The Role and Position of International Law in the Prevention of Earthquake Natural Disasters in the Countries of the Geographical Area of Turkey and Syria with an Emphasis on Human Security

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Abstract

The aim of the current research is to examine the role and position of international law in preventing natural disasters from earthquakes in the countries of Turkey and Syria with an emphasis on human security. The method of this article is descriptive-analytical in which an attempt will be made to analyze and explain the research issue by using the available legal texts and sources as well as the scientific research articles conducted on the subject. One of the main concepts on which the modern international law system is based. Security is human. International security, along with international peace, has been mentioned as one of the goals of the United Nations Charter and the contemporary international legal system. Human security is actually the extract and process of studies conducted in the two fields of security and human development, which can change the way of looking at many issues of international law, and at the same time raises new issues that law must respond to. Today, the importance of human security can be very effective in preventing natural disasters and developing international preventive rules.

Keyword: Human security, modern international system, natural disasters

Introduction

Currently, a large part of the areas on earth have some effects of natural disasters. In recent years, due to the sensitivity and importance of natural disasters, they can threaten human lives. One of the earthquake events has changed from the regional level to the global level. At the regional level, in recent years, the countries in the geographical area of Turkey and Syria have been exposed to harmful earthquake events. For the prevention of destructive effects, one of

the main areas is the international aspect of the issue, which can have a great impact on the prevention of natural disasters of earthquakes.

The role and position of one of the issues of the importance of human security at the international level. Human security can be considered as the paradigm of security at the threshold of the 21st century, and it can be considered as a kind of turn in security studies, because the goal of the security authority has changed from governments to humans. In other words, the security issues that were defined in the military field were paid attention to the political, social, economic and environmental fields. On the other hand, human security can be considered as a doctrine that follows the idea of development, which is among the third generation of human rights, and is considered a process for the full realization of human rights, and is formulated to protect fundamental human rights and freedoms. Accordingly, the international community urgently needs a new security paradigm because the debate has changed drastically since the emergence of "state security" which was advocated in the last century, and based on that traditional idea, the state has the rights and means to protect its citizens. monopolizes Nevertheless, from the point of view of the United Nations, "human security" complements state security and increases human rights and strengthens "human development". This organization seeks to protect people against a wide range of threats to individuals and societies. According to the definition of the Islamic Security Commission of the United Nations, human security is: protecting the vital core of human life in ways that protect human freedoms and the realization of humanity. Increase. Human security means protecting people from threats and critical situations.

The United Nations first proposed the concept of human security in the Independent Commission on Disarmament Security Issues (Plan Commission) in 1982. The United Nations Development Program also examined its conceptual and legal dimensions and stated that the human person should be at the heart of affairs. Also, the United Nations Development Program in its 1994 report pointed out two important components of human security. "Freedom from fear" and "freedom from need" with the creation of the Independent Human Security Commission by this organization, the institutionalization of human security by the United Nations was put on a more serious agenda.

1. From national security to human security

State sovereignty is one of the oldest concepts of modern international law, and the principle of equality of state sovereignty is one of the most rooted principles of the United Nations Charter. This principle is the main axis of the entire body of international law standards and all international relations are based on it. "Governance concepts" are closely related to the traditional concept of security. Also, national security protects the government as an independent institution against external threats. The value that national security strives for is the sovereignty of the state, which includes the territory and political autonomy. Therefore,

supporting the government's sovereignty in international law is the result of supporting "national security".

2. Concept design of human security

The concept of human security first appeared in the report of the Independent Disarmament Security Issues Commission (Plan Commission) which was presented in 1982. After about a decade, the United Nations Development Program paid attention to the important ideas in this report in its report. In its report in 1993, the United Nations Development Program emphasized that the human person should be included in international affairs. In 1994, the United Nations Development Program listed four characteristics for the concept of human security:

2- 1- Human security is a global concern that concerns every person anywhere.

2-2- Its elements are so interconnected that extending it in one part of the world affects other parts of the world as well.

2-3- It is easier to prevent the threat of human security in advance than the subsequent intervention to establish it.

4-2- Human security is person-centered.

3. Human and national security; Conflict or coexistence?

According to the traditional view of security and the views of the proponents of this view, which were usually realism and neorealism, this idea comes to mind that in the traditional view of security, they did not consider rights at all for humans as a function that has the right to be the subject of protection, and freedoms and Human needs have also been suppressed in the direction of national security. Also, according to the concept of human security and its components, it may be understood that human security has pushed the internal borders and violated the sovereignty and security of governments. With a little precision, one can see that these two concepts have been formed in opposition to each other, but the necessity of coexistence of these two is an undeniable fact. In other words, government security and human security are mutually dependent and complement each other, and the existence of one depends on the other. Without "human security", "national security" cannot be provided and vice versa.

4. Human security in international human rights documents

Research shows that international human rights support three types of security; "personal security", "social security", and what we call "international security".

Article 9 of the 1966 Covenant on Civil and Political Rights, Article 6 of the African Charter on Human and People's Rights, Article 1 of the American Declaration on the Rights and Duties of Individuals, Article 7 of the American Convention on Human Rights, and Article 5 of the European Convention on Human Rights and Fundamental Freedoms refer to personal security. The concept of personal security cannot be considered synonymous with human security, these

two concepts are different. However, the analysis of court cases of human rights documents may show that there is a close relationship between these two concepts, but it must be accepted that what is considered as personal security only guarantees freedom and arbitrary detention and the broad perspective of human security. Especially the security aspect is not included for fear of it.

The second type of security supported in human rights documents is social security, which is undoubtedly a human right. Regarding social security in human rights documents, we can refer to Article 22 and 25 of the Universal Declaration of Human Rights, Article 9 of the Covenant on Economic, Social and Cultural Rights, Article 16 of the American Declaration on the Rights and Duties of Individuals, Article 16 of the Additional Protocol to the American Convention on Human Rights. Economic, social and cultural (Protocol of San Salvador) mentioned. If everyone can agree that social insecurity is the central and core part of the human security agenda. Despite this, it cannot be considered as the cornerstone of human security, rather, social insecurity is only a small part of human security.

Finally, the third type of security that receives the attention of international human rights is international security. Article 28 of the Universal Declaration of Human Rights and Article 23 of the African Charter on Human and People's Rights refer to international security. This example shows the fact that human rights support the concept of security (international security) between states and individuals under their jurisdiction. The African Commission on Human and People's Rights has applied this right. When these three parts of security, for example, personal security in order to support government intervention, the broad concept of supporting the insecurity of other bodies, social security in order to be free from need, and finally the international aspect of security are together. It provides strong evidence of the proximity of human security to the perspective and principles of human rights in the concept of international human rights regime.

5. National security to promote human security

During the last two decades, governments have made significant efforts to introduce the concept of human security in their domestic and foreign policies. In addition to efforts related to human security, such as the efforts of the members of Friends of Human Security and Human Security Network, it has been in line with the interests of countries such as Mongolia, Ecuador and Thailand.

In 2000, human security became a priority for the Mongolian government, which is currently called "Good governance for human security". In addition, as the host of the 5th International Conference for New or Restored Democracy, the Mongolian government strengthened its commitments to establish the basic principles of human security in its domestic policy and also adopted the Lulan Bator Declaration for Democracy, Good Governance and Civil Society.

Thailand is the first country to dedicate a ministry to human security. Among its many activities, the Ministry of Social Development and Human Security strives to promote liberation from need and freedom to live with dignity from the perspective of the people of the organization and actively use and promote and strengthen multilateral and multi-sector cooperation between national organizations dedicated to human security. have became.

6. Regional actions in promoting human security

Regional intergovernmental organizations play a very important role in identifying public insecurities, mobilizing to support human security and repelling insecurities, and promoting collective operations to counter these insecurities. which exists at the regional level, these organizations are determined and decisive partners in order to guarantee and support human security.

In Africa, the importance of human security and the relationship with peace, security and development is reflected in the agenda and decisions of the African Union. Also, attention to human security and peace and security is included in the Non-Aggression and Common Defense Treaty, the African Union Constitution and the Statement of Commitment for Peace and Security in Africa.

In 1997, in response to the Asian financial crisis, the members of the Association of Southeast Asian Nations issued a joint statement "Asia Vision 2020". This statement envisioned a region where human dignity and equal access to opportunities for comprehensive and comprehensive human development are respected, and since then human security has been reflected in Abe's joint declaration of the Ministry of Defense in 2009.

In the American continent, measures have been taken by the organizations of this continent, among these measures, one can mention the approval of the Security Declaration in America by the Organization of American Governments (OAS), and the approval of the Security Declaration in America by the Organization of American Governments in 2003.

7. Actions of the United Nations in promoting human security

In addition to the cooperation of member states of the Organization in promoting human security, the Commission on Human Security has a very sensitive duty to promote the concept of human security in the United Nations system. The Commission was established to promote the two goals agreed upon at the 2000 Summit of the Cave of the Heads in a place of need and "freedom from fear". The Commission on Human Security began its work on global development. Also, the commission is committed to consult widely with governments, regional and international organizations, and civil societies. The last report of the commission titled "Human Security Now" was published in 2003. This report was a document in promoting the implementation of the concept of human security in the United Nations system, which has had the most important effect on the work of the United Nations Human Security Trust Fund. The Atad Fund reviewed its budget guidelines based on the findings of the commission's report and

planned its budget under the board of advisors in human security and reflected the commission's innovative recommendations in it.

The Human Development Report Office in the United Nations Development Program plays an important role in improving the understanding of the concept of human security. It has been presented since the publication of the National Human Development Report. This report shows how human security can be contextualized and used to promote responses to the specific insecurities that each state faces. The United Nations Educational, Scientific and Cultural Organization has also held a series of conferences on "improving human security in the form of moral, normative and educational legal frameworks" at the regional level. These conferences and accompanying publications emphasize the global nature of human security. The outcome of regional consultations on human security in the latest publication issued in 2008 entitled "Human Security; Approaches and challenges" are summarized.

8. The concept of human security in the geographical area of Turkey and Syria

Human security is one of the most important fundamental rights that the government should not only disturb the security of the citizens but also has the duty to provide the necessary conditions to maintain the security of the citizens. There is no doubt about the necessity of citizens' security, but there may be no federalism in the limits and loopholes of this security in legal systems. In other words, security has been judged in a broad or narrow sense. Many and varied definitions of human security have been presented in the topic. In the narrow definition, traditional security threats such as landmines, small arms, violence and conflicts are more focused, but in the extended definitions, a long list of age-related threats and even development-oriented threats such as poverty and the environment are emphasized.

In the first way, it can be said that in the broad interpretation, natural disasters, including earthquakes, can be considered as threats that can endanger human security.

9. The role and position of international law in the field of human security

Human security has been the concern of the United Nations since its inception. After the formation of this organization and during the Cold War and the formation of the bipolar system, human security was marginalized and the idea of state security proposed by the realist school became the dominant idea of security. After the cold war and the destruction of the bipolar system on the one hand and the change in the nature of the threats to the governments on the other hand, the idea of human security gained more space in the United Nations. The hypothesis of the article is the role and position of international law in the field of human security of earthquake natural disasters and what practical measures have been taken. In response, it can be said that the answer to the hypothesis is efforts to improve the position of human security in the Universal Declaration of Human Rights - the Geneva Convention on the Protection of Civilians in Time of War, the Genocide Convention, the Declaration on the Protection of the Rights of Women and Children in Armed Conflicts, the International Covenant Economic,

social and cultural rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Discrimination against Time and the Declaration of the Right to Development and the Convention on the Prohibition of Torture have been manifested.

10. The role and position of international law in the prevention of earthquake natural disasters with an emphasis on human security

In the countries of the geographical area of Türkiye and Syria:

In terms of role and position in the field of promoting human security, international law has scattered economic and security programs. In other words, in the implementation of the Security Council, it is a question of peace and security, and the General Assembly covers many economic, social and cultural issues. Most of the resources and operational power in development matters are kept in international financial institutions. Therefore, it is different (inseparable) parts of human security and related institutions. The UN Security Council has gradually expanded its understanding of threats. Global peace and stability include mass movements, refugees, Ether, the new role of human rights. But has the role and position of human rights been able to identify other threats or have a better understanding of future threats, including Natural disasters, climate changes, earthquakes or have been able to consider more human security issues. One of the threatening issues in the field of earthquake natural disasters, which we sometimes witness these natural disasters, especially in the 2023 earthquake in the geographical area of Syria and Turkey, which left many casualties, can be seen in the importance and sensitivity of the issue of the role and position of international law. To have a significant effect in preventing natural disasters.

Conclusion

In terms of the role and position, importance and sensitivity of the issue in the field of natural disaster prevention, international law has put human security in the focus of its goals. Since the 1990s, the concept of human security has been seriously formulated in the United Nations. In the Universal Declaration of Human Rights, the Geneva Convention on the Protection of Civilians in Time of War, the Genocide Convention, the Declaration on the Protection of the Rights of Women and Children in Time of Armed Conflict, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention The elimination of any discrimination against women, the Declaration of the Right to Development and the Convention against Torture are emphasized on human security and its issues. To implement the role of international law and the realization of human security goals in the United Nations, it used its various organs, including the Secretariat, the General Assembly, the Security Council, the Economic and Social Council, and a change in the view of human security of the governments. In other words, the Human Security Commission is specially focused on promoting different dimensions of human security. This commission also emphasizes on the realization of security, protection of people

in violent conflicts and protection of people's rights and freedoms. On the other hand, this commission emphasizes on protecting the people against the proliferation of weapons. The trust fund of this organization has also given its priority to the most vulnerable areas by financing various global projects, especially in vulnerable areas. Also, the United Nations, in order to promote environmental protection, removed this issue from the scope of national sovereignty of governments and established the United Nations Environment Program in order to coordinate the activities of countries in this field.

Due to the fact that different countries, especially developing countries, have resisted and continue to resist the developments that improved human security, international law can play the role of macro management and a leader in the field of human security in the prevention of natural disasters, especially in have the geographical area of Turkey and Syria. This mission of international law is becoming more and more important in terms of role-playing that the threats of natural disasters are of concern to human security. Because the nature of threats such as climate change, lack of food, shortages in health and health, fighting against epidemics, etc. requires multilateral cooperation. At another time, although international law has taken effective measures in the field of human security in terms of role-playing and a high position at the international level, but in the field of threats such as the occurrence of natural disasters, earthquakes, and prevention and compensation, a change is needed in the view of a global form of support for governments at the domestic level. and international development of binding rules and regulations and cooperation and cooperation for the promotion of human security.

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