وإنشاء هيئات رقابية مستقلة، وتفعيل الرقابة القضائية، وإشراك المجتمع المدني في سياسات إدارة الأزمات.

الكلمات المفتاحية: الأمن البشري، إدارة الأزمات، الإطار القانوني، الوقاية، الاستجابة، القانون الإنساني الدولي، حقوق الإنسان.

Abstract:

This study examines the legal framework of human security in crisis management, exploring integration between prevention and response mechanisms. It addresses the efficacy of current legal frameworks in accommodating this integrative approach and seeks to unveil obstacles hindering this preventive-responsive system. The study adopts an analytical approach to international and national legal texts, supplemented by a comparative method. It concludes that human security constitutes the optimal entry point for achieving integration, though its application encounters the dilemma of balancing emergency requirements with rights guarantees. The study recommends adopting comprehensive national legislation based on human rights standards, strengthening institutional coordination, establishing independent oversight bodies, activating judicial oversight, and involving civil society in crisis management policies.

Key words: Human Security, Crisis Management, Legal Framework, Prevention, Response, International Humanitarian Law, Human Rights.

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Introduction:

The contemporary international order is witnessing an unprecedented acceleration in the frequency and intensity of crises—natural disasters, health pandemics, armed conflicts, and complex humanitarian emergencies. This evolving reality necessitates a critical reexamination of existing crisis management paradigms and the development of comprehensive frameworks capable of addressing multifaceted threats. Within this context, the traditional state-centric security concept, focused primarily on sovereignty and territorial integrity, has proven insufficient. Consequently, the paradigm of human security has emerged as a strategic approach fundamentally shifting focus from state security to individual security, emphasizing the protection of fundamental rights and human dignity under the exceptional circumstances imposed by crises.

This research is anchored in understanding the legal framework as the overarching legislative and institutional system governing crisis response mechanisms. Human security represents the holistic protection of individuals from pervasive threats to their daily existence—economic, food, health, environmental, personal, community, or political. Crisis management is conceptualized as an integrated continuum encompassing preparedness, prevention, response, and recovery. The central objective is to explore the integrative approach seeking to bridge the critical gap between preventive and responsive dimensions within a unified legal framework.

The significance of this inquiry lies in examining a pivotal legal dilemma: reconciling effective crisis response exigencies with the imperative of safeguarding human rights guarantees. This poses a profound challenge for legislators and practitioners alike, as crises necessitate swift measures that may restrict certain freedoms while requiring preservation of fundamental rights constituting human dignity's essence.

The central research problem is encapsulated in the following question: To what extent do current legal frameworks succeed in achieving integration between prevention and response mechanisms in crisis management from a human security perspective, and what obstacles hinder this integration? Subsidiary inquiries include: How can integration degree be measured within existing frameworks? What legal criteria can be employed? What mechanisms can achieve this integration at national and international levels?

Core hypotheses emerge: existence of a legislative gap between prevention and response mechanisms; practical challenges in implementing human security on the ground; and potential for developing an integrative model through legislative reforms and novel coordination mechanisms. These hypotheses are grounded in field observations and previous studies indicating deficiencies in early warning systems integration with actual response mechanisms, and weak coordination between prevention and response institutions.

Methodologically, this research adopts an analytical approach to examine legal texts, a comparative approach to review international experiences, and a descriptive approach to diagnose existing realities. This enables formulation of an integrated vision contributing to developing the legal framework for human security in crisis management. Relevant international and national legal instruments will be analyzed, successful international

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practices examined, and practical application assessed to arrive at precise findings and applicable recommendations.

The scientific value resides in enriching Arab legal scholarship with a specialized work combining theory and practice in human security and crisis management-a field where Arab studies remain limited. Practically, the study provides evaluative tools assisting policymakers and legislators in assessing existing legal frameworks and offers practical mechanisms enhancing integration between prevention and response. It serves as a useful reference for practitioners in crisis management and humanitarian assistance.

The study is structured into two main chapters. The first chapter examines theoretical and legal foundations of human security and crisis management. The second chapter analyzes the integrative approach between them in light of international and national law. The research concludes with principal findings and recommendations.

1- Chapter One: Theoretical and Legal Foundations of Human Security and Crisis Management

This chapter constitutes the fundamental pillar upon which the study's analyses and conclusions are constructed, aiming to establish a robust theoretical and legal framework for the concepts of human security and crisis management. Amidst the growing complexity of global crises-armed conflicts, natural disasters, and health emergencies-the urgent need has emerged to develop comprehensive security approaches that shift focus from protecting state borders to safeguarding human beings and their dignity. This chapter seeks to address this gap by delving into the theoretical and legislative depths of these two concepts, employing an analytical methodology that traces historical development, examines legal content, and explores avenues for integration between them.

The chapter proceeds from the premise that a profound understanding of the theoretical and legal foundations of human security and crisis management constitutes an indispensable condition for developing effective models to confront contemporary challenges. Accordingly, the chapter is divided into two main sections. The first section addresses the conceptual framework of human security, tracing its historical trajectory from its intellectual beginnings, through its crystallization in United Nations reports, to its establishment as a fundamental component of international discourse. It also highlights the qualitative shift from the concept of national security to human security, analyzing the seven dimensions underpinning this concept and the dialectical relationship between it and human rights and international humanitarian law.

The second section focuses on examining the legal framework governing crisis management as a comprehensive process commencing with preparedness and prevention and culminating in response and recovery. It addresses the legal concept of crisis management and its characteristics, the types of crises and their impact on legal structures, offering a comparison between national legislations regulating emergencies and disasters across different international models. It also examines the role of international humanitarian law and human rights law in regulating crisis management operations, and how to achieve balance between the requirements of effective response and the necessity of respecting rights guarantees.

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This chapter ultimately aims to establish a solid theoretical and legal foundation upon which the second chapter will build to analyze the problematic of integration between human security and crisis management, reveal the challenges confronting this integration, and propose means to enhance it. Without this robust foundation, any discussion of integrative approaches remains fragile and incapable of grasping the essence of the practical and legal problems posed by contemporary crises.

1.1- Section One: The Conceptual Framework of Human Security

The conceptual framework of human security constitutes the cornerstone of this study, representing the theoretical foundation upon which all subsequent analyses and applications are constructed. This section proceeds from the recognition that the traditional concept of security, which for centuries remained confined within the narrow sphere of state security and sovereignty, has become incapable of keeping pace with the contemporary challenges facing humanity. The new dangers that have emerged in recent decades—economic, social, environmental, and health crises—no longer have threats that stop at state borders; rather, they have penetrated all barriers to target human beings directly in their existence and dignity.

Amidst this fundamental transformation, the concept of human security emerged as an inevitable response to these challenges, shifting the compass from the state as an abstract entity to the human being as a supreme value and an end in itself. This transformation was not merely a terminological change but rather a comprehensive paradigm shift that fundamentally redefined the concept of security. Security was no longer confined to protection from traditional military threats but extended to encompass the protection of human beings from various dangers threatening their daily lives and human dignity.

This section delves into analyzing the basic components of this concept, beginning with the study of its historical evolution from the first seeds in the 1980s, through its crystallization in United Nations human development reports, to its adoption in contemporary international policies. It also analyzes the radical transition from the concept of state security to human security, and how this transformation is embodied in international and regional approaches.

The section also aims to deconstruct the elements of human security and its legal dimensions, highlighting how the legal protection of human rights constitutes the fundamental foundation for its achievement. It discusses how this concept is embodied in binding international rules, especially in the fields of international humanitarian law and human rights law, and how this embodiment contributes to creating an integrated protection system for human beings under all circumstances.

This introduction serves as an analytical framework highlighting the conceptual and methodological issues that will be addressed within this section, emphasizing how a deep understanding of these concepts constitutes an essential condition for analyzing the role of human security in enhancing the effectiveness of crisis management—which will be the focus of analysis in the second chapter of the study.

Subsection One: The Evolution of the Concept of Human Security

The evolution of the concept of human security constituted a qualitative shift in the field of security and political studies, representing a radical transition from the classical realist model that makes the state the central actor and military security the primary concern, towards

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a more comprehensive and humanistic model that places the individual at the heart of the security equation. Security was no longer confined to protecting borders from military aggression, but extended to include protecting individuals from a wide range of chronic and acute threats targeting their dignity, well-being, and survival itself, such as extreme poverty, epidemic diseases, environmental change, and organized violence¹.

The historical evolution of this concept can be traced through several key milestones. In the aftermath of the Cold War, the new international environment allowed space for the emergence of new security agendas. The 1994 United Nations Human Development Report served as the foundational framework that coined the term and officially defined it as "concerned with protecting human beings from acute and chronic threats," identifying seven dimensions: economic security, food security, health security, environmental security, personal security, community security, and political security². Then came the establishment of the "Commission on Human Security" in 2001 with Japanese support, and the issuance of its influential report "Human Security Now" in 2003, which pushed the concept further forward, focusing on two complementary components: "protection" from organized risks and "empowerment" for individuals to live dignified lives³. Finally, this evolutionary path culminated in the adoption by the United Nations General Assembly of Resolution 66/290 in September 2012, which provided a consensual definition of human security and affirmed it as "an approach that helps member states identify and address widespread and cross-cutting threats to the survival, livelihood and dignity of human beings"⁴.

Critical Analysis: While the historical overview of the human security concept is essential for understanding the paradigm shift in security thinking, it remains merely descriptive in the absence of a critical assessment of its normative effectiveness. Despite its institutional presence in UN discourse, the concept continues to suffer from conceptual ambiguity that hinders its translation into concrete legal policies—a flaw that has led some scholars to describe it as a "flexible concept" that can be instrumentalized for divergent political purposes. Furthermore, relying on the 1994 UNDP report without linking it to subsequent legal developments reduces the concept's utility to a mere academic classification. The core challenge lies not in defining human security, but in how to make states comply with its standards in emergency and conflict contexts, in the absence of real enforcement mechanisms and effective judicial oversight at the international level.

Branch One : The Transition from State Security to Human Security

This transition represents the pivotal point in the evolution of the concept, as attention shifted from protecting the borders and sovereignty of the state to protecting human beings and their dignity. This transformation came in response to profound changes in the nature of security threats in the post-Cold War international order, where non-traditional threats related to economic, social, and environmental aspects emerged⁵. The Arab researcher Dr. Nasser Al-Qahtani has indicated that "this transition was not merely a change in terminology, but rather a paradigm shift in understanding the nature, sources, and objectives of security"⁶.

This transition is evident in several important indicators, including the growing international concern for the protection of civilians in armed conflicts, the emergence of the "Responsibility to Protect" concept as a qualitative development in international law, and the shift from the narrow concept of national security to the comprehensive concept of security.

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Dr. Mona Al-Zoubi has affirmed that "the transition from state security to human security reflects a development in international legal awareness regarding the primacy of human dignity as a foundation for international peace and security"⁷, She also noted that "this transition was not easy; it faced resistance from states that still adhere to traditional concepts of national sovereignty"⁸.

Branch Two : The United Nations Approach to Human Security

The United Nations approach to human security represents the most comprehensive institutional and legal framework for applying this concept at the international level. The international organization gradually adopted the concept through a series of reports and resolutions that established an integrated vision combining the developmental and security dimensions. The United Nations affirmed that human security "is not a substitute for national security, but rather complementary to it," reflecting an integrative vision aimed at bridging the gap between state security requirements and the needs of individuals⁹.

The UN approach is based on six fundamental principles: people-centeredness, cross-sectoral integration, proactive prevention, context-specificity, comprehensiveness, and partnership among actors¹⁰. The United Nations has applied this concept through a range of field programs in conflict and disaster zones, where interventions are designed to take into account the multiple dimensions of human security. The Arab report issued by the League of Arab States indicated that "the United Nations approach has succeeded in creating a common language among member states to deal with emerging threats facing humanity"¹¹, The report also observed that "Arab states have gradually begun to adopt this concept in their national policies, albeit at varying levels"¹².

Critical Assessment: Despite the widespread praise for the UN's approach to human security, a critical reading reveals a methodological flaw in its reliance on political consensus rather than legal obligation. Non-binding UN declarations and resolutions, despite their normative value, remain flexible tools that allow states to interpret their commitments according to their national interests, hindering the translation of the concept into uniform practical policies. Moreover, the concept's success in creating a common language does not necessarily reflect its success in unifying legal standards or national practices, as the degree of commitment varies between states, ranging from full adoption to symbolic reference. This gap is exacerbated in the Arab context due to the diversity of legal systems and the absence of a regional judicial body that would oblige states to adopt a unified interpretation of humanitarian obligations, transforming the concept into a loose political option rather than a strict legal commitment.

Subsection Two: Elements of Human Security and Its Legal Dimensions

Human security is characterized as a comprehensive concept encompassing seven interconnected dimensions that together form an integrated system for the protection of human dignity. These dimensions include: economic security, food security, health security, environmental security, personal security, community security, and political security¹³. The Egyptian professor Dr. Mahmoud El-Sayed has explained that "these seven dimensions constitute an integrated system, where a breach in one negatively affects the other dimensions"¹⁴, adding that "this interconnectedness requires an integrated approach to addressing security threats, away from the traditional sectoral approach".

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These dimensions are based on well-established international legal foundations, as the International Covenant on Economic, Social and Cultural Rights guarantees the right to work and an adequate standard of living¹⁵, while the International Covenant on Civil and Political Rights ensures the protection of fundamental rights¹⁶. The United Nations Committee on Economic, Social and Cultural Rights has affirmed that "non-discrimination and equality are essential elements for the realization of all human rights"¹⁷. Furthermore, International Labour Organization conventions and other international declarations provide a supportive legal framework for these dimensions, working in harmony to achieve comprehensive protection for human beings.

Critical Analysis: The seven dimensions identified in the 1994 Human Development Report, despite their apparent comprehensiveness, remain a descriptive framework if not examined in light of the problem of legal priorities. A critical reading reveals the absence of a clear legal hierarchy in emergency situations, as these dimensions are treated as if they were equal, even though some-such as health and food security-become prerequisites for the realization of others in acute crisis contexts. Moreover, the legal discussion surrounding them remains theoretical in the absence of measurable indicators to assess states' actual compliance, especially given the varying judicial interpretations of the international instruments upon which they are based. Consequently, the serious adoption of these dimensions as binding legal foundations requires moving beyond theoretical recognition to developing national legislative formulations that precisely define state obligations, in a context characterized by optional rather than mandatory frameworks.

Branch One : Legal Protection of Human Rights as a Component of Human Security

The legal protection of Human rights constitutes the fundamental pillar for achieving human security, as it provides the binding legal framework for the protection of human dignity under all circumstances. The importance of this protection lies in the fact that it offers legal guarantees that are applicable and subject to oversight, unlike general principles that may lack enforcement mechanisms. The International Covenant on Economic, Social and Cultural Rights has affirmed that "the right of every person to live in dignity requires the provision of minimum guarantees in the economic and social fields"¹⁸.

This protection is manifested at both the national and international levels, as national constitutions and domestic legislation constitute the executive framework for this protection, while international and regional charters represent its reference framework. Lebanese researcher Dr. Hoda Qanso has indicated that "the integration between national and international mechanisms for the protection of human rights constitutes the true guarantee for achieving human security"¹⁹, She also observed that "Arab states exhibit a notable disparity in the degree to which human rights charters are incorporated into their national legislation," adding that "this disparity negatively reflects on the level of actual protection of human security in the Arab region".

Branch Two : Human Security in the Context of Binding International Rules (Human Rights, International Humanitarian Law)

Human security is based on a set of binding international rules that constitute the legal framework for its achievement, foremost among which are international humanitarian law, human rights law, and international refugee law. International humanitarian law ensures the protection of persons in situations of armed conflict, which directly intersects with the requirements of human security in times of war. The Geneva Conventions stipulate "the protection of persons who are not taking part in hostilities"²⁰.

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As for human rights law, it remains applicable at all times, including in states of emergency and crisis, with the inclusion of certain conditional restrictions linked to the conditions of necessity and proportionality. The International Court of Justice affirmed in its advisory opinion on the Wall that "international human rights law remains applicable in situations of armed conflict"²¹, Saudi researcher Dr. Fahad Al-Otaibi added that "the convergence of international humanitarian law and human rights law creates a dual protection zone that enhances human security"²², noting that "this integration acquires particular importance in non-international armed conflicts, which are witnessing a notable increase in the Arab region".

It is worth noting that the development of international law has witnessed the emergence of new principles that enhance human security, such as the "Responsibility to Protect" principle adopted by the United Nations in 2005, which places upon the international community the responsibility to protect populations from international crimes when their state is unable to do so²³. This principle has garnered significant attention in Arab legal scholarship, with Dr. Ali Al-Darwish considering that it "constitutes an important development in enhancing international protection for human beings"²⁴, while cautioning that "its application must be subject to strict controls to avoid its exploitation for political purposes".

Section Two : The Legal Framework for Crisis Management

The legal framework for crisis management constitutes the infrastructure that regulates the work of states and institutions in times of crisis and emergency, as it determines the competencies, powers, and procedures to be followed in facing unfamiliar challenges. This section aims to analyze this framework through an in-depth study of the concept and legal characteristics of crisis management, and to reveal the legal foundations that regulate it at both the national and international levels.

This section proceeds from the premise that the success of crisis management is contingent upon the existence of an integrated legal framework that balances the requirements of effective response with the necessity of respecting human rights. In light of the increasing intensity and frequency of crises globally-natural disasters, health crises, and armed conflicts-the urgent need has emerged to develop legal systems capable of organizing the work of relevant authorities while maintaining the fundamental guarantees of individual rights.

The section also delves into the study of the role of international humanitarian law and human rights law in regulating crisis management operations, focusing on how to achieve the delicate balance between the requirements of confronting crises and the necessity of respecting fundamental rights. International humanitarian law remains applicable in situations of armed conflict, while human rights law continues to apply at all times, including periods of emergency and crisis, with limited exceptions subject to strict conditions.

This introduction aims to present a comprehensive vision of the rigorous legal framework that should govern crisis management, reviewing the challenges facing the achievement of integration between security requirements and rights guarantees, and providing an analysis of international standards that must be observed to ensure effective crisis intervention while respecting human dignity and fundamental rights.

Subsection One: Crisis Management in Legal and Institutional Thought

Crisis management refers to "the set of legal and institutional procedures and arrangements aimed at preventing crises, preparing for them, responding to them, and recovering from their effects"²⁵, This management is characterized by several legal features,

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most notably: the proactive nature focused on prevention, the comprehensive nature combining security and humanitarian aspects, and the dynamic nature that adapts to the evolution of crises. Legal thought in this field has developed to form an integrated system combining preventive and remedial dimensions.

The evolving nature of crisis management in contemporary legal thought reflects a fundamental shift from the traditional reactive model to the proactive model focused on prevention and preparedness. This shift calls for the development of flexible legal frameworks capable of anticipating crises and managing them effectively, while maintaining the balance between security requirements and respect for human rights. Modern legal scholarship has affirmed that "the effectiveness of crisis management is closely linked to the degree of integration of the relevant legal and institutional frameworks"²⁶.

Branch One : The Concept of Crisis Management and Its Legal Characteristics

The concept of crisis management is distinguished by several important legal characteristics, most notably that it is based on a clear legal foundation defining competencies and powers, is subject to the principle of legality in procedures, and commits to respecting human rights even under exceptional circumstances. It also relies on advance planning and permanent preparedness, and ensures the effective participation of all relevant parties. The Draft Articles on the Protection of Persons in the Event of Disasters have affirmed that "crisis management must remain subject to the law and under judicial oversight"²⁷.

The legal nature of crisis management is manifested in the fact that it constitutes an integrated legal system defining the general framework for the authorities and responsibilities of relevant parties during crises, as these characteristics ensure the balance between the requirements for speed in decision-making and the necessity of adhering to legal guarantees. Legal scholarship has indicated that "the proactive nature in crisis management is among the most important legal guarantees for the protection of rights and freedoms under exceptional circumstances"²⁸, and that comprehensiveness in approach ensures addressing all aspects of the crisis without neglecting any of its dimensions.

Branch Two : Types of Crises, Their Gradation, and Their Impact on the Legal Structure

Crises can be classified into several types, including natural crises such as earthquakes and floods, technological crises such as industrial accidents, and social crises such as armed conflicts. The legal impact of these crises varies according to their nature and severity. In the case of armed conflicts, international humanitarian law applies in parallel with human rights law, whereas in cases of natural disasters, the specific rules governing disaster management apply. The International Law Commission has indicated that "international law applies in an integrated manner at all stages of crises"²⁹.

The gradation and diversity of crises significantly affect the legal structure, as each type of crisis requires different legal frameworks. Natural crises call for the application of emergency and disaster laws that focus on protecting civilians and providing humanitarian assistance, while armed conflicts are subject to a more complex legal system combining international humanitarian law and human rights law. Researchers have observed that "the classification of crises contributes to determining the appropriate legal framework for dealing with them"³⁰, and that "the severity of the crisis and its temporal scope determine the extent of exceptional measures that the state may take".

Subsection Two: The Legal Basis for Crisis Management at the National and International Levels

The legal basis for crisis management rests on two integrated levels: the national level through domestic legislation, and the international level through international charters and treaties. At the national level, states adopt special emergency and disaster legislation that

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determines procedures for facing crises. At the international level, there are numerous agreements and declarations that regulate crisis management, such as the Sendai Framework for Disaster Risk Reduction 2015-2030³¹.

Integration between these two levels constitutes an inevitable necessity to ensure the effectiveness of crisis management, as national legislation provides the implementation mechanisms for the international framework, while international charters offer standards and guiding principles for the development of domestic legislation. The United Nations has affirmed that "effective implementation of international frameworks requires complete compatibility with national legislation"³². Moreover, the multiple challenges facing states during crises, particularly in the field of preserving human rights, necessitate this integration to ensure the balance between the requirements of confronting crises and the necessity of respecting fundamental rights.

Branch One : National Legislation Regulating Emergencies and Disasters (Models and Indications)

National legislation regulating emergencies and disasters varies from one country to another. Some states adopt comprehensive laws for crisis management, while others prefer specialized laws according to the type of crisis. In the United States, the Stafford Act of 1988 determines the competencies of the Federal Emergency Management Agency³³. In Japan, the Disaster Countermeasures Basic Act establishes the legal foundation for disaster management³⁴. These models indicate the importance of having a clear legal framework that precisely defines responsibilities and powers.

In the Arab context, legislation regulating crisis management varies between specialized laws and others embedded within different legislations. In Egypt, Emergency Law No. 162 of 1958 regulates the declaration of a state of emergency³⁵. In the UAE, there is a federal law on emergency, crisis, and disaster management. Dr. Mohamed Al-Awawdeh has noted that "Arab crisis management legislation is characterized by variation in the degree of its development and comprehensiveness"³⁶, also observing that "there is an urgent need to develop these legislations to keep pace with contemporary challenges".

Branch Two: The Role of International Humanitarian Law and International Human Rights Law in Crisis Management

International humanitarian law plays a pivotal role in managing crises arising from armed conflicts, as it ensures the protection of civilians and persons who are no longer taking part in hostilities. Human rights law complements this protection by guaranteeing fundamental rights even under exceptional circumstances. The International Court of Justice has affirmed that "the protection of international human rights law does not cease in times of armed conflict." This integration between the two legal systems constitutes a fundamental guarantee for the protection of human beings at all stages of crises.

This role is manifested in several practical aspects, including the protection of vulnerable groups such as women, children, and the elderly, ensuring access to humanitarian assistance, and preventing grave violations of human rights. The International Committee of the Red Cross has affirmed that "the convergence of international humanitarian law and human rights law enhances the legal protection of victims"³⁷, Dr. Fahad Al-Otaibi has indicated that "this integration acquires particular importance in protracted crises that combine elements of armed conflict and natural disasters"³⁸, also observing that "the effective application of these rules faces practical challenges in the field, especially given the complexity of contemporary crises".

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Chapter Two : The Integrative Approach Between Human Security and Crisis Management in Light of International and National Law

Understanding the structural interconnection between human security and crisis management is of paramount importance in contemporary legal and political literature, especially following the radical transformation that the international system has undergone in approaching the concept of security. Whereas security was traditionally measured by the state's ability to protect its borders and repel external military dangers, attention has shifted towards a broader and deeper approach that makes the individual a central focus in understanding and managing threats. This transformation has led to a reformulation of the relationship between state protection and human protection through an integrative perspective that combines the requirements of human security with the mechanisms of crisis management.

In this context, dealing with crises-whether natural, health-related, environmental, social, or political-is no longer limited to situational interventions or quick technical solutions, but rather requires a legal and institutional framework that recognizes the human being as the first and ultimate purpose of any security policy. This transformation necessitates adopting an integrative approach that combines the provisions of international law, which constitutes the universal reference for the protection of fundamental rights, with national legislation that translates these principles into implementable policies and procedures within the state.

Cross-border challenges-such as health pandemics, climate change, displacement waves, economic crises, and the spread of organized crime-have shown that human security is no longer a theoretical option but a strategic necessity directly linked to the effectiveness of crisis management. The more a state's approach is based on protecting human beings and enhancing their resilience, the greater its capacity to contain crises and recover from them. Contemporary international experiences affirm that integration between the human dimension and the institutional dimension in crisis management constitutes the cornerstone of building a comprehensive and sustainable security system.

From this standpoint, this chapter seeks to analyze the foundations and pillars of this integration from multiple perspectives: legal, institutional, conceptual, and practical. This is achieved by invoking the international framework that defines the standard for human protection in times of peace and crisis, along with examining the national requirements that regulate preventive, proactive, and protective measures. This chapter also aims to highlight the limits of this approach, the possibilities for its development, and the stakes associated with its activation within the contexts of the modern state.

Section One : Areas of Integration Between the Human Security Framework and Crisis Management Mechanisms

Combining the human security framework with crisis management mechanisms represents a new methodological approach to understanding the nature of threats faced by both individuals and states alike, particularly in light of the profound transformations taking place in the international and regional environment. Recent experiences have shown that traditional approaches to crisis management are no longer sufficient to confront rapidly escalating risks that take complex and multidimensional forms, ranging from health, environmental, and social threats to economic and political crises. Therefore, the need has emerged for an integrative approach that makes the human being the focus of assessment,

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foresight, and decision-making, and takes into account that enhancing his security, adaptability, and resilience constitutes the fundamental entry point for any effective crisis management policy.

In this framework, human security represents a comprehensive conceptual umbrella that provides the theoretical foundation for redefining crisis response priorities from a perspective focused on individual rights and well-being, while crisis management provides the practical and institutional tools that translate those priorities into actions and policies on the ground. Through this convergence, areas of integration are determined at multiple levels, including strategic planning, field intervention, activation of early warning systems, capacity building, improving the situation of vulnerable groups, and ensuring the continuity of essential services under emergency conditions. Thus, integration between the two frameworks becomes not merely a theoretical luxury but a functional necessity that contributes to building a comprehensive protection system capable of absorbing shocks, mitigating their repercussions, and sustainably restoring balance.

Subsection One: Legislative Integration Between National Law and International Charters

Legislative integration between national law and international charters related to human security and crisis management is manifested in the state's ability to achieve harmony between its international obligations and its national policies, in accordance with the principle of the supremacy of ratified treaties over domestic legislation. This integration requires a continuous review of the national legislative structure in order to adapt it to relevant international standards, ensuring the incorporation of rules for the protection of human beings and their fundamental rights into various laws, particularly those related to risk, disaster, and emergency management. This harmony also necessitates strengthening the role of the judiciary and constitutional bodies in ensuring respect for international charters, as they become part of the domestic legal system after ratification, in line with what many modern constitutions stipulate regarding the hierarchy of legal rules and the supremacy of international agreements in the field of fundamental rights over ordinary laws³⁹.

In the same context, legislative integration requires the adoption of effective mechanisms to ensure the practical application of international rules within the state, whether through their direct incorporation into national legislation or through the enactment of interpretive and regulatory laws that guarantee the activation of their provisions. The International Committee of the Red Cross has indicated that "the effective implementation of international humanitarian law requires legislative integration at the national level," clearly indicating that the protection of human beings during disasters and crises cannot be achieved without an internal legal system consistent with international obligations⁴⁰. This approach reflects the need to build a multi-level legislative approach based on international standards as a reference, and on national laws as a tool for activation and embodiment, in order to ensure comprehensive and effective protection for human beings under all circumstances.

Branch One: The Possible Harmonization Between Emergency Legislation and Human Security Standards

Harmonization between emergency legislation and human security standards can be achieved through several mechanisms, most notably: incorporating guarantees for the protection of fundamental rights into emergency legislation, establishing independent oversight mechanisms, and ensuring that the declaration of a state of emergency is subject to specific conditions and procedures. The African Commission on Human and Peoples' Rights has affirmed that "any derogation of rights in emergency situations must be limited to the

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extent strictly required by the exigencies of the situation"⁴¹, and has emphasized that measures must be proportionate to the seriousness of the threat⁴².

This harmonization is evident in several international experiences, where some states have succeeded in developing emergency legislation that respects human security standards. In Canada, the Emergencies Act regulates emergency procedures while preserving constitutional guarantees⁴³. Dr. Nasser Al-Qahtani has indicated that "achieving harmonization between emergency legislation and human security standards requires a delicate balance between security requirements and the protection of rights"⁴⁴, and has emphasized that "the absence of this balance weakens the legal legitimacy of emergency measures".

Branch Two: The Limits of Coordination Between International Humanitarian Law and National Laws in the Protection of Civilians

Despite the importance of coordination between international humanitarian law and national laws, the limits of this coordination appear in several areas, most notably: differing interpretations of legal texts, conflicts of interest between states, and difficulties of implementation in conflict contexts. The International Court of Justice has indicated that "international humanitarian law represents the minimum standard of protection that must be respected at all times"⁴⁵, The greatest challenge remains ensuring respect for these rules by all parties to the conflict.

These limits are manifested in several practical problems, including the difficulty of prosecuting perpetrators of violations in internal conflicts, challenges in applying the responsibility to protect principle, and the problem of implementing international court decisions. Dr. Hoda Qanso has observed that "the gap between international obligations and national application constitutes a major challenge for the protection of civilians"⁴⁶, and has noted that "the weakness of national oversight and accountability mechanisms widens this gap". This necessitates the development of more effective mechanisms to enhance coordination between the international and national levels.

Subsection Two: Institutional Integration in the Protection of Human Beings During Crises

Institutional integration is manifested in the cooperation and coordination of the work of national and international institutions concerned with the protection of human beings during crises. This integration requires the establishment of clear frameworks for coordination, the definition of roles and responsibilities, and the exchange of information and expertise. The Sendai Framework has affirmed "the importance of international cooperation and the strengthening of national institutions for disaster risk reduction"⁴⁷.

Institutional integration is considered a fundamental pillar for achieving effective protection of human beings during crises, as it ensures a coordinated and rapid response that takes into account all dimensions of human security. This integration includes three levels: horizontal integration among different state institutions, vertical integration between national and local levels, and external integration with international and regional organizations. Dr. Mohamed Al-Awawdeh has indicated that "the effectiveness of institutional integration is measured by its ability to achieve an integrated response that combines security, humanitarian, and developmental aspects"⁴⁸.

Branch One: The Role of State Institutions in Prevention and Response According to the Human Security Perspective

State institutions play a pivotal role in achieving human security through prevention and response activities. This includes establishing early warning systems, developing emergency plans, training personnel, and securing necessary resources. The Global Charter

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for Disaster Management has affirmed that "the state bears the primary responsibility for protecting persons present on its territory"⁴⁹, including the duty to mitigate the effects of disasters and respond effectively to them.

This role is manifested at several levels, including the strategic level for policy formulation, the operational level for implementation, and the tactical level for field intervention. Dr. Walid Al-Shammari has indicated that "the effectiveness of state institutions in crisis management is linked to the extent of their integration with the human security perspective," noting that "this integration requires the development of institutional capacities and the adoption of participatory approaches that ensure the involvement of all actors." This includes strengthening cooperation between security institutions and humanitarian entities to ensure an integrated response that takes into account all dimensions of human security.

Branch Two: The Role of International Mechanisms and Humanitarian Organizations in Supporting National Response

International mechanisms and humanitarian organizations complement the efforts of states in protecting human security during crises, by providing humanitarian assistance, technical support, and backing for relief operations. These organizations operate within the framework of humanitarian principles of neutrality, impartiality, and independence of humanitarian action. The United Nations General Assembly has defined "the coordinating role of the United Nations in the field of humanitarian emergency assistance"⁵⁰, and has emphasized the importance of respecting humanitarian principles in the provision of assistance.

This role is manifested in several forms, including the provision of urgent aid, support for relief operations, and backing for reconstruction efforts. The Arab report issued by the League of Arab States indicated that "international organizations play a pivotal role in filling gaps in national crisis response"⁵¹, but warned that "this role must remain complementary and not a substitute for national responsibility," noting that "strengthening partnerships between national institutions and international organizations constitutes a key factor for achieving effective response".

Applied Case Study: The UAE's Experience in Managing the COVID-19 Pandemic

The UAE's experience in managing the COVID-19 pandemic offers a pioneering applied model of the integrative approach between health and human security. The crisis was addressed as a complex emergency requiring a comprehensive legal and institutional response that combined prevention and response within a unified legal framework. The state issued a series of exceptional legislative instruments that balanced public health emergency requirements with fundamental rights guarantees, establishing a national operations center that brought together various relevant authorities-health, security, and humanitarian-within a single coordination system. Oversight and accountability mechanisms were activated to ensure transparency in the distribution of humanitarian aid and health services, with the involvement of civil society in planning and response. This experience demonstrates that integration between human security and crisis management is not a theoretical choice but a practical necessity, and that its success depends on genuine political will and a clear legal framework that defines responsibilities and guarantees rights at all stages of the crisis. However, the enduring challenge remains the development of objective evaluation criteria to assess the protection of vulnerable groups and the continuity of essential services, ensuring that the integrative approach becomes a permanent model of good governance in both peacetime and crisis situations.

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Section Two : Challenges of the Integrative Approach and Ways to Enhance It

Achieving integration between human security and crisis management poses a significant challenge for states and international organizations, given the increasing intensity and complexity of contemporary crises that combine multiple elements. This section focuses on analyzing the challenges facing this integration, both at the legal and practical levels, while presenting practical proposals for developing the legal and institutional system to enhance it.

This section proceeds from an analysis of the problematic of balance between emergency requirements and rights guarantees, as states tend to expand their powers in emergency situations at the expense of fundamental rights. It also addresses the inadequacy of current legal frameworks in facing complex crises that combine natural and human elements, such as pandemics and complex environmental crises. Within this framework, the section presents proposals for developing national legislation and strengthening coordination mechanisms among the relevant authorities.

Subsection One: Legal and Practical Challenges to Applying the Integrative Approach

The integrative approach faces several challenges, most notably: the conflict between national security requirements and human rights guarantees, the lack of clarity in the legal framework regulating the work of institutions in emergency situations, and the difficulty of coordination among various entities. The United Nations has indicated that "the greatest challenge lies in achieving the balance between security and freedom"⁵².

Practical challenges include the difficulty of effective coordination among various national entities (security, humanitarian, medical) and international organizations during crises, leading to conflicting priorities and duplication of efforts. The absence of clear mechanisms for exchanging information and expertise also weakens the capacity for collective response. The European experience in confronting digital extremism has shown that "the absence of a unified operational framework among member states constitutes an obstacle to the effectiveness of any integrated security approach"⁵³.

As for legal challenges, they lie in the continuing contradiction between national legislation and international charters, as many states tend to adopt loose emergency laws that grant them broad exceptional powers at the expense of rights guarantees. The lack of clarity in legal texts regulating the work of institutions during crises leads to jurisdictional conflicts and a waste of the principle of legality. The reality of practice in some Arab states indicates that "counter-terrorism laws often adopt loose and imprecise terminology in defining terrorist activities, which expands the scope of criminalization and subsequently leads to its exploitation in restricting freedoms".

Branch One: The Problematic of Balance Between Emergency Requirements and Guarantees of Rights and Freedoms

The problematic of balance between emergency requirements and rights guarantees represents one of the fundamental challenges, as states tend to expand their powers in emergency situations at the expense of fundamental rights. The European Court of Human Rights has affirmed that "any measures taken in emergency situations must be proportionate and limited in time"⁵⁴, and has emphasized that such measures must be subject to judicial oversight⁵⁵.

This problematic manifests in practice through the suspension of many fundamental rights, such as freedom of movement, assembly, and expression, under the pretext of exceptional circumstances, without sufficient controls to ensure that these powers are not abused. The problem of unclear criteria for determining the end of a state of emergency also emerges, which may lead to its indefinite extension. The African Commission on Human and

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Peoples' Rights has indicated that "any derogation of rights in emergency situations must be exceptional, temporary, and subject to effective judicial oversight"⁵⁶.

In the Arab context, challenges appear more clearly given the existence of old emergency legislation that is incompatible with international standards. Studies indicate that "emergency laws in some Arab states grant executive authorities absolute powers without sufficient guarantees for the protection of rights"⁵⁷. The absence of effective and independent oversight mechanisms further complicates this problematic, necessitating the development of clear legal frameworks that ensure the achievement of real balance between security requirements and the protection of rights.

Branch Two : The Inadequacy of the Legal and Institutional Framework in Facing Complex Crises

The inadequacy of the legal and institutional framework clearly reveals itself when facing complex crises that combine natural and human elements, such as pandemics and complex environmental crises. The COVID-19 pandemic has exposed the shortcomings in the legal frameworks of many states⁵⁸, and has also demonstrated the need to develop flexible mechanisms capable of adapting to the nature of modern crises.

The legal inadequacy lies in the absence of comprehensive and integrated legislation capable of addressing multidimensional crises, as current laws often deal with each type of crisis in isolation from others. As for the institutional inadequacy, it is manifested in the lack of effective coordinating bodies bringing together different entities, and the weakness of information exchange mechanisms between national and international institutions. The United Nations Development Programme has indicated that "current institutional frameworks lack sufficient flexibility to deal with complex and interrelated crises"⁵⁹.

In the Arab context, this problem is exacerbated by the fragmentation of legislation and the conflict of competencies among different institutions. Dr. Hoda Qanso has observed that "Arab legal systems deal with crises according to a sectoral and isolationist logic, which weakens the effectiveness of response in complex crises"⁶⁰. She also noted that "the absence of proactive planning and the lack of comprehensive national strategies intensify institutional challenges." This necessitates the development of flexible legal and institutional frameworks capable of confronting the changing nature of contemporary crises.

Subsection Two: Proposals for Developing the Legal System to Achieve Human Security

Development proposals include comprehensive legislative and institutional reforms aimed at enhancing integration between human security and crisis management. These proposals include: updating national legislation, strengthening coordination mechanisms, and building institutional capacities. The United Nations has recommended adopting a human rights-based approach in crisis management, as this approach constitutes the fundamental guarantee for achieving balance between the requirements of crisis management and the necessity of protecting the fundamental rights of individuals⁶¹.

The fundamental pillar of development proposals lies in the transition from the traditional model based on reactive response to the proactive model focused on prevention and preparedness. The United Nations Development Programme has indicated that "investment in early warning systems and prevention yields far greater security and humanitarian returns than focusing on response alone"⁶². This requires the development of clear legal frameworks defining the responsibilities of all relevant parties in the phases of prevention, response, and recovery, while ensuring respect for human rights at all stages.

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Branch One: Legislative Reforms to Enhance Integration Between Human Security and Crisis Management

Legislative reforms include the adoption of comprehensive crisis management laws that respect human rights standards, the establishment of legal frameworks to regulate the work of humanitarian organizations, and the inclusion of legal guarantees to protect rights in emergency situations. The Special Rapporteur on the human rights of internally displaced persons has proposed "the adoption of comprehensive national disaster legislation based on human rights"⁶³.

The most important proposals for legislative reform lie in the necessity of reviewing national laws to ensure their compatibility with international obligations in the fields of human rights and international humanitarian law, as many Arab legislations still suffer from legislative gaps in this area. The Arab Commission for Human Rights has indicated that "harmonizing national legislation with international charters represents the first step towards achieving human security"⁶⁴.

Legislative reforms also include the development of legal frameworks to enhance transparency and accountability in crisis management, and the establishment of independent national mechanisms to monitor the performance of institutions concerned with crisis management. Egyptian professor Dr. Mahmoud El-Sayed has affirmed that "legislative reform must include the creation of independent oversight bodies with the authority to supervise the work of executive authorities in emergency situations"⁶⁵.

Branch Two: Governance and Oversight Mechanisms to Ensure Effective Humanitarian Response

Governance and oversight mechanisms include the establishment of independent oversight bodies, the development of accountability systems, and the adoption of transparency standards in aid management. The Organisation for Economic Co-operation and Development has affirmed that "effective governance is essential for achieving an effective humanitarian response"⁶⁶.

The proposed mechanisms in this framework include strengthening international cooperation and dialogue among all member states, and supporting collective efforts such as the international initiative to revive political commitment to international humanitarian law. It also requires the development of effective coordination mechanisms between governmental and non-governmental actors to ensure the neutral and independent delivery of humanitarian assistance. The OECD has emphasized the importance of involving local communities in the decision-making process.

The effectiveness of these mechanisms depends on the existence of independent oversight systems with broad powers to monitor and evaluate the performance of institutions concerned with crisis management. Saudi researcher Dr. Fahad Al-Otaibi has indicated that "the establishment of independent oversight bodies represents a fundamental guarantee for achieving transparency and accountability in crisis management"⁶⁷, and has emphasized the importance of having the necessary political will to enable these bodies to perform their functions effectively.

Conclusion:

The conclusion represents the final stage of this study, summarizing the most prominent findings and presenting practical, applicable proposals. These final pages constitute a condensed answer to the central research problem from which the study originated, along with an indication of the horizons for further development of this research.

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After the in-depth analysis of the theoretical and legal framework of human security and crisis management, and the study of ways to achieve integration between them, this conclusion comes to draw lessons learned and formulate practical recommendations that contribute to the development of the legal and institutional system concerned with the protection of human beings in times of crisis.

Findings:

The study reached a set of main findings, which can be summarized as follows:

1. Theoretical Findings:

- The existence of a fundamental shift in the concept of security from the traditional state-based perspective to the comprehensive human-centered concept was confirmed.
- It became clear that the integrative approach between human security and crisis management constitutes an effective framework for confronting contemporary challenges.

2. Legal Findings:

- The study revealed the existence of a legislative gap between national laws and international charters in the fields of human security and crisis management.
- It became evident that the current legal framework suffers from inadequacy in confronting complex and interrelated crises.

3. Institutional Findings:

- The study demonstrated the weakness of coordination mechanisms between national institutions and international actors active in the field of humanitarian relief.
- The results showed the limited effectiveness of oversight and accountability mechanisms in emergency and crisis situations.

Recommendations:

Based on the above findings, the study presents a set of recommendations:

1. At the Legislative Level:

- The necessity of adopting comprehensive crisis management laws based on human rights standards.
- The importance of including legal guarantees for the protection of fundamental rights in emergency legislation.

2. At the Institutional Level:

- Establishing specialized national coordination bodies for crisis management with clear competencies.
- Enhancing cooperation between national institutions and specialized international organizations.

3. At the International Level:

- Developing international oversight mechanisms to follow up on the implementation of international obligations in the field of human security.
- Strengthening the role of the United Nations in coordinating international efforts to protect civilians during crises.

4. Recommendations for the Future:

- Conducting further comparative studies on the experiences of states in the field of integration between human security and crisis management.
- Developing precise measurement indicators to evaluate the effectiveness of policies and programs in this field.

In conclusion, the integrative approach between human security and crisis management represents a necessary path to confront contemporary challenges, and it requires genuine political will and effective international cooperation to achieve actual protection for human beings and their dignity under various types of crises.

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